



THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: October 30, 2019 REPORT NO. HO-19-098

HEARING DATE: November 6, 2019

SUBJECT: Van Nuys Tentative Map Waiver. Process Three Decision

PROJECT NUMBER: 626966

OWNER/APPLICANT: Beach Developer, LP, Owner and Robert Linton Applicant

SUMMARY

Issue: Should the Hearing Officer approve a Tentative Map Waiver for the condominium conversion of two existing dwelling units located at 1039 & 1041 Van Nuys Street within the Pacific Beach Community Planning area?

Staff Recommendation: Approve an application for Tentative Map Waiver No. 2245295.

Community Planning Group Recommendation: On June 26, 2019, the Pacific Beach Precise Planning Board voted 9-5-1 to recommend denial of the proposed project with recommendations (Attachment 7).

Environmental Review: This project was determined to be categorically exempt (Attachment 6) from the California Environmental Quality Act (CEQA) pursuant to Section 15305 (Minor Alterations). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on August 16, 2019 and the opportunity to appeal that determination ended August 30, 2019.

BACKGROUND

The proposed 0.14-acre site located at 1039-1041 Van Nuys Street (Attachment 1), Residential (RS-1-7) Zone, Coastal Height Limitations Overlay Zone, and within the Pacific Beach Community Plan and Local Coastal Program Land Use Plan (Community Plan) area. The Community Plan Land Use Designation (Attachment 2) for the project site is Low Density Residential (5-9 dwelling units per acre). The site currently contains two existing dwelling units (Attachment 3). The rear dwelling unit (Unit Two) was constructed in 1944 and is addressed as 1039 Van Nuys Street; the front dwelling unit (Unit One) was constructed in 1954 and is addressed as 1041 Van Nuys Street. The City of San Diego Planning staff determined the site has previously conforming density. County Assessors Building Records were provided for the two dwellings (Attachments 10 & 11) in place of City of San

Diego building permits which are not available for dates previous to 1955. The existing dwelling units have been enlarged and remodeled under separate permit (Project No. [613193](#)).

The project requires the processing of a Tentative Map Waiver (Process 3) per SDMC Section 125.0122 for the conversion of two detached dwelling units to condominiums.

DISCUSSION

Project Description

The proposed scope of work includes the conversion of two detached dwelling units to condominiums through the processing and approval of a Tentative Map Waiver. No physical development is proposed with this project. Unit One, addressed as 1041 Van Nuys Street, is a two story, 1,893 square-foot dwelling unit; Unit Two, addressed as 1039 Van Nuys Street, is a two-story, 1,638 square-foot dwelling unit (Attachment 9).

The property is not within or adjacent to the Multiple Species Conservation Program, Multiple Habitat Planning Area, and does not contain any other type of Environmental Sensitive Lands, as defined in San Diego Municipal Code (SDMC) Section 113.0103.

The Community Plan's Residential Policy recommends the development of a variety of housing types and styles to provide a greater opportunity that is both affordable and accessible by everyone. Condominium conversion of this two-dwelling unit property will provide residential ownership opportunities in an alternative size and form consistent with the Community Plan Residential Goal. The existing two-story dwelling units are visually consistent with the community character in the immediate vicinity of the site which is comprised of multiple story dwellings and an adjacent single-story dwelling.

The Pacific Beach Precise Planning Board heard the project presentation on June 26, 2019. The Pacific Beach Precise Planning Board voted 9-5-1 to recommend denial of the project. Community members and the Board voiced concern with neighbor opposition (Attachment 12). They are concerned that condominium conversion is setting a precedent and dislike the dwelling units as designed including their proximity to each other and adjoining neighbors. The discretionary mapping action was only done once the dwellings were expanded and remodeled instead of prior to the construction.

City staff has reviewed the comments from the community and from the Pacific Beach Precise Planning Board. The project as proposed is solely a mapping action and no construction is proposed with the mapping phase. When the construction was done on the site the applicant submitted plans for review and City staff found the project to conform to height, setbacks, and floor area ratio of the Residential (RS-1-7) zone. The site with two existing dwelling units was determined to be a previously conforming density and a unique situation in the community. No other two dwelling unit sites are known to exist in the vicinity that might create other condominium conversion projects. No precedent is created with this action.

The project does not require any deviations or variances from the applicable regulations. The proposed Tentative Map Waiver request is consistent with the Community Plan Residential Policy.

Conclusion

Staff has reviewed the proposed project, and all issues identified through the review process have been resolved in conformance with adopted policies and regulations of the Land Development Code. Staff has provided draft conditions of approval (Attachments 5) and draft findings to support approval of the project (Attachment 4). Staff recommends that the Hearing Officer approve the project as proposed.

ALTERNATIVES

1. Approve Tentative Map Waiver No. 2245295 with modifications.
2. Deny Tentative Map Waiver No. 2245295 if the findings required to approve the project cannot be affirmed.

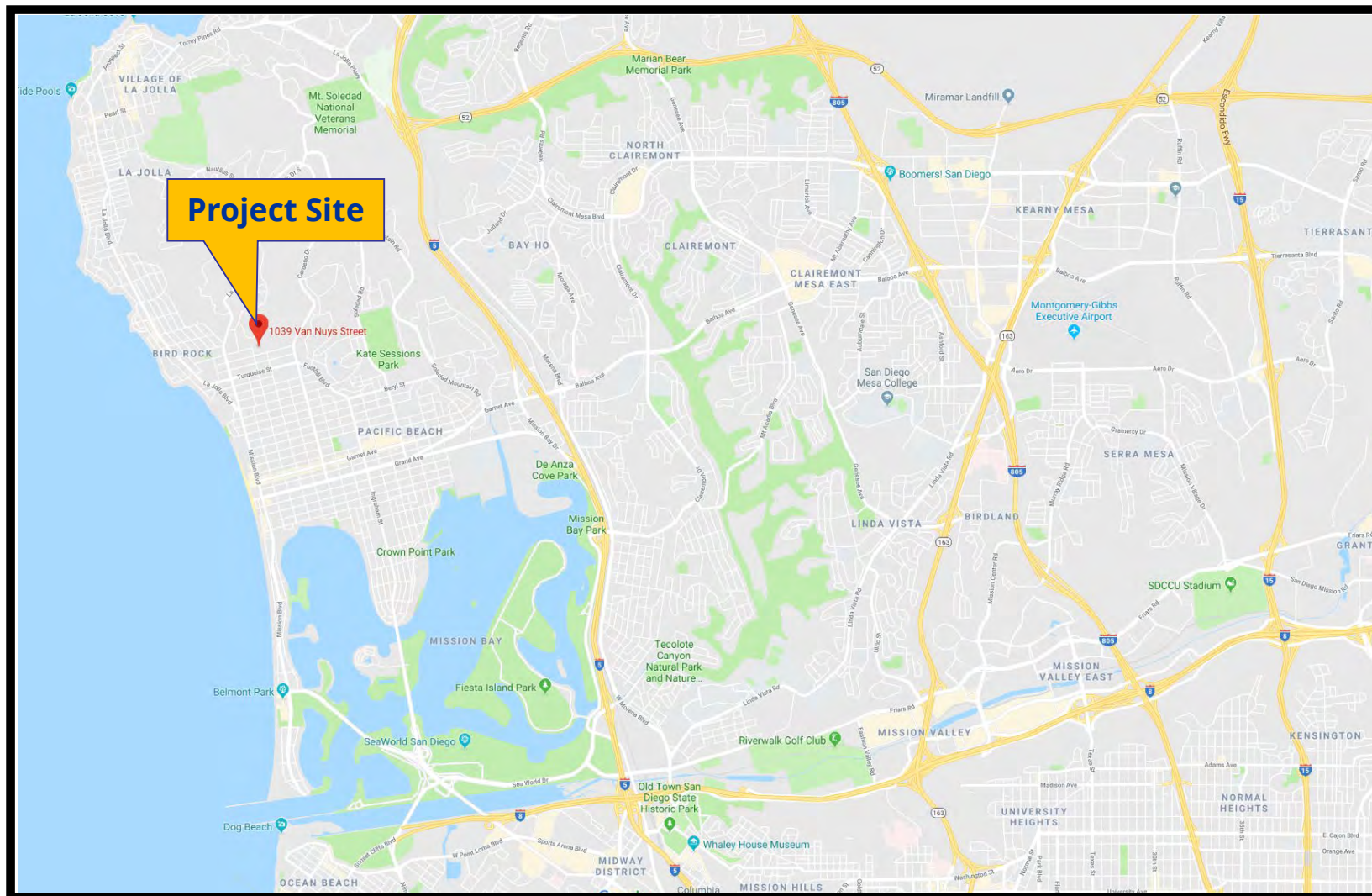
Respectfully submitted,



Karen Bucey, Development Project Manager

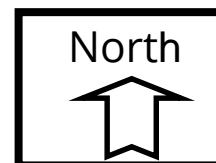
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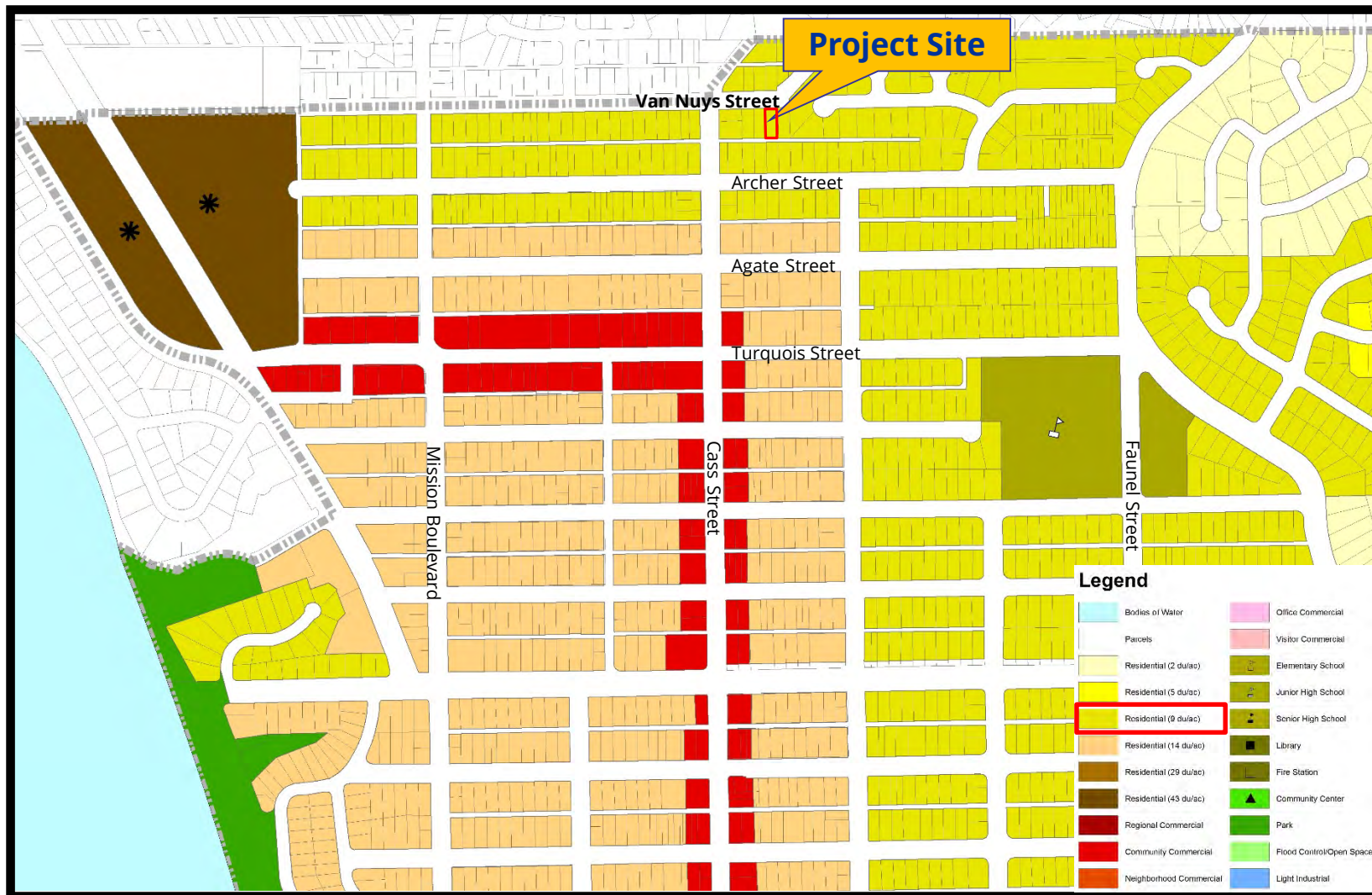
1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Project Data Sheet
4. Draft Map Resolution
5. Draft Map Conditions
6. Environmental Exemption
7. Community Planning Group Recommendation
8. Ownership Disclosure Statement
9. Map Exhibit-Tentative Map Waiver
10. Assessors Building Record-1039 Van Nuys
11. Assessors Building Record-1041 Van Nuys
12. Community Comment



Project Location Map

1039-1041 Van Nuys Tentative Map Waiver; Project No. 626966
1039-1041 Van Nuys Street

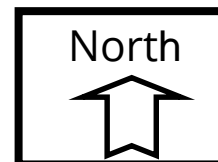




Community Plan Land Use Map

1039-1041 Van Nuys Tentative Map Waiver; Project No. 626966

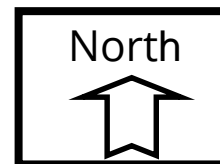
1039-1041 Van Nuys Street





Aerial Photograph

1039-1041 Van Nuys Tentative Map Waiver; Project No. 626966
1039-1041 Van Nuys Street



RESOLUTION NO. _____
DATE OF FINAL PASSAGE _____

A RESOLUTION OF THE HEARING OFFICER ADOPTING THE FINDINGS
AND APPROVING TENTATIVE MAP WAIVER NO. 2245295 FOR
1039 & 1041 VAN NUYS - PROJECT NO. 626966

