



Donald P. Wagner
Mayor/Chairman

Lynn Schott
Mayor Pro Tem/Vice Chairwoman

Melissa Fox
Councilmember/Boardmember

Jeffrey Lalloway
Councilmember/Boardmember

Christina Shea
Councilmember/Boardmember

AGENDA

CITY COUNCIL REGULAR MEETING AND REGULAR JOINT MEETING WITH THE CITY OF IRVINE AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY

July 11, 2017

4:00 PM

City Council Chamber
One Civic Center Plaza
Irvine, CA 92606

Speaker's Card/Request to Speak: If you would like to address the City Council / Successor Agency on a scheduled agenda item – including a Consent Calendar item, Business item, a Public Hearing item, or Public Comments – please complete the [Request to Speak Form](#). The card is at the table at the entrance to the City Council Chamber. Please identify on the card your name and the item on which you would like to speak and return to the City Clerk / Agency Secretary. The [Request to Speak Form](#) assists the Mayor / Chair in ensuring that all persons wishing to address the City Council / Successor Agency are recognized. It also ensures the accurate identification of meeting participants in the City Council / Successor Agency minutes. Your name will be called at the time the matter is heard by the City Council / Successor Agency. City policy is to limit public testimony to up to three minutes per speaker depending on relevant circumstances (unless the time limit is extended by the Mayor / Chair), which includes the presentation of electronic or audio visual information. Speakers may not yield their time to other persons.

Please take notice that the order of scheduled agenda items below and/or the time they are actually heard, considered and decided may be modified by the Mayor / Chair or the City Council / Successor Agency Board during the course of the meeting, so please stay alert.

CALL TO ORDER

ROLL CALL

Scan this QR code for an electronic copy of the
City Council and Successor Agency Agenda
and staff reports.



1. CLOSED SESSION

1.1 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: *Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: 1 potential case*

RECONVENE TO THE REGULAR JOINT MEETING

ADJOURNMENT - REGULAR JOINT MEETING

RECONVENE TO THE REGULAR CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE

INVOCATION

CITY MANAGER'S REPORT

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Announcements, Committee Reports and Council/Agency Comments are for the purpose of presenting brief comments or reports, are subject to California Government Code Section 54954.2 of the Brown Act and are limited to 15 minutes per meeting.

ADDITIONS AND DELETIONS

Additions to the agenda are limited by California Government Code Section 54954.2 of the Brown Act and for those items that arise after the posting of the Agenda and must be acted upon prior to the next City Council meeting.

2. CONSENT CALENDAR

All matters listed under Consent Calendar are considered by the City Manager to be routine and enacted by one roll call vote. There will be no discussion of these items unless members of the City Council request specific items to be removed from the Consent Calendar for separate discussion. Any member of the public may address the Council on items on the Consent Calendar. See information for Speaker's Card/Request to Speak on first page.

2.1 MINUTES

ACTION:

Approve the minutes of a regular meeting of the City Council held on June 27, 2017.

2.2 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopt - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

2.3 COMMUNITY PARTNERSHIP FUND GRANT NOMINATIONS

ACTION:

- 1) Approve Councilmember Shea's request for Community Partnership Fund Grant nominations to Irvine Korean Evergreen Association in the amount of \$1,000 and New Outlook Center in the amount of \$700 both in support of program costs.
- 2) Authorize the City Manager to prepare and sign the funding agreements listed in Action 1.

3. PUBLIC HEARINGS

Public Hearings are scheduled for a time certain of 4:00 p.m., unless noticed otherwise, or as soon thereafter as possible. Those wishing to address the City Council during the Public Hearing are requested to complete a form and provide it to the City Clerk prior to the hearing.

Notice: Public Hearings listed for continuance will be continued as noted and posting of this agenda serves as notice of continuation. Any matter not noted for continuance will be posted separately.

3.1 CITY COUNCIL OVERRIDE OF INCONSISTENCY DETERMINATION BY THE AIRPORT LAND USE COMMISSION OF ORANGE COUNTY

ACTION:

- 1) Receive staff report.
- 2) Open the public hearing, receive public input.
- 3) Close the public hearing.
- 4) City Council comments and questions.
- 5) Adopt – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADOPTING FINDINGS TO OVERRIDE THE AIRPORT LAND USE COMMISSION FOR ORANGE COUNTY INCONSISTENCY DETERMINATION FOR THE LANDMARK PROJECT LOCATED AT 18872, 18912 AND 18952 MACARTHUR BOULEVARD IN PLANNING AREA 36 (IRVINE BUSINESS COMPLEX); FILED BY GREAT FAR EAST, LLC

4. COUNCIL BUSINESS

4.1 KELVIN AVENUE PEDESTRIAN BRIDGE

ACTION:

- 1) Direct staff to defer the Kelvin Pedestrian Bridge Capital Improvement Project and bring back the project for City Council consideration when the need for the proposed bridge can be supported.
- 2) Approve a budget adjustment to refund the developer contribution of \$184,000, plus interest, to the Kelvin Court Apartments property owner and return the remaining project funds to the corresponding City funding source unallocated fund balance.

4.2 ZONING ADMINISTRATOR APPOINTMENT PROCEDURE

ACTION:

Direct staff to initiate an amendment to the Municipal Code to grant the City Manager appointment authority for the Zoning Administrator.

PUBLIC COMMENT - Public comments will be heard at approximately 6:30 p.m. or prior to adjournment, whichever occurs earlier.

Any member of the public may address the City Council on items within the City Council's subject matter jurisdiction but which are not listed on this agenda during Public Comments; however, no action may be taken on matters that are not part of the posted agenda. See information for Speaker's Card/Request to Speak on the first page.

ADJOURNMENT-CITY COUNCIL

NOTICE TO THE PUBLIC

LIVE BROADCASTING AND REBROADCASTING

Regular City Council and Successor Agency meetings are broadcast live every 2nd and 4th Tuesday of the month at 4 p.m. and are replayed on Tuesdays at 4 p.m. (in weeks in which there is not a live City Council and/or Successor Agency meeting), Sundays at 11 a.m., Wednesdays at 7 p.m., and Thursdays at 10 a.m. until the next City Council / Successor Agency meeting. All broadcasts can be viewed on Cox Communications Local Access Channel 30 and U-Verse Channel 99. City Council meetings are also available via live webcast and at any time for replaying through the City's ICTV webpage at cityofirvine.org/ictv. For more information, please contact the City Clerk's office at (949) 724-6205.

ADJOURNMENT

At 11:00 p.m., the City Council / Successor Agency will determine which of the remaining agenda items can be considered and acted upon prior to 12:00 midnight and will continue all other items on which additional time is required until a future City Council / Successor Agency meeting. All meetings are scheduled to terminate at 12:00 midnight.

STAFF REPORTS

As a general rule, staff reports or other written documentation have been prepared or organized with respect to each item of business listed on the agenda. Copies of these materials are on file with the City Clerk and are available for public inspection and copying once the agenda is publicly posted, (at least 72 hours prior to a regular City Council / Successor Agency meeting). Staff reports can also be downloaded from the City's website at cityofirvine.org beginning the Friday prior to the scheduled City Council / Successor Agency meeting on Tuesday.

In addition, meetings can be viewed live at the time posted on the agenda and related staff reports can be opened and viewed simultaneously along with the streaming of the meeting. To view the meeting, go to cityofirvine.org/ictv.

If you have any questions regarding any item of business on the agenda for this meeting, or any of the staff reports or other documentation relating to any agenda item, please contact City Clerk staff at (949)724-6205.

SUPPLEMENTAL MATERIAL RECEIVED AFTER THE POSTING OF THE AGENDA

Any supplemental writings or documents distributed to a majority of the City Council / Successor Agency regarding any item on this agenda after the posting of the agenda will be available for public review in the City Clerk's Office, One Civic Center Plaza, Irvine, California, during normal business hours. In addition, such writings or documents will be made available for public review at the respective public meeting.

If you have any questions regarding any item of business on the agenda for this meeting, or any of the staff reports or other documentation relating to any agenda item, please contact City Clerk staff at (949)724-6205.

**SUBMITTAL OF INFORMATION BY MEMBERS OF THE PUBLIC FOR
DISSEMINATION OR PRESENTATION AT PUBLIC MEETINGS****Media Types and Guidelines****1. Written Materials/Handouts:**

Any member of the public who desires to submit documentation in hard copy form may do so prior to the meeting or at the time he/she addresses the City Council / Successor Agency. Please provide 15 copies of the information to be submitted and file with the City Clerk at the time of arrival to the meeting. This information will be disseminated to the City Council / Successor Agency Board at the time testimony is given.

2. Large Displays/Maps/Renderings:

Any member of the public who desires to display freestanding large displays or renderings in conjunction with their public testimony is asked to notify the City Clerk's Office at (949)724-6205 no later than 12:00 noon on the day of the scheduled meeting so that an easel can be made available, if necessary.

3. Electronic Documents/Audio-Visuals:

Any member of the public who desires to display information electronically in conjunction with their public testimony is asked to submit the information to the Public Information Office (PIO) no later than 12:00 noon on the day of the scheduled meeting. To facilitate your request contact the PIO Office at (949)724-6253 or the City Clerk's Office at (949)724-6205.

Information must be provided on CD, DVD, or VHS; or, emailed by 12:00 noon on the day of the scheduled meeting to pio@ci.irvine.ca.us. Members of the public will be asked to provide their name, identify the meeting and the agenda item to be addressed, and a day time phone number.

The PIO office will notify the person submitting the information as soon as possible prior to the meeting if the information cannot be accessed or if the version provided is incompatible with the City's system. Every effort will be made by City staff to facilitate the presentation.

CITY SERVICES TO FACILITATE ACCESS TO PUBLIC MEETINGS

It is the intention of the City of Irvine to comply with the Americans With Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, the City of Irvine will attempt to accommodate you in every reasonable manner. Please contact the City Clerk's Office at (949)724-6205.

Assisted listening devices are available at the meeting for individuals with hearing impairments. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35. 102-35. 104 ADA Title II)

CHALLENGING CITY DECISIONS

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitations period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge that is not filed within this 90-day period will be barred.

If a person wishes to challenge the nature of the above actions in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of Irvine, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

COMMUNICATION AND ELECTRONIC DEVICES

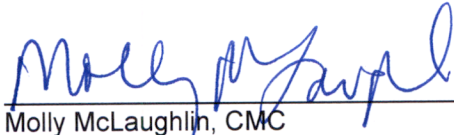
To minimize distractions, please be sure all personal communication and electronic devices are turned off or on silent mode.

MEETING SCHEDULE

Regular meetings of the City Council / Successor Agency are held on the second and fourth Tuesdays of each month at 4:00 p.m. Study Sessions and/or Closed Sessions are periodically held prior to the start of the regular meeting. Agendas are available at the following locations:

- City Clerk's Office
- Police Department
- Front Entrance of City Hall
- University Park Center (Culver/Michelson)
- Walnut Village Center (Culver/Walnut)
- Northwood Town Center (Irvine Blvd./Yale)
- City's web page at www.ci.irvine.ca.us

I hereby certify that the agenda for the Regular City Council / Successor Agency meeting was posted in the posting book located in the Public Safety Lobby and at the entrance of City Hall, One Civic Center Plaza, Irvine, California on July 6, 2017 by 8:00 pm as well as on the City's web page.



Molly McLaughlin, CMC
City Clerk / Successor Agency Secretary

CLOSED SESSION

1.1

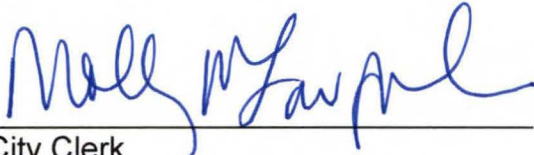
2.1



REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: JULY 11, 2017

TITLE: MINUTES



City Clerk

RECOMMENDED ACTION:

Approve the minutes of a regular meeting of the Irvine City Council held on June 27, 2017.



MINUTES

CITY COUNCIL REGULAR MEETING

June 27, 2017
City Council Chamber
One Civic Center Plaza
Irvine, CA 92606

CALL TO ORDER

The regular meeting of the Irvine City Council was called to order at 4:05 p.m. on May 23, 2017 in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor Wagner presiding.

ROLL CALL

Present:	3	Councilmember:	Melissa Fox
		Councilmember:	Christina Shea
		Mayor:	Donald P. Wagner
Absent:	2	Councilmember:	Jeffrey Lalloway
		Mayor Pro Tempore:	Lynn Schott

1. CLOSED SESSION

City Attorney Melching announced the following Closed Session item:

- 1.1 **CONFERENCE WITH LABOR NEGOTIATORS** (*Pursuant to Government Code Section 54957.6*) **Agency Negotiators:** Sean Joyce, City Manager; Grace Leung, Assistant City Manager; Michelle Grettenberg, Assistant to the City Manager; Jimmee Medina, Manager of Human Resources; Brian King, Human Resources Administrator; Peter Brown, Liebert, Cassidy, Whitmore; **Employee Organizations:** Associated Supervisory/Administrative Personnel (ASAP); Irvine City Employees Association (ICEA); Irvine Professional Employees

Association (IPEA); Irvine Police Association (IPA); Irvine Police Management Association (IPMA); Management and Non-Represented Employees; Confidential Employees; and Part-Time Employees

RECESS

Mayor Wagner convened the City Council meeting to Closed Session at 4:06 p.m.

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Wagner reconvened the regular City Council meeting at 4:45 p.m. City Attorney Melching, on behalf of the City Council, announced that no reportable action was taken in Closed Session.

PLEDGE OF ALLEGIANCE

Mayor Wagner led the Pledge of Allegiance.

INVOCATION

Mayor Wagner provided the invocation.

2. PRESENTATIONS

2.1 Councilmember Fox's Request for Presentation on Co-Existing with Coyotes

This item was agendized at the request of Councilmember Fox, who requested a presentation by Animal Services to address misconceptions and educate residents on coexisting with coyotes.

Mike Hamel, Director of Public Safety/Chief of Police, and Kim Cherney, Animal Services Supervisor, provided a presentation on coexisting with coyotes in the community, and reiterated the importance of communicating coyote sightings with neighbors and Animal Services.

City Council discussion included: reiterating the importance of not feeding coyotes; noted the Transportation Corridor Agency's efforts to address the limited number of wildlife corridors through its environmental program; and referenced Councilmember Shea's request to agendize for discussion the completion of the wildlife corridor by the Orange County Great Park Board at its next regular meeting.

CITY MANAGER'S REPORT

There was no report.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Mayor Wagner made the following announcements:

- The City of Irvine was granted a “Most Livable” Cities Outstanding Achievement Award during the U.S. Conference of Mayors’ annual meeting. Only four other cities in the United States with populations of more than 100,000 received this award, which honors mayors and city governments for developing programs that enhance the quality of life in urban areas. Irvine was recognized for the 280,000 square-foot Community Ice Facility under construction at the Orange County Great Park.
- The Irvine Police Association will host its 33rd annual Concert on the Green & Fireworks Festival on Tuesday, July 4 at the Irvine High School football stadium. Gates open at 3 p.m., with fireworks beginning at 9 p.m. Admission is \$15 for adults, \$10 for seniors. For information, visit irvinepa.org/events.
- The City’s Sizzlin’ Summer Concerts begin at Mike Ward Community Park – Woodbridge on Sunday, July 9. The community is invited to a series of six free, family-friendly concerts in the park covering a variety of musical tastes, from pop variety and dance hits, to classical symphony and soul. Gourmet food trucks and a children’s play area are part of the festivities, which begin at 5:30 p.m. For information, including a full concert series schedule, visit cityofirvine.org.

ADDITIONS AND DELETIONS

City Manager Joyce requested that Item No. 4.1 (Irvine Business Complex Transportation Mitigation Fee Program Update) be continued to the July 25, 2017 City Council meeting to provide an opportunity for the Transportation Commission to review and offer recommendations to the City Council.

3. CONSENT CALENDAR

ACTION: Moved by Councilmember Shea, seconded by Fox, and unanimously carried by those members present (Mayor Pro Tempore Schott and Councilmember Lalloway absent) to approve Consent Calendar Item Nos. 3.1 through 3.9, with the exception of Item No. 3.3, which was removed for separate discussion.

3.1 MINUTES

ACTION:

- 1) Approved the minutes of a special meeting of the Irvine City Council held on June 6, 2017.
- 2) Approved the minutes of a regular meeting of the Irvine City Council and special joint meeting with the Orange County Great Park Board held on June 13, 2017.

3.2 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 17-47 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

3.3 BUDGET ADJUSTMENT FOR SALES AND USE TAX AUDITING SERVICES

This item was removed for separate discussion at the request of Councilmember Fox, who questioned whether this type of audit was routine or due to a specific matter; inquired about whether other financial items could also be reviewed; and asked if the audit addressed concerns related to the allocation of sales tax through online purchases (i.e. Amazon).

Sean Joyce, City Manager, noted that this type of audit was routine; and further noted that the City had an ongoing contract with this firm with a return-on-investment (ROI) of 80%.

Councilmember Fox suggested deferring her inquiry about online purchases to a later date for discussion.

ACTION: Moved by Councilmember Fox, seconded by Councilmember Shea, and unanimously carried by those members present (Mayor Pro Tempore Schott and Councilmember Lalloway absent), to:

Approve a budget adjustment increasing the contract budget for sales and use tax auditing services in the amount of \$180,341.37.

**3.4 EXCLUSIVE NEGOTIATING AGREEMENT WITH WILD RIVERS, LLC.
FOR A WATER PARK AT THE ORANGE COUNTY GREAT PARK**

ACTION:

Approved the Exclusive Negotiating Agreement with Wild Rivers, LLC. **(Contract No. 9878)**

(Unless otherwise directed by a member of the City Council, the vote on this matter will reflect the prior action of each Councilmember when he or she sat and voted as a member of the Board of Directors of the Orange County Great Park Corporation. However, if a Councilmember is not present at the City Council meeting, his or her vote will be reflected as absent.)

Approved 3-0 (Directors Lalloway and Schott absent).

**3.5 AMENDMENT TO FARMING LEASE BETWEEN CITY OF IRVINE AND
EL TORO FARMS, LLC**

ACTION:

- 1) Approved a Twelfth Amendment to Farming Lease, authorizing a two-year lease extension with El Toro Farms, LLC.
- 2) Authorized the City Manager or his designee to execute the Twelfth Amendment to Farming Lease. **(Lease No. 5064L)**

(Unless otherwise directed by a member of the City Council, the vote on this matter will reflect the prior action of each Councilmember when he or she sat and voted as a member of the Board of Directors of the Orange County Great Park Corporation. However, if a Councilmember is not present at the City Council meeting, his or her vote will be reflected as absent.)

Approved 3-0 (Directors Lalloway and Schott absent).

**3.6 AUTHORIZATION TO APPLY FOR COUNTY OF ORANGE RECYCLING
GRANTS**

ACTION:

Adopted RESOLUTION NO. 17-48 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AUTHORIZING SUBMITTAL OF APPLICATIONS FOR ALL COUNTY OF ORANGE RECYCLING GRANTS FOR WHICH THE CITY OF IRVINE IS ELIGIBLE

3.7 APPROVAL OF PLANS, SPECIFICATIONS AND CONTRACT DOCUMENTS FOR THE SAN CARLO PARK AND VALENCIA PARK PLAYGROUND REHABILITATIONS

ACTION:

- 1) Approved the construction plans, specifications and contract documents for the San Carlo Park and Valencia Park Playground Rehabilitations, Capital Improvement Projects 371506 and 371507.
- 2) Approved the Engineers Estimate, Construction Contingency and Project Funding Summary.
- 3) Authorized staff to solicit competitive bids and award the construction contract to the lowest responsive and responsible bidder, in accordance with the City's purchasing policies and procedures, within the approved project budget.

3.8 MODIFICATIONS TO GREAT PARK CONCEPTUAL DESIGN AND SPACE PLANNING

Prior to the vote, A.D. Zelinko, Irvine resident, spoke in opposition to the proposed golf course at the Orange County Great Park.

ACTION:

Approved a modification to the Boundary of the Great Park Improvement Area and directed staff to return to the Great Park Board and City Council with a budget and Letter Agreement making any modifications necessary to implement the City Council's direction.

(Unless otherwise directed by a member of the City Council, the vote on this matter will reflect the prior action of each Councilmember when he or she sat and voted as a member of the Board of Directors of the Orange County Great Park Corporation. However, if a Councilmember is not present at the City Council meeting, his or her vote will be reflected as absent.)

Approved 3-0 (Directors Lalloway and Schott absent).

3.9 COMMUNITY PARTNERSHIP FUND GRANT NOMINATIONS

ACTION:

- 1) Approved Mayor Pro Tempore Schott's request for Community Partnership Fund Grant nominations to Irvine Adult Day Health Services in the amount of \$1,000 (**Contract No. 9880**) and Mariners Church - BEYOND Initiative in the amount of \$1,000 (**Contract No. 9881**) both in support of program costs.

- 2) Approved Mayor Wagner's requests for Community Partnership Fund Grant nominations to the following organizations in support of program costs:
 - a) Alzheimer's Association Orange County (\$500) **(Contract No. 9882)**
 - b) Boys & Girls Club of Irvine (\$500) **(Contract No. 9883)**
 - c) Children's Hospital of Orange County Foundation (\$500) **(Contract No. 9884)**
 - d) Crime Survivors (\$250) **(Contract No. 9885)**
 - e) Irvine 2/11 Marine Adoption Committee (\$1,000) **(Contract No. 9886)**
 - f) Irvine Barclay Theatre (\$250) **(Contract No. 9887)**
 - g) Irvine Pony Baseball (\$250) **(Contract No. 9888)**
 - h) Northwood High School Athletic Boosters (\$250) **(Contract No. 9889)**
 - i) Orangewood Children's Foundation (\$500) **(Contract No. 9890)**
 - j) Ryan Lemmon Foundation (\$500) **(Contract No. 9891)**
 - k) Second Harvest Food Bank (\$500) **(Contract No. 9892)**
 - l) Special Olympics Orange County (\$500) **(Contract No. 9894)**
- 3) Approved Councilmember Lalloway's request for Community Partnership Fund Grant nomination to Operation Warm Wishes in the amount of \$500 **(Contract No. 9884)** in support of program costs.
- 4) Authorized the City Manager to prepare and sign the funding agreements listed in Actions 1 - 3.

4. PUBLIC HEARINGS

4.1 **IRVINE BUSINESS COMPLEX TRANSPORTATION MITIGATION FEE PROGRAM UPDATE**

This item was continued to the July 25, 2017 City Council meeting at the request of City Manager Joyce. See Additions and Deletions.

5. COUNCIL BUSINESS

5.1 **PUBLIC DISCUSSION REGARDING THE SAFARI SUBSTATION**

This item was agendized at the request of Councilmember Shea, who reiterated ongoing concerns by Spectrum 5 business owners related to the proposed Southern California Edison (SCE) Safari Substation on Wald Street, and requested an update from Southern California Edison (SCE) and the Irvine Company as to their intentions to find an alternative site.

Chris Thompson and Paul Grigaux, representing SCE, and Michael LeBlanc, representing the Irvine Company, provided brief updates on their efforts to work with all stakeholders to identify an alternative site for the proposed Substation.

Daniel Kim and Michael Aguirre, representing Aguirre and Associates, expressed their appreciation to the City Council, SCE, the Irvine Company, and City staff for their collaborative efforts to identify an alternate site.

City Council discussion included: referencing the June 9, 2017 stakeholder meeting and progress made to date; suggested returning to the City Council within 60 to 90 days for another status update; noted the proposed alternate site on Scientific Street looked feasible; expressed appreciation to SCE for its contributions to the community, including their participation at the U.S. Department of Energy's Solar Decathlon events; and reiterated the need for all stakeholders to work collaboratively to identify an alternate site.

By consensus of those members present (Mayor Pro Tempore Schott and Councilmember Lalloway absent), received and filed.

PUBLIC COMMENT

There were no public comments.

ADJOURNMENT

Moved by Councilmember Fox, seconded by Councilmember Shea, and unanimously carried by those members present (Mayor Pro Tempore Schott and Councilmember Lalloway absent), to adjourn the meeting at 5:44 p.m.

MAYOR OF THE CITY OF IRVINE

CITY CLERK OF THE CITY OF IRVINE

July 11, 2017

2.2




REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: JULY 11, 2017

TITLE: WARRANT AND WIRE TRANSFER RESOLUTION



Director of Administrative Services



City Manager

RECOMMENDED ACTION

Adopt - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

EXECUTIVE SUMMARY

A detailed register of claims, the Register of Warrants and Wire Transfers, are submitted to the City Council for review and authorization on a weekly basis. Approval of the attached resolution ratifies the disbursement of funds for the period of June 21, 2017 through July 3, 2017 in accordance with Section 2-7-211 of the Irvine Municipal Code.

ATTACHMENT Warrant and Wire Transfer Resolution

CITY COUNCIL RESOLUTION NO. 17-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
IRVINE, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND
DEMANDS AND SPECIFYING THE FUNDS OUT OF
WHICH THE SAME ARE TO BE PAID

(SEE ATTACHED)

PASSED AND ADOPTED by the City Council of the City of Irvine at a regular
meeting held on the 11th day of July 2017.

MAYOR OF THE CITY OF IRVINE

ATTEST:

CITY CLERK OF THE CITY OF IRVINE

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CITY OF IRVINE)

I, MOLLY MCLAUGHLIN, City Clerk of the City of Irvine, HEREBY DO CERTIFY
that the foregoing resolution was duly adopted at a regular meeting of the City Council
of the City of Irvine, held on the 11th day of July 2017.

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

CITY CLERK OF THE CITY OF IRVINE

6/21/2017 through 6/27/2017

REGISTER OF DEMANDS AND WARRANTS

Fund	Fund Description	Amount
001	GENERAL FUND	910,488.48
004	PAYROLL CLEARING FUND	41,325.46
005	DEVELOPMENT SERVICES FUND	25,767.20
024	BUILDING & SAFETY FUND	172,603.54
027	DEVELOPMENT ENGINEERING FUND	6,552.00
111	GAS TAX FUND	5,292.90
113	FEES & EXACTIONS FUND	1,551,966.80
114	HOME GRANT	860.00
119	LIGHTING, LANDSCAPE & PARK MNT	483,934.86
126	SENIOR SERVICES FUND	220.00
128	OFFICE ON AGING PROGRAMS FUND	2,305.90
132	SLURRY SEAL SUR CHG FUND	966,071.29
139	SUPPL LAW ENFORCEMENT SERVICES	45,276.91
143	PUBLIC SAFETY GRANTS	13,530.42
155	COMMUNITY SERVICES PROGRAMS	52.50
180	ORANGE COUNTY GREAT PARK	107,294.91
204	CFD 2013-3 GREAT PARK	62,590.96
207	AD 85-7 SPECTRUM 1, 3 & 4	2,000.00
208	AD 87-8 SPECTRUM 5 NORTH	4,500.00
213	AD 94-13 OAKCREEK	4,500.00
214	AD 93-14 SPECTRUM 6 & 7	3,498.00
215	AD 97-16 NORTHWEST IRVINE	430.00
216	AD 97-17 LOWER PETERS CANYON	430.00
219	AD 04-20 PORTOLA SPRINGS	3,498.00
220	AD 05-21 ORCHARD HILLS	6,254.00
224	AD 11-24 CYPRESS VILLAGE	4,500.00
225	AD 13-25 EASTWOOD	742.00
250	CAPITAL IMPROV PROJ FUND - CIR	52,408.65
260	CAPITAL IMPROV PROJ-NON CIRC	552,870.58
270	NORTH IRVINE TRANSP MITIGATION	161.25
271	IRVINE BUSINESS COMPLEX	19,482.88
286	GREAT PARK DEVELOPMENT FUND	574,259.91
570	INSURANCE FUND	440,454.09
574	FLEET SERVICES FUND	38,121.49
578	MAIL INTERNAL SERVICES	31,617.22
579	STRATEGIC TECHNOLOGY PLAN FUND	175,104.18
580	CIVIC CTR MAINT & OPERATIONS	38,015.96
719	REASSESSMENT 85-7A VARIABLE RT	17,355.00
744	CFD 2013-3 GREAT PARK	6,190.22
766	RAD 05-21 G3 FIXED RATE	6,750.00

6/21/2017 through 6/27/2017

REGISTER OF DEMANDS AND WARRANTS

Fund	Fund Description	Amount
GRAND TOTAL		
		6,379,277.56

6/28/2017 through 7/3/2017

REGISTER OF DEMANDS AND WARRANTS

Fund	Fund Description	Amount
001	GENERAL FUND	673,776.84
004	PAYROLL CLEARING FUND	2,129,518.43
005	DEVELOPMENT SERVICES FUND	140,519.41
024	BUILDING & SAFETY FUND	67,204.18
119	LIGHTING, LANDSCAPE & PARK MNT	49,317.78
125	COMM DEVELOP BLOCK GRANT FUND	1,647.05
128	OFFICE ON AGING PROGRAMS FUND	621.27
139	SUPPL LAW ENFORCEMENT SERVICES	62,735.61
143	PUBLIC SAFETY GRANTS	62.83
180	ORANGE COUNTY GREAT PARK	4,616.34
204	CFD 2013-3 GREAT PARK	243,450.00
213	AD 94-13 OAKCREEK	43,744.67
224	AD 11-24 CYPRESS VILLAGE	65,429.63
250	CAPITAL IMPROV PROJ FUND - CIR	12,921.47
260	CAPITAL IMPROV PROJ-NON CIRC	136,953.25
270	NORTH IRVINE TRANSP MITIGATION	1,138.50
271	IRVINE BUSINESS COMPLEX	7,800.00
501	INVENTORY	16,327.51
570	INSURANCE FUND	40,447.96
574	FLEET SERVICES FUND	47,999.51
578	MAIL INTERNAL SERVICES	12,437.28
580	CIVIC CTR MAINT & OPERATIONS	6,451.28
714	REASSESSMENT 12-1 FIXED RATE	18.21
716	RAD 13-1 FIXED RATE	18.21
717	RAD 04-20 PORTOLA SPR VAR RT A	68,528.43
718	RAD 05-21 ORCHARD HLS VAR RT	73,414.91
719	REASSESSMENT 85-7A VARIABLE RT	79,455.83
721	AD00-18 SHADY CNYN&TURLT ROCK	27,650.40
723	AD03-19 WOODBURY SER B VAR RT	52,596.24
724	AD 07-22 STONEGATE VAR RT A	19,372.56
735	AD03-19 WOODBURY SER A VAR RT	45,851.24
745	CFD 2005-2R COLUMBUS GROVE SP	976.96
746	CFD 2004-1 CENTRAL PARK	1,604.88
760	AD87-8 ICD/BAKE PKWY DEBT SVC	40,557.31
766	RAD 05-21 G3 FIXED RATE	2,250.00
767	AD94-15 WESTPARK II SERIES A	14,648.27
771	AD97-16 NORTHWEST IRVINE VARI	66,712.54
772	RAD 15-1 FIXED RATE	18.21
774	AD94-13 VARIABLE RT-OAKCREEK	45,746.50
775	AD97-17 LOWER PETERS CYN EAST	82,080.02
776	AD93-14 SPECT 6N/SPECT 7	131,072.48

6/28/2017 through 7/3/2017

REGISTER OF DEMANDS AND WARRANTS

Fund	Fund Description	Amount
GRAND TOTAL		
		4,517,694.00

2.3

RECEIVED
CITY OF IRVINE
CITY CLERK'S OFFICE


2017 JUL -3 AM 11:43

RECEIVED

JUL 3 2017

CITY OF IRVINE
CITY MANAGER'S OFFICE

Memo

To: Sean Joyce, City Manager
From: Christina Shea, Councilwoman 
Date: July 3, 2017
Re: **Community Partnership Fund Grant Nominations**

In accordance with City Council Resolution No. 08-42, I am requesting the City Council approve the following community partnership grant awards:

1. Irvine Korean Evergreen Association - \$1,000

The Irvine Korean Evergreen Association is an educational and cultural organization that provides opportunities for older Korean-Americans to continue their involvement in the community.

2. New Outlook Center - \$700

The New Outlook Center provides assistance to immigrants and disadvantaged minorities who need help assimilating into American society.

The above organizations are qualified 501(c)(3) tax-exempt organizations. Funds will be used to support program costs.

Should the City Council approve this request, the organizations will enter into Funding Agreements with the City that specify the grants use of funds, reporting requirements and regulatory compliance.

I would like to place this item on the July 11 City Council agenda to approve these community partnership grant awards and authorize the City Manager to prepare and execute Funding Agreements.

cc:  Irvine City Council
Molly McLaughlin, City Clerk

3.1

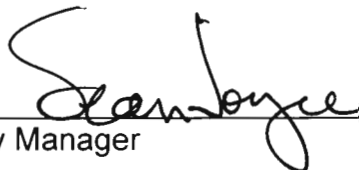


REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: JULY 11, 2017

TITLE: CITY COUNCIL OVERRIDE OF INCONSISTENCY DETERMINATION BY THE AIRPORT LAND USE COMMISSION OF ORANGE COUNTY


Director of Community Development


City Manager

RECOMMENDED ACTION

1. Receive staff report.
2. Open the public hearing, receive public input.
3. Close the public hearing.
4. City Council comments and questions.
5. ADOPT CITY COUNCIL RESOLUTION 17-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADOPTING FINDINGS TO OVERRIDE THE AIRPORT LAND USE COMMISSION FOR ORANGE COUNTY INCONSISTENCY DETERMINATION FOR THE LANDMARK PROJECT LOCATED AT 18872, 18912 AND 18952 MACARTHUR BOULEVARD IN PLANNING AREA 36 (IRVINE BUSINESS COMPLEX); FILED BY GREAT FAR EAST, LLC

EXECUTIVE SUMMARY

Great Far East, LLC filed an application for a Commercial Master Plan to develop The Landmark, a mixed-use commercial development that includes a 15-story, 386-room hotel, a 15-story office building, ground level restaurant/retail space and a combination subterranean parking structure containing 2,089 parking spaces, located at 18872, 18912 and 18952 MacArthur Boulevard in Planning Area 36, the Irvine Business Complex (IBC).

On April 20, 2017, the Airport Land Use Commission (ALUC) for Orange County, which has shared jurisdiction with the City over developments in the vicinity of the airport, voted unanimously finding the proposed Landmark Project inconsistent with the 2008 John Wayne Airport Environs Land Use Plan (AELUP). The ALUC's staff report and decision letter is included as Attachment 1. The ALUC requests that the building height for the hotel component of the project be reduced by 47 feet and the office component by 95 feet. The request by ALUC would require significant redesign of the proposed project.

As a result of the ALUC decision, the applicant has the option to redesign the project and return for a new decision. Alternatively, the City Council may choose to override the ALUC decision at a noticed public hearing. The applicant has requested the City Council consider an override rather than pursuing a new project design.

The City Council must make specific findings that the proposed override is consistent with the purposes stated in Sections 21670, 21676(b) and 21676.5 of the Public Utilities Code. Staff recommends the Irvine City Council adopt the attached resolution, which includes findings in support of the override (Attachment 5).

CITY COMMISSION / BOARD / COMMITTEE RECOMMENDATIONS

On March 22, 2017, the Irvine Subdivision Committee reviewed and unanimously approved, with all members present, an application for Vesting Tentative Parcel Map 2016-139 to reconfigure parcel boundaries on the site into three parcels to facilitate the development of the project. Specifically, the parcel map subdivides the project site, totaling approximately seven acres, to create two numbered parcels, one for a future hotel and one for a future office building, and one lettered parcel for public street dedication along MacArthur Boulevard.

On June 15, 2017, the Irvine Planning Commission considered the Commercial Master Plan application for The Landmark Project and voted 4-0-1 (Commissioners Duong, Kuo, Nirschl and Smith voting in favor; Commissioner Bartlett absent) to approve the project contingent upon the City Council's approval of an override of the ALUC decision (Attachment 2). The Planning Commission reviewed the comment letters provided by the ALUC and John Wayne Airport (JWA) for the project. Specific attention was given to the flight tracks provided, which show that limited small, general aviation aircraft travel over the project site. Additionally, in response to the Airport's comment letter, the Planning Commission added an additional condition of approval on the project requiring glare studies be completed for the proposed office, hotel and solar panels on-site to ensure no impacts to airport operations occur.

On June 20, 2017, the Irvine Transportation Commission reviewed the Access Study for The Landmark Project. An Access Study analyzes a project's new or altered access points and the interface of these access points with the existing roadways. The study serves to assist with design of these access points and, if necessary, analyzes forecasted roadway operations as it relates to these new or altered access points. The Transportation Commission unanimously voted, with all members present, to accept the Access Study.

AIRPORT LAND USE COMMISSION HEARING

On April 20, 2017, the ALUC considered the proposed Landmark Project. When a project site is located within proximity of JWA, it is subject to the AELUP and state law requires the ALUC to make a determination whether the proposed land use is consistent with its

regulations and restrictions. At its meeting on April 20, the ALUC voted unanimously finding the proposed project inconsistent with the AELUP.

ANALYSIS

In January and March 2017, in accordance with Irvine Zoning Ordinance requirements for building height in the IBC, the Federal Aviation Administration (FAA) issued *Determinations of No Hazard to Air Navigation* for the proposed 253-foot high office and 204-foot high hotel buildings on the project site. The heights listed are measured above ground level. The FAA has sole review authority to determine whether proposed developments will result in hazards or impediments to air navigation safety.

Specifically, the *Determinations of No Hazard to Air Navigation* are based upon the results of aeronautical studies prepared by the FAA for the hotel and office buildings. The studies considered and analyzed the impact of the project on:

1. existing and proposed arrival, departure, and *en route* procedures for aircraft operating under both visual flight rules and instrument flight rules;
2. all existing and planned public-use airports, military airports and aeronautical facilities; and,
3. cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures.

The *Determinations of No Hazard to Air Navigation* states that the buildings are considered to be an obstruction, but not a hazard. An obstruction is defined as a building that is at a height in excess of a certain horizontal plane, but with the incorporation of mitigation measures (including such items as lighting and markings) will not pose a hazard to air navigation.

The studies determined that the hotel and office buildings would have no substantial adverse effect on air navigation. Additionally, the conclusion states that the “proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation.”

At its meeting on April 20, the ALUC did not concur with the FAA *Determinations of No Hazard to Air Navigation* issued for the project and, instead, voted unanimously to find that the proposed project is inconsistent with the AELUP. Specifically, the ALUC requested the building height for the hotel be reduced by 47 feet and the office by 95 feet, to a maximum of 206 feet above mean sea level (AMSL), as airspace above 206 feet is reserved for air navigation. This request would require significant redesign of the proposed project.

Because of the ALUC determination, the applicant has the option to either 1) revise the project and return for a new decision, or 2) request the City Council override the ALUC

decision during a public hearing and make specific findings that the proposed override is consistent with Section 21676 of the Public Utilities Code. The applicant has decided not to redesign the project and has requested City Council consideration of an override.

Pursuant to state law, the City is required to initiate the ALUC override process to consider approval of the proposed project. The override process requires a 45-day advance notice to the ALUC of the City's intent to override its determination. Notice of intent to consider an override was provided to ALUC on May 25, 2017 (Attachment 3).

A two-thirds vote of the City Council is required to overrule a decision of the ALUC, and this action must occur prior to a final decision being made on the proposed project. Staff believes that the City Council should support the override for the following reasons:

1. State law states that the ALUC serves only as an "advisory body" to the City Council.
2. The height of the buildings is in compliance with the Irvine Zoning Ordinance, which defers to the FAA. The FAA is the single authority on air navigation safety and has issued official *Determinations of No Hazard to Air Navigation* for the office and hotel buildings proposed, which conclude:
 - a. Details of the proposal were distributed as Public Notice to gather aeronautical information from interested aviation users and other members of the public. No objections, regarding the structures, were received as a result of the Public Notice distribution.
 - b. There is no significant adverse effect on aeronautical operations or on the utility of the navigable airspace overlying the site. Existing obstacles and terrain control the development of future approach and departure Terminal Instrument Procedures for JWA.
 - c. Upon recommendation from the FAA, the project applicant has voluntarily lowered the office structure height by 36 feet from the originally filed proposal not to exceed 301 feet AMSL to mitigate any adverse effect upon instrument procedural operations at JWA.
 - d. No further attempt to negotiate the proposed structure to a lower height is considered necessary.
 - e. A comment letter from JWA to the FAA noted that the height of both buildings is classified as an obstruction under Federal Aviation Regulation Part 77. JWA, therefore, recommended that the structures be reduced to a height not exceeding 206 feet AMSL, which would put them below the JWA Horizontal Surface. However, the FAA allows specific measures to be applied to buildings classified as obstructions. These measures include

the requirement to use specific lighting and markings to mitigate the presence of an obstruction. In implementing the measures, the buildings are not considered to be hazardous.

3. As recommended by the FAA, a condition of approval was added to Planning Commission Resolution 17-3615, approving the Commercial Master Plan for The Landmark Project, which requires the hotel and office building to be marked and lighted in accordance with FAA Advisory Circular 70-7460-1 L Change 1, Obstruction Marking and Lighting, red lights – Chapters 4, 5 (Red) & 12.
4. The proposed 15-story office building is not unique as there are several other tall buildings in the vicinity of the project site. Surrounding multi-story buildings include:
 - a. 2600 Michelson – 16 stories (constructed in 1986),
 - b. Tower 17, 18881 Von Karman – 17 stories (1987),
 - c. Jamboree Center, 1-5 Park Plaza – 19 stories (1989-90),
 - d. 2030 Main Street – 16 stories (1990),
 - e. Lakeshore Tower, 18007 Von Karman – 18 stories (1990),
 - f. MacArthur Court, 4675 MacArthur Ct, Newport Beach (the two towers located closest to the project site) – 15 stories (1985), and
 - g. 3161 Michelson – 19 stories (2007).
5. The flight tracks provided in the JWA comment letter show sporadic flight paths of general aviation aircraft (*i.e.*, helicopters and/or small private planes) over the site. The flight tracks provide detailed depictions of the flight path for aircraft using the smaller runway and this flight path is located to the east, outside the project site. The Landmark Project is not located within flight paths associated with approach or departure from JWA.

All of the reasons above, as supplemented by the findings set forth in the attached City Council Resolution, support the City Council override of the ALUC inconsistency determination.

Should the City Council override the ALUC decision, the City will retain its status as a consistent agency with the AELUP and the City will not bear any liability in the event of an accident.

The City Council last issued an ALUC override in December 2005 for a general plan amendment to allow a residential project in the IBC. The project was Phases III – IV of the Plaza, Irvine, located at the corner of Jamboree Road and Diploma. The two buildings approved as part of that project were 200.9 feet AMSL and 115 feet AMSL.

Required Noticing and Correspondence

The initial step in the override process is to notify the ALUC and State Division of Aeronautics of the City's intention to overrule the ALUC decision. This notification must take place a minimum of 45 days prior to a final decision on the project and was sent to ALUC on May 25, 2017 (Attachment 3), within the prescribed timeframe. In turn, the ALUC/State may provide comments to the City for consideration up until 15 days prior to the hearing date.

On June 19, 2017, staff received a comment letter from the California Division of Aeronautics. This letter, included as Attachment 4, discusses the preliminary draft findings provided by staff in a May 25, 2017 letter. In response to the state's letter, staff has added additional supporting evidence to the findings in the attached resolution. New information added includes, for example, citations to the legal basis for the various findings; specifications of the tall buildings surrounding the project site to demonstrate that the project height is not unique; and a discussion of the flight tracks over the project site.

On June 26, 2017, staff received a second comment letter from the ALUC for Orange County. This letter is also included in Attachment 4. It reiterates the comments made previously during both the ALUC hearing in April 2017 and in the letter to the Planning Commission dated June 2017. Comments include the request to lower the heights of both the hotel and office building and that there are general aviation flight paths over the project site.

New information provided in this letter includes the fact that there were previous overrides granted to allow the other tall buildings in the vicinity of the project site, which in turn, caused JWA to modify general aviation operations. From review of the flight tracks included with the ALUC letter, the project site is not in the established flight path for JWA and general aviation aircraft have the option to fly elsewhere, not over the project site. Finally, the ALUC advises that Section 11010 of the California Business & Professions Code applies to the project, which requires placement of notice of airport proximity in sale/lease documentation. In response to the ALUC letter, staff has updated the attached resolution to include a discussion of this requirement in the findings.

ALTERNATIVES CONSIDERED

The City Council could decide not to support the request for an override of the ALUC decision or the City Council could direct the applicant to re-design the project to meet the maximum height requirements set forth in the ALUC staff report. This would require further review of the project by ALUC and the Planning Commission.

FINANCIAL IMPACT

The City's Budget Office estimates that the proposed hotel would generate approximately \$632,000 in transient occupancy taxes (TOT) and \$158,000 in Hotel Improvement District assessment fees for the first year of operation. For subsequent years, TOT is estimated to be \$1.3 million and the Hotel Improvement District assessment fees are estimated to be \$316,000 annually. These calculations are based on occupancy levels for similar hotels in the City, an average citywide room rate (\$165 per night), and factors in market saturation. The applicant anticipates that the TOT generated by this hotel will be higher than estimated as the room rates will likely be higher than the average rate used in the City's calculation.

The property tax revenue generated from the project would also increase. According to data provided by the applicant, current property taxes paid to the City total approximately \$24,000 per year. At full buildout, the project is expected to generate property taxes of \$270,000 per year for the City. The potential sales tax revenue generated by the project is estimated to be approximately \$100,000 per year based on restaurant and conference center sales of similar square footage and retail markets. Office employees would generate a nominal amount of sale tax revenue based on incidental spending in the City.

REPORT PREPARED BY: Stephanie Frady, Senior Planner

ATTACHMENTS

- Attachment 1: ALUC Staff Report dated April 20, 2017 and Decision Letter
- Attachment 2: Planning Commission Agenda Report dated June 15, 2017 with Attachments
- Attachment 3: Staff Notification Letter to ALUC dated May 25, 2017
- Attachment 4: Correspondence
- Attachment 5: City Council Resolution 17-XX

cc: Sean Cao, Great Far East (via email: sean.cao@greatfareast.com)
Hope Fazio, Great Far East (via email: hope.fazio@greatfareast.com)
Tim Strader, Starpointe Ventures (via email: tj@starpointeventures.com)
Kari Rigoni, Airport Land Use Commission (via email: KRigoni@ocair.com)
Lea Choum, John Wayne Airport (via email: LChoum@ocair.com)
Joel Belding, Principal Planner
File: 00659728-PMPC



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY
3160 Airway Avenue Costa Mesa, CA 92626 (949) 252-5170 Fax (949) 252-6012

**REGULAR MEETING OF THE
AIRPORT LAND USE COMMISSION
FOR ORANGE COUNTY**

April 20, 2017

PLEASE NOTE LOCATION

TIME: 4:00 p.m. PLACE: John Wayne Airport
3160 Airway Avenue
SUBJECT: Regular Meeting Costa Mesa, CA 92626
Airport Commission Hearing Room

NOTICE

PERSONS ADDRESSING THE COMMISSION ARE REQUESTED TO GIVE THEIR NAMES AND ADDRESSES FOR THE RECORD.

EXCEPT AS OTHERWISE PROVIDED BY LAW, NO ACTION WILL BE TAKEN ON ANY ITEM NOT APPEARING IN THE FOLLOWING AGENDA. THE RECOMMENDED ACTIONS STATED IN THE AGENDA ITEM OR UNDERLYING STAFF REPORTS SIMPLY REFLECT THE RECOMMENDATION OF THE COMMISSION STAFF AND THE DISCUSSION AND ACTION TAKEN BY THE COMMISSION MAY DEVIATE THEREFROM.

AT THE CONCLUSION OF THE MEETING ON ITEMS LISTED IN THIS AGENDA, MEMBERS OF THE PUBLIC MAY ADDRESS THE COMMISSION ON ITEMS OF INTEREST TO THE PUBLIC THAT ARE WITHIN THE SUBJECT MATTER JURISDICTION OF THE COMMISSION.

ALL SUPPORTING DOCUMENTATION IS AVAILABLE FOR PUBLIC REVIEW IN THE EDDIE MARTIN ADMINISTRATION BUILDING LOCATED AT 3160 AIRWAY AVENUE, COSTA MESA, CA 92626 DURING REGULAR BUSINESS HOURS, 8:00 A.M. – 5:00 P.M. MONDAY THROUGH FRIDAY. AGENDA ITEMS ARE ALSO AVAILABLE BY CALLING (949) 252-5170.

AGENDA

ORDER:

PLEDGE:

ATTACHMENT 1

APPROVAL OF MINUTES:

Regular Meeting of November 17, 2016:

Commissioners Present: Gerald Bresnahan, Gary Miller, Diane Dixon, Stephen Beverburg, Jeff Mathews, Brendan O'Reilly

Alternate Commissioners Present: Patricia Campbell, Tony Khoury, Schelly Sustarsic

Commissioners Absent: Mark Monin

NEW BUSINESS:

1. City of Irvine Request for Consistency review of the Landmark Project:

The project proponent, Great Far East, The Investment & Management Co, is proposing to construct a hotel and office building located in the western portion of the City of Irvine. The proposed project includes construction and operation of a 19-story, 448,200 square foot office building; a 15-story, 323,415 square foot, 386-room hotel; 13,665 square feet of retail and restaurant space; and a 2,089-space parking structure. The proposed site is a 7-acre site located at 18872, 18912 and 18952 MacArthur Boulevard. The proposed project site is surrounded by a mix of land uses including office, multi-family residential, commercial, hotel and retail. The project site currently contains office buildings and parking which will all be demolished to implement the proposed project.

