

SaveThe Racquet Club.com

THRC UPDATE

August 13, 2020

North Tustin Neighbors - below are instructions for the upcoming North Tustin Advisory Committee Public Hearing on **August 19th at 1:30 pm** for the proposed redevelopment of the racquet club. Some of you may have received emails or written notices (if located within 300 feet of the tennis club). The notice referenced the project as **"Ranch Hills Community"** (Developer's name for his proposed condo development). As this is not a recognizable community name, some may not have realized this in fact **IS** the **redevelopment proposal for the Tustin Hills Racquet Club site**. *Please keep that in mind with future County notices.*

We are being told that anyone who wishes to speak will have 3 minutes to do so.

See County Notice of Public Hearing and Online Log-In Instructions Below:

North
Tustin
Advisory
Committee

NOTICE OF PUBLIC MEETING

North Tustin Advisory Committee (NTAC)
Public Meeting Agenda
Wednesday, August 19, 2020
at 1:30p.m.

Location is by WebEx virtual link or phone ONLY:

WebEx Virtual Link:

<https://ocgov.webex.com/ocgov/jnstage/g.php?MTID=ea3da238bef0803726e3dcd90914e852>

Audio Conference information: (415) 655-0001
Access code: 133 120 0436

Peter Schneider
Chair

Mike Fioravanti
Secretary

Pat Welch
Member

Kirk Watilo
Member

David Feldberg
Member

Kendra Carney Mehr
Member

Dessa Schroeder
Member

I. CALL TO ORDER

II. APPROVAL OF THE MINUTES FROM PREVIOUS MEETINGS

III. COMMITTEE BUSINESS- welcome new Member

IV. OLD BUSINESS –none

V. NEW BUSINESS

Project: Planning Application PA18-034 and VTTM 18119

Owner: Ranch Hills Partners, LP

Agent: Peter Zehnder Location: 11782 Simon Ranch Road

Proposal: • A proposed Zone Change from A1 “General Agricultural” to R2(5000) “Multifamily Dwelling District” with a minimum 5,000 square feet of net project area per unit. • A Use Permit to allow the development of a planned (unit) development establishing common areas and development standards for the project. • A Vesting Tentative Tract Map 18119 to subdivide the property into development and common area lots and private streets is being processed concurrently.

VI. PUBLIC COMMENT

VII. ADJOURNMENT



WebEx Information for Public Meeting Attendees

How do I Join a Meeting?

1. Copy the web address provided on the agenda/public notice into your internet browser (Chrome, Edge, Internet Explorer, etc.) click the link to join the meeting; or Join using the phone number provided on the agenda/public notice.
2. Please note when you join the meeting you are automatically muted.
3. At the start of the public meeting OCPW Staff will go over general meeting format and how public comments for those who joined online **and** over the phone will be conducted.

Note: You will not be able to join the meeting until the start time of the meeting

What Can I do During the Meeting?

- Hear and view presentations
- Speak when unmuted, during public comment period (managed by meeting host)
- View Committee Members and County Staff (identified as panelists)

How Can I Make a Public Comment?

At the beginning of the public comment period verbal directions will be provided along with a slide showing how to "raise your hand" to make public comment online **and** on the phone.

The screenshot shows a WebEx interface with two main sections. The first section, titled '1 Click "Raise Hand" option', lists two steps: 'Click "three dots" icon' and 'Click "Raise Hand"'. It includes a visual of a 'Raise Hand' button with a hand icon. The second section, titled 'Click/expand "Participants" box', lists two steps: 'Click/expand "Participants" box' and 'Then click small "hand" icon in bottom-right corner'. It includes a visual of a 'Participants' box with a hand icon. Below these sections, there is a note: 'Or 2 If only listening on phone: Dial *3 ("star 3")' with a small graphic of a mobile phone.

- Once you have raised your hand, a hand symbol will appear next to your name.
- When it is your turn to speak you will be verbally identified and unmuted. At the end of your allocated time or the end of your comment whichever comes first you will be muted again.
- Once you have completed your comment please repeat steps above to remove the hand icon.

