
MEETING MINUTES

**North Tustin Advisory Committee (NTAC)
Wednesday, August 19, 2020 – 1:30pm PDT**

Preliminary

1:32PM Brian Kurnow (County of Orange) started the online meeting by explaining the rules for public attendees, how to ask questions (virtual hand raising) and general instructions. He also stated that all members of the public would be muted until they have been given the time for comment.

I. CALL TO ORDER / FLAG SALUTE

Peter called the virtual meeting to order at 1:35PM. No flag salute due to online forum.

- *NTAC members in attendance:* David Feldberg, Mike Fioravanti (Secretary), Kendra Carney Mehr, Peter Schneider (Chair), Dessa Schroeder, Kirk Watilo, Pat Welch. All members introduced themselves to the public.
- *County of Orange attendees:* Brian Kurnow, Kevin Canning, Bellinda Erikson

Peter explained to the public that the NTAC committee has reviewed all the letters sent to the County and the group is aware of all the issues at hand. He requested the public comments be kept to three (3) minutes each and this will take place after the applicant's presentation. He also asked the public to listen to the other speakers so that the committee doesn't need to hear the same input repeatedly.

II. APPROVAL OF THE MINUTES FROM PREVIOUS MEETING

Kendra Carney Mehr made a motion to approve the minutes from the July 2019 meeting. David Feldberg seconded the motion and the committee then voted to approve the minutes. Kirk and Dessa abstained from the vote since they were not part of NTAC at that time.

III. COMMITTEE BUSINESS

Peter welcomed two new NTAC members: Dessa Schroeder and Kirk Watilo and thanked them for their community involvement.

IV. OLD BUSINESS - None

V. NEW BUSINESS

1. Project: Planning Application - PA 180034 and VTTM 18119

Owner: Ranch Hills Partners, LP

Agent: Peter Zehnder

Location: 11782 Simon Ranch Road, North Tustin

Proposal: A proposed Zone Change from A1 "General Agricultural" to R2(5000) Multifamily Dwelling District with a minimum of 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.

PRESENTATION FROM APPLICANT:

1:48pm Presentation started...

Mr. Peter Zehnder introduced himself as the managing member of the partnership that is the owner of the Tustin Hills Racquet Club (THRC).

Peter Schneider asked if there were any other attendees joining Peter Zehnder and he said there were none.

Brian K. displayed a PowerPoint presentation that was being shared online by the County of Orange.

Peter Zehnder said the presentation should take 15 minutes. It includes all the “pertinent information” about the project. He said all the committee members should be familiar with the details already due to the information that has been publicly available.

Peter Zehnder stated the tennis club was purchased this past March and they had been working with the previous owner for 2 - 2.5 years previously. *“We had a lot of time to look at what the different options are with the club itself”*. The previous owner *“had some offers to purchase the club prior to our getting involved. He has gone on record stating that none of those proposals were ever finalized. He had offered it and I wasn’t privy to that information, but the respective buyers did not conclude a transaction”*.

“We spent a lot of time looking at what would be the best options for the neighborhood assuming there is going to be development”.

Showed list of current zoning options for A1 District including residential (low density), agriculture, outdoor rec, open spaces, etc.

Peter Zehnder stated they looked at a number of options for the property and that many things are not appropriate for the community (part of A1). They also looked at what would be needed to continue the operation as a tennis club. *“The tennis club membership had been declining for a number of years and the previous owners didn’t solicit new members”* or maintain/upgrade the property. Peter Zehnder said, *“significant improvements both to the facility itself, the clubhouse, banquet facility courts and increase membership”*. *“At the end of the day, it’s an on-going commercial business and is affected by many, many things -- such as COVID”* which hit a week after the sale and forced the club to close for a period of time.

He continued that the former owner hadn't *"marketed for new members or banquet events and things like that so it's a very underserved facility for years"*.

Peter Zehnder acknowledged that traffic is of utmost importance (and noise).

They looked at large, single family homes that could be developed on the site and determined *"it's not in best interest of the neighborhood"* as they found that other homes being marketed in South County/Irvine/North County with these types of homes are multi-generational buyers which generates significant more traffic. *"Because there hasn't been new housing developed up in North Tustin for so long the addition of new large homes would compete significantly with the existing housing stock of primarily older homes on large lots so we didn't think that was the best option either"*.

