

# REQUEST FOR CITY COUNCIL ACTION



CITY COUNCIL MEETING DATE: JUNE 4, 2002

**TITLE: PUBLIC HEARING: GENERAL PLAN AMENDMENT AND ZONE CHANGE FOR A PORTION OF THE NORTHERN SPHERE OF INFLUENCE PLANNING AREAS 5, 6, 8, AND 9**

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Director of Community Development

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City Manager

## RECOMMENDED ACTION

1. Re-open public hearing.
2. Receive staff report.
3. Receive public input.
4. Close public hearing
5. Council questions and comments.
6. Adopt City Council Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE CERTIFYING THE FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT (SCH # 2000021051) FOR GENERAL PLAN AMENDMENT 48403-GA AND ZONE CHANGE 48405-ZC, FOR THE NORTHERN SPHERE OF INFLUENCE; INCLUDING REQUIRED FACTS AND FINDINGS AND A STATEMENT OF OVERRIDING CONSIDERATIONS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES

7. Adopt City Council Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING GENERAL PLAN AMENDMENT 48403-GA TO AMEND TABLE A-1 "MAXIMUM INTENSITY STANDARDS BY PLANNING AREA" AND TABLE A-2 "MAXIMUM INTENSITY STANDARDS: LAND USE ACREAGE BY PLANNING AREA" IN THE LAND USE ELEMENT OF THE GENERAL PLAN TO TRANSFER A TOTAL OF 12,087 DWELLING UNITS FROM OTHER PLANNING AREAS TO THE PROJECT AREA AND TO INCREASE THE NON-RESIDENTIAL DEVELOPMENT INTENSITY WITHIN THE PROJECT AREA BY 7,316,000 SQUARE FEET; AMEND FIGURE A-3 "LAND USE" AND FIGURE L-2 "CONSERVATION AND OPEN SPACE" TO CHANGE THE LAND USES IN THE PROJECT AREA FROM AGRICULTURE DESIGNATION TO RESIDENTIAL, RESEARCH AND INDUSTRIAL, MULTI-USE AND COMMERCIAL DESIGNATIONS; AMEND FIGURE A-4 "SCENIC HIGHWAYS" TO CHANGE THE DESIGNATIONS OF SAND CANYON AND

JEFFREY ROAD NORTH OF THE INTERSTATE 5 FREEWAY TO SCENIC HIGHWAYS OF URBAN CHARACTER; AMEND FIGURE L-3 "IMPLEMENTATION DISTRICTS" TO ADD OPEN SPACE IMPLEMENTATION DISTRICTS P, Q AND R; AMEND CIRCULATION ELEMENT OBJECTIVE B-1(C) REGARDING LEVEL OF SERVICE STANDARDS; AMEND CONSERVATION AND OPEN SPACE ELEMENT OBJECTIVE L-10 REGARDING AGRICULTURAL USE; AMEND FIGURE B-1 "MASTER PLAN OF ARTERIAL HIGHWAYS" AND FIGURE B-2 "OPERATIONAL CHARACTERISTICS" TO DELETE AN UNNAMED ARTERIAL EXTENDING FROM TRABUCO TO IRVINE BOULEVARD AND TO REDUCE JEFFREY ROAD NORTH OF PORTOLA TO A 4-LANE ARTERIAL

8. Adopt and read by title only an Ordinance entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE APPROVING ZONE CHANGE 48405-ZC TO AMEND CHAPTERS 3-3, 3-4, 3-37, 8-2, 9-0, 9-2, 9-3, 9-5, 9-6, 9-8, 9-9, 9-11, 9-12 AND 9-15 OF THE ZONING CODE TO CHANGE THE ZONING IN THE PROJECT AREA FROM 1.2 DEVELOPMENT RESERVE AND 1.3 CONSERVATION OPEN SPACE RESERVE TO 1.4 RECREATION, 1.5 PRESERVATION, 1.6 WATER BODIES, 2.3K MEDIUM DENSITY RESIDENTIAL, 3.1 MULTI-USE, 4.2 COMMUNITY COMMERCIAL, 5.5F MEDICAL AND SCIENCE, AND 6.1 INSTITUTIONAL, WITH A TOTAL DEVELOPMENT POTENTIAL IN THE PROJECT AREA OF 12,350 DWELLING UNITS (12,087 TRANSFERRED FROM AVAILABLE INTENSITY IN OTHER PLANNING AREAS) AND 7,316,000 SQUARE FEET OF NON-RESIDENTIAL DEVELOPMENT

EXECUTIVE SUMMARY

The City Council received a presentation on the Northern Sphere Project on March 10, 2002. Since that time the Finance, Community Services, Transportation and Infrastructure, and Planning Commissions have made recommendations to the City Council on the Environmental Impact Report (EIR), General Plan Amendment, and Zone Change.

