

NIVA MEETING RECORD

November 12, 2003

COMMITTEE REPORTS

1. **PLANNING AREA 8 DEV. COMMITTEE** [Nellie Buomberger] - A draft of a proposed NIVA response to City Mgr.'s letter of Sept. 15 on South Coast Chinese Cultural Center was reviewed at the meeting but it was decided instead at this point to attempt to arrange a meeting with the City Mgr. Melvold was to see if he could arrange such a meeting with Ciulik, Buomberger, and Melvold to attend to discuss the proposed change to the zoning traffic cap.

2. **LOWER PETERS CANYON COMMITTEE** [Dave Melvold] - In anticipation of the Council's scheduled Oct. 28 hearing on the Sector 8 General Plan Amendment/Zone Change [GPA/ZC], more than a dozen community members, including Melvold and Kiser for NIVA, made presentations to the Council at its Oct 14 meeting under Public Comments. Melvold's presentation was on the lack of a neighborhood elementary school in any reasonable proximity to the site. The closest would be 1.5 miles behind Albertson's on Irvine Blvd. with alternatives as much as 5 miles! Kiser's presented material on anticipated traffic impacts at the Farwell/Culver intersection, post office operations, and the lack of meaningful investigation of the Culver/Trabuco/I-5 congestion.

A 10-page letter (with 11 enclosed tables and charts) was sent Oct 22 to the City Council summarizing the outstanding objections and/or concerns with the proposed GPA/ZC in Sector 8. These included concerns/objections about:

- (1) the changes in dwelling units [DUs] allocation in sections during development from that originally approved by the County,
- (2) shifting or skewing of the residential mass towards the southern boundary of PA-4,
- (3) the increase of density under the guise of a "transfer" of "unbuilt" units,
- (4) reversal of previous concession to move high density (apartments) away from Culver at Bryan,
- (5) reversal of agreement to place apartment complexes adjacent to the Corridor away from Culver,
- (6) increase in apartment concentration between original of 34% of total DUs in PA-4 to 51%,
- (7) spot planning vs area-wide planning,
- (8) the lack of a neighborhood elementary school in reasonable proximity to the site,
- (9) adjacent conflicting land uses,
- (10) aesthetically-displeasing but necessary 25 ft. noise mitigating wall along I-5,
- (11) objection to deletion of rear-entrance for post office truck deliveries,
- (12) the lack of reliance the public can place in the General Plan,
- (13) loss of 2 acres of community parkland to the City, and
- (14) numerous traffic issues.

The latter included concern about anticipated traffic with Beckman HS, inadequacies of the traffic study, new issue of transporting of school children, reliance on unacceptable/uncommitted roadway improvements, failure to consider all traffic impacts, and consideration of traffic data/numbers but excluding consideration of traffic patterns/behaviors. The letter concluded with the presentation of the objection to the lack of a reduction in light industrial intensity corresponding to the reduction in industrial acreage, i.e., the remaining undeveloped industrial acreage was being reduced 60% with the conversion to residential yet no reduction in the square feet of remaining intensity. In essence, this is an increase in industrial development intensity over the balance of acreage which translates directly into more traffic. The latter will impact primarily the El Camino Real access to Jamboree.

The City Council held the hearing on Oct 28 with more than a dozen members of the public speaking with all but one objecting to the GPA/ZC. There were noticeably fewer members of the public in attendance than at the Planning Commission [PC] hearing but still of the order of 40 to 50. As with the PC hearing,

The Irvine Co. [TIC], speaking first, surprised the audience with a proposal to reduce the number of ownership DUs from the 422 to 300 -- a favorable concession but a number that still translates into condos and not single-family detached units -- and a willingness on TIC's part to advance the \$8.6 Million TIC obligation under the NITM Program expected in Year 2007. The Councilmembers, except for Shea who had no prior knowledge, responded vocally in favor of this concession as commendable and sufficient to negate all concerns with traffic! With little regard to the specific objections presented by the speakers, the Council approved the GPA/ZC [4/1 w/ Shea dissenting]. Apparent from comments -- some obviously previously prepared, the Council majority had already made up their minds prior to the hearing. Desirous of the affordable housing, they were prepared to approve whatever it took.

