

# NIVA MEETING RECORD

Feb 8, 2006

## ANNOUNCEMENTS

The Federal 9th Circuit Court of Appeals ruled on Jan 17 that cities are not allowed to withhold building permits on public right of ways for cell towers for purely aesthetic reasons. Since cities were already usurped from considering health-related issues by Federal standards/regulations, this will have serious implications on the approval of specific locations for cell towers in residential neighborhoods.

Per article in The Tustin News, Laing Homes will be installing a bike trail adjacent to the railroad track along the northeast border of the Tustin Field housing tract between Harvard and Peters Canyon Wash. Construction was to start this month. Kirchgessner agreed to investigate this development further especially how the crossing of Harvard Ave. will be considered.

## COMMITTEE REPORTS

1. NORTHERN SPHERE (PA-3, 5B, 6, 8A, 9, & 9C) COMMITTEE (\_\_\_\_\_) - The Community Services Commission (CSC) held a hearing on Feb 1 on the Tentative Tract Map 16814, Park Plan and Master Trails Plan for PA-6 (Portola Springs Village), Phase 2 (Neighborhoods 4 & 5). NIVA had received a copy of the documents on Jan 27 -- just 5 days prior to the meeting -- leaving inadequate time to review at a NIVA meeting. However, a review by Melvold did not disclose any details that might be objectionable to NIVA membership but did reveal some interesting features. These include:

- (1) The inclusion of an unpaved trail on the MWD easement which was previously objected to by TIC in the Orchard Hills Village (PA-1);
- (2) A pedestrian bridge over Portola Parkway to accommodate pedestrian/bicyclist traffic between Neighborhoods 4 & 5 and the elementary school but also grade-separated access to the Great Park from this village; and
- (3) A trail adjacent to the Agua Chinon Retarding Basin Reservoir for vistas.

It was also noted the proposed plan includes the 86-acre and construction of the Native American Village museum/cultural center, and a trail leading to a hilltop monument for Spanish explorer Portola. The CSC approved the recommendation of approval to the PC but only after requiring more of the on-street parking associated with the various parks to off-street. The matter is not expected to go to the Subdivision Committee and Planning Commission on Mar 8 and Apr 6, respectively.

It is mentioned within the processing of this particular plan that "the City Council will be determining shortly (and) approving the amenities program for all the community parks in the Northern Sphere". NIVA must stay alert and participate in this process as it will include most likely the amenities of the Gateway Park. Note also that the Director of Community Services Dept. has indicated a desire to include the future senior center at the Gateway Park.

## OLD BUSINESS

1. EL TORO MCAS REUSE - NIVA received a Jan 31 letter signed by OC Great Park Corp. Board Chair Agran responding to NIVA's Nov 3, 2005 letter on concerns about traffic, parking, and need for non-vehicular access, and avoidance of events with repeated impacts on neighbors. Basically, he states that the Board shares our concerns. (Copies of the letter were distributed at the meeting.)

After considering the selection of an architect at meetings on Dec 12 and 15, the OC Great Park Board was unable to come to a decision especially since it was seeking an unanimous decision and entertained the idea of hiring all 3 firms through some sort of collaborative arrangement with one as the lead. However, on Jan 23, the Board selected Ken Smith of New York to design the park.

On Jan 24, the City Council approved the expenditure of \$5.6 Million to do an initial study of a rail system to connect the Great Park with the Irvine Transportation Center (Amtrak/metrolink station) and the Irvine Spectrum. The results of the study can have impacts on the traffic to be expected through our

neighborhood due to the Great Park activities.

After a scheduled Feb 15 celebration, ETRPA will disband. The group spent \$24 Million in fighting the airport. A total of 15 lawsuits were filed by ETRPA in federal and state courts.

2. NORTH IRVINE LIBRARY - The City's Library Task Force met yesterday. The primary subject was the reviewing of a draft of the Needs Assessment to be used as an RFP to solicit proposals from 3 to 5 potential consultants. The final draft will come before the Task Force for approval at the March meeting.

3. HEAVY VEHICLE ROADWAY RESTRICTIONS [Jerry Kirchgessner] - Per an e-mail of Feb 2 for Manuel Gomez, Deputy Dir. of PW, the City had completed its research of options to address NIVA's concerns. A follow-up meeting was held with the City on Feb 7. In attendance were Gomez and for NIVA Kirchgessner, Melvold and Zelinko. Though the City staff was expected to present details of the results of its research, little detail was provided. Gomez did present the City's proposed plan of action. The City Traffic Engineer, Ken Louie, has issued a work order to have signage placed soon on Jeffrey Road indicating that the road is not a truck route. However, Gomez acknowledged that this restriction is not enforceable as there is no City ordinance currently in place backing the restriction. Additionally, Public Works will include in City's July 2006 Budget an item for performing a truck route study for North Irvine. The findings will be used to support a proposed modification to the City's existing truck restriction ordinance. The study effort will require a public outreach program. A study effort is expected to take an estimated 6 months or so.