WHEREAS, BEACH DEVELOPER, LP, A California Limited Partnership, Subdivider, and Robert Bateman, Surveyor, submitted an application with the City of San Diego for a Tentative Map Waiver No. 2245295 to waive the requirement of a Tentative Map for the conversion of two detached dwelling units to condominiums. Unit 1 is 1,893 square feet and Unit 2 is 1,638 square feet and currently under remodel. The 0.14-acre project site is located at 1039 and 1041 Van Nuys Street, east of Cass Street, in the Residential (RS-1-7) Zone and within the Pacific Beach Community Plan and Local Coastal Program Land Use Plan (Community Plan) area. The property is legally described as Lot 9 and 10, in Block 10 of Monte Villa tract, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 928 filed in the Office of the San Diego County Recorder on November 5, 1904; and

WHEREAS, the Subdivider proposes the subdivision of a 0.14-acre site into two condominium units as defined in Section 4125 *et. seq.* of the Civil Code of the State of California and is filed pursuant to the Subdivision Map Act; and

WHEREAS, on August 16, 2019, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 *et. seq.*) under CEQA Guidelines Section 15305 (Minor Alterations) and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code (SDMC) Section 112.0520; and

WHEREAS, a preliminary soils and geological reconnaissance report are waived by the City Engineer pursuant to Subdivision Map Act section 66491(a) and SDMC Sections 144.0220(a) and 144.0220(b); and

WHEREAS, the project consists of two units under construction for which Certificates of Occupancy have not been issued; and

WHEREAS, on November 6, 2019, the Hearing Officer of the City of San Diego considered Map Waiver No. 2245295 pursuant to SDMC Section 125.0122 (Map Waiver) and 125.0444 (Condo Conversion) of the SDMC and Subdivision Map Act Section 66428, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and the Hearing Officer having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Tentative Map Waiver No. 2245295:

I. Findings for a Tentative Map SDMC Section 125.0440 The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan.

The project proposes a Tentative Map Waiver for the conversion of two detached dwelling units to condominiums on a two-lot 0.14-acre project site located at 1039 & 1041 Van Nuys Street within the Residential (RS-1-7) Zone of the Community Plan. The proposed Tentative Map Waiver does not involve any physical change to the existing dwelling units and no additional development or intensification of use is requested. The proposed creation of two condominium dwelling units would add to and continue to provide for a balanced community and equitable development within the community through the provision of housing that provides varying size, affordability and architectural styles through residential development.

The Community Plan Land Use Designation for the project site is Low Density Residential (5-9 dwelling units per acre) and is implemented through the Residential (RS-1-7) base Zone which allows Residential development at a maximum density of one dwelling unit per 5,000 square feet of lot area. The 0.14-acre project site could support up one residential dwelling unit if it were to be cleared and redeveloped. However, the two dwelling units onsite have been determined by Development

Services Planning staff to have previously conforming density. The rear most dwelling unit (Unit Two) is addressed as 1039 Van Nuys Street was constructed in 1944. The front dwelling unit (Unit One) is addressed as 1041 Van Nuys Street was constructed in 1954. County Assessors Building Records were provided for the two dwellings (Attachments 10 & 11) however City of San Diego building permits are not available for dates previous to 1955. Therefore, the proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan.

a. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

The project proposes a Tentative Map Waiver for the conversion of two detached dwelling units to condominiums on a two-lot 0.14-acre project site located at 1039 & 1041 Van Nuys Street within the Residential (RS-1-7) Zone of the Community Plan area.

The Community Plan Land Use Designation for the project site is Low Density Residential (5-9 dwelling units per acre) and is implemented through the Residential (RS-1-7) base Zone which allows Residential development at a maximum density of one dwelling unit per 5,000 square feet of lot area. The 0.14-acre project site could support up one residential dwelling unit if it were to be cleared and redeveloped. However, the two dwelling units onsite have been determined by Development Services Planning staff to have previously conforming density. The rear most dwelling unit (Unit Two) is addressed as 1039 Van Nuys Street was constructed in 1944. The front dwelling unit (Unit One) is addressed as 1041 Van Nuys Street was constructed in 1954. County Assessors Building Records were provided for the two dwellings (Attachments 10 & 11) however City of San Diego building permits are not available for dates previous to 1955.

The Community Plan's Residential Goal recommends the development of a variety of housing types and styles to provide a greater opportunity for housing that is both affordable and accessible by everyone. Condominium conversion of this two-dwelling unit property will provide residential ownership opportunities in an alternative size and form consistent with the Community Plan Residential Goal.

The two, detached, single-story dwelling units onsite have been expanded and remodeled under separate ministerial construction permit (Project No. 613193). Unit One and Unit two are have been completed but are vacant awaiting the conclusion of the Tentative Map. The mapping action for condominium conversion of the existing units does not involve any additional physical changes and therefore, is in compliance with the land development code and policy documents.

b. The site is physically suitable for the type and density of development.

The project proposes a Tentative Map Waiver for the conversion of two detached dwelling units to condominiums on a two-lot 0.14-acre project site located at 1039 & 1041 Van Nuys Street within the Residential (RS-1-7) Zone of the Community Plan area.

The 0.14-acre project site has access from Van Nuys Street to serve 1041 Van Nuys (Proposed Unit 1) as well as access via the alleyway to serve 1039 Van Nuys (Proposed Unit 2). Physical and vehicular access will be from these two points.

This Tentative Map Waiver does not include any physical development however the site is predominately flat with an elevation at Van Nuys Street right-of-way at 186 feet Mean Sea Level (MSL) and 181 MSL at the rear of the lot. Therefore, the site is physically suitable for the type and density of the development.

c. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The project proposes a Tentative Map Waiver for the conversion of two detached dwelling units to condominiums on a two-lot 0.14-acre project site located at 1039 & 1041 Van Nuys Street within the Residential (RS-1-7) Zone of the Community Plan area.

The property is an interior lot located approximately 4,318-feet from the Pacific Ocean and is not within the Coastal Overlay Zone or located between the sea and the first public roadway paralleling the sea. Further, the site is not within or adjacent to the Multiple Species Conservation Program, Multiple Habitat Planning Area, and does not contain any other type of Environmental Sensitive Lands, as defined in SDMC Section 113.0103. The project proposes no deviations or variances from the applicable environmental regulations and development standards in effect for this site.

The Environmental Analysis Section conducted an environmental review of this site, in accordance with State of California CEQA guidelines. The project was determined to be categorically exempt from CEQA pursuant to Sections 15305 (Minor Alterations). Therefore, it has been determined that the project does not contain environmentally sensitive lands and would not adversely affect environmentally sensitive lands. Therefore, the design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

This Map Waiver does not include any physical development or changes to the environment that are likely to cause environmental damage of any kind. The project site is located within an urbanized environment where there are no watercourses or environmentally sensitive lands harboring fish or wildlife on or adjacent to the site. Therefore, the condominium conversion will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

d. The design of the subdivision or the type of improvements will not be detrimental to the public health, safety, and welfare.

The project proposes a Tentative Map Waiver for the conversion of two detached dwelling units to condominiums on a two-lot 0.14-acre project site located at 1039 & 1041 Van Nuys Street within the Residential (RS-1-7) Zone of the Community Plan area.

The project site is not within or adjacent to the Multiple Species Conservation Program, Multiple Habitat Planning Area, and does not contain any other type of Environmental Sensitive Lands, as defined in SDMC Section 113.0103. The Environmental Analysis Section conducted an environmental review of this site, in accordance with State of California CEQA guidelines. The project was determined to be categorically exempt from CEQA pursuant to Sections 15305 (Minor Alterations).

The two, detached, single-story dwelling units onsite have been expanded and remodeled under separate ministerial construction permit (Project No. 613193). Unit One and Unit two are have been completed but are vacant awaiting the conclusion of the Tentative Map. The mapping action for condominium conversion of the existing units does not involve any physical changes and will not be detrimental to public health, safety, welfare.

The permit for the project includes conditions relevant to achieving project compliance including Notice of Tenants Rights and Notices for Condominium Conversion, San Diego Housing Commission condominium conversion inclusionary housing fee, undergrounding onsite utilities, setting survey monuments, and provision of four onsite automobile spaces. The regulations in effect for this project avoid adverse impacts upon the health, safety and general welfare of persons residing or working in the surrounding area. Therefore, the proposed development will not be detrimental to the public health, safety, and welfare.

e. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

The project proposes a Tentative Map Waiver for the conversion of two detached dwelling units to condominiums on a two-lot 0.14-acre project site located at 1039 & 1041 Van Nuys Street within the Residential (RS-1-7) Zone of the Community Plan area.

The proposed project is located on a private lot with no existing public easements. The site has frontage on Van Nuys Street to the north and an alley to the. Therefore, the design of the subdivision and proposed improvements would not conflict with easements acquired by the public at large for access through or use of property within the proposed Tentative Map Waiver.

f. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

The project proposes a Tentative Map Waiver for the conversion of two detached dwelling units to condominiums on a two-lot 0.14-acre project site located at 1039 & 1041 Van Nuys Street within the Residential (RS-1-7) Zone of the Pacific Beach Community Plan Area.

No physical development is proposed with this project; however, condominium conversion will not impede or inhibit any future passive or natural heating and cooling opportunities. Each unit is exposed on the north and south to ensure passive cooling through cross-ventilation of the interior spaces. Therefore, the design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

g. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources.

The project proposes a Tentative Map Waiver for the conversion of two detached dwelling units to condominiums on a two-lot 0.14-acre project site located at 1039 & 1041 Van Nuys Street within the Residential (RS-1-7) Zone of the Pacific Beach Community Plan Area.

The condominium conversion of two existing dwelling units would not increase the need for public services in the region. No additional demand for public services or available fiscal and environmental resources would be associated with the condominium ownership. Therefore, the Hearing Officer has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources.

The development will pay the affordable housing fee and all applicable fees at building permit issuance in accordance with the City's Public Facilities Financing Plan and Impact Fee Schedule.

The decision maker has reviewed the administrative record including the project plans, environmental documentation, and heard public testimony to determine the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources and found that the condominium conversion of two existing dwelling units into residential ownership is consistent with the housing needs anticipated for the Pacific Beach Community Plan and Local Coastal Program Land Use Plan area.

II. Findings for Tentative Maps for Condominium Conversion SDMC 125.0444

a. The notices required by section 125.0431 have been given in the manner required.

The project proposes a Tentative Map Waiver for the conversion of two detached dwelling units to condominiums on a two-lot 0.14-acre project site located at 1039 & 1041 Van Nuys Street within the Residential (RS-1-7) Zone of the Pacific Beach Community Plan Area.

The two dwelling units were recently expanded and remodel under ministerial permit Project No. 613193. The work at the site is completing and the dwelling units are not occupied. In the event that the two dwelling units are rented prior to the approval of the Parcel Map the full provisions of condominium conversion will be in force and must be complied with as a condition of approval. Therefore, tenant notices are required if and when the dwellings are rented.

b. The project was not financed by funds obtained from a governmental agency to provide for elderly, disabled, or low-income housing.

The project proposes a Tentative Map Waiver for the conversion of two detached dwelling units to condominiums on a two-lot 0.14-acre project site located at 1039 & 1041 Van Nuys Street within the Residential (RS-1-7) Zone of the Pacific Beach Community Plan Area.

All costs associated with the processing and financing of this subdivision were paid by the applicant through private funds. Therefore, the project was not financed by funds obtained from a governmental agency to provide for elderly, disabled, or low-income housing.


c. For any project that was developed to provide housing for the elderly, disabled or to provide low income housing, provisions have been made to perpetuate the use for which the project was developed.

The project proposes a Tentative Map Waiver for the conversion of two detached dwelling units to condominiums on a two-lot 0.14-acre project site located at 1039 & 1041 Van Nuys Street within the Residential (RS-1-7) Zone of the Pacific Beach Community Plan Area.

The single dwelling units are not proposed as elderly, disabled, or to provide low income housing and will be sold at market rate. The units are not restricted by income or special need and may be sold or transferred without restriction. Therefore, elderly, disabled, or to provide low income housing will not be impacted by the condominium conversion.

That said Findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the Hearing Officer, Map Waiver No. 2245295 is hereby granted to BEACH DEVELOPER, LP subject to the attached conditions which are made a part of this resolution by this reference.

By 
Karen Bucey
Development Project Manager
Development Services Department

ATTACHMENT: Tentative Map Waiver Conditions
Internal Order No. 24008146

HEARING OFFICER
CONDITIONS FOR TENTATIVE MAP WAIVER NO. 2245295
1039 & 1041 VAN NUYS - PROJECT NO. 626966
ADOPTED BY RESOLUTION NO. _____ ON NOVEMBER 6, 2019

GENERAL

1. This Map Waiver will expire November 20, 2022.
2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Parcel Map, unless otherwise noted.
3. Prior to the recordation of the Parcel Map, taxes must be paid on this property pursuant to Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid lien conditions against the subdivision must be recorded in the Office of the San Diego County Recorder.
4. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify Subdivider of any claim, action, or proceeding, or if City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City both bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not required to pay or perform any settlement unless such settlement is approved by the Subdivider.

CONDOMINIUM CONVERSION

5. The Subdivider shall provide a Notice of Tenants Rights and Notices for Condominium Conversion, consistent with the Land Development Manual to be provided as follows:
 - a. For existing tenants, within ten (10) days of the project application for the condominium conversion being deemed complete; or
 - b. For prospective tenants, upon application for the rental of a unit in the proposed condominium conversion.
6. The Subdivider shall provide each tenant, and each person applying for the rental of a unit in such residential real property, all applicable notices and rights now or hereafter required by the Subdivision Map Act.

