



3972 Barranca Pkwy., Suite J 301
Irvine, California 92606
PH: 949.757.1450
Direct: 949.842.4275

E-mail: Catherine@NassieRowlett.com

January 15, 2024

Re: Closed Session Item #4, 1963 Wallace Ave., Costa Mesa; Orange County Superior Court, Case No.: 30-2020-01133479-CU-PT-CJC

Dear Mayor and Council Members,

I am legal counsel for property owner, D'Alessio Investments LLC ("DIL") in the currently pending cases by the City of Costa Mesa against DIL. In the City's case related to the Wallace property, the City demanded receiver and attorney Eric Beatty take control from the owner to rehabilitate the property back to "last approved plans" per the Code Enforcement Officer's Notice of Violation. Nonetheless, the Receiver took possession of the Wallace low-income residences and kicked out every tenant. **After over 2 years of taking control of the property, the shocking "rehabilitation" plan Beatty proposed, without the property owner's input, was to simply demolish all the buildings.**

Last year, since March 29, 2023, I have repeatedly asked Beatty to meet to discuss DIL's plans to rehabilitate the apartment complex, which includes deed restricted, low-income units. Although Beatty met at least once with the City, to date, he inexplicably refuses to meet with the property owner. Beatty plays a cat and mouse game of: 1) continuously requesting more information; 2) upon receipt of the information, he sits on his hands; and 3) then he deflects by arguing the information is inaccurate. Then he then repeats this pattern. He has rebuffed over 20 requests to meet.

Beatty had stated that DIL could meet with the City separately to discuss DIL's rehabilitation plans. But when the Owner's representative asked the City's planning staff to meet, Beatty changed his mind and improperly directed the City to not meet while scolding the representative and myself for daring to ask. The City's staff should be allowed to review and discuss the plans. In fact, it will be the long-term residents who suffer the irreparable harm if the City does not consider and review DIL's plans, which will cause less destruction, waste and provide affordable housing quicker and more efficiently than merely scorching the earth as proposed by Beatty. Attached for the council members' review is my declaration in support of DIL's Opposition to Beatty's Demolition Plan and Fifth Report, with exhibits including numerous emails showing DIL's attempts to work with the City and Receiver for viable rehabilitation plans. I apologize that I was unable to appear today as I am in flight from the east coast during this time.

Very truly yours,


CATHERINE J. ROWLETT

Enclosures: Declaration of Catherine Rowlett, Esq. in Support of D'Alessio Investments LLC's
Objections to Receiver's Demolition Plan and Fifth Report, with Exhibits

Daniel A. Nassie, State Bar No. 148947
Catherine J. Rowlett, State Bar No. 180200
NASSIE LAW, A Professional Corporation

3972 Barranca Pkwy, Suite J 301
Irvine, California 92606
Tel.: (949) 757-1450

Daniel@Nassielaw.com

Catherine@NassieRowlett.com

Attorney for Respondent D'Alessio Investments, LLC

SUPERIOR COURT OF CALIFORNIA

COUNTY OF ORANGE—CENTRAL JUSTICE CENTER

CITY OF COSTA MESA, a California Municipal Corporation;

Petitioner,

v.

D'ALESSIO INVESTMENTS, LLC, a Nevada Limited Liability Company; JPMORGAN CHASE BANK, N.A.; and DOES 1 to 25,

Respondents.

Case No.: 30-2020-01133479

[Assigned for all purposes to the Hon. Judge David Hoffer, Dept C16]

DECLARATION OF CATHERINE ROWLETT IN SUPPORT OF RESPONDENT D'ALESSIO INVESTMENTS, LLC'S OBJECTIONS TO RECEIVER'S 5TH REPORT AND "REHABILITATION" PLAN

[Filed concurrently with Declarations of Dennis D'Alessio and Steve Sheldon]

Petition Filed: February 19, 2020

1 I, Catherine Rowlett, declare and state as follows:

2 1. I am over the age of 18, and I am not a party to the within action. I am a partner at
3 Nassie Law, counsel for Respondent D'Alessio Investments, LLC ("Respondent"). If called upon to
4 testify, I could and would testify to the following facts from my personal knowledge.

5 2. Since at least March 29, 2023, I have repeatedly asked Mr. Beatty to meet to discuss
6 DIL's plans and options and planning for rehabilitation. He refused to meet with DIL. Attached hereto
7 as **Exhibit 1** is a true and correct copy of emails wherein I asked to be involved in his meetings and
8 discussions with the City regarding plans.

9 3. Mr. Beatty refused to have DIL involved with his meeting with them. However, he
10 stated that DIL could meet with the City separately to discuss its rehabilitation plans. Id., Ex. 1.

11 4. Alisha Patterson at Rutan & Tucker, was retained by DIL and she also emailed the
12 Receiver and cc'd me and the City, requesting to meet to discuss rehabilitation ideas and DIL's
13 proposed plans under the new ADU and SB 330 laws. Attached hereto as **Exhibit 2** is a true and
14 correct copy of emails such emails.

15 5. Receiver Beatty and the City allegedly met to discuss DIL's ADU plans but would not
16 include DIL the Property owner and its counsel in these discussions. I do not know whether DIL's
17 ADU plan was ever submitted to CM's Planning Department for true consideration. No one from
18 CM's Department has ever discussed DIL's plans with me.

19 6. On October 16, 2023, the City sent the Receiver a letter and copied me. Attached hereto
20 as **Exhibit 3** is a true and correct copy of the letter. It informed Mr. Beatty that he had allowed
21 "trespassing to transient activity" to occur on the Property:
22

23 Due to the extensive and repeated calls for service and response required, the City of
24 Costa Mesa requests that you, as the Court-Appointed Receiver in possession and
25 control of the Property, provide ongoing on-site security for this Property to alleviate
26 the nuisance conditions...

27 7. The City demanded "full reimbursement in the amount of \$14,832.73 for the public
28 funds expended to respond to the calls for service." Id.

1 I declare under penalty of perjury that the foregoing is true and correct and was executed on
2 November 19, 2023 in Irvine, California.

3 
4 CATHERINE J. ROWLETT

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EXHIBIT 1

TO

**DECLARATION OF CATHERINE ROWLETT IN SUPPORT OF RESPONDENT
D'ALESSIO INVESTMENTS, LLC'S OBJECTIONS TO RECEIVER'S 5TH REPORT
AND "REHABILITATION" PLAN**

Catherine Rowlett

From: Eric Beatty <epb@epblegal.com>
Sent: Wednesday, April 5, 2023 6:16 PM
To: Catherine Rowlett; Veronica R. Donovan
Cc: John Sorich; Dennis D'Alessio; Amanda A. Pope; Catherine L. Livings; Lois Moy; Julie Niblack
Subject: RE: Wallace Property (CM v. D'Alessio Investment LLC) Global settlement discussions/meeting [PIB-LEGAL_DMS.FID409002]

Counsel,

The meeting in question was requested by me and for my benefit in reporting to the Court concerning Mr. D'Alessio's plans. Neither the parties nor their counsel will be in attendance.

If you and Mr. D'Alessio wish to request a meeting with the City to discuss the plans in question, I encourage you to make the request to the City directly.

Eric Beatty
ATTORNEY AND COURT-APPOINTED RECEIVER
123 East Ninth Street, Suite 210
Upland, California 91786
Telephone: (909) 243-7944
Facsimile: (909) 243-7949

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From: Catherine Rowlett <catherine@nassierowlett.com>
Sent: Wednesday, April 5, 2023 5:14 PM
To: Eric Beatty <epb@epblegal.com>; Veronica R. Donovan <vrd@jones-mayer.com>
Cc: John Sorich <John.Sorich@piblaw.com>; Dennis D'Alessio <DennisD@sbn-corp.com>; Amanda A. Pope <aap@jones-mayer.com>; Catherine L. Livings <cll@jones-mayer.com>; Lois Moy <lois@jones-mayer.com>; Julie Niblack <jn@epblegal.com>
Subject: RE: Wallace Property (CM v. D'Alessio Investment LLC) Global settlement discussions/meeting [PIB-LEGAL_DMS.FID409002]

The landowner has a paramount right to be present. The city is already represented and present at the meeting. It is inherently unjust to conduct a meeting without the property owner. Please let us know the time. Thank you.

Kind Regards,

Catherine Rowlett,
NASSIE | ROWLETT LAW
[3972 Barranca Pkwy, Suite J 301](https://www.nassierowlett.com)
[Irvine, California 92606](https://www.nassierowlett.com)
Direct: [\(949\) 842-4275](tel:9498424275) |

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----- Original message -----

From: Eric Beatty <epb@epblegal.com>

Date: 4/5/23 4:58 PM (GMT-08:00)

To: Catherine Rowlett <catherine@nassierowlett.com>, "Veronica R. Donovan" <vrd@jones-mayer.com>

Cc: John Sorich <John.Sorich@piblawn.com>, Dennis D'Alessio <DennisD@sbn-corp.com>, "Amanda A. Pope" <aap@jones-mayer.com>, "Catherine L. Livings" <cll@jones-mayer.com>, Lois Moy <lois@jones-mayer.com>, Julie Niblack <jn@epblegal.com>

Subject: RE: Wallace Property (CM v. D'Alessio Investment LLC) Global settlement discussions/meeting [PIB-LEGAL_DMS.FID409002]

All,

I will be meeting with a representative of the Planning Department tomorrow to review and discuss the plans provided to the parties by Mr. D'Alessio.

I have concluded it is in the best interests of all parties to not invite them or their counsel to attend the meeting.

I will, of course, report to the Court and the parties in due course concerning the information I receive from the meeting.

Eric Beatty
ATTORNEY AND COURT-APPOINTED RECEIVER
123 East Ninth Street, Suite 210
Upland, California 91786
Telephone: (909) 243-7944
Facsimile: (909) 243-7949

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From: Catherine Rowlett <catherine@nassierowlett.com>
Sent: Wednesday, April 5, 2023 4:49 PM
To: Veronica R. Donovan <vrd@jones-mayer.com>

Cc: John Sorich <John.Sorich@piblaw.com>; Dennis D'Alessio <DennisD@sbn-corp.com>; Amanda A. Pope <aap@jones-mayer.com>; Catherine L. Livings <cll@jones-mayer.com>; Lois Moy <lois@jones-mayer.com>; Julie Niblack <jn@epblegal.com>; Eric Beatty <epb@epblegal.com>

Subject: RE: Wallace Property (CM v. D'Alessio Investment LLC) Global settlement discussions/meeting [PIB-LEGAL_DMS.FID409002]

My client and I would like to be present at that meeting, as well. When is it?

Kind Regards,

Catherine Rowlett, Esq.
NASSIE | ROWLETT LAW
[3972 Barranca Pkwy, Suite J 301](https://www.nassierowlett.com)
[Irvine, California 92606](https://www.nassierowlett.com)
Direct: [\(949\) 842-4275](tel:9498424275) |

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----- Original message -----

From: "Veronica R. Donovan" <vrd@jones-mayer.com>

Date: 4/4/23 2:05 PM (GMT-08:00)

To: Catherine Rowlett <catherine@nassierowlett.com>

Cc: John Sorich <John.Sorich@piblaw.com>, Dennis D'Alessio <DennisD@sbn-corp.com>, "Amanda A. Pope" <aap@jones-mayer.com>, "Catherine L. Livings" <cll@jones-mayer.com>, Lois Moy <lois@jones-mayer.com>, Julie Niblack <jn@epblegal.com>, Eric Beatty <epb@epblegal.com>

Subject: Re: Wallace Property (CM v. D'Alessio Investment LLC) Global settlement discussions/meeting [PIB-LEGAL_DMS.FID409002]

Hi Catherine,

It's my understanding that Mr. Beatty will be meeting with a Planner at the City to go over Mr. D'Alessio's proposal. I will not be at that meeting. I do not believe there is a need for another call before Mr. Beatty's meeting with the Planner, unless Mr. Beatty needs additional information from Mr. D'Alessio. However, we did go over Mr. D'Alessio's proposal very thoroughly during our call last week.

Veronica R. Donovan
Associate Attorney
JONES MAYER
[3777 N. Harbor Blvd.](https://www.jonesmayer.com)
[Fullerton, CA 92835](https://www.jonesmayer.com)
Telephone: [\(714\) 446-1400](tel:7144461400)

On Apr 3, 2023, at 2:18 PM, Catherine Rowlett <catherine@nassierowlett.com> wrote:

Hi, All,
Following up on the email below.

From: Catherine Rowlett
Sent: Wednesday, March 29, 2023 5:06 PM
To: 'John Sorich' <John.Sorich@piblaw.com>; 'Dennis D'Alessio' <DennisD@sbn-corp.com>; 'Veronica R. Donovan' <vrd@jones-mayer.com>
Cc: 'Amanda A. Pope' <aap@jones-mayer.com>; 'Catherine L. Livings' <cll@jones-mayer.com>; 'Lois Moy' <lois@jones-mayer.com>; 'Julie Niblack' <jn@epblegal.com>; 'Eric Beatty' <epb@epblegal.com>
Subject: RE: Wallace Property (CM v. D'Alessio Investment LLC) Global settlement discussions/meeting [PIB-LEGAL_DMS.FID409002]

We should have this call prior to any meeting between the City and the Receiver. Eric, let us know when you intend to head over to meet with the city so we can all coordinate schedules to chat ahead of time. Thanks.

From: Catherine Rowlett
Sent: Wednesday, March 29, 2023 5:05 PM
To: 'John Sorich' <John.Sorich@piblaw.com>; Dennis D'Alessio <DennisD@sbn-corp.com>; Veronica R. Donovan <vrd@jones-mayer.com>
Cc: Amanda A. Pope <aap@jones-mayer.com>; Catherine L. Livings <cll@jones-mayer.com>; Lois Moy <lois@jones-mayer.com>; Julie Niblack <jn@epblegal.com>; Eric Beatty <epb@epblegal.com>
Subject: RE: Wallace Property (CM v. D'Alessio Investment LLC) Global settlement discussions/meeting [PIB-LEGAL_DMS.FID409002]

Hello, All,
Thanks all for the call yesterday and I apologize for the delay. I understand that the call abruptly ended and further discussions are needed to explain the layouts, ordinances and plans. When are the parties available to continue talks?

From: John Sorich <John.Sorich@piblaw.com>
Sent: Tuesday, March 28, 2023 10:40 AM
To: Catherine Rowlett <catherine@nassierowlett.com>; Dennis D'Alessio <DennisD@sbn-corp.com>; Veronica R. Donovan <vrd@jones-mayer.com>
Cc: Amanda A. Pope <aap@jones-mayer.com>; Catherine L. Livings <cll@jones-mayer.com>; Lois Moy <lois@jones-mayer.com>; Julie Niblack <jn@epblegal.com>; Eric Beatty <epb@epblegal.com>
Subject: RE: Wallace Property (CM v. D'Alessio Investment LLC) Global settlement discussions/meeting [PIB-LEGAL_DMS.FID409002]

OK, Catherine, understood. Thanks.

John

John Sorich
695 Town Center Drive, 16th Floor, Costa Mesa CA 92626
+1 714.361.9595

EXHIBIT 2

TO

**DECLARATION OF CATHERINE ROWLETT IN SUPPORT OF RESPONDENT
D'ALESSIO INVESTMENTS, LLC'S OBJECTIONS TO RECEIVER'S 5TH REPORT
AND "REHABILITATION" PLAN**

Catherine Rowlett

From: Patterson, Alisha <APatterson@rutan.com>
Sent: Friday, October 13, 2023 9:49 AM
To: Eric Beatty; Amanda A. Pope
Cc: 'kimberly.barlow@costamesaca.gov'; Catherine L. Livings; 'John Sorich'; Catherine Rowlett
Subject: RE: 1963 Wallace Avenue, Costa Mesa [PIB-LEGAL_DMS.FID409002]
Attachments: RE: 1963 Wallace Avenue, Costa Mesa [PIB-LEGAL_DMS.FID409002]

Eric – Please see my email of September 20 that provided all of the information you requested on September 18. It is attached for ease of reference. Going forward, I hope you will refrain from personal attacks on my character.

We have never met, and you are probably unfamiliar with my background. Mr. D’Alessio hired me because I am a land use and municipal law specialist who can help him navigate the City’s land use regulations and State Housing Laws to explore options for the site. All I am requesting is a telephone call to explore this. Based on my review, I think there are one or more paths forward that will retain the existing structures, provide affordable housing, and settle this protracted litigation once and for all. This would be a win-win for all involved. I hope you will lay down your sword and give us all a chance to discuss.

Amanda – If Eric is not open to a call, I would be happy to have a call with the you.

Alisha Patterson

18575 Jamboree Road, 9th Floor | Irvine, CA 92612
O. (714) 641-5100 | D. (714) 662-4663
apatterson@rutan.com | www.rutan.com



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From: Eric Beatty <epb@epblegal.com>
Sent: Friday, October 13, 2023 9:19 AM
To: Patterson, Alisha <APatterson@rutan.com>; Amanda A. Pope <aap@jones-mayer.com>
Cc: 'kimberly.barlow@costamesaca.gov' <kimberly.barlow@costamesaca.gov>; Catherine L. Livings <cll@jones-mayer.com>; 'John Sorich' <John.Sorich@piblaw.com>; Catherine Rowlett <catherine@nassierowlett.com>; Eric Beatty <epb@epblegal.com>
Subject: RE: 1963 Wallace Avenue, Costa Mesa [PIB-LEGAL_DMS.FID409002]

Alisha,

You have not provided the information and documentation which I have requested from you and counsel for DILLC for the last several months.

I attach my email of September 18, 2023 to you concerning this issue.

Unfortunately, I have little choice but to conclude that you and DILLC do not intend to comply with my information and documentation requests.

I encourage you to re-think your course of action. Given the amount of time which has passed and the number of times I have been required, as the Court's agent, to request that your client cooperate with me in providing me with information and documentation directly relevant to your client's position and my duties, I am at a loss to understand your purpose in requesting a discussion with me predicated upon "hide the ball" gamesmanship.

Eric Beatty
ATTORNEY AND COURT-APPOINTED RECEIVER
123 East Ninth Street, Suite 210
Upland, California 91786
Telephone: (909) 243-7944
Facsimile: (909) 243-7949

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From: Patterson, Alisha <APatterson@rutan.com>
Sent: Friday, October 13, 2023 9:04 AM
To: Amanda A. Pope <aap@jones-mayer.com>; Eric Beatty <epb@epblegal.com>
Cc: 'kimberly.barlow@costamesaca.gov' <kimberly.barlow@costamesaca.gov>; Catherine L. Livings <cll@jones-mayer.com>; 'John Sorich' <John.Sorich@piblaw.com>; Catherine Rowlett <catherine@nassierowlett.com>
Subject: RE: 1963 Wallace Avenue, Costa Mesa [PIB-LEGAL_DMS.FID409002]

Good morning Amanda – We provided everything Eric requested, and I have copies of Eric's reports and rehab plan. If the SB 330 application had the wrong zoning designation, we can update it. Can we schedule a time for a call? I am still open today until 1:30pm, Monday between 8:30am and 1:30pm, Tuesday noon to 1pm or 3:30-6:30pm, Wednesday before noon, Thursday all day, and Friday after 9am.

Alisha Patterson

18575 Jamboree Road, 9th Floor | Irvine, CA 92612
O. (714) 641-5100 | D. (714) 662-4663
apatterson@rutan.com | www.rutan.com



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From: Amanda A. Pope <aap@jones-mayer.com>
Sent: Friday, October 13, 2023 8:51 AM
To: Patterson, Alisha <APatterson@rutan.com>; 'Eric Beatty' <epb@epblegal.com>
Cc: 'kimberly.barlow@costamesaca.gov' <kimberly.barlow@costamesaca.gov>; Catherine L. Livings <cll@jones-mayer.com>; 'John Sorich' <John.Sorich@piblaw.com>; Catherine Rowlett <catherine@nassierowlett.com>
Subject: Re: 1963 Wallace Avenue, Costa Mesa [PIB-LEGAL_DMS.FID409002]

Hi Alisha,

Does Eric have all of the information he was requesting so that our discussion can happen? There have been several emails so I cannot recall if he is waiting on any documents.

Do you have all of the reports he has filed with the court and his rehab plan filed in August?

Also, upon quick review, the zoning designation in the application is incorrect. The property is zoned R2-HD (not R3), which changes calculations.

Please note I have removed attorney Veronica Donovan from these emails. She is going out on leave for a few months.

Thanks,

Amanda A. Pope

Senior Counsel & Director of City Receiverships

Jones Mayer

3777 N. Harbor Blvd. | Fullerton, CA 92835

☎ (714) 446-1400 | 7 (714) 446-1448 | ✉ aap@jones-mayer.com

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From: Patterson, Alisha <APatterson@rutan.com>
Sent: Thursday, October 12, 2023 3:19 PM
To: Catherine Rowlett <catherine@nassierowlett.com>; Amanda A. Pope <aap@jones-mayer.com>; 'Eric Beatty' <epb@epblegal.com>
Cc: 'kimberly.barlow@costamesaca.gov' <kimberly.barlow@costamesaca.gov>; Veronica R. Donovan <vrđ@jones-mayer.com>; Catherine L. Livings <cll@jones-mayer.com>; 'John Sorich' <John.Sorich@piblaw.com>
Subject: RE: 1963 Wallace Avenue, Costa Mesa [PIB-LEGAL_DMS.FID409002]

Caution: This is an external email and may be malicious. Please take care when clicking links or opening attachments.

Amanda and Eric – I have not heard back from you. I am still open Friday between 8:30am and 1:30pm. Do you have any availability for a call? I am happy to have two separate calls if we cannot find a mutual time for the three of us. If tomorrow won't work, I am open Monday between 8:30am and 1:30pm, Tuesday noon to 1pm or 3:30-6:30pm, Wednesday before noon, Thursday all day, and Friday after 9am.

Alisha Patterson

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O. (714) 641-5100 | D. (714) 662-4663
apatterson@rutan.com | www.rutan.com



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From: Catherine Rowlett <catherine@nassierowlett.com>

Sent: Monday, October 9, 2023 8:06 PM

To: Patterson, Alisha <APatterson@rutan.com>; 'Amanda A. Pope' <aap@jones-mayer.com>; 'Eric Beatty' <epb@epblegal.com>

Cc: 'kimberly.barlow@costamesaca.gov' <kimberly.barlow@costamesaca.gov>; 'Veronica R. Donovan' <vrd@jones-mayer.com>; 'Catherine L. Livings' <cll@jones-mayer.com>; 'John Sorich' <John.Sorich@piblaw.com>

Subject: RE: 1963 Wallace Avenue, Costa Mesa [PIB-LEGAL_DMS.FID409002]

Dennis is authorized to participate in such calls along with Rutan. Thank you.

Kind Regards,

Catherine Rowlett, Esq.
NASSIE | ROWLETT LAW
[3972 Barranca Pkwy. Suite J 301
Irvine, California 92606](http://3972BarrancaPkwy.SuiteJ301IrvineCalifornia92606)
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----- Original message -----

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Date: 10/10/23 2:59 AM (GMT+01:00)
To: "'Amanda A. Pope'" <aap@jones-mayer.com>, 'Eric Beatty' <epb@epblegal.com>
Cc: Catherine Rowlett <catherine@nassierowlett.com>, "'kimberly.barlow@costamesaca.gov'" <kimberly.barlow@costamesaca.gov>, "'Veronica R. Donovan'" <vrd@jones-mayer.com>, "'Catherine L. Livings'" <cll@jones-mayer.com>, 'John Sorich' <John.Sorich@piblaw.com>
Subject: RE: 1963 Wallace Avenue, Costa Mesa [PIB-LEGAL_DMS.FID409002]

Amanda and Eric – We did not get a response from Eric, and the dates and times that worked for me and Amanda have now passed. Can we get a date and time locked in this week? I am open any time Wednesday, Thursday between 8:30am and 1:30pm, and Friday between 8:30am and 1:30pm. If Eric is not interested in a call, I would still be open to opening a dialogue with you Amanda about options to preserve the existing structures so D'Alessio can resume offering them as affordable housing.

Alisha Patterson

18575 Jamboree Road, 9th Floor | Irvine, CA 92612
O. (714) 641-5100 | D. (714) 662-4663
apatterson@rutan.com | www.rutan.com



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From: Patterson, Alisha
Sent: Wednesday, October 4, 2023 10:09 AM
To: Amanda A. Pope <aap@jones-mayer.com>; 'Eric Beatty' <epb@epblegal.com>
Cc: 'Catherine Rowlett' <catherine@nassierowlett.com>; 'kimberly.barlow@costamesaca.gov' <kimberly.barlow@costamesaca.gov>; Veronica R. Donovan <vrd@jones-mayer.com>; Catherine L. Livings <cll@jones-mayer.com>; 'John Sorich' <John.Sorich@piblaw.com>
Subject: RE: 1963 Wallace Avenue, Costa Mesa [PIB-LEGAL_DMS.FID409002]

Thank you so much Amanda! Tomorrow at noon works for me. I am also available Monday from 11am-noon. Eric – Would either of those time slots work for you?

Alisha Patterson

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From: Amanda A. Pope <aap@jones-mayer.com>
Sent: Wednesday, October 4, 2023 9:44 AM
To: Patterson, Alisha <APatterson@rutan.com>; 'Eric Beatty' <epb@epblegal.com>
Cc: 'Catherine Rowlett' <catherine@nassierowlett.com>; 'kimberly.barlow@costamesaca.gov' <kimberly.barlow@costamesaca.gov>; Veronica R. Donovan <vrd@jones-mayer.com>; Catherine L. Livings <ccl@jones-mayer.com>; 'John Sorich' <John.Sorich@piblaw.com>
Subject: Re: 1963 Wallace Avenue, Costa Mesa [PIB-LEGAL_DMS.FID409002]

Hi Alisha,

The next few days are really tight on time for me. Thursday I could do 12pm. I can't do Friday, but Monday I am available 10am-12:30pm. If that doesn't work for you or Eric, I can provide more times next week.

Thanks,

Amanda A. Pope

Senior Counsel & Director of City Receiverships

Jones Mayer

3777 N. Harbor Blvd. | Fullerton, CA 92835

☎ (714) 446-1400 | 7 (714) 446-1448 | ✉ aap@jones-mayer.com

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From: Patterson, Alisha <APatterson@rutan.com>
Sent: Tuesday, October 3, 2023 5:14 PM
To: Amanda A. Pope <aap@jones-mayer.com>; 'Eric Beatty' <epb@epblegal.com>
Cc: 'Catherine Rowlett' <catherine@nassierowlett.com>; 'kimberly.barlow@costamesaca.gov' <kimberly.barlow@costamesaca.gov>; Veronica R. Donovan <vrd@jones-mayer.com>; Catherine L. Livings <ccl@jones-mayer.com>; 'John Sorich' <John.Sorich@piblaw.com>
Subject: RE: 1963 Wallace Avenue, Costa Mesa [PIB-LEGAL_DMS.FID409002]

Caution: This is an external email and may be malicious. Please take care when clicking links or opening attachments.

Good evening Amanda and Eric – Dennis filled me in on yesterday’s hearing. Before everyone spends time and incurs legal fees briefing the Court’s jurisdiction questions, can we schedule the call to discuss the settlement options D’Alessio Investments previously proposed? Maybe I’m missing something, but it seems like a “win-win” solution to rehabilitate the existing buildings (according to the plans D’Alessio Investments submitted), retain the affordable units on the site, and get low income residents housed on short order. If you disagree, it would be helpful to hear your perspective.

My openings for the week are below:

- Tomorrow – noon-3pm
- Thursday – anytime
- Friday – any time before 4:30pm

I hope we can get a call on calendar this week.

Alisha Patterson

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apatterson@rutan.com | www.rutan.com



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From: Amanda A. Pope <aap@jones-mayer.com>

Sent: Tuesday, September 26, 2023 10:34 AM

To: Patterson, Alisha <APatterson@rutan.com>; 'Eric Beatty' <epb@epblegal.com>

Cc: 'Catherine Rowlett' <catherine@nassierowlett.com>; 'kimberly.barlow@costamesaca.gov' <kimberly.barlow@costamesaca.gov>; Veronica R. Donovan <vrd@jones-mayer.com>; Catherine L. Livings <cll@jones-mayer.com>; 'John Sorich' <John.Sorich@piblaw.com>

Subject: Re: 1963 Wallace Avenue, Costa Mesa [PIB-LEGAL_DMS.FID409002]

Hi Alisha,

I was out of the office yesterday and just saw your email to me and Eric. I can't speak for the Receiver, but from the City's perspective, let's hold off on a call until after the hearing on the owner's motion to vacate the appointment order. That hearing is on Monday.

Thanks,

Amanda A. Pope

Senior Counsel & Director of City Receiverships

Jones Mayer

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☎ (714) 446-1400 | 7 (714) 446-1448 | ✉ aap@jones-mayer.com

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electronic message. Any disclosure, copying, distribution, or use of the contents of information received in error is strictly prohibited.

From: Patterson, Alisha <APatterson@rutan.com>
Sent: Monday, September 25, 2023 1:57 PM
To: 'Eric Beatty' <epb@epblegal.com>; Amanda A. Pope <aap@jones-mayer.com>
Cc: 'Catherine Rowlett' <catherine@nassierowlett.com>; 'kimberly.barlow@costamesaca.gov' <kimberly.barlow@costamesaca.gov>; Veronica R. Donovan <vrd@jones-mayer.com>; Catherine L. Livings <ccl@jones-mayer.com>; 'John Sorich' <John.Sorich@piblaw.com>
Subject: RE: 1963 Wallace Avenue, Costa Mesa [PIB-LEGAL_DMS.FID409002]

Caution: This is an external email and may be malicious. Please take care when clicking links or opening attachments.

Eric and Amanda – I have not heard back from you, so I am following up again. My updated availability is below.

Tuesday – before 10am or noon to 12:30pm
Wednesday – noon to 1:30pm
Thursday – before noon

Alisha Patterson

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From: Patterson, Alisha
Sent: Friday, September 22, 2023 4:06 PM
To: 'Eric Beatty' <epb@epblegal.com>; 'Amanda A. Pope' <aap@jones-mayer.com>
Cc: 'Catherine Rowlett' <catherine@nassierowlett.com>; 'kimberly.barlow@costamesaca.gov' <kimberly.barlow@costamesaca.gov>; 'Veronica R. Donovan' <vrd@jones-mayer.com>; 'Catherine L. Livings' <ccl@jones-mayer.com>; 'John Sorich' <John.Sorich@piblaw.com>
Subject: RE: 1963 Wallace Avenue, Costa Mesa [PIB-LEGAL_DMS.FID409002]

Eric and Amanda – I am following up on the email below. Before we all pack up for the weekend, can we get a call on calendar for next week? My availability is below.

Monday – before noon or after 2:30.
Tuesday – before 10am or noon to 1pm
Wednesday – noon to 1:30pm
Thursday – before noon

Alisha Patterson

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apatterson@rutan.com | www.rutan.com



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From: Patterson, Alisha

Sent: Wednesday, September 20, 2023 5:55 PM

To: Eric Beatty <epb@epblegal.com>; Amanda A. Pope <aap@jones-mayer.com>

Cc: Catherine Rowlett <catherine@nassierowlett.com>; kimberly.barlow@costamesaca.gov; Veronica R. Donovan <vrd@jones-mayer.com>; Catherine L. Livings <cll@jones-mayer.com>; John Sorich <John.Sorich@piblaw.com>

Subject: RE: 1963 Wallace Avenue, Costa Mesa [PIB-LEGAL_DMS.FID409002]

Good evening Eric – I have attached proof that D’Alessio Investments has preapproval for a \$500,000 line of credit. This line of credit is many multiples of what would be needed to finance either the ADU plan or the SB 330 application, which is not likely to exceed \$60,000. D’Alessio Investments also has proceeds from the recent sale of two properties that it can use to fund the improvements. In light of D’Alessio Investments resolving the foreclosure threat and providing proof of more-than-ample financing for either of its rehabilitation plans, I ask again that you extend us the courtesy of a call. I am having trouble understanding why Costa Mesa is not embracing an opportunity to preserve naturally affordable housing in the midst of a housing crisis.

Alisha Patterson

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From: Eric Beatty <epb@epblegal.com>

Sent: Monday, September 18, 2023 4:19 PM

To: Patterson, Alisha <APatterson@rutan.com>; Amanda A. Pope <aap@jones-mayer.com>
Cc: Catherine Rowlett <catherine@nassierowlett.com>; kimberly.barlow@costamesaca.gov; Veronica R. Donovan <vrd@jones-mayer.com>; Catherine L. Livings <cll@jones-mayer.com>; John Sorich <John.Sorich@piblaw.com>; Eric Beatty <epb@epblegal.com>
Subject: RE: 1963 Wallace Avenue, Costa Mesa [PIB-LEGAL_DMS.FID409002]

Alisha,

I do not believe it is a productive use of our mutual time for me to continue reiterating the information and documentation I have requested of both you and counsel for D'Alessio Investments, LLC ("DILLC"). As you are aware, my requests are not limited to the issue of the status of the mortgage secured by the 1963 Wallace property.

If you desire to engage in a discussion predicated upon a transparent exchange of information, I am happy to engage you. That, unfortunately, has not been the case in our communications to date.

Again- we can engage in a meaningful exchange of information when I have received the information I have repeatedly requested. To be clear, a generalized "the proceeds will be sufficient" statement such as contained in your September 13, 2023 email is far from responsive.

Eric Beatty
ATTORNEY AND COURT-APPOINTED RECEIVER
123 East Ninth Street, Suite 210
Upland, California 91786
Telephone: (909) 243-7944
Facsimile: (909) 243-7949

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From: Patterson, Alisha <APatterson@rutan.com>
Sent: Monday, September 18, 2023 3:54 PM
To: Eric Beatty <epb@epblegal.com>; Amanda A. Pope <aap@jones-mayer.com>
Cc: Catherine Rowlett <catherine@nassierowlett.com>; kimberly.barlow@costamesaca.gov; Veronica R. Donovan <vrd@jones-mayer.com>; Catherine L. Livings <cll@jones-mayer.com>; John Sorich <John.Sorich@piblaw.com>
Subject: RE: 1963 Wallace Avenue, Costa Mesa [PIB-LEGAL_DMS.FID409002]

Good afternoon Eric and Amanda – By now, you should have received service of the bank's withdrawal of its foreclosure motion. I am following up on our request to get a call on calendar to discuss D'Alessio Investment's proposals. I am currently available tomorrow before 10am, noon to 1pm, or 3-5pm; Wednesday morning; Thursday before 2pm; and Friday before 11am or after 2pm.

Alisha Patterson

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apatterson@rutan.com | www.rutan.com

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From: John Sorich <John.Sorich@piblaw.com>
Sent: Thursday, September 14, 2023 3:50 PM
To: Patterson, Alisha <APatterson@rutan.com>; Eric Beatty <epb@epblegal.com>
Cc: Amanda A. Pope <aap@jones-mayer.com>; Catherine Rowlett <catherine@nassierowlett.com>; kimberly.barlow@costamesaca.gov; Veronica R. Donovan <vrd@jones-mayer.com>; Catherine L. Livings <cll@jones-mayer.com>
Subject: RE: 1963 Wallace Avenue, Costa Mesa [PIB-LEGAL_DMS.FID409002]

FYI, my office will be filing shortly a withdrawal of our motion for leave to foreclose. A copy of the withdrawal will be served on the parties and the receiver.

The bank has no intention of proceeding with foreclosure in the foreseeable future.

John

John Sorich

695 Town Center Drive, 16th Floor, Costa Mesa CA 92626
+1 714.361.9595
www.piblaw.com



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From: John Sorich
Sent: Wednesday, September 13, 2023 2:56 PM
To: Patterson, Alisha <APatterson@rutan.com>; Eric Beatty <epb@epblegal.com>
Cc: Amanda A. Pope <aap@jones-mayer.com>; Catherine Rowlett <catherine@nassierowlett.com>; kimberly.barlow@costamesaca.gov; Veronica R. Donovan <vrd@jones-mayer.com>; Catherine L. Livings <cll@jones-mayer.com>
Subject: RE: 1963 Wallace Avenue, Costa Mesa (Casa Siena) [PIB-LEGAL_DMS.FID409002]

My office will likely be withdrawing its motion for leave to foreclose, once I get the OK to do so.

John

From: Patterson, Alisha <APatterson@rutan.com>

Sent: Wednesday, September 13, 2023 2:27 PM

To: Eric Beatty <epb@epblegal.com>

Cc: Amanda A. Pope <aap@jones-mayer.com>; Catherine Rowlett <catherine@nassierowlett.com>; John Sorich <John.Sorich@piblaw.com>; kimberly.barlow@costamesaca.gov; Veronica R. Donovan <vrd@jones-mayer.com>; Catherine L. Livings <cll@jones-mayer.com>

Subject: [EXTERNAL] RE: 1963 Wallace Avenue, Costa Mesa (Casa Siena)

Good afternoon Eric. (I apologize for addressing my last email to you as "Dennis"!) I am following up with additional information:

D'Alessio Investments, LLC has cured any defaults with JP Morgan Chase and is committed to rehabilitating the structures at 1963 Wallace. John is cc'ed on this email, so he can confirm. The company recently sold two properties. The proceeds are sufficient to finance either the ADU plan Mr. D'Alessio presented to you and the City months ago or the SB 330 application submitted by The Sheldon Group, a professional land use company specializing in entitlement work.

Mr. D'Alessio has consulted with three contractors: 1) Mark Mitchel a contractor for 35 years; 2) Good Measure Construction from Mission Viejo; and 3) Steve Cider of Ciderquest Design. All agree that both the ADU Plan and the SB 330 plan are feasible, efficient, and in their view, the best uses for the property, particularly given the housing shortage and the State's mandates to cities to alleviate this. The timeline for the completion of work is just 1-3 months, depending on the plan and the City's cooperation. Of course, SB330 requires expeditious review and approval of the proposal. Let us know if you need anything else. We would very much like to get a call on calendar to discuss.

Alisha Patterson

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apatterson@rutan.com | www.rutan.com



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From: Eric Beatty <epb@epblegal.com>

Sent: Friday, September 8, 2023 12:47 PM

To: Patterson, Alisha <APatterson@rutan.com>

Cc: Amanda A. Pope <aap@jones-mayer.com>; Catherine Rowlett <catherine@nassierowlett.com>; John Sorich Esq. (John.Sorich@piblaw.com) <John.Sorich@piblaw.com>; kimberly.barlow@costamesaca.gov; Veronica R. Donovan <vrd@jones-mayer.com>; Catherine L. Livings <cll@jones-mayer.com>

Subject: Re: 1963 Wallace Avenue, Costa Mesa (Casa Siena)

Please forward me the documentation supporting the loan default. being cured and the financing, as previously requested.

Thank you.

Eric P. Beatty
Attorney and Court-Appointed Receiver

On Sep 8, 2023, at 11:53 AM, Patterson, Alisha <APatterson@rutan.com> wrote:

Dennis – I have answers to the questions you sent Catherine. Long story short, the property is no longer at risk of foreclosure. D’Alessio Investments has secured financing for two different rehabilitation plans that would preserve the existing structures. The work could be done in 60 days. Can we get a call on calendar with Amanda to discuss? I am open all day Monday (except a noon meeting).

Alisha Patterson

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apatterson@rutan.com | www.rutan.com

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From: Eric Beatty <epb@epblegal.com>

Sent: Thursday, September 7, 2023 7:28 PM

To: Patterson, Alisha <APatterson@rutan.com>

Cc: Amanda A. Pope <aap@jones-mayer.com>; Catherine Rowlett <catherine@nassierowlett.com>;

John Sorich Esq. (John.Sorich@piblaw.com) <John.Sorich@piblaw.com>;

kimberly.barlow@costamesaca.gov; Veronica R. Donovan <vrd@jones-mayer.com>; Catherine L. Livings <cll@jones-mayer.com>

Subject: Re: 1963 Wallace Avenue, Costa Mesa (Casa Siena)

Alisha,

Please advise me when you have the information I requested more than a month ago from D’Alessio more than one month ago. We can discuss a call when you have the requested information.

Eric P. Beatty
Attorney and Court-Appointed Receiver

On Sep 7, 2023, at 7:05 PM, Patterson, Alisha <APatterson@rutan.com> wrote:

Catherine and John – Do you have any objections to me, Amanda, and Eric having a call to discuss whether there’s a path forward that allows D’Alessio investments to retain the structures at 1963 Wallace? Would you like to be on the call?

Eric – I’m not up to speed on what’s going on with the questions you sent Catherine. I’m happy to share the information I have on our call. Are there any times on Monday that would work for you?

Alisha Patterson

18575 Jamboree Road, 9th Floor | Irvine, CA 92612

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From: Eric Beatty <epb@epblegal.com>

Sent: Thursday, September 7, 2023 5:10 PM

To: Patterson, Alisha <APatterson@rutan.com>; 'Amanda A. Pope' <aap@jones-mayer.com>

Cc: 'kimberly.barlow@costamesaca.gov' <kimberly.barlow@costamesaca.gov>; 'Veronica R. Donovan' <vrd@jones-mayer.com>; 'Catherine L. Livings' <ccl@jones-mayer.com>; Catherine Rowlett <catherine@nassierowlett.com>; John Sorich Esq. (John.Sorich@piblaw.com) <John.Sorich@piblaw.com>; Eric Beatty <epb@epblegal.com>

Subject: RE: 1963 Wallace Avenue, Costa Mesa (Casa Siena)

Alisha,

This confirms my receipt of your request for a telephone conference with me and counsel for the City of Costa Mesa. I have the following questions and concerns which I request be addressed.

1. D’Alessio Investments, LLC (“D’Alessio”) is represented by counsel in the pending litigation. In your email exchange with counsel for the City, you indicate you will not be substituting or associating into the litigation on behalf of D’Alessio. It is concerning to me that D’Alessio’s counsel of record is not included on any of your emails or the requested telephone conference. As the Court’s agent, I am obliged to ensure that the information I provide is directed to the parties and their counsel of record. Is there a particular reason why it

- would be appropriate for me to have a substantive discussion with you without the participation of D'Alessio's counsel of record?
2. The pending litigation is not simply a matter between D'Alessio and the City; Respondent JPMorgan Chase Bank is a stakeholder and has a vested interest in the disposition of the 1963 Wallace Avenue property- so much so that it has moved the Court for an order permitting it to foreclose on the deed of trust securing the loan which D'Alessio obtained from it. Is there a compelling reason to exclude JPMorgan Chase Bank from the discussion you are requesting?
 3. Our discussion should be a mutual exchange of information. I have asked questions and requested information from D'Alessio which have gone without a response. The most salient questions are set forth in my August 7, 2023 email to Ms. Rowlett, a copy of which is attached.

Thank you for your attention to my concerns and questions discussed above.

Eric Beatty
ATTORNEY AND COURT-APPOINTED RECEIVER
123 East Ninth Street, Suite 210
Upland, California 91786
Telephone: (909) 243-7944
Facsimile: (909) 243-7949

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From: Patterson, Alisha <APatterson@rutan.com>
Sent: Thursday, September 7, 2023 3:02 PM
To: 'Amanda A. Pope' <aap@jones-mayer.com>; Eric Beatty <epb@epblegal.com>
Cc: 'kimberly.barlow@costamesaca.gov' <kimberly.barlow@costamesaca.gov>; 'Veronica R. Donovan' <vrd@jones-mayer.com>; 'Catherine L. Livings' <cll@jones-mayer.com>
Subject: RE: 1963 Wallace Avenue, Costa Mesa (Casa Siena)

Hi Eric – Sorry to be a pest, but I am following up again on whether you have availability for a call tomorrow. If tomorrow won't work, are you and Amanda available Monday? I am free other than a noon meeting.

Alisha Patterson

18575 Jamboree Road, 9th Floor | Irvine, CA 92612
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From: Patterson, Alisha
Sent: Thursday, September 7, 2023 9:56 AM
To: Amanda A. Pope <aap@jones-mayer.com>; Eric Beatty <epb@epblegal.com>
Cc: kimberly.barlow@costamesaca.gov; Veronica R. Donovan <vrd@jones-mayer.com>; Catherine L. Livings <cll@jones-mayer.com>
Subject: RE: 1963 Wallace Avenue, Costa Mesa (Casa Siena)

Hi Eric – Do you have availability for a call on 1963 Wallace tomorrow before 11:30am or after 1:30pm?

Alisha Patterson

18575 Jamboree Road, 9th Floor | Irvine, CA 92612
O. (714) 641-5100 | D. (714) 662-4663
apatterson@rutan.com | www.rutan.com
<image001.png>

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From: Amanda A. Pope <aap@jones-mayer.com>
Sent: Wednesday, September 6, 2023 9:48 AM
To: Patterson, Alisha <APatterson@rutan.com>
Cc: kimberly.barlow@costamesaca.gov; Veronica R. Donovan <vrd@jones-mayer.com>; Catherine L. Livings <cll@jones-mayer.com>; Eric Beatty <epb@epblegal.com>
Subject: Re: 1963 Wallace Avenue, Costa Mesa (Casa Siena)

That works for me too. I will let you coordinate with Eric for his availability.

Thanks,

Amanda A. Pope

Senior Counsel & Director of City Receiverships

Jones Mayer

3777 N. Harbor Blvd. | Fullerton, CA 92835

☎ (714) 446-1400 | 7 (714) 446-1448 | ✉ aap@jones-mayer.com

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From: Patterson, Alisha <APatterson@rutan.com>
Sent: Wednesday, September 6, 2023 9:26 AM
To: Amanda A. Pope <aap@jones-mayer.com>
Cc: kimberly.barlow@costamesaca.gov <kimberly.barlow@costamesaca.gov>; Veronica R. Donovan <vrd@jones-mayer.com>; Catherine L. Livings <cll@jones-mayer.com>; Eric Beatty <epb@epblegal.com>
Subject: RE: 1963 Wallace Avenue, Costa Mesa (Casa Siena)

Caution: This is an external email and may be malicious. Please take care when clicking links or opening attachments.

Thank you Amanda! I'm available anytime Friday other than 11:30am-to 1:30pm.

Alisha Patterson

18575 Jamboree Road, 9th Floor | Irvine, CA 92612
O. (714) 641-5100 | D. (714) 662-4663
apatterson@rutan.com | www.rutan.com
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From: Amanda A. Pope <aap@jones-mayer.com>
Sent: Wednesday, September 6, 2023 9:15 AM
To: Patterson, Alisha <APatterson@rutan.com>
Cc: kimberly.barlow@costamesaca.gov; Veronica R. Donovan <vrd@jones-mayer.com>; Catherine L. Livings <cll@jones-mayer.com>; Eric Beatty <epb@epblegal.com>
Subject: Re: 1963 Wallace Avenue, Costa Mesa (Casa Siena)

Thanks Alisha. I am available for a call anytime Friday if that works for you and Eric.