Recommendation:

1. That the Commission find the proposed Landmark Project Inconsistent with the *AELUP for JWA* per *AELUP* Sections 1.2 and 2.1.4, and PUC Section 21674 which state that the Commission is charged by PUC Section 21674(a) "to assist local agencies in ensuring compatible land uses in the vicinity of ...existing airports to the extent that the land in the vicinity of those airports is not already devoted to incompatible uses," and PUC Section 21674(b) "to coordinate planning at the state, regional and local levels so as to provide for the orderly development of air transportation, while at the same time protecting the public health, safety and welfare."
2. That the Commission find the proposed Landmark Project Inconsistent with the *AELUP for Heliports* per Section 1.2 which states that the *AELUP* seeks to protect the public from the adverse effects of aircraft noise, to ensure that sites are not proposed for locations where people and facilities are concentrated, and to ensure that structures or activities in the area would not adversely affect the navigable airspace.

2. Administrative Status Report:

Receive and file memo regarding various administrative activities/issues, Commission correspondence sent/received, and pending project reviews.

Receive staff update on JWA General Aviation Improvement Program.

3. **Proceedings with Consistent Agencies:**

Aliso Viejo (April 15, 2004), Anaheim, Buena Park, Costa Mesa (October 17, 2008), Cypress (August 16, 2001), Fullerton (June 17, 2004), Garden Grove, Huntington Beach, Irvine, Laguna Hills, Lake Forest (June 15, 2006) Los Alamitos, Mission Viejo, Newport Beach (2006), Santa Ana (December 18, 2008), Stanton, Tustin, Westminster, and County of Orange.

4. **Proceedings with Inconsistent Agencies:**

Laguna Woods (April 19, 2001) and Seal Beach.

5. **Items of Interest to the Commissioners:**

Commissioners may comment on agenda or non-agenda matters, and ask questions of or give direction to staff; provided that no action may be taken on off-agenda items.

6. **Items of Interest to the Public:**

Members of the public may address the Commission regarding any item within the subject matter jurisdiction of the Airport Land Use Commission provided that no action may be taken on off-agenda items unless authorized by law.

ADJOURNMENT:

Next Regular Meeting: May 18, 2017



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

3160 Airway Avenue • Costa Mesa, California 92626 • 949.252.5170 fax: 949.252.6012

AGENDA ITEM 1

April 20, 2017

TO: Commissioners/Alternates

FROM: Kari A. Rigoni, Executive Officer

SUBJECT: City of Irvine Request for Consideration of the Landmark Project proposed at 18872, 18912 and 18952 MacArthur Boulevard

Background

The project proponent, Great Far East, The Investment & Management Co, is proposing to construct a hotel and office building located in the western portion of the City of Irvine. The proposed project includes construction and operation of a 19-story, 448,200 square foot office building; a 15-story, 323,415 square foot, 386-room hotel; 13,665 square feet of retail and restaurant space; and a 2,089-space parking structure. See Attachment 1 to view the Site Plan.

The proposed site is a 7-acre site located at 18872, 18912 and 18952 MacArthur Boulevard (See Attachment 2 for the Project Location Map). The site is generally bounded by MacArthur Boulevard and John Wayne Airport to the north and west, Douglas Street to the east, and Campus Drive to the south. The proposed project site is surrounded by a mix of land uses including office, multi-family residential, commercial, hotel and retail. The project site currently contains office buildings and parking which will all be demolished to implement the proposed project.

The project is being referred to your Commission because of the project's location within the Airport Planning Area for JWA and because the proposed project building heights exceed 200 feet above ground level (AGL). The hotel is proposed to 206 feet AGL and the office building is proposed to 253 feet AGL.

The City of Irvine has scheduled a public hearing on the proposed project as follows:

May 2017 Planning Commission

AELUP Issues

The project has been evaluated for conflicts with respect to aircraft noise, building heights, flight tracks, safety zones and the development of heliports.

Regarding Aircraft Noise Impacts

The proposed project is located within the JWA Master Plan 60 dBA CNEL noise contour (see Attachment 3). The Draft Addendum to the IBC Vision Plan and Mixed Use Overlay Zoning Code Environmental Impact Report for the Landmark Mixed-Use Project includes Project Design Feature (PDF 9-4) stating that the interior standard of 45 dBA CNEL will be achieved and that parks within the 60 dBA CNEL noise contour shall include signage indicating their proximity to JWA and related airport noise.

Regarding Height Restrictions

In Section 2.1.3 of the *JWA AELUP*, the Commission has incorporated the standards for height limits for determining obstructions and has incorporated the definitions of “imaginary surfaces” for airports as defined in Federal Aviation Regulations (FAR) Part 77. The proposed project is located within the FAR Part 77 “imaginary surfaces” referral area (see Attachments 4 and 5). The proposed heights for the project are 253 feet above mean sea level (AMSL) for the hotel and 301 feet AMSL for the office building. Both buildings would surpass the notification surface which would be penetrated at 95 feet AMSL.

Attachment 5 shows that the proposed project is located within the horizontal surface for JWA which would be penetrated at 206 feet AMSL. The proposed building heights at this site are 253 feet above mean sea level (AMSL) for the hotel and 301 feet AMSL for the office building. Both of the proposed buildings penetrate the horizontal surface. The hotel penetrates the surface by 47 feet and the office building by 95 feet. The airspace above 206 feet AMSL is reserved for air navigation. The project applicant filed Form 7460-1 with the Federal Aviation Administration (FAA) and has received a Determination of No Hazard to Air Navigation for both buildings. The FAA Aeronautical Study No. 2016-AWP-5166-OE for the hotel building and Aeronautical Study No. 2016-AWP-5171-OE for the office building are included as Attachment 6. Comments from JWA were sent to FAA regarding these FAA Aeronautical Studies and are included as Attachment 7.

Regarding Flight Tracks and Safety Zones

As shown in Attachment 8, the proposed project is located within Safety Zone 6, the traffic pattern zone, and would be subject to overflight from general aviation (GA) aircraft. Attachment 9 shows the flight tracks over the proposed project site. Exhibits were prepared to demonstrate the elevations of planes flying over the property. The exhibits in Attachment 9 show various days of normal operational flight tracks. Exhibits demonstrating general aviation operations for Wednesday, December 7, 2016 and Saturday, December 10, 2016 show some aircraft flying at 301 feet AGL (shown in blue) to 601 feet AGL (shown in red) over the proposed project site.

The exhibits showing general aviation operations for Tuesday, March 28, 2017 and Saturday, April 1, 2017 have a corresponding print out listing each flight, the time of day and elevation above the proposed project site. On both days, there were flights flying at 305 feet AGL to 500 feet AGL. With the proposed building heights of 253 feet AMSL and 301 feet AMSL, the buildings will be in close proximity to airspace used by general aviation aircraft that fly within the general traffic pattern consistently throughout the day. The flight track information suggests it would be prudent to reduce the proposed project building heights. Building the proposed project to 301 feet AMSL may impact flight patterns for existing GA operations at JWA and potentially cause safety concerns for aircraft and structures within that airspace.

Heliports

Heliports are not proposed as part of project. The City of Irvine General Plan includes language that states proposed heliport projects must comply with FAA Regulations, Caltrans Division of Aeronautics and the *AEUP for Heliports* in the development of heliports.

Helicopter operations are also a part of the JWA general aviation operations over the proposed project site. The exhibits in Attachment 9 for Tuesday, March 28, 2017 and Saturday, April 1, 2017 also include known helicopter operations.

Environmental Compliance

A Draft Addendum to the IBC Vision Plan and Mixed Use Overlay Zoning Code Environmental Impact Report for the Landmark Mixed-Use Project is being prepared as the CEQA documentation to analyze the potential impacts of the project. It will be released as an attachment to the City of Irvine Planning Commission staff report for their consideration during decision-making on the project.

Conclusion

Attachment 10 to this report contains excerpts from the project submittal package received from the City of Irvine for your reference. ALUC staff has reviewed this project with respect to compliance with the *AEUPs for JWA and Heliports*, including review of height restrictions, imaginary surfaces and flight tracks over the proposed project area.

The project is located within the horizontal surface for JWA and falls within the Safety Zone 6, Traffic Pattern Zone for JWA. As demonstrated by the flight track exhibits, this area would be subject to overflight activity. The airspace above 206 feet AMSL is reserved for air navigation and the proposed hotel would penetrate the horizontal surface by 47 feet, and the office building by 95 feet.

For your information, JWA staff provided comments on the Parcel Map 2016-139 for the proposed project on March 20, 2017 to the City of Irvine Subdivision Committee (See Attachment 11). The letter emphasized that the flight tracks over the proposed project site show GA aircraft flying at elevations starting at 301 feet AMSL over the proposed project site. Building the proposed project to 301 feet AMSL may impact the flight patterns for existing GA operations at JWA and potentially cause safety concerns for aircraft and structures within that airspace.

In addition, the letter stated that it is the County's policy to maintain and ensure the safe operation of JWA and therefore, we continue to recommend that the structure height be reduced to below 206 feet AMSL, including all rooftop equipment and/or architectural details. For the safe operation of GA air traffic, the airspace above 206 feet AMSL needs to be reserved for air navigation.

Per Section 1.2 of the *JWA AEUP*, the purpose of the *AEUP* is to safeguard the general welfare of the inhabitants within the vicinity of the airport and to ensure the continued operation of the airport. Specifically, the plan seeks to protect the public from the adverse effects of aircraft noise to ensure that people and facilities are not concentrated in areas susceptible to aircraft accidents, and to ensure that no structures or activities adversely affect navigable airspace. Additionally, Section 2.1.4 of the *JWA AEUP* and PUC Section 21674 charge the Commission to coordinate at the local level to ensure compatible land use planning. Therefore, because the proposed project would be entering

airspace reserved for air navigation by penetrating the horizontal surface for JWA, staff is recommending the following:

Recommendation:

1. That the Commission find the proposed Landmark Project Inconsistent with the *AELUP for JWA* per *AELUP* Sections 1.2 and 2.1.4, and PUC Section 21674 which state that the Commission is charged by PUC Section 21674(a) “to assist local agencies in ensuring compatible land uses in the vicinity of ...existing airports to the extent that the land in the vicinity of those airports is not already devoted to incompatible uses,” and PUC Section 21674(b) “to coordinate planning at the state, regional and local levels so as to provide for the orderly development of air transportation, while at the same time protecting the public health, safety and welfare.”
2. That the Commission find the proposed Landmark Project Inconsistent with the *AELUP for Heliports* per Section 1.2 which states that the *AELUP* seeks to protect the public from the adverse effects of aircraft noise, to ensure that sites are not proposed for locations where people and facilities are concentrated, and to ensure that structures or activities in the area would not adversely affect the navigable airspace.

Respectfully submitted,



Kari A. Rigoni
Executive Officer

Attachments:

1. Project Site Plan
2. Project Location Map
3. JWA CNEL Contours
4. FAR Part 77 AELUP Notification Area for JWA
5. FAR Part 77 JWA Obstruction Imaginary Surfaces
6. FAA Aeronautical Study No. 2016-AWP-5166-OE and 2016-AWP-5171-OE
7. JWA letters to FAA
8. JWA Safety Zone Reference Map
9. Flight Tracks over proposed project
10. Submittal Package Excerpts from City of Irvine
11. JWA letter to the City of Irvine Subdivision Committee Parcel Map 2016-139



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

3160 Airway Avenue • Costa Mesa, California 92626 • 949.252.5170 fax: 949.252.6012

May 5, 2017

Stephanie Frady
City of Irvine
P.O. Box 19575
Irvine, CA 92623

Subject: Landmark Project

Dear Ms. Frady:

On April 20, 2017 the Airport Land Use Commission (ALUC) for Orange County considered the subject project. The matter was duly discussed, moved, seconded, and carried unanimously by the Commission to find the City of Irvine proposed Landmark Project Inconsistent with the *Airport Environs Land Use Plans (AELUPs) for John Wayne Airport (JWA) and Heliports* based on the following:

1. That the proposed Landmark Project is Inconsistent with the *AELUP for JWA* per *AELUP* Sections 1.2 and 2.1.4, and PUC Section 21674 which state that the Commission is charged by PUC Section 21674(a) "to assist local agencies in ensuring compatible land uses in the vicinity of ...existing airports to the extent that the land in the vicinity of those airports is not already devoted to incompatible uses," and PUC Section 21674(b) "to coordinate planning at the state, regional and local levels so as to provide for the orderly development of air transportation, while at the same time protecting the public health, safety and welfare."
2. That the proposed Landmark Project Inconsistent with the *AELUP for Heliports* per Section 1.2 which states that the *AELUP* seeks to protect the public from the adverse effects of aircraft noise, to ensure that sites are not proposed for locations where people and facilities are concentrated, and to ensure that structures or activities in the area would not adversely affect the navigable airspace.

Please contact ALUC staff at (949) 252-5123 or via email at lchoum@ocair.com if you require additional information or have questions regarding this proceeding.

Sincerely,

Kari A. Rigoni
Executive Officer



REQUEST FOR PLANNING COMMISSION ACTION

MEETING DATE: JUNE 15, 2017

TITLE: COMMERCIAL MASTER PLAN FOR THE LANDMARK, A MIXED USE PROJECT CONTAINING HOTEL, RETAIL AND OFFICE USES LOCATED AT 18872, 18912 AND 18952 MACARTHUR BOULEVARD IN PLANNING AREA 36 (IRVINE BUSINESS COMPLEX)


Director of Community Development

RECOMMENDED ACTION

1. Open public hearing; receive public input; Commission comments and questions.
2. Close public hearing.
3. Adopt RESOLUTION NO. 17-3615 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRVINE, CALIFORNIA, APPROVING COMMERCIAL MASTER PLAN 00659728-PMPC TO DEVELOP THE LANDMARK, A 15-STORY, 386-ROOM HOTEL, A 15-STORY OFFICE BUILDING AND GROUND-LEVEL RETAIL/RESTAURANT SPACE, LOCATED AT 18872, 18912 AND 18952 MACARTHUR BOULEVARD IN PLANNING AREA 36 (IRVINE BUSINESS COMPLEX), CONTINGENT ON THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA OVERRULING THE DETERMINATION OF THE AIRPORT LAND USE COMMISSION OF THE COUNTY OF ORANGE THAT THE PROPOSED PROJECT IS NOT CONSISTENT WITH THE 2008 JOHN WAYNE AIRPORT ENVIRONS LAND USE PLAN; FILED BY GREAT FAR EAST, LLC

EXECUTIVE SUMMARY

Great Far East, LLC has filed an application for a Commercial Master Plan to develop The Landmark, a mixed use commercial development which includes a 15-story, 386-room hotel, a 15-story office building, ground level restaurant/retail space, and a combination subterranean parking structure containing 2,089 parking spaces, located at 18872, 18912 and 18952 MacArthur Boulevard in Planning Area 36, the Irvine Business Complex (IBC) (PC Attachment 1).

The project is located in the 5.1 IBC Multi-Use zoning district. A Master Plan is required, per Section 2-17-2(C)(2) of the Irvine Zoning Ordinance, as the IBC site includes two or more principal uses.

The proposed Commercial Master Plan establishes site level design standards and the exterior architectural treatment for the hotel, retail and office buildings. It also addresses on-site amenities provided for the hotel as well as parking, landscaping and vehicular and pedestrian circulation throughout the project site.

Within the IBC, the overall amount of development allowed is regulated by the development intensity value (DIV) budget assigned to each parcel. For the subject project site, there exists a cumulative DIV budget of 1,122 AM, 1,321 PM and 13,638 daily DIVs. The proposed project requires 779 AM, 976 PM and 11,180 daily DIVs, which is entirely covered by the site's budget.

As such, no transfer of development rights is necessary to facilitate the development of the project and, therefore, per Irvine's Traffic Impact Analysis Guidelines, the requirement for a Traffic Impact Analysis is not triggered. In the absence of a Traffic Impact Analysis, an Access Study was completed to analyze the proposed project. The study found that there would be "no impacts to vehicle access" and that "the proposed project will not significantly affect the surrounding circulation system." The City's Transportation Division staff reviewed the Access Study and supports the conclusions contained therein.

Staff reviewed the proposed project and determined it complies with all applicable standards of the Irvine Zoning Ordinance and is compatible with existing and anticipated future uses in the vicinity. Refer to the PC Information Sheet for additional details on the project (PC Attachment 2). Staff further determined that the proposed project will not be detrimental to the public health, safety or welfare, or be materially injurious to properties or improvements in the vicinity, and that it will be adequately serviced by existing utilities and facilities.

In the case of the proposed project, the Airport Land Use Commission (ALUC) for Orange County previously reviewed the proposed project and found it to be inconsistent with the 2008 John Wayne Airport Environs Land Use Plan (AELUP). This issue is discussed in detail later in this report; however, it means that the City Council must vote to override this decision if the project is to be approved. Consequently, an affirmative decision by the Planning Commission on the project would be contingent upon the City Council's approval of an override of the ALUC inconsistency determination.

Therefore, staff recommends the Planning Commission approve Commercial Master Plan 00659728-PMPC, subject to the draft conditions set forth in Planning Commission Resolution No. 17-3615 (PC Attachment 6) and contingent on the City Council overriding the ALUC inconsistency determination.

COMMISSION / BOARD / COMMITTEE RECOMMENDATION

On March 22, 2017, the Irvine Subdivision Committee reviewed and unanimously approved, with all members present, an application for Vesting Tentative Parcel Map

2016-139 to reconfigure three lots and one parcel into three parcels on the project site. Specifically, the parcel map subdivides the project site, totaling approximately seven acres, to create two numbered parcels, one for a future hotel and one for a future office building, and one lettered parcel for public street dedication along MacArthur Boulevard.

On April 20, 2017, the ALUC for Orange County considered the proposed Landmark Project. When a development project is subject to the AELUP, as the project site is located within close proximity to John Wayne Airport, state law requires the ALUC to make a determination whether the proposed land use is consistent with its regulations and restrictions. At its meeting on April 20th, the ALUC voted unanimously finding the proposed project inconsistent with the AELUP.

ANALYSIS

Surrounding Uses and Setting

The approximately seven-acre, irregularly-shaped project site is located in the western portion of the City of Irvine. The project site is generally bounded by MacArthur Boulevard and John Wayne Airport to the west, Douglas (a street) to the north and east, and an existing nine-story office building (19000 MacArthur Boulevard), Campus Drive and Martin (a street) to the south. Addresses associated with the project include 18872, 18912, and 18952 MacArthur Boulevard. The City of Irvine/City of Newport Beach corporate boundary is located just south of the site along Campus Drive/Irvine Avenue.

The subject lots/parcels are designated 5.1 IBC Multi-use on the City of Irvine Zoning Map. The City's General Plan Land Use Map designates the project site as Urban and Industrial. Specific land uses located in the vicinity of the project site include:

- North: Hilton Irvine / Orange County Airport Hotel (18800 MacArthur Boulevard)
- East: Carlyle Apartments (18880 Douglas)
- South: Campus-MacArthur Court Office Park (19000 MacArthur Boulevard)
- West: John Wayne Airport

The project site supports both office and restaurant uses. A four-story, 49,104-square-foot office building (18872 MacArthur Boulevard) is located on the northern corner of the project site, and a similar four-story, 47,118-square-foot office building (18952 MacArthur Boulevard) is at the southwest corner of the site. A stand-alone, 9,821-square-foot restaurant building (18972 MacArthur Boulevard) is located along the western portion of the project site between the two office buildings. In addition to these buildings, surface parking lots and ornamental landscape areas compose the balance of the project site. All existing development would be demolished should the proposed project be approved.

Project Description

The proposed project includes construction and operation of a 15-story, 448,200-square-foot office building; a 15-story, 323,415-square-foot, 386-room hotel; 13,665 square feet of retail and restaurant space; and a 2,089-space parking structure (PC Attachment 3).

The hotel building would be located on the northern portion of the project site, directly south of the intersection of MacArthur Boulevard and Douglas. The proposed hotel is a full-service hotel with 21,445 square feet of meeting and conference space, 5,043 square feet of restaurant and bar use on the ground floor, a 2,631 square-foot fitness center/spa, a rooftop lounge, swimming pool and outdoor deck. It is anticipated that the majority of guests staying at the hotel would be travelers conducting business in and around the IBC and the City of Irvine. The hotel would be located within walking distance of John Wayne Airport, and numerous office complexes and corporate headquarters.

A ground-level retail/restaurant space would be located immediately adjacent to the hotel building and partially front along Douglas. This area would be topped by the pool deck serving the hotel. There is also a stand-alone building planned within the interior loop drive area for the valet area and the site entrance/exit drive. The valet entrance and exit ramps accessing the subterranean garage would be located beneath this building.

The office building would be located on the southern part of the project site, adjacent to the existing off-site office building located on the northeast corner of the intersection of MacArthur Boulevard and Campus Drive.

The entire project site would sit atop a two level subterranean garage. There will be 1,060 parking spaces serving the hotel (valet only), retail and office (long-term) located underground. In addition to the subterranean garage, there will be a five level, above-ground parking structure which wraps around the office building along MacArthur Boulevard and the southern property line. This portion of the structure will contain 1,029 spaces serving the office building.

Access to the project site and parking structure will be provided via a proposed right-in/right-out driveway on MacArthur Boulevard and two existing full-access driveways on Douglas (one main driveway for employees and guests and a service-only access for maintenance and delivery vehicles). The service-only access consists of an inbound-only driveway and an outbound-only driveway.

Finally, sidewalk connections to all adjacent streets and for internal pedestrian access will be provided.

Design

The hotel and office buildings and associated improvements have been designed with a strong and appropriately scaled framework of architectural and landscape elements.

High-quality development features would be provided through site design (e.g., building orientation, screening and placement of service areas), architecture (e.g., mass, scale, form, style, material, and color) and streetscape elements (e.g., lighting, paving materials). Overall, the proposed project would enhance and strengthen the existing quality of the project site through new landscaping, hardscape, and other improvements both on site and along the public rights-of-way.

Specifically, the buildings feature a contemporary design, entirely skinned by large glass windows and prominent steel window frames for architectural interest. This design moves away from the mix of stone, concrete and glass found on the existing nearby office buildings. When compared with other hotel and office buildings in the IBC, as well as other such buildings throughout the City of Irvine and in the nearby adjacent City of Newport Beach, the scale and massing of the proposed project would be consistent with existing development in both the immediate and in the broader project area.

For example, within an approximately 0.5-mile radius of the project site, there are several hotel or office buildings of similar size and height, including the 10-story Radisson Hotel Newport (4545 MacArthur Boulevard), the 15-story MacArthur Court office campus (4665 through 4695 MacArthur Court), the 17-story Airport Tower office building (18881 Von Karman Avenue), the 11-story Atrium office building (19100 and 19200 Von Karman Avenue), and the 19-story Lakeshore Towers office campus (18007 through 18191 Von Karman Avenue).

The design of the above ground parking structure is similar to existing structures located in the Spectrum Center area of the City. It will be painted white and have large horizontal rectangular cut outs along the sides. There are metal screens, to allow landscape screening to grow upwards, located on the ground level of the parking structure on both the MacArthur Boulevard side and the southern property line, as well as on all levels to fully screen the portion of the structure facing Douglas.

A portion of the fourth level of the parking structure, along the southern property line near Campus Drive, has been designed with landscaping and provides an outdoor activity area. This open space area will include a bocce court, central gathering area and a secondary seating area for the use of the office tenants. Solar panel shade structures are proposed at the upper level of the parking structure. Additionally, landscape screening is proposed and will utilize a combination of existing Pine and Poplar trees (off-site along the parking structure on the site to the immediate south), palm trees, African Fern Pine trees and hedges along the base of the structure.

In addition to its compatibility with surrounding development, the parking structure is of a similar design to the structures constructed to serve the office towers at 200 and 400 Spectrum Center Drive. The design of those other structures was refined after Planning Commission review and in accordance with conditions of approval that were placed on the projects at the time of their approval.

Landscaping / Signage

As discussed above, the site will receive an entirely new landscape treatment. Palm, pine and other trees (to be determined at a later date) will be planted along the property frontages and within the interior of the site. Hedges and flowers will also be planted around the exterior edges of the buildings. The street trees planned are consistent with the City's Master Streetscape Plan and the site landscape coverage of 23 percent exceeds the minimum requirement of 15 percent.

With regard to signage, the project plans show a conceptual primary building sign to be located on the hotel building, at grade, near the corner of the Douglas and MacArthur Boulevard. This primary sign, and all other signage proposed for the project, is not being approved in conjunction with this Master Plan and will be processed under a separate application.

Valet Service

Valet parking is proposed for the hotel only, in accordance with Section 4-8-1 (Valet Parking Operation Standards) of the Irvine Zoning Ordinance. All hotel guests will be required to utilize the valet parking service. Hotel guests will not be able to use the gated parking structure entrance for the office and retail/restaurant uses. Office and retail/restaurant guests will not be able to use the hotel's valet parking services.

Required Parking for On-site Uses

The overall parking requirement for the proposed project is 1,920 stalls. A total of 2,089 stalls are provided for a surplus of 169 stalls. A breakdown of the parking requirements per use follows.

Office: The parking rate for office, per Section 4-3-4 of the Irvine Zoning Ordinance, is four stalls per 1,000 square feet for the first 250,000 gross square feet plus two stalls per 1,000 square feet over 250,000 square feet. As such, the proposed office component of the project requires a minimum of 1,397 stalls. The project includes a total of 1,548 stalls dedicated to the office use, in compliance with the Zoning Ordinance requirement, which is broken down as follows: 830 long-term parking stalls, 153 full-sized stalls and eight compact stalls. In addition to the general use stalls, there are 11 handicapped accessible stalls, 22 motorcycle parking stalls and space for parking 110 bicycles proposed; all of which fully comply with the applicable Zoning Ordinance provisions.

Retail/Restaurant: As retail and restaurant uses have different parking requirements, staff used the restaurant rate to determine the required parking total as it requires a higher parking stall allocation. The parking rate for restaurant, per Section 4-3-4 of the Irvine Zoning Ordinance, is one stall per 75 square feet of gross floors area. As such, the proposed office component of the project requires a minimum of 183 stalls. A total of

183 full-size stalls and two accessible stalls are reserved for the restaurant/retail space on-site, in compliance with the Zoning Ordinance requirement.

Hotel: The Zoning Ordinance does not provide a parking ratio specific to hotel uses, but rather requires a parking study to determine the appropriate rate for each individual project. The applicant's parking study, dated November 29, 2016, concluded an applied parking ratio of 0.88 parking stalls per room would adequately serve both the hotel guests and employees (PC Attachment 4).

To determine an appropriate parking ratio, the parking study used a combination of surveys of comparable hotels, information provided by the applicant for typical operations, as well as localized information related to access to transit opportunities in the area. The parking study used a comparison hotel, the Irvine Spectrum Marriott Hotel at 7955 Spectrum Center Drive, which is similar in size and amenities provided. The parking study approved for that hotel set a rate of 0.88 parking stalls per room. Based upon the parking study and the factors outlined above, staff believes the proposed parking ratio of 0.88 parking stalls per room will adequately address the anticipated parking demand by both hotel guests and employees for the project.

A total of 349 full-size stalls and seven accessible stalls are reserved for the hotel use on-site, in compliance with the parking study completed. The parking rate discussed above nets a parking requirement of 340 spaces. Therefore, there will be a surplus of 16 parking stalls provided for the hotel use. Additionally, as the parking for this use will be valet-controlled, the stacking of cars can take place allowing for parking management practices that increase the parking capacity and efficiency when compared to self-parking arrangements.

Building Height Review - Airport Land Use Commission

In January and March 2017, in accordance with Irvine Zoning Ordinance requirements for building height in the IBC, the Federal Aviation Administration (FAA) issued Determinations of No Hazard to Air Navigation for the proposed 253-foot high office and 204-foot high hotel buildings on the project site. These determinations state that the "proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation."

As discussed above, at its meeting on April 20, 2017, the ALUC did not concur with the FAA Determinations of No Hazard issued for the project and, instead, voted unanimously to find that the proposed project is inconsistent with the AELUP. Specifically, the ALUC requested the building height for the hotel be reduced by 47 feet and the office by 95 feet, to a maximum of 206 feet above mean sea level, as that airspace is reserved for air navigation. This request would require significant redesign of the proposed project.

Because such a determination was made, per the AELUP, the applicant has the option to either 1) revise the project and return for a new decision, or 2) request the City Council override the ALUC decision during a public hearing and make specific findings that the proposed override is consistent with Section 21676 of the Public Utilities Code. The applicant has decided not to redesign the project and has requested City Council consideration of an override.

Pursuant to state law, the City is required to initiate the ALUC override process in order to consider approval of the proposed project. The override process requires a 45-day advance notice to the ALUC of the City's intent to override its determination. Notice of the intent to consider an override was provided to ALUC on May 25, 2017.

A two-thirds vote of the City Council is required to overrule a decision of the ALUC, and this action must occur prior to a decision being made on the proposed project. As such, the Planning Commission may only approve the project, contingent upon a decision to override the inconsistency finding. If the Planning Commission supports the proposed project, the override request will be considered by the City Council at a future meeting.

PUBLIC OUTREACH

On May 24, 2017, a notice of the June 15, 2017 Planning Commission hearing was mailed to property owners and occupants within a 500-foot radius and was posted at the project site as well as the City's standard posting locations. Staff has not received any public comments, other than those from the ALUC discussed above, related to this application to date.

ENVIRONMENTAL REVIEW

Pursuant to Section 15164 of the California Environmental Quality Act (CEQA) Guidelines, an Addendum to the IBC Vision Plan and Mixed Use Overlay Zoning Code Environmental Impact Report (EIR) (SCH No. 2007011024) for The Landmark project was completed in June 2017. This new addendum considers potential project impacts of the project in the areas of aesthetics, biological resources, air quality, greenhouse gas emissions, hazards/hazardous materials, hydrology/water quality, noise, public services, transportation/traffic and utilities (PC Attachment 5).

The June 2017 Addendum concludes that the project will not result in any new significant impacts that were not previously addressed in the IBC EIR. All previous mitigation measures, project design features, and programs, policies and procedures, as applicable, continue to apply to the proposed project and are included as conditions of approval in the resolution for this project. No new mitigation measures are required. This Addendum to the IBC EIR adequately serves as the environmental document for the proposed project and satisfies all requirements of CEQA.

ALTERNATIVES CONSIDERED

The Planning Commission could choose to recommend denial of the Commercial Master Plan or it could recommend project modifications. Staff does not recommend these alternatives as the project complies with the Irvine Zoning Ordinance and, as evidenced by the EIR Addendum, is consistent with the project evaluated in the IBC EIR.

FINANCIAL IMPACT

Information received from the City's Budget Office estimates that the proposed hotel would generate approximately \$632,000 in transient occupancy taxes (TOT) and \$158,000 in Hotel Improvement District taxes for the first year of operation. For subsequent years, TOT is estimated to be \$1.3 million and the Hotel Improvement District tax is estimated to be \$316,000 annually. These calculations are based upon the opening year for the hotel, the type of hotel constructed, as well as market saturation. Hotel guests whose stay does not exceed 30 consecutive days will pay TOT, consistent with the City's Municipal Code.

REPORT PREPARED BY: Stephanie Frady, Senior Planner

REVIEWED BY: Tim Gehrich, Deputy Director of Community Development
Joel Belding, Principal Planner

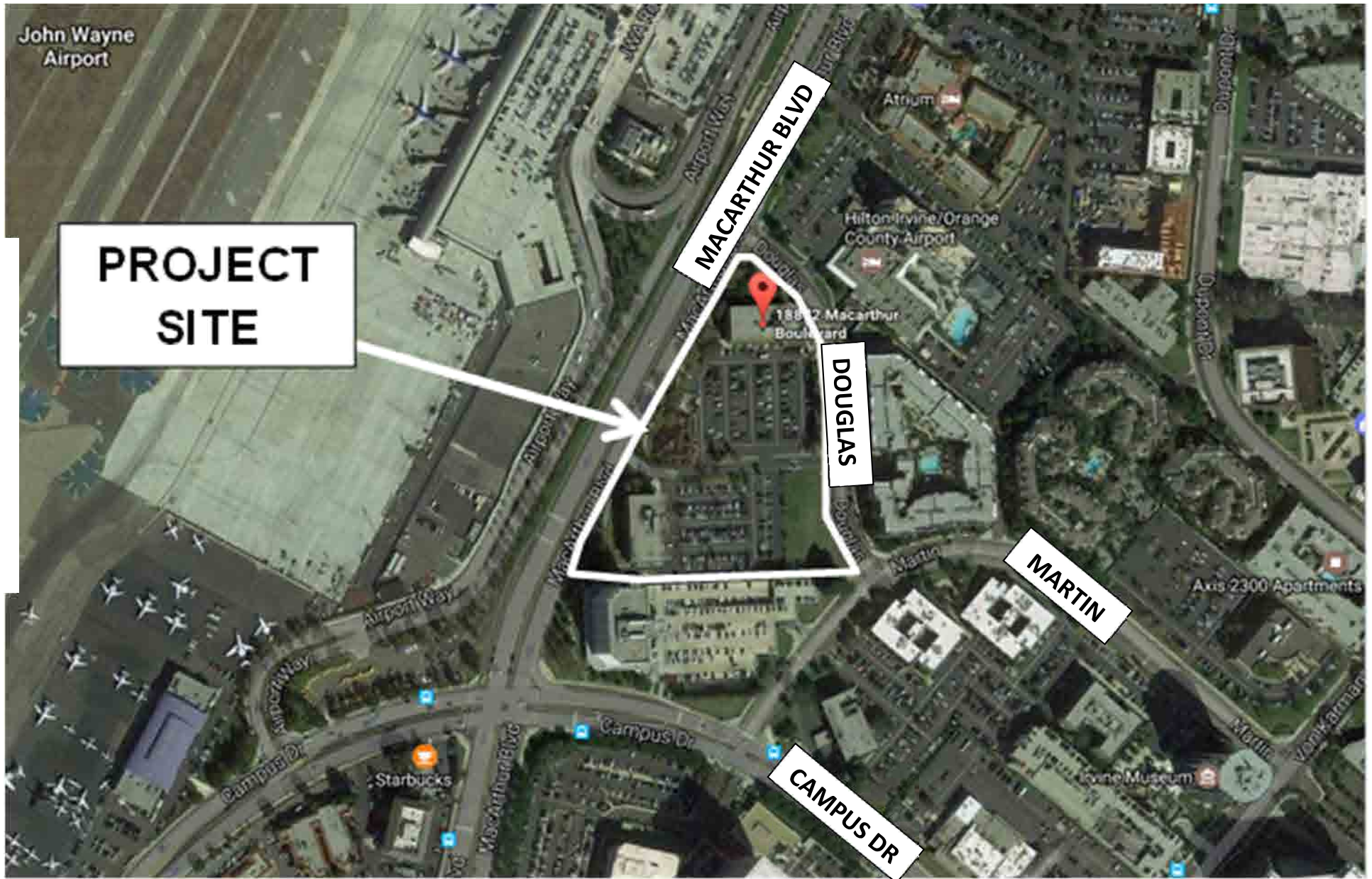
ATTACHMENTS

PC Attachment 1: Vicinity Map
PC Attachment 2: Planning Commission Information Sheet
PC Attachment 3: Master Plan Set
PC Attachment 4: Hotel Parking Study dated November 2016
PC Attachment 5: Addendum to IBC EIR
PC Attachment 6: Planning Commission Resolution No. 17-3615 Approving
Commercial Master Plan 00659728-PMPC

cc: Sean Cao, Great Far East (via email: sean.cao@greatfareast.com)
Hope Fazio, Great Far East (via email: hope.fazio@greatfareast.com)
Tim Strader, Starpointe Ventures (via email: tj@starpointeventures.com)
Jay Ruby, Urban Resource (via email: jay@urbanresource.com)
Mark Mispagel (via email: mark@mispagellaw.com)
Kari Rigoni, Airport Land Use Commission (via email: KRigoni@ocair.com)
Lea Choum, John Wayne Airport (via email: LChoum@ocair.com)
Joel Belding, Principal Planner

File: 00659728-PMPC

VICINITY MAP – 18872, 18912 AND 18952 MACARTHUR BOULEVARD



PLANNING COMMISSION INFORMATION SHEET
THE LANDMARK COMMERCIAL MIXED USE PROJECT

Meeting Date: June 15, 2017

Applicant: Great Far East LLC

Staff Recommends: The Planning Commission approve a Commercial Master Plan for The Landmark, a commercial mixed use project which includes a 15-story, 386-room hotel, a 15-story office tower and ground level retail/restaurant space.

Legal Description: Lot 3: (2.293 acres) APN 445-012-01

Lot 3 of Tract 8299, in the City of Irvine, County of Orange, State of California as shown on a map recorded in Book 340, Pages 44 to 47 inclusive of miscellaneous maps, in the office of the County Recorder of said county

Lot 4: (1.345 acres) APN 445-012-02

Lot 4 of Tract 8299, in the City of Irvine, County of Orange, State of California as shown on a map recorded in Book 340, Pages 44 to 47 inclusive of miscellaneous maps, in the office of the County Recorder of said county

Lot 5: (2.312 acres) APN 445-012-03

Lot 5 of Tract 8299, in the City of Irvine, County of Orange, State of California as shown on a map recorded in Book 340, Pages 44 to 47 inclusive of miscellaneous maps, in the office of the County Recorder of said county

Parcel 2: (1.082 acres) APN 445-012-06

Parcel 2 of Parcel Map 80-617, in the City of Irvine, County of Orange, State of California as shown on a map recorded in Book 154, Page 31 of parcel maps, in the office of the County Recorder of said county

Site Size: 7.0329 acres

Location: 18872, 18912 and 18952 MacArthur Boulevard

Topography: Generally flat

General Plan: Urban and Industrial

Existing Zoning: 5.1 IBC Multi-use

Existing Land Use: Two existing four-story office buildings and a free-standing restaurant building with surface parking and landscaping.

Adjacent Zoning / Land Uses

	<u>Zoning Designation</u>	<u>Land Use</u>
North:	5.1 IBC Multi-use	Douglas (a street), Hilton Irvine/Orange County Airport Hotel (18800 MacArthur Blvd.)
East:	5.3A IBC Residential	Douglas, Carlyle Apartments (18880 MacArthur Blvd.)
West:	n/a	MacArthur Blvd., John Wayne Airport
South:	5.1 IBC Multi-use	Campus-MacArthur Court Office Park (19000 MacArthur Blvd.), Campus Drive/Irvine Avenue, City of Newport Beach

Development Standards

	<u>Required/Allowed</u>	<u>Provided</u>
Minimum Site Size:	30,000 sq. ft.	306,352 sq. ft.
Maximum Site Coverage:	65%	54.8% (including parking structure)
Maximum Building Height:	FAA standard	No Hazard Determination from FAA issued
Hotel:		204 feet
Office:		253 feet
Minimum Landscape Coverage:	15%	23%
Minimum Setbacks		
MacArthur:	40 feet	40 feet
Douglas:	40 feet	40 feet
Side:	10 feet	10 feet from southern property line
Parking:		
Hotel:	340 stalls* (0.88 per room)	356 stalls (0.88 per room)
Office:	1,397 stalls	1,548 stalls
Retail/Restaurant:	183 stalls	185 stalls
TOTAL:	1,920 stalls	2,089 stalls

* Per Section 4-3-4(21) of the Irvine Zoning Ordinance, the hotel rate shall be established by a parking study. A parking study for the proposed project was completed by LSA Associates, Inc. on November 29, 2016.

THE LANDMARK
IRVINE, CALIFORNIA
GREAT FAR EAST



MASTER PLAN APPLICATION
CASE # 00659728-PMPC
JANUARY 27, 2017

PROJECT SUMMARY

THIS PROJECT IS COMPRISED OF A 15-STORY HOTEL, A 15-STORY OFFICE TOWER AND A FREESTANDING RETAIL BUILDING WHICH IS EXPECTED TO PROVIDE COFFEE/FOOD SERVICE TO HOTEL AND OFFICE PERSONNEL AND GUESTS. PARKING FOR THE PROJECT IS PROVIDED ON TWO SUBTERRANEAN PARKING LEVELS AND A 5-LEVEL ABOVE GRADE PARKING STRUCTURE LOCATED ADJACENT TO THE OFFICE TOWER.

THE HOTEL IS COMPRISED OF 386 GUEST ROOMS, RESTAURANT, BAR/LOUNGE, MEETING ROOMS, POOL/SPA DECK AND GUEST FITNESS CENTER.

TABULATIONS FOR PARKING AND BUILDING AREAS ARE LOCATED ON SHEET MP-101.

Table A: 18912, 18952, and 18872 MacArthur Boulevard IBC DIV Summary

Table with 6 columns: Land Use, Size, Unit, Daily, AM Peak Hour, PM Peak Hour. Rows include DIV Rates, Retail, Office (Zoning Potential), Industrial, Hotel, Existing DIV Budget, 18912 MacArthur Boulevard (IBC Project No. 401), 18952 MacArthur Boulevard (IBC Project No. 402), 18872 MacArthur Boulevard (IBC Project No. 436), Project DIV Generation, and Difference (Existing DIV Budget - Project DIV Generation).

* DIV rates obtained from the IBC Database Summary.
sf = square feet
TDR = transfer of development rights

SHEET INDEX

GENERAL

CS-000 COVER SHEET

SITE / CIVIL / LANDSCAPE DRAWINGS

- MP-010 EXISTING CONDITIONS SITE PLAN
- MP-011 TYPICAL SECTIONS
- MP-012 TECHNICAL SITE PLAN
- MP-013 SITE ACCESS PLAN
- MP-020 CONCEPTUAL LANDSCAPE PLAN - LEVEL ONE
- MP-021 CONCEPTUAL LANDSCAPE PLAN - LEVEL TWO
- MP-022 CONCEPTUAL LANDSCAPE PLAN - LEVEL THREE
- MP-023 CONCEPTUAL LANDSCAPE ELEVATIONS
- MP-030 WASTE MANAGEMENT PLAN
- MP-040 FIRE MASTER PLAN SHEET 1
- MP-041 FIRE MASTER PLAN SHEET 2

ARCHITECTURAL DRAWINGS

- MP-100 SITE PLAN
- MP-101 HOTEL, OFFICE, PARKING GROUND LEVEL FLOOR PLAN
- MP-102 HOTEL, OFFICE SECOND LEVEL FLOOR PLAN - PARKING LEVELS 2-4
- MP-103 HOTEL, OFFICE THIRD LEVEL FLOOR PLAN - PARKING LEVEL 5
- MP-104 HOTEL, OFFICE TYPICAL LEVEL FLOOR PLAN
- MP-105 PENTHOUSE FLOOR PLANS
- MP-106 PARKING BASEMENT 1 LEVEL PLAN
- MP-107 PARKING BASEMENT 2 LEVEL PLAN
- MP-120 BUILDING ELEVATIONS
- MP-121 BUILDING ELEVATIONS
- MP-122 SITE SECTION
- MP-130 PERSPECTIVE VIEWS
- MP-131 PERSPECTIVE VIEWS

THE LANDMARK
IRVINE, CA



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Table with 3 columns: No., Date, Revision. Rows include 00, 01, 02, 03, 04 with corresponding dates and revision descriptions like INITIAL SUBMISSION, SUBMISSION No. 2, etc.

MASTER PLAN SUBMITTAL
Case #: 00659728-PMPC
JANUARY 27, 2017

STAMP

DRAWING TITLE

COVER SHEET

Table with 2 columns: DRAWN, CHECKED, SCALE, PROJECT NO., DATE, REV. Rows include project details like SCALE, PROJECT NO., DATE, REV., and DRAWING NO.

MP-000

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No. Date Revision

00	01/06/16	INITIAL SUBMISSION
01	03/08/16	SUBMISSION No. 2
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04	01/27/17	SUBMISSION No. 5

MASTER PLAN SUBMITTAL

Case #: 00659728-PMPC

JANUARY 27, 2017

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EXISTING
CONDITIONS
SITE PLAN

DRAWN CHECKED

SCALE PROJECT NO.

DATE REV.

DRAWING NO.

MP-010

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Architects LLP

EXISTING EASEMENTS

- (A) EASEMENT FOR PUBLIC UTILITIES PURPOSES GRANTED TO SOUTHERN CALIFORNIA EDISON COMPANY PER BOOK 11256, PAGE 1440, OFFICIAL RECORDS. (TO BE QUITCLAIMED)
- (B) EASEMENT FOR PUBLIC UTILITIES PURPOSES IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY PER BOOK 11312, PAGE 210, OFFICIAL RECORDS (TO BE QUITCLAIMED)
- (C) EASEMENT FOR PUBLIC UTILITIES GRANTED TO THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY PER BOOK 11193, PAGE 1699 OF OFFICIAL RECORDS. (TO BE QUITCLAIMED)
- (D) EASEMENT FOR PIPELINES PURPOSES GRANTED TO SOUTHERN CALIFORNIA GAS COMPANY PER BOOK 11126, PAGE 1250 OF OFFICIAL RECORDS. (TO BE QUITCLAIMED)
- (E) PERPETUAL AIR OR FLIGHT EASEMENT ALSO REFERRED TO AS "AVIGATION RIGHTS, PER BOOK 6965, PAGE 721 OF OFFICIAL RECORDS. (TO REMAIN)
- (F) DRAINAGE ACCEPTANCE AGREEMENT (TO BE QUITCLAIMED)

LOT 1
TRACT 82
APN 445-0
18800 MAC
18800 MAC

LOT 1
TRACT 167
APN 445-0
CARLYLE
NEW PAC



GRAPHIC SCALE



(IN FEET)
1 inch = 40 feet

LEGEND

PROPOSED TRACT BOUNDARY	EXISTING FIRE HYDRANT
EXISTING RIGHT-OF-WAY	PROPOSED FIRE HYDRANT
EXISTING LOT LINE	PROPOSED CATCH BASIN
EXISTING CENTERLINE	PROPOSED MANHOLE
EXISTING EASEMENT	PUBLIC STREET RIGHT OF WAY DEDICATION
EXISTING DOMESTIC WATER	PROTECT IN PLACE
EXISTING STORM DRAIN	TO BE REMOVED
EXISTING SEWER	EXISTING STREET LIGHT
PROPOSED DOMESTIC WATER	PROPOSED STREET LIGHT
PROPOSED STORM DRAIN	
PROPOSED SEWER	

EXISTING CONDITIONS SITE PLAN

SCALE: 1" = 40'



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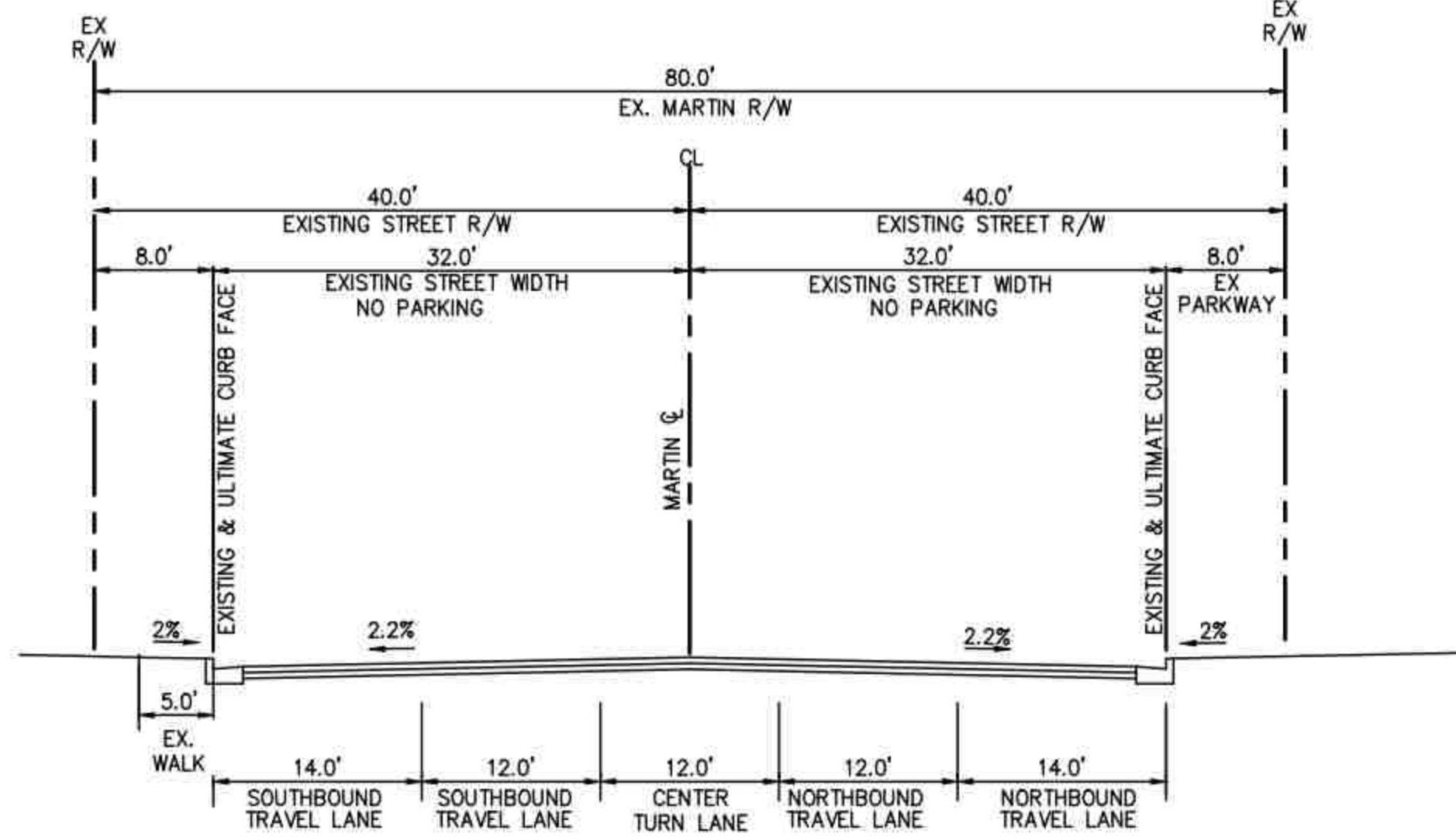
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MASTER PLAN SUBMITTAL
Case # : 00659728-PMPC
JANUARY 27, 2017

TYPICAL SECTIONS

MP-011

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Architects LLP



SECTION "C1-C1"
MARTIN
N.T.S.