They imagined a tennis club and homes on the same land, how that would work, need for a HOA and who would be responsible for maintenance cost. *"We ruled that out"* said Peter Zehnder.

He continued, *"Higher density/multi-family homes is really not compatible especially when you get up into the 18 dwelling units acre. Obviously, people are identifying our proposal as high density/multi-family but it's approximately 6 to the acre. It's obviously of higher density than the immediate surrounding neighborhood but in the scope of things it's quite low density"*.

Peter Zehnder said they identify this development as an *"active adult community"* and the proposal is what I would call a *"luxury for sale active adult community"* housing targeted for those that want to possibly sell their existing home (may live in North Tustin now) and the opportunity to move down and have a single/ground floor living with office/bedroom/bonus room on 2nd floor.

They looked at traffic patterns and stated, *"this project generates the fewest trips per day compared to other types of housing"*. He noted a lot of traffic concerns have been made since the tennis club can be empty one day and full the next (tournaments, events, etc.). The club has a smaller membership and lower use of the facilities creates less traffic than might be steered in a formal traffic presentation. The new study is *"below the threshold"* and less than significant with environmental impact.

The project is *"37 single family dwellings, 17 units that are attached and three detached individual units"*. Single floor living designed for homeowners over 55 (wondered aloud why that's considered "senior when it's awful young"). *"It would be good for people with physical challenges"*.

"All streets are private, maintained by the HOA, in the proposal we have a private recreation area for the homeowners, swimming pool, and restrooms and so forth". *"Also, I believe, 3-4 pocket parks"* are designated including dog park.

Peter Zehnder acknowledged the construction going on the area and the contractor is storing equipment on the THRC lot now. The City of Tustin is constructing a new water main/reservoir to increase the water flow (12" main) and *"will run through an easement that is current and we're granting a new easement and it is intended to*

come through where the parking lot is of the club and it needs to connect to the make a loop to make the system work” to connect to the 12” line to be installed on Racquet Hill and will “need some cooperation from an adjacent neighbor to make that loop”. The City of Tustin hasn’t “been successful so far but I think they’re continuing to work with that”.

Explained justification for parking spaces and calculations. None of the calculations were done using senior living requirements. *“We don’t believe...it would be rare instances that someone would have a party large enough to require parking outside of the community itself as currently happens with banquets and wedding as your familiar with”.*

The proposed design (two-unit duplex structures) is a *“similar mass to what you would see with large single-family homes”* and *“...the massing is consistent with what you see in the neighborhood”*. He noted that *“a lot of existing lots in the neighborhood have large slopes... but the buildable pads are smaller”*.

Peter Zehnder added: *“We designed (the project) to be as compatible as possible with the current neighbors adjacent to the site and positioned the homes to be respectful”*. He added *“The impact is with the immediate neighbors adjacent to the club. Most of neighborhood is not able to view the project”* due to the trees. The view impact is *“very insignificant except potentially for those along the perimeter of the site”*.

Peter Zehnder also stated, *“We believe (the project) is compatible. This doesn’t address any of the NTAC board’s issues that they don’t want to see any new development. Again, we explored that, we explored looking at the existing tennis club, but our proposal is addressing the best options assuming there is going to be development. Someone that doesn’t want to see anything is....obviously we understand that situation and respect those views”*.

Peter Zehnder said, *“This project really will provide an opportunity that is not available in the nearby vicinity and we believe this type of community will enhance everyone’s property values rather than compete with the existing housing. We got data to support that --- which at the upcoming public meetings we will be sharing some of that”*

He also stated they did a lot of demographic studies and *“these will be in more detail as we get into more public review”* with some of the data showing age of households and *“...the area immediately surrounding our site is an older demographic than throughout the majority of Orange County as I’m sure most of you are familiar”*.

Peter Zehnder showed aerial photos of immediate neighborhood with the proposed home rendered/added to the photo. He said they believe from an *“aesthetics point of view and a compatibility point of view there really isn’t a large concern about what we’ve heard with high density condo project and so on. As you can see it’s pretty darn compatible and blends in with the existing neighborhood”*.

Elevation study examples were shown as part of Mr. Zehnder’s presentation.