Kirchgessner provided a copy of a portion of the Circulation Element section of the Tustin General Plan which indicated that a change had been made in Jan. 2001 which has established two designated routes truck travel within the city. These are the entire length of Irvine Blvd. and a section of Redhill Ave. in the vicinity of Irvine Blvd. Also, per Table C-8, "Weight-Restrictions On Commercial Trucking", Walnut Ave., between Redhill and Tustin Ranch is limited to 3 tons. This could influence consideration of truck limitations within Irvine.

4. HICKS CANYON COMMUNITY PARK COMMUNITY BUILDING - A letter, as agreed at the last meeting to be sent to Councilmember Kang requesting the item to be agendaized for Council consideration, was faxed Feb 1 with cc to all councilmembers, City Mgr., and Dir. of Com. Services. (Copies of the letter were distributed at the meeting.)

5. NB CULVER I-5 UNDERCROSSING - A meeting was held Feb 7 between City staff (Manuel Gomez, Katie Berg, Dave Mori, Jon Toolson, Kal Lambaz, and Steve Olo), Caltrans (Leo Chen and Raouf Moussa), and NIVA reps (Kirchgessner, Melvold and Zelinko) to discuss details of the proposed I-5/Trabuco/Culver Drive Improvement Project. The City is expecting to issue the RFP for the detail design in 30 to 60 days. Once received, Caltrans' Sacramento Office must review the plans due to the proposed structural changes to the I-5 overcrossing. The City anticipates start of construction in maybe 15 months at the earliest and once started should take about a year. (No effort is being made by the City to combine the construction schedule of this project with that of the Culver widening project.)

Gomez assured that the City is planning to incorporate landscaping in the Culver median at the underpass and is working on the coordination of the signals on Culver with that of Caltrans jurisdiction for the I-5. Currently, Caltrans only coordinates the signals of the Trabuco/Culver intersection, the SB I-5 Culver off-ramp/Culver intersection, and the Trabuco/I-5 on-and off-ramp intersection. The primary function is to increase the efficiency of the traffic onto and off the freeway. Efficiency of traffic flow on Culver Drive is a secondary consideration at best. Caltrans has no TV surveillance of the area and Caltrans reps were surprised to learn of the City's capability in this area enabling the City to make up-to-the-minute changes to intersection light signal timing! When the City and Caltrans combine the signal coordination in the future, this capability will probably be included. (The City is currently working on a project for signal coordination

over the entire length of Culver Drive but because of the cost indicated by bids received has had to scale back the project to some degree. The exact nature of the scale back was not identified.)

As now planned, the bridge NB Culver underpass will be widened by cutting the east embankment and installing a tie-back retaining wall where the sloping wall now exists. No modification or widening of the Culver SB underpass. The final width of the NB roadway will be 16.5 meters (approximately 54') which will accommodate the following starting from the Culver median: 2' curb buffer, four 12' lanes, 5' shoulder or bike lane, and an 8' sidewalk. (Note: the current City standard for a 4-lane arterial is, starting from the median, 13', 12', 12', 14' plus an 8' bike lane.)

Gomez committed to having the City perform and furnish NIVA a copy of the truck maneuvering template analysis of the proposed triple left-turn operation from the SB off-ramp to NB Culver. This analysis would be done to assure that large trucks can safely and effectively maneuver through the turn at the projected speed without encroaching on adjacent lanes. Gomez and Chen committed to working together to develop a sign program both the I-5 SB Culver off-ramp and the NB Culver Drive roadways to assure clarity and timeliness of information for motorists to make a timely and proper lane selection for intended destination. Gomez also agree to work to discourage the use of the Culver off-ramp as a route for motorists with the Great Park as the destination. The group agreed to meet again in a couple of months to go over the progress and update of findings.

6. BUILDING FACILITIES MASTER PLAN - A letter (dated Feb 1, 2006) as agreed to be sent to Com. Services Dir. McAllister was sent with cc to Councilmember Kang and City Mgr. Joyce. This subject was combined with that of the item below on Master Community Park Plan Revision for a single letter. (Copies of the letter were distributed at the meeting.)

