
From: Linda K <lkteamtalk@gmail.com>
Sent: Tuesday, March 15, 2022 9:32 AM
To: CITY CLERK
Cc: lori.ann@costamesa.gov; GAMEROS, LOREN; REYNOLDS, ARLIS; CHAVEZ, MANUEL; HARLAN, JEFFREY; SETHURAMAN, RAJA; STEPHENS, JOHN; HARPER, DON; andrea.marr@costamesa.gov; AFEWORKI, SALEM
Subject: Re: Consent Calendar Item #7, Strategic Plan - Climate Action And Adaptation Plan

Hello Council and Staff,

Please prioritize Climate Action in Costa Mesa.

The Strategic Plan Sustainability CAAP Item report has been delayed until April/May.

Last year, 2021, saw the highest fossil fuel emissions yet.

Scientists have given us until 2030, (ONLY 8 years), until we have too many greenhouse gas emissions in the atmosphere to stop runaway climate change.

According to Costa Mesa's own 2020 Sustainability Report, cities are where 75% of GHG emissions happen, and local action will have the greatest impact.

It's imperative for the future of our children living now that we take action.

A Climate Action And Adaptation Plan should have at a minimum.

Baseline Emissions Assessment

Community outreach and engagement (to see the challenges, opportunities, and increase engagement)

Targeted goals to reduce emissions (for instance, [Irvine](#) has a goal of carbon-neutrality by 2030).

A separate plan tied back to the General Plan

Multiple funding sources

In order to ensure that there is a follow-up on goals, the plan should be legally binding.

Here's just one example of a city CAAP with baseline GHG's, Goals, and measurable targets:

<https://www.sandiego.gov/sustainability/climate-action-plan>

Thank you for your consideration of this important matter.

Sincerely,

Linda Kraemer, Resident, Costa Mesa

Linda Kraemer, M.S.

Costa Mesa Resident

714-653-2870

Chapter Co-Chair

The Climate Reality Project: Orange County, CA Chapter

www.climaterealityoc.com

OC Clean Power - www.occleanpower.org

LKTeamTalk@gmail.com



www.facebook.com/groups/climaterealityorangecounty

www.instagram.com/climatereality_orangecounty

Twitter: @climateoc

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From: Craig Preston <craigp4444@gmail.com>
Sent: Tuesday, March 15, 2022 11:22 AM
To: CITY CLERK
Cc: lori.ann@costamesaca.gov; GAMEROS, LOREN; REYNOLDS, ARLIS; CHAVEZ, MANUEL; HARLAN, JEFFREY; SETHURAMAN, RAJA; STEPHENS, JOHN; HARPER, DON; andrea.marr@costamesa.gov; AFEWORKI, SALEM
Subject: Consent Calendar ITEM #7, File #: 22-612 MONTHLY UPDATE OF STRATEGIC PLAN GOALS AND OBJECTIVES

Dear City Council and Staff,

Thank you for prioritizing action on climate risks to our city and global community. I see on the SIX-MONTH STRATEGIC OBJECTIVES document that page 10 shows.

3/8/22 - City staff has developed a draft Climate Action and Adaptation Plan (CAAP) and it is currently being reviewed by the City Manager.

The CAAP will be submitted to Council in April/May 2022.

Please **increase** the priority on addressing climate risks. I trust you to make the best decisions you can with the information staff provide. Time is what we don't have when it comes to climate risks. Costa Mesa has the opportunity to be a leader and model community in OC and CA. I ask you to study the success of Community Choice Energy around the state, how vital CCE is to reaching goals to lower emissions of GreenHouse Gases (CO2, CH4, NOx, etc). Then join a CCE program, ideally OCPA.

I ask for a separate Climate Action and Adaptation Plan (CAAP) with a baseline level of emissions and measurable goals and targets.

Sincerely,

Craig Preston

117 Lexington Ln, Costa Mesa CA 92626

Co-leader of Citizens Climate Lobby OC Coast

[\(714\) 473-2798](tel:7144732798) CraigP4444@gmail.com



Virus-free. www.avast.com

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From: Lynn Girvin <GirvinFamily@hotmail.com>
Sent: Thursday, March 3, 2022 3:31 PM
To: CITY CLERK; STEPHENS, JOHN; CHAVEZ, MANUEL; GAMEROS, LOREN; HARLAN, JEFFREY; donharper@costamesaca.gov; REYNOLDS, ARLIS; HAUSER, JANET
Subject: Third party advertising at Triangle Square

To the City Clerk, Mr. Stephens, Mr. Chavez, Ms. Gameros, Mr. Harlan, Mr. Harper, Ms. Reynolds, and Ms. Hauser

We are wholly opposed to allowing Triangle Square to skirt our ordinance barring 3rd party advertising for the following reasons:

1. **Third party advertising would, in effect, turn Triangle Square into a billboard. Residents are wholly opposed to turning such an architecturally and visibly significant structure in the middle of Costa Mesa into a billboard.**
 - We consider this visual blight.
 - Third party advertising would certainly increase the value of the property. We believe it's likely, if third-party advertising was granted, the owner would sell the property as soon after this permission would be granted.
 - We think it would be detrimental for a large billboard company (such as Clear Channel, which has billboards < ¼ of a mile away at the terminus of the 55 Freeway) to take control of Triangle Square.
 - ***Residents have been opposed for over a decade to turning this structure into a billboard. We didn't want it in 2011, we didn't want it in 2021, and we don't want that in 2022 or at any other point in the future.***
2. **Third party advertising does nothing to help support the current tenants or to help keep occupancy up.**
 - There's no guarantee that any revenue from a revenue sharing agreement with The City of CM would be used to maintain the property.
 - It stands to reason that a larger off-premises company could pay more for advertising over what any on-premises tenant could afford. Mercedes or Coca-Cola can likely afford to pay more than Café Sevilla, as would any number of other large corporations.
 - Third party does not help on-premises tenants!
3. **Third party advertising is in opposition to our current sign ordinance; the owner is asking in effect for permission to violate our current law.**
 - We have ordinances for a reason!
 - Why would we/should we allow this?
 - This would set a precedent for other businesses who may want to ask for the same privilege.
4. **The current owner has proven he is not capable of maintaining the property.**
 - By his own admission in 2021 three quarters of the compressors are out of commission, the flooring needs to be replaced throughout the entire center, he's deferred long-overdue maintenance, etc.
 - The property is arguably in the worst shape it's been in for the last 25+ years.
 - Why would we allow this for someone who has demonstrated their inability to keep up and manage the property to date?
5. **It is not up to the City or its residents to bail out the property owner.**

- What about other businesses which may be struggling throughout Costa Mesa? Are we intending to allow them to violate current ordinances to bail them out?
 - Why hasn't the City issued violations for what appears to be a host of current code violations at Triangle Square?
6. **There is no guarantee that Costa Mesa would see any revenue with a revenue sharing agreement.**
- Third party advertisers might increase revenue to City, but the amount is uncertain, so this may not benefit the residents and is simply not worth it.
7. **The ability to control content is not guaranteed, despite any agreement the City may write with owner; there is legal precedent that a property owner can control the content of their advertising as it has successfully been argued as a First Amendment right in other cities across the country.**
- Triangle Square is too prominent of a structure, in arguably the center of our City, to be a spot which could potentially advertise for offensive material.

We ask the City Council to not allow the owner to violate our current laws and turn Triangle Square into a massive billboard!

**Lynn and Jason Girvin,
Eastside Costa Mesa residents**

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From: Tonya Reno <nbtonya@yahoo.com>
Sent: Friday, March 4, 2022 4:58 AM
To: CITY CLERK
Subject: Triangle Square

To Whom It May Concern: (City Council members name)

We are wholly opposed to allowing Triangle Square to skirt our ordinance barring 3rd party advertising for the following reasons:

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 - We consider this visual blight.
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 - Why would we/should we allow this?
 - This would set a precedent for other businesses who may want to ask for the same privilege.
4. **The current owner has proven he is not capable of maintaining the property.**
 - By his own admission in 2021 three quarters of the compressors are out of commission, the flooring needs to be replaced throughout the entire center, he's deferred long-overdue maintenance, etc.
 - The property is arguably in the worst shape it's been in for the last 25+ years.
 - Why would we allow this for someone who has demonstrated their inability to keep up and manage the property to date?

5. **It is not up to the City or its residents to bail out the property owner.**
 - What about other businesses which may be struggling throughout Costa Mesa? Are we intending to allow them to violate current ordinances to bail them out?
 - Why hasn't the City issued violations for what appears to be a host of current code violations at Triangle Square?
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 - Third party advertisers might increase revenue to City, but the amount is uncertain, so this may not benefit the residents and is simply not worth it.
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 - Triangle Square is too prominent of a structure, in arguably the center of our City, to be a spot which could potentially advertise for offensive material.

We ask the City Council to not allow the owner to violate our current laws and turn Triangle Square into a massive billboard!