The following issues are discussed in this report:

- Commission Recommendations
- Actions on the Northern Sphere Project
- Northern Sphere Protocol Agreement
- Unresolved Concerns of the Northern Sphere Community Task Force

Staff recommends the City Council certify the EIR and approve the General Plan Amendment and Zone Change for the Northern Sphere project.

COMMISSION/ADVISORY BOARD RECOMMENDATION

**Finance Commission:** The Finance Commission considered the Northern Sphere project at its February 4 and March 4, 2002 meetings. The staff reports prepared for these meetings are included within Attachment 1. The Commission considered the fiscal impacts of the project and on March 4 voted 3 –1 (Commissioner Katz dissenting and Commissioner Morreale absent) to advise the Planning Commission and the City Council that approval of the proposed project is not likely to have a negative fiscal impact on the City.

**Community Services Commission:** The Community Services Commission considered the Northern Sphere project at its meetings of February 6, March 6, and April 17, 2002. The staff reports prepared for these meetings are included within Attachment 1. The Commission considered recreation facilities, the trails network, the Jeffrey Open Space Spine, Open Space, and Child Care facilities. At its April 17 meeting, the Commission voted unanimously (3-0 with Commissioners Dugard and Zech absent) to recommend approval of the Northern Sphere project to the Planning Commission and City Council.

**Transportation and Infrastructure Commission:** The Transportation and Infrastructure Commission considered the Northern Sphere project at its meetings of January 14, January 28, February 25, March 11, March 25, April 22, and May 13, 2002. The staff reports prepared for these meetings are included within Attachment 1. The Commission voted 4-1 (Commissioner Snodgrass dissenting) to approve staff's recommendation to advance the traffic study to the Planning Commission, with a determination that the subject study was conducted in accordance with the approved scope of work and in accordance with the Traffic Study Guidelines. In addition, the Commission forwarded the following recommendations:

1. Recommended the utilization of Level of Service (LOS) E in the Spectrum as defined in the staff report with the following phrase added after the third bullet: "...using criteria and a process developed prior to the submittal of the additional subdivision map."

*Staff Response:* Staff supports the Commission's recommendation to amend Circulation Element Objective B-1(C) (Attachment 3, Exhibit E) with the following revision to match actual practice: "...using criteria and a process developed **concurrent with** ~~prior to~~ the submittal of **subsequent** ~~additional~~ subdivision maps."

2. Recommended the Planning Commission and City Council consider adopting a policy that allows use of the Irvine Spectrum Trip Reduction Program for the community at large, subject to the methodology adopted for this project.

*Staff Response:* The EIR prepared for the project does not cover the expansion of the Spectrum Trip Reduction Program. Staff will advise the City Council if the Planning Commission makes a recommendation to the City Council to expand the program.

3. Recommended the Planning Commission and the City Council condition the project to identify alternatives in future traffic studies to mitigation measures for the four intersections that are proposed to utilize triple left turn mitigation measures.

*Staff Response:* Staff concurs with the recommendation. Staff will advise the City Council if the Planning Commission supported the recommendation.

4. Based on citizen concerns regarding the widths of existing de facto right turn lanes, the Commission recommended all existing de facto right turn lanes in the traffic study be re-evaluated for accuracy for presentation to the Planning Commission and City Council as appropriate.

*Staff Response:* Staff concurs with the recommendation. Staff will evaluate the lanes. The information will not be available for the City Council meetings regarding this project, but will be available for the subsequent traffic studies required with the subdivision process.

Subsequent to the meeting, Commissioner Glasser contacted staff and requested that the following points discussed at the May 13 meeting be transmitted to the Planning Commission and the City Council:

- Commissioner Glasser feels strongly that the City should continue to work with the Irvine Unified School District to relocate the middle school out of Planning Area 5B so that the extension of Hicks Canyon is not necessary.
- Commissioner Glasser encouraged the staff to continue to investigate the community concerns that have been raised on the Draft EIR, and which the community members believe are still not entirely resolved, with the subsequent traffic analyses that will be performed.