7. STORM DRAIN INSPECTIONS - Mike Loving was contacted and said he has requested the details of the program from the consultant for for the City of Rancho Santa Margarita. He was trying to get a copy of the program document from the San Diego Area consultant, BMC Engineering, in time for this meeting. However, instead he will provide a copy of the existing requirement upon which the program is based. Melvold received the document early that day and brought it to the meeting. However, without the opportunity to review the lengthy document prior to the meeting, it was decided to postpone a discussion on it until the next meeting.

8. FUTURE NORTHWOOD MIDDLE SCHOOL - Per Lora Lujan of the District, it probably won't go before the School Board for a couple of months as the District is still awaiting the draft of the site transfer agreement which is supposed to be forthcoming from TIC.

9. BOWERMAN LANDFILL EXPANSION - NIVA received a DVD of the Draft EIR No. 604 for the "Regional Landfill Options For Orange County Strategic Plan - Frank R. Bowerman Landfill Implementation" on Jan 21. The public review period extends from Jan 24 to Mar 9. A listing of comments/concerns, which was developed by Melvold, was reviewed at the meeting. Most shocking to all was the visual impact of the increased height of the Landfill at the new elevation. Though previously told by OCWMD staff that the expansion would be only slightly more visible than the Landfill at the currently approved elevation limit, it was overwhelmingly evident in the computer-generated views of the Santiago Hills from three locations in North Irvine. Current plans are for a presentation of the visuals to the Council at the next Council meeting and possibly a presentation on leaching concerns to the O.C. Great Park Board at an upcoming meeting. Melvold will also contact Glen Worthington, City planner for the Great Park Corp., to discuss the exposure of the Great Park to future pollution via the Bee Canyon headwaters which will flow into and through the future canyon in the Great Park.

Melvold also briefly discussed the traffic study contained in the Draft EIR with Manuel Gomez Deputy Dir. of PWs. The subject covered the distinction between a basis of an "expansion" vs. extension of operation when comparisons are made between with and without the project, the projected 8-fold increase in trash truck users of Jeffrey for accessing the Landfill from the I-5, and the relatively minor

roadway improvements for mitigation. Gomez said his staff had only just received their copy and are in the process of reviewing it. He was unfamiliar with any details.

As the next NIVA meeting is on the same day as the deadline for comments to the Draft EIR, Melvold will be submitting comments/concerns in behalf of NIVA. Anyone wishing to review the document themselves can either contact Melvold to borrow the CD or review the document at the Heritage Library.

10. MASTER COMMUNITY PARK PLAN REVISION - A letter (dated Feb 1, 2006) as agreed at the last meeting to be sent to the Com. Services Dir. McAllister was sent with cc to Councilmember Kang and City Mgr. Joyce. This subject was combined with that above in the Item on Building Facilities Master Plan in a single letter.

11. NORTH IRVINE TRANSPORTATION MITIGATION PROGRAM - Per IUSD's Lisa Thai, the I-5/Sand Canyon Interchange improvement Project and accompanying environmental Negative Declaration were previously scheduled to go before the City Council on Jan 24 but due to issues, which were presented during public comment period, is now expected to go to Council at the end of March. There will be no PC hearing on the matter.

12. "SMART" PEDESTRIAN CROSSING OF YALE & GRADE-SEPARATED CROSSING FOR VENTA SPUR TRAILS - [Awaiting response from NIVA letter of Nov 10, 2005 to Gomez, Deputy Dir. of PW, on the Yale Ave. crossing] It was noticed earlier today that the City was recording traffic counts on Yale at the Venta Spur intersection and on Monticello. This effort may or may not have anything to do with the matter of the Trail crossing.

Regarding the Jeffrey Road crossing: Zelinko has been in discussions with Dave Tungate of the City's Planning & Budget Dept. concerning the funding of the Venta Spur pedestrian bridge over Jeffrey. Tungate related that funding for the bridge will be included in the funding plans for the City' as part of the Master Bike Trail Plan. The actual approval of the bridge will still need to be obtained from the City Council and this must supersede any future approval of construction. An effort has been underway to seek funding for a study to determine the feasibility, cost, and impacts of such a bridge to provide answers for a subsequent decision on the inclusion of the bridge in the Plan. An e-mail was received from Katie Berg clarifying that though the overcrossing will be in the project priority list in the Plan as a potential future grade separation project, there will be no funding associated with the Plan itself. Including the priority list of projects within the Plan will allow the City the ability to apply for partial grant funding from the State's Bicycle Transportation Account Program in the future years. In the meantime, both Melvold and Zelinko will continue to remind Councilmember Shea of her commitment to seek study money from the Carryover when the item is agendized for Council consideration in the near future.

13. NORTH IRVINE SENIOR CENTER - A letter was sent Jan 16 to the secretary of the Senior Citizens Council, Robbie Kribell, requesting the agendizing of the siting of the center at an upcoming meeting of the Council. (Copies of the letter were distributed at the meeting.) No response received to date.

