July 2, 2009

City Council
City of Solana Beach
635 S. Highway 101
Solana Beach, California 92075

Re: Agenda Item C.2
Subdivision Regulations at 538 S. Nardo Avenue (File 0600-40)

Honorable Mayor and Members of the City Council:

I write on behalf of Nick Nicholas to urge the Council to adopt the “rounding rule” proposed by City staff. This has been a long and difficult journey for Mr. Nicholas, City staff and the Council. Staff’s proposal is a reasonable compromise that eliminates a conflict between the City’s General Plan and Subdivision Standards. Mr. Nicholas appreciates staff’s alternative proposal regarding accessory living units. However, he asks that this not be imposed as a condition on division of his property. The accessory living unit option is available to all landowners who wish to have additional residences on their property. It is an option that Mr. Nicholas or some future owner of the property may very well take advantage of in the future.

I have generated several letters and documents setting forth Mr. Nicholas’s position on this issue, and I will not repeat them here.¹

The bottom line is that the proposed “rounding rule” would eliminate an existing conflict between the City’s General Plan and Zoning Ordinance, which allow a 65-foot wide lot, and a Subdivision Design Standard that makes a 65-foot wide lot impossible. The impact of the “rounding rule” would be minimal because there are only three lots that could potentially benefit from the rule. In short, it is a good way to resolve a difficult problem.

¹ One minor item. We believe the depth of Mr. Nicholas’s proposed lots is 3.35, not 3.49, times the width as set forth in the Staff Report.
We appreciate the Council’s patience and ask that it bring this story to a close through adoption of a “rounding rule” policy as proposed by staff.

Very truly yours,

WORDEN WILLIAMS, APC

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DWB:lg

cc: Client
    David Ott, City Manager
    Tina Christensen, Community Development Director