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No. Date Revision

00	01/06/16	INITIAL SUBMISSION
01	03/08/16	SUBMISSION No. 2
02	05/12/16	SUBMISSION No. 3
03	12/01/16	SUBMISSION No. 4
04	01/27/17	SUBMISSION No. 5

MASTER PLAN SUBMITTAL

Case #: 00659728-PMPC

JANUARY 27, 2017

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DRAWING TITLE

TECHNICAL
SITE PLAN

DRAWN CHECKED

SCALE PROJECT NO.

DATE REV.

DRAWING NO.

MP-012

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Architects LLP

EXISTING EASEMENTS

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- (F) DRAINAGE ACCEPTANCE AGREEMENT (TO BE QUITCLAIMED)

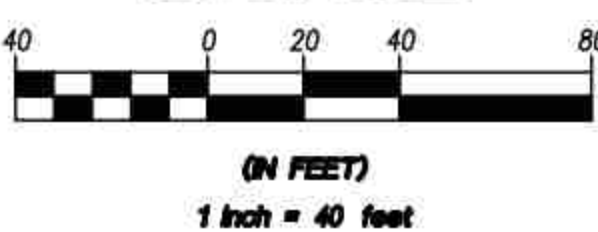
PROPOSED EASEMENTS / DEDICATIONS

- (1) EASEMENT FOR PUBLIC SIDEWALK, MAINTENANCE AND ACCESS PURPOSES DEDICATED TO THE CITY OF IRVINE AS SHOWN HEREON.
- (2) EASEMENT FOR VEHICULAR AND PEDESTRIAN ACCESS AND EMERGENCY ACCESS DEDICATED TO THE CITY OF IRVINE AS SHOWN HEREON.

LEGEND

PROPOSED TRACT BOUNDARY	EXISTING FIRE HYDRANT
EXISTING RIGHT-OF-WAY	PROPOSED FIRE HYDRANT
EXISTING LOT LINE	PROPOSED CATCH BASIN
EXISTING CENTERLINE	PROPOSED MANHOLE
EXISTING EASEMENT	PUBLIC STREET RIGHT OF WAY DEDICATION
EXISTING DOMESTIC WATER	PIP
EXISTING STORM DRAIN	TBR
EXISTING SEWER	PROTECT IN PLACE
PROPOSED DOMESTIC WATER	TO BE REMOVED
PROPOSED STORM DRAIN	EXISTING STREET LIGHT
PROPOSED SEWER	PROPOSED STREET LIGHT
	SIGHT DISTANCE LIMITED USE AREA PER CITY STANDARD NO. 403

GRAPHIC SCALE



TECHNICAL SITE PLAN

SCALE: 1" = 40'





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No. Date Revision

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01	03/08/16	SUBMISSION No. 2
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03	12/01/16	SUBMISSION No. 4
04	01/27/17	SUBMISSION No. 5

MASTER PLAN SUBMITTAL

Case #: 00659728-PMPC

JANUARY 27, 2017

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SITE ACCESS
PLAN

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SCALE PROJECT NO.

DATE REV.

12/1/16

DRAWING NO.

MP-013

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Architects LLP

LEGEND

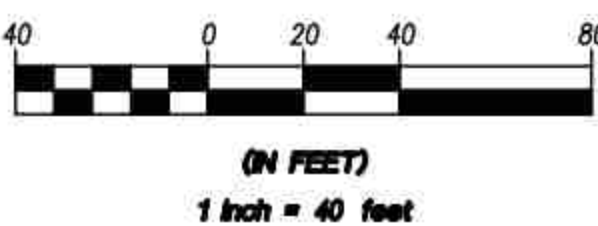
- ADA ACCESSIBLE PATH
- PEDESTRIAN GATE, RESTRICTED PUBLIC ACCESS
- VEHICULAR GATE, RESTRICTED PUBLIC ACCESS
- ELEVATOR
- HANDICAPPED RAMP
- HANDICAPPED PARKING STALLS

ADA ACCESSIBLE PATH NOTES

- THE ACCESSIBLE PATH OF TRAVEL SHALL NOT EXCEED 5% IN THE DIRECTION OF TRAVEL NOR SHALL IT EXCEED 2% CROSS SLOPE. 8.33% MAXIMUM RAMP MAY BE PROVIDED FOR A PATH OF TRAVEL BETWEEN 5% AND 8.33% SLOPE.



GRAPHIC SCALE



LEGEND

- PROPOSED TRACT BOUNDARY
- EXISTING RIGHT-OF-WAY
- EXISTING LOT LINE
- EXISTING CENTERLINE
- EXISTING EASEMENT
- EXISTING DOMESTIC WATER
- EXISTING STORM DRAIN
- EXISTING SEWER
- PROPOSED DOMESTIC WATER
- PROPOSED STORM DRAIN
- PROPOSED SEWER
- EXISTING FIRE HYDRANT
- PROPOSED FIRE HYDRANT
- PROPOSED CATCH BASIN
- PROPOSED MANHOLE
- PUBLIC STREET RIGHT OF WAY DEDICATION
- PROTECT IN PLACE
- TO BE REMOVED
- EXISTING STREET LIGHT
- PROPOSED STREET LIGHT

SITE ACCESS PLAN

SCALE: 1" = 40'



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No.	Date	Revision
00	05/12/16	SUBMISSION No. 1
01	12/01/16	SUBMISSION No. 2
02	01/27/17	SUBMISSION No. 3

DECEMBER 1, 2010

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CONCEPTUAL
LANDSCAPE PLAN -
LEVEL ONE

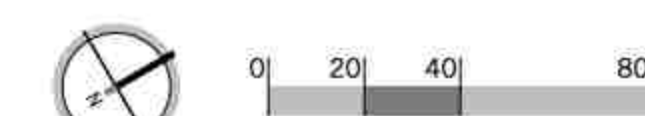
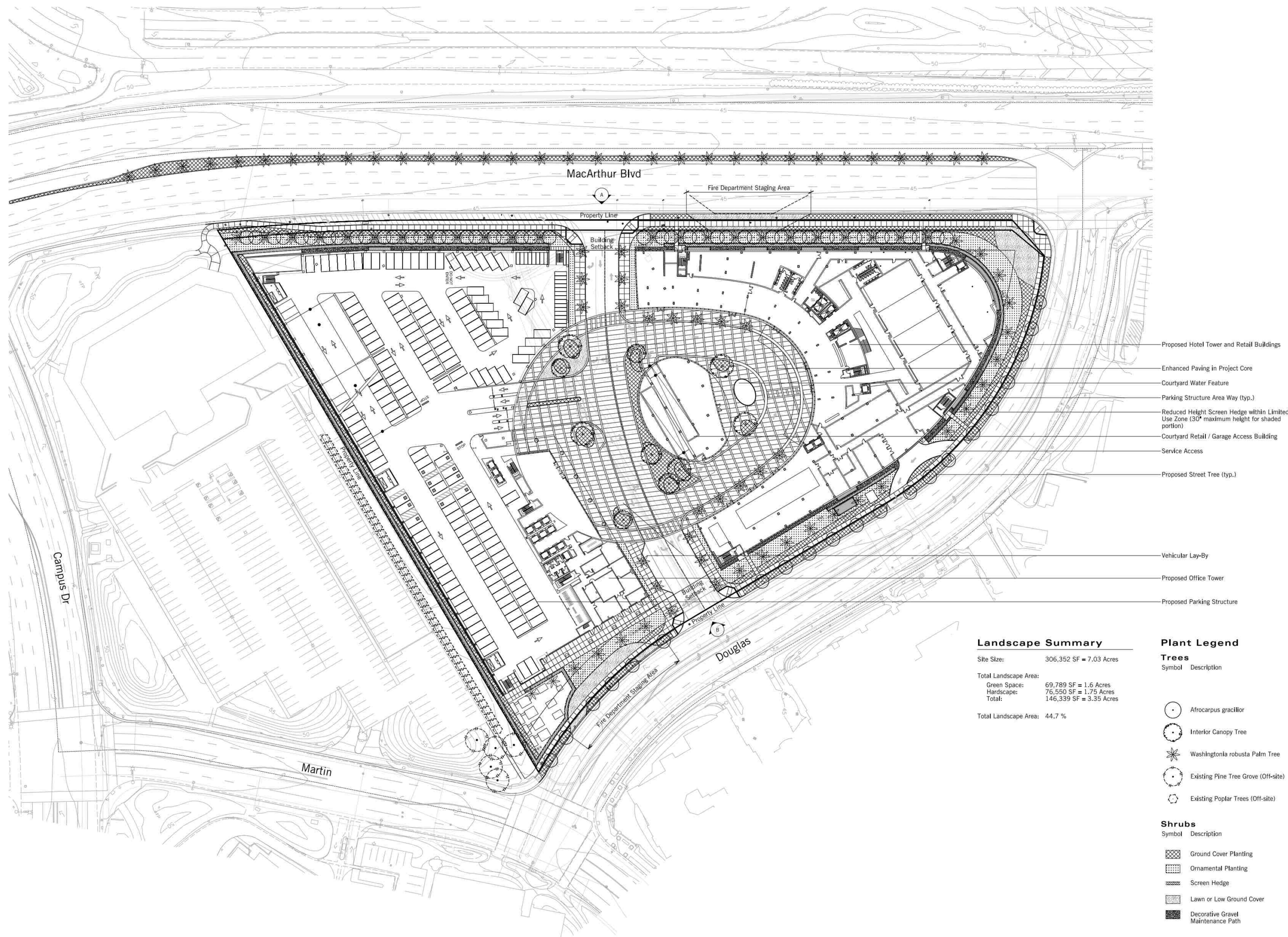
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SCALE	PROJECT NO.
1" = 40'	PCF-1514
DATE	REV.

DRAWING NO.

MP-020

PEI COBB FREED & PARTNERS
Architects LLP



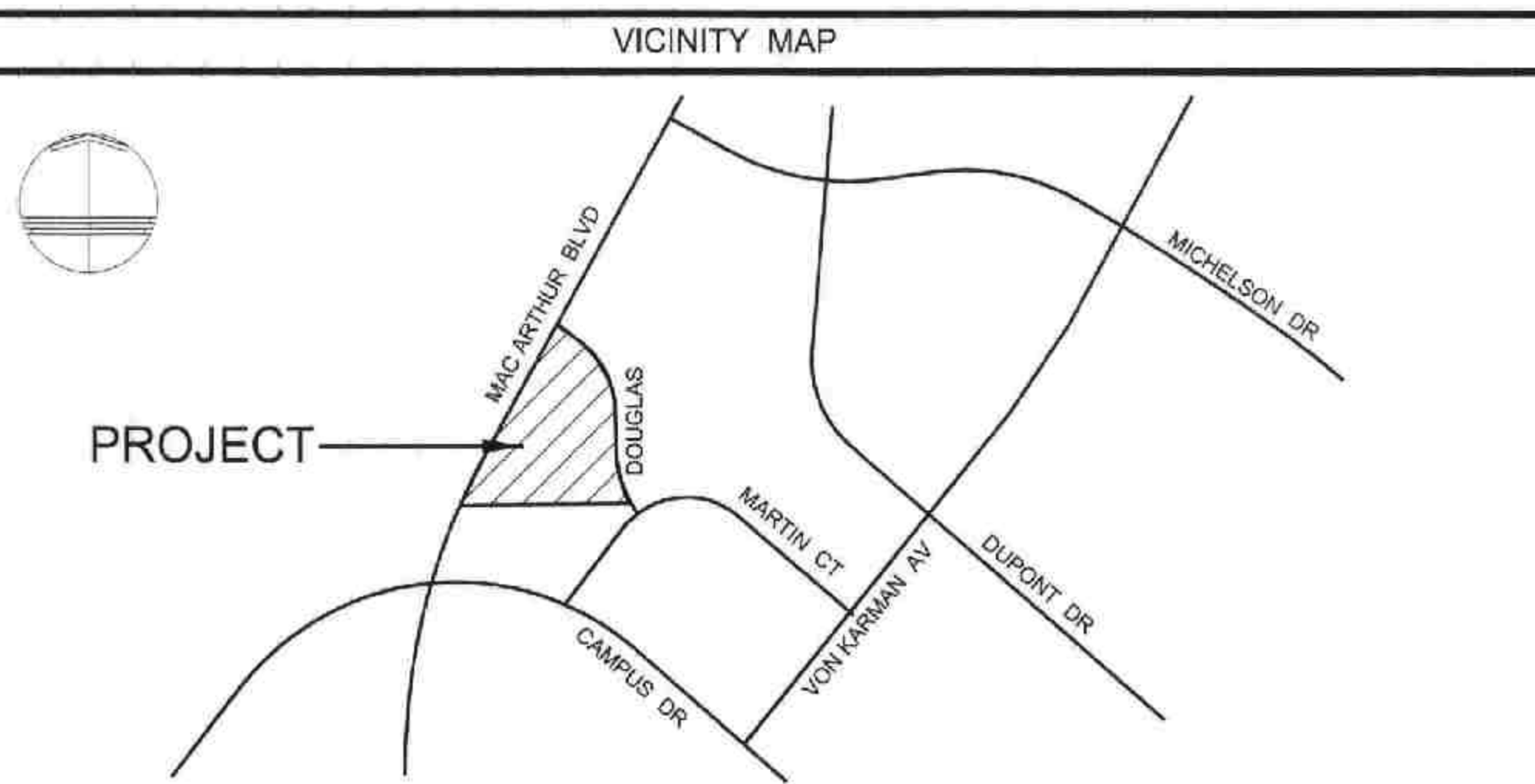
OCFA CITY MASTER PLAN

FOR CONDITION OF APPROVAL

THE LANDMARK

TENTATIVE TRACT NO. 2016-139

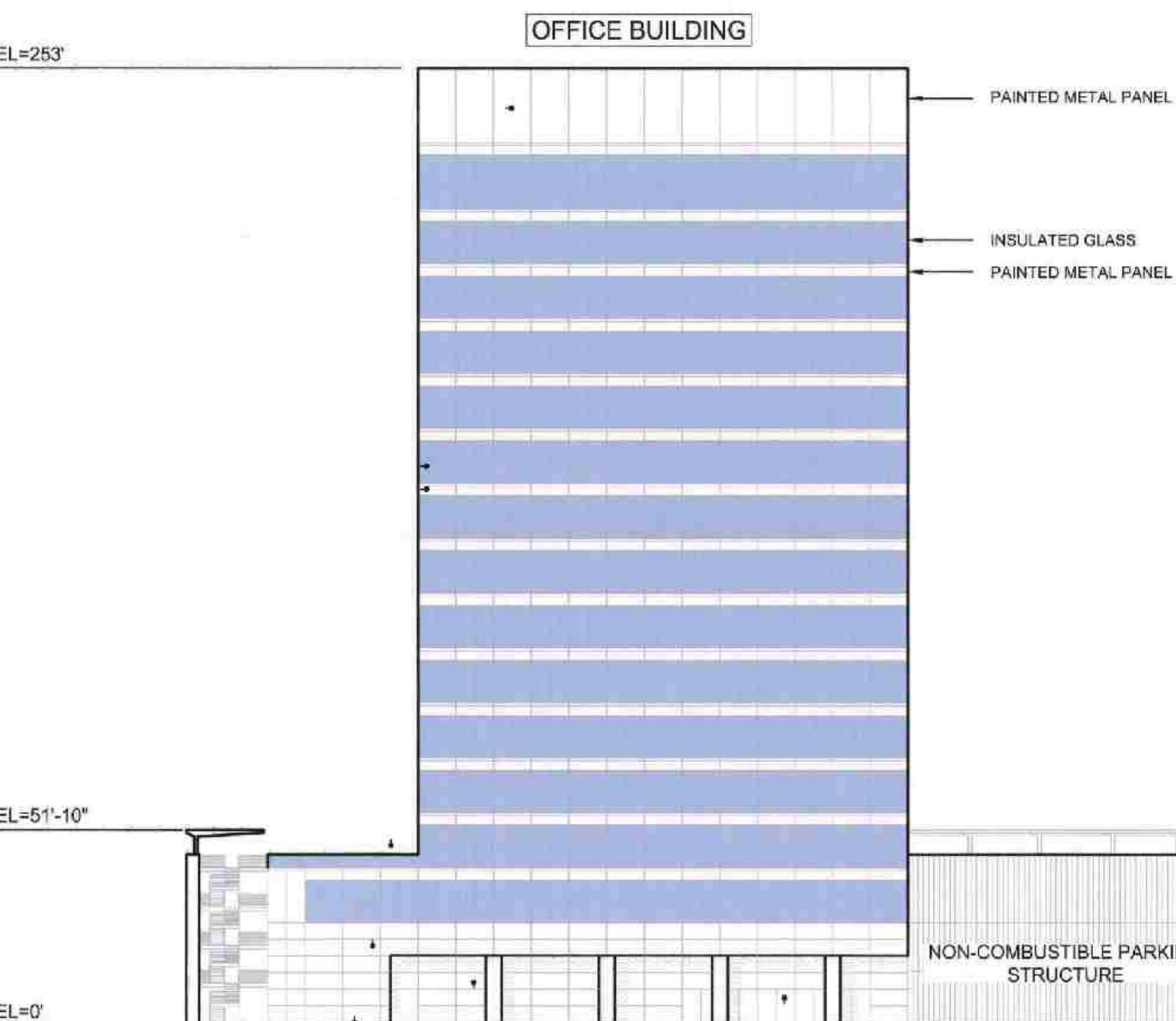
CITY OF IRVINE



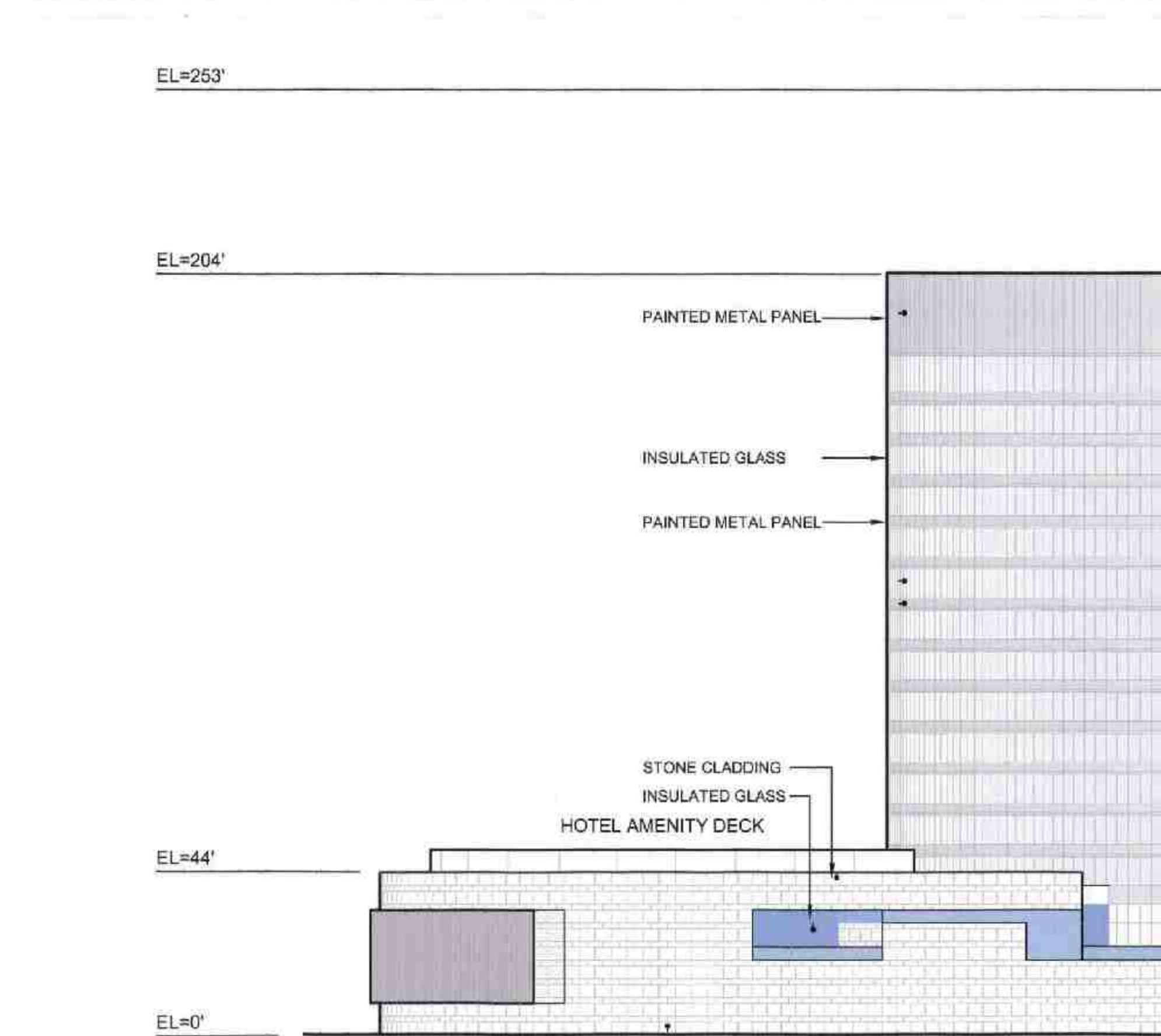
BUILDING DATA		
BUILDING (TYPE 1A)	SQUARE FOOTAGE	MATERIALS
BASEMENT PARKING LEVEL:	481,000 SF	CAST IN PLACE CONCRETE
PARKING GARAGE:	432,800 SF	PRECAST CONCRETE (LXKLY)
OFFICE TOWER:	448,200 SF	STRUCTURAL STEEL WITH UNITIZED CURTAIN WALL ENCLOSURE
HOTEL BUILDING:	323,415 SF	CAST IN PLACE CONCRETE WITH STONE CLADDING AND GLASS STOREFRONT
RETAIL BUILDING:	13,655 SF	STRUCTURE TBD, GLASS ENCLOSURE

A FIRE COMMAND CENTER SHALL BE CONSTRUCTED WITHIN THE HOTEL AND OFFICE TOWER. IT SHALL BE A MINIMUM OF 200 S.F. WITH MINIMUM DIMENSIONS OF 10 FEET WITH AN EXTERIOR ACCESS DOOR. THEY SHALL CONTAIN EQUIPMENT AS STATED IN OCFA GUIDELINE H-01.

VIEW FROM DOUGLAS FACING NORTH
ILLUSTRATIONS PROVIDED BY PEI COBB FREED & PARTNERS, ARCHITECTS LLP



VIEW FROM MAC ARTHUR BOULEVARD FACING SOUTH
ILLUSTRATIONS PROVIDED BY PEI COBB FREED & PARTNERS, ARCHITECTS LLP



OCFA ALTERNATE MATERIALS & METHODS LETTER

January 16, 2017

Planning and Development Services Section
Orange County Fire Authority
1 Fire Authority Road
Irvine, CA 92602-0086

SUBJECT: The Landmark, Irvine, CA
Alternate Materials and Methods for OCFA City Master Plan for Condition of Approval

PROJECT DESCRIPTION:

The project site is a parcel bounded by an office building on the west, MacArthur Boulevard, Douglas to the south. The development is a 15-story office podium building along with a 15 story hotel building, both on a parking structure from basement thru second floor. The hotel site contains retail units at ground floor with amenities on the fourth floor. The project falls under OCFA "Highrise" requirements. A portion of the fire access route bridges over parking garage as shown on site plan, sheet 2 of this package. This access will be designed and constructed per requirements shown in OCFA Guideline B-09 under "Bridges" paragraph. The project structural engineer will certify the construction will support a full assignment.

On behalf of The Landmark, we hereby submit a request for use of Alternate Materials and Methods (AM&M), per the 2013 California Fire Code. Our request relates to the 75' hose pull deficiency around the back of the 3-floor above grade non-combustible parking garage.

The following information is being provided to assist in your evaluation of this proposed AM&M.

- A. Project information:
Development type: Hotel/Office Development
- B. Code Sections for which the modification is requested:
CFC Section 104.9: Alternate Means and Methods
CFC Section 503.1.1: Fire lanes shall be maintained within 150' of every portion of the perimeter of the building as measured along an approved route.
CFC Section 503.1.1, 503.2.2: Fire Lane setbacks
- C. Hardship:
Our hardship is: Due to the site usage, there is a hose pull deficiency of 38' from each access point for a total of 75' at the back of the non-combustible parking structure. The structure will have no amenities. OCFA Guideline B-09 notes the hose pull reach may be extended to 300 feet for open parking garages if certain criteria are met. This structure meets all of those listed with the exception of one of the two stairway door locations being 60' from a fire access roadway, 20' greater than noted.
- D. Proposed alternative Fire protection measures:
Wet stand pipes will be installed at all stairwells and along the rear of the non-combustible parking structure at the end of each 300' hose pull reach and at the mid-point. The standpipes will be tied into the building automatic fire sprinkler system.

The AM&M proposal and acceptance letter shall be copied onto the architectural, alarm, sprinkler, and standpipe plans submitted to the OCFA for review in addition to the architectural plans submitted to the OCFA. The architect/developer shall be responsible for rectifying any errors or omissions arising from failure to provide these documents on these submittals. It is our belief that the proposed alternate fire protection methods and modifications developed both enhance and protect the building and more importantly provide additional protection for fire personnel and the public.

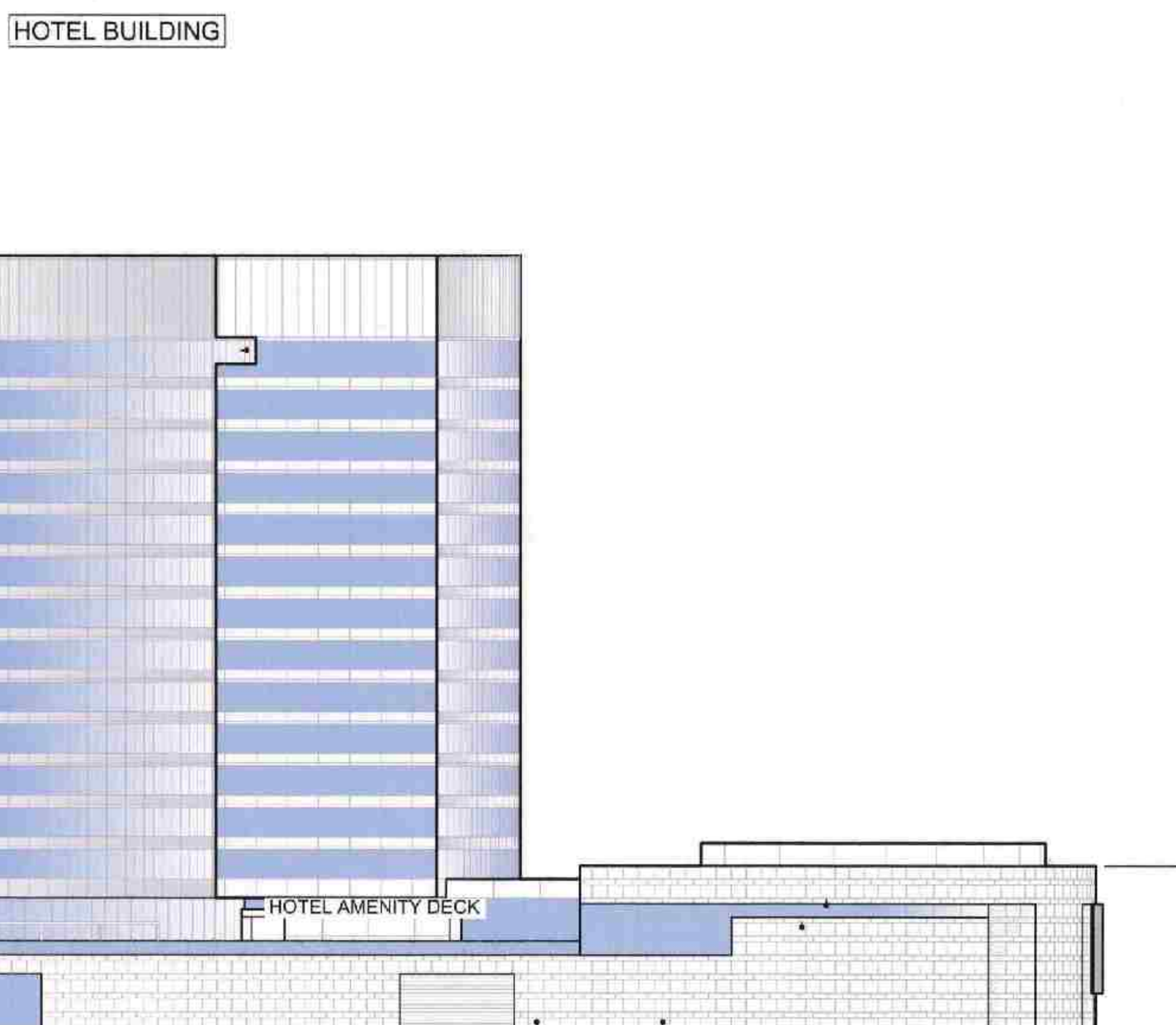
Approval of this alternate methods and materials request is contingent upon acceptance of the design and installation of the fire walls and other construction features by the Building Department. This AM&M letter will be included on the architectural plans submitted to both the OCFA and City of Irvine as well as the sprinkler and alarm plans submitted to OCFA.

Accepted:

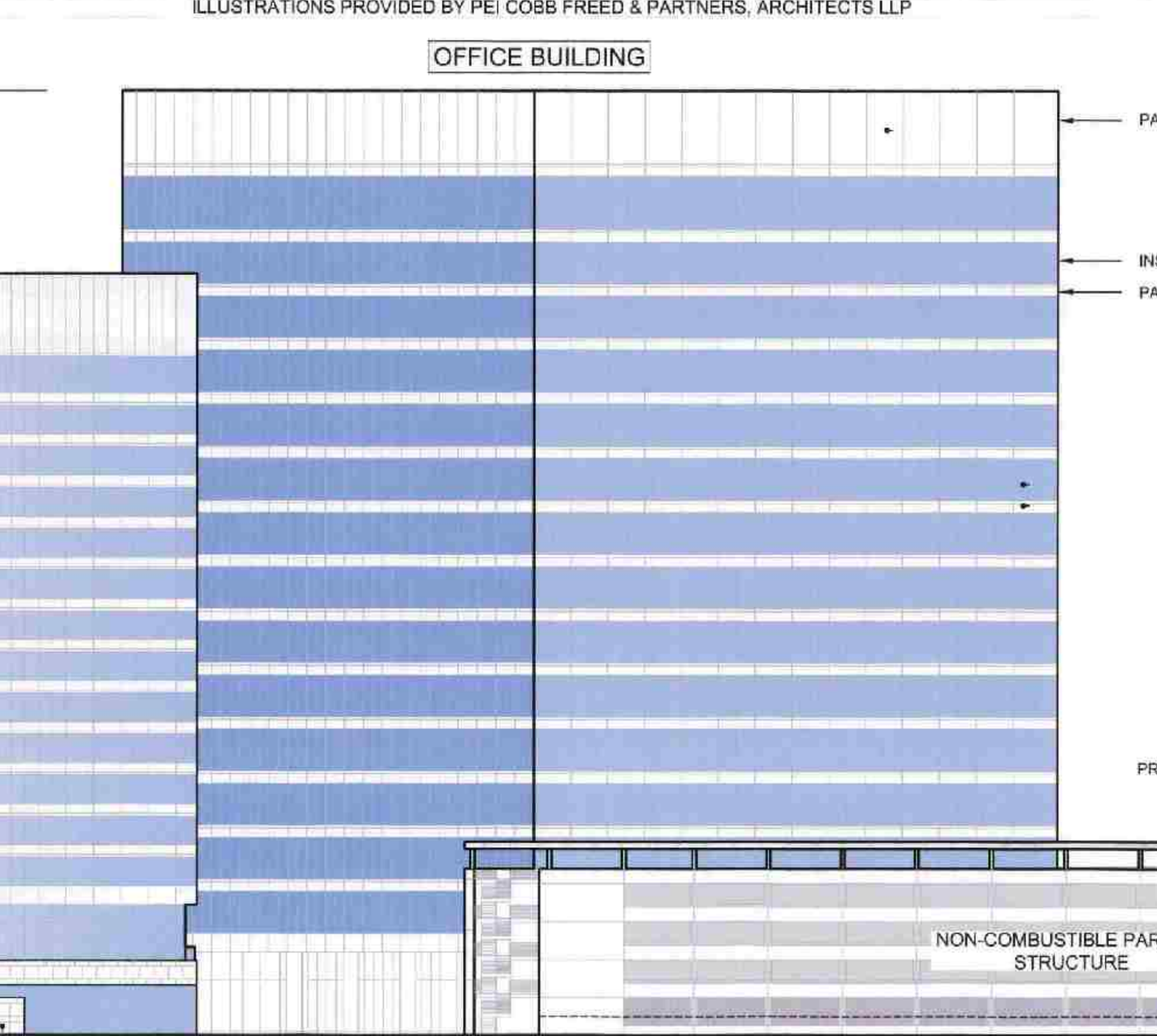
Fire Prevention Analyst: Vahid Toosi, P.E., Fire Prevention
Orange County Fire Authority: Orange County Fire Authority

- ☐ NO ADDITIONAL CONDITIONS OF APPROVAL REQUIRED.
☐ ADDITIONAL CONDITIONS OF APPROVAL APPLY. SEE ATTACHED LETTER.

VIEW FROM DOUGLAS FACING NORTH
ILLUSTRATIONS PROVIDED BY PEI COBB FREED & PARTNERS, ARCHITECTS LLP



VIEW FROM MAC ARTHUR BOULEVARD FACING SOUTH
ILLUSTRATIONS PROVIDED BY PEI COBB FREED & PARTNERS, ARCHITECTS LLP



PARKING ENFORCEMENT LETTER

January 16, 2017

Planning and Development Services Section
Orange County Fire Authority
1 Fire Authority Road
Irvine, CA 92602-0125

Re: The Landmark, Irvine, CA
Parking Enforcement Plan

The fire lane parking enforcement plan for the above referenced project is stated as follows:

All fire lanes within project shall be maintained and in no event shall parking be permitted along any portion of a street or drive that requires fire lanes or any areas designated as a fire lane for turn-around or drive through purposes.

Site Management shall adopt reasonable rules and regulations regarding the parking of vehicles along the streets, roads and or drives within the project that are not in conflict with applicable law.

In furtherance thereof, Site Management, through its officers, committees and agents will establish the "parking" and "no parking" areas within the property in accordance with Section 22558.2 of the California Vehicle Code and OCFA Guideline B-09. The law shall be enforced through such rules and regulations by all lawful means, including, written warnings, citing, levying fines and towing vehicles in violation.

Site Management will contract with a certified patrol and towing company to remove vehicles that violate no parking restrictions. First time violators will receive a written warning and with subsequent violations, the vehicle shall be subject to towing. The vehicle owner shall be responsible for all costs incurred in remedying such violation, including without limitation towing cost, citations and legal fees.

Subject: Combustible Construction Letter, The Landmark, Irvine, CA.

The purpose of this letter is to notify you that The Landmark development shall install all required paved fire access roads that meet OCFA access requirements per the approved plans. All fire hydrants and water supply for firefighting purposes shall be installed per the approved plans and shall meet all fire flows requirements, prior to any combustible construction materials being delivered for construction.

Planning and Development Services Section
Orange County Fire Authority
1 Fire Authority Road
Irvine, CA 92602-0125

Subject: Combustible Construction Letter, The Landmark, Irvine, CA.

The purpose of this letter is to notify you that The Landmark development shall install all required paved fire access roads that meet OCFA access requirements per the approved plans. All fire hydrants and water supply for firefighting purposes shall be installed per the approved plans and shall meet all fire flows requirements, prior to any combustible construction materials being delivered for construction.

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FIRE AUTHORITY NOTES

1. OCFA site inspections are required for this project. Please schedule all field inspections at least 48 hours in advance. Inspections canceled after 1 p.m. on the day before the scheduled date will be subject to a re-inspection fee. Call OCFA Inspection Scheduling at (714) 573-6150.

2. A lumber drop inspection shall be performed prior to bringing combustible materials (or combustible fixtures and finishes for structures of non-combustible construction). All-weather access roads capable of supporting 68,000 lbs. topped with asphalt, concrete, or equivalent shall be in place and hydrants operational at time of lumber drop inspection.

3. For projects with fuel modification, a vegetation clearance inspection is required prior to a lumber drop inspection. Use the fuel modification plan service request number to schedule the vegetation clearance inspection.

4. Phased installation of fire access roads requires additional inspections not covered by the fees paid at plan submittal. Contact Inspection Scheduling to arrange for additional inspections that may be needed and any fees that may be due.

5. An original approved, signed, wet-stamped OCFA fire master plan shall be available on-site at time of inspection.

6. Access roads and hydrants shall be maintained and remain clear of obstructions at all times during and after construction. Areas where parking is not permitted shall be clearly identified at all times. Obstruction of fire lanes and hydrants may result in cancellation or suspension of inspections.

7. Temporary fuel tanks of 60 or more gallons shall be reviewed, inspected, and permitted by the OCFA prior to use.

8. The project address shall be clearly posted and visible from the public road during construction.

9. All gates in construction fencing shall be equipped with either a Knox or breakaway padlock.

10. Buildings of four or more stories shall be provided with stairs and a standpipe before reaching 40 feet in height.

11. Fire lane widths shall be measured from top face of the curb to top face of the curb for fire lanes with standard curbs and gutters and from flowline to flowline for fire lanes with modified curb designs (e.g., rolled, ramped, etc.). The developer is responsible to verify that all approved public works or grading department street improvement plans or precise grading plans conform to the minimum street width measurements per the approved OCFA fire master plan and standards identified in OCFA Guideline B-09 for all portions of the fire access roads.

12. Permanent, temporary, and phased emergency access roads shall be designed and maintained to support an imposed load of 68,000 lbs. and surfaced to provide all-weather driving capabilities.

13. Fire lane signs and red curbs shall meet the specifications shown in OCFA Guideline B-09 and shall be installed as described therein. Additional fire lane markings may be required at the time of inspection depending on field conditions.

14. All fire hydrants shall have a "Blue Reflective Pavement Marker" indicating their location per the OCFA standard. On private property markers are to be maintained in good condition by the property owner.

15. Address numbers shall be located and be of a color and size so as to be plainly visible and legible from the roadway from which the building is addressed in accordance with OCFA Guideline B-09. Wayfinding signs, when required by the local A.H.J., shall comply with the standards of that agency. When wayfinding signs are also required by the OCFA, they may be designed to local A.H.J. requirements provided that such standards facilitate location of structures, suites, and dwelling units by emergency personnel.

16. Access gates shall be approved prior to installation and shall be in compliance with Chapter 5 of the CFC and OCFA guidelines.

17. Approved access walkways shall be provided to all required openings and all rescue windows.

18. Vegetation shall be selected and maintained in such a manner as to allow immediate access to all hydrants, valves, fire department connections, pull stations, extinguishers, sprinkler risers, alarm control panels, rescue windows and other devices or areas used for firefighting purposes. Vegetation or building features shall not obstruct address numbers or inhibit the functioning of alarm bells, horns, or strobes.

19. Dumpsters and trash containers larger than 1.5 cubic yards shall not be stored in buildings or placed within 5 feet of combustible walls, openings or combustible roof eave lines unless protected by an approved sprinkler system.

20. Any future modification to the approved Fire Master Plan or approved site plan, including but not limited to road width, grade, speed humps, turning radii, gates or other obstructions, shall require review, inspection, and approval by the OCFA.

21. Approval of this plan shall not be construed as approval of any information or project conditions other than those items and requirements identified in OCFA Guideline B-09 and related portions of the 2013 CFC and CBC. This project may be subject to additional requirements not stated herein upon examination of actual site and project conditions or disclosure of additional information.

PROJECT-SPECIFIC REQUIREMENTS

22. An underground piping plan is required for the installation of an automatic fire sprinkler system or for a private fire hydrant system. A separate plan submittal is required.

23. An architectural plan is required to be submitted to the OCFA for review and approval for projects containing A, C, E, F, H, I, L, and R-4 occupancies. A plan may also be required for R-1 and R-2 occupancies over two stories or those utilizing sprinklers or fire walls to increase the maximum building size allowed—see OCFA Info Bulletin 02-13.

24. An automatic fire sprinkler system shall be installed in accordance with applicable codes and local ordinances, amendments, and guidelines. Sprinkler systems, other than those listed in CFC 903.4, shall be monitored by an approved central station. Separate plan submittals for the sprinkler and monitoring systems are required.

25. A fire alarm system shall be installed in accordance with applicable codes and local ordinances, amendments, and guidelines. A separate plan submittal is required.

ADDITIONAL NOTES

26. Guideline H-01 Laddering/Staging area setbacks notes:
For buildings over 50 feet, the laddering areas shall be no less than 20 and no more than 40 feet from the facade.
Exception: When approved by the fire code official, designated laddering areas are not required provided that the rear of the fire lane is located between 20 and 40 feet from the structure along the entire length of at least two sides of the building, one of which is the longest side of the structure, or for at least 50% of the perimeter of the structure, whichever is greater. An unobstructed minimum 20 foot wide fire lane shall be provided; parking and other obstructions shall not intrude into this clear width.

27. Guideline B-09 page 6, Item 2 "exception" allows 300 foot hose pull reach for open parking garages protected throughout with an NFPA 13 sprinkler system.

28. The Landmark project that consists of office, hotel and retail is a privately owned site that will be maintained by the current owner. There is no association responsible for any portion of the site maintenance. In the event that either the office building or hotel is sold, the new owner(s) would be required to continue the site maintenance.

DEFERRED SUBMITTALS

Portions of the project that are deferred shall be subject to the codes, standards and other applicable requirements in force on the date that the deferred plan is submitted to OCFA.

It is not uncommon for structures to be designed for fire vehicle access. Often, fire lanes will occur over portions of subterranean parking structures, since such structures often extend below the bottom of the above-grade building. It is common structural engineering practice to design such slabs for a live load of 250 psf which is the prescribed loading for "sidewalks, vehicular driveways and yards subject to trucking" per item 23 in "Table 1907.1 of the 2016 California Building Code." (See figure 1).

Fire Vehicle Loads per OCFA Guideline B-09

Fire Master Plans for Commercial & Residential Development Guideline B-09 (shown in Figure 2) published by the OCFA prescribes that "sidewalk parking, a fire access road" shall be designed and constructed to accommodate a total weight of 68,000 pounds. Stated as 48,000 lb. in the tender rear axle and 22,000 lb. on the front axle. (Note that although the Guideline B-09 prescribes buildings can also be designed for such loading where necessary to support a fire access road.)

Guideline B-09 does not prescribe a specific distribution for these loads. For the purpose of this investigation, the Emergency Vehicle Size and Weight Program (EVSWP) published by the International Association of Fire Chiefs (IAFC) was therefore consulted. The size weights per Guideline B-09 fall within the range of axle weights shown for the "Axle Load" - Tandem Rear Axle shown on page 6 of this document. (See Figure 3). Therefore, the dimensions given for the vehicle were used to develop a distribution of the loads as shown in Figure 4. The 48,000 lb. tandem rear axle load is divided into two 23,000 lb. (i.e. 23 kip) loads spaced 4 feet apart.

For this investigation, the effect of these loads on the slab design is compared to the effect to the 250 psf uniform loading for trucking per the CBC.

Driveway Layout of the Landmark Level 1 Slab

Figure 5 shows the portion of the ground floor between the office tower and the hotel of the Landmark project. The area of the driveway requiring fire vehicle access is highlighted. Per the Schematic Design set, this area is supported by a 14 inch thick reinforced concrete slab. The column spacing varies, but the slab thickness was verified during the Design Development phase and the reinforcing layout will be detailed during the Construction Document Phase of the project.

The purpose of this investigation is not to present a final slab design based on the exact column layout of the project, but rather to confirm that a reinforced concrete slab of the same thickness and similar column spacing as shown in the Landmark Schematic Design set can support the fire vehicle loading and to propose a simplified method for such design using uniform loading. To facilitate this study, a simplified column layout has been analyzed under various loading conditions.

Slab Analysis Model under 250 PSF Uniform Live Load

Figure 6 shows the simplified slab layout that has been analyzed for this study. The analysis has been performed using the finite element analysis program SAFE, which has been developed specifically for reinforced concrete slab design and will be used for all reinforced concrete slab design on this project. The analysis model includes three bays of 31'-6" in one direction and 30'-6" in the other direction, matching the maximum column span in the driveway area of the Landmark project. At the perimeter of the analysis model, the slab cantilevers about 40% of the typical bay span, which approximates a continuous slab condition.

In addition to the self weight of the slab, a superimposed dead load of 110 psf has been applied as shown in Figure 7. This represents the weight of an 8" concrete topping slab over the 14" structural slab plus an additional 10 psf to represent loads suspended from below. (The exact structural slab plus an additional 10 psf to represent loads suspended from below. (The exact slab loading for the Landmark project has not been set, but these are conservative estimates.) The superimposed loading has been used in all models for this study.

For the base model in this study, a uniform live load of 250 psf (the live load for trucking per the CBC) as shown in Figure 8. The resulting required slab reinforcing in each direction is shown in Figures 9 and 10. The reinforcing is marked as square inches per foot of slab width and is calculated separately for column strips and middle strips in each bay per American Concrete Institute code requirements (ACI 318-14).

Slab Analysis for Single Vehicle at Middle Strip

Figure 11 shows the slab analysis model for a single vehicle with the rear tandem axle centered on a bay to maximize the required reinforcing in the middle strip. The point loads shown on Figure 11 represent the wheel loads spaced 8' apart. (Each wheel load is half the axle load shown in Figure 4). In addition to these point loads representing the fire vehicle, a uniform load of 50 psf has been applied to the slab, except within the footprint of the vehicle as shown in Figure 12. This is a conservative estimate of the weight of other vehicles, people, etc. that could be located around the truck. (This load exceeds the 40 psf live load required for parking garages per the CBC.) Also note that Guideline B-09 prescribes bridges be designed for a total load of 68,000 lbs. The guideline does not prescribe that this load be combined with any other live loads.

The required slab reinforcing in each direction resulting from the loads described above is shown in Figures 13 and 14. Comparing these figures to Figures 9 and 10, it is found that a single fire vehicle with the rear tandem axle located at the center of the bay (plus 50 psf live load elsewhere) does not govern at any location over the required reinforcing for a uniform load of 250 psf.

Slab Analysis for Two Vehicles at Middle Strip

Guideline B-09 does not explicitly require the design of bridges for multiple fire vehicles. However, in practice, a structure may be required to support multiple vehicles in an emergency. For the purposes of this study, we have investigated the effect of two vehicles side-by-side on the structure. It is unlikely that they would be located closely enough (i.e. in one bay or adjacent bays) to significantly affect the slab design. (Due to the footprint of the vehicle extending beyond the bays, the most critical layout for multiple vehicles is side by side rather than end to end and it is unlikely that there would be three vehicles side by side.) Also note that the effect of the 50 psf uniform load applied in addition to the point loads will account for additional fire vehicle that are located further away.

Figure 15 shows the slab analysis model for two vehicles with the rear tandem axles centered on a bay to maximize the required reinforcing in the middle strip. The point loads shown on Figure 17 represent the two vehicles spaced 8' apart. The additional uniform load of 50 psf is shown in Figure 18.

