



**ORANGE PARK ASSOCIATION
PO BOX 2293 ORANGE CA 92859**

May 26, 2010

Chairman Fred Whittaker and Planning Commissioners
300 E. Chapman Avenue
Orange, CA 92866

Dear Commissioners,

Emotion ran high at the public hearings because rezoning this property is a very serious matter. Now that public testimony is closed for the Ridgeline project I would like to put the project in perspective from the local OPA residents' point of view.

- Ridgeline is one of the last remaining recreational open space areas in the City of Orange.
- Recreation is one of the most important aspects of any city for its citizens.
- Ridgeline is not zoned residential. The applicant MUST have a zone change in order to build homes.
- Ridgeline with its current recreation/open space zoning permits a wide range of viable economic activities.
- Prior attempts to build homes on Ridgeline over the years have failed.
- In order for OPA to secure the horse arena site we must agree to all the terms of the developer: the loss of golf, tennis and swimming in exchange for houses on Ridgeline and approval of 360 high-density units with RV and overflow parking, the YMCA project and who knows what else on the 109-acre Sully Miller site.
- 168 acres are now in play between Ridgeline and Sully Miller. Only 20 acres on these sites are zoned residential. The developer does not want to build where homes are allowed but rather build on 82 acres that are not zoned for houses.
- The overwhelming majority of people do not want this property rezoned. Letters submitted for the EIR public record and those that testified at the public hearings support this fact.
- Decisions that are made on both projects will have lasting impacts on OPA and the City of Orange.
- The developer has no legitimate expectation for the zone changes and approvals that are being requested. The City has full discretion under the law to deny these requests.

There are several troubling issues that are of concern:

- The lack of adequate mitigation for the recreation losses.
- A Development Agreement that ties the two projects together someday.
- The applicant does NOT tie the Ridgeline and Sully Miller projects together for planning purposes, however, for self-serving purposes the Development Agreement ties the two together.
- Non-standard trails that do NOT connect to local trails and a ride-in arena are being offered for city parks that will primarily be used by local equestrians leaving thousands of former Ridgeline users out of the equation.
- A non-profit group is being offered a portion of the local Sully Miller Arena site for a change of zoning at Ridgeline (when grading permits are issued) and at a latter date, another portion would be offered if Sully Miller (Rio Santiago) were to be approved.
- An “up zone” of Ridgeline from recreation open space to residential is a boon for the developer while it is a loss for everyone else.

There is no doubt that this is a piecemeal approach and a planning nightmare.

What about the unintended consequences? What happens if investors experience financial reversals, decide to sell off one of the properties or file bankruptcy? Serrano Heights is the perfect example. Entitlements were granted and it took 25 years, four developers, two went bankrupt before the project finally was built. We all know about the unintended consequences of The Reserve project.

The city could find itself holding the bag, giving up precious recreational open space that can NEVER be regained, OPA may never get the arena site if this developer is allowed to move forward with this poorly planned project and approach.

Yes, OPA would like to secure the horse arena site for future generations but not at the price this developer is offering. This developer has gone outside of OPA to plan a development that places a hardship on our community and this city while attempting to ensure his investors their absolute maximum in return.

Property owners near Ridgeline bought their homes with the expectation that recreation open space zoning would be preserved. The 1973 OPA Specific Plan has sent mixed signals and has been used by the developer to confuse the public. The fact remains that every attempt in the past to build homes on Ridgeline has been met with opposition. In 1989 Orange had an opportunity to change the General Plan designation on the Ridgeline property. It made no change and adopted a general plan that imposed a designation of “Open Space” on Ridgeline. This designation, which does not allow residential development, supersedes the action in 1973, and is the operative plan designation for the property.

Neither this owner nor the previous owner of Ridgeline ever attempted to make that site work for recreation. In fact, the previous owner shuttered the Santiago Swim and Tennis Club on Santiago Canyon Road near Jamestown St. He closed it down and sold it in 1989 and it sat fallow for the next 19 years. How long might OPA have to wait for an arena?

You have heard citizens speak of how very important even that “decrepit” little golf course is to our citizens. Families have enjoyed tennis at Ridgeline; the junior tournaments, kids’ summer programs, senior opens, and professional tournaments have

all gone to our neighbors in Anaheim- and they would all be back in a heartbeat. Many of our local, and there are many, young tennis players came up through the ranks at Ridgeline.

This city needs a tennis facility and it does not take very many acres to build a quality racket club that could house racquetball, tennis and swimming. There are outside vendors who would build, operate and maintain a quality center. This would cost the city nothing, add park space that Orange so desperately needs, and perhaps even generate income for the city.

My final point is that this developer has done everything in his power to see that the OPA Board is marginalized and silenced. The OPA Board has served to protect OPA's rural environment and open space for over 40 years.

This board spent countless hours of volunteer time trying to work something out directly with the developer to no avail. Realizing that this approach was not working the board then suggested hiring a facilitator to help. The City was supportive of this idea as it was interested in processing a project that had a basis of support in OPA, the community most impacted. Dave De Berry prepared the agreement that was signed by and paid for by John Martin and OPA. Alice Angus provided oversight at the meetings with the facilitator and OPA. We made excellent progress and within two months presented the developer with two options that were acceptable to us for both Ridgeline and Sully Miller. The community plans provided the developer with a 300% increase in residential zoning over what the properties are zoned for. Rather than continuing to negotiate, the developer launched a PR campaign against OPA leadership. We acted in good faith fully believing our efforts were to be taken seriously but the actions of the developer were shocking and created animosity between us. This basically left the city with no option except to remove the OPA Board as a reviewing body for the city in these matters.

The developer has left the residents in Orange Park Acres no choice except to reject the proposed Ridgeline project. Sadly, there has been no middle ground with this developer. We believe we have a right to local self- determination especially since these properties are not entitled.

We hope you will support our community and our wishes to chart our future. We believe a "fair and equitable" solution is possible. Your leadership and decisions will determine if this can be achieved and what the future hold for OPA.

We appreciate the time you dedicate to this effort. We hope that you view what is before you as an opportunity to enhance Orange for our citizens. This project has the makings for a good project - one that is a win-win for all, not just the developer.

Yours truly,

Tom Davidson
President, Orange Park Association