Thanks,

Amanda A. Pope

Senior Counsel & Director of City Receiverships

Jones Mayer

3777 N. Harbor Blvd. | Fullerton, CA 92835

☎ (714) 446-1400 | 7 (714) 446-1448 | ✉ aap@jones-mayer.com

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From: Patterson, Alisha <APatterson@rutan.com>
Sent: Wednesday, September 6, 2023 9:06 AM
To: Amanda A. Pope <aap@jones-mayer.com>
Cc: kimberly.barlow@costamesaca.gov <kimberly.barlow@costamesaca.gov>; Veronica R. Donovan <vrd@jones-mayer.com>; Catherine L. Livings <cll@jones-mayer.com>; Eric Beatty <epb@epblegal.com>
Subject: RE: 1963 Wallace Avenue, Costa Mesa (Casa Siena)

Caution: This is an external email and may be malicious. Please take care when clicking links or opening attachments.

Thank you for the response Amanda! I hope your recovery is going smoothly. I am pretty new to this matter and not fully up to speed on the history. D'Alessio Investments has not asked my firm to substitute into the litigation, but Dennis wanted a land use/muni law specialist to advise his company on his options to retain the existing structures on the site for affordable housing. Would it be possible to set up a call with you and Erik to discuss?

Alisha Patterson

18575 Jamboree Road, 9th Floor | Irvine, CA 92612

O. (714) 641-5100 | D. (714) 662-4663

apatterson@rutan.com | www.rutan.com

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From: Amanda A. Pope <aap@jones-mayer.com>
Sent: Wednesday, September 6, 2023 8:53 AM
To: Patterson, Alisha <APatterson@rutan.com>
Cc: kimberly.barlow@costamesaca.gov; Veronica R. Donovan <vrd@jones-mayer.com>;

Catherine L. Livings <cll@jones-mayer.com>; Eric Beatty <epb@epblegal.com>

Subject: Re: 1963 Wallace Avenue, Costa Mesa (Casa Siena)

Hi Alisha,

I apologize for the delayed response. I was out of the office all last week recovering from surgery and I am still catching up on emails and calls. I am not opposed to having a phone call to explain the receivership case and status (there is actually not a court-approved rehab plan and no applications or permits pending with the City). Mr. Beatty is the court-appointed receiver and he is full possession and control of the property so he is the best representative to speak to about the property itself.

It is our understanding that D'Alessio is still represented by Ms. Rowlett in the receivership case. Please advise if you are substituting in.

Thanks,

Amanda A. Pope

Senior Counsel & Director of City Receiverships

Jones Mayer

3777 N. Harbor Blvd. | Fullerton, CA 92835

☎ (714) 446-1400 | 7 (714) 446-1448 | ✉ aap@jones-mayer.com

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From: Patterson, Alisha <APatterson@rutan.com>

Sent: Tuesday, September 5, 2023 4:05 PM

To: Amanda A. Pope <aap@jones-mayer.com>; epb@epblegal.com
<epb@epblegal.com>

Cc: kimberly.barlow@costamesaca.gov <kimberly.barlow@costamesaca.gov>

Subject: 1963 Wallace Avenue, Costa Mesa (Casa Siena)

Caution: This is an external email and may be malicious. Please take care when clicking links or opening attachments.

Good afternoon Mr. Beatty and Ms. Pope – D'Alessio Investments has retained Rutan to advise it on its land use entitlement options for 1963 Wallace Avenue. I tried calling each of you last week and left you voicemails. It is my understanding that you are seeking a court order allowing you to demolish the current naturally-affordable multifamily residences on the property so it can be redeveloped as market rate, lower density homes. It is very important to Mr. D'Alessio that the existing structures be preserved so he can continue to provide affordable housing. Can we please schedule a time to discuss at your earliest convenience to discuss?

Alisha Patterson

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apatterson@rutan.com | www.rutan.com

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Catherine Rowlett

From: Patterson, Alisha <APatterson@rutan.com>
Sent: Wednesday, September 20, 2023 5:55 PM
To: 'Eric Beatty'; 'Amanda A. Pope'
Cc: Catherine Rowlett; 'kimberly.barlow@costamesaca.gov'; 'Veronica R. Donovan'; 'Catherine L. Livings'; 'John Sorich'
Subject: RE: 1963 Wallace Avenue, Costa Mesa [PIB-LEGAL_DMS.FID409002]
Attachments: D'Alessio Investments Preapproval for Line of Credit.pdf

Good evening Eric – I have attached proof that D’Alessio Investments has preapproval for a \$500,000 line of credit. This line of credit is many multiples of what would be needed to finance either the ADU plan or the SB 330 application, which is not likely to exceed \$60,000. D’Alessio Investments also has proceeds from the recent sale of two properties that it can use to fund the improvements. In light of D’Alessio Investments resolving the foreclosure threat and providing proof of more-than-ample financing for either of its rehabilitation plans, I ask again that you extend us the courtesy of a call. I am having trouble understanding why Costa Mesa is not embracing an opportunity to preserve naturally affordable housing in the midst of a housing crisis.

Alisha Patterson

18575 Jamboree Road, 9th Floor | Irvine, CA 92612
O. (714) 641-5100 | D. (714) 662-4663
apatterson@rutan.com | www.rutan.com



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From: Eric Beatty <epb@epblegal.com>
Sent: Monday, September 18, 2023 4:19 PM
To: Patterson, Alisha <APatterson@rutan.com>; Amanda A. Pope <aap@jones-mayer.com>
Cc: Catherine Rowlett <catherine@nassierowlett.com>; kimberly.barlow@costamesaca.gov; Veronica R. Donovan <vrd@jones-mayer.com>; Catherine L. Livings <cll@jones-mayer.com>; John Sorich <John.Sorich@piblaw.com>; Eric Beatty <epb@epblegal.com>
Subject: RE: 1963 Wallace Avenue, Costa Mesa [PIB-LEGAL_DMS.FID409002]

Alisha,

I do not believe it is a productive use of our mutual time for me to continue reiterating the information and documentation I have requested of both you and counsel for D’Alessio Investments, LLC (“DILLC”). As you are aware, my requests are not limited to the issue of the status of the mortgage secured by the 1963 Wallace property.

If you desire to engage in a discussion predicated upon a transparent exchange of information, I am happy to engage you. That, unfortunately, has not been the case in our communications to date.

Again- we can engage in a meaningful exchange of information when I have received the information I have repeatedly requested. To be clear, a generalized "the proceeds will be sufficient" statement such as contained in your September 13, 2023 email is far from responsive.

Eric Beatty
ATTORNEY AND COURT-APPOINTED RECEIVER
123 East Ninth Street, Suite 210
Upland, California 91786
Telephone: (909) 243-7944
Facsimile: (909) 243-7949

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From: Patterson, Alisha <APatterson@rutan.com>
Sent: Monday, September 18, 2023 3:54 PM
To: Eric Beatty <epb@epblegal.com>; Amanda A. Pope <aap@jones-mayer.com>
Cc: Catherine Rowlett <catherine@nassierowlett.com>; kimberly.barlow@costamesaca.gov; Veronica R. Donovan <vr@jones-mayer.com>; Catherine L. Livings <cll@jones-mayer.com>; John Sorich <John.Sorich@piblaw.com>
Subject: RE: 1963 Wallace Avenue, Costa Mesa [PIB-LEGAL_DMS.FID409002]

Good afternoon Eric and Amanda – By now, you should have received service of the bank’s withdrawal of its foreclosure motion. I am following up on our request to get a call on calendar to discuss D’Alessio Investment’s proposals. I am currently available tomorrow before 10am, noon to 1pm, or 3-5pm; Wednesday morning; Thursday before 2pm; and Friday before 11am or after 2pm.

Alisha Patterson

18575 Jamboree Road, 9th Floor | Irvine, CA 92612
O. (714) 641-5100 | D. (714) 662-4663
apatterson@rutan.com | www.rutan.com



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From: John Sorich <John.Sorich@piblaw.com>
Sent: Thursday, September 14, 2023 3:50 PM
To: Patterson, Alisha <APatterson@rutan.com>; Eric Beatty <epb@epblegal.com>
Cc: Amanda A. Pope <aap@jones-mayer.com>; Catherine Rowlett <catherine@nassierowlett.com>;
kimberly.barlow@costamesaca.gov; Veronica R. Donovan <vrd@jones-mayer.com>; Catherine L. Livings <cll@jones-mayer.com>
Subject: RE: 1963 Wallace Avenue, Costa Mesa [PIB-LEGAL_DMS.FID409002]

FYI, my office will be filing shortly a withdrawal of our motion for leave to foreclose. A copy of the withdrawal will be served on the parties and the receiver.

The bank has no intention of proceeding with foreclosure in the foreseeable future.

John

John Sorich

695 Town Center Drive, 16th Floor, Costa Mesa CA 92626
+1 714.361.9595
www.piblaw.com



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From: John Sorich
Sent: Wednesday, September 13, 2023 2:56 PM
To: Patterson, Alisha <APatterson@rutan.com>; Eric Beatty <epb@epblegal.com>
Cc: Amanda A. Pope <aap@jones-mayer.com>; Catherine Rowlett <catherine@nassierowlett.com>;
kimberly.barlow@costamesaca.gov; Veronica R. Donovan <vrd@jones-mayer.com>; Catherine L. Livings <cll@jones-mayer.com>
Subject: RE: 1963 Wallace Avenue, Costa Mesa (Casa Siena) [PIB-LEGAL_DMS.FID409002]

My office will likely be withdrawing its motion for leave to foreclose, once I get the OK to do so.

John

From: Patterson, Alisha <APatterson@rutan.com>
Sent: Wednesday, September 13, 2023 2:27 PM
To: Eric Beatty <epb@epblegal.com>
Cc: Amanda A. Pope <aap@jones-mayer.com>; Catherine Rowlett <catherine@nassierowlett.com>; John Sorich <John.Sorich@piblaw.com>; kimberly.barlow@costamesaca.gov; Veronica R. Donovan <vrd@jones-mayer.com>; Catherine L. Livings <cll@jones-mayer.com>
Subject: [EXTERNAL] RE: 1963 Wallace Avenue, Costa Mesa (Casa Siena)

Good afternoon Eric. (I apologize for addressing my last email to you as "Dennis"!) I am following up with additional information:

D'Alessio Investments, LLC has cured any defaults with JP Morgan Chase and is committed to rehabilitating the structures at 1963 Wallace. John is cc'ed on this email, so he can confirm. The company recently sold two properties. The proceeds are sufficient to finance either the ADU plan Mr. D'Alessio presented to you and the City months ago or the SB 330 application submitted by The Sheldon Group, a professional land use company specializing in entitlement work.

Mr. D'Alessio has consulted with three contractors: 1) Mark Mitchel a contractor for 35 years; 2) Good Measure Construction from Mission Viejo; and 3) Steve Cider of Ciderquest Design. All agree that both the ADU Plan and the SB 330 plan are feasible, efficient, and in their view, the best uses for the property, particularly given the housing shortage and the State's mandates to cities to alleviate this. The timeline for the completion of work is just 1-3 months, depending on the plan and the City's cooperation. Of course, SB330 requires expeditious review and approval of the proposal. Let us know if you need anything else. We would very much like to get a call on calendar to discuss.

Alisha Patterson

18575 Jamboree Road, 9th Floor | Irvine, CA 92612
O. (714) 641-5100 | D. (714) 662-4663
apatterson@rutan.com | www.rutan.com



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From: Eric Beatty <epb@epblegal.com>

Sent: Friday, September 8, 2023 12:47 PM

To: Patterson, Alisha <APatterson@rutan.com>

Cc: Amanda A. Pope <aap@jones-mayer.com>; Catherine Rowlett <catherine@nassierowlett.com>; John Sorich Esq. (John.Sorich@piblaw.com) <John.Sorich@piblaw.com>; kimberly.barlow@costamesaca.gov; Veronica R. Donovan <vrd@jones-mayer.com>; Catherine L. Livings <ccl@jones-mayer.com>

Subject: Re: 1963 Wallace Avenue, Costa Mesa (Casa Siena)

Please forward me the documentation supporting the loan default. being cured and the financing, as previously requested.

Thank you.

Eric P. Beatty
Attorney and Court-Appointed Receiver

On Sep 8, 2023, at 11:53 AM, Patterson, Alisha <APatterson@rutan.com> wrote:

Dennis – I have answers to the questions you sent Catherine. Long story short, the property is no longer at risk of foreclosure. D’Alessio Investments has secured financing for two different rehabilitation plans that would preserve the existing structures. The work could be done in 60 days. Can we get a call on calendar with Amanda to discuss? I am open all day Monday (except a noon meeting).

Alisha Patterson

18575 Jamboree Road, 9th Floor | Irvine, CA 92612

O. (714) 641-5100 | D. (714) 662-4663

apatterson@rutan.com | www.rutan.com

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From: Eric Beatty <epb@epblegal.com>

Sent: Thursday, September 7, 2023 7:28 PM

To: Patterson, Alisha <APatterson@rutan.com>

Cc: Amanda A. Pope <aap@jones-mayer.com>; Catherine Rowlett <catherine@nassierowlett.com>;

John Sorich Esq. (John.Sorich@piblaw.com) <John.Sorich@piblaw.com>;

kimberly.barlow@costamesaca.gov; Veronica R. Donovan <vrd@jones-mayer.com>; Catherine L. Livings <cll@jones-mayer.com>

Subject: Re: 1963 Wallace Avenue, Costa Mesa (Casa Siena)

Alisha,

Please advise me when you have the information I requested more than a month ago from D’Alessio more than one month ago. We can discuss a call when you have the requested information.

Eric P. Beatty

Attorney and Court-Appointed Receiver

On Sep 7, 2023, at 7:05 PM, Patterson, Alisha <APatterson@rutan.com> wrote:

Catherine and John – Do you have any objections to me, Amanda, and Eric having a call to discuss whether there’s a path forward that allows D’Alessio investments to retain the structures at 1963 Wallace? Would you like to be on the call?

Eric – I’m not up to speed on what’s going on with the questions you sent Catherine. I’m happy to share the information I have on our call. Are there any times on Monday that would work for you?

Alisha Patterson

18575 Jamboree Road, 9th Floor | Irvine, CA 92612

O. (714) 641-5100 | D. (714) 662-4663

apatterson@rutan.com | www.rutan.com

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From: Eric Beatty <epb@epblegal.com>

Sent: Thursday, September 7, 2023 5:10 PM

To: Patterson, Alisha <APatterson@rutan.com>; 'Amanda A. Pope' <aap@jones-mayer.com>

Cc: 'kimberly.barlow@costamesaca.gov' <kimberly.barlow@costamesaca.gov>; 'Veronica R. Donovan' <vrd@jones-mayer.com>; 'Catherine L. Livings' <cll@jones-mayer.com>; Catherine Rowlett <catherine@nassierowlett.com>; John Sorich Esq. (John.Sorich@piblaw.com) <John.Sorich@piblaw.com>; Eric Beatty <epb@epblegal.com>

Subject: RE: 1963 Wallace Avenue, Costa Mesa (Casa Siena)

Alisha,

This confirms my receipt of your request for a telephone conference with me and counsel for the City of Costa Mesa. I have the following questions and concerns which I request be addressed.

1. D'Alessio Investments, LLC ("D'Alessio") is represented by counsel in the pending litigation. In your email exchange with counsel for the City, you indicate you will not be substituting or associating into the litigation on behalf of D'Alessio. It is concerning to me that D'Alessio's counsel of record is not included on any of your emails or the requested telephone conference. As the Court's agent, I am obliged to ensure that the information I provide is directed to the parties and their counsel of record. Is there a particular reason why it would be appropriate for me to have a substantive discussion with you without the participation of D'Alessio's counsel of record?
2. The pending litigation is not simply a matter between D'Alessio and the City; Respondent JPMorgan Chase Bank is a stakeholder and has a vested interest in the disposition of the 1963 Wallace Avenue property- so much so that it has moved the Court for an order permitting it to foreclose on the deed of trust securing the loan which D'Alessio obtained from it. Is there a compelling reason to exclude JPMorgan Chase Bank from the discussion you are requesting?
3. Our discussion should be a mutual exchange of information. I have asked questions and requested information from D'Alessio which have gone without a

response. The most salient questions are set forth in my August 7, 2023 email to Ms. Rowlett, a copy of which is attached.

Thank you for your attention to my concerns and questions discussed above.

Eric Beatty
ATTORNEY AND COURT-APPOINTED RECEIVER
123 East Ninth Street, Suite 210
Upland, California 91786
Telephone: (909) 243-7944
Facsimile: (909) 243-7949

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From: Patterson, Alisha <APatterson@rutan.com>
Sent: Thursday, September 7, 2023 3:02 PM
To: 'Amanda A. Pope' <aap@jones-mayer.com>; Eric Beatty <epb@epblegal.com>
Cc: 'kimberly.barlow@costamesaca.gov' <kimberly.barlow@costamesaca.gov>; 'Veronica R. Donovan' <vrd@jones-mayer.com>; 'Catherine L. Livings' <cll@jones-mayer.com>
Subject: RE: 1963 Wallace Avenue, Costa Mesa (Casa Siena)

Hi Eric – Sorry to be a pest, but I am following up again on whether you have availability for a call tomorrow. If tomorrow won't work, are you and Amanda available Monday? I am free other than a noon meeting.

Alisha Patterson

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From: Patterson, Alisha
Sent: Thursday, September 7, 2023 9:56 AM

To: Amanda A. Pope <aap@jones-mayer.com>; Eric Beatty <epb@epblegal.com>
Cc: kimberly.barlow@costamesaca.gov; Veronica R. Donovan <vrd@jones-mayer.com>;
Catherine L. Livings <cll@jones-mayer.com>
Subject: RE: 1963 Wallace Avenue, Costa Mesa (Casa Siena)

Hi Eric – Do you have availability for a call on 1963 Wallace tomorrow before 11:30am or after 1:30pm?

Alisha Patterson

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<image001.png>

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From: Amanda A. Pope <aap@jones-mayer.com>
Sent: Wednesday, September 6, 2023 9:48 AM
To: Patterson, Alisha <APatterson@rutan.com>
Cc: kimberly.barlow@costamesaca.gov; Veronica R. Donovan <vrd@jones-mayer.com>;
Catherine L. Livings <cll@jones-mayer.com>; Eric Beatty <epb@epblegal.com>
Subject: Re: 1963 Wallace Avenue, Costa Mesa (Casa Siena)

That works for me too. I will let you coordinate with Eric for his availability.

Thanks,

Amanda A. Pope

Senior Counsel & Director of City Receiverships

Jones Mayer

3777 N. Harbor Blvd. | Fullerton, CA 92835

☎ (714) 446-1400 | 7 (714) 446-1448 | ✉ aap@jones-mayer.com

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From: Patterson, Alisha <APatterson@rutan.com>
Sent: Wednesday, September 6, 2023 9:26 AM
To: Amanda A. Pope <aap@jones-mayer.com>
Cc: kimberly.barlow@costamesaca.gov <kimberly.barlow@costamesaca.gov>; Veronica

R. Donovan <vrd@jones-mayer.com>; Catherine L. Livings <cll@jones-mayer.com>; Eric Beatty <epb@epblegal.com>

Subject: RE: 1963 Wallace Avenue, Costa Mesa (Casa Siena)

Caution: This is an external email and may be malicious. Please take care when clicking links or opening attachments.

Thank you Amanda! I'm available anytime Friday other than 11:30am-to 1:30pm.

Alisha Patterson

18575 Jamboree Road, 9th Floor | Irvine, CA 92612

O. (714) 641-5100 | D. (714) 662-4663

apatterson@rutan.com | www.rutan.com

<image001.png>

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From: Amanda A. Pope <aap@jones-mayer.com>

Sent: Wednesday, September 6, 2023 9:15 AM

To: Patterson, Alisha <APatterson@rutan.com>

Cc: kimberly.barlow@costamesaca.gov; Veronica R. Donovan <vrd@jones-mayer.com>;

Catherine L. Livings <cll@jones-mayer.com>; Eric Beatty <epb@epblegal.com>

Subject: Re: 1963 Wallace Avenue, Costa Mesa (Casa Siena)

Thanks Alisha. I am available for a call anytime Friday if that works for you and Eric.

Thanks,

Amanda A. Pope

Senior Counsel & Director of City Receiverships

Jones Mayer

3777 N. Harbor Blvd. | Fullerton, CA 92835

☎ (714) 446-1400 | 7 (714) 446-1448 | ✉ aap@jones-mayer.com

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From: Patterson, Alisha <APatterson@rutan.com>
Sent: Wednesday, September 6, 2023 9:06 AM
To: Amanda A. Pope <aap@jones-mayer.com>
Cc: kimberly.barlow@costamesaca.gov <kimberly.barlow@costamesaca.gov>; Veronica R. Donovan <vrd@jones-mayer.com>; Catherine L. Livings <cll@jones-mayer.com>; Eric Beatty <epb@epblegal.com>
Subject: RE: 1963 Wallace Avenue, Costa Mesa (Casa Siena)

Caution: This is an external email and may be malicious. Please take care when clicking links or opening attachments.

Thank you for the response Amanda! I hope your recovery is going smoothly. I am pretty new to this matter and not fully up to speed on the history. D'Alessio Investments has not asked my firm to substitute into the litigation, but Dennis wanted a land use/muni law specialist to advise his company on his options to retain the existing structures on the site for affordable housing. Would it be possible to set up a call with you and Erik to discuss?

Alisha Patterson

18575 Jamboree Road, 9th Floor | Irvine, CA 92612
O. (714) 641-5100 | D. (714) 662-4663
apatterson@rutan.com | www.rutan.com
<image001.png>

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From: Amanda A. Pope <aap@jones-mayer.com>
Sent: Wednesday, September 6, 2023 8:53 AM
To: Patterson, Alisha <APatterson@rutan.com>
Cc: kimberly.barlow@costamesaca.gov; Veronica R. Donovan <vrd@jones-mayer.com>; Catherine L. Livings <cll@jones-mayer.com>; Eric Beatty <epb@epblegal.com>
Subject: Re: 1963 Wallace Avenue, Costa Mesa (Casa Siena)

Hi Alisha,

I apologize for the delayed response. I was out of the office all last week recovering from surgery and I am still catching up on emails and calls. I am not opposed to having a phone call to explain the receivership case and status (there is actually not a court-approved rehab plan and no applications or permits pending with the City). Mr. Beatty is the court-appointed receiver and he is full possession and control of the property so he is the best representative to speak to about the property itself.

It is our understanding that D'Alessio is still represented by Ms. Rowlett in the receivership case. Please advise if you are substituting in.

Thanks,

Amanda A. Pope

Senior Counsel & Director of City Receiverships

Jones Mayer

3777 N. Harbor Blvd. | Fullerton, CA 92835

☎ (714) 446-1400 | 7 (714) 446-1448 | ✉ aap@jones-mayer.com

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From: Patterson, Alisha <APatterson@rutan.com>

Sent: Tuesday, September 5, 2023 4:05 PM

To: Amanda A. Pope <aap@jones-mayer.com>; epb@epblegal.com
<epb@epblegal.com>

Cc: kimberly.barlow@costamesaca.gov <kimberly.barlow@costamesaca.gov>

Subject: 1963 Wallace Avenue, Costa Mesa (Casa Siena)

Caution: This is an external email and may be malicious. Please take care when clicking links or opening attachments.

Good afternoon Mr. Beatty and Ms. Pope – D'Alessio Investments has retained Rutan to advise it on its land use entitlement options for 1963 Wallace Avenue. I tried calling each of you last week and left you voicemails. It is my understanding that you are seeking a court order allowing you to demolish the current naturally-affordable multifamily residences on the property so it can be redeveloped as market rate, lower density homes. It is very important to Mr. D'Alessio that the existing structures be preserved so he can continue to provide affordable housing. Can we please schedule a time to discuss at your earliest convenience to discuss?

Alisha Patterson

18575 Jamboree Road, 9th Floor | Irvine, CA 92612

O. (714) 641-5100 | D. (714) 662-4663

apatterson@rutan.com | www.rutan.com

<image001.png>

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named above. If you have received this electronic message in error, please notify the sender and delete the electronic message. Any disclosure, copying, distribution, or use of the contents of the information received in error is strictly prohibited.



D'Alessio Investments LLC

September 19, 2023

Real Estate Loan Approval:

233 19th Street, Newport Beach, Ca 92663

Please be advised that D'Alessio Investments LLC has been approved for a line of credit with Livco Financial Corp. in the amount of \$500,000 (Five Hundred Thousand) for real estate loan. Funding of these loans can take place within ten business days of notification of acceptance upon review and approval of the preliminary title reports. Should you have any further questions, please contact Lucio Martino at the number referenced below.

Lucio Martino

Lucio Martino

Managing Director

DRE # 01126298 NMLS #255236

lmartino@livcofinancial.com

949.300.6060 2102 Business Center Dr | Irvine, CA 926

EXHIBIT 3

TO

**DECLARATION OF CATHERINE ROWLETT IN SUPPORT OF RESPONDENT
D'ALESSIO INVESTMENTS, LLC'S OBJECTIONS TO RECEIVER'S 5TH REPORT
AND "REHABILITATION" PLAN**

Catherine Rowlett

From: Catherine L. Livings <cll@jones-mayer.com>
Sent: Monday, October 16, 2023 1:45 PM
To: Eric Beatty (epb@epblegal.com)
Cc: Catherine Rowlett; John.Sorich@piblaw.com; April Kadlac (ak@epblegal.com); Julie Niblack (jn@epblegal.com); Amanda A. Pope
Subject: CM v D'Alessio (1963 Wallace Ave) - Letter re Calls for Service
Attachments: 1963 Wallace - letter to Rcvr. re CFS (final).pdf

Good Morning,

Please see the attached correspondence from Amanda Pope regarding calls for service at the property.

If you have any questions, please contact Amanda directly.

Thank you.

Sincerely,



Cathy Livings
Legal Assistant

Jones Mayer | 3777 N. Harbor Blvd. | Fullerton, CA 92835
☎ (714) 446-1400 | 📠 (714) 446-1448 | ✉ cll@jones-mayer.com



Please consider the environment before printing this e-mail

October 16, 2023

By Email Only

Eric Beatty, Esq.
Court-Appointed Receiver
123 E. 9th St, Ste 210
Upland, CA 91786

Re: ***City of Costa Mesa v. D'Alessio Investments***
(1963 Wallace Ave, Costa Mesa, CA)
Case No. 30-2020-01133479-CU-PT-CJC

Dear Mr. Beatty,

Since July 2022, the City of Costa Mesa Police Department ("CMPD") has received and responded to numerous calls for service concerning 1963 Wallace Avenue ("Property"). These calls have ranged in type from trespassing to transient activity. Enclosed with this letter is a breakdown of the calls for service for this Property. Additional patrol checks have been conducted to increase police presence and reduce the number of calls for service; however, the calls for service continue.

As shown in the attached, CMPD has spent many hours and thousands in taxpayer dollars responding to these calls. CMPD anticipates these calls for service will continue until and unless the Property is fully secured and/or rehabilitated.

Due to the extensive and repeated calls for service and response required, the City of Costa Mesa requests that you, as the Court-Appointed Receiver in possession and control of the Property, provide ongoing on-site security for this Property to alleviate the nuisance conditions created by the excessive calls for service or take any other steps you deem appropriate to remedy this situation. In addition, the City requests full reimbursement in the amount of \$14,832.73 for the public funds expended to respond to the calls for service as of August 12, 2023 and reserves the right to seek further reimbursement, if necessary.





Eric P. Beatty, Esq.
City of Costa Mesa v. D'Alessio Investments
October 16, 2023
Page 2

Please advise when on-site security has been established. In the meantime, please do not hesitate to contact me if you have any questions or require any additional information from the City. I can be reached by phone at (714) 446-1400 or via email at aap@jones-mayer.com.

Sincerely,

A handwritten signature in black ink that reads 'Amanda A. Pope'. The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Amanda A. Pope
Attorney for City of Costa Mesa

Enclosure

cc: Catherine Rowlett (*Email Copy Only*)
John Sorich (*Email Copy Only*)

Costa Mesa Police Department
1936 WALLACE AVENUE, COSTA MESA
CALLS FOR SERVICE 6/1/2022 TO 8/17/2023

Call Time	Event ID	Rpt #	Street	Nature	# of Personnel	Time	Approx. Cost
6/3/2022	2022056214	220597	1963 WALLACE	CAR FIRE	4 CMF&R	51:31:00	\$ 305.76
6/15/2022	2022060845		1963 WALLACE	TRANSIENT	2	32:53:00	\$ 90.42
6/16/2022	2022061244		1963 WALLACE	P PATROL CHECK	1	19:48	\$ 27.40
6/17/2022	2022061491		1963 WALLACE	P PATROL CHECK	2	11:03	\$ 30.14
6/29/2022	2022066236		1963 WALLACE	P PATROL CHECK	1	10:15	\$ 18.20
9/21/2022	2022097434		1963 WALLACE	SUSPICIOUS CIRC	2	20:16	\$ 54.80
9/23/2022	2022098062		1963 WALLACE	SUSPICIOUS CIRC	2	38:20:00	\$ 104.12
9/25/2022	2022098855	220153	1963 WALLACE	P PATROL CHECK	3	42:34:00	\$ 176.73
9/28/2022	2022099725		1963 WALLACE	P PATROL CHECK	2	26:37:00	\$ 73.98
9/28/2022	2022099819	220155	1963 WALLACE	TRESPASSING	6	3:17	\$ 1,619.34
10/4/2022	2022101916		1963 WALLACE	DISTURBANCE MAL	2	51:18:00	\$ 137.74
10/20/2022	2022107493		1963 WALLACE	TRESPASSING	4	20:02	\$ 109.60
1/10/2023	2023003069		1963 WALLACE	P PATROL CHECK	3	18:02	\$ 73.98
1/10/2023	2023003105		1963 WALLACE	TRESPASSING	6	35:01:00	\$ 387.70
1/10/2023	2023003135	230004	1963 WALLACE	S SUBJECT STOP	2	2:21	\$ 495.94
1/11/2023	2023003462		1963 WALLACE	POLICE PUBLIC A	3	25:47:00	\$ 106.86
1/11/2023	2023003547		1963 WALLACE	TRESPASSING	2	9:49	\$ 27.40
1/19/2023	2023006191	230009	1963 WALLACE	P PATROL CHECK	3	2:46:08	\$ 682.26
2/1/2023	2023010408		1963 WALLACE	P PATROL CHECK	1	2:59	\$ 4.11
2/21/2023	2023017087		1963 WALLACE	POLICE PUBLIC	2	22:56	\$ 63.02
3/2/2023	2023020263		1963 WALLACE	P PATROL CHECK	3	15:26	\$ 61.65
3/26/2023	2023028723		1963 WALLACE	DISTURBANCE	2	49:48:00	\$ 137.00
3/28/2023	2023029544		1963 WALLACE	POLICE PUBLIC	1	3:09	\$ 4.11
3/28/2023	2023029614	230047	1963 WALLACE	TRESPASSING	4+Supv	1:15	\$ 536.25
3/30/2023	2023030260	230047	1963 WALLACE	TRESPASSING	5	1:02	\$ 424.70
3/31/2023	2023030798		1963 WALLACE	TRESPASSING	4	19:41	\$ 109.60
4/6/2023	2023032606	230051	1963 WALLACE	WARRANT ARREST	1+Supv	1:23	\$ 255.36
4/7/2023	2023032957	230051	1963 WALLACE	TRESPASSING	3	39:10:00	\$ 160.29
4/7/2023	2023033041		1963 WALLACE	TRESPASSING	2	10:50	\$ 30.14
4/8/2023	2023033573	230052	1963 WALLACE	SUSPICIOUS CIR	C 4+Supv	1:03	\$ 450.45
4/12/2023	2023034699		1963 WALLACE	TRESPASSING	2	31:21:00	\$ 84.94
4/13/2023	2023035045		1963 WALLACE	P PATROL CHECK	1	15:17	\$ 20.55
4/15/2023	2023036126		1963 WALLACE	TEXT TO 911	1	8:49	\$ 12.33
4/17/2023	2023036501		1963 WALLACE	TEXT TO 911	1	2:35	\$ 4.11
4/19/2023	2023037335	230058	1963 WALLACE	WARRANT ARREST	3	1:09	\$ 283.59
4/20/2023	2023037927		1963 WALLACE	PERSON SCREAMI	2	8:35	\$ 24.66
4/21/2023	2023037966		1963 WALLACE	TEXT TO 911	2	8:50	\$ 24.66
4/21/2023	2023037971	230059	1963 WALLACE	TEXT TO 911	3	2:01	\$ 497.31
4/25/2023	2023039547		1963 WALLACE	P PATROL CHECK	1	10:06	\$ 13.70
4/25/2023	2023039563		1963 WALLACE	P PATROL CHECK	3	1:07	\$ 275.37
4/26/2023	2023039849		1963 WALLACE	TRANSIENT	1	13:23	\$ 17.81
4/27/2023	2023040105		1963 WALLACE	SUSPICIOUS CIR	C 2+Supv	20:39	\$ 63.84
4/27/2023	2023040142		1963 WALLACE	TRANSIENT	2	16:37	\$ 46.58
4/28/2023	2023040588		1963 WALLACE	P PATROL CHECK	2	19:35	\$ 54.80
5/1/2023	2023041780		1963 WALLACE	P PATROL CHECK	2	8:11	\$ 21.92
5/3/2023	2023042224		1963 WALLACE	P PATROL CHECK	1	5:13	\$ 6.85
5/3/2023	2023042337		1963 WALLACE	S SUBJECT STOP	2	21:55	\$ 60.28
5/3/2023	2023042370		1963 WALLACE	P PATROL CHECK	2	6:09	\$ 16.44
5/3/2023	2023042431		1963 WALLACE	P PATROL CHECK	1	3:09	\$ 4.11
5/5/2023	2023043145		1963 WALLACE	P PATROL CHECK	1	3:50	\$ 5.48
5/8/2023	2023044047		1963 WALLACE	TRANSIENT	3	27:15:00	\$ 110.97
5/12/2023	2023045684		1963 WALLACE	SUSPICIOUS CIR	3	17:05	\$ 69.87
5/24/2023	2023049809		1963 WALLACE	S SUBJECT STOP	1	9:25	\$ 12.33
5/31/2023	2023052079		1963 WALLACE	P PATROL CHECK	2	7:39	\$ 21.92
5/31/2023	2023052081		1963 WALLACE	P PATROL CHECK	1	7:12	\$ 9.59
6/2/2023	2023052847	230080	1963 WALLACE	SUSPICIOUS CIR	4	1:08	\$ 372.64
6/14/2023	2023057251		1963 WALLACE	SUSPICIOUS CIR	2	57:43:00	\$ 158.92
6/15/2023	2023057444	230087	1963 WALLACE	TRESPASSING	3+Supv	2:01	\$ 705.16
6/15/2023	2023057685		1963 WALLACE	DISTURBANCE BO	3	27:18:00	\$ 110.97

6/15/2023	2023057714	230088	1963	WALLACE	SUSPICIOUS CIR	5	1:57:28	\$	801.45
6/17/2023	2023058215		1963	WALLACE	POLICE PUBLIC	2	10:53	\$	30.14
6/22/2023	2023060137		1963	WALLACE	TRANSIENT	2	4:33	\$	13.70
6/24/2023	2023060930		1963	WALLACE	VANDALISM	4	19:47	\$	109.60
6/26/2023	2023061587		1963	WALLACE	TRESPASSING	3+Supv	20:49	\$	121.38
6/27/2023	2023061754		1963	WALLACE	P PATROL CHECK	2	52:25:00	\$	142.48
6/30/2023	2023063028		1963	WALLACE	P PATROL CHECK	1	14:16	\$	19.18
7/7/2023	2023066043		1963	WALLACE	TRESPASSING	6+Supv+HB1	32:51:00	\$	562.32
7/11/2023	2023067344		1963	WALLACE	P PATROL CHECK	1	25:10:00	\$	34.25
7/12/2023	2023067886		1963	WALLACE	TRESPASSING	3	10:53	\$	45.21
7/14/2023	2023068368		1963	WALLACE	SUSPICIOUS CIR	4	20:56	\$	115.08
7/14/2023	2023068520		1963	WALLACE	SUSPICIOUS MAL	2	13:35	\$	38.36
7/15/2023	2023069021		1963	WALLACE	TRESPASSING	2	6:10	\$	16.44
7/18/2023	2023070055		1963	WALLACE	TRESPASSING	3	21:25	\$	86.31
7/19/2023	2023070404		1963	WALLACE	S SUBJECT STOP	1	7:44	\$	10.96
7/20/2023	2023070856		1963	WALLACE	S SUBJECT STOP	1	28:26:00	\$	38.36
7/20/2023	2023071074		1963	WALLACE	SUSPICIOUS CIR	2	39:21:00	\$	106.86
7/21/2023	2023071351		1963	WALLACE	P PATROL CHECK	1	2:41	\$	4.11
7/22/2023	2023071493		1963	WALLACE	P PATROL CHECK	2+Supv	11:54	\$	36.48
7/23/2023	2023072106		1963	WALLACE	DISTURBANCE BO	1	8:42	\$	12.33
7/25/2023	2023072854	230109	1963	WALLACE	SUSPICIOUS MAL	E 4+Supv	31:10:00	\$	221.65
7/26/2023	2023073090		1963	WALLACE	P PATROL CHECK	1	6:29	\$	8.22
7/27/2023	2023073415		1963	WALLACE	S SUBJECT STOP	1	5:06	\$	6.85
7/30/2023	2023074710	230112	1963	WALLACE	SUSPICIOUS FEM	4	4:16	\$	1,408.36
8/7/2023	2023077514		1963	WALLACE	TRESPASSING	2	21:03	\$	57.54
8/10/2023	2023078657		1963	WALLACE	P PATROL CHECK	2	6:15	\$	16.44
8/11/2023	2023078958	230118	1963	WALLACE	SUSPICIOUS CIR	C 5+Supv	1:38:08	\$	834.90
8/11/2023	2023079062		1963	WALLACE	P PATROL CHECK	1	7:38	\$	10.96
8/12/2023	2023079367		1963	WALLACE	TRESPASSING	2	19:02	\$	52.06

TOTAL: \$ 14,832.73

CALLS FOR SERVICE 8/13/2023 TO 10/1/2023

8/20/2023	2023082407		1963	WALLACE	TEXT TO 911				
8/24/2023	2023083950		1963	WALLACE	SUSPICIOUS CIRCU REFUSED, FEM				
8/26/2023	2023084520		1963	WALLACE	ASSAULT				
8/26/2023	2023084477		1963	WALLACE	TRANSIENT				
8/29/2023	2023085486		1963	WALLACE	SUSPICIOUS CIRCU				
9/2/2023	2023086964		1963	WALLACE	TRANSIENT				
9/5/2023	2023087885		1963	WALLACE	SUBJECT STOP				
9/10/2023	2023089644		1963	WALLACE	DISTURBANCE MALE REFUSED FEM				
9/16/2023	2023091803		1963	WALLACE	TRESPASSING				
9/16/2023	2023091761		1963	WALLACE	TRANSIENT				
9/21/2023	2023093393		1963	WALLACE	TEXT TO 911				
9/28/2023	2023096190		1963	WALLACE	DISTURBANCE MALE ANON FEM				

October 16, 2023

By Email Only

Eric Beatty, Esq.
Court-Appointed Receiver
123 E. 9th St, Ste 210
Upland, CA 91786

Re: ***City of Costa Mesa v. D'Alessio Investments***
(1963 Wallace Ave, Costa Mesa, CA)
Case No. 30-2020-01133479-CU-PT-CJC

Dear Mr. Beatty,

Since July 2022, the City of Costa Mesa Police Department ("CMPD") has received and responded to numerous calls for service concerning 1963 Wallace Avenue ("Property"). These calls have ranged in type from trespassing to transient activity. Enclosed with this letter is a breakdown of the calls for service for this Property. Additional patrol checks have been conducted to increase police presence and reduce the number of calls for service; however, the calls for service continue.

As shown in the attached, CMPD has spent many hours and thousands in taxpayer dollars responding to these calls. CMPD anticipates these calls for service will continue until and unless the Property is fully secured and/or rehabilitated.

Due to the extensive and repeated calls for service and response required, the City of Costa Mesa requests that you, as the Court-Appointed Receiver in possession and control of the Property, provide ongoing on-site security for this Property to alleviate the nuisance conditions created by the excessive calls for service or take any other steps you deem appropriate to remedy this situation. In addition, the City requests full reimbursement in the amount of \$14,832.73 for the public funds expended to respond to the calls for service as of August 12, 2023 and reserves the right to seek further reimbursement, if necessary.





Eric P. Beatty, Esq.
City of Costa Mesa v. D'Alessio Investments
October 16, 2023
Page 2

Please advise when on-site security has been established. In the meantime, please do not hesitate to contact me if you have any questions or require any additional information from the City. I can be reached by phone at (714) 446-1400 or via email at aap@jones-mayer.com.

