

NIVA MEETING RECORD

February 11, 2004

ANNOUNCEMENTS Martin Petrey of USPS, Project Manager of the Northwood Post Office Project will be a guest speaker at the March meeting. He has agreed and will be bringing both preliminary drawings along with the architect to discuss the design.

State Sen. Rico Oller of San Andreas is introducing a bill to ban homeowner associations from selling members' homes unless an owner owes the association more than \$50,000. Needless to say, this can have significant impact on the finances of associations as they could find themselves with inadequate funding to operate yet considerable outstanding receivables and no realistic expectation of receiving within a reasonable time. As this is a response to associations in some cases of foreclosing on homes with very small debts in arrears, this may be an overreaction. Member associations may want to look carefully at this proposed legislation and consider the long-term ramifications.

COMMITTEE REPORTS

1. **LOWER PETERS CANYON COMMITTEE** [Dave Melvold] - The letter approved to be sent to the Mayor in response to his Nov 26 "Dear Neighbor" letter distributed to the communities adjacent to the area affected by the recent Sector 8, PA-4 GPA/zone change was sent Jan 20. Copies were distributed at the meeting. Racquet Club and Vista Filare will distribute copies within their respective HOAs at their own expense. No contact from Northwood Courtside as to their decision regarding followup.

The next meeting of the Community Task Force meeting with TIC on the Sector 8 residential has been postponed until Mar 22. It will be held from 5 to 7 PM. Representatives are expected from the City also.

2. **PA-10 JAMBOREE MEDICAL/SCIENCE CENTER COMMITTEE** [Nancy LaPorte] - A 2nd meeting was held (Jan 21) with Trevor Lottes of the City to review primarily the landscape drawing for the Peters Canyon Center business park development. LaPorte and Melvold attended. Some outstanding questions were also answered. A 3' berm with a hedge on top is planned along Peters Canyon to help screen the parking. Though the previously supplied rendering indicated only a single tree along Peters Canyon fronting the 2 buildings, the landscaping will include 6 pine trees in front of the southern building and 7 in front of the northern building and an additional row of boxbane trees. The trees will be of the 24" box size. Still no sign program. Concern was expressed to the City about the possibility of the owner planning to have a "permanent" temporary leasing sign due to the number of units and high probability of at least one up for leasing all the time.

LaPorte has received a Jan 22 e-mail from Ability First essentially restating the hang-up with HUD funding on its housing project. Basically it states that the hangup is due to turmoil at the HUD L.A. office.

3. **NORTHERN SPHERE (PA-3, 5B, 6, 8A, & 9)** (_____) - The proposal for affordable housing along Sand Canyon ought to include consideration of (1) noise from current & future truck traffic on Sand Canyon especially with possible future expansion of Bowerman, (2) a pedestrian bridge over the Corridor for direct connection to Great Park & Cal State Fullerton campus, and (3) noise impact from the raised Corridor in section north of Irvine Blvd. Attempts to contact Councilmember Mears to discuss these items have been to no avail as he has not returned the call in the last 2 weeks. Though these items were briefly discussed, no specific action was approved at the meeting for action at this time.

NIVA has previously proposed and continues to support the installation of a pedestrian bridge for the extension of the Venta Spur Trail thru the village of Woodbury (PA-9A) under Sand Canyon and over the Corridor and on into the Cal State campus and the Great Park as a more direct and safer pedestrian/bicyclist path from Northwood, etc. to our future park. Unfortunately, the underpass may have

already been eliminated as a possibility as the relocation of Sand Canyon in this area is underway. However, the overcrossing of the Corridor is still a future possibility. The proposal to convert the industrial zoning to medium-density residential for affordable housing would increase the desirability of this overcrossing. It removes the otherwise circuitous and more dangerous routing to reach the campus or the park for these residents in addition to those of other North Irvine areas. The bridge would assist in reducing the need to travel by vehicle and thereby reduce traffic. It should be noted that Caltrans recently awarded \$7.2 Million in bicycle-related grants statewide. Though these items were briefly discussed at the meeting, there was no decision at the meeting on any specific NIVA action at this time.

On Feb 25, the City's Subcommittee Committee is scheduled to consider the Tentative Tract Map 16533 for 772 detached and attached condominium units in the center of PA-9A.

Northwood Golf Center @ Trabuco & Jeffrey closed Dec 31, 2003 and TIC has purchased the lease back.