The required slab reinforcing in each direction resulting from the loads described above is shown in Figures 19 and 20. Comparing these figures to Figures 9 and 10, it is found that the two fire vehicles with the rear tandem axle located at the center of the bay (plus 50 psf live load elsewhere) governs only at one location over the required reinforcing for a uniform load of 250 psf. The required north-south direction bottom reinforcing at the middle strip is 13% greater than for the 250 psf load case.

Slab Analysis for Two Vehicles at Column Strip

Figure 21 shows the slab analysis model for two vehicles with the rear tandem axles centered at mid-bay in one direction and on a column in the other direction. This layout is intended to maximize the required reinforcing in the column strip. The point loads for this case are shown in Figure 22. The additional uniform load of 50 psf is shown in Figure 23.

The required slab reinforcing in each direction resulting from the loads described above is shown in Figures 24 and 25. Comparing these figures to Figures 9 and 10, it is found that the two fire vehicles with the rear tandem axle located at the column strip (plus 50 psf live load elsewhere) governs only at one location over the required reinforcing for a uniform load of 250 psf. The required north-south direction bottom reinforcing at the column strip is 3% greater than for the 250 psf load case.

Slab Analysis Model under 300 PSF Uniform Live Load

The various load configurations investigated in this study resulting in a worst case increase in reinforcing of 13% over the 250 psf load case. This is a fairly moderate increase. Since it is most similar to analyze the slab under a uniform load rather than point loads which would need to be separately analyzed in multiple configurations in multiple bays, we propose increasing the uniform load case of 250 psf for trucking per the CBC to 300 psf to account for the loading requirements per Guideline B-09.

The slab analysis under a 300 psf uniform load (as shown in Figure 26) results in the required reinforcing shown in Figures 27 and 28. Comparing these figures to those for the various load configurations investigated in this study, it is found that the 300 psf load case governs over the various other load configurations except for one condition. For two vehicles in the middle strip, the bottom reinforcing at the middle strip is 2% greater than for the 250 psf load. This is a very minor difference.

Conclusions

Based on the results of the various slab analyses performed for this study, the 14" reinforced concrete slab indicated in the Schematic Design drawings for the Landmark project will be adequate to support the fire vehicle loading prescribed by OCFA Guideline B-09. The reinforcing required based on this loading (assuming two side by side vehicles) exceeds that required for a 250 psf uniform load (per CBC for trucking) by only 13%, at the center of the bay. Increasing the live load to 300 psf reduces this difference to only 2%.

The final slab analysis, design and detailing for the project will be completed during the Construction Documents phase of the project based on the actual column layout and other specific conditions that have not been accounted for in the analyses performed in this study. However, in our judgment, a uniform live load of 300 psf will be adequate to capture the effect of fire vehicle loading in the driveway area of the ground floor slab based on the results of this study. Note that the 2% increase noted above is small considering the safety factors involved in reinforced concrete design. For instance, the design load combination is 1.2D + 1.6L, which means the required strength (i.e. required area of reinforcement) is based on a 66% increase in the live loads. Thus, the 300 psf applied service live load becomes 480 psf in the analysis for strength design.

Please let us know if you have questions regarding this matter.

Sincerely,
NABIH YOUSSEF & ASSOCIATES

NABIH YOUSSEF, S.E., FASCE
President

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OCFA SERVICE REQUEST NO. 213894
OCFA CITY MASTER PLAN
FOR CONDITION OF APPROVAL
NOTES, BUILDING ELEVATIONS, STRUCTURAL ENGINEER REPORT
THE LANDMARK
MAC ARTHUR BOULEVARD
TENTATIVE TRACT NO. 2016-139
CITY OF IRVINE

SHEET
1
OF 2 SHEETS

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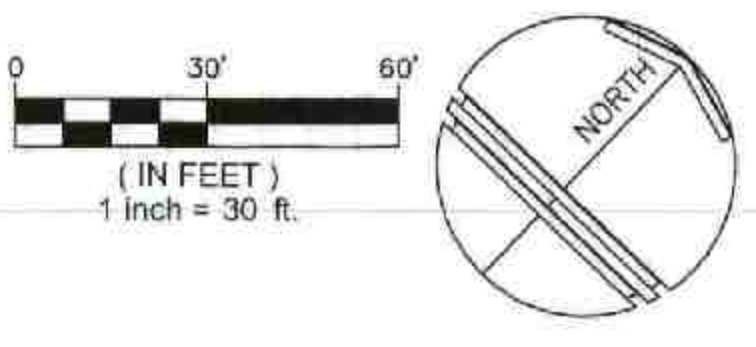
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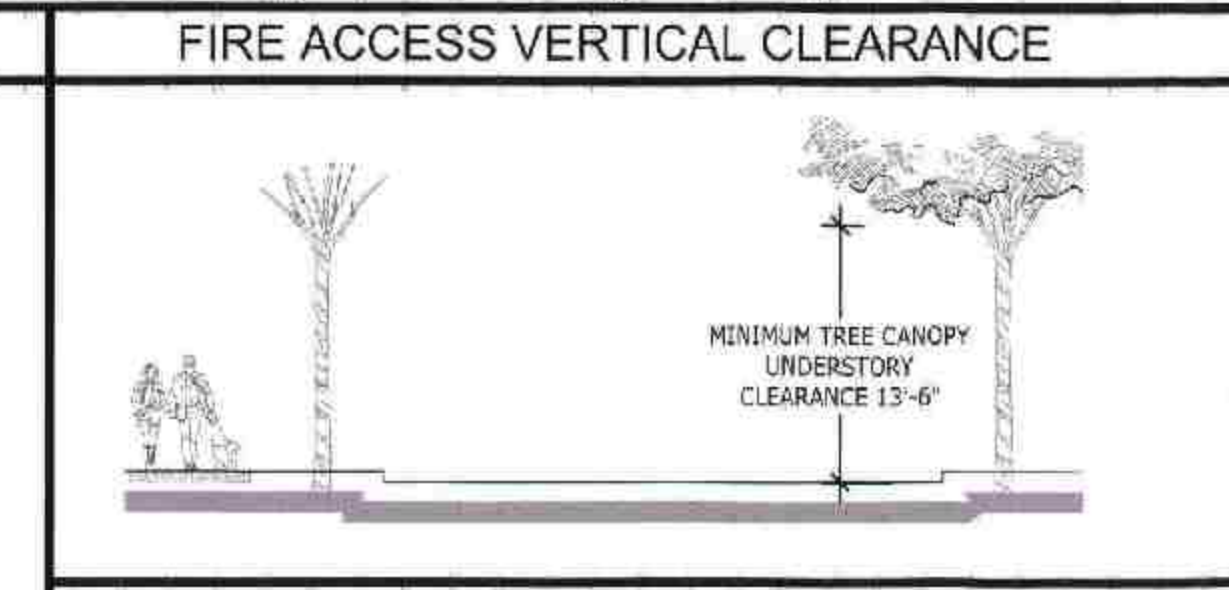
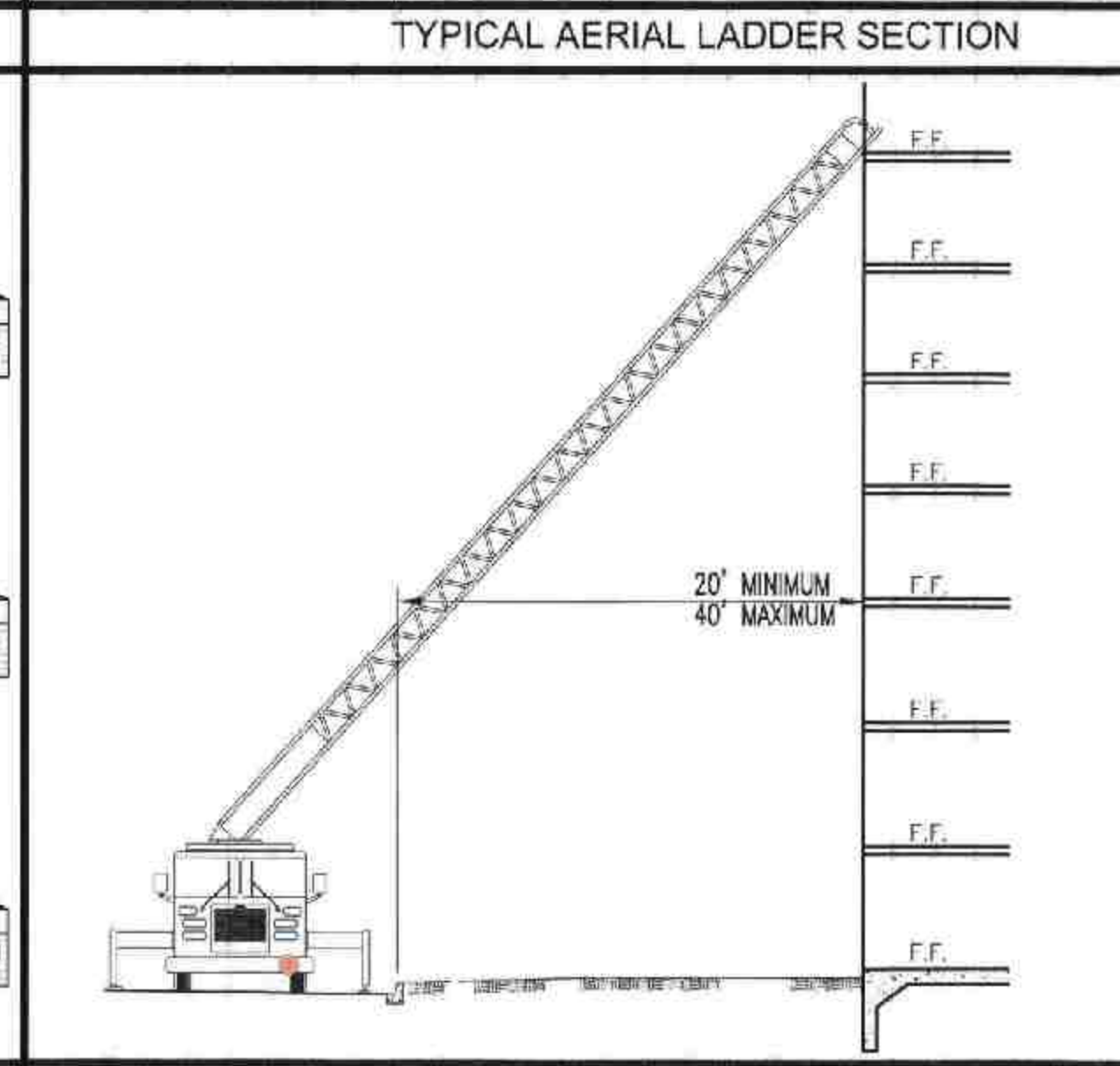
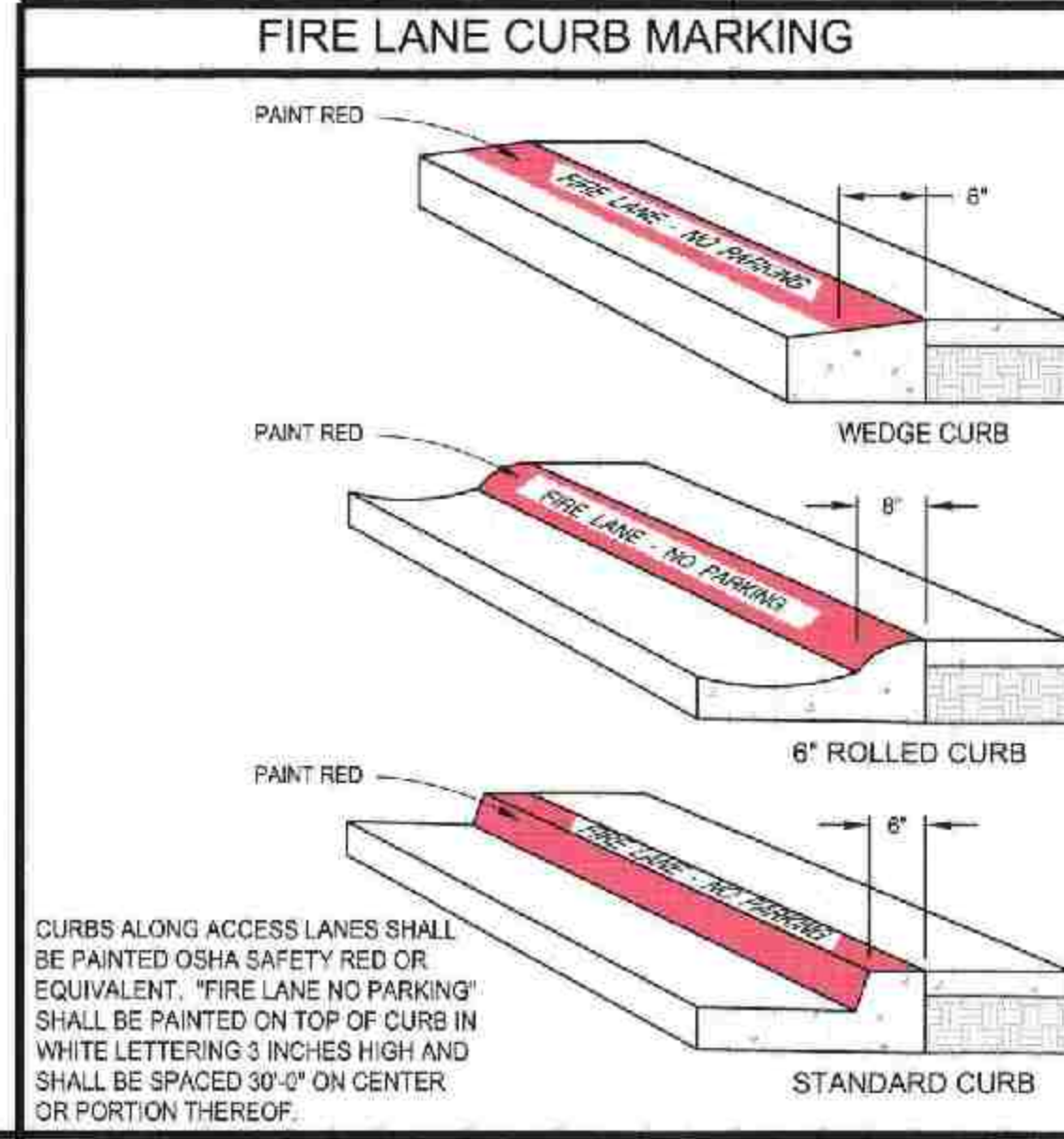
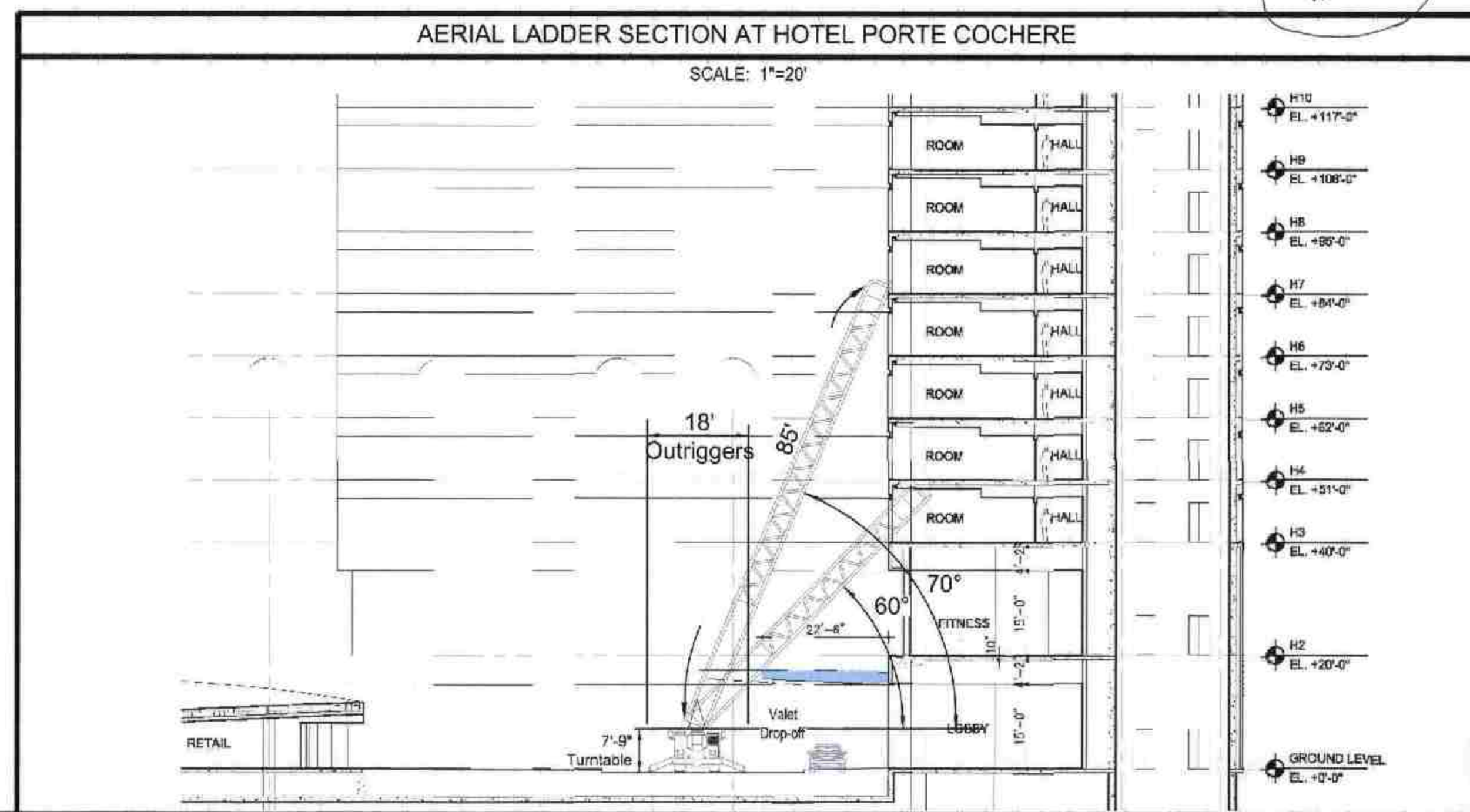
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204503
2/2/17
B. G.



LEGEND		
FCC	FIRE COMMAND CENTER ROOM	150' HOSE PULL TO EXTERIOR PORTIONS OF BUILDING
E	ELEVATOR	300' HOSE PULL AT NON-COMBUSTIBLE SPRINKLERED GARAGE - SEE FIRE NOTE 1 UNDER ADDITIONAL NOTES, SHEET 1
CLK	CLICK 2 ENTER GATE ACCESS	OUT OF HOSE PULL ACCESS AS PART OF AM & M REQUEST DETAIL AND OCA GUIDELINES
ROOF	STAIRWAY WITH ROOF ACCESS	KEY SWITCH OR SUB-KEYED KNOX LOCK WITH 3-SETS OF KEYS
	BUILDING IDENTIFICATION LOCATIONS - 8" MIN. TALL LETTERING - APPROXIMATE LOCATION SHOWN - SEE SIGNAGE PACKAGE FOR FINAL DESIGN	INDICATES ILLUSTRATION VIEW NUMBER AND DIRECTION - SEE ILLUSTRATIONS ON SHEET MP-040
EXIST FH	EXISTING PUBLIC FIRE HYDRANT	INDICATES PAVED FIRE ACCESS
PROP. PUB. FH	PROPOSED PUBLIC FIRE HYDRANT CHROME OR BRASS FINISH	INDICATES PAVED FIRE ACCESS ON DECK OF PARKING STRUCTURE
PROP. PRV. FH	PROPOSED PRIVATE FIRE HYDRANT CHROME OR BRASS FINISH	
	INDICATES BLUE REFLECTIVE FIRE HYDRANT MARKER. MARKER SHALL BE PLACED ON HYDRANT SIDE OF CENTERLINE OF STREET	
SP	WET STAND PIPE	

CONSTRUCTION NOTES	
1	INSTALL FIRE LANE ENTRY SIGN PER DETAIL ON SHEET 1 AND OCA GUIDELINES
2	INSTALL SUB-KEYED KNOX BOX WITH 3-SETS OF KEYS PER OCA GUIDELINES
3	INSTALL KNOX KEY SWITCH PER OCA GUIDELINES
4	PAINT CURB RED 15' ON EITHER SIDE OF HYDRANT AS SHOWN PER OCA GUIDELINES

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OCFA CITY MASTER PLAN		SHEET
FOR CONDITION OF APPROVAL OCFA CITY MASTER PLAN, DETAILS THE LANDMARK MACARTHUR BOULEVARD TENTATIVE TRACT NO. 210-139 CITY OF IRVINE		2
		OF 2 SHEETS

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No.	Date	Revision
00	05/12/16	SUBMISSION No. 1
01	12/01/16	SUBMISSION No. 2
02	01/27/17	SUBMISSION No. 3

STAMP

CONCEPTUAL
LANDSCAPE PLAN -
SECOND LEVEL

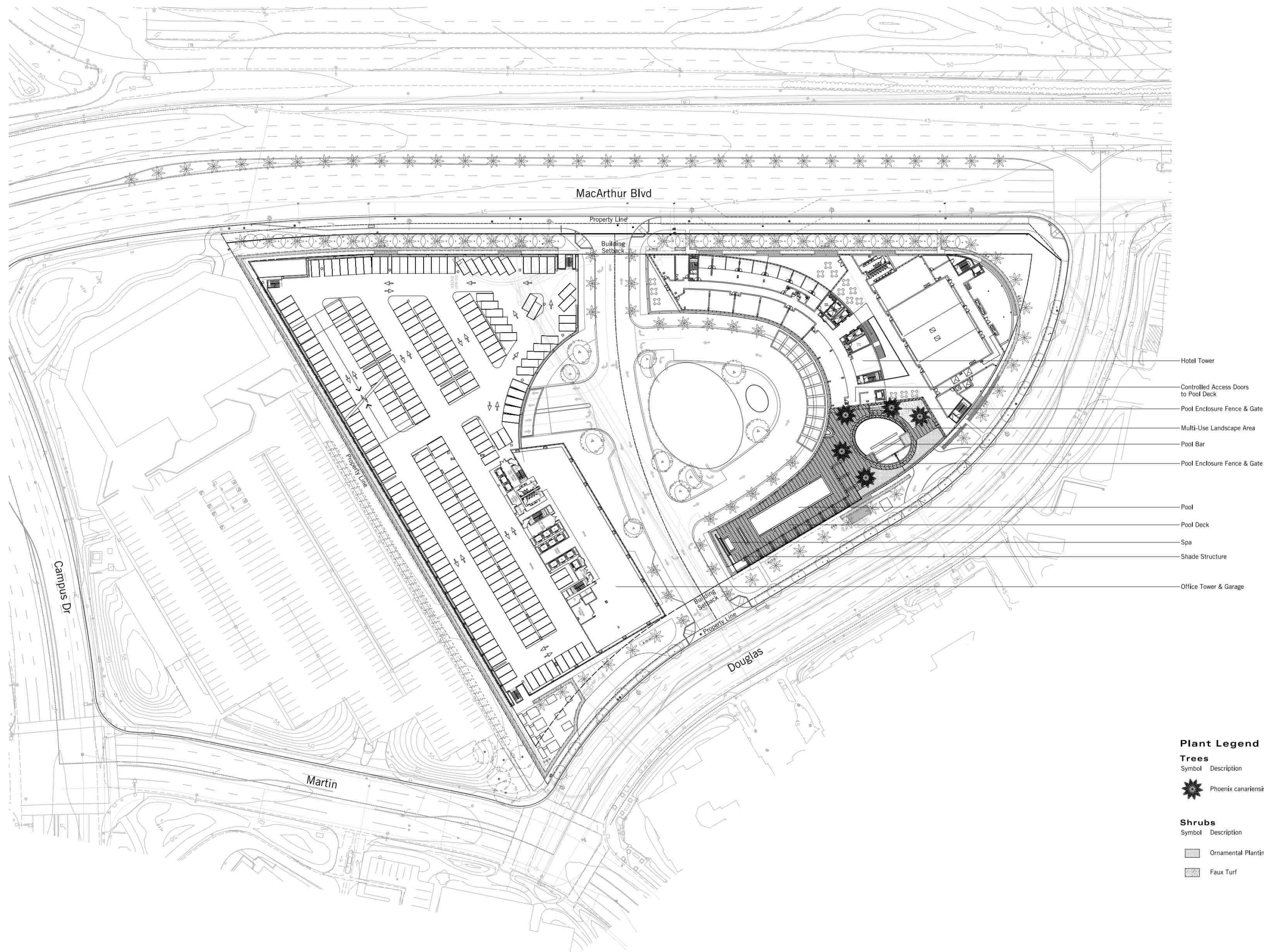
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SCALE	PROJECT NO.
1" = 40'	PCF-1514
DATE	REV.

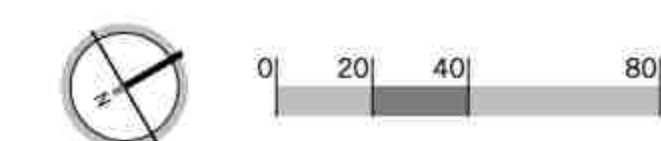
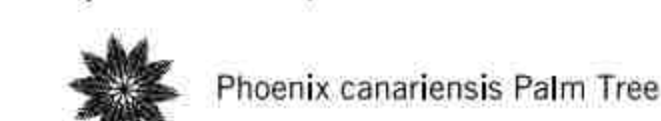
DRAWING NO.

MP-021

PEI COBB FREED & PARTNERS
Architects LLP



Trees



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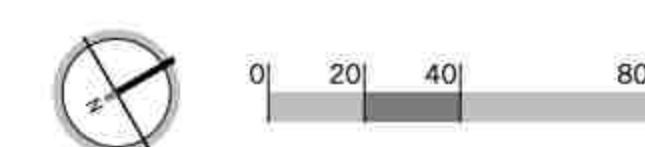
Symbol

Symbol	Description
	Shade Canopy Tree

Symbol

Ornamental Planting

Faux Turf



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MASTER PLAN SUBMITTAL
Case # : 00659728-PMPC
DECEMBER 1, 2016

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CONCEPTUAL LANDSCAPE ELEVATIONS

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SCALE	PROJECT NO.
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02	05/12/16	SUBMISSION No. 3
03	12/01/16	SUBMISSION No. 4
04	01/27/17	SUBMISSION No. 5

Case # : 00659728-PMPC
JANUARY 27, 2017

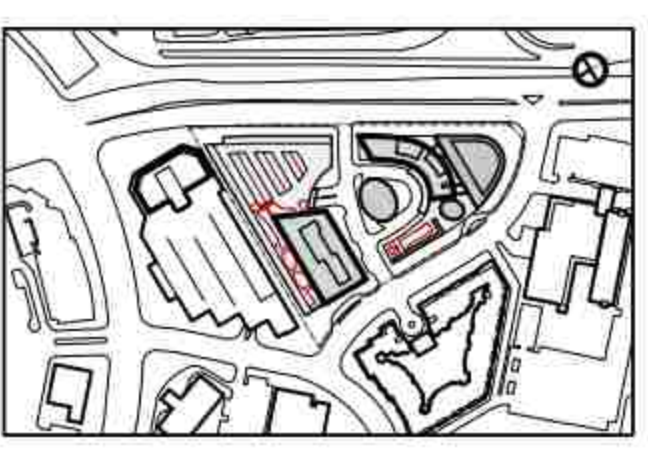
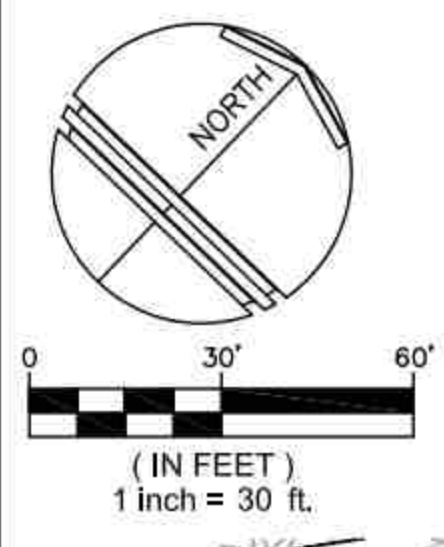
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1" = 40'	PCF-1514
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MP-030

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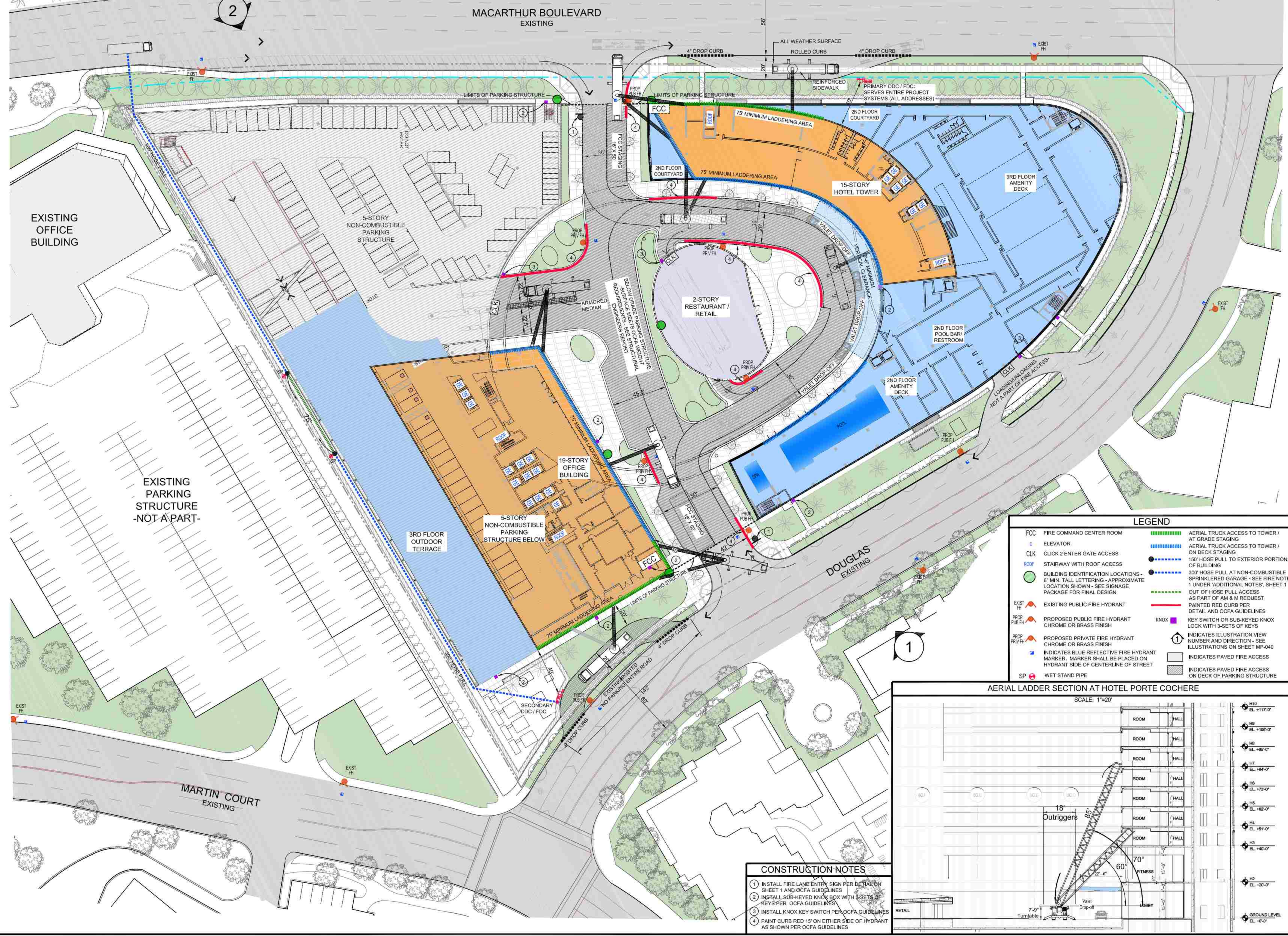
MASTER PLAN SUBMITTAL
Case # : 00659728-PMPC
JANUARY 27, 2017

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FIRE MASTER PLAN
SITE PLAN,
AERIAL LADDER SECTION

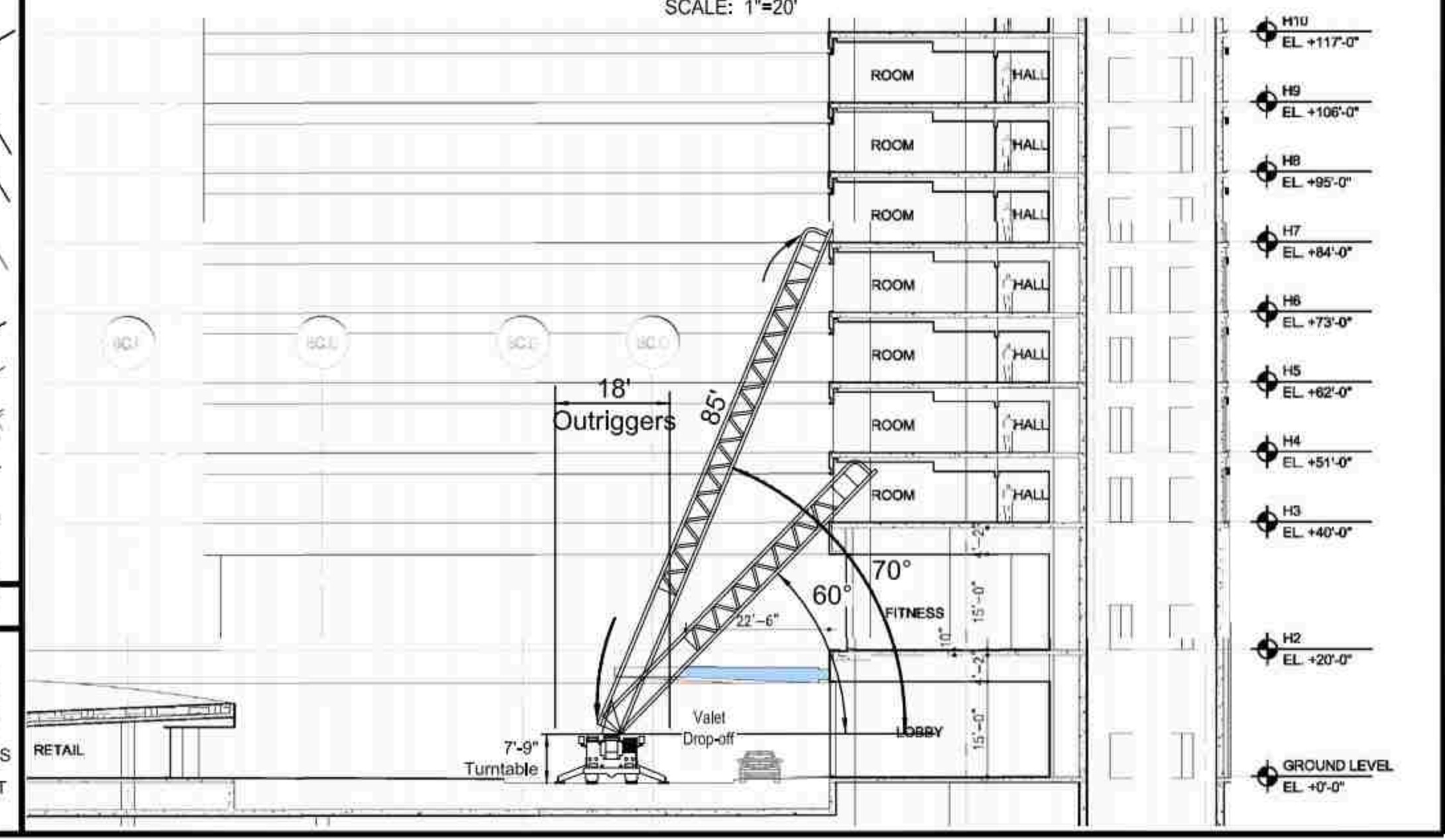
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LEGEND	
FCC	FIRE COMMAND CENTER ROOM
E	ELEVATOR
CLK	CLICK 2 ENTER GATE ACCESS
ROOF	STAIRWAY WITH ROOF ACCESS
	BUILDING IDENTIFICATION LOCATIONS - 6" MIN. TALL LETTERING - APPROXIMATE LOCATION SHOWN - SEE SIGNAGE PACKAGE FOR FINAL DESIGN
EXIST FH	EXISTING PUBLIC FIRE HYDRANT
PROP PUB FH	PROPOSED PUBLIC FIRE HYDRANT CHROME OR BRASS FINISH
PROP PRIV FH	PROPOSED PRIVATE FIRE HYDRANT CHROME OR BRASS FINISH
	INDICATES BLUE REFLECTIVE FIRE HYDRANT MARKER. MARKER SHALL BE PLACED ON HYDRANT SIDE OF CENTERLINE OF STREET
SP	WET STAND PIPE
	AERIAL TRUCK ACCESS TO TOWER / AT GRADE STAGING
	AERIAL TRUCK ACCESS TO TOWER / ON DECK STAGING
	150' HOSE PULL TO EXTERIOR PORTIONS OF BUILDING
	300' HOSE PULL AT NON-COMBUSTIBLE SPRINKLER GARAGE - SEE FIRE NOTE 1 UNDER 'ADDITIONAL NOTES', SHEET 1 OUT OF HOSE PULL ACCESS AS PART OF AM & M REQUEST
	PAINTED RED CURB PER DETAIL AND OCFA GUIDELINES
	KEY SWITCH OR SUB-KEYED KNOX LOCK WITH 3-SETS OF KEYS
1	INDICATES ILLUSTRATION VIEW NUMBER AND DIRECTION - SEE ILLUSTRATIONS ON SHEET MP-040
	INDICATES PAVED FIRE ACCESS
	INDICATES PAVED FIRE ACCESS ON DECK OF PARKING STRUCTURE

AERIAL LADDER SECTION AT HOTEL PORTE COCHERE



- CONSTRUCTION NOTES**
1. INSTALL FIRE LANE ENTRY SIGN PER DETAIL ON SHEET 1 AND OCFA GUIDELINES
 2. INSTALL SUB-KEYED KNOX BOX WITH 3-SETS OF KEYS PER OCFA GUIDELINES
 3. INSTALL KNOX KEY SWITCH PER OCFA GUIDELINES
 4. PAINT CURB RED 15' ON EITHER SIDE OF HYDRANT AS SHOWN PER OCFA GUIDELINES

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MASTER PLAN SUBMITTAL
Case #: 00659728-PMPC
JANUARY 27, 2017

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SITE PLAN

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1" = 40'	PCF-1514
DATE	REV.

DRAWING NO.

MP-100

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DEVELOPMENT STANDARDS		
Planning Area 36 Inline Business Complex		
Zoning District 5, 1 IBC Multi - Use		
General Plan Designation: Urban and Industrial		
SITE SIZE	7.03 ACRES	306,352 SF
SITE COVERAGE		167,782 SF
		54.76%
OFFICE GROSS SQUARE FOOTAGE		448,200 SF
HOTEL GROSS SQUARE FOOTAGE		323,415 SF
RETAIL GROSS SQUARE FOOTAGE		13,665 SF
TOTAL GROSS SQUARE FOOTAGE		785,280 SF

SETBACKS	
MACARTHUR BLVD.	40'-0"
DOUGLAS	40'-0"
BUILDING HEIGHT	
OFFICE BUILDING	253'-0"
HOTEL BUILDING	204'-0"

LANDSCAPE SUMMARY	
Total Area (Site Size):	
	306,352 SF = 7.03 Acres
Total Landscape Area	
Green Space:	69,789 SF = 1.6 Acres
Hardscape:	76,550 SF = 1.75 Acres
Total:	146,339 SF = 3.35 Acres
Total Landscape Area:	
	44.7%

PARKING SUMMARY	
Parking Structure Exterior Dimensions: Varies as shown on drawings.	
LEVEL	GSF
B1	288,400
1	88,100
2	88,100
3	88,100
4	88,100
5	88,100
Stalls - Total	5
TOTAL BUILDING	728,900
1. GSF (Gross Square Footage) = Area includes mechanical rooms, electrical rooms, elevators, storage, storage room, bathroom, office.	

Provided Spaces		
	GARAGE	SURFACE TOTAL
Accessible Stalls	34	0
Compact Stalls	12	0
Standard Stalls	714	0
Long Term Stalls	1,307	0
Motorcycle Stalls	2,067	0
Spaces - Total	2,089	2,089

105 Bicycles Required - 110 Provided
Fuel Efficient/Carpool Stalls: 8% of total = 168 min, stalls provided

Office - Required Spaces	
Spaces (4 / 1,000 for first 250,000 GSF)	1,000
Spaces (2 / 1,000 after first 250,000 GSF)	397
	1,397

Restaurant / Retail - Required Spaces:	
Spaces (1 / 75 GSF)	183

Hotel - Required Spaces:	
Spaces (.88 per room)	340

1. Garage is 6 Levels total (1 basement level, 1 on-grade level, 4 + above grade levels).
2. Based on GSF.

Total Required Spaces:	1,920
Total Spaces Provided:	2,089

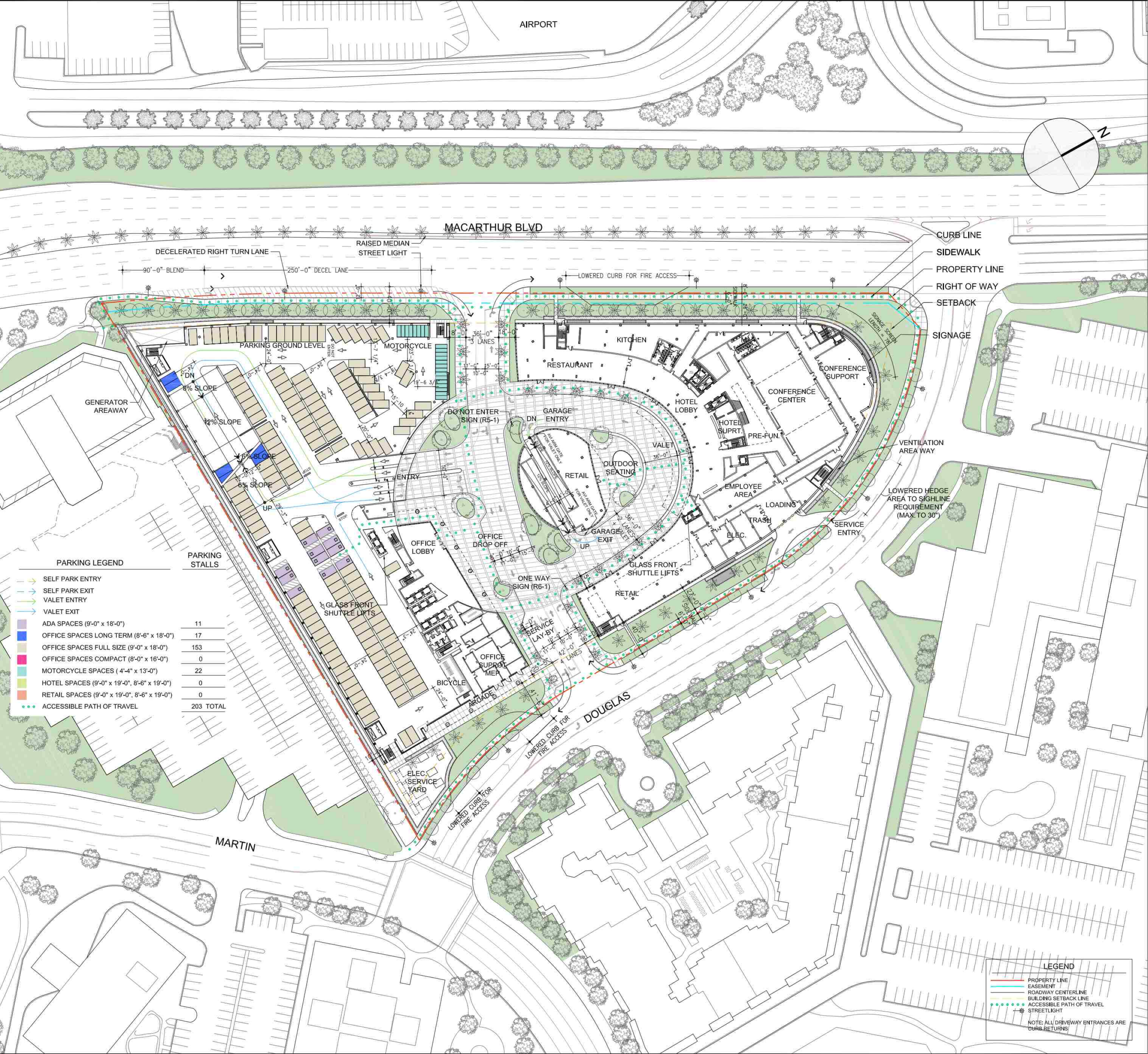
OFFICE TOWER SUMMARY	
LEVEL	GSF
Lobby / Service 01	12,500
Office 02	16,900
Office 03	31,700
Office 04	31,700
Office 05	31,700
Office 06	31,700
Office 07	31,700
Office 08	31,700
Office 09	31,700
Office 10	31,700
Office 11	31,700
Office 12	31,700
Office 13	31,700
Office 14	31,700
Office 15	31,700
Mechanical PH	6,700
TOTAL BUILDING	448,200

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HOTEL SUMMARY	
LEVEL	GSF
Lobby / Meeting 01	50,223
Amnity / Mtg. 02	34,091
Guest Room 03	17,601
Guest Room 04	17,601
Guest Room 05	17,601
Guest Room 06	17,601
Guest Room 07	17,601
Guest Room 08	17,601
Guest Room 09	17,601
Guest Room 10	17,601
Guest Room 11	17,601
Guest Room 12	17,601
Guest Room 13	17,601
Guest Room 14	17,601
Guest Room 15	17,601
G.R. / Mech. 16	8,377
TOTAL BUILDING	323,415

COMMERCIAL RETAIL	
LEVEL	GSF
Retail/RESTAURANT 01	13,665

1. GSF (Gross Square Footage) = Includes: Area taken from interior face of exterior walls.



PARKING LEGEND	
SELF PARK ENTRY	
SELF PARK EXIT	
VALET ENTRY	
VALET EXIT	
ADA SPACES (9'-0" x 18'-0")	11
OFFICE SPACES LONG TERM (8'-6" x 18'-0")	17
OFFICE SPACES FULL SIZE (9'-0" x 18'-0")	153
OFFICE SPACES COMPACT (8'-0" x 16'-0")	0
MOTORCYCLE SPACES (4'-4" x 13'-0")	22
HOTEL SPACES (9'-0" x 19'-0", 8'-6" x 19'-0")	0
RETAIL SPACES (9'-0" x 19'-0", 8'-6" x 19'-0")	0
ACCESSIBLE PATH OF TRAVEL	203 TOTAL

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MASTER PLAN SUBMITTAL

Case # : 00659728-PMPC

JANUARY 27, 2017

DRAWING TITLE

HOTEL, OFFICE, PARKING
GROUND LEVEL FLOOR PLANS

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SCALE

1" = 40'

DATE

12/1/16

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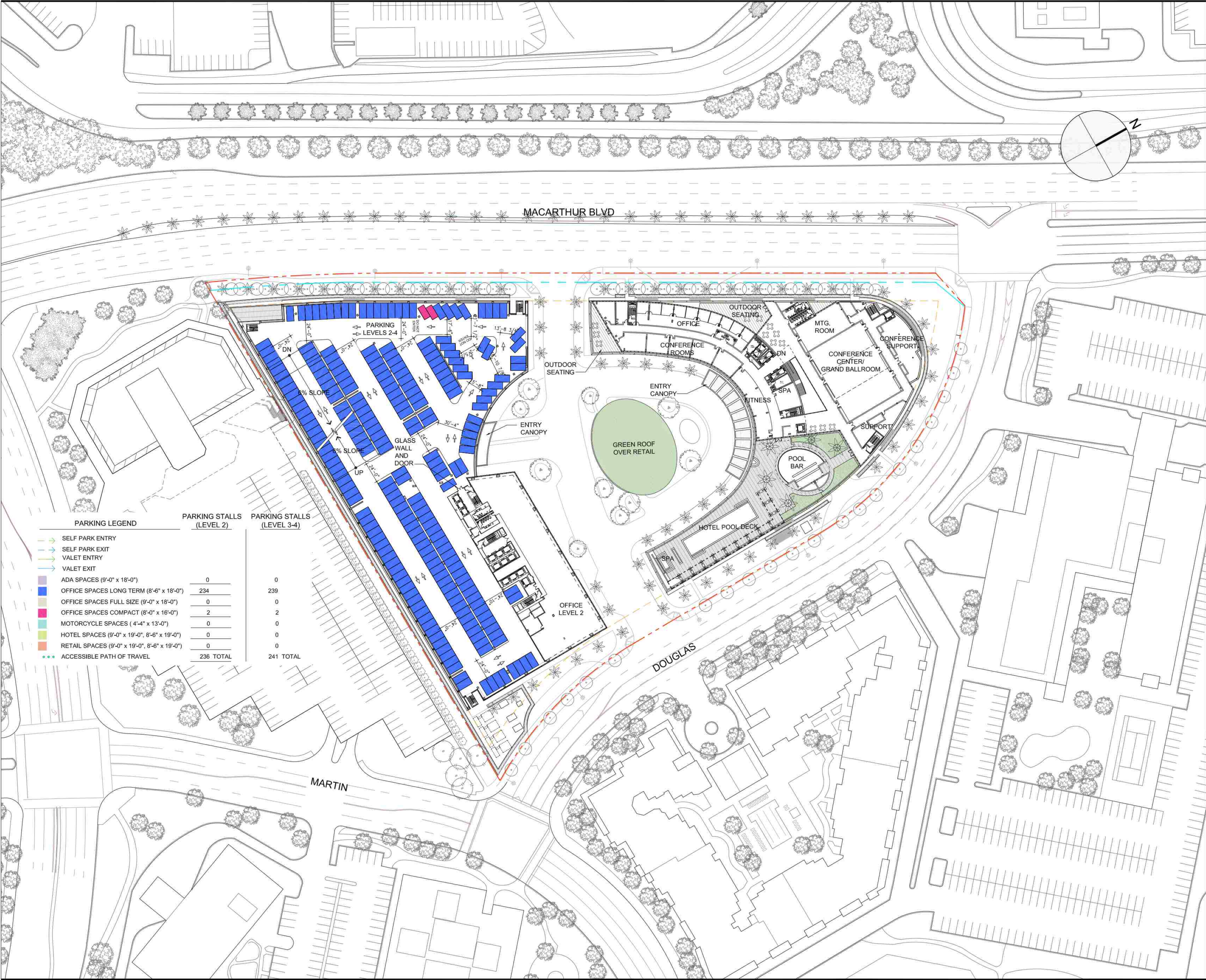
MP-101

LEGEND

PROPERTY LINE
EASEMENT
ROADWAY CENTERLINE
BUILDING SETBACK LINE
ACCESSIBLE PATH OF TRAVEL
STREETLIGHT

NOTE: ALL DRIVEWAY ENTRANCES ARE CURB RETURNS

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MASTER PLAN SUBMITTAL
Case # : 00659728-PMPC
JANUARY 27, 2017

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**HOTEL AND OFFICE LEVEL 2
PARKING LEVELS 2-4
FLOOR PLANS**

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SCALE
1" = 40'

DATE
12/1/16

PROJECT NO.
PCF-1514

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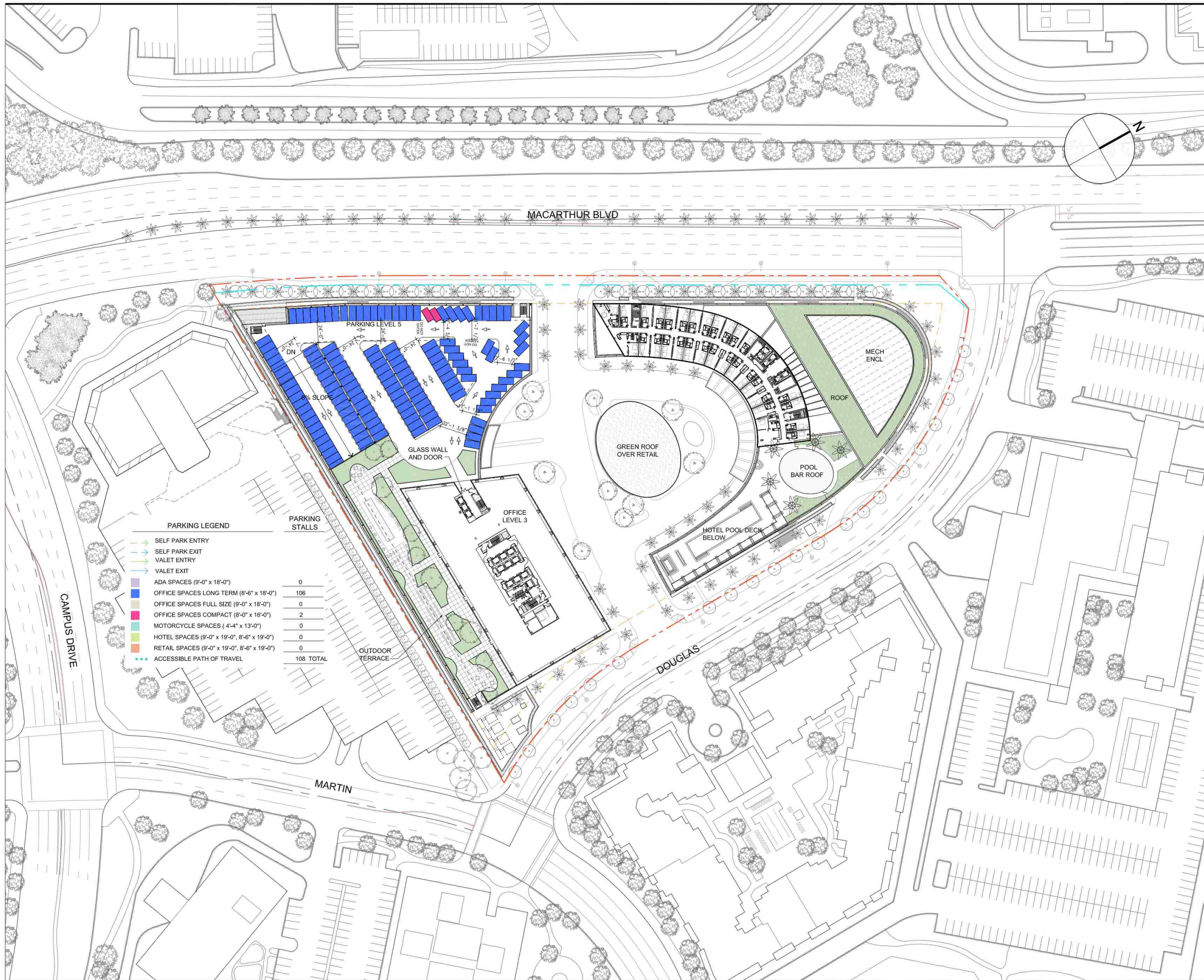
**HOTEL AND OFFICE LEVEL 3
PARKING LEVEL 5
FLOOR PLANS**

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SCALE	PROJECT NO.
1" = 40'	PCF-1514
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02	01/27/17	SUBMISS

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Case # : 00659728-PMPC
JANUARY 27, 2017

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HOTEL AND OFFICE TYPICAL LOWER LEVEL FLOOR PLANS

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SCALE	PROJECT
1" = 40'	PCF
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MP-104

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No.	Date	Revision
00	05/12/16	SUBMISSION No. 3
01	12/01/16	SUBMISSION No. 4
02	01/27/17	SUBMISSION No. 5

Case #: 00659728-PMPC
JANUARY 27, 2017

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HOTEL AND OFFICE PENTHOUSE AND UPPER LEVEL FLOOR PLANS

DRAWN

CHECKED

SCALE PROJECT NO.