Sincerely,

A handwritten signature in blue ink that reads 'Amanda A. Pope'. The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Amanda A. Pope
Attorney for City of Costa Mesa

Enclosure

cc: Catherine Rowlett (*Email Copy Only*)
John Sorich (*Email Copy Only*)

Costa Mesa Police Department
1936 WALLACE AVENUE, COSTA MESA
CALLS FOR SERVICE 6/1/2022 TO 8/17/2023

Call Time	Event ID	Rpt #	Street	Nature	# of Personnel	Time	Approx. Cost
6/3/2022	2022056214	220597	1963 WALLACE	CAR FIRE	4 CMF&R	51:31:00	\$ 305.76
6/15/2022	2022060845		1963 WALLACE	TRANSIENT	2	32:53:00	\$ 90.42
6/16/2022	2022061244		1963 WALLACE	P PATROL CHECK	1	19:48	\$ 27.40
6/17/2022	2022061491		1963 WALLACE	P PATROL CHECK	2	11:03	\$ 30.14
6/29/2022	2022066236		1963 WALLACE	P PATROL CHECK	1	10:15	\$ 18.20
9/21/2022	2022097434		1963 WALLACE	SUSPICIOUS CIRC	2	20:16	\$ 54.80
9/23/2022	2022098062		1963 WALLACE	SUSPICIOUS CIRC	2	38:20:00	\$ 104.12
9/25/2022	2022098855	220153	1963 WALLACE	P PATROL CHECK	3	42:34:00	\$ 176.73
9/28/2022	2022099725		1963 WALLACE	P PATROL CHECK	2	26:37:00	\$ 73.98
9/28/2022	2022099819	220155	1963 WALLACE	TRESPASSING	6	3:17	\$ 1,619.34
10/4/2022	2022101916		1963 WALLACE	DISTURBANCE MAL	2	51:18:00	\$ 137.74
10/20/2022	2022107493		1963 WALLACE	TRESPASSING	4	20:02	\$ 109.60
1/10/2023	2023003069		1963 WALLACE	P PATROL CHECK	3	18:02	\$ 73.98
1/10/2023	2023003105		1963 WALLACE	TRESPASSING	6	35:01:00	\$ 387.70
1/10/2023	2023003135	230004	1963 WALLACE	S SUBJECT STOP	2	2:21	\$ 495.94
1/11/2023	2023003462		1963 WALLACE	POLICE PUBLIC A	3	25:47:00	\$ 106.86
1/11/2023	2023003547		1963 WALLACE	TRESPASSING	2	9:49	\$ 27.40
1/19/2023	2023006191	230009	1963 WALLACE	P PATROL CHECK	3	2:46:08	\$ 682.26
2/1/2023	2023010408		1963 WALLACE	P PATROL CHECK	1	2:59	\$ 4.11
2/21/2023	2023017087		1963 WALLACE	POLICE PUBLIC	2	22:56	\$ 63.02
3/2/2023	2023020263		1963 WALLACE	P PATROL CHECK	3	15:26	\$ 61.65
3/26/2023	2023028723		1963 WALLACE	DISTURBANCE	2	49:48:00	\$ 137.00
3/28/2023	2023029544		1963 WALLACE	POLICE PUBLIC	1	3:09	\$ 4.11
3/28/2023	2023029614	230047	1963 WALLACE	TRESPASSING	4+Supv	1:15	\$ 536.25
3/30/2023	2023030260	230047	1963 WALLACE	TRESPASSING	5	1:02	\$ 424.70
3/31/2023	2023030798		1963 WALLACE	TRESPASSING	4	19:41	\$ 109.60
4/6/2023	2023032606	230051	1963 WALLACE	WARRANT ARREST	1+Supv	1:23	\$ 255.36
4/7/2023	2023032957	230051	1963 WALLACE	TRESPASSING	3	39:10:00	\$ 160.29
4/7/2023	2023033041		1963 WALLACE	TRESPASSING	2	10:50	\$ 30.14
4/8/2023	2023033573	230052	1963 WALLACE	SUSPICIOUS CIR	C 4+Supv	1:03	\$ 450.45
4/12/2023	2023034699		1963 WALLACE	TRESPASSING	2	31:21:00	\$ 84.94
4/13/2023	2023035045		1963 WALLACE	P PATROL CHECK	1	15:17	\$ 20.55
4/15/2023	2023036126		1963 WALLACE	TEXT TO 911	1	8:49	\$ 12.33
4/17/2023	2023036501		1963 WALLACE	TEXT TO 911	1	2:35	\$ 4.11
4/19/2023	2023037335	230058	1963 WALLACE	WARRANT ARREST	3	1:09	\$ 283.59
4/20/2023	2023037927		1963 WALLACE	PERSON SCREAMI	2	8:35	\$ 24.66
4/21/2023	2023037966		1963 WALLACE	TEXT TO 911	2	8:50	\$ 24.66
4/21/2023	2023037971	230059	1963 WALLACE	TEXT TO 911	3	2:01	\$ 497.31
4/25/2023	2023039547		1963 WALLACE	P PATROL CHECK	1	10:06	\$ 13.70
4/25/2023	2023039563		1963 WALLACE	P PATROL CHECK	3	1:07	\$ 275.37
4/26/2023	2023039849		1963 WALLACE	TRANSIENT	1	13:23	\$ 17.81
4/27/2023	2023040105		1963 WALLACE	SUSPICIOUS CIR	C 2+Supv	20:39	\$ 63.84
4/27/2023	2023040142		1963 WALLACE	TRANSIENT	2	16:37	\$ 46.58
4/28/2023	2023040588		1963 WALLACE	P PATROL CHECK	2	19:35	\$ 54.80
5/1/2023	2023041780		1963 WALLACE	P PATROL CHECK	2	8:11	\$ 21.92
5/3/2023	2023042224		1963 WALLACE	P PATROL CHECK	1	5:13	\$ 6.85
5/3/2023	2023042337		1963 WALLACE	S SUBJECT STOP	2	21:55	\$ 60.28
5/3/2023	2023042370		1963 WALLACE	P PATROL CHECK	2	6:09	\$ 16.44
5/3/2023	2023042431		1963 WALLACE	P PATROL CHECK	1	3:09	\$ 4.11
5/5/2023	2023043145		1963 WALLACE	P PATROL CHECK	1	3:50	\$ 5.48
5/8/2023	2023044047		1963 WALLACE	TRANSIENT	3	27:15:00	\$ 110.97
5/12/2023	2023045684		1963 WALLACE	SUSPICIOUS CIR	3	17:05	\$ 69.87
5/24/2023	2023049809		1963 WALLACE	S SUBJECT STOP	1	9:25	\$ 12.33
5/31/2023	2023052079		1963 WALLACE	P PATROL CHECK	2	7:39	\$ 21.92
5/31/2023	2023052081		1963 WALLACE	P PATROL CHECK	1	7:12	\$ 9.59
6/2/2023	2023052847	230080	1963 WALLACE	SUSPICIOUS CIR	4	1:08	\$ 372.64
6/14/2023	2023057251		1963 WALLACE	SUSPICIOUS CIR	2	57:43:00	\$ 158.92
6/15/2023	2023057444	230087	1963 WALLACE	TRESPASSING	3+Supv	2:01	\$ 705.16
6/15/2023	2023057685		1963 WALLACE	DISTURBANCE BO	3	27:18:00	\$ 110.97

6/15/2023	2023057714	230088	1963	WALLACE	SUSPICIOUS CIR	5	1:57:28	\$	801.45
6/17/2023	2023058215		1963	WALLACE	POLICE PUBLIC	2	10:53	\$	30.14
6/22/2023	2023060137		1963	WALLACE	TRANSIENT	2	4:33	\$	13.70
6/24/2023	2023060930		1963	WALLACE	VANDALISM	4	19:47	\$	109.60
6/26/2023	2023061587		1963	WALLACE	TRESPASSING	3+Supv	20:49	\$	121.38
6/27/2023	2023061754		1963	WALLACE	P PATROL CHECK	2	52:25:00	\$	142.48
6/30/2023	2023063028		1963	WALLACE	P PATROL CHECK	1	14:16	\$	19.18
7/7/2023	2023066043		1963	WALLACE	TRESPASSING	6+Supv+HB1	32:51:00	\$	562.32
7/11/2023	2023067344		1963	WALLACE	P PATROL CHECK	1	25:10:00	\$	34.25
7/12/2023	2023067886		1963	WALLACE	TRESPASSING	3	10:53	\$	45.21
7/14/2023	2023068368		1963	WALLACE	SUSPICIOUS CIR	4	20:56	\$	115.08
7/14/2023	2023068520		1963	WALLACE	SUSPICIOUS MAL	2	13:35	\$	38.36
7/15/2023	2023069021		1963	WALLACE	TRESPASSING	2	6:10	\$	16.44
7/18/2023	2023070055		1963	WALLACE	TRESPASSING	3	21:25	\$	86.31
7/19/2023	2023070404		1963	WALLACE	S SUBJECT STOP	1	7:44	\$	10.96
7/20/2023	2023070856		1963	WALLACE	S SUBJECT STOP	1	28:26:00	\$	38.36
7/20/2023	2023071074		1963	WALLACE	SUSPICIOUS CIR	2	39:21:00	\$	106.86
7/21/2023	2023071351		1963	WALLACE	P PATROL CHECK	1	2:41	\$	4.11
7/22/2023	2023071493		1963	WALLACE	P PATROL CHECK	2+Supv	11:54	\$	36.48
7/23/2023	2023072106		1963	WALLACE	DISTURBANCE BO	1	8:42	\$	12.33
7/25/2023	2023072854	230109	1963	WALLACE	SUSPICIOUS MAL	E 4+Supv	31:10:00	\$	221.65
7/26/2023	2023073090		1963	WALLACE	P PATROL CHECK	1	6:29	\$	8.22
7/27/2023	2023073415		1963	WALLACE	S SUBJECT STOP	1	5:06	\$	6.85
7/30/2023	2023074710	230112	1963	WALLACE	SUSPICIOUS FEM	4	4:16	\$	1,408.36
8/7/2023	2023077514		1963	WALLACE	TRESPASSING	2	21:03	\$	57.54
8/10/2023	2023078657		1963	WALLACE	P PATROL CHECK	2	6:15	\$	16.44
8/11/2023	2023078958	230118	1963	WALLACE	SUSPICIOUS CIR	C 5+Supv	1:38:08	\$	834.90
8/11/2023	2023079062		1963	WALLACE	P PATROL CHECK	1	7:38	\$	10.96
8/12/2023	2023079367		1963	WALLACE	TRESPASSING	2	19:02	\$	52.06

TOTAL: \$ 14,832.73

CALLS FOR SERVICE 8/13/2023 TO 10/1/2023

8/20/2023	2023082407		1963	WALLACE	TEXT TO 911				
8/24/2023	2023083950		1963	WALLACE	SUSPICIOUS CIRCU REFUSED, FEM				
8/26/2023	2023084520		1963	WALLACE	ASSAULT				
8/26/2023	2023084477		1963	WALLACE	TRANSIENT				
8/29/2023	2023085486		1963	WALLACE	SUSPICIOUS CIRCU				
9/2/2023	2023086964		1963	WALLACE	TRANSIENT				
9/5/2023	2023087885		1963	WALLACE	SUBJECT STOP				
9/10/2023	2023089644		1963	WALLACE	DISTURBANCE MALE REFUSED FEM				
9/16/2023	2023091803		1963	WALLACE	TRESPASSING				
9/16/2023	2023091761		1963	WALLACE	TRANSIENT				
9/21/2023	2023093393		1963	WALLACE	TEXT TO 911				
9/28/2023	2023096190		1963	WALLACE	DISTURBANCE MALE ANON FEM				

Receiver Eric Beatty's Horrible Conduct

Issue	Eric Beatty (Receiver)	Dennis D'Allessio (Owner)
Rehabilitation Plan	Receiver Eric Beatty is asking the court for authority to demolish all units on the Property. Receiver has provided no justification for demolition.	Owner wants to restore/rehabilitate the units efficiently which will include deed restricted low-income rental units.
Receiver forbids Owner to meet with City	Forbids Owner to meet with City on Owner's plans. No specific legal justification stated.	Requested to meet with the City to discuss rehabilitation plans and steps to ensure everything is done accordingly.
Receiver forbids City to meet with Owner	Receiver forbids the City (mayor/council/staff) from meeting with Owner. Receiver provides no specific legal justification.	Owner needs to garner input from City planning staff and city officials.
Receiver refuses to meet with Property Owner or Owner's attorney	The Receiver plays a cat and mouse game with Owner's attorney, Alisha Patterson by 1) continuously requesting more information, 2) upon receipt Receiver "ghosts" the Owner's attorney and 3) then the Receiver accuses the Owner of not providing information. Receiver then starts rotation all over again. Receiver has rebuffed over 20 requests to meet since June, 2023.	Owner's attorney, Alisha Patterson of Rutan and Tucker, requested over 20 times to meet with Receiver. Receiver rebuffed, ghosted, and deflected all of Patterson's requests. Assistant City Attorney, Amanda Pope, sat back and watched this all play out at the public's expense. Amanda Pope enabled Receiver Eric Beatty's harassment of Patterson.
Property Condition	Under his control, Receiver allowed Property to become a nuisance, fall into disarray and generate dozens of police calls for service. Why?	Corrected all (100%) of the physical code enforcement items. No prior police calls for service.
Receiver evicts low income, long term Costa Mesa residents.	Even though all of the code enforcement items were fixed, Receiver Eric Beatty evicted 14 low-income families from their home. Beatty charged the Owner \$300,000 in costs.	Owner forced to pay \$300,000 when Receiver evicted long term residents. Receiver then allowed the Property to fall into disarray. Receiver wants to demolish all the apartment units. (see a pattern?)
Post demolition construction	Receiver is gone. No involvement or care.	Likely to be for-sale townhomes and not rental property

January 16, 2024

VIA E-MAIL

Mayor and Honorable Members of the City
Council for the City of Costa Mesa

Re: Written Public Comment for the January 16, 2024 City Council Meeting
Closed Session Agenda Item #4
CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
City of Costa Mesa v. D'Alessio (1963 Wallace Ave.)
Orange County Superior Court Case No. 30-2020-01133479

To the Mayor and Honorable Members of the City Council:

D'Alessio Investments, LLC ("my client") recently retained me to provide legal advice on the entitlement and development options for their property located at 1963 Wallace Avenue in the City of Costa Mesa (the "Property"). By way of background, I have been a land use and municipal law specialist with Rutan & Tucker, LLP for more than a decade. I am deeply familiar with the State of California's housing laws, which as I am sure you are aware, have changed significantly over the past five years. With Nassie Rowlett, we are also counsel in the above-entitled receivership action.

As discussed in more detail below, my client's Property has been the subject of the above-referenced receivership action for almost four years. The court-appointed Receiver (Eric P. Beatty, Esq.) has had full physical possession of the Property since November of 2021. Before the Receiver took control of the Property, my client's tenants were almost exclusively low-, very low-, and extremely-low income households, many of whom have school-aged children. My client charged below-market rent that these families could afford. Because many of the households received Section 8 subsidies administered by the Orange County Housing Authority and Anaheim Housing Authority, these agencies regularly inspected my client's Property to confirm habitability. Approximately seven months after the Receiver took full physical possession of the Property, he terminated all of my client's tenants' leases and forced them to move out. Under the Receiver's care, the units have now been vacant for more than a year and a half and have become magnets for trespassing, squatting, vandalism, and arson. The condition of the Property today is far worse than it was under my client's care. Nevertheless, the existing housing on the Property is salvageable.

Over my client's objections, the Receiver is currently seeking Court approval to demolish all of the housing on the Property. The forced demolition of this housing violates the letter and intent of the Housing Crisis Act of 2019 (Gov. Code § 66300.6), the Housing Element Law (Gov. Code § 65583.2(g)(3)), the Housing Accountability Act (SB 330) (Gov. Code § 65589.5), the

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State’s Receivership Law (Health & Saf. Code § 17980(c)), the vested rights doctrine, and Policy 3D of the City’s recently-adopted 6th Cycle 2021-2029 Housing Element Update.¹

In contrast, my client has presented the City with two proposals that would use recently-adopted State housing laws to resolve any alleged discrepancy in the number of units permitted on the Property and rehabilitate and preserve the Property’s existing housing. My client’s preferred proposal would provide three (3) deed-restricted units that would be offered at rents affordable to qualified low-income households. The Receiver has repeatedly directed the City to disregard my client’s submittals.

It is difficult to imagine that, in the midst of a housing crisis, the City Council would prefer a vacant lot to a solution that would quickly and cost-effectively rehabilitate the Property’s existing housing. The City is under no obligation to support or submit to the Receiver’s demolition proposal. To the contrary, permitting the Receiver to demolish habitable housing with no plan to replace the units will put the City in legal jeopardy under the current housing laws. We respectfully request the City Council direct its legal counsel to go on record in the receivership action opposing the Receiver’s request for Court-approval to demolish the housing on my client’s Property and, instead, work with my client to explore options to rehabilitate the existing housing.

Background on the Property

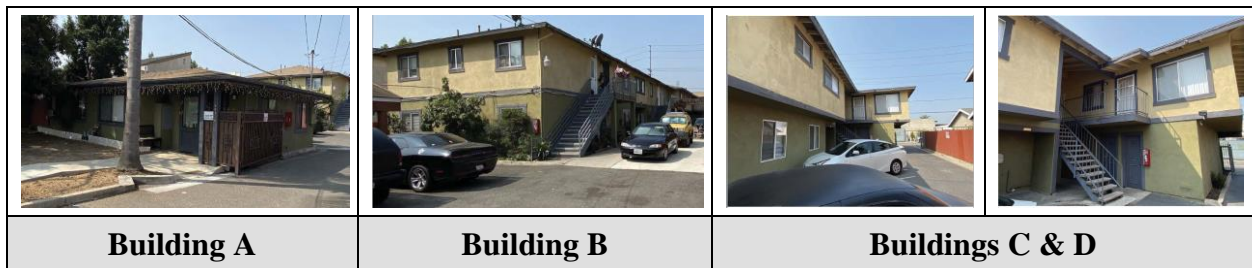
My client’s Property is a multifamily development on an approximately 0.42 acre site located at 1963 Wallace Avenue in Costa Mesa (APN 422-271-10). The Property is developed with four buildings — a single family residence built in 1956 (“Building A”), an apartment building built originally built in 1956 and modified in 1991 (“Building B”), and two duplexes built in 1978 (“Building C” and “Building D”).

¹ On the question of whether the Receiver’s proposal to demolish of all of the housing on my client’s Property complies with State housing laws, we have requested technical assistance from the Housing Accountability Unit (“HAU”) of California’s Department of Housing and Community Development (“HCD”).

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Aerial from Google Maps²



Background on the Receivership Action

Since August of 2020, the Property has been subject to a Court-ordered receivership in a civil action titled *City of Costa Mesa v. D’Alessio Investments, LLC*, Orange County Superior Court Case No. 30-2020-01133479 (the “Receivership Action”). Filed February 20, 2020, the Receivership Action has been ongoing for nearly four years. The Receiver was granted full physical possession of the Property on November 17, 2021. Effective May 31, 2022, the Receiver terminated all of my client’s tenants’ leases, and he forced all of the tenants (who were primarily low-income families, many with school-aged children) to leave by the end of June of 2022. The units on the Property have been vacant ever since.

The central dispute in the Receivership Action revolves around how best to reconcile an alleged discrepancy between the number of dwelling units permitted and the number of dwelling units that currently exist on the Property. The City and Receiver contend that the Property is entitled and permitted for only nine (9) dwelling units.³ Before my client purchased the Property,

² Google Maps identifies the Property as the “Orange Coast Interfaith Shelter.” It was a homeless shelter at one time, but it is not anymore.

³ This is memorialized in the Receiver’s First Report, dated September 28, 2020 and filed with the Court on September 29, 2020. (See pp. 3:11 & 5:9-10.)

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prior owners added eight (8) dwelling units. The envelopes of the buildings have not changed since they were originally constructed. The units were added by dividing some of the existing dwelling units. The City's public records confirm the prior owners obtained City permits for the additional units, but the City now disputes that the permits it previously issued remain valid.

My client has proposed a sensible, cost-effective solution to resolve this alleged discrepancy. As discussed in more detail later in this letter, my client has submitted (or attempted to submit) two plans that would rehabilitate the existing buildings and provide a path forward to retroactively permit the seventeen units (or at least as many units as are allowed under the City's current land use regulations and State housing laws).

The Receiver, in contrast, has "directed the City to take no action with respect to [my client's] application"⁴ and has requested Court-approval to demolish all of the existing housing so the Property can be redeveloped. The Receiver's request is currently pending. The City has taken the position that, post-demolition, the Property cannot have more than six (6) units if it is redeveloped,⁵ which is significantly lower than the density permitted by the City's General Plan land use designation (see "Maximum Residential Density for the Property" section below).

Displacement of Low-, Very Low-, and Extremely Low-Income Tenants

As noted above, effective May 31, 2022, the Receiver terminated all of my client's tenants' leases and forced the fifteen households to move out.⁶ Of those fifteen households, at least two qualified as low-income, at least ten qualified as very low-income, and at least one qualified as

⁴ This is memorialized in a letter the Receiver sent to my client's litigation counsel (Catherine Rowlett) and land use consultant (Steve Sheldon) on or about July 21, 2023.

⁵ This is memorialized in a letter the City's legal counsel (Jones Mayer Law) sent to the Receiver on or about January 19, 2022. (See p. 3, Response to Question #15.)

⁶ In the Receivership Action, the City and Receiver claim the Property had Building Code violations that were threats to health and safety, but there is documentation to the contrary — (1) many of my client's tenants signed declarations disputing the Receiver's characterization of the condition the Property; (2) because many of the tenants relied on Section 8 subsidies, their units needed to pass routine inspections by the Anaheim Housing Authority and the Orange County Housing Authority to confirm habitability; and (3) the Receiver had full physical custody of the Property for at least six months before he forced my client's tenants to move out, which undermines his contention that their units were not habitable. Ultimately, the Code violations the City and Receiver identified were easily fixable and did not require permanent displacement of tenants (e.g., insect infestation in some units, cracked tiles, worn finishes, and water damage). (See Receiver's First Report, dated September 28, 2020 and filed with the Court on September 29, 2020, pp. 8:19 – 9:16.)

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extremely low-income⁷ (as determined by HCD). (See Receiver’s Relocation Assistance Plan, dated April 13, 2022 and filed with the Court April 14, 2022, pp. 2:26 – 3:3 & Exhibit G].) As shown in the table below, the rent my client was charging was significantly below fair market rent:

Unit #	Unit Size	Tenant’s Income Level	Tenant’s Household Size	2022 FMR in Orange County	Comparable Rent in Proximity	Rent Charged By My Client
101	2 bd./1 ba.	Very Low	5-person	\$2,324	\$2,800	\$1,650
102	1 bd./1 ba.	Ext. Low	4-person	\$1,905	\$2,200	\$1,400
103	2 bd./1.5 ba.	Very Low	4-person	N/A	\$2,900	\$1,600
104	2 bd./1 ba.	Very Low	4-person	\$2,324	\$2,800	\$1,725
105	1 bd./1 ba.	Very Low	2-person	\$1,905	\$2,200	\$1,100
106	1 bd./1 ba.	Very Low	2-person	\$1,905	\$2,200	\$1,450
107	2 bd./1.5 ba.	Unknown	2-person	N/A	\$2,900	\$2,300
201	2 bd./1 ba.	Very Low	2-person	\$2,324	\$2,800	\$1,600
202	3 bd./1 ba.	Very Low	5-person	\$3,227	\$3,200	\$2,200
204	2 bd./1 ba.	Very Low	4-person	\$2,324	\$2,800	\$1,800
205	2 bd./1.5 ba.	Low	2-person	N/A	\$2,900	\$1,600
206	Studio	Low	1-person	\$1,716	\$1,800	\$500
207	Studio	Unknown	2-person	\$1,716	\$1,800	\$1,150
208	2 bd./1 ba.	Very Low	3-person	\$2,324	\$2,800	\$1,700
A	Studio	Very Low	1-person	\$1,716	\$1,800	\$700

Eight of the displaced households had school-aged children. Three had children with special needs. The Property’s seventeen units have been vacant ever since.

Destruction of Housing Through Neglect

Under the Receiver’s stewardship (which began with full physical possession on November 17, 2021), the condition of the Property has deteriorated rapidly and continues to worsen. Over the past year and a half, the vacant buildings have become magnets for trespassing, squatting, vandalism, looting, and arson. See before and after photographs below.

⁷ Two of the seventeen units were vacant, and two of the fifteen households declined to provide information about their income.

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BEFORE: Property Prior to January 25, 2022

NOTE: These photographs were taken by the Receiver shortly after he took over physical possession of the Property from my client and at least four months before the Receiver forced my client’s tenants to vacate their units.



AFTER: Property on November 1, 2023

NOTE: These photographs were taken by my client’s manager/owner approximately two years after the Receiver took full physical possession of the Property and approximately 1.5 years after the Receiver forced my client’s tenants to vacate their units.



The City agrees. On or about October 16, 2023, the City’s legal counsel sent the Receiver a letter expressing concern about the “numerous calls for service” to the Property “[s]ince July 2022” ranging in type from “trespassing to transient activity.”

Efforts to Negotiate a Resolution to this Matter

After receiving a copy of the City’s October 16, 2023 letter about the deteriorated condition of the Property and high volume of calls for service under the Receiver’s care, my client and I renewed our efforts to negotiate a sensible, “win-win” resolution of the Receivership Action that would allow the existing structures on the Property to be rehabilitated quickly and cost-effectively.

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On November 9, 2023, the City’s legal counsel told us they would not discuss my client’s rehabilitation plans until he provided proof of \$2 million in financing to complete the work.⁸ My client provided the proof of funds the next day. Since that time, we have made numerous requests to discuss these proposals with the City’s legal counsel, professional planning staff, and the Receiver, but have not made any meaningful progress towards resolution. Despite numerous requests, we have no date on calendar for a call or meeting to discuss resolution of this matter.

Meanwhile, the Receiver has maintained his request for Court-approval to demolish all of the existing housing on the Property which is still pending review by the Court. The City’s legal counsel told us the City does not object to the Receiver’s request. To our knowledge, the City has not changed its position that, post-demolition, the Property cannot have more than six (6) units when it is redeveloped, which, as discussed in the next section, is significantly lower than the density permitted by the City’s General Plan land use designation. As a practical reality, redevelopment of the Property with only six (6) units will virtually guarantee that none of the units will be offered for sale or rental at affordable levels.

Maximum Residential Density for the Property

The Property’s General Plan land use designation is “High Density Residential,” which currently allows residential development at up to twenty (20) dwelling units per acre. ([Land Use Element](#), pp. LU-25 [Land Use Map] & LU-27 [Land Use Density & Intensity Summary].) Under this land use designation, the 0.42 acre Property could accommodate up to nine (9) base dwelling units.⁹ With a fifty percent (50%) density bonus, the Property could accommodate up to fourteen (14) total units (i.e., nine [9] base units and five [5] density bonus units). (Gov. Code § 65915(f)(1)-(2).) With accessory dwelling units (ADUs), the Property could accommodate up to twelve (12) total units (i.e., nine [9] primary dwelling units and three [3] ADUs). (Gov. Code § 65852.2(e)(1)(C).)

⁸ Although it is not clear how the Receiver arrived at this number, this was the his estimate of how much it would cost to rehabilitate the existing structures. My client obtained quotes from a reputable contractor who indicated the cost of the work for either rehabilitation plan would not exceed \$75,000.

⁹ The Property is in the City’s “R2-HD - Multiple Family Residential, High Density” zoning district (see [Zoning Map](#)), which allows development at a lower density — “The maximum density allowed is 3,000 square feet per dwelling unit, which equals 14.52 dwelling units per gross acre.” (Costa Mesa Municipal Code [“CMMC”] § 13-20(c).) To the extent the General Plan and Zoning Code conflict, the General Plan must prevail. (Gov. Code Gov. Code § 65589.5(j)(1); see also Gov. Code § 65915(o)(6); see generally Gov. Code § 65860.)

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Council for the City of Costa Mesa
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My Client's Proposals Would Rehabilitate and Preserve Existing Housing

My client has presented the Receiver and the City with two alternate proposals for his Property that would rehabilitate and preserve the existing structures and retain the number of units allowed under the City's General Plan land use designation and the State's housing laws.

SB 330 Plan: My client's first proposal relies on the State's Density Bonus Law (Gov. Code § 65915). It would preserve fourteen (14) of the Property's seventeen (17) existing units. Of those fourteen (14) units, nine (9) would be base units (permitted by the General Plan's "High Density Residential" land use designation), and five (5) would be density bonus units. To qualify for a fifty percent (50%) density bonus, three (3) of the fourteen (14) units would be low-income units. (Gov. Code § 65915(f)(1).) A licensed contractor indicates the cost of implementing this plan would not exceed \$30,000. My client has provided the City and Receiver with proof of financing for \$2 million. My client submitted a preliminary application to the City's Planning Department on July 14, 2023. On July 21, 2023, the Receiver sent my client's litigation counsel and land use consultant a letter informing them that he had "directed the City to take no action with respect to the subject unauthorized application."

ADU Plan: My client's second proposal relies on the State's ADU Law (Gov. Code § 65852.2). It would preserve twelve (12) of the Property's seventeen (17) units. Of the twelve (12) units, nine (9) would be primary dwelling units and three (3) would be ADUs. (Gov. Code § 65852.2(e)(1)(C).) A licensed contractor indicates the cost of implementing this plan would not exceed \$75,000. Again, my client has provided the City and Receiver with proof of financing for \$2 million.

The Receiver has consistently declined to consider (or even discuss) either proposal, nor any other plan that would preserve and retain affordable housing. He has directed the City to disregard my client's submittals and to decline my client's requests for calls or meetings to explore these options.

Demolition of the Housing Violates Numerous State Housing Laws

As noted above, the forced demolition of my client's dwelling units is not consistent with the letter nor intent of the Housing Crisis Act of 2019 (Gov. Code § 66300.6), the Housing Element Law (Gov. Code § 65583.2(g)(3)), the Housing Accountability Act (SB 330) (Gov. Code § 65589.5), the State's Receivership Law (Health & Saf. Code § 17980(c)), the vested rights doctrine, and Policy 3D of the City's recently-adopted 6th Cycle 2021-2029 Housing Element Update.

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- The **Housing Crisis Act of 2019**¹⁰ requires agencies to preserve their existing housing stock or, if preservation is not possible, to ensure replacement of demolished units. Specifically, it states “an affected city [which includes Costa Mesa] ... shall not approve a housing development project that will require the demolition of one or more residential dwelling units unless the project will create at least as many residential dwelling units as will be demolished.” (Gov. Code § 66300.6(a).) Where, as here, proposal includes demolition of “protected units,”¹¹ the City must make the heightened findings set forth in Government Code Section 66300.6(b). The City has not (and cannot) made these findings here, and the Receiver’s demolition proposal does not call for replacement of any of the demolished units.
- The State’s **Housing Element Law** requires replacement of units that are or were occupied by low- or very low income tenants (as is the case here). Specifically, it states “sites that currently have residential uses, or within the past five years have had residential uses that have been vacated or demolished, that are or were ... occupied by low- or very low income households, shall be subject to a policy requiring the replacement of all those units affordable to the same or lower income level as a condition of any development on the site.” (Gov. Code § 65583.2(g)(3).) Again, the Receiver has documented that at least thirteen (13) of my client’s units were occupied by low-, very low-, and extremely low-income households with in the past five years, but his demolition plan does not call for the replacement of any units.
- Even if the housing on the Property were “substandard” (which my client disputes), the State’s **Receivership Law** requires that “[t]he owner shall have the choice of repairing or demolishing.” (Health & Saf. Code § 17980(c)(1).) If the property owner declines to choose or cannot or will not bring the property into compliance, the Receivership Law requires the enforcement agency (in this case, the City) to “give preference to the repair of the building whenever it is economically feasible to do so without having to repair more than 75 percent of the dwelling, as determined by the enforcement agency, and shall give full consideration to the

¹⁰ This Act was recently amended through the enactment of AB 1218 (effective January 1, 2024), but substantially similar requirements were previously codified in Section 66300(d) of the California Government Code.

¹¹ The Housing Crisis Act of 2019 defines “protected units” to include “[r]esidential dwelling units that are or were rented by lower or very low income households within the past five years” (Gov. Code § 66300.5(h)(3).) As discussed above, my clients’ former tenants were almost exclusively low-, very low-, and extremely low-income households.

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Council for the City of Costa Mesa
January 16, 2024
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needs for housing as expressed in the local jurisdiction's housing element." (Health & Saf. Code § 17980(c)(2).) Here, the Receiver rejected my client's election to repair the housing and have not complied with the State mandate to "give preference" to repair (over demolition).

- The Receiver's demolition plans are inconsistent with **Program 3D of the City's 6th Cycle 2021-2029 Housing Element Update**. (See Housing Element Update, [Chapter 4](#), Program 3D, pp. 4-16 – 4-17.) My client's Property is part of the City's Mesa West Residential Ownership Overlay, which generally calls for development of "new owner-occupied condominium and clustered homes." ([Overlay](#), Strategy D1, p. 1.) However, to prevent "displacement of long-term tenants and to preserve the existing housing stock on the west side," Program 3D of the City's Housing Element Update calls for removal of the Mesa West Residential Ownership Overlay in its entirety. (See Housing Element Update, [Chapter 4](#), Program 3D, p. 4-16.) The Receiver's plan is not consistent with Program 3D. He has already displaced long-term tenants, and his plans to demolish the existing housing will do the opposite of "preserve the existing housing stock on the west side."
- As noted above, the City's public records confirm the prior owners obtained City permits for the additional units, but the City now disputes that the permits it previously issued remain valid. The City's disavowal of its previously issued permits violates the **vested rights doctrine**. Once a land use entitlement is approved and the rights granted by the entitlement are exercised (as was the case here), they become "vested" and a municipality's power to revoke or extinguish them is limited. (*Bauer v. City of San Diego* (1999) 75 Cal.App.4th 1281, 1294-1297 ["City could not properly deem Bauer's grandfathered rights automatically terminated without providing Bauer with an opportunity to be heard"].) At a minimum, due process requires notice and a hearing to revoke, extinguish, and/or void the rights the City granted through issuance of permits. (*Goat Hill Tavern v. City of Costa Mesa* (1992) 6 Cal.App.4th 1519, 1526 [when a property owner's right is "legitimately acquired or is otherwise vested," City cannot extinguish that right through "administrative extinction"].) That did not occur here.
- Contrary to the intent of the **Housing Accountability Act (SB 330)**, the demolition of my client's housing does not give "adequate attention to the economic, environmental, and social costs of decisions that result in ... reduction in density of housing projects." (Gov. Code § 65589.5(a)(1)(D).) Moreover, contrary to SB 330's streamlined review requirements (e.g., Gov. Code § 65589.5(j)(2)(A)(i)), the City (at the direction of the Receiver) have refused to process the housing development application my client submitted pursuant to SB 330. My client's SB 330 application should have been "deemed complete" by operation of law when it

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was submitted on July 14, 2023. (Gov. Code § 65589.5(j)(5).) Because the City does not have a certified Housing Element, the City should not be able to deny my client's application for a housing development project (to rehabilitate and preserve the existing housing) on the basis that it is purportedly inconsistent with the City's "zoning ordinance or general plan land use designation." (Gov. Code § 65589.5(d)(2)(A).)

Need for HCD Technical Assistance

In the midst of a Statewide housing crisis, it is senseless and egregiously wasteful for housing that could quickly, easily, and cost effectively be rehabilitated to sit vacant for over a year and half and ultimately be demolished. At great personal expense, my client has vigorously opposed the City's and Receiver's efforts to forcibly redevelop his Property and has presented two proposals that would preserve desperately needed housing through rehabilitation of the existing structures. One of the proposals would result in three, deed restricted units that are affordable to low-income households.

We hope the City Council will agree and direct its legal counsel to work with us on a "win-win" solution that will bring this litigation to an end and further the City's housing goals. We would welcome the opportunity to discuss this matter further and provide any information or documentation you need.

Respectfully submitted,

RUTAN & TUCKER, LLP



Alisha Patterson

AP

cc: Kim Barlow, City Attorney
Krista MacNevin Jee, Esq.
Amanda Pope, Esq.

The City of Costa Mesa, CA wants to demolish 14 existing low-income housing units and insists that only 6 units can be rebuilt on the property in the middle of a statewide housing crisis. This goes directly against state mandates and the City's own Housing and Community Development 5-year Plan where their published Goal Number One is "Housing Preservation."

The Subject Property:

In 2015, D'Alessio Investments, LLC, (DI), purchased an apartment building that was being used as a homeless shelter. The property is located at 1963 Wallace Ave in the City of Costa Mesa, California. The property consisted of four structures: Building A, a single family residence built in 1964, Building B consisting of 9 units built in 1989, Building C consisting of 2 units, above playrooms & storage, and building D, consisting of 2 units over 4 garages. Buildings C and D were built in 1972 for a total of 14 low-income units on the property. Some of the units had back doors allowing for various family sizes, as hallway doors could be closed to accommodate both single tenants to families of 5 or more. The property could possibly accommodate 17 tenants.

The property is in a high-density area and is subject to many zoning conditions. First, original Zoning, then the General Plan, then the General Plan Overlay (each of which allows for increased density). Moreover, there are Bonus Density and ADU considerations that can also be applied that could allow for an increase of the dwelling units on the property to upwards of 20 units. However, the City contends that the 14 current units on the property should be demolished and replaced with only 6 units, in stark contrast to their published 5-Year Plan, high-lighting Goal Number One; "Housing Preservation."

Upon purchasing the property in 2015, DI filed As-built plans along with new plans showing minor interior alterations. These plans describe exactly how the property and the units were configured at the time of purchase and what the alterations would include. DI received planning and building approvals, permits, stamped plans and signed off inspection cards representing exactly how the property is today.

As per Willa Bouwens-Killeen, City Planner, in her 8/5/2020 declaration:

When "as-built plans are submitted to the City, the plans would go through a plan check process. The as-built Plans are compared to previous plans approved for that property. Any discrepancies between the prior set of plans and the as-built plans would result in a return of "corrections" to the property owner from the city, building and/or Planning department. The owner would then need to correct those discrepancies through the permitting process before permits would be given."

DI received approval from both building and planning and the plans were stamped and permits were paid for, issued, and the job cards were signed off by city inspectors. Permits BX15-00354-355-356, BC15-00337, BNC15-00479,00347,00348 M15-00122, BC09-00486 all indicate what is on the property is compliant.

In 2019 Code enforcement officers issued a notice of violation identifying 29 items that needed to be corrected at the property along with various due dates. The notice of violation was very clear that if the violations were not corrected, the City would Issue citations and fines. One of the violation conditions was to bring the property back to the last approved plans. DI reported back to the City that all the items on the Notice of Violation had been fixed. And since DI had pulled the last approved plans and received

permits in 2015, which included a complete set of as-built plans for everything on the property, DI believed the property was in compliance with the last approved plans.

The day after DI reported all items on the notice of violation had been fixed, the City's Code Enforcement department red-tagged DI for repairing a soft-landing, issue HSC 17920.3(b); item 17 on the notice of violation, for repairing said soft-landing without permits. According to Code Enforcement official, Rene Jimenez's declaration:

"Repairing a walkway without permits is extremely dangerous to life and safety and presents a risk of structural collapse."

This was the only citation ever given to the property and given after DI was told to fix it by a certain date. DI went to the City and was told that permits were not needed for such a repair and Permits cannot be pulled anyway because this property was under code enforcement investigation. DI appealed this one and only citation and won. City Administration Officer, Elio Palacios, ESQ., held a hearing in the notice of decision, stating:

"Based on the documented information provided by the City, as well as the information presented by the testifying witnesses or otherwise submitted by the parties, I find the facts of the record are not sufficient to uphold the citation. Nothing further is required from DI regarding the citation and the \$150.00 shall be refunded."

The City has still not refunded the \$150.00 fine paid by DI.

On May 20, 2019 at 10:23 am, Code Enforcement Official, Rene Jimenez sent an email and cc'd everyone involved to DI's lawyer, Mr Knyppstra," stating:

"I understand there are some details to be worked out regarding Plans from the City Clerk's office..."

On the same notice, there were other minor violations that could be corrected without Planning and Building approval (i.e., Installing smoke/co2 alarms, inspect fire extinguishers etc.)

Later, on August 12, the City inspected the entire property again and according to the inspector's, Rene Jimenez, declaration only three issues remained:

This inspection revealed that the, 1., Carbon monoxide detectors and smoke alarms had been installed but were installed improperly, as the detectors had been placed too close to the air vents. 2., Illegal work was constructed on the staircase and walkway (that were the subject of the stop work orders issued on May 8th) had been completed but permits had not been obtained to complete the work. And, 3., The city believes that the garages in Building D were being used by the owner.

Officer Jimenez admits in this same declaration:

Based on these (three) violations, on November 13, 2019, the City issued its notice of abatement with a 3-DAY DEADLINE and requested a receiver.

In fact, the smoke detector issue that Officer Jimenez once considered **minor**, in his email on May 20, 2019, but raised to pressing in his declaration, was fixed during the inspection. And the "illegal/ extremely Dangerous to life and safety and risk of collapse" walkway issues that were fixed without permits and became the subject of the stop work order, was not a violation at all, according to the City's

own Administrative Judge. In fact, the Judge ordered that the citation shall be made void and that DI shall get his fine back. (reminder, DI still hasn't received his fine refund).

Under the assumption that all violations had now been cured, DI immediately notified the City asking, "Are all violations cured, and if not, what items remain and for what units?" The City replied with the exact same list that Officer Jimenez used to prepare his original notice of violation, containing the original 29 violations that were all fixed, but with one new issue; "How many units should be allowed on the property?"

So the "goal posts" are now moved. What was at issue had been resolved, but for the over-reach of a City demanding more from a compliant property owner. And what a property owner in this predicament learns is...there is a due process allowed to a citizen up until the point that there is not one because you can't fight City Hall.

A Notice of Violation cannot be argued, only a citation can. For instance, a police officer cannot issue a warning and then tow your car, based on the warning. A citation must be given to the offender so that they have their due process right to argue in front of a court or administrator. Code Enforcement officers do make mistakes as evidenced in the stop work order and citation given to DI, in this case, by this officer. If no citation is given, it is reasonable, therefore, for DI to assume that if items in a Notification of Violation are corrected and no citation follows, there is no longer an infraction.

At the hearing, the Judge recognized that DI did, in fact, have City stamped and approved plans and an expert construction professional declared that all the units were safe for habitability. The City disputed that professional opinion.

The Judge stated, "I do not know who to believe..." but in the abundance of caution, appointed a receiver, in a limited capacity, to inspect the property to make sure there are no life and safety issues at the property. After which, a separate hearing, as to the number of units allowed on the property would convene.

The Receiver did 2 inspections and pointed out 7 new minor issues, all different from the ones on the original Notice of Violation, and admitted they were all fixed by DI. But in his final report, the inspector stated to the Judge that he could not determine if any health and safety items remain until it is determined by the Judge or the City how many units can be allowed on the property.

It's case-in-point how government agencies stumble over each other, while being paid by a taxpayer who is refrained from earning, while he pays the very government refraining him.

The original Judge was replaced with a new one, Judge Hoffer. And despite the fact that both the OC Housing Authority and the Anaheim Housing Authority inspect the property every year, as they were the organizations placing tenants into these low-income housing units, they opined that if the City believes the property is substandard, it must be so and agreed with the appointment of a receiver to take full control of the property for the City's benefit.

As soon as the Judge made their decision, DI immediately issued 60-day notices to all of the 13 families who had lived at the property for years, and who were all on month-to-month tenancy, citing that the

City and the Courts have determined that they live in substandard housing and, for their safety, they must vacate.

Oddly, The City's first act, via the Receiver, was to revoke DI's 60-day notice, stating that they did not know which units were safe or not and expressly terminated the 60-day notices and allowed the tenants to stay in place.

4 months later, the City, via the Receiver, declared to the court that all units were unsafe and all tenants needed to be relocated. It was further decided that since the rents charged by DI were substantially lower than market, DI needed to incur a hard money loan for \$315,000 on the property so as to help cover the rental cost for 4 months because the previous tenants now needed to live in more expensive rental units.

As it stands today, the entire property has been boarded up for over 21 months. All former tenants are now paying much higher rents and the City has eliminated 14 low-income units from the community.

DI has submitted new plans, aimed at conforming to the whims of a planning authority in flux, even though DI's plans were always lawful and conforming to the rules on record, from the origin. But the City and the receiver have both refused to review said plans and give written comments. Willa Bouwens-Killeen declares, "it's just the City's permitting process."

The "process," as it were, allows the City and the Retainer to deny the property owner from earning an income on his property, it denies low income housing from it's residents, and it denies due process while the property owner has to still pay a mortgage on a property that the City has essentially confiscated.

DI has also submitted SB-330 plans via a professional consultant directly to the City. The consultant, an expert in the field, believes that considering the state's housing crises and all the new state laws, the property can be entitled, as is, with little to no alterations. This would give the community back its 14 low-income housing units immediately.

To date, the City and its receiver have refused to review the SB330 plans submitted by DI, even though it is mandated by state law.

In so doing, the City of Costa Mesa, and its appointed receiver at 1963 Wallace Ave continue to run in flagrant disregard of both the City's General Plan, the General Plan Overlay, the State's new ADU allowances, the bonus density allowance, and builder's remedy laws.

More flagrant, the City of Costa Mesa runs in utter disregard to their published statement that preserving housing is "goal number one," while incurring a multi-million-dollar cost to DI, acting to negate properly permitted ownership and operational rights, while subtracting a low-income housing availability in favor of costly development of fewer single family homes.

Notice of Violation

All fixed

1 Citation

Decision of Citation In DI Favor



City of Costa Mesa
 Development Services Department
Community Improvement Division
Code Enforcement
 77 Fair Drive, Costa Mesa, CA 92626
 (714) 754-5638



(3 Week) - Trax - 21
 12/19

RESIDENTIAL NOTICE OF VIOLATION

April 16, 2019
 D'Alessio Investments LLC
 440 Fair Drive #200
 Costa Mesa, CA 92626

RE: 1963 Wallace Avenue
 APN: 422-271-10
 Officer: R. Jimenez
 Case #: 22392

As part of the Community Improvement Division's (CID) continuing efforts to preserve and improve the residential and business community, Code Enforcement responds to all CMMC code violation. The following violations(s) of the Health and Safety Code (HSC), California Building Code (CBC), California Fire Code, (CFC) and Costa Mesa Municipal Code (CMMC) were observed on your property:

Code Section	Description of Violation	Notice of Corrective Action Required	Compliance Date
CBC 105.1	Building Permits Required	Obtain all required permits, inspections and final City approval to return property back to last city approved plans and conditions, including landscaping design. If structures or additions will be demolished, a demolition permit is required. <i>Please meet with Planning and Building Dept. on 2nd Floor of City Hall to acquire necessary permits and approvals.</i>	Submit plans By April 26, 2019
		Complete final review of plans and building permits	May 16, 2019
CMMC 13-26	Land Use Violation	Return property back to last city approved conditions in accordance to all applicable zoning approvals, and approved plans granted by the city.	May 16, 2019
CMMC 20-12 (ii)	Applicable Zoning and Planning Approvals		
HSC 17920.3. (n)	Improper Occupancy	Cease the use of converted garages in Building C (108 and 109) as dwelling units. <i>Converted garage will need to be returned back to their original conditions and be accessible for tenants.</i>	Immediately
		Cease the use of Children's Playroom in Building B (105) as a dwelling unit. Additionally, return room back to last city approved plans. <i>Alternatively, submit new plans for approval.</i>	
HSC 17920.3. (m)	Fire-Extinguishing Systems	Provide adequately maintained and inspected fire extinguishers for all building units.	
HSC 13113.7.	Smoke Alarm	Provide and maintain approved smoke alarm detectors for all city approved units	

20

Done

ADA

✓

✓

✓	CFC 906.2	Fire-Extinguishers	Portable fire extinguishers shall be selected, installed and maintained in accordance with this section and California Code of Regulations, Title 19, Division 1, Chapter 3.	Immediately
✓	HSC 13260-13263	Carbon Monoxide Alarm	Provide and maintain approved carbon monoxide devices for all city approved units.	
✓	HSC 17920.3. (j)	Miscellaneous Storage	Remove all miscellaneous items stored around the property, and in vehicles, visible from public view	April 26, 2019
✓	HSC 17920.3. (i)	Construction Material	Remove miscellaneous items stored in Building D garages (110, 111, 112, and 113) <i>Car garages are to be cleared of storage and be accessible for tenants.</i>	
✓	CMMC 20-8	Inoperable Vehicles	Removal of inoperable vehicles and vehicles without current vehicle registration Infiniti (LIC#4HBM931) Honda (LIC#4ZZR037) <i>Or provide proof of current registration/operable.</i>	May 16, 2019
✓	HSC 17920.3. (g)4	Building Exterior	Repair exterior building surfaces that contain significant surface cracks, missing materials, and/or dry rot on all building units.	<p>Where is this</p> <p>Where is this</p> <p>May 16, 2019</p>
✓	HSC 17920.3. (g)3	Painting	Paint replaced exterior surfaces and fence areas where there is excessive cracking, peeling, chalking, dry rot, warping, or termite infestation.	
✓	HSC 17920.3. (f)	Mechanical	Repair, replace, and/or maintain mechanical equipment in all units <i>(i.e. kitchen stoves, heating furnaces, heating unit devices, individual A/C unit, bathroom light/ceiling fans)</i>	
✓	HSC 17920.3. (e)	Plumbing	Return plumbing back to the time of installation that is free of cross connections and siphonage between fixtures or as city approved plans indicate.	
✓	HSC 17920.3. (d)	Wiring	Return wiring back to the time of installation that is in good, safe, and working conditions. <i>(Install face covers to exposed electrical wiring.)</i>	
✓	HSC 17920.3. (b)	Structural Hazards	Repair deteriorated or inadequate foundations such as a flooring, walls, and/or ceiling. <i>(i.e. Upstairs walkway on Building C near unit 208)</i>	
✓	HSC 17920.3. (a)12	Infestation	Remove insect infestation in Building B	
✓	HSC 17920.3. (a) 10	Electrical Lighting	Provide adequate electrical lighting for all units. <i>Specifically bathrooms without windows</i>	
✓	HSC 17920.3. (a) 8	Natural Light & Ventilation	Provide adequate amount of natural ventilation to all city approved units.	
✓	CMMC 20-6 (h)	Window Screens	Install and maintain window screens free from tears, rips and holes, which are required on all windows.	

NO Violation

✓ HSC 17920.3. (a) 7	Ventilating Equipment	Provide adequate separated ventilating equipment. Original air vents are still shared amongst all units causing unwanted fluctuation in temperature between units. <i>Provide adequate bathroom ceiling fans specifically for bathrooms without windows.</i>	whc May 16, 2019
✓ HSC 17920.3. (a) 6	Heating	Provide adequate heating for all city approved units.	
✓ HSC 17920.3. (a) 3	Kitchen Sink	Provide adequate kitchen sink for all city approved units.	
✓ CMMC 13-108 (a)	Unmaintained Landscape	Trim and maintain all landscaping in good conditions.	
✓ CMMC 20-6 (i)	Deteriorated Fence	Repair or replace and repaint fencing surfaces with significant surface cracks, dry rot, warping, deteriorating, leaning, and/or missing panels	
MA ADA CMMC 13-93 (j)	Parking Design standards	Meet the City of Costa Mesa Parking Design Standards or obtain Planning Dept. approval for alternative plan.	
MA ADA CMMC 13-85 (c)	Reduction of Required Parking Prohibited	Required parking, including garages, must be available to residents. Garage conversions and the garages full of storage are reducing required parking. Make are garages accessible for all tenants.	
✓ CFC 506.1	Key Box	In the event where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official.	

Failure to respond to this notice and correct the violation(s) by the date indicated may lead to additional legal action and/or a three step citation procedure may be initiated, starting with a \$150.00 fine per violation. It is our intent to work with you to gain compliance with the law and not issue a citation for a violation you may have not known existed on your property. If you need assistance, information, or additional resources to complete the above listed corrective actions, please do not hesitate to contact the undersigned Code Enforcement Officer.

We look forward to a swift resolution to this matter and again thank you for your cooperation.

Rene Jimenez # 13
Code Enforcement Officer
Community Improvement Division
Phone: (714) 754-4923
Email: rene.jimenez@costamesaca.gov



City of Costa Mesa
 Development Services Department
 Community Improvement Division
 Code Enforcement
 77 Fair Drive, Costa Mesa, CA 92626
 (714) 754-5638



NOTICE OF CITATION

May 8, 2019
 D'Alessio Investments LLC
 440 Fair Drive #200
 Costa Mesa, CA 92626

RE: 1963 Wallace Avenue
 APN: 422-271-10
 Officer: A. Godinez/R. Jimenez
 Case #: 22392

As part of the Community Improvement Division's (CID) continuing efforts to preserve and improve the residential and business community, Code Enforcement responds to all CMMC code violation. The following violations(s) of the Health and Safety Code (HSC), California Building Code (CBC), California Fire Code, (CFC) and Costa Mesa Municipal Code (CMMC) were observed on your property:

Code Section:	Description of violation	Notice of Corrective Action Required:	Compliance Date:
CBC 105.1	Building Permits Required (Working on staircase and walkway in Building C without permits)	Obtain all required permits, inspections and final City approval to return property back to last city approved plans and conditions, including landscaping design. If structures or additions will be demolished, a demolition permit is required. <i>Please meet with Planning and Building Dept. on 2nd Floor of City Hall to acquire necessary permits and approvals.</i>	May 18, 2019

Citation No. 042453 in the amount of \$150.00 has been issues to you for failure to correct the above violation. If the violation is not corrected by the dates indicated, a second administration citation will be issued in the amount of \$300.00 fine per violation. It is our intent to work with you to gain compliance with the law and not issue a citation for a violation you may have not known existed on your property. If you need assistance, information, or additional resources to complete the above listed corrective actions, please do not hesitate to contact the undersigned Code Enforcement Officer.

