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CITY OF COSTA MESA  
BY \_\_\_\_\_ Appeal of Planning Commission Decision/Rehearing: \$1,220.00 Appeal of Zoning Administrator/ Building Official / Fire Marshal /  
Staff Decision: \$690.00

## APPLICATION FOR APPEAL, REHEARING, OR REVIEW

Applicant Name\* Jonathan Atha - President, Catalina Shores Homeowners AssociationAddress 391 Catalina Shore Drive, Costa Mesa, CA 92627Phone 949-929-3942 Representing Catalina Shores Homeowners AssociationREQUEST FOR:  REHEARING  APPEAL  REVIEW\*\*

Decision of which appeal, rehearing, or review is requested: (give application number, if applicable, and the date of the decision, if known.)

**Planning Application PA-13-04** to construct a 14-unit, two-story detached single-family residential development. Tentative Tract Map No. 17519  
Address: 2157 and 2159 Tustin Avenue  
**Decision Rendered by the Planning Commission on April 8, 2013.**

Decision by: Costa Mesa Planning Commission

Reasons for requesting appeal, rehearing, or review:

On Monday April 8, 2013 the Costa Mesa Planning Commission approved a variance and two significant administrative adjustments for a proposed development of a premier property in Eastside Costa Mesa. There were approximately 12-15 local residents who expressed significant concerns with safety and density of the plan at the hearing.

The proposed development stretches city requirements to bare minimums and further requires two significant administrative adjustments in an effort to achieve maximum allowable density on a property that cannot adequately accommodate the design.

We believe that the Commission inadvertently erred in relaxing the City's Regulations and Design Guidelines based on the explanation of determining factors in their decision.

- The explanation failed to address the two primary issues of Safety and Density focusing primarily on temporary and less significant matters.
- The explanation cited a theoretical scenario based on what might have happened with a different property owner/ developer that ultimately is conjectural and not applicable to the matter in consideration.
- The developer in his rebuttal erroneously stated that he would be within his rights to build a less-attractive apartment-style complex that would not be subject to Commission approval. This prospect was accepted and referenced as a factor in the Commission's decision but was not verified to be accurate.

It is with these thoughts in mind that we sincerely hope that you will find it worthwhile for further consideration as to how this property might better be developed in order to retain the safety and special nature of our neighborhood.

Date: April 15, 2013

Signature:

\*If you are serving as the agent for another person, please identify the person you represent and provide proof of authorization.  
\*\*Review may be requested only by Planning Commission, Planning Commission Member, City Council, or City Council Member

For office use only -- do not write below this line

SCHEDULED FOR THE CITY COUNCIL/PLANNING COMMISSION MEETING OF:

If appeal, rehearing, or review is for a person or body other than City Council/Planning Commission, date of hearing of appeal, rehearing, or review: