

NIVA MEETING RECORD

September 10, 2003

ATTENDEES

Dave Cole	Vista Filare	David Melvold	Canyon Creek
Yvonne Cole	Vista Filare	Ken Omohundro	The Groves
Jerry Kirchgessner	College Park	Debra Osobio	Northwood Courtside
Terry Kiser	Racquet Club	Andy Zelinko	

ANNOUNCEMENTS

Sheri Vander Dussen Has resigned her position as Community Development Director for Irvine to take up the position of Director of Planning with the City of Anaheim.

At the Aug 26 meeting, the Council approved extending the study on the establishment of a municipal electric utility after hearing a presentation by staff on financial analysis. An additional \$30,000 will be spent on consultant fees to continue the study on legal and financial analysis. The vote was 4/1 with Shea dissenting. Also noteworthy is the reduced service area being considered for the utility. Originally conceived as the whole Northern Sphere area, because such a utility could not feasibly be implemented in time without severe delay consequences to the Northern Sphere project development, it was decided to change and limit the area to only PA-40!

As previously announced, The Irvine Company has renewed its lease with Hines Nursery through Year 2010. However, what wasn't clearly communicated was the fact that involved in the lease is a relocation of part of the operation. The portion on the east side of Jeffrey will be closed out in Year 2006 and relocated to the area on the west side of Jeffrey north of Irvine Blvd. which is currently planted with strawberries -- in essence, the field will go from strawberries to containerized plants. Hines will of course loose their nice sign on the NE corner of Jeffrey & Irvine Blvd.

COMMITTEE REPORTS

1. LOWER PETERS CANYON COMMITTEE [Dave Melvold] - TIC has submitted the application for the Culver/I-5 affordable housing project. Included are a Master Plan, Vesting Tentative Tract Map, and Park Plan. The proposal will require a General Plan Amendment [GPA] and Zone Change [ZC]. Tentative schedule on remaining actions for the GPA/ZC is as follows:

Sept 16	- Public workshop on the proposal including the traffic study
Sept 22	- Transportation & Infrastructure Commission [T&IC] hearing
Sept. 24	- Subdivision Committee
Oct 2	- Planning Commission [PC] hearing
Oct 28	- City Council hearing

The Community Services Commission held a hearing on the Park Plan on Sept 3 and approved a recommendation [3/0, Dugard & Khosravani absent] for approval to the PC. Of the 30 to 40 members of the public in attendance, 8 members from Racquet Club, Northwood Courtside, and Vista Filare spoke to the Commission all expressing various concerns with the project mostly dealing with traffic, safety, noise and aesthetics. Kiser has been spearheading the collective efforts of the community. Unfortunately, however, due to the limited oversight responsibility of the CSC, the Commission could not respond to most of the expressed concerns but did give individual statements. Melvold also spoke but in behalf of NIVA but also received no response whatsoever. Copies of the presentation were distributed at the meeting. The matter presented entailed the loss to the City of \$3 to 4 Million in terms of the loss of community parkland. It should be noted that the driving incentive is the desire to meet an end of the year approval deadline so as to qualify for Federal funding of the affordable housing and as a consequence the processing is being expedited including the "backwards" consideration of the details of the plan such as

this park plan prior to approval of the underlying General Plan Amendment and Zone Change.

A draft of a letter the committee is proposing to have NIVA send to the Planning Commission stating in detail the arguments concerning several objections with the project was reviewed at the meeting. The letter discusses concerns about (1) inadequate public notification, (2) Aesthetics, (3) traffic, (4) potential land use conflict, (5) community parkland dedication, and (6) ultimately proposes an alternative site for the project. After discussion and some changes, it was approved for sending. [Letter sent Sept 11] Also, the Committee is planning to forward copies of the City's Notice on the CSC hearing along with a listing of the schedule of remaining City commission/council hearings and meetings to the SCAQMD, OCFA, USPS, City of Tustin, and TUSD as they apparently have not been noticed by the City.

