

# NIVA MEETING RECORD

May 9, 2007

## COMMITTEE REPORTS

1. PA-10 JAMBOREE MEDICAL/SCIENCE CENTER COMMITTEE [LaPorte] - At the April 19 meeting with Asst. City Mgr. Landers, Com. Dev.'s Steve Weiss concurred that the shrubbery planted in front of the employee parking lot is inadequate to effectively screen even when mature, i.e., a height of at least 3.5 feet. He is working with KIA, and even TIC, to get a row of higher shrubs planted which are higher to begin with and will mature in the not too distant future at the desired height to screen the vehicles from view from the I-5 and Peters Canyon Wash Trail. Weiss will keep NIVA apprised of the progress on the issue.

LaPorte reported that Ability First has installed a large banner at the site at Walnut/Harvard advertising their future site and availability at the facility. This is being done even though Ability First has repeatedly stated that the units are all taken and that it has a waiting list. LaPorte questioned the need for the banner and expressed concern about the presence of such advertising in the immediate locality of residential communities and the potential impact on both the property values of the neighborhood and the possible negative reflection on the neighborhood. She will check as to whether Ability First has a City permit for the banner.

2. PA-40 R & D DEVELOPMENT COMMITTEE [\_\_\_\_\_] - Another meeting was held on April 16 between TIC and members of the Northern Sphere Community Task Force (including Melvold) who were unable to attend the March meeting held for the other members of the Task Force. Representing TIC were Robin Leftwich, Roger McErlane, Mike LeBlanc, and Joseph Edwards. Discussion centered around:

- (1) The need to line up the N-S road to reduce the number of signaled intersections on Trabuco;
- (2) The need to avoid I-5 Freeway frontage similar to that along the I-5 residential in PA-4 or that of the 405 Freeway between Culver and Sand Canyon with high walls or the back of a 3-story apartment complex;
- (3) The portion of the project on the south side of the I-5 which is in PA-12 (Spectrum);
- (4) The questionable lack of a railroad crossing in PA-12; and
- (5) Reconfirmation that Traveland is being relocated if possible within the City as the City does not want to lose the sales tax base.

TIC confirmed that:

- (1) The previously approved driveway from Jeffrey through the Jeffrey Spine for the Capitol Group will be eliminated;
- (2) The proposed community park has been relocated from a site east of the SR-133 to a site west of the SR-133;
- (3) A completely new EIR is being prepared by the Demputten Group;
- (4) A comprehensive analysis will be done on the Trabuco/SR-133 interchange;
- (5) The total cost of the Venta Spur overcrossing of the SR-133 is to be funded 50/50 by TIC and Lennar (Note, no funding whatsoever by the Great Park Corp.); and
- (6) Lennar is required to fund %50 Million for NITM improvements which includes the Trabuco/SR-133 interchange.

## OLD BUSINESS

1. EL TORO MCAS REUSE - NIVA received a April 10 response from the Great Park Corp. CEO Marty Bryant to NIVA's Feb 24 letter to the City Council urging the expediting of the Trabuco/SR-133 interchange so as to be coincident with the opening of the Great Park and its Trabuco main entrance. There is no explanation in the response letter as to why the response is from a Great Park Corp. official and not from the City when NIVA's letter was specifically addressed to the Irvine City Council. Though it is worthwhile knowing the details of City staff/Great Park Corp. efforts as contained in the response, it is just as important and the intent of NIVA's correspondence to seek the commitment of the City Council. It was agreed at the meeting that a letter be sent back to Bryant seeking verification that the response reflects

the position of the Council members and clarification as to what the so-called "preferred alternative to the interchange" mentioned in his letter might be. *(NIVA letter sent May 14, 2007.)*

Apparently there still has been no agreement reached between TIC and Lennar over the need and timing for performance of additional traffic studies associated with the development at El Toro (See also Item 9 below). Lennar has submitted the Map for the original development plan for City approval. However, Lennar has not submitted any application for its previously disclosed intention to increase the number of residential units in its development in exchange for transfer of more land to the City for the Park.

