

**DATE ISSUED:** June 1, 2006 **REPORT NO. PC-06-160**

**ATTENTION:** **Planning Commission, Agenda of June 8, 2006**

**SUBJECT:** 4670 ARIZONA STREET TENTATIVE MAP; PROJECT NO. 86558.  
PROCESS NUMBER 4.

**OWNERS/** Lijewski Family Trust; Robert V. and Patricia Ann Lijewski, Trustees  
(Attachment 11)

**APPLICANT:** Curtis Gabhart, President, Gabhart Investments, Inc.

**SUMMARY**

**Issue(s):** Should the Planning Commission approve a Tentative Map for the conversion of ten existing residential units to condominiums at 4670 Arizona Street within the Greater North Park Community Plan Area?

**Staff Recommendation:**

1. **APPROVE** Tentative Map No. 275572 and
2. **APPROVE** a waiver of the requirement to underground existing overhead utilities.

**Community Planning Group Recommendation:** On February 21, 2006, the Greater North Park Planning Committee voted 11-1-0 to recommend approval of the project.

**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 October 28, 2005, and the opportunity to appeal that determination ended November 13, 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 ten (10) existing apartments to condominiums, there would be a loss of ten rental units and a gain of ten for-sale units. This condominium conversion project was deemed complete on October 17, 2005 and is subject to the new regulations regarding inclusionary housing and tenant relocation assistance.

## **BACKGROUND**

The 0.17-acre site is located at 4670 Arizona Street in the MR-1750(Residential, Multi -Family) Zone of the Greater North Park Community Plan Area (Attachments 1, 2 and 3). The site is presently developed with one, three-story structure containing four, one-bedroom units and six, two bedroom units. Ten off-street parking spaces are provided on the site, four of which are located within the front yard setback. The remaining off -street spaces are located at grade tucked under the second story of the three-story building located on the north side of the site outside of the required setback. Access to all of the off-street parking spaces is provided from Arizona Street. The site is surrounded by multi-family residential uses.

The existing improvements were constructed in 1969. At that time the site, zoned R-4, would have allowed 19 units. The ten parking spaces provided complied with the requirement of one space per unit in effect in 1969. If constructed today 16 parking spaces would be required for the ten unit project. The development complied with the zoning and development regulations in effect at the time of construction and no Building or Zoning code violations have been recorded against the property.

Under the current zoning of MR-1750 four units could be built on the subject site. Although the project includes ten parking spaces where 16 would be required under current standards, 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 project proposes a Tentative Map for the subdivision of a 0.17-acre site to convert ten existing dwelling units within a three-story building (Attachment 4) into condominiums. The applicant is also requesting the requirement for the undergrounding of existing overhead utilities be waived. Utilities to the site are currently provided from one above grade power pole located at the rear northwesterly portion of the property.

Section 125.0410 of the San Diego Municipal Code (SDMC) requires 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 the proposed conversion complies with the requirements of the Subdivision Map Act and the SDMC. Staff has reviewed the proposed condominium conversion and determined it complies with 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*. The conversion involves a short span of overhead facility, less than 600-feet in length, and the conversion would not represent a logical extension to an underground facility. The applicant would be required to underground any new service run to any new or proposed structures within the subdivision per Condition No. 15 of the draft Tentative Map resolution (Attachment 5).

The neighborhood is currently serviced by power poles and overhead utility lines which are located within a utility easement located at the rear of properties. The power pole and overhead utility lines which service this site also serve other properties in the neighborhood. The City's Undergrounding Master Plan for Fiscal Year 2006 designates the site within Block 3X, which has a projected date for undergrounding in year 2011(Attachment 6).

**Community Planning Group Recommendation:**

On February 21, 2006, the Greater North Park Planning Committee voted 11-1-0to recommend approval of the project (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 Condominiums were provided to the tenants on October 17, 2005 (Attachment 8).

All condominium conversion projects deemed complete on or after February 7, 2004, must conform to 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 October 17, 2005, and is subject to these new regulations. The project has been conditioned to require the Subdivider conform with the City's Inclusionary Housing Ordinance (Chapter 12, Article 4, 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) prior to recording the Final Map. In order to meet the inclusionary housing requirements, the Applicant has elected to pay an in-lieu fee of \$20,200.00.

## **CONCLUSION**

Staff has reviewed the request for a Tentative Map to convert ten 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, adopted Council policies and the State Map Act. Staff has determined the required findings can be supported and recommends the Planning Commission approve the project as proposed (Attachment 5).

## **ALTERNATIVES**

1. **Approve Tentative Map No. 275572 with modifications.**
2. **Deny Tentative Map No. 275572, 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 C. Tripp**  
**Project Manager**  
**Development Services Department**

WESTLAKE/WCT

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. City's Undergrounding Master Plan – Map 3-X
7. Community Planning Group Recommendation
8. Copy of 60 -Day Notice of Intent to Convert
9. Project Data Sheet
10. Project Chronology
11. Ownership Disclosure Statement
12. Photos of Existing Front and Rear Elevations