14. CITY BICYCLE TRANSPORTATION PLAN UPDATE - Per Planning Com. Mavity, the Bike Committee has at least 1 more meeting scheduled for Feb 8 to finalized their recommendations on the Plan. Per City planner Katie Berg, the earliest the Plan is expected to go before the City Council would be in April. This action, of course, would be preceeded by a submission to the Planning Commission.

15. NOISE IMPACT OF TRAIN HORN BLOWING AT HARVARD CROSSING [Richard Price] - Price presented an update on the progress since the Dec. meeting. Per City PW's planner, Rick Sandimier, the City is seeking a \$20,000 grant from Caltrans for the necessary study. It is not clear why the request was not made to Metrolink since the trains are primarily that of Metrolink and Metrolink has undertaken a \$420 Million program to improve their service. Price will seek clarification on this. Per Sandzimier, the City of Tustin is further along on a similar effort for a quiet zone but has encountered a snag in that there is

supposedly a need for Metrolink trains to announce pending arrival at the Tustin Rail Platform by blowing their horns. For north-bound Metrolink trains approaching the Platform, this would require horn blowing in the vicinity of the Harvard crossing. There is also another obstacle to overcome. Per Irvine's General Plan, Harvard is still indicated as a 4-lane road even though the City intends to retain the current 2-lane roadway. But traffic studies and the sought study for the Quiet Zone would necessitate agreement with the existing City Master Plan. This means the Master Plan needs to be changed. But to do so means confronting the City of Tustin on the downgrading of Harvard -- an action Irvine has attempted to avoid by simply not making the change in the General Plan but still not upgrading the road. In conclusion, it was agreed that a letter be sent to the Irvine City Mgr. Jean Joyce requesting that the City expedite this effort to develop a Quiet Zone and take all necessary actions in a timely fashion to accomplish such. Price will draft the letter.

In the meanwhile, Melvold discussed the matter with Councilmember Shea regarding possible funding of the required study by the City itself by using unallocated 2005 Carryover Funds. She indicated a keen interest in the project, was open to the idea of the City to fund the study to expedite the overall project schedule, and stated she would like to be briefed on the matter by City staff. Melvold contacted Sandzimir to request a briefing of Shea on the matter. He stated he would be pleased to do so but must first have approval of the PW Dir. Bryant before doing so. As of the meeting, it is not known if the briefing has occurred.

16. CULVER DRIVE/WALNUT AVENUE IMPROVEMENT PROJECT - Kiser submitted a copy of the flyer he had prepared which he distributed to several of the merchants in the 2 adjacent shopping centers informing them of details of the proposed project. He indicated that the immediate responses received from many were that they were previously unaware of the scope of the project and were very disturbed about potential loss of sales during construction and loss of landscaping to the centers.

Per phone call from the City's Transportation Analyst for the project, Farideh Lyons, the design has to be changed. The bike lanes, previously proposed to be moved onto the adjacent sidewalks on Culver, have to remain on the roadway. She gave no indication of where this directed originated nor whether this means additional roadway width will be needed. In any case, it has delayed transmittal of a promised copy of the environmental assessment study by 2 weeks or beyond Feb 1. It is not clear how the EIR draft preparation can proceed without conclusion of the assessment study or why NIVA could not receive a copy of the NOP prior to commencement of the actual environmental document. Nor was there any indication of whether this would build in a delay to the previous schedule for the project and EIR approval. The project is obviously being fast-tracked as an existing funding Measure M grant for a relatively small portion of the project is in jeopardy of being lost if the project isn't started by the deadline.

17. 2005 YEAR-END FINANCIALS - Review and approval of final documents and setting of dues amount for 2006. Copies were not provided by the Treasurer for review at the meeting. Consequently, any decision on annual dues was correspondingly postponed. The matter will be considered at the next meeting.

18. PUBLIC STORAGE FACILITY EXPANSION - A zone change and conditional use application has been submitted for a proposed expansion of the facility onto the adjacent 5.6 acre site. Copies were distributed at the meeting. The zone change would convert the site from Neighborhood Commercial/Exclusive Agriculture to Multi-Use. The new storage facility would be 3-story, 113,847 sq ft mini-warehouse building. The public hearing process is expected to commence in early 2006. The notice identified the site but did not specifically indicate the exact location of the 3-story portion of the building, i.e., along Venta Spur Trail or adjacent to the existing housing on the west, or whether the entire structure will be increased in height to 3-story. Melvold will contact the City and get clarification.

NEXT MEETING - Next meeting is scheduled for Wed., March 8, 2006.