



CITY COUNCIL AGENDA REPORT

MEETING DATE: SEPTEMBER 7, 2010

ITEM NUMBER:

SUBJECT: APPEAL OF PLANNING APPLICATION PA-10-15
3183 RED HILL AVENUE

DATE: SEPTEMBER 7, 2010

FROM: DEVELOPMENT SERVICES DEPARTMENT

PRESENTATION BY: MINOO ASHABI, SENIOR PLANNER
KIMBERLY BRANDT, DIRECTOR

FOR FURTHER INFORMATION CONTACT: MINOO ASHABI, (714) 754-5610
mashabi@ci.costa-mesa.ca.us

RECOMMENDATION:

Staff has not communicated with the property owner on this request; therefore, the requested continuance is at discretion of the City Council.

DISCUSSION:

Staff has received a request from the appellant on September 3, 2010 for a continuance to allow more time for negotiation between property owners of 3183 Red Hill Avenue and 3187 Red Hill Avenue. Staff has not received concurrence from the property owner of 3183 Red Hill Avenue (applicant) to continue the hearing to a later date.

A handwritten signature in blue ink, appearing to read "Minoo Ashabi", written over a horizontal line.

MINOO ASHABI, AIA
Senior Planner

A handwritten signature in blue ink, appearing to read "Kimberly Brandt", written over a horizontal line.

KIMBERLY BRANDT, AICP
Development Services Director

DISTRIBUTION: City Manager
Asst. City Manager
City Attorney
Asst. Dev. Svs. Director
Public Services Director
Transportation Svs. Mgr.
City Clerk (2)
Staff (4)
Planning Staff (8)
File (2)

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1900 Main Street, 5th floor
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ATTACHMENT: 1. Continuance Request

File:	Date:	Time:
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ASHABI, MINOO

From: Fogt, Matthew [mfogt@allenmatkins.com]
Sent: Friday, September 03, 2010 2:56 PM
To: ASHABI, MINOO
Cc: Mary; Condas, John; Kathe Morgan
Subject: RE: 3183 and 3187 Red Hill, Costa Mesa, Ca.

Minoo:

Per our conversation today, please continue the appeal on the above referenced matter for as long as possible (indefinitely if possible, January if not, but no earlier than October) so that we have sufficient time to work out a solution with the church and the property owner. We have had preliminary discussions with the church and believe we can work out a solution to avoid the appeal. However, we ultimately need the property owner's consent and the property owner is unwilling to spend a lot of time and resources on a solution for the church when the church is not even under contract. The long continuance is justified by the odd situation where the applicant is not currently under contract on the property (and instead another buyer is under contract). We would be willing to accelerate the delayed appeal date in the event the church later went under contract and a solution could not be reached.

We are optimistic that the appeal can ultimately be withdrawn either because we work out a solution in the event the church goes under contract or because the church never obtains the property. In any event, we need additional time to let things play out before proceeding with the appeal. Forcing the appeal to be heard when another party is under contract on the property needlessly wastes the time and resources of our client, the church, and the City Council.

Please contact me with any questions.

Best regards,
Matt

Matthew Fogt Esq.

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