We look forward to a swift resolution to this matter and again thank you for your cooperation.

Rene Jimenez # 13
 Code Enforcement Officer
 Community Improvement Division
 Phone: (714) 754-4923
 Email: rene.jimenez@costamesaca.gov

**CIVIL CITATION
Notice of Decision**

City of Costa Mesa

Date: 10/30/19 Time: 02:30 am pm Day of the Week: WEDNES

Citee Name (First): DELASSIO Middle: Investments Last: LLC

Address of Violation: 1963 Wallace Av CM

Citation Number: 42453 Issuing Officer: Godinez

ACTION TAKEN

Request For Preliminary Review:

- 1. Request is granted and cite canceled on finding grounds exist (CMMC Sec. 1-39)
 - The violation did not occur.
 - The person cited is not responsible for the violation
- 2. Request is denied and cite upheld on finding violation established and grounds to contest not established (CMMC Sec. 1-39), or request filed late

Request for Waiver of Fine Deposit:

- 3. Request is granted on finding reasonable hardship (CMMC Sec. 1-40) (NOTE: Set second hearing date below.)
- 4. Request is denied on finding no reasonable financial hardship, or request filed late, and you are ordered to deposit the fine before the Administrative Hearing date set below (CMMC Sec. 1-40)
Administrative Hearing Date: _____

Request for Administrative Hearing:

- 5. Request is granted and cite canceled on finding grounds exist (CMMC Sec. 1-43)
 - The violation did not occur.
 - The violation was corrected on time, or
 - The person cited is not responsible for the violation
- 6. Request is denied on finding violation established and grounds to contest not established (CMMC Sec. 1-43), or request filed late.

Request for Continuance:

- 7. Granted. Administrative Hearing is continued to _____ at same location and time on good cause shown.
- 8. Continuance denied on finding no good cause shown, or request filed late.

Request for Extension of Correction Period for Building Violation:

- 9. Request is denied because no good cause shown, or request filed late.
- 10. Request is granted on good cause shown. New date for end of correction period is: _____
- 11. Citee failed to appear or deposit fine when due, request(s) abandoned.
- 12. Citation for Building Violation is canceled; corrections made.

Evidence at Administrative Hearing:

- 1. Proof of deposit of fine, or Fine waived.
- 2. Civil Citation Form, Citation Number _____
- 3. Preliminary Review Request and Notice of Decision
- 4. Administrative Hearing Request on Signed Citation
- 5. Testimony by person cited _____ (name)
- 6. Other testimony _____
- 7. Other documents attached _____

Other:

- 1. Appellant did not appear *City submitted no evidence*

NOTICE OF DECISION DELIVERED: IN PERSON BY MAIL
 Person appearing refused to sign receipt for Notice of Decision.

I DECLARE UNDER THE PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT EXECUTED ON THE DATE SHOWN BELOW

Hearing Officer: _____ City Official (Title): _____
Date of Decision: 11/4/2019

WITHOUT ADMITTING GUILT, I ACKNOWLEDGE HAVING RECEIVED THIS NOTICE OF DECISION AND THAT MY MAILING ADDRESS ON THE CITATION IS CORRECT

APPELLANT: FOR FURTHER INFORMATION CONCERNING THIS DECISION, please see reverse side of this Notice

ADMINISTRATIVE HEARING DECISION AND ORDER

CITY OF COSTA MESA

Agency Address: City of Costa Mesa
77 Fair Dr.
Costa Mesa CA 92626

Hearing Date: October 30, 2019

Citation No.: 42453

Appellant(s): DELASSIO INVESTMENTS LLC

Property Owner: SAME

Incident Address: 1963 Wallace Ave., Costa Mesa CA

An administrative hearing ("**Hearing**") was conducted at the request of Appellant. Information submitted by all parties, if any, together with pleadings, evidence, and documents submitted by the City of Costa Mesa ("**City**"), if any, was reviewed by the below-named hearing officer ("**Hearing Officer**") and the following Decision and Order is issued.

NOTICE OF DECISION

This Decision and Order is incorporated into and made a part of the Notice of Decision sheet issued concurrent herewith.

PARTIES

Appellant(s): Appellant was not present. Service of notice of the hearing on Appellant was deemed sufficient.

City of Costa Mesa: No appearance on behalf of the City of Costa Mesa.

NOTICE OF HEARING

The City served a notice of referral to the Hearing Officer on all concerned parties. The notice advised that an administrative hearing would be held on the above hearing date and at such location as designated by the City.

///

EVIDENCE AND TESTIMONY

The evidence submitted by the City and Appellant, if any, was thoroughly reviewed and considered in this matter. Appellant did not submit any evidence or documents. The City did not submit any evidence or documents.

The above information presented in the Hearing was considered and is incorporated in the following Decision and Order.

The Administrative Hearing was recorded and a copy of the sound audio file is part of the record of this hearing and is maintained by the Hearing Officer.

The legal 'standard of review' of all evidence in such administrative cases is a **preponderance of the evidence** or 'evidence which is of greater weight and more convincing than the evidence which is offered in opposition to it; that is evidence which as a whole shows that the fact sought to be proved is more probable than not.' **Black's Law Dictionary, Fifth Edition.**

FINDINGS AND ORDER

Based on the documented information provided by the City, as well as the information presented by the testifying witnesses or otherwise submitted by the parties, I find that facts of record are not sufficient to uphold the Citation. The City did not submit any evidence or records to the Hearing Officer to support the Citation. The City did not provide any witnesses testimony in support of the Citation. For these reasons, the Citation is hereby DISMISSED.

This ORDER shall commence upon service of this Decision and Order on the Appellant.

APPEAL

The Hearing Order and Decision is final as to the administrative appeal process. Appellant may seek judicial review of the Hearing Officer's Decision and Order pursuant to the provisions set forth in the City of Costa Mesa Municipal Code. There are strict time limits within which to file a petition for judicial review hereof.

IT IS SO ORDERED:

Date: November 4, 2019



Elio Palacios, Esq.
Hearing Officer

Letter from Housing Board

Orange County Housing Authority

1770 N. Broadway • Santa Ana, CA 92706
(714) 480-2700 • (714) 480-2926 TDD
<http://www.ochousing.org>

Fax Numbers:

Occupancy

(714) 480-2701

(714) 480-2937

(714) 480-2919

Leasing/Inspections

(714) 480-2822

Special Housing Programs

(714) 480-2812

03/26/2018

Tenant ID: 4602

D Alessio Investments LLC
440 Fair Drive Ste 200
Costa Mesa CA 92626

Lori Kroesch
1963 Wallace #106
Costa Mesa, CA 92626

Dear: D Alessio Investments LLC

This letter is to inform you of a **CHANGE IN RENT** as follows:

Previous Tenant Share	\$ 111.00
Previous Housing Assistance Payment	\$ 1234.00
Previous Rent to Owner	\$ 1345.00
Tenant's New Share Rent	\$ 57.00
New Housing Assistance Payment	\$ 1288.00
New Contract Rent	\$ 1345.00

IMPORTANT NOTICE - PENDING RENT INCREASES:

The above contract rent amount may not reflect a pending rent increase (new contract rent you requested.) You will receive a separate notice with adjusted owner portion from your Field Representative when the rent increase is completed.

AMENDMENT TO HOUSING ASSISTANCE PAYMENTS CONTRACT:

The contents of the Housing Assistance Payment Contract signed on 06/01/2016 shall prevail except for the changes shown above. These changes will become effective 04/01/2018.

If you have questions, please contact **Katie Ho** at:
714-480-2908 or Email at Katie.Ho@occr.ocgov.com

Letters from Tenants

DECLARATION

I, Rodrigo Coena Machado hereby declare as follows:

1. I am a tenant at 1963 Wallace Avenue, Costa Mesa, CA 92627 and live in unit 101A. The following is known personally by me from firsthand knowledge and if called upon as a witness, I could and would testify competently.
2. I have lived in unit 101A for 4 years months/years. The property owners have always maintained my unit and the property while I have lived here. I have had no issues with the maintenance of my unit or the amenities I am provided. My unit has an adequate kitchen sink, kitchen stove, heating, ventilation, climate control, natural light, electrical lighting, plumbing for my kitchen, sinks, and bathrooms. My unit has all no exposed electrical wiring. My unit has adequate windows so that I can exit in the event of a fire or other emergency and all of my windows have window screens that are well maintained. My unit has a smoke and carbon monoxide alarm that works and is functioning. My unit has no insect infestation and I am not aware of any infestation on the property.

I hereby declare under penalty of perjury under the law of State of California that the foregoing is true and correct. Executed at Costa Mesa, California.

Dated: December 10, 2019

12/23/19

~~Beatriz Espinoza~~ RB
[Name]
Rodrigo Coena
Machado

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }

County of ORANGE }

On DECEMBER 23, 2019 before me, LILLY THAO BUI, NOTARY PUBLIC
(here insert name and title of the officer)

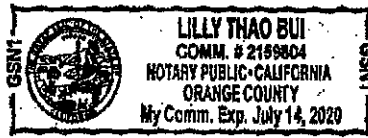
personally appeared RODRIGO GUERRA MAGHADO
who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name~~(s)~~ ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he~~/she/they executed the same in ~~his~~/her/their authorized capacity~~(ies)~~, and that by ~~his~~/her/their signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[Handwritten Signature]

Notary Public Signature



(Notary Public Seal)

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT
DECLARATION - 1963 WILLAGE
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages 1 Document Date 12/23/19

CAPACITY CLAIMED BY THE SIGNER

Individual (s)
 Corporate Officer

(Title)

Partner(s)
 Attorney-in-Fact
 Trustee(s)
 Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they, is/are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
 - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
 - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document with a staple.

DECLARATION

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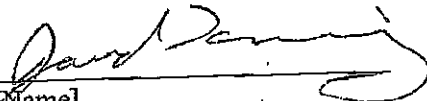
I, Jared Kasiewicz, hereby declare as follows:

1. I am a tenant at 1963 Wallace Avenue, Costa Mesa, CA 92627 and live in unit 208. The following is known personally by me from firsthand knowledge and if called upon as a witness, I could and would testify competently.

2. I have lived in unit 208 for 3 ~~months/year~~. The property owners have always maintained my unit and the property while I have lived here. I have had no issues with the maintenance of my unit or the amenities I am provided. My unit has an adequate kitchen sink, kitchen stove, heating, ventilation, climate control, natural light, electrical lighting, plumbing for my kitchen, sinks, and bathrooms. My unit has all no exposed electrical wiring. My unit has adequate windows so that I can exit in the event of a fire or other emergency and all of my windows have window screens that are well maintained. My unit has a smoke and carbon monoxide alarm that works and is functioning. My unit has no insect infestation and I am not aware of any infestation on the property.

I hereby declare under penalty of perjury under the law of State of California that the foregoing is true and correct. Executed at Costa Mesa, California.

Dated: December 23, 2019


[Name]

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }

County of ORANGE }

On DECEMBER 23, 2019 before me, LILLY THAO BUI, NOTARY PUBLIC
(Here insert name and title of the officer)

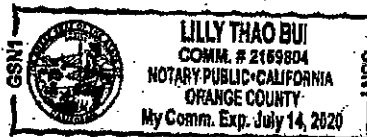
personally appeared JARED PRADEN KASIEWICZ
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~ are subscribed to the within instrument and acknowledged to me that ~~he/she/they~~ executed the same in his/her their authorized capacity(ies), and that by ~~his/her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.


Notary Public Signature

(Notary Public Seal)



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT
DECLARATION - 1967 WALLACE
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages 1 Document Date 12/23/19

CAPACITY CLAIMED BY THE SIGNER

- Individual (s)
 Corporate Officer
- _____
(Title)
- Partner(s)
 Attorney-in-Fact
 Trustee(s)
 Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

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- Print the name(s) of document-signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they, is/are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
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- Securely attach this document to the signed document with a staple.

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DECLARATION

I, Erik Ryan Kiesel, hereby declare as follows:

1. I am a tenant at 1963 Wallace Avenue, Costa Mesa, CA 92627 and live in unit 305. The following is known personally by me from firsthand knowledge, and if called upon as a witness, I could and would testify competently. *JK*
2. I have lived in unit 305 for 2 months ~~years~~. The property owners have always maintained my unit and the property while I have lived here. I have had no issues with the maintenance of my unit or the amenities I am provided. My unit has an adequate kitchen sink, kitchen stove, heating, ventilation, climate control, natural light, electrical lighting, plumbing for my kitchen, sinks, and bathrooms. My unit has all no exposed electrical wiring. My unit has adequate windows so that I can exit in the event of a fire or other emergency and all of my windows have window screens that are well maintained. My unit has a smoke and carbon monoxide alarm that works and is functioning. My unit has no insect infestation and I am not aware of any infestation on the property.

I hereby declare under penalty of perjury under the law of State of California that the foregoing is true and correct. Executed at Costa Mesa, California.

Dated: December 23, 2019

JK
[Name]

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

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State of California)

County of ORANGE)

On DECEMBER 23, 2019 before me, LILLY THAO BUI, NOTARY PUBLIC
(Here insert name and title of the officer)

personally appeared ERIK RYAN FIESEL
 who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~ are subscribed to the within instrument and acknowledged to me that ~~he~~ she ~~they~~ executed the same in ~~his~~ her ~~their~~ authorized capacity~~(ies)~~, and that by ~~his~~ her ~~their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Lilly Thao Bui
 Notary Public Signature

(Notary Public Seal)



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT
DECLARATION 1963 WALLACE
(Title or description of attached document)
AVE
(Title or description of attached document continued)
 Number of Pages 1 Document Date 12/23/19

CAPACITY CLAIMED BY THE SIGNER

- Individual (s)
 Corporate Officer

(Title)
 Partner(s)
 Attorney-in-Fact
 Trustee(s)
 Other _____

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- Securely attach this document to the signed document with a staple.

1 **DECLARATION**

2
3 I, Juraporn Soonthornlipikorn, hereby declare as follows:

- 4 1. I am a tenant at 1963 Wallace Avenue, Costa Mesa, CA 92627 and live in unit 207. The
5 following is known personally by me from firsthand knowledge ~~and if called upon as a~~
6 ~~witness, I could and would testify competently.~~ *J.S.*
- 7 2. I have lived in unit 207 for 3.5 ~~months~~ years. The property owners have always maintained
8 my unit and the property while I have lived here. I have had no issues with the maintenance of
9 my unit or the amenities I am provided. My unit has an adequate kitchen sink, kitchen stove,
10 heating, ventilation, climate control, natural light, electrical lighting, plumbing for my kitchen,
11 sinks, and bathrooms. My unit has all no exposed electrical wiring. My unit has adequate
12 windows so that I can exit in the event of a fire or other emergency and all of my windows
13 have window screens that are well maintained. My unit has a smoke and carbon monoxide
14 alarm that works and is functioning. My unit has no insect infestation and I am not aware of
15 any infestation on the property.

16 I hereby declare under penalty of perjury under the law of State of California that the foregoing
17 is true and correct. Executed at Costa Mesa, California.

18
19 Dated: December ²³ ~~19~~, 2019

J.S.

[Name]

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

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State of California }

County of ORANGE }

On DECEMBER 23, 2019 before me, LILLY THAO BUI, NOTARY PUBLIC,
(Here insert name and title of the officer)

personally appeared JURAPORN SOONTHORN LIPIKORN
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is/are~~ subscribed to the within instrument and acknowledged to me that ~~he/she/they~~ executed the same in his/~~her/their~~ authorized capacity~~(ies)~~, and that by his/~~her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[Handwritten Signature]

Notary Public Signature

(Notary Public Seal)



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT
DECLARATION - 1963 WALLACE AVE
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages 1 Document Date 12/23/19

CAPACITY CLAIMED BY THE SIGNER

Individual(s)
 Corporate Officer

(Title) _____

Partner(s)
 Attorney-in-Fact
 Trustee(s)
 Other _____

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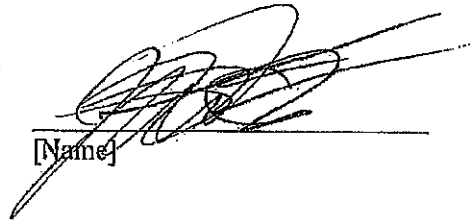
DECLARATION

I, Jeremie Wilson, hereby declare as follows:

1. I am a tenant at 1963 Wallace Avenue, Costa Mesa, CA 92627 and live in unit A. The following is known personally by me from firsthand knowledge and if called upon as a witness, I could and would testify competently.
2. I have lived in unit A for 6 months ~~(years)~~. The property owners have always maintained my unit and the property while I have lived here. I have had no issues with the maintenance of my unit or the amenities I am provided. My unit has an adequate kitchen sink, kitchen stove, heating, ventilation, climate control, natural light, electrical lighting, plumbing for my kitchen, sinks, and bathrooms. My unit has all no exposed electrical wiring. My unit has adequate windows so that I can exit in the event of a fire or other emergency and all of my windows have window screens that are well maintained. My unit has a smoke and carbon monoxide alarm that works and is functioning. My unit has no insect infestation and I am not aware of any infestation on the property.

I hereby declare under penalty of perjury under the law of State of California that the foregoing is true and correct. Executed at Costa Mesa, California.

Dated: December 19, 2019


[Name]

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of ORANGE)

On DECEMBER 19, 2019 before me, LILLY THAO BUI, NOTARY PUBLIC,
(Here insert name and title of the officer)

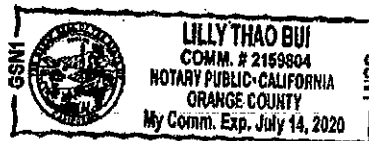
personally appeared JEREMIE WILSON
 who proved to me on the basis of satisfactory evidence to be the person whose name ~~is~~ are subscribed to the within instrument and acknowledged to me that ~~he~~ ~~she~~ ~~they~~ executed the same in ~~his~~ ~~her~~ ~~their~~ authorized capacity ~~(as)~~, and that by ~~his~~ ~~her~~ ~~their~~ signature ~~(s)~~ on the instrument the person , or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Lilly Thao Bui
 Notary Public Signature

(Notary Public Seal)



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT
RENAL DECLARATION
(Title or description of attached document)
1963 WALLACE AVE
(Title or description of attached document continued)
 Number of Pages 1 Document Date 12/19/19

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- Securely attach this document to the signed document with a staple.

CAPACITY CLAIMED BY THE SIGNER

- Individual (s)
- Corporate Officer
- _____ (Title)
- Partner(s)
- Attorney-in-Fact
- Trustee(s)
- Other _____

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DECLARATION

I, Madeline Molnar, hereby declare as follows:

1. I am a tenant at 1963 Wallace Avenue, Costa Mesa, CA 92627 and live in unit 102. The following is known personally by me from firsthand knowledge and if called upon as a witness, I could and would testify competently.
2. I have lived in unit 2 for 9 months/years. The property owners have always maintained my unit and the property while I have lived here. I have had no issues with the maintenance of my unit or the amenities I am provided. My unit has an adequate kitchen sink, kitchen stove, heating, ventilation, climate control, natural light, electrical lighting, plumbing for my kitchen, sinks, and bathrooms. My unit has all no exposed electrical wiring. My unit has adequate windows so that I can exit in the event of a fire or other emergency and all of my windows have window screens that are well maintained. My unit has a smoke and carbon monoxide alarm that works and is functioning. My unit has no insect infestation and I am not aware of any infestation on the property.

I hereby declare under penalty of perjury under the law of State of California that the foregoing is true and correct. Executed at Costa Mesa, California.

Dated: December 19, 2019

Madeline Molnar
[Name]

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }

County of ORANGE }

On DECEMBER 19, 2019 before me, LILLY THAO BUI, NOTARY PUBLIC,
(Here insert name and title of the officer)

personally appeared MADELEINE MOLAR,
who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name~~(s)~~ ~~is/are~~ subscribed to the within instrument and acknowledged to me that ~~he/she/they~~ executed the same in ~~his/her/their~~ authorized capacity~~(ies)~~, and that by ~~his/her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

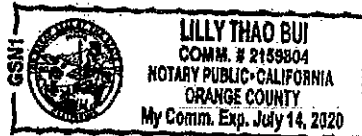
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Notary Public Signature

(Notary Public Seal)



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT
RENTAL DECLARATION
(Title or description of attached document)
1963 WALLACE AVE
(Title or description of attached document continued)
Number of Pages 1 Document Date 12/19/19

CAPACITY CLAIMED BY THE SIGNER

Individual (s)
 Corporate Officer

(Title)

Partner(s)
 Attorney-in-Fact
 Trustee(s)
 Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

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DECLARATION

I, Todd Dennis, hereby declare as follows:

1. I am a tenant at 1963 Wallace Avenue, Costa Mesa, CA 92627 and live in unit 209. The following is known personally by me from firsthand knowledge and if called upon as a witness, I could and would testify competently.
2. I have lived in unit 1 for 2 months/years. The property owners have always maintained my unit and the property while I have lived here. I have had no issues with the maintenance of my unit or the amenities I am provided. My unit has an adequate kitchen sink, kitchen stove, heating, ventilation, climate control, natural light, electrical lighting, plumbing for my kitchen, sinks, and bathrooms. My unit has all no exposed electrical wiring. My unit has adequate windows so that I can exit in the event of a fire or other emergency and all of my windows have window screens that are well maintained. My unit has a smoke and carbon monoxide alarm that works and is functioning. My unit has no insect infestation and I am not aware of any infestation on the property.

I hereby declare under penalty of perjury under the law of State of California that the foregoing is true and correct. Executed at Costa Mesa, California.

Dated: December 19, 2019



[Name]

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

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State of California)

County of ORANGE)

On DECEMBER 19, 2019 before me, LILLY THAO BUI, NOTARY PUBLIC
(Here insert name and title of the officer)

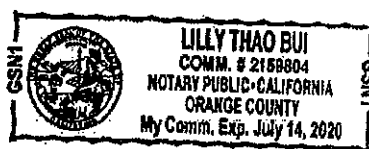
personally appeared TODD DENNISON
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is/are~~ subscribed to the within instrument and acknowledged to me that ~~he/she/they~~ executed the same in ~~his/her/their~~ authorized capacity~~(ies)~~, and that by ~~his/her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Lilly Thao Bui
Notary Public Signature

(Notary Public Seal)



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT
RENTAL DECLARATION
(Title or description of attached document)
405 WALLACE AVE.
(Title or description of attached document continued)
Number of Pages 1 Document Date 12/19/19

CAPACITY CLAIMED BY THE SIGNER

Individual (s)
 Corporate Officer

(Title)
 Partner(s)
 Attorney-in-Fact
 Trustee(s)
 Other _____

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DECLARATION

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I, Carlos Valdez, hereby declare as follows:

1. I am a tenant at 1963 Wallace Avenue, Costa Mesa, CA 92627 and live in unit 202. The following is known personally by me from firsthand knowledge and if called upon as a witness, I could and would testify competently.
2. I have lived in unit 202 for 4/3 months/years. The property owners have always maintained my unit and the property while I have lived here. I have had no issues with the maintenance of my unit or the amenities I am provided. My unit has an adequate kitchen sink, kitchen stove, heating, ventilation, climate control, natural light, electrical lighting, plumbing for my kitchen, sinks, and bathrooms. My unit has all no exposed electrical wiring. My unit has adequate windows so that I can exit in the event of a fire or other emergency and all of my windows have window screens that are well maintained. My unit has a smoke and carbon monoxide alarm that works and is functioning. My unit has no insect infestation and I am not aware of any infestation on the property.

I hereby declare under penalty of perjury under the law of State of California that the foregoing is true and correct. Executed at Costa Mesa, California.

Dated: December 19, 2019

Carlos Valdez
[Name]

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State of California }

County of ORANGE }

On DECEMBER 19, 2019 before me, LILLY THAO BUI, NOTARY PUBLIC
(Here insert name and title of the officer)

personally appeared CARLOS VALDEZ
who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name~~(s)~~ ~~(s)~~are subscribed to the within instrument and acknowledged to me that ~~he/she/they~~ executed the same in ~~his/her/their~~ authorized capacity~~(ies)~~, and that by ~~his/her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~; or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Lilly Thao Bui
Notary Public Signature

(Notary Public Seal)



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT
RENTAL DECLARATION
(Title or description of attached document)
1963 WALLACE AVE
(Title or description of attached document continued)
Number of Pages 1 Document Date 12/19/19

CAPACITY CLAIMED BY THE SIGNER
 Individual (s)
 Corporate Officer

(Title)
 Partner(s)
 Attorney-in-Fact
 Trustee(s)
 Other _____

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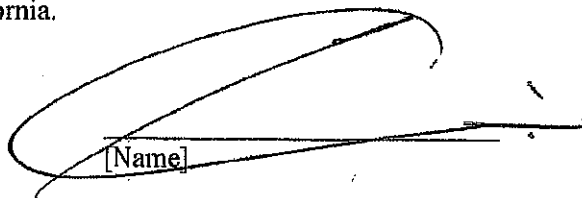
DECLARATION

I, Kass: Ydr:s, hereby declare as follows:

1. I am a tenant at 1963 Wallace Avenue, Costa Mesa, CA 92627 and live in unit 206. The following is known personally by me from firsthand knowledge and if called upon as a witness, I could and would testify competently.
2. I have lived in unit 206 for About 2 months/years. The property owners have always maintained my unit and the property while I have lived here. I have had no issues with the maintenance of my unit or the amenities I am provided. My unit has an adequate kitchen sink, kitchen stove, heating, ventilation, climate control, natural light, electrical lighting, plumbing for my kitchen, sinks, and bathrooms. My unit has all no exposed electrical wiring. My unit has adequate windows so that I can exit in the event of a fire or other emergency and all of my windows have window screens that are well maintained. My unit has a smoke and carbon monoxide alarm that works and is functioning. My unit has no insect infestation and I am not aware of any infestation on the property.

I hereby declare under penalty of perjury under the law of State of California that the foregoing is true and correct. Executed at Costa Mesa, California.

Dated: December 19, 2019


[Name]

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State of California }

County of ORANGE }

On DECEMBER 19, 2019 before me, LILLY THAO BUI, NOTARY PUBLIC
(Here insert name and title of the officer)

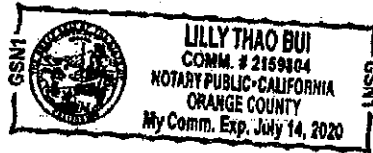
personally appeared KASSI YDRIS
who proved to me on the basis of satisfactory evidence to be the person whose name ~~(s)~~/are subscribed to the within instrument and acknowledged to me that ~~he~~/she/they executed the same in ~~his~~/her/their authorized capacity ~~(ies)~~; and that by ~~his~~/her/their signature ~~(s)~~ on the instrument the person ~~(s)~~, or the entity upon behalf of which the person ~~(s)~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Lilly Thao Bui
Notary Public Signature

(Notary Public Seal)



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT
RENTAL DECLARATION
(Title or description of attached document)
1963 WALLACE AVE.
(Title or description of attached document continued)
Number of Pages 1 Document Date 12/19/19

CAPACITY CLAIMED BY THE SIGNER

- Individual (s)
 Corporate Officer

(Title)
 Partner(s)
 Attorney-in-Fact
 Trustee(s)
 Other _____

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CITY OF COSTA MESA
BUILDING DIVISION
 DEVELOPMENT SERVICES DEPARTMENT
 PERMIT

PERMIT NUMBER

B04-00681

(714) 754-5273 • Fax (714) 754-4856 • www.ci.costa-mesa.ca.us

77 FAIR DRIVE, COSTA MESA, CA 92626

BUILDING PERMIT

Job Address: **1963 WALLACE AV**
 Suite: **B101**
 Vicinity: **1ST FLOOR-NEW CONFERENCE/STORAGE AREA**
 Primary Occ: **R-6.2** Type of Construction: **V-N**
 Parcel Number: **42227110** Zoning:

Status: **ISSUED**
 Applied: **04/07/2004**
 Issued: **04/08/2005**

Applicant: **RUBY AMEZCUA**
 Address: **1963 WALLACE AV**

ISSUED BY: 

Phone: **949-631-7213**
 Zip: **92627**

COSTA MESA, CA

Owner: **ORANGE COAST INTERFAITH**
 Address: **SHELTER**
COSTA MESA, CA
1963 WALLACE AVE

Phone:
 Zip: **92627**

Contractor: **OWNER-BUILDER**
 Address:

Phone:
 License: **000000**

Zip:

EXPIRED
 DATE **3/17/08** 

Arch : **BRION JEANNETTE & ASSOC.**
 Address : **470 OLD NEWPORT BLVD**
NEWPORT BEACH, CA
 Zip: **92663**

Eng:
 Address:
 Phone:
 License:

Phone: **714-645-5854**

License: **8012**

SCOPE OF PERMIT

REMODEL OF EXISTING RESIDENTIAL GROUP CARE FACILITY (BLDG. 1). REMOVE ALL BUT ONE BATHROOM TO CREATE NEW STORAGE AND COMPUTER SERVER ROOMS. EXISTING KITCHENS TO BE RETAINED. ALL INTERIOR WORK - NO CHANGE TO EXTERIOR ELEVATIONS.

OK TO RETAIN EXISTING KITCHENS PER UNIT DENSITY REQUIREMENTS (2 UNITS, 2 KITCHENS). ALTHOUGH INTERIOR WILL HAVE OFFICES. THIS ALLOWS UNIT TO BE RECONVERTED TO A RESIDENCE IN THE FUTURE. OFFICES WILL ONLY BE USED TO COUNSEL ON-SITE RESIDENTS. LETTER COMING TO CONFIRM.

FEE SUMMARY

Plan Check: **\$72.31**
 Permit: **\$111.25**
 SMIP Res: **\$0.50**
 SMIP Com: **\$0.00**
 Other: **\$0.00**
 Inspection: **\$0.00**
 Total: **\$184.06**

Calc Valuation: **\$5,000.00**
 Claim Valuation: **\$5,000.00**

PLANNING & ZONING

SETBACKS

MAIN STRUCTURE Front 0-0 Rear 0-0 Left 0-0 Right 0-0

The work authorized by this permit shall comply with all applicable handicap access requirements under California statutes and related laws. (Ord. No. 92-28, § 1, 12-21-92)

NOTICE: This permit shall automatically expire and become void if work is not commenced within 180 days, or if work is suspended or abandoned for a period of 180 days.

NOTES: In order for the work authorized under this permit to be considered legal, such work must comply with all applicable codes, and all inspections and final approval must be obtained. Failure to obtain inspections and final approval will result in the expiration of this permit.

FOR MORE INFORMATION CALL: (714) 754-5626

DECLARATIONS

WORKERS' COMPENSATION DECLARATION:

I hereby affirm under penalty of perjury one of the following declarations:

- I have and will maintain a certificate of consent to self-insure for workers' compensation, as provided for by section 3700 of the Labor Code, for the performance of the work for which this permit is issued.
- I have and will maintain workers' compensation insurance, as required by section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Carrier: _____ (This section need not be completed if the permit is valued at one hundred dollars (\$100) or less.)

Policy Number: _____

I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' Compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with these provisions.

Applicant Signature: [Signature]

Date: 4/26/05

WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS (\$100,000), IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.

LICENSED CONTRACTORS DECLARATION:

I hereby affirm that I am licensed under provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect. Lic. # _____ Class # _____

Contractor's Signature: _____ Date: _____

CONSTRUCTION LENDING AGENCY:

I hereby affirm that there is a construction lending agency for the performance of the work for which this permit is issued. (Sec. 3097, Civil Code).

Lender's Name: _____ Lender's Address: _____

Signature: _____ Date: _____

OWNER-BUILDER DECLARATIONS:

I hereby affirm that under penalty of perjury that I am EXEMPT FROM THE CONTRACTORS LICENSE LAW for the following reason (Sec. 7031.5, Business and Professions Code: Any city or county which requires a permit to construct, alter, improve, demolish, or repair any structure, prior to its issuance, also requires the applicant for such work to file a signed statement that he or she is licensed pursuant to the provisions of the Contractors License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code) or that he or she is exempt therefrom and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a perm subjects the applicant to a civil penalty of not more than five hundred dollars (\$500).):

- I, as owner of the property, or my employees with wages as their sole compensation, WILL DO THE WORK, and the structure is not intended or offered for sale (Sec. 7044, Business and Professions Code: The Contractors License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself or herself or through his or her own employees, provided that such improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year of completion, the owner-builder will have the burden of proving that he or she did not build or improve for purpose of sale.).
- I, as owner of the property, am EXCLUSIVELY CONTRACTING WITH LICENSED CONTRACTORS to construct the project (Sec. 7044, Business and Professions Code: The contractors License Law does not apply to an owner of property who builds or improves thereon, and who contracts for such project with a contractor(s) license pursuant to the Contractors License Laws.).
- I am exempt under sec. _____ Business and Professions Code for this reason: _____

Signature: _____ Date: _____

Owner ID verified by driver's license. Yes No Driver's License No. _____ Expires: _____

Verification of Ownership by (type of document, i.e. - property tax bill or deed): _____

DIVISION OF INDUSTRIAL SAFETY PERMIT CERTIFICATION:

I hereby certify that no excavation five (5) or more feet in depth into which a person is required to descend, will be made in connection with work authorized by this permit, and that no building structure, scaffolding, falsework, or demolition or dismantling thereof, will be more than thirty-six (36) feet high. (Chap. 3.2, Grp 2, Art 2, § 341, Title 8, California Administrative Code).

As owner-builder, I will not employ anyone to do work which would require a permit from the Division of Industrial Safety, as noted above, unless such person has permit to do such work from the division.

Signature: _____ Date: _____

Division of Industrial Safety Permit Number: _____

HAZARDOUS MATERIALS AND EMISSIONS CERTIFICATION:

1 Will the applicant or present or future building occupant need to file and certify a Business Plan for emergency response to release or threatened release of a hazard material? Yes No

(Section 25503 of the California Health and Safety Code requires, with some exceptions, that a Business Plan be filed with the Costa Mesa Fire Department by a business which has at any one time during a reported year a quantity of hazardous materials equal to or greater than a weight of 500 pounds, or a volume of 55 gal or 200 cubic feet of compressed gas at standard temperature and pressure).

2 Does or will the applicant or present or future building occupant need to file a registration form for acutely hazardous materials? Yes No

(Section 25533 of the California Health and Safety Code, with some exceptions, requires registration with the Costa Mesa Fire Department by each business which at one time has on hand a quantity of acutely hazardous materials equal to or greater than a weight of 500 pounds, or a volume of 55 gallons, or 200 cubic ft compressed gas at standard temperature and pressure).

3 Does or will the applicant or present or future building occupant need to prepare an RMPP (Risk Management and Prevention Program for acutely hazardous materials)? Yes No

(Section 25534 of the California Health and Safety Code provides that the Costa Mesa Fire Department may require the preparation, certification and filing with the Department of an RMPP by businesses which are required to register acutely hazardous materials with the Fire Department).

4 If an RMPP is presently required, has Section 25534 of the California Health and Safety Code been fully complied with? Yes No

5 Does or will the applicant or present or future building occupant require for the work which is the subject of this application a permit for such construction or modification from the South Coast Air Quality Management District or from any other air pollution control district or agency? Yes No

(Section 65650.2 of the California Government Code requires that the requested information be furnished on applications for non-residential building permits).

6 Will any part of the facility to be constructed under this permit be within 1000 feet from the outer boundaries of a school? Yes No

(If "yes", the facility must meet the requirement of Sections 25534 and 42303 of the California Health and Safety Code).

7 If a permit from the South Coast Air Quality Management District or other air pollution control district or agency is required for the work which is the subject of application, have all of the disclosures prescribed by California Health and Safety Code Section 42303 been made? Yes No

8 (If "yes", attach certificate of compliance from the appropriate air pollution control officer).

CERTIFICATE OF COMPLIANCE: I certify that under penalty of perjury the information given above is correct. I agree to comply with all state laws and city ord regarding Hazardous Materials and Emissions.

Signature: _____ Date: _____

CERTIFICATE OF COMPLIANCE AND AUTHORIZATION OF ENTRY: I certify under penalty of perjury that I have read this application and state that the information correct. I agree to comply with all state laws and city ordinances relating to building construction, and authorize representatives of the City of Costa Mesa to enter above-described property for inspection purposes. I agree not to occupy or allow occupancy of any building authorized by this permit until final inspection.

Signature of Legal Owner(s): [Signature] Date: 4/26/05

CODE #	INSPECTION TYPE	DATE	INITIALS	CODE #	INSPECTION TYPE	DATE
1818	Fixed System Final Fire Prevention	_____	_____	206	Final Mechanical	_____
1268	Pool Spa Final	_____	_____	208	Final Plumbing	_____
200	Final Re-Root	_____	_____	210	Final Electrical	_____
201	Final Block/Retaining Wall	_____	_____	212	Final Fire Prevention	_____
202	Final Factory Fire Place	_____	_____	220	Final Planning Approval	_____
203	Final Sign	_____	_____	222	Final Site	_____
204	Final Demolition	_____	_____	250	Final Building/Occupancy	_____

Approved Plans Building B to move kitchen 2015



**CITY OF COSTA MESA
BUILDING DIVISION**

77 FAIR DRIVE, COSTA MESA, CA 92626 • (714) 754-5273 • Fax (714) 754-4856 • www.costamesaca.gov

FOR INSPECTIONS CALL: (714) 754-5626

PERMIT NUMBER: BC15-00479

PERMIT TYPE: B_COMBO
Sub Type: RES_ALT

STATUS: ISSUED
DATE ISSUED: 06/15/2015
ISSUED BY: CK

JOB ADDRESS: 1963 B101 WALLAGE AV CM

Suite/Unit: B101

APN: 42227110

Zoning:

Vicinity:

Primary Occ:

Const Type: V-B

SQ. FT: 100

Valuation: \$3,000.00

SCOPE OF WORK: UNIT B101: ADDING NON-BEARING WALL, RELOCATING KITCHEN COUNTER TOPS, STOVE, 1 GARBAGE DISPOSAL, 4 OUTLETS, 2 SWITCHES, 1 KITCHEN SINK, 1 P-TRAP, 1 HOOD W/DUCT, 1-4 GAS OUTLET, 1 GAS REPIPE, WATER PIPING INST/REP

OWNER: DALESSIO INVS LLC
#200 Unit:
Phone:

Address: 440 FAIR DR

City/State/Zip: COSTA MESA, CA

APPLICANT: VICTOR JASNY
MENDOCINO CT
Phone: 949-922-3587

Address: 24661

Unit:

City/State/Zip: LAGUNA HILLS, CA

CONTRACTOR: VICTOR JASNY INC
Phone: 949-425-1515
Cell:

License No: 853836

Address: 24661 MENDOCINO CT Unit

City/State: LAGUNA HILLS, CA

Zip Code 92653

ARCHITECT:
ENGINEER:

License No.
License No.

PHONE:
PHONE:

COMBINATION PERMIT FEE SUMMARY

Building Plan Check:	\$54.11
Building Fees:	\$83.25
Electrical Fees:	\$30.10
Mechanical Fees:	\$34.15
Plumbing Fees:	\$78.65
SMIP Residential:	\$0.50
SMIP Commercial:	\$0.00
Bldg Std Admin Fund	\$1.00
TOTAL FEES:	\$281.76

**Refer to fee receipts for all fees paid for project

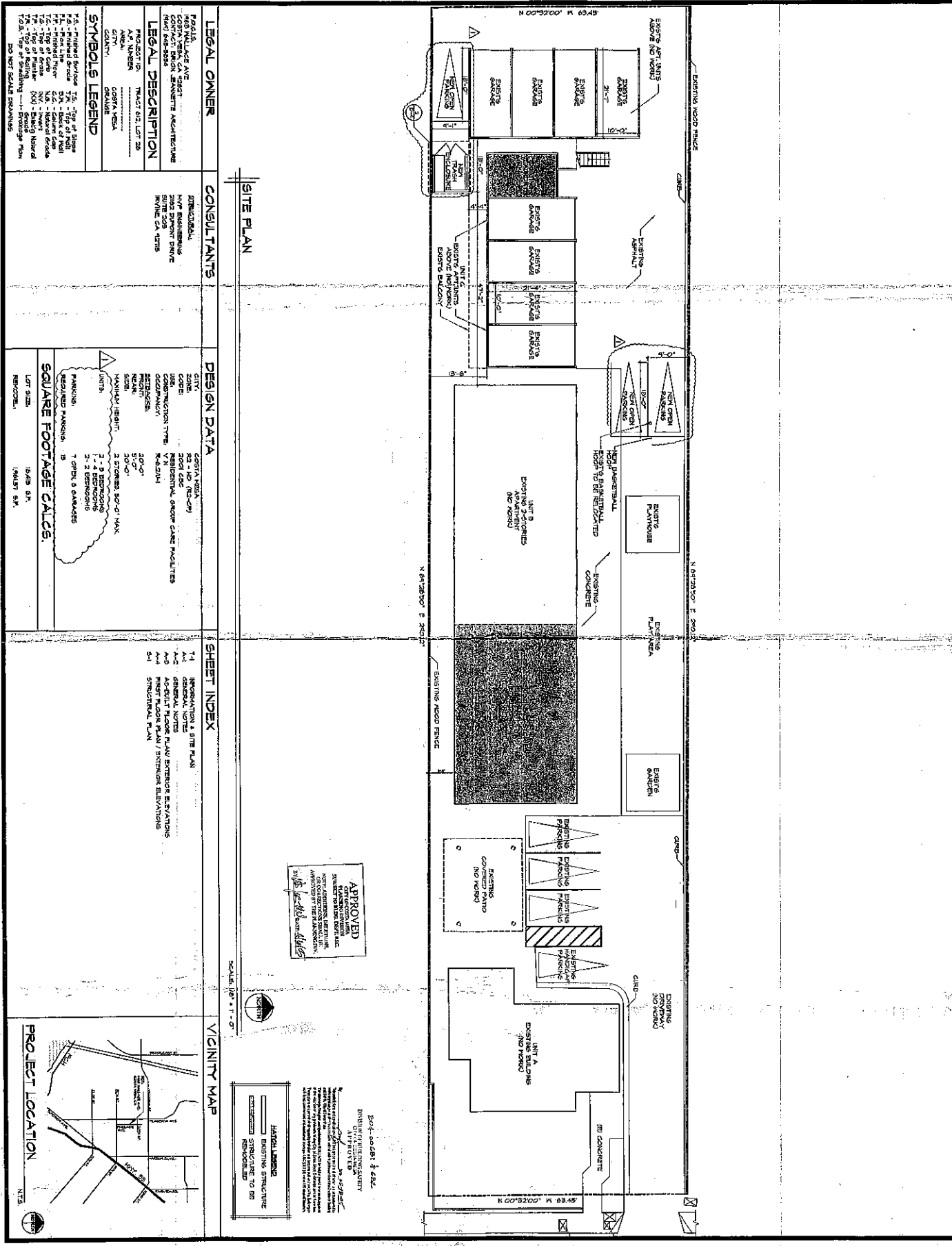
HOURS FOR CONSTRUCTION ACTIVITY: EFFECTIVE 3/18/2010 - PER CMMC Sec. 13-279
Monday thru Friday - 7:00 am thru 7:00 pm. Saturdays - 9:00 am thru 6:00 pm. **Prohibited all hours - Sundays and the following Federal holidays:**
New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day

NOTICE: The work authorized by this permit shall comply with all applicable handicap access requirements under California statutes and related regulations. (Ord. No. 92-28, § 1, 12-21-92)

EXPIRATION: PERMIT EXPIRES 180 DAYS FROM DATE OF ISSUE OR DATE OF LAST INSPECTION.

INSPECTIONS: In order for the work authorized under this permit to be considered legal, such work must comply with all applicable codes, and all required inspections and final approval must be obtained. Failure to obtain inspections and final approval will result in the expiration of this permit.

CODE #	INSPECTION TYPE	DATE	INITIALS	CODE #	INSPECTION TYPE	DATE	INITIALS
1616	Fixed System Final Fire Prevention	_____	_____	206	Final Mechanical	_____	_____
1266	Pool Spa Final	_____	_____	208	Final Plumbing	_____	_____
200	Final Re-Roof	_____	_____	210	Final Electrical	_____	_____
	Final Block/Retaining Wall	_____	_____	212	Final Fire Prevention	_____	_____
202	Final Factory Fire Place	_____	_____	220	Final Planning Approval	_____	_____
203	Final Sign	_____	_____	222	Final Site	_____	_____
204	Final Demolition	_____	_____	250	Final Building/Occupancy	_____	_____



LEGAL OWNER

LEGAL DESCRIPTION

SYMBOLS LEGEND

CONSULTANTS

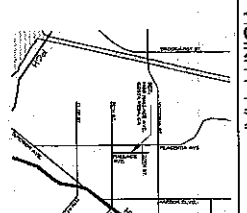
DESIGN DATA

SHEET INDEX

VICINITY MAP

APPROVED
 CITY OF COSTA MESA
 PLANNING DEPARTMENT
 DATE: 08/26/2014

APPROVED
 BRION JEANNETTE ARCHITECTURE
 DATE: 08/26/2014



LEGEND

- EXISTING STRUCTURE
- PROPOSED STRUCTURE

Form: B04-00681 Address: 11563181 WALLACE AVE, CH
Status: ISSUED Owner: ORANGE COAST INTERFAC
Date: 04/07/2004 Notice: UPDATE PERMIT REQUIRED FOR REOPEN PERMIT Back Stop

Screen Val People OK App Doc Draw Loc Card Job Events M/B Relate Yes

People

Address

Events

Valid Sheet Name

Set Default Colors

Description for B04-00681

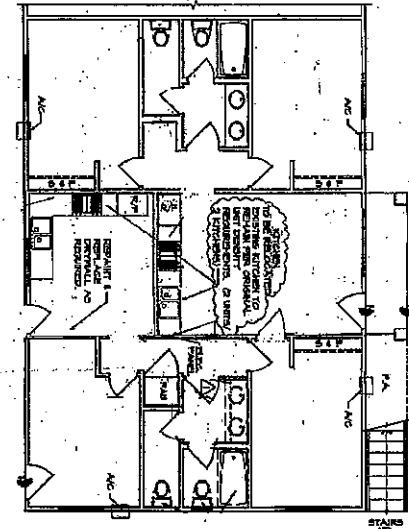
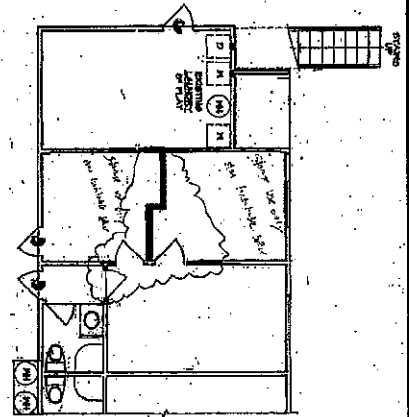
Description:

REMODEL OF EXISTING RESIDENTIAL-GROVE CARE FACILITY (BLDG#1) REMOVE ALL BUT ONE BATHROOM, TO CREATE NEW STORAGE AND COMPUTER SERVER ROOMS. EXISTING KITCHENS TO BE RETAINED. ALL INTERIOR WORK - NO CHANGE TO EXTERIOR ELEVATIONS.

