

From: dsohn@aol.com,
To: baickemyer@ch-pm.com,
Subject: Landscape Report Card
Date: Tue, Sep 15, 2020 5:01 pm

COPY

Beverly:

Following are my responses to your 5 landscaping questions:

1. I do not see any noticeable difference/improvements(or deteriorations) between our current and former landscape company as far as the quality and depth of their work thus far.
2. They are driving their utility vehicle on a regular basis throughout the green belt areas and open spaces including along the south side of my house on Via Ortega and up the hill behind the homes on Via Coyote. They are creating a path through the green belt. These type vehicles have no business driving in these areas due the extremely high risk of fire.
3. It is very disappointing that the Board has allowed the landscape company to construct another out-building in the Overflow Parking Lot bringing the total to 3 plus the trash rollers and porta potty. This has become nothing more than a maintenance yard for the landscape company with numerous vehicles and individuals going in and out of the lot throughout the day.

The fact that none of the neighboring residents were contacted prior to the initiation of any of the construction is beyond comprehension. Additionally, a Board Member commenting on Facebook that he didn't think the Board was required to obtain approval from neighboring residents for such decisions but maybe should have shows a total lack of concern for their neighbors and understanding of their responsibilities. I don't recall if this was the same or different Board Member that commented that the porta potty was moved to the Overflow Parking Lot because the homeowners on Alondra complained! Really?

5. There is absolutely no reason to store equipment for our landscape company and provide a porta potty. The storing of the gas engine utility vehicle in the out building is an accident waiting to happen. I challenge you to drive around the local communities in and outside of Coto and find one that stores equipment and provides a porta potty. They all carry their own equipment and have a porta potty on the back of one of their trucks or trailers. We don't need to find a different location because we don't need to store anything! The Board also commented on Facebook that they approved the additional out building after the landscape company was already contracted in exchange for some extra tree service. This is totally ridiculous and obviously unenforceable since it isn't included in the contract and therefore meaningless.

Lastly, I believe that the out buildings and parking lot are all in violation of the 1995 Coto de Caza Specific Plan and fail to meet the open space regulation and prohibited commercial use. The County of Orange has never issued any use permits or site development permits for this property as required. I am totally puzzled as to why permits were never applied for unless it was assumed that they would have been rejected and thus circumvented the complete process.

Please contact me if you have any questions or care to discuss any of my comments in further detail.

Best Regards,

David Sohn
23792 Via Ortega
Coto de Caza

COPY

From: David Sohn dcsolm@ocd.com

Subject: Coto de Caza Community Association Maintenance Yard

Date: Oct 8, 2020 at 3:06:50 PM

To: Erica.Carlos@ocpw.ocgov.com

Good Afternoon Erica:

The below photos were taken this morning confirming that the property at the corner of Via Ortega and Via Coyote continues to be used as a maintenance yard and equipment storage facility for the community landscape company. Also alarming is the fact that they are stockpiling garden waste at this location as shown in the photos in the rolled up white tarps.

I believe I mentioned to you in the brief conversation that we had last week that I had expressed my concerns to the Board and Property Manager both in writing and during the recent monthly teleconference Association meeting.

I subsequently spoke with the Association Manager, Beverly Eickmeyer. She informed me that she had spoken with the attorney for the Association and was advised that the maintenance yard was in compliance with all laws and regulations with the possible exception of their oversight in applying for and receiving any permits.

Thank you for your assistance and please don't hesitate to contact me if I can answer any questions or provide additional information.

Kind Regards,

David Sohn







selecting option #3 and the on-call manager will be notified.

COPY

From: David Sohn <dcsohn@aol.com>
Sent: Tuesday, October 27, 2020 4:16 PM
To: Beverly Eickmeyer <beickmeyer@ch-pm.com>
Subject: Maintenance Yard Waste Storage

Beverly:

As you can see from the below photo, the landscape company continues to store dried leaves, branches and other debris on an overnight basis at the corner of Via Ortega and Via Coyote despite several previous emails I have sent you warning of the dangers of such actions. As I'm sure you are aware, we are in the middle of fire season with high winds, low humidity and unprecedented dry conditions. We all need to be vigilant in protecting our beautiful community.

I would strongly encourage you and the board to take whatever action is necessary to correct these issues in a timely manner.

In addition, as you can see, there is still an orange cone in plain sight.

Kind Regards,

David Sohn



From: beickmeyer@ch-pm.com,
To: dcsohn@aol.com,
Cc: kdavidson@ch-pm.com,
Subject: RE: Maintenance Yard Waste Storage
Date: Tue, Oct 27, 2020 4:30 pm
Attachments:

David

You may not be aware but if their truck is full they have no other alternative but to leave it for the next day to remove it. Further, they were dealing with major tree issues and possible fire concerns with the high winds yesterday and today. This area will continue to be used for landscape staging due to the size of the community and the enormous needs that they are addressing ongoing,

Thank you

With the recommendations from the CDC regarding the Covid-19 virus, we are limiting our exposure of person-to person contact for the health and well-being of our clients and employees. We have suspended walk-in service and many of our employees are working remotely.