Note: Your computer must have a microphone to speak when joining online



County Administration South
601 North Ross Street
Santa Ana, California 92701

P.O. Box 4048
Santa Ana, CA 92702-4048
info@ocpw.ocgov.com

(714) 667-8800
OCPublicWorks.com

Additional project information, including plans, may be found online at https://www.ocpublicworks.com/ds/planning/projects/3rd_district/ranch_hills_planned_development

Thank you for your enthusiasm, involvement, and support!
Together we can Save The Racquet Club!

Lori Chew
THRC Steering Committee

DONATE NOW

Help defeat the developer's rezoning effort by donating necessary funds for legal counsel, professional experts, and other needs.

Donate now using PayPal, Zelle, debit or credit card by clicking link above.

Checks made payable to the FCA (note Tustin Hills Racquet Club on memo line) can be mailed to P.O. Box 261, Tustin, CA 92781.

All donations are accounted for and held separately by the FCA for the THRC rezoning effort only. Unused funds will be returned on a prorated basis.

SIGN PETITION

Let your voice be heard! Please sign a petition conveying your opposition to the rezoning of this property that would permanently alter the character of the neighborhood and diminish the property rights of so many homeowners in North Tustin.

RECENT LETTERS TO THE EDITOR - FOOTHILL SENTRY

FOOTHILLS SENTRY

The Best News In Town Since 1969

June 2020

Letters to the editor

Dear Editor:

I'm responding to inaccuracies in Mark Kamp's letter to the editor (March) regarding the potential redevelopment of the Tustin Hills Racquet Club (THRC) and the community's response. As a North Tustin resident and Foothill Communities Association member fighting to preserve THRC's existing zoning, I'd like to offer facts and dispel misinformation so residents can be fully informed.

Advocating for owners' property rights is precisely the focus of our efforts, which entail fighting to uphold existing zoning codes and binding land-use restrictions at THRC that were put in place to protect the rights and interests of residents.

THRC land is zoned A-1 (general agriculture), permitting agriculture, parks, playgrounds, athletic fields, and one dwelling unit (Orange County Zoning Code - Title 7, Div. 9, Sec. 7-9-59.2. - principal uses permitted). We wholeheartedly support owners' rights to hold and operate private property as desired, providing it conforms to existing codes and laws. However, the buyer of the THRC site is requesting a zone change to R-2 to develop 37 condominium units on 5,000-sq.-ft. lots.

North Tustin property owners have rights under existing zoning codes, which ensure compatibility and conformity with surrounding land uses. Residents bought homes based on the in-place code, and many paid a premium based on this zoning. Rezoning to a higher density would solely benefit the buyer and seller while devaluing homes in the community.

Additionally, a legally binding land-use covenant recorded decades ago, and signed by the then-THRC, restricts the use of the property to that of a private or public use tennis club into perpetuity. The proposed development violates the covenant and homeowners' rights.

Chuck Pate (seller) bought the tennis club years ago with these legally binding zoning and land-use restrictions in place, and paid a price commensurate with its use. He rejected several purchase offers from community members attempting to maintain the tennis club because his apparent motive was to maximize personal gain at the community's expense. Despite a clear understanding of the current zoning, legal covenant, and the community's overwhelming opposition to redevelopment, the transaction closed, and the buyer is intent on a zone change.

The community has more than "put up" to protect our rights under the existing jurisdiction, including multiple purchase offers for the property. Rather than spread misinformation or conjecture, perhaps it is better to get involved and join the fight to protect this extraordinary North Tustin community that we are proud to call home.

Lori Chew
North Tustin

Dear Editor:

What is the value of family? What is the worth of friends? What is the price of memories? What is the importance of a healthy lifestyle? What is the significance of a life well-lived in a home for over 40 years? What is the impact of negatively changing the nature and character of a community forever?

None of these questions are answered in the Mitigated Negative Declaration for the Tustin Hills Racquet Club property in North Tustin. Nor can they ever be.

Our family moved to North Tustin in June 1979 from Rochester, New York. We were ecstatic to find a house in the recently-built John Lyttle homes in Lemon Heights. We could walk to the Tustin Hills Racquet Club. The tennis club was the single most important reason that we bought the house we did.