TIC's appeal of the PC's rejection of the gates for the 380-unit apartment complex on Irvine Blvd across from Target was considered by the Council on Sept 9. The Council upheld the appeal 5/0, thus overturning the PC, but with the caveat that, though the vehicle gates will be permitted, the pedestrian gates were to remain open to the public. There was discussion about whether the gates provide any security or whether the extensive use of gates in Irvine is giving a bad perception that Irvine is unsafe and needs gates.

2. NORTHERN SPHERE (PA-3, 5B, 6, 8A, & 9) (_____) - TIC has requested a meeting of the Task Force on Sept. 16 to appraise the members and seek response to a proposal to convert some of the business section of PA-6 east of SR-133 with residential. TIC submitted an application to the City on Aug 14 for a General Plan Amendment and zone change to (1) change 227 acres of research and industrial to residential in PA-6 from 2.4 million sq. ft. to 500 thousand and (2) to spread the existing approved 4,500 residential DUs in PA-6 over this additional acreage thereby reducing the density. Ironically, this request is similar to that of NIVA during the Northern Sphere Development Project approval as NIVA was on record of objecting to the industrial zoning north of Irvine Blvd. TIC hopes to have this change in the works before the end of the year. If approved, this change would reduce traffic expectations to some degree but unlikely to significantly impact the overall deficiency from all development in North Irvine.

OLD BUSINESS

1. EL TORO MCAS REUSE - The City Council continued the discussion on the administrative organization and Bylaws for Orange County Great Park Corporation from meeting of Aug 26 to Sept 9. On Sept 9, the Council approved [5/0] a corporation board consisting of 5 City Councilmembers and 4 members from the public. Subsequently, they selected and approved [5/0] the following 4 public members: Dick Sims (retired TIC executive & current Irvine resident), Michael Pinto (an environmentalist and founder of Laguna Canyon Foundation and VP of the Great Park Conservancy), Miguel Pulido (Mayor of Santa Ana), and James Wilkie Ray (owner of Sanderson J. Ray Dev. Corp.). There was some discussion on the need for advisory committee(s) which would serve the board and furnish input on various matters. It might be of consideration to assure that there is representation on at least one such committees from North Irvine to represent the interests of the adjacent residents. Consideration of the Corporation Bylaws is expected to come back to the Council again on Sept 23.

A lawsuit was filed Sept 5 by Caltrans on the Great Park EIR for inadequacy of the traffic analysis. At the time of the Council's consideration of the EIR last May, City staff told the Council and public that, though no concern or commitment to improvements was received from Caltrans, discussions have been underway and that "closure will be reached in a timely fashion". Obviously, this statement was overly optimistic if not misleading, as the lawsuit bears out. Caltrans stated that it filed the lawsuit after deciding negotiations weren't progressing. How could they as there is little the City can do now that the project and EIR have been approved. NIVA had objected to details of the traffic study and inadequacy of the proposed mitigation measures. To some extent, the concern on traffic for which NIVA received a brush

off by the Council was vindicated by the lawsuit. As the hearing on the annexation is scheduled by LAFCO on Nov 11, the lawsuit must be settled or the annexation process may be delayed.

2. NORTH IRVINE LIBRARY [Dave Melvold] - Per article in the Sept 4, 2003 *Irvine World News*, construction is expected to start this Jan. and finish in about a year for an opening in Dec. However, drawings have yet to be finalized by the architect, 30th St. Architects.

3. UNDERGROUNDING OF BRYAN 69-KV POWER LINE [Zelinko] - Per TIC's Ken Koulter (9/16), TIC is going forward with its piece along Trabuco and expects SCE to be ready to meet the scheduled start of construction at the end of the year for the Bryan and Jeffrey sections. All three sections are to be installed simultaneously. SCE was, however, slowed by an error in design. The alignment originally planned on Jeffrey had to be moved as it was too close to a proposed underground water line.