1" = 40' PCF-1514

DATE _____ REV. _____

12/1/16

DRAWING NO. _____

MP-105

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Architects LLP



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Owner/Developer

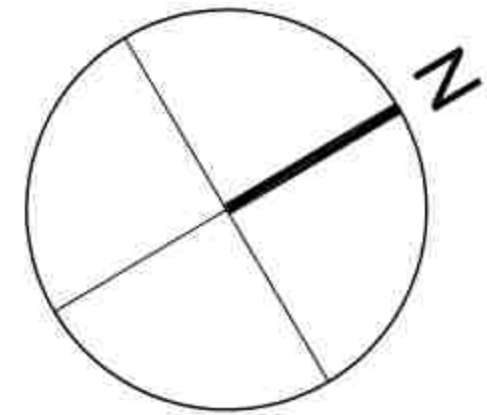
GREAT PARK EAST
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No. Date Revision

00 05/12/16 SUBMISSION No. 3

01 12/01/16 SUBMISSION No. 4

02 01/27/17 SUBMISSION No. 5



PARKING LEGEND		PARKING STALLS	
	SELF PARK ENTRY		
	SELF PARK EXIT		
	VALET ENTRY		
	VALET EXIT		
	ADA SPACES (9'-0" x 18'-0")	23	
	OFFICE SPACES LONG TERM (8'-6" x 18'-0")	224	
	OFFICE SPACES FULL SIZE (9'-0" x 18'-0")	0	
	OFFICE SPACES COMPACT (8'-0" x 16'-0")	2	
	MOTORCYCLE SPACES (4'-4" x 13'-0")	0	
	HOTEL SPACES (9'-0" x 19'-0", 8'-6" x 19'-0")	153	
	RETAIL SPACES (9'-0" x 19'-0", 8'-6" x 19'-0")	90	
	ACCESSIBLE PATH OF TRAVEL	492 TOTAL	

LEVEL B1

MASTER PLAN SUBMITTAL
Case # : 00659728-PMPC
JANUARY 27, 2017

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PARKING BASEMENT
LEVEL 1 PLAN

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SCALE PROJECT NO.

1" = 40' PCF-1514

DATE REV.

12/1/16

DRAWING NO.

MP-106

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Revision

No.	Date	Revision
00	05/12/16	SUBMISSION No. 3
01	12/01/16	SUBMISSION No. 4
02	01/27/17	SUBMISSION No. 5

MASTER PLAN SUBMITTAL
Case # : 00659728-PMPC
JANUARY 27, 2017

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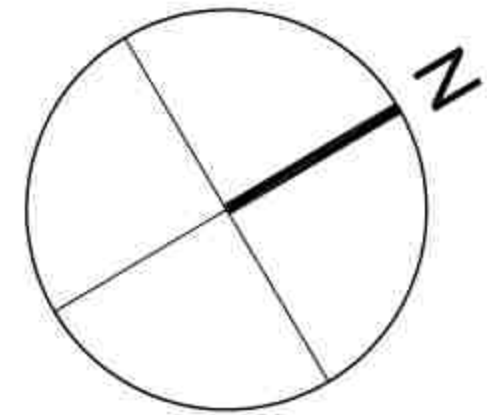
**PARKING BASEMENT
LEVEL 2 PLAN**

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SCALE	PROJECT NO.
1" = 40'	PCF-1514
DATE	REV.
12/1/16	

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MP-107

PEI COBB FREED & PARTNERS
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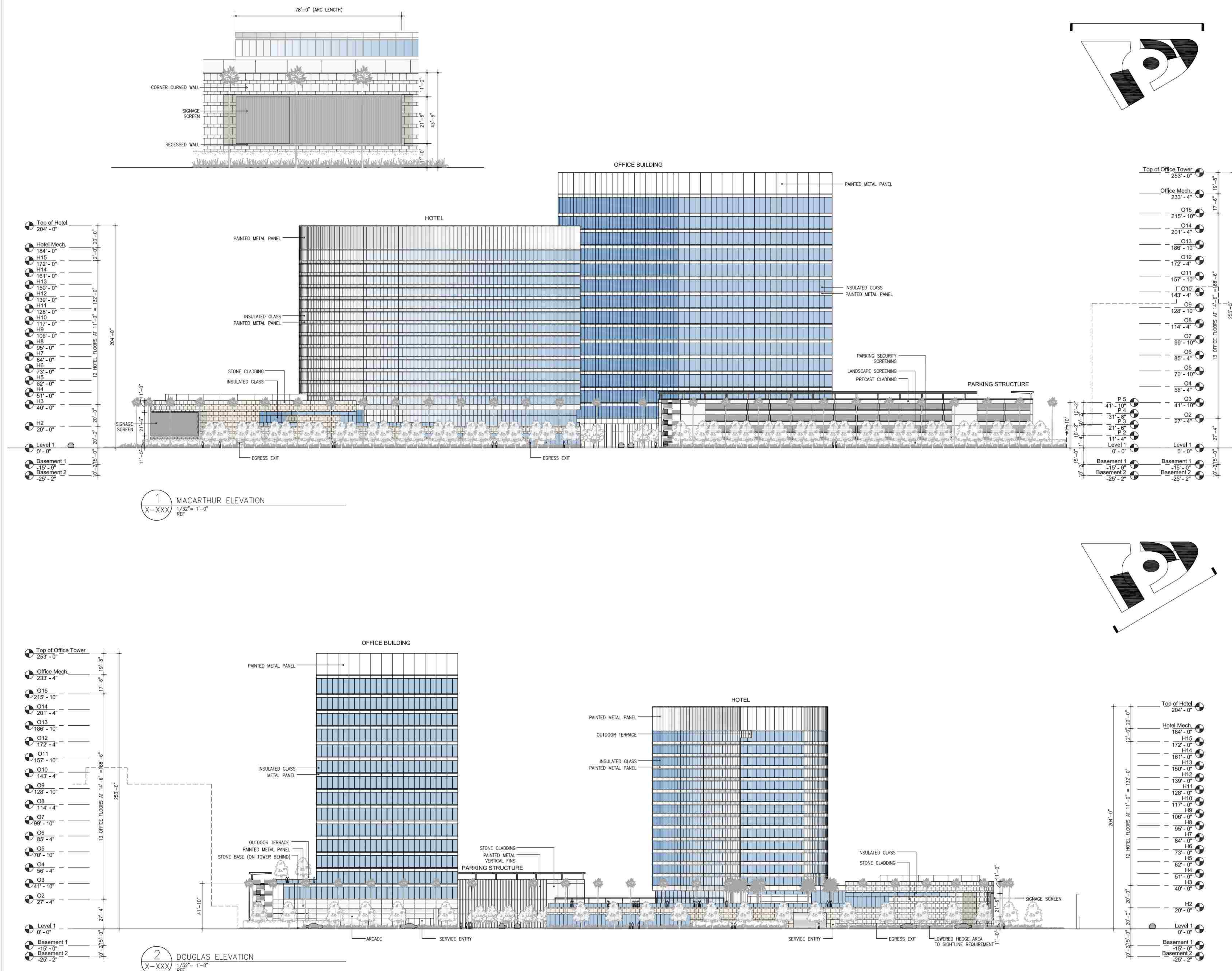
GREAT FAR EAST
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MASTER PLAN SUBMITTAL
Case #: 00659728-PMPC
JANUARY 27, 2017

BUILDING ELEVATIONS

MP-120

PEI COBB FREED & PARTNERS
Architects LLP



JANUARY 27, 2017

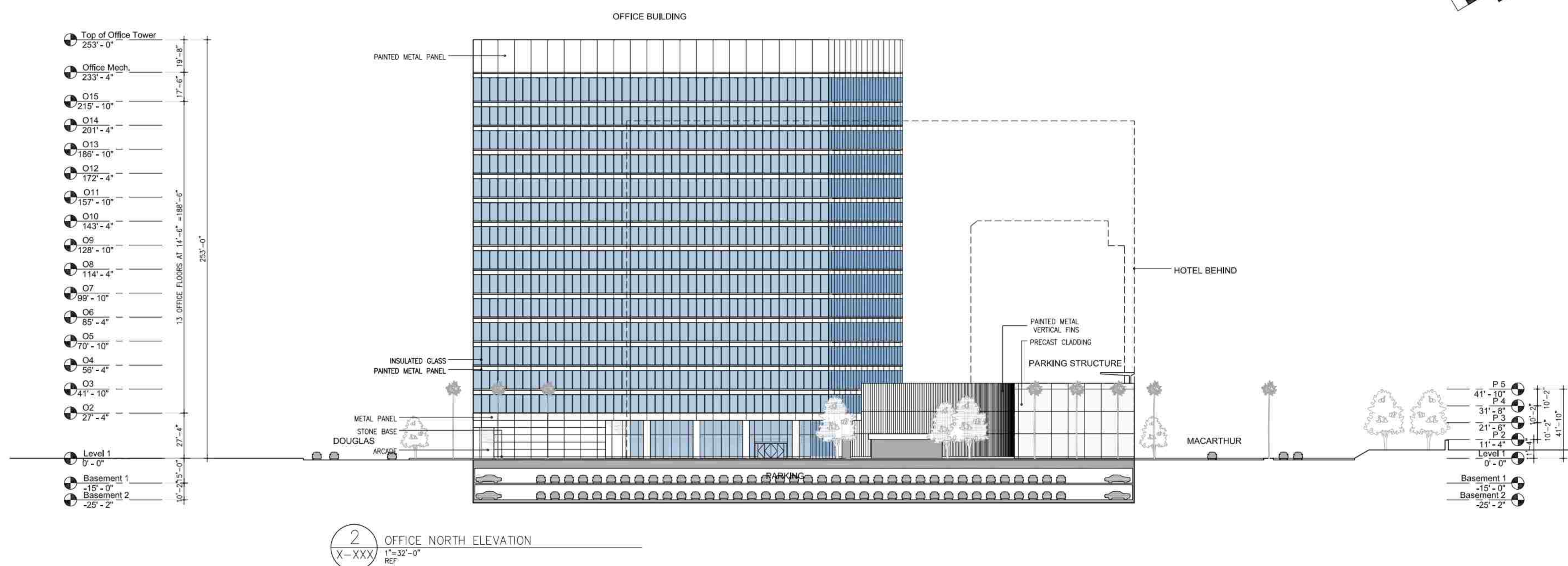
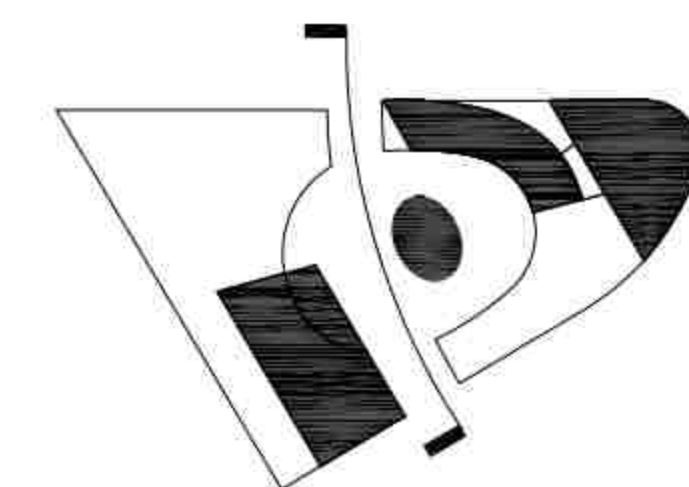
BUILDING ELEVATIONS

OFFICE	OFFICE
OFFICE	OFFICE

DATE	REV.
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MASTER PLAN SUBMITTAL
Case #: 00659728-PMPC
JANUARY 27, 2017

(09-03-0027)

SITE SECTION

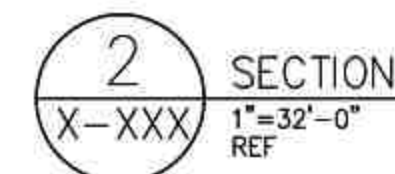
SCALE PROJECT NO.

DATE: 12/1/16

DRAWING NO.

MP-

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**THE LANDMARK
IRVINE, CA**



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[illegible]**MASTER PLAN SUBMITTAL**

Case #: 00659728-PMPC

JANUARY 27, 2017

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PERSPECTIVE VIEWS

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MP-131

PEI COBB FREED & PARTNERS
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BERKELEY
CARLSBAD

FRESNO
PALM SPRINGS
PT. RICHMOND

RIVERSIDE
ROCKLIN
SAN LUIS OBISPO

November 29, 2016

Ms. Stephanie Frady
Community Development Department
City of Irvine
One Civic Center Plaza
P.O. Box 19575
Irvine, CA 92623-9575

Subject: 18872, 18912, and 18952 MacArthur Boulevard (The Landmark) Mixed-Use Project
(Case File No. 00659728-PMPC): Hotel Parking Study

Dear Ms. Frady:

LSA Associates, Inc. (LSA) has prepared the following hotel parking study for The Landmark Project at 18872, 18912, and 18952 MacArthur Boulevard in the Irvine Business Complex (IBC) area of the City of Irvine (City). The proposed mixed-use project consists of a 386-room hotel, 448,200 square feet (sf) of office use, and 16,545 sf of restaurant use.

Based on City comments on the Master Plan for the proposed project, a parking study is required. Zoning Ordinance Section 4-3-4 states that for any use for which there is not an established parking generation rate, a parking study shall be required. Because Zoning Ordinance Section 4-3-4 does not include a parking generation rate for hotels, a parking study is necessary to assess the proposed number of hotel parking spaces to be provided on site.

It should be noted that the 448,200 sf of office use and 16,545 sf of restaurant use proposed on site will be parked per Zoning Ordinance requirements (i.e., 1 space per 250 sf of office use up to 250,000 sf, 1 space per 500 sf of office use greater than 250,000 sf, and 1 space per 75 sf of restaurant use). As such, 1,397 spaces will be provided for the 448,200 sf of office use (i.e., 1,000 spaces for 250,000 sf and 397 spaces for 198,200 sf) and 221 spaces will be provided for the 16,545 sf of restaurant use. A total parking supply of 2,089 spaces is proposed on site for the office, restaurant, and hotel uses.

Per discussions with City staff, the approved parking rate for a similar hotel may be applied to the proposed hotel if a suitable match is identified. Based on LSA's research of parking studies that have been processed and approved by the City, the Irvine Spectrum Marriott Hotel was identified as a hotel product similar to the proposed hotel. The 209,817 sf, 14-story Irvine Spectrum Marriott Hotel includes 252 rooms, 7,691 sf of meeting space, and 4,687 sf of retail/restaurant amenities. The 12,378 sf of accessory (meeting and retail/restaurant) space is approximately 6 percent of the total hotel square footage. The approved parking rate for the Irvine Spectrum Marriott Hotel is 0.88 space per room. The approved Irvine Spectrum Marriott Hotel Parking Analysis (Case No. 00632547-PMPC) (Pirzadeh & Associates, Inc., July 27, 2015) is provided as an attachment to this parking study.

The proposed hotel is a 323,415 sf, 14-story, 386-room hotel. The hotel will be located on the northerly portion of the project site, directly south of the intersection of MacArthur Boulevard/Douglas. The proposed hotel will include approximately 21,445 sf of meeting/conference space (8,127 sf on the ground level and 13,318 sf on the second level) and 5,043 sf of restaurant/bar area on the ground level, and 2,631

11/29/16 «P:\GFE1501\doc\Hotel Parking Study3.docx»

PLANNING | ENVIRONMENTAL SCIENCES | DESIGN

PC ATTACHMENT 4

sf of fitness/spa area on the second level. The 29,119 sf of accessory (meeting/conference, retail/restaurant, and fitness/spa) space is approximately 9 percent of the total hotel square footage. The meeting/conference space, restaurant/bar area, and fitness/spa area will facilitate business meetings and provide amenities and services for hotel guests. It is anticipated that the majority of guests staying at the hotel will be travelers conducting business in the IBC area. The site is conveniently located within walking distance of the John Wayne Airport, office complexes, and corporate headquarters.

The proposed hotel will have 340 parking spaces within the 2,089-space parking structure that will also serve the proposed office use (1,397 required spaces) and restaurant use (221 required spaces). The hotel parking supply equates to 0.88 space per room, consistent with the approved Irvine Spectrum Marriott Hotel. Parking at the proposed hotel will be by valet service only. All overnight hotel guests will have to utilize valet service to park their vehicles. This will eliminate potential vehicle conflicts with self-park patrons of the proposed office and restaurant uses. The valet pick-up/drop-off area is adjacent to the main entry of the hotel. A single 24-foot-wide lane provides one-way, counterclockwise circulation, which will allow hotel guests and visitors to pull into the valet area without impacting internal circulation. The valet pick-up/drop-off area will provide approximately 300 ft of vehicle stacking distance.

The valet service will operate consistent with Zoning Ordinance Section 4-8-1 (Valet Parking Operation Standards). Valet service will allow for stacked parking spaces to be accommodated on site without encroaching into any required fire lanes. Stacked spaces are not included in the on-site parking supply since they are not recognized in the Zoning Ordinance; however they can be utilized through controlled valet operations. Implementation of valet service will allow for parking management practices that increase parking capacity and efficiency when compared to self-park arrangements.

A hotel shuttle will provide transportation for guests to and from John Wayne Airport. Orange County Transit Authority (OCTA) transit facilities are located within one city block and Irvine Shuttle (iShuttle) stops are located within two city blocks of the project site. Bus stops at the northwest and southeast corners of MacArthur Boulevard/Campus Drive and northeast and southeast corners of Martin/Campus Drive are accessible via existing pedestrian sidewalks along the project frontage and the crosswalks at the adjacent signalized intersections. The project site is located less than 5 miles from the Tustin Metrolink Station, which provides access to regional rail service via Metrolink and Amtrak. In addition, hotel guests may use private taxis and informal taxi services such as Uber and Lyft to get to and from the hotel. These various forms of transportation could decrease the hotel parking demand.

The project applicant will explore the possibility of utilizing spaces at adjacent sites that have surplus parking spaces in order to secure overflow parking for rare occasions when the hotel parking demand is anticipated to exceed the on-site parking supply. These special events are not typical of the proposed hotel operations as advanced planning is required. The hotel operator will track occupancies/vacancies and schedule reservations/cancellations. As a result, the hotel operator will be able to manage both typical day-to-day operations and special events to ensure adequate parking will be provided at all times.

The goal of a hotel is to be 100 percent occupied. However, as noted in the 2015 CBRE Hotels Statistics and Trends of Rooms in Orange County table (attached), on average, a hotel in the vicinity of the John Wayne Airport is approximately 80 percent occupied between the months of January and November. In December, the occupancy decreases to below 72 percent. As such, on a typical day, the hotel rooms and parking spaces will be at least 20 percent vacant.

As previously described, the Irvine Spectrum Marriott Hotel has an approved parking rate of 0.88 space per room. Based on surveyed data, parking demand studies conducted and approved for hotels within the City, and other parking documents such as the Institute of Transportation Engineers (ITE) Parking

Generation and the CBRE Hotels Statistics and Trends of Rooms in Orange County, the parking demand for this type of hotel is less than 1 space per room. Valet service and stacked parking could increase parking capacity and efficiency within the parking structure. In addition, the forecast hotel parking demand could be reduced with implementation of shuttle service and utilization of existing transit and alternative transportation. Therefore, the proposed parking rate of 0.88 space per room, or 340 parking spaces, is adequate for the proposed hotel parking demand.

Furthermore, a shared parking analysis consistent with the methodology presented in the Urban Land Institute (ULI) Shared Parking, 2nd Edition (2005) was conducted to determine whether the proposed parking supply of 2,089 spaces is adequate for the project. The parking demand for the hotel is based on the approved 0.88 space per room rate for the Irvine Spectrum Marriott Hotel. The Zoning Ordinance parking rates of 1 space per 250 sf of office use up to 250,000 sf, 1 space per 500 sf of office use greater than 250,000 sf, and 1 space per 75 sf of restaurant use have been used. The hourly parking utilization for each use is based on the ULI Shared Parking. The results of the shared parking analysis are shown in Table A (attached).

As shown Table A, the peak parking demand would be 1,745 spaces with a parking surplus of 344 spaces at 2:00 p.m. During this time, the hotel spaces are 60 percent utilized (204 spaces), the office spaces are 100 percent utilized (1,397 spaces), and the restaurant spaces are 65 percent utilized (144 spaces). With a 2,089-space parking structure serving the proposed project, adequate parking will be provided on site for the hotel, office, and restaurant uses.

If you have any questions, please call me at (949) 553-0666.

Sincerely,

LSA ASSOCIATES, INC.



Dean Arizabal
Associate

Attachments: Table A: Shared Parking Analysis
Irvine Spectrum Marriott Hotel Parking Analysis (Case No. 00632547-PMPC)
2015 CBRE Hotels Statistics and Trends of Rooms in Orange County Table

cc: Sean Cao, Great Far East

Table A: Weekday Shared Parking Analysis

Time	Business Hotel ^{1,2}		Office (up to 250,000 SF) ¹		Office (greater than 250,000 SF) ¹		Fine/Casual Dining Restaurant ¹		Total SF ³
	size = 0.88 space/ demand =	386 rooms 1 room 340 spaces	size = 1 space/ demand =	250,000 SF 250 SF 1,000 spaces	size = 1 space/ demand =	199,900 SF 500 SF 400 spaces	size = 1 space/ demand =	16,545 SF 75 SF 221 spaces	466,445
	% utilization	spaces	% utilization	spaces	% utilization	spaces	% utilization	spaces	Utilized
6:00 AM	95%	323	3%	30	3%	12	0%	0	365
7:00 AM	90%	306	30%	300	30%	120	0%	0	726
8:00 AM	80%	272	75%	750	75%	300	0%	0	1,322
9:00 AM	70%	238	95%	950	95%	380	0%	0	1,568
10:00 AM	60%	204	100%	1,000	100%	400	15%	34	1,638
11:00 AM	60%	204	100%	1,000	100%	400	40%	89	1,693
12:00 PM	55%	187	90%	900	90%	360	75%	166	1,613
1:00 PM	55%	187	90%	900	90%	360	75%	166	1,613
2:00 PM	60%	204	100%	1,000	100%	400	65%	144	1,748
3:00 PM	60%	204	100%	1,000	100%	400	40%	89	1,693
4:00 PM	65%	221	90%	900	90%	360	50%	111	1,592
5:00 PM	70%	238	50%	500	50%	200	75%	166	1,104
6:00 PM	75%	255	25%	250	25%	100	95%	210	815
7:00 PM	75%	255	10%	100	10%	40	100%	221	616
8:00 PM	80%	272	7%	70	7%	28	100%	221	591
9:00 PM	85%	289	3%	30	3%	12	100%	221	552
10:00 PM	95%	323	1%	10	1%	4	95%	210	547
Peak Parking Demand									1,748
Proposed Parking Supply									2,089
Parking Surplus / (Deficit)									341

Notes:

¹ Parking demand is based on the City's parking rates and parking utilization is based on the ULI Shared Parking, 2nd Edition.² Proposed parking rate of 0.88 space per room (consistent with the approved Irvine Spectrum Marriott Hotel).³ Total square footage does not include the hotel(s).

SF = square feet

July 27, 2015

Mr. Joel Belding
Principal Planner
City of Irvine
One Civic Center Plaza
P.O. Box 19575
Irvine, CA 92623-9575

Subject: Irvine Spectrum Marriott Hotel, Spectrum 1 (Planning Area 33)
Parking Analysis - Second Submittal, Case No. 00632547-PMPC

Dear Mr. Belding:

Pursuant to your request, this technical letter is intended to address the parking demand at the subject hotel in Irvine Spectrum Center.

Proposed Project

The proposed project is a new 209,817 square foot, 252-room, 14-story Marriott Hotel. The project will be located on the northerly portion of Lot 104 in Planning Area 33, Irvine Spectrum Center (Spectrum 1) – Parcel 2 of PM 2012-161. The proposed hotel will include 12,378 square feet of accessory meeting facility and other accessory guest amenities. It is anticipated that the guests staying at the hotel will be mostly business travelers conducting business in the Irvine Spectrum area. The site is conveniently located within walking distance of Irvine Spectrum Center and many offices and corporate headquarters (i.e., Mazda and Taco Bell Corporate Headquarters) which are directly across the street on Gateway.

The accessory meeting rooms (7,691 square feet) and guest retail/café amenities (4,687 square feet), that comprise approximately six (6) percent of the hotel's total square footage, will facilitate business meetings and provide services for the hotel guests. Hotel shuttles will be available for transporting guests to and from John Wayne Airport, Irvine Multimodal Station and other major venues. Additionally, existing OCTA Transit and Spectrum Shuttle services will be available to the hotel guests and employees. Bus stops for these services are located on Irvine Center Drive and Alton Parkway within very short walking distance from the site. The bus stop at the northeast corner of Irvine Center Drive and Gateway is located approximately 250-feet from the hotel site and can be accessed using the on-site sidewalk system that connects to the public sidewalk network. The intersection of Irvine Center Drive and Gateway is signalized and has existing pedestrian crosswalks.

Site Parking

Parking at the site is by valet service only. All guests and visitors to the site will have to valet their vehicles. The proposed hotel will have 223 marked parking spaces (150 standard spaces, 66 tandem spaces, 7 accessible spaces). As stated earlier, all on site parking will be handled by valet service. This type of parking operation will allow for implementing parking management practices which would increase parking capacity in excess of marked spaces by at least 30 additional spots. The marked supply of parking would equate to 0.88 spaces per room ratio which is at the high end of industry standard and documented parking demand rate for this type of hotel.

The valet operation is consistent with the requirements of Section 4-8-1 of the Zoning Code that pertains to valet operation standards. The proposed Marriott Hotel will be 100-percent valet parking and will utilize four (4) parking control gates to be used by employees only. All guests will arrive at the main entry off Gateway and then the valet attendants will park and recall the vehicles as needed. Hotel guest and visitors will not have access to the on-site circulation or parking spaces beyond the gate locations.

The valet operation loading area is adjacent to the main entry to the hotel. Hotel guests and visitors will access the staging area via Gateway at Driveway 2. The approach to the staging area is one-way operation that will flow counterclockwise. There are three (3) lanes in the arrival area that will provide in excess of 350-feet of stacking area. None of the valet parking spaces encroach into the required fire lane.

Based on data presented in several Parking Demand Studies conducted for hotels in Irvine which have been reviewed and approved by the City the typical parking demand for this type of facility is well below one (1) space per room. The documented rate varies from 0.5 to 1 space per room with an average rate of about 0.65 spaces per room. Additionally, when shuttle services and other modes of travel are available for hotel guests the parking demand is further reduced by at least 10 percent. Data presented in the 4th Edition of Parking Generation published by Institute of Transportation Engineers (ITE) shows the average peak period parking demand to be 0.66 vehicles (spaces) per occupied room. Applying the typical 10 percent reduction for availability of shuttle services this peak demand would be reduced to 0.59 spaces per occupied room. Therefore, the proposed hotel with 252 rooms is expected to generate a demand of about 149 parking spaces which is much lower than the proposed 223 marked spaces. Furthermore, the valet operation will easily increase the parking supply to over 1 space per room.

Marriot Corporation has not established a parking rate for this type of facility. However, the typical rate for its sites is around 0.8 spaces per room. The proposed hotel's 0.88 spaces per room will exceed this typical parking rate.

Mr. Joel Belding

Page 3

July 27, 2015

Conclusions

Based on data presented in several parking demand studies for similar facilities in the City of Irvine and data presented in the ITE Parking Generation manual, the proposed 252 room hotel with 223 marked parking spaces will have more than adequate parking to accommodate the expected demand for this facility. The valet service and the availability of shuttle and transit services at this site and the close proximity of the hotel to businesses, shopping and entertainment venues will further reduce the anticipated parking demand at this facility.

Please call me if you have any questions regarding the proposed hotel or the information presented in this letter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Peter K. Pirzadeh', written in a cursive style.

Peter K. Pirzadeh, P.E.
Principal

Copy via email: Stacy Tran, City of Irvine
 Anthony Wrzosek, RDOD

Statistics And Trends Of Rooms Business In Orange County

CBRE Hotels

<u>BY LOCATION</u>	<u>AVERAGE DAILY RATE</u>			<u>OCCUPANCY PERCENT</u>			<u>REVPAR</u>		
	2015	2014	VAR	2015	2014	VAR	2015	2014	VAR
MONTH OF DECEMBER 2015									
ANAHEIM	\$181.52	\$173.41	4.7%	79.74%	79.45%	0.4%	\$144.75	\$137.78	5.1%
COSTA MESA	\$125.88	\$117.70	6.9%	70.65%	73.55%	-3.9%	\$88.93	\$86.57	2.7%
ORANGE COUNTY AIRPORT	\$119.78	\$116.77	2.6%	71.50%	68.22%	4.8%	\$85.63	\$79.67	7.5%
NORTH ORANGE COUNTY	\$104.36	\$97.91	6.6%	76.67%	78.23%	-2.0%	\$80.02	\$76.59	4.5%
SOUTH ORANGE COUNTY	\$201.70	\$193.79	4.1%	61.14%	64.33%	-5.0%	\$123.31	\$124.67	-1.1%
NEWPORT BEACH	\$229.78	\$229.81	0.0%	67.46%	62.05%	8.7%	\$155.01	\$142.59	8.7%
HUNTINGTON BEACH	\$207.08	\$201.79	2.6%	64.60%	61.36%	5.3%	\$133.78	\$123.81	8.0%
OVERALL AVERAGE	\$167.92	\$161.30	4.1%	73.74%	73.13%	0.8%	\$123.83	\$117.96	5.0%
	<u>AVERAGE DAILY RATE</u>			<u>OCCUPANCY PERCENT</u>			<u>REVPAR</u>		
	2015	2014	VAR	2015	2014	VAR	2015	2014	VAR
JANUARY TO DECEMBER 2015									
ANAHEIM	\$180.75	\$168.85	7.0%	81.27%	79.43%	2.3%	\$146.89	\$134.11	9.5%
COSTA MESA	\$136.89	\$129.12	6.0%	79.73%	81.09%	-1.7%	\$109.14	\$104.70	4.2%
ORANGE COUNTY AIRPORT	\$133.61	\$125.70	6.3%	79.65%	75.47%	5.5%	\$106.42	\$94.87	12.2%
NORTH ORANGE COUNTY	\$109.51	\$101.42	8.0%	82.90%	81.34%	1.9%	\$90.78	\$82.50	10.0%
SOUTH ORANGE COUNTY	\$238.53	\$228.25	4.5%	76.87%	76.18%	0.9%	\$183.36	\$173.87	5.5%
NEWPORT BEACH	\$250.83	\$244.37	2.6%	78.58%	75.57%	4.0%	\$197.10	\$184.67	6.7%
HUNTINGTON BEACH	\$249.01	\$243.73	2.2%	81.96%	81.79%	0.2%	\$204.08	\$199.34	2.4%
OVERALL AVERAGE	\$178.81	\$169.17	5.7%	80.32%	78.37%	2.5%	\$143.61	\$132.58	8.3%

ATTACHMENT 5

THE LANDMARK

Addendum to the IBC Vision Plan and
Mixed Use Overlay Zoning Code EIR

DISTRIBUTED TO THE PLANNING
COMMISSION ONLY

Copy available to review in the
Irvine Community Development Department

Contact Stephanie Frady

at

949-724-6375

or

sfrady@cityofirvine.org

PLANNING COMMISSION RESOLUTION NO. 17-3615

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRVINE, CALIFORNIA, APPROVING COMMERCIAL MASTER PLAN 00659728-PMPC TO DEVELOP THE LANDMARK, A 15-STORY, 386-ROOM HOTEL, A 15-STORY OFFICE BUILDING AND GROUND-LEVEL RETAIL/RESTAURANT SPACE, LOCATED AT 18872, 18912 AND 18952 MACARTHUR BOULEVARD IN PLANNING AREA 36 (IRVINE BUSINESS COMPLEX), CONTINGENT ON THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA OVERRULING THE DETERMINATION OF THE AIRPORT LAND USE COMMISSION OF THE COUNTY OF ORANGE THAT THE PROPOSED PROJECT IS NOT CONSISTENT WITH THE 2008 JOHN WAYNE AIRPORT ENVIRONS LAND USE PLAN; FILED BY GREAT FAR EAST LLC

WHEREAS, an application for Commercial Master Plan 00659728-PMPC has been filed by Great Far East LLC to allow for the development of The Landmark, a mixed use commercial development which includes a 15-story, 386-room hotel, a 15-story office building, ground level restaurant/retail space and a combination subterranean garage/parking structure containing 2,089 parking spaces, located at 18872, 18912 and 18952 MacArthur Boulevard in Planning Area 36, the Irvine Business Complex (IBC); and

WHEREAS, the underlying land of the subject Commercial Master Plan has a General Plan land use designation of Urban and Industrial, and a zoning designation of 5.1 Multi-use; and

WHEREAS, the proposed Commercial Master Plan conforms with the City of Irvine General Plan and the Irvine Zoning Ordinance; and

WHEREAS, pursuant to the IBC Database, the project site currently has a budget of 1,122 AM, 1,321 PM and 13,638 average daily trip (ADT) development intensity values (DIVs), which is adequate to support the project, as proposed; and

WHEREAS, an Access Study was completed for the proposed project which analyzed the access points along Douglas and MacArthur Boulevard and potential impacts to the surrounding circulation system; and

WHEREAS, the proposed Commercial Master Plan is considered to be a "project" as defined by the California Environmental Quality Act (CEQA); and

WHEREAS, in July 2010, the IBC Vision Plan Program Environmental Impact Report (SCH No. 2007011024) ("IBC EIR") was prepared and certified by the City Council

as adequate; and

WHEREAS, on April 20, 2017, the Airport Land Use Commission (ALUC) for Orange County considered the proposed project. When a development project is subject to the Airport Environs Land Use Plan (AELUP) due to its close proximity to John Wayne Airport, State law requires the ALUC to make a determination on whether the proposed land use is consistent with its regulations and restrictions. At their meeting, the ALUC voted unanimously to find the proposed project is inconsistent with the AELUP. As such, the City of Irvine's City Council would need to make a determination to override the ALUC decision prior to the proposed project being approved; and

WHEREAS, due to the inconsistency finding made by the ALUC, the Planning Commission's approval of the subject Commercial Master Plan is contingent on a City Council determination to override the decision of the ALUC pursuant to Section 21676 of the California Public Utilities Code; and

WHEREAS, on May 31, 2017, notice of a Planning Commission public hearing was posted at the project site and at all City-designated posting locations; and were mailed to all property owners and occupants within 500 feet of the project site; and

WHEREAS, the Planning Commission of the City of Irvine has considered information presented by the Community Development Department, the applicant, and other interested parties at a public hearing on June 15, 2017.

NOW, THEREFORE, the Planning Commission of the City of Irvine DOES HEREBY RESOLVE as follows:

SECTION 1. The Recitals above are true and correct and incorporated herein by this reference.

SECTION 2. An Addendum to the IBC EIR has been prepared pursuant to Section 15164 of the CEQA Guidelines, and concluded that the proposed project will not have a significant effect on the environment.

SECTION 3. Pursuant to Section 15162 of the CEQA Guidelines, the following has been determined:

1. There are no substantial changes to the project that will require major revisions to the IBC EIR due to new, significant environmental effects or a substantial increase in the severity of impacts identified in the IBC EIR.
2. Substantial changes have not occurred in the circumstances under which the project is being undertaken that will require major revisions of the IBC EIR to disclose new, significant environmental effects or a substantial increase in the severity of the impacts identified in the IBC EIR.

3. There is no new information of substantial importance, not known and could not have been known with the exercise of reasonable diligence at the time the IBC EIR was certified, that shows any of the following:
 - a. The project will have any new significant effects not discussed in the IBC EIR;
 - b. Significant effects previously examined will be substantially more severe than shown in the IBC EIR;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the IBC EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

SECTION 4. Pursuant to Section 15168 of the CEQA Guidelines, this project is covered by the previously certified IBC EIR (SCH No. 2007011024) and the June 2017 Addendum, which serves as the EIR for the proposed project. The effects of the project were examined in the Program EIR, and all feasible mitigation measures and alternatives developed in the Program EIR are incorporated into this project.

SECTION 5. Pursuant to Fish and Game Code Section 711.4(c), all required Fish and Game filing fees shall be paid subsequent to certification of the Final EIR.

SECTION 6. The findings required by State law regarding justification of Citywide, village-wide, and project specific development fees for public facilities as a result of this project approval have been met as follows:

- A. Citywide fees for public facilities are collected in conjunction with the issuance of building permits for development projects and consist of the following:
 1. Foothill Transportation Corridor Area / San Joaquin Transportation Corridor Area of Benefit Charges.
 2. Development surcharge fees to recover wear and tear costs from construction site traffic.
 3. A systems development charge.
- B. Resolutions have been adopted by the Irvine City Council which establishes the connection between the development projects and the public improvements based on the following nexus:
 1. The area of benefit charges for the Foothill Transportation Corridor Area/San Joaquin Transportation Corridor are based on the assumption that future state and federal revenues are projected to be inadequate to construct said transportation corridors in a timely manner; and that future development

- should pay a share of the cost of implementing new transportation corridors to ensure that the transportation system will be adequate to serve said development and that this share of the corridor costs should be proportional to the traffic generated by the development.
2. The impact of construction vehicles using City streets causes wear and tear which significantly reduces the life of the surface of City streets beyond normally expected use and the cost of impacted wear and tear on City streets should be borne by the development projects which create the impact. The wearing surface on City streets is reduced by 50 percent by commercial/industrial construction traffic which causes significant increases on City maintenance costs.
 3. The implementation of a systems development charge provides a predictable and equitable funding source for capital improvements by requiring development projects to "buy into" the pre-existing City infrastructure so that the impact of new growth on existing improvements will be borne equitably by new development.
- C. All of the Citywide fees identified in this section are based on this project's proportional share of the cost of the improvement as identified in the appropriate City Council resolution.
- D. The following nexus between the project specific public facilities and the development project have been identified:
1. The purposes of the fees have been identified.
 2. There is a reasonable relationship between the need for public facilities and the type of development for which the fee is imposed.
 3. There is a reasonable relationship between the amount of the fees and the costs of the public facilities attributable to the development on which the fee is based.
- E. The development of The Landmark Project creates the need for circulation system improvements to accommodate traffic generated by the project. The public and private facilities identified previously are needed to support this development, are justified since the development of this type impacts the amount distribution of traffic on surrounding streets, or are agreed to by the applicant. The circulation improvements described above have been identified in the April 5, 2017 Access Study prepared by LSA for the proposed project.

SECTION 7. The findings required to be made for the approval of a Commercial Master Plan, as set forth by Section 2-17-7 of the Irvine Zoning Ordinance, are hereby made as follows:

- A. The proposed Master Plan is consistent with the City's General Plan.

The project site is designated for Urban and Industrial development pursuant to the City's General Plan Land Use Element. The Urban and Industrial designation allows for offices, industry, and support commercial, mixed with high-density housing, and a variety of activities. Typical uses are professional/medical offices, industrial manufacturing, research and development, support service retail, restaurants, multifamily housing and hotel/motels. The IBC Element of the General Plan outlines the framework for future development of the IBC as a mixed-use community. The Master Plan proposes the development of a 15-story, 386-room hotel, a 15-story office building and ground level restaurant/retail space, all of which are all compatible with Urban and Industrial neighborhood. Therefore, the proposed Master Plan is consistent with the City's General Plan.

B. The proposed Master Plan is consistent with the City's zoning ordinance.

The subject site has a zoning designation of 5.1 IBC Multi-use, which allows for hotel, office and retail uses. Within the IBC, the overall amount of development allowed is regulated by the development intensity value (DIV) budget assigned to each parcel. For the subject project site, there exists a cumulative DIV budget of 1,122 AM, 1,321 PM and 13,638 daily DIVs. The proposed project requires only 779 AM, 976 PM and 11,180 daily DIVs, which is entirely covered by the site's budget. Therefore, the project conforms to the allowed density for the subject site.

Additionally, the Master Plan meets site size, site coverage, landscape requirements, setbacks and all other applicable requirements of the Irvine Zoning Ordinance. Therefore, it has been determined that the Master Plan is consistent with the Irvine Zoning Ordinance.

C. The proposed Master Plan is in the best interests of the public health, safety and welfare of the community.

The Master Plan provides a mix of commercial uses on the project site, including hotel, office and retail/restaurant. Construction of all improvements and facilities associated with the proposed project will be in accordance with City standards and under City inspection. As stated in Sections 1 and 2 of this resolution, an Addendum to the approved IBC EIR (SCH No. 200071014) was completed for the proposed project and serves as its Program EIR. The Addendum determined that no further environmental impacts would result from the proposed project, and, therefore, it is in compliance with CEQA. It has been determined that the Master Plan is in the best interests of the health, safety, and welfare of the community.

D. The proposed Master Plan complies with all applicable requirements set forth within Division 8 pertaining to the dedication of permanent open space through a phased dedication implementation program for affected planning areas and zoning districts.

The proposed Master Plan complies with all requirements set forth within Section

8-5 of the Irvine Zoning Ordinance in that the permanent open space area (192 acres within Preservation Area N) associated with the development of PA 36 was previously dedicated.

- E. If the proposed Master Plan affects land located within the coastal zone, the proposed Master Plan will comply with the provisions of the land use plan of the certified local coastal program.

The project site is not located in the coastal zone; therefore, this finding is not applicable.

- F. In Planning Area 30, the proposed Master Plan provides for compatibility between existing and future uses within the City of Irvine, to the extent those uses are known.

The project site is not located in Planning Area 30; therefore, this finding is not applicable.

SECTION 8. The findings required to be made for the approval of a Conditional Use Permit for the hotel use, as set forth by Section 2-9-7 of the Irvine Zoning Ordinance, are hereby made as follows:

- A. The proposed location of the conditional use is in accord with the objectives of Chapter 1-1 of the Zoning Ordinance and the purpose of the zoning district in which the site is located.