The Great Park Board discussed the design, overall cost, and phasing construction & costs for the Wildlife Corridor at its recent meeting. The Corridor is a minimum of 300 feet wide, approx. 2 miles long, and will occupy approx. 200 acres. It is estimated to cost \$119 Million to construct the Corridor or an average of about \$400 thousand/acre for improvements.

2. MUSICK JAIL EXPANSION - Last April 26, the State Legislature approved a prison deal brokered between the parties which would increase the overall state prison system by 53,000 beds. Whether this assists in reducing the pressure to expand the Orange County jail system is not known. The expansion includes 8,000 new beds in the county jails in Phase I and another 5,000 in Phase II. Exactly where these beds are to be located in county jails warrants careful watching as to the possible consequence on the plans for Musick. Until now, Orange County has not had the funds to go forward with the expansion of Musick but should this provide Orange County with funds for expansion of its county jail system, the possibility of expansion of Musick becomes all the more eminent.

3. COMPLETION OF PETERS CANYON WASH AND WALNUT TRAIL "GAPS" - At the April 19 meeting with Asst. City Mgr. Landers and other City staff members, NIVA reps were informed that the requested signs had been installed. Photo examples of the various signs were available to review at the meeting. A drawing or some other form was not available to indicate the exact locations of where these signs were placed but would be provided later. Rather, Landers mentioned that signs were placed at trail intersections with El Camino Real, Bryan, Portola, Yale, Culver, and Irvine Blvd. A field inspection would be in order to verify satisfaction.

4. HICKS CANYON COMMUNITY PARK COMMUNITY BUILDING - It was noticed that, while North Irvine community awaits any planning or any commitment of funding to build this long overdue center, the City is already allocating \$5.5 Million in funds in the 2007-08 FY Capitol Improvement Program to fund the expansion of the already existing community center facility for the University Com. Park. It would seem that those who have no center would be given higher priority over those who have one even if expansion is desirable. Without the benefit of a comprehensive program which was to be a part of the long-awaited Building Facilities Master Plan [See Item 5 below], prioritization becomes inconsistent or random. It was agreed at the meeting that a letter be sent to the City objecting to the initiating of the expansion prior to the construction of a community center in North Irvine where such a facility is needed and long overdue. *(NIVA letter sent to the City on May 15, 2007.)*

5. BUILDING FACILITIES MASTER PLAN - At the April 19 meeting with Asst. City Mgr. Landers, Melvold stated that one of the reasons NIVA wants a copy of the draft document is because Com. Services Dept. has used this document by specific reference as support/basis for its proposed 5- and 10 year capital park rehabilitation and construction program presented to and to seek buy-in by the Community Services Commission. Making no commitment to furnish a copy or not, Landers agreed to look into this matter as McAllister was not present at the meeting. There has been no response from either Landers or McAllister on this matter since the April 19 meeting.

6. ORCHARD HILLS VILLAGE [PA-1] LAND-USE PLANNING - Planning Commissioner Smith contacted Melvold to inform him that Com. Dev. Dir. Williford furnished the PC members historical material

for review on the grading issue that he brought to the PC's attention. If he concurs with staff's findings and recommendation, a PC hearing will be held to formally review the matter and make a decision. Smith will contact Melvold after his review of the material to let NIVA know what he thinks of staff's position, findings, and what the PC should consider.

7. FUTURE NORTHWOOD MIDDLE SCHOOL - At the April 16 meeting described in Committee Report 2 above, TIC's LeBlanc indicated that the reason for the site change of the middle school from Woodbury on the north side of the County flood control basin to a proposed site now in PA-40 was increased price of the land in Woodbury. It true, the IUSD doesn't appear to get a fixed price on a school site land early in the negotiations and planning.

