

**Neighborhood Advisory Committee Minutes  
Feb. 17, 2016 Meeting**

The Neighborhood Advisory Committee met on Feb. 17, 2016, in Argyros Forum 209C.

**PARTICIPANTS**

**COMMITTEE:**

Robert Baca, *Orange Barrio Historical Society*  
William Crouch, *Community Development Director, City of Orange*  
Jeff Frankel, *Old Towne Preservation Association*  
Robert Hitchcock, *Old Towne Preservation Association*  
Dan Jensen, *Jensen Associates*  
Brian Lochrie, *Communications LAB*  
Pete Maddox, *Orange Chamber of Commerce*  
Dennis McCuiston, *Orange Unified School District*  
Sandy Quinn, *Old Towne Preservation Association*  
Judy Schroeder, *Schroeder Studio*  
Tim Virus, *TAIT & Associates, Inc.*

**Absent:**

Teri Lepe, *Orange Barrio Historical Society*  
Teresa Smith, *Mayor, City of Orange*

**ADMINISTRATION & STAFF:**

Dawn Bonker, *Publications Writer; Recording Secretary*  
Alisa Driscoll, *Project Specialist*  
Harold Hewitt, *Executive Vice President and Chief Operating Officer*  
Kris Olsen, *Vice President of Campus Planning and Operations*  
Jack Raubolt, *Vice President of Community Relations*  
Daniele Struppa, *Chancellor*

**GUESTS:**

Craig Lee, *Administrative Captain, Chapman University Department of Public Safety*  
Rick Otto, *City Manager, City of Orange*  
Jerry Price, *Vice Chancellor for Student Affairs, Chapman University*

**CALL TO ORDER**

Harold Hewitt called the meeting to order at 9 a.m.

Jack Raubolt introduced Pete Maddox, who was representing the Chamber of Commerce in place of Pat Buttress. Maddox has been a member of the Orange Chamber of Commerce for 21 years,

served on the Economic Development Committee, a joint committee of the Chamber and the City of Orange, and is a member of the Chamber's Chairman Circle.

## **DISCUSSIONS**

### **Recap of Feb. 8 City Council Meeting and related discussions**

Harold Hewitt welcomed Orange City Manager Rick Otto, who was invited to discuss the proposals presented during the most recent City Council meeting and to discuss potential next steps to follow.

Mr. Otto recounted how the process began in October when the City Council asked City staff to bring some preliminary concepts and ideas for addressing community concerns related to student impacts on neighborhoods. As part of his team's research a number of other jurisdictions with similar colleges and universities in their neighborhoods were contacted. From that and other research, Mr. Otto said a three-pronged report was presented at the Feb. 8 City Council meeting.

The first section addressed the current ordinance related to loud or unruly parties, generally referred to as the party ordinance. The second section addressed zoning codes related to rental housing. And the third section described the efforts undertaken in recent months by the University, including the creation of the Neighborhood Advisory Committee. Mr. Otto said the report provided council members with a macro view of the issues and possible solutions. Mr. Otto said he was pleased with the good discussion that followed.

From that the council chose to direct its staff to return with a modified party ordinance. The proposed modifications would allow Orange Police officers to cite everybody in attendance at a party that prompted a disturbance call, rather than just the responsible host, as is currently required. Police would still have the option of citing just the host, Mr. Otto said. The revised ordinance will help resolve the challenges City officers face when partygoers at a noisy party claim they arrived with friends and don't know who's hosting, Rick Otto said.

Secondly, the ordinance will be revised to extend the time frame during which hosts could be cited for a second offense, a violation that carries with it far greater consequences from the University, including the possibility of suspension, and from the City, including increased fines. At present a second offense can be counted only within 10 days of the first. Under the proposed revision the ordinance will extend that time from approximately August through May, or the semester dates, whichever the University considers optimal, Mr. Otto said.

Harold Hewitt said the University would be agreeable to a calendar window that would capture the broadest time frame. Jerry Price concurred, saying that the key was to capture the time from late August when students return to May commencements.