Sincerely, Tonya Reno

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From: KATHERINE ARTHUR <karthur1@me.com>
Sent: Tuesday, March 8, 2022 6:08 PM
To: CITY CLERK; STEPHENS, JOHN; CHAVEZ, MANUEL; GAMEROS, LOREN; HARLAN, JEFFREY; REYNOLDS, ARLIS; HARPER, DON; HAUSER, JANET
Cc: Geoff West; Kerry Weisbruch; Syndy & Steve Neyland; Mary Makena; Mary Spadoni; Jeff & Nona McConville; WENDY LEECE- City Council; 'Flo Martin'; Cynthia McDonald; Herb Netal; Jay Humphrey; Denise Moon; Bad Ass Productions; Alison Burchette; George & Bonnie O'Nan; Lynn Girvin; Herb Netal; Lucy & Gordan McKnight
Subject: Vote "NO!" on turning Triangle Square into a giant billboard
Importance: High

Dear Council Members and Mayor:

On 3/15 the owner of Triangle Square, Tyler Mateen, will be in front of you to request the ability to use large vinyl signage for 3rd party advertising which will, practically speaking, turn Triangle Square into a giant billboard. My neighbors and I are wholly opposed to this for a number of reasons including:

1. **Third party advertising does NOTHING for existing tenants nor will it have a positive impact on drawing new tenants to the center.**
2. **Turning Triangle into a giant billboard** (which it is in effect operating at now*), especially **on such a visible and architecturally significant structure is visual blight.** We do not want a giant billboard in the center of Costa Mesa!
3. **There's no guarantee that any monies made from this baseless request would go towards maintaining the property!** Mr. Mateen has proven he is not capable of maintaining the property. Triangle is in the worst physical shape it's been in for > 27 years! In his own words the entire flooring throughout the center needs to be replaced, 3 of 4 generators are inoperable, lights have been broken and unrepaired for 2 years, there's a giant pile of sand on the top floor of the parking structure growing weeds, which has been there for > 2 years, etc. Third party advertising is not going to generate enough money to bail out the owner and put Triangle Square back into shape; further, why should we, the residents have to suffer because of the owners inability to manage his property?
4. **It is not up to Costa Mesa to bail out the owner.** Are we prepared to do this for other struggling businesses in the City of which there are many? What makes him special?!?
5. **Third party advertising violates our existing sign ordinance!** The owner is asking for the ability to legally circumvent our laws and should not be allowed especially and unless we would receive something significant in return (aka: another firehouse, etc.) and **the nominal monies the City might receive are simply not worth the cost to the residents!** Hiding behind any "revenue sharing" venture is b.s. and we see through it. There's NO guarantee as to how much the City would receive – and certainly not enough to justify this.
6. **For all intents and purposes he's already violating our ordinance!!** Providence is supposed to be considered a "tenant" because they have inoperable kiosks (which haven't been operable for > 6 months!). Why hasn't he received code violations!? Should we reward his contempt for our rules by granting him permission to do what he's already doing illegally?
7. **This would set a precedent for other businesses to do the same.**
8. **The ability to control content is not guaranteed, despite any agreement the City may write with the current or any future owner.** There is legal precedent that a property owner can control the content, per Scenic America out of WDC, that third party advertising has been successfully argued as a First Amendment right in other cities across the country. Triangle Square is too prominent of a structure, in arguably the center of our City, to be a spot which could potentially advertise for offensive material.

Costa Mesa residents have opposed similar requests in 2011, 2021, *and we do not want it now or at any point in the future. We do not want billboards in the middle of Costa Mesa!*

The Planning Commission voted unanimously to turn down Mr. Mateen's request in part, not just because he was requesting digital signage but specifically, because of the third party advertising request. I encourage you to watch that meeting.

Please do your due diligence! Go see the current shape of Triangle Square for yourselves and investigate the ability to control content of billboards!

We ask the City Council to not allow the owner to violate our current laws and turn Triangle Square into a massive billboard!

Sincerely,

Katie Arthur
Eastside Costa Mesa

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From: Geoff West <gtwest@earthlink.net>
Sent: Tuesday, March 8, 2022 11:49 PM
To: KATHERINE ARTHUR
Cc: CITY CLERK; STEPHENS, JOHN; CHAVEZ, MANUEL; GAMEROS, LOREN; HARLAN, JEFFREY; REYNOLDS, ARLIS; HARPER, DON; HAUSER, JANET; Kerry Weisbruch; Syndy & Steve Neyland; Mary Makena; Mary Spadoni; Jeff & Nona McConville; WENDY LEECE-City Council; Flo Martin; Cynthia McDonald; Herb Netal; Jay Humphrey; Denise Moon; Bad Ass Productions; Alison Burchette; George & Bonnie O'Nan; Lynn Girvin; Lucy & Gordan McKnight
Subject: Re: Vote "NO!" on turning Triangle Square into a giant billboard

Dear Mayor Stephens and Council Members,
I've read Katie Arthur's letter regarding signage at Triangle Square and agree with every point she made.

Triangle Square has been a problematic, troubled shopping/entertainment venue since the day it opened. The failure of two different markets in the basement was disappointing, but not surprising. The departure of high-end, prestigious vendors and restaurants has also been disappointing.

The current owners may not have done their due diligence before purchasing the venue - it had severe vacancy and maintenance at that time, which has only been exacerbated as time passed - but their management ineptness should not be a problem for the residents (taxpayers and voters) to solve.

The condition of the site has been clearly documented by several residents. My wife and I frequently go to the movies there and always see troubling maintenance issues and safety hazards as we walk from the parking structure.

We have lived in Costa Mesa for nearly 48 years and have been proud of our city. Triangle Square is not a site that evokes community pride. In addition to the proposed gaudy, distracting signage at our most dangerous intersection, I worry that the shabby, dangerous condition may result in significant legal difficulties for Costa Mesa due to our apparent unwillingness to enforce safety regulations and sign ordinances. I agree that the City Council should reject the request being placed before them next Tuesday.
Geoff West

Sent from my iPhone.

On Mar 8, 2022, at 6:08 PM, KATHERINE ARTHUR <karthur1@me.com> wrote:

Dear Council Members and Mayor:

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1. **Third party advertising does NOTHING for existing tenants nor will it have a positive impact on drawing new tenants to the center.**

2. **Turning Triangle into a giant billboard** (which it is in effect operating at now*), especially on such a visible and architecturally significant structure is visual blight. We do not want a giant billboard in the center of Costa Mesa!
3. **There's no guarantee that any monies made from this baseless request would go towards maintaining the property!** Mr. Mateen has proven he is not capable of maintaining the property. Triangle is in the worst physical shape it's been in for > 27 years! In his own words the entire flooring throughout the center needs to be replaced, 3 of 4 generators are inoperable, lights have been broken and unrepaired for 2 years, there's a giant pile of sand on the top floor of the parking structure growing weeds, which has been there for > 2 years, etc. Third party advertising is not going to generate enough money to bail out the owner and put Triangle Square back into shape; further, why should we, the residents have to suffer because of the owners inability to manage his property?
4. **It is not up to Costa Mesa to bail out the owner.** Are we prepared to do this for other struggling businesses in the City of which there are many? What makes him special!?
5. **Third party advertising violates our existing sign ordinance!** The owner is asking for the ability to legally circumvent our laws and should not be allowed especially and unless we would receive something significant in return (aka: another firehouse, etc.) and **the nominal monies the City might receive are simply not worth the cost to the residents!** Hiding behind any "revenue sharing" venture is b.s. and we see through it. There's NO guarantee as to how much the City would receive – and certainly not enough to justify this.
6. **For all intents and purposes he's already violating our ordinance!!** Providence is supposed to be considered a "tenant" because they have inoperable kiosks (which haven't been operable for > 6 months!). Why hasn't he received code violations!? Should we reward his contempt for our rules by granting him permission to do what he's already doing illegally?
7. **This would set a precedent for other businesses to do the same.**
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Costa Mesa residents have opposed similar requests in 2011, 2021, *and we do not want it now or at any point in the future. We do not want billboards in the middle of Costa Mesa!*

The Planning Commission voted unanimously to turn down Mr. Mateen's request in part, not just because he was requesting digital signage but specifically, because of the third party advertising request. I encourage you to watch that meeting.

Please do your due diligence! Go see the current shape of Triangle Square for yourselves and investigate the ability to control content of billboards!

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Sincerely,

Katie Arthur
Eastside Costa Mesa

From: Alison Burchette <alisonburchette@gmail.com>
Sent: Wednesday, March 9, 2022 10:19 AM
To: CITY CLERK; STEPHENS, JOHN; CHAVEZ, MANUEL; GAMEROS, LOREN; HARLAN, JEFFREY; REYNOLDS, ARLIS; HARPER, DON; HAUSER, JANET; Katie Arthur
Subject: No to Triangle Giant Billboard

Allow me to second with my support to Ms Arthur's message. Vote NO on yet another ridiculous ask to try to monetize Triangle Square by a method other than investing in the business that are there. We are not las vegas, we don't need an unsightly billboard to welcome visitors to our beautiful city just so the owner can eek out an additional profit.

Your residents say NO thanks!

Alison Burchette

----- Forwarded message -----

From: KATHERINE ARTHUR <karthur1@me.com>
Date: Tue, Mar 8, 2022 at 6:08 PM
Subject: Vote "NO!" on turning Triangle Square into a giant billboard
To: <cityclerk@costamesaca.gov>, john.stephens@costamesaca.gov <john.stephens@costamesaca.gov>, <manuel.chavez@costamesaca.gov>, <loren.gameros@costamesaca.gov>, jeffrey.harlan@costamesaca.gov <jeffrey.harlan@costamesaca.gov>, <arlis.reynolds@costamesaca.gov>, <don.harper@costamesaca.gov>, <janet.hauser@costamesaca.gov>
Cc: Geoff West <gtwest@earthlink.net>, Kerry Weisbruch <weisbruchdn@earthlink.net>, Syndy & Steve Neyland <info@cuttingedgesystems.com>, Mary Makena <marysmakena@yahoo.com>, Mary Spadoni <maryatsis@aol.com>, Jeff & Nona McConville <jeff@jm4realestate.com>, Wendy Leece <leecefam@sbcglobal.net>, Flo Martin <flomama@aol.com>, Cynthia McDonald <cmcdonald.home@gmail.com>, Herb Netal <hnetal@me.com>, Jay Humphrey <jvhumphrey@att.net>, Denise Moon <denisecmoon@gmail.com>, Bad Ass Productions <dngarus@aol.com>, Alison Burchette <alisonburchette@gmail.com>, George & Bonnie O'Nan <gobears@ca.rr.com>, Lynn Girvin <lynn@lynngirvinlaw.com>, Lucy & Gordan McKnight <mcknightlm@gmail.com>

Dear Council Members and Mayor:

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We ask the City Council to not allow the owner to violate our current laws and turn Triangle Square into a massive billboard!