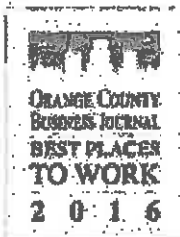
Sincerely

Beverly Elckmeyer
Director of Training and Business Development
Crummack Huseby Inc.
25531 Commercentre Drive, Suite 100 Lake Forest, CA 92630
P 949-367-9430 ext 260 E beickmeyer@ch-pm.com W ch-pm.com



CRUMMACK HUSEBY
HOA Management & DRE Services

AAMC
ASSOCIATION
MANAGEMENT COMPANY



AFTER HOURS (Weekdays 5 pm to 9 am & Weekends): If you have an urgent matter (irrigation leak, fallen tree etc.), please call our after-hours answering service. They can be reached by dialing our office number (949) 367-9430, and

From: David Sohn <dcsohn@aol.com>
Sent: Tuesday, October 27, 2020 6:07 PM
To: Beverly Eickmeyer <beickmeyer@ch-pm.com>
Subject: Re: Maintenance Yard Waste Storage

COPY

Beverly:

It is unfortunate that you and the Board have taken this position.

I have filed a formal complaint with the County of Orange and will let them determine the final disposition of the property originally designated as open space and which continues to carry such designation to this day.

You and the Board preach transparency yet continue to make decisions like this without any input from the neighboring residents that are hugely impacted by your actions.

I purchased my property here in Coto de Caza in 1983 and built my home in 1991. I have always supported our community and the efforts to maintain and improve it. However, I did not sign up for a parking lot and now a maintenance yard that have adversely impacted my property value, peace and quiet with vehicles coming in and out throughout the day and the beautiful scenery I once had that has been destroyed by these decisions.

Your explanation that waste storage out in the open is a better alternative than the landscape company taking it with them at the end of the day is ludicrous. In my 29 years here, we have never need a "staging area", storage structures, trash barrels, a porta potty etc. for our landscape company in plain view of the community.

Your comment that this area is going to continue to be used for such activities is not only disappointing but what has caused me to contact the County of Orange and express my displeasure with you and the Board in this email. When I first brought up my concerns and disapproval to you and the Board on the September Monthly Meeting Conference Call and, followed it up with a lengthy response to your landscape company survey, I was confident that I would be contacted by you and/or the Board to discuss my concerns and attempt to reach some type of mutually agreeable resolution.

Unfortunately, that is not the case.

David Sohn

From: beickmeyer@ch-pm.com,
To: dcsohn@aol.com,
Subject: RE: Maintenance Yard Waste Storage
Date: Wed, Oct 28, 2020 5:53 pm

Attachments:

David

I will be sure your comments and concerns are passed along to the board.

Thank you

With the recommendations from the CDC regarding the Covid-19 virus, we are limiting our exposure of person-to person contact for the health and well-being of our clients and employees. We have suspended walk-in service and many of our employees are working remotely.

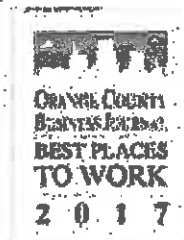
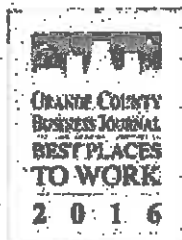
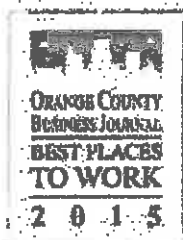
Sincerely

Beverly Eickmeyer
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AFTER HOURS (Weekdays 5 pm to 9 am & Weekends): If you have an urgent matter (irrigation leak, fallen tree etc.), please call our after-hours answering service. They can be reached by dialing our office number (949) 367-9430, and selecting option #3 and the on-call manager will be notified.

COPY

Good Afternoon, my name is David Sohn and thank you for giving me the opportunity to speak to the Board today.

I purchased property here in the Village in 1983 and have lived here since 1991. In fact, that is my home right there. As you can see, it is approximately 60 feet from our current location.

Where we are standing right now was formally an open area with trees and shrubbery and a trail leading from Via Coyote to Via Ortega, very similar to the corner up the hill at Via Buho.

It certainly has changed as we can no longer enjoy the beauty and tranquility of our natural surroundings.

It has become a parking lot, maintenance yard, storage facility, staging area and a few other names I have for it that I probably shouldn't mention here. Besides the Kubota that lives right here and is in and out of this commercial maintenance yard a minimum of 20 times a day, on any given day you can also find commercial trucks, wood chippers, motor homes and you name it, not to mention the private cars and trucks that are in and out of here 24-7, 7 days a week.

