

**DATE ISSUED:** September 14, 2006                      REPORT NO. PC-06-241  
**ATTENTION:** Planning Commission, Agenda of September 21, 2006  
**SUBJECT:** 4470 48TH STREET TENTATIVE MAP- PROJECT NO. 91924  
**OWNER:** Jack and Alice Lambert (Attachment 8)  
**APPLICANT:** Robert Bateman

**SUMMARY**

**Issue(s):** Should the Planning Commission approve a Tentative Map to convert six apartment units into condominiums and the request to waive the requirement to underground existing overhead utilities?

**Staff Recommendation:** APPROVE Tentative Map No. 29572 and APPROVE the request to waive the requirement to underground existing overhead utilities.

**Community Planning Group Recommendation:** On May 10, 2006 the Kensington-Talmadge Planning Committee voted 12-0-0 to recommend approval of the Tentative Map with recommendations (Attachment 7).

**Environmental Review:** The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Article 19, 15301(k), Existing Facilities. The environmental exemption determination for this project was made on January 6, 2006. An appeal of the CEQA determination was previously made and the City Council denied the CEQA appeal on July 31, 2006. The scope of the subject hearing only includes the project, and not the environmental determination.

**Fiscal Impact Statement:** All costs associated with the processing of this application are paid for by the applicant.

**Code Enforcement Impact:** None.

**Housing Impact Statement:** The proposed project is the conversion of six existing apartment units into condominiums. There would be a loss of six rental units and a gain of six for-sale units. This condominium conversion project is required to comply with the inclusionary housing requirements and tenant relocation assistance program, which are conditions of the proposed Tentative Map (Attachment 6). The applicant has chosen to pay in-lieu fees in the amount of \$ 6,000 in accordance with the City's Inclusionary

## Housing Ordinance.

### **BACKGROUND**

The .14 acre site is located at 4470 48<sup>th</sup> Street and is zoned RM-1-2 of the Central Urbanized Planned District within the Kensington-Talmadge Neighborhood of Mid City Communities Plan Area. The development is located on two parcels designated multi-family residential (Attachment 2). The surrounding area is developed with multi-family and single-family residential developments to the north, south, east, and west.

The complex was constructed in 1990 and consists of one two-story, wood frame, stucco exterior residential building. The complex was in conformance with the development codes in effect at the time of construction

### **DISCUSSION**

#### **Project Description:**

The project proposes to convert the existing six apartments into condominiums. There are no reported zoning or code violations associated with the property. The existing multi-unit complex provides 12 parking spaces where 11 are required by current zoning regulations. The project consists of six two-bedroom units, 800 square feet each.

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

The proposed condominium conversion will represent a change in ownership of each unit. The applicant has provided City staff with copies of the required 60-day Notice of Intent to Convert to Condominiums (Attachment 10), a 180-day notice of Intention to Convert to Condominiums (Attachment 11), and a Tenant Benefits Summary Notification for Condominium Conversion (Attachment 12).

All condominium conversion projects deemed complete on or after February 7, 2004, must conform to the regulations regarding inclusionary housing and tenant relocation benefits adopted by the City Council on March 15, 2004. The applicant has chosen to pay in -lieu fees in the amount of \$ 6,000 and not provide Affordable Units on-site in accordance with the City's Inclusionary Housing Ordinance. The proposed project is not subject to Municipal Code changes related to condominium conversion adopted by the City Council on March 9, 2006 and June 13, 2006.

#### **Undergrounding Waiver Request**

San Diego Municipal Code Section 144.0240 allows the subdivider to apply for a waiver of the requirement to underground the existing overhead utilities within the boundary of the parcel or subdivision. Staff has determined the undergrounding waiver request qualifies under the guidelines of Council Policy 600-25, in that the conversion involves a short span of overhead facility (less than 600 feet in length) and it has been determined that such conversion is not a part of a continuing effort to accomplish a total undergrounding within a specific street or area. Power lines run north to south adjacent to the site along the alley. The overhead lines continue

for some distance beyond the project location. The City's Undergrounding Master Plan for Fiscal Year 2006 designates the site within Block 3h. Proposed construction to underground the existing overhead utilities has been scheduled for 2006 (Attachment 13).

**CONCLUSION:**

A "Tentative Map for a Condominium Conversion" is a Process Four, Planning Commission decision pursuant to San Diego Municipal Code Section 125.0430. A Tentative Map for Condominium Conversion may be approved if the decision maker finds that the proposed division of land complies with the requirements of the Subdivision Map Act and the San Diego Municipal Code. Staff has reviewed the proposed condominium conversion and found it to be in conformance with the applicable sections of the San Diego Municipal Code regulating Tentative Maps and land use policies. Staff has determined that the required findings can be made as the project meets the applicable San Diego Municipal Code regulations and requirements. Staff recommends approval of the project as proposed.

**ALTERNATIVES**

1. Approve Tentative Map No. 295727 with modifications.
2. Deny Tentative Map No. 295727 if the findings required to approve the project cannot be affirmed.

**Respectfully submitted,**

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**Mike Westlake  
Program Manager  
Development Services Department**

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**William Zounes  
Project Manager  
Development Services Department**

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Tentative Map
6. Draft Map Conditions and Subdivision Resolution
7. Community Planning Group Recommendation
8. Ownership Disclosure Statement
9. Project Chronology
10. 60-Day Notice

11. Summary of Tenant Benefits
12. Proposed Undergrounding of Overhead Utilities
13. Photos of Existing Front and Rear Elevations