It should be noted that the \$8.6 Million represents only a 2 year or so loan of the money. At today's interest rates, this would amount to a concession worth about \$200,000 -- a relatively small concession to assure approval of a project worth probably more than \$100 Million. It should also be noted that only two roadway improvements under the NITM Program are in any proximity to the site and neither address the traffic concerns presented. Additionally, it should be noted that TIC need only fund its fair share of those improvements and consequently total funding for them is not insured. One will require approval of the County Flood Control District for change in location of a flood channel while the other will require approval of Caltrans for a 5-lane off-ramp!

During the hearing, residents across Culver were securing volunteers in the City Hall lobby in anticipation of a referendum effort should the GPA/ZC be approved. After discussion, it was agreed at the meeting that NIVA would not involve itself in the referendum effort.

TIC met with members of the community referendum group at their Newport Beach offices at which time TIC agreed to reduce the number of market-rate units to 225 units, fund up to \$1.4 Million towards an acoustical study and a sound wall along the I-5 Freeway, increase the landscaped berm along the west side of Culver Drive, and assure a retention of the back delivery entrance for the future Post Office. A formal agreement was being drafted to put in writing the details of the agreement. Another meeting is scheduled for Nov. 17.

The City notified NIVA that it is planning on closing Trabuco between Jeffrey and Sand Canyon for 6 to 7 months beginning Nov. 24th for construction of the widening of Trabuco and to install utilities (including undergrounding of SCE's 69 kV overhead electric circuit) and covering of the parallel storm drain. The closure was requested by the Company to expedite the construction and for safety. This will save money which is expected to be passed on to the City by reduced assessment district fees for future occupants of the Northern Sphere. Signs have subsequently been posted indicating the future closure. At the request of NIVA, the City will investigate the possibility of opening the southern or east-bound side of Trabuco earlier since less construction is needed for that side. NIVA reminded the City that the anticipated savings is not to the City in general but to the residents of the future residential development whereas the inconvenience of the closure is negatively impacting the existing Irvine residents.

3. NORTHERN SPHERE (PA-3, 5B, 6, 8A, & 9) (_____) - The PC recommended [5/0] the approval of the GPA/ZC for PA-6 to allow a conversion of 227 acres from research & industrial to medium density residential at its Nov. 6 hearing. The proposal would reduce the industrial intensity from 2.4 million sq. ft. to 0.5 Million and redistribute the existing housing density of 4,500 DUs over the converted acreage with no increase in the total number of DUs. Included also was an unofficial change in the conceptual siting for the community park from south of to north of Portola Pkwy. Meivold gave a presentation in support of the proposal at its the changes reduce the previously objectionable industrial intensity and location while not increasing the residential. This also has the benefit of reducing the expected generated traffic from PA-6 development. There was no concern with the community park site change as TIC agreed to furnish a flat usable site in either case.

Per Zelinko, still awaiting the City to determine the size of the easement needed to accommodate the Northwood Village Monument sign site at Jeffrey/Bryan.

OLD BUSINESS

1. EL TORO MCAS REUSE - Another lawsuit has been settled -- this time with the Airport Working Group which challenged the adequacy of the Navy's environmental report. The settlement has the Navy agreeing to perform additional studies on the air quality issue associated with removal of the concrete runways.

Last month the City Council adopted a survey area for further redevelopment study that included the closed base -- the first step in an anticipated 12-month process of adopting the Redevelopment Plan for the Orange County Great Park Redevelopment Project. The second step in the process was completed with the PC's formal selection of the project boundaries and approval of the Preliminary Plan at its Nov 6 meeting.

Earlier today LAFCO approved the annexation of the Base to Irvine. In so doing, LAFCO review established findings of financial soundness of the reuse project and ability of the City to provide municipal services to the Base property. 30 members of the public spoke at the hearing. The annexation will take 60 to 90 days to be in effect.