4. PROPOSED WIRELESS TELECOMMUNICATION FACILITY ORDINANCE [Jerry Kirchgessner] - ON HOLD awaiting hearing postponed 9/24/02 to time indefinite by Council.] Council hearing is anticipated in Oct. Per request of the City, a duplicate copy of the NIVA's last letter of comments was forwarded to the City.

5. STORM DRAIN INSPECTIONS - A task force which was to make a recommendation to the Santa Ana Regional Water Quality Control Board has been accused of being unfairly "stacked" with a makeup of primarily oil companies and development contractors at the exclusion of environmental interests. As a result, the Board has postponed a vote until at least Sept 26 on the proposed program to reduce runoff pollution which was developed over the last 3 years. If a plan is not approved and in place by October, the county will have to comply with the more stringent and costly state standards that require the installation of devices to filter and control urban runoff. This would not only impact the City of Irvine but also all gated residential communities with private streets with storm drains such as Canyon Creek, Windstream, and most of Lower Peters Canyon communities such as West Irvine, Northpark, and Northpark Square.

6. FUTURE NORTHWOOD MIDDLE SCHOOL - Per Ken Koulter of TIC, IUSD has received the appraisals for the two sites which indicate them to be essentially the same in value. This is expected to satisfy the State. As the appraisals are only good for 6 months, the District must make the decision within 6 months as to which site to use. Koulter believes the District will go with the site in PA-9.

7. BOWERMAN LANDFILL CAPACITY INCREASE STUDY - Though the environmental report on the proposed expansion was expected to have been out for public review this Summer, it now is expected to be sometime this Fall.

8. AFFORDABLE HOUSING - The Council was to take up consideration of a change in the in-lieu fees and credits in the City's affordable housing program at its Sept 9 meeting but the matter was continued until the first meeting in Oct.

TIC has submitted the official application for the second consolidated affordable housing project in North Irvine at the northwest corner of the I-5 Freeway and Culver Drive. (See further details under the Lower Peters Canyon Committee report.) Members of the Racquet Club, Northwood Courtside, and Vista Filare have been actively engaged in addressing the community response to the two proposed apartment complexes and have been organizing local resident attendance and presentations at upcoming hearings including the distribution of flyers.

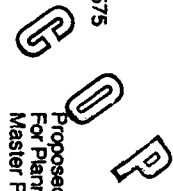
9. NIVA MONTHLY MAILINGS - There was much discussion on the feasibility and benefits of utilizing e-mail for distribution of NIVA correspondence to membership as a means of expediting distribution and reducing costs. There was no conclusion reached. Will continue to explore the matter.

NEXT MEETING - The next meeting will be Wednesday, Oct. 8, 2003 at 7:15 PM.

North Irvine Villages Association

Planning Commission
City of Irvine
P. O. BOX 19575
Irvine, Calif. 92623-9575

September 11, 2003



Proposed General Plan Amendment & Zone Change
For Planning Area 4, Sector 8
Master Plans 00337700-PMP & 00337768-PMP

Dear Planning Commissioners:

NIVA considered the proposal to replace light industrial with two apartment complexes totaling 584 units at its September meeting and approved the sending of this letter to you. The letter presents a listing of the major concerns with the General Plan Amendment/Zone Change and corresponding Master Plans for two proposed apartment complexes in Sector 8 of Planning Area 4. More specifically, this letter addresses in detail the concern with the City's notification process and concerns dealing with aesthetics, traffic, potential land use conflict, parkland dedication requirement, and concludes by proposing a suggested site for the apartment complexes which would resolve all of the currently identified objectionable issues. It highlights those places where NIVA believes The Irvine Company (Company) and/or the City is going back on previous commitments and understandings made with the community. Though this letter is multi-page, the issues are critical and we implore you in the interest of our community, the electorate in North Irvine, to take the time to read the letter in its entirety and to seriously consider these issues.