7. The Subdivider shall provide the tenants a Notice of Application for a Public Report at least ten days prior to the submittal to the Department of Real Estate [DRB], pursuant to Subdivision Map Act section 66427.1(a).
8. The Subdivider shall provide each of the tenants of the proposed condominiums written notice of intention to convert at least 180 days prior to termination of tenancy due to the conversion or proposed conversion in conformance with Subdivision Map Act section 66427.1(a)(2)(E). The provisions of this subdivision shall not alter nor abridge the rights or obligations of the parties in performance of their covenants, including, but not limited to, the provision of services, payment of rent, or the obligations imposed by California Civil Code sections 1941, 1941.1 and 1941.2.
9. The Subdivider shall provide the tenants of the proposed condominiums with written notification within ten (10) days or approval of a Final Map for the proposed conversion, in conformance with Subdivision Map Act section 66427.1(a)(2)(D).
10. The Subdivider shall give each tenant a notice of termination of tenancy 60 days prior to being required to vacate the property. (San Diego Municipal Code (SDMC) 125.0431(a)(4)).
11. The Subdivider shall provide each of the tenants of the proposed condominiums notification of their exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant, in conformance with Subdivision Map Act section 66427.1(a)(2)(F) and SDMC Section 125.0431(a)(5). The right shall commence on the date the subdivision public report is issued, as provided in section 11018.2 of the Business and Professions Code, and shall run for a period of not less than 90 days, unless the tenant gives prior written notice of his or her intention not to exercise the right. (SDMC Section 125.0431(a)(5)).
12. The Subdivider shall provide a copy of the Building Conditions Report to a prospective purchaser prior to the opening of an escrow account. (SDMC Section 144.0504(c)).
13. Prior to the recordation of the Final Map, the Subdivider shall demonstrate conformance with the SDMC provisions for building and landscape improvements (SDMC 144.0507), to the satisfaction of the City Engineer.

AFFORDABLE HOUSING

14. Prior to recordation of the Parcel Map, the Subdivider shall enter into a written agreement with the San Diego Housing Commission to pay the condominium conversion inclusionary affordable housing fee pursuant to the City's Inclusionary Affordable Housing Regulations (SDMC 142.1301 et seq.).
15. Prior to the recordation of the Parcel Map, the Subdivider shall enter into an affordable housing agreement with the San Diego Housing Commission to provide affordable housing units in compliance with the City's Inclusionary Affordable Housing Regulations (SDMC 143.0301 et seq.).

16. Prior to the recordation of the Parcel Map, the Subdivider shall demonstrate conformance with the SDMC provisions for Tenant Relocation Benefits (SDMC 143.0505), to the satisfaction of the Development Services Department and the San Diego Housing Commission.

ENGINEERING

17. The Subdivider shall ensure that all onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The Subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
18. The Subdivider shall process a Lot Consolidation Parcel Map, to consolidate the existing lots into one lot and the map shall be recorded in the Office of the County Recorder.
19. Conformance with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the Tentative Map and covered in these special conditions will be authorized. All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. RR-297376.

MAPPING

20. Prior to the recordation of the Parcel Map, taxes must be paid or bonded for this property pursuant to section 66492 of the Subdivision Map Act. A current original tax certificate, recorded in the office of the San Diego County Recorder, must be provided to satisfy this condition.

If a tax bond is required as indicated in the tax certificate, ensure that it is paid or posted at the County Clerk of the Board of Supervisors Office and supply proof prior to the recordation of the Parcel Map.

21. The Parcel Map shall be based on field survey and all lot corners must be marked with durable survey monuments pursuant to Section 144.0311(d) of the City of San Diego Land Development Codes and Subdivision Map Act Section 66495.

All survey monuments shall be set prior to the recordation of the Parcel Map, unless the setting of monuments is deemed impractical due to the proposed improvements and/or grading associated with the project, in which case, delayed monumentation may be applied on the Parcel Map in accordance with Section 144.0130 of the City of San Diego Land Development Codes.

22. All subdivision maps in the City of San Diego are required to be tied to the California Coordinate System of 1983 (CCS83), Zone 6 pursuant to section 8801 through 8819 of the California Public Resources Code.

23. A consolidation Parcel Map shall be recorded as a condition for approval of the Tentative Map Waiver (TMW).
24. The Parcel Map shall:
 - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
 - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of First Order accuracy. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

TRANSPORTATION

25. A minimum of four automobile spaces are required by the Land Development Code as shown on the project's Exhibit "A". All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the appropriate City decision maker in accordance with the SDMC.

INFORMATION:

- The approval of this Tentative Waiver by the Hearing Officer of the City of San Diego does not authorize the Subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 U.S.C. § 1531 *et seq.*).
- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), the Subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- Subsequent applications related to this Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Tentative Map, may protest the imposition within ninety days of the approval of this Tentative Map by filing a written protest with the San Diego City Clerk pursuant to Government Code Sections 66020 and/or 66021.

ATTACHMENT 5

- Where in the course of development of private property, public facilities are damaged or removed, the Subdivider shall at no cost to the City, obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer (SDMC 142.0607).

Internal Order No. 24008146

DRAFT

NOTICE OF EXEMPTION*(Check one or both)*

TO: ☒ Recorder/County Clerk
 P.O. Box 1750, MS A-33
 1600 Pacific Hwy, Room 260
 San Diego, CA 92101-2400

FROM: City of San Diego
 Development Services Department
 1222 First Avenue, MS 501
 San Diego, CA 92101

☐ Office of Planning and Research
 1400 Tenth Street, Room 121
 Sacramento, CA 95814

Project Name/Number: 1039 and 1041 Van Nuys TM / 626966

SCH No.: N/A

Project Location-Specific: 1039 and 1041 Van Nuys Street, San Diego, CA 92109

Project Location-City/County: San Diego/San Diego

Description of nature and purpose of the Project: Tentative Map (TM) for the condominium conversion of existing two detached single dwelling units currently under remodel construction for a total of 3,531 square feet located at 1039 and 1041 Van Nuys Street. The 0.14-acre site is located in the RS-1-7 Base Zone of the Pacific Beach Community Plan Area, Council District 2. The construction of the dwelling units was approved under PTS No. 613193. This project is not for the construction of the dwelling units. There is no new construction or development proposed as part of this permit. This permit is only a mapping action to create condominium units.

Name of Public Agency Approving Project: City of San Diego

Name of Person or Agency Carrying Out Project: Robert Linton, Beach Developer, LLC, San Diego, CA, 92109, 858-831-8230

Exempt Status: (CHECK ONE)

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269 (b)(c))
- ☒ Categorical Exemption: Section 15305, Minor Alterations in Land Use Limitations
- ☐ Statutory Exemptions:

Reasons why project is exempt: The City of San Diego determined that the project would qualify to be categorically exempt from CEQA pursuant to Sections 15305, Minor Alteration in Land Use Limitations. The project, as described in the Project Description section of this notice, meets the criteria set forth in CEQA Section 15305 which addresses minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density. Furthermore, the exceptions listed in CEQA Section 15300.2 would not apply because no cumulative impacts were identified; no significant effects on the environment were identified; the project is not adjacent to a scenic highway; nor is the project identified on a list of hazardous waste sites pursuant to Section 65962.5 of the Government Code.

Lead Agency Contact Person: C. Holowach

Telephone: 619-446-5187

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project? ☐ Yes ☐ No

It is hereby certified that the City of San Diego has determined the above activity to be exempt from CEQA

Jeffrey / Senior Planner
Signature/Title

8/30/2019
Date

Check One:

☒ Signed By Lead Agency

☐ Signed by Applicant

Date Received for Filing with County Clerk or OPR:



City of San Diego
Development Services
1222 First Ave., MS-302
San Diego, CA 92101

Community Planning Committee Distribution Form Part 2

Project Name: Van Nuys Condo Map		Project Number: 626966	Distribution Date:
Project Scope/Location: Tentative Map Waiver for the creation of two condominiums from two existing detached dwelling units. The 0.14 acre site is located at 1039 & 1041 Van Nuys Street in the Residential (RS 1-7) Zone.			
Applicant Name: Robert Bateman		Applicant Phone Number: (858) 244-0420	
Project Manager: Karen Bucey (619) 446-5049	Phone Number:	Fax Number: (619) 321-3200	E-mail Address: kbucey@sandiego.gov
Committee Recommendations (To be completed for Initial Review):			
<input type="checkbox"/> Vote to Approve	Members Yes	Members No	Members Abstain
<input type="checkbox"/> Vote to Approve With Conditions Listed Below	Members Yes	Members No	Members Abstain
<input type="checkbox"/> Vote to Approve With Non-Binding Recommendations Listed Below	Members Yes	Members No	Members Abstain
<input checked="" type="checkbox"/> Vote to Deny JUNE 26, 2019 MEETING OF PB PLANNING GROUP	Members Yes 9	Members No 5	Members Abstain CHAIR
<input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)			<input type="checkbox"/> Continued
CONDITIONS: SEE ATTACHED MINUTES REFLECTING VOTE (ITEM 7B ON PAGES 3-4)			
NAME: Karl Rand		TITLE: PB Planning Group Chair	
SIGNATURE:		DATE: 6/27/19	
Attach Additional Pages If Necessary.		Please return to: Project Management Division City of San Diego Development Services Department 1222 First Avenue, MS 302 San Diego, CA 92101	
Printed on recycled paper. Visit our web site at www.sandiego.gov/development-services . Upon request, this information is available in alternative formats for persons with disabilities.			

From: Karl Rand
Sent: Thursday, June 27, 2019 12:04 PM
To: Karl Rand
Subject: Fwd: PBPG Board DRAFT:PBPG Meeting Notes & Minutes



Pacific Beach Planning Group

www.pbplanning.org

Pacific Beach Library
4275 Cass St, San Diego, CA 92109
Wednesday, April 24, 2019: 6:30 - 9:30 PM
Meeting Minutes – [Click here for related docs](#)

The Pacific Beach Planning Group held their regular monthly meeting on Wednesday, June 27, 2019 at the PB Library located at 4275 Cass St San Diego CA 92109.

Board members attending: Karl Rand, Chair
Steve Pruett
Benish Pulic al
Scott Chipman left at 8:00 pm
Bill Went

Carolyn Chase, Secretary
Marcella Bothwell
Ed Gallagher
Eve Anderson
Paula Gandolfo

Brian Delon,
Jason Legros
Junior Leoso
Joe Bettles
Jim Morrison arrived around 8:15pm

About 35 people in attendance

Note: The Chair did not vote on any of the Motions

ITEM 1: Call to Order at 6:34pm

ITEM 2: Non-Agenda Public Comment

ITEM 3: MOTION MB/SP for Agenda Approval All in Favor MOTION Passes

ITEM 4: MOTION for approval SP/MP of Corrected Minutes of May 22 All in Favor MOTION Passes

MOTION EA/SP for approval SP/MP of Corrected June 12th Special Meeting All in Favor MOTION Passes 6:41pm

ITEM 5: Chair's Report - Karl Rand 6:45pm

ITEM 6: Vice-Chair's Report - Jason Legros

ITEM 7: CRMS Committee - development projects

ITEM 7 A: #614196 - 1304 Emerald Street Companion Unit SP/SC MOTION APPROVED 11-2-0 with PG and EA voting no
7:20pm

EM B: 1 1 1 an uys Street Condo Mapping

tentative Map waiver for the creation of two condominiums from two existing detached dwelling units which are currently being remodeled. The 1 acre site is on a cul de sac in a residential S 1 zone.

History: The request would not change zoning or other requirements but allows for the two existing residences to be separately owned and these units have been recognized since before 1955. They were sold two years ago and new owner got permits to remodel. Not required to come before the PG. There is a Process that requires a hearing before a hearing officer downtown. Probably in September the decision can be appealed to the Planning Commission. Busey sandiego gov is the city contact to receive notices. There may be issues about items considered previously conforming that couldn't be permitted now but are grandfathered in due to the age of the properties.

EG called Michael Prin to discuss the 10 ft height limit and it still does apply on a sloping lot, you have to stagger down the slope

SP- I went down to visit the site and whether or not I like what is built is not the question (unfortunately) and how close they are to neighbors and to each others. And we would have had a lot of recommendations, but because it's a remodel, it was permitted so the discussion is now about the condo map request.

Rob? - project rep/builder - we have permits for both houses and they are both legal units. We built what we thought was the best thing. We could have built a total of four units but we didn't. We could have built "long skinnies" but nobody has ever told us they like those, but we really couldn't do it so we did the best we could with what was there with two, single-family homes one 1800 and one 1600 sq ft. This will be under a \$2 million price point that families can move into. I'm sorry there's such an uproar. I've worked on a lot of historic houses and the history of this goes back a ways with exceptions that were granted and we're working to do the best we can in our opinion.

Q - cdc - why didn't you do a lot split?

A - don't think it would be approved; would have resulted in a non-conforming lot that wouldn't be approved. Board members HP, JL, KR, MB, SP and BD and BZ each visited the site.

BD - what about required setbacks?

A - we designed as best we could given existing conditions

Q - is there a reason you didn't do the mapping first?

A - yes - the sub-contractors don't want to accept liability for ten years for a condo. So you do the building permits first - this is non-coastal - and then the condo map later.

HP - the units are listed as having 3 bedrooms? parking?