2. NORTH IRVINE LIBRARY [Dave Melvold] - The groundbreaking ceremony will be held on Monday, Nov. 17 at 11 AM at the library site in the Historical Agricultural Park. However, construction will not commence for probably another 2 to 3 months as final drawings are yet to be completed and a construction contract executed. Per County Librarian John Adams, the County decided to expedite the ceremony due to Wheeler's poor health in hopes of having it prior to her passing. Unfortunately, that was not to be as she passed away recently. The community is to be grateful for a major contribution derived from the James T. Irvine Foundation (unassociated with The Irvine Company) towards funding of the library. Wheeler was chairman of the trustees of the foundation for many years. Mindful also, because of NIVA's suggestion and efforts, the library will contain a basement which raises the total square footage of the library to 10,000 which is more in line with the standard size for a branch library. The anticipated opening is still Dec., 2004.

3. TUSTIN AIR FACILITY REUSE [Jerry Kirchgessner] - Tustin Legacy Community Partners, Tustin's selected master developer for the 700-acre center parcel of the base, has proposed a park plan that has arches replacing the northern hanger. Development around the park would total 7.3 million square feet including 1 million square feet of commercial. This is a tremendous amount of development which will be expected to create a significant amount of traffic yet the plan incorporates little in the way of new roadways or improvements especially off the base site. Edinger (Irvine Center Drive), Harvard, Walnut, and Jamboree can be expected to be severely impacted.

4. PROPOSED NORTHWOOD U.S. POST OFFICE - There is concern now with the change in zoning for the adjacent land from light industrial to residential that the USPS could have second-thoughts on the location. An inquiry will be made of the USPS to ascertain whether there would be any change. Should the USPS decide to abandon this site for another with less potential for neighbor impacts, the underlying zoning may now be residential and not the previous light industrial. It is not clear if the post office site was inclusive or the zone change. This also needs to be verified with the City.

5. HICKS CANYON COMMUNITY PARK COMMUNITY BUILDING - Though John McAllister, Assist. Dir. of the City's Com. Services Dept, indicated that sources of funding were in the works for this center during the Com. Services Commission of the Park Plan for the GPA/ZC for Sector 8 on Sept. 3, a further inquiry made of McAllister [Oct 30] disclosed that he was simply referring to nothing more than the

possibility of funding coming from park dedication associated with the Northern Sphere. Unfortunately, this could have misled the commissioners into thinking something more substantive was in the works.

6. PROPOSED WIRELESS TELECOMMUNICATION FACILITY ORDINANCE [Jerry Kirchgessner] - NIVA received a response dated Oct 22, 2003 to its letter of June 18, 2002 questioning the language regarding factors of consideration in siting. The City's response essentially states that the PC and City staff concur with NIVA's position and will not be recommending the retention of the language which was suggested by 2 attorneys representing AT&T. The City letter also confirms that this matter has been on hold due to other more pressing matters but has now been reactivated. A Council hearing is scheduled for Nov. 18 on the ordinance. If the ordinance is adopted, it will include a city-wide zone change.

7. CENTERLINE LIGHT-RAIL PROJECT & CALIF. HIGH-SPEED RAIL PROJECT- The Supplemental Draft Environmental Impact Statement/Revised Draft Environmental Impact Report [SDEIS/RDEIR] is out for public review. Deadline for comments is Nov. 24. Considered is the 8.5-mile section from the Santa Ana Regional Transp. Center to John Wayne Airport with alternatives to build up to a 12.8 section extending the rail line to UCI. A public open house will be held at the Irvine City Hall on Nov. 17.