The Kubota has carved its own trail as you can see if you look this way that runs from Via Ortega east within 8 feet of my house and up into the hills. The Kubota uses this unauthorized route constantly throughout the day. I can't even tell you how many times I've had to abandon a phone call because I can't hear the other person on the line. This route has not been used in the 30 years I have lived here and it is definitely not shown as a trail on the most recent Coto de Caza Trail Map. It needs to stop!

I have been talking to the Board about these issues for the past 9 months through the monthly Board meetings and follow up letters to the Association. My complaints and concerns have fallen upon deaf ears. The only exception was when there was talk to move everything to another area in the Village until word got out and the neighbors started complaining thus nixing that idea. No one has come out to discuss or access the situation during this entire time.

My contention has always been that the location, as it sits today, is in total violation of the 1995 Coto de Caza Specific Plan since this location is designated for open space and recreation only with any commercial activity strictly prohibited. This parking lot was never issued a site permit, use permit building permit or any other type permit, nor were the 3 out buildings, in all likelihood, because they would never have been able to get the County to approve such a variation.

My contention from the onset has been to have the landscape company enter and exit with all their equipment on a daily basis as was done in the past, carry their own porta-potty on one of their trucks, and park their vehicles in the proximity of where they are working, not a central location. This does not include the Kubota that needs to go away completely. This would eliminate the need to find a location here in the Village for a maintenance yard that anyone would be agreeable toBecause you never will!

There are approximately 425 homes here in The Village. This parking lot accommodates no more than 10-15 homes. In fact, my guess is that the majority of Village residents don't even know it is here. It's time to eliminate this parking lot and return this property to its original and natural state.

Lastly, if changes are not made to the current footprint at this location to improve its residential compatibility, you will leave me with no choice but to take whatever steps are necessary steps to protect my commitment and investment in our community.

Presented to the Board in Person

5-4-21

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Alternatives for Association maintenance yard at corner of Via Ortega and Via Coyote, Coto De Caza

September 2021

Remove maintenance yard and replace lot with permeable paving system for emergency vehicles only

This is the *Preferred Alternative*, due to the following benefits:

Benefits

- *Would greatly improve fire safety* by providing a place where emergency vehicles could pull off the road, thereby facilitating neighborhood evacuations and providing a staging area for first responders---in a high fire danger area with limited access, surrounded by open space covered with dry grasses and brush.
- May help lower insurance costs for entire neighborhood.
- No unauthorized vehicles and pedestrians using parking lot.
- Therefore, no noise from parking lot.

Implementation steps (examples)

- Install green street permeable system per Orange County Fire Authority (OCFA) specifications. (Permeable pavement will need to be constructed per OCFA specs, to support the weight of large firetrucks, and to provide adequate space for multiple vehicles.)
- Provide fire hydrants and water connection per OCFA specs.
- Provide driveways on each side of parking lot (so firetrucks would not have to turn around in parking lot).
- Provide locked gates on each side, designed to fit the character of the neighborhood. OCFA (and Association?) would have keys to gates.

- Provide a sign at each gate: **PARKING FOR EMERGENCY VEHICLES ONLY; NO TRESPASSING; VIOLATORS WILL BE TOWED AND/OR SUBJECT TO FINES** (or words to that effect).
- Paint driveway curbs red to prohibit parking in front of gates.
- Provide a perimeter of trees and landscaping around the parking lot, to screen it from nearby homes. Landscaping would be subject to OCFA approval—for example, plant the kind of trees that would provide adequate overhead clearance for firetrucks.

Remove maintenance yard and restore landscaping

Reasons supporting this

- No permits were ever issued for the maintenance yard.
- The maintenance yard is an unsightly, noisy, and inappropriate addition to an otherwise quiet and attractive residential neighborhood.
- Because of this, the maintenance yard adversely affects property values and quality of life.
- It has also become a nuisance that attracts non-maintenance users at all hours.
- Continuing drought has increased the possibility of wildfire ignition caused by sparks from maintenance vehicles and tools, in a high fire danger residential community with limited access.

- Keep maintenance yard, but with these improvements

If neighborhood residents ultimately have no recourse, and Alternatives 1 and 2 are rejected, and the maintenance yard is permitted to remain, the following improvements should be implemented immediately:

- Restrict hours of use to: 10 AM to 4 PM.
- Install a locked gate (or gates) at entrance(s). Gate(s) to be kept locked at all times. (Note: if this is not practical for the maintenance workers, then keep gates unlocked during the approved work hours, and locked after-hours.)
- Gate(s) should be designed to fit with the character of the neighborhood.

