

**ATTACHMENT 3
REQUEST FOR PARK FEE WAIVER**



Eric A. Nelson
Vice President
Land Development
Office: (949) 999-9800
Cell: (949) 510-2070
enelson@trumarkco.com

Via Email

April 23, 2015

Mayor Mensinger
City Council Members
City of Costa Mesa
77 Fair Dr.
Costa Mesa, CA 92626

RE: GP-14-03,R-14-03,PA-14-19, VT-17779
Planning Commission Action – Pending Council Hearing

Dear Mayor Mensinger & Members of the City Council,

On April 13th 2015, the Planning Commission recommended adoption of the Initial Study/ Mitigated Negative Declaration and recommended adoption of the General Plan Amendment and first reading to Rezone Ordinance, and approval of the planning application subject to the conditions of approval and mitigation measures by adoption of the Planning Commission Resolution PC-15-17.

This letter is our formal request to modify Planning Commission condition #36 as follows;

Credit a portion of parkland impact fees towards the cost of Vista Park fencing installation. The cost of the fencing is estimated at \$32,000. We are requesting that the parkland impact fees be reduced (credit) in proportion to the construction cost. (\$380,016.00 park fee required; \$348,016,000 park fee proposed).

As background, this condition was the result of public testimony over concerns for safety. During the hearing, discussions related to the distance from the Project Site to Vista Park via the signalized cross walk at Valley was likely to result in “j”-walking from the south side of Victoria thus creating the potential for pedestrian injury or death. In response, The Planning Commission included condition # 36.

As a Homebuilder, safety of our residents and the adjacent neighborhood is a foremost concern. That said, there is no evidence in the record that suggests this is an issue either caused by this project or an issue that currently exists or will exist in the future. In other words, there is no nexus for this condition. Neither the Traffic Analysis nor the Mitigated Negative Declaration concluded this as a potential impact or public safety concern. Moreover, this improvement is conditioned on Public Park Property and directly related to Parkland Fees.

City of Costa Mesa
April 23, 2015
Page 2 of 2

For these reasons, we would request the modification of the condition as noted above. If you have any questions or need more information, please do not hesitate to contact me.

Sincerely,
TRUMARK HOMES, LLC

ERIC NELSON

Eric A. Nelson
Vice President
Land Development

EAN/en

Cc Mel Lee, Senior Planner
Westar Associates
File