

**ADDITIONAL CORRESPONDENCE
RECEIVED**

October 1, 2014

Costa Mesa City Council
77 Fair Drive
Costa Mesa, CA 92626

Re: October 7, 2014 Public Hearing
Appeal of Planning Commission Approval
Orange Coast Buick/GMC/Cadillac Dealership
2600 Harbor Boulevard

Dear Mayor Righeimer, Mayor Pro Tem Mensinger, and Councilmembers Genis, Leece and Monahan:

We are members of the project team in connection with the proposed amendments to Planning Application PA-88-134 that were unanimously approved by the Planning Commission. Thank you in advance for your review and consideration of the matters set forth in this letter.

The proposed amendments contain numerous beneficial features: a sign program that will replace an existing 40-foot-high freestanding sign with two new 23-foot-high freestanding signs; on-site parking that will exceed the amount required by code; shielded light standards that will be situated farther away from residential properties and will be shut off at an established time; a generous landscaping plan, including significant tree plantings; a “green wall” along the south elevation of the structure that will be aesthetically pleasing and will screen the rooftop parking deck; the installation and maintenance of neighborhood identification monument sign and associated landscaping; and other notable site enhancements. The project conforms to applicable provisions of the City’s General Plan and does not result in any adverse impacts on the environment.

Another significant element of the project, and the primary purpose for this letter, relates to the setbacks of the buildings from the south (side) and east (rear) property lines. The City approved the original Planning Application for the site in 1988. As part of that application, the City approved 0-foot setbacks from those property lines. The property owner now proposes to establish a 32-foot rear setback, which entails an administrative adjustment, and a 52.5-foot side setback. This configuration represents a dramatic improvement from the preexisting site development.

Just as importantly, the property owner also proposes to permanently abandon the rights and entitlements conferred by the previously approved variances in the event the City grants the

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amendments to Planning Application PA-88-134. This concession is substantial because, as you are likely aware, an approved variance runs with the land and redounds to the benefit of successive property owners. Thus, in the absence of the Planning Application amendments and the property owner's proposal to forego the variances, the 0-foot setbacks could be reestablished. Further, the property owner's voluntary abandonment of rights and entitlements under the variances would be binding on future owners of the property.

In closing, we are pleased to be associated with a project of the caliber being proposed, which will continue the revitalization of the City's automobile district in a manner that provides significant benefits to both the surrounding neighborhood and the City. Thank you again for your consideration of the property owner's request. We plan to attend your hearing on this matter and will be available to respond to any questions.

Very truly yours,


RUTAN & TUCKER, LLP


Philip D. Kohn

cc: Chief Executive Officer
City Attorney
Director of Economic & Development/Deputy CEO
Project Team



Dear Resident;

Honorable Members of the City Council

In an effort to provide up to date construction status as well as field survey information with regards to the proposed roof top parking deck, we cordially extend an invitation to you and the members of the City Council to attend a brief tour of the current construction site of the Orange Coast Buick, GM, Cadillac Dealership at 2600 Harbor Blvd.

The site tour is set for this Thursday, Oct 2nd. However, as we are aware that some of you may be planning to attend the East Side Neighborhood Council Candidates Forum later in the evening, we will limit the tour period to only one hour between 4 to 5 pm.

Since the day's construction work will stop before our tour starts, there will be no need for hard hats or any other construction safety equipment. Please enter the site thru the gate on Merrimac Way.

We sincerely hope this tour will be informative and beneficial, and look forward to seeing you all there.

Please call me directly at (949) 275 5002 if I can assist further to answer any questions you may have.

Peter Naghavi

Ron MacEacherman

In_Focus Consultants

OC Buick, GMC, Cadillac