8. BOWERMAN LANDFILL EXPANSION - Per the City/County agreement on the expansion, the City is supposed to receive the early compensation (aka, "signing bonus") payment of \$5.5 Million on July 1st of this year. However, there has been no indications from City Hall of any effort underway to develop a criteria for assignment of the funds derived from the County per the agreement or of any identification of possible assignments of the funds or formalization of a selection process. Following a survey of tis membership last Fall, NIVA submitted its recommendation to the City via Marsha Beckett last Nov. 8. The 2 items in the order of priority were (1) a stand-alone senior center for North Irvine and (2) a community center for the Hicks Canyon Community Park. Since there has been no feedback of any sort from the City on this matter, Melvold sent an e-mail today to Beckett inquiring as to the status and any effort underway regarding assignment of the funds derived from the Expansion.

9. NORTH IRVINE TRANSPORTATION MITIGATION PROGRAM - Per TIC's Mike LeBlanc, Caltrans wants a re-run of the NITM traffic study with the latest input data.

10. NORTHWOOD MILITARY MEMORIAL MONUMENT [Zelinko] - Zelinko reported that the current City-design proposal consists of a 3-piece sign design due to construction limitations with a Northwood Village leaf icon on the center piece. A public meeting to be held by the City on the memorial was tentatively scheduled for May 30 at the Northwood Community Park community center.

11. "SMART" PEDESTRIAN CROSSING OF YALE & GRADE-SEPARATED CROSSING FOR VENTA SPUR TRAILS - Melvold and Zelinko have met April 16 & 18 with representatives from Contech Bridge Solutions Inc. Proj. Consultant Amanda Thome and Region Mgr. Gina Schroer) to discuss bridge options for the Venta Spur overcrossing of Jeffrey. Of major interest were possible switchback options on the west side ramp and various alternative connections on the east side along with possible means to address the constraints of the site. During the site visit, it was noticed that the City had placed the packing house monument north of its actual footprint site and directly across from the Venta Spur, thus creating an unnecessary and otherwise avoidable obstacle. There has been no feedback as yet from Contech.

On the matter of the Yale crossing of the Venta Spur Trail, the meeting with Landers concluded with the parties simply "agreeing to disagree". The basis of the City staff decision is simply that it has a recommendation from a consultant recommending against the use of the embedded light system -- even though NIVA had numerous questions on the consultants findings. NIVA questioned the validity of the comparisons to other installations that went unanswered or never responded to by the City. The City simply chose to disregard NIVA's specific questions on the details of the consultant's study but rather concentrate simply on the concluding recommendation of the consultant. The City also chose to disregard the questions posed by NIVA on the use of what appeared to be erroneous and/or non-applicable data in support of its previous decision against the use of a light-embedded system. The City appears more focused on simply limiting its liability and not on attaining real safety: that is, the fact that trail users will still cross at the Trail intersection rather than follow the directional signs to cross at the crosswalks at Northwood and Monticello, is not a compelling argument to do more than simply post signs. It was agreed that NIVA would take the matter to the City Council by presentation at a future Council meeting.

12. NORTH IRVINE SENIOR CENTER - The City's Community Services Dept. [CSD] is planning to hold a Community Workshop on a senior facilities study for North Irvine in the very near future. The City has requested NIVA assistance in deriving a list of individuals and groups who might be interested in participating. They are seeking names and addresses. NIVA can not furnish membership names and addresses from its membership listing. Though many attendees indicated interest in attending, they were unable to commit without knowing the date and time.

13. WB BRYAN BUS-STOP AT YALE - This item was included in the discussion at the April 19 meeting with Asst. City Mgr. Landers. Considerable progress had already been made in working with PWs staff (primarily Rick Sandzimier) including findings and discussions with OCTA and development of alternative designs for a turnout. However, progress had been stymied by disagreement between Com. Services and Community Dev. Departments over the use of a small amount of community park land for the turnout. Landers, however, would not entertain a discussion on this obstacle. Rather, over the objections of NIVA's reps, Landers chose to "start from scratch" on the whole issue including whether there was sufficient justification for the turnout or other options to a turnout. After rehashing the previous efforts and decisions, Landers appeared to reluctantly accept the possibility of the need for a turnout. PWs Mgr. of Transit and Transportation Cindy Krebs will take over the lead on this effort for the City. It is hoped that the project will now move forward though there was no resolution attained or even discussed regarding the use of the park land for the turnout.