Peter Zehnder thanked the committee for the opportunity to present. He stated they have built a number of infill projects like this in Orange County (Costs Mesa, Anaheim, etc.) on several former church sites in the middle of communities/neighborhoods. *“In all cases there is concern for new developments....it’s just change”*. Also, stated: *“Change is difficult, and we take that seriously -- -we spent a lot of time on what would be best assuming there will be change. Even when we’ve had many people sign petitions against us, once the project was approved/built and the homes were sold, in every single case the existing neighborhood and neighbors have been pleasantly surprised and thrilled with the impact”*.

Peter Zehnder concluded his opening presentation at 2:24pm (36 minutes)

Mike Fioravanti & Peter Schneider talked with Peter Zehnder about his staying online for the remainder of the meeting. Peter Zehnder said he wasn’t aware of the process but agreed to stay for the remainder of the meeting. Meeting format and timing wasn’t clear, but he agreed to stay to hear the public and committee questions.

Brian Kurnow said there were 99 public attendees and one had expressed interest in speaking. Brian reminded the public how to “raise the hand”.

Peter Zehnder said there are two more public hearings to follow and that everyone can have the opportunity to get their comments heard.

Mike Fioravanti suggested we move ahead with committee questions first due to potential schedule conflicts with Peter Zehnder’s schedule. Kirk Watilo expressed his interest in hearing public comments first before committee meetings. Peter Zehnder agreed to remain for the full meeting duration.

VI. PUBLIC COMMENT

Committee agreed to public comment first followed by committee questions and then public comment to follow.

Brian Kurnow explained how to raise hands again. Fifteen (15) people were now ready to comment. Brian asked Peter Schneider if the Foothill Communities Association (FCA) members can speak first. Peter agreed and asked the speakers not to repeat the same things presented by others.

FCA speakers:

- John Sullivan
Heading the sub committee regarding THRC, Rick Nelson (Pres of FCA) unable to attend this meeting, stated *“well over 1,000 people have signed a petition opposing any rezoning or development of the THRC property”*. Also oppose adoption of MND due to negative impacts to the community.

- Lori Chew

Addressed incompatibility of the R2 zoning change to the neighborhood. Boundary along THRC borders to Tustin Ranch. This is the only parcel in North Tustin zoned for open space. Multifamily zoning is unprecedented in North Tustin. Showed zoning map with minimum 20,000 lots for surrounding land uses. Redhill Ridge (where site is) is restricted by a recorded declaration of restrictions to a minimum of 20,000 sq. ft lots. Lots in Tustin Ranch required a minimum 10,000 square foot lot. The city of Tustin opposes this development.

- David Holt
(inaudible comments on recording)

- Brian Bullard
Discussed safety concerns with ingress/egress with the neighborhood.

Committee took a break at 2:57pm for ten minutes.

Committee reconvened, Kirk wanted to wait for Peter to return before committee members asked questions, suggested public comments continue. Committee agreed.

FCA speakers continued:

- Glen Piper
Addressed claim by Peter Zehnder that this project is a fit for senior living. No formal studies support this claim, not an age restricted community and targeted seniors would lose Prop 13 benefits when moving into this development. Not senior friendly environment (buses, stores, restaurants, etc.)
- Kelby Van Patten
Homeowner in tract adjacent to THRC, spoke about the restrictive covenant that dates back to 1974 when home buyers paid a premium for the neighborhood to have 20,000 lot sizes and the open-air recreational facility. Original owner, Macro Systems Associates, negotiated with owners of the tract to create a benefit for the homeowners (not the benefit of the club owner). Binding agreement "*shall be*" that of a commercial or non-commercial facility. "*Peter Zehnder knew this when he purchased the club*"

Other public speakers in the queue at this point: 14 members.

Committee discussed continuing with public comments or start with committee questions or reduce the time for each speaker to be 1.5 minutes. Peter Schneider made the decision to move ahead with the NTAC committee questions with public comments to follow thereafter.

NTAC COMMITTEE QUESTIONS:

Mike Fioravanti was the first committee member to start the questions. Peter reviewed the order of the NTAC members to ask questions.

Mike inquired how many other members are part of the ownership group for the THRC (as Peter Zehnder referenced in his opening comment). Peter Zehnder said the partnership has three other limited partners, but he is the only principal. He felt the answers could be found via public records and wondered aloud the point of this inquiry. Mike asked for clarification on the other roles and Mr. Zehnder stated these were limited partners/investors, not employees.