A 3 bedrooms and an optional room we are way over on parking they are made out on the A

: prices

A one at 1 million and 1 million

8pm

Public Comments:

Jeff Maestas houses are too close together

ona Maestas worried about getting units eventually we need more time

endy Dwyer Carter no need to speak

Diane ons there are and 5 million dollar houses there and this doesn't fit we don't want condos at all

Gail Cadman nothing new to add except he's trying to remap after the fact

Sarah Mattinson ceded time to Jeff Maestas

Janey ummell hope you listen to us there is not one owner nearby that is for this please do not recommend the condo mapping

ancy Person this builder has got this all lined up and ready to go and don't believe he couldn't have done the condo map before the remodeling feel like we're being conned

8:1 pm close public comment

MOTION by CC B to approve the Map aiver

B, MB, CC, JL, J in favor M A LS 5

MOTION to deny: SC SP

M to recommend to deny PASSES: 5 same votes as above reversed

MOTION to provide reasons for denial MB SP: 1 1 B voting no M Passes

those who voted to deny based on: testimony, resident opposition, against condo conversion don't want to set a precedent buildings were remodeled to close and the lot situation should have been resolved before the remodeling permits

8: pm

	City of San Diego Development Services 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000	Ownership Disclosure Statement	FORM DS-318 October 2017
---	---	---------------------------------------	--

Approval Type: Check appropriate box for type of approval(s) requested: ☐ Neighborhood Use Permit ☒ Coastal Development Permit
☐ Neighborhood Development Permit ☒ Site Development Permit ☐ Planned Development Permit ☐ Conditional Use Permit ☐ Variance
☒ Tentative Map ☐ Vesting Tentative Map ☐ Map Waiver ☐ Land Use Plan Amendment ☐ Other _____

Project Title: Van Nuys Residences

Project No. For City Use Only: 628966

Project Address: 1039 & 1041 Van Nuys Street

Specify Form of Ownership/Legal Status (please check):

☐ Corporation ☐ Limited Liability -or- ☐ General - What State? _____ Corporate Identification No. _____
☒ Partnership ☐ Individual

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the owner(s), applicant(s), and other financially interested persons of the above referenced property. A financially interested party includes any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver or syndicate with a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.) If any person is a nonprofit organization or a trust, list the names and addresses of **ANY** person serving as an officer or director of the nonprofit organization or as trustee or beneficiary of the nonprofit organization. A signature is required of at least one of the property owners. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Property Owner

Name of Individual: Beach Developer, LP ☒ Owner ☐ Tenant/Lessee ☐ Successor Agency
 Street Address: 4155 Mission Boulevard
 City: San Diego State: CA Zip: 92109
 Phone No.: 858-831-8230 Fax No.: _____ Email: rlinton1@gmail.com
 Signature: _____ Date: _____
 Additional pages Attached: ☐ Yes ☐ No

Applicant

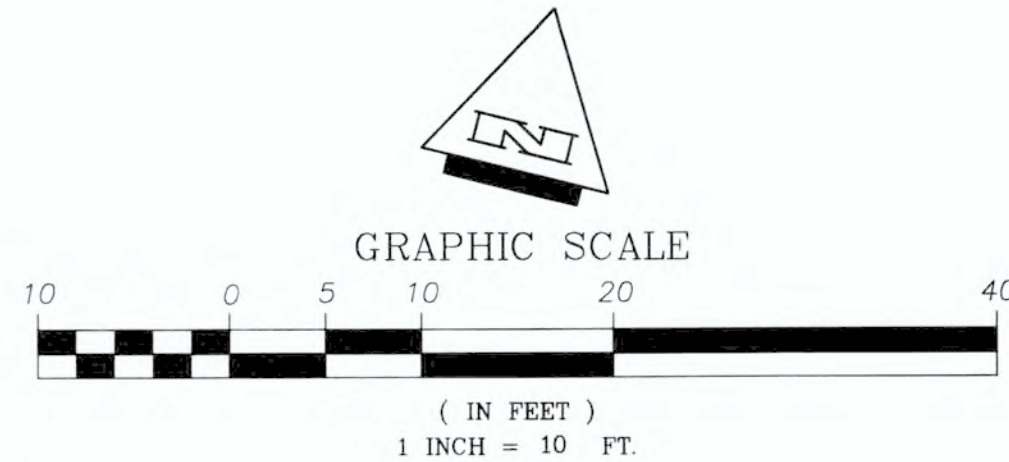
Name of Individual: Robert Linton ☒ Owner ☐ Tenant/Lessee ☐ Successor Agency
 Street Address: 4155 Mission Boulevard
 City: San Diego State: CA Zip: 92109
 Phone No.: 858-831-8230 Fax No.: _____ Email: rlinton1@gmail.com
 Signature: _____ Date: _____
 Additional pages Attached: ☐ Yes ☐ No

Other Financially Interested Persons

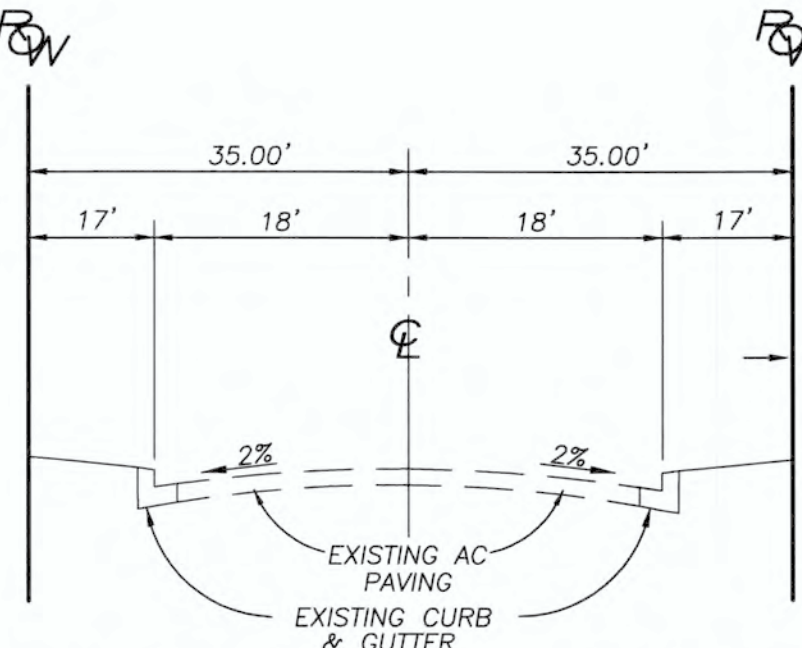
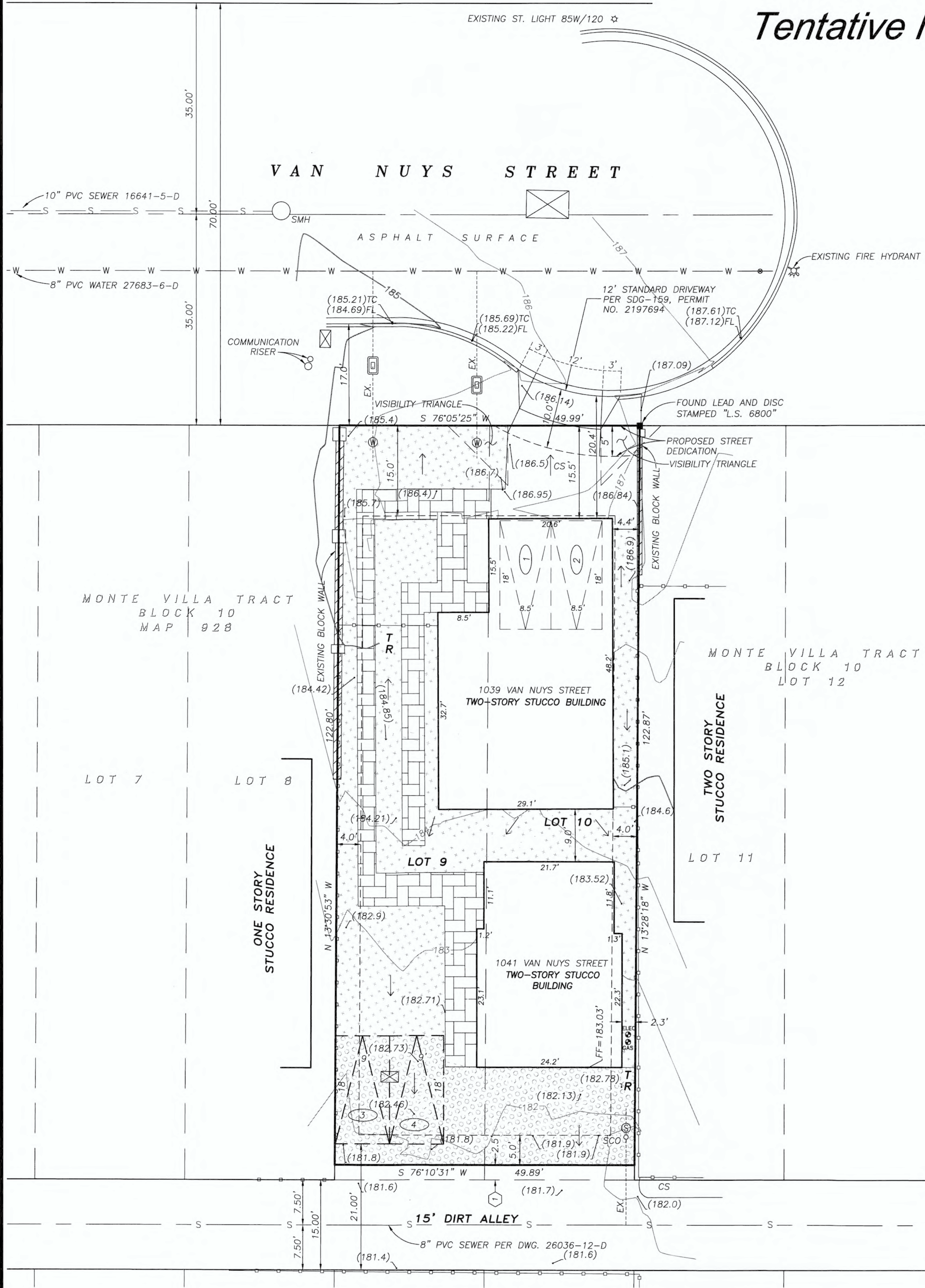
Name of Individual: _____ ☐ Owner ☐ Tenant/Lessee ☐ Successor Agency
 Street Address: _____
 City: _____ State: _____ Zip: _____
 Phone No.: _____ Fax No.: _____ Email: _____
 Signature: _____ Date: _____
 Additional pages Attached: ☐ Yes ☐ No

1039-41 VAN NUYS ST.

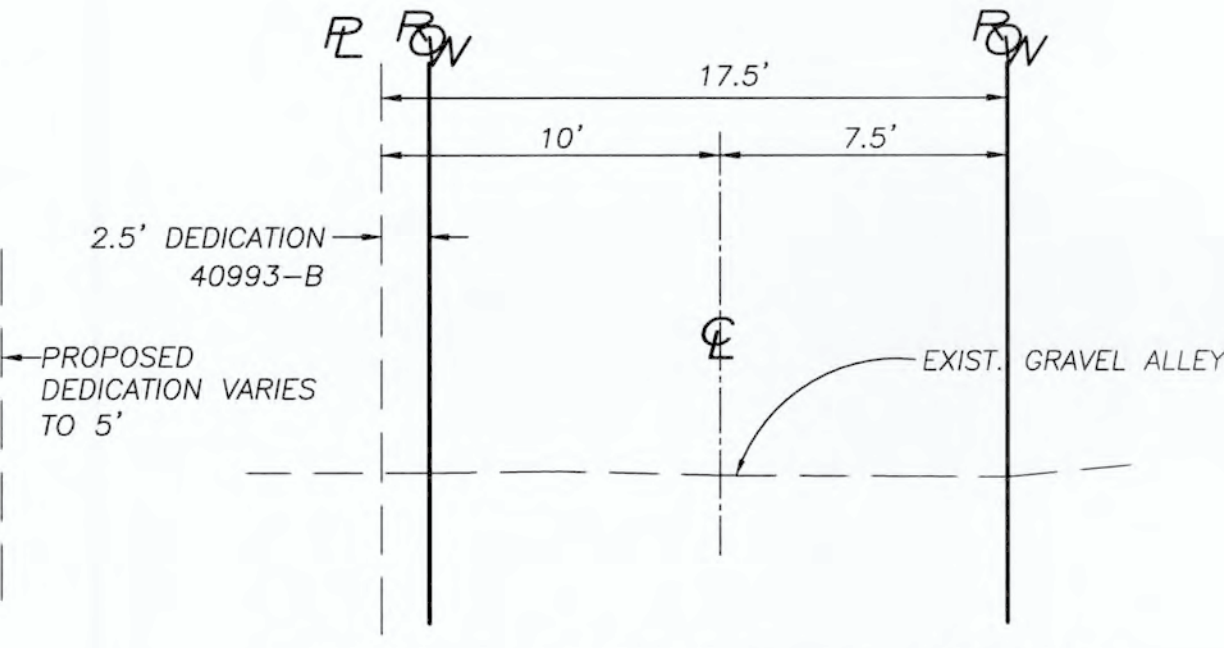
Tentative Map Waiver No. 2245295, Project No. 626966



- LEGEND:**
- INDICATES FOUND MONUMENT AS NOTED.
 - ⊕ INDICATES GAS METER
 - ⊖ INDICATES ELECTRIC METER
 - ⊗ INDICATES WATER METER
 - ⊕ INDICATES FIRE HYDRANT
 - ⊗ INDICATES WATER GATE VALVE
 - ⊕ INDICATES ELECTRICAL UTILITY VAULT
 - SMH INDICATES SEWER MANHOLE
 - SCO INDICATES SEWER CLEAN OUT
 - CS INDICATES CONCRETE SURFACE
 - INDICATES CONCRETE FENCE
 - ① INDICATES PARKING SPACE
 - INDICATES DIRECTION OF DRAINAGE
 - (100.00) INDICATES EXISTING ELEVATION
 - INDICATES SEWER LATERAL
 - INDICATES WATER SERVICE
 - INDICATES SEWER LINE
 - INDICATES WATER LINE
 - ▨ INDICATES PERMEABLE PAVERS (WALKS)
 - ▨ INDICATES PERMEABLE PAVERS (PARKING)
 - ▨ INDICATES LANDSCAPE AREA
 - ▨ INDICATES WALL
 - INDICATES PROPERTY LINE/TENTATIVE MAP WAIVER BOUNDARY