In response to an inquiry as to what the next step would be, NIVA received an April 23 e-mail from Krebs stating that she would be contacting OCTA "to learn about bus operations at Bryan/Yale intersection". She committed to keeping NIVA posted on information obtained by contacting Melvold no later than May 4. As of this meeting, there has been no feedback to date.

14. REFURBISHMENT OF NORTHWOOD SHOPPING CENTER - [No response to date from Business Properties Dev. Co. to NIVA's July 17, 2006 letter.] A letter was drafted by Klein to be sent to the City requesting that NIVA be kept in the loop should the owner of the center propose any planning change to the Center. The draft was reviewed and approved for sending to the Com. Dev. Dir. Williford with a few changes. *(The letter was sent May 14, 2007.)*

15. NOISE IMPACT OF TRAIN HORN BLOWING AT HARVARD CROSSING - NIVA received a copy of an April 9, 2007 letter from the OCTA to Skip Tracy of the City providing cost estimates for the proposed improvements for quiet zone implementation at 2 crossings (Sand Canyon and Harvard) in the City under the OCTA Grade Crossing Safety Enhancement Program. The cost estimate for Harvard is \$357,647. Based on the City's requirement of having to fund 12% of the total cost, the City share would be \$75,000. The Harvard design estimate includes (1) adding a 4-foot raised median on Harvard at the crossing, (2) replacing the existing bike trail crossing the tracks with an on-roadway crossing, and (3) installing 4 cantilever light signaled crossing arms. The estimate excludes some signage which does not qualify but which per Katie Berg of the City is relatively minor and would be picked up by the City. The letter appears to indicate from the included annual cost estimates that the implementation, if approved, would not occur prior to the 2008-09 fiscal year. The City is now waiting for the OCTA staff to initiate a draft agreement. The OC Grand Jury yesterday chastised the OCTA for lagging in its efforts to improve railroad crossings within the County including the use of Quiet Zones before the major expansion of the Metrolink service.

Per phone conversation earlier today between Berg and Melvold:

- (1) City staff attended a meeting this morning led by OCTA on the Program;
- (2) The project so far does not include any provision to eliminate the need for horn blowing for trains approaching the Tustin platform from the south;
- (3) The City has a copy of the required MOU which commits the City to the 12% share but has not signed it as yet; and
- (4) Berg will locate and send a copy of the Letter Of Intent originally sent supposedly from the City to OCTA on this matter.



There are two major obstacles yet to be overcome. One is the liability issue that currently would shift the liability to the requesting City should an accident occur for which the "quiet zone" installation is responsible to any extent. The other disclosed at today's morning meeting deals with the fact that regardless of the installation of a quiet zone, the train operator will still have the sole and absolute discretion to blow the horn anyway if he believes there is a safety need. These two obstacles may take State and/or Federal legislation to rectify or overcome. Otherwise, OCTA staff anticipates making its policy recommendation to the OCTA Transit Committee sometime in June.

16. **CULVER DRIVE/WALNUT AVENUE IMPROVEMENT PROJECT** - Per Farideh Lyons, Sr. Transportation Analyst for Irvine, public hearings are not expected before mid-June. Melvold requested and was promised that NIVA receive at least 3 copies of the Final Draft Initial Study including the Response to Comments. She also stated that NIVA should receive these at least 3 weeks prior to any scheduled hearing rather than the usual receipt at time of distribution of staff report for the hearing -- usually 3 or 4 days in advance of the hearing.

