

# NIVA MEETING RECORD

May 14, 2003

## ATTENDEES

Ed German	The Groves	Janet Volken	Vista Filare
Jerry Kirchgessner	College Park	Donna Westland	Vista Filare
Terry Kiser	Racquet Club	Andy Zelinko	
Dave Melvold	Canyon Creek		

## ANNOUNCEMENTS

Having been brought to the attention of the City (Public Works), per Ken Lazzet the City will implement a maintenance program to preserve the horizontal logs in the Hicks Canyon Trail roadway overcrossing railings to prevent deterioration. They will be periodically re-sealed and stained. This effort will commence with the 2003-04 Budget Program and start in July/August of this year. Replacement of these logs, should it be needed due to early but avoidable deterioration, would be very costly. The City was grateful of NIVA's bring this matter to their attention.

The signal installation at Yale/Orange Arrow has been delayed further due to a request by the City that a eucalyptus tree on the SE corner had to be removed which required the contractor to apply for a tree removal permit. The installation progress should have started back up this week.

## COMMITTEE REPORTS

1. PLANNING AREA 8 DEV. COMMITTEE [Nellie Buomberger] - The CUP for the South Coast Chinese Cultural Center is tentatively scheduled for a PC hearing on June 5. NIVA has received a copy of a letter (undated) sent by Northwood Villas HOA to the City objecting to the proposed design for the Center. Another meeting previously scheduled for April 30 was re-scheduled for the evening of June 4 by TIC's consultant, Government Solutions, to again review the Cultural Center.

2. LOWER PETERS CANYON COMMITTEE [Dave Melvold] - By letter of Apr 9, City Com. Dev. Dir. Vander Dussen approved extending the permit for the real estate marketing banners for Northpark Square for another year until Oct 3, 2003. It was noted that even though the previous approval expired on Oct 3, 2002, the request for extension was only submitted to the City on Mar 12, 2003 -- more than 5 months after the expiration. Yet it does not appear that the City was either vigilant in monitoring the sign permit nor took any action for their removal after the expiration! Recall, NIVA objected to the unusual approval to begin with when originally approved and the City attempted to placate the approval by limiting the time frame. Once again, another example of City creditability.

Received a copy of the city application for the sign program for the Serrano Apartments on Bryan from the City. Administrative relief has been requested for both the size of the signs and the size of the lettering of the signs. Though not approved as yet nor any scheduled Zoning Adm. hearing, the signs for the Serrano Apartments on Bryan have already been installed prior to April 22! Does this show the level of confidence the applicant has in eventually receiving approval by the City?

3. PA-40 R&D DEVELOPMENT (\_\_\_\_\_) - The Council unanimously approved the Final EIR, General Plan Amendment and Zone Change for PA-40 at its hearing of April 22. Melvold gave a presentation (1) supporting Staff's recommendation for the removal of the additional Jeffrey Spine roadway crossing and ban on commercial signage in the Spine, (2) requesting consideration of (a) a grade-separated crossing of Roosevelt for the Spine trail, (b) a reconducting of the Oak Canyon I-5 crossing traffic study with an expanded scope and (c) a reduction in the maximum allowed height of buildings fronting the Spine from 5 to 3 stories, and (3) reiterating outstanding concerns with the traffic studies performed to date and the City's unconditional reliance on 3rd parties to perform adequately in installing mitigation measures. Only Councilmember Shea indicated any concern for the mentioned traffic

concerns. There was no discussion by any other councilmembers. They seem to indicate by silence a lack of concern and that they had not even read the documentation they were about to approve! In fact, in introducing the agenda item, the Mayor commented that "this item should go fast".

4. NORTHERN SPHERE (PA-3, 5B, 6, 8A, & 9) (\_\_\_\_\_) - The PC approved the Master Plan for the California Pacific Homes in PA-8A at its Apr 17 hearing. Com. Hansen objected to the reduced setbacks. Though there would be no reduced setbacks along the Paseo or Jeffrey frontage, there will be reduced setbacks along the Trabuco frontage. The reduction is from the 5-foot standard to 3 feet for garages. Upon questioning of Com. Gaido, City staff assured the PC that it had sufficient approval of the OCFA to avoid a repeat of the loss of the eucalyptus windrows as experienced in Northpark Square due to inadequate roadway width at the entrance to the tract which paralleled the windrow. However, this is in contrast to the statement in the letter of Mar 25 which NIVA received from TIC's Ken Coulter which indicated that the design does not have final OCFA approval.

The Master Plan and Tentative Tract Map 16516 for the 104 SF detached DUs on 15.4 acres in PA-8A have been submitted by TIC with tentative schedule for hearings for Subdivision Committee [SC] and PC of June 11 and July 17, respectively, while that for the Master Plan for 72 SF detached DUs on 18.6 acres by Fieldstone Homes is tentatively scheduled for PC hearing on June 19.