- **Install sign(s): "AUTHORIZED ENTRY ONLY; NO TRESPASSING; VIOLATORS WILL BE TOWED AND SUBJECT TO FINES" (or words to that effect).**
- **Only approved maintenance staff to have keys or lock combinations.**
- **Construct small (low profile) permanent buildings for use as sheds; submit architect's plans to Association and neighborhood residents for input and approval.**
- **Locate sheds well away from nearby homes.**
- **Conceal parked vehicles from homes, using landscaping.**
- **No parking/storage of large vehicles such as RV's, etc.**
- **Maintenance yard to be kept clean and free of plant trimmings, compost piles, etc.**
- **No storage of flammable fuels (e.g. gasoline, propane, etc.).**
- **No use of power tools.**
- **No smoking.**
- **Association to schedule frequent inspections to ensure compliance with regulations.**
- **Regulations to be enforced by _____ (OC Sheriff? Coto De Caza security staff?).**
- **Association to revisit this issue in 3 to 6 months after implementation of improvements, and ask for resident comments (are the improvements working? any problems?).**

Coto de Caza Community Association

PARKING POLICY

ADOPTED ON APRIL 12, 2016

COPY

- No more than one (1) recreational vehicle, defined for the purpose of these rules to include, but not limited to, the following: boats, trailers, coaches, buses, house cars, motor homes, camp cars, camp trailers and mobile homes, at any time;
- No more than five (5) automobiles (Car, SUV, 3/4-Ton Pickup or less, Passenger Van) at any time;
- Maximum length of any vehicle is 40 feet;
- Recreational vehicles are allowed for parking ONLY. No living in or overnight sleeping, etc. allowed;
- Motor home, RV and camping trailer generators are NOT allowed to operate while in the Lot;
- Parking use is subject to availability and not guaranteed.

Ortega / Coyote Lot – Vendor Use

- Lot to be kept clean and free of plant trimmings, compost piles, etc.;
- Storage of flammable fuels (e.g. gasoline, propane, etc.) is strictly prohibited;
- Use of power tools is not permitted, subject to reasonable maintenance equipment used for the maintenance of the immediate landscaping area;
- No smoking allowed;
- Not to be used as a gathering place for breaks during the day;
- In/Out access to be kept to a minimum during the day;
- Vendors to always be aware of the immediate proximity of residents and keep noise to a minimum at all times;
- Access hours permitted between 7:00AM and 5:00PM, Monday-Friday;
- Access during weekends and holidays not allowed.

Exceptions

- Any exceptions to these rules require prior approval from Association Management;
- All requests will not be unreasonably withheld.

Enforcement

- Vehicles that are improperly parked in violation of the above rules may be
- **CITED AND/OR TOWED AT THE OWNER'S EXPENSE**

The success of this policy is imperative for the safety and well-being of every homeowner, resident, guest, and service person in the Village.

Coto de Caza Community Association

PARKING POLICY

ADOPTED ON APRIL 12, 2016

*Proposed language to be added is highlighted in gray.
Language to be removed is strikethrough.*

The goal of the revised parking rules are ~~is~~ to:

- 1.) Establish an easily understood method for controlling street parking;
- 2.) Reduce homeowner and association liability of having emergency vehicle access blocked by cars parked on both sides of narrow streets; and
- 3.) Reinforce that there is no street parking between hours of 12:00AM – 6:00AM.

New Parking Rules & Regulations

- Homeowner driveways must be utilized as the primary location for parking
- Once all space of a homeowner's driveway has been utilized, parking is permitted on one side of the street only, following an odd/even year parking process (for example during 2016, cars will be required to park on the even-numbered side of the street). This on-street parking is permitted only during the hours of 6:00 AM to 12:00 AM.
- Parking is also permitted on the street shoulder areas of streets. Examples are the shoulder areas on Via Ortega, Via Pavo Real, and the base of Via Alondra. This off-street shoulder parking is permitted only during the hours of 6:00 AM to 12:00 AM.
- No parking is permitted on the streets, street shoulders, greenbelt or vacant lots between the hours of 12:00 AM (midnight) and 6:00 AM.
- Homeowners are responsible for communicating and facilitating the Village Parking Policy to their guests, renters, and service personnel.
- ~~All day and overnight parking for up to 3 days in the Overflow Parking Lot located at the corner of Via Ortega and Via Coyote, subject to availability.~~

Ortega / Coyote Lot – Member Parking

- All day and overnight parking is available for all members for up to three consecutive days in the Lot located at the corner of Via Ortega and Via Coyote, subject to the following;
- Gate to be locked at all times;
- Temporary access to be provided by Management;
- Use of the lot for overnight parking for any member is limited to one use in any 90-day rolling period;
- Reasonable parking requests for member emergencies will be considered;