OK TO RETAIN EXISTING KITCHENS PER UNIT DENSITY REQUIREMENTS (2 UNITS, 2 KITCHENS). ALTHOUGH INTERIOR WILL HAVE OFFICES THIS ALLOWS UNIT TO BE RECONVERTED TO A RESIDENCE IN THE FUTURE. OFFICES WILL ONLY BE USED TO COUNSEL ON-SITE RESIDENTS. LETTER COMING TO CONFIRM

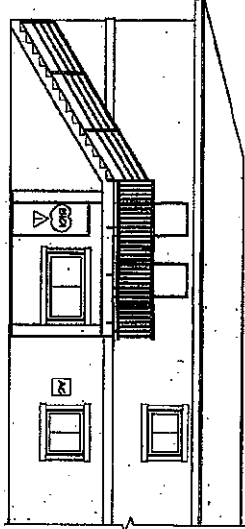
Update Print Back Exit

ToolBar Order



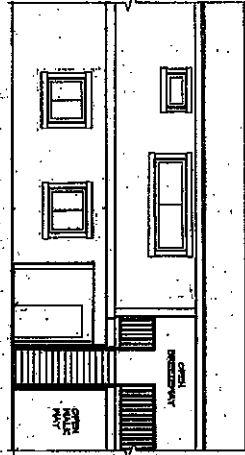
AS-BUILT FIRST FLOOR PLAN

SCALE: 1/8" = 1'-0"



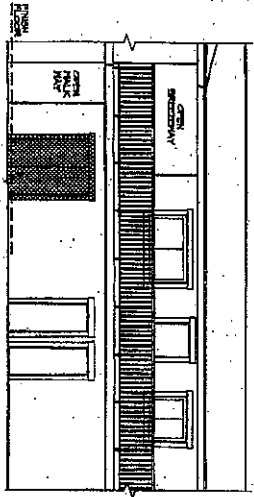
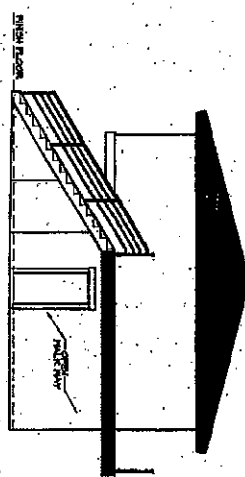
AS-BUILT NORTH ELEVATION

SCALE: 1/8" = 1'-0"



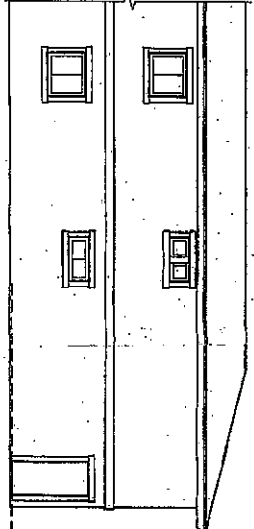
AS-BUILT WEST ELEVATION

SCALE: 1/8" = 1'-0"



AS-BUILT SOUTH ELEVATION

SCALE: 1/8" = 1'-0"



AS-BUILT WEST ELEVATION

SCALE: 1/8" = 1'-0"

AS-BUILT	EXISTING
REVISIONS	DATE

201
450

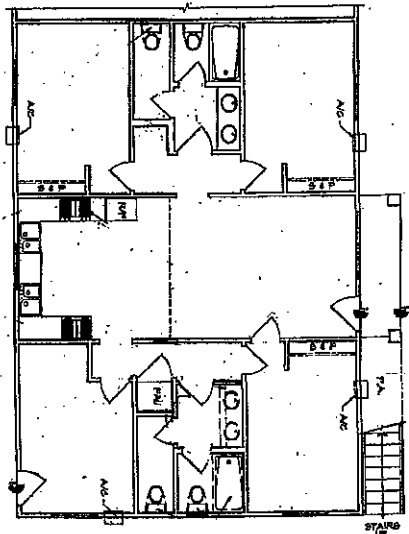
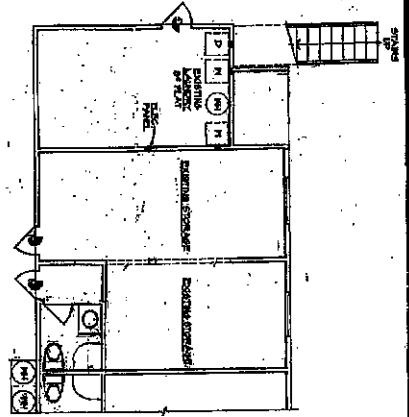
A-1

NO.	DATE	DESCRIPTION

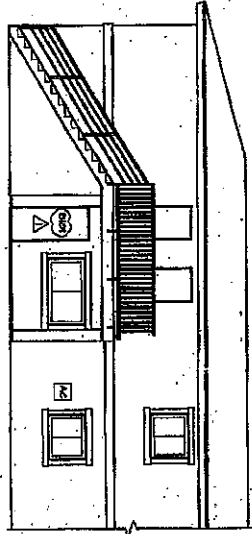
AS-BUILT FLOOR PLAN & EXTERIOR ELEVATIONS

DRAWN BY
VICTOR JASNIX
749 922-3587

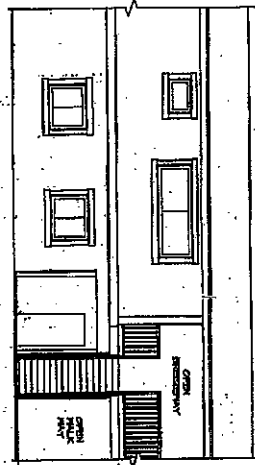
P.O. B. 18
1465 WALLACE AVE.
COSTA MESA, CA



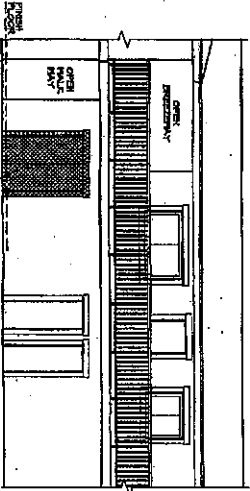
AS-BUILT FIRST FLOOR PLAN



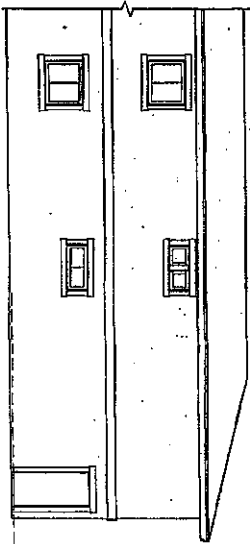
AS-BUILT NORTH ELEVATION



AS-BUILT WEST ELEVATION



AS-BUILT SOUTH ELEVATION



AS-BUILT EAST ELEVATION

NO CHANGE TO ELEVATION

NO CHANGE TO ELEVATION

RECEIVED
 10/28/84
 10/28/84
 10/28/84

AS-BUILT FLOOR PLAN & EXTERIOR ELEVATIONS

DRAWN BY
 VICTOR JASNY
 949-922-3587

F.O.C.I.S.
 1403 WALLACE AVE.
 COSTA MESA, CA

POST IN CONSPICUOUS PLACE ON THE JOB

NOTICE

Schedule inspection one workday in advance. To schedule inspections, call (714) 754-5626. Provide the following information:
 1) Permit number, 2) Job address, 3) Inspection item number.

Bul. address: <u>1963 Blou Wallace Ave</u>					Owner: <u>Dalessio Invs</u>		
Building Permit #: <u>BC15-00479</u> Electrical Permit #:					Contractor: <u>Victor Jasniki</u>		
Mechanical Permit #:					Plumbing Permit #:		
NEW	ADD	ALTER	REPAIR	MOVING	DEMOLISH	Job Description: <u>Kitchen relocation</u>	
							ISSUE DATE: <u>6-15-15</u>

PERMITS EXPIRE 180 DAYS (6 MONTHS) FROM ISSUANCE OR LAST INSPECTION

CONSTRUCTION APPROVALS

Item #	STRUCTURAL	Date	Inspector	Item #	POOL & SPA	Date	Inspector
3	Job Site Consult			94	Pool & Equipment Location		
4	Footings / Ufer Ground			96	Steel Reinforcement		
6	Slab			100	Electrical Bonding		
8	Structural Floor			102	Rough Plumb & Pressure Test		
11	Pre-Inspect Roof			104	Approval to Cover - Gunite		
12	Roof Sheathing / Building Height			106	Elec Conduit - Underground		
14	T-Bar Ceiling-Structural			108	Gas Pipe / Underground Test		
16	Shear Panel			110	Backwash Lines, P-Trap, Underground		
18	Frame & Flashing	<u>6/25/15</u>	<u>MV</u>	112	Approval to Deck		
20	Lathing & Siding			116	Pool Plumbing System - Final		
	Insulation			118	Pool Electrical - Final		
	Drywall Nailing			122	Fencing / Access / Alarms Approval		
26	Plaster Brown Coat			124	Approval for Plastering		
30	Pre-Grout			126	Pool / Spa Systems - Final		
31	NPDES/BMP						
33	Disabled Access						
				FIRE DEPARTMENT APPROVAL			
				1610	Overhd Hydro / Overhd Rough		
				1612	Dry Chemical		
				1614	Dry Standpipe		
				1616	Final - Fixed System		
				FINAL INSPECTIONS (Must be completed prior to requesting occupancy.)			
				Call (714) 754-5626 for the following:		Date	Inspector
				200	Final Re-Roof		
				201	Final Block / Retaining Wall		
				203	Final Sign		
				204	Final Demolition		
				206	Final Mechanical	<u>7/2/15</u>	<u>MV</u>
				208	Final Plumbing	<u>7/2/15</u>	<u>MV</u>
				210	Final Electrical	<u>7/2/15</u>	<u>MV</u>
				Call (714) 327-7400 for the following:		Date	Inspector
				212	Final Fire Prevention		

ELECTRICAL

36	Ufer Ground		
37	Elec Equip.		
38	Elec Conduit - Underground		
44	Rough Elec - Wiring		
45	Subpanels		
46	Rough Elec. Conduit	<u>6/25/15</u>	<u>MV</u>
48	Elec T-Bar Ceiling		
50	Elec Power Final / Meter Release		
51	Temp Power Final		

PLUMBING & MECHANICAL

52	Soil Pipe - Underground		
53	Shower Pan		
54	Water Pipe - Underground		

Permits to replace doors and stucco repair
electrical upgrade 9 fix 41 rec. and 17
switches in Building A and B

CITY OF COSTA MESA, BUILDING SAFETY DIVISION

POST IN CONSPICUOUS PLACE ON THE JOB

NOTICE

Schedule inspection one workday in advance. To schedule inspections, call (714) 754-5626. Provide the following information: 1) Permit number, 2) Job address, 3) Inspection item number.

Building Address: 1963 Wallace Ave Suites A & B						Owner: Orange Coast Interfaith
Building Permit #: BX15-00036 Electrical Permit #: Bldg A+B						Contractor: Victor Jasniny
Mechanical Permit #:			Plumbing Permit #:			Job Description: Replace exterior door, stucco repair, electrical upgrades, 9 fix, 41 recept, 17 switches
NEW	ADD	ALTER	REPAIR	MOVING	DEMOLISH	ISSUE DATE: 1-9-15

PERMITS EXPIRE 180 DAYS (6 MONTHS) FROM ISSUANCE OR LAST INSPECTION

CONSTRUCTION APPROVALS

Item #	STRUCTURAL	Date	Inspector	Item #	POOL & SPA	Date	Inspector
3	Job Site Consult			94	Pool & Equipment Location		
4	Footings / Ufer Ground			96	Steel Reinforcement		
6	Slab			100	Electrical Bonding		
8	Structural Floor			102	Rough Plumb & Pressure Test		
11	Pre-Inspect Roof			104	Approval to Cover - Gunite		
12	Roof Sheathing / Building Height			106	Elec Conduit - Underground		
14	T-Bar Ceiling-Structural			108	Gas Pipe / Underground Test		
16	Shear Panel			110	Backwash Lines, P-Trap, Underground		
18	Frame & Flashing	2-27-15	JFP	112	Approval to Deck		
20	Lathing & Siding			116	Pool Plumbing System - Final		
22	Insulation			118	Pool Electrical - Final		
24	Drywall Nailing			122	Fencing / Access / Alarms Approval		
26	Plaster Brown Coat			124	Approval for Plastering		
30	Pre-Grout			126	Pool / Spa Systems - Final		
31	NPDES/BMP						
33	Disabled Access						

FIRE DEPARTMENT APPROVAL

				1610	Overhd Hydro / Overhd Rough		
	ELECTRICAL			1612	Dry Chemical		
36	Ufer Ground			1614	Dry Standpipe		
37	Elec Equip.			1616	Final - Fixed System		
38	Elec Conduit - Underground						

FINAL INSPECTIONS

(Must be completed prior to requesting occupancy.)

				Call (714) 754-5626 for the following:		Date	Inspector
				200	Final Re-Roof		
				201	Final Block / Retaining Wall		
				203	Final Sign		
				204	Final Demolition		
				206	Final Mechanical		
	PLUMBING & MECHANICAL			208	Final Plumbing		
52	Soil Pipe - Underground			210	Final Electrical	2-27-15	JFP
53	Shower Pan			Call (714) 327-7400 for the following:		Date	Inspector

7:00-7:30

719 754-5210

SAWYER

PHIL PATRICK

NOTES: SEE REVERSE

55	Underground Gas						
62	Rough Plumbing						
63	Prewrap						
64	Rough Mechanical						
66	Rough - Factory Fireplace						
72	Gas Pipe - Rough						
90	Gas Pipe Test - Final						
92	Water Service - Final						
		Call (714) 754-5025 two (2) working days prior to final.					
			216	Final Public Sys. Dept. Approval			
			220	Final Planning Approval			
		Call (714) 754-5245 for the following:					
			222	Final Site			
			250	Final Building / Occupancy			
			Call (714) 754-5626 for the following:				
		Inspector	Date				
				227-15 H			
		Inspector	Date				
		Engineer	Date				

Permits and layout for building B from 1990

4 units 8 kitchens

Project address: 1963 WALLACE AV
 Owner's name: THE SAMMIS CO
 Address: 17922 FITCH AV, IRVINE
 CA 92714

Permit No: 047828
 Permit Check No: N
 Govt: N
 SUEP: N

Construction Type: PLD
 Job Description: CONST 2 STORY 6000SF 4 UNIT APARTMENT
 SQ FT: 6000
 Purpose: NEW

Claim Value: 0
 Calc Value: 0
 Group Occ: R-1

Comments: REF B45844
 ZONING REQUIRED PERMITS
 S E T B A C K S

City of Costa Mesa - Building Permit
 Permit No: P 047828
 Plan Check No: N
 Govt: N
 SUEP: N

Permit Type: PLD
 Job Description: CONST 2 STORY 6000SF 4 UNIT APARTMENT
 SQ FT: 6000
 Purpose: NEW

Claim Value: 0
 Calc Value: 0
 Group Occ: R-1

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 Calc Value: 0
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Comments: REF B45844
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 S E T B A C K S

City of Costa Mesa - Building Permit
 Permit No: P 047828
 Plan Check No: N
 Govt: N
 SUEP: N

Permit Type: PLD
 Job Description: CONST 2 STORY 6000SF 4 UNIT APARTMENT
 SQ FT: 6000
 Purpose: NEW

Claim Value: 0
 Calc Value: 0
 Group Occ: R-1

FRONT: FT IN REAR: FT IN LEFT: FT IN RIGHT: FT IN
 ACCESSORY BUILDING: FT IN REAR: FT IN LEFT: FT IN RIGHT: FT IN
 DATE: 06/20/90

APPLICATION ISSUED BY: [Signature]
 LEGALIZATION: N
 DATE: 06/20/90

BLDG PMT PLUMBING ELECTRIC MECHANIC FIRE SWIP/RES GRADING
 PLAN ISSUED FEE 3.00
 BUILDING-FEE 85.50
 TOTALS 88.50

REVENUE DIVISION TOTALS--> COLLECTED: 88.50
 BLDG PMT PLUMBING ELECTRIC MECHANIC FIRE SWIP/TOT GRADING PLAN-CHECK
 88.50

INDIVIDUAL FEE BREAKDOWN
 TYPE QTY DESCRIPTION UNIT COST TOTAL COST

TYPE	QTY	DESCRIPTION	UNIT COST	TOTAL COST
PLU	8	BATH/TUB	2.00	16.00
PLU	1	SINK	2.00	2.00
PLU	1	MASH BASIN	2.00	2.00
PLU	1	WATER CLOSET (SET)	2.00	2.00
PLU	1	WATER HEATER	2.00	2.00
PLU	1	WATER SERVICE	2.00	2.00
PLU	1	GAS PIPING SYS	2.00	2.00
PLU	1	GAS PIPING SYS	2.00	2.00
PLU	1	SEWER, BUILDING / TRAILER	2.00	2.00

Permit No: P 047828
 Permit Check No: N
 Govt: N
 SUEP: N

Permit Type: PLD
 Job Description: CONST 2 STORY 6000SF 4 UNIT APARTMENT
 SQ FT: 6000
 Purpose: NEW

Claim Value: 0
 Calc Value: 0
 Group Occ: R-1

Comments: REF B45844
 ZONING REQUIRED PERMITS
 S E T B A C K S

City of Costa Mesa - Building Permit
 Permit No: P 047828
 Plan Check No: N
 Govt: N
 SUEP: N

Permit Type: PLD
 Job Description: CONST 2 STORY 6000SF 4 UNIT APARTMENT
 SQ FT: 6000
 Purpose: NEW

City of Costa Mesa - Building Permit
 Permit No: P 047828
 Plan Check No: N
 Govt: N
 SUEP: N

Permit Type: PLD
 Job Description: CONST 2 STORY 6000SF 4 UNIT APARTMENT
 SQ FT: 6000
 Purpose: NEW

Claim Value: 0
 Calc Value: 0
 Group Occ: R-1

Comments: REF B45844
 ZONING REQUIRED PERMITS
 S E T B A C K S

DATE: 06/20/90

TIME: 15:40

DATE: 06/26/90

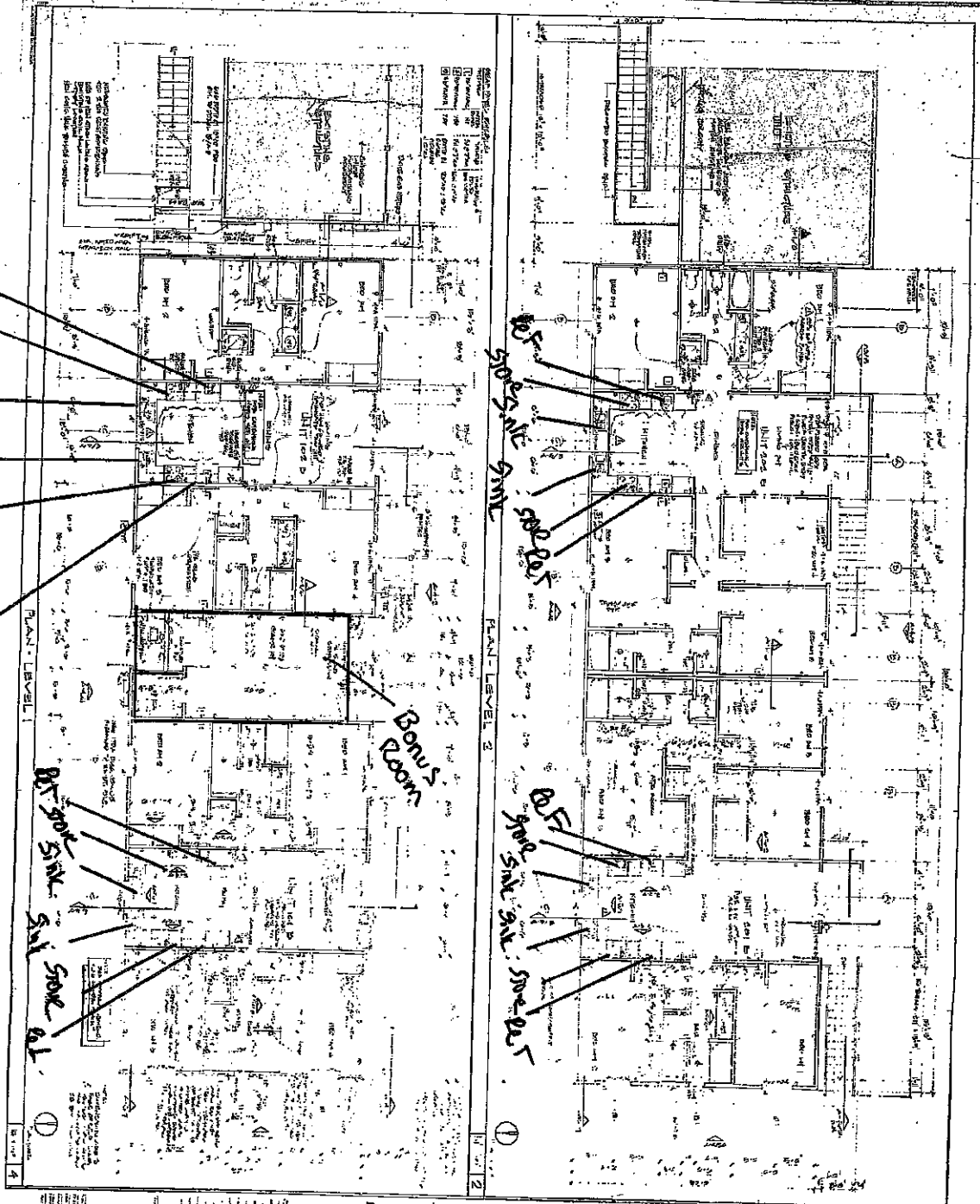
TIME: 15:40

PDF
SINK
SINK SINK SINK
Rat

BT SINK
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SINK
SINK

Bonus Room

500-POS-2 SINK
500-POS-1 SINK
500-POS-3 SINK
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500-POS-95 SINK
500-POS-96 SINK
500-POS-97 SINK
500-POS-98 SINK
500-POS-99 SINK
500-POS-100 SINK

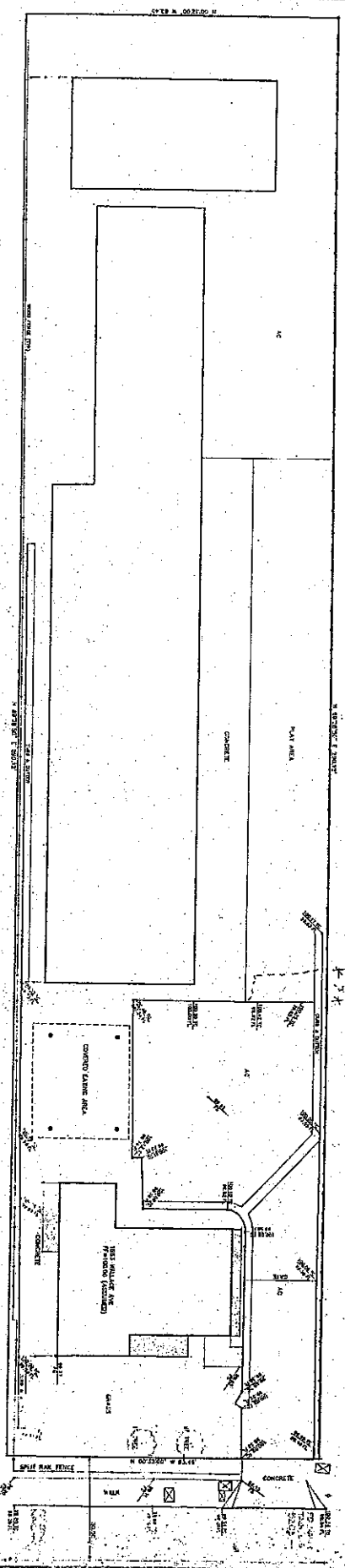


A-2

1963
Wallace
Laverne
SINK ROOM, CHINA

Architect: Penney/Johnson
Engineer: Penney/Johnson
Contractor: Penney/Johnson

Approved Plans Building B 2015



SITE PLAN

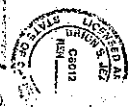
LEGAL OWNER	DESIGN DATA	SQUARE FOOTAGE CALCULATIONS	CONSULTANTS	SHEET INDEX	SYMBOLS LEGEND	VICINITY MAP	
FOODS CORPORATION 1968 WALLACE AVE. COSTA MESA, CA 92627 (714) 831-1218		BLDG. 57' x 100' = 5700 SF TOTAL 105,425 SF	SURVEYOR/CA/IL ALPINE CONSULTANTS 2801 HOLLISTON PARKWAY #412 LAGUNA HILLS, CA 92653 (714) 835-0055	STRUCTURAL H&E CONSULTANTS 1815 CARROLL AVE STE. 31 SANTA ANA, CA 92705 (714) 261-1811	A-1 TITLE SHEET: INFORMATION & SITE PLAN A-2 FOUNDATION & RETENTION A-3 ELECTRICAL A-4 MECHANICAL	P.S. Finished Surface P.F. Finished Grade F.L. First Floor T.C. Top of Concrete T.S. Top of Slab T.E. Top of Existing T.M. Top of MUD C.C. Center Cap N.S. Natural Grade N.M. Natural Ground D.F. Drains Flow DO NOT SCALE DRAWINGS	
LEGAL DESCRIPTION PROJECT 05: TRACT 012, LOT 28 AREA COSTA MESA COUNTY ORANGE							

DIVISION OF PLANNING AND
 DEVELOPMENT
 CITY OF COSTA MESA
 10000 BAYVIEW BLVD.
 COSTA MESA, CA 92626
 (714) 440-2000

TITLE SHEET
INFORMATION
& SITE PLAN

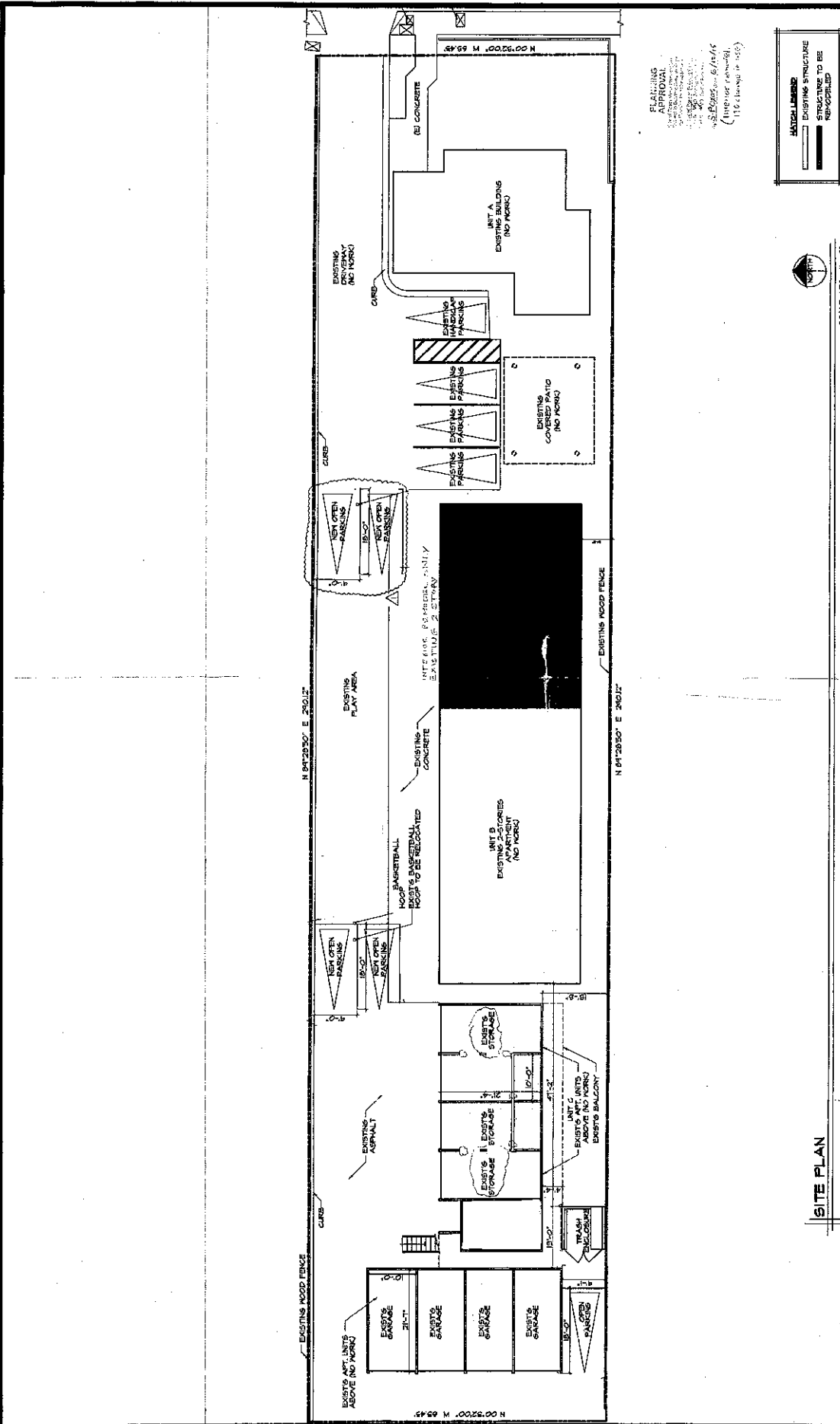
Brion S. Jeannette & Associates, Inc.
 ARCHITECTURE

F.O.C.I.S.
 1968 WALLACE AVENUE
 COSTA MESA, CA



PROJECT NO. 8801
 SHEET NO. A-1
 DATE: DEC 1, 1988

Date:	
Revision:	
Revision:	
Revision:	
Revision:	
Job No:	



<p>LEGAL OWNER 168 WALLACE AVE COSTA MESA, CA 92627 CONTRACT</p> <p>LEGAL DESCRIPTION TRACT 62, LOT 2B CITY: COSTA MESA COUNTY: ORANGE</p> <p>SYMBOLS LEGEND F.S. - Finished Surface F.F. - Finished Grade P.M. - Point of Meridian P.L. - Point of Location T.C. - Top of Curb T.F. - Top of Footing T.S. - Top of Slab T.W. - Top of Wall</p>	<p>DESIGN DATA CITY: COSTA MESA ZONE: R2 - HO (R2-0P) USE: RESIDENTIAL SINGLE-FAMILY CONSTRUCTION TYPE: V.N. OCCUPANCY: R-3.2.1.1 SETBACKS: 30'-0" (FRONT), 30'-0" (REAR) MAXIMUM HEIGHT: 2 STORIES, 30'-0" MAX.</p> <p>CONSTRUCTANTS</p>	<p>SHEET INDEX T1 INFORMATION & SITE PLAN A-3 AS-BUILT FLOOR PLAN / EXTERIOR ELEVATIONS A-4 FIRST FLOOR PLAN / EXTERIOR ELEVATIONS</p>	<p>DESIGN DATA CITY: COSTA MESA ZONE: R2 - HO (R2-0P) USE: RESIDENTIAL SINGLE-FAMILY CONSTRUCTION TYPE: V.N. OCCUPANCY: R-3.2.1.1 SETBACKS: 30'-0" (FRONT), 30'-0" (REAR) MAXIMUM HEIGHT: 2 STORIES, 30'-0" MAX.</p> <p>DESIGN DATA PARKING: 15 OPEN, 4 GARAGES REQUIRED PARKING: B</p> <p>SQUARE FOOTAGE CALCS.</p> <p>LOT SIZE: 15,418 S.F. REMOVAL: 61ST S.F.</p>	<p>VICINITY MAP PROJECT LOCATION N.T.S.</p>
--	--	--	---	--

Project:	
Revision:	
Drawn:	
Checked:	
Date:	

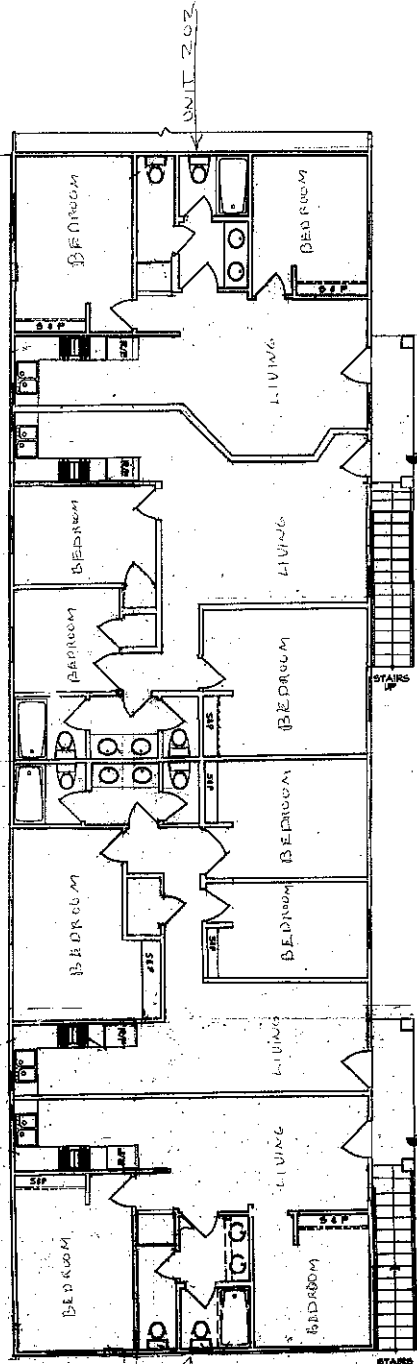
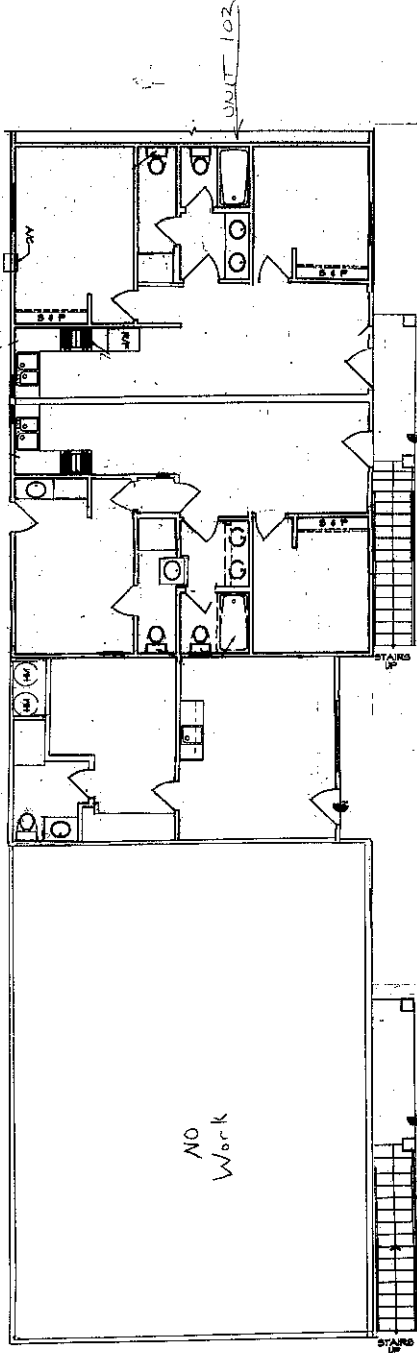
APPROVED FOR CONSTRUCTION

APPROVED FOR PERMITS

APPROVED FOR RECORD

PROPERTY OF RECORDING OFFICE
 1. THIS IS A COPY OF THE ORIGINAL RECORDING
 2. THIS COPY IS NOT VALID FOR ANY OTHER PURPOSE
 3. THIS COPY IS NOT VALID FOR ANY OTHER PURPOSE
 4. THIS COPY IS NOT VALID FOR ANY OTHER PURPOSE
 5. THIS COPY IS NOT VALID FOR ANY OTHER PURPOSE

DATE: 08/10/06
 APPROVED: [Signature]
 TITLE: [Title]
 UNIT: 201, 202



AS-BUILT FLOOR PLANS
 & EXTERIOR ELEVATIONS

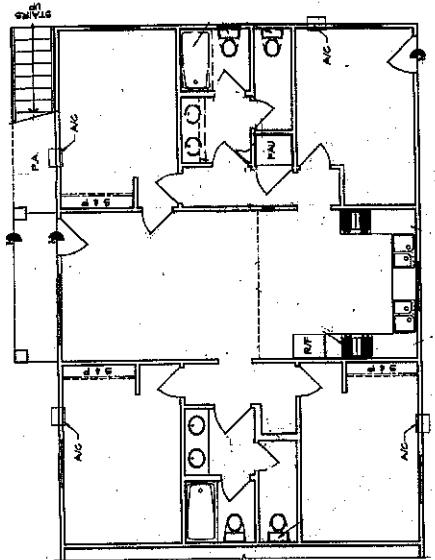
DRAWN BY
 VICTOR JASNY
 949-922-5587

FOCIS
 1869 WALLACE AVE
 COSTA MESA, CA

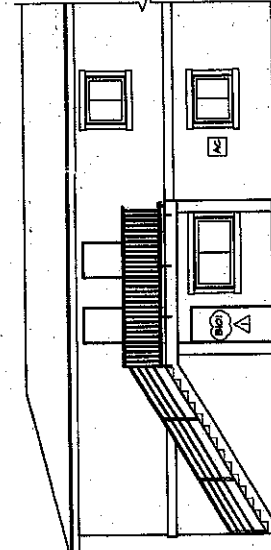
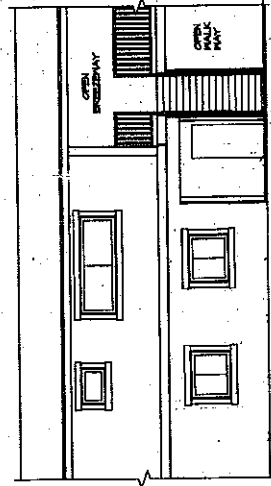
Code	Revision	Revision	Revision	Job No.

MODEL NUMBER	
REVISION	
DATE	
BY	
CHECKED	

NO CHANGES TO EXISTING STRUCTURE
 NO CHANGES TO EXISTING UTILITIES
 NO CHANGES TO EXISTING MECHANICAL SYSTEMS
 NO CHANGES TO EXISTING ELECTRICAL SYSTEMS
 NO CHANGES TO EXISTING PLUMBING SYSTEMS
 NO CHANGES TO EXISTING FINISHES
 NO CHANGES TO EXISTING INTERIORS
 NO CHANGES TO EXISTING EXTERIORS
 NO CHANGES TO EXISTING LANDSCAPE

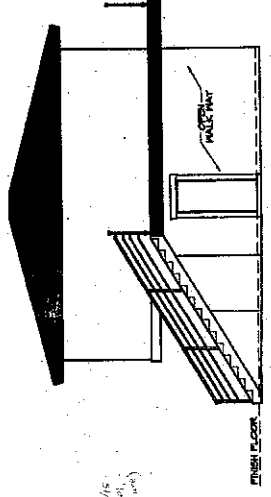


AS-BUILT FIRST FLOOR PLAN
 SCALE 1/4" = 1'-0"

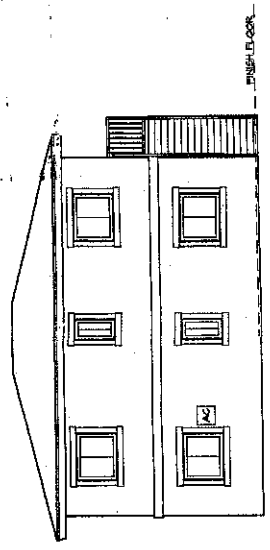


AS-BUILT NORTH ELEVATION
 NO CHANGE TO ELEVATION
 SCALE 1/4" = 1'-0"

AS-BUILT SOUTH ELEVATION
 NO CHANGE TO ELEVATION
 SCALE 1/4" = 1'-0"

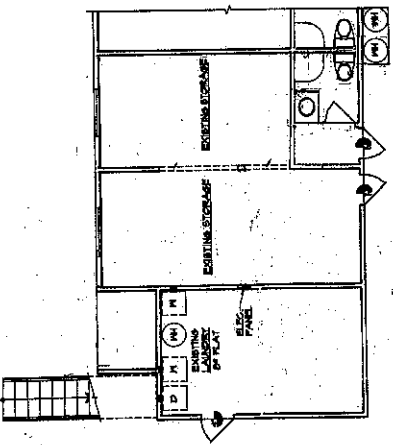


AS-BUILT WEST ELEVATION
 NO CHANGE TO ELEVATION
 SCALE 1/4" = 1'-0"



AS-BUILT EAST ELEVATION
 NO CHANGE TO ELEVATION
 SCALE 1/4" = 1'-0"

STAIRS



EXISTING STORAGE

EXISTING STORAGE

EXISTING STORAGE

EXISTING STORAGE

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EXISTING STORAGE

REVISED

CITY OF COSTA MESA, BUILDING SAFETY DIVISION

DATE: 06/27/2015

POST IN CONSPICUOUS PLACE ON THE JOB

NOTICE

Schedule inspection one workday in advance. To schedule inspections, call (714) 754-5626. Provide the following information: 1) Permit number, 2) Job address, 3) Inspection item number.

Building Address: 1963 Wallace Ave
Owner: Dalessio, Inus LLC
Building Permit #: BX15-00337 Electrical Permit #:
Mechanical Permit #: M15-00122 Plumbing Permit #:
Job Description: New Partition wall in Hall with door way
ISSUE DATE: 6/9/15

PERMITS EXPIRE 180 DAYS (6 MONTHS) FROM ISSUANCE OR LAST INSPECTION

CONSTRUCTION APPROVALS

Table with columns: Item #, STRUCTURAL, Date, Inspector, Item #, POOL & SPA, Date, Inspector. Rows include Job Site Consult, Footings / Ufer Ground, Slab, Structural Floor, Pre-Inspect Roof, Roof Sheathing / Building Height, T-Bar Ceiling-Structural, Shear Panel, Frame & Flashing, Lathing & Siding, Insulation, Drywall Nailing, Plaster Brown Coat, Pre-Grout, NPDES/BMP, Disabled Access.

FIRE DEPARTMENT APPROVAL

Table with columns: Item #, Description, Date, Inspector. Rows include 1610 Overhd Hydro / Overhd Rough, 1612 Dry Chemical, 1614 Dry Standpipe, 1616 Final - Fixed System.

ELECTRICAL

Table with columns: Item #, Description, Date, Inspector. Rows include 36 Ufer Ground, 37 Elec Equip., 38 Elec Conduit - Underground, 44 Rough Elec - Wiring, 45 Subpanels.

FINAL INSPECTIONS

(Must be completed prior to requesting occupancy.)

Table with columns: Call (714) 754-5626 for the following:, Item #, Description, Date, Inspector. Rows include 200 Final Re-Roof, 201 Final Block / Retaining Wall, 203 Final Sign, 204 Final Demolition, 206 Final Mechanical, 208 Final Plumbing, 210 Final Electrical.

PLUMBING & MECHANICAL

Table with columns: Item #, Description, Date, Inspector. Rows include 52 Soil Pipe - Underground, 53 Shower Pan.

Table with columns: Call (714) 327-7400 for the following:, Item #, Description, Date, Inspector.



CITY OF COSTA MESA
BUILDING DIVISION

77 FAIR DRIVE, COSTA MESA, CA 92626 • (714) 754-5273 • Fax (714) 754-4856 • www.costamesaca.gov

FOR INSPECTIONS CALL: (714) 754-5626

PERMIT NUMBER: BX15-00355

PERMIT TYPE B_MISC
APN:
Zoning:

STATUS: ISSUED
DATE ISSUED: 06/16/2015
ISSUED BY: CK

JOB ADDRESS: 1963 B201 WALLACE AV CM Suite/Unit: B201
Vicinity: UNIT B201 Primary Occ: Const Type: ??
SQ. FT: 0 Valuation: \$500.00

SCOPE OF WORK:

UNIT B201: ADDING 1 DOOR WAY BETWEEN BEDROOM AND BATHROOM

NOTE: FINAL APPROVAL OF PERMIT SHALL NOT BE GRANTED UNTIL ACCESS TO DWELLING UNIT(S) IS PROVIDED FOR VERIFICATION OF SMOKE AND CARBON MONOXIDE ALARMS BY THE CITY INSPECTOR. SEE ATTACHMENT W/INSPECTION CARD

OWNER: Address: Unit
City/State: Zip Code:
Phone:

APPLICANT: VICTOR JASNIY Address: 24661 MENDOCINO
CTUnit:
City/State: LAGUNA HILLS, CA Zip Code: 92653
Phone: 949-425-1515

CONTRACTOR: VICTOR JASNIY INC
License No. 853836
Address: 24661 MENDOCINO CT Unit:
City/State: LAGUNA HILLS, CA Zip Code:
92653 Phone 949-425-1515

ARCHITECT: License No.
Phone
ENGINEER: License No.
Phone

FEE SUMMARY

Building Plan Check: \$15.28
Building Permit: \$23.50
Electrical Permit: \$0.00
SMIP Residential \$0.00
SMIP Commercial \$0.00
Bldg Std Admin Fund \$1.00

TOTAL FEES \$39.78

HOURS FOR CONSTRUCTION ACTIVITY: EFFECTIVE 3/18/2010 - PER CMMC Sec. 13-279

Monday thru Friday - 7:00 am thru 7:00 pm. Saturdays - 9:00 am thru 6:00 pm. Prohibited all hours - Sundays and the following Federal Holidays: New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

NOTICE: This work authorized by this permit shall comply with all applicable handicap access requirements under California statutes and related regulations. (Ord. No. 92-28, § 1, 12-21-92)

EXPIRATION: PERMIT EXPIRES 180 DAYS FROM DATE OF ISSUE OR DATE OF LAST INSPECTION.

INSPECTIONS: In order for the work authorized under this permit to be considered legal, such work must comply with all applicable codes, and all required inspections and final approval must be obtained. Failure to obtain inspections and final approval will result in the expiration of this permit.

Table with 8 columns: CODE #, INSPECTION TYPE, DATE, INITIALS, CODE #, INSPECTION TYPE, DATE, INITIALS. Rows include items like 1616 Fixed System Final Fire Prevention, 1266 Pool Spa Final, 200 Final Re-Roof, etc.