NIVA was furnished preliminary copies of drawings of TIC's pending proposal to convert the 317 acres of Research & Industrial [R&I] and 60 acres of commercial land-uses in PA-9B between Irvine Blvd. and Portola Parkway on the west side of Sand Canyon into medium-density residential. 1,590 dwelling units [DUs] will be transferred from PA-1 into this converted area so that there will be no change in the total number of DUs in the General Plan. 4,166,000 sq ft of R&I would be eliminated while the Commercial Multi-use land-use intensity of 450,000 sq ft currently on the located on the north-west corner of Irvine Blvd. & Sand Canyon would be transferred and combined with the existing commercial on the southwest corner of Irvine Blvd & Sand Canyon. As a result, there will be a slight increase in the residential density in PA-9A since the number of DUs will not decrease corresponding to the 60 acre reduction.

NOTE: With this latest proposal and both the land-use conversion of the recent General Plan Amendment/Zone Change [GPA/ZC] regarding PA-6 last Dec. and the pending GPA/ZC for the affordable housing along the east side of Sand Canyon between Portola Pkwy and Trabuco, TIC has revised the Northern Sphere development plan to coincide with that originally sought by NIVA in 2002 during the processing of the original Northern Sphere Project through the City!!!

The change will remove what NIVA professed to be unwanted and improperly sited research & industrial land use from otherwise residential area of North Irvine. It was always assumed by NIVA that TIC proposed the research & industrial as a hedge against the possibility of the airport. That would explain TIC's action but not excuse the City ignoring the concern and approving the otherwise poor land-use plan in the first place. These changes have shown NIVA's position to be sound.

OLD BUSINESS

1. EL TORO MCAS REUSE - LAFCO approved the annexation of the Base to the City of Irvine on Jan 14 and should be culminated within short time making Irvine the largest city in Orange County. On Jan 27 the Irvine Redevelopment Agency approved the project map as the Preliminary Plan for the O.C. Great Park Redevelopment Project (which includes all of the Base except the Federal 974-acre habitat area).

As previously approved action, a letter was sent to the O. C. Great Park Corp. on Jan 17 requesting NIVA membership on the proposed Government/Community Relations Committee. However, it appears that the Board created committees made up of only 3 members all of which were Board members. The members of the Government/Community Relations Committee are Councilmembers Shea and Krom and Walkie Ray. A response dated Jan 27 has been received from Dan Jung, Dir. of Strategic Programs for the City. It appears from the response that the membership of others to the committees will apparently be left up to the individual committees. Councilmember Mears was named chairman of the Corp. Board at the Jan 29 meeting.

2. COMPLETION OF PETERS CANYON WASH AND WALNUT TRAIL "GAPS" - As a previously approved action, a letter was sent Jan 22 to the City extending appreciation for efforts to secure approval of the easement on the Corridor. Tim Kirkham of the City's Public Works Dept. has promised a memo giving the status on the various trail segments of Hicks Canyon and Peters Canyon Trails in PA-4 as some appear complete but still not officially opened.

3. HICKS CANYON COMMUNITY PARK COMMUNITY BUILDING - As previously approved action, a letter was sent Jan 26 to the City Mgr. Hart requesting the Hicks Canyon Community Park community center building be included in the Community Park Plan being prepared in association with the Northern Sphere. No response has been received from the City to date.

4. UNDERGROUNDING OF BRYAN 69-KV POWER LINE [Andy Zelinko] - On Feb. 10, the Council approved the Joint-use Agreement with SCE for the undergrounding of the Trabuco segment of the line between Jeffrey and Sand Canyon. This is the 3rd and last segment of the total line which is to be placed under ground. Construction should start as soon as the City approves SCE's permit requests.

5. PA 1 & 2 LAND-USE PLANNING - TIC is proceeding with development of this area earlier than previously expected. An application was submitted to the City last month. The plan proposes about 4000 homes and apartments on 1,535 acres (roughly 36%) of the 4235 acres in the area with 500 acres of productive avocado orchards to remain. For some unknown reason, TIC is proposing the combining of PA-1 and PA-2 into simply PA-1. Several major questions remain outstanding. For example, the area is split with jurisdiction of both TUSD and IUSD yet no clear physical boundary is apparent or identified, nor even agreed to at this time with the 2 districts. With most of the area expected to be behind gates, the development could become a sort of obstacle hindering ease of public access to all areas of the open space preserve in the adjacent northern foothills or result in a sort of exclusive and ready use of residents living in this community alone. Accessibility to the preserve may become a serious contention. A meeting of the Northern Sphere Community Task Force scheduled by TIC Proj. Mgr. Roger McErlane and Carol Schroeder was held Feb 6 to introduce and discuss the details of the proposal. An additional meeting was held today with Melvold and Mike LeBlanc, Carol Schroeder Wold, and Jeff Davis on the same subject. Both meetings were held at TIC's Newport Beach office. The following additional details of the proposal were disclosed:

- (1) Development will start from the west side with the initial units will be located close to the Eastern Transportation Corridor [ETC] and Portola Pkwy,
- (2) County approval of curtailment of Culver Drive north of Portola is necessary and will be accomplished through the EIR process,
- (3) An EIR will be necessary including a traffic study which will indicate the expected changes in traffic flow on Jamboree and Jeffrey with elimination of Culver,
- (4) No agreement has been reached as yet with TUSD and IUSD regarding actual school district boundary which is encumbered with elimination of Culver as the previously designated and easily-identified natural boundary,
- (5) The proposed apartments will be along Portola Pkwy between the ETC and Culver,
- (6) The maximum height of the apartment complexes will be 3-story with only 2-story adjacent to Portola Pkwy.,
- (7) TIC is keeping its options open regarding gating of residential areas within the development,
- (8) The proposed avocado orchard areas will be zoned open-space agriculture requiring a zone change should there be any desire to develop in the future,
- (9) The announced density of 3 units/acre is calculated with the 500 acres of open-space agriculture,
- (10) No current plans accommodating public views of Rattlesnake Reservoir (Note: Melvold suggested that TIC consider some sort of public overlook in the proposed plan.),
- (11) No current plan to continue the trail along the east side of the ETC as present south of Portola Pkwy though this would accommodate access to the Open Space from the west side, and

(12) There will be no additional signaled intersections on Portola Pkwy between the ETC and Jeffrey than current except for the already planned fire station signal east of the high school (additional intersections are proposed as right-in/right out only),

TIC agreed to get back regarding (1) the final disposition of the asphalt batch plant in the Open Space, (2) the location and current plan for the future SCE substation anticipated on the northwest corner of Jeffrey and Portola and the routing of any incoming/outgoing overhead electric lines, (3) progress on the school district boundary, (4) feasibility of extending the trail on the east side of the ETC, (5) if existing grade level will be retained for final level for apartments along Portola Pkwy., and (5) inclusion of the cellular facility at the northeast corner of ETC/Portola in the site plan.

6. **NEW FIRE STATION 55** - The OCFA has received the grading permit and has commenced on grading the site last week with in-service expected in March. The temporary station will be on the Portola side of the windrow with the permanent installation behind the windrow. Per Chief Begnell, construction will start on the permanent station ASAP. Hope to have in within a year. The OCFA is proposing the use of a "standard design" for fire stations in the future to reduce costs, with this being the first use of the design. The signal for the station is expected to be installed on Portola in June. TIC is constructing the station for the OCFA and the TIC lead is Norm Witt.

7. **FUTURE NORTHWOOD MIDDLE SCHOOL** - Per IUSD, the School Configuration Committee is still discussing the school situation including the need for the middle school. NIVA was advised to check back in about a month, maybe something definite will have been decided upon regarding the two sites. Per Feb 5 Irvine World News article, the school board will be seeking public input at its Feb 17 meeting on the proposal to transfer 6th grade to middle school and that a final board decision on this matter is expected at the Board's Mar 2 meeting. Once this decision is made, a decision on the middle school site should follow soon thereafter.

8. **CITY'S PUBLIC NOTIFICATION PROCEDURE** - As previously approved action, a FAX was sent to the City Council on Jan 26 as previously approved stating NIVA's position in favor of the 500' noticing distance and notification to all residents within an association community. At the Jan 27 meeting, the Council approved [3/2, Ward & Shea dissenting] a motion to approve an ordinance to increase the distance to 500 feet. City Mgr. Hart introduced the item by referring and briefly summarizing the NIVA fax. It was mentioned in the discussion that the Planning Commission had earlier voted to not support the revision. Some of the more salient comments made by the councilmembers during deliberations are as follows:

- Krom - Concerned about arbitrary way of deriving 500' and the current 300-foot distance meets the State requirement but believes 500' may bring out issues earlier in the process.
- Ward - 300' is sufficient and shouldn't change policy based on one incident (Turtle Rock cell tower).
- Shea - Cannot support a change to 300' as the cost to developers is considerable and we are trying to reduce the costs to developers. (Note: at the last meeting the additional costs were roughly calculated as \$30 to \$50.)
- Mears - An arbitrary standard is not a substitute for due diligence on staff's part. However, our city is not flat and impacts can be extended due to the hills. The 500 feet is a jester to the public which will indicate the Council is concerned.
- Agran - For the ordinance. Best to err on the side of more notice than less. Bringing in more residents is a good policy.