In addition, Rick Otto said the City is proposing to incorporate information about existing civil claims procedures for neighbors to pursue legal complaints against landlords whose properties are the site of frequent parties. At present residents may do that, and they may also file actions

through small claims court, but the goal of adding this language to the public nuisance ordinance is to ensure that community members know their options.

The first reading of the revised ordinance will be at the next Council Meeting, Tuesday, March 8.

Regarding zoning code changes affecting rental properties, Mr. Otto said the City Council members took into account that any changes would affect all rental properties throughout the City, which vary in size and nature. The City cannot enact zoning written to pinpoint any specific type of housing, he said. A concept the City Council said it would be interested in studying would be codes that could prohibit houses from being modified in such a way that they are repurposed from being single family homes to essentially becoming private dorm-style residences with multiple occupants. A number of cities with universities within or near their residential areas have enacted similar ordinances, including Riverside, Berkeley and San Luis Obispo, Rick Otto said.

Moreover, Mr. Otto said the City Council didn't want to rush into new zoning ordinances at its last meeting because it was encouraged by some of the measures the University had taken in recent months, as well as the collaborative work of the University and Neighborhood Advisory Committee. Rental housing legislation would also require a significant amount of City administrative resources to enforce city-wide, while rentals associated with Chapman students comprise only 5 percent of the City's rental market, Mr. Otto said.

Daniele Struppa responded to the City Council recap, saying he was pleased and impressed that substantial progress was being made. He reiterated that the University's process of acquiring the local addresses of all students was also proving helpful to identify party hosts and enforce the University's Student Code of Conduct.

Harold Hewitt opened the floor for questions. Jeff Frankel asked Mr. Otto how many cities in the research he conducted had colleges or universities within a Registered Historic District. Mr. Otto said none were so registered but that the City of Claremont shared some similar issues.

Mr. Frankel said he was disappointed that the City Council was not more proactive and hadn't moved to develop more enforceable ordinances. He criticized the emphasis on a civil claim process, saying it laid burdens on residents that should be taken up by the City and its ordinance enforcement processes. Neighbors are unlikely to take neighbors to court to resolve issues he said should be regulated by better ordinances.

However, Mr. Frankel underscored that he was pleased that the conversations were being held. He hoped that an even stronger party ordinance could be developed. Mr. Frankel also said the City needed to beef up its code enforcement staff.

Sandy Quinn suggested that the Neighborhood Advisory Committee (NAC) write up a list of actions it would like the City Council to move on with more urgency. Mr. Otto said the City Council had left the door open for just such discussion and work. If the NAC wanted to prepare a list of options and ideas for more immediate consideration, it could be scheduled for an upcoming meeting.

Harold Hewitt suggested that the NAC create a subcommittee to write up a list of ideas and proposals to be presented at the April meeting when Rick Otto and his team return with their follow up research and report on zoning and code issues.

The NAC agreed and appointed Jeff Frankel, Brian Lochrie, Craig Lee, William Crouch, Harold Hewitt, Jack Raubolt and Dan Jensen to that subcommittee, which will present its ideas to the NAC for review prior to the April City Council meeting.

Brian Lochrie asked for clarification on zoning regulations regarding the conversion of living space into bedrooms. Mr. Otto said it's a complex situation for many cities. As an example, Mr. Otto said that unpermitted conversion of a four-bedroom house into an eight-bedroom doesn't always come to the attention of code enforcement and that when it does it can require a civil process to access the property for inspection and eventual citation. Legal proceedings that come out of that may or not go in the City's favor, he said. Plus, California laws prohibit cities from prescribing a maximum number of residents living in a single house, a zoning tool that is common among other states, thus making legislating residential occupancy uniquely challenging.

Jeff Frankel said that if health and safety problems arise out of illegal property conversions that it is easier to force property owner compliance.

Robert Hitchcock said that the University had repeatedly offered to offset the expense of its impact on City resources, but that such financial support had been declined. In particular, Robert Hitchcock asked why the City continued to reject assistance from Chapman's Department of Public Safety when most of its officers were graduates of the same academies attended by City officers.