Sincerely,

Katie Arthur

Eastside Costa Mesa

--

Alison Burchette

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From: barrett@zcoc.org
Sent: Friday, March 11, 2022 10:26 AM
To: john.stevens@costamesaca.gov; CITY CLERK; HARLAN, JEFFREY
Subject: No again to Triangle Sign Changes

To: Costa Mesa Planning Commission

From: Deborah Barrett, Costa Mesa Old Town Property Owner

Date: March 11, 2022

Re: Triangle Signage

I respectfully request that the Costa Mesa Planning Commission deny the re-application for a change in signage for Triangle Square. I am opposed to oversized, 3rd party signage. I am in favor of enforcing the Costa Mesa signage code as it is.

I have written in opposition each time the Triangle owners have proposed a new signage scheme. They seem quite determined to have a "billboard" presence in the middle of this busy part of town.

I was pleased to see a Target open on E. 17th Steet, taking over the Ross building. I have always hoped Triangle would get back to renting to some decent retail tenants, which is what they did in the beginning (Nike, Barnes and Noble, the Gap, etc.) This is what one expects from a shopping center and it does benefit both the owners and the community. This stubborn idea that Triangle owners have--that they should be able to increase their income by using their signage as billboards--remains unacceptable to our community.

I am the owner of commercial property located at 120 E. 18th Street, Costa Mesa, which is very close to Triangle Square. I have a direct view of their signage at Newport Blvd. and Harbor. I also see Triangle Square on a daily basis when I use Newport Blvd., 19th St., or Harbor. It is certainly a prominent part of our neighborhood. I have owned my property for nearly 30 years. I have seen Triangle Square go through many changes, and I have seen the East Costa Mesa neighborhood growing and improving over the years.

I believe the signage Triangle currently has is more than sufficient for their shopping center. I see no good reason why their shopping center or the businesses in it would need more signage or a change in signage.

When it comes to quality of life in this diverse, mixed use residential and business neighborhood, having over-sized signage with unrelated messaging would only be detrimental. Their proposal is overly commercialized, without regard for the community--- those of us with small businesses and homes in the area. Not too long ago, this area had improvements on Newport Blvd. recognizing it as an historic district, with markers commemorating businesses started in the early 1900's. We currently have a mix of charming, unique small businesses in this neighborhood.

I don't think Triangle should be permitted oversized signage. I am opposed to allowing them to have advertising unrelated to the businesses in the center. A look at billboards around town and on Old Newport Blvd (Newport Beach) show advertising of cannabis dispensaries and alcoholic beverages. This is certainly not enhancing to the community. I would really hate to see even more of this.

Already these intersections are complex, with many lanes, turning and significant pedestrian use. The distraction of these signs can only be an added danger.

Once again, I hope the Planning Commission will deny this application.

Thank you for your consideration.

Deborah Barrett, J.D., Ph.D.

120 E. 18th St.

Costa Mesa, CA 92627

Barrett@zcoc.org

949 722 7818

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From: Herbert Netal <hnetal@me.com>
Sent: Friday, March 11, 2022 4:54 PM
To: STEPHENS, JOHN
Cc: CITY CLERK; CHAVEZ, MANUEL; GAMEROS, LOREN; HARLAN, JEFFREY; REYNOLDS, ARLIS; HARPER, DON; HAUSER, JANET
Subject: Vote "NO!" on turning Triangle Square into a giant billboard

Dear Mayor Stephens and Council Members,

Triangle Square has been a challenging and troubled shopping/entertainment venue for many years. The condition of the site continues to suffer due to deferred maintenance. I have been going to 24 Hour Fitness several times a week since it opened and always see maintenance issues and safety hazards as I walk through the parking structure.

Key takeaways:

- Third party advertising does nothing for existing tenants.
- It is not up to Costa Mesa to bail out the owner.
- Third party advertising violates our existing sign ordinance.

Not that long ago the Planning Commission voted unanimously to turn down Mr. Mateen's request not just because of his digital signage request but also because of the third-party advertising request.

We ask the City Council to not allow the owner to violate our current laws and turn Triangle Square into a massive billboard!

Herb Netal

Eastside Costa Mesa

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--

From: Peggy Lenney <surf@rcabrillo.com>
Sent: Friday, March 11, 2022 5:33 PM
To: CITY CLERK
Subject: Triangle Square Billboard Advertising

To City Clerk;

1. **Third party advertising would, in effect, turn Triangle Square into a billboard. Residents are wholly opposed to turning such an architecturally and visibly significant structure in the middle of Costa Mesa into a billboard.**
 - We consider this visual blight.
 - Third party advertising would certainly increase the value of the property. We believe it's likely, if third-party advertising was granted, the owner would sell the property as soon after this permission would be granted.
 - We think it would be detrimental for a large billboard company (such as Clear Channel, which has billboards < ¼ of a mile away at the terminus of the 55 Freeway) to take control of Triangle Square.
 - ***Residents have been opposed for over a decade to turning this structure into a billboard. We didn't want it in 2011, we didn't want it in 2021, and we don't want that in 2022 or at any other point in the future.***
2. **Third party advertising does nothing to help support the current tenants or to help keep occupancy up.**
 - There's no guarantee that any revenue from a revenue sharing agreement with The City of CM would be used to maintain the property.
 - It stands to reason that a larger off-premises company could pay more for advertising over what any on-premises tenant could afford. Mercedes or Coca-Cola can likely afford to pay more than Café Sevilla, as would any number of other large corporations.
 - Third party does not help on-premises tenants!
3. **Third party advertising is in opposition to our current sign ordinance; the owner is asking in effect for permission to violate our current law.**
 - Why would we/should we allow this?
 - This would set a precedent for other businesses who may want to ask for the same privilege.
4. **The current owner has proven he is not capable of maintaining the property.**
 - By his own admission in 2021 three quarters of the compressors are out of commission, the flooring needs to be replaced throughout the entire center, he's deferred long-overdue maintenance, etc.
 - The property is arguably in the worst shape it's been in for the last 25+ years.
 - Why would we allow this for someone who has demonstrated their inability to keep up and manage the property to date?

5. **It is not up to the City or its residents to bail out the property owner.**
 - What about other businesses which may be struggling throughout Costa Mesa? Are we intending to allow them to violate current ordinances to bail them out?
 - Why hasn't the City issued violations for what appears to be a host of current code violations at Triangle Square?

6. **There is no guarantee that Costa Mesa would see any revenue with a revenue sharing agreement.**
 - Third party advertisers might increase revenue to City, but the amount is uncertain, so this may not benefit the residents and is simply not worth it.

7. **The ability to control content is not guaranteed, despite any agreement the City may write with owner; there is legal precedent that a property owner can control the content of their advertising as it has been successfully been argued as a First Amendment right in other cities across the country.**
 - Triangle Square is too prominent of a structure, in arguably the center of our City, to be a spot which could potentially advertise for offensive material.

We ask the City Council to not allow the owner to violate our current laws and turn Triangle Square into a massive billboard!

**Peggy Lenney
Costa Mesa Resident**

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From: Terri Fuqua <terriquam@gmail.com>
Sent: Saturday, March 12, 2022 5:07 PM
To: CITY CLERK
Subject: Third Party Ads at Triangle Square

I would like to know how allowing billboard signage at Triangle Square benefit businesses that occupy Triangle Square? If allowed third party signage will be a mistake, in my opinion. If that eyesore is sold, the allowance for third party signage will go with the sale. Anything then can be advertised. I would be very unhappy to see third party ads for anything other than tenants on that building. I'm not happy with ads even for the tenants as it is too large and glaring; but realize there may not be another way to assist them in staying afloat. However, third party ads would be most unwelcome.

Please consider that the ability to fly ads would be inflicted on our entire city. Do we really need this? No. We have enough trouble trying to make this city look nice. We don't need Las Vegas style signage.

Terri Fuqua

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From: Wendy Leece <leecefam@sbcglobal.net>
Sent: Saturday, March 12, 2022 8:49 PM
To: CITY CLERK; CITY COUNCIL; JOHN STEPHENS; CHAVEZ, MANUEL; REYNOLDS, ARLIS; 'Don Harper'; HARPER, DON; john.stephens@costamesaca.go; MARR, ANDREA; GAMEROS, LOREN; HARLAN, JEFFREY
Subject: Please VOTE NO on TRIANGLE SQUARE 3rd PARTY SIGNS

Wendy Leece

March 12, 2022

Re: Public Hearing 1 March 15, 2022

Dear Mayor and City Council Members:

By now I hope you are getting a strong message that many of your constituents of oppose 3rd party advertising at Triangle Square for many reasons.

On this issue Costa Mesans of all political parties are working together to oppose 3rd party advertising. Frequently, we put down our political differences and fight together to preserve our City and its image. Many of us have been opposing advertising "exceptions" at Triangle Square for 12 years! That's one reason we are a great city!

There is **no justifiable reason** to grant an exception to our City Municipal Code for Tyler Mateen. He has shown absolutely no effort to contribute to the City in any meaningful way, other than to give campaign donations to council members.

The residents writing to you are **longtime residents** who believe strongly that 3rd party advertising will open the door to a blatant degradation of our City unbecoming of our City's long standing brand and reputation. Residents would have no legal recourse if an advertisement was inappropriate because of the First Amendment. Let's not take a risk.

Quoting From the Development Agreement.

- "The Development Agreement between the City of Costa Mesa and Developer will not: (a) Be detrimental to the health, safety and general welfare; and (b) Adversely affect the orderly development of property or the preservation of property values. **4. The Development Agreement between the City of Costa Mesa and Developer will promote and encourage the development of the proposed project and will ensure the public benefits promised in the Development Agreement, by providing stability and certainty to Developer. "**

The first duty of the City is to provide safety to the public. It is not the job of the City to provide "stability and certainty" to any developer.

Voting for 3rd party advertising would be a mistake and **a risk** we don't want our Mayor and City Council to take. Please listen to your residents and read our emails.

In 2010 the city council was leaning towards approving an LED sign. **It was an election year. Vote for the residents, not those who might donate to your campaign.** The residents fought a good battle in 2010 and won. The project was pulled before the vote took place. Please agree with the residents again!

