

**DATE ISSUED:** March 9, 2006 **REPORT NO.** PC-06-045

**ATTENTION:** Planning Commission, Agenda of March 16, 2006

**SUBJECT:** 1264 REED AVENUE TENTATIVE MAP - PROJECT NO. 86523.  
PROCESS 4.

**OWNER/  
APPLICANT:** Robert L. Woodward and Patricia P. Woodward, Co-Trustees of the  
Woodward Family Trust, Owner, and Curtis Gabhart, Applicant  
(Attachment 8)

### **SUMMARY**

Issue(s) - Should the Planning Commission approve Coastal Development Permit No. 274546, Tentative Map No. 274547 to convert eight existing residential units to condominiums and to waive the requirement to underground existing utilities on a 0.14 acre site located at 1264 Reed Avenue within the Pacific Beach Community Plan area?

Staff Recommendation -

1. APPROVE Coastal Development Permit No. 274546, Tentative Map No. 274547 and waive the requirement to underground existing utilities.

Community Planning Group Recommendation – A recommendation from the Pacific Beach Community Planning Group was not available at the time of publication. The planning group’s recommendation will be presented at the public hearing.

Environmental Review - The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Article 19, Section 15301(k) as “Existing Facilities.” This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on November 3, 2005, and the opportunity to appeal that determination ended November 17, 2005. This Tentative Map has no outstanding environmental appeals.

Fiscal Impact - 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 eight existing apartments to condominiums, there would be a loss of 8 rentals units and a gain of 8 for-sale units. This Tentative Map request was deemed complete subsequent to February 7, 2004, and therefore is required to comply with the inclusionary affordable housing requirements.

## **BACKGROUND**

The 6,240 square foot site is located at 1264 Reed Avenue in the RM-1-1 Zone within the Pacific Beach Community Plan area between Everts and Fanuel Streets. The surrounding land uses are multi-family residential. The Land Use Element of the Pacific Beach Community Plan designates the site for Low-Medium Density Residential at 9-14 dwelling units per acre (Attachment 1). The 0.14 acre site has been developed at an approximate density of 57 dwelling units per acre (Attachment 2). Under the current zoning, RM -1-1, the site could be developed with two units. Within areas designated for attached housing, the Pacific Beach Community Plan does not address the issue of single versus condominium or fractional ownership.

The existing development, zoned R4 at the time, was constructed in 1969 (Attachment 3). When developed the approved construction met all current regulations. The site is presently improved with one two-story apartment building. Within the building there are six one-bedroom units and two two-bedroom units. The one bedroom units range in size from 550 to 756 square feet while the two bedroom units are 799 square feet. The original development provided eight parking spaces.

The development complied with the zoning and development regulations in effect at the time of construction. No Building or Zoning Code violations are recorded against the property. The project has previously conforming rights to be maintained as outlined in Chapter 12, Article 7, Division 1 of the Land Development Code.

## **DISCUSSION**

### Project Description

The current application proposes a Tentative Map (Attachment 4) to convert the existing 8 residential units to condominiums. The Land Development Code defines a subdivision as development and a Coastal Development Permit is required for all development within the coastal zone. Utilities are existing above ground in the right-of-way of Reed Avenue and the alley behind the property. No physical changes to the developed site are proposed or will occur should the Planning Commission action be to approve the application.

Section 125.0410 of the San Diego Municipal Code (SDMC) requires a Tentative Map be processed for the subdivision of land. According to SDMC §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 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 it complies with both the Subdivision Map Act and San Diego Municipal Code.

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 is a requirement of a condominium conversion of an existing development and the conversion involves a short span of overhead facilities less than a full block in length, the conversion would represent an isolated undergrounding with a minimum probability of extension in the future, and the conversion would not represent a logical extension to an undergrounding facility. The applicant would be required to underground any new service run to any new or proposed structures within the subdivision per Condition No. 5 of the draft Tentative Map resolution (Attachment 5).

Presently existing utilities are located south of Reed Avenue at the rear of the project site behind the building in the alley. Neighboring sites adjacent and behind the alley from the subject property receive electrical, telephone and/or cable service from these overhead lines. Undergrounding those services would disrupt properties not included in the proposed project. The City's Undergrounding Master Plan for Fiscal Year 2004 designates the site within Block 2U. The year of undergrounding activity in this neighborhood has not been determined at this time by the City Council (Attachment 7).

### **CONDOMINIUM CONVERSION REGULATIONS**

The requested conversion of these residential units to condominiums represents primarily a change in ownership.

The applicant has certified that the required 60-day Notice of Intent to Convert to Condominium was provided to the tenants on July 1, 2005 (Attachment 7).

All condominium conversion projects deemed complete on or after February 7, 2004, must comply with new regulations addressing inclusionary housing and tenant relocation benefits adopted by the City Council on March 15, 2004. This proposed project was deemed complete on October 18, 2005, is subject to these regulations and has been conditioned to comply with the requirements.

## **CONCLUSION**

Staff has reviewed the request for a Coastal Development Permit and Tentative Map for the conversion of 8 residential units into condominiums and has found the project to be in conformance with the applicable sections of the San Diego Municipal Code regulating Coastal Development Permit and Tentative Maps and City Council Policy 600-25 guiding the waiver from the requirement to underground the existing overhead utilities. Staff has provided draft findings to support approval of the tentative map (Attachment 5) and recommends the Planning Commission approve the project as proposed.

## **ALTERNATIVES**

1. Approve Coastal Development Permit No. 274546, Tentative Map No. 274547 and waive the requirement to underground existing utilities, with modifications.
2. Deny Coastal Development Permit No. 274546, Tentative Map No. 274547 and deny the waiver from the requirement to underground existing utilities, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

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Jeffrey D. Strohminger  
Acting Deputy Director  
Customer Support and  
Information Division  
Development Services Department

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John S. Fisher  
Development Project Manager  
Customer Support and  
Information Division  
Development Services Department

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- Attachments:
1. Community Plan Land Use Map
  2. Aerial Photograph
  3. Project Location Map
  4. Tentative Map
  5. Draft Map Conditions and Subdivision Resolution
  6. Draft Coastal Development Permit
  7. Underground Project Schedule
  8. Government Code 66452.3; self-certification statement
  9. Ownership Disclosure Statement

10. Project Chronology
11. Project Data Sheet
12. Draft Permit Resolution