
MEETING MINUTES

North Tustin Advisory Committee (NTAC) Wednesday, February 17, 2021 – 1:30pm PDT (Virtual Meeting)

Brian Kurnow (County of Orange) started the virtual meeting and explained how attendees can ask questions and use the WebEx system.

I. CALL TO ORDER / FLAG SALUTE

Peter called the virtual meeting to order at 1:37PM. No flag salute due to online forum.

- *NTAC members in attendance:* David Feldberg, Mike Fioravanti (joined initially via phone, then video), Kendra Carney Mehr, Peter Schneider, Dessa Schroeder (via phone), Kirk Watilo, Pat Welch.
- *County of Orange attendees:* Brian Kurnow, Kevin Canning, Bellinda Erikson

II. APPROVAL OF THE MINUTES FROM PREVIOUS MEETING

Kirk made a motion to approve the minutes from the August 2020 meeting. David Feldberg seconded the motion and the committee then voted to approve the minutes.

III. COMMITTEE BUSINESS - None

IV. OLD BUSINESS - None

V. NEW BUSINESS

Project: Planning Application - PA20-0133 and VTTM 19116

Owner: REECO Communities LLC

Agent: Ted Frattone, Hunsaker & Associates

Location: 1091, 1111, and 1121 Wass Street, North Tustin

Proposal: Use Permit for a Planned Development (PD) to develop ten (10) detached single-family condominiums and associated Vesting Tentative Tract Map (VTTM).

PRESENTATION FROM APPLICANT:

Curtis Cummins (Managing Member, REECO Communities), Ted Frattone (Project Manager for Hunsaker & Associates), Doug Cummins (Project Manager for Dahlin Group)

Curtis Cummins led the approximate 15-minute presentation to the committee:

Shared an aerial rendering of the site plan showing the ten (10) detached homes. South row of homes along Wass would have front and side yard space and the north row homes would have front, side, and rear yard space.

CC&R will be in place that garages can only be used for parking, not storage. Garage and parking designed to act as a buffer between existing single-family homes.

Explained location of site and surrounding structures and uses in the immediate neighborhood.

Detailed the Zoning Density & Height details. The plan mixes two heights: Plan One (front) is 28 ft. and Plan Two is 35 ft. (at back of site).

Curtis explained the two different zoning designations: RMF will have the project development (condominiums) and the R1 lot will not be separately developed in the future (for parking only).

Showed the conceptual landscape plan and how this addresses line of sight potential issues. Proposing a 6' perimeter wall around the entire project. However, a neighbor asked for 8' wall and Curtis said they would make this adjustment as part of their package for submittal.

Curtis shared street view photo, possibility of undergrounding the SCE equipment/lines. Parkway and sidewalk will be added.

Plan Summary table showed the details of the Plan One and Plan Two homes including square footage, bedrooms, baths, etc.

Showed the Proposed Elevation Sample: Plan One and Plan Two images

After the presentation was concluded, Peter and the committee made the decision to have public comment first before the committee asked any questions of the applicant(s).

VI. PUBLIC COMMENT

Public speakers:

Chad Hundebly (12881 Elizabeth Way)

Concerned about the 3-story structure since there are no other 3-story structures in the area, including the apartments, and will be out of place. Also said Wass is a very small street and the overflow from the neighborhood apartments is a problem now and more people could impact the area. He feels the density and parking are the two main concerns.

Curtis responded to Chad:

"We addressed the 3-story issue by allotting the size and will be off Wass Street (for the north side buildings)". "We meet all of the requirements from the County for parking".

Ted responded to Chad:

"The project will have a right of way improvement to the roadway" and the street size "is typical in the County"

Ryan Haney (1131 Wass Street) - adjacent to the project

Stated he is in support of the project, had already voiced any of his concerns to REECO including the 8' wall request and potential traffic emissions.

Peter Schneider asked Ryan to confirm that he sent an email to Darren B. at REECO regarding this project. Ryan confirmed.

Anne Pham (Ryan's wife, same address)

Concerned about the development but has spoken with Darren B. at REECO. She was told it *"could be zoned for sixteen (16) units"* and feels the ten (10) would be preferred. She also said eight (8) would be better. Would like to increase the width of the landscaping adjacent to their property. She's concerned about safety of cars on other side of their yard and requested safety measures.

Gregory Duckett (12821 Elizabeth Way)

His property is adjacent to the project. He's very much in favor of the project and developing the land. He knows something will be developed and he likes Darren B's project "a lot".

Gladys Burk (12771 Elizabeth Way)

She realized the lot(s) was going to be built up one of these days. Only concern (as expressed in letter she sent in) is in line with Chad's comments earlier. When the local school is in session the cars are lined up waiting to get the kids or parking on the side of street. These streets don't have sidewalks, so the kids are walking in the street. More cars on Wass will create a dangerous situation.

NTAC COMMITTEE QUESTIONS:

David Feldberg asked the applicant if a sidewalk is in the plan on Wass. Curtis said, Yes, and will also be widening the street by 10'. Also said the 8' wall (as requested) will be added to the Use Permit request.

Kirk Watilo inquired about the HOA and if the CC&R's would have a requirement stating the garage be used for two car parking at all times with inspection criteria as

well. He is concerned that there could be four drivers due to size of the home. The CC&R must always have the two cars.