Furthermore, I oppose the proposed modification of the Planning Signing Program for Triangle Square for the following reasons:

- Banner advertising by third parties on buildings is a violation of CMMC Section 13-115. Banners are permitted on private property for tenants. The owner of Triangle has violated this ordinance by placing an unpermitted banner on the dome of his property for a third party (non-tenant). [NEED TO FIND OUT IF HE GOT A PERMIT]

- Allowing third-party advertising on the building would turn it into a de facto billboard. Only the owner would be able to control the content. Billboard blight would ruin the aesthetics and livability of Costa Mesa, particularly at this corner which is a gateway to our city. This is not the face that should be used to greet visitors.
- Approval of this application would be the granting of a special privilege. No other commercial property owners have requested the ability to install third party advertising, likely because the proposal to turn their property into a billboard would be turned down. The applicant is requesting the banners/billboards specifically for the intent of greater overall visibility than the standard sign provisions allow. This sets a precedent for other property owners to request the same privilege.
- There is no community benefit spelled out in the Development Agreement. No park, no fire station, no police substation or other facility.

The property owner has previously stated that he needs the income from the third-party billboards to make repairs to the property. However, it already collects Common Area Maintenance charges from tenants because all shopping center leases are triple net. It should have been taking the CAM money and reinvesting in the property. A friend of mine toured the property and noticed that while the exterior got a paint job, the rest of the property is not well-maintained. This tells me Tyler does not really care about the property and is getting the entitlement for the billboards because it will increase the value of the property so he can sell it.

Third party advertising will not help the tenants of Triangle Square. Those tenants are the ones who pay taxes and fees to the City. Those tenants are the ones who require the owner's assistance to succeed, but the owner is not giving them the advertising they need.

Cities have plans and regulations so that there can be an expectation as to what is valued as a sense of place. Our historic downtown area has always lacked a gathering spot where people can enjoy shopping, dining, and recreation in one place. The billboards will violate aesthetic values by the afflicting us with the worst form of visual pollution. They will do nothing towards creating the central gathering spot we need. No community benefit or other improvement will be brought to this part of town. They will make intersections that are already the most dangerous in Costa Mesa more dangerous.

For the reasons stated above, I ask that you reject the billboards.

Sincerely,

Wendy Leece

Resident of Costa Mesa for almost 50 years!

Wendy Leece

"The test of the morality of a society is what it does for its children." Dietrich Bonhoeffer

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From: Priscilla Rocco <dementedgardensprite@gmail.com>
Sent: Sunday, March 13, 2022 12:18 PM
To: CITY CLERK
Subject: Triangle Square Banner/Billboards

Dear City Council,
Triangle Square should not get preferential treatment on signage, whatever form it takes. It sets a bad precedent and tarnishes the image of Costa Mesa to all who enter the city from the beach. Please vote NO!
Priscilla Rocco

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From: Kathryn Rollins <plumblines@hotmail.com>
Sent: Sunday, March 13, 2022 6:38 PM
To: CITY CLERK; STEPHENS, JOHN; CHAVEZ, MANUEL; GAMEROS, LOREN; HARLAN, JEFFREY; HARPER, DON; REYNOLDS, ARLIS; HAUSER, JANET
Subject: Triangle Square Third Party Advertising.

Please vote no on the Triangle Square banner advertising to include 3rd party advertising.

Let's support Costa Mesa.

Thank you,
Kathryn Rollins

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From: Maurice Mandel <mmandel2@aol.com>
Sent: Monday, March 14, 2022 11:05 AM
To: CITY CLERK
Subject: Triangle signage

Dear Council:

I see that this is on your agenda again.

I am still opposed to this mega signage to be located at the end of the 55 freeway where 5 lanes squeeze into 3, on the basis that the current proposal fails to consider the safety implications or make provision for the additional burden on city services the increased accident rate will cause.

Further, I don't think that it comports with the ambiance that Costa Mesa wants to portray as the neighborhood image of our city. Remember when our freeways were lined with billboards to an extent that you could not see past them? It isn't Burma Shave signs. The proposal also does not serve any benefit to the local businesses, except for the property owner, who bought the property knowing the situation.

Thank you in anticipation of your cooperation on this matter.

Sincerely,

MMII

Maurice Mandel II

PO Box 411

Newport Beach, CA 92662

USA

1949-646-7799

1949-874-2002 mobile

The fine print.

The information contained in this message is confidential and intended only for the use of the individual or entity named above, and may be privileged. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please reply to the sender immediately, stating that you have received the message in error, then please delete this e-mail. Thank you.

Legal matters are very complex, and anything contained herein is not intended to be either a statement of law or an statement about any potential result you will obtain on your particular matter. Do not rely on any legal opinions offered herein and always obtain a second opinion on important legal matter.

NO CLIENT RELATIONSHIP: Communication with Mr. Mandel by email, phone or correspondence does not by itself create an attorney-client relationship or constitute the provision or receipt of legal advice. Any communication from this office should be considered informational only and should not be relied or acted upon until a formal attorney-client relationship is established via a signed written agreement.

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From: weisbruch <weisbruchdzn@earthlink.net>
Sent: Monday, March 14, 2022 4:35 PM
To: CITY CLERK; john.stevens@costamesaca.gov; CHAVEZ, MANUEL; GAMEROS, LOREN;
HARLAN, JEFFREY; REYNOLDS, ARLIS; HARPER, DON; HAUSER, JANET
Subject: Triangle Square agenda from 8.9.2010
Attachments: 080910ZA1039b.pdf

Dear Council Members and Mayor:

Please see attached Triangle Square agenda from 12 years ago...

And...we are still talking about this building... and now discussing giving
the owner Third Party Advertising rights for vinyl signage?

This is a precedent setting move and if allowed would have to be
given to other businesses in Costa Mesa.

Please deny the owner this special compensation.

Thank you,

Kerry Weisbruch

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PLANNING COMMISSION AGENDA REPORT

VI.6

MEETING DATE: AUGUST 9, 2010

ITEM NUMBER:

SUBJECT: ZONING APPLICATION ZA-10-39
PLANNED SIGNING PROGRAM AMENDMENT FOR TRIANGLE SQUARE
1870 HARBOR BOULEVARD AND 1875 NEWPORT BOULEVARD

DATE: JULY 28, 2010

FOR FURTHER INFORMATION CONTACT: MEL LEE, AICP, SENIOR PLANNER
(714) 754-5611 (mlee@ci.costa-mesa.ca.us)

DESCRIPTION

An amendment to an existing planned signing program for Triangle Square (ZA-00-28) to allow two signs with electronic Light Emitting Diode (LED) screens on the northeast (former Niketown dome) and southwest (Sutra Lounge) sides of the building, approximately 10 feet high by 96 feet long and 20 feet high by 15 feet long, respectively. The request does not involve any increase in the maximum allowable sign area for Triangle Square under the current Planned Signing Program.

APPLICANT

Peter Buffa is the authorized agent for Greenlaw Partners, the property owner.

RECOMMENDATION

Approve by adoption of Planning Commission resolution, subject to conditions.

MEL LEE, AICP
Senior Planner

KHANH NGUYEN
Acting Asst. Development Svs. Director

BACKGROUND

Project Site/Environs

Triangle Square shopping center is located within the City's Downtown Redevelopment Project Area, and is zoned PDC (Planned Development Commercial). The site is bounded on all sides by major streets and commercial businesses. Major tenants include the former Edwards Movie Theater, Yardhouse Restaurant, and Sutra Lounge.

A summary of the Planned Signing Programs (PSP's) and the various amendments approved for the center is in the table below:

PA-90-55	Original PSP for Triangle Square allowing a maximum of <u>1,873 sq. ft.</u> of total building signage for all tenants, including major tenants such as the movie theatre and the basement market (former Alpha Beta and Whole Foods Market).
PA-90-55A	Amendment to allow signs for Niketown, including 228 sq. ft., 8-foot high "NIKETOWN" plaster relief letters on the northeast dome. This sign was determined by the City Council to <u>not</u> count toward the sign area for the total site. Total sign area allowed, <u>1,820 sq. ft.</u> , 53 sq. ft. below the permitted maximum under the PSP.
PA-90-55A2	Amendment to allocate an additional 186 sq. ft. of sign area to the movie theater, the former North Face retail store, and to the basement market. Total sign area <u>1,830 sq. ft.</u> , 43 sq. ft. below the permitted maximum under the PSP.
PA-90-55A3	Amendment to allow 3 tower signs for the former Virgin Megastore, as well as additional wall signage, totaling 453 sq. ft. Sign area for Virgin within allowed tenant allocations. Total sign area is <u>1,828 sq. ft.</u> , 45 sq. ft. below the permitted maximum under the PSP.
ZA-96-04	Amendment to allow a 5' high, 32 sq. ft. monument sign for the basement tenant; a 65 sq. ft. major tenant i.d. sign; and an increase of 22 sq. ft. of sign area for <u>all</u> of the tenants in the center. This amendment also increased the maximum allowable sign area to <u>2,445 sq. ft.</u> for the entire center under the PSP (Zoning Code allowed a maximum of 2,462 sq. ft. of maximum sign area for the center).
ZA-00-28	Amendment to allow a 30' high 218 sq. ft. freestanding sign, a 93 sq. ft. "blade" sign; and a 105 sq. ft. "blade" sign. These signs remain in existence to this day. Total sign area is <u>2,239 sq. ft.</u> , 206 sq. ft. below the permitted maximum sign area under the PSP.

Zoning Code Provisions for Electronic Signs

Electronic changeable copy signs (except movie theater & time and temperature signs) are prohibited by Zoning Code (Section 13-112). However, these types of signs may be approved through a PSP on a case-by-case basis.

The Code states the following as to the purpose of the PSP:

"A PSP is intended to provide maximum incentive and latitude to encourage variety and good design, and to allow response to special circumstances, but shall not be used to circumvent the objectives of this chapter." (Code Section 13-120).