PUBLIC NOTICE/NOTIFICATION ISSUE

The City, as we understand, is required to only notice landowners within 300 feet of the proposed project; but because of the project's potential to negatively impact the traffic flow on Culver Drive north of the I-5 Freeway, notice is warranted over an expanded area for the opportunity for involvement of all residents north of the I-5 who frequently use this segment of Culver Drive. As such, these residents are most certainly interested parties as their journeys to and from the I-5 or south will be impacted by additional traffic congestion generated from the project. At minimum, we suggest the notice be expanded including very clear and obvious notices in the *Irvine World News* on all public hearings and meetings or workshops.

All potentially affected agencies of the proposed project are noticed to give them the opportunity to comment and express any concerns as part of the environmental process. But apparently a lead agency is also not mandated by either State or Federal law to notify them for an addendum to an approved EIR. It would seem though to do so would be in the best interest of all parties including the City and local community. However, the City as lead agency has chosen to do only the bare minimum in developing the Addendum to EIR-557. It is safe to assume that at minimum, the City of Tustin, Tustin Unified School District (TUSD), Caltrans, United States Postal Service (USPS), the Orange County Fire Authority (OCFA), and the South Coast Air Quality Management District (SCAQMD) would be provided the opportunity. This would give added assurance to the community that impacts of which the community may be unaware have been addressed.

Planning Commission

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- The City of Tustin has already expressed an interest with the previous proposal to "transfer" dwelling units to Sector 8 in the recent past.
- The TUSD will have to provide schooling for all resident children in the complexes.
- Caltrans may find themselves involved in a noise issue requiring a noise wall along the top of the I-5 Freeway embankment adjacent to the complexes.
- The USPS, as owner of an adjacent parcel, intends to build a branch post office which must interface with this proposed project.
- The OCFA has the responsibility to revise the Hazardous Disclosure and Evacuation program which must be revised due to the change in proximity of residential to the industrial.

Historically, there have occurred some key decisions/agreements or understandings which have played a major part in the development of PA-4 to date and, therefore, should not be overlooked/disregarded in the desire to secure additional affordable housing. These agreements were decisive in the acceptance by both the local community and the City of the change to the previous General Plan for the City's Sphere of Influence when the Company processed the Lower Peters Canyon Project (LPCP) through the County.

The Company originally sited a high density zoning (an apartment complex) along Culver Drive at Bryan as indicated in the enclosed Attachment 7 of the Lower Peters Canyon Proposed Community Profile. Following discussions with the City and NIVA, the apartment complex was relocated to a site adjacent to the Eastern Transportation Corridor [ETC] as indicated in the enclosed copy of Appendix B1 of the subsequent County-approved Lower Peters Canyon Specific Plan. And at the urging of NIVA and with the support of the City, the Company agreed in general to locating all high-density development (apartments) adjacent to the ETC and away from Culver Drive and existing single-family residential. The result is evident in the language for the zoning for PA-4. All 6 apartment complexes - Estancia, Solano, Las Palmas, Serrano, Somersat, and yet to be named complex near Target - have consequently been so located. The siting of these newly proposed complexes adjacent to Culver Drive is, therefore, in direct disregard of this previous agreement by both the Company and the City.

AESTHETICS ISSUE

The existing local community has always had concern about the aesthetics of any proposed development of the area across Culver Drive. This was stressed again during the Planning Commission's consideration of the Master Plan for Sector 8 and resulted in the Commission modifying the setback restrictions along Culver Drive. Conditions 6.20 and 6.21 were added with Resolution 97-1987 to increase the setback such that for Lots 20 & 21 and for Lot 19 the minimum setback is 115 and 40 feet, respectively, from the ultimate curb face.

The proposed apartment complexes, though not light industrial buildings, can still impose an undesirable frontage especially if of similar architecture to that being used by the Company on the most recent apartment complex (Sorrena) with a 3-story structure with garages on the bottom floor facing the roadway.

In the early stage of development of PA-4, the Company demonstrated a greater sensitivity to the height concern and proposed apartment complexes with only 2-story buildings fronting major roadways - especially Irvine Blvd. and Bryan. In fact, the Company redesigned the structures for the Estancia complex to reduce the height from that of 3-story in the initial application to 2-story along Irvine Blvd. However, with the more recent apartment complexes, the Company has relaxed that earlier commitment and has proposed 3-story structures fronting arterials. It is our understanding that the Company is again proposing 3-story structures along the adjacent arterial, Culver Drive. If that is the case, we find it objectionable.