We immediately joined the club. Forty-one years later, I am still a member. Our children, ages two and seven when we moved here, grew up at the club; first in the swimming pool, and later on the tennis courts. Our son wound up playing tennis for Foothill High School. He also got his first job tending the snack bar at the club. This is significant because he went on to a career in the hospitality industry. Today, our three-year-old granddaughter is learning to swim at the club. What is the value of a family history like this?

My wife and I played years of mixed doubles with many other wonderful couples that became our circle of friends. What is the worth of friends and memories such as we have because of our tennis club? As somewhat of a fitness fanatic, I would play tennis Saturday morning, lift weights in the club weight room and then run five miles in the hills. My wife and I would walk down to the club after dinner just to hit balls. Now in my seventies, it has helped me recover from knee surgeries, retain muscle tone and generally stay healthy. There is no facility anywhere in North Tustin that provides the recreational and social opportunities offered by the Racquet Club. What is the importance of a healthy lifestyle provided by the availability of the tennis club?

In the early eighties, with nearly 300 of our neighbors, we banded together to prevent Racquet Hill Drive from becoming a through street to the new Tustin Ranch development, preserving the tranquility of our neighborhood. It was, and still is, a neighborhood that is relatively unique in Orange County, with all half-acre lots.

The Mitigated Negative Declaration does not address a single one of these questions. That is because it does not address the human elements at play with this proposal. People live here because they have chosen to live here. It is a tranquil area where homes are not jammed together as they are elsewhere in Orange County. Proposed is an island of ugly, jammed-in duplexes. How completely and insanely incongruous this development would be in its proposed location.

Without addressing the human, aesthetic and property value impacts to the neighborhood, the Mitigated Negative Declaration is fatally incomplete. I urge all residents of North Tustin to forcefully oppose the development of this property.

Charles Roby
North Tustin

CLICK FOR COUNTY DOCUMENTS

County documents, including the Public Notice of Intent and Environmental Document (MND Report) and other supporting materials, are accessible by clicking button above.

**CLICK FOR SUPERVISOR DON WAGNER'S VIDEO STATEMENT:
FCA ANNUAL MEETING 3/2/20**

**CLICK FOR SUPERVISOR DON WAGNER'S POSITION
STATEMENT**

**SaveThe
Racquet
Club.com**

LAWN SIGNS: Show your Support!

Lawn signs are available at the home of Kirk Watilo, 2331 Pavillion Drive in the entryway behind large entry door. Help yourselves! If you would like a lawn sign delivered to you, please email kirkwatilo@gmail.com.

PROPOSED PLAN

On December 31, 2018, Peter Zehnder submitted a request for a zone change and redevelopment plans to the OC Planning Department. A summary of the development planned is as follows:

- Zone Change: A1 (General Agricultural) to R2 (5,000) Multi-family with 5,000 SF lots
- 37 homes: 17 duplex units and 3 single units
- Density: 6.29 homes/acre
- Max height: 30'
- Building Site Coverage: 30%
- Total Parking: 170 spaces
- Setbacks:
 - Rear: 16'
 - Front: 10'
 - Side: 5'
- Floor plans will consist of 3-bed/3.5 bath with partial second floors (2,535 SF and 2,610 SF)

(1)

THRC TIMELINE OF EVENTS

December 31, 2018: Peter Zehnder (Developer) submitted plans to the OC Planning Department. They were deemed incomplete pending an environmental study.



March 28, 2019: Members from our Steering Committee met with the OC planner, Kevin Canning, handling the project. At that time, the plans were still deemed incomplete awaiting an environmental study. Canning provided the following information regarding the planning review process:

The first step in which the public will have involvement in the planning approval process of the Project is the review of an environmental study that will serve as

the California Environmental Quality Act ("CEQA") documentation. Such study will be in the form of either a Mitigated Negative Declaration ("MND") or an Environmental Impact Report ("EIR"). The MND is more limited in scope while the EIR is more comprehensive. The County has not yet reached a determination of which form of study will be required to satisfy the CEQA process but we believe they are leaning towards a MND. This decision is expected to be made by the end of this month (March).

If the County determines that the more limited MND study is appropriate, the FCA can file a protest in favor of an EIR.

The public will have 30 days to review the study (posted online) and submit comments.

If the County determines a full EIR is the proper scope, will issue a notice inviting public comments regarding topics and possible impacts the EIR should address. The EIR will not occur until after the County has received public input.

