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March 18, 2025

Response to Appeal of Conditional Use Permit (PCUP-24-0011) – Green Mart

City of Costa Mesa

Attn: Honorable Mayor John Stephens & City Council Members
77 Fair Drive
Costa Mesa, CA 92626

Subject: Response to Appeal of Conditional Use Permit (PCUP-24-0011) – Green Mart

Dear Honorable Mayor Stephens and Members of the City Council,

I am writing to respectfully respond to the appeal filed against the February 24, 2025, **Planning Commission approval of Conditional Use Permit (PCUP-24-0011) for Green Mart at 1912 Harbor Boulevard.**

As you are aware, the City of Costa Mesa has followed all proper procedures in reviewing and approving this CUP. The Planning Commission conducted a thorough and transparent review process, holding the required public hearing where community members, including the appellant, had the opportunity to raise concerns. After carefully considering the city staff report, the Planning Commission determined that the staff's recommendation for approval met all applicable zoning and operational requirements.

Furthermore, the applicant has fully complied with all Planning Department requirements throughout this process, addressing all necessary conditions and working within the framework of the City's regulations. The application was properly vetted, and the CUP was granted in accordance with the established municipal code and land use policies.

The appeal does not introduce any new substantive facts that were not already discussed and carefully evaluated by the Planning Staff and voted on by the Planning Commission. Concerns such as parking, circulation, and neighborhood compatibility were extensively reviewed, and the conditions of approval ensure that the project will operate responsibly and in harmony with surrounding businesses.

Additionally, the false and misleading character attacks included in the appeal are completely ridiculous and have already been addressed by the Planning Commission. These personal attacks do not belong in a legitimate land use appeal and should not be considered in the evaluation of this CUP. The applicant is a licensed member of the CA bar and has successfully passed the required Live Scan by the California Department of Justice and Federal Bureau of Investigation. The focus should remain on the merits of the application and the thorough review process already conducted.

We appreciate the City's commitment to a fair and consistent permitting process, and we respectfully urge the Council to **uphold the Planning Commission's decision** based on the comprehensive record already established. A consistent and predictable application of land use regulations benefits the business community and ensures confidence in the City's decision-making process.

Thank you for your time and consideration. Please do not hesitate to reach out if additional information is needed.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "CW", is written over a horizontal line. A long, thin, curved line extends from the end of the signature towards the right side of the page.

Craig S. Wasserman, Esq.

cc: Keith M. Scheinberg, Esq.