**Planning Commission:** The Planning Commission considered the project at its meetings of January 17, February 7, March 7, April 4, April 18, May 2, May 16, and May 30, 2002. The staff reports for the meetings are included within Attachment 1. At those meetings, the Planning Commission discussed the following topics:

- Northern Sphere Protocol
- Project Description
- General Plan Amendment
- Zone Change
- Public Participation
- Environmental Impact Report
- Background Information
- Northern Sphere Community Task Force
- Project Compatibility with Existing Neighborhoods
- Recreation Facilities
- Schools

- Affordable Housing
- Financial Impact
- Air Quality
- Affordable Housing
- Transportation issues
- Agriculture
- Jeffrey Open Space Spine
- Open Space

The Planning Commission will meet on May 30, and staff anticipates the Commission will take final action and make recommendations to the City Council. Staff will advise the Council of the recommendations at the meeting.

#### ACTIONS ON NORTHERN SPHERE PROJECT

Staff recommends the City Council certify the EIR and approve the General Plan Amendment and Zone Change, including the Transportation and Infrastructure Commission's recommendations. Below is an explanation of each recommendation.

1. *Environmental Impact Report:* Staff recommends the City Council certify the EIR, Recirculated Portions of the EIR, and the Comments and Responses as adequate. Table 1-1 of the EIR identifies the mitigation measures which will be implemented as development occurs in the Northern Sphere if the EIR is certified and the project is approved.
2. *General Plan Amendment:* Staff recommends the City Council approve the General Plan Amendment. Approval of the General Plan Amendment will result in the following changes to the General Plan:
  - Add 12,350 single family and multi-family dwelling units to the Northern Sphere planning areas through a transfer of units from other planning areas
    - Planning Area 5B – 1,900 units
    - Planning Area 6 – 4,500 units
    - Planning Area 8A – 400 units
    - Planning Area 9 – 5,500 units
    - Transfer units from the NCCP bank and Planning Areas 2, 6, 8, 11, 12 and 15
  - Add 575,000 square feet of Multi-Use development
    - Planning Area 5 – 125,000 square feet
    - Planning Area 9 – 450,000 square feet
  - Add 175,000 square feet of Community Commercial development
    - Planning Area 6 – 175,000 square feet

- Add 6,566,000 square feet of Medical and Science development
  - Planning Area 6 – 2,400,000 square feet
  - Planning Area 9 – 4,166,000 square feet
  
- Add 13 acres of Institutional uses
  - Planning Area 6 – 3 acres
  - Planning Area 9 – 10 acres
  
- Add community parks – 70 acres
- Add public and private neighborhood parks – 104 acres
- Add five elementary and middle schools in the Irvine Unified School District
- Add dedication of approximately 4,615 acres of permanent open space
- Add dedication of the Jeffrey Open Space Spine

3. *Zone Change:* Staff recommends the City Council approve the Zone Change. Approval of the zone change will result in the deletion of the “Existing Zoning” and addition of the “Proposed Zoning” for each Planning Area as reflected in the following table:

**TABLE 1: EXISTING AND PROPOSED ZONING**

Planning Area	Existing Zoning	Proposed Zoning	Acres	Proposed Intensity	
				Dwelling Units	Nonresidential Square Footage
<b>3</b>	1.3 Conservation/ Open Space Reserve	1.4 Preservation	3,015	0	0
		1.5 Landfill overlay	730	0	0
	1.7 Landfill Overlay				
<b>Subtotal</b>			<b>3,745</b>	<b>0</b>	<b>0</b>
<b>5B</b>	1.1 Exclusive Agriculture	2.3I Medium density Residential	319	1,900	0
<b>Subtotal</b>			<b>319</b>	<b>1,900</b>	<b>0</b>
<b>6</b>	1.2 Development Reserve	1.4 Preservation	852	0	0
		1.5 Recreation	258	0	0
		1.6 Water Bodies	25	0	0
	1.3 Conservation/ Open Space Reserve	2.3K Medium density Residential	866	4,500	0
		3.1 Multi-use	20	0	125,000
		4.2 Community Commercial	20	0	175,000
		5.5F Medical and Science	285	0	2,400,000

		6.1 Institutional	3	0	0
<b>Subtotal</b>			<b>2,329</b>	<b>4,500</b>	<b>2,700,000</b>
<b>8A</b>	1.3 Conservation/ Open Space Reserve	2.3H Medium density Residential	73	400	0
<b>Subtotal</b>			<b>73</b>	<b>400</b>	<b>0</b>
<b>9</b>	1.1 Exclusive Agriculture	1.5 Recreation	72	0	0
		2.3J Medium density Residential	678	3,750	0
	1.3 Conservation/ Open Space Reserve	2.4B Medium-High density resid.	89	1,800	
		3.1 Multi-Use	60	0	450,000
		4.4 Commercial Recreation	51	0	0
		5.5E Medical and Science	317	0	4,166,000
	6.1 Institutional	10	0	0	
<b>Subtotal</b>			<b>1,277</b>	<b>5,500</b>	<b>4,616,000</b>
<b>TOTALS</b>			<b>7,743</b>	<b>12,350</b>	<b>7,316,000</b>

To implement the Northern Sphere project as described above, specific changes must be made to various components of the General Plan and Zoning Code. The following matrix identifies the specific changes. Staff recommends approval of each change listed. The Council may use the matrix as a tool should it wish to consider each change separately or modify staff's recommendation.

