



Fwd: Thursday's PC Hearing - Hearing Item No. 3

Jim Irving

to:

rhedges@co.slo.ca.us

08/28/2015 09:59 AM

Hide Details

From: Jim Irving <jim@jimirving.com>

To: "rhedges@co.slo.ca.us" <rhedges@co.slo.ca.us>

History: This message has been replied to.

Ramona, here's another email

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

From: **Carol Florence** <CMF@oasisassoc.com>

Date: Wed, Aug 26, 2015 at 12:45 PM

Subject: RE: Thursday's PC Hearing - Hearing Item No. 3

To: Jim Irving <jim@jimirving.com>

Jim!

Thanks for the response. No doubt McDonald's decided to not pursue the project for a variety of reasons – costs to date, revenue potential, the fact that the current owner of the SLO & MB McDonald's passed away (he was

also the franchisee for Los Osos ☹), and of course, the fact that McDonald's is going through some major corporate changes. They believed in Los Osos and I there were many vocal and silent supporters that I am certain are very disappointed. Thanks for asking!

On Starbucks'....again, we have an approved project and set of conditions, so the Planning Director simply needed to make certain that there were no substantial changes between McDonald's and Starbucks'. As you can imagine, that decision was based upon refreshing the historical analysis, conducting new analysis, and making a determination based upon the facts of the matter. I would refer you to the table we provided with our request. See pp. 3 – 5 of 24 that is a comparison with the approved project + conditions of approval and the proposed Starbucks', as you will note that the changes are insignificant. I will forewarn you that you may need a magnifying glass to read it! ☺

Let me know if you have any other questions. Thanks for the consideration.

Respectfully,

C.M. Florence, AICP
Principal Planner

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From: Jim Irving [mailto:jim@jim Irving.com]
Sent: Wednesday, August 26, 2015 12:19 PM
To: Carol Florence
Subject: Re: Thursday's PC Hearing - Hearing Item No. 3

carol...so what happened to McDonalds? Did all the community comment persuade them that Los Osos was not the place for them?

That said, I recall the BOS upheld your appeal of the PC's stricter COAs. So what is Starbucks allowed to do? Everything that McDonald's was permitted to do?

probably not relevant to tomorrow, more customer curiosity.

Jim

On Tue, Aug 25, 2015 at 3:11 PM, Carol Florence <CMF@oasisassoc.com> wrote:

Hello, Commissioner Irving!

I certainly hope that you are enjoying the waning days of summer. As you may recall, we represent the owners of the Los Osos Shopping Center. There is some history to this project – the building housed the original B of A bank w/drive through, it was approved for the now former McDonald's tenancy, and looking forward, will hopefully be the new home of Starbuck's. Included in the entitlement process was a substantial body of technical and planning analysis, public input, staff time, and the ultimate approval of the McDonald's project by the Board of Supervisors (Resolution No. 2014-89, April 8, 2014). Now after an appeal of the Planning Director's substantial conformance determination, we find ourselves before you again, this time requesting that you uphold staff's recommendation and deny Ms. Tacker's appeal.

While the merits of the project were thoroughly discussed and debated during the previous Planning Commission & Board of Supervisor's hearings, the fact remains that our client has obtained an approved use permit with a very specific set of conditions and findings, and as often happens in the world of commerce, a simple change in tenant.

Ms. Tacker asserts many things in her appeal that are not relevant to the task at hand – reviewing the appropriateness of the Planning Director's determination. My goal on Thursday is to focus my presentation on the appropriateness of the Director's determination action and not to debate water use quantities or the methodologies used to derive the approved use permit conditions of approval. All the while, certainly acknowledging the serious nature of both water resources and waste water disposal in Los Osos. I will, of

course, also address the Commission's questions.

Thank you, in advance, for your consideration. Should you require me to be prepared to discuss certain aspects at the hearing, please let me know your concerns. I look forward to seeing you on Thursday.

Respectfully yours,

C.M. Florence, AICP
Principal Planner

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