

NIVA MEETING RECORD

August 13, 2003

ANNOUNCEMENTS

The County has initiated the Airport Monitor System from which the public can access the system via Internet at www.ocair.com for monitoring airplane flight patterns within 80 miles of JWA. The plans on the map are color-coded to differentiate between arrivals & departures for JWA, Long Beach Airport overflights, and LAX overflights.

The Calif. Public Utilities Commission [PUC] placed a significant obstacle in the City's plan to create a municipal utility to provide electricity for the Northern Sphere area. The PUC said the City would be subject to a \$10 Million exit fee if it goes forward with establishing the utility. Some City officials thought the municipal utility could not only save the future residents money from lower rates but create a new source of revenue for the City. Opponents argued that it would cost the City more and risk the General Fund of the entire City. Regardless, the City is appealing the PUC decision and apparently still continuing to study the municipal utility proposal.

The installation of the trees in the median landscaping on Portola Parkway between the Eastern Transportation Corridor and Jeffrey were installed early this month.

The sponsors of the 'makeshift' Iraq war memorial dedicated to fallen U.S. soldiers which had been located for several months in Northwood Park at the corner of Bryan and Yale have received approval of the City Council to undertake a permanent memorial to be located in the park using private funds. A proposal for the memorial is expected to be brought before the Council on Aug. 26. The originator of the temporary monument was Asher Milgrom. 201 crosses were eventually installed during the 3 months prior to the disassembly. After discussion, it was agreed that NIVA would send a letter to the City in support of the proposed permanent monument from a general standpoint awaiting for details to be developed before a final position is considered. [Letter sent Aug. 26.] Anyone interested in the effort can find details on the web site at www.honor.smugmug.com.

COMMITTEE REPORTS

1. PLANNING AREA 8 DEV. COMMITTEE [Nellie Buomberger] - The Planning Commission [PC] approved the application for the South Coast Chinese Cultural Center on June 17. The PC did not address the concerns previously expressed by Melvold about the parking in the construction interim in Phase III nor adequacy once the auditorium is available, nor was it willing to impose an evening operating hour cutoff. In previous correspondence from NIVA, the objection was made to the increase in the ADT trip cap requested by the applicant. The cap had been previously imposed at the time of the approval of the GPA/Zone Change for the I-5/Jeffrey commercial/industrial center. Staff did not bring the subject up to the attention of the PC for consideration but instead chose to meet separately with TIC to discuss the matter out of public view. The discussion resulted in the City taking a position to exclude traffic generation from "institutional uses" from the cap calculations supposedly as an incentive to the Company to include such uses in their planning. However, this defeats the purpose of the trip cap as traffic is traffic regardless of the source. Also of concern is that this decision, not only made outside of the PC public hearing and without public knowledge, was not disclosed until an inquiry was made by NIVA. Nor was NIVA in receipt of any response its correspondence expressing the earlier objection. In essence, TIC received an increase in the trip cap avoiding public scrutiny or the needed change to the General Plan and zoning. After discussion at the meeting, it was agreed that NIVA would send a letter to the City Mgr. expressing disappointment in the action taken. [Letter sent Aug 26.]

2. LOWER PETERS CANYON COMMITTEE [Dave Melvold] - An application has been filed for a CUP for a Chick Fil-A restaurant on the NE corner of Bryan and Jamboree in the Irvine Marketplace on the

last remaining land in the center. The 4,252 square-foot building will be a drive-thru facility with outdoor seating. No PC hearing date is scheduled as yet.

The PC held a hearing on July 17 and approved the application for the 380-unit apartment complex to be built between Marketplace and the Corridor along the south side of Irvine Blvd. frontage near the Corridor. As with other apartment complexes along Irvine Blvd., NIVA expressed the desire to have the complex height limited to 2 stories along the Irvine Blvd. edge. However, during the hearing the commissioners did not even mention this request but rather discussed the proposed gates for the complex. Even though the other 5 apartment complexes in Lower Peters Canyon were approved with gates, gates for this this complex were not approved by the PC. The objection was spearheaded by Com. Patracca and Gaido whose position was based on their understanding that such gates did not improve security and were, therefore, unwarranted. TIC appealed this decision to the Council which is expected to hear the matter on Sept. 9.