ANALYSIS

Proposed LED Signs

The primary purpose of the proposed LED signs is twofold:

- To increase the visibility of the center and its tenants; thereby allowing the property owner to attract a greater number of new businesses and retain quality tenants;
- To generate revenue for the property through third-party advertising on the LED signs.

The applicant is proposing two LED signs through a PSP amendment. The two proposed signs are as follows:

1. A 10 foot high by 96 foot long LED sign (total area 960 sq. ft.) to be located on the northeast (former Niketown dome) side of the building, oriented toward 19th Street and southbound Newport Boulevard.
2. A 20 foot high by 15 feet long LED sign (total area 300 sq. ft.) to be located on the southwest (Sutra Lounge) side of the building, oriented toward northbound Harbor Boulevard and northbound Newport Boulevard.

PSP's are typically reviewed by the City's Zoning Administrator; however, staff has referred this request to the Planning Commission to determine if circumstances exist to warrant approval of the proposed LED signs.

On October 19, 2009, Planning Commission approved a PSP for South Coast Collection at 3333 Hyland Avenue to allow a 60 foot high pylon sign along the I-405 Freeway frontage with a 15 foot wide by 25 foot long LED screen (total area 375 sq. ft.) under Zoning Application ZA-09-33, which is currently under construction. The conditions of approval for the sign included the following:

1. LED screen shall be a maximum size of 15 feet wide by 25 feet long.
2. LED screen shall not exceed a maximum height of 32 feet as measured from the grade to the highest point on the screen.
3. LED screen shall not exceed 300 nits in luminance during the evening hours and shall perform as described in the lighting study prepared by the project consultant.
4. No flashing or animated displays or images on the LED screen shall be permitted at any time.
5. The operating hours of the LED screen shall be 7:00AM through 10:00PM, seven days a week. Beginning at 9:00PM, the LED sign shall be gradually dimmed until it is completely turned off at 10:00PM. Outside these approved hours, the LED screen shall be turned off.

Justifications for Approval

Staff supports approval of the proposed signs for the following reasons:

The LED signs will not be visible from residentially- zoned properties. A view simulation has been prepared by the applicant showing the view of the proposed LED signs from off-site. No portion of the LED signs will be visible from residentially zoned properties. Additionally, staff has incorporated, as a condition of approval (condition no. 11), that no lighting on the building elevations (including rooflines) shall be visible from residential neighborhoods.

The LED signs will not exceed the maximum allowable sign area allowed under the current PSP. As indicated earlier, the maximum allowable sign area allowed under the current PSP is 2,445 sq. ft. for the entire center. The Zoning Code allows a maximum of 2,462 sq. ft. of maximum sign area for the center. If the signs are approved, a remainder of 1,185 square feet of sign area will be allocated for the other tenants in the center. The applicant did not provide the current sign square footage for the existing tenants in the center since the signage will change as the center is renovated and new tenants are added. However, as new tenants come in, staff will review their sign area square footage prior to issuance of sign permits to ensure that both future tenant signs and the proposed LED signs do not exceed the maximum sign area permitted under the PSP.

All applicable conditions of approval for the South Coast Collection LED sign (ZA-09-33) have been incorporated to minimize adverse visual impacts to vehicle traffic and surrounding properties. Staff has incorporated, as a condition of approval (condition no. 12), that the signs comply with the conditions of approval for the South Coast Collection LED sign noted earlier in this report to minimize any visual impacts to vehicle traffic or surrounding properties.

The signs will help revitalize a high profile shopping center in the City's downtown area. Triangle Square has suffered from a decline in business even before the current economic downturn. The current owners of the center believe the signs will help attract high-quality tenants to the center, as well as customers.

LED signs are required to comply with Caltrans requirements for off-site signage. A California Department of Transportation (Caltrans) outdoor advertising sign permit is required for the proposed signs due to visibility from SR-55 and Newport Boulevard. Condition of approval no. 13 requires that the permit be approved by Caltrans prior to issuance of building permits for the LED signs.

GENERAL PLAN AND REDEVELOPMENT PLAN CONFORMITY

Conformity with General Plan

It is staff's opinion that the proposed signs, with the recommended conditions of approval, are consistent with the following General Plan goals:

- Goal CD-1: Vehicular and Pedestrian Corridors: Strengthen the image of the City as experienced from sidewalks and roadways.

- Goal CD-6, Image: Enhance opportunities for development to contribute to a positive visual image for the City of Costa Mesa.
- Goal CD-7, Residential: Protect the unique identity of residential neighborhoods within Costa Mesa.
- Goal CD-13, Signs: Ensure that signs contribute positively to Costa Mesa's image and overall economic development.

Conformity with Redevelopment Plan

In December 1973, the Costa Mesa Downtown Redevelopment Plan was adopted. The plan set forth development standards to maximize private enterprise and eliminate visual blight/negative conditions in the Redevelopment Project Area.

In February 1985, the Costa Mesa Redevelopment Agency adopted the Comprehensive Design Plan for the Downtown Redevelopment Project Area. This plan was prepared as a guide to ensure that all new improvements in the Project Area would be cohesive and further reinforce specified architectural design themes.

With regard to signage, the Downtown Redevelopment Plan indicates that:

"Design of all signs shall conform to the City of Costa Mesa Sign Ordinance, and all applicable design guidelines. Billboards and other off-site advertising devices, however, shall not be permitted in the Project Area."

The applicant proposes that the LED signs not only provide exposure to the Triangle Square tenants but also include unlimited content for the electronic images. The LED display screens are proposed to exhibit a wide range of third-party advertising, which may include:

- Corporate product advertisers (local and national).
- Special events or concerts (local events and outside the City limits).
- Shows at the OC Performing Arts Center.
- Movie advertisements.
- Various upcoming attractions.

While the proposal involves "electronic billboards" partially serving off-site advertising purposes, it is staff's opinion that the proposed LED signs are consistent with overall intent of the City's Downtown Redevelopment Plan and Comprehensive Design Plan because:

- The Plan did not anticipate the new technology of electronic message signs, which can be approved through a PSP.
- The proposed LED signs do not resemble the roof-top or pole-mounted billboard signs with static commercial advertisements, new construction of which is expressly prohibited in the downtown area.
- Given that the images will be changing every four seconds, staff believes that limited display of third-party advertising will not create any negative visual impacts.

Staff is recommending condition of approval no. 14 to require that the majority of the advertising on the LED signs feature the on-site tenants, movies, or activities within Triangle Square. The applicant may also place restrictions on third-party advertising.

ALTERNATIVES

The Planning Commission has the following alternatives:

1. Approve the proposed LED signs, subject to conditions of approval. This would allow the project to proceed, subject to the recommended conditions of approval as discussed earlier in this report.
2. Deny the proposed LED signs. This would not allow the project to proceed. The applicant could not submit substantially the same type of application for six months.

ENVIRONMENTAL DETERMINATION

If the request is approved, it would be exempt from the provisions of the California Environmental Quality Act under Section 15311 for Accessory Structures. If the request is denied, it is exempt from the provisions of the California Environmental Quality Act (CEQA) Section 15270(a) for projects which are disapproved.

CONCLUSION

It is staff's opinion that the proposed signage conforms with the intent of the City's Sign Code as it pertains to PSP's as well as the City's General Plan and Redevelopment Plan. The conditions of approval will minimize any adverse impacts to vehicle traffic and surrounding properties, and will help revitalize a high-profile center in the City's downtown. Therefore, staff supports the applicant's request.

Attachments: 1. Draft Planning Commission Resolutions – Approval and Denial
 2. Proposed LED Signs
 3. View Simulation

cc: Development Services Director
 Deputy City Attorney
 City Engineer
 Transportation Svs. Mgr.
 Fire Protection Analyst
 Staff (4)
 File (2)

Peter Buffa
 2824 Nevis Circle
 Costa Mesa, CA 92626

Greenlaw Partners
 4440 Von Karman, Suite 350
 Newport Beach, CA 92660

RESOLUTION NO. PC-10-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY
OF COSTA MESA APPROVING ZONING APPLICATION ZA-10-39**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Peter Buffa, authorized agent for Greenlaw Partners, owner of real property located at 1870 Harbor Boulevard and 1875 Newport Boulevard, in a Planned Development Commercial (PDC) zone;

WHEREAS, the request is for an amendment to an existing Planned Signing Program (ZA-05-69) to allow two signs with electronic Light Emitting Diode (LED) screens on the northeast (former Niketown dome) and southwest (Sutra Lounge) sides of the building, approximately 10 feet high by 96 feet long and 20 feet high by 15 feet long, respectively;

WHEREAS, a duly noticed public hearing held by the Planning Commission on August 9, 2010 with all persons having the opportunity to speak and be heard for and against the proposal;

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A," and subject to the conditions of approval contained within Exhibit "B," the Planning Commission hereby **APPROVES** Zoning Application ZA-10-39 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the staff report for Zoning Application ZA-10-39 and upon applicant's compliance with each and all of the conditions in Exhibit "B" as well as with compliance of all applicable federal, state, and local laws. Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

PASSED AND ADOPTED this 9th day of August, 2010.