TRAFFIC ISSUE

NIVA has a serious concern with potential traffic congestion contributed by the project. To date, we have not seen the results of any traffic study or even the scope of work of a traffic study.

Currently, the lack of a 3rd north-bound lane on Culver Drive under the I-5 contributes to a seriously deficient situation and the additional traffic from other new development north of the I-5 in PA-4 and in the Northern Sphere, PA-4Q, and El Toro Reuse will further erode this situation and that of the adjacent Culver Drive/Traubuco and Culver Drive/Scottsdale Intersections. At present there is no planned and funded fix or relief in the near future. This project will only make matters worse.

Regarding traffic, the original EIR-557 for LRPCP addresses the traffic issue on a macro scale for the overall project as to be expected since details of internal streets were mostly undetermined as yet. Additionally, it did not contain subsequent changes in the LRPCP in proximity to this proposed project especially the future post office. There is also major concern about the inadequacy of the traffic study modeling to accurately simulate the traffic for the high school other than the ideal radially-fed school, i.e., it fails to include the effects of a service boundary other than a circle around the school at the center. In this case, Beckman High School is at the eastern geographic edge of the service territory. It also has no provision to incorporate the physical constraints of the I-5 Freeway and ETC on traffic generation related to the school. These deficiencies in the traffic study modeling introduce major errors in the results.

Furthermore, the recently disclosed state standardized testing results indicate that the other 2 Tusin high schools failed to meet their required minimum performance levels. As a result, students at these 2 other schools have the right to request transfers to another high school in the district as granted by Federal law. This creates a high potential for many students to request assignment to the new and high technologically-equipped Beckman High School. This could result in additional high school generated traffic.

It should also be of critical concern to the Commission of the inherent implications of the fact that there is no elementary school in either Sector 8 or 11 - the area south of Bryan Avenue. Most likely, the students would be assigned to the future elementary school planned for Northpark Square (Sector 7) - the area north of Bryan Avenue. It is unlikely that parents will allow elementary-age children to traverse the distance, cross a major arterial as Bryan is becoming, and "mix and mingle" with the high school students, and vehicles and employees of the Irvine Technology Center to attend their elementary school. Consequently, most students, who normally might otherwise walk to school with or without parents, will most likely be driven to school. This additional traffic will add to the already

abnormally high traffic on Culver Drive especially around Farwell. This problem would be more evident if the applicant had to furnish a revised pedestrian access plan for Sector 8/11 as previously provided with the initial Sector 8/11 Master Plan application.

POTENTIAL LAND USE CONFLICT ISSUE

The location of the Jamboree affordable housing complex is additionally problematic as it is located immediately adjacent to the post office with its articulated night-time lighted activities. It also may permanently negate the previously negotiated possibility of a rear access for the post office which was sought by the community as a relief from articulated noise from night-time mail deliveries usually via large trucks. As negotiated between the Company and the USPS at NIVA's encouragement, night deliveries would be made via a rear access from El Camino Real and Jamboree rather than from Culver Drive.

PROPOSED ALTERNATIVE LOCATION

As a possible solution to most of the above identified concerns, NIVA would suggest consideration to relocating the project -- both complexes -- to the open 16+ acre site on the west side of Sector 8 between Peters Canyon Wash and the ETC. Though the acreage is less which would result in fewer units, there remains the possibility of increasing the height limit to allow for a greater number of floors. This proposal has the advantages of

- (1) Leaves intact the existing zoning and development setback Condition along Culver Drive;
- (2) The site is across the street from another apartment complex and, therefore, not isolated but distant from existing single-family residential;
- (3) Adheres to the previous understanding and agreement on placing high density adjacent to the ETC;
- (4) Locates apartment residents close to major commercial enterprises (Marketplace);
- (5) Provides a more direct connection to the most likely assigned elementary school and in fact, no arterial traffic conflict due to grade-separated crossings of El Camino Real and Bryan Avenue via adjacent Peters Canyon Wash Trail;
- (6) Places apartments near regional trails which is consistent with policy of the Company and City MDCU on planning for new apartments;
- (7) Does not result in a freeway 25 feet above ground level of the apartments with additional noise implications; and
- (8) Still provides the opportunity for additional housing including the affordable.