CITY OF COSTA MESA
BUILDING DIVISION

77 FAIR DRIVE, COSTA MESA, CA 92626 • (714) 754-5273 • Fax (714) 754-4856 • www.costamesaca.gov

FOR INSPECTIONS CALL: (714) 754-5626

PERMIT NUMBER: M15-00122

PERMIT TYPE MECH

APN: 42227110

STATUS: ISSUED

DATE ISSUED: 06/24/2015

ISSUED BY: DAS

JOB ADDRESS: 1963 WALLACE AV CM

Suite/Unit:

Vicinity: HALLWAY

SQ. FT: 0

SCOPE OF WORK: WALL HEATER

REF: BX15-00337

OWNER: DALESSIO INVS.LLC
440 FAIR DR #200 Unit:

Address:

PHONE: VICTOR JASNIY

City/State/Zip: COSTA MESA, CA

APPLICANT: VICTOR JASNIY

Address:

Unit:

PHONE:

City/State/Zip:

CONTRACTOR: VICTOR JASNIY, INC

License No. 853836

Address: 24661 MENDOCINO CT Unit:

PHONE: 949-425-1515

City/State: LAGUNA HILLS, CA ZipCode: 92653

CELL:

MECHANICAL PERMIT FEE SUMMARY

Table with 2 columns: Fee Item, Amount. Includes Mech Item Fee (\$38.30), Plan Check Fee (\$0.00), Investigation Fee (\$0.00), Reinspection Fee (\$0.00), Total Fees (\$38.30).

NOTICE: The work authorized by this permit shall comply with all applicable handicap access requirements under California statutes and related regulations. (Ord. No. 92-28, § 1, 12-21-92)

EXPIRATION: PERMIT EXPIRES 180 DAYS FROM DATE OF ISSUE OR DATE OF LAST INSPECTION.

INSPECTIONS: In order for the work authorized under this permit to be considered legal, such work must comply with all applicable codes, and all required inspections and final approval must be obtained. Failure to obtain inspections and final approval will result in the expiration of this permit.

Table with 8 columns: CODE #, INSPECTION TYPE, DATE, INITIALS. Lists various inspection codes and types such as Fixed System Final Fire Prevention, Pool Spa Final, Final Re-Roof, etc.



CITY OF COSTA MESA

P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200

DEVELOPMENT SERVICES DEPARTMENT

Transaction Receipt

DATE: 06-24-2015

ACTIVITY NUMBER: **M15-00122**

TYPE:

SITE ADDRESS: **1963 WALLACE AV**
Unit / Suite

APPLICANT: VICTOR JASNIY

CONTRACTOR: VICTOR JASNIY INC
24661 MENDOCINO CT

LAGUNA HILLS, CA
92653

949-425-1515

STATE LICENSE: 853836
CITY LICENSE: BL026886
12/31/2015

OWNER: DALESSIO INVS LLC
440 FAIR DR #200

COSTA MESA, CA
92646

TOTAL FEES: \$38.30

TRANSACT. AMOUNT: \$38.30

BALANCE: (PERMIT FEES) \$0.00

PAYMENT METHOD: Check

NOTATION:

TRANSACTION RECEIPT DETAIL INFORMATION FOR TREASURY:

DAS

2015 Mechanical Fee 0270 \$38.30

PAID
JUN 24 2015

CITY OF COSTA MESA

B000049773

POST IN CONSPICUOUS PLACE ON THE JOB

NOTICE

Schedule inspection one workday in advance. To schedule inspections, call (714) 754-5626. Provide the following information:

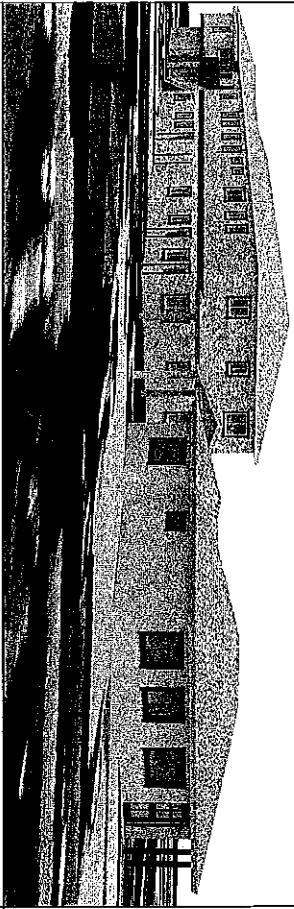
1) Permit number, 2) Job address, 3) Inspection item number.

Building Address: 1963 C202 Wallace Av						Owner: Dalessio InvS	
Permit #: BX 15-00348						Electrical Permit #:	
Mechanical Permit #:						Plumbing Permit #:	
NEW	ADD	ALTER	REPAIR	MOVING	DEMOLISH	ISSUE DATE	
						6-15-15	
						Contractor: Victor Jasnay	
						Job Description: Adding Partition Wall	

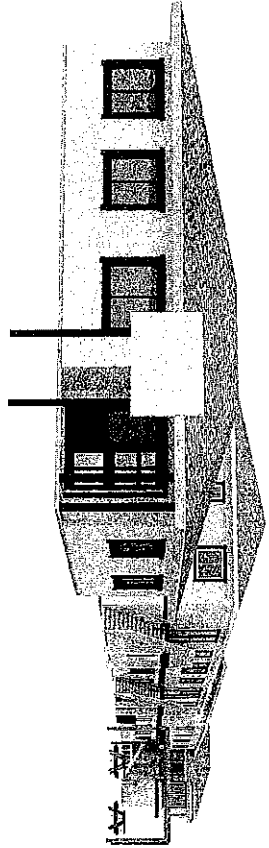
PERMITS EXPIRE 180 DAYS (6 MONTHS) FROM ISSUANCE OR LAST INSPECTION

CONSTRUCTION APPROVALS							
Item #	STRUCTURAL	Date	Inspector	Item #	POOL & SPA	Date	Inspector
3	Job Site Consult			94	Pool & Equipment Location		
4	Footings / Ufer Ground			96	Steel Reinforcement		
6	Slab			100	Electrical Bonding		
8	Structural Floor			102	Rough Plumb & Pressure Test		
11	Pre-Inspect Roof			104	Approval to Cover - Gunite		
12	Roof Sheathing / Building Height			106	Elec Conduit - Underground		
14	T-Bar Ceiling-Structural			108	Gas Pipe / Underground Test		
16	Shear Panel			110	Backwash Lines, P-Trap, Underground		
18	Frame & Flashing	6/25/15	MW				
20	Lathing & Siding			112	Approval to Deck		
22	Insulation			116	Pool Plumbing System - Final		
24	Drywall Nailing			118	Pool Electrical - Final		
	Plaster Brown Coat			122	Fencing / Access / Alarms Approval		
30	Pre-Grout			124	Approval for Plastering		
31	NPDES/BMP			126	Pool / Spa Systems - Final		
33	Disabled Access						
				FIRE DEPARTMENT APPROVAL			
				1610	Overhd Hydro / Overhd Rough		
				1612	Dry Chemical		
				1614	Dry Standpipe		
				1616	Final - Fixed System		
ELECTRICAL				FINAL INSPECTIONS (Must be completed prior to requesting occupancy.)			
36	Ufer Ground			Call (714) 754-5626 for the following:		Date	Inspector
37	Elec Equip.			200	Final Re-Roof		
38	Elec Conduit - Underground			201	Final Block / Retaining Wall		
44	Rough Elec - Wiring			203	Final Sign		
45	Subpanels			204	Final Demolition		
46	Rough Elec. Conduit			206	Final Mechanical		
48	Elec T-Bar Ceiling			208	Final Plumbing		
50	Elec Power Final / Meter Release			210	Final Electrical		
51	Temp Power Final			Call (714) 327-7400 for the following:		Date	Inspector
				212	Final Fire Prevention		
PLUMBING & MECHANICAL				Call (714) 754-5025 two (2) working days		Date	Engineer
	Soil Pipe - Underground						
53	Shower Pan						
54	Water Pipe - Underground						
55	Underground Gas						

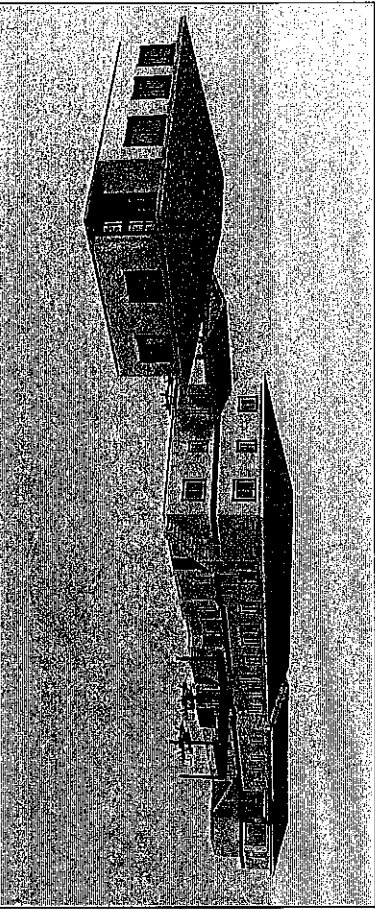
Rehabilitation Plan for 2024



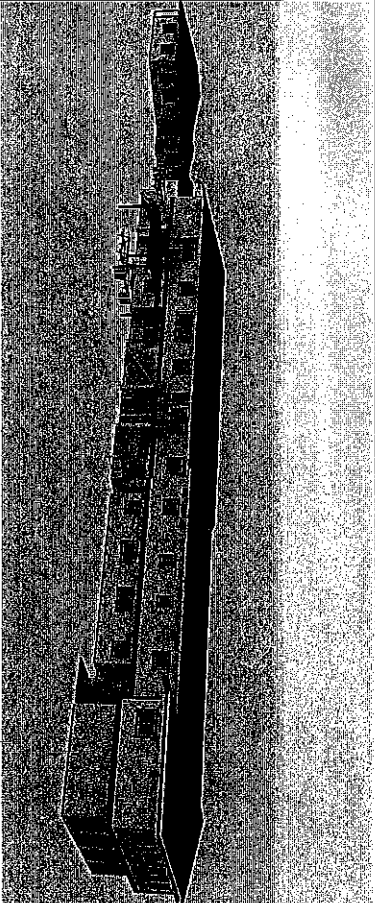
SOUTHEASTERN PERSPECTIVE



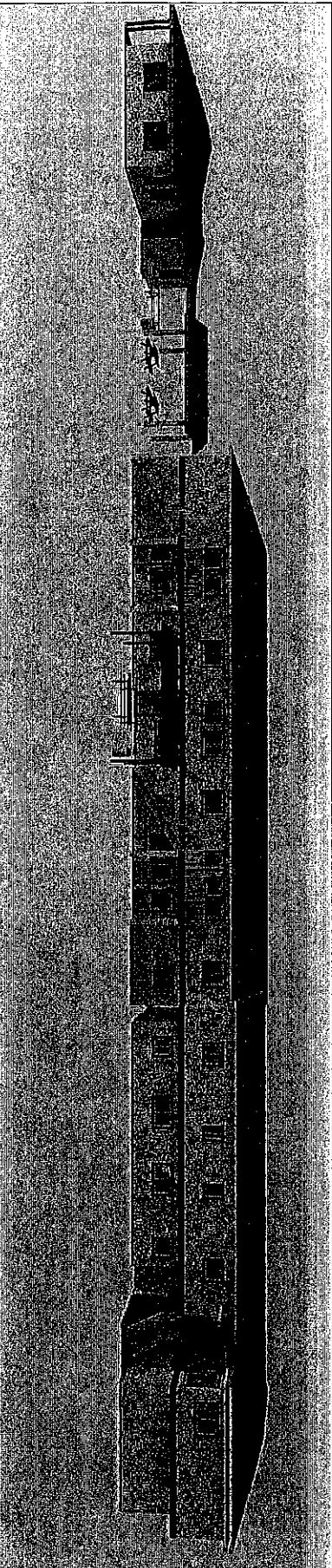
STREET LEVEL PERSPECTIVE



NORTHEASTERN PERSPECTIVE



NORTHWESTERN PERSPECTIVE



NORTHERN PERSPECTIVE

DATE: 11/15/82

CASA SIENA
APARTMENTS
1828 WALLACE AVE.
COSTA MESA, CA 92627

REVISIONS

PROJECT NO. 8022-14
DRAWN BY
CHECKED BY
ISSUED 11/15/82

PROJECT TITLE
REVISIONS

A0.1

PROJECT DATA

OWNER
 Casa Sienna Investments, LLC
 4750 W. Camelback Road
 Suite 200
 Phoenix, AZ 85018
 ATTN: Jennifer D'Almeida
 940-378-3650
 dme@casasienna.com

PROPERTY ADDRESS: 603 WALLACE AVE., COSIA MESA, CA 92027

COUNTY: SAN DIEGO

LEGAL: N 1/4 T29N E12 R16E E, LOT 28
 S 1/4 T29N E12 R16E E, LOT 28
 PER: 4627710
 DIST. SEC. 16A.S OF 18A3 (AGS83)

USE: MULTI-FAMILY RESIDENTIAL
 OCCUPANCY: R-6.2/1-1
 SETBACKS: FRONT SETBACK 29'-6"
 REAR SETBACK 29'-6"
 HEIGHT LIMIT 35'-0"
 CONDT. YRS. V-9, NON-REBATED
 FIREWORKS: COVERED, 22 OPEN

Neighborhood Building Area:
 Building A 332,373 sq. ft.
 Building B 572,343 sq. ft.
 Building C 282,745 sq. ft.
 Total 1,187,461 sq. ft.

Neighborhood Units:
 Building A 892/1174
 Building B 1352/1624
 Building C 688/968
 Total 2932/3766

Neighborhood Density:
 69K Units/Hectare

Lot Dimensions:
 East Side Wall 245'02" S.F.
 South Side Wall 69K' Units/Hectare

Casa Sienna Apartments
 Please Note: Unit areas include exterior wall and 50% of demising walls

Count	Unit	Floor Level	No. Bedrms.	No. Bath	If Combustible Unit No.	Unit Area	Measured Bidged Area	Measured Bidged Area Difference
1	A	1st	2	1	101	467.52	934.73	0.00
2	A	102	2	1	102	456.31	933.73	0.00
Building A Total Area: 923.73								
3	B	1st	2	1	103	252.57	285.53	
4	B	104	2	1	104	47.22	47.22	
5	B	105	1	1	105	391.28	391.28	
6	B	106	1	2	106	624.97	624.97	
7	B	107	1st	2	1.5	627.43	627.43	
8	B	201	2nd	2	1.5	614.30	2882.08	
9	B	202	2nd	3	1.5	616.46	788.80	
10	B	203	2nd	2	1.5	590.92	590.92	
11	B	204	2nd	2	1.5	572.40	572.41	0.01
Building B Total Area: 5723.10								
Count	Unit	Floor Level	No. Bedrms.	No. Bath	If Combustible Unit No.	Unit Area	Measured Bidged Area	Measured Bidged Area Difference
12	C	1st	2	2	1	445.43	1068.38	
13	C	1st	2	1	1	445.43	445.43	
14	C	1st	2	1	1	171.32	171.32	
15	C	205	2nd	2	1.5	640.38	1264.75	
16	C	206	2nd	3	1.5	238.93	2388.93	0.00
Building C Total Area: 2388.93								
Unit	Unit	Floor Level	No. Bedrms.	No. Bath	If Combustible Unit No.	Unit Area	Measured Bidged Area	Measured Bidged Area Difference
D	Garage 1	1st	-	-	-	223.76	855.42	
D	Garage 2	1st	-	-	-	214.50	214.50	
D	Garage 3	1st	-	-	-	213.69	213.69	
D	Garage 4	1st	-	-	-	213.87	213.87	
15	D	207	2nd	2	1	381.85	1082.73	
17	D	208	2nd	2	1	184.79	184.79	
18	D	209	2nd	2	1	124.82	124.82	
Building D Total Area: 1548.12							1548.15	0.03

SCOPE OF WORK (INTENT)

1. RESOLVE MEMBERSHIP - THE TOTAL UNIT COUNT IS A MAXIMUM OF 17 APARTMENTS AS APPROVED IN 2015. ALTHOUGH THERE ARE 19 POSSIBLE UNITS, SO LONG AS ANY 2 UNITS ARE COMBINED THE TOTAL CAN BE MAINTAINED AT 17 UNITS. THESE UNITS ALL HAVE THE ABILITY TO BE COVERED THEREBY. ELIMINATION ONE UNIT: UNITS 1 & 2, UNITS 3 & 4 AND UNITS 16 & 17. ALL OF THESE UNITS ARE CURRENTLY CONFIGURED AS COMBINE UNITS AND MANY OTHERS COULD BE COVERED IN THE SAME UNIT. IF IT WERE ALLOWED, UNITS 1, 2, 3, 4, 16, & 17 COULD BE COVERED BY ONE UNIT. THE UNITS WERE ORIGINALLY BUILT WITH DUAL KITCHENS AND UNUSUAL BATHROOM CONFIGURATIONS. BY THE PREVIOUS OWNER THEY WERE PERMITTED TO BUILD THEM AS SUCH. IN 2015 THE CURRENT OWNER HAD THE DIVISION OF DUAL KITCHEN UNITS INTO TWO UNITS APPROVED BY PLANNING AND THE INSPECTOR FOR THE CITY. THE INSPECTOR FOR THE CITY STATED THAT WAS SIGNED OFF BY THE INSPECTOR IN THE FIELD.

2. REPAIR OR IMPROVE EXISTING OR DAMAGED ELEMENTS OF THE PROPERTY.

3. REMOVE OR IMPROVE EXISTING OR DAMAGED ELEMENTS OF THE PROPERTY.

SHEET LIST

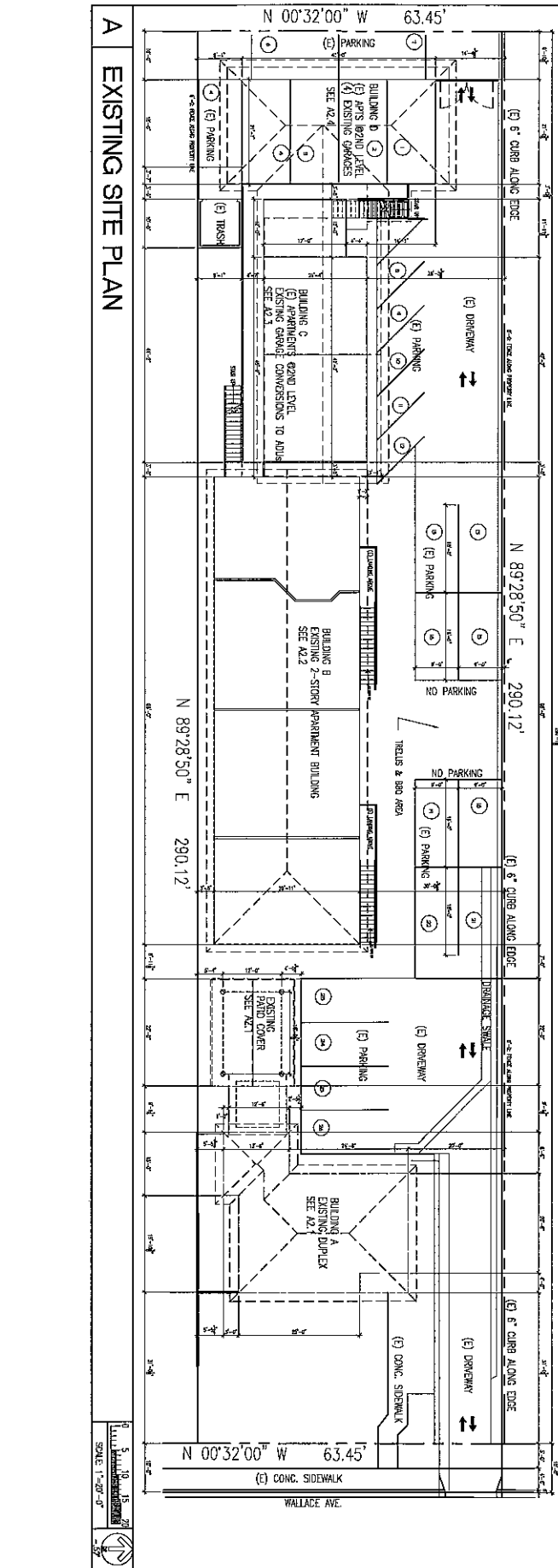
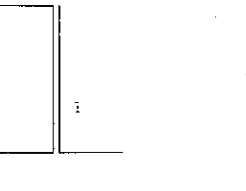
- A0.1 REVISIONS OF EXISTING PROJECT
- A1.1 SITE PLAN W/ ROOF PLANS, PROJECT DATA, SHEET LIST, VICINITY MAP, ETC.
- A2.1 BUILD A EXISTING FLOOR PLAN
- A2.2 BUILD B EXISTING 1ST FLOOR PLAN & EXISTING 2ND FLOOR PLAN
- A2.3 BUILD C EXISTING 1ST FLOOR PLAN & EXISTING 2ND FLOOR PLAN
- A2.4 BUILD D EXISTING 1ST FLOOR PLAN & EXISTING 2ND FLOOR PLAN
- A3.1 BUILD A ELEVATIONS
- A3.2 BUILD B ELEVATIONS
- A3.3 BUILD C ELEVATIONS
- A3.4 BUILD D ELEVATIONS

PREVIOUS CITY APPROVALS



FOR REFERENCE ONLY. THESE SIGNATURES FOR THE 2015 APPROVED PLANS ARE SUBMITTED AS EVIDENCE OF THE OWNER'S INTENT AND PREVIOUS EFFORTS TO OPERATE A COMPLAINT AND ACCEPTABLE PROPERTY IN THE CITY OF COSIA MESA.

VICINITY MAP



CASA SIENNA APARTMENTS

603 WALLACE AVE.
 COSIA MESA, CA 92027

REVISIONS

PROJECT NO. 2024-11

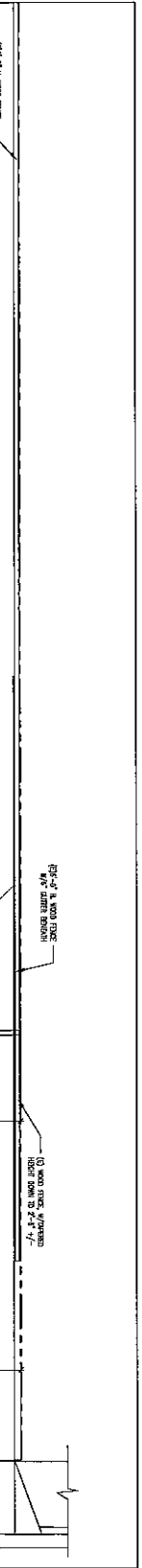
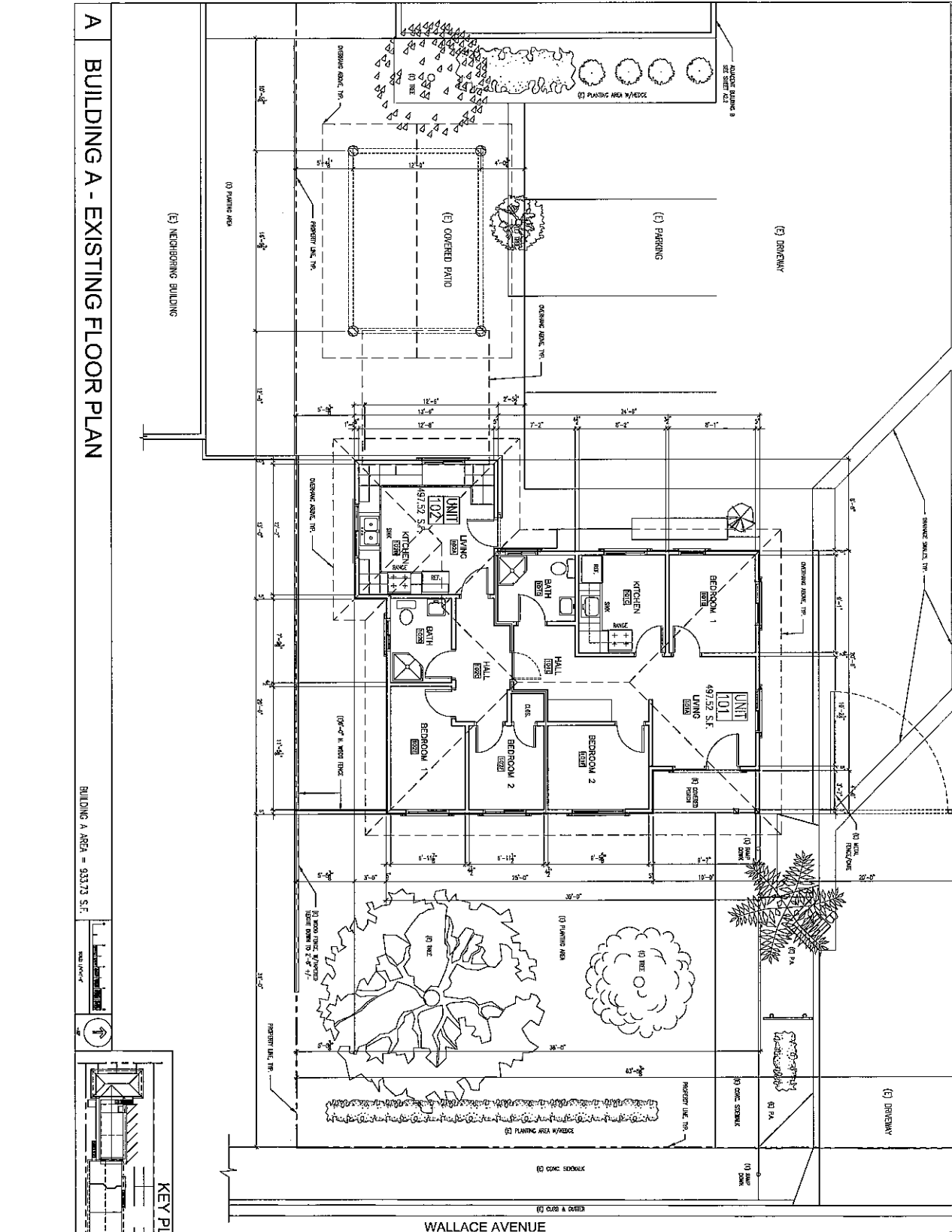
DRAWN BY SH

CHECKED BY DD

ISSUED 07/17/22

SHEET TITLE EXISTING SITE PLAN

A1.1



A BUILDING A - EXISTING FLOOR PLAN

BUILDING A AREA = 933.73 S.F.

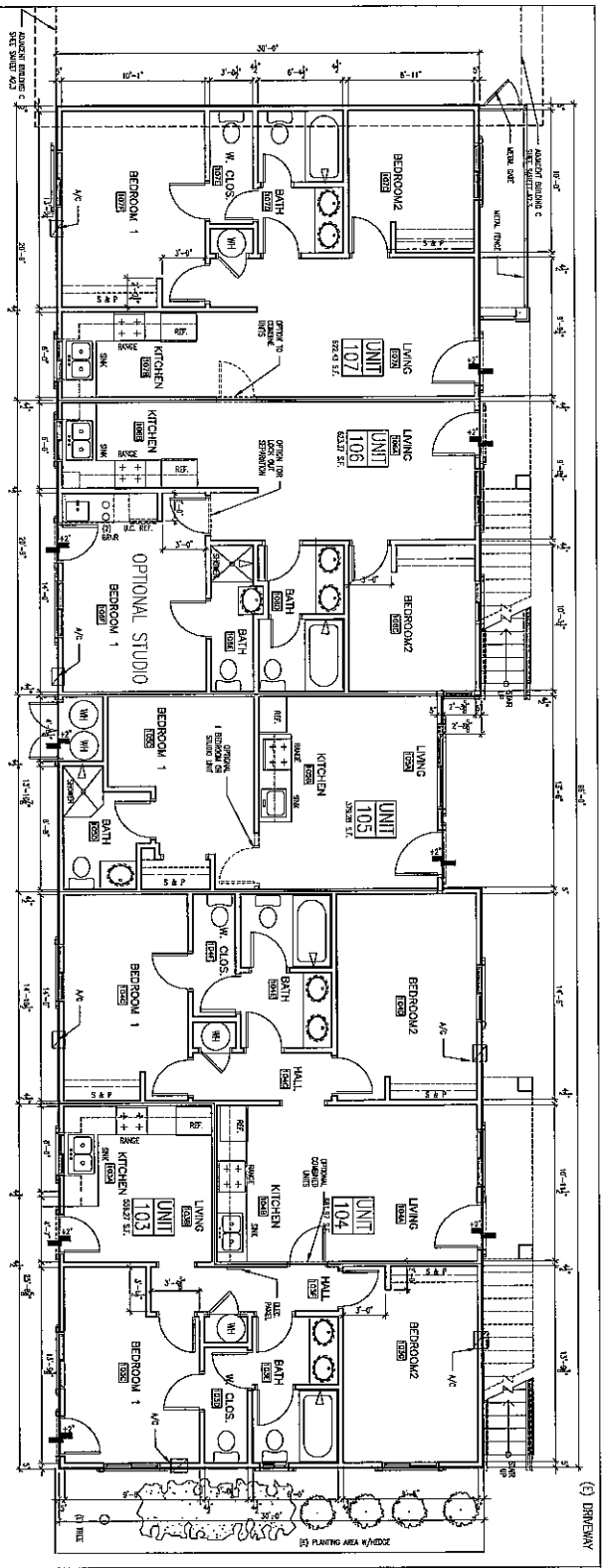
PROJECT NO: 2022-11
DR. A. W. S.H.
CHECKED BY: D.D.
ISSUE DATE: 07/26/22

CASA SIENA APARTMENTS BUILDING A
 1823 WALLACE AVE.
 COSTA MESA, CA 92627

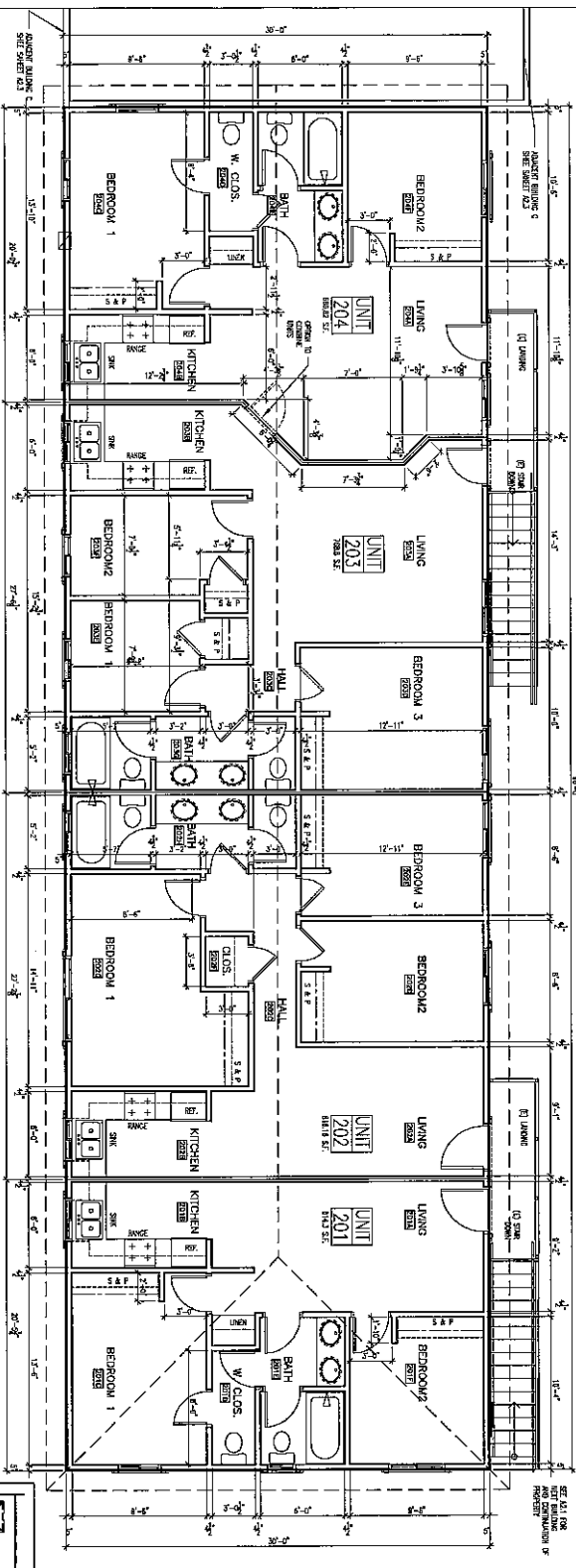
REVISIONS

SHEET TITLES
 BUILDING A - EXISTING FLOOR PLAN

A2.1



A BUILDING B - EXISTING 1ST FLOOR PLAN



B BUILDING B - EXISTING 2ND FLOOR PLAN

1ST FLOOR AREA: 284,433 S.F.
 2ND FLOOR AREA: 289,008 S.F.
 BUILDING B TOTAL FLOOR AREA: 573,441 S.F.



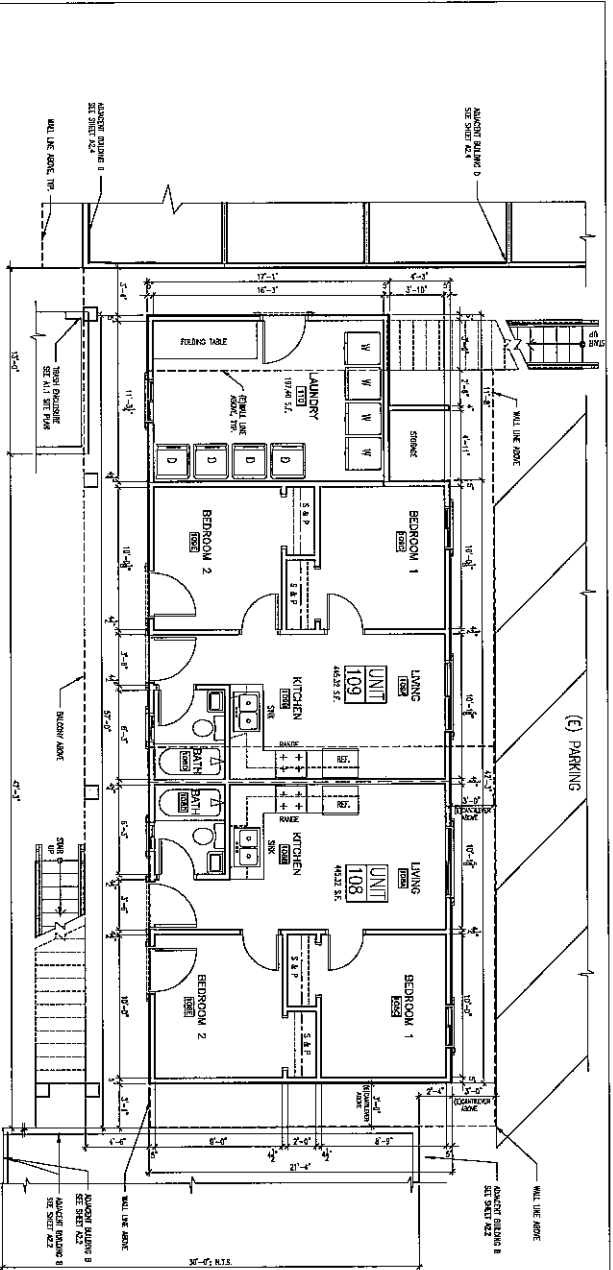
(3) DIMENSIONS

KEYNOTES

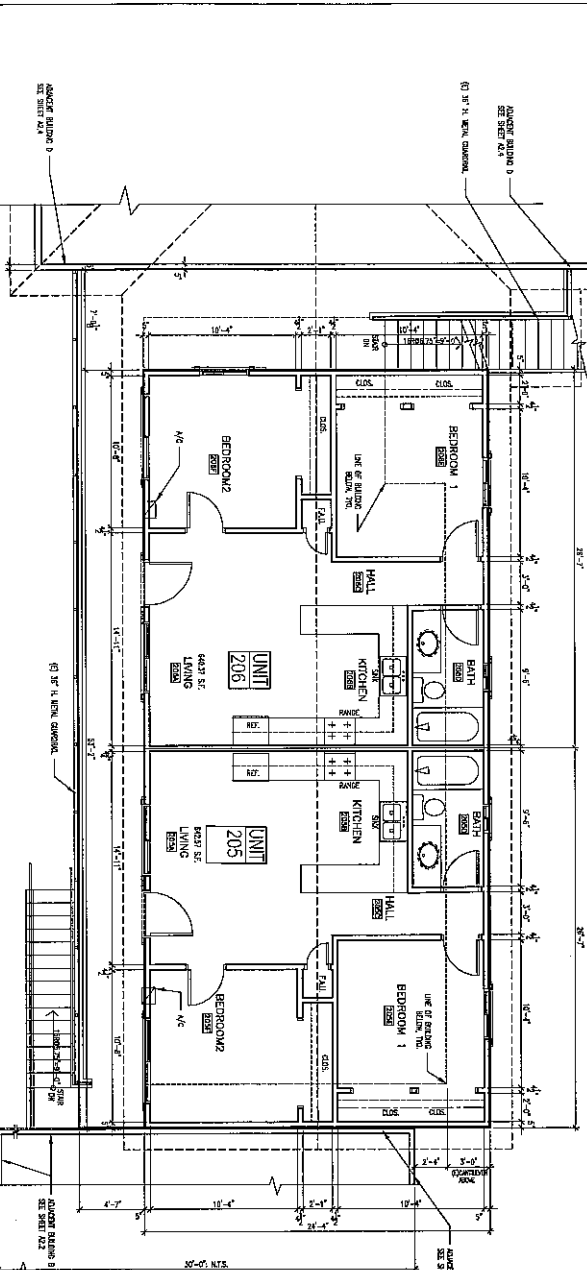
<p>PROJECT NO. 2022-11</p> <p>DATE 08/21/22</p> <p>CHECKED BY [Signature]</p> <p>ISSUED DATE 08/21/22</p>	<p>REVISIONS</p> <p>1. [Description]</p> <p>2. [Description]</p>	<p>1861 WALLACE AVE. COSTA MESA, CA 92627</p>	<p>CASA SIENA APARTMENTS BUILDING B</p>	<p>1861 WALLACE AVE. COSTA MESA, CA 92627</p>	<p>PROJECT NO. 2022-11</p> <p>DATE 08/21/22</p> <p>CHECKED BY [Signature]</p> <p>ISSUED DATE 08/21/22</p>
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A2.2

KEYNOTES

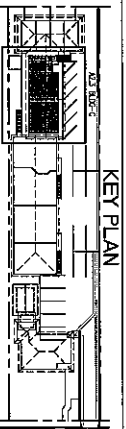


A BUILDING C EXISTING 1ST FLOOR PLAN



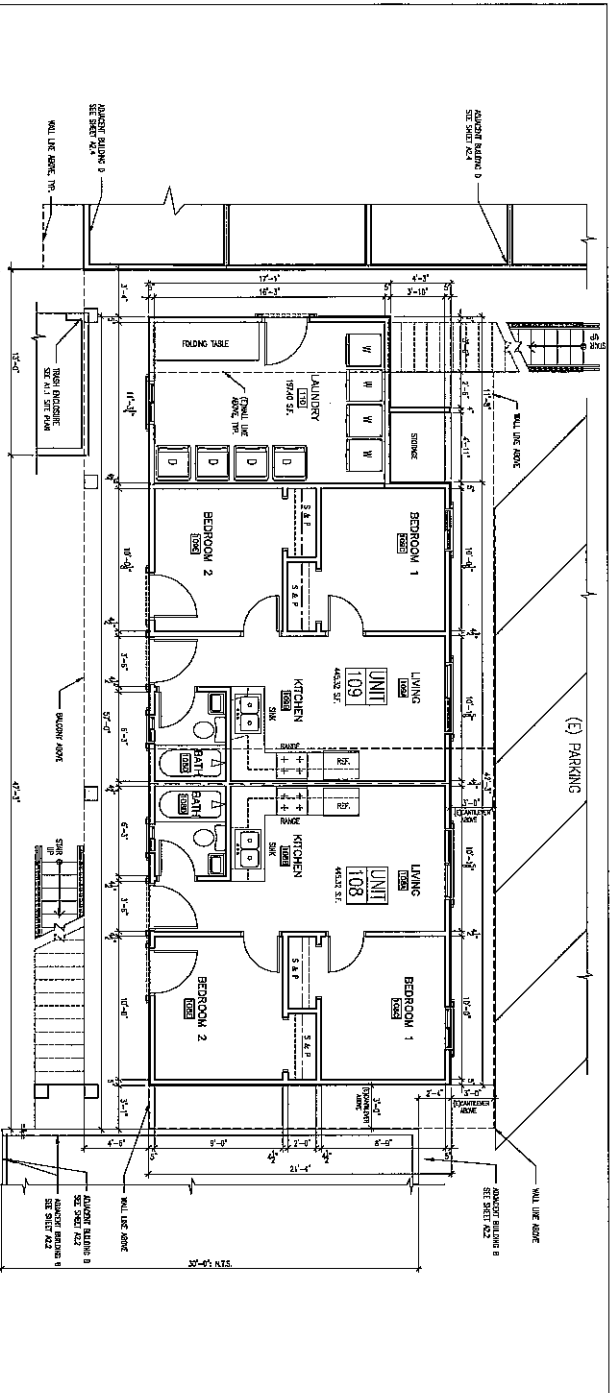
B BUILDING C EXISTING 2ND FLOOR PLAN

1ST FLOOR AREA: 1084.18 S.F.
 2ND FLOOR AREA: 1260.75 S.F.
 BUILDING C TOTAL FLOOR AREA: 2345.93 S.F.

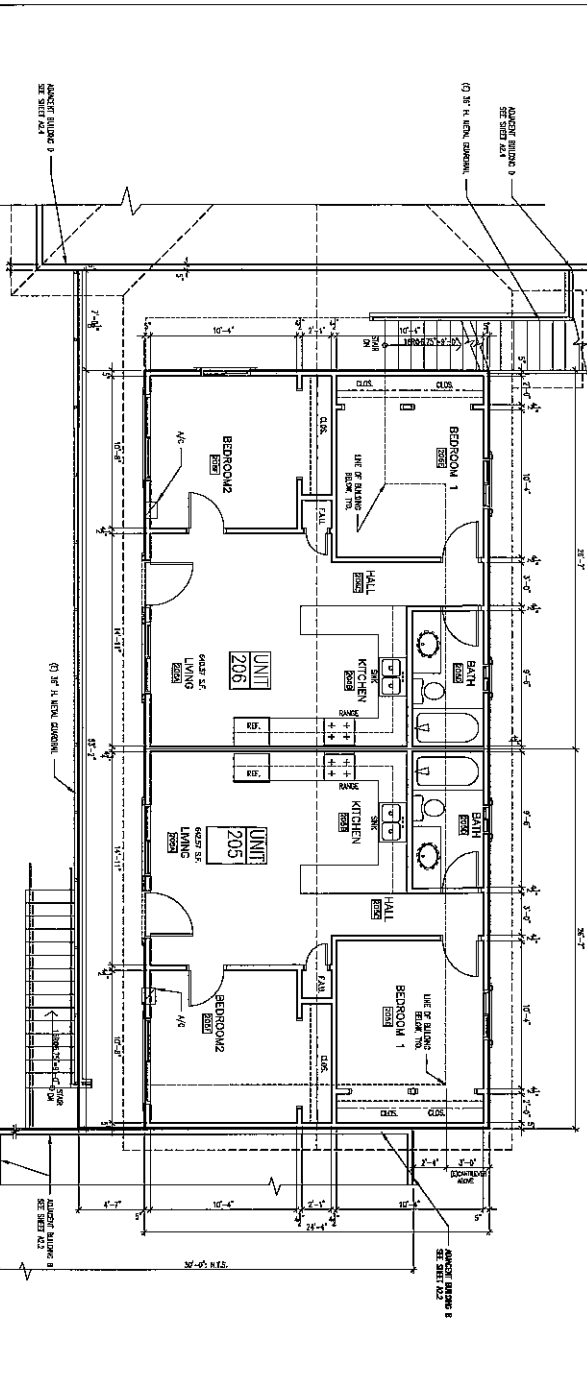


<p>CASA SIENA APARTMENTS BUILDING C</p> <p>390 WALLACE AVE. COSTA MESA, CA 92627</p>	<p>REVISIONS</p>
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KEYNOTES

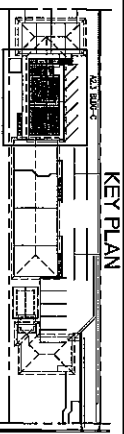


A BUILDING C EXISTING 1ST FLOOR PLAN



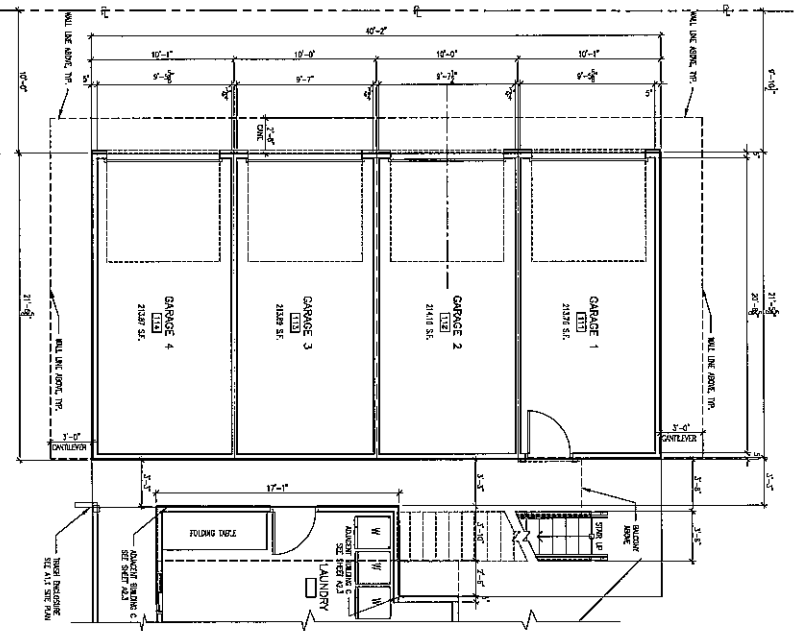
B BUILDING C EXISTING 2ND FLOOR PLAN

1ST FLOOR AREA: 1096.19 S.F.
 2ND FLOOR AREA: 1290.75 S.F.
 BUILDING C TOTAL FLOOR AREA: 2386.93 S.F.

