



THE CITY OF SAN DIEGO

REPORT TO THE HEARING OFFICER -

HEARING DATE: July 6, 2005 REPORT NO. HO 05-121

ATTENTION: Hearing Officer

SUBJECT: 4474 OREGON STREET MAP WAIVER
PTS PROJECT NUMBER: 60865

LOCATION: 4474-4480 Oregon Street

APPLICANT: David Parot

SUMMARY

Requested Action - Should the Hearing Officer approve MapWaiver No. 181486 and waive the requirement to underground existing overhead utilities to convert four existing residential units into condominium ownership on a 0.16 acre site?

Staff Recommendation -

1. APPROVE Map Waiver No. 181486
2. APPROVE wavier to the requirement for the undergrounding of existing overhead utilities

Community Planning Group Recommendation - On May 18, 2005, the Greater North Park Community Planning Group voted 14-0 to approve the project on consent.

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

BACKGROUND

The 0.16-acre project site is located at 4474-4480 Oregon Street, between Monroe Avenue and Meade Avenue, in the Greater North Park Community Planning area (Attachment 1). The site is presently developed with four one-story structures and an existing four-car garage abutting the

alley. The structures were built in 1930s. The site was zoned R-4 in June 1930 and permitted one unit per 400 square feet. In February 1975, the R-3000 zone replaced the R-4 zone. Then the MR-1750 zone was established in November 1987 to replace the R-3000 zone. Currently, the property is zone MR-1750, which permits one unit per 1,750 square feet of lot area. The site is surrounded by multi-family development and Garfield Elementary School is located to the east of the project. The adjacent lots are also zoned MR-1750. The medium residential density, 15-25 dwelling units per acre, designation of the Greater North Park Community Plan is consistent with MR-1750zone regulations (Attachment 2).

All development complied with the zoning and development regulations in effect at the time of construction. No Building or Zoning Code Violations have been recorded against the property. The proposed subdivision complies with applicable zoning and development regulations as existing previously conforming development of the Land Development Code Section 127.0102.

DISCUSSION

The project proposes to waive the Tentative Parcel Map for the subdivision of a 0.16-acre site to convert four residential units into condominiums on two existing lots. The applicant is also requesting the requirement for the undergrounding of existing overhead utilities to be waived.

The subdivider may request a waiver of the parcel map requirements pursuant to the Subdivision Map Act, Sections 66428 and 66428.1. According to San Diego Municipal Code Section 125.0122, Findings for Map Waivers, the decision maker may approve a Map Waiver if the decision maker finds the proposed Map Waiver complies with requirements of the Subdivision Map Act and the Land Development Code.

San Diego Municipal Code Section 144.0240 allows the subdivider to apply for a waiver from the requirement to underground the existing utilities within the boundary of the subdivision or within the abutting public rights of way. City staff has determined the undergrounding waiver request is consistent with the guidelines of Council Policy 600-25, Underground Conversion of Utility Lines at the Developer's Expense. The conversion involves a short span of overhead facilities is less than a full block in length, and the conversion is not a part of a continuing effort to accomplish a total undergrounding within a specific street or area.

The requested conversion of these existing residential units to condominiums represents primarily a change in ownership and no other development is proposed with this application. The proposed subdivision complies with applicable zoning and development regulations as existing previously conforming development of the Land Development Code Section 127.0102. The project is exempt from the California Environmental Quality Act pursuant to Article 19, Section 15301, existing facilities. This condominium conversion is subject to the Inclusionary Housing Ordinance. The applicant has chosen to pay the In-Lieu Fee pursuant to Section 142.1310 of the San Diego Municipal Code.

CONCLUSION:

Staff has reviewed the request for a Map Waiver for the conversion of the four existing residential units into condominiums and to waive the requirements to underground the existing overhead utilities. Staff has determined the project to conform to sections 125.0122 (Map Waiver) and 144.0240 (Underground) of the Municipal Code of the City of San Diego, the Subdivision Map Act Section 66428 and Council Policy 600-25 regulating undergrounding of existing overhead utilities.

Staff has determined the development is consistent with the residential land use designation of the Greater North Park Community Plan and the required findings can be supported. Staff recommends the Hearing Officer acknowledge the environmental exemption, approve Map Waiver No. 181486 and waive the requirement to underground existing overhead utilities.

ALTERNATIVES

1. Approve Map Waiver No. 181486 and waive the requirement to underground existing overhead utilities, with modifications.
2. Deny Map Waiver No. 181486 and the waiver to the requirement to underground existing overhead utilities, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Cherlyn T. Cac, Development Project Manager

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Map Waiver Exhibit (Hearing Officer only)
6. Draft Map Conditions and Subdivision Resolution
7. Community Planning Group Recommendation
8. Ownership Disclosure Statement