**TABLE 2 – GENERAL PLAN AND ZONING CODE REVISIONS**

Application	Component	Staff Recommendation	PC Recommendation		
			Yes	No	Modify
<i>General Plan Amendment</i>	1. Table A-1, Maximum Intensity Standards by Planning Area	Approval			
	2. Table A-2, Non-Regulatory Maximum Intensity Standards	Approval			
	3. Exhibit A-3, Land Use	Approval			
	4. Exhibit A-4, Scenic Highways	Approval			
	5. Exhibit B-1, Master Plan of Arterial Highways	Approval			

	6. Exhibit B-2, Operational Characteristics	Approval			
	7. Objective B-1, Roadway Development, Policy (c)	Approval			
	8. Exhibit B-4, Trails Network	Approval			
	9. Exhibit L-2, Conservation and Open Space	Approval			
	10. Exhibit L-3, Implementation Districts	Approval			
	11. Objective L-10, Permanent Agriculture	Approval			
<i>Zone Change</i>	1. Chapter 9-5: Planning Area 5	Approval			
	2. Chapter 9-6: Planning Area 6	Approval			
	3. Chapter 9-8: Planning Area 8	Approval			
	4. Chapter 9-9: Planning Area 9	Approval			
	5. Section 3-37-14: 2.3 Medium Density Residential	Approval			
	6. Section 3-37-17: 3.1 Multi-Use	Approval			
<i>Zone Change (cont.)</i>	7. Section 3-37-34: 5.5 Medical and Science	Approval			
	8. Section 8-2-1, Figure 8-2A, Implementation Districts	Approval			
	9. Section 8-2-1, Figure 8-2B, Building Intensity Standard and Dedication Area by District	Approval			
<i>Transportation &amp; Infrastructure Commission Recommendations</i>	1. Level of Service "E"	Approval with modification to text			
	2. Use of the Irvine Spectrum Trip Reduction Program for the community at large.	Separate motion			
	3. Identify mitigation measure alternatives, in future traffic studies for the project, for the four intersections that are proposed to utilize triple left turn mitigation measures.	Approval			
	4. All existing de facto right	Approval with			



	turn lanes in the traffic study be re-evaluated for accuracy for presentation to the Planning Commission and City Council as appropriate.	modification			
<i>Planning Commission</i>	Staff will advise the City Council of the Planning Commissions recommendations.				

The EIR, General Plan Amendment and Zone Change address several issues and sub-topics including the intensity proposed for the project, compatibility with existing neighborhoods, circulation and traffic impacts, parks and trails, the conversion of agriculture for development, air quality impacts, and affordable housing. Table 2 is presented to the Council as a tool to overview the issues and topics described in this and previous staff reports.

**TABLE 3 – NORTHERN SPHERE ISSUES AND TOPICS**

<b>Issues</b>	<b>Topics Covered</b>
General Plan	A. Dwelling Units B. Figures and Tables C. Policies
Northern Sphere Community Task Force	A. The Task Force’s participation. B. Outstanding Issues
Compatibility with Existing Neighborhoods	A. Density B. Interface Trail C. Single Story Homes D. Landscaping
Zoning Standards	A. Density Averaging B. Transfer of Development Intensity Between Planning Areas C. Alternative Setback Standards
Recreation Facilities	A. Parks B. Trails C. Jeffrey Open Space Spine D. Open Space
Schools	A. Schools required for the project B. Potential middle school relocation
Circulation	A. Traffic Study B. Level of Service E C. Hicks Canyon Road/Middle School Potential Relocation D. Oak Canyon Road E. Freeway Ramps F. Statement of Overriding Considerations

Affordable Housing	A. Requirements for affordable housing.
Environmental Impact Report	A. Agriculture B. Air Quality C. Cumulative Transportation/Traffic impacts to freeway ramps)
Financial Impact	A. Fiscal impact
Air Quality	A. Location in “non-attainment” area B. Statement of Overriding Considerations
Agriculture	A. Object L-10 B. Agricultural Legacy Program C. Statement of Overriding Considerations

STATEMENT OF THE ISSUES

Issue 1: Northern Sphere Protocol Agreement

On July 25, 2000, the City Council entered into an agreement, the Implementing Protocol for the 1984 MOU (the “Protocol”-- Attachment 13), which defines the process by which the Northern Sphere Areas will be planned, entitled, and ultimately annexed into the City. Under the Protocol, the City staff and The Irvine Company mutually planned the land uses for the Northern Sphere Areas. The plan requires a Zone Change, General Plan Amendment, and environmental analysis through an Environmental Impact Report (EIR).