TYPICAL STREET SECTION OF
VAN NUYS STREET
(EXISTING STREET)
NO SCALE



TYPICAL STREET SECTION OF
(ALLEY)
(EXISTING STREET)
NO SCALE

CITY OF SAN DIEGO DEVELOPMENT SUMMARY

- SUMMARY OF REQUEST:
CONVERT TWO RESIDENTIAL DWELLING UNITS TO CONDOMINIUMS AND FILE A LOT CONSOLIDATION PARCEL MAP.
- STREET ADDRESS: 1039 & 1041 VAN NUYS STREET
N S E W SIDE
EAST OF CASS STREET AT CUL-DE-SAC
- SITE AREA:
TOTAL SITE AREA (GROSS): (6,134 SF) (0.141 AC.)
NET SITE AREA: (6,134 SF) (0.1417 AC.)
- DENSITY: (RESIDENTIAL)
MAXIMUM NO. DWELLING UNITS ALLOWED PER ZONE: 2
NUMBER OF EXISTING UNITS TO REMAIN ON SITE: 0
NUMBER OF PROPOSED DWELLING UNITS ON SITE: 0
TOTAL NUMBER OF UNITS PROVIDED ON THE SITE: 2
- YARD/SETBACK:
MINIMUM FRONT: 15'
MINIMUM SIDE: 4'
MINIMUM STREET SIDE: 5'
MINIMUM REAR: 5'
MAXIMUM HEIGHT: 30'
- PARKING:
PARKING CRITERIA:
☒ RESIDENTIAL ☐ COMMERCIAL ☐ INDUSTRIAL
☐ MIXED USE ☐ OTHER

TYPE OF UNIT	NUMBER OF TYPE	PARKING REQUIRED PER UNIT	TOTAL PER TYPE
2 BR UNIT	2	2	4
TOTAL REQUIRED BY ZONE			4
TOTAL PROVIDED ON-SITE			4

UNIT AREAS

TYPE OF UNIT	NUMBER OF TYPE	SQUARE FOOTAGE PER UNIT
2 BR UNIT (UNIT 1)	1	1,893
2 BR UNIT (UNIT 2)	1	1,638
TOTAL	2	3,531

ZONING INFORMATION

EXISTING AND PROPOSED ZONE: RS-1-7
COMMUNITY PLAN NAME: PACIFIC BEACH
OVERLAY ZONES: COASTAL HEIGHT LIMIT

UTILITY TABLE:

UTILITY	OVERHEAD	UNDERGROUND
CATV		X
ELECTRIC		X
GAS		X
TELEPHONE		X

MAPPING NOTE:

A PARCEL MAP SHALL BE FILED AT THE COUNTY RECORDER'S OFFICE PRIOR TO THE EXPIRATION OF THE TENTATIVE MAP, IF APPROVED, A DETAILED PROCEDURE OF SURVEY SHALL BE SHOWN ON THE PARCEL MAP AND ALL PROPERTY CORNERS SHALL BE MARKED WITH DURABLE SURVEY MONUMENTS.

EXISTING IMPROVEMENTS

SEWER DRAWING NO. 26036-12-D, 16641-5-D
WATER DRAWING NO. 27683-6-D

EXISTING & PROPOSED EASEMENTS:

- ① EXISTING PORTION OF THE ALLEY DEDICATED PER EASEMENT RECORDED NOVEMBER 7, 2018 AS DOCUMENT NO. 2018-0466137. SEE PTS 617885, 40993-B.

DEVELOPMENT NOTES:

- THIS IS A MAP OF A CONDOMINIUM PROJECT AS DEFINED IN SECTION 4125 OF THE CIVIL CODE OF THE STATE OF CALIFORNIA AND IS FILED PURSUANT TO THE SUBDIVISION MAP ACT. TOTAL NUMBER OF CONDOMINIUM DWELLING UNITS IS 2.
- NUMBER OF EXISTING LOTS = 2
NUMBER OF PROPOSED LOTS = 1
- PROVIDE BUILDING ADDRESS NUMBERS, VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY PER FHPS POLICY P-00-6 (UFC 901.4.4).
- THE SUBDIVIDER SHALL PREPARE CC&R'S FOR THE OPERATION AND MAINTENANCE OF ALL PRIVATE WATER AND SEWER FACILITIES THAT SERVE OR TRAVERSE MORE THAN A SINGLE CONDOMINIUM UNIT OR LOT.

OWNER/DEVELOPER:

BEACH DEVELOPER L.P.
4155 MISSION BOULEVARD
SAN DIEGO, CALIFORNIA 92109

ROBERT LINTON, MANAGING MEMBER

PROFESSIONAL LAND SURVEYOR:

SAN DIEGO LAND SURVEYING & ENGINEERING, INC.
9665 CHESAPEAKE DRIVE, SUITE 445
SAN DIEGO, CALIFORNIA 92123 (858) 565-8362
DRAWING NO. Van Nuys 1039-41 TM.dwg

Robert J. Bateman
ROBERT J. BATEMAN, P.L.S. 7046

08/27/2019
DATE



Prepared By:
SAN DIEGO LAND SURVEYING AND ENGINEERING, INC.
9665 CHESAPEAKE DRIVE, SUITE 445
SAN DIEGO, CA 92123-1354
PHONE: 858-565-8362
FAX: 858-565-4354 EMAIL: rbateman@sdlse.com

Consultants:

Basis of Bearings:

THE BASIS OF BEARINGS FOR THIS SURVEY WAS ESTABLISHED FROM GPS STATION 140 AND GPS STATION 141 PER RECORD OF SURVEY 14492. THE BEARING FROM POINT 140 TO POINT 142 IS N 79°44'26" E

Benchmark:

SOUTHWEST BRASS PLUG
VAN NUYS STREET AND CASS STREET
ELEVATION = 75.437 M.S.L. N.G.V.D. 1929 FEET

Project Legal Description:

LOT 9 & 10 IN BLOCK 10 OF MONTE VILLA TRACT, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 928 FILED IN THE OFFICE OF THE SAN DIEGO COUNTY RECORDER ON NOVEMBER 5, 1904.

LAMBERT COORDINATES:

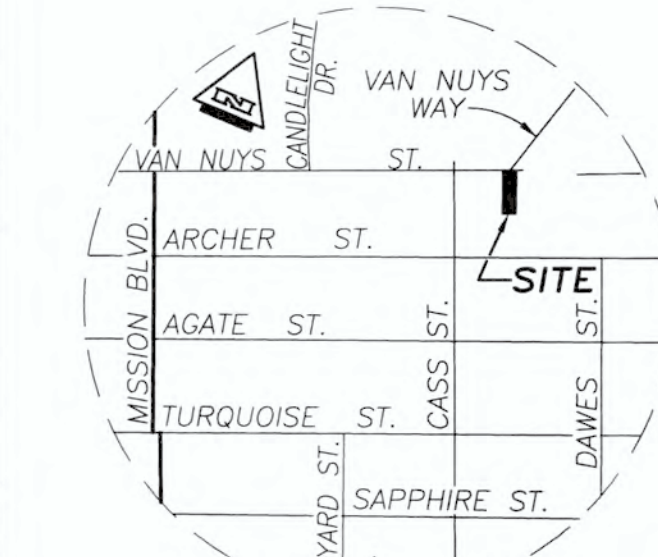
NAD 27 = 236-1691 NAD 83 = 1876-6251
A.P.N. 415-110-12

Project Name:

1039-1041 VAN NUYS STREET

Sheet Title:

Tentative Map Waiver No. 2245295
Project No. 626966



VICINITY MAP
NO SCALE

Project Soil Condition: Existing developed site.

Source of Topography:
Field survey by San Diego Land Surveying on 4-16-2018

Project Permits Required:

Map Waiver
Lot Consolidation Parcel Map

Project Data:

Number of Stories: 2
Proposed use: Residential
Existing use: Residential
Zone Designation: RS-1-7
Year of Construction (exist. structure): 2018

Project Address:

1039-41 Van Nuys St.
San Diego, CA 92109

Project Owner:

BEACH DEVELOPER, L.P.
4155 Mission Boulevard
San Diego, California 92109

Scale:

1" = 10'
Original Date: January 14, 2019
Revised: April 12, 2019
Revised: July 30, 2019

ADDRESS 1039 VAN NUYS ST.

PARCEL 415-110-12

SHEET 2 OF 2 SHEETS

DESCRIPTION OF BUILDING

CLASS & SHAPE		CONSTRUCTION	STRUCTURAL	EXTERIOR	ROOF	LIGHTING	AIR CONDITION	ROOM AND FINISH DETAIL					
ARCHITECTURE	TYPE	FOUNDATION						ROOMS	FLOORS	FLOOR FINISH	TRIM	INTERIOR	FINISH
Use	Design												
B4.0 to 13.5+0		Light	Frame	Stucco on	Flat Pitch	Wiring	Heating	Rooms	Floors	Floor Finish	Trim	Interior	Finish
		Sub-Standard	"x"		Gable 4/4	K.T. Conduit	Forced Clean'g	B	1	2	Material	Grade	Walls
Standard	Standard	Sheathing	Siding "x"	Hip 4/4	B.X. Cable	Gravity Humid.	All	X		A.T.I. A	S	P	Ceilings
Above-Standard	Concrete Block			Shed 4/4	Fixtures	Wall Unit							
Special	B.&B. T.&G.			Cut Up	Few Cheap		Ent.Hall						
1 Stories	Brick	Shingle		Dormers	Avg. Med.	Floor Unit	Living	1					
Adobe	Shake	Raft "x"	Many Special	Zone Unit	Dining								
Single	Concrete	Floor Joist:	B.&B. T.&G.	Gutters	Central		Bed	1					
Double	Reinforced	1st "x"			PLUMBING		Bed						
Duplex	Brick	2nd "x"	Brick	Shingle	Poor Std. Spec								
Apartment	Wood	Sub-Floor	Stone	Shake		Oil Burner							
Flat-Court	Piers	Concrete Floor	WINDOWS	Tile	Sink								
Motel			D.H. Casement	Tile Trim	Laundry	M-B.T.U.							
Insulated Ceilings	Metal Sash	Compo.	Water Htr.-Auto.	Fireplace	Kitchen	1							
Insulated Walls	Screens	Compo.Shingle	Water-Softner		Drain Bd.	Material: 7/	Lgth: Ft.	Splash:					

CONSTRUCTION RECORD				EFFEC. YEAR	APPR. YEAR	NORMAL % GOOD			RATING (E,G,A,F,P)						BATH DETAIL														
Permit No.	For	Amount	Date			Age	Remain'g Life	Table	%	Cond.	Arch. Attr.	Func. Plan	Con-form	Storage Space	Work-Shop	Fl.	No.	FINISH		FIXTURES				SHOWER					
																		Floors	Walls	Wc.	La.	Tub	Type	Grade	St.	Q.T.	G.D.	Finis	
Res			1944	1944	1963	14	41	R55	82	A	A	A	F	F	F	A	1	1	A.T.I.	PL	1	1	1	OLD	A				
					1967	23	38	R60	77	A	A	-	F	-	-	A													
					1974					G	G		A-																

SPECIAL FEATURES

Book Cases	Built in Refrig.	Venetian Blinds
Shutters	" " Oven & Plate	
Vent Fan	" " Dishwasher	

Appraiser & Date		COMPUTATION															
Unit	Area	Unit Cost	Cost	Unit Cost	Cost	Unit Cost	Cost	Unit Cost	Cost	Unit Cost	Cost	Unit Cost	Cost	Unit Cost	Cost	Unit Cost	Cost
D	442	7.20	3168	7.70	3388												
AC			120		120												
CCP	40	1.90	76		76												
TOTAL			3364		3584												
NORMAL % GOOD			82		77												
R.C.L.N.D			2758		2760												

[illegible]

/ COMPUTATIONS

22 X 20 = 440 / 84 B.F. = 720 1.
B.4 1967-67 720 770

Remarks:

ADDRESS 1041 VAN ALLEN ST

PARCEL 415-110-12

SHEET 1 OF 2 SHEETS

DESCRIPTION OF BUILDING

CLASS & SHAPE		CONSTRUCTION	STRUCTURAL	EXTERIOR	ROOF	LIGHTING	AIR CONDITION	ROOM AND FINISH DETAIL					
		Light Sub-Standard	Frame "x" "x"	Stucco on	Flat Pitch Gable A	Wiring K.T. Conduit	Heating Cooling Forced Clean'g	ROOMS	FLOORS B I 2	FLOOR FINISH Material Grade	TRIM	INTERIOR FINISH Walls Ceilings	
D 6.0+6		Standard	Sheathing	Siding "x" "x"	Hip A	B.X. Cable	Gravity Humid.	All	X	FLDW A	S	P L	
ARCHITECTURE		Above-Standard	Concrete Block		Shed A	Fixtures	Wall Unit						
1 Stories		Special	B.&B. T.&G.		Cut Up	Few Cheap		Ent. Hall					
TYPE			Brick	Shingle	Dormers	Avg. Med.	Floor Unit	Living	1				
Use Design		FOUNDATION	Adobe	Shake	Raft. "x" "x"	Many Special	Zone Unit	Dining					
X Single	X Concrete		Floor Joist	B.&B. T.&G.	Gutters		Central	Bed	3				
Double	Reinforced		1st. "x" "x"			PLUMBING		Bed					
Duplex	Brick		2nd. "x" "x"	Brick	Shingle	Poor Std. Spec							
Apartment	Wood		Sub-Floor	Stone	Shake		Oil Burner						
Flat-Court	Piers		Concrete Floor		Tile	Sink							
Motel				WINDOWS	Tile Trim	Laundry	M-B.T.U.						
			Insulated Ceiling	Metal Sash	Compo. Shingle	Water Htr. Auto.	Fireplace	Kitchen	1				
1 Units	Light Heavy		Insulated Walls	Screens		Water Softner		Drain Bd.	Material: Y	Lgth: Ft.	Splash:		

CONSTRUCTION RECORD

EFFECT. APPR. NORMAL % GOOD

RATING (E, G, A, F, P)

BATH DETAIL

Permit		Amount	Date	EFFECT. YEAR	APPR. YEAR	Age	Remain'g Life	Table	%	Cond.	Arch. Attr.	Func. Plan	Con- form	Storage Space	Work- minshp	FI. No.	FINISH		FIXTURES		SHOWER		
No.	For																Floors	Walls	Wc. La. Tub	Type	Grade	St. Q.T.G.D. Finish	
REG. G.			1954	1954	1963	4	56	R60	96	A	C	-	G	-	-	1	1	A-TI	FL	1	1	1	1
					1967	13	47	R60	92	G	G	-	G	-	-	1	3			1	1	1	1
					1974					A+	G		G										
					78					A													
																	SPECIAL FEATURES						
																	Book Cases	Built in Perriq.		Venetian Blinds			
																	Shutters	" " Oven & Plate					
																	Vent Fan	" " Dishwasher					

COMPUTATION

Appraiser & Date		Unit		Area		Unit Cost		Cost		Unit Cost		Cost		Unit Cost		Cost		Unit Cost		Cost		Unit Cost		Cost	
D		1209		920		11123		9.20		11123															
AC						240		240																	
GTYPE III		345		190		655		2.10		724															
FLAT CONC		E400		40		160		160																	
YD IMPS						300		300																	
TOTAL				12478		12547																			
NORMAL % GOOD				96		92																			
R.C.L.N.D				11979		11543																			

MISCELLANEOUS STRUCTURES.