Kirk also referenced the FCA letter and the neighbor letters. He then asked the applicant(s) how the FCA letter correlates to the NTSP and how the project will be processed.

Kevin Canning said the RMF and R1 are PD's and are allowed under both zoning codes. As a PD the applicant can make a request for the project to meet different standards.

Curtis addressed the CC&R and confirmed the stipulation for two car parking in garages, not for storage. Also, the CC&R would include limits on car idling to limit any emissions to the neighboring properties (as requested by the neighbors).

Kirk also noted the trash pickup subject with individual trash cans and wanted clarity on the plan. Ted addressed the issue stating the plan was reviewed by Waste Management (WM) and included multiple options: (1) individual bins for each residential property brought to Wass Street on trash day, (2) the truck could come onto the property for a group pickup, (3) the truck could pick up at two different points on site. Ted stated that WM can serve any of three options and the pickup would be one day per week.

Mike Fioravanti said he likes the spirit of the project, is well thought out and appreciates that the concerns of some of the neighbors have been addressed. His issue is tied to the 3-story height and that the North Tustin Specific Plan (NTSP) says the height limit is very clear. Mike expressed there aren't any 3-story properties in North Tustin, and this would be an exception --- which would also set a precedent for other 3-story properties. The NTSP states the language as: "Two (2) stories and not to exceed thirty-five (35) feet maximum" (III-9).

Mike expressed concern and clarity to the applicant about the reason for the 3-story design and why it isn't 2-story as per the NTSP. Curtis responded that the RMF district zoning allows up to 38 feet height. The reasons for the north homes at 35 feet is to allow those homes to have private yards for each. Their design plan allows a more indoor/outdoor space. He understood the concern with the 3-story.

Mike clarified it's 2-stories and 35 feet maximum per the NTSP. Curtis acknowledged that fact but stated the reason for the 3-stories is to allow more yard space. The other matter is the setbacks are closer to the adjacent properties, so the 2-story design won't work for the homes in the north area.

Mike asked Kevin Canning for any clarity on this matter. Kevin said the Use Permit allows the applicant to ask for anything without a justification or hardship issue associated with the property. He confirmed the applicant can propose whatever they'd like but it's up to NTAC, the planning commission and the County to approve.

Mike inquired with Curtis that the adjacent neighbors were involved but wondered if the neighbors behind the project (the multi-family apartments to the north) if they were contacted about the development. Curtis said they have not spoken with the owner of the property. Mike asked why not. Curtis said they spoke with neighbors

they felt would be most affected by the project (homeowners) and that the multi-family rentals to the north could change occupants at any time due to the apartment livings. Ted noted the setback is “significant” plus there is a car port separating some of the units.

Pat Welch wanted clarification on the previous setback distance. The property is 23’ setback but it is 46’ building-to-building with the neighboring multi-family building to the north. Pat felt the 3-story questions have been asked/answered.

Pat stated that NTAC had sent out approximately 40 letters of notification of the project to the neighbors in the area within 300 feet as part of the normal process. He said that “over a half dozen” people sent written replies as opposed to the project and four telephone calls from neighbors also opposed the project. In summary, ten neighbors out of 40 responded (as opposed) which is a higher than normal number of responses that NTAC usually receives.

Kendra Carney Mehr noted her interest as well in the 3-story matter but wanted clarification about the street improvements/sidewalk --- was that the whole street or just in front of the site? Curtis said the improvements would be just in front of the site.

No other questions from the committee.

COMMITTEE DISCUSSION

Mike Fioravanti expressed his continued concern with the 3-story design as much as he likes the project, but a decision is to be made by NTAC based on the facts of the project presented (including the 3-story). Mike said he is not able to support this as it would be setting a new precedent for North Tustin (even in the RMF). This is entirely new to the area.

Peter thought that Mike’s concerns could be re-stated for the committee’s consideration. He suggested the committee would approve the application with the following stipulations and conditions: **all of the items set forth in the neighbor emails, including from Ryan Haney (block wall height 8’, install barrier bollards safety measures, plant thick hedges along wall, enact a HOA rule for excessive idling) as well as the HOA requirement for two cars parked in garage at all times so parking isn’t on the streets, the CC&R would state the garages are for parking only and not storage, and all units be no more than 2 stories.** Peter felt the committee was focused on these concerns and thought this summary addressed all.

Kirk made the motion to vote on the statement/summary as is. Mike second the motion.

No one felt further discussion was needed.

Committee was about to vote on Kirk's motion...

However, Brian Kurnow interjected that NTAC member Dessa Schroeder has been on the phone and had been listening since she was unable to use the WebEx. Dessa said she would abstain from voting as she was neither for or against the project.

Committee voted: Five YEA's for the motion and one NAY from Pat. Final tally: 5-1-1 (YEA/NAY/ABSTAIN)

Motion carried

PUBLIC COMMENT (OTHER)

No additional public commenters

Kevin noted the public survey sent out by the County about housing for Orange County. Encouraged everyone to submit their opinions.

VII. ADJOURNMENT

Pat Welch motioned to adjourn. Kendra Carney Mehr second. All agreed.

MEETING ADJORNED @ 2:50pm

*Meeting notes compiled by Mike Fioravanti (Secretary)
21 February 2021*