This suggestion should be seriously considered even at the risk of delaying the affordable housing due to failure to meet the desired deadline. HUD is not going out of business and there most certainly will be followup opportunities to seek Federal funds if so needed or desired. Let's not ignore efforts and settlements reached in the past with the community or the potential impacts when other options might result in better overall planning.

Also, an outstanding question exists of what amount of Sector 8 Industrial square-foot

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intensity will be reduced to correspond to the change to residential. This has not been discussed or disclosed publicly to date.

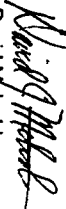
COMMUNITY PARKLAND DEDICATION ISSUE

Even though the Community Services Commission (CSC) has reviewed the proposed park, plan and submitted a recommendation to the Planning Commission, NIVA wishes to provide an additional factor for consideration than that presented to the CSC at their Sept. 3, 2003 hearing on the Park Plan [See enclosed copy of presentation]. Again, it relates to the community parkland dedication requirement. NIVA's position is that with the additional dwellings units, there should be a corresponding increase in the obligation for community parkland dedication.

It is obvious from the language in Conditions 6.12 and 6.13 that all parties anticipated the consequences of any additional dwelling units would carry the requirement for more parkland dedication. At the time of the approval of the master plan for Sector 8/71, there still remained the unresolved matter of the future high school and the consequence should the TUSD not exercise their option for purchase of the land assigned in Sector 11 for the high school. It was agreed that the fallback would be residential and that additional community parkland could be required. In similar fashion, should these dwelling units be added to Sector 8 of PA-4, additional community parkland should be required.

The NIVA membership hopes you have taken the time to read this letter in its entirety and have serious weighed the issues. Though brevity is desirable, we felt it necessary to present our case and the grounds for our position on each issue with minimal but adequate detail. Again, thank you for your time. Should you have any questions, I can be reached on (714) 669-0664.

Sincerely,


David Melvold
President

Enclosures

**PRESENTATION TO THE COMMUNITY SERVICES COMMISSION
ON PARK PLAN FOR APARTMENT COMPLEXES IN SECTOR 8 OF PA-4
FOR GPALZC ON SEPT 3, 2003**

Regarding the proposed apartment complexes, NIVA has many concerns and questions - not the least of which is (1) the status and lack of availability of the referenced Initial Study/EIR Addendum - and (2) the questioning of the reason for the expediting of this hearing of the Park Plan for the apartment complexes prior to any approved General Plan Amendment and Zone Change which seems out of order and presumptive as to the approval of the GPA - hardly an indication of a sincere consideration of public input during the public hearing process on the GPA.

Hawley said that I wish to focus on the Park Plan before you this evening and, in that regard, one specific aspect of the Park Plan.

Per both the Lower Peters Canyon Specific Plan approved by the County and the GPA and Zone Change adopted by the City at the time of the annexation of Planning Area 4, the community park sites were described including the acreage. The size of the parks were based on the maximum dwelling unit cap approved for the Lower Peters Canyon Project which contained residential units in several specific sectors but none in Sector 8. There was no provision in either the plan approved by the County, or amended by the City, for expansion of residential in the other sectors and, therefore, no parkland dedications due to such expanded residential development. This is clearly indicated in the table of the County's Local Park Implementation Plan and the City's comparable Exhibit 5 of the Zoning Regulations. The industrial (business park) land use in Sector 8 does not carry any parkland requirement and therefore did not contribute to the overall parkland in the Park Plan.