[illegible]

COMPUTATIONS

$15 \times 20 = 300$
 $5 \times 7 = 35$
 $3 \times 40 = 120$
 $26 \times 29 = 754$

$$\begin{array}{r} 1209 \\ \times 128 \\ \hline 9672 \\ 24180 \\ 144720 \\ \hline 152736 \end{array}$$

375/38

Remarks:

① NO ENTRY; CONFIRMED INT. DETAIL WITH TEEN-AGED
DAUGHTER OF OWNER; PARENTS NOT HOME. *Stall*
9-5-62

From: [vivian mervyn short](#)
To: [Bucey, Karen](#)
Subject: Fwd: Project 626966, Van Nuys
Date: Tuesday, June 04, 2019 2:28:58 PM

----- Forwarded message -----

From: **vivian mervyn short** <vmshort@gmail.com>
Date: Tue, Jun 4, 2019, 2:14 PM
Subject: Project 626966, Van Nuys

Karen. I am re-reading your notice of application dated Feb 13th. 2019 where you advise that we will be notified of the date and time of a public hearing where the approval or denial of the above project would be discussed. The houses are almost completed now so I would like to know who represented the neighbors interests while these approvals were granted. When we purchased this property and redeveloped this plot we were advised that the zoning regulations for these sites were for single family homes. Sincerely Vivian Mervyn and Cecily Agnes Short. 1045 Van Nuys Street (adjacent lot)

From: [vivian mervyn short](#)
To: [Bucey, Karen](#)
Subject: Re: Project 626966, Van Nuys
Date: Tuesday, June 11, 2019 3:33:32 PM

Karen Thanks for the update.... Again, I pose the same question. Why were the neighbors not advised about what was going on. Is this supposed to be done in private or something that the public (effected neighborhood residents) should be made aware of or consulted about.
Cecily/mervyn

From: [vivian mervyn short](#)
To: [Bucey, Karen](#)
Subject: Re: Project 626966, Van Nuys
Date: Tuesday, June 11, 2019 9:25:14 AM

Karen, Thanks for your response. Are you inferring that there have not been approvals granted for this project. How can you allow a non resident to build something without investigating his motives, plans etc. and advising the neighborhood residents? We visited the city planning office and were advised that we would be kept advised on what was going to happen to the site after the old property was sold. After receiving your letter we thought we were going to be ok. We are senior citizens and expected as taxpaying residents that our interests would be protected. Our site has been a part of the family since 1955 and is being sadly destroyed by someone (a non resident) for commercial gain cramming two undesirable large properties on a small residential site. NB. I did receive a call from Karl Rand this morning and it sounds as though he was unaware of the location of this development. I invite you to come and view this mess to see why we are so outraged. Sincerely, Cecily/Mervyn Short

On Mon, Jun 10, 2019, 5:39 PM Bucey, Karen <KBucey@sanidiego.gov> wrote:

Vivian and Cecily

The renovation and additions to the two dwelling units were done under ministerial project numbers 613193 and 617885. That work may indeed be completed or nearing completion.

The discretionary action that has been submitted, and you received a notice regarding, is a Tentative Map Waiver for condominium conversion of the two existing detached dwelling units currently under remodel.

The creation of the rear dwelling was in 1944 and the front dwelling adjacent to the street was constructed in 1954. Staff did not locate records back to 1954 for the second dwelling however both units have been on the tax roles since constructed and may have been a result of multiple legal lots on the site that were utilized for the development.

Your contact information has been added to the Interested Persons List for notification of action on the project.

Karen Bucey
Development Project Manager
City of San Diego
Development Services Department

619-446-5049

SanDiego.gov

Visit SanDiego.gov/DSD to pay invoices, schedule inspections, check project status, request a code enforcement investigation and other online services.

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From: vivian mervyn short <vmshort@gmail.com>

Sent: Tuesday, June 04, 2019 2:29 PM

To: Bucey, Karen <KBucey@sandiego.gov>

Subject: Fwd: Project 626966, Van Nuys

----- Forwarded message -----

From: **vivian mervyn short** <vmshort@gmail.com>

Date: Tue, Jun 4, 2019, 2:14 PM

Subject: Project 626966, Van Nuys

Karen. I am re-reading your notice of application dated Feb 13th, 2019 where you advise that we will be notified of the date and time of a public hearing where the approval or denial of the above project would be discussed. The houses are almost completed now so I would like to know who represented the neighbors interests while these approvals were granted. When we purchased this property and redeveloped this plot we were advised that the zoning regulations for these sites were for single family homes. Sincerely Vivian Mervyn and Cecily Agnes Short. 1045 Van Nuys Street (adjacent lot)

From: [vivian mervyn short](#)
To: [Bucey, Karen](#)
Subject: Re: Project 626966, Van Nuys
Date: Wednesday, June 12, 2019 11:05:56 AM

Karen, Thanks for your msg. I will follow up with Rob' Linton soon. Cecily/mervyn

On Wed, Jun 12, 2019 at 9:01 AM Bucey, Karen <KBucey@saniego.gov> wrote:

Good Morning

The two additions and remodels are done ministerially or by right without the notification of the public or a review by the community planning group. The condominium process is discretionary and is noticed to all addresses within 300 feet of the subject property and must be reviewed by the community planning group.

The applicant point of contact for the construction project is Rob Linton (sfrontis@gmail.com or 858-837-2078) if you have inquiries regarding the additions and remodels.

Additionally, I spoke to Karl Rand yesterday and he said that you had spoken on the project. The planning group will be discussing the project at an upcoming meeting where the applicants will be available to answer any questions.

Karen Bucey

Development Project Manager
City of San Diego
Development Services Department

619-446-5049

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From: vivian mervyn short <vmshort@gmail.com>

Sent: Tuesday, June 11, 2019 3:33 PM

To: Bucey, Karen <KBucey@saniego.gov>

Subject: Re: Project 626966, Van Nuys

Karen Thanks for the update.... Again, I pose the same question. Why were the neighbors not advised about what was going on. Is this supposed to be done in private or something that the public (effected neighborhood residents) should be made aware of or consulted about. Cecily/mervyn

From: [Diane Fons](#)
To: Karlrand22@gmail.com; [Bucey, Karen](#)
Subject: Condo conversion on Van Nuys Street
Date: Tuesday, June 18, 2019 3:20:13 PM

To Karl Rand and Karen Bucey,

I am strongly opposed to the condo conversion of 1039 and 1041 Van Nuys Street. This area in PB is a single family residential area and you will be opening up this zoning to more density, traffic, noise, vacation rentals and parking issues.

We all have worked hard to have a home in this very special area of Pacific Beach. We thought we had an agreement with the city when we moved here for SINGLE FAMILY only zoning. The city continues to bend the rules with vacation rentals, transit housing, granny flats etc. This property used to be owned by a single family. Please protect the neighbors who live here from having our area turned into an condo/ apartment zone.

Diane Fons

From: [Lee A. Morrison](#)
To: [Bucey, Karen](#)
Cc: [Karlrand22@gmail.com](#)
Subject: #626966 1039 and 1041 Van Nuys St
Date: Wednesday, June 19, 2019 3:34:09 PM

Dear Ms. Bucey

Please register the opposition of my and me to the proposed tentative map waiver for the above property. We live a block and a half east of the project at 5351 Van Nuys Court. We love the area and believe it is important to preserve the single family home character of the neighborhood. Please communicate to the Planning Group our opposition to the waiver.

Thank you,

Lee A. Morrison
leeamorrison@gmail.com

From: [Bfehlan.](#)
To: [Bucey, Karen](#)
Subject: #626966 1039-41 Condo conversion/map waiver
Date: Thursday, June 20, 2019 3:34:58 PM

Karen,

As a homeowner for more than 7 years in the Van Nuys St. neighborhood I was recently informed that a property currently undergoing a remodel two blocks away had applied for a map waiver in order to convert the two single dwelling structures into condos.

One of the main reasons I purchased and paid a premium to live in this neighborhood and not a few streets south was to get away from all the apartments and condos which is one of the things that really sets this area apart.

"The purpose of the RS zones is to provide appropriate regulations for the development of single dwelling units that accommodate a variety of lot sizes and residential dwelling types and which promote neighborhood quality, character, and livability. It is intended that these zones provide for flexibility in development regulations that allow reasonable use of property while minimizing adverse impacts to adjacent properties."

By the very definition of the current zoning "condos" don't have a place in this neighborhood and waivers just make no sense other than for financial reasons, i.e. the builder/developer can sell more units.

There are plenty of other areas in San Diego that condos are currently allowed, but to come into a neighborhood, start your "remodel" and then want to change the rules is quite frankly a bunch of "BS." Once this type of thing gets started what's going to stop it? The rules were put in place for a reason!

I am completely against granting a map waiver in order to convert to condos.

Thanks for your time.

Sincerely,

Bruce Fehlan
852 Van Nuys St.

From: [MARY GONZALES](#)
To: karlrand22@gmail.com; [Bucey, Karen](#); [Mary Gonzales](#)
Subject: PB planning group project review #626966 – 1039 & 1041 Van Nuys Street Condo Mapping
Date: Thursday, June 20, 2019 3:42:03 PM
Attachments: [image.png](#)

Writing in reference to this hearing:



Pacific Beach Planning Group

Commercial / Residential / Mixed Use Subcommittee ("CRMS")
<http://www.pbplanning.org/subcommittees/commercial-residential-mixed-use-subcommittee/>

Thursday, June 20, 2019 – 5:30PM
Pacific Beach Library
CRMS Agenda

1. Welcome by Chair Karl Rand / Introductions
2. Non Agenda Public Comment – (Information only, non-debatable)
3. Projects for review (Action items):
 - a. **#626966 – 1039 & 1041 Van Nuys Street Condo Mapping**
Description: Tentative Map Waiver for the creation of two condominiums from two existing detached dwelling units which are currently being remodeled. The 0.14 acre site is on a cul-de-sac in a Residential (RS 1-7) zone.

Presenter: Robert Bateman **Owner:** Beach Developer, LP
Plans by: San Diego Land Surveying and Engineering Inc.
City Project Manager: Karen Bucey
Status: Assessment Letter May 21, 2019
Issues: No significant City issues

I own a house on Van Nuys St. and I'm very concerned about this waiver. I'm not able to attend the hearing today in person.

This waiver should NOT be granted. This is a family neighborhood full of single family homes. This is why we bought a house on this street. And why other families are also choosing this street to move their families to. By granting the waiver all it's going to do is allow developers to come in and tear down the existing single family homes for a quick profit. This street already has a problem with parking and this will create more congestion and devalue the family environment. .

We purchased this house with the intent of retiring in this close knit community and for our children to enjoy this same community after they inherit the property. We want to see it stays that way not turn into a get rich opportunity for developers.

Thank you.

Ernie and Mary Gonzales
811 Van Nuys St.

From: [Karl Rand](#)
To: [MARY GONZALES](#)
Cc: [Bucey, Karen](#)
Subject: Re: PB planning group project review #626966 – 1039 & 1041 Van Nuys Street Condo Mapping
Date: Thursday, June 20, 2019 9:05:17 PM
Attachments: [image.png](#)

Hello Mary and Ernie -- Thank you for your email. I apologize for not replying sooner. Many of your neighbors attended tonight's meeting and shared thoughts and feelings similar to yours. The meeting lasted quite a while and we addressed many issues about this specific item. I encourage you to talk with your neighbors who attended, to find out about what happened at the meeting and about the procedures for next week's meeting of the full PB Planning Group. Thank you again. -- Karl Rand, Chair of Pacific Beach Planning Group

On Thu, Jun 20, 2019 at 5:12 PM MARY GONZALES <mary.gonzales@bbva.com> wrote:

Can you both please confirm receipt of this email?
Thank you

On Jun 20, 2019, at 5:41 PM, MARY GONZALES <mary.gonzales@bbva.com> wrote:

Writing in reference to this hearing:



Pacific Beach Planning Group

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<http://www.pbplanning.org/subcommittees/commercial-residential-mixed-use-subcommittee/>

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We purchased this house with the intent of retiring in this close knit community and for our children to enjoy this same community after they inherit the property. We want to see it stays that way not turn into a get rich opportunity for developers.
Thank you.