The following discussion outlines the Protocol Goals and Major Points and how the proposed project carries out the direction set forth in the Protocol.

***Protocol Goals***

1. There will be no net increase in the total number of residential units actually built in Irvine at build-out.

Comment: In order to attain this goal, the project reallocates unused residential intensity from other planning areas. Reallocating unused intensity allows development to occur in the Sphere Areas without increasing the total amount of residential development allowed in the General Plan. To date, the maximum number of dwelling units allowed in the General Plan has not been constructed in most developed planning areas. Reducing or eliminating unused intensity from a built-out planning area would preclude more intense development from occurring on sites that are redeveloped.

In addition to utilizing the unused intensity assigned to specific planning areas, the Natural Communities Conservation Program (NCCP) intensity bank will also be used. Any portion of the remaining dwelling units within the NCCP bank may be reassigned to a planning area by mutual agreement of The Irvine Company and the City pursuant to the NCCP agreements.

2. The dedication of any NCCP-designated open space is to be phased with development in the Sphere Areas.

*Comment:* To meet this goal, three new implementation and dedication districts are proposed with the project. Figure L-3 of the General Plan is proposed to be revised as follows: new Open Space District P will be dedicated with the development of PA 9, Open Space District Q will be dedicated with the development of PA 5, and Open Space District R will be dedicated with the development of PA 6.

3. A mix of jobs and housing will be maintained; and a reasonable use of the Sphere Areas will be allowed that reflects current and projected market demands.

*Comment:* The proposed project is a mix of residential, commercial and research and industrial land uses. The land use plan provides opportunity for a variety of residential densities and product types to respond to market demands. A full analysis of the jobs/housing ratio may be found in the EIR, Section 4.

4. Reasonable certainty to the City and The Irvine Company will be provided regarding development of Sphere Areas after annexation.

*Comment:* The zoning proposed for the project provides the needed development assurances sought by both The Irvine Company and the City by establishing land uses, allowable intensities, and special development requirements. Mitigation measures are contained within the EIR which ensure the City that the project impacts will be mitigated to City standards.

### ***Major Points***

The Protocol includes the following major points:

1. Each Sphere Area will be annexed after mutually acceptable land use plan approvals and pre-zoning have been approved for that portion, and the parties have entered into an annexation/development agreement.

*Comment:* The Irvine Company has submitted an application to the Local Agency Formation Commission (LAFCO) to annex PA 8A. The Irvine Company has not submitted an application for a development agreement at this time.

2. The City and The Irvine Company shall develop a mutually acceptable land use processing schedule, and City shall take action on each application within 18 months.

*Comment:* The City and The Irvine Company have been working cooperatively for the past 18 months to develop a land use plan. The applications were filed in January 2001, thus creating a deadline of June 2002.

3. As part of the GPA, the City shall transfer unused residential land use entitlement from built-out areas of City to the Sphere Areas, to avoid any net increase in housing at build-out.

Comment: See response to Protocol Goal #1 above.

4. The City will support an amendment of the Master Plan of Arterial Highways (MPAH) consistent with approved land use entitlements in the Sphere Areas. The MPAH is a County document that indicates the planned build-out of the County's arterial transportation system.

Comment: The General Plan Amendment associated with the project includes an amendment to Figures B-1 "Master Plan Of Arterial Highways" and B2 "Operational Characteristics" to delete an unnamed arterial extending from Trabuco to Irvine Boulevard and to reduce Jeffrey Road north of Portola to a 4-lane arterial.

5. The City will support The Irvine Company's proposals for minor amendments to the NCCP if they are consistent with the criteria for such "minor amendments" in the NCCP Facilitation Agreement.

Comment: The project does not contain any minor amendments to the NCCP at this time.

6. The City will use "Central County Traffic Model Version 2.8" to analyze traffic for Sphere Areas land use entitlements, until the City's traffic model is updated.

Comment: When the Protocol Agreement was executed, it was the intent to use the Central County Traffic Model Version 2.8 for the traffic analysis. However, the City subsequently completed and adopted a new City of Irvine traffic model, Irvine Transportation Analysis Model (ITAM) 3.01. This model was further updated as a part of the Protocol EIR traffic analysis to include additional roadway link and intersection locations within the City of Irvine and surrounding area.