It was understood at the time of processing of the Lower Peters Canyon Specific Plan that the residential might well develop at intensities and levels less than the maximum 8,000 dwelling units as is clearly indicated in paragraph 2 of Article C.1 of the Plan which states that "all Planning Areas (sectors in the City's vernacular) will be developed at or below the maximum number of dwelling units submitted by the density category noted on the statistical table" in Appendix B2. Consequently, all parties understood that the community parkland dedication indicated in the Plan could most likely end in excess of that which would be required by the otherwise normal calculation method.

At the same time, there was clear evidence that all parties understood that dwelling unit numbers could not exceed the individual planning area maximums. This is indicated in Article 6.9 a(1) of the General Regulations of the Specific Plan and then transferred into the language under Land Use Section 1.A of the Special Development Requirements of the City's adopted Zoning (V.E.-804.6). Since the table in the County Plan indicated that for Sector 8 the maximum was zero and no provision is listed in the City's zoning language for dwelling units in Sector 8, any dwelling unit number greater than zero for Sector 8 would be in direct violation of this stipulation.

Because of the above facts, consideration for additional parkland is justified and warranted for both neighborhood and community parkland. Therefore, I submit the following for your consideration:

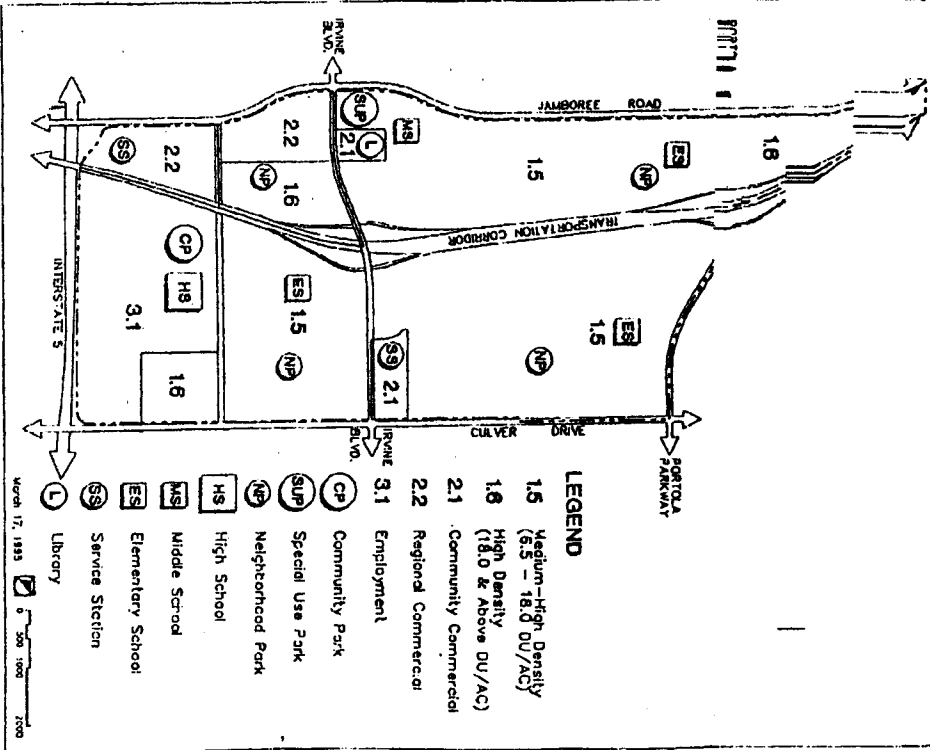
Either (1) this GPA proposal, if a modification to the original Lower Peters Canyon Plan, is as such not covered by the previous agreement between the City and TIC on Lower Peters Canyon and, therefore, susceptible to reconsideration and changes in the calculation of parkland, especially community, above and beyond that already included in the Lower Peters Canyon Project including both the land and value of improvements.