Mike re-quoted the comment from Peter Zehnder when he said: “*NTAC has issues with any new developments’...what was meant by that?*” Peter Zehnder did not recall the statement from an hour earlier. He said that if he did, he apologized and didn’t feel there was a reason to make that comment. Mike expressed his concern that Mr. Zehnder had the mindset that NTAC is against new development in the North Tustin area. Mike stated that is not the case as NTAC has supported other projects where/when appropriate such as the recent Brier Lane development which was compatible with the surrounding neighborhood.

Mike asked, “*What is the ONE single benefit to the community for this project?*”. Mr. Zehnder reiterated his position about the desire for North Tustin residents to downsize yet remain in the North Tustin area with the single story living space.

Mike asked for clarification on Mr. Zehnder’s comments that an easement was needed for the new 12” water line. Was this an easement for the city of Tustin as well as with an adjoining neighbor? Peter wasn’t clear on the details and said that the City of Tustin water department is working on this matter with the neighbor.

Mike then referred to the MND (section 2.4 Utilities and also page 144) that addressed the water and sewer lines in most of the paragraph, yet the electrical details were barely noted. He quoted the statement directly from the MND about the electrical lines: “...will be underground from the nearest access point as recommended by the appropriate utility providers”. Mike explained that since this property was built in the 1950’s then it was likely the electric utility isn’t down the middle of the public street and would probably need an easement just like the water situation. Mike asked Peter Zehnder if he knows the access points of the electrical to the property and if he’s met with any other the adjoining neighbors to ensure any needed easements would be available. Peter Zehnder said he isn’t familiar with the access point(s) for the electric and has not spoken with any neighbors on this matter. Mike expressed cause for concern given the importance of electrical power and how that is related to an investment that was made to purchase the club without knowing this critical detail.

Pat Welch asked Mr. Zehnder what benefit the project would bring to the neighbors and community if the zoning change was approved. Mr. Zehnder responded the project would bring additional housing for mid-price range buyers in the area.

Pat also asked the expected price point for the units in the proposed project. Peter Zehnder responded: *“That issue has not been determined at this time”*.

Also, Pat referred to Mr. Zehnder’s earlier comment about *“several pocket parks”* and what those parks might look like. Mr. Zehnder stated the parks would be small. Pat inquired what equipment might be included with the parks. Peter Zehnder stated they were still working on those details.

Kirk Watilo inquired about the *“senior community”* comment that Peter Zehnder mentioned in the Negative Declaration document. Kirk stated that this proposed project is not an active adult community for 55 and above residents per the State and Federal permitted age restrictions. Further, Kirk noted Peter’s statement that traffic generated by the development would be reduced as a result is not factual.

Kirk also asked Peter Zehnder the price point for home sales since he has purchased the property and must have a proforma budget that would factor land costs, infrastructure costs as well as building cost plus a profit margin. Peter stated they have not determined a price point (in response to Kirk’s statement) that the homes would probably be necessary to sell at a million dollars or more in order to make a profit. Kirk then stated that very few of the people in the neighborhood would likely relocate to these homes to downsize at that price point.

David Feldberg as if the development was indeed going to be a 55 and over community or it’s just being sold as that. Peter stated it was not going to be age restricted and anyone could purchase the homes.

Kendra Carney Mehr stated she had the same question about pocket parks and recreation area. She felt it was answered and that it was not for residents outside of the development.

Kendra stated the alternative options that were not considered but could have been better for the community --- what was the reason for that? Peter Zehnder said the club has been operating for 50 years and is restricted to only the members. Mr Zehnder said they looked at alternatives but the County didn’t want a portion of the property to be open to the public as someone would have to maintain the liability of that area --- which presents problems. He continued that the liability could have shifted to the homeowners (HOA) and they would be the owner of the property of the rec area but would need to be operated as a private enterprise.

Dessa Schroeder stated the comments earlier that the target buyers are for people over 55. *“Have you taken into account there are no amenities for seniors nearby?”* She clarified this would be transportation (buses), grocery shopping in walking distance, etc. *“Was this taken into account?”*

Mr. Zehnder stated that whatever amenities are open to the community at large would be the same for this project. He noted that the City of Tustin opened a senior center and *“many of the people using the facility are coming from North Tustin”*. Also, he said *“We don’t believe that walking proximity would be prohibitive for this this type of development”*.

