

**DATE ISSUED:** October 20, 2005 **REPORT NO. PC-05-277**

**ATTENTION:** **Planning Commission, Agenda of September, 2005**

**SUBJECT:** 4181 FLORIDA TENTATIVE MAP - PROJECT NO. 70964  
PROCESS FOUR

**OWNERS:** GLEN C. KARP and LAURA Q. KARP

**APPLICANT:** ALGERT ENGINEERING, INC.

**SUMMARY**

**Issue:** Should the Planning Commission approve a Tentative Map for the conversion of nine existing residential units into condominiums at 4181 Florida Street, within the Greater North Park Plan Area?

**Staff Recommendation:**

1. **Approve** Tentative Map No. 224172and
2. **Approve** waiver to the requirement to underground existing overhead utilities.

**Community Planning Group Recommendation:** On September 20, 2005, the Greater North Park Community Planning Committee voted 74-0 recommending denial of the proposed project. The issues regarding the recommendation to deny the project are summarized in the approved meeting minutes (Attachment 7) and discussed in greater detail further within this report.

**Environmental Review:** This project is exempt from environmental review pursuant to Article 19, Section 15301(k), Existing Facilities, of the California Environmental Quality Act (CEQA).

**Fiscal Impact Statement:** None with this action. All costs associated with the processing of this project are paid by the applicant.

**Code Enforcement Impact:** None with this action.

**Housing Impact Statement:** With the proposed conversion of nine existing apartments to condominiums, there would be a loss of nine rental units and a gain of nine for-sale units. This condominium conversion project was deemed complete on June 6, 2005, and is therefore subject to the new regulations regarding Inclusionary housing and tenant relocation assistance.

## **BACKGROUND**

The 0.17-acre site is located at 4181 Florida Street (Attachment 1) in the MR-1250B Zone of the Mid-City Communities Planned District within the Greater North Park Community Plan Area (Attachment 2). The site is developed with a two-story structure containing nine units, including six one-bedroom units and three two bedroom units. There are a total of nine off-street parking spaces serving the property, four of which are accessed directly from Florida Street and the remaining five from the rear alley. The project is located in a predominantly multi-family neighborhood characterized by medium to medium-high density developments on standard 5,000 to 7,000 square-foot lots. The neighborhood includes the El Cajon Boulevard commercial corridors within two blocks of the project site.

The existing nine unit building was constructed in 1965 when the property was zoned R-4 and would have permitted a maximum of 19 units on the site. Parking requirements in effect in 1965 required a minimum of one space for each dwelling unit. The development complied with the zoning and development regulations at the time of construction and no Building or Zoning code violations have been recorded against the property. The property and the surrounding neighborhood were rezoned from R-4 to R-3A in 1975 and to MR-1250B in 1987 when the site was incorporated into the Mid-City Planned District Ordinance. Current land use recommendations and development regulations would allow a maximum of six dwelling units on the lot.

## **DISCUSSION**

### **Project Description:**

The project proposes a Tentative Map for the subdivision of a 0.17-acre site to convert nine existing dwelling units into condominiums on an existing lot (Attachment 5). The applicant is also requesting that the requirement for the undergrounding of existing overhead utilities be waived.

Section 125.0410 of the San Diego Municipal Code (SDMC) requires that a Tentative Map be processed for the subdivision of land. According to SDMC Sections 125.0440 and 125.0444,

*Findings for Tentative Maps and for Condominium Conversions*, the decisionmaker may approve a Tentative Map for the purposes of the conversion of residential property into a condominium project if the decisionmaker finds that the proposed conversion complies with the requirements of the Subdivision Map Act and the San Diego Municipal Code. Staff has reviewed the proposed condominium conversion and determined that it complies with both the Subdivision Map Act and the San Diego Municipal Code.

#### Undergrounding of Existing Utilities

San Diego Municipal Code Section 144.0240 allows the subdivider to apply for a waiver from the requirement to underground the existing overhead utilities within the boundary of the subdivision or within the abutting public rights of way. City staff has determined the undergrounding waiver request qualifies under the guidelines of Council Policy 600-25, *Underground Conversion of Utility Lines at the Developer's Expense*, in that the conversion involves a short span of overhead facility (less than 600 feet in length), it has been determined that such conversion is not a part of a continuing effort to accomplish a total under-grounding within a specific street or area, and the conversion is a requirement of a condominium conversion of an existing development and the conversion would not represent a logical extension to an underground facility. The applicant would be required to underground any new service run to any new or proposed structures within the subdivision per Condition No. 4 of the draft Tentative Map resolution (Attachment 6).

