

DATE ISSUED: June 1, 2006 REPORT NO. PC-06-153

ATTENTION: Planning Commission, Agenda of June 8, 2006

SUBJECT: 3898 RICHMOND STREET TENTATIVE MAP
PROJECT NO. 77270, PROCESS 4

OWNER R LLC (Attachment 6)

APPLICANT: Franklin Spees

SUMMARY

Issue – Should the Planning Commission approve an application for a Tentative Map to convert 24 residential units into condominiums and waive the requirement to underground the existing overhead utilities?

Staff Recommendations -

1. **Approve** Tentative Map No. 239303; and
2. **Approve** a waiver to the requirement for the undergrounding of the existing overhead utilities.

Community Planning Group Recommendation – On November 1, 2005, the Uptown Planners voted 9-1-0 to recommend approval of the project with no conditions (Attachment 9).

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 environmental appeal. The environmental exemption determination for this project was made on August 3, 2005 and the opportunity to appeal that determination ended August 16, 2005.

Fiscal Impact – None with this action. All costs associated with the processing of this application are paid for by the applicant.

Code Enforcement Impact - None with this action.

Housing Impact Statement – With the proposed conversion of the 24 existing apartments to condominiums, there will be a loss of 24 rental units and a gain of 24 for-sale units. This condominium conversion project was deemed completed on July 20, 2005 and is therefore subject to the new regulations regarding the inclusionary housing ordinance and tenant relocation assistance.

BACKGROUND

The 0.38-acre site is located at 3898 Richmond Street in the MR-800 zone of the Mid City Communities Planned District of the Uptown Community Planning area (Attachments 1 and 2). The property is developed with three, three-story buildings containing 24 apartment units and underground parking garages. A total of 30 parking spaces (including 16 surface spaces, 14 garage spaces 11 of which are tandem spaces) are provided on site accessed from the alley and from a driveway on Richmond Street. Thirty-five parking spaces would be required based on current standards. The property is designated for mixed use and residential uses within the Uptown Community Planning area and not located within a redevelopment area. The project is surrounded by residential and commercial uses.

The original development was approved for construction in 1988 when the site was zoned R-600, a city-wide residential zone. Twenty-seven units would be permitted based on current zoning. The unit mix is indicated below:

- Six, 1-bedroom units: 600 square feet
- Six, 2-bedroom units: 810 square feet
- Nine, 1-bedroom units: 625 square feet
- Three, 2-bedroom units: 850 square feet

There are no Building or Zoning Code Violations recorded against this property.

DISCUSSION

Project Description:

The project proposes a Tentative Map for the subdivision of the 0.38-acre site to convert 24 apartments into condominiums (Attachment 4). The applicant is also requesting that the requirement for the undergrounding of the existing overhead utilities be waived.

Section 125.0401 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 Map and Condo Conversions*, the decision maker may approve a Tentative Map for the conversion of residential units into condominiums if the decision maker finds that proposed project complies with the requirements of the Subdivision Map Act and the San Diego Municipal Code. Staff has reviewed the proposed project for condominium conversion and has determined that it complies with Subdivision Map Act and the San Diego Municipal Code.

Undergrounding Waiver Request

San Diego Municipal Code Section 144.0240 allows the subdivider to apply for a waiver for the requirement to underground the existing overhead utilities within the boundaries of the subdivision or within the abutting public right-of-way. Staff has determined that the undergrounding waiver request qualifies under the guidelines of Council Policy 600-25, *Underground Conversion of Utility Lines at the Developers Expense*, in that the conversion is a requirement for a condominium conversion of an existing development and the conversion would not represent a logical extension to an undergrounding facility. The applicant would be required to underground any new services to any new or proposed structure within the subdivision. Three power poles and overhead utility lines are located within the alley at the rear. The City's Undergrounding Master Plan for fiscal Year 2006 designates the site within Block 3-S, and the undergrounding allocation year is 2015 (Attachment 8). The undergrounding typically takes place one year from the date of the allocation.

Project Related Issues:

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

All condominium conversion projects Deemed Completed after February 7, 2004, must conform to the new regulations regarding the inclusionary housing ordinance and tenant relocation benefits adopted by City Council on March 15, 2004. This project was deemed completed on July 20, 2005, and is therefore subject to the new regulations. The project has been conditioned to require the applicant to pay an Inclusionary Affordable Housing In-Lieu Fee of \$37,429.00 pursuant to the Affordable Housing Requirements of 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 the 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 the Tentative Map for the conversion of the 24 residential units into condominiums and the request to waive the requirement for the undergrounding of overhead utilities, and it was determined that the project is in conformance with the applicable sections of the San Diego Municipal Code regulating Tentative Maps and Council Policy 600-25 regulating undergrounding of the existing overhead utilities. Staff believes that the required findings can be supported and recommends that the Planning Commission approve the proposed project.

ALTERNATIVES

1. **Approve** Tentative Map No. 239303, and the waiver to the requirement for the undergrounding of the existing overhead utilities, **with modifications**.

2. **Deny** Tentative Map No. 239303, and the waiver to the requirement for the undergrounding of the existing overhead utilities, **if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,

Mike Westlake
Program Manager
Development Services Department

Sandra Teasley, Project Manager
Development Services Department

Attachments:

1. Project Location Map
2. Community Plan Land Use Map
3. Draft Tentative Map Resolution with Findings and Conditions
4. Tentative Map Exhibit
5. Project Data Sheet
6. Ownership Disclosure Statement
7. Project Chronology
8. City's Undergrounding Master Plan- Map Block 3-W
9. Community Planning Group Recommendation
10. Photographs of Existing Elevations
11. 60-Day Notice
12. Aerial Photograph