Mr. Otto said there are legal issues related to a public municipality accepting financial support for specific programs. However, he added that he and the University are exploring possible options that could allow University Public Safety officers to respond to some very defined situations. Mr. Otto said he could not elaborate until it was further developed.

Mr. Hewitt added that he was involved in those conversations with Mr. Otto and he is encouraged that a compromise might be developed, but underscored that it was not ready for public discussion.

Mr. Hitchcock suggested they let people know of these talks so that the community could be reassured that efforts are being made.

Mr. Hewitt wrapped up the conversation by saying that the University was hearing the City and community loud and clear—the University needs to continue to do more to impact students causing disruption in surrounding neighborhoods. He added that the University considered work on solutions to be a topmost priority.

## **Orange Barrio Historical Society Report**

Harold Hewitt asked NAC member Robert Baca to share and talk about some of the concerns the Orange Barrio Historical Society (OBHS) had related to the heritage and legacy of the Cypress Street Barrio Neighborhood.

Robert Baca, an OBHS board member, encouraged all to visit the [Shades of Orange history page](#) on the City of Orange website to learn in depth about the dynamic history of the this segment of Old Towne. But to summarize, Mr. Baca said it was important that as the University purchases and restores available properties there, that it be more sensitive to the heritage and family life that has shaped the working class neighborhood. Many of the families who own properties there had to fight race restrictions to be able to buy them and some of the homes have been handed down to children and grandchildren. They retain a unique brand of pride in that legacy, even as they acknowledge that the University's activities and purchase of homes is changing that character of the neighborhood. In addition, he said that when families sell, it is a misconception to think that relocation is simple or affordable. The homes are often held in trust by multiple family members.

For those reasons, there is a feeling shared by the residents and OBHS that the University should make some consideration for such heritage and legacy rather than approach home purchases as a pure business transaction.

Mr. Baca said the remaining families are particularly affected by student and University vehicle traffic during the day because it is typical for grandparents and other family members to be at home with young children while parents go to work.

On the plus side, Mr. Baca said the University's presence in the community has contributed to displacing gang activity that had frustrated longtime residents.

OBHS would like to see enhanced efforts to preserve the neighborhood's history and significant buildings.

Mr. Hewitt thanked Mr. Baca for his presentation and helping the committee understand OBHS concerns and how they are similar, but nuanced and separate from those of the Old Towne Preservation Association (OTPA).

Daniele Struppa said that what he was hearing from the report was a need for the University to be in partnership with the barrio. He said that meshed well with a campus agenda to have the University community more involved with surrounding neighborhoods and schools. There are many possible ways to build together, he said, and he would be in discussion with faculty and staff on how to proceed with some of those projects.

Jeff Frankel said the OTPA was also concerned that the barrio was losing its identity. Mr. Frankel noted that the barrio and the adjacent industrial area were among the four components of the original township and that the OTPA is keenly interested in seeing them maintained in some form.

Mr. Baca said one idea that the OBHS suggested exploring was restoring existing properties and rebuilding some original buildings that have been destroyed as a way of returning the area to something of its original look. Among the notable buildings still standing there is an old Quaker church and a small market with many of its original fixtures. Such a restored neighborhood could potentially double as a film set for students with Dodge College of Film and Media Arts, Mr. Baca said.

Mr. Frankel said that since the neighborhood falls within the Registered Historic District, care would have to be taken to only reconstruct buildings to reflect historic use, not create a false sense of history.

Mr. Hewitt said it was trying to answer OBHS's inquiries into how many homes the University had purchased within the Barrio neighborhood. Since the neighborhood boundaries were unclear, he suggested that OBHS and the City work together to define the area. William Crouch said the City would welcome being involved in such a mapping project and, in fact, had already considered doing so.

In conclusion, Mr. Baca said there were a number of oral histories about the community's contributions that needed to be collected and saved.

### **Report on Property Acquisitions for Student Property**

As requested by the NAC at its previous meeting, Harold Hewitt presented a report on the University's efforts to purchase additional properties on which to build student housing. Given the competitive nature of real estate transactions and disclosure limitations, he could not offer specific addresses. But he provided the following facts: In the last four years the University has seriously considered 25 properties in the City of Orange, ranging up to 10 acres in size; hotels, apartment buildings, commercial and industrial properties have been considered; dollar values have ranged from \$2.5 to \$80 million.

