

**DATE ISSUED:** December 8, 2005 **REPORT NO. PC-05-345**

**ATTENTION:** **Planning Commission, Agenda of December 15, 2005**

**SUBJECT:** 4342 IDAHO TENTATIVE MAP - PROJECT NO. 77455  
PROCESS FOUR

**OWNERS:** William and Charleen Duke Properties, LLP

**APPLICANT:** Burkett & Wong Surveying

**SUMMARY**

**Issue:** Should the Planning Commission approve a Tentative Map for the conversion of nine existing residential units into condominiums and waive the requirement to underground existing overhead utilities on a 0.6 acre site located at 4342 Idaho Street in the Mid-City Planned District within the Greater North Park Communities Plan Area?

**Staff Recommendation:**

1. **Approve** Tentative Map No. 240023 and
2. **Approve** waiver to the requirement to underground existing overhead utilities.

**Community Planning Group Recommendation:** On October 8, 2005, the Greater North Park Planning Committee voted 12-1-1 (Attachment 7) to approve the proposed project and included the five standard comments regarding condominium conversions emphasizing the committee's opposition to the underground utility waiver, the need to maximize landscape and off-street parking opportunities, the right of first refusal to existing tenants and the preservation of historic sidewalk scoring patterns. These issues are discussed 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). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on August 3, 2005, and the opportunity to appeal that determination ended on August 23, 2005.

**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 July 29, 2005, and is therefore subject to the new regulations regarding Inclusionary housing and tenant relocation assistance.

## **BACKGROUND**

The 0.16-acre site is located at 4342 Idaho Street in the MR-800B Zone of the Mid-City Planned District Ordinance within the Greater North Park Community Plan Area (Attachment 3). The site is developed with a two story building with six one-bedroom units and three two-bedroom units. There are a total of nine off-street parking spaces serving the property. Five surface spaces are accessed from the alley at the rear of the property and four surface spaces within the front yard are accessed directly from Idaho Street. The project is located in the heart of the Mid-City Community and surrounded by multi-family development. Other land uses in neighborhood include the Park Boulevard commercial corridor and the San Diego Unified School District office complex two blocks west of the site.

The existing building was constructed in 1967 when the property was zoned R-4 and would have permitted a maximum of 18 units on the site. Parking requirements in effect in 1967 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 several times over the years and the current MR-800B was enacted on November 2, 1987 as part of the Mid-City Planned District Ordinance. Current land use recommendations and development regulations would allow the nine units on the 7,000 square-foot lot however the existing units would require a minimum of 12 off-street parking spaces. The existing property, including the structure and parking configuration, has previously conforming rights pursuant to Section 127.0102 of the Land Development Code.

## **DISCUSSION**

### **Project Description:**

The project proposes a Tentative Map for the subdivision of a 0.16-acre site to convert nine existing dwelling units into condominiums and to consolidate two existing parcels into one 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 all onsite utilities and any new service run to any new or proposed structures within the subdivision per Condition Nos. 4 and 5 of the draft Tentative Map resolution (Attachment 6).

The neighborhood currently contains power poles and overhead utilities lines on the opposite side of the alley right-of-way. The utility lines to these poles extend to other properties located north and south within the alley. There are no utility poles within the right-of-way adjacent to the property and the drop lines servicing the subject property are connected mid-span. In order to facilitate the undergrounding requirement, existing poles would have to be relocated to the corners of the property and an additional pole may be required to support the remaining lines to the north or south. The City's Undergrounding Master Plan for Fiscal Year 2006 designates the site within Block 3Y, and the date for undergrounding has been established for the year 2010 (Attachment 10).

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

The Greater North Park Planning Committee voted 12-1-1 to recommend approval of the proposed project on October 18, 2005, with the condition that the project restore the original building roofline and remove the two mansard roof element additions. The Planning Committee also added the following five standard recommendations for condominium conversion projects:

1. *Deny the request to waive the requirement to underground existing overhead utilities.* As previously stated City staff determined that the request to waive the requirement to underground existing overhead utilities is consistent with Council Policy 600-25 and would continue to support the undergrounding waiver request. Additionally, Condition No. 5 of the Tentative Map Resolution (Attachment 6) requires that all existing on-site facilities are undergrounded as a part of this action.
2. *Provide existing tenants with the right of first refusal to purchase their units.* The right of first refusal is a condition of approval within the Tentative Map Resolution.
3. *Maximize new landscape and off-street parking opportunities.* As previously discussed, the proposed project complies with current parking regulations and has previously conforming rights to maintain the site as approved subject to R4 Zone regulations applicable to the development of the site in 1967. However, the applicant has agreed to include landscape in the front yard area to discourage tandem parking.
4. *Preserve historic sidewalk scoring patterns and contractor date stamps.* The Tentative Map Resolution is conditioned to require the preservation of historic score patterns and date stamps as well as matching score patterns when new sidewalks are required (Resolution Condition No. 6).

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

The requested conversion of these 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 May 24, 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 July 29, 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. 240023with modifications.**
2. **Deny Tentative Map No. 240023if 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**  
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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 3R
9. Copy of 60-Day Notice of Intent to Convert

10. Project Chronology
11. Ownership Disclosure Statement