On Apr 19, NIVA received a copy of the Response to Comments on the Northern Sphere Area Supplemental EIR dealing with the demolition of the Valencia Growers Packing House. One of NIVA's 2 comments dealt with the allowance of a temporary concrete recycling (crushing) facility at the site as being in conflict with current City Ordinance limiting such facilities to Construction Circle only. The Response states that the reference to the facility in the Draft Implementation Agreement was not a part of the Draft SEIR! This is confusing. However, the Response goes on further to state that the Agreement is not finalized as yet and not a part of the project description in the Draft SEIR. It acknowledges that the facility would require a zone change and additional environmental review. Consequently, the Agreement is being revised with regards to the placement of such a facility on the site. The question remains, if NIVA would not have brought this to the forefront, would the Agreement and the inclusive facility gone forward?

The *Comprehensive Community Parks Park-Plan* for the Northern Sphere was previously scheduled for hearings for the PC and Council on May 7 and June 5, resp. The revised schedule is unknown at present.

NIVA received an Apr 29 response from Ken Coulter of TIC to NIVA's comments on the Vesting Tentative Tract Map 16339 for PA-9A. A response was also received from the City dated May 5 with similar replies as in the TIC response. The Map was tentatively scheduled for a public meeting of the Subdivision Committee [SC] today and the hearings for the CSC and PC on May 21 and June 5, respectively. At today's SC public meeting, Melvold sought clarification of the Jeffrey roadway width and on-street bike lane width between Trabuco and Irvine Blvd. and a condition for re-establishment of the Trabuco median opening for the golf-driving facility when its lease expires which is expected in not too distant future. TIC agreed to the condition and would provide an exhibit which would clearly indicate the final disposition of the Jeffrey alignment and widths of lanes, etc. for the next meeting as the matter was continued until May 28. No final action will be taken at the May 28 meeting but simply more presentations. Final action is expected at a special meeting of the SC scheduled for June 4.

Included in TIC's Apr 29 response on PA-9A was a proposal for installation of additional Northwood Village monument signs. On the two outstanding questions, it was agreed after reviewing the drawings and discussing the matters, that (1) the sign proposal was acceptable and (2) the Sand Canyon trail crossing of the Venta Spur Trail is desired. Zelinko would contact Coulter to discuss the sign proposal.

## OLD BUSINESS

1. EL TORO MCAS REUSE - PC unanimously recommended approval of the General Plan Amendment, Zone Change, and Development Agreement for the Orange County Great Park at its hearing of April 17. Though the Draft EIR (not reviewed by the PC) had indicated the deletion of the SR-133 Corridor/Trabuco interchange. per Glenn Worthington, City Staff had still included the interchange in the listing of improvements in the NITM Program. However, the Great Park would only fund a share of the interchange with the balance now being assumed by PA-40 and the Northern Sphere Projects. The Council's May 13 hearing on the GPA and ZC were continued until May 27.

The OC Board of Supervisors approved removing itself from the Southern California Regional Airport Authority and the Orange County Regional Airport Authority, which were advocates of an airport at El Toro, at its April 29 meeting. On May 7, the Board of Supervisors accepted the City's traffic study for the Great Park reuse plan -- a decision needed for the State to allow the City to take over the non-federally retained land.

2. LOCAL PARK CODE UPDATE - The Council approved the update to the Parkland Dedication Requirement Ordinance at its April 22 meeting. The update revised the dedication requirement based on the Year 2000 Federal Census Data. [ITEM TO BE CLOSED]

3. CENTERLINE LIGHT-RAIL PROJECT & CALIF. HIGH-SPEED RAIL PROJECT- Per information distributed at the Apr 23 OCTA-hosted presentation on Centerline held at Lakeview Sr. Center, the public review period for the Draft EIR for the project is expected this July/Aug.

On June 3, Irvine residents will be voting on 2 measures -- one supporting an ordinance adopting the OCTA's centerline project as policy of the City and amending the General Plan and the other adopting an ordinance in opposition to the OCTA's centerline project as policy of the City and amending the General Plan & Municipal Code.

4. STORM DRAIN INSPECTIONS - The City hosted a community forum, "Let's Talk, Irvine -- Water" on April 30. The discussion covered urban runoff and the efforts undertaken by the various responsible agencies including the that of the City, IRWD, and the County. Per Mike Loving, the City Council is expected to review the City's Implementation Plan to meet the new regulations governing its drainage permit on May 27. This Plan should be of key interest to all homeowners in the City but especially the HOAs with gated communities, i.e., private streets and storm drains.

5. NEW FIRE STATION 55 - The station is to be called the Northwood Station. The OCFA is proposing adoption of a Mitigated Negative Declaration [Neg. Dec.] for the EIR for the fire station. OCFA Board of Directors will consider the matter at their May 22nd meeting to be held in the Conference Room of the Transportation Corridor Agency building in Irvine.