Among the factors that come into play in the University's consideration is contamination from former uses, typically industrial. The University's Board of Trustees is philosophically opposed to building housing or office buildings on such land, even after extensive clean up processes have taken place. Only open-air facilities such as sports fields will be considered for such properties. Under California law, non-profit property owners such as the University have fewer protections from legal actions that may occur if, for example, a sick building syndrome scenario should develop. The University takes the position that sellers are responsible for the cost of remediating the contamination if the property is sold to a public or non-profit agency, Mr. Hewitt said. Most will opt out and sell to a private developer when faced with that expense, he said.

Sometimes the University walks away from a deal because the asking price is inflated based on the seller's mistaken perception that the University has unlimited funds and can pay any price, he said.

Other factors influencing property purchases include investors unwilling to part with profitable apartment buildings and a more robust hotel market, which has reduced the number of such

properties coming for sale. Mr. Hewitt also noted that hotels often are owned by limited partnerships that operate a branded hotel and for the University to acquire them for student housing, Chapman would be required to pay contractual brand breakage fees. He went on to say that these fees can be quite significant.

Robert Hitchcock asked if the University was pursuing the 2.5-acre property adjacent to Panther Village and finally released by the state to the City of Orange Redevelopment Agency. Rick Otto said part of the state requirement was that the City prepare a plan for the use or sale of such properties. Mr. Otto said the City needs to locate a well there and after it's been determined how and where that will be built, it can proceed with a description of what will be available for disposition. He hoped for a resolution soon. He noted that there are multiple purchasers interested in the property. Harold Hewitt said the City knows of the University's intentions to buy the property and will be a participant in the process of purchasing it once it is determined.

In addition, Mr. Hewitt said the University is currently considering several properties, including hotels, apartment buildings and commercial parcels mostly west of the campus.

Sandy Quinn asked for an update about the progress of the Environmental Impact Report (EIR) for the Villa Park Orchards student housing facility.

Kris Olsen said the project description has been developed by an EIR consultant that has been selected by the City and paid for by the University. Historic integrity of the property is an element that is getting extra attention in the report, Mr. Olsen said. When the report is returned to the City it will go to a scoping meeting, which is a public review meeting.

Mr. Hewitt asked Jack Raubolt to introduce the position papers summarizing the NAC's work thus far, including findings and thinking on key topics, such as Student Housing, Parking in Areas Surrounding Campus, Party Houses, University Growth and Appointment of a Primary Lead for Community Interaction.

Because the meeting time was nearing its end, it was decided that NAC members would review the position papers on their own and return to the Wednesday, March 9, meeting prepared to discuss them. Mr. Raubolt invited members to email comments and suggestions to him before the next meeting.

### **Planning for the Next Meeting**

Harold Hewitt asked the NAC members for topics they would like to discuss as the next meeting.

Sandy Quinn asked that at the next meeting there be a more solution-oriented discussion of how the University is going to address increasing the number of students in campus housing. Other members, including Mr. Hitchcock, agreed that NAC has reviewed the issues and it is now time to begin finalizing solutions. Judy Schroeder asked that a proactive discussion that addresses how to prevent students from circumventing the new party ordinance be included. Robert Baca asked for a fuller report on how many more properties the University was interested in purchasing, particularly in the Barrio neighborhood.

Mr. Hewitt said the concerns about property purchases needed to be shared with the Board of Trustees so that University leadership is also aware of what is being voiced in the community, before University representatives could respond to that issue.

In closing, Mr. Hewitt thanked all participants for their time, energy and dedication. He encouraged all to attend the Feb. 26-27 Grand Opening events at the Hilbert Museum of California Art. Judy Schroder said that the art in the collection was extraordinary and added that she had studied with many of the artists represented in the collection. She encouraged all to attend and said she would be among the volunteers there discussing the artworks for visitors.

### **ADJOURNMENT**

Meeting was adjourned at 10:36 a.m.