Peter Schneider had several questions:

“Did you and your colleagues have a chance to review the letter from the City of Tustin, dated June 4, 2020, from the Community Development Department addressed to Kevin Canning regarding a review of the proposed Mitigated Negative Declaration and the comments that the City of Tustin made of its concerns?”

Peter Zehnder said *“I don’t know if staff has completed all of their review and responses to all the comments as you know there are quite a few, I have seen the letter and I have not participated in the response that the County is or has prepared on any of the individual letters”*.

Peter Schneider clarified he would like to know what Peter Zehnder is *“doing to address this concern, not the County, and the concern about the City of Tustin especially regarding aesthetics because you did have slides that indicated that it was compatible with surrounding communities, and that’s not just the North Tustin community, that is a quasi-Tustin Ranch community that abuts it - specifically the Treviso neighborhood. Do you know how you’re planning on addressing that?”*

Mr. Zehnder said: *“Whatever was addressed in the comments in the environmental document, as I said we have not prepared individual responses. My answer to that is, no, as we move through the process we are more than willing to discuss and engage with very specific concerns especially when you’re talking about aesthetics all within the requirements that the County places on design”*.

Peter Schneider stated NTAC is part of the process and that Peter Zehnder should tell the committee everything today and not withhold information that he might be planning to share to the Planning Commission or Board of Supervisors in the future. Peter expressed that he’s concerned that *“not all information is being presented to NTAC”*.

Peter Zehnder said they have not fully resolved all the concerns in a *“blanket response”*. *“We don’t have, someone’s opinion on whether it would be compatible or a jurisdiction like the City of Tustin whether its compatible or not has to be studied and looked at and sit down and discuss that in detail. Prior to this meeting we have not had an opportunity to do that but we are not withholding anything”*.

Peter Schneider inquired about the covenant from 1974. *“Is it the position of the developer that it is of no effect and should not be considered?”*

Mr. Zehnder stated their position on the covenant *“is a land use issue between our property, the property owner and the other property owner or HOA mentioned, the beneficiaries of the covenant, it’s not part of the development review process, it’s separate. The County, I think has responded to the questions and comments in the environmental documents as well. If anyone raises the issue it’s obviously something that has to be considered but it’s not part of this particular process.”*

Peter Schneider continued: *“Do you consider the restrictive covenant as an expression of the will of the community, or the sense of the community, about this parcel of property that you now own?”*.

Mr. Zehnder said: *“Because I’m not a legal expert, I’m not going to comment on the intent, or I don’t really have any specific comment at all”*.

Peter Schneider asked about the duplexes: *“Did you undertake an analysis of the impact the impact that COVID has on multi-family dwellings desirability. I realize we’re not talking about an apartment building, but you are talking about double the density of single-family homes. Did you consider the impact because people are fleeing the cities looking for homes with large lots now?”*

Peter Zehnder stated: *“We don’t believe this product type will be impacted. We’ve built and developed projects like this and made them single family detached. The County does not have an ordinance that allows for a project like this to be detached. I would prefer these be detached if we could create the lots for this, but you have to have zoning code to allow for the distance between buildings and lot sizes and so forth”*.

Peter Schneider followed up: *“You have a 5.888 acre parcel, why aren’t you coming to this committee asking for zoning relief so that you can build 10-11 single family homes on the parcel which would give you roughly 20,000 square foot lots, make it compatible with the Ridge Hill community that surrounds it. Don’t you think you would be generating a whole heck of a lot of community support for that kind of change in the zoning?”*

Peter Zehnder stated: *“It’s possible but it’s difficult to get into the details. It’s a product type.....it results in extremely large homes and results in a different type of residence, landscape/irrigation, etc.”*. He continued: *“The homes would be disproportionately large, I think”*. And lastly: *“The project we are working on now, if we can get community support, makes the most sense”*.

Peter Schneider asked: *“What kind of surveys have you done to show there is this pent-up demand in North Tustin for the kind of project that you are proposing?”* Peter referenced Mr. Zehnder’s comments about the desire for senior home buyers in North Tustin that are waiting for this type of development. *“What is the data that supports that?”*

Peter Zehnder said: *“We’ve done a number of data studies that support that”*. *“We’ve done the studies and used market research experts”* that do this.