The neighborhood currently contains power poles and overhead utilities lines in both the Florida Street right-of-way fronting the site and the alley right-of-way at the rear of the property. One pole located in the alley at the northeast corner of the site extends to other properties located north and south within the alley. The pole located within the Florida Street right-of-way at the southwest corner of the lot extends the utility lines to the properties on the opposite side of the street. It has been determined that a minimum of two poles would have to be relocated to the southeast and northwest corners of the property in order to facilitate a complete underground effort for the 50 foot frontages at the front and rear property lines. The City's Undergrounding Master Plan for Fiscal Year 2006 designates the site within Block 3X, and the date for undergrounding has been established for the year 2009 (Attachment 10).

#### **Community Planning Group and Neighborhood Recommendations:**

The Greater North Park Community Planning Committee voted 7-4-0 to recommend denial of the proposed project on September 20, 2005, after a previous motion to approve the project with the five standard condominium conversion conditions failed 4-7-0. The motion to deny the project was based on the concern that the existing building does not contribute to the long term historical and architectural character of the Greater North Park community and specific façade improvements were not guaranteed by the applicant. Some weeks after the vote was taken it was determined by the Planning Committee Chair and Secretary that there was some confusion amongst the planning committee members regarding who the project developer actually was. Based on subsequent discussions with the Planning Committee Chair, it appears the group

mistakenly thought that the 4181 Florida Street project was proposed by a developer who has stated (as policy) that they would not provide plans or renderings of proposed building improvements for consideration as it is solely the tentative map which is the project issue. The applicant and owner for the 4181 Florida project had in fact provided renderings and agreed to certain design issues proffered by the planning sub-committee in a previous meeting. It is now assumed that had this issue been made clear at the September 20, 2005 meeting, the 4181 Florida Street project would likely have garnered a positive recommendation from the Greater North Park Planning Committee (Attachment 7).

### **Project-Related Issues:**

The requested conversion of the nine residential units to condominiums represents primarily a change in ownership. The applicant has certified that the required 60-day Notices of Intent to Convert to Condominiums were provided to the tenants on February 17, 2005 (Attachment 9).

All condominium conversion projects Deemed Complete on or after February 7, 2004, must conform with the new regulations regarding Inclusionary housing and tenant relocation benefits adopted by the City Council on March 15, 2004. This proposed project was Deemed Complete on June 6, 2005, and is therefore subject to these new regulations. The project has been conditioned to require the subdivider conform with the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code) and demonstrate conformance with the Municipal Code provisions for Tenant Relocation Benefits (Chapter 14, Article 4, Division 5) to the satisfaction of the City Manager and the Housing Commission, prior to the recordation of the Final Map.

### **Conclusion:**

Staff has reviewed the request for a Tentative Map for the conversion of nine residential units into condominiums and has found the project to be in conformance with the applicable sections of the San Diego Municipal Code regulating Tentative Maps. Staff believes the requirement findings can be supported and recommends the Planning Commission approve the project as proposed.

### **ALTERNATIVES**

1. **Approve Tentative Map No. 224172 with modifications.**
2. **Deny Tentative Map No. 224172 if the findings required to approve the project cannot be affirmed.**

**Respectfully submitted,**

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**Jeffrey D. Strohminger**  
**Assistant Deputy Director, Customer Support**  
**and Information Division**  
**Development Services Department**

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**Patrick Hooper**  
**Customer Support and**  
**Information Division**  
**Development Services Department**

STROHMINGER/JPH

Attachments:

1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Project Data Sheet
5. Tentative Map
6. Draft Map Conditions and Subdivision Resolution
7. Community Planning Group Recommendation
8. City's Undergrounding Master Plan – Map 3X
9. Copy of 60-Day Notice of Intent to Convert
10. Project Chronology
11. Ownership Disclosure Statement