The project site is located within the 5.1 IBC Multi-use Zone. The location of the proposed hotel is in accord with the objectives of Section 1-1 of the Irvine Zoning Ordinance. The hotel use within the IBC area of the City supplements the regional employment destination by providing accommodations for business travelers, thereby serving existing businesses in the area. It also provides accommodations for visitors to the City and provides event space to serve both businesses and residents.

- B. The proposed conditional use will not be detrimental to the public health, safety or welfare, or be materially injurious to properties or improvements in the vicinity.

This project will add a use already found within the local area and has been designed in a manner to be fully self-contained with services and all required parking located on-site so as to not adversely impact adjacent sites.

- C. The proposed conditional use is compatible with existing uses and future uses to the extent those uses are known, and will comply with each of the applicable provisions of the zoning ordinance, except for approved variances and/or administrative relief per Chapters 2-2 and 2-37.

The proposed hotel will provide temporary lodging in the IBC area and will complement the range of existing adjacent and nearby uses. The project complies with all applicable development standards; there are no variances or administrative relief proposed.

- D. If the proposed conditional use permit affects land located within the coastal zone, the proposed conditional use will comply with the provisions of the land use plan of the certified local coastal program.

The project site is not located in the coastal zone; therefore, this finding is not applicable.

- E. Based upon information available at the time of approval, adequate utilities, access roads, drainage, and other necessary facilities exist or will be provided to serve the proposed use.

The site is fully urbanized and adequately service by wet and dry utilities, roads and emergency access.

SECTION 9. That the Secretary to the Planning Commission of the City of Irvine shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

NOW, THEREFORE, based on the above findings and contingent on the Irvine City Council approving an override of the ALUC's inconsistency finding, the Planning Commission of the City of Irvine DOES HEREBY APPROVE COMMERCIAL MASTER PLAN 00659728-PMPC, subject to the following conditions:

PRIOR TO THE ISSUANCE OF PRELIMINARY OR PRECISE GRADING PERMITS

Standard Condition 2.5 (modified) ARCHAEOLOGIST/PALEONTOLOGIST RETAINED
(PPP 4-1)

Prior to the issuance of the first preliminary or precise grading permits for each planning area, and for any subsequent permit involving excavation to increased depth, the applicant shall provide letters documenting retention of an archaeologist and a paleontologist for the project. The letters shall state that the applicant has retained these individuals, and that the consultants will be on call during all grading and other significant ground-disturbing activities. These consultants shall be selected from the roll of qualified archaeologists and paleontologists maintained by the County of Orange. The archaeologist and/or paleontologist shall meet with Community Development staff, and shall submit written recommendations specifying procedures for cultural/scientific resource surveillance. These recommendations shall be reviewed and approved by the Director of Community Development prior to issuance of the grading permit and prior to any surface disturbance on the project site.

Should any cultural/scientific resources be discovered, no further grading shall occur in

the area of the discovery until the Director of Community Development is satisfied that adequate provisions are in place to protect these resources. Unanticipated discoveries shall be evaluated for significance by an Orange County Certified Professional Archaeologist/Paleontologist. If significance criteria are met, then the project shall be required to perform data recovery, professional identification, radiocarbon dates, and other special studies; submit materials to a museum for permanent curation; and provide a comprehensive final report including catalog with museum numbers. Persons performing this work shall be Orange County Certified Professional Archaeologists/Paleontologists.

Standard Condition 2.6 (modified)

SITE SPECIFIC GEOTECHNICAL STUDY
(PPP 5-3)

In accordance with the City of Irvine Grading Code (Municipal Code Title 5, Division 10) and Grading Manual, detailed geotechnical investigation reports for each Rough Grading Plan shall be submitted to further evaluate faults, subsidence, slope stability, settlement, foundations, grading constraints, liquefaction potential, issues related to shallow groundwater, and other soil engineering design conditions and provide site specific recommendations to mitigate these issues/hazards. The geotechnical reports shall be prepared and signed/stamped by a Registered Civil Engineer specializing in geotechnical engineering and a Certified Engineering Geologist. The City of Irvine Geotechnical Engineer/Engineering Geologist shall review the rough grading plan to ensure conformance with recommendations contained in the reports.

Standard Condition 2.7

GROUNDWATER SURVEY
(PPP 7-2)

Prior to the issuance of precise grading permits, the applicant shall submit to the Chief Building Official a groundwater survey of the entire site. The analysis shall be prepared by a licensed geotechnical engineer versed in groundwater analysis and shall include the following information and analysis:

- a. Potential for perched groundwater intrusion into the shallow groundwater zone upon build-out.
- b. Analysis for relief of groundwater buildup and properties of soil materials on-site.
- c. Impact of groundwater potential on building and structural foundations.
- d. Proposed mitigation to avoid potential for groundwater intrusion within five (5) feet of the bottom of the footings.

Standard Condition 2.12

WATER QUALITY – NOTICE OF INTENT
(PPP 7-3)

Prior to the issuance of preliminary or precise grading permits for a project that will result in soil disturbance of one (1) or more acres of land, the applicant shall provide the Chief Building Official with evidence that a Notice of Intent (NOI) has been filed with the State Water Resources Control Board. Such evidence shall consist of a copy of the NOI stamped by the State Water Resources Control Board or the Regional Water Quality Control Board, or a letter from either agency stating that the NOI has been filed.

Standard Condition 2.13

WATER QUALITY MANAGEMENT PLAN
(PPP 7-4)

Prior to the issuance of precise grading permits, the applicant shall submit to the Chief Building Official for review and approval, a Water Quality Management Plan (WQMP). The WQMP shall identify the Best Management Practices (BMPs) that will be used on the site to control predictable pollutant runoff.

Standard Condition 2.24

DEMOLITION WASTE RECYCLING

Prior to the issuance of grading permits for a project that involves the demolition of an asphalt or concrete parking lot on site, the applicant shall submit a waste management plan demonstrating compliance with the requirements of Title 6, Division 7 of the City of Irvine Municipal Code relating to recycling and diversion of demolition waste as applicable to said project. Over the course of demolition or construction, the applicant shall ensure compliance with all code requirements related to the use of City-authorized waste haulers.

Standard Condition 2.25

DIGITAL FILES - AUTOCAD

Prior to the issuance of a grading permit, the design engineer shall submit the drawings in DXF or AutoCAD .dwg file to the City.

Condition 2.26

OCFA PLANS
(PPP 6-3)

Prior to Orange County Fire Authority (OCFA) issuance of a precise grading permit, the applicant shall submit a Fire Master Plan (Service Code PR145) for review and approval. Irrevocable reciprocal access easements for emergency access purposes to the benefit of the City/County shall be recorded concurrently with the final map or, where no final map is required, prior to approval of the Fire Master Plan.

Condition 2.27

PRE-CONSTRUCTION MEETING

Before commencement of construction, the applicant or responsible party shall attend a pre-construction meeting with an OCFA inspector. Call OCFA Inspection Scheduling at 714-573-6150 at least five days in advance of the start of construction to schedule and pay for the preconstruction meeting.

Condition 2.28

SECURED FIRE PROTECTION AGREEMENT
(PPP 11-2)

Prior to the issuance of the first grading permit for the individual development within the IBC, the applicant shall have executed a Secured Fire Protection Agreement with the Orange County Fire Authority.

Condition 2.29

ARCHITECTURAL COATINGS
(PDF 2-9)

Prior to the issuance of grading permits and during construction activities, the applicant shall demonstrate that the construction contractor will use coatings and solvents with a volatile organic compound (VOC) content lower than required under Rule 1113 (i.e., Super Compliant Paints). All architectural coatings shall be applied either by (1) using a high-volume, low-pressure spray method operated at an air pressure between 0.1 and 10 pounds per square inch gauge to achieve a 65 percent application efficiency; or (2) manual application using a paintbrush, hand-roller, trowel, spatula, dauber, rag, or sponge, to achieve a 100 percent applicant efficiency. The construction contractor shall also use precoated/natural colored building, where feasible. Use of low-VOC paints and spray method shall be included as a note on architectural building plans.

Condition 2.30

SCAQMD RULE 201 – PERMIT TO CONSTRUCT
(PPP 2-1)

The SCAQMD requires developers who build, install, or replace any equipment or agricultural permit unit, which may cause new emissions of or reduce, eliminate, or control emissions of air contaminants to obtain a permit to construct from the Executive Officer.

Condition 2.31

SCAQMD RULE 402 – NUISANCE ODORS
(PPP 2-2)

Prior to issuance of grading permits, the project applicant shall incorporate the following note on the plan: The SCAQMD prohibits the discharge of any quantities of air contaminants or other material that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endanger the comfort, repose, health or safety of any such persons or the public, or that cause, or have a natural tendency to cause, injury or damage to business or property to be emitted within the South Coast Air Basin (SoCAB).

Condition 2.32

SCAQMD RULE 403 – FUGITIVE DUST (PM₁₀ AND PM_{2.5})
(PPP 2-3)

Prior to issuance of grading permits, the project applicant shall incorporate the following note on the plan: The SCAQMD prohibits any person to cause or allow the emissions of fugitive dust from any active operation, open storage pile, or disturbed surface area such that: (a) the dust remains visible in the atmosphere beyond the property line of the emission source; or (b) the dust emission exceeds 20 percent opacity (as determined by the appropriate test method included in the Rule 403 Implementation Handbook) if the dust emission is the result of movement of a motorized vehicle.

Condition 2.33

SCAQMD RULE 1403 – ASBESTOS EMISSIONS FROM
DEMOLITION/RENOVATION ACTIVITIES (PPP 2-4)

This rule specifies work practice requirements to limit asbestos emissions from building demolition and renovation activities, including the removal and associated disturbance of asbestos-containing materials (ACM). All operators are required to maintain records, including waste shipment records, and are required to use appropriate warning labels, signs, and markings.

Condition 2.34

CONSTRUCTION EQUIPMENT
(PDF 2-6)

Prior to the issuance of a grading permit, applicants for new developments in the Irvine Business Complex shall require that the construction contractor utilize off-road construction equipment that conforms to Tier 3 of the United States Environmental Protection Agency, or higher emissions standards for construction equipment over 50 horsepower that are commercially available. The construction contractor shall be made aware of this requirement prior to the start of construction activities. Use of commercially available Tier 3 or higher off-road equipment, or:

- a. Year 2006 or newer construction equipment for engines rated equal to 175 horsepower (hp) and greater;
- b. Year 2007 and newer construction equipment for engines rated equal to 100 hp but less than 175 hp; and
- c. 2008 and newer construction equipment for engines rated equal to or greater than 50 hp.

The use of such equipment shall be stated on all grading plans. The construction contractor shall maintain a list of all operating equipment in use on the project site. The construction equipment list shall state the makes, models, and numbers of construction equipment on-site.

Condition 2.35

EQUIPMENT MAINTENANCE
(PDF 2-7)

Prior to the issuance of a grading permit, the following note shall be placed on the plans: Applicants for new developments in the Irvine Business Complex shall require that the construction contractor to properly service and maintain construction equipment in accordance with the manufacturer's recommendations. Nonessential idling of construction equipment shall be restricted to 5 minutes or less in compliance with California Air Resources Board's Rule 2449.

Condition 2.36

DUST CONTROL PLAN
(PDF 2-8)

Prior to the issuance of a grading permit, applicants for new developments in the Irvine Business Complex shall require that the construction contractor prepare a dust control plan and implement the following measures during ground-disturbing activities in

addition to the existing requirements for fugitive dust control under South Coast Air Quality Management District Rule 403 to further reduce PM₁₀ and PM_{2.5} emissions. To assure compliance, the City shall verify compliance that these measures have been implemented during normal construction site inspections:

- a. During all grading activities, the construction contractor shall reestablish ground cover on the construction site through seeding and watering. This would achieve a minimum control efficiency for PM₁₀ of 5 percent.
- b. During all construction activities, the construction contractor shall sweep streets with Rule 1186 compliant PM₁₀-efficient vacuum units on a daily basis if silt is carried over to adjacent public thoroughfares or occurs as a result of hauling.
- c. During all construction activities, the construction contractor shall maintain a minimum 24-inch freeboard on trucks hauling dirt, sand, soil, or other loose materials and tarp materials with a fabric cover or other suitable means. This would achieve control efficiency for PM₁₀ of 91 percent.
- d. During all construction activities, the construction contractor shall water exposed ground surfaces and disturbed areas a minimum of every three hours on the construction site and a minimum of three times per day. This would achieve emissions reduction control efficiency for PM₁₀ of 61 percent.
- e. During all construction activities, the construction contractor shall limit on-site vehicle speeds on unpaved roads to no more than 15 miles per hour. This would achieve control efficiency for PM₁₀ of 57 percent.
- f. The construction contractor shall apply chemical soil stabilizers to reduce wind erosion. This would achieve control efficiency of up to 80 percent.

Condition 2.37

GRADING CODE COMPLIANCE
(PPP 5-2)

All grading operations and construction will be conducted in conformance with the applicable City of Irvine Grading Code (Municipal Code Title 5, Division 10) and Grading Manual, the most recent version of the California Building Code, and consistent with the recommendations included in the most current geotechnical reports for the project area prepared by the engineer of record.

Condition 2.38

REGISTERED CIVIL ENGINEER
(PPP 5-4)

In accordance with the City of Irvine Grading Code (Municipal Code Title 5, Division 10) and Grading Manual, grading and earthwork shall be performed under the observation of a Registered Civil Engineer specializing in Geotechnical Engineering in order to achieve proper subgrade preparation, selection of satisfactory fill materials, placement and compaction of structural fill, stability of finished slopes, design of buttress fills, subdrain installation, and incorporation of data supplied by the engineering geologist.

Condition 2.39

CERTIFIED ENGINEERING GEOLOGIST
(PPP 5-5)

In accordance with the City of Irvine Grading Code (Municipal Code Title 5, Division 10) and Grading Manual, grading and earthwork shall also be performed under the observation of a Certified Engineering Geologist to provide professional review and written approval of the adequacy of natural ground for receiving fills, the stability of cut slopes with respect to geological matters, and the need for subdrains or other groundwater drainage devices. The geologist shall geologically map the exposed earth units during grading to verify the anticipated conditions, and if necessary, provide findings to the geotechnical engineer for possible design modifications.

Condition 2.40

CONSTRUCTION AND DEMOLITION (C&D)
DEBRIS RECYCLING AND REUSE (PPP 15-1)

The Construction and Demolition (C&D) ordinance requires that 1) all residential projects of more than one unit, 2) nonresidential developments on 5,000 square feet or larger, and 3) nonresidential demolition/renovations with more than 10,000 square feet of building recycle or reuse a minimum of 75 percent of concrete and asphalt and 50 percent of nonhazardous debris generated.

Condition 2.41

HYDROLOGY AND HYDRAULIC ANALYSIS
(PPP 7-1)

Prior to the issuance of preliminary or precise grading permits, the applicant shall submit a hydrology and hydraulic analysis of the entire site. The analysis shall be prepared by a professional civil engineer versed in flood control analysis and shall include the following information and analysis:

- a. Hydrology/hydraulic analysis of 100-year surface water elevation at the project site to determine building elevation or flood proofing elevation.
- b. Analysis of existing and post-development peak 100-year storm flow rates, including mitigation measures to reduce peak flows to existing conditions.
- c. An analysis demonstrating that the volume of water ponded on the site and stored underground in the drainage system outside of the building envelope in the proposed condition is greater than or equal to the corresponding volume in the existing condition. The water surface used to determine the ponded volume shall be based on the water surface in the major flood control facility that the site is tributary to.

Condition 2.42

VIBRATION-INTENSIVE CONSTRUCTION ACTIVITIES
(PDF 9-1)

As described in the proposed zoning for the project, applicants for individual projects that involve vibration-intensive construction activities, such as pile drivers, jack hammers, and vibratory rollers, occurring near sensitive receptors shall submit a noise vibration analysis prior to their application being deemed complete by the City. If construction-related vibration is determined to exceed the Federal Transit

Administration vibration-annoyance criteria of 78 VdB during the daytime, additional requirements, such as use of less vibration intensive equipment or construction techniques shall be implemented during construction (e.g., drilled piles to eliminate use of vibration-intensive pile driver).

Condition 2.43

NOISE SEPARATION
(PDF 9-2)

Prior to issuance of grading permits, the project applicant shall incorporate the following measures as a note on the grading plan cover sheet to ensure that the greatest distance between noise sources and sensitive receptors during construction activities has been achieved.

- a. Construction equipment, fixed or mobile, shall be equipped with properly operating and maintained noise mufflers consistent with manufacturer's standards.
- b. Construction staging areas shall be located away from off-site sensitive uses during the later phases of project development.
- c. The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site, whenever feasible.
- d. Construction of sound walls that have been incorporated into the project design prior to construction of the building foundation; or installation of temporary sound blankets (fences typically composed of poly-vinyl-chloride-coated outer shells with adsorbent inner insulation) placed along the boundary of the project site during construction activities.

Condition 2.44

RECYCLING OF MATERIALS CREATED ONSITE

This project will result in new construction that will generate solid waste. Prior to the issuance of precise grading permits, the applicant shall show on the site plans the location of receptacle(s) to accumulate on-site-generated solid waste for recycling purposes. At the discretion of the Director of Community Development the developer of a nonresidential project may be permitted to contract with a waste recycler for offsite materials recovery. In this case the applicant must provide a letter verifying that recycling will be conducted off site in an acceptable manner.

Condition 2.45

SOLID WASTE RECYCLING
(PPP 14-4)

This project will result in new construction that will generate solid waste. Prior to the issuance of precise grading permits, the applicant shall show on the site plans the location of receptacle(s) to accumulate on-site-generated solid waste for recycling purposes. At the discretion of the Director of Community Development the developer of a nonresidential project may be permitted to contract with a waste recycler for off-site materials recovery. In this case the applicant must provide a letter verifying that recycling will be conducted off site in an acceptable manner.

Condition 2.46

CONSTRUCTION WORKERS

Prior to the issuance of a grading permit, applicants for new developments in the Irvine Business Complex shall require that the construction contractor provide alternative transportation mode incentives, such as bus passes and/or carpooling for workers to and from the worksite on days that construction activities require 200 or more workers. These requirements shall be noted on the grading plan cover sheet.

Condition 2.47

IRWD RECYCLED WATER SYSTEM
(PPP 14-1)

Prior to the issuance of a grading permit, applicants for new developments in the Irvine Business Complex shall incorporate the use of a recycled water system if available by Irvine Ranch Water District (IRWD). Irvine Ranch Water District (IRWD) will identify customers in a zone identified in the Plan ("the Plan" collectively refers to the Water Resources Master Plan, Sewer Master Plan, Natural Treatment System Master Plan, and addenda thereto) as an area capable of receiving service from the IRWD's recycled water system, and will determine the feasibility of providing recycled water service to these customers. IRWD will also review applications for new permits to determine the feasibility of providing recycled water service to these applicants. If recycled water service is determined by IRWD to be feasible, applicants for new water service shall be required to install on-site facilities to accommodate both potable water and recycled water service in accordance with these Rules and Regulations. IRWD may also require existing customers to retrofit existing on-site water service facilities to accommodate recycled water service. If IRWD does not require the use of recycled water service, the customer may obtain recycled water service upon request but only if IRWD has determined that recycled service to the customer is feasible and authorizes such use.

Condition 2.48

RECLAIMED WATER ON MASTER LANDSCAPED AREAS

If recycled water service is determined by IRWD to be feasible, applicants for new developments in the Irvine Business Complex shall use reclaimed water in all master landscaped areas. This will include master landscaped commercial, multifamily, common, roadways, and park areas. Master landscapes will also incorporate weather-based controllers and efficient irrigation system designs to reduce overwatering, combined with the application of a California-friendly landscape palette.

Condition 2.49

IRWD CONNECTION FEE
(PPP 14-2)

Prior to the issuance of a grading permit, future project applicants in the Irvine Business Complex shall enter into agreement or agreements as necessary with IRWD to establish the appropriate financial fair share costs to be borne by the project proponent. Fair share costs may include, but are not limited to, those associated with the preparation of studies and infrastructure expansion necessary to analyze and serve the project.

Condition 2.50

FIRE FLOW ANALYSIS
(PPP 14-3)

Prior to the issuance of a grading permit, in accordance with IRWD requirements, each redevelopment project in the Irvine Business Complex must provide a fire flow analysis. If the analysis identifies any deficiencies, the developer will be responsible for any water system improvements associated with the development project required to rectify the deficiencies and meet IRWD fire flow requirements.

Condition 2.51

TREE REMOVAL
(PPP 3-2)

If any trees are removed, the Applicant shall carry out a tree survey and obtain a permit for their removal in accordance with the City's tree preservation ordinance (including 1:1 replacement).

Condition 2.52

ACCIDENTAL DISCOVERY
(PPP 4-2)

In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, one of the following steps shall be taken:

- a. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the Orange County Coroner is contacted to determine if the remains are prehistoric and that no investigation of the cause of death is required. If the coroner determines the remains to be Native American, then the coroner shall contact the Native American Heritage Commission within 24 hours, and the Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent from the deceased Native American. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98.
- b. Where the following conditions occur, the land owner or his/her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendent or on the property in a location not subject to further subsurface disturbance:
 - i. The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission;
 - ii. The identified descendent fails to make a recommendation; or
 - iii. The landowner or his/her authorized representative rejects the recommendation of the descendent, and mediation by the Native

American Heritage Commission fails to provide measures acceptable to the landowner (CEQA Guidelines Section 15064.5(e)).

PRIOR TO THE ISSUANCE OF BUILDING PERMITS

Standard Condition 3.3 (modified)

DISCLOSURE STATEMENTS (PDF 6-2)

Prior to the issuance of building permits, the applicant shall submit to the Director of Community Development for review and approval a completed occupancy disclosure form for the project. The approved disclosure form, along with its attachments, shall be included as part of the room reservation literature for the project. The disclosure statement shall include information, current as of the date of submittal, with respect to each item marked with an "x" on the list below. The items marked "n/a" need not be included.

- X** a. Information on Noise resulting from aircraft and/or helicopter operations from John Wayne Airport.
- X** b. Reference to Emergency Preparedness information available on the City of Irvine website.
- n/a** c. Map of Special Flood Hazard Area information for areas subject to inundation.
- n/a** d. Notice that initial occupancy and any subsequent change in use or occupancy of any non-residential condominium space, requires the buyer or the new or existing occupant to apply to the Community Development Department and obtain approval by way of a of written zoning confirmation letter or obtain a building permit and obtain inspection approval for any necessary work to establish the use and/or occupancy consistent with that intended.
- X** e. Notice that the property owner shall be responsible for continuous maintenance of the emergency access equipment thus ensuring these systems will be operational at all times, as required by the Chief of Police.
- n/a** f. Notice that the property is located near and/or adjacent to private and/or public park(s) that may include recreational, field/court lighting, and other related improvements.
- n/a** g. Notice that the property is located near and/or adjacent to public open space land that may include trails, trailheads, parking facilities, and other related improvements and operations.
- n/a** h. Notice that the property is located near and/or adjacent to public trails and/or related improvements and operations.

Standard Condition 3.5 (modified)

FINAL ACOUSTICAL REPORT (PPP 9-2 and PDF 9-4)

Prior to the issuance of building permits for each structure or tenant improvement other

than a parking structure, the applicant shall submit a final acoustical report prepared to the satisfaction of the Director of Community Development. The report shall show that the development will be sound attenuated against present and projected noise levels, including roadway, aircraft, helicopter and railroad, to meet City interior and exterior noise standards. The final acoustical report shall include all information required by the City's Acoustical Report Information Sheet (Form 42-48). In order to demonstrate that all mitigation measures have been incorporated into the project, the report shall be accompanied by a list identifying the sheet(s) of the building plans that include the approved mitigation measures.

As described in the proposed zoning for the project, residential and active recreational areas shall be prohibited in the 65 dBA CNEL noise contour of the John Wayne Airport. In addition, as described in the proposed zoning for the project, prior to issuance of building permits, the project applicant for any project within the 60 dBA CNEL contour of the John Wayne Airport shall retain an acoustical engineer to prepare an acoustic analysis that identifies required building acoustical improvements (e.g., sound transmission class rated windows, doors, and attic baffling) to achieve the 45 dBA CNEL interior noise standard of Title 21 and Title 24 of the California Building Code. In addition to the 24-hour interior noise standard, the acoustic report shall detail compliance with the City's interior noise standard of 55 dBA Lmax (10) for single-event noise generated by the loudest 10 percent of aircraft overflights at the John Wayne Airport. Parks within the 60 dBA CNEL noise contour shall include signage indicating their proximity to John Wayne Airport and related airport noise. The acoustic analysis shall be submitted to the Director of Community Development to ensure compliance.

Standard Condition 3.6

SITE LIGHTING REQUIREMENTS (PPP 1-2)

Prior to the issuance of building permits, the applicant shall demonstrate they have met the Irvine Uniform Security Code requirements for lighting by providing the below listed items for a complete review by the Police department. Failure to provide a complete lighting package will result in the delay of satisfaction of this condition.

- a. Electrical plan showing light fixture locations, type of light fixture, height of light fixture, and point-by-point photometric lighting analysis overlaid on the landscape plan with a tree legend. The photometric plan should only show those fixtures used to meet the Irvine Uniform Security Code requirements.
- b. Corresponding fixture cut-sheets (specifications) of those lights used to meet the Irvine Uniform Security Code.
- c. Site plan demonstrating that landscaping shall not be planted so as to obscure required light levels.
- d. Site plans that are full-scale and legible.

Standard Condition 3.7

SOLID WASTE RECYCLING

Prior to the issuance of building permits for a project that involves new construction or that involves the demolition or renovation of existing buildings on site, the applicant shall

comply with requirements of Title 6, Division 7 of the City of Irvine Municipal Code relating to recycling and diversion of construction and demolition waste as applicable to said project. Over the course of demolition or construction, the applicant shall ensure compliance with all code requirements related to the use of City-authorized waste haulers.

Standard Condition 3.17

EMERGENCY ACCESS PLAN

Prior to the issuance of the first building permit, the applicant shall submit and have approved by the Chief of Police an Emergency Access Plan, which identifies and locates all Knox Boxes, Knox key switches, and Click2Enter radio access control receivers. Said plan shall be incorporated into the plan set approved for building permits.

Standard Condition 3.18

WAYFINDING (DIRECTIONAL) PLAN

Prior to the issuance of the first building permit, a Wayfinding (Directional) Plan including exterior building numbers, unit numbers, directional unit signs, and entrance directory shall be approved by the Chief of Police. Said plan shall be incorporated into the plan set approved for building permits

Standard Condition 3.20

CONSTRUCTION SITE SECURITY PLAN

Prior to the issuance of the first building permit, a Construction Site Security Plan, per the Irvine Uniform Security Code, Section 5-9-521, shall be approved by the Chief of Police. Said plan shall be incorporated into the plan set approved for building permits.

Condition 3.27

OCFA PLANS

Prior to Orange County Fire Authority (OCFA) issuance of a building permit, the applicant shall submit for review and approval the following plans:

- a. Architectural (Service Codes PR200-PR285)
- b. Tanks Storing Hazardous Materials (Service Codes PR300-305)
- c. Refrigeration and Vapor Detection/Alarm System (Service Codes PR340 and PR 500-520), if required by the Refrigeration Disclosure worksheet in OCFA Guideline G-02 or the California Fire or Mechanical Codes
- d. Battery (Service Code PR375), for any system containing an aggregate quantity of electrolyte in excess of 50 gallons
- e. Smoke Control Rational Analysis, Report and other required documentation (Service Codes PR380-PR382)
- f. Emergency Responder Radio System Design (Service Code PR928). This submittal may be deferred when acceptable to the Building Department, but the required conduit must be installed prior to concealing interior construction.
- g. Underground piping for private hydrants and fire sprinkler systems (Service Codes PR470-PR475)

Condition 3.28

FIRE PROTECTION ACCESS EASEMENTS
(PPP 11-3)

Prior to the issuance of the first building permit, all fire protection access easements shall be approved by the Orange County Fire Authority and irrevocably dedicated in perpetuity to the City.

Condition 3.29

PARKING SURVEILLANCE CAMERA PLAN

Prior to the issuance of the first building permit, the applicant shall submit a Parking Surveillance Camera Plan showing color cameras capable of monitoring all public and tenant building entrances, capturing a picture of a person's face when entering/exiting the hotel. Provide cameras to view and record vehicles entering/exiting the garage, including views of license plates. Camera images are to be stored on a digital DVR for a minimum of 30 days.

Condition 3.30

BUILDING CODE COMPLIANCE
(PPP 5-6)

Future buildings and structures (e.g., houses, retaining walls) shall be designed in accordance with the City of Irvine Building Code and the most recent Uniform Building Code and/or California Building Code. The concrete utilized shall take into account the corrosion and soluble sulfate soil conditions at the site. The structures shall be designed in accordance with the seismic parameters included in the UBC/CBC.

Condition 3.31

AIRPORT ENVIRONS LAND USE PLAN STANDARDS
(PDF 6-1)

As described in the proposed zoning for the project, building height limitations, recordation of aviation easements, obstruction lighting and marking, and airport proximity disclosures and signage shall be provided consistent with the Airport Environs Land Use Plan for John Wayne Airport.

Condition 3.32

SCHOOLS FEE
(PPP 11-6)

Pursuant to Government Code Sec. 65995, the individual applicants shall pay developer fees to the appropriate school districts at the time building permits are issued; payment of the adopted fees would provide full and complete mitigation of school impacts. Alternatively, the applicant may enter into a school finance agreement with the school district(s) to address mitigation to school impacts in lieu of payment of developer fees. The agreement shall establish financing mechanisms for funding facilities to serve the students from the project. If the applicant and the affected school district(s) do not reach a mutually satisfying agreement, then project impacts would be subject to developer fees.

Condition 3.33

LIBRARY IMPACT FEE
(PDF 11-3)

Prior to issuance of building permits, the applicant shall pay a Citywide library impact fee in the event this fee is adopted and in force.

Condition 3.34

IBC TRAFFIC IMPROVEMENT FEE
(PPP 13-1)

Prior to the issuance of building permits, the applicant shall pay the IBC Traffic Improvement fees (Irvine City Council Resolution No. 11-13) effective at the time of permit issuance. A Development Fee program was established to fund area-wide circulation improvements within the IBC area. The improvements are required due to potential circulation impacts associated with buildout of the IBC area. Fees are assessed when there is new construction or when there is an increase in square footage within an existing building or the conversion of existing square footage to a more intensive use. The development fees collected are used strictly for circulation improvements right-of-way acquisition and transportation monitoring measures in the IBC area. Fees are calculated by multiplying the proposed square footage, dwelling unit or hotel room by the appropriate rate. The IBC Fees are included with any other applicable fees payable at the time the building permit is issued.

Condition 3.35

TOT AGREEMENT

Prior to the issuance of building permits, the applicant shall submit an agreement between the applicant and the City of Irvine describing implementation procedures for accepting transient occupancy tax (TOT). The agreement shall require hotel guests to check out of the hotel following a length of stay not to exceed 30 days. Guest(s) desiring a stay of longer than 30 days shall have the right of same day check-in to the hotel. Such agreement shall be reviewed by the City Attorney, approved by the Director of Community Development, and recorded by the Clerk Recorder, County of Orange.

Condition 3.36

RECYCLED MATERIALS
(PDF 15-2)

Prior to the issuance of building permits, applicants for new developments in the Irvine Business Complex shall submit evidence to the satisfaction of the Director of Community Development or the Director of Public Works that the project uses recycled materials for at least 20 percent of construction materials. Recycled materials may include salvaged, reused, and recycled content materials. Recycled and/or salvaged building materials shall be shown on building plans and product cut sheets submitted to the City.

Condition 3.37

OUTDOOR LIGHTING
(PPP 1-1)

Prior to the issuance of building permits, the applicant shall demonstrate that outdoor lighting is designed and installed so that all direct rays are confined to the site and adjacent properties are protected from glare as required by Chapter 3-16, *Lighting*, of

the Irvine Zoning Ordinance. The level of lighting on the site shall comply with the requirements of the City's Uniform Security Code.

Condition 3.38

2008 BUILDING AND ENERGY EFFICIENCY STANDARDS
(CCR TITLE 24) (PPP 15-2)

Prior to the issuance of a building permit for residential, commercial, or office structures in the Irvine Business Complex, development plans for these structures shall be required to demonstrate that the project meets the 2008 Building and Energy Efficiency Standards. Commonly known as Title 24, these standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. The 2008 standards are approximately 15 percent more energy efficient than the 2005 Building and Energy Efficiency Standards. Plans submitted for building permits shall include written notes demonstrating compliance with the 2008 energy standards and shall be reviewed and approved by the Public Utilities Department prior to issuance of building permits. Design strategies to meet this standard may include maximizing solar orientation for daylighting and passive heating/cooling, installing appropriate shading devices and landscaping, utilizing natural ventilation, and installing cool roofs. Other techniques include installing insulation (high R value) and radiant heat barriers, low-e window glazing, or double-paned windows

Condition 3.39

TITLE 24 CODE CYCLES: NET-ZERO BUILDINGS
(PPP 15-3)

The California Public Utilities Commission adopted its Long-term Energy Efficiency Strategic Plan on September 18, 2008, presenting a roadmap for all new residential and commercial construction to achieve a zero-net energy standard. This Plan outlines the goal of reaching zero net energy in residential construction by 2020 and in commercial construction by 2030. Achieving this goal will require increased stringency in each code cycle of California's Energy Code (Title 24).

Condition 3.40

STATE ENERGY INSULATION STANDARDS
(PPP 14-5)

The proposed project shall comply with all State Energy Insulation Standards and City of Irvine codes in effect at the time of application for building permits. (Commonly referred to as Title 24, these standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. Title 24 covers the use of energy efficient building standards, including ventilation, insulation and construction and the use of energy saving appliances, conditioning systems, water heating, and lighting.) Plans submitted for building permits shall include written notes demonstrating compliance with energy standards and shall be reviewed and approved by the Public Utilities Department prior to issuance of building permits.

Condition 3.41

ULTRA-LOW-FLOW FIXTURES
(PDF 15-10)

Prior to the issuance of building permits, applicants for new developments in the Irvine Business Complex shall submit evidence to the satisfaction of the Director of Community Development that toilets, urinals, sinks, showers, and other water fixtures installed on-site are ultra-low-flow water fixtures that exceed the Uniform Plumbing Code. Examples are: 1.28 average gallons per flush high efficiency toilets, 2 gallon per minute (gpm) efficient bathroom faucets, 2.2 gpm efficient kitchen faucets, and 2.2 gpm efficient shower heads.

Condition 3.42

LANDSCAPING AND IRRIGATION SYSTEMS
(PDF 15-11)

Prior to the issuance of building permits, applicants for new developments in the Irvine Business Complex shall submit evidence to the satisfaction of the Director of Community Development that landscaping irrigation systems installed in the project are automated, high-efficient irrigation systems that reduce water use, such as an evapotranspiration “smart” weather-based irrigation controller, dual piping for recycled water, and bubbler irrigation; low-angle, low-flow spray heads; moisture sensors; and use of a California-friendly landscape palette. These features will make the project consistent with the intent of the California Water Conservation in Landscaping Act of 2006 (AB 1881), including provisions to reduce the wasteful, uneconomic, inefficient, and unnecessary consumption of water.

Condition 3.43

GREEN-POINT RATED DEVELOPMENT
(PDF 15-14)

Prior to the issuance of building permits, applicants for new developments in the Irvine Business Complex shall submit evidence to the satisfaction of the Director of Community Development that proposed buildings are designed and construction to be GreenPoint Rated. GreenPoint Rated developments must achieve a minimum of 50 total points and meet the category-specific point thresholds as specified in the current GreenPoint Rated Builder Handbook. Developments that exceed this minimum are rewarded by a higher grade on their projects. The GreenPoint Rated program is updated every three years to coincide with changes to the California Building Energy Efficiency Standards.

Condition 3.44

BIKE RACKS

Prior to the issuance of building permits for the parking garage, the applicant shall demonstrate that bicycle racks are enclosed with a floor to ceiling fence and locked either with an access control system locking device or mechanical door lock (no padlocks).

PRIOR TO FINAL APPROVAL OF COMPLETED WORK AUTHORIZED BY GRADING PERMITS

Standard Condition 3.45

RECORD DRAWINGS – PDF & AUTOCAD

Prior to final approval of a grading, landscaping, or improvement permit, and following final inspection, the applicant shall submit to the City individual PDF files of the drawing and AutoCAD files. The permit number and the words “RECORD DRAWING” shall appear on all of the sheets.

PRIOR TO AUTHORIZATION TO USE, OCCUPY, AND/OR OPERATE

Standard Condition 4.9

EMERGENCY ACCESS INSPECTION

Prior to authorization to use, occupy, and/or operate, the applicant shall arrange for and have passed an inspection, to be performed by the Police Department and the Orange County Fire Authority, to ensure compliance with the Emergency Access Plan requirements. The inspector shall verify test acceptance and locations of all Knox boxes and key switches as depicted on the approved plan.

Condition 4.12

PARKING SURVEILLANCE CAMERA PLAN INSPECTION

Prior to authorization to use, occupy, and/or operate, the applicant shall arrange for and pass an inspection, to be performed by the Irvine Police Department, to ensure that the project complies with the Parking Surveillance Camera Plan. The inspector shall verify that the cameras capture and store the images of persons and vehicles when entering / exiting the facility.

Condition 4.13

TEMPORARY / FINAL OCCUPANCY INSPECTION

Prior to temporary or final authorization to use, occupy, and/or operate, all OCFA inspections shall be completed to the satisfaction of the OCFA inspector and be in substantial compliance with codes and standards applicable to the project and commensurate with the type of occupancy (temporary or final) requested. Inspections shall be scheduled at least two days in advance by calling OCFA Inspection Scheduling at 714-573-6150.

Condition 4.14

OCFA - HAZARDOUS MATERIALS DISCLOSURE

Prior to authorization to use, occupy, and/or operate, the facility manager or other qualified employee familiar with the chemicals used, handled, or stored at this facility shall complete and submit an OCFA Hazardous Materials Disclosure. The Hazardous Materials Disclosure is available at OCFA headquarters (1 Fire Authority Road, Irvine, CA) or on-line at www.ocfa.org. Contact OCFA Safety and Environmental Services at 714-573-6250 for more information.

Condition 4.15

OCFA – RADIO SYSTEM

Prior to authorization to use, occupy, and/or operate, an emergency responder digital radio system shall be provided in this structure. Refer to CFC 510 and the OCC/OCFA DAS/BDA guidelines (available at www.ocfa.org) for requirements. Evidence of compliance with emergency responder digital radio system design and performance criteria shall be provided.

Condition 4.16

NOISE DISCLOSURE
(PDF 9-3)

As described in the proposed zoning for the project, prior to issuance of certificate of occupancy, the project applicant shall submit evidence to the satisfaction of the Director of Community Development that occupancy disclosure notices for units with patios and/or balconies that do not meet the 65 dBA CNEL are provided to all future tenants pursuant to the City's Noise Ordinance.

Condition 4.17

HOTEL OPERATIONS PLAN

Prior to authorization to use, occupy, and/or operate, the applicant shall submit a Hotel Operations Plan to the Community Development Director for review. This plan shall include information pertaining to delivery hours, service of alcohol, types and frequency of special events, etc. Depending on the information presented in the plan, a modification to the approved entitlement or a new entitlement may be required.

MISCELLANEOUS

Standard Condition 6.1

DISCRETIONARY CASE CHARGES

The applicant is responsible for paying all charges related to the processing of this discretionary case application within 30 days of the issuance of the final invoice or prior to the issuance of building permits for this project, whichever occurs first. Failure to pay all charges shall result in delays in the issuance of required permits or may result in the revocation of the approval of this application.

Standard Condition 6.2

LEGAL ACTION – HOLD HARMLESS

In accordance with the provisions of Section 5-5-114 of the Irvine Municipal Code and Government Code Section 66474.9, the applicant shall defend, indemnify, and hold harmless the City of Irvine and its agents, officers, and employees from and against any claim, action, or proceeding against the City agency or its agents, officers, or employees to attack, set aside, void, or annul an approval by the City, including, without limitation, an action by an advisory agency, appeal board, or legislative body concerning this discretionary approval. This defense and indemnification shall include the payment of all legal costs incurred on behalf of the City in connection with the application, and the defense of any claim, action or proceeding challenging the approval. The City will promptly notify the applicant of any claim, action, or proceeding and will cooperate fully in

the defense.

In the event a legal challenge to the discretionary approval is successful, and an award of attorney fees is made to the challenger, the applicant shall be responsible to pay the full amount of such an award.

Condition 6.19

GREENWASTE (REUSED / RECYCLED)

The applicant shall incorporate drought-tolerant, low-waste generating plants into any planned landscaping at the property pursuant to Section 5-7-101 of the Irvine Municipal Code. In addition, the applicant should be encouraged to recycle and compost all generated greenwaste in keeping with the City's Zero Waste Resolution 07-95 and state law.

Condition 6.20

KNOX BOX

The applicant shall provide for emergency access at all public and tenant building entrances by installing a Knox Box or Knox keyswitch, depending upon whether it is a mechanical (box) or electronic lock (keys switch).

Condition 6.21

ELEVATOR CABS AND LOBBIES

All elevators proposed at the project site shall comply with Section 5-9-518 of the Irvine Security Code. Elevator cabs and lobbies, if enclosed, shall be constructed of glazing, the maximum amount allowed by the Uniform Building Code.

Condition 6.22

UNIFORM SECURITY CODE
(PPP 11-5)

The project applicant shall comply with all applicable requirements of the City of Irvine Uniform Security Code.

Condition 6.23

OCFA PLANS

Prior to concealing interior construction, the applicant shall submit to OCFA for review and approval the following plans:

- a. Fire Alarm System (Service Codes PR500-PR520)
- b. Fire Sprinkler System (Service Codes PR400-PR465)
- c. Hood and Duct Extinguishing System (Service Code PR335)

Condition 6.24

OCFA COMPLIANCE
(PPP 11-1)

Every project applicant shall comply with all applicable Orange County Fire Authority codes, ordinances, and standard conditions regarding fire prevention and suppression measures relating to water improvement plans, fire hydrants, automatic fire extinguishing

systems, fire access, access gates, combustible construction, water availability, and fire sprinkler systems.

Condition 6.25

MATERIAL RECOVERY

To reduce waste generated in the IBC and encourage recycling of solid wastes, the Orange County Integrated Waste Management Department operates material recovery facilities to recycle glass, plastic, cans, junk mail, paper, cardboard, green waste (e.g., grass, weeds, leaves, branches, yard trimmings, and scrap wood), and scrap metal. Future employees, residents, and customers would participate in these programs. On-site recycling facilities will be required for all commercial, retail, industrial, and multifamily residential developments.

Condition 6.26

UNDERGROUND STORAGE TANKS
(PPP 6-1)

If any underground storage tanks (USTs) are encountered during site grading and excavation activities, they shall be removed in accordance with the existing standards and regulations of, and oversight by, the Orange County Health Care Agency (OCHCA), based on compliance authority granted through the California Code of Regulations, Title 23, Division 3, Chapter 16, Underground Tank Regulations. The process for UST removal is detailed in the OCHCA's "Underground Storage Tanks: The Basics." Soil samples from areas where storage tanks have been removed or where soil contamination is suspected shall be analyzed for hydrocarbons including gasoline and diesel in accordance with procedures set forth by OCHCA. If hydrocarbons are identified in the soil, the appropriate response/remedial measures will be implemented as directed by OCHCA with support review from the RWQCB until all specified requirements are satisfied and a Tank Closure Letter is issued. Any aboveground storage tank (AST) in existence at the commencement of site development shall be removed in accordance with all applicable regulations under the oversight of Orange County Fire Authority. Compliance requirements relative to the removal/closure of storage tanks are set forth through the California Health and Safety Code, Sections 25280 through 25299.

Condition 6.27

LEAD EXPOSURE
(PPP 6-2)

During demolition, grading, and excavation, workers shall comply with the requirements of Title 8 of the California Code of Regulations Section 1532.1, which provides for exposure limits, exposure monitoring, respiratory protection, and good working practice by workers exposed to lead. Lead-contaminated debris and other wastes shall be managed and disposed of in accordance with the applicable provision of the California Health and Safety Code.

Condition 6.28

LEAD-BASED PAINT
(PPP 6-4)

Federal law requires compliance with Rule 29 of the Code of Federal Regulations (CFR) Part 1926. Prior to site demolition activities, building materials shall be carefully assessed for the presence of lead-based paint, and its removal, where necessary, must comply with state and federal regulations, including Occupational Safety and Health Administration (OSHA) 29 CFR Part 1926. The OSHA rule establishes standards for occupational health and environmental controls for lead exposure. The standard also includes requirements addressing exposure assessment, methods of compliance, respiratory protection, protective clothing and equipment, hygiene facilities and practices, medical surveillance, medical removal protection, employee information and training, signs, recordkeeping, and observation of monitoring. Furthermore, the requirements of California Code of Regulations, Title 17, Division 1, Chapter 8, identify procedures that must be followed for accreditation, certification, and work practices for lead-based paint and lead hazards. Section 36100 thereof specifically sets forth requirements for lead-based paint abatement in public and residential buildings.

Condition 6.29

ASBESTOS
(PPP 6-5)

Prior to site demolition activities, building materials must be carefully assessed for the presence of asbestos-containing materials (ACM), and removal of this material, where necessary, must comply with state and federal regulations, including SCAQMD Rule 1403, which specifies work practices with the goal of minimizing asbestos emissions during building demolition and renovation activities, including the removal and associated disturbance of ACMs. The requirements for demolition and renovation activities include asbestos surveying; notification; ACM removal procedures and time schedules; ACM handling and cleanup procedures; and storage, disposal, and landfill disposal requirements for asbestos-containing waste materials.

Condition 6.30

HAZARDOUS WASTE
(PPP 6-6)

During site decommissioning and demolition activities, hazardous wastes must be managed in accordance with the requirements of Title 22, Division 4.5 of the California Code of Regulations. Title 22 sets forth the requirements with which hazardous-waste generators, transporters, and owners or operators of treatment, storage, or disposal facilities must comply. These regulations include the requirements for packaging, storage, labeling, reporting, and general management of hazardous waste prior to shipment. In addition, the regulations identify standards applicable to transporters of hazardous waste such as the requirements for transporting shipments of hazardous waste, manifesting, vehicle registration, and emergency accidental discharges during transportation.

Condition 6.31

COMPLIANCE WITH TITLE 8
(PPP 6-7)

During demolition, grading, and excavation, workers shall comply with the requirements of Title 8 of the California Code of Regulations, Section 1529, which provides for exposure limits, exposure monitoring, respiratory protection, and good working practices by workers exposed to asbestos. Asbestos-contaminated debris and other wastes shall be managed and disposed of in accordance with the applicable provision of the California Health and Safety Code.

Condition 6.32

SOIL CONTAMINATION
(PPP 6-8)

Evidence of soil and/or groundwater contamination (e.g., chemical odors, staining) unrelated to above/underground storage tank releases may be encountered during site development. The appropriate agency (e.g., OCHCA, DTSC, or the Regional Water Quality Board) shall be notified if these conditions are encountered during construction or grading activities. With their oversight, an environmental site assessment would be completed and a determination shall be made as to whether a cleanup is required. Cleanup activities would be consistent with all applicable State and local rules, regulations, and laws. A cleanup would not be considered complete until confirmatory samples of soil and/or groundwater reveal levels of contamination below the standards established by the oversight agency. Alternatively, a risk assessment may be prepared for the site to determine that there are no human or environmental risks associated with leaving contamination below specific levels in place. Construction in the impacted area shall not proceed until a "no further action" clearance letter or similar determination is issued by the oversight agency, or until a land use covenant is implemented.

Condition 6.33

DEMOLITION OF HAZARDOUS MATERIALS
(PDF 6-3)

As described in the proposed zoning code related to hazardous material standards, individual development sites may have existing facilities, such as underground storage tanks, transformers or clarifiers, that contain hazardous materials. To mitigate any hazardous materials-related impacts related to these facilities, the project applicant shall submit a Site Assessment prior to the City deeming the development application complete. If hazardous materials are identified during the site assessment, the appropriate response/remedial measures will be implement[ed] in accordance with the directives of the Orange County Fire Authority (OCFA), Orange County Health Care Agency (OCHCA) and/or the Regional Water Quality Control Board (RWQCB), as appropriate. If soils are encountered during site development that are suspected of being impacted by hazardous materials, work will be halted and site conditions will be evaluated by a qualified environmental professional. The results of the evaluation will be submitted to OCFA, OCHCA, and/or RWQCB, and the appropriate response/remedial measures will be implemented, as directed by OCFA, OCHCA, RWQCB, or other applicable oversight agencies, until all specified requirements of the oversight agencies are satisfied and a no-further-action status is attained.