James Righeimer, Chair,
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, Khanh Nguyen, Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on August 9, 2010, by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Secretary, Costa Mesa
Planning Commission

EXHIBIT "A"

FINDINGS (APPROVAL)

- A. The signs comply with Costa Mesa Municipal Code Section 13-29(e) because:
- The signs are compatible and harmonious with uses that exist in the general neighborhood.
 - The signs comply with the intent of the applicable performance standards as prescribed in the Zoning Code.
 - The signs are consistent with the intent of the General Plan and Redevelopment Plan.
 - The cumulative effects of all planning applications have been considered.
- B. The proposed signage conforms with the intent of the City's Sign Code as it pertains to Planned Signing Programs as well as the City's General Plan and Redevelopment Plan. The proposed signs are consistent with each other in design and construction, taking into account sign style and shape, materials, letter style, colors and illumination. The signs are compatible with the buildings and developments they identify, taking into account materials, colors, and design motif. Approval does not constitute a grant of special privilege and/or allow substantially greater visibility than what the standard sign provisions would allow. Specifically, the signs will not exceed the maximum amount of sign area allowed under the Planned Signing Program or the City's Zoning Code. The conditions of approval will minimize any adverse impacts of the proposed signs to vehicle traffic and surrounding properties, and will revitalize a high-profile center in the City's downtown. Additionally, the signs are consistent with the following General Plan goals:
- Goal CD-1: Vehicular and Pedestrian Corridors: Strengthen the image of the City as experienced from sidewalks and roadways.
 - Goal CD-6, Image: Enhance opportunities for development to contribute to a positive visual image for the City of Costa Mesa.
 - Goal CD-7, Residential: Protect and protect the unique identity of residential neighborhoods within Costa Mesa.
 - Goal CD-13, Signs: Ensure that signs contribute positively to Costa Mesa's image and overall economic development.
- While the proposed LED signs will have third-party off-site advertising, the proposed signs are consistent with overall intent of the City's Downtown Redevelopment Plan and Comprehensive Design Plan because the proposed LED signs do not resemble the roof-top or pole-mounted billboard signs with static commercial advertisements, new construction of which is expressly prohibited in the downtown area.
- C. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA under Section 15311 for Accessory Structures.
- D. The project is exempt from Chapter IX, Article 11, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT "B"

CONDITIONS OF APPROVAL (IF PROJECT IS APPROVED)

- Plng. 1. The total site signage, including the LED signs, shall not exceed the total sign area allowed under the planned sign program (2,445 sq. ft. for the entire center).
2. Permanent window signs shall not exceed 20% of the contiguous window area per the City's Sign Code. This provision shall not apply to temporary window signs or super graphics.
3. All newly installed signs shall be in conformance to the requirements and intent of this Planned Signing Program, as well as other applicable Codes and regulations. Any sign not meeting the specific criteria outlined in the planned signing program shall not be permitted.
4. The City's Sign Ordinance shall apply to signs not specifically covered by this Planned Signing Program.
5. Any modification, addition, or deletion to the approved Planned Signing Program shall be reviewed by the Zoning Administrator to determine if an amendment to the Planned Signing Program is necessary.
6. The Planned Signing Program may be referred to the Planning Commission for modification or revocation at any time if the conditions of approval have not been complied with, or if, in the reasonable opinion of the Development Services Director or his/her designee, any of the findings upon which the approval was based are no longer applicable.
11. There shall be no lighting on the building elevations (including rooflines) visible from residential neighborhoods.
12. The LED signs shall be located at the northeast (former Niketown dome) and southwest (Sutra Lounge) sides of the building, and shall be no larger than 10 feet high by 96 feet long and 20 feet high by 15 feet long, respectively, and shall also be subject to the following:
- a. The LED signs shall not exceed 300 nits in luminance during the evening hours.
 - b. No flashing or animated displays or images on the LED signs shall be permitted at any time.
 - c. The operating hours of the LED signs shall be 7:00AM through 10:00PM, seven days a week. Beginning at 9:00PM, the LED signs shall be gradually dimmed until it is completely turned off at 10:00PM. Outside these approved hours, the LED signs shall be turned off.
13. Caltrans outdoor signage permit(s) shall be obtained prior to issuance of building permits for the LED signs.
14. The majority of the advertising on the LED signs shall consist of on-site advertising for tenants, movies, or activities within Triangle Square.

RESOLUTION NO. PC-10-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY
OF COSTA MESA DENYING ZONING APPLICATION ZA-10-39**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES AS
FOLLOWS:

WHEREAS, an application was filed by Peter Buffa, authorized agent for Greenlaw Partners, owner of real property located at 1870 Harbor Boulevard and 1875 Newport Boulevard, in a Planned Development Commercial (PDC) zone;

WHEREAS, the request is for an amendment to an existing Planned Signing Program (ZA-05-69) to allow two signs with electronic Light Emitting Diode (LED) screens on the northeast (former Niketown dome) and southwest (Sutra Lounge) sides of the building, approximately 10 feet high by 96 feet long and 20 feet high by 15 feet long, respectively;

WHEREAS, a duly noticed public hearing held by the Planning Commission on August 9, 2010 with all persons having the opportunity to speak and be heard for and against the proposal;

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A," the Planning Commission hereby **DENIES** Zoning Application ZA-10-39 with respect to the property described above.

PASSED AND ADOPTED this 9th day of August, 2010.

James Righeimer, Chair,
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, Khanh Nguyen, Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on August 9, 2010, by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

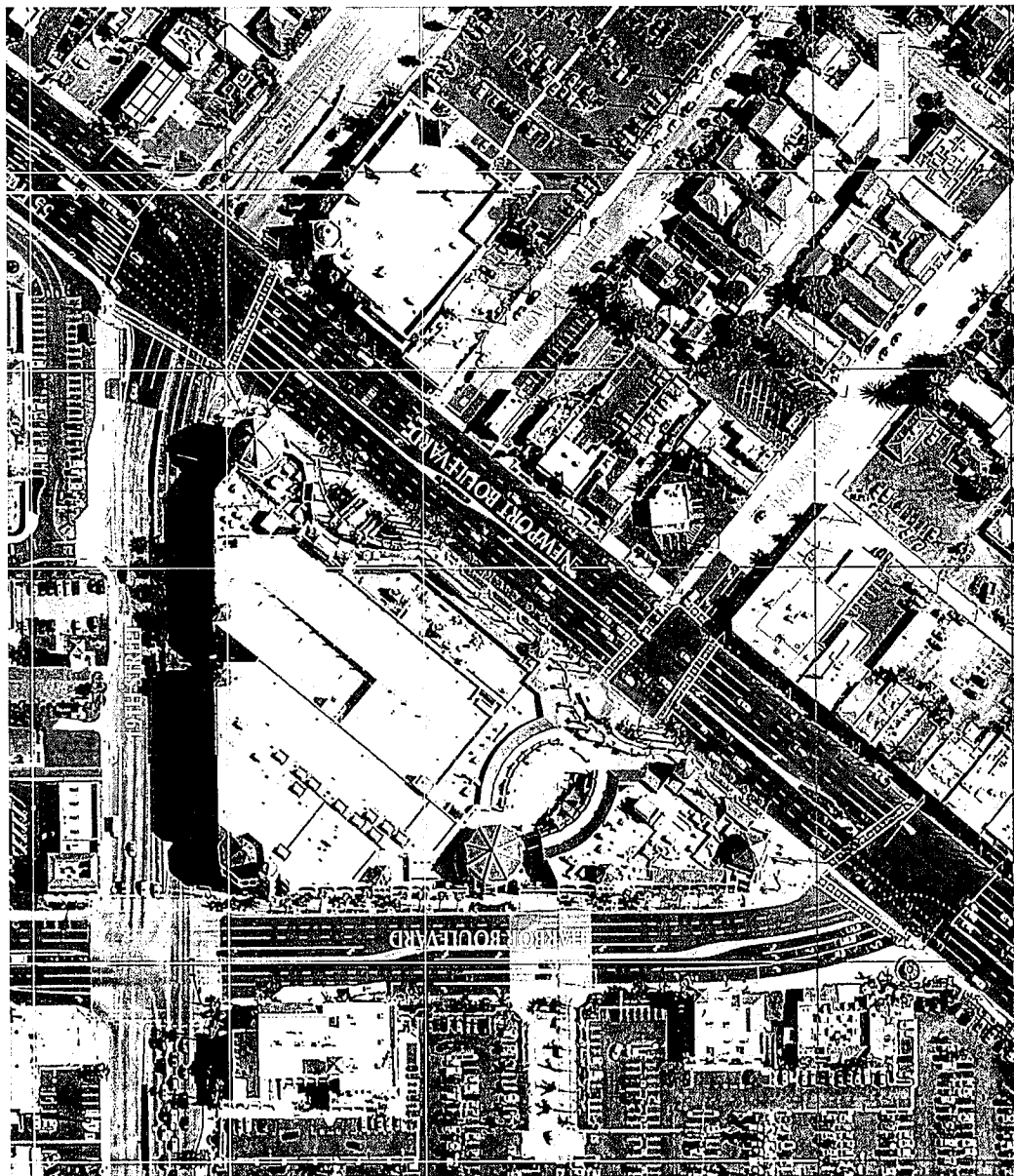
ABSTAIN: COMMISSIONERS

Secretary, Costa Mesa
Planning Commission

EXHIBIT "A"

FINDINGS (DENIAL)

- A. The proposed signs do not comply with Costa Mesa Municipal Code Section 13-29(e) because:
- The proposed signs are not compatible and harmonious with uses that exist in the general neighborhood.
 - The proposed signs do not comply with the intent of the applicable performance standards as prescribed in the Zoning Code.
 - The proposed signs are not consistent with the General Plan.
 - The cumulative effects of all planning applications have been considered.
- B. The proposed signs are not consistent with the intent of the City's Sign Code and the General Plan. The proposed signs are not consistent with each other in design and construction, taking into account sign style and shape, materials, letter style, colors and illumination. The proposed signs are not compatible with the buildings and developments they identify, taking into account materials, colors, and design motif. Approval would constitute a grant of special privilege and allow substantially greater visibility than what the standard sign provisions would allow.
- C. The Costa Mesa Planning Commission has denied Zoning Application ZA-10-39. Pursuant to Public Resources Code Section 21080(b)(5) and CEQA Guidelines Section 15270(a) CEQA does not apply to this project because it has been rejected and will not be carried out.
- D. The project is exempt from Chapter IX, Article 11, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.