7. The City will not require additional land dedications for biotic or regional open space areas beyond Quimby Act parkland dedication requirements.

Comment: The General Plan Amendment and Zone Change include an open space dedication plan to ensure appropriate phased dedication of the lands depicted in the Open Space MOU and the NCCP Facilitation Agreement.

8. The City will consider Intersection Capacity Utilization (ICU) of 1.0 (Level of Service E) for all of the existing and proposed expansion of the Spectrum.

Comment: Through the Protocol, the City committed to analyzing and considering a General Plan Amendment to change the Level of Service in the Spectrum from "D" to "E." As part of the traffic study prepared for the project, an analysis of impacted intersections in Spectrum was conducted. The study identified intersections, which without mitigation, would operate at a Level of Service E. After reviewing the study, discussing the proposal with the Northern Sphere Community Task Force, and discussing possible solutions that would meet the

interests of the community, The Irvine Company, and the City, a policy has been drafted to allow LOS E in specific areas.

The proposed policy does not permit LOS E in any part of the Northern Sphere project area. It does not permit LOS E on Sand Canyon or Jeffrey, with the exception of the I-5/Sand Canyon interchange intersection. The resulting policy limits LOS E to the core Spectrum employment centers defined as Planning Areas 13, 31, 32, 34, 35, and 39.

The proposed policy will require The Irvine Company to participate in funding an upgraded traffic signal system in exchange for the new LOS criteria. The City will determine the funding level. If The Irvine Company does not wish to commit to funding the upgrade, then the intersection(s) in question must be mitigated to a LOS D.

9. If the City changes any development regulation that adversely affects the feasibility or materially increases the cost of developing any Planning Area in the Sphere Areas, The Irvine Company has the option of choosing not to annex the Sphere Areas to the City.

Comment: The City remains committed to annexing the Northern Sphere.

#### Issue 2: Unresolved Concerns of the Northern Sphere Community Task Force

Staff and The Irvine Company have met over 30 times with the Task Force for a total of over 100 hours of meeting time. The meetings were productive, insightful, and resulted in over 50 changes to the proposed zoning, including proposed uses, street and landscape sections, and special development requirements. There were compromises made on four topics and there was agreement that two of these compromises and six other topics need further discussion at a later planning stage. Nevertheless, there are 12 topics or categories that were not resolved among the parties. The universe of disparity on the topics is very narrow and although the Task Force would encourage the City Council to delay its decisions on the Northern Sphere, staff recommends that City Council take action on the project. Staff will advise the City Council of any specific recommendations the Planning Commission may make as a result of the unresolved issues listed below.

The changes made as a result of input from the Task Force include modifications to:

##### *Design Standards*

1. Setbacks
2. Building heights
3. Mix of housing types
4. Landscaping
5. Greenbelt access
6. Performance criteria to ensure good interface between existing and new development
7. Blue Gum Park improvements
8. Streetscape requirements on each major arterial
9. Industrial area zoning changes to limit use and siting of certain types of project

*Transportation*

1. Maximum LOS D in residential area
2. Trabuco Interchange expedited through letter agreement from The Irvine Company
3. Several local plan changes to limit impact to existing residents

*Recreation/Open Space*

1. General design of Spine
2. Trail connections

*Partial Compromises*

1. Oak Canyon extension reservation
2. Hicks Canyon extension into PA 5B only if middle school remains
3. Triggering/dedication of Open Space
4. Trails configuration

*Deferred to Tract Map Review or other Planning Process*

1. PA 8 access
2. Hicks Canyon extension
3. Internal circulation plan for PA 9
4. Future of Oak Canyon
5. Jeffrey signalization
6. Open Space Spine

Community members on the Task Force desire the following revisions to the zoning and process (without City staff concurrence):

*Recreation, Parks, Facilities, etc.*

1. Prohibit certain uses in the Spine (new above ground utilities, cell towers and park and ride facilities)

*Staff response:* The list of permitted uses in the proposed zoning is consistent with the uses permitted in open space per the General Plan and Open Space MOU. Prohibiting these uses in the zoning may create an inconsistency between the documents. Staff does not recommend prohibiting the uses in order to ensure consistency between the documents.

2. City make commitments now to the siting of a Senior Center in the project area

*Staff response:* The proposed project zoning includes a requirement for submittal of a comprehensive community parks plan with the first tract map. This plan will provide the City with the opportunity to determine the appropriate facilities and their locations throughout the Northern Sphere. Staff does not recommend siting a Senior Center at this time.