HRP Landesign application submitted for the 10.33-acre Lower Peters Canyon Community Park to be located on the SW corner of Bryan and Culver was approved by the Community Services Commission [CSC] on Aug. 6. The park will contain 8 lighted tennis courts (2 of which have stadium seating), a lighted baseball diamond, a lighted soccer field, a tot lot, a children's play area, and of course restrooms. The fields will be below the grade of Bryan and Culver Drive by 5 or 6 feet. Parking will be off Farwell only with 127 spaces. CSC members expressed concern about students using park parking spaces. However, the joint-use agreement has yet to be finalized with the Tustin School District even though the design is such to accommodate eventual joint-use. The CSC wanted the agreement expedited but was informed that TUSD was uneasy about the agreement as they are not accustomed to such agreements even with the City of Tustin. The outstanding questions with the joint-use plan are (1) whether the local City and immediate community will receive and make equal use of the school facilities, and (2) whether the district might unfairly monopolize the park facilities at the exclusion of use by the neighborhood.

Installation has finally commenced on the Bryan median landscaping between the Corridor and Marketplace. The installation was long overdue but delayed to allow negotiations between the City and Corridor Agency over a needed easement for the Peters Canyon Trail between Irvine Blvd. and Bryan. The irrigation are common for both.

There was also discussion on the proposed affordable housing project being discussed for Sector 11 (See details under Item 9 below on Affordable Housing).

3. PA-10 JAMBOREE MEDICAL/SCIENCE CENTER COMMITTEE [Nancy LaPorte] - LaPorte sent an e-mail on Aug 11 to Ability First inquiring as to the status on the groundbreaking. She received a response that the start of construction is still hung up with problems with HUD.

4. NORTHERN SPHERE (PA-3, 5B, 6, 8A, & 9) (_____) - The PC is scheduled to hold a hearing on the Master Plan for 104 detached condos by The Keith Companies in PA-8A on July 17. Final action taken by the PC at the hearing is not known at this time. The City's Subdivision Committee recommended approval of the Vesting Tentative Tract Map 16516 for the condominium subdivision for the lot at the SW corner of Bryan and Jeffrey at its July 23 meeting.

The PC approved 5/0 Master Plan 00333162-PMP by Fieldstone Communities for the 72 SF detached DUs in PA-8A at its June 19 hearing.

TIC has decided to name PA-9A the village of Woodbury. It will be bound by Irvine Blvd., Trabuco, Sand Canyon, and Jeffrey. TIC has also set up a web site for which interested parties can be informed by the Company of updates on the development of the new village and other developments in north Irvine. It is www.northirvineupdate.com. Fencing has been installed and grading has started this month on the

northern half of PA-9A development adjacent to Irvine Blvd. As the result of TIC's action to proceed with development of PA-9A, thus removing the land from agricultural use, the produce grower, Gargiulo Inc., closed its operations in Irvine effective July 1. Loss of PA-9A meant the loss of 60% of the land they farmed and the loss of the packing house with its packing and cooling facilities created an uneconomic situation. The balance, or 40% of the land will remain at least temporarily to be farmed by others but less likely to be with tomatoes. Removal of the packing facilities commenced last month.

A hearing was scheduled earlier today by the Subdivision Committee on Vesting Tentative Tract Map 16518 for the 8 45-acre site located in the center of PA-8A in which 88 condominium DUs by Lennar Homes are planned. PC hearing is scheduled for Aug 21.

NIVA received a copy of a July 17 letter from TIC's Ken Coulter to the City's Dir. of Com. Dev., Sheri Vander Dussen, on the Northwood Village Monument Sign to be located at Bryan and Jeffrey. After discussion at the NIVA meeting, it was agreed that an effort would be made by Zelinko to get the sign relocated to the northwest corner of Bryan and Jeffrey if possible. This will take concurrence of the property owner -- the Mormon Church. If unsuccessful, NIVA will seek to have the decision postponed but have TIC commit to a later installation with location to be settled later.