Condition 6.34

LAND USE COMPATIBILITY
(PDF 8-2)

As described in the proposed zoning code relating to compatibility with surrounding uses, the IBC mixed-use environment is an urbanized area, and land use compatibility issues are expected to occur. Therefore, applications for new residential and/or residential mixed-use development shall submit data, as determined by the Director of Community Development, for the City to evaluate compatibility with surrounding uses with respect to issues including, but not limited to: noise, odors, truck traffic and deliveries, hazardous materials handling/ storage, air emissions, and soil/groundwater contamination. Compatibility with adjacent uses shall be determined through consistency with local, state, and federal regulations including but not limited to the City of Irvine Municipal Code, South Coast Air Quality Management District, Orange County Fire Authority (OCFA), Orange County Health Care Agency (OCHCA) and/or the Regional Water Quality Control Board (RWQCB).

Condition 6.35

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN
(PDF 11-2)

Utilize the concepts of Crime Prevention through Environmental Design in the design and layout of any project to reduce criminal opportunity and calls for service, as specified in the proposed zoning code.

Condition 6.36

CLICK 2 ENTER
(PDF 11-2)

A Click2Enter radio frequency access system shall be installed at any vehicle and pedestrian access point controlled by privacy gates within the project area.

Condition 6.37

COMPACT / MIXED-USE DEVELOPMENT
(PDF 15-3)

The California Energy Commission (CEC) considers compact development forms beneficial for minimizing energy consumption that leads to greenhouse gas emissions. In fact, the CEC's report on the connections between land use and climate change identifies density as the project feature most predictive of the number of vehicle trips and vehicle miles traveled (VMT) by project occupants. The project locates additional housing opportunities near major employment and transportation centers. On a regional basis, this Land Use PDF will reduce regional VMT.

Condition 6.38

HIGH RATE OF INTERNAL TRIP CAPTURE
(PDF 15-4)

With the inclusion of a mix of land uses including office, commercial, industrial, and residential in the project area, the proposed project significantly reduces trips outside the project area. This reduces trip length and congestion on the local circulation system outside the project area.

Condition 6.39

URBAN INFILL NEAR MULTIPLE TRANSIT MODES
(PDF 15-6)

The project would develop high-density housing in an area being served by at least two modes of transit. On March 31, 2008, The iShuttle, which is operated by the City of Irvine and designed for the IBC community, began operating. The shuttle allows residents and employees to have an alternative way to commute to jobs and locations throughout the IBC. The shuttle offers three routes to accommodate residents and employees traveling within the area and to and from the IBC (see Figure 4-2 [of the IBC Vision Plan EIR], The iShuttle Route). Route A connects the Tustin Metrolink Station to the John Wayne Airport via Von Karman Avenue. Route B connects the Tustin Metrolink Station to the heart of the IBC via Jamboree Road and Michelson Drive. Route C is a midday service in the busiest section of the IBC. Therefore, the project would facilitate walking and nonmotor travel to a greater extent than would be the case for similar development in outlying areas without extensive transit availability. In addition, the high-density development would include a greater number of potential residents that could use or engage in alternative modes of travel than in a lower density development on the project site.

Condition 6.40

CONTROL OF CONSTRUCTION HOURS
(PPP 9-1)

Section 6-8-205(a), *Control of Construction Hours*, Irvine Municipal Code states: construction activities may occur between 7 a.m. and 7 p.m. Mondays through Fridays, and 9 a.m. and 6 p.m. on Saturdays. No construction activities shall be permitted outside of these hours or on Sundays and federal holidays unless a temporary waiver is granted by the Chief Building Official or his or her authorized representative. Trucks, vehicles, and equipment that are making, or are involved with, material deliveries, loading, or transfer of materials, equipment service, maintenance of any devices or appurtenances for or within any construction project in the City shall not be operated or driven on City streets outside of these hours or on Sundays and federal holidays unless a temporary waiver is granted by the City. Any waiver granted shall take impact upon the community into consideration. No construction activity will be permitted outside of these hours except in emergencies including maintenance work on the City rights-of-way that might be required.

Condition 6.41

HOTLINE FOR COMPLAINTS

During all construction activities, the applicant or developer shall provide a toll free hotline for complaints relating to the construction of the project. The hotline shall be staffed by a live operator who is able to immediately access a construction supervisor who is present at the project site. Prior to the issuance of grading permits, the applicant or developer shall post at least one highly visible sign along the frontage of the site informing the public of the availability of the hotline.

Condition 6.42

ACCESS STUDY RECOMMENDATIONS

The applicant shall be responsible for implementing the recommendations set forth in the April 5, 2017 Access Study by LSA completed for the proposed project. These project design features are specific to the design of the project driveways and the adjacent circulation system.

Condition 6.43

COMPLIANCE WITH ASSOCIATED APPROVALS

The conditions of approval and/or measures found within the following documents shall also apply to the approved Commercial Master Plan:

- A. Subdivision Committee Resolution 17-1008, approving Vesting Tentative Parcel Map 2016-139 (File No. 00676670-PTP); and
- B. Addendum to the IBC EIR dated June 2017.

PASSED AND ADOPTED by the Planning Commission of the City of Irvine at a regular meeting held on the 15th day of June 2017.

AYES: 0 COMMISSIONERS:

NOES: 0 COMMISSIONERS:

ABSENT: 0 COMMISSIONERS:

ABSTAIN: 0 COMMISSIONERS:

CHAIR OF THE PLANNING
COMMISSION FOR THE CITY OF IRVINE

SECRETARY OF THE PLANNING COMMISSION
FOR THE CITY OF IRVINE



May 25, 2017

Kari A. Rigoni, Executive Officer
Airport Land Use Commission for Orange County
3160 Airway Avenue
Costa Mesa, CA 92626

Subject: Notification of Override Hearing
The Landmark Project (File 00659728-PMPC) located 18872, 18912 and 18952 MacArthur Blvd. in Planning Area 36 (Irvine Business Complex)

Dear Ms. Rigoni:

This letter serves as notification that the City of Irvine City Council intends to hold a hearing to consider an override of the ALUC findings that the subject project is inconsistent with the Airport Environs Land Use Plans (AELUPs) for John Wayne Airport and for Heliports. The City Council hearing will be held on July 11, 2017. This correspondence, therefore, is being delivered more than 45 days in advance of the hearing.

Draft findings for the override are attached for your consideration. For the City to consider your comments, please respond within 30 days of receipt of this letter (on or before Monday, June 26, 2017). A staff report will be prepared and transmitted to the City Council before the hearing. The staff report has not been prepared at this time; however, a copy will be provided to you electronically when it is finalized.

This advance notification letter has also been mailed to the Caltrans Aeronautics Program Office in Sacramento. If you have any questions or comments, please contact me at 949-724-6375 or via e-mail at sfrady@cityofirvine.org.

Sincerely,

STEPHANIE FRADY, AICP
Senior Planner

Attachment: Draft Findings

cc: Department of Transportation - Division of Aeronautics (MS 40, PO Box 942874,
Sacramento, CA 94274-0001)
File: 00659728-PMPC

Ms. Kari Rigoni
May 25, 2017
Page 2

ec: Sean Cao, Great Far East (sean.cao@greatfareast.com)
Hope Fazio, Great Far East (hope.fazio@greatfareast.com)
Tim Strader, Starpointe Ventures (tj@starpointeventures.com)
Mark Mispagel (mark@mispagellaw.com)
Lea Choum, Land Use Manager Facilities – JWA (LChoum@ocairp.com)
Tim Gehrich, Deputy Director of Community Development
Joel Belding, Principal Planner

ATTACHMENT 1 DRAFT FINDINGS

SECTION 1. The findings, required by Sections 21670 and 21676 of the Public Utilities Code to override the Airport Land Use Commission determination of inconsistency with the Airport Environs Land Use Plan (AELUP) for John Wayne Airport (JWA), are hereby made as follows:

- A. It is in the public interest to (1) provide for the orderly development of each public use airport in this state and the area surrounding these airports so as to (2) promote the overall goals and objectives of the California airport noise standards adopted pursuant to Section 21669 and to (3) prevent the creation of new noise and safety problems.

(1) To provide for the orderly development of JWA and the area surrounding the airport, the Airport Land Use Commission (ALUC) adopted the 2008 AELUP on April 17, 2008. AELUP Section 2.1 sets forth specific standards and criteria for new development, which is based on the continuing operation of JWA as a commercial and general aviation airport. The AELUP standards/criteria guide development proposals to best provide for orderly development within the area surrounding JWA. Specific criteria for consideration include: Aircraft Noise, Safety Compatibility Zones and Building Height Restrictions.

The City's submittal package, dated April 3, 2017, prepared for the ALUC to aid in its review of the proposed Landmark Project, included a discussion of the AELUP standards which are technically met allowing the project to be consistent with the JWA AELUP. Specific compliance with Section 2.1 is described as follows:

- a. Aircraft Noise – The Landmark Project is located within the 60 CNEL Contour. However, noise measures set forth in the 2008 IBC Vision Plan Environmental Impact Report will apply to The Landmark project. The measures are as follows:

- I. Plans, Programs and Policies (PPP) 9-1 Control of Construction Hours: Construction activities occurring as part of the project shall be subject to the limitations and requirements of Section 6-8-205(a) of the Irvine Municipal Code which states that construction activities may occur between 7:00 AM and 7:00 PM Mondays through Fridays, and 9:00 AM and 6:00 PM on Saturdays. No construction activities shall be permitted outside of these hours or on Sundays and federal holidays unless a temporary waiver is granted by the Chief Building Official or his or her authorized representative. Trucks, vehicles, and equipment that are making, or are involved with, material deliveries, loading, or transfer of materials, equipment service, maintenance of any devices or appurtenances for or within any construction project in the City

shall not be operated or driven on City streets outside of these hours or on Sundays and federal holidays unless a temporary waiver is granted by the City. Any waiver granted shall take impact upon the community into consideration. No construction activity will be permitted outside of these hours except in emergencies including maintenance work on the City rights-of-way that might be required.

- II. PPP 9-2 Acoustical Report: Prior to the issuance of building permits for each structure or tenant improvement other than a parking structure, the applicant shall submit a final acoustical report prepared to the satisfaction of the Director of Community Development. The report shall show that the development will be sound attenuated against present and projected noise levels, including roadway, aircraft, helicopter and railroad, to meet City interior and exterior noise standards. The final acoustical report shall include all information required by the City's Acoustical Report Information Sheet (Form 42-48). In order to demonstrate that all mitigation measures have been incorporated into the project, the report shall be accompanied by a list identifying the sheet(s) of the building plans that include the approved mitigation measures.
- III. Project Design Feature (PDF) 9-2: Prior to issuance of grading permits, the project applicant shall incorporate the following measures as a note on the grading plan cover sheet to ensure that the greatest distance between noise sources and sensitive receptors during construction activities has been achieved.
 - i. Construction equipment, fixed or mobile, shall be equipped with properly operating and maintained noise mufflers consistent with manufacturer's standards.
 - ii. Construction staging areas shall be located away from off-site sensitive uses during the later phases of project development.
 - iii. The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site, whenever feasible.
 - iv. Construction of sound walls that have been incorporated into the project design prior to construction of the building foundation; or installation of temporary sound blankets (fences typically composed of poly-vinyl-chloride-coated outer shells with adsorbent inner insulation) placed along the boundary of the project site during construction activities.

- IV. PDF 9-3: As described in the proposed zoning for the project, prior to issuance of certificate of occupancy, the project applicant shall submit evidence to the satisfaction of the Director of Community Development that occupancy disclosure notices for units with patios and/or balconies that do not meet the 65 dBA CNEL are provided to all future tenants pursuant to the City's Noise Ordinance.
 - V. PDF 9-4: As described in the proposed zoning for the project, residential and active recreational areas shall be prohibited in the 65 dBA CNEL noise contour of the John Wayne Airport. In addition, as described in the proposed zoning for the project, prior to issuance of building permits, the project applicant for any project within the 60 dBA CNEL contour of the John Wayne Airport shall retain an acoustical engineer to prepare an acoustic analysis that identifies required building acoustical improvements (e.g., sound transmission class rated windows, doors, and attic baffling) to achieve the 45 dBA CNEL interior noise standard of Title 21 and Title 24 of the California Building Code. In addition to the 24-hour interior noise standard, the acoustic report shall detail compliance with the City's interior noise standard of 55 dBA Lmax for single-event noise generated by the loudest 10 percent of aircraft overflights at the John Wayne Airport. Parks within the 60 dBA CNEL noise contour shall include signage indicating their proximity to John Wayne Airport and related airport noise. The acoustic analysis shall be submitted to the Director of Community Development to ensure compliance.
- b. Safety Compatibility Zones – The Landmark Project is located outside of the JWA Runway Protection Zone as depicted in Appendix D of the AELUP. The ALUC has not adopted an Accident Potential Zone for this airport because none could be justified with available data.
 - c. Building Height Restrictions – The height of the office and hotel buildings proposed as part of The Landmark Project are below the airport building height restriction as evidenced by FAA Determinations of "No Hazard to Navigation" issued for the project on January 24 and March 10, 2017. The hotel building, at a height of 206 feet above ground level (AGL) / 253 feet above mean sea level (AMSL), and the office building, at a height of 253 feet AGL / 301 feet AMSL, were found to cause no hazard by the FAA.

Specifically, the FAA Determinations state that the Aeronautical Studies prepared for the proposed project:

"considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact

on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure[s] when combined with the impact of other existing or proposed structures. Th[ese] stud[ies] disclosed that the described structure[s] would have no substantial adverse effect on air navigation."

In addition to the proposed buildings on the project site, there are several other large buildings within the immediate vicinity. Within the JWA Safety Zone surrounding the airport, there are buildings up to 315 AMSL in height. The proposed Landmark Project would be consistent and compatible with other tall development in the vicinity.

Section 2.1.3 allows the ALUC to "utilize the results of an Aeronautical Study, conducted by the FAA pursuant to FAR Part 77.13, in order to determine if a structure will have an adverse effect on the airport or on aeronautical operations." As stated above, the Aeronautical Studies completed as part of the FAA Determinations for the proposed project found that the project would not have adverse impacts on air navigation.

Finally, the April 20th ALUC agenda report states that the hotel penetrates the 206 foot AMSL horizontal surface for JWA by 47 feet and the office building by 95 feet. There is a provision to allow such penetration, via a purchase of air rights from the County of Orange.

(2) The City of Irvine requires that all development proposals meet the City's noise standards of 45 dB CNEL for the interior of buildings classified as belonging to Noise Zone 1 in the Irvine Municipal Code (Section 6-8-204(A)(2)), which is consistent with the standards established to promote the overall goals and objectives of the California airport noise standards.

As discussed above, several measures related to noise impacts are identified for the proposed project. The project proponent will be tasked with demonstrating compliance with each measure prior to the issuance of building permits. Through implementation of the City's Noise Ordinance standards, the project will meet AELUP standards for California airport noise.

(3) The standards set forth in Section 2.1 of the AELUP were adopted to prevent the creation of new noise and safety problems within the vicinity of JWA. The Landmark Project complies with the standards/criteria established in Section 2.1 (Aircraft Noise, Safety Compatibility Zones, and Building Height Restrictions), as discussed previously. By requiring project adherence to the established standards in the AELUP, the City has taken measures to assure that risks to people and property on the ground, as well as to the occupants of aircraft, are held to a minimum.

B. It is the purpose of Chapter 3.5 of the State Aeronautics Act to (4) protect the public health, safety and welfare by ensuring the orderly expansion of airports and the (5) adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses.

(4) The AELUP is based upon the continuing operation of JWA as a commercial and general aviation airport facility. The ALUC's authority to formulate land use plans is embodied in the JWA AELUP, which includes criteria in Section 2.1 to protect the public health, safety and welfare by ensuring the orderly expansion of airports. The proposed Landmark Project meets the criteria set forth in AELUP Section 2.1 related to Aircraft Noise, Safety Compatibility Zones, and Building Height Restrictions, as discussed previously.

(5) The standards/criteria set forth in Section 2.1 of the AELUP were adopted by the ALUC to minimize the public's exposure to excessive noise and safety hazards. The proposed Landmark Project will be conditioned to require:

- a. sound attenuation of noise impacts to meet City and California airport minimum standards,
- b. "Notice of Airport in Vicinity" to future hotel guests and office tenants,
- c. obstruction lighting and marking consistent with FAA Advisory Circular 70-7460-1,
- d. outdoor signage depicting the presence of operating aircraft in public spaces on the project site, and
- e. an encroachment permit from the County of Orange for construction activities which will pierce the horizontal surface limit for JWA, set at 206 feet AMSL.

C. Based upon these findings, the City Council does hereby override ALUC's decision finding that the Landmark Project is incompatible with the AELUP for JWA.

SECTION 2. The Airport Land Use Commission determined that the project is also inconsistent with the AELUP for Heliports. The Irvine City Council finds as follows:

A. The ALUC found the proposed Landmark Project to be inconsistent with Section 1.2 of the AELUP for Heliports. This section specifically states that the AELUP "intends to safeguard the general welfare of the inhabitants within the vicinities of heliports by reviewing proposed heliport sites to determine if the proposed site is compatible with adjacent existing or proposed uses."

As there are no heliports proposed as part of The Landmark Project, the City Council hereby finds that Section 1.2 of the AELUP for Heliports does not apply and, therefore, overrides this specific finding of inconsistency.

Furthermore, in the April 20, 2017 ALUC agenda report, it is stated that helicopter operations are part of JWA general aviation operations of the proposed project site. While it may be accurate that helicopters currently fly over the project site, there was no evidence provided to show that this is a specific flight path set for helicopters; they may pursue other routes should the project be constructed.

DEPARTMENT OF TRANSPORTATION

DIVISION OF AERONAUTICS – M.S. #40

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*Making Conservation
a California Way of Life.*

June 15, 2017

Ms. Stephanie Frady, AICP, Senior Planner
City of Irvine
Community Development
1 Civic Center Plaza
Irvine, CA 92606-5208

Dear Ms. Frady:

One of the goals of the California Department of Transportation (Caltrans), Division of Aeronautics (Division), is to assist cities, counties, and Airport Land Use Commissions (ALUC) in the development and implementation of policies that protect the safety and general welfare of their communities in which aeronautical activities take place. We encourage collaboration with our partners in the planning process and thank you for including us in the review of the proposed overrule of the Orange County ALUC for the John Wayne Airport (JWA).

On June 1, 2017, the Division received a notification letter from the city of Irvine (City) regarding a proposed overrule for the proposed Landmark Project (Project). The location of the proposed Project is 18872, 18912, and 18952 MacArthur Boulevard, Irvine, California.

On April 20, 2017, the proposed Project was found by the ALUC to be inconsistent with the current Airport Environs Land Use Plans (AELUP) for John Wayne Airport and for Heliports. Both of these AELUPs were amended in 2008. The proposed Project was primarily deemed inconsistent with the AELUP for JWA, sections 1.2 and 2.1.4, and the California Public Utilities Code (PUC), sections 21674 (a) and (b). This is due specifically to the proposed Project's construction of an office building at 301 feet Above Mean Sea Level (AMSL) and a hotel at 253 feet AMSL. Although the FAA concluded that these proposed buildings are an Obstruction but not a Hazard to Air Navigation, the ALUC recommends that the structures' heights be reduced to below 206 feet AMSL, including all rooftop equipment and/or architectural details. For the safe operation of General Aviation (GA) air traffic at JWA, the airspace above 206 feet AMSL needs to be reserved for air navigation. This is in accordance with the AELUP for JWA, section 2.1.3 pages 13-14:

A Determination of No Hazard to Air Navigation does not automatically equate to a Consistency determination by the ALUC. The FAA may also conclude in their aeronautical study that a project is an Obstruction but not a Hazard to Air Navigation. The Commission may find a project Inconsistent based on an Obstruction determination. The commission may utilize criteria for protecting aircraft traffic patterns at individual airports which may differ from those contained in FAR Part 77, should evidence of health, welfare, or air safety surface sufficient to justify such an action.

*"Provide a safe, sustainable, integrated, and efficient transportation system
to enhance California's economy and livability"*

ATTACHMENT 4

Ms. Stephanie Frady

June 15, 2017

Page 2

The Division has reviewed the proposed findings provided by the City and has **determined the findings are insufficient to warrant this proposed overrule.** Specifically, the findings are not consistent with the purposes of the statutes set forth in PUC, section 21670. These findings do not provide substantial evidence that the proposed Project will meet the requirements of PUC, section 21670(a) (1) and (2).

The Division agrees with the ALUC that the proposed Project is inconsistent with the current adopted AELUP for JWA. Specifically, the Division shares very serious concerns regarding safety due to the proposed heights of both the office building at 301 feet AMSL and the hotel at 253 feet AMSL. The Division agrees with both the ALUC and JWA (in a letter to the Orange County Planning Commission dated June 13, 2017) that although the FAA has concluded the proposed Project is an Obstruction but not a Hazard to Air Navigation, there are still significant risks associated with the proposed heights of the office building and hotel. Both the ALUC and JWA cited statistical data that the proposed office building and hotel would significantly penetrate the Federal Aviation Regulation Part 77 "imaginary Horizontal Surfaces" resulting in substantial safety risks due to the GA flight patterns at JWA. The Division also agrees with the ALUC and JWA that for the safe operation of GA air traffic, the airspace above 206 feet AMSL needs to be reserved for air navigation.

Please note: The Division comments are to be included in the public record of any decision to overrule the ALUC.

If you have questions or we may be of further assistance, please contact me at (916) 654-5203 or via email at tony.sordello@dot.ca.gov.

Sincerely,



TONY SORDELLO
Aviation Planner

c: Ms. Kari A. Rigoni, Executive Officer, Orange County Airport Land Use Commission,
3160 Airway Avenue, Costa Mesa, CA 92626-4608



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

3160 Airway Avenue • Costa Mesa, California 92626 • 949.252.5170 fax: 949.252.6012

June 26, 2017

Stephanie Frady, Senior Planner
City of Irvine
1 Civic Center Plaza
Irvine, CA 92606-5208

SUBJECT: Response to City of Irvine Intent to Overrule Inconsistency Determination for Landmark Project

Dear Ms. Frady:

We are in receipt of the City of Irvine's letter and Draft findings dated May 25, 2017 notifying the Airport Land Use Commission (ALUC) for Orange County of the City's intent to overrule the ALUC's Inconsistency determination on the Landmark Project. In accordance with Section 21676 of the California Public Utilities Code, the ALUC submits the following comments addressing the proposed overrule findings for the above-referenced project.

Background:

On April 20, 2017 the Airport Land Use Commission (ALUC) for Orange County found the proposed Landmark Project Inconsistent with the *Airport Environs Land Use Plans (AELUPs)* for John Wayne Airport (JWA) and Heliports based on the following:

1. That the proposed Landmark Project is Inconsistent with the *AELUP for JWA* per *AELUP* Sections 1.2 and 2.1.4, and PUC Section 21674 which state that the Commission is charged by PUC Section 21674(a) "to assist local agencies in ensuring compatible land uses in the vicinity of ...existing airports to the extent that the land in the vicinity of those airports is not already devoted to incompatible uses," and PUC Section 21674(b) "to coordinate planning at the state, regional and local levels so as to provide for the orderly development of air transportation, while at the same time protecting the public health, safety and welfare."
2. That the proposed Landmark Project is Inconsistent with the *AELUP for Heliports* per Section 1.2 which states that the *AELUP* seeks to protect the public from the adverse effects of aircraft noise, to ensure that sites are not proposed for locations where people

and facilities are concentrated, and to ensure that structures or activities in the area would not adversely affect the navigable airspace.

Comments on the City's Section 1A (c) Finding:

Section 1A(c) discusses building height restrictions and the Federal Aviation Administration (FAA) determination of No Hazard to Air Navigation for the proposed office building and hotel.

The ALUC did not concur with the FAA Determinations of No Hazard issued for the proposed project. As stated in Section 2.1.3 of the *AE LUP for JWA*, a Determination of No Hazard to Air Navigation does not automatically equate to a Consistency determination by the ALUC. The FAA concluded in its aeronautical study that the proposed Landmark project is an Obstruction but not a Hazard to Air Navigation. The Commission may find a project Inconsistent based on an Obstruction determination and may utilize criteria for protecting aircraft traffic patterns at individual airports which may differ from those contained in Federal Aviation Regulation (FAR) Part 77, should evidence of health, welfare, or air safety surface sufficient to justify such an action and as noted below (*JWA AE LUP* Section 2.1.3).

The project applicant has proposed a building height of 301 feet above mean sea level (AMSL) for the office tower. The proposed height would exceed obstruction standards of Title 14 of FAR Part 77, by 95 feet for the JWA horizontal surface of 206 feet AMSL. The hotel is proposed at 253 feet AMSL, and exceeds the FAR Part 77 obstruction standards for the JWA horizontal surface by 47 feet. The airspace above 206 feet AMSL is reserved for air navigation.

The City's finding also points out that the FAA determinations disclosed that the described structures would have no substantial adverse effect on air navigation. To demonstrate the potential impacts to air navigation and the safety concerns related to the proposed building heights we have included flight track information above the proposed project site. The exhibits (attached and provided by JWA) show general aviation (GA) operations for Saturday, December 10, 2016, as well as for Tuesday, March 28, 2017 and Saturday, April 1, 2017. The March and April operational flight tracks have corresponding print-outs listing each flight, the time of day and elevation above the proposed project site. On both days, there were flights flying low, between 305 feet and 500 feet. With the proposed building heights of 253 feet AMSL and 301 feet AMSL, the buildings will be in close proximity to airspace used by general aviation aircraft that fly within the general traffic pattern consistently throughout the day. The flight track information suggests it would be prudent to reduce the proposed project building heights. Building the proposed office building project to 301 feet AMSL and the proposed hotel to 253 feet AMSL may impact flight patterns for existing GA operations at JWA and potentially cause safety concerns for aircraft and structures within that airspace.

To ensure the safe operation of JWA, the ALUC recommends that the structure heights be reduced to below 206 feet AMSL, including all rooftop equipment and/or architectural details. For the safe operation of General Aviation air traffic, the airspace above 206 feet AMSL needs to be reserved for air navigation.

In a letter from the California Department of Transportation (Caltrans) Division of Aeronautics dated June 15, 2017 to the City of Irvine, it states:

“The Division agrees with the ALUC that the proposed Project is inconsistent with the current adopted *AELUP for JWA*. Specifically, the Division shares very serious concerns regarding safety due to the proposed heights of both the office building at 301 feet AMSL and the hotel at 253 feet AMSL. The Division agrees with both the ALUC and JWA (in a letter to the City of Irvine Planning Commission dated June 13, 2017) that although the FAA has concluded that proposed Project is an Obstruction but not a Hazard to Air Navigation, there are still significant risks associated with the proposed heights of the office building and hotel. Both the ALUC and JWA cited statistical data that the proposed office building and hotel would significantly penetrate the FAR Part 77 imaginary horizontal surfaces resulting in substantial safety risks due to the GA flight patterns at JWA. The Division also agrees with the ALUC and JWA that for the safe operation of GA air traffic, the airspace above 206 feet AMSL needs to be reserved for air navigation.”

Section 1A (c) also points out that there are several other large buildings surrounding the airport. Some buildings are 315 feet AMSL in height. The finding states that the Landmark Project would be consistent and compatible with other tall development in the vicinity. Please be aware that other tall buildings were found by the ALUC to be Inconsistent with the *AELUP for JWA*, but have gone through the overrule process and received local approvals in the past. Those approvals disregarded the JWA general aviation air traffic pattern, and in some cases caused approach/departure procedures for general aviation operations to be modified. The cumulative effect of more tall buildings may cause additional approach/departure modifications and lead to an unsafe operating environment for general aviation aircraft.

The City’s findings also note that there is a provision to allow penetration of JWA airspace above 206 feet AMSL via a purchase of air rights from the County of Orange. Please be advised that any such proposal to purchase airspace may or may not be approved by the Orange County Board of Supervisors.

Comments on the City’s Section 1B (4) Finding:

Section 1B (4) states that the proposed Landmark Project meets the criteria set forth in *AELUP* Section 2.1 related to Aircraft Noise, Safety Compatibility Zones, and Building Height Restrictions. The proposed project does not meet the criteria related to building height restrictions as set forth in *AELUP* Section 2.1.3. Page 14 of the *JWA AELUP* states that the Commission review of individual cases will be guided by FAA FAR Part 77. The proposed project penetrates the FAR Part 77 Obstruction Imaginary Surfaces for JWA. The horizontal surface for JWA is 206 feet AMSL. The airspace above 206 feet AMSL is reserved for air navigation. The proposed office and hotel uses surpass the horizontal surface by 95 feet and 47 feet respectively. To be consistent with the *AELUP* the structure heights should be reduced to below 206 feet AMSL.

In addition, per *JWA AELUP* Section 3.2.6, any object, which by reason of its height or location would interfere with the established, or planned, airport flight procedures, patterns, or navigational systems, is unacceptable to the Commission. As shown in the attached flight track exhibits, general aviation aircraft fly at 305 feet to 500 feet. Building the proposed project could interfere with the general aviation traffic pattern and cause safety concerns for aircraft and structures within that airspace.

Section 1B.(5)e. of the City's findings states that the project would be conditioned to require "an encroachment permit from the County of Orange for construction activities which will pierce the horizontal surface limit for JWA, set at 206 feet AMSL." As noted earlier, this project would require developer purchase of County airspace, not merely an encroachment permit.

Comments on Section 2A Finding:

The City's Section 2A finding discusses that the ALUC found the proposed Landmark Project to be inconsistent with Section 1.2 of the *AELUP for Heliports*. This section specifically states that the *AELUP* intends to safeguard the general welfare of the inhabitant within the vicinities of heliports by reviewing proposed heliport sites to determine if the proposed site is compatible with adjacent existing or proposed uses. Section 1.2 further goes on to say that,

"Specifically, the plan seeks to protect the public from the adverse effects of aircraft noise, to ensure that sites are not proposed for locations where people and facilities are concentrated, and to ensure that structures or activities in the area would not adversely affect the navigable airspace. The implementation of this plan will help forestall urban encroachment on heliports and will allow for their continued operation...[underlining added]"

The *AELUP for Heliports* does consider the placement of structures and activities and their impacts on navigable airspace and not just the siting of heliports themselves. When reviewing proposed development projects, the ALUC considers existing helicopter flight tracks and whether proposed developments would impact helicopter traffic patterns.

Additional Comments:

Please be advised that California Public Utilities Code Section 21678 states: "With respect to a publicly owned airport that a public agency does not operate, if the public agency pursuant to Section 21676, 21676.5, or 21677 overrules a commission's action or recommendation, the operator of the airport shall be immune from liability for damages to property or personal injury caused by or resulting directly or indirectly from the public agency's decision to overrule the commission's action or recommendation."

Also, please be advised that California Business & Professions Code Section 11010 requires the following statement to be included on sale/lease disclosure documents for developments within an ALUC's "Airport Influence Area:"

"NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (For example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you."

As stated in the *JWA AELUP*, the ALUC also has the responsibility to consider the broader perspective in matters affecting the public's well-being and the viability of public aviation facilities. The ALUC accomplishes these overall goals by applying its discretion to evaluate individual projects based upon a wide range of facts gathered through public testimony and Commissioners' knowledge, in addition to informative analysis provided by staff.

We urge the City Council of the City of Irvine to take all these comments into consideration in its deliberations prior to deciding whether to overrule the ALUC. Thank you for the opportunity to provide these comments.

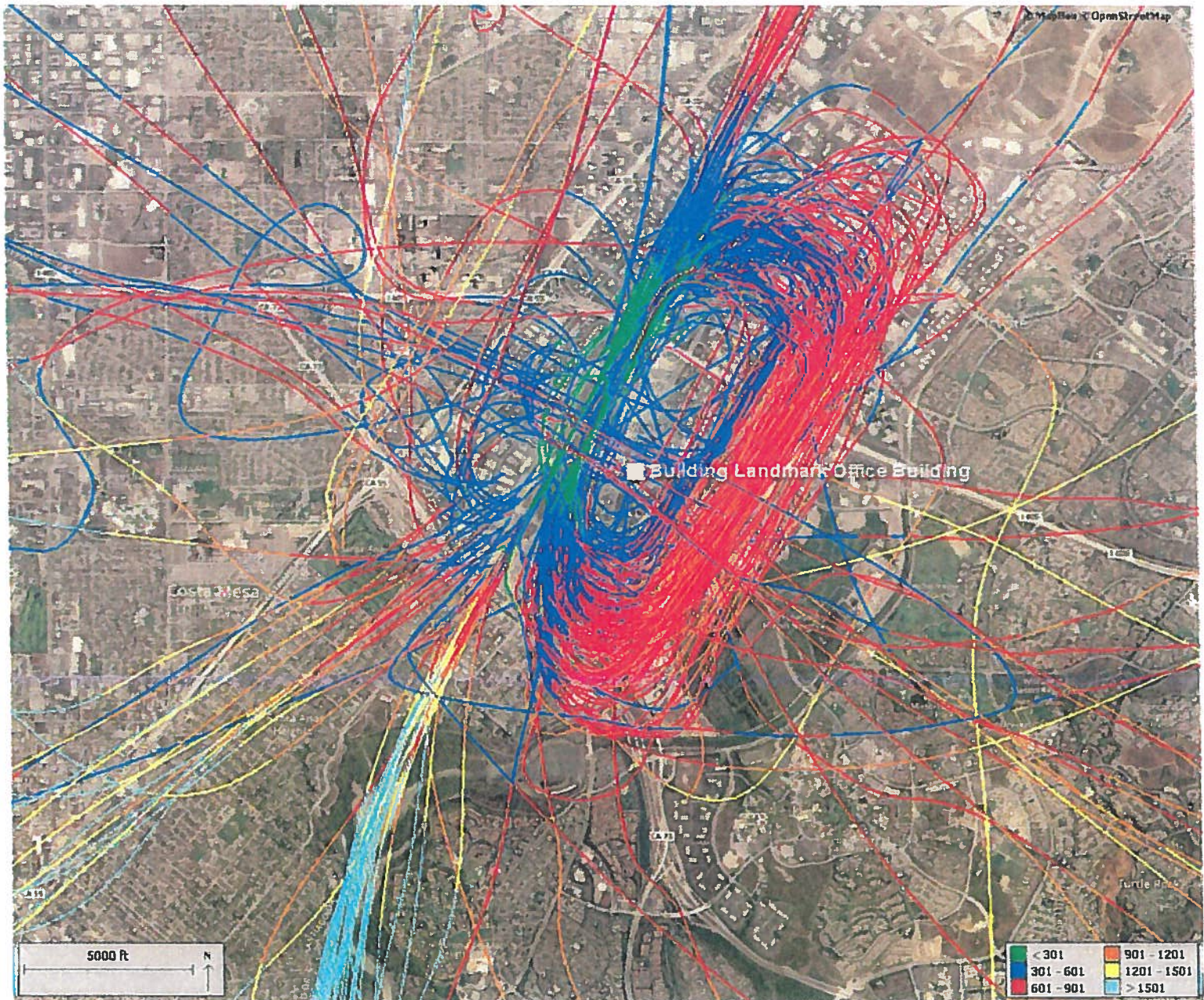
Sincerely,

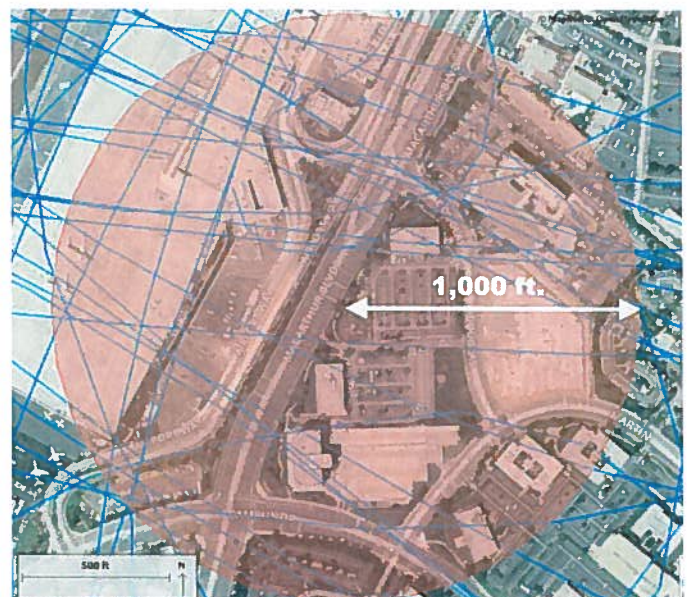


Gerald A. Bresnahan
Chairman

Attached: Flight track information above proposed project site

cc: Members of the Airport Land Use Commission for Orange County
City of Irvine, Members of City Council
Barry R. Rondinella, Director, John Wayne Airport
Tony Sordello, Caltrans/Division of Aeronautics



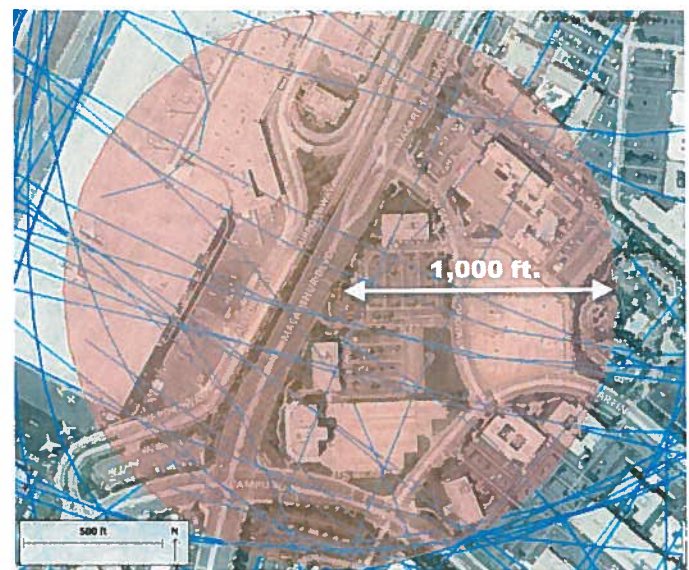


Building Landmark Hotel

Flight Track & Altitude Analysis | March 28, 2017

Coordinates: Latitude: 33-40-25.17N | Longitude: 117-51-45.64W

Actual Date/Time	Flight No	Aircraft Type	Aircraft Category	Altitude (ft) MSL
3/28/2017 07:17	UNKNOWN	UNKN	UNKN	701
3/28/2017 08:32	PV8062H	R22	Heli	604
3/28/2017 09:29	UNKNOWN	UNKN	UNKN	701
3/28/2017 09:32	UNKNOWN	UNKN	UNKN	749
3/28/2017 09:39	UNKNOWN	UNKN	UNKN	463
3/28/2017 10:04	PV25FG	P68	Prop	1,103
3/28/2017 10:10	UNKNOWN	UNKN	UNKN	717
3/28/2017 11:03	PV25FG	P68	Prop	740
3/28/2017 11:28	UNKNOWN	UNKN	UNKN	502
3/28/2017 11:49	PV8062H	R22	Heli	899
3/28/2017 12:39	PV146SB	SR22	Prop	1,985
3/28/2017 13:01	UNKNOWN	C152	Prop	1,292
3/28/2017 13:07	UNKNOWN	UNKN	UNKN	599
3/28/2017 13:55	PV241BM	EVSS	UNKN	1,271
3/28/2017 14:37	UNKNOWN	UNKN	UNKN	667
3/28/2017 14:38	PV5364K	C172	Prop	1,279
3/28/2017 14:51	UNKNOWN	UNKN	UNKN	505
3/28/2017 15:52	UNKNOWN	UNKN	UNKN	628
3/28/2017 15:57	UNKNOWN	UNKN	UNKN	587
3/28/2017 16:09	UNKNOWN	UNKN	UNKN	683
3/28/2017 16:10	UNKNOWN	UNKN	UNKN	638
3/28/2017 16:52	UNKNOWN	UNKN	UNKN	494
3/28/2017 17:13	UNKNOWN	UNKN	UNKN	700
3/28/2017 17:36	PV42GH	HELO	Heli	317
3/28/2017 17:49	PV236MA	DA40	Prop	1,053
3/28/2017 18:12	PV143AL	XL2	UNKN	1,233
3/28/2017 18:21	PV84347	C172	Prop	1,407
3/28/2017 18:29	UNKNOWN	UNKN	UNKN	384
3/28/2017 19:32	UNKNOWN	UNKN	UNKN	631
3/28/2017 22:46	UNKNOWN	UNKN	UNKN	436



Building Landmark Hotel

Flight Track & Altitude Analysis | April 1, 2017

Coordinates: Latitude: 33-40-25.17N | Longitude: 117-51-45.64W

Actual Date/Time	Flight No	Aircraft Type	Aircraft Category	Altitude (ft) MSL
4/1/2017 11:53	PV484HR	C182	Prop	846
4/1/2017 12:56	PV2NS	PA31	Prop	367
4/1/2017 14:28	PV148DW	C206	Prop	949
4/1/2017 15:55	PV7257P	C172	Prop	786
4/1/2017 12:17	PV9282Q	BE55	Prop	1,134
4/1/2017 08:37	PV98UA	P28A	Prop	925
4/1/2017 09:54	PV6832D	C175	Prop	1,096
4/1/2017 11:14	UNKNOWN	UNKN	UNKN	702
4/1/2017 11:32	PV184SD	AS50	Heli	804
4/1/2017 12:28	UNKNOWN	UNKN	UNKN	1,434
4/1/2017 12:09	UNKNOWN	UNKN	UNKN	937
4/1/2017 12:49	UNKNOWN	UNKN	UNKN	377
4/1/2017 13:14	PV4665B	C152	Prop	1,341
4/1/2017 13:30	PV535C	M20P	Prop	1,201
4/1/2017 13:37	PV901Z	PTS1	Prop	987
4/1/2017 13:37	UNKNOWN	UNKN	UNKN	384
4/1/2017 16:09	UNKNOWN	UNKN	UNKN	814
4/1/2017 16:44	PV204LP	BE33	Prop	1,180
4/1/2017 16:53	PV96808	C172	Prop	1,428
4/1/2017 17:00	UNKNOWN	UNKN	UNKN	305
4/1/2017 17:07	UNKNOWN	UNKN	UNKN	693
4/1/2017 17:16	PV313BC	J3	Prop	607
4/1/2017 17:32	UNKNOWN	UNKN	UNKN	462
4/1/2017 17:38	PV558CD	SR22	Prop	1,224
4/2/2017 00:54	PV184SD	AS50	Heli	499

CITY COUNCIL RESOLUTION NO. 17-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADOPTING FINDINGS TO OVERRIDE THE AIRPORT LAND USE COMMISSION FOR ORANGE COUNTY INCONSISTENCY DETERMINATION FOR THE LANDMARK PROJECT LOCATED AT 18872, 18912 AND 18952 MACARTHUR BOULEVARD IN PLANNING AREA 36 (IRVINE BUSINESS COMPLEX); FILED BY GREAT FAR EAST, LLC

WHEREAS, an application has been filed by Great Far East, LLC, for The Landmark Project (Commercial Master Plan 00659728-PMPC) to allow development of a 15-story, 386-room hotel, a 15-story office building and ground level restaurant/retail space located at 18872, 18912 and 18952 MacArthur Boulevard in Planning Area 36 [Irvine Business Complex (IBC)]; and

WHEREAS, the maximum building height allowed for the project site, which is within the 5.1 IBC Multi-Use zoning district, is as follows:

Irvine Zoning Ordinance Section 3-37-29(G), Maximum building height. Federal Aviation Administration (FAA) height limits as determined in accordance with Part 77 of the FAA regulations; and

WHEREAS, in accordance with the Irvine Zoning Ordinance requirement for FAA review of project height, on January 24 and March 10, 2017, FAA *Determinations of No Hazard to Air Navigation* were issued for the 204-foot tall above ground level (AGL) hotel and 253-foot AGL tall office building proposed at the project site, in compliance with Section 3-37-29(G) of the Irvine Zoning Ordinance; and

WHEREAS, at a duly noticed public hearing on April 20, 2017, the Airport Land Use Commission (ALUC) of Orange County reviewed the project and made a determination that the proposed project is:

- A. Inconsistent with the Airport Environs Land Use Plan (AELUP) for John Wayne Airport (JWA) per ALEUP Sections 1.2 and 2.1.4 and PUC Section 21674; and
- B. Inconsistent with the AELUP for Heliports per Section 1.2; and

WHEREAS, pursuant to Public Utilities Code Sections 21670 and 21676, the City of Irvine may, after a public hearing, propose to overrule the decision of the ALUC by a two-thirds vote of the City Council, if the City of Irvine makes specific findings that the proposed project is consistent with the purposes of Section 21670; and

WHEREAS, on May 25, 2017, the City provided a 45-day notice to the ALUC and the California Department of Transportation Division of Aeronautics, via certified post, of

the City Council's intent to consider an override of the ALUC determination of inconsistency with the AELUPs for JWA and for Heliports for The Landmark Project; and

WHEREAS, on June 15, 2017, the Irvine Planning Commission considered evidence presented by City staff, the applicant and other interested parties at a duly noticed public hearing and approved the Commercial Master Plan for The Landmark Project by a vote of 4-0-1 (Commissioner Bartlett absent); and

WHEREAS, on June 20, 2017, the Irvine Transportation Commission considered the project Access Study along with evidence presented by City staff, the applicant and other interested parties at a public hearing and unanimously voted to accept the Access Study without revision; and

WHEREAS, on June 22, 2017 a City Council public hearing notice was published in the *Irvine World News*, was mailed to all property owners and occupants within a 500-foot radius of the subject site, and was posted on the site and at designated locations throughout the City; and

WHEREAS, the City Council of the City of Irvine has considered evidence presented by City staff, the applicant and other interested parties at a public hearing on July 11, 2017.

NOW, THEREFORE, the City Council of the City of Irvine DOES HEREBY RESOLVE as follows:

SECTION 1. The Recitals above are true and correct and incorporated herein by this reference.

SECTION 2. The findings required by Sections 21670 and 21676 of the Public Utilities Code to override the ALUC determination that The Landmark Project is inconsistent with the AELUP for JWA are hereby made as follows:

- A. It is in the public interest to (1) provide for the orderly development of each public use airport in this state and the area surrounding these airports so as to (2) promote the overall goals and objectives of the California airport noise standards adopted pursuant to Section 21669 and to (3) prevent the creation of new noise and safety problems.

(1) To provide for the orderly development of JWA and the area surrounding the airport, the ALUC adopted the 2008 AELUP on April 17, 2008. AELUP Section 2.1 sets forth specific standards and criteria for new development, which is based on the continuing operation of JWA as a commercial and general aviation airport. The AELUP standards/criteria guide development proposals to best provide for orderly development within the area surrounding JWA. Specific criteria for consideration include: Aircraft Noise, Safety Compatibility Zones, and Building Height Restrictions. These AELUP standards are technically met

allowing the project to be consistent with the JWA AELUP. Specific compliance with Section 2.1 is described as follows:

- a. Aircraft Noise – The Landmark Project is located within the 60 CNEL Contour. However, noise measures set forth in the 2008 IBC Vision Plan Environmental Impact Report (EIR) will apply to The Landmark project. The measures are as follows:

- I. Plans, Programs and Policies (PPP) 9-1 Control of Construction Hours: Construction activities occurring as part of the project shall be subject to the limitations and requirements of Section 6-8-205(a) of the Irvine Municipal Code which states that construction activities may occur between 7 a.m. and 7 p.m. Mondays through Fridays, and 9 a.m. and 6 p.m. on Saturdays. No construction activities shall be permitted outside of these hours or on Sundays and federal holidays unless a temporary waiver is granted by the Chief Building Official or his or her authorized representative. Trucks, vehicles and equipment that are making, or are involved with, material deliveries, loading or transfer of materials, equipment service, maintenance of any devices or appurtenances for or within any construction project in the City shall not be operated or driven on City streets outside of these hours or on Sundays and federal holidays unless a temporary waiver is granted by the City. Any waiver granted shall take impact upon the community into consideration. No construction activity will be permitted outside of these hours except in emergencies including maintenance work on the City rights-of-way that might be required.
- II. PPP 9-2 Acoustical Report: Prior to the issuance of building permits for each structure or tenant improvement other than a parking structure, the applicant shall submit a final acoustical report prepared to the satisfaction of the Director of Community Development. The report shall show that the development will be sound attenuated against present and projected noise levels, including roadway, aircraft, helicopter and railroad, to meet City interior and exterior noise standards. The final acoustical report shall include all information required by the City's Acoustical Report Information Sheet (Form 42-48). To demonstrate that all mitigation measures have been incorporated into the project, the report shall be accompanied by a list identifying the sheet(s) of the building plans that include the approved mitigation measures.
- III. Project Design Feature (PDF) 9-2: Prior to issuance of grading permits, the project applicant shall incorporate the following measures as a note on the grading plan cover sheet to ensure that the greatest distance between noise sources and sensitive receptors during construction activities has been achieved.