3. Require The Irvine Company to provide new village monument signs at entrances of existing Northwood

*Staff response:* There are no requirements to provide village signage in existing communities in conjunction with new development. Staff does not recommend requiring The Irvine Company to provide new village monument signs as part of this project.

4. Zoning should be revised to permit lighted fields in the PA 9 community park at this stage instead of at the park plan level

*Staff response:* The proposed zoning states that lights at the PA 9 community park “are prohibited, unless lighted playing fields are not provided at the Community Park shown on Exhibit B at the northeast corner of Jeffrey and Portola on a schedule and plan to be agreed upon between the City and the Landowner.” Staff is satisfied that the requirement for the applicant to provide a comprehensive community parks plan will address all field and facility requirements and needs of the project area. In addition, the PA 9 community park is centrally located near adjacent residents. Adjacent residents frequently find lighted fields objectionable. Staff does not recommend permitting lighted fields at the PA 9 community park.

#### *Open Space*

1. Earlier acceptance of open space by City

*Staff response:* The City is interested in accepting the dedication of the open space prior to issuance of 75% of building permits. However, the City is not financially prepared to accept the costs incurred with the maintenance of the open space earlier than projected. The Irvine Company has indicated it is interested in dedicating the land earlier should the City find itself in a position to accept the land earlier. Staff recommends no change be made to the dedication process.

2. City commitment to some sort of community committee providing continual input on Overall Park Plan for the Jeffrey Open Space Spine as it's developed.

*Staff response:* The zoning requires an Overall Park Plan for the Jeffrey Open Space Spine. The plan will be reviewed by the Community Services Commission and the Planning Commission, and will be approved by the City Council. The community will be involved in the review of the Park Plan. As part of the consensus process for the Spine, staff committed to continue to implement the resulting consensus plan in developing the Overall Park Plan. Given the existing review process for the Jeffrey Spine, staff does not recommend a separate committee be established to provide input on the Overall Park Plan.

#### *Transportation*

1. More roadway right of way reserved now along major arterials for future in case the modeling is flawed

*Staff response:* Since there is no nexus between dedicating additional land and the impacts from the project, the City cannot require The Irvine Company to dedicate additional land.

2. Northern Sphere GPA project approval delayed until third parties provide assurances that their circulation improvements will be built (i.e. TCA, Caltrans, etc.)

*Staff response:* Caltrans and TCA are not likely to agree at this time to improvements which may be needed 15 or 20 years into the future. The City and The Irvine Company are committed to continue to work with both Caltrans and the TCA on the circulation improvements.

3. The level of service permitted before mitigation should be made stricter to offset any potential limitations of modeling

*Staff response:* The City has standards which are set in the Circulation Element of the General Plan. These standards are utilized as impact thresholds for purposes of analysis. The City cannot impose stricter levels of service without amending the General Plan.

4. Stricter constraints on the City's traffic counting procedures

*Staff response:* The City has parameters for taking roadway counts which include taking counts mid-week, during the day, and avoiding taking counts during the summer. Staff believes these restrictions are adequate to provide accurate counts.

5. Bring existing roadway lanes up to present City code

*Staff response:* Portions of certain streets have been constructed to their ultimate width under previous City standards which permitted lane widths of 11 feet or 12 feet adjacent to a median for a total street half width of 41 feet. Today's standards are lane widths of 12 feet or 13 feet adjacent to a median for a total street half width of 45 feet, which include three lanes and a bike lane. The Task Force is concerned how traffic flow, specifically truck traffic flow, might be affected if road widths are reduced one foot per lane. The Task Force would like the portions of the roadway already constructed to be widened to provide the additional one foot per lane.

The City changed its standard lane width several years ago. There is no relationship between the City's standard for existing lane width and The Irvine Company's development proposal. Without a nexus between the project and the improvements, the City cannot require The Irvine Company to expand the existing roads. The new sections of the roadways not built to ultimate width will be constructed with the project to the City's current standards. Staff does not recommend requiring The Irvine Company to bring the existing built roadways up to current standards.



Issue 3: Revisions to Draft EIR for Incorporation into Final EIR

Narrative descriptions of the specific textual changes to the Draft EIR that are being proposed for addition into the Final EIR are reflected within Attachment 2. The changes, which are a normal and customary part of the EIR preparation process, were prompted from a variety of sources, including the comment letters on the DEIR and the recirculated portions of the EIR (distributed to the City Council previously), Measure W, additional data considered, clarification of existing regulations/standard conditions, and increased mitigation. The changes expand the information base and/or enhance the level of mitigation provided for in the EIR, but do not identify new impacts, identify a substantial increase in the magnitude of a previously disclosed impact, or reject a feasible project alternative or mitigation measure that would clearly lessen the environmental impacts of the project. Thus, for example, one proposed revisions to the DEIR would require the Irvine Company to participate in the identification of 300 acres -- and to provide initial funding of \$100,000 -- for use in a Heritage Farming program, which will further (though not completely) mitigate for the loss of agricultural land that will result from the project.