NIVA received a copy of the Neg. Dec. A review of the document regarding noise, aesthetics, design, indicated that (1) siren noise will obviously be an occasional impact, (2) the existing adjacent windrow will be retained, (3) a new median opening will be installed to access the site, (4) night lighting off-site glare will be minimized, (5) color and design of structures will be compatible with adjacent community, extensive landscaping will be used to screen the facility from Portola. The response deadline to the Neg. Dec. is May 15. Copies of the site location drawing and the site plan for the permanent installation with the temporary overlay were distributed at the meeting.

Melvold had a phone discussion with OCFA Battalion Chief Gene Begnell to discuss three items: (1) Was any consideration given to a site location near Sand Canyon in the zoned R&D area; (2) Will a signal be located at the driveway entrance to the station on Portola which is activated for emergency departures;

and (3) is the proposed mitigation measure T-2 forbidding Portola median trees within 500 feet of the entrance absolute. Regarding #1, OCFA did consider sites around Sand Canyon but all computer runs resulted in response times that were too great. Regarding #2, OCFA does plan a signal with the permanent installation but are sure with the temporary installation. TIC is objecting to a signal with the temporary station. Regarding #3, Begnell indicated that trees would be acceptable as long as only their trunks are primarily in the line-of-sight, i.e., trees with heavy low foliage should be avoided. Since the City of Irvine, responsible for the Portola median landscaping, could interpret the measure to be an absolute forbidding of any trees, he suggested that NIVA respond regarding the tree issue so that OCFA can clarify in the Responses. After discussing the matter at the meeting, it was agreed that NIVA would support the signalization even with the temporary station. [A letter was sent May 15 to the OCFA conveying NIVA's position on the signal and on flexibility on the landscaping of the Portola Parkway median rather than an absolute restriction within 500 feet of the station driveway intersection.]

6. SPRINT CINGULAR WIRELESS COMMUNICATIONS FACILITY IN CALTRANS PARK & RIDE - The scheduled PC hearing has been postponed from Apr 17 to May 15.

7. FUTURE NORTHWOOD MIDDLE SCHOOL - IUSD is in the process of securing appraisals of the 2 sites so as to determine if any difference in value between the 2 sites in the event of a trade.

8. PROPOSED GENERAL PLAN AMENDMENT TO REDUCE DENSITIES IN VARIOUS PAs - The PC postponed the April 17 hearing until May 1 at which time the PC postponed the hearing further to "time uncertain".

9. CINGULAR WIRELESS COMMUNICATIONS FACILITY AT CULVER - Tentatively scheduled for PC hearing on June 5.

10. NORTH IRVINE TRANSPORTATION MITIGATION PROGRAM - The PC hearing on the Program Implementing Agreement was held on April 17. It was approved 5/0 though there was expressed concerns about the lack of critical documents being available, such as the mitigation improvement listing, at the time for review and consideration. Melvold gave a presentation essentially objecting to language which transferred authority to the applicant and furnishing a list of questions pertaining to the agreement. Comments made during the Commission's deliberation indicated a concern about the lack of certainty in the adequacy of the improvements and the Agreement's limitation on the City in the future for changes should they be warranted. Nonetheless, the PC voted affirmatively.

One May 2, NIVA received a copy of the Apr 28, 2003 Draft *North Irvine Transportation Mitigation Program Nexus Study*. Melvold, along with Don Stewart, met with City staff -- Sheri Vander Dussen (Dir. of Com. Dev.), Jim Eldridge (Dir. of PW), and Marty Bryant (Assist. Dir. of PW) -- on May 5 at City Hall to discuss the document. Numerous major concerns/objections surfaced from the brief review permitted by the late receipt of the document. The 1-hour allocated for the meeting was totally inadequate to cover all the issues. The document is tentatively scheduled to go before the Council on May 27. Hopefully all the issues can be addressed and most resolved before the Council hearing. A second meeting is scheduled for Monday, May 19 -- unfortunately again limited to only an hour. A preliminary review has been made of the report's appendices containing the drawings of proposed "improvements". Attached is a listing of some of the more significant proposed "improvements" which would be located within existing North Irvine. There was discussion on the items and objections expressed but no specific action proposed for NIVA to undertake other than to inform the membership.

11. AFFORDABLE HOUSING - Received official Apr 17 City notice of the proposed affordable housing project by Bridge Housing Corp. for 96 apartments on a 4.5-acre site south of Trabuco Road northwest of Truman. The proposed complex will be 3-story. The CSC public hearing is scheduled for May 21 and the PC hearing is tentatively scheduled for June 5. The lead planner for the City is David Law.

Along with the notice was a map indicating the locations of similar developments in Irvine.