- i. Construction equipment, fixed or mobile, shall be equipped with properly operating and maintained noise mufflers consistent with manufacturer's standards.
 - ii. Construction staging areas shall be located away from off-site sensitive uses during the later phases of project development.
 - iii. The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site, whenever feasible.
 - iv. Construction of sound walls that have been incorporated into the project design prior to construction of the building foundation; or installation of temporary sound blankets (fences typically composed of poly-vinyl-chloride-coated outer shells with adsorbent inner insulation) placed along the boundary of the project site during construction activities.
- IV. PDF 9-3: As described in the proposed zoning for the project, prior to issuance of certificate of occupancy, the project applicant shall submit evidence to the satisfaction of the Director of Community Development that occupancy disclosure notices for units with patios and/or balconies that do not meet the 65 dBA CNEL are provided to all future tenants pursuant to the City's Noise Ordinance.
- V. PDF 9-4: As described in the proposed zoning for the project, residential and active recreational areas shall be prohibited in the 65 dBA CNEL noise contour of JWA. In addition, as described in the proposed zoning for the project, prior to issuance of building permits, the project applicant for any project within the 60 dBA CNEL contour of JWA shall retain an acoustical engineer to prepare an acoustic analysis that identifies required building acoustical improvements (e.g., sound transmission class rated windows, doors, and attic baffling) to achieve the 45 dBA CNEL interior noise standard of Title 21 and Title 24 of the California Building Code. In addition to the 24-hour interior noise standard, the acoustic report shall detail compliance with the City's interior noise standard of 55 dBA Lmax for single-event noise generated by the loudest 10 percent of aircraft overflights at JWA. Parks within the 60 dBA CNEL noise contour shall include signage indicating their proximity to JWA and related airport noise. The acoustic analysis shall be submitted to the Director of Community Development to ensure compliance.

Finally, as is required per Section 11010 of the California Business & Professions Code, the following statement will be included on sale/lease disclosure documents for this project:

Notice of Airport in Vicinity

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.

- b. Safety Compatibility Zones – The Landmark Project is located outside of the JWA Runway Protection Zone as depicted in Appendix D of the AELUP. The ALUC has not adopted an Accident Potential Zone for this airport because none could be justified with available data.
- c. Building Height Restrictions – The height of the hotel and office buildings proposed as part of The Landmark Project do not exceed the airport building height restriction as evidenced by the issuance of FAA *Determinations of No Hazard to Air Navigation* for the project. In its Determinations dated January 24 and March 10, 2017, the FAA asserts that the hotel and office buildings would have no significant adverse effect on air navigation. Pursuant to federal law, the FAA has sole review authority to determine whether proposed developments will result in hazards or impediments to air navigation safety.

The hotel building, at a height of 206 feet AGL / 253 feet above mean sea level (AMSL), and the office building, at a height of 253 feet AGL / 301 feet AMSL, were found to cause no hazard by the FAA. Specifically, the Determinations state that the Aeronautical Studies prepared for the proposed project by the FAA:

“considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure[s] when combined with the impact of other existing or proposed structures. Th[ese] stud[ies] disclosed that the described structure[s] would have no substantial adverse effect on air navigation.”

As required by the FAA Determination, a condition of approval was added to Planning Commission Resolution 17-3615, approving the Commercial Master Plan for The Landmark Project, which requires the hotel and office building to be marked and lighted in accordance with FAA Advisory Circular 70-7460-1 L Change 1, Obstruction Marking and Lighting, red lights – Chapters 4, 5 (Red) & 12.

In addition to the proposed buildings on the project site, there are several other large buildings within the immediate vicinity. Within the JWA Safety Zone surrounding the airport, there are buildings up to 315 AMSL in height. The proposed Landmark Project would be consistent and compatible with other tall development in the vicinity. Surrounding multi-story buildings include:

- I. 2600 Michelson – 16 stories (constructed in 1986)
- II. Tower 17, 18881 Von Karman – 17 stories (1987)
- III. Jamboree Center, 1-5 Park Plaza – 19 stories (1989-90)
- IV. 2030 Main Street – 16 stories (1990)
- V. Lakeshore Tower, 18007 Von Karman – 18 stories (1990)
- VI. MacArthur Court, 4675 MacArthur Ct, Newport Beach (two towers located closest to the project site) – 15 stories (1985)
- VII. 3161 Michelson – 19 stories (2007)

Because the FAA has preemptive authority over the determination of air safety, pursuant to federal law (see e.g. 49 U.S.C. 40103(a)(1)), and regulation, 14 C.F.R. Part 77, as well as State law (see Public Utilities Code Section 21240), the provisions of FAR Part 77 govern in this case.

The AELUP, Section 2.1.3, confirms these federal standards by saying “[i]n adopting criteria for building height restrictions in the vicinities of airports, the commission considered only one standard and that was Federal Aviation Regulations Part 77...These regulations are the only definitive standard available and the standard most generally used.” Thus, even though the applicant went beyond typical requirements in achieving compliance with the requirements of Part 77, the Irvine City Council relies on Part 77.9(e)(1) which expressly exempts a structure from the analysis requirements of Part 77 if it is “shielded by existing structures of a permanent or substantial nature...and will be located in the congested area of a city...”. As demonstrated above, there are existing structures in the immediate vicinity which serve to shield the project site.

Furthermore, Section 2.1.3 allows the ALUC to “utilize the results of an Aeronautical Study, conducted by the FAA pursuant to FAR Part 77.13, to determine if a structure will have an adverse effect on the airport or on aeronautical operations.” As stated above, the Aeronautical Studies completed by the FAA for the proposed project found that the project would not have adverse impacts on air navigation. Specifically, the Determinations asserted

“there is no significant adverse effect on aeronautical operations or on the utility of the navigable airspace overlying the site. Existing obstacles and terrain control the development of future approach and departure Terminal Instrument Procedures for JWA.”

Finally, the April 20 ALUC Agenda Report states that the hotel penetrates the 206 foot AMSL horizontal surface for JWA by 47 feet and the office building by 95 feet. There is a provision to allow such penetration, via a purchase of air rights from the County of Orange pursuant to an Easement granted to Orange County by the City of Irvine in 1964 for overflights from John Wayne Airport.

14 C.F.R. Part 77 has been amended numerous times since the 1964 Easement referenced by the County was granted by the City of Irvine, and most recently under Docket No. FAA 2006-25002, 75 Fed.Reg. 42303, July 1, 2010. Moreover, under revised Part 77, the FAA has found no hazard posed by the project in the use of the airspace over which the easement is granted.

(2) The City of Irvine requires that all development proposals meet the City's noise standards of 45 dB CNEL for the interior of buildings classified as belonging to Noise Zone 1 in the Irvine Municipal Code (Section 6-8-204(A)(2)), which is consistent with the standards established to promote the overall goals and objectives of the California airport noise standards.

As discussed above, several measures related to noise impacts are identified for the proposed project. The project proponent will be tasked with demonstrating compliance with each measure prior to the issuance of building permits. Through implementation of the City's Noise Ordinance standards, the project will meet AELUP standards for California airport noise.

(3) The standards set forth in Section 2.1 of the AELUP were adopted to prevent the creation of new noise and safety problems within the vicinity of JWA. The Landmark Project complies with the standards/criteria established in Section 2.1 (Aircraft Noise, Safety Compatibility Zones, and Building Height Restrictions), as discussed previously.

The Irvine City Council and Planning Commission have reviewed the general aviation flight tracks that were provided in a letter from JWA dated June 13, 2017. These diagrams show a limited number of general aviation aircraft (helicopters and propeller planes) that fly over the site based on a daily survey performed. The daily tracks show that aircraft flew at elevations ranging from 305 to 1,428 feet AMSL, with an average height of 860 feet AMSL for the day surveyed. The office building measures 301 feet AMSL, so it is evident that the average flight path is at a substantially higher elevation than the project site. The flight tracks clearly show that the flight path for general aviation aircraft using Runway 2 at JWA is located to the east, nowhere near the project site. The

Landmark Project is not located within flight paths associated with approach or departure from JWA.

By requiring project adherence to the established standards in the AELUP, the City has taken measures to assure that risks to people and property on the ground, as well as to the occupants of aircraft, are held to a minimum.

- B. It is the purpose of Chapter 3.5 of the State Aeronautics Act to protect the public health, safety and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses.

The proposed project meets the purposes set forth in the State Aeronautics Act, Cal. Pub. Util. Code § 21670 and the AELUP Section 2.1 related to Aircraft Noise, Safety Compatibility Zones, and Building Height Restrictions, as discussed previously, in that it:

1. Provides for the orderly development of John Wayne Airport by ensuring that building heights and structures do not violate any federal statutory requirements or FAA regulations and standards, or incur upon any flight paths regularly used by aircraft arriving, departing or circling JWA.
2. Promotes the overall goals and objectives of the California airport noise standards, and prevents the creation of new noise and safety problems by: (a) implementing noise measures set forth in the 2008 IBC Vision Plan EIR, including limits on construction hours; (b) requiring an acoustical report before the grant of building permits for each structure; (c) complying with project design features 9-2, 9-3 and 9-4; (d) complying with Irvine Municipal Code § 6-8-204(A)(2), requiring that the interior of buildings classified as belonging to Noise Zone 1 meet the City's noise standards of 45 dB CNEL for the interior of buildings.
3. In addition the following additional conditions are imposed:
 - a. Sound attenuation of noise impacts to meet City and California airport minimum standards;
 - b. "Notice of Airport in Vicinity" to future hotel guests and office tenants;
 - c. Obstruction lighting and marking consistent with FAA Advisory Circular 70-7460-1; and
 - d. Outdoor signage depicting the presence of operating aircraft in public spaces on the project site.

- C. Based upon these findings, the City Council does hereby override ALUC's decision finding that the Landmark Project is incompatible with the AELUP for JWA.

SECTION 3. The ALUC determined that The Landmark Project is also inconsistent with the AELUP for Heliports. The Irvine City Council finds as follows:

The ALUC found the proposed Landmark Project to be inconsistent with Section 1.2 of the AELUP for Heliports. Sections 1.2 and 2.1.4 of the AELUP relate to the siting of heliports, not the operation of helicopters around existing airports. Section 1.2 states, in pertinent part, "[t]his land use compatibility plan for heliports intends to safeguard the general welfare of the inhabitants within the vicinities of heliports by reviewing proposed heliport sites to determine if the proposed site is compatible with adjacent existing or proposed uses.". Other sections are equally limiting. In Section 2.1.4, for example, the AELUP for Heliports states: "The Commission is charged with reviewing the expansion of existing public/private use heliports/helistops and the development of new heliports/helistops." Neither one of those sections is relevant to the issue, as both apply to the siting of heliports, not with new development projects surrounding heliports.

Furthermore, in the April 20, 2017 ALUC agenda report, it is stated that helicopter operations are part of JWA general aviation operations of the proposed project site. While it may be accurate that helicopters currently fly over the project site, there was no evidence provided to show that this is a specific flight path set for helicopters; they may pursue other routes should the project be constructed.

As there are no heliports proposed as part of The Landmark Project, the City Council hereby finds that the AELUP for Heliports does not apply and, therefore, overrides this specific finding of inconsistency.

SECTION 4. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

NOW, THEREFORE, based on the above findings, the City Council of the City of Irvine DOES HEREBY OVERRIDE the decision of the Airport Land Use Commission for Orange County, which found that The Landmark Project is inconsistent with the Airport Environs Land Use Plans for John Wayne Airport and for Heliports.

PASSED AND ADOPTED by the City Council of the City of Irvine at a regular meeting held on the 11th day of July 2017.

MAYOR OF THE CITY OF IRVINE

ATTEST:

CITY CLERK OF THE CITY OF IRVINE

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CITY OF IRVINE)

I, MOLLY MCLAUGHLIN, City Clerk of the City of Irvine, HEREBY DO CERTIFY that the foregoing resolution was duly adopted at a regular meeting of the City Council of the City of Irvine held on the 11th day of July 2017.

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

CITY CLERK OF THE CITY OF IRVINE

4.1

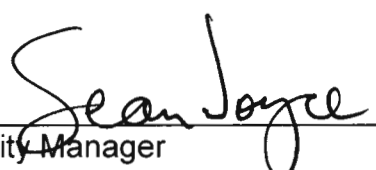


REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: JULY 11, 2017

TITLE: KELVIN AVENUE PEDESTRIAN BRIDGE


Director of Public Works


City Manager

RECOMMENDED ACTION

1. Direct staff to defer the Kelvin Pedestrian Bridge Capital Improvement Project and bring back the project for City Council consideration when the need for the proposed bridge can be supported.
2. Approve a budget adjustment to refund the developer contribution of \$184,000, plus interest, to the Kelvin Court Apartments property owner and return the remaining project funds to the corresponding City funding source unallocated fund balance.

EXECUTIVE SUMMARY

In 2011, the City Council approved a capital improvement project for the implementation of the proposed Kelvin Avenue pedestrian bridge to span the Barranca Channel. The proposed bridge is intended to enhance pedestrian access and connectivity for existing residential developments along Kelvin Avenue in the Irvine Business Complex (IBC). The location of the proposed bridge is depicted in Attachment 1. As is customary for this type of capital project, a Project Feasibility Report (Attachment 2) and an addendum to the 2010 IBC Vision Plan Environmental Impact Report (EIR) (Attachment 3) were prepared to evaluate potential environmental impacts and to define the scope and cost estimates for the project. City Council certification of the EIR addendum would be necessary for construction of the project.

Funding for the proposed project is from a combination of development fees and a contribution of \$184,000 from the Kelvin Court Apartments property owner. The property owner contribution is a condition placed on the apartment development project and is set to expire on July 18, 2017. The property owner is agreeable to extending the expiration date if the City determines it will move forward with the bridge construction.

In consideration of the Planning Commission and Transportation Commission recommendations to defer the project to a future time and the commissions' concerns regarding sufficient justification for use of City funds to complete the design and construction of the project, staff recommends the City Council defer the project, direct staff to refund the developer contribution, and return the remaining unexpended funds to

the original City funding sources. Given the lack of certainty as to when the need for a bridge would be supported, staff recommends the City Council reconsider the project at a future date.

Pedestrian access and connectivity for the existing residential developments are available by the sidewalks along Kelvin, Jamboree and Main Street. However, recognizing that the City Council may have an interest in proceeding with the construction of the proposed bridge, recommendations to facilitate the next project phases are included below in the alternatives section of the staff report.

COMMISSION RECOMMENDATIONS

On June 20, 2017, the Transportation Commission voted unanimously, with all members present, to recommend that staff determine if the Kelvin Court Apartments property owner would allow the City to use the developer contribution for other IBC pedestrian improvements; and if not, to recommend that the City Council defer the project to a future date.

On June 6, 2017, the Irvine Residents with Disabilities Advisory Board reviewed the project for consistency with Americans with Disabilities Act (ADA) standards and voted unanimously, with those members present, to recommend that the City Council approve the EIR addendum for the Kelvin Avenue Pedestrian Bridge Project and direct staff to proceed with the final design and right-of-way project phases.

On May 4, 2017, the Planning Commission, by a vote of 3 to 2 (Commissioners Kuo, Smith and Duong voting in favor; Commissioners Bartlett and Nirschl voting no), recommended that the City Council defer the project to a future date. Although not included in the formal Commission action, the Planning Commission also suggested that staff re-negotiate the terms of the agreement with the Kelvin Court Apartments property owner to allow the use of the developer contribution for other pedestrian circulation enhancements in the IBC and also to maintain the access easements that the property owner agreed to provide in the event that a bridge at this location is desired in the future.

ANALYSIS

The Kelvin Court Apartments is a 132-unit complex, located at 2552 Kelvin Avenue, constructed in 2008. As part of the City's approval of the Kelvin Court Apartments project, the applicant was required to enter into an agreement (Attachment 4) to provide easements on its property for public access to a proposed bridge across Barranca Channel and to provide a contribution of \$184,000 towards the construction of the bridge. The developer's contribution was received in 2008 and the proposed bridge project was incorporated into the City's Capital Improvement Program with funding for the construction phase added to the project in Fiscal Year 2016-17.

The proposed project includes off-street trail improvements and a new bridge intended to provide pedestrian and bicycle connectivity across the Barranca Channel between the Kelvin Court Apartments and retail and residential supportive uses along Main Street. As part of the project preliminary engineering phase, a feasibility report (Attachment 2) was prepared to assist with the environmental evaluation (Attachment 3) for the project. The feasibility report recommends the installation of an eight-foot wide prefabricated truss bridge to span 62 feet across the Barranca Channel, improvements to the flood control maintenance road and five-foot wide sidewalks leading up to both sides of the bridge. The two existing developments (Kelvin Court Apartments and Main Street Village) primarily impacted by the proposed trail and sidewalk improvements have agreed to provide easements to the City for public access on their property. Easement and right-of-way agreements with the Orange County Flood Control District (OCFCD) would be required for the bridge and maintenance road improvements along the channel. The OCFCD has reviewed the feasibility report and has indicated it will support the required agreements.

During the Planning Commission and Transportation Commission review of this item, the commissions' discussion focused on the likelihood that the proposed bridge would provide a tangible benefit to the residents of the Kelvin Court Apartments and other nearby residential complexes. The commissions were advised that staff was unable to predict with any certainty the probable number of pedestrians or bicyclists that would use the proposed bridge. However, as a reference point, a one-day pedestrian count taken along Jamboree in proximity to the Kelvin Court Apartments reflected between 50 and 75 pedestrians along Jamboree between Kelvin and Main Street. There is no information available on the origin or destination of these pedestrian trips to allow for an informed determination as to whether the proposed bridge would have been used by these pedestrians.

Both commissions expressed interest in using the developer contribution for other pedestrian improvements in the area. As requested by the Planning Commission and Transportation Commission, staff contacted the Kelvin Apartments property owner to determine its willingness to allow the City to use the developer contribution for other pedestrian circulation enhancements in the IBC, and to secure easements from the property owner in perpetuity should the bridge be constructed in the future. A response from the property owner is provided as Attachment 5. The property owner is not agreeable to allowing the use of the funds for another pedestrian enhancement project and will not provide easement rights in perpetuity if the project is not moving forward at this time, but would be open to negotiating easement rights in the future should the City elect to proceed with the project at a later date.

ENVIRONMENTAL REVIEW

In accordance with the California Environmental Quality Act (CEQA) Public Resources Code section 21000 et. seq. an addendum was prepared to address potential environmental impacts of the Kelvin Bridge Project. The addendum supplements the IBC EIR, which was certified by the City Council on July 13, 2010, and is available for

public review in the Public Works department. These documents serve as the environmental review of the proposed bridge project, as required pursuant to the provisions of CEQA, the CEQA Guidelines, 14 CCR Section 15000 et. seq. (CEQA Guidelines), and the City's procedures for CEQA implementation.

Although the proposed Kelvin Bridge was not initially identified as a future improvement within the IBC Vision Plan EIR, the project is consistent with several other pedestrian bridges identified in the EIR. As such, the addendum covers the incorporation of the proposed project as a transportation infrastructure improvement intended to enhance local and regional connectivity within the IBC. Based on the addendum findings and supporting environmental analysis, the proposed project is not expected to result in any new significant impacts that were not previously addressed in the IBC Vision Plan EIR, nor are there substantial increases in the severity of any previously identified environmental impacts.

ALTERNATIVES CONSIDERED

The City Council could direct staff to continue work on the project, bring back an extension to the developer contribution agreement and a resolution to certify the EIR addendum for City Council consideration and authorize staff to proceed with the right-of-way and design phases of the project. The City Council may also direct staff to modify any of the elements of the project.

FINANCIAL IMPACT

Expenditures to date for preliminary engineering and preparation of environmental documents are approximately \$120,000. If the project is deferred, the \$184,000 contribution would be returned to the property owner with an additional \$26,500 for interest, as required by the existing contribution agreement. Approximately \$455,000 in unexpended City funds (development fees) will be returned to the Systems Development Charge Fund unallocated fund balance.

The preliminary cost estimate for the final design, right-of-way, and construction project phases is \$500,000. If the City Council elects to move forward with the proposed bridge project, funding is available in the Capital Improvement Program budget from a combination of development fees and the Kelvin Court Apartment property owner contribution. There is also a future potential cost of approximately \$75,000 to the City to remove and reinstall the bridge in the event that the County of Orange reconstructs the Barranca Channel. However, at this time, there are no plans for reconstructing the channel.

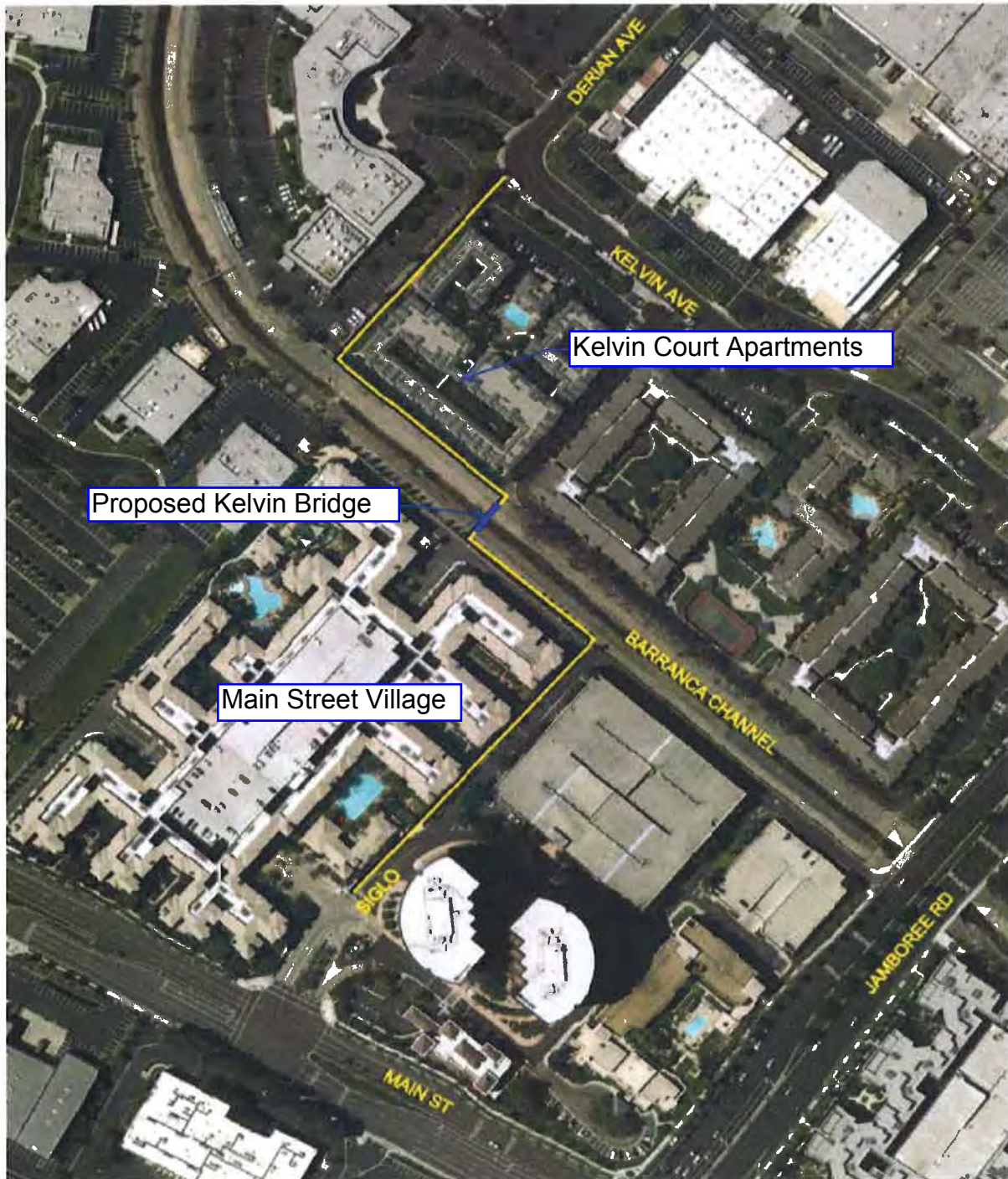
Routine maintenance for the bridge and walkways is estimated at \$3,500 per year and would be budgeted as part of the Public Works Department annual maintenance budget. Funding for the removal of the bridge would be addressed at the time, if and when, it becomes necessary to do so.

REPORT PREPARED BY Jaimee Bourgeois, City Traffic Engineer

ATTACHMENTS

1. Project Vicinity Map
2. Feasibility Report
3. IBC Vision Plan EIR Addendum
4. Developer Contribution Agreement
5. Property Owner Response Letter dated June 27, 2017

Project Vicinity Map



Kelvin Avenue Pedestrian Bridge Project Feasibility Study



City of Irvine

One Civic Center Plaza
Irvine, CA 92606

Contact: Ms. Lisa Thai
949.724.7384

PREPARED BY:

RBF Consulting

14725 Alton Parkway
Irvine, California 92618

Contact: Mr. Gary Warkentin
949.855.3625

June 2015

JN 141597

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I. INTRODUCTION

In July, 2008, the City of Irvine entered into an agreement with Wood Partners to design, construct and secure public easements and landings between Main Street Village Apartments and the Orange County Flood Control District associated with a proposed pedestrian bridge. The agreement was executed to fulfill Condition E.10.b.2 of Conditional Use Permit 47198-CPU. The specific terms of the agreement are included in the report attachments. The purpose of this Feasibility Study is to provide preliminary engineering to support the feasibility of the proposed pedestrian bridge and provide definition of the project for the supporting environmental document and clearance of the project.

II. BACKGROUND

In July, 2012, the City of Irvine prepared a preliminary plan for the proposed pedestrian bridge over Barranca Channel that was reviewed by Orange County Flood Control District. Comments were provided by the County and the permit application was subsequently closed absent responses. That initial concept and comments are included in the report attachments and serve as a basis for the refined concept presented in this Feasibility Study.

III. EXISTING FACILITY

Barranca Channel Existing Conditions

Barranca Channel is owned and maintained by the Orange County Flood Control District (OCFCD). The OCFCD designation for the Barranca Channel is F09. The channel was initially constructed in 1971. The existing channel at the proposed bridge is a riprap lined trapezoidal shape with 1.5:1 side slopes. The channel is 12.5-ft deep with a 16-ft bottom width. There is a six inch depression from the channel wall toe to the channel invert. Subsequent projects have added box culverts for street crossings, and a 1993 emergency repair project widened the most downstream reach of the channel (Main Street to Jamboree Road). The channel is tributary to San Diego Creek. San Diego Creek was the subject of a Project Report that determined the ultimate channel size and design water surface elevations in 1987. OCFCD uses these elevations as the downstream control for design calculations, because San Diego Creek has not yet been expanded to the ultimate size. The San Diego Creek Project Report also developed recommendations for an ultimate Barranca Channel using a rectangular concrete channel.

Flow rates for the Barranca Channel are documented in the "Final Runoff Management Plan for Tustin Legacy" (RBF Consulting, December 2004). This report is cited in the "San Diego Creek Master Plan" (RBF Consulting, September 30, 2013) for the source of the Barranca Channel flow rates. The San Diego Creek Master Plan Table 7.1 recommends a peak flow rate at the confluence with Barranca Channel (CP6K) of 28,600 cfs for the 100-year High Confidence event. The 1987 San Diego Creek Project Report Table 2.2 indicates a flow rate of 30,000 cfs for the same location. Therefore the design water surface from the San Diego Creek Project Report is validated as a conservative and effective water surface for the ultimate design.

The existing channel plans are on the NGVD29 datum; therefore the models are all developed on the same datum. Flow depths provide a basis for comparisons to proposed improvements but elevations from the models and As-Builts should not be applied directly to a NAVD88 design.



Barranca Channel Future Considerations

The As-Built Plans for Barranca Channel were compiled into a hydraulic model using the WSPG 2.4 software. The model covers the channel from the outlet at San Diego Creek to the RCB outlet at Barranca Road. This equates to Channel Station 2+84 to 89+80. The proposed Kelvin Pedestrian Bridge is at approximate Channel Station 28+10.

Existing condition calculations based on the existing channel show the current depth at the proposed bridge is 9.9 feet. This is within the OCFCD requirements for freeboard, but upstream portions of the channel are deficient. Channel sizes and box culvert sizes were increased using the rectangular cross section assumed in the San Diego Creek Project Report, but a soft bottom is assumed to facilitate resource agency approvals. The Barranca Channel is modeled using concrete walls, a soft (vegetated) invert, and riprap transitions in and out of the box culverts. Box culverts are assumed to be removed/replaced with ultimate width facilities having the same vertical rise.

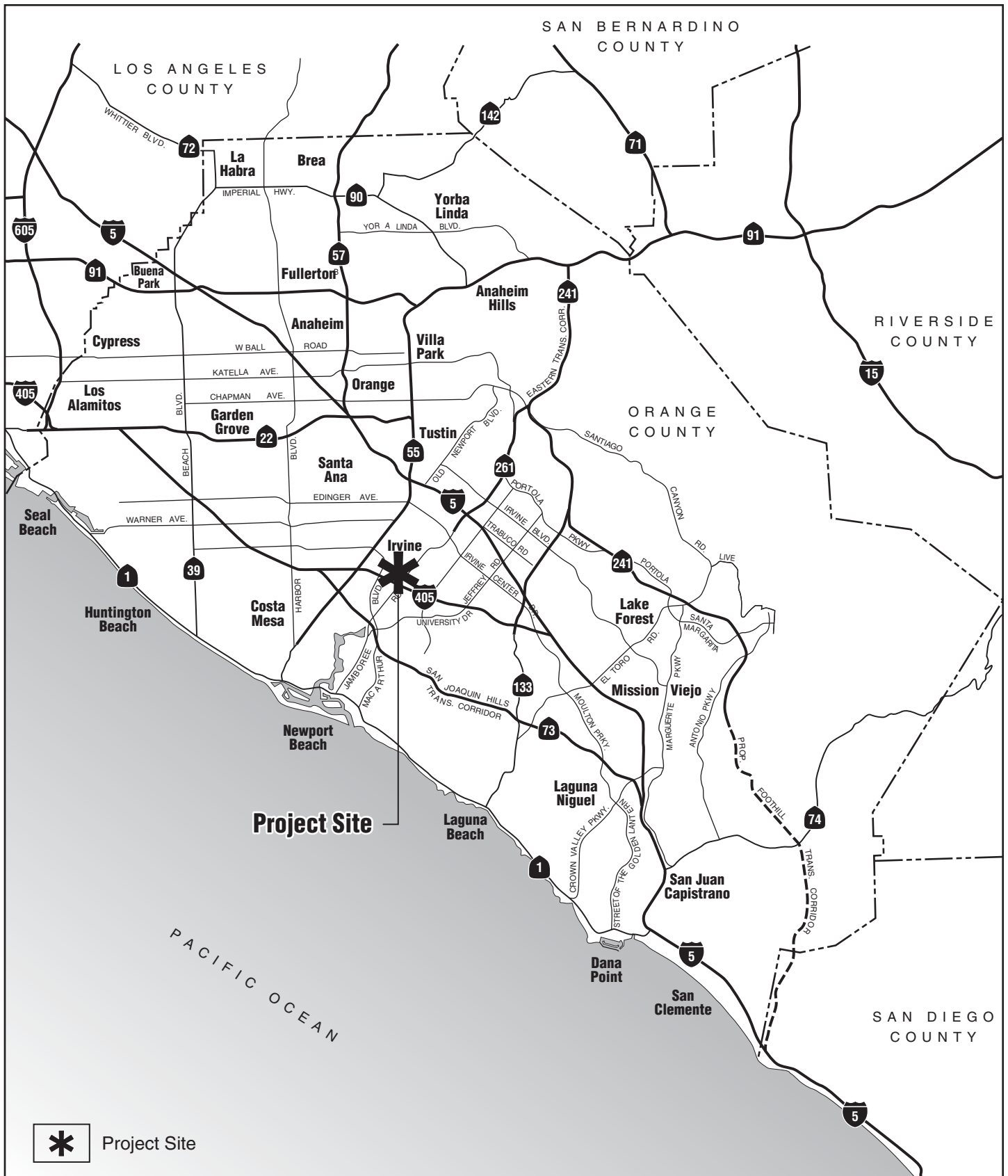
Proposed condition calculations are based on meeting the OCFCD Flood Control Design Manual Addendum 3 (Freeboard) and Addendum 4 (Maintenance Requirements). The Freeboard goal per Addendum 3 for a non-leveed channel with design frequency of 100-years is 1.5 feet. This is applied to the rectangular channel and the box culvert sections. OCFCD policy is for short box culverts to flow as open channels, therefore 1.5 feet of freeboard is maintained between the box soffit and the water surface in the roadway crossings too. The ultimate depth in San Diego Creek is above the soffit of the box culvert at the downstream end of Barranca Channel (beneath Main Street). It is not possible for this portion of the channel to flow without reaching the soffit of the box culvert. At this location, flow is permitted to seal the box culvert. Scour in the proposed channel was verified by using a Manning's "n" value of 0.020. The freeboard was checked using "n" values of 0.035. The access requirements for the channel are 14-ft all-weather access roads on both sides of the channel and a minimum 12-ft clearance under bridges to permit maintenance vehicles to pass beneath. The existing channel width at the Kelvin Pedestrian Bridge is 56.5 feet. The recommended vertical channel width would be 50 feet. The proposed bridge should span the existing channel, and accommodate the ultimate rectangular channel.

IV. PROJECT DESCRIPTION

A. Project Location

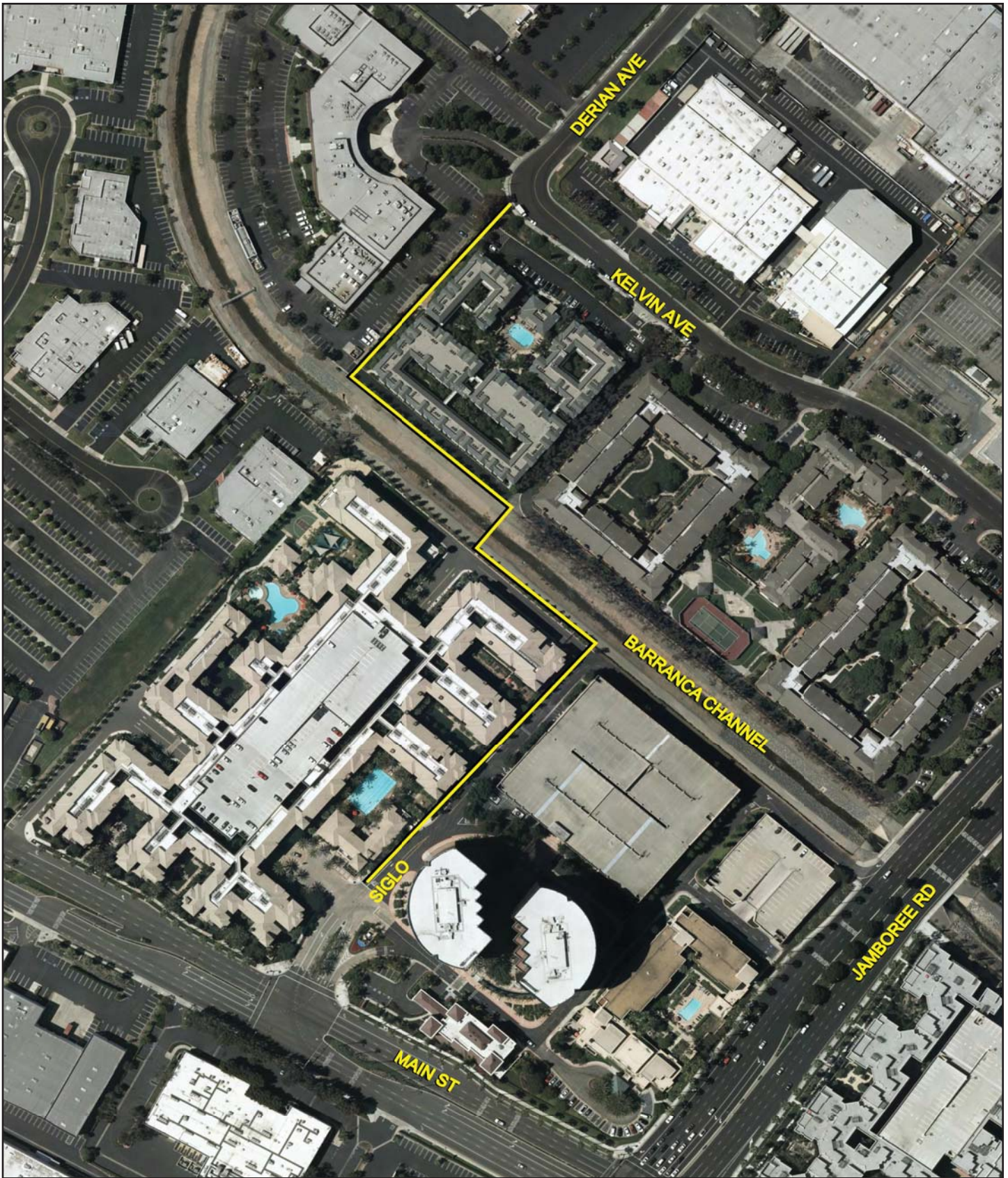
Regionally, the project site is located within the western portion of the city of Irvine (City), within the central Orange County; refer to Exhibit 1, Regional Map. Locally, the project site is located within the IBC, Planning Area 36, between the Main Street and Kelvin Avenue to the west of Jamboree Road. Barranca Channel traverses the site in a northwest-southeast direction; refer to Exhibit 2, Site Vicinity. The project site is located approximately 0.35 miles northwest of the San Diego Creek, approximately 0.35 miles northeast of San Diego Freeway (Interstate 405), and approximately 1.5 miles southeast of Costa Mesa Freeway (State Route 55).

The project site is surrounded by residential (apartment buildings), commercial (office buildings), and transportation (roadway) uses. A parking structure is located to the east of Siglo Street and south of Barranca Channel. Along Main Street, there are Main Street Village apartment homes, commercial buildings and Main Street Plaza – a small retail center that provides services such as a food court, convenient store, hair salon and dry cleaner.



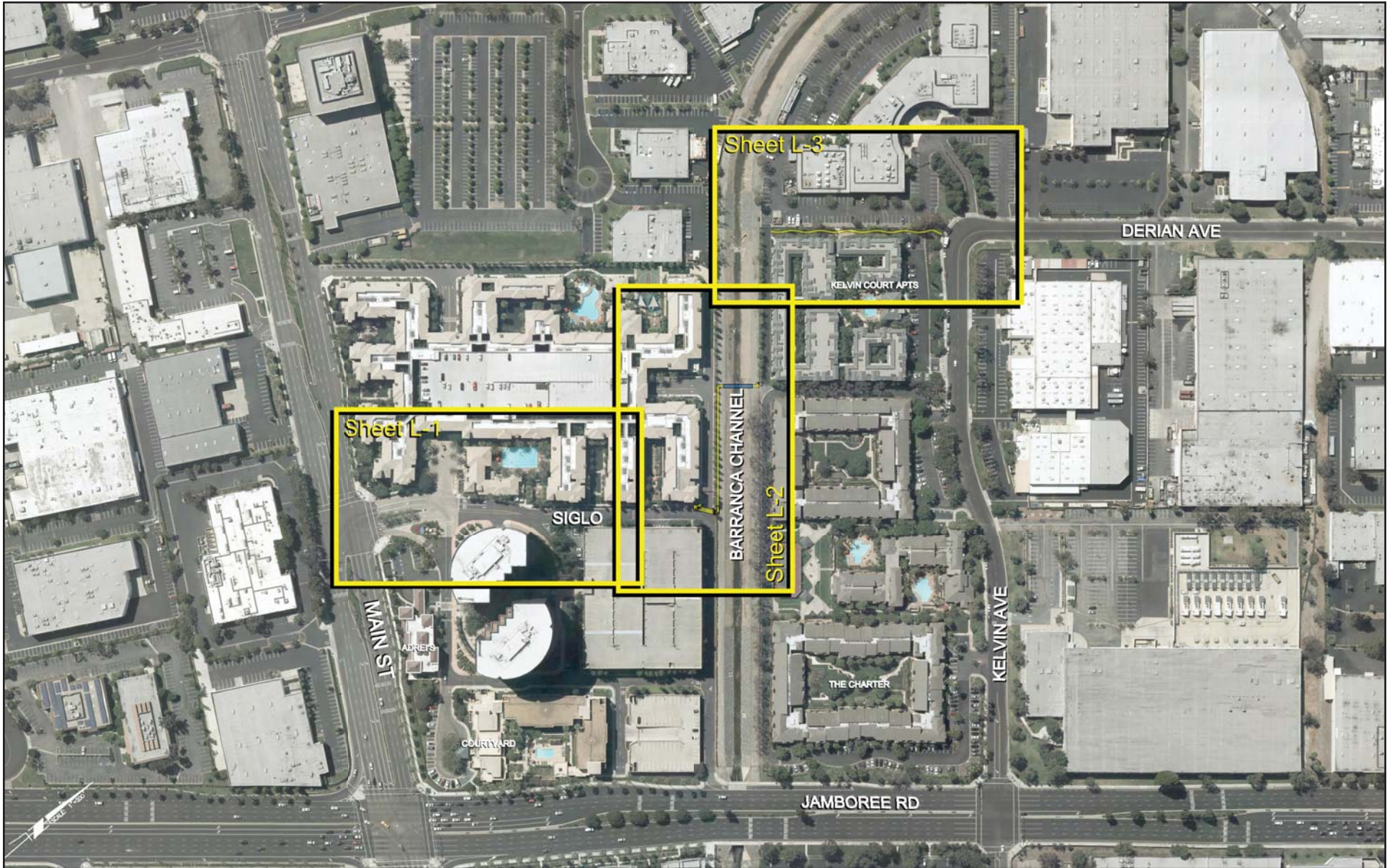
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- Proposed Improvement

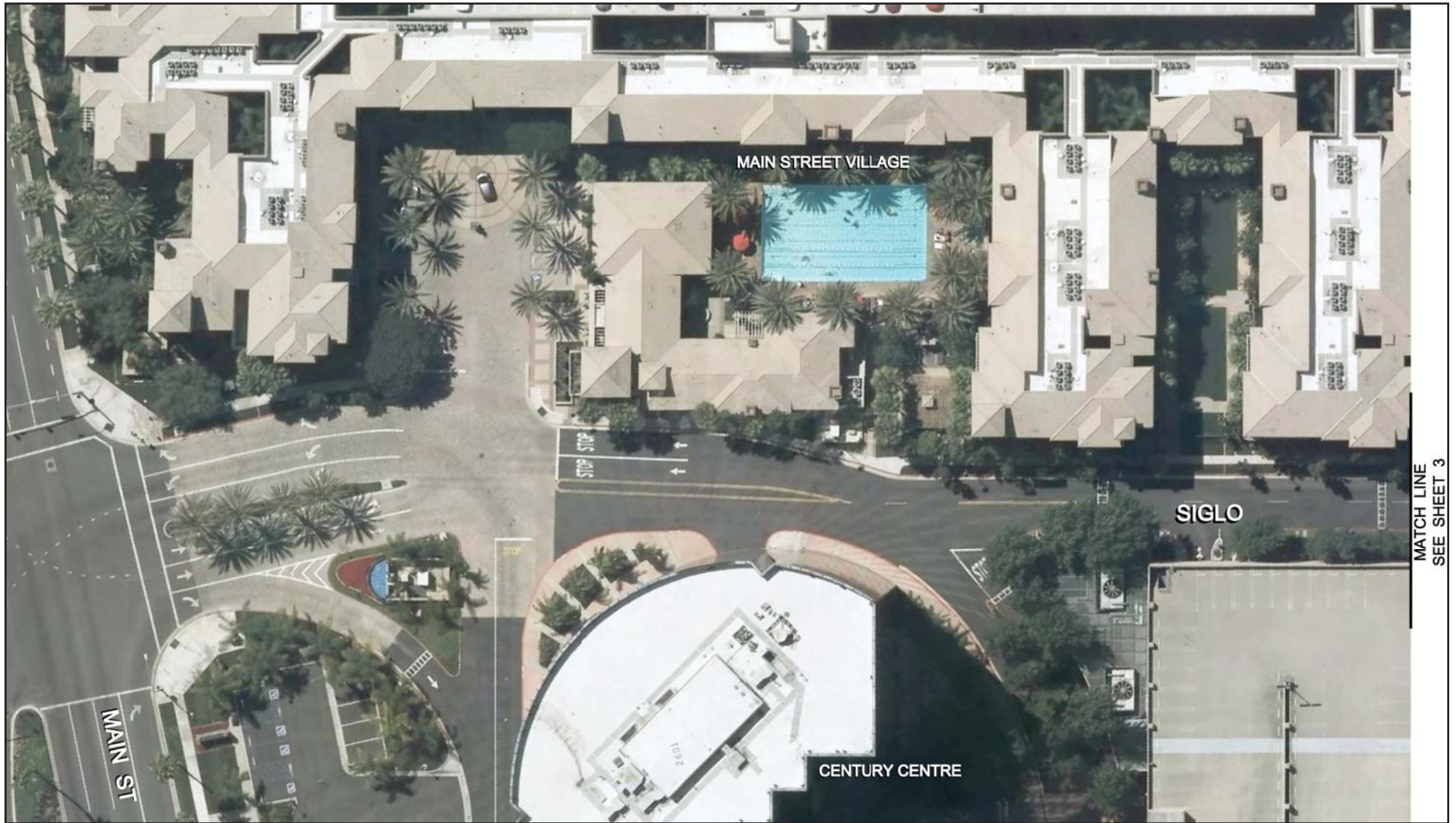
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Conceptual Site Plan



MATCH LINE
SEE SHEET 3

NOT TO SCALE

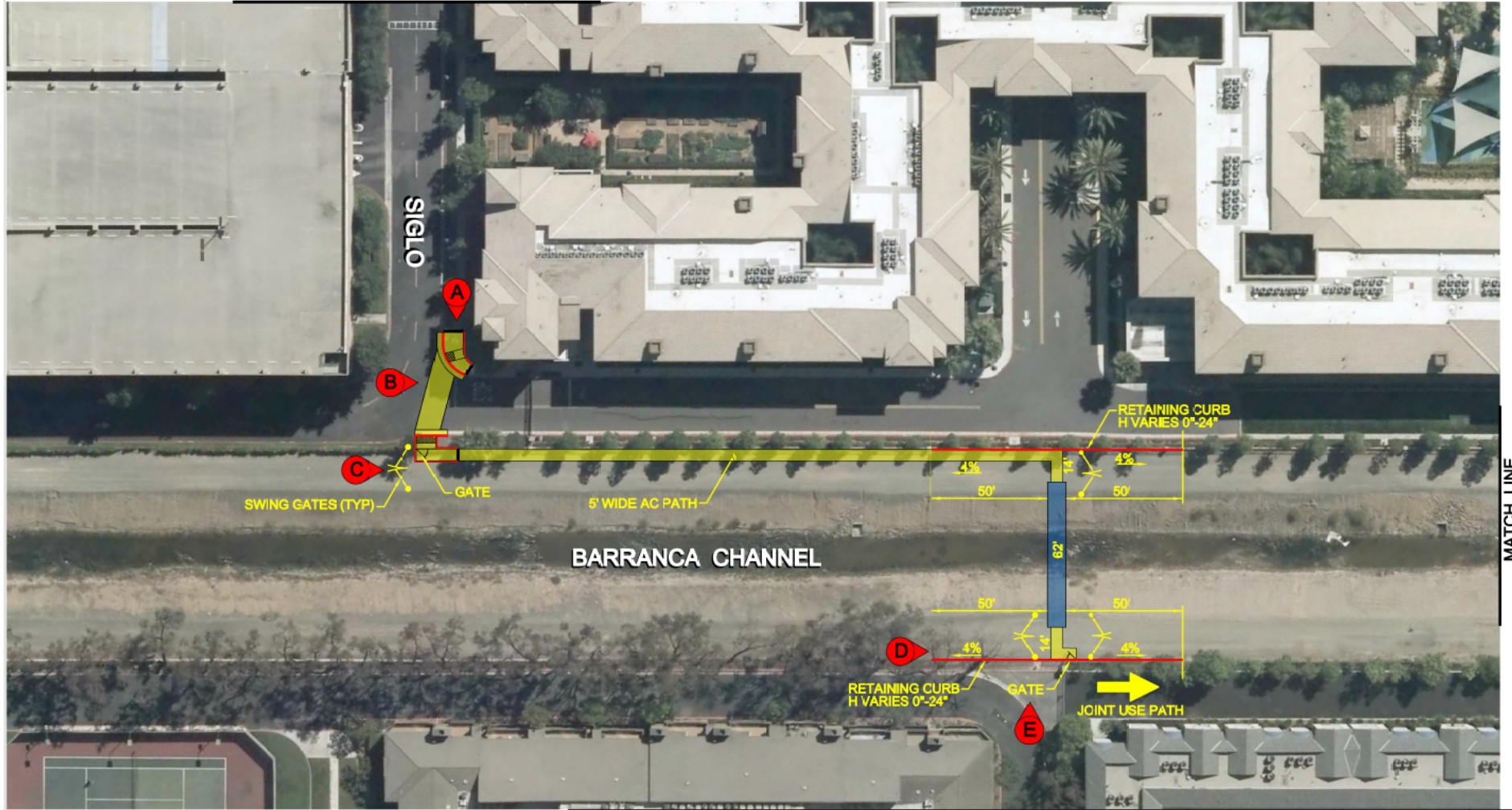


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Conceptual Site Plan (Sheet L-1)