Peter Schneider commented: *“We haven’t been shown the data and I’m just very curious if they analyzed a general demand for condominium type housing which is less expensive than the average price per sq foot would be in North Tustin. It might attract young families who can’t afford to otherwise move to North Tustin, etc. versus a demand from existing homeowners to downsize into that. We haven’t seen the data....It would be nice to understand the data”*.

Peter Schneider asked one final question: *“In the event you are not able to achieve re-zoning of the property to do a condominium development, what are you going to do with the property?”*

Peter Zehnder responded: *“I don’t have that decision. We’re always cautiously optimistic. I don’t have an answer for you”.*

Peter Schneider: *“It is a gamble; you bought the property sort of on a gamble. You knew it would require rezoning. You were considering at the very least what is inconsistent with what is there right now. So, I would assume the parcel cost a chunk of money and someone would have said if Plan A doesn’t work then we will go with Plan B”.*

Peter Zehnder asked what Peter Schneider would do (if he owned the property).

Peter Schneider said he would look at homes that are in size and compatible to the existing home sites (as his opinion).

Peter Zehnder commented that *“people want the club to remain a club. We’ve engaged with several groups over the years and discussed things and looked for options and the...majority people want the maintain the club in its current state of existence. It’s good to hear from somebody in your position to discuss alternatives. Thank you for that”.*

Peter Schneider asked if the committee had any more questions for Mr. Zehnder. No other questions were needed.

Peter Zehnder offered a final statement: *“In reference to the comment that was brought up, I can’t recall the exact statement that was made by myself that NTAC is somehow not in favor of development of any kind, if that’s how it came out, my understanding is that NTAC is one of the unique neighborhood groups that has a voice in an official way. And it has a lot of community support and is thoughtful in everything it does and rightly so. And that means a particular development in the view of NTAC shouldn’t go forward as you mentioned but others do go forward. You care a lot about the community and have an impact on decisions”.*

Mike Fioravanti appreciated the comments from Mr. Zehnder to clarify his viewpoint about NTAC. Mike stated *“we are in a unique spot being part of the County, we not part of a city, we don’t have a Mayor and it is unique which is why we have the North Tustin Specific Plan. We are doing what is best for the community, we are volunteers, I want the community members on the call today that it’s just our opinion when we give our recommendation - we decline or approve the project so it’s just part of the process. I do feel, Peter, Mr. Zehnder, there are things I would have assumed you would have addressed earlier and when Peter Schneider talked about the letter and I did print it out specifically. I looked at 110 of the letters and I found two of them that were in support of the project. The one letter that caught my attention was from the City of Tustin and the concerns, the limits to the heights to residences and how it will impact the development on the Tustin Ranch side. You’re going to have to work with the City of Tustin on the water part of it which is why I wanted to get into the easements as these things should be addressed. I think the electrical*

should be addressed. And that's what we're trying to do is bring this to light so you can do your homework on all of the things you need to do so we can make a decision".

Kirk Watilo asked the County, specifically, Brian Kurnow: *"Who determined the negative declaration was appropriate and not the EIR?"* Brian clarified the detailed differences between an MND and EIR. Kirk asked again, who made the decision.

Brian Kurnow said County legal is involved and others (planners) before a decision is made. Kevin Canning was listening in on the meeting and was acknowledged.

Mike Fioravanti pointed out that the letter from the City of Tustin shows they are highly concerned with this project and careful steps should be taken since they copied the city attorney and what that might mean from a litigation point. Also concerning is that Mr. Zehnder isn't fully aware of what the concerns are in that letter.

Brian Kurnow opened the next grouping of public comments. Peter Schneider said the timing should be cut down to 1.5 minutes given the length of the meeting so far. He reminded the public not to repeat what was already shared.

William Anast talked about his concern with the traffic study in which it states the traffic will decrease by adding the new housing. It will be increased.

Brian Garfield talked about benefit of the THRC to the community.

Audio is missing for other speakers:

- Lyann Courant
- Dennis Claus
- Ken Higman
- Thomas Bulowski
- Francine Scinto
- Julie Dahl

Serge Tomassian, attorney, lives close to club. "What we're weighing here is the community interest and lifestyle balancing against a guy that wants high density housing to make a lot of money. He wants to alter our community for profit".