12. JEFFREY OPEN-SPACE SPINE - The Community Services Commission recommended that the Council approved the *Community Consensus Plan* with the only change being that the I-5 Freeway trail overpass be affirmed as will be installed upon funding availability. Com. Dugard and Fleischman voted negative primarily due to the anticipated high annual maintenance costs. Melvold and Zelinko gave presentations in favor of the addition of the Venta Spur Trail overcrossing of Jeffrey to a connection with the Jeffrey Spine Trail in support of the position developed by NIVA at its meeting of May of last year. This was followed by a presentation by the newly elected President of The Groves HOA (Ed German) who expressed opposition to the Venta Spur overcrossing of Jeffrey due to concerns about loss of privacy from an elevated trail. The Groves is a NIVA member association. CSC made no recommendation on the overcrossing.

Melvold had a phone conversation with German following the CSC hearing to discuss and reconcile the disagreement. It appeared that the City staff, not in favor of the overcrossing, may have sought an ally in The Groves by generating a scare tactic inclusive of an oversized overcrossing bridge -- with both a greater height and ramp length than necessary. However per German, The Groves would object to any overcrossing but maybe would accept an undercrossing. It was decided that, due to the objection of The Groves to an overcrossing, NIVA would cease support for an overcrossing unless it can be proven to the satisfaction of The Groves that such a bridge could be designed which is acceptable to The Groves. In all likelihood, without a supporting recommendation of CSC, the matter, for all intensive purposes, is dead.

On May 13 (only 6 days after the CSC hearing), the Council unanimously approved the JOSS Plan, Packing House Supplementary EIR, and the Implementation Agreement with no changes. It should be noted that NIVA received the City Staff Report for the hearing on Monday and had no details on the CSC hearing but a copy of the Implementation Agreement with significant and extensive changes. Concerns were expressed by only Krom regarding loss of the packing house and Ward regarding the annual maintenance costs. Melvold had requested that the Council leave the Venta Spur Trail crossing option open and direct staff to meet with NIVA, including The Groves, to see if an acceptable grade-separated crossing might be developed.

13. TRABUCO ACCESS FOR ST. THOMAS MORE CHURCH - An application for a modification to the existing CUP has been submitted by Total Engineering Inc. Approval would be by City staff if found acceptable.

14. JULY GENERAL MEETING - It was agreed that no meeting would be scheduled in July.

NEXT MEETING - Wednesday, June 11, 2003 at 7:15 PM.

□ - Assignments or committee chairpersons.

## **PRELIMINARY EXAMPLES OF CIRCULATION IMPROVEMENTS IN NORTH IRVINE WHICH MAY BE OF MAJOR CONCERN**

1. Yale/Irvine Blvd. Intersection - entails a loss of 8 feet of landscaped setback along Yale frontage of the Northwood Shopping Center from Northwood to Irvine Blvd. and adjacent to the residential complex from Irvine Blvd. to Park Place. At the same time, there is no improvement proposed to the right-turn lane from WB Irvine to NB Yale. Currently shown to have a 6-foot bike lane.
  2. Culver/Trabuco Intersection - loss of landscaped setback frontage of residential north of Trabuco from Trabuco to Escondedo. Most likely loss of new Northwood Village monument sign! Loss of considerable landscaped setback on Trabuco for installation of 2nd RT lane. The 4th NB Culver lane is shown under the I-5 though responsibility is with Caltrans. 3 lanes of I-5 SB off-ramp will turn north onto 3 lanes of NB Culver. The 4th lane of Culver does not start until a point north of the I-5 SB off-ramp/Culver intersection but before the I-5 underpass.
  3. Jamboree/Irvine Blvd. Intersection - though City has repeatedly stated that no intersections in North Irvine will be allowed to deteriorate to a level of performance worse than LOS D, a level of LOS E\* will be allowed at this intersection since it is a designated CMP intersection governed by the County's standard criteria rather than the City's. Removal of the SB Jamboree free-right turn to WB Irvine Blvd.
  4. Walnut/Jeffrey Intersection - loss of landscaped setback on the south side of Walnut west of Jeffrey to install a dedicated right-turn lane on EB Walnut.
  5. Walnut/Culver Intersection - proposed use of Advanced Transportation Management System [ATMS] which relies on sequencing of traffic signals in a series of intersections to expedite traffic. However, no subsequent Culver intersection is included such as Scottsdale so expectation of improvement is unrealistic.
- Other examples of loss of landscaped setbacks:
5. Culver/Barranca Intersection - Loss of setback on WB Barranca.
  6. Jeffrey/Barranca Intersection - Loss of Jeffrey Spine land to accommodate a new dedicated right-turn lane.

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\* LOS E level of performance means that at peak hour vehicles will experience having to wait through two or more cycles at the signal.