Ernie and Mary Gonzales
 811 Van Nuys St.

From: [Laura Fehlan](#)
To: [Bucey, Karen](#)
Subject: Fwd: #626966 1039-41 Condo conversion/map waiver
Date: Thursday, June 20, 2019 4:41:29 PM

Karen,
I have pulled off the freeway since I have realized I will not make it to the meeting. 5:30 is a very challenging time to have a meeting for people who work, but I'm sure it's convenient for the developer!

Below is my husband's comments and I couldn't agree more! There is plenty of multiple housing units just 2 blocks south! There is absolutely no reason to change the zoning for this ONE developer. I am sure there is not one single family homeowner in the area who will agree with this change!

Please do not move forward with this proposal, it will affect so many to benefit the one and this developer doesn't even live in our neighborhood! If he wants to do these things, let him do it next to his house!

Thank you for your consideration,
Laura Fehlan

----- Forwarded message -----

From: **Bfehlan** . <bfehlan@gmail.com>
Date: Thu, Jun 20, 2019 at 3:34 PM
Subject: #626966 1039-41 Condo conversion/map waiver
To: <kbucey@sandiego.gov>

Karen,
As a homeowner for more than 7 years in the Van Nuys St. neighborhood I was recently informed that a property currently undergoing a remodel two blocks away had applied for a map waiver in order to convert the two single dwelling structures into condos.

One of the main reasons I purchased and paid a premium to live in this neighborhood and not a few streets south was to get away from all the apartments and condos which is one of the things that really sets this area apart.

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By the very definition of the current zoning "condos" don't have a place in this neighborhood and waivers just make no sense other than for financial reasons, i.e. the builder/developer can sell more units.

There are plenty of other areas in San Diego that condos are currently allowed, but to come into a neighborhood, start your "remodel" and then want to change the rules is quite frankly a bunch of "BS." Once this type of thing gets started what's going to stop it? The rules were put in place for a reason!

I am completely against granting a map waiver in order to convert to condos.
Thanks for your time.

Sincerely,
Bruce Fehlan
852 Van Nuys St.

From: [Gallegos, Marilyn](#)
To: [Ann P Walker, MA,LCGC](#)
Subject: RE: Opposition to re-zoning Van Nuys St. for condos (tentative map waiver #2173449-Combination Building Permit; Project #613193; Project #626966)
Date: Monday, June 24, 2019 9:06:15 AM

Good morning Ann,

The project for Tentative Map Waiver for these addresses is #626966 and the Project Manager for those projects is Karen Bucey. Please direct all correspondence to her at KBucey@sandiego.gov.

Thank you in advance,

Marilyn Gallegos
Plan Review Specialist
City of San Diego
Development Services Department
619-446-5160
SanDiego.gov

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-----Original Message-----

From: Ann P Walker, MA,LCGC [<mailto:awalker@uci.edu>]
Sent: Monday, June 24, 2019 1:16 AM
To: Gallegos, Marilyn <MGGallegos@sandiego.gov>
Subject: Opposition to re-zoning Van Nuys St. for condos (tentative map waiver #2173449-Combination Building Permit; Project #613193; Project #626966)

Marilyn Gallegos, Plan Review Specialist

Dear Ms. Gallegos,

It has come to my attention that a San Diego Developer, The Beach Builder, has applied to the city to have the properties at 1039 and 1041 Van Nuys Street in Pacific Beach remapped for condos, instead of retaining the R1 designation that the rest of Van Nuys has always had. Although Mr. Linton claims that this re-zoning is necessary to “remodel” two houses that currently overlap on these two lots, he has chosen not to apply for “new construction” permits and separate the lots—seeking instead to remap the zoning. We have watched his numerous “remodels” on Mission Boulevard turn into condos, and are very concerned that this will open the door for similar changes in the whole Van Nuys neighborhood.

We do not live on Van Nuys, but rather on Candlelight Place, in a house we have owned for a half century. These parallel streets are special neighborhoods, with long-term residents and young families whose kids go to Bird Rock Elementary and play together. Neighbors get together for pot-lucks and support each other when they need help. Changing the zoning to permit condos would entirely change the very special character of Van Nuys. We urge you

not to succumb to The Beach Builder's request for condo re-zoning in this area.

Thank you,

Ann Walker, homeowner
927 Candlelight Place

Sent from my iPad

From: [Diane Fons](#)
To: Karlrand22@gmail.com
Cc: [Bucey, Karen](#); [Councilmember Jennifer Campbell](#)
Subject: Condo conversion1039/1041 Van Nuys Street
Date: Sunday, June 23, 2019 2:47:12 PM

Dear Mr Rand,

Thanks for listening to the neighbors strong opposition to converting this property into a condo designation. All of our properties in this area have a standard lot size with a 50 foot frontage. There are NO CONDOMINIUMS in this area. The developer moved forward with the adage, "don't ask for permission, but ask for forgiveness later." This property, if grandfathered in with two addresses, should also be grandfathered in with a single owner, as it was originally. The developer decided to add an extra water and gas meter with the full intention of selling this as two properties. This is not in keeping with the integrity of the rest of the neighborhood. There are 3-5+ million dollar homes on the other side of the street. This is not an area for condos. Please don't devalue our properties because of a greedy developer. This is what zoning is for.

Thanks,

Diane Fons

From: Gary Wasserman [mailto:pacbeachbum@gmail.com]

Sent: Sunday, June 23, 2019 8:36 PM

To: Gallegos, Marilyn <MGGallegos@sandiego.gov>

Subject: Tentative Map Waiver #2245295 for Remapping 1039-1041 Van Nuys Street in PB

Project #613193 - Van Nuys Remodel

Project # 626966 - Van Nuys Remodel

Building Permit Approval #2173449 - Combination Building Permit

I STRONGLY OBJECT TO HAVING 1039-1041 Van Nuys Street remapped as condos instead of two single-family residences.

There are several issues, but as a homeowner down the street from the above property, I do not want my neighborhood changed. I do not want a precedent set re: remapping single family residences to condominiums. I am one of many neighbors who feel the same way. I appreciate your support.

Gary Wasserman
5340 Cass Street, PB

From: Nancy Person [mailto:nancylperson@gmail.com]

Sent: Sunday, June 23, 2019 8:35 PM

To: Gallegos, Marilyn <MGGallegos@sandiego.gov>

Subject: Fwd: Tentative Map Waiver #2245295 for Remapping 1039-1041 Van Nuys Street in PB

Tentative Map Waiver #2245295 for Remapping 1039-1041 Van Nuys Street in PB

Project #613193 - Van Nuys Remodel

Project # 626966 - Van Nuys Remodel

Building Permit Approval #2173449 - Combination Building Permit

I STRONGLY OBJECT TO HAVING 1039-1041 Van Nuys Street remapped as condos instead of two single-family residences.

I believe Rob Linton (The Beach Builder) bought the property with the intention of building two large homes and selling them to separate owners. The only way he can do this is by having the property remapped as condos. He chose not to separate the properties along original property lines and not to apply for "new construction" permits. Instead, he used the unusual situation of two houses overlapping two different properties to his advantage and applied for two "remodel" permits. This was a short-cut he chose to save money and make more money upon resale, but his plan will only work if the properties are remapped to condos. I OBJECT TO THIS REMAPPING.

I am concerned that once this property is remapped as condos, it sets a precedent for similar requests. Although the city claims the remapping only applies to 1039-1041 Van Nuys Street, it would change our neighborhood and could potentially cause more problems in the future from others who want to remap properties on Van Nuys St.

In addition, if the property is remapped as a condo, what would stop a future developer from rebuilding; changing it from two condos to more.

Once again, I STRONGLY OBJECT TO HAVING 1039-1041 Van Nuys Street remapped as condos instead of two single-family residences.

Thank you,
Nancy Person
5340 Cass Street, PB

From: [Adam Keene](#)
To: [Bucey, Karen](#)
Subject: Project No - 627874, Van Nuys - NDP/TM
Date: Sunday, June 23, 2019 10:08:38 PM

Project No: 627874
Project Name: Van Nuys - NDP/TM

Dear Karen Bucey,

My name is Adam Keene, owner/occupant at 867 Van Nuys St San Diego, CA 92109. Please consider this my official request to deny the above named project for rezoning and for it to remain zoned RS-1-7.

A decision like this will have lasting repercussions throughout the Van Nuys St and surrounding areas as a precedent would be set for one off rezoning requests within RS-1-7. It is essential to keep these as single family homes and make sure everyone is playing within the same zoning rules. The impact would certainly be felt in lowered property values.

If you would like, I'd be happy to discuss this further in person or over a phone call.

Please let me know if there is anything else I can do to prevent this project from getting rezoned.

Regards,

Adam

-----Original Message-----

From: Richard C. Walker [<mailto:rwalker@ucsd.edu>]

Sent: Monday, June 24, 2019 1:29 AM

To: Gallegos, Marilyn <MGGallegos@sandiego.gov>

Subject: Lots 1039-1041 Van Nuys

Dear Ms. Gallegos:

As a long time resident homeowner at 927 Candlelight Place, La Jolla, CA 92037, I am most concerned about and opposed to the proposed zoning change for Lots 1039-1041 on Van Nuys (Project#613193-Van Nuys Remodel and Project #626966-Van Nuys Remodel—Building Permit Approval #2173449–Combination Building Permit Approval #2173449—Tentative Map Waiver #2245295 for Remapping).

I feel that it would set a precedent for condo construction along Van Nuys which would change the character of the surrounding area from single family residences which have lead to a sense of community to a more transient, multi-unit construction with the attendant weakening ties to neighbors and place.

I urge you to reject the application.

Sincerely yours,

Richard C. Walker, owner
927 Candlelight Place
La Jolla, CA 92037

Sent from my iPad

From: [Mike Thrift](#)
To: [Bucey, Karen](#)
Cc: [karlrland22@gmail.com](#); [jlegrospb@gmail.com](#); [carolyn@icontactweb.com](#)
Subject: Re: Objection to Map Waiver for Project #626966
Date: Monday, June 24, 2019 2:45:46 PM

Ms. Bucey—

I previously sent the message below, with apparently the wrong project number to the wrong person at the city. I am resending it to you with corrections. Thanks in advance for your consideration.

> My name is Mike Thrift. I am a homeowner of a single family residence located at 978 Van Nuys Street. I write to express my objection to the tentative map waiver for project number 626966 that is under consideration by the Pacific Beach Planning Board for 1039 and 1041 Van Nuys Street.

So far, it has not been made clear by either the builder or the city what the continuing consequences would be for the property under review if a waiver is granted. Specifically, what rights would the waiver recipient have for future uses, subdivisions, commercial leasing, etc., of the property compared to what is currently provided by the R-1-7 designation?

If the waiver and designation of condominiums for 1039 and 1041 Van Nuys Street means that either or both of the two remodeled houses being constructed could, beyond what is currently allowed: (a) be sub-divided into smaller individual units for later sale or lease; (b) be operated as commercial or short-term residential units as a whole or as sub-divided; or (c) be exempted from continuing restrictions on modification or use that apply to the single family homes that otherwise constitute the entirety of Van Nuys Street, then granting the waiver would seem to threaten the residential integrity of the neighborhood, the values of the neighborhood's other homes, and the quality of life and financial health of the neighbors who live in the area impacted by the project.

Before the city takes further action to consider this project, it is essential that it explain the full range of potential impacts of its decision to the affected community. Anything short of this would make the city complicit in whatever harm befalls community members from an action for which the city does not provide a statement of basis and purpose that includes the factual data on which the proposed waiver is based, the methodology used in obtaining and analyzing that data, and the main legal interpretations and policy considerations underlying the proposed waiver.

The city should also summarize and provide a reference to any pertinent findings, recommendations, and comments by the PB Planning Board, and, if the waiver decision differs in any important respect from any of these recommendations, an explanation of the reasons for such differences. Finally, in making its final decision, the city should issue a response to each of the significant comments, criticisms, and new data submitted in written or oral presentations during the public review process.

Thanks for your attention to this matter.

—Mike Thrift
978 Van Nuys Street
San Diego, CA 92109
858-255-8846

From: [Gail Cadman](#)
To: [Bucey, Karen](#)
Subject: Rezoning Waiver #2245295 on Project #613193, #626966, Building Permit #2173449
Date: Tuesday, June 25, 2019 6:23:30 PM

This letter comes in response to the request for the rezoning of 1039 - 1041 Van Nuys St., SD 92109 by Rob Linton (The Beach Builder). We cannot express strongly enough our disapproval of this request to remap or rezone these parcels to allow condo status. There is no other parcel on this street that allows the building of condos. If one parcel is allowed a waiver for condo status, then precedent has been set to allow any other owner on the street to ask for a waiver. Denial of future waiver requests would constitute preferential treatment, most certainly resulting in discrimination lawsuits.

We believe this builder knew from the onset of the project that his ultimate goal was to rebuild, then sell the two homes separately. He built two huge homes under the auspice of a remodel rather than pulling new construction permits. Now that the construction is nearly complete, he is asking for a remapping waiver so he may sell the houses separately. This is an abuse of the existing zoning laws and undermines the spirit of restricting unchecked development. If we wanted to live on a street with condos with increased density and limited parking, we would have. Instead we paid a premium price to live in a single family neighborhood. An exception made for a builder looking to circumvent the existing zoning laws is simply unacceptable. Please pass this message to the people who will make the ultimate decision on this request.

Michael & Gail Cadman
846 Van Nuys St.
San Diego, Ca. 92109

Sent from my iPad

From: bpowell1@san.rr.com
To: [Bucey, Karen: \"karlrland22@GMAIL.COM\"](mailto:Bucey, Karen: \)
Subject: Tentative Map Waver #2245295 For Remapping 1039-1041 Van Nuys Street in PB
Date: Tuesday, June 25, 2019 7:48:22 PM

WE STRONGLY OBJECT TO HAVING 1039-1041 Van Nuys Street remapped as condos instead of two single-family residences.