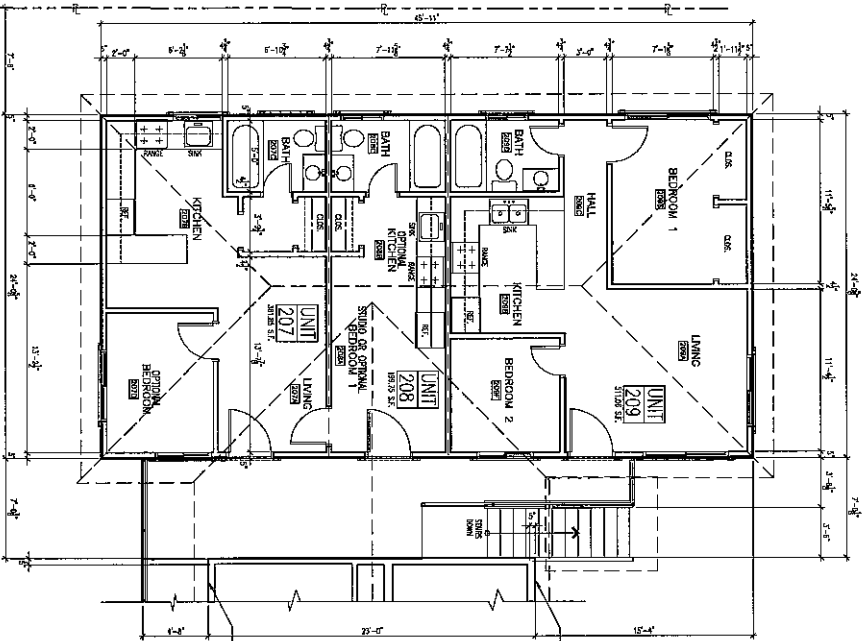


KEY PLAN

<p>CASA SIENA APARTMENTS BUILDING C</p> <p>380 WALLACE AVE. COSTA MESA, CA 92627</p>	<p>PROJECTIONS: 2022-01 DRA. W/M SH CHECKED BY DD ISSUE: 2/15/22</p>	<p>REVISIONS:</p>	<p>PROJECT TITLE: BUILDING C - EXISTING 1ST AND 2ND FLOOR PLANS</p> <p>A.23</p>
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A BUILDING D EXISTING 1ST FLOOR PLAN

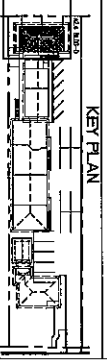


B BUILDING D EXISTING 2ND FLOOR PLAN

1ST FLOOR GARAGES/UNIT/STAIRS: 1073 SQ. FT.
 2ND FLOOR UNITS: 1073 SQ. FT.
 BUILDING 2 TOTAL SQ. FT.: 3146 SQ. FT.
 SCALE: 1/8" = 1'-0"



KEYNOTES



KEY PLAN

REVISIONS

CASA SIENA APARTMENTS BUILDING D

888 WALLACE AVE. COSTA MESA, CA 92627

PROJECT NO. 2022-01

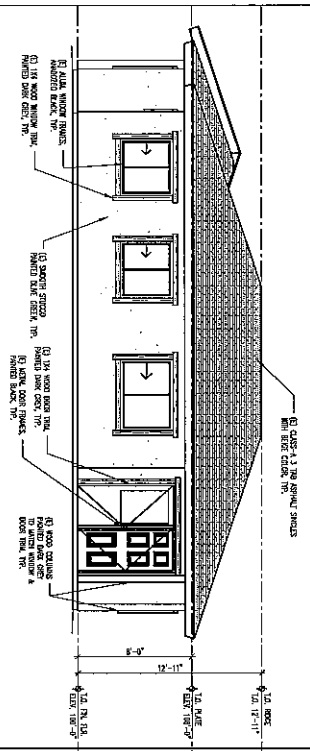
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CHECKED BY BH

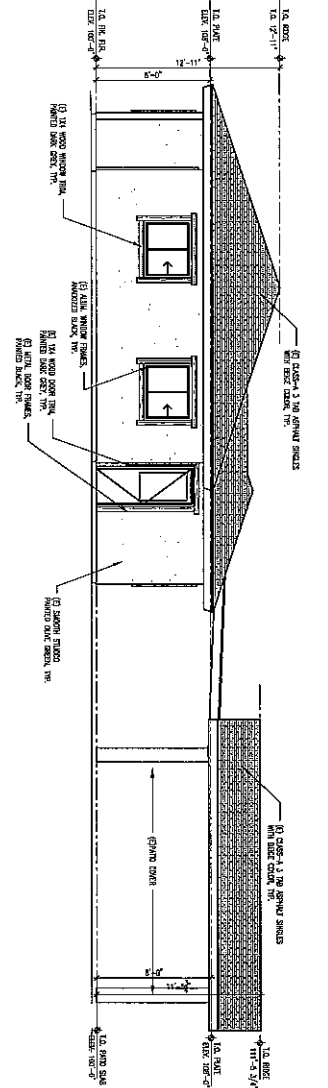
ISSUE DATE 7/25/22

SHEET TITLE SALMON D - EXISTING 1ST AND 2ND FLOOR PLANS

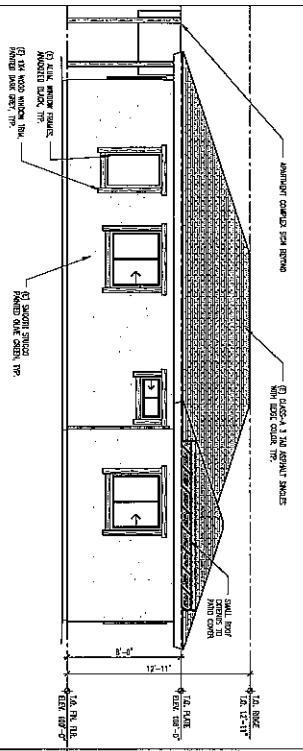
A2.4



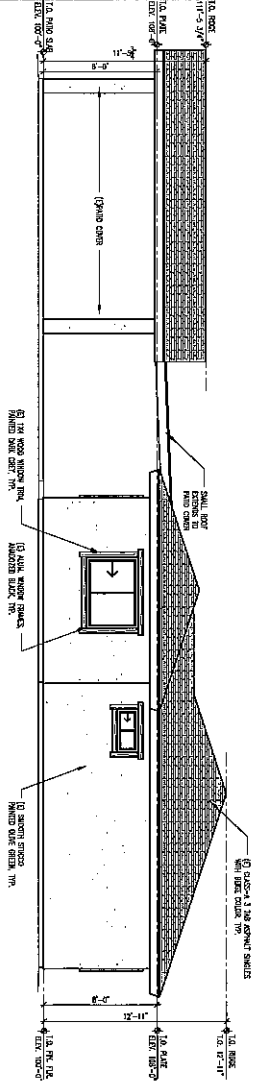
A EAST ELEVATION



B NORTH ELEVATION



C WEST ELEVATION



D SOUTH ELEVATION



CASA SIENA APARTMENTS
UNIT A
 1803 WALLACE AVE
 COCA, NEVA, CA 94027

REVISIONS

SHEET TITLE
 UNIT A - EXISTING ELEVATIONS

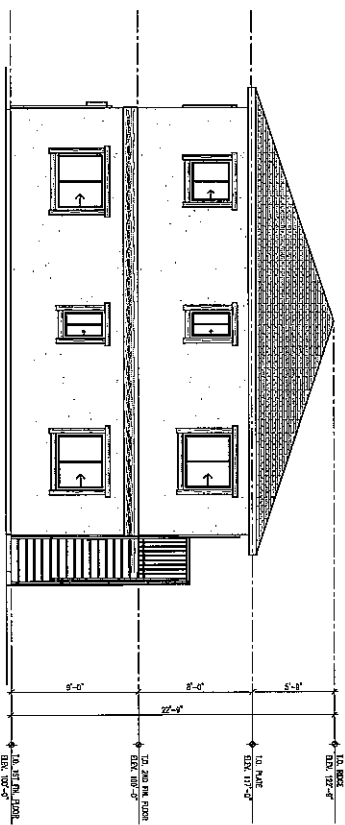
A3.1

PROJECT NO.
 2222-11

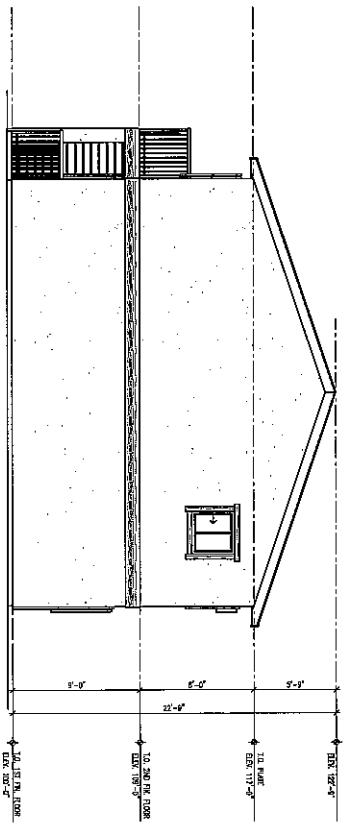
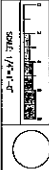
DRAWN BY
 SM

CHECKED BY
 SD

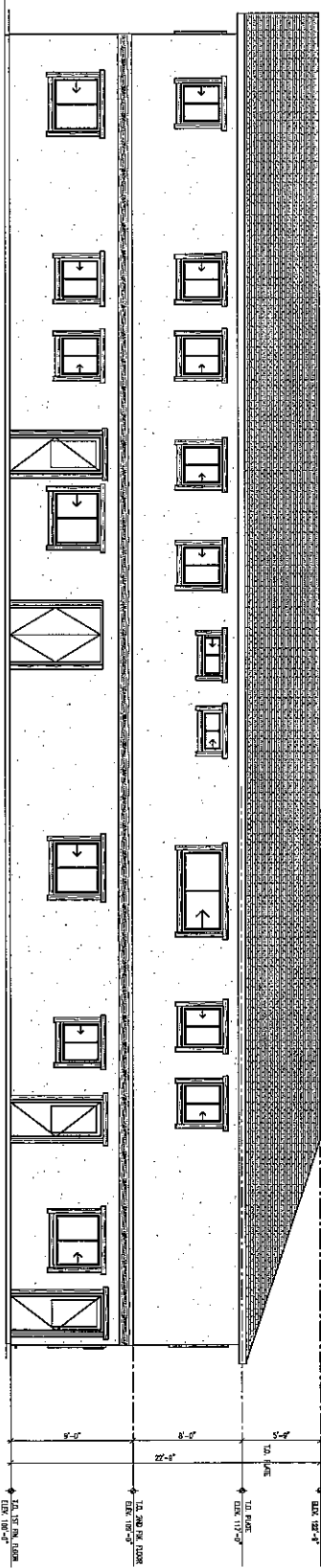
ISSUE DATE
 7/18/22



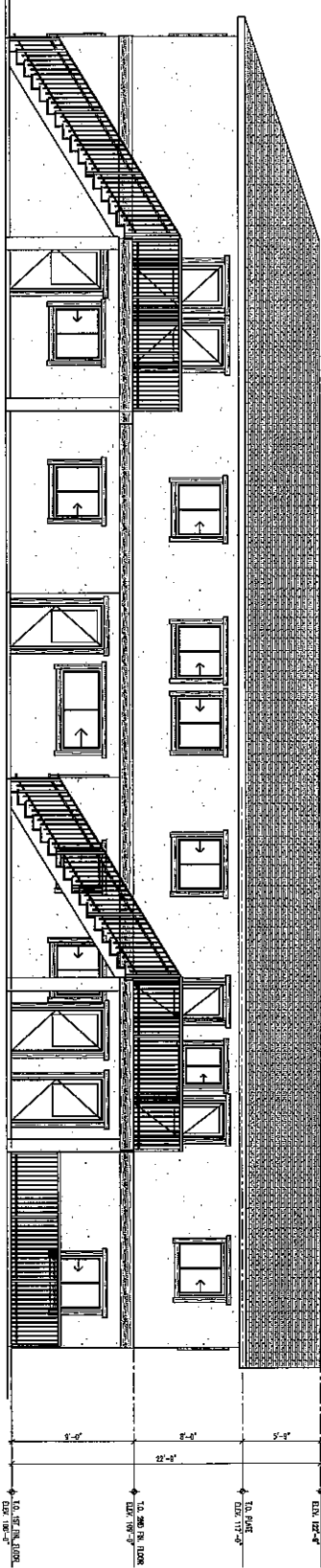
A EXISTING EAST ELEVATION



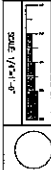
B EXISTING WEST ELEVATION



C EXISTING SOUTH ELEVATION



D EXISTING NORTH ELEVATION



PROJECTIONS:
 2022-11
 DRA. W. SM
 CHECKED BY
 D.D.
 ISSUE: 11/28/22

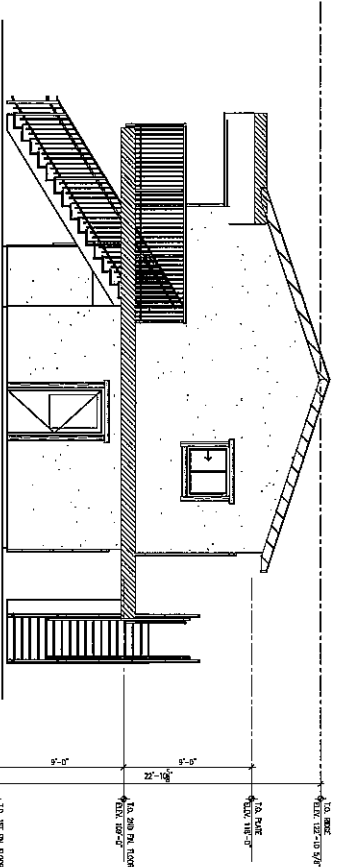
SHEET TITLE:
 BUILDING B - EXISTING
 ELEVATIONS

A32

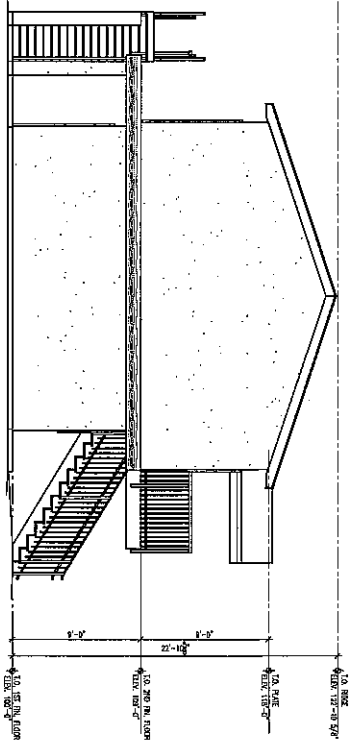
REVISIONS:

BUILDING B
 CASA SIENA
 APARTMENTS

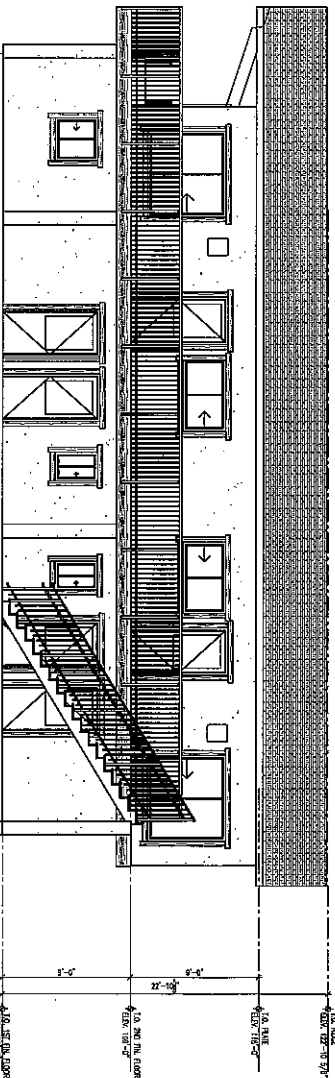
788 WALLACE AVE.
 COSTA MESA, CA 92627



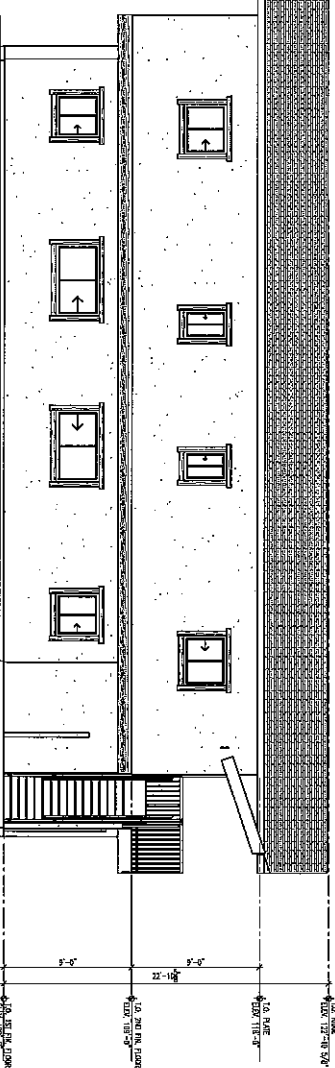
A EXISTING WEST ELEVATION



B EXISTING EAST ELEVATION



C EXISTING SOUTH ELEVATION



D EXISTING NORTH ELEVATION

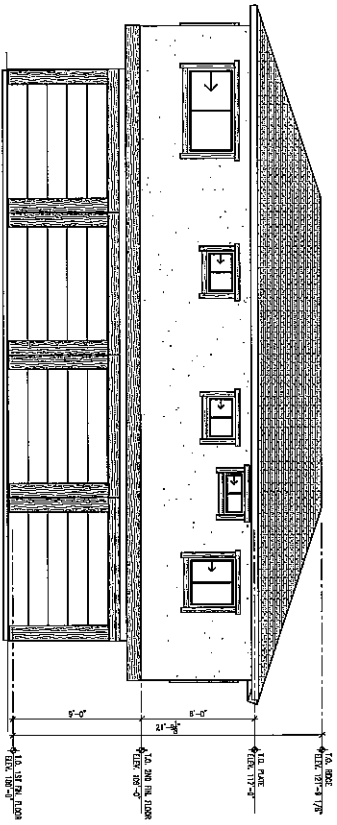
STEVE HOPKINS
 ARCHITECT
 2041 VAN CANTON
 MANASSAS, VA 20108
 (703) 795-0400
 (571) 551-0444
 hopkins@hopkns.com

CASA SIENA APARTMENTS BUILDING C
 8833 WALLACE AVE

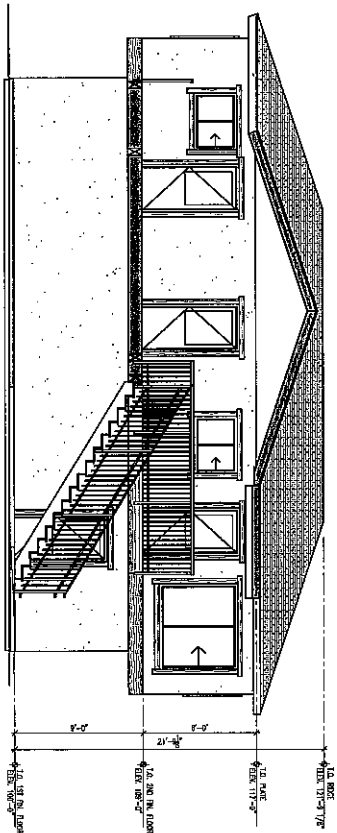
REVISIONS

PROJECT NO. 2022-41
 DATE: 04/24/24
 CHECKED BY: DCS
 ISSUED: 07/18/24

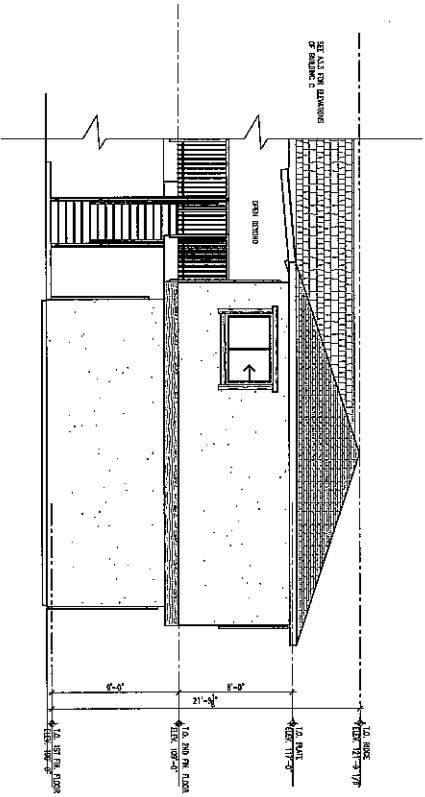
STEVE HOPKINS ARCHITECT
 BUILDING ELEVATIONS



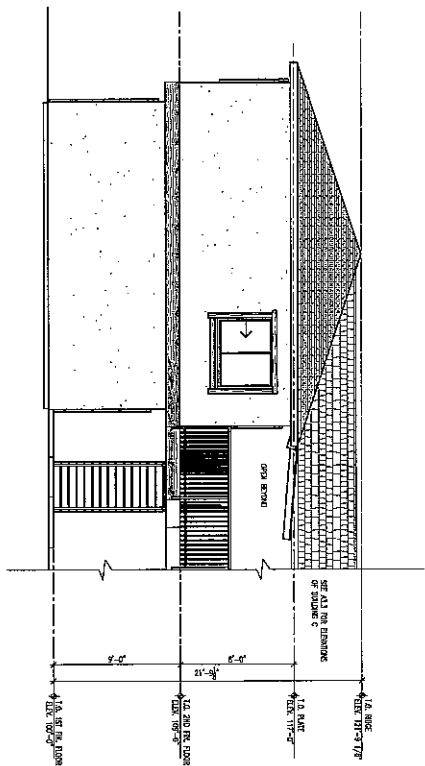
A EXISTING WEST ELEVATION



B EXISTING EAST ELEVATION



C EXISTING NORTH ELEVATION



D EXISTING SOUTH ELEVATION

1/21

CASA SIENA APARTMENTS BUILDING D
 1981 WALLACE AVE
 COSTA MESA, CA 92627

REVISIONS
 1. 1/21/22
 2. 1/21/22
 3. 1/21/22
 4. 1/21/22
 5. 1/21/22
 6. 1/21/22
 7. 1/21/22
 8. 1/21/22
 9. 1/21/22
 10. 1/21/22

PROJECT NO. 2022-11
DRAWN BY SN
CHECKED BY DD
ISSUE DATE 7/25/22

SHEET TITLE BUILDING D - EXISTING ELEVATIONS

A3.4

From: [Priscilla Rocco](#)
To: [CITY CLERK](#)
Subject: A Golf Course is NOT Bio-diverse
Date: Tuesday, January 16, 2024 9:52:05 AM

City Council,

California has more species of plants and animals than any other state - about one-third of all species in the nation. Our soils hold more than a quarter of the world's biodiversity, boasting more than 2,500 different types of soil. So in 2020, Governor Newsom issued an executive order to restore 30% of land and water by 2030 to protect this biodiversity. Restoration is being done in collaboration with Native American tribes; federal, state, and local governments; and local communities.

In 2021, President Biden issued his own 30x30 plan that cedes power to local communities and tribal nations, and provides disadvantaged communities the benefits of nature with more access to parks.

Also in 2021, Governor Newsom signed a law replacing a statue of Father Junipero Serra in Sacramento with a Native American elder. Legislative leaders also removed the statue of Columbus saying it was out of place "given the deadly impact his arrival in this hemisphere had on indigenous populations.'

Which brings me to Fairview Park, where your kids can walk in the footsteps of the Acjachemen and Tongva tribes. Seeing the same birds, butterflies, lizards, amphibians, snakes, and fairy shrimp. Hundreds of species, thousands of plants and animals, and multiple ecosystems. The archeological sites constitute a spiritual home for these tribes, but they've been covered by builder's rubble, as have some vernal pools that are home to endangered fairy shrimp. The paths are being torn up by teenagers on e-bikes, and the watershed to the vernal pools is being trampled by men flying planes - allowed by a unanimous vote of the city council. Why are you encouraging vandalism in Fairview park, when it is NOT allowed in any other park in the city?

What would motivate you to destroy the ancestral home of Native Americans: ignore the orders of the President and Governor; and reject the findings of the State and U.S. Departments of Fish and Wildlife, scientists you've hired, committees you've appointed, your own park administrator,

and the 800 residents and experts in the local community?! You are on the wrong side of this issue! There are more important things in life than competitive sports and golf courses. You would have learned this if you had attended the last meeting updating the Fairview Park Master Plan. Soon this update will be completed, documenting the damages with a plan for restoration. It's time to listen to the scientists and fund the restoration of this outdoor classroom. Model good behavior. Help get our kids into nature and off their devices. Show them how to be good stewards of Nature.

Priscilla Rocco

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January 16, 2025

(Photo of city grading vernal pool watershed)

Greetings City Council,

I am writing regarding council's May 2, 2023 decision to allow glider planes to fly in Fairview Park. Although the picture above was taken a few years ago, the flyers (Harbor Soaring Society) have been destroying sensitive habitat and the city has approved it like the grading of the watershed was approved. What is in this sensitive habitat? Southern Tarplant, some call it tarweed but its proper name is Southern Tarplant and it is a Keystone Species in Fairview Park.

There are two types of Southern Tarplant in Fairview Park, one that is endangered and one that is not endangered but still rare. Southern Tarplant ONLY grows along the coast in southern California from Point Conception in Santa Barbara county down to Baja California.

This keystone species is a shelter and food source for many creatures. Southern Tarplant hosts a variety of pollinators, reptiles, birds, and mammals. Southern Tarplant seeds are highly nutritious and sought after by squirrels, mice, and many seed-eating songbirds. Attached please see the flyer that explains in detail the incredible benefits that Southern Tarplant is to many of Fairview Park's creatures and why it is a keystone species.

Allowing this keystone species to be continually degraded and destroyed by the Harbor Soaring Society is not what a good steward would do. The City of Costa Mesa is supposed to be a good steward of Fairview Park's ecosystems. An undisturbed ecosystem is a huge benefit to the whole community. Why did city council vote to allow the HSS to destroy it?

Why did city council ignore what USFW and CDFW say about flying glider planes in Fairview Park? Both agencies have acknowledged the harm flying glider planes in Fairview Park does to the soil as well as the wild creatures in Fairview Park. Why did city council agree with a small special interest group that gave city council misinformation?

Why did city council ignore the experts and the whole community? Why did city council agree with HSS discrediting the city contracted biologist, city staff, and city committee recommending that there should not be any glider flying in Fairview Park?

Do you know that there was a petition against flying in Fairview Park which was started the day after city council made its motion on May 2, 2023 to allow glider planes to fly in Fairview Park? Do you know that over 365 people signed it with over 300 people being Costa Mesa residents? Do you know that there are only a handful of Costa Mesa residents that are HSS flyers? Do you know HSS Facebook page has 200 members and half are the spouses of HSS. Fairview Park Alliance has over 800 members. Is it fair to the whole community to allow a small special interest group to continue destroying sensitive habitat that so many species rely on for their survival? An undisturbed ecosystem also enhances the lives of the entire community.

Unfortunately the flyers have been allowed to fly even when the vernal pools and the watershed are wet. Please see the pictures taken on Jan 5th the day before flying was to take place in Fairview Park. Please notice that there are 2 launch pads being used by HSS (not 1 like the Fairview Park Master Plan states) and HSS is trampling the southern tarplant in between them. HSS is also trampling right into the vernal pools beyond the wire fence. I have shown you all pictures in the past but can supply more if you'd like.

According to city council motion on May 2, 2023, flying should only happen when the pools are deemed dry by city staff. Well, city staff allowed flying on Jan.6th. City staff is clearly afraid to be frank with HSS and city council after being reprimanded by city council on May 2, 2023 for not following city council's direction. (City staff DID follow city council's direction but found that flying in Fairview Park was not compatible with the unique natural resources Fairview Park has and did not recommend it to city council. This set city council off – especially Mr. Chavez.) Does city council really want city staff to allow degradation to Fairview Park? Well, it is happening.

Not often in history can bad decisions be corrected. This is one bad decision that city council can correct. Please stop the glider flying in Fairview Park immediately.

Sincerely,

Kim Hendricks











From: [Dan Bistany](#)
To: [CITY CLERK](#)
Subject: No School in our Business Area \ PA-22-45
Date: Tuesday, January 16, 2024 10:51:17 AM

Hello, I am writing to voice opposition to putting a school adjacent to our business district.

I believe that this use is not aligned with the intended use of the building and area.

It will most certainly have a material impact on the value of my office space.

It will most certainly have a negative impact on my ability to enter and exit my parking lot, cause safety concerns (kids on the sidewalk), and cause traffic problems (existence of a traffic plan is NOT equal to a functional or working solution!).

This project is to the benefit of the property owner and detriment of the surrounding area.

--

Daniel Bistany
President
Breeze IT, Inc.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Report any suspicious activities to the Information Technology Department.

From: [Justin Nassie](#)
To: [CITY CLERK](#)
Subject: City Council meeting tonight for PA-22-45 - Proposed School Next Door
Date: Tuesday, January 16, 2024 11:43:27 AM

Mayor of Costa Mesa,

My name is Justin Nassie I'm the owner of the property directly next door on Hyland Avenue in an office condo community called Hyland Plaza. Here are a couple of clearly laid points on why this planning application should be denied:

1. Incompatibility with Zoning Regulations:

The proposed public charter high school, Vista Meridian Global Academy, is intended to be located in an existing industrial office building in an office zone. Granting a Conditional Use Permit (CUP) for this school would deviate from the intended use of the office zone. This change could disrupt the character and purpose of the area, leading to potential conflicts with existing businesses and the surrounding community. Maintaining the integrity of the office zone zoning regulations is essential to preserving the intended land use and avoiding potential land-use conflicts.

2. Impact on the Hyland Plaza:

The planning application seeks to establish a public charter high school on the planned site 1620 Sunflower Ave Costa Mesa. This proximity could lead to operational challenges and conflicts. Noise, traffic congestion, and other disturbances associated with the new high school could disrupt existing commercial tenants in the area. This potential disruption to the commercial experience of clients at the nearby businesses should be a significant concern, and granting the CUP may exacerbate these issues.

3. Traffic and Parking Concerns:

The proposed high school is expected to accommodate up to 500 students, along with staff, resulting in a substantial increase in vehicular traffic in the area during school hours. The Minor Conditional Use Permit (MCUP) for small car parking may not adequately address the potential traffic congestion and parking shortages that could arise. This could lead to safety hazards, inconvenience for the neighboring businesses, and traffic congestion on local roads. Given the limited parking provisions and the potential for increased traffic, the application should be denied unless it can adequately address these concerns. We believe that parents could let their kids off down the street for them to walk in through other commercial properties, including the Hyldan Plaza.

4. Impact on Property Values:

The establishment of a public charter high school in an office zone could have adverse effects on property values in the vicinity. Potential concerns about increased traffic, noise, and changes in the character of the neighborhood may deter prospective buyers or tenants, leading to a decrease in property values. This could result in economic hardship for property owners and could have broader implications for the community's stability.

5. Safety and Security:

With a significant increase in the student population and staff, there may be safety and security concerns, especially if the school is located adjacent to an industrial area. Ensuring the safety of students, staff, and the surrounding community should be a top priority. The application should be denied unless a comprehensive safety and security plan is in place to address potential risks, including those associated with the industrial environment.

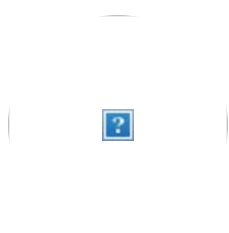

6. Adequate Infrastructure:

The proposed school would introduce a substantial number of students and employees to the area, putting a strain on local infrastructure such as utilities, public transportation, and emergency services. The application should be denied unless it demonstrates that the existing infrastructure can support the increased demand and that any necessary improvements will be made to prevent any negative impacts on the community.

Ending: These points highlight the potential negative impacts of granting the CUP for a public charter high school in an office zone near an existing school and the need to carefully consider the compatibility of the proposal with the surrounding area.

Thank you for hearing my thoughts,

--

	<p>JUSTIN NASSIE President 949.892.8944 justin@brandastic.com Brandastic.com Stay Updated On The Latest Marketing News</p>
	

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From: [Wallid Kazi](#)
To: [CITY CLERK](#)
Subject: Concerns about permitting Vista Charter School at 1620 Sunflower Avenue
Date: Tuesday, January 16, 2024 11:41:41 AM

To the Mayor of Costa Mesa:

I am a small business owner at 3525 Hyland Avenue, Costa Mesa, 92626. We are located immediately adjacent to the site being proposed for the Vista Charter School. I would like to strongly oppose and urge the City to **NOT** approve this permit due to the following reasons:

1. Not enough parking. Their permit plans for an unacceptable percentage of students that will bike or take shuttles. This will result in student driving and seeking to park in our parking lot. How will the school ensure no students park in our parking lot?
2. Inadequate Traffic Control. With the number of cars dropping off and picking up students, it will create a big problem for us getting into or leaving our offices during those times. How will the school ensure there is not an everyday traffic jam ?
3. Student loitering in our parking lot. There is a big possibility that students will loiter in our parking lot before, during and after school. How will the school ensure this does not happen?

Please note I have been a resident of Costa Mesa (my residence address is 1056 Tulare Drive, Costa Mesa, 92626) and have run my business in Costa Mesa for over 30 years. It would seriously hurt my business operations if this school is permitted. I urge you to not approve this permit. Please note that the City Council members denied this permit in a hearing recently.

Thanks for your consideration.

Wallid Kazi, Ph.D., P.G.

President

Direct 714.662.2757 | Main 714.662.2759



www.ECMConsults.com

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From: [Anna Schlotzhauer](#)
To: [CITY CLERK](#)
Cc: [Jim W. Bergman](#)
Subject: Proposed School PA-22-45
Date: Tuesday, January 16, 2024 11:59:59 AM
Attachments: [IMG_1899.jpg](#)
[IMG_1900.jpg](#)

Dear Costa Mesa Mayor and Costa Mesa City Council Members –

I am the co-owner of a ground level commercial unit - 3525 Hyland Avenue, Unit 110 – adjacent to the proposed school location being considered in tonight's meeting. We purchased this unit at great expense last year and currently have costly remodel plans pending (almost finalized!) before the Costa Mesa planning committee so that we can upgrade the space to serve as our permanent main office. Enclosed please find photographs showing the location of our unit relative to the building in question. We made this purchase relying on this location being in an office business park area.

While there are many reasons I do not believe this is an appropriate location for a school, those arguments have been thoughtfully put forth by other concerned owners in our building. Our plea to you is very specific...Noise. Groups of students congregating or taking breaks or recess at any outdoor location on this property poses a huge noise issue for us. If the kids are at break or lunch on the side of rear of the property they are within 30-40 feet of our office windows. There is a VERY compact parking buffer with only one row of cars between the buildings. This is completely incompatible with our use of our conference room or offices to conduct important calls and meetings. I was advised that this will be a "closed" campus but does this mean there will be no use of any outside areas at any time? As much as I support alternative schools and know they must be resourceful in finding locations (I once had my children at an alternative 130 child school that rented space in a temple – a great location), this choice in location is completely at odds with the needs of the dozens of small business owners who have invested significant time and money in establishing their businesses at 3525 Hyland Avenue.

I urge you all to consider the very real impacts on our ability to conduct business as intended at our properties and vote against the CUP at the proposed location adjacent to 3525 Hyland Avenue.

Thank you so much for your thoughtful consideration,
Anna Schlotzhauer and Jim Bergman
Bergman Consulting, LLC
3525 Hyland Avenue, Unit 110
Costa Mesa, CA 92626

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From: [Ed Salcedo](#)
To: [CITY CLERK](#)
Cc: [STEPHENS, JOHN](#); [HARPER, DON](#)
Subject: City Council meeting tonight for PA-22-45 - Proposed School Next Door
Date: Tuesday, January 16, 2024 12:34:56 PM
Attachments: [image001.png](#)

Hi Mayor Stevens (John) and Council Member Harper (Don),

As you are aware, the Hyland Plaza building is adjacent to the building where Visa Meridian Global Academy is being proposed at this evening's City Council Meeting. As an owner of several office suites at 3525 Hyland Plaza, which is adjacent to the property where the charter school s being proposed, I am providing you with my concerns that I and other office condominium owners have about placing a high school at 1620 Sunflower Avenue. Although there are several other reasons why I believe the application to place a high school should be denied, below are my primary concerns:

- 1. Incompatible with the surrounding business area:** The proposed public charter high school, Vista Meridian Global Academy, is intended to be located in an office and industrial area. The school will have a detrimental affect on the business environment currently enjoyed by other businesses in the area as well as adversely impact the quality of life enjoyed by workers, owners, Federal Express and other delivery drivers, and patrons at SOCO shopping center. Maintaining the integrity of the office zone is essential to preserving the intended land use, and the expectations business owners had when they purchased property in the surrounding area.
- 2. Traffic and Parking Concerns:** The proposed high school is expected to accommodate up to 500 students, along with staff, resulting in a substantial increase in vehicular traffic in the area during school hours. Although a condition to approve the school is to require that students be dropped off only, the likelihood that parents will avoid waiting in the cue line to drop off students is high. This will create safety hazards should cars enter nearby parking lots, and drivers pull over at the curb near the school to drop off students. Students will also likely be walking through other parking lots and properties to get to school. Students will also be able to ride their bike (including e-bikes) and walk to school. This will further exacerbate the traffic congestion and safety with added bike and pedestrian traffic during the start and end of the workday. Additionally, the office building's parking lot was not designed to accommodate the planned in and out cue. As a parent having experienced similar parking constraints at Mater Dei High School, many parents would utilize the adjacent or nearby businesses' parking lots to drop off their children. This placed an undue burden on local businesses. I believe the parking situation here is worse and will likely increase traffic accidents and adversely impact the traffic flow for many nearby businesses.
- 3. Impact on Property Values:** A public charter high school in an office zone could have adverse effects on property values in the area. Potential concerns about increased vehicle and foot traffic, noise, and changes in the character of the neighborhood may deter prospective buyers or tenants, leading to a decrease in property values. This could result in financial hardships for property owners and could have broader implications for the community's stability.

For these reasons, I respectfully request that you and your fellow council members deny the application to place a charter school at 1620 Sunflower Avenue.

Sincerely,



Ed Salcedo, Jr. (he/him)
President
GCAP Services, Inc.

Office (714) 800-1795
Direct (714) 406-5413
Website www.gcapservices.com

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Vista Meridian Global Academy



We Transform the School Experience



1620

Exterior Facade

productivity.

collaborative.

creative.



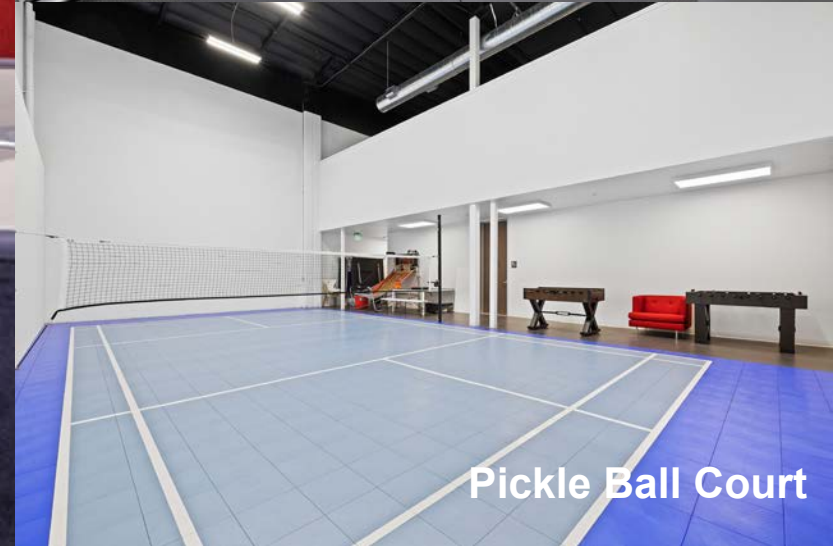
Open Workspace



Gymnasium



Weight Room



Pickle Ball Court

[HOME](#) > [EDUCATION](#)

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Vista Meridian Eyes New High School

BY YUIKA YOSHIDA

JANUARY 8, 2024

👁 1



Vista Meridian expected to lease two-story office building at 1620 Sunflower Ave.

Santa Ana charter school Vista Meridian Global Academy is looking to open a new high school at a Costa Mesa office park, after it gains approval from city officials.

Vista Meridian late last year held meetings with the Costa Mesa Planning Commission to discuss turning a 37,455-square-foot office space at 1620 Sunflower Ave. into a school for 500 students.

The school said the project, located a few blocks north of the San Diego (405) Freeway, received positive initial responses from the commission's office, but faced opposition during the hearing.

Part of the opposition references an ongoing national debate over charter schools and whether they take money away from district schools.

Don Wilson, superintendent of Vista Charter Public Schools, clarified that charter schools are free public schools that receive per-pupil-funding from the state.

“In California, the money follows the student,” Wilson told the Business Journal.

The school has worked out a long-term lease with the building’s owner Tim Nguyen, founder of Costa Mesa financial services software maker MeridianLink Inc. (NYSE: MLNK), which is contingent on receiving the conditional use permit from the city.

Terms of the agreement were undisclosed “out of respect to the owner,” according to Wilson.

The school hopes to gain city approval by Jan. 16, so it can get to work installing necessary upgrades in time to open next fall, top officials at the school said.

Premier Location

The charter school plans to set up the high school in an area of Costa Mesa that has seen a high amount of real estate activity as of late.

The two-story office building where the school is looking to lease, part of a two-building complex, is directly across the street from high-end shopping center South Coast Collection, or SoCo, which sold for a reported \$110 million to Baltimore-based Continental Realty Corp. in November.

Nearby is the development site for One Metro West, a 16-acre mixed-use project set to break ground in late 2024 or the first quarter of 2025, according to company officials. It would be built at the current site of an industrial building that sits alongside the 405 Freeway that’s leased to Sakura Paper. It was sold late last year by local businessman Joe Wen for a reported \$72 million.

The move into Costa Mesa will prove beneficial not only for the school, but also the city, Wilson said.

“I think having a school with 500 families attending will bring a positive economic impact to the surrounding businesses,” Wilson said.

Career Pathways

This will be Vista Charter Public Schools’ fifth school.

Vista Charter Public Schools was founded in 2010 and currently serves students in Los Angeles, Anaheim and Santa Ana.

Vista Charter Public Schools opened its first middle school in Los Angeles before expanding to include elementary and high school levels.

“Our goal has always been providing an education for kids from transitional kindergarten all the way through high school,” Wilson said.

The Santa Ana location for Vista Meridian Global Academy was built to serve pre-kindergarten through eighth grade students, but has also temporarily doubled as a high school for freshman, sophomore and junior students.

This new building in Costa Mesa will allow the charter school to establish an official high school for these students.

The countywide charter petition for Vista Meridian Global Academy was approved by the Orange County Board of Education on June 1, 2022.

Many of Vista Charter Public Schools’ students are economically disadvantaged, according to top officials.

The school aims to provide its students with career pathways in fields that are harder to break into such as cybersecurity and biomedical sciences.

Vista Charter Public Schools partnered with local colleges Santa Ana College and Orange Coast College so students can earn credits toward an associate degree in these fields while in high school.

Director of counseling, college and careers Catherine Real, who previously served as principal of Vista Meridian Global Academy, also helps facilitate internships for students.

MeridianLink Ties

The building was originally intended to be used by MeridianLink, founded by Nguyen, who owns both buildings in the industrial park.

Nguyen bought the property for \$9.4 million back in April 2019, filings indicate.

Shortly after the purchase, the building sat vacant due to the pandemic, and MeridianLink employees working remotely from home.

The software company has its headquarters at another office in the city.

Vista Charter Public Schools met Nguyen through the philanthropic work he does through eKadence Learning Foundation, which provides schools with systems management software for free.

“He had an empty office building that he put significant capital into and wanted to give back to the community,” Colin Felch, deputy superintendent of Vista Charter Public Schools, said.

School officials say the space is a perfect fit because of the collaborative setting that will prepare students for the “kinds of places they be working at in four to eight years.”

Some of the building’s amenities include a cafeteria, multiple gymnasiums and an indoor tennis court.

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Don Wilson Ed.D., Superintendent
Collin Felch, Ed.D., Deputy Superintendent
Karen Amaya, Assistant Superintendent



January 5, 2024

Dear Mayor and City Councilmembers;

As you are aware our CUP application is coming before you for consideration at the January 16, 2024 City Council meeting. Earlier I wrote to you to introduce myself and our school, Vista Meridian Public Charter High School. I am sending this follow up correspondence to provide additional information about our property and the extensive land use and entitlement process we went through with city staff to ensure that we would be good neighbors in the community and mitigated any issues or concerns about our school operations. I am also making myself available again to meet with you to tour our site or to schedule a phone call or meeting to answer any additional questions you may have about this item.

First and foremost I want to reiterate that Vista is a free, public high school available to any Costa Mesa student who believes our school mission and objectives meet their educational needs. We currently operate a school in Santa Ana and are interested in expanding into Costa Mesa with a 500 student body enrollment at our site located at 1620 Sunflower Avenue. Our student population in Santa Ana is currently 94% hispanic and we recognize that our new school in Costa Mesa could have similar demographics. I've attached my previous communication which highlights again the focus of our academics and our commitment to excellence for our students and families.

Our CUP application includes the conversion of an existing 37,455 sf, two-story office building to a public charter school on an existing developed site. Our proposal includes the remodeling of an existing building and minor ancillary site improvements to meet current building code standards for educational use. No physical expansion of the building footprint or increase in height is proposed. The site has ample onsite parking and a vehicle queuing lane to facilitate the proposed use. It is important to reiterate here that the property owner, Mr. Tim Nguyen is eager to have this project approved. Since the pandemic his building has been vacant, and office and commercial uses are not in demand. Activating this property with a vibrant school use not only creates economic value to the owner, but to this area of the city that is ripe for redevelopment. Given the recently approved residential uses in the area, and the positive outreach and support we received from the Harbor Gateway/Segerstrom Business Park, SOCO, Rose Equities, as well as the Costa Mesa Chamber of Commerce, we believe our project is a good fit for this corridor.

I want to assure you that we engaged a team of qualified professionals who worked for over a year with the city to bring forth a solid application that has been recommended for approval by city staff. The City independently conducted an extensive Transportation Impact Analysis that evaluated Vista's onsite drop-off and pick-up program, onsite vehicle queuing and circulation, potential for any impacts to offsite roadways and intersections, and Vehicle Miles Traveled (VMT). The report concluded that at full student capacity, the City's streets and intersections would continue to operate at an acceptable Level of Service (LOS). As such, the report found that no offsite improvements were needed to City streets or

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Don Wilson Ed.D., Superintendent
Collin Felch, Ed.D., Deputy Superintendent
Karen Amaya, Assistant Superintendent



intersections. Additionally, the report confirmed that the project was considered to have a less than significant impact on VMT with no mitigation measures required. Please note that none of our students are permitted to drive to campus and park. Vista anticipates up to 40% of its students would utilize school-provided transportation services with others participating in its “Bike-to-School Program” due to the site’s proximity to the Santa Ana River Trail.

As for consideration under the California Environmental Quality Act (CEQA), city staff confirmed and recommended the project be categorically exempt from the provisions of CEQA pursuant to CEQA Guidelines Section 15301. The project consists only of the repair, maintenance, and/or minor alteration of existing structures involving negligible or no expansion of the use beyond that existing at the time of this determination. Importantly, the project is consistent with the Industrial Park land use designation in the General Plan that states “Institutional uses may also be appropriate, provided that land use compatibility and traffic issues have been addressed. Institutional uses will require discretionary approval.” The project site is approximately 2.168 acres in size, is located within an urban area, and can be adequately served by all required utilities and public services. The project is consistent with all General Plan designations and policies, and is consistent with all applicable zoning regulations upon approval of the requested entitlement. As designed, the project will not have significant environmental impacts related to traffic, noise, air quality, and water quality. In addition, pursuant to CEQA Guidelines Section 15300.2 (c), none of the six exceptions to the use of a categorical exemption apply to the project.