14

Triangle Square
125 N. 1st St., Raleigh, NC 27601

STUDIO PROGETTI
architectural & design projects
125 N. 1st St., Raleigh, NC 27601



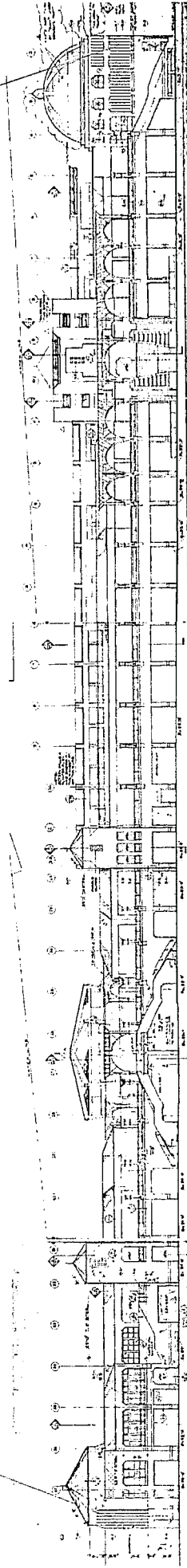
Aerial Site Plan

21 JUN 2010

© KATIPON WILSON 2010

LED Sign #1

LED Sign #2



725'±

Newport Boulevard Elevation
scale: 1" = 50'

15

Triangle Square
RESIDENTIAL DEVELOPMENT LLC

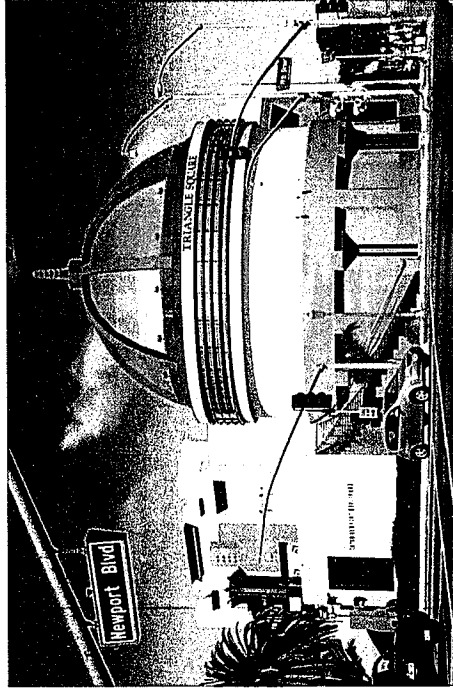
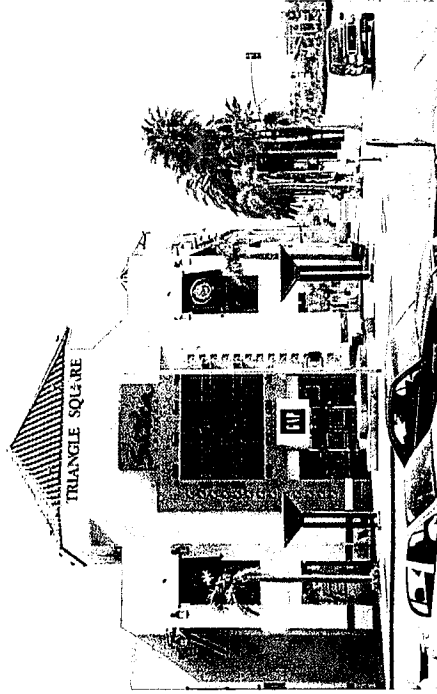
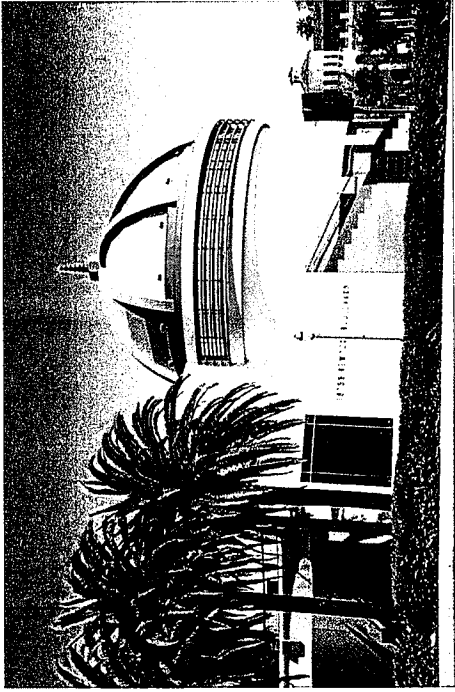
STUDIO PROGETTI
architecture & design projects
1000 West Street - 4th Floor - Durham, NC 27601 • 919.552.4402



Newport Boulevard Elevation

21 JUN 2010

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Triangle Square
TAMMARTIN PARTNERS LLC

STUDIO PROGETTI
architecture & design projects
1025 South Street, Suite 100, Los Angeles, CA 90015-1025
Tel: 310.551.1025

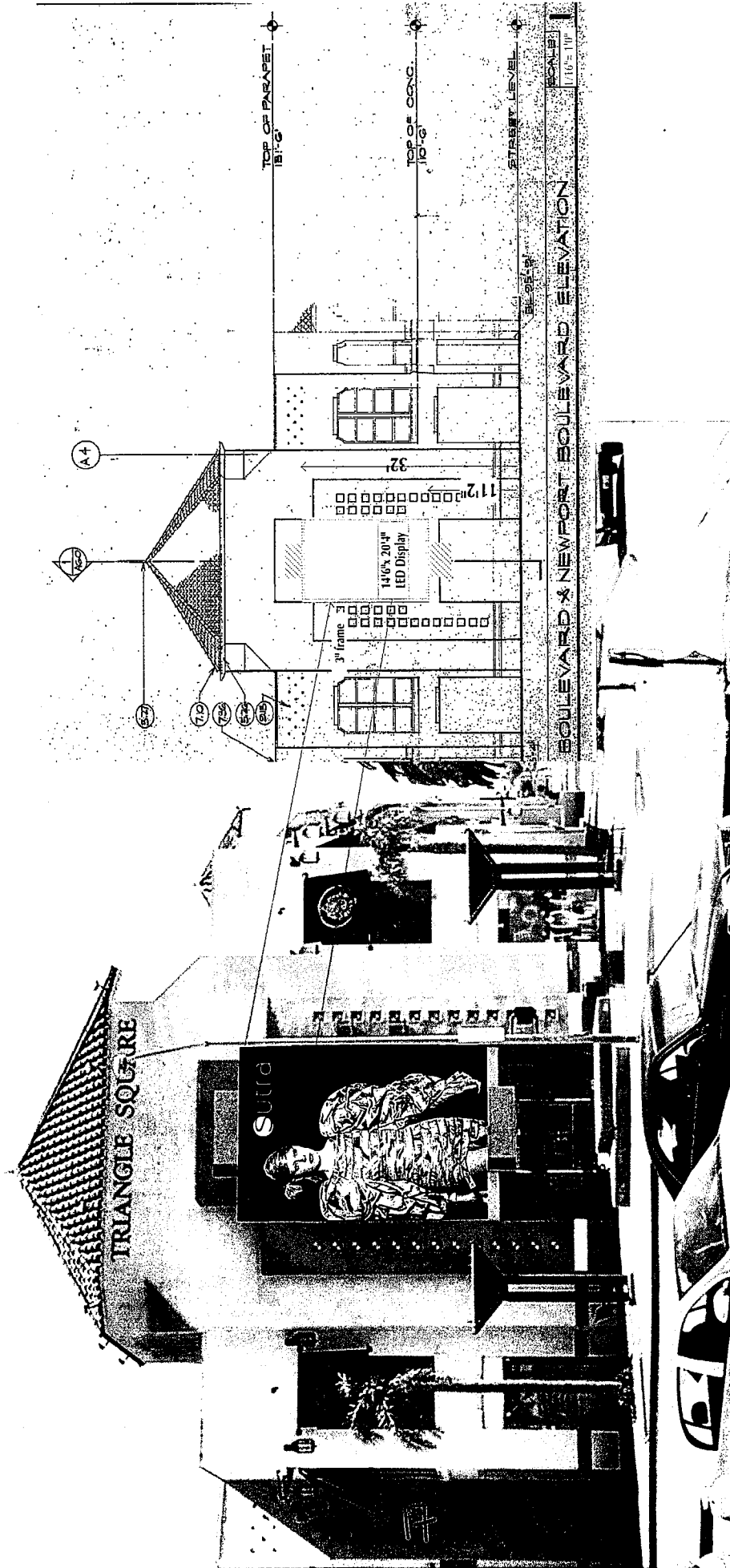


Existing Conditions @ 182

27.000.000

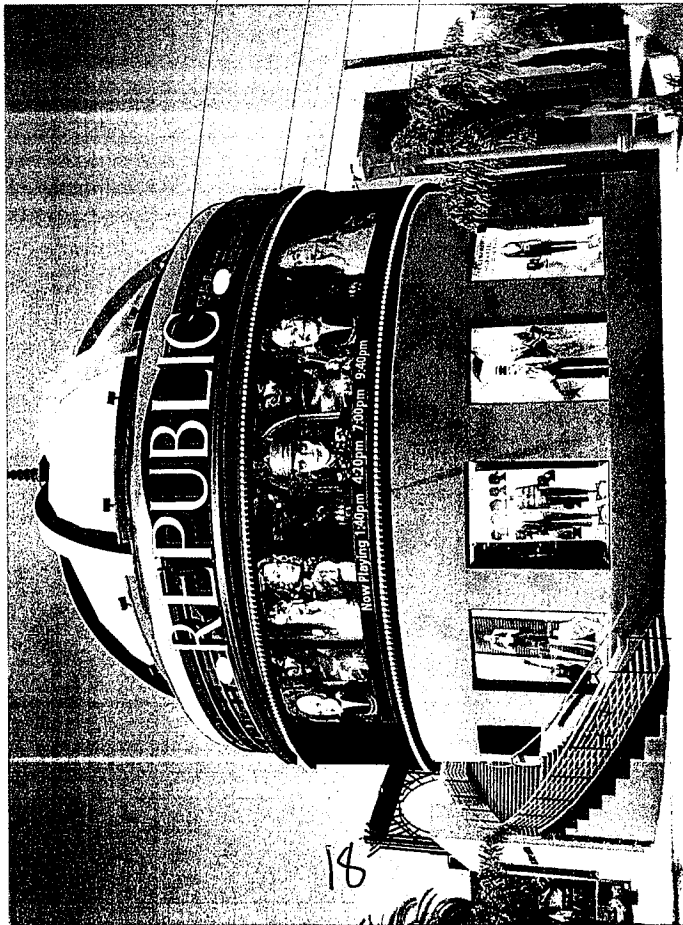
WANGDON
LAWSON
ARCHITECTS
1111 17th St, Suite 100
San Francisco, CA 94103
Tel: 415.774.1111

