
From: Kathe Morgan [mailto:kmorgan@lee-associates.com]
Sent: Tuesday, September 07, 2010 11:47 AM
To: FLYNN, CLAIRE; ASHABI, MINOO; mfoigt@allenmatkins.com
Cc: Jim Turrell; Herb Menold; Pamela Sapetto; Jon Lundstrom
Subject: RE: 3183 and 3187 Red Hill, Costa Mesa, Ca.

Claire and Matt:

My client Center for Spiritual Living Newport Mesa concurs with the owner of 3187 Red Hill's request to continue the below-referenced appeal up until or before January, 2011. Said appeal would be scheduled at the next immediate City Council meeting subsequent to the client again going under contract at 3183 Red Hill, Costa Mesa.

Claire, will this email authorized by my client and copied to same suffice as the appellant's response for your purposes? Thanks -

KATHE MORGAN

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From: FLYNN, CLAIRE [mailto:CFLYNN@ci.costa-mesa.ca.us]
Sent: Tuesday, September 07, 2010 9:36 AM
To: Kathe Morgan; John Hill; psapetto@sapettogroup.com
Subject: FW: 3183 and 3187 Red Hill, Costa Mesa, Ca.

Code requires appeal matters to be expedited at the next available City Council meeting to afford affected parties of due process.

The City received the appellant's request for continuance. However, as the applicant for the Conditional Use Permit, you would need to concur with the appellant's request to continue the appeal to January 2011. Please submit this concurrence in writing (email or fax OK). This information will be disclosed to the City Council for their consideration.

Thanks.

Claire

From: Fogt, Matthew [mailto:mfoigt@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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