In summary, our school is dedicated to providing quality educational services and being a good non-profit organization in Costa Mesa. I am happy to discuss further and will make myself available at your convenience.

Sincerely,

Don Wilson, Ed.D.
Superintendent
Vista Charter Public Schools

From: [Priscilla Rocco](#)
To: [CITY CLERK](#)
Subject: This IHO Screams Redlining!
Date: Tuesday, January 16, 2024 10:32:34 AM

City Council,

Sacramento requires almost 12,000 housing units be built in Costa Mesa. And 40% of that MUST be low, or very low income units. Affordable housing is the one thing that Costa Mesa residents agree upon. But you said that the only way to accomplish this was to relinquish our power on development to you. So we voted for Measure K, and asked for an Inclusionary Housing Ordinance (IHO) to ensure affordable housing would be included in each build above 10 units. But you and the planning commission knew the "outreach" and "visioning" were just so much political theatre. The documents are pro forma to satisfy Sacramento. And the inclusive city we were promised, is a lie!

This IHO is a developer's dream! And it screams REDLINING from every page! Instead of 10-15% affordable units in projects over 10 units, it is down to as little as 5% and THAT ONLY APPLIES to projects OVER 60 UNITS PER ACRE or to PARCELS OF TWO ACRES OR MORE. To skirt this is child's play. Also the IHO does NOT apply to FOR-SALE housing, and the in-lieu fees that developers pay NO LONGER go to a first-time homebuyer's program. The coup de grâce is that developers are also allowed to either pay in-lieu fees, agree to off-site affordable units, or swap land instead of including affordable units in their luxury complexes. Rarely is this affordable housing ever built.

The only plan for affordable housing is restricted to the Fairview Developmental Center, near other low-income neighborhoods with minority residents, next to the Emergency Operations Center (EOC) with its 10-story tower of flashing lights. No luxury homes will be built here. The air pollution is unhealthy and will only worsen when the EOC trucks arrive. And don't expect green space, trees, and parks, because developers can avoid those with in-lieu fees.

If you started out to be public servants, you've ended up the worst kind of politician. You watch from the dias as the working poor beg you for help with housing, but all you hear are the voices of land owners and developers. You've designed a city where the working poor ARE NOT

welcome. Well, I guess beggars can't be choosers, right?! The poor should be thankful they're getting any housing at all! So, north of the 405, the parks and tree-lined streets will invite walking and biking. While at the EOC, the concrete tenement will be dominated by a ten-story flashing telecommunications tower dressed in plastic to look like a tree. Our Watts Tower.

Priscilla Rocco

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January 16, 2024
Via Email

Costa Mesa City Council
77 Fair Drive
Costa Mesa, CA 92626
citycouncil@costamesaca.gov

Dear Members of the City Council:

I am writing to you in response to New Business Item #2 dealing with an ordinance to impose affordable housing requirements on new developments (referred to hereafter as the "IHO"). I've already provided my long-winded and somewhat pedantic feedback to the Planning Commission (see my prior letter attached). I am of course pleased to see that some of my suggestions found agreement with the Planning Commission, and I hope you will consider my other suggestions, too.

But I feel compelled at this stage to write to you about some big picture issues as you dive into this IHO. Not only because housing is important – myself and others have referred to it as an *existential issue*, and I still believe this – but because this could be one of the most long-lasting and realigning programs you adopt during your time on the Council. And since we, the residents, will live with your decision for many years to come, it is imperative you get it *right*.

First, I hope you understand the gravity of what you are undertaking. I know that there continue to be disagreements about the details of the program – the number of inclusionary units, the minimum project size, the applicability to homeownership, etc. – but none of these conversations squarely address the municipal burden the IHO will impose. The minimum covenant length proposed for an affordable unit is *55 years from the date of completion*. That means that the City of Costa Mesa will be on the hook to monitor these units for more than half a century. And given that those clocks start on a rolling basis as units are developed, in human terms, **this is a never-ending obligation**. That means that we will need to hire and train effectively an entire new subunit of government devoted *only* to this task, in perpetuity. So at the very least, before approving this program, an accounting should be done of how much this will cost the city in terms of new hires, administration and enforcement, both in the short term and in the very long term.

But maybe that won't seem like such a problem if we also have a perpetual revenue source. And thankfully, the IHO proposes one: the in-lieu fees generated by the IHO, or so the reasoning goes, will in turn pay for the IHO's administration. First, that idea raises the question: do in-lieu fees consistently cover the administration of the IHO in other cities? And second, even if the answer is "yes", I wonder if the advocates of IHOs have fully understood that, in order for in-lieu fees to offset the ongoing costs of administering an IHO, the city must commit itself to an *unending, perpetual and continuous process of development in order to generate those fees*. I have to admit that it is extremely strange to hear proponents of Measure Y, the original "slow growth" ordinance, now come to you and ask you to do exactly this.

Now, personally, I would love to have a policy that actively encouraged the gradual reimagining of the city, parcel by parcel, brick by brick. And the first thing I would want us to evolve towards is, of course, the provision of more housing on a per capita basis, which I am convinced is the only way to bend the cost curve of housing affordability. KMA can, and has, shown us 170+ Californian cities with inclusionary housing ordinances. And experience can show you, equally, 170+ Californian cities with historical runaway housing costs for everyone else who isn't a lucky recipient of an affordable unit.

Additionally, while I'm sure some of you are dismayed to see homeownership opportunities removed from the IHO, I would ask: *do we have any evidence that inclusionary housing as applied to homeownership has any positive effect on the homeownership rate*? I think it is easy to assume that, if you make homeownership for any particular person easier by providing a subsidy, that, in turn, the rate of homeownership will improve. But the reality is, it is much, much easier to convert an owner-occupied home or condo into a rental unit than vice versa, and many policies (some out of the City's hands) encourage owners to do so. So, to the extent that macroeconomics favors the development of, and conversion of existing ownership properties to, rental properties, we must build new homeownership opportunities to ensure that our homeownership *rate* either remains stable or improves. And IHOs do nothing, *absolutely nothing*, to encourage the development of homeownership properties. It can only act as a drag on the development of those opportunities.

So, with experience over many jurisdictions, it is becoming clearer and clearer that inclusionary housing is not inclusionary, *but **illusory***. It provides the impression of progressive policy with respect to housing without producing a progressive, equitable result.

And that makes me wonder: are IHOs really a "progressive" policy, at all? I think they used to be considered as such; they are, after all, a top-down policy to demand the private sector provide for the less fortunate, and they do administer a kind of rough redistributive justice. But I hope that the thinking even amongst self-described progressives is evolving. Buried in the heart of the IHO's logic is a certain **despair**, which hardly sounds progressive at all: *we can't do anything about market housing prices. Housing will only get more expensive. We have to force the provision of affordable housing, even if we get only a little bit of it, because it is the best we can do.*

I just don't believe this is the "the best we can do". Minneapolis, which also faced an acute housing affordability crisis, [has built enough housing in the last few years that it actually *did* bend the cost curve for all residents](#). And, admittedly, it did so in the presence of an inclusionary housing ordinance, albeit one *much* more aggressive than even the version that you are considering from the Planning Commission: [they set their rates at 8% low-income or 4% very low-income, each for only 20 years, for all developments larger than 20 units, or 20% low-income for 30 years with city financial aid](#).¹ Minneapolis also did away with minimum parking requirements and single-family zoning. In other words, they set their housing policy towards the goal of steady, constant housing development. And in return, they got broad rental relief for the entire city, not just for a few people. There is no need to despair. **Hope is an option.**

The Planning Commission has made great improvements to the IHO from its first draft circulated in the Summer. I am deeply appreciative of their insights and expertise. I am also thankful that Staff has been receptive to feedback from across the community, and I think it has done an excellent technical job of assembling the framework of the IHO. But more can be done to make this a cornerstone of a truly progressive housing policy. Costa Mesa is perfectly positioned to lead. I hope we do.

Best,
Jenn Tanaka

¹ Note that Minneapolis's IHO also covers ownership units [and, despite this policy, the homeownership rate has dropped or at least remained flat](#). It certainly isn't clear that including for-ownership units in the IHO has positively impacted this rate.

Attachment: Prior Letter to the Planning Commission

November 13, 2023
Via Email

Planning Commission of the City of Costa Mesa
Jennifer Le, Director of Economic and Development Services
Nancy Huynh, Principal Planner
77 Fair Drive
Costa Mesa, CA 92626
PCPublicComments@costamesaca.gov
jennifer.le@costamesaca.gov
nancy.huynh@costamesaca.gov

Dear Planning Commissioners, Director Le and Principal Planner Huynh:

Thank you for providing a draft of the City's inclusionary housing ordinance (IHO). I appreciate that the public will be involved in this process as it is one of the most important pieces of legislation in the City's history. It has the potential to have long lasting effects on our housing market and, hopefully, it will make a meaningful difference in the lives of those struggling to afford their homes.

I have only a few significant comments as the IHO appears to be fairly reasonable and conservative as proposed. It is clear that the City's Staff has done a good job including relevant stakeholders and taking advantage of the expertise available through the City's consultant, Keyser Marston Associates (KMA). However, I think there are still a few areas that deserve a second (third?) look.

First, a couple high-level thoughts. It is my view that the top reasons that a housing policy is successful are (1) thoughtful tailoring to the jurisdiction's specific context (economy, demographics, current land use, etc.) and (2) features that ensure that the jurisdiction is an attractive development site compared to neighboring cities sharing the same labor market.

With respect to the first factor, I still do not think enough weight is being given to the blow that's been dealt to Costa Mesa's development pipeline by Measure Y. As I have noted in earlier letters, Measure Y has left few properties in the hands of those interested in redevelopment. Thus many infill projects will require the land to transact prior to building. This adds substantial capital costs to our projects, and those capital costs will be multiplied by persistently high interest rates.

This issue is potentially further complicated by the possibility that cannabis retail sites may compete for housing sites within the Measure K area, which I haven't seen analyzed. As we have seen, cannabis site competition is fierce and we still have many applicants. To the extent cannabis is successful in Costa Mesa, it presents a land use that requires comparably minimal improvements compared to housing production and potentially high long-term revenues. It would be unfortunate to find that some of our housing opportunity sites would be more profitable and easier to develop as cannabis sites.

Additionally, I wonder if the second factor — the IHO's competitiveness compared to other cities — has been adequately analyzed. Investors, and thus the developers they fund, do not have allegiance to any particular city. Rather, they are more interested in the *labor markets* reachable by any parcel, as such markets will justify the rents and provide steady access to new tenants. Provided a developer can select

from parcels with comparable access to the labor market, they will choose to develop in the city with the best mix of regulatory certainty and incentives.

This implies that less restrictive jurisdictions within the same labor market will experience better rates of development, and this seems supported by the inclusionary housing literature. For example, a often-cited paper by the NYU Furman Center for Real Estate and Urban Policy, [The Effect of Inclusionary Zoning on Local Housing Markets](#), found that, when comparing the performance of inclusionary zoning in several jurisdictions in San Francisco, "...the number of units built increases with the presence of a density bonus and minimum project size that triggers [inclusionary zoning]. These results suggest that *less stringent programs actually produce more affordable units*, a plausible explanation if developers avoid jurisdictions with highly stringent programs" (emphasis mine). Another study from the Furman Center looked at ["upzoning with strings" in Seattle, WA](#), an approach similar to what we are attempting here, also found that inclusionary zoning encouraged developers to relocate projects to nearby parcels that did not require inclusionary zoning, even if those parcels were not upzoned: "Our quasi-experimental border design finds strong evidence of developers strategically siting projects away from MHA-zoned plots—despite their upzoning—and *instead to nearby blocks and parcels not subject to the program's affordability requirements*" (emphasis mine).

So in other words: although counterintuitive, *lower* inclusionary housing requirements can produce *more* inclusionary units overall, provided that the inclusionary housing requirements are light enough to maintain economic competitiveness for redevelopment compared to parcels in the same area. Thus, in general, more development with a relatively low inclusionary requirement will produce more units than little development with a high inclusionary requirement, especially if that high inclusionary requirement is more stringent than neighboring cities.

With that context in mind, I have the following suggestions regarding the draft IHO:

Increase the minimum project size to at least 25 units. Twenty-five units is the minimum project size where the lowest inclusionary set aside — 4% for Very Low Income Households in projects with a base density of less than 60 du/ac — will result in the set-aside requirement of one whole Inclusionary Unit. Raising the minimum project size to this level (or higher) will also safely exempt developments on smaller lots, which may have high densities but will result in fewer units and poorer economies of scale compared to developments on bigger lots.

As an aside, the Agenda Report notes that, "of the [City's] housing projects [greater than two units from 2014-2021], which were either located in the City's urban plan areas or along major commercial or industrial corridors, all were more than ten units." One wonders, though, if those projects would have been built if our IHO had applied to them at the 10-unit threshold at the time of entitlement. Have we asked the developers of those projects if the IHO as drafted would have changed their minds? If it would have been a factor, this would be further evidence that we should rethink the minimum project size.

Lower the inclusionary thresholds and think about the "regulatory cliff"

I am pleased to see that KMA was requested to reanalyze its findings regarding the likelihood of redevelopment given our sky high land values and profitable "going concern" land uses. However, even if the resulting thresholds are "conservative" under KMA's analysis, I would encourage the City to be *even more conservative*. This is due to competitive concerns with our peer cities that share our labor market. For example, Huntington Beach only requires a 10% set aside for low income households at any density, while developments greater than 60 du/ac in Costa Mesa would require an 11% set aside for Low Income Households. And while these thresholds look attractive compared to the requirements in Santa Ana, it is

worth noting that [Santa Ana has been struggling to get its inclusionary housing program to work as intended](#).

Additionally, we should keep in mind that Newport Beach, Tustin, Fountain Valley and Orange are not listed on the comparison chart provided by Staff. That is because, to date, these jurisdictions *do not have an inclusionary housing requirement*, though admittedly several are considering one.

In order to remain competitive with our neighbors, I would recommend dialing back the inclusionary housing requirements for the high density developments, perhaps from 11% for Low Income Households or 6% for Very Low Income Households as proposed to 10% for Low Income Households or 5% for Very Low Income Households (or even less). This brings us more in line with Huntington Beach and offers a competitive advantage compared to Santa Ana.

Bringing down the requirements for higher densities also reduces the severity of the “regulatory cliff” created by the distinction between 60 du/ac+ projects and those under 60 du/ac. As density will be determined on a *project basis*, the unit difference between 59 du/ac and 61 du/ac could be minimal, especially in smaller developments. However, as drafted, the regulatory drag for the two projects could be very different. It would be worth investigating how this will impact developer behavior.

Consider removing ownership requirements entirely. Multifamily ownership projects are already strongly disincentivized by insurance requirements, the Federal tax code and our high construction costs. Therefore, even without inclusionary requirements, it is very unlikely many condominiums will be developed even with the benefit of “free” upzoning. So if we are serious about wanting to make a dent in our “renter-homeowner ratio”, we should be putting as few restrictions on the development of ownership properties as possible. I would also note that, with ownership units targeting moderate income families, an ownership program does not align with the City Council’s expressed interest in “deep affordability”.

Additionally, administering affordable ownership units can be very expensive (especially on a cost-per-unit basis), as it requires extensive vetting of new buyers as well as constant maintenance to ensure the properties aren’t sublet for profit. It may also lead to strange and unintended outcomes, such as persons with plenty of resources occupying affordable ownership units for very long periods of time. [As a local example, the Mayor of Huntington Beach, Tony Strickland, lives in an affordable ownership unit that he inherited through marriage, a result likely not intended by the program.](#)

Consider reducing affordability covenant duration. I recognize that the logic behind the 55-year affordability covenant is that it aligns with the State Density Bonus Law. However, it would be worth investigating the likelihood that all or most developments will avail themselves of the State Density Bonus Law, especially in light of the IHO’s reduced parking requirements. As any development must comply with the most restrictive requirement, the State Density Bonus Law will require 55-year durations for any developments that use it. However, for those developments where using the State Density Bonus Law isn’t feasible, the long tail of affordability is a disincentive as it impacts long-term economics. Therefore, consider whether the IHO’s required duration should be shorter than the State Density Bonus Law to reduce the impact of the IHO on non-State Density Bonus Law developments.

Allow in-lieu fees to always be available, regardless of project size. According to the Agenda Report, the IHO will permit all ownership housing projects to use in-lieu fees, but only rental housing projects fewer than 100 units be permitted to do so. I think there is a reasonable argument that in-lieu fees should be available for all projects. First of all, 100 units is a somewhat arbitrary threshold other than it feels “big enough” to support on-site development, an assumption that may or may not be correct depending on any

number of contextual factors. Second, there is no reason why we could not build consideration for improved economics with scale into the fee schedule itself. [For example, Minneapolis increases the in-lieu fee as the project size increases \(proxied by building height\)](#). Allowing the in lieu fee to apply to all projects may give the City valuable data about the value of inclusionary units over time.

It must be stressed that the in-lieu fee will be much easier to adjust than the inclusionary thresholds or other aspects of the program. Since in-lieu fees are easy to change, they are useful tools to “dial in” the ordinance and to adjust it for changing economic conditions.

As always I hope that these comments are helpful. As I said above, I believe this is one of the most important ordinances in Costa Mesa’s history. I know you will give it the time, consideration and attention that it deserves. And again I am deeply appreciative that the public will be a part of that process.

Best,
Jenn Tanaka
321 Broadway, Costa Mesa



January 16, 2024

Mayor John Stephens
 City of Costa Mesa
 77 Fair Drive
 Costa Mesa, CA 92626

Re: Public Hearing Item 2 – Establish Affordable Housing Requirements

Dear Mayor and Council,

On behalf of the Building Industry Association of Southern California - Orange County Chapter (BIA/OC), I write to share several concerns that justify a delay in adoption.

The Public Staff Report for this item states on page 5, “(w)hile an affordable housing ordinance is one tool to address housing affordability, it is not anticipated to produce all of the affordable units that the City is mandated to plan for pursuant to the RHNA allocation.” This is the perfect place to start. Inclusionary Zoning will NOT solve your affordable housing needs but it will create a very real risk of making affordability much worse if done wrong. For ease of reference, this letter will follow the headings created in the Public Staff Report.

An Incentive-Based Program

This is a challenging and misleading heading. It is important to understand that there is nothing about mandating the construction of units at a loss that constitutes an incentive-based program. Allowing more housing in Costa Mesa isn’t a favor to home builders, it is a legal requirement under state law and a mandate from residents. Labeling this effort as an incentive-based system is an unfortunate mischaracterization of the policy.

Planning Commission’s Recommendation

Generally, we are very supportive of the work done at Planning Commission. While we have structural concerns with the Inclusionary Policy, on its face, the Commission’s work did much to help mitigate risks so as to best position the city for a future under an Inclusionary plan.

EXECUTIVE COMMITTEE

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 ADAM WOOD
 BIAOC

Project Threshold

We strongly support the Planning Commission recommendation outlined by the Staff Report stating that “*new housing projects under 60 dwelling units per acre and/or any projects under two-acres (even if over 60 dwelling units per acre) would be exempt from the ordinance’s requirements.*” Ideally, this threshold will be credited to projects of all sizes as an incentive to jump-start construction in Costa Mesa after many years of inactivity.

Additionally, it is important to alter the Staff Recommendation to include specific language allowing projects of all sizes to elect between on-site, off-site and in-lieu fees alternatives. This allows home builders, in partnership with the City, the ability to respond to changing market conditions. Although there are plans to regularly revisit this Ordinance, the reality is that change can be hard to come by once language is enshrined. Flexibility built into the execution of this Ordinance is the surest way of preventing project loss in the years and decades to come.

Required Number/Percentage of Affordable Units

Both KMA and the Planning Commission advocate a fixed percentage of low and very low-income requirements on new homes. This can be a challenge as every new unit is extremely site specific and subject to ever-changing market conditions. Therefore, it is always best to create a policy that provides the greatest flexibility at the staff level to allow all levels of affordability to be utilized in the hopes of making projects pencil when they otherwise might not. In a manner, this is an extension of the points raised above.

We recommend increasing flexibility for current and future Staff to maximize production potential. Affordability bands should be extended to consider options including 120% AMI and 150% AMI. A workable solution would include a menu of options starting with 5% at 150% AMI, then 3% and 120% AMI, 2% at 80% AMI and/or 1% at 50% AMI. Such options allow home builders the ability to make projects pencil and in a housing crisis, a unit built will always be more important than an unbuilt unit with good intentions.

Exempt Ownership Housing Projects

We strongly support this recommendation from the Planning Commission. There is no denying the economics of for-sale and for-rent housing are wildly different. Inclusionary policies disproportionately impact for-sale home creation. Exempting for-sale projects will support desperately needed ownership opportunity that has been missing, at scale, for too long.

Staff Resources

Approval of an Inclusionary policy “*would create a new housing program that would require additional staff and consultant resources to implement, manage, monitor, and enforce the ordinance.*” (Staff Report p.9) It is extremely important to understand the cost and who will pay for this additional level of government. Will administration of this program come out of in-lieu fees? A new Development Impact Fee? The General Fund? Understanding the budget requirements is important to ensure that a program isn’t created simply to fund the existence of a program and little more.

It is also important to create a specific plan for early implementation and staffing, in light of recent changes announced at the City. Project costs, or more likely consultant costs, can escalate quickly.

Next Steps

The Staff Report says, if *“the City Council approves the first reading, staff will return at the next meeting for second reading. If approved, the Ordinance becomes effective 30 days after second reading. In addition, KMA will immediately complete an in-lieu fee study which will be presented to the Council for adoption by Resolution, concurrently with the effective date of the Ordinance.”*

This is a very problematic timeline. Understanding the fee structure is central to understanding if this policy proposal works. To not discuss the fee until **AFTER** the ordinance has vested undermines the Council’s ability to creatively draft a policy that works. We have seen this in Santa Ana and in Tustin. Both cities put fee structures in place, at the recommendation of your consultant, that resulted in ZERO projects entering the pipeline while in effect. Utilizing this approach is Costa Mesa puts you on track to continue the non-existent production of Measure Y.

Alternatively, a brief pause should be entertained while Staff, Consultant and the Community meet to determine how an in-lieu fee fits into the larger community development narrative. Only after understanding the failures of your neighbors should a fee structure be integrated into the Inclusionary conversation, and in a manner allowing this Council to craft a comprehensive tool for the City. Advancing an Inclusionary policy today, without this approach in place, is incomplete at best.

Additionally, it is difficult to assess the fee or the Ordinance without a discussion of the design standards required under Measure K. Again, homes are very site specific and not knowing what will be required creates a siloed review of this Inclusionary policy that does not do justice to the holistic requirements the city will demand when housing proposals are finally able to proceed.

Alternatives

An important distinction is worth noting under the Alternatives heading. The Staff Report states, *“City Council could also not approve the Ordinance, which may subject the City to litigation and/or other State enforcement actions.”* As the old saying goes, it is important to provide “the rest of the story” to this claim. The city is similarly subject to litigation and/or other State enforcement actions if a policy is adopted that prevents housing from being constructed. Such impediments risk Housing Element decertification and other complications. Therefore, it is incumbent upon this Council to strike the delicate balance between these two extreme possibilities in crafting a policy to the benefit of all Costa Mesa.

13-328 Exemptions

Although not in the Staff Report, we have included this section to avoid missing an important opportunity. We suggest adding subsection (h) to Code Section 13-328, allowing for Development Agreements. Such a provision allows staff to constructively work with larger projects that have unique financing structures to create a mutual net benefit for the city outside the constraints of this specific ordinance. This is not an exemption preventing Development Agreement projects from including affordable housing, rather a provision that gives staff the flexibility to ensure innovative projects have the flexibility necessary to thrive.

With much to consider, we again request a delay in the adoption of any Inclusionary policy until the questions above have been addressed. Anything short of a full picture of budget impacts and practical implementation requirements reduces builder confidence and undercuts the incredibly hard work that went into securing the pro-housing Measure K victory.

Thank you for your thoughtful consideration of the points raised above.

Sincerely,

A handwritten signature in black ink, appearing to read 'AW', with a long horizontal stroke extending to the right.

Adam S. Wood
Senior Vice President
Building Industry Association
of Southern California – Orange County Chapter

**PUBLIC COMMENTS RECEIVED AFTER
THE 12:00 P.M. DEADLINE**

From: [GREEN, BRENDA](#)
To: [TERAN, STACY](#)
Subject: FW: Proposed Inclusionary Housing Ordinance - comments
Date: Tuesday, January 16, 2024 2:34:57 PM
Importance: High

Brenda Green
City Clerk
City of Costa Mesa
714/754-5221

E-mail correspondence with the City of Costa Mesa (and attachments, if any) may be subject to the California Public Records Act, and as such may, therefore, be subject to public disclosure unless otherwise exempt under the act.

From: George Sakioka <gmks@sakiokacompany.com>
Sent: Tuesday, January 16, 2024 2:31 PM
To: GREEN, BRENDA <brenda.green@costamesaca.gov>
Subject: FW: Proposed Inclusionary Housing Ordinance - comments
Importance: High

Hi Brenda,
Can you please forward this email to the City Council for tonight's meeting ASAP.
Thank you!
George

From: George Sakioka
Sent: Tuesday, January 16, 2024 2:30 PM
To: Nancy Huynh - City of Costa Mesa (NANCY.HUYNH@costamesaca.gov) <NANCY.HUYNH@costamesaca.gov>
Cc: Jennifer Le - City of Costa Mesa (jennifer.le@costamesaca.gov) <jennifer.le@costamesaca.gov>; Amy R. Forbes - Gibson, Dunn & Crutcher (aforbes@gibsondunn.com) <aforbes@gibsondunn.com>; Brenda Green - City of Costa Mesa (brenda.green@costamesaca.gov) <brenda.green@costamesaca.gov>
Subject: Proposed Inclusionary Housing Ordinance - comments
Importance: High

Dear Ms. Huynh,

We understand the City Council is considering the new inclusionary housing ordinance at its meeting tonight. We have collaborated with staff and appreciate the support and the effort to meet the City's affordable housing goals.

We appreciate the inclusion of an option for dedication of land as a means of satisfying the affordability requirement, and the ability to locate an all-affordable project within a master planned community.

We do, however, have one lingering concern about how the ordinance is drafted. Under Section 13-331, use of those methods *is limited* to circumstances where there is a determination that it is “economically infeasible” or it would “impose an extreme hardship”.

Land dedication, and master planning an affordable housing project that supports the entire community, should be allowed as an independent means of satisfying the affordability requirement without having to resort to proving infeasibility or hardship. It makes good planning sense and will only pertain to large projects with the ability to generate a significant number of units. Those developments should be encouraged as they will help the City meet its goals.

We propose the sentence be changed as follows:

13-331. Alternative Compliance Procedures.

“The following are the alternative options to fulfill the requirements of this chapter if onsite production of affordable units is determined by the director or their designee to be economically infeasible and would impose an extreme hardship, **or if it is determined to lead to a better planning result and/or additional affordable units**. The director or their designee’s determination shall be made based upon evidence **of economic hardship** provided by the applicant.”

Thank you for your consideration,

George M.K. Sakioka

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From: [Steve Dzida](#)
To: [CITY CLERK](#)
Subject: Affordable Housing
Date: Tuesday, January 16, 2024 4:54:50 PM

Costa Mesa voters spoke clearly when we passed Measure K. The resolution presently being considered seems to ignore Measure K entirely. ALL new developments should require affordable units. 15% low or 10% very low for projects of 60 or more units; 12% low or 7% very low for projects under 60 units. We are counting on you!

Steve and Maria Dzida
1846 Kinglet Court, Costa Mesa
949/230-7375

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From: [Cesar C](#)
To: [CITY CLERK](#); [STEPHENS, JOHN](#); [MARR, ANDREA](#); [CHAVEZ, MANUEL](#); [HARLAN, JEFFREY](#); [GAMEROS, LOREN](#); [HARPER, DON](#)
Subject: Item 2 - Public Hearing
Date: Tuesday, January 16, 2024 5:48:33 PM
Attachments: [Costa Mesa Inclusionary Housing Ordinance Proposal Jan. 16, 2024.docx](#)

Mayor Stephens and Councilmembers,

Please see attached The Kennedy Commission's comment letter on Public Hearing Item 2 on the January 16, 2024 City Council agenda .

Item 2 - AN ORDINANCE AMENDING TITLE 13 (PLANNING, ZONING AND DEVELOPMENT) OF THE COSTA MESA MUNICIPAL CODE TO ESTABLISH AFFORDABLE HOUSING REQUIREMENTS FOR NEW RESIDENTIAL DEVELOPMENT PROJECTS

The Commission is not supporting the current draft ordinance and affordable housing requirements as it are not enough to support affordable housing needed at the very low and low. In addition, the current proposal does not adequately weigh the benefits it is granting developers to build higher densities on opportunity sites identified for lower income housing and approved by the voters.

The implementation of a strong Inclusionary Housing Ordinance that specifically focuses on extremely low, very low and low is essential to address the housing crisis impacting lower income families in Costa Mesa. An Inclusionary Housing Ordinance will bridge the gaps of systemic inequity by providing safe and affordable housing to working families facing housing and economic insecurity because of the lack of affordable housing options.

We are strongly recommending that the city implement an Inclusionary Housing Ordinance to ensure housing is produced equitably and creates balanced housing development to support housing for lower income residents.

The Inclusionary Housing Ordinance needs to require at minimum the following affordable housing requirements in exchange for the development incentives and the opportunity to build higher density developments.

Costa Mesa must increase its inclusionary requirements.

Increase the required set-aside to 15% low and very low or 10% very low-income for developments of 60+ units per acre.

And

***Increase the required set-aside to 12% low or 7% very low-income for developments of 50-59 units per acre.**

We look forward to working with the City of Costa Mesa to encourage effective housing policies that will help create balanced housing development and create much-needed

affordable housing in our local communities. If you have any questions, please feel free to contact me at (949) 250-0909 or cesarc@kennedycommission.org

Sincerely,

Cesar Covarrubias
Executive Director

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January 16, 2024

Mayor Stephens and Councilmembers

City of Costa Mesa

77 Fair Drive

Costa Mesa, CA 92626

Re: Item 2. AN ORDINANCE AMENDING TITLE 13 (PLANNING, ZONING AND DEVELOPMENT) OF THE COSTA MESA MUNICIPAL CODE TO ESTABLISH AFFORDABLE HOUSING REQUIREMENTS FOR NEW RESIDENTIAL DEVELOPMENT PROJECTS

Mayor Stephens and Councilmembers

The Kennedy Commission (the Commission) is a broad-based coalition of residents and community organizations that advocates for the production of homes affordable for extremely low-income families earning less than \$30,000 annually in Orange County. Formed in 2001, the Commission has been successful in partnering and working with Orange County jurisdictions to create effective housing and land-use policies that have led to the construction of homes affordable to lower-income working families.

We are writing today to urge that the City of Costa Mesa adopt a strong Inclusionary Housing program to incentivize affordable housing opportunities on sites that are identified in the 6th Cycle Housing Element. We have participated in the affordable housing ordinance working group and study sessions. Based on our discussions we strongly believe that the policy needs to ensure that the City will effectively produce affordable housing at the extremely low, very low, and low-income level, these are the units not being created by the market. Moreover, we want to ensure that the city includes an Inclusionary Housing Ordinance as part of their housing programs and priorities to support extremely and very low-income families in Costa Mesa.

AFFORDABLE HOUSING NEED IN COSTA MESA

Residents in Costa Mesa are being impacted by a housing and homeless crisis due to the rent increases and the lack of affordable housing options that are not being built in the city.

Many families continue to face economic and housing insecurity due to the high housing cost. According to the City's 2021-29 Housing Element data, there are a total of 24,987 renter households in Costa Mesa, with 12,640 or 50.6% of those households spending thirty percent or more of gross income on housing costs.¹ Additionally, 6,465 or 25.9% renter households are extremely rent burdened and are paying fifty percent or more of gross income on housing costs. The data also shows that a significant portion of job salaries in Costa Mesa employment industries fall into the lower-income categories.² The City should take into account its local economy and offer healthy and affordable housing options that the current market-rate housing development is not offering.

Low income residents in Orange County would need to earn \$51.39 per hour - 3.3 times the state minimum wage - to afford the average monthly asking rent of \$2,648 and this does not account for current families that are living paycheck to paycheck.³ The housing policies and programs in Costa Mesa must support the residents living and working in the City.

As rents continue to rise in Orange County, the rental housing market has become unaffordable to lower income families struggling to remain housed. In Costa Mesa, the median income for a two-bedroom apartment ranges from \$2,648-\$4,581.⁴ These rents are unrealistic and unattainable for low and extremely low socioeconomic residents. Therefore, we are prioritizing the **Inclusionary Housing Ordinance** as a way to bridge the gap between the extremely low, very low-, and low-income rents and the higher rents in the housing market.

HOUSING PRODUCTION IN COSTA MESA

In the 2014-2021 Housing Element Planning Period the City of Costa Mesa's lack of affordable housing policies and programs led to a robust housing production that greatly exceeded the above moderate-income level RHNA, but minimal production of lower income housing that only met a fraction of the city's lower income housing needs. In addition, the lack of affordable housing policies led to a deficit of affordable housing sites for lower income RHNA in the 5th cycle since market rate housing was developed on the opportunity sites.

For the 2014-2021 Housing Element planning period, the city had a total RHNA of two, with one unit at very low-income units, one unit at low-income and 0 units at moderate and above moderate. While the City of Costa Mesa approved 9 deed restricted units at their lower RHNA, these numbers do not reflect the dire needs of the very low and low-income residents in Costa

¹ SCAG Pre-Certified Housing Data for the City of Costa Mesa, April 2021

² Costa Mesa 2021-2029 Draft Housing Element: Community Profile, August 2021

³ Orange County Housing Needs Report 2022, CA Housing Partnership Corp.

⁴ Rent Cafe

Mesa. However, for the above moderate-income units, the city outperformed and exceeded the RHNA by approving 1,192 moderate and above moderate-income RHNA units.

While market rate housing production is clearly happening in Costa Mesa because of incentives and concessions to developers, it is occurring in an imbalanced way that is not producing affordable housing for lower income families. The implementation of the Inclusionary Housing Ordinance will continue to offer development opportunities and create affordable housing in exchange for the incentives and concessions being provided for market rate development. The Inclusionary policy will create affordable housing along with market rate housing. Moreover, it will encourage the city to prioritize housing that is affordable for residents living below the poverty line and facing housing and economic uncertainty.

In the current 6th cycle planning period, the city has a RHNA of 2,919 for very low-income households (families making less than \$50,000), 1,794 for Low and 7,047 for moderate and above moderate. To date the city has not constructed any affordable housing developments for low-income residents. It is important that while the city creates new housing opportunities that it supports low-income residents through an *Inclusionary Housing Ordinance* that ensures housing is produced equitably and meets the current and future needs of all Costa Mesa residents. The Commission strongly recommends the city adopt an Inclusionary Housing Ordinance that requires **20%** of units of all citywide residential projects be set at the **extremely low (7.5%), very low (7.5%), and low-income levels (5%)**. This ordinance will ensure the city meets their low and very low-income housing needs.

The city must address housing inequity in implementing their 6th Cycle Housing Element to support acutely low, extremely low, and very low-income residents. We recommend the city prioritize an Inclusionary Housing Ordinance to bridge the gaps within the housing market and provide various resources to low and extremely low socioeconomic income residents. The Inclusionary Housing Ordinance provides a framework for the city and housing developers on methods to address market and housing needs while providing incentives to build and options to meet the affordable housing onsite, off site, with in lieu fees or donation land.

An Inclusionary Housing program will help the city create certainty in development and will ensure that housing opportunity sites are developed with market rate and affordable housing in a balanced manner. The Inclusionary Housing Ordinance will also help the city not face no net loss as a result of losing affordable housing opportunity sites to market rate developments.

INCLUSIONARY HOUSING PROGRAMS

Inclusionary housing programs have a long history of success in addressing housing needs that are not addressed by market rate development. Traditional planning that provides greater development opportunities through specific plans, rezoning, and general plan amendments has

incentivized market rate development, but not produced affordable housing. A city must have an affordable housing program that produces balanced housing development. Amongst the cities in Orange County, there are thirteen cities that have adopted an Inclusionary Housing Ordinance and have seen progress towards balanced and equitable housing development in their cities.

While most cities have exceeded their above moderate and moderate housing production in OC, only the cities with a strong affordable housing policy have created balanced housing developments that are meeting their low and very low-income housing needs along with market rate. Inclusionary Housing programs have proven effective in cities like Santa Ana and Irvine, where they are creating equitable progress towards meeting their RHNA for market-rate and low/very low-income housing. The inclusionary program is the same for vacant or non-vacant sites. Since most cities in Orange County are built out, most opportunity sites identified are non-vacant sites.

In Santa Ana, the Housing Opportunities Ordinance has been impactful in the development of affordable housing. Santa Ana's program requires developments to contribute: a minimum of 15% of units that are affordable for low-income households, or a minimum of 10% are for very low-income households, or a minimum of 5% are for extremely low-income households.⁵

As a result of the program, in the 5th Cycle (2014-21) the City of Santa Ana greatly exceeded its RHNA targets in a balanced manner. **It approved over 4,900 new housing units, the majority, 3,274 of the units were approved as market-rate above moderate and 1,568 units at the low and very low-income levels.**

Another positive example of an effective **Inclusionary Housing Ordinance is the City of Irvine**. The program requires 15% of units to be affordable at 5% moderate, 5% low and 5% very low. As a result of the program, in the 5th Cycle (2014-21) the City of Irvine greatly exceeded its RHNA targets, but also produced significant affordable housing in the lower categories. **It approved over 31,009 new housing units, the majority, 29,823 of the units were approved as market-rate moderate and above moderate units and 1,186 units at the low and very low-income levels.**

Because of the city's desire to address deeper affordable housing levels the city is proposing new changes to the program as part of their 6th Cycle Housing Element implementation. The city is proposing to increase the inclusionary requirement from the 15% to 20% (9% very low, 6% low, and 5% moderate)⁶

⁵ Santa Ana RHNA Progress 2014-2020

⁶ Irvine RHNA Progress 2014-2020

These cities have included the Inclusionary Housing Ordinance as part of their policies and programs, and it has not impacted their creation of market rate housing developments in the city. Instead, the cities continue to incentivize market rate housing and also include housing units for acutely, extremely, very, and low-income families.

The inclusionary housing programs also offer an in-lieu fee option. With the usage of an in-lieu fee in both cities, the money deposited into the Inclusionary Housing Fund increase has been used to supply housing affordable to low, very low, and extremely low-income households in cities. The fee is calculated based on the true cost to develop affordable housing units and other financial and market factors and lowers other development costs such as predevelopment. Currently, Santa Ana's in-lieu fee is: 5-9 units is \$6 per square foot, and 10-14 is \$9 per square foot, 15-19 is \$12 per square foot, 20+ is \$15 per square foot. In comparison, Irvine's Inclusionary Housing program requires 15% (5% very low, 5% low, and 5% moderate) as affordable units and has an in-lieu fee of \$16,600 per unit. As part of their 6th Cycle Housing Element the city is committing to increase the Inclusionary Housing to 20% (9% very low, 6% low, and 5% moderate).

Inclusionary rental and ownership homes have an affordability period up to 60 years from the time a home was built. Inclusionary Housing Program homes that are sold must be purchased by an eligible buyer and the price of the home must fall within an affordable price limit calculated by the City. The prices are calculated for affordability and are not driven by property values or other market conditions. This provides longstanding solutions to address housing needs. Inclusionary Housing Ordinances is an additional tool for cities that can be used with other housing programs and policies to create long term affordability and increase affordable housing options.

Costa Mesa must focus on creating balanced housing development that addresses affordable housing production not met by the market. Merely increasing production is not the answer to addressing the affordable housing crisis. As we have seen from past performance, the market is simply creating units that are not affordable to most Costa Mesa residents struggling to find affordable housing options. The focus should be on affordable housing and policies that create opportunities for extremely, and very low-income families. We strongly propose the city create equitable-development goals that support the current needs of the community now and for the future, which will not only come with increasing development but focusing on the overall picture of *affordability and sustainability*. The implementation of an Inclusionary Housing Ordinance will not hinder housing development, as demonstrated cities in OC have policies and programs to increase affordable housing and market rate housing in a balanced way.

We also want to acknowledge Costa Mesa's Measure Y and its impact on affordable housing developments. One of the City's largest constraints to affordable housing development is Measure Y, because it prioritizes lower density and less development options. The City's residents recently passed a measure to exempt certain sites from the Measure Y constraints. These sites are vital to addressing affordable housing needs as they are being identified for affordable housing at lower

income. An Inclusionary Housing Ordinance would be a policy to ensure that affordable housing gets built at targeted categories at the extremely low and low income. If these sites do not produce affordable housing, the city will have a no net loss and will have to identify additional sites with the capacity of at least 30 units to the acre to meet its lower income housing needs.

CONCLUSION

The implementation of a strong Inclusionary Housing Ordinance that specifically focuses on extremely low, very low and low is essential to address the housing crisis impacting lower income families in Costa Mesa. An Inclusionary Housing Ordinance will bridge the gaps of systemic inequity by providing safe and affordable housing to working families facing housing and economic insecurity because of the lack of affordable housing options.

We are strongly recommending that the city implement an Inclusionary Housing Ordinance to ensure housing is produced equitably and creates balanced housing development to support housing for lower income residents.

The Inclusionary Housing Ordinance needs to require at minimum the following affordable housing requirements in exchange for the developments incentives and the opportunity to build higher density developments.

Costa Mesa must increase its inclusionary requirements.


Increase the required set-aside to 15% low and very low or 10% very low-income for developments of 60+ units per acre.

And

***Increase the required set-aside to 12% low or 7% very low-income for developments of 50-59 units per acre.**

We look forward to working with the City of Costa Mesa to encourage effective housing policies that will help create balanced housing development and create much-needed affordable housing in our local communities. If you have any questions, please feel free to contact me at (949) 250-0909 or cesarc@kennedycommission.org

Sincerely,



Cesar Covarrubias
Executive Director

From: [Kathy Esfahani](#)
To: [STEPHENS, JOHN](#); [HARLAN, JEFFREY](#); [MARR, ANDREA](#); [CHAVEZ, MANUEL](#); [REYNOLDS, ARLIS](#); [GAMEROS, LOREN](#); [HARPER, DON](#); [CITY CLERK](#)
Subject: Opposed to WEAK affordable housing ordinance-STRENGTHEN IT!!!
Date: Tuesday, January 16, 2024 4:06:52 PM

Dear City Council Members,

Please don't blow it. You must **strengthen** the requirements of the proposed affordable housing ordinance.

The current version of the proposed inclusionary ordinance is a terrible disappointment. It falls short in three crucial respects.

1. It applies only to developments with densities of **60+ units per acre**.

This is a shocking betrayal of all those who voted for Measure K.

Limiting the inclusionary requirement to projects of 60+ units per acre means there will be **no new affordable housing anywhere except on land north of the 405**, in the North Costa Mesa Specific Plan area. All the other new housing that will come to our city **because of Measure K** – such as in the Harbor Mixed Use Overlay or the 19 West or SoBECA urban plans with **densities of 50- 59 units per acre** – will be **exempt** from the inclusionary requirement.

Costa Mesa voters passed Measure K because they wanted affordable housing to be built in our city. With this proposed ordinance, we will get lots of new dense housing throughout Costa Mesa, but very little of it will be affordable housing.

2. **The affordable requirement does not apply to developments of under two acres.**

So a very dense development on 1.75 acres north of the 405 (where the North CM Specific Plan allows 90 units per acre) would require **zero affordable units**.

3. **When it does apply, it requires very few affordable units** – either 10% low income or 5% very low income.

For example, if a development has **120 units** on two acres, the developer can satisfy the affordable housing requirement with only **6** very low-income units or **12** low income.

Santa Ana's "housing opportunity program" requires much more: either 15% low income, 10% very low income, or 5% extremely low-income. And Santa Ana is seeing lots of new residential development – the higher inclusionary requirements are not stopping development next door.

Costa Mesa must increase its inclusionary requirements.

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And

***Increase the required set-aside to 12% low or 7% very low-income for developments of 50-59 units per acre.**

Respectfully,

Kathy Esfahani

Costa Mesa resident and Chair of the CM Affordable Housing Coalition

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Report any suspicious activities to the Information Technology Department.

From: [Linda Tang](#)
To: [STEPHENS, JOHN](#); [HARLAN, JEFFREY](#); [MARR, ANDREA](#); [CHAVEZ, MANUEL](#); [REYNOLDS, ARLIS](#); [GAMEROS, LOREN](#); [HARPER, DON](#); [CITY CLERK](#)
Subject: RE: Reject but Strengthen Proposed Affordable Housing Ordinance
Date: Tuesday, January 16, 2024 5:18:09 PM

Dear City Council Members,

I want to express my deep disappointment over the currently proposed Affordable Housing Ordinance. Affordable housing advocates have met with City staff on several occasions and we have voiced the dire need to create an effective tool that would encourage the development of housing that would be affordable lower income households in the city. Unfortunately, the proposed ordinance FAILS to maximize it's potential and value to build more affordable homes in the city.

I am urging the city to please reject the current draft ordinance and instead request City staff to revisit, revise and strengthen the ordinance to be more impactful. In addition, please refer to Ms. Kathy Eshafani's articulate email and recommendations below. These recommendations should be considered and incorporated into strengthening the proposed affordable housing ordinance.

Thank you for your time.

-Linda Tang

----- Forwarded message -----

From: **Kathy Esfahani** <kathy.esfahani@gmail.com>
Date: Tue, Jan 16, 2024, 4:09 PM
Subject: Feel free to copy this if you want
To: Linda Tang <ltang33@gmail.com>, Dianne Russell <diannelrussell@gmail.com>, Christine Nolf <christine.brooks.nolf@gmail.com>, Ian Stevenson Trellis E.D. <ian@wearetrellis.com>, Rev. Monica Corsaro <PastorMonica@ocfairviewchurch.org>, Cesar Convarubias <cesarc@kennedycommission.org>, Steve Dzida <SDzida@dcslaw.com>, Maria Dzida <maria.dzida@gmail.com>

[They need to hear from us fast.](#)

----- Forwarded message -----

From: **Kathy Esfahani** <kathy.esfahani@gmail.com>
Date: Tue, Jan 16, 2024 at 4:06 PM
Subject: Opposed to WEAK affordable housing ordinance-STRENGTHEN IT!!!
To: john stephens council <john.stephens@costamesaca.gov>, <jeffrey.harlan@costamesaca.gov>, andrea marr council <andrea.marr@costamesaca.gov>, Manny Chavez council <manuel.chavez@costamesaca.gov>, arlis reynolds council <arlis.reynolds@costamesaca.gov>, <loren.gameros@costamesaca.gov>, <don.harper@costamesaca.gov>, <cityclerk@costamesaca.gov>

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