Or (2), this GPA proposal is exactly that, a proposed change to the General Plan above and beyond that of the Lower Peters Canyon Project and should be considered and evaluated on such a basis, i.e., it must be self contained regarding parkland requirements to meet the City's current standard under the Quinby Act. In this case, this proposed project for 2 apartment complexes must furnish the equivalent of 2.28 acres of community park credits. In this case, the value of the land should be at today's market rate and not the \$53 Thousand dollar per acre figure in the Lower Peters Canyon Development Agreement.

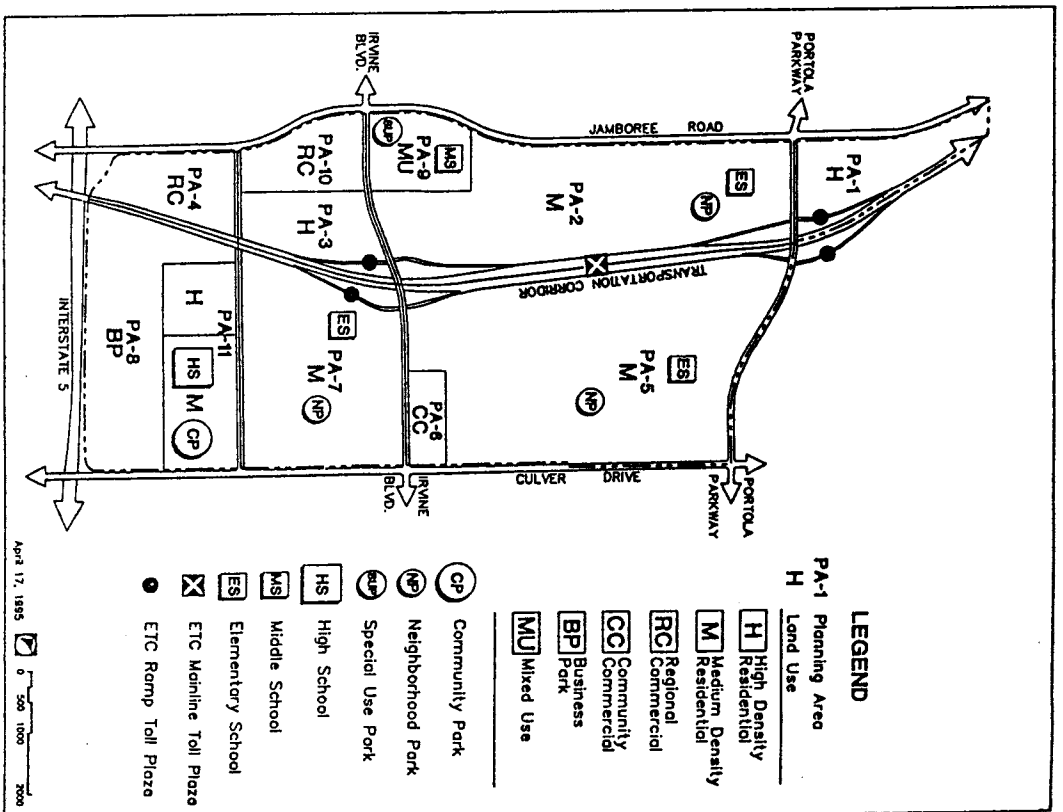
Planning Area 4, Lower Peters Canyon - an abnormally large single planning area made up of roughly 7,000 residential dwelling units and 25,000 residents currently has no community center building within its boundaries, that is, in either the existing Hicks Canyon Community Park or the future Bryan community park and, even though such a facility is slated for the future at Hicks Canyon, there currently is no identified and committed source or provision for funding. NIVA proposes that the community park credits from this proposed project, if it is approved by the Council, go toward construction of this community center building.

In conclusion, NIVA requests that this Commission determine this proposal to be a project warranting new community parkland dedication beyond that already attributable to the Lower Peters Canyon Project and that the additional credit be applied to the center at Hicks Canyon Community Park and that you make such a recommendation to the Planning Commission and Council.

ATTACHMENT 1



Lower Peters Canyon PROPOSED COMMUNITY PROFILE



Lower Peters Canyon SPECIFIC PLAN DEVELOPMENT MAP