On May 7, Melvold and Elliott met with City staff members Lyons and Jon Toolson at City Hall to discuss new studies performed by the City on contentious issues. Items of discussion included:

- (1) The findings and recommendations of an updated noise study performed by Michael Brandman Associates (dated May 4);
- (2) Proposed options for the Walnut Avenue bus-stop;
- (3) Investigation regarding elimination of existing bus-stops on Culver at Scottsdale; and
- (4) The status of City efforts to address the 3rd piece of the Culver widening in a timely fashion.

As a result of NIVA expressed objections to the original noise study as inadequate and NIVA's insistence on due consideration of the residents living adjacent to Culver and Walnut in the project area, City staff was preparing a proposal to offer compensation in the form of window replacements (or equivalent) amounting between \$57,000 and \$114,000. The exact amount will still need to be determined and is dependent on Council approval. Further details on these discussed items were provided at the meeting. It was agreed at the meeting that a letter be sent to the City Council concerning the absolute need to incorporate the 3rd segment into the overall analysis and simultaneous installation. *(NIVA letter sent to Council on May 15, 2007.)*

17. **LOWER PETERS CANYON COMMUNITY PARK ANNUAL JOINT-USE EVALUATION** - As the City has responded satisfactorily to NIVA's inquiry and appears to have made a good effort at assuring fair reciprocity with the TUSD, it was agreed that this item can be closed. [ITEM CLOSED]

18. **NON-RESPONSE FROM CITY ON CORRESPONDENCE** - NIVA reps (LaPorte, McFadden, Melvold, Ravenscroft, Zelinko) met on April 19 with Asst. City Mgr. Sharon Landers and other City staff (Manuel Gomez, Cindy Krebs, Steve Weiss) to discuss several outstanding issues. This was the second in a series of meetings anticipated on helping to resolve the outstanding issues. Results of the meeting are described under the various items in the NIVA May 9, 2007 Meeting Record.

19. **ROYAL STREET COMMUNICATIONS APPLICATION FOR WIRELESS COMMUNICATIONS FACILITIES** - On Mar 21, the City issued a Notice of Intent to adopt a Negative Declaration and support the Initial Study for Royal Street Communications California, LLC application in behalf of Metro PCS for a Master CUP establishing guidelines for installation of up to 30 wireless communications facilities and 15 CUPs for individual wireless facilities throughout the City. A map of the 30 proposed locations has been provided NIVA by letter from the City's Associate Planner Kelly Koldus. The map was available for review at the meeting. A public notice was issued April 30 informing the public of the PC hearing for the first 2 phases scheduled on May 17. The first 2 phases consist of 9 facilities on rooftops of existing buildings and 6 installations on SCE transmission towers. Of these, 2 are in North Irvine: (1) on the roof of a building

at 350 Commerce in the Irvine Technology Center in Lower Peters Canyon [PA-4], and (2) on the rooftop of the building at 16 Truman in the Trabuco Grove Shopping Center in Northwood [PA-8]. After a brief discussion, it was decided that NIVA has no issues with the proposal and to so inform the City. (A letter was faxed to the PC so stating on May 14, 2007.)

20. WIRELESS COMMUNICATIONS FACILITY AT THE GROVES - The City has received an application to a cell tower camouflaged as a palm tree in the RV storage lot of The Groves adjacent to the Venta Spur and Jeffrey Road. The PC will hold a hearing on the matter. The height of the structure will be 35 feet. However, per Troyer, The Groves is looking at alternatives to the palm tree design.