WANGDON WILSON 2012

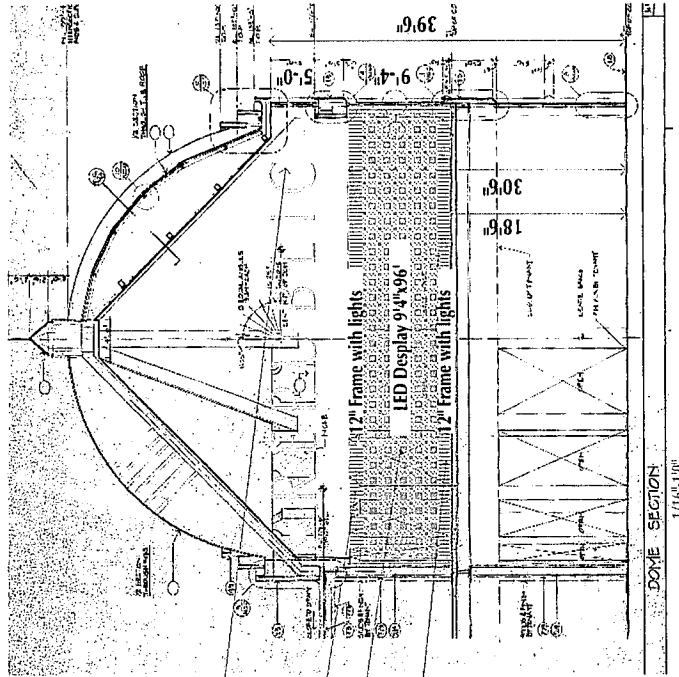


PICTURE FRAME LED
Corner of Harbor and Newport Blvd

	<p>Triangle Square 1000 River Street, Suite 100, Cape Fear, NC 28403</p>	<p>STUDIO PROGETTI architecture & design projects 1000 River Street, Suite 100, Cape Fear, NC 28403 Tel: 704.231.1442</p>		<p>LED sign #1 Elevation J. HENNINGSEN 2010-2011</p>	<p>LANEBO WILLSON ARCHITECTS</p>
--	--	--	--	---	--



LED
Corner of Newport Blvd & W 19 St



LED NOTES:
Frame: 12" with animated
theatrical lamps
Screen: 9'4" x 9'6"

© 2010 Studio Progetti

Triangle Square
1155 W. 19th St.
Newport, RI 02840

STUDIO PROGETTI
architecture & design projects
1155 W. 19th St. Newport, RI 02840
Tel: 401.863.1111 Fax: 401.863.1112



LED sign #2 Elevation

1/16" 1/8"

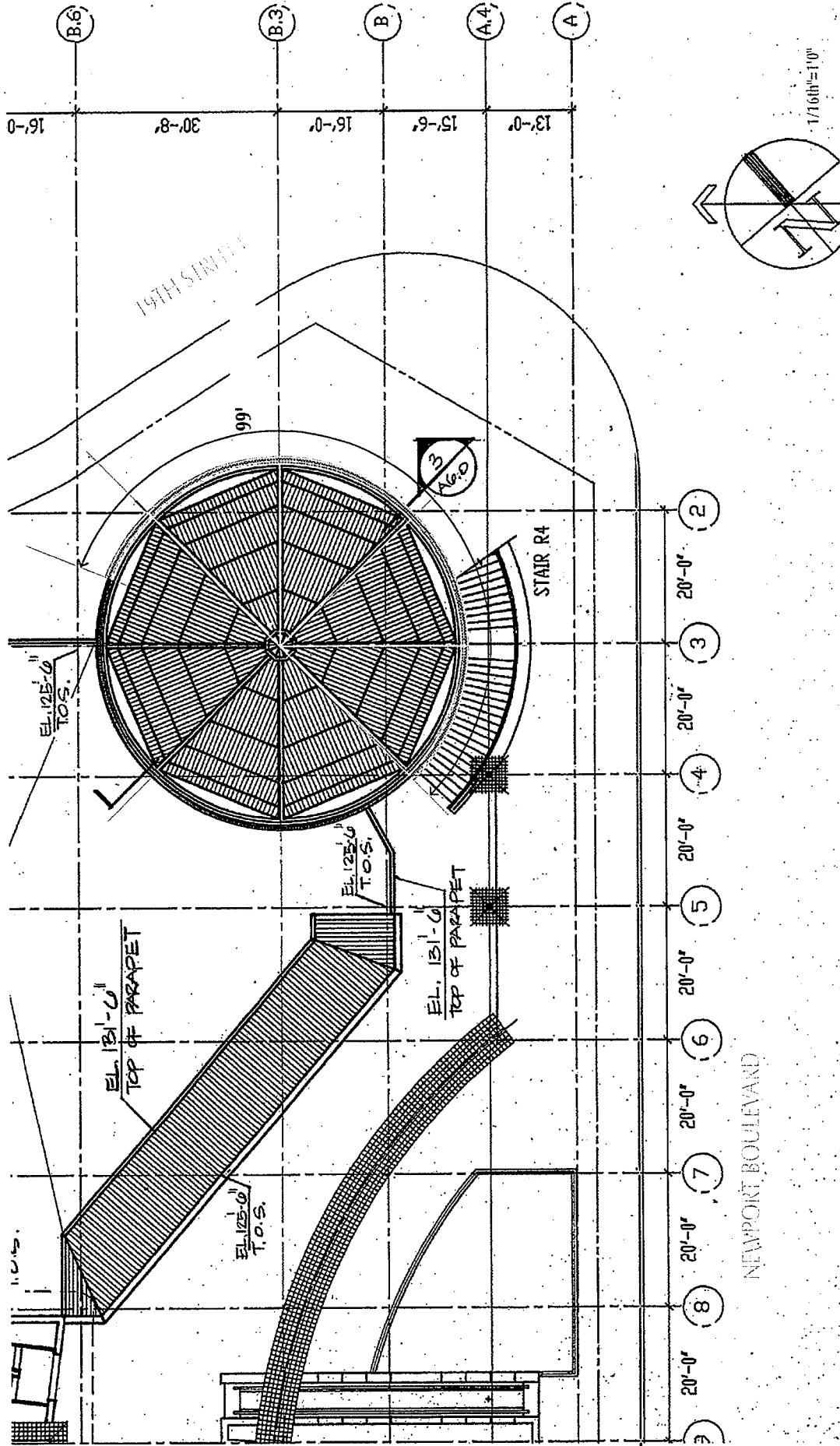
23 JUN 2010

1155 W. 19th St.

NEWPORT, RI 02840

1155 W. 19th St.

NEWPORT, RI 02840



20

LANDSCAPE
WILSON
ARCHITECTS
P.C.

LED Sign #2 Plan View
27th, 2019
21 JUNE 2019



STUDIO PROGETTI
ARCHITECTURE & DESIGN PROJECTS
1000 Laurel Street, Suite 100, Los Angeles, CA 90012-1000
TEL: 310.460.1000 FAX: 310.460.1001

Triangle Square
1500 Newport Boulevard
Newport, Oregon 97156

001234-56789

TRIANGLE SQUARE PLANNED SIGNING PROGRAM AMENDMENT
Visual Impacts

Attachments A & B illustrate the visual impacts of the proposed LED screens, Sign 1 at Harbor and Newport Boulevard and Sign 2 at 19th Street and Newport Boulevard (Niketown wrap-around screen.) Both signs have no visual impacts on nearby residential uses.

Adjacent structures block any view of Sign 1 (Harbor & Newport Boulevard) from nearby residential uses. While a number of R-1 residential blocks just north and east of 19th Street and Newport Boulevard have a view of the upper reaches of Niketown dome – Church Street, Walnut Street and Fullerton Avenue – the proposed Niketown LED screen (Sign 2) is below the line of sight on those streets, i.e., while the upper portion of the dome may be visible, the proposed LED screen is not.

Attachment A



Line of Sight: Niketown LED Screen (Sign 2)

33°38'33.28\"/>

Eye alt 580 m. O

Attachment B



Partial View - Top of Niketown Dome

Google

33°38'33.28"N 113°45'58.22"W Elev: 28 m

Eye alt 580 m

From: Fred Arnold <fredwarnold@sbcglobal.net>
Sent: Monday, March 14, 2022 6:31 PM
To: CITY CLERK
Subject: Triangle Square 3rd Party signage

We oppose the 3rd Party signage at Triangle Square!
Fred & Karen Arnold
Costa Mesa

Sent from my iPad

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: Martin (US), Jerilynn L <jerilynn.l.martin@boeing.com>
Sent: Monday, March 14, 2022 9:21 PM
To: CITY CLERK
Subject: Triangle Square 3rd Party Signage

Dear Mayor Stephens and Council Members,

Here we are again with special requests for TS that go against current regulations. Why does this continue to be a pattern of consideration for this building? How many times do the citizens have to monitor the City Planners and Councilmen to just ensure they enforce the city codes and regs? They codes were designed for a reason and they need to be enforced.

I've seen other's comments and letters that have been submitted to the Council and agree with so many of the points if why this is such a bad idea.

Numerous Safety / Maintenance Issues

High Crime Rate due to poor security and poor management of existing venues serving alcohol

Blight

Poor Management of the Building and Businesses in General

Precedence for other businesses

These issues should not be resolved at the expense of the residents.

I agree that the City Council should reject the request being placed before them tomorrow.

Thank you for your time.

Jerilynn Martin

Sent from my Galaxy

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.