9. **NORTH IRVINE TRANSPORTATION MITIGATION [NITM] PROGRAM** - An effort was made by NIVA to send informational letters last Nov. 24th to the individual Boardmembers of both the Colony and Northwood Courtside HOAs informing them as to the details of two proposed mitigation measures included in the NITM Program and the concerns and potential negatives impacts on the North Irvine area but primarily on these 2 HOA communities. The letters provided drawings of the proposed changes in roadways adjacent to the two communities. The associations were counseled that unless active

participation is forthcoming from the associations in any action proposed by NIVA, that NIVA would assume that the association is not concerned and consequently NIVA would reconsider its efforts. To date, no response whatsoever has been received from either associations via either directly from a boardmember or association representative to NIVA. Because of the lack of response whatsoever from the 2 associations, it was agreed at the meeting that NIVA should, therefore, cease any further effort along the lines of expressing concern for noise impacts on these associations from the proposed mitigation measures. NIVA will restrict its concerns to those of safety and practicality of the proposed design measures.

As fallout of the anticipated major cuts expected in the Caltrans budget, aside from the delay in the 22 Freeway widening, another \$10.8 million is expected to be cut from the budget for previously identified/committed/budgeted improvements to unclog portions of the freeways in Orange County. None of the improvements identified in NITM Program with Caltrans either totally or partially responsible have been included in Caltrans future budgeting as yet. Caltrans has yet to agree or commit to the improvements, it is likely these will be delayed at least far beyond the scheduled point of need if ever funded. Since the relief from the proposed NITM improvement is crucial to avoiding future grid-lock in North Irvine, the residents of North Irvine should be very concerned. Our City Council has left us exposed to a major impact as the development can legally go forward regardless of the proposed improvements as long as the developer is willing to provide their fair share of the costs of the proposed improvements. Note: no funds actually change hands from the developer until and unless the improvements are actually constructed.

10. JEFFREY OPEN-SPACE SPINE - Per Pat Fierro [Feb 4], there is no schedule for the Council's consideration of the naming of the trail. She stated that the individual councilmembers didn't like any of the names! As a result, the City has asked TIC to use its "creative juices" to come up with some new additional names for Council consideration. Consequently, the item is not expected to be agendized for some time now.

11. "SMART" PEDESTRIAN CROSSING OF YALE FOR VENTA SPUR TRAIL - As previously approved action, a letter was sent as previously approved to Marty Bryant of City Public Works on Jan 19 suggesting the installation of a "smart" lighting system for a crosswalk for the Venta Spur Trail at the Yale Avenue crossing. A reply was received dated Feb 5 from Marty Bryant stating that "staff does not concur with your recommendation to install a 'smart' pedestrian crossing for users of the trail" as it would create a "false sense of security". He goes on further to state that "staff strongly recommends that pedestrians continue to follow the signs directing pedestrians/bicyclists to the nearest street corner to cross the street"!!! It was agreed that NIVA reps would meet with City staff to hopefully arrive at a mutually-acceptable resolution. A meeting was tentatively scheduled for Mar 8. Melvold and Zelinko will represent NIVA. If unsuccessful, it was agreed that the next step would be to take the matter before the Council.

12. DISSOLVING OF CITY'S TRANSPORTATION & INFRASTRUCTURE COMMISSION - As previously approved action, a letter was sent as approved on Jan 15 to the City Council supporting the combining of the T&IC function into the PC responsibilities and dissolving the T&IC.

13. YEAR 2003 FINANCIALS AND PROPOSED 2004 BUDGET - The Year 2003 Financial Report was submitted by Elliott and approved at the meeting. The Report indicated total income and expenses for the year of \$2325.71 and \$2232.72, respectively, with a balance of \$1782.52.

14. NORTH IRVINE SENIOR CENTER - A draft of the proposed survey questionnaire was reviewed and tentatively approved. Attendees were given until Sunday, Feb 16, to continue their review and contact Melvold if any noted concerns or suggested changes. The survey will be sent to the boards of the member-associations.

15. ELECTION OF YEAR 2004 NIVA OFFICERS - No nominations for president were previously submitted or forthcoming at the meeting. Melvold indicated an unwillingness/reluctance to continue due primarily to the lack of active participation of a vast number of NIVA member associations. There was no resolution to the situation and the discussion was continued until the next meeting with current officers being retained until at least next month.

NEXT MEETING - The next meeting will be Wednesday, March 10, 2004 at 7:15 PM.

□ - Assignments or committee chairpersons.