This will set precedence for future developers to use the exemption in their favor to turn properties into multi-unit properties.

It will increase the parking problems we have now. We have lived our current home for over 30 years and have never had the parking issues we have today,

I have looked at what the developer is building, and it does not fit the demographics of the neighborhood. Again, it opens the door to more developers to purchase property to do the same.

Again, WE STRONGLY OBJECT TO HAVING 1039-1041 Van Nuys Street remapped as condos instead of two single-family residences.

From: [Nancy Person](#)
To: [Gallegos, Marilyn](#); [Bucey, Karen](#)
Subject: Regarding Project # 626966
Date: Wednesday, June 26, 2019 12:50:02 PM

Hello Marilyn and Karen,

I was copied on this email from a neighbor, and I notice that he had Marilyn's email wrong. Therefore, I am forwarding it to you both, for the record.

Thank you,
Nancy Person

----- Forwarded message -----

From: Mark Seamon <mdseamon@sbcglobal.net>
Date: Wed, Jun 26, 2019 at 12:28 PM
Subject: tonight's meeting
To: <mcgallegos@sandiego.gov>
Cc: karlrand22@gmail.com <karlrand22@gmail.com>, Nancy L. Person <nancylperson@gmail.com>

Marilyn, This is Mark & Vicky Seamon @ 911 Van Nuys St. writing as we will not be attending tonight's meeting. I spoke with Karl Rand last week about 1039 & 1041 Van Nuys St.. He assured me that the waiver for condos would not set a precedent for future development of other properties on Van Nuys St.. Since last week's first meeting I've learned this to be untrue. All of Van Nuys St. is zoned the same RS 1-7. If the city lets the builder to get away with his intentional errors in planning, other owner builders will be committing the same intentional mistakes for their own greed & profit. A builder next door could build a 4 or 5 unit condominium & then say "oops I need a waiver because I can't sell the building as designed." Where was the Code compliance in the first place! The whole planning & permitting process has been backasswards. We strongly object to any waiver for the properties & the owner should have to sell the property as one lot & any code violations be corrected. Look what he's done to the neighbors by allowing that much of the lot to be covered with buildings. What happened to the minimum % of uncovered space? Sincerely,
Mark & Vicky Seamon

From: [Wm Pieren](#)
To: ["Karl Rand"](#)
Cc: [Bucey, Karen](#)
Subject: NO to CONDO CONVERSION 1039/1041 Van Nuys Street
Date: Wednesday, June 26, 2019 12:08:16 PM

Dear Mr. Rand,

I am vehemently opposed to the condo mapping exception for 1039/1041 Van Nuys Street.

This developer has basically broken all the rules and now wants an exception for his bad behavior - at the expense of the local neighbors. There are no condos in this neighborhood and most of the homes are around 2-6 million dollars. We do not want to set a precedent for allowing condos in our R-1 single family neighborhood.

His project number only has one hit on the city development website. You need to dig to get all the information.

His project has only ONE parcel number. His parcel size is standard for the neighborhood.

His company, permit holder or other names associated with this project have no presence on the State Contractors Board

His website has numerous examples of "shotgun" houses hes has built and split the lot in the standard, legal way (943/945 Law, 3964/3966 Honeycutt, 1339/1341 Oliver, 3813/3815 Kendall, 965/967 Diamond etc). He knows what is right.

He has numerous "one star" ratings on his website for his bad behavior

His project is far from a remodel. He has maximized square footage by have a 3 sided-car "port" that is ready for a garage door and an "outside living area" bigger than the living room inside (ready for enclosing).

There were alternatives to another full size condo ie: tiny home like was there originally.

He has already listed and priced these 2 homes separately.

This has always been a SINGLE OWNER property and if it is to be "grandfathered in", a SINGLE OWNER should also be "grandfathered in" to keep with the character of the neighborhood.

Please vote against this change in zoning so the neighborhood does not have to pay, for years to come, for this company's greedy decisions.

Bill Pieren

Bill Pieren
(619) 368-1675

From: [Cassie Stiles](#)
To: [Bucey, Karen](#)
Subject: Objection to waiver at 1039-1041 Van Nuys Street
Date: Wednesday, June 26, 2019 6:12:50 PM

> Project #613193 & #626966
Building Permit Approval #2173449
Tentative Map Waiver #2245295

Dear Ms. Bucky:

I have lived at 943 Archer Street since 1984. An important reason that I live here is that our street is zoned as single family while everything south allows for multi housing. I have just learned about The Beach Builder applying to have the properties at 1039/1041 Van Nuys Street remapped with a condo designation. I strongly object to this and request that you deny this variance.

Thank you

Cassandra Stiles
858-488-1443

Sent from my iPad

From: cheryl.jarvis
To: [Bucey, Karen](#)
Subject: Remapping/ rezoning
Date: Wednesday, June 26, 2019 5:22:24 PM

I grew up and returned to my childhood home on Archer Street. My parents bought this property and built our home in 1945/46. This has been a single dwelling neighborhood, Archer Street & Van Nuys Street for over 70 years. Please DO NOT even consider remapping/rezoning 1039-1041 Van Nuys Street. Doing so would set a terrible presedent for future development and remodeling.

I strongly object to this proposal.

Cheryl Jarvis
903 Archer Street
San Diego, CA 92109

*** Shalom ***

May the Peace of God be with you always I

*** Shalom ***

May the Peace of God be with you always

From: [Gail Cadman](#)
To: [Bucey, Karen](#)
Subject: Re: Rezoning Waiver #2245295 on Project #613193, #626966, Building Permit #2173449
Date: Wednesday, June 26, 2019 10:45:18 AM

Hi Karen,

Thank you for your prompt response. Apparently we have used the wrong term and referred to the request as "rezoning" when we should have said "remapping". Is that correct? We plan on attending tonight's follow up meeting and want to make sure that we are using the correct terminology when voicing our concerns.

Regardless of the specific language used to describe the waiver, our concern is that we will now have a property on our street that allows condo development. As more properties change ownership in the months and years to come, someone will undoubtedly try to leverage the decision to provide a waiver for one location, as an argument to provide waivers for other interested developers. Are there guarantees that this situation will not occur in the future? Maybe we are missing something, some fact that would alleviate our concerns that this will not become a slippery slope.

Thanks again for your insight.

Michael & Gail Cadman

Sent from my iPad

> On Jun 26, 2019, at 9:11 AM, Bucey, Karen <KBucey@sandiego.gov> wrote:

Gail & Michael Cadman

> Thank you for the email regarding the 1039-1041 Van Nuys Street project 626966. The proposed project is a change the ownership type to condominiums for the two existing dwelling units on the site. No rezone is proposed and the site will remain zoned RS-1-7. I have added your contact information to the Interested Persons List for the project.

Karen Bucey
Development Project Manager
City of San Diego
Development Services Department
619-446-5049
[SanDiego.gov](#)

Visit [SanDiego.gov/DSD](#) to pay invoices, schedule inspections, check project status, request a code enforcement investigation and other online services.

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From: [Julie Errickson](#)
To: [Bucey, Karen](#)
Subject: Please deny the Condo Mapping Waiver request for Project #626966 / 1039-1041 Van Nuys Street
Date: Thursday, June 27, 2019 12:57:39 AM

Hi Karen Bucey,

In regards to the Condo Mapping Waiver for Project #626966 / 1039-1041 Van Nuys Street, I am asking that you deny this request to put condominiums on my street.

My name is Julie Errickson, and I own the home at 967 Van Nuys Street, just three houses west of Cass Street. My home is located straddled across two narrow 25 foot wide lots, for an overall width of 50 feet for my lot by 125 feet long, which my single home is built across the middle of the combined parcel of my two adjacent lots equally. My single story single family home of 1,560 square feet fills the lot close to the setbacks. Many homes on our street and in adjacent streets have been torn down and rebuilt to at least twice the size of my home or greater, as single family residences with nearby values as high as \$7 million or more.

As a former real estate appraiser, I know that increasing the density of my neighborhood by changing the allowable zoning will certainly lower property values and also the City of San Diego's property tax base. The neighborhood currently has one regular sized house built across every pair of two skinny lots that they sit upon. It does not make sense to increase the level of density for what was one single home to become two homes with companion units, or four living spaces, which would be inconsistent with the rest of the neighborhood density.

Between Archer and Agate Streets on the very east side adjacent to Cardeno, a busy street, there is a cluster of an unusually dense area. The density is one house per skinny lot on the half block adjacent to Cardeno, and yet these are still not condominiums. On Van Nuys Street and especially in the cul-de-sac, we have larger homes and the neighborhood needs to have a homogenous size and character to preserve property value for us, and to preserve the property tax base for the City of San Diego. Otherwise, without strict zoning laws that preserve the homogenous nature of our street, the property values will decline to be closer to the smallest homes that exist in the neighborhood, which in this case would be condominiums, and the entire neighborhood of single family home values on Van Nuys Street would decline due to proximity to these condominiums, which otherwise are entirely concentrated near the higher density Turquoise collector street area several blocks to the south of our street.

I understand that at Wednesday's PB Planning Board Meeting, the recommendation of the board regarding the remapping of 1039-1041 Van Nuys Street from single family residence to condos did not pass. There was a vote of 5 for and 9 against the remapping to condos. The neighborhood property owners on Van Nuys Street do not want Beach Builder to succeed with his planned remapping and selling of two condominium homes on one parcel, which would destroy the homogenous Detached Single Family Residence character of our neighborhood just so he can maximize his short term profit. There are no condominiums on our street anywhere east of La Jolla Mesa.

This proposed zoning change makes no sense and it is not continuous with any other condominium zoning. This request for a special one of a kind zoning variance is exactly why we have strict homogenous zoning laws denying this use here, and it should not be allowed in a Single Family Detached Residential neighborhood. Furthermore, it would open the door for our houses to be torn down and replaced with condominiums randomly in an area of low density single family homes on larger combined lots, immediately adjacent to very large view homes in La Jolla, where condominiums do not belong.

If we need to, we will also invite the neighbors from up the hill in La Jolla to come voice their own objections to the possibility of our entire Van Nuys Street one day being zoned for condominiums, which would certainly hurt their property values as well as ours, since these homes overlook Van Nuys Street from above.

Please deny this senseless and inconsistent zoning change to condominiums in our neighborhood. This builder is attempting to destroy the character of our neighborhood for a quick profit into his own pocket that comes at the direct expense to all of us who are here for the long term as residents, whose property values would directly suffer immediately as the result of his condo project if approved. The economic effect would harm all of us and the City of San Diego as well due to a reduction of property tax revenue as values decline because of increasing allowed density.

We do not want condominium zoning on our street, nor in our neighborhood.

Thank you. Sincerely,

Julie Errickson

juliejoyerrickson@gmail.com

(619) 787-9910 cell

<http://www.linkedin.com/in/juliejoyerrickson>

<https://cal.berkeley.edu/Julie.Erickson>

From: [Schwartz, Alexandra](#)
To: [Bucey, Karen](#); [Councilmember Jennifer Campbell](#)
Subject: 1039/ 1041 Van Nuys Street
Date: Monday, July 08, 2019 9:31:05 AM

Dear Ms. Bucey and Ms. Campbell:

I am vehemently opposed to the condo mapping exception for 1039/1041 Van Nuys Street. This developer has basically broken all the rules and now wants an exception for his bad behavior - at the expense of the local neighbors. There are no condos in this neighborhood and most of the homes are around 2-6 million dollars. We do not want to set a precedent for allowing condos in our R-1 single family neighborhood.

His project number only has one hit on the city development website. You need to dig to get all the information.

His project has only ONE parcel number. His parcel size is standard for the neighborhood. His company, permit holder or other names associated with this project have no presence on the State Contractors Board

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This has always been a SINGLE OWNER property and if it is to be "grandfathered in", a SINGLE OWNER should also be "grandfathered in" to keep with the character of the neighborhood. Please vote against this change in zoning so the neighborhood does not have to pay, for years to come, for this company's greedy decisions.

Alexandra K. Schwartz, MD
Professor of Clinical Orthopedic Surgery Chief,
Orthopedic Trauma
Residency Director
UCSD Department of Orthopedic Surgery
350 Dickinson Street #121
San Diego CA 92103-8894
(619) 543-2539 administrative office
(619) 543-6312 clinical office

From: [Wells Gardner](#)
To: [Bucey, Karen](#)
Subject: Tentative Map Waiver #626966 (1039 and 1041 Van Nuys St.)
Date: Thursday, July 25, 2019 1:01:18 PM

Dear Ms. Bucey,

My husband and I have lived in our home at 820 Van Nuys St. since 1987. We moved, from elsewhere in Pacific Beach where we owned a home, to this area because it was zoned for single family residences. We did not want to live amongst apartments and condos and the associated traffic and street parking problems.

We were very distressed to learn about the proposed Tentative Map Waiver for 1039 and 1041 Van Nuys St. I attended the Pacific Beach Planning Meeting last month and listened to Rob Linton of Beach Builders try to defend his request for a waiver. He seemed extremely insincere, and frankly offensive. I believe that he bought the property with the intention of building two large homes and selling them to separate owners. The only way he can do this is by having the property remapped as condos. He chose not to separate the properties along the original property lines, and not to apply for new construction permits. Instead, he applied for remodel permits, as a short-cut to save money and make more money upon resale.

We are very concerned that once this property is remapped as condos, it sets a precedent for similar requests. I know the city claims this remapping applies only to this property, but there are no guarantees. If these condos are approved, more will follow, and it would change our neighborhood. Already, Van Nuys has excessive traffic. Many people use it as a short-cut to get to La Jolla Mesa and bypass the traffic lights on Turquoise Street. Additionally, Van Nuys is used to access Candlelight Street and La Jolla.

We strongly oppose the having 1039-1041 remapped as condos.

Thank you,
Rebecca and Wells Gardner