8 LOWER PETERS CANYON COMMUNITY PARK/BECKMAN HS JOINT-USE AGREEMENT - [Terry Kiser] - Adele Heuer has been appointed the principal of Beckman High School when it opens next Fall. She currently is the principal of Pioneer Middle School in the TUSD. Currently Beckman is involved in a controversial matter of school boundaries. Once this is resolved, it might be appropriate to arrange a meeting with Ms. Heuer to discuss school parking and traffic. It was noted that currently TUSD has only closed high school campuses, i.e., no leaving of campus for lunch. Verification of a continuance of this policy for Beckman would be worth knowing.

9. BUILDING FACILITIES MASTER PLAN - [ON HOLD] awaiting scheduling of 3rd workshop postponed since 4/12/01 to incorporate Year 2000 Fed. Census data.] Per John McAllister of the City [10/30], this effort will be reactivated at the time of the commencement of further effort on the Northern Sphere Park Plan development.

10. NEW FIRE STATION 55 - There is still no activity at the site as of today for installation of the temporary station as the OCFA has encountered difficulties in securing the grading permit from the County. The contracts have been let and as soon as the permit is secured, construction will start. It is currently 3 to 4 months behind the original schedule as the OCFA had aimed to get the station on board before the start of the current fire season which is almost ending!

11. PROPOSED GENERAL PLAN AMENDMENT TO REDUCE DENSITIES IN VARIOUS PAs - At the Oct 28 hearing, the Council approved [5/0] the proposed intensity reductions in all proposed planning areas (all south of the I-5 Freeway) except the planning area in which University Town Center is located. The Mayor was not in favor of taking any dwelling units out of this planning area as there is a possibility of including DUs in University Town Center in the future. Staff recommended retaining a buffer of 50 DUs in each PA to allow for the discrepancies uncovered between the housing counts by TIC, the City and the County! The Council was supported of both of these items. [ITEM TO BE CLOSED.]

12. NORTH IRVINE TRANSPORTATION MITIGATION PROGRAM - TIC has agreed to advance \$8.6 Million towards its Year 2007 obligation in conjunction with the approval of the GPA/ZC in Sector 8 of Lower Peters Canyon, PA-4. This, along with the Caltrans settlement, should initiate traffic studies and preliminary design work, etc. on several proposed improvements. However, as TIC has only fair-share funding obligation and additional jurisdictional approvals are to yet be obtained, nothing is firm as yet. Since the two improvements in proximity to the Sector 8 LPC site are (1) the 5-lane I-5 SB off-ramp and the additional RT lane from WB Trabuco to NB Culver, it was agreed at the meeting that a letter should be

sent to Courtside and Colony since neither were in attendance, advising them of the proposal and suggesting that, if not acceptable, a strategy should be developed. [Letters were sent to Courtside on Nov. 24 and Colony on Nov. 28].

13. AFFORDABLE HOUSING - The Council approved [3/2 w/ Shea & Ward dissenting] the revision to the fees and credits for affordable housing projects at its Oct 28 meeting (postponed from Oct 14). Shea & Ward have been against the change in affordable housing levels from goals to requirements as recently changed by the Council and, therefore, believe this change to further support the mandatory affordable housing. [ITEM TO BE CLOSED]

14. JEFFREY OPEN-SPACE SPINE - The deadline has passed (Nov. 1) for submission of name(s) for the Jeffrey Open-space Spine Trail. The plan is to have the public vote on the names so as to reduce the number down to a few from which the Council is expected to make the final selection.

15. NORTHWOOD MILITARY MEMORIAL MONUMENT- At its Oct 14 meeting, the Council unanimously approved a site in the Northwood Com. Park for the memorial along with waiver of all City fees. Though the concept was reviewed and favorably accepted in general by the Council, details were still to be worked out. Consequently, the Council postponed final approval of the design until a later date. Staff was to give an update on the progress to the Council in 30 days. To assure that other critical issues would be addressed that hadn't even been breached as yet, Melvoid sent a letter on Oct 16 to the Council detailing these missing items on the list of yet to be resolved issues.

16. Have received a notice of a \$5/month increase in storage fee. This increase will have to be incorporated into next year's budget.

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

□ - Assignments or committee chairpersons.