Holly Joseph, homeowner close to THRC, discussed their positive reasons to move into the area and that others feel the same.

Melissa Falco said the project is an issue of integrity and how the THRC is the heartbeat of the community.

Brian Kurnow made last call for public comments.

Mike Fioravanti noted the meeting was nearly out of time and we should wrap up.

Peter Schneider made a motion to close the public comment. It was seconded and was closed.

COMMITTEE DISCUSSION

Peter opened up the committee discussion portion of the meeting.

Mike Fioravanti said we heard a lot and thought we would have received more answers and still had questions about this project (such as the electrical). He felt the investment that was made to buy this property without having those answers in place was concerning. He noted the answers we received from Mr. Zehnder stating, “we still need to talk about that” or “there are other community meetings still to happen”. Mike felt this should all be done/buttoned up and clear about the water, electrical, covenants, traffic, etc. *“I tried to find those answers and didn’t get them today after almost four hours”*.

Dessa Schroder noted that we’re looking at a developer who want to make money, but he doesn’t live in North Tustin. *“For those of us that live here we have to decide if this is what we want to live with. I don’t like the project and there needs to be another alternative but not sure what”*.

Kirk Watilo lives in the tract next to THRC and stated that *“98% of the residents in the tract have signed a petition opposing this project”*. He further stated, *“I never received anything from the new buyer to promote the club even as a social member”*. This needs to be considered by the developer and the County to see if the club can stay.

Kendra Carney Mehr feels we did not receive fully thought out responses from the applicant which makes it hard to support a zoning change in this case. She thanked those that shared their opinions. *“The information presented does not demonstrate that it would be a compatible use for the area. I also value the character and integrity of the community and I didn’t hear any support today for the project”*. Kendra asked what is the motion we should put forth?

Pat Welch said all the focus was on the THRC, but the main issue is a zoning change. There are a number of properties in North Tustin that could be a continuing negative movement of redevelopment. Pat felt the developer is *“...going to Ho Hum it, if he doesn’t get through the Planning Commission or Board of Supervisors, which I doubt he will based on Wagner’s public comment....OK it’s up for sale and somebody do something with it”*.

Dessa Schroeder noted she is ready to vote.

David Feldberg said: *“The zoning is a big deal and the covenant was there when it was purchased. It’s not fair to the homeowners that bought property with the covenant in place to now change”*.

Peter Schneider said he *“doesn’t think it’s in our purview to tell a property owner that they must run the tennis club, but it would be well advised to reconsider demolishing it. We can’t tell someone who wants to get out of a business that they*

must stay in the business --- let's take that off the table even though it's a concern". Peter continued: "I'm concerned that the applicant didn't come with fully baked proposal for us. Usually we get all of the details with the presentation/plans. I had a distressing feeling that too much is being left unsaid and that other information will be shared with the Planning Commission and then more with the Board of Supervisors". That is his impression. He was persuaded by two docs (City of Tustin Community Development Department) and the multipage letter form the FCA titled "Response to Ranch Hills Partners....".

Peter noted that the "sense of the community is that that a condo property is incompatible".

"My motion is to be geared to the agenda:

- We vote to deny a proposed Zone Change from A1 'General Agricultural' to R2(5000) Multifamily Dwelling District with a minimum of 5,000 square foot of net project area per unit.*
- We vote to deny a Use Permit to allow the development of a planned (unit) development establishing common areas and development standards for the project.*
- And we also vote to deny a Vesting Tentative Tract Map 18119 to subdivide the property into development and common area lots and private streets.*

The denials are for the reasons set forth including the City of Tustin Community Development Department letter to Kevin Canning, dated June 4th, 2020, and also the Foothill Communities Association letter dated June 3, 2020. And for all of the reasons set for in the committee discussions today".

Kirk Watilo seconded the motion and he also thanked the County of Orange staff for all the work put into today's meeting.

Committee discussion on the motion was none.

Committee then voted on "Aye, if we want to Deny". A motion of AYE was unanimous by all seven committee members.

VII. ADJOURNMENT

Dessa made a motion to adjourn. All voted in favor.

Meeting adjourned at 5:05pm

Meeting minutes noted by Mike Fioravanti (Secretary)