After the 30-day public review period of the environmental study (whichever study is determined by County), the Planning Department makes their recommendation to the Planning Commission.

Planning Commission holds public hearing.

Planning Commission then makes recommendation to the Board of Supervisors.

Board of Supervisors hold public hearing then casts vote (requires 3 out of 5 votes).

Canning also stated that the County will not consider the existing, in-place Restrictive Covenant as it is not a party to the agreement.

July 9, 2019: Members from our Steering Committee met with newly elected Supervisor Don Wagner and his staff. A number of FCA issues were covered as well as the THRC. We thanked Don for his support to oppose any redevelopment of the site, provided him with the above mentioned updates, and sought his advice on getting our message out to his fellow Supervisor Board members and Planning Commissioners. Don noted that he had met with Peter Zehnder the

week before regarding the Project.

Don reiterated his support of the community, but also recommended we meet with the Developer (we believe he suggested the same to Peter as he has since reached out to the FCA to arrange a meeting).

Don commented that the Project reflected a lower density (at 37 homes) than what he originally thought (100+ units), but said he would veto the Project if the Developer tries to push it through (in its current form) given the community's opposition. We are not certain where or how Don got the impression the Project would consist of 100 dwelling units, but it was reportedly one of the Developer's original development alternatives (I believe it was 1 of 4 options for the site) which may have been communicated to Don in some fashion.

Don mentioned what appeared to be the Developer's perspective/position that the new Project would result in less traffic vs. the tennis club and that it will provide needed downsizing housing alternatives (both of which we refuted in our discussions with Don).

Don agreed that the County would not get involved in the Restrictive Covenant as they are not a party, but understands that the FCA has confirmed through two land-use specialist attorneys its enforceability. The Proposed Development is prohibited by the covenant and we intend to ensure that the covenant is enforced.

Lastly, Don was very supportive of us getting our message out and encouraged us to meet with the other Supervisors as well as the planning commissioners (which we intend to do).

In general, Don continues to indicate his support for the community and is well aware of the community's opposition to the proposed Project. We reminded him the past Supervisor election was essentially a "single-issue" election and that North Tustin supported him by an 11% margin over district-wide results because of his commitment to this issue.

July 29, 2019: OC Planning Commission secretary (Sharon Gilliam) informs us that the "project is in its early stages and will not go before the Planning Commission until very late this year or early 2020. The Planning Commissioners

have not been given any information on this project.”

August 20, 2019: Kevin Canning replied to our request for a status update stating no decisions have been made regarding the CEQA process and they have no anticipated schedule at this time for the CEQA determination or Planning Commission review but are proceeding as expeditiously as possible.

December 9, 2019: Kevin Canning reports they have an estimated schedule that would issue the environmental document for public review shortly after the first of the year.

February 14, 2020: Public Records report Ranch Hill Partners LP acquired the THRC property for \$6.3mm

February 19, 2020: Kevin Canning reports they are currently reviewing a potential last draft of the environmental document for accuracy and legal adequacy and think that this document may be able to be released for a public review and comment period within the next 30 days.

May 6, 2020: The new owners filed a Mitigated Negative Declaration (MND) with the County of Orange to seek an expedited zone change to the property. The MND was made available to the public for a 30-day review period from May 6, 2020, to June 5, 2020. The MND may be adopted by the County of Orange and become final unless written comments on its appropriateness or adequacy are received by the County by 4:30 p.m. on the ending date of the public review period (June 5, 2020).



Preserve North Tustin by Joining the FCA Now.

Foothill Communities Association (FCA) is a nonprofit corporation located in North Tustin and has been committed to maintaining and improving the quality of our community since the 1960s. The first year is free for new members. Standard membership is \$25 per calendar year for each household (\$20 for seniors).

Use the links below to 1) learn more about how being a part of the FCA benefits you and your community and 2) become a member.

<https://www.fcahome.org/join-fca-now/>

<https://www.fcahome.org/membership-benefits/>

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You are receiving this email because you joined a neighborhood email group, signed up at the FCA Candidate Forum, or subscribed to this email communication to stay informed with North Tustin residents' efforts to preserve the Tustin Hills Racquet Club.