21. SOUND WALL ON I-5 FREEWAY - Per the disclosure at the April 19 meeting with Asst. City Mgr. Landers, PWs Cindy Krebs stated that the City has received a draft of the report prepared by Adrian Anderson on the design for a privacy (aka, sound) wall along the I-5 east of Culver Drive on the NB side. The report is dated March 13, 2007 and was currently being reviewed by Caltrans. The City was to provide NIVA with a copy of the report and tentative schedule within a week. NIVA received a copy on April 24. The proposed sound wall will consist of masonry block wall in sections. The first between Culver Drive and the NB I-5 on-ramp would be 635 feet long and 14 feet high. The second between the NB I-5 Trabuco off-ramp and the I-5 NB lanes and would be 16 feet high and extend 635 feet to the east. The cost is estimated at \$1.2 Million and will be borne by TIC. Caltrans will permit such a wall as long as the City or other picks up both capital and maintenance costs as previously performed studies do not indicate justification for the wall, i.e., the threshold levels for needed mitigation have not been exceeded. To further avoid any possibility of precedence, Caltrans is referring to the wall as a "privacy wall" and not a "noise" or "sound wall". No further noise studies were performed in conjunction with this report to indicate the amount of noise reduction which can be expected due to the walls. The current schedule indicates engineering to be finalized in March 2008 and a 2-month construction to be completed in October, 2008.

It was mentioned by PW Dir. Gomez at the April 19 meeting that Caltrans has plans to widen the I-5 with an additional lane in each direction in this location. Melvold expressed concern that such a plan would complicate the current plans to expand the Culver underpass of the I-5. Nonetheless, Gomez assured the NIVA reps that such a widening of the I-5 was in the plans. Additionally, pertaining to the proposed wall, there is concern about interference of the I-5 widening by placement of the proposed wall. If the proposed wall were to interfere with any additional NB lane and consequently have to be moved, it would be at the expense of the City. A subsequent inquiry of Berry Greenstein of the City as to the status of the additional lane plan, resulted in Greenstein reporting that it is far into the future and it is only for an auxiliary lane and not a thru-lane as mistakenly indicated by Gomez. The auxiliary NB lane would extend from Jeffrey to the Trabuco off-ramp and than restart at the Culver on-ramp in the north direction.

NIVA has never taken a position in support of the wall since no noise studies have been performed. There were serious questions concerning the effectiveness of such a wall because of the opening in the wall for the on- and off-ramps and the amount of noise contributed by vehicles either starting up or slowing down on the inclines for these ramps which would be outside the walls. Instead, NIVA has suggested investigation of other noise-reduction methods or options which the City has rejected, and has expressed (1) objection to any wall on top of the I-5 overcrossing bridge on Culver Drive and (2) concern about the aesthetics of a wall atop the elevated freeway embankment. Regarding the objections, there is no wall proposed on the bridge itself. Regarding the aesthetics of the wall, additional landscaping will be included to soften the wall. However, details are not being provided at this time.

22. ST. THOMAS MORE CHURCH - Last Nov., a master plan application was submitted to the City for construction of a 1500-seat church and a 24,478 sq.ft. hall on an 8.5-acre site at the NW corner of Marketplace and Irvine Blvd. in PA-4. The designer is LPA Architects. A community meeting was held on the proposed project at City Hall on April 23. The area is zoned 3.1 Mixed Use and lies immediately east of the Irvine Historical Agricultural Center. Parking spaces will ultimately be provided for 500 vehicles.

Concerns expressed at the meeting by neighbors included concern about (1) the height of the church building and inclusive 64-foot bell tower, (2) parking lot lighting, (3) expected times for ringing the bell, (4) use of any outdoor PA system, and (5) traffic congestion from vehicles going out -- and in some cases 500 vehicles simultaneously attempting to enter -- with only one exit onto Irvine Blvd. via Marketplace. City staff stated that the applicant will have to furnish both an access study and an acoustic study. The City will investigate the spill over lighting. Additionally, the City will consider the design of Irvine Blvd. setback landscaping and sidewalk requirements fronting the site. Staff has yet to complete its review and plan check. Public hearings are not expected for a few months with start of construction near or after the end of the year. Construction would be in phases with the hall and majority of parking constructed first. In the interim, the balance of the site would be landscaped.

NEXT MEETING - Next meeting is scheduled for Wed., June 13, 2007. There was discussion about possibly moving the meeting to June 6. Troyer would look into the availability at The Groves.