OLD BUSINESS

1. EL TORO MCAS REUSE - Late last month, Sec. of Transp. Norman Mineta stated in a letter to Rep. Chris Cox that he lacks authority to overrule the Navy or Orange County's decision to create a complex of parks, housing and commercial development on the closed base land regardless of his druthers. This, more or less, stymies the recent efforts of Los Angeles.

2. TUSTIN AIR FACILITY REUSE [Jerry Kirchgessner] - The Calif. Dept. of Toxic Substances Control Has issued the Draft Negative Declaration for the Proposed cleanup of Groundwater and Soil for Site 13 on the closed Base on Aug. 8 for a 30-day review and public comment period ending Sept. 8. A copy of the Draft Neg. Dec. is available for review at the Community Development Dept. Public Counter at Tustin City Hall.

The Tustin Planning Commission held a hearing Aug 11 at which time they were expected to approve the plans for the John Laing Homes project for 138 sf homes and 51 patio homes on a 37-acre site on the NW corner of Edinger(Irvine Center Drive) and Harvard.

3. COMPLETION OF PETERS CANYON WASH AND WALNUT TRAIL "GAPS" - Construction has started at long last on the segment of the Peters Canyon Trail between Irvine Blvd. and Bryan adjacent to and on the west side of the Corridor

4. UNDERGROUNDING OF BRYAN 69-KV POWER LINE [Andy Zelinko] - No change to the schedule.

5. PROPOSED WIRELESS TELECOMMUNICATION FACILITY ORDINANCE [Jerry Kirchgessner] - NIVA received a letter from the City dated Aug 4 indicating that the staff is preparing to renew efforts to get the proposed ordinance approved. It is expected to go to the Council in Oct. Comments on the draft -- unchanged from previous effort -- by Aug 25.

6. CENTERLINE LIGHT-RAIL PROJECT & CALIF. HIGH-SPEED RAIL PROJECT- The OCTA has voted favorably for continuing the planning of the Centerline but reduced to an 8-mile initial route from Santa Ana to JWA.

7. NEW FIRE STATION 55 - As of today, there is no indication of start of construction on the site.

8. LANDSCAPE BORDER REPLACEMENT ADJACENT TO THE LAKES - The broken concrete lawn edge was removed today. A letter will be sent to the Lakes Assn. Board thanking them for their consideration. [Letter sent Aug 27.] ITEM TO BE CLOSED

9. AFFORDABLE HOUSING - The June 5th PC approval of the master plan for the 96-unit Bridge Affordable Housing project on Trabuco in PA-8 was appealed by Councilmember Shea in behalf of the True Jesus Church and scheduled for a July 8 Council hearing. However, subsequent negotiations resulted in acceptable compromises/concessions by the applicant such that the appeal was withdrawn. The compromises included amongst others a revised design for the joint-use Trabuco driveway and installation of the missing segment of sidewalk along Trabuco from the site to the new shopping center on Jeffrey.

Also discussed was the proposed affordable housing project adjacent to Culver Drive north of the I-5. Kiser would continue the efforts with representatives of Courtside and Vista Filare in preparing a hoped for collective community response to the proposal. Some of the issues discussed dealt with the loss of the Post Office access to El Camino Real to a driveway for the housing, community park credit for additional market-rate units, and possible 3-story apartments along Culver in contrast to 2-story limitation on currently-zoned industrial buildings.

10. JEFFREY OPEN-SPACE SPINE - The City is still soliciting names in consideration for the official name of the trail.

11. NIVA MONTHLY MAILINGS - There was a proposal that NIVA consider using e-mail to distribute monthly meeting records and meeting announcements as a means of reducing expenses. The matter was discussed to some extent and will be agendized for further discussion at next month's meeting.

NEXT MEETING - The next meeting will be Wednesday, Sept. 10, 2003 at 7:15 PM.

[] - Assignments or committee chairpersons.