SUMMARY

This report summarized the following issues:

- Commission Recommendations
- Actions on the Northern Sphere Project
- Northern Sphere Protocol Agreement
- Unresolved Concerns of the Northern Sphere Community Task Force

The City Council has received the EIR, the Recirculated Portions of the EIR, the Response to Comments, staff reports, received recommendations from the Finance, Community Services, Transportation and Infrastructure, and Planning Commissions, and heard public testimony. Staff recommends the City Council certify the EIR and approve the General Plan Amendment and Zone Change.

Report Prepared by: Leslie Aranda, Principal Planner

Reviewed by: Peggy Schneble, Manager of Development Services

Attachments:

1. Planning Commission staff report – May 30, 2002

Attachments within staff report:

- 1) Finance Commission staff report – February 4, 2002
- 2) Finance Commission staff report – March 4, 2002
- 3) Community Services Commission staff report – February 6, 2002
- 4) Community Services Commission staff report – March 6, 2002
- 5) Community Services Commission staff report – April 17, 2002
- 6) Transportation and Infrastructure Commission staff report – January 14, 2002

- 7) Transportation and Infrastructure Commission staff report – January 28, 2002
  - 8) Transportation and Infrastructure Commission staff report – February 25, 2002
  - 9) Transportation and Infrastructure Commission staff report – March 11, 2002
  - 10) Transportation and Infrastructure Commission staff report – March 25, 2002
  - 11) Transportation and Infrastructure Commission staff report – April 22, 2002
  - 12) Transportation and Infrastructure Commission staff report – May 13, 2002
  - 13) Protocol Agreement
  - 14) Planning Commission staff report – January 17, 2002
  - 15) Planning Commission staff report – February 7, 2002
  - 16) Planning Commission staff report – February 21, 2002
  - 17) Planning Commission staff report – March 7, 2002
  - 18) Planning Commission staff report – April 4, 2002
  - 19) Planning Commission staff report – April 18, 2002
  - 20) Planning Commission staff report – May 2, 2002
  - 21) Planning Commission staff report – May 16, 2002
  - 22) Letter from Richard and Patti Gomez
  - 23) Letter from Don Stewart
  - 24) Letter from Don Stewart
  - 25) Planning Commission Resolution 02-2361
  - 26) Planning Commission Resolution 02-2362
    - A. Table A-1 Maximum Intensity Standards by Planning Area
    - B. Table A-2 Non-regulatory Maximum Intensity Standards: Land Use Acreage by Planning Area
    - C. Figure A-3: Land Use
    - D. Figure A-4: Scenic Highways
    - E. Objective B-1 (c): Level of Service Standards
    - F. Figure B-1: Master Plan of Arterial Highways
    - G. Figure B-2: Operational Characteristics
    - H. Figure B-4: Trails Network
    - I. Objective L-10: Agriculture
    - J. Figure L- 2: Conservation and Open Space
    - K. Figure L-3: Implementation Districts
  - 27) Planning Commission Resolution 02-2363
    - A. Proposed zoning
2. Revisions to Draft EIR for incorporation into Final EIR
  3. City Council Resolution certifying the Northern Sphere Environmental Impact Report
    - A. Statement of Findings and Facts Including Statement of Overriding Considerations
    - B. Mitigation Monitoring Program
  4. City Council Resolution approving General Plan Amendment 48403-GA
    - A. Table A-1 Maximum Intensity Standards by Planning Area
    - B. Table A-2 Non-regulatory Maximum Intensity Standards: Land Use Acreage by Planning Area
    - C. Figure A-3: Land Use
    - D. Figure A-4: Scenic Highways

- E. Objective B-1 (c): Level of Service Standards
  - F. Figure B-1: Master Plan of Arterial Highways
  - G. Figure B-2: Operational Characteristics
  - H. Figure B-4: Trails Network
  - I. Objective L-10: Agriculture
  - J. Figure L- 2: Conservation and Open Space
  - K. Figure L-3: Implementation Districts
5. City Council Ordinance approving Zone Change 48405-ZC
- A. Proposed Zoning

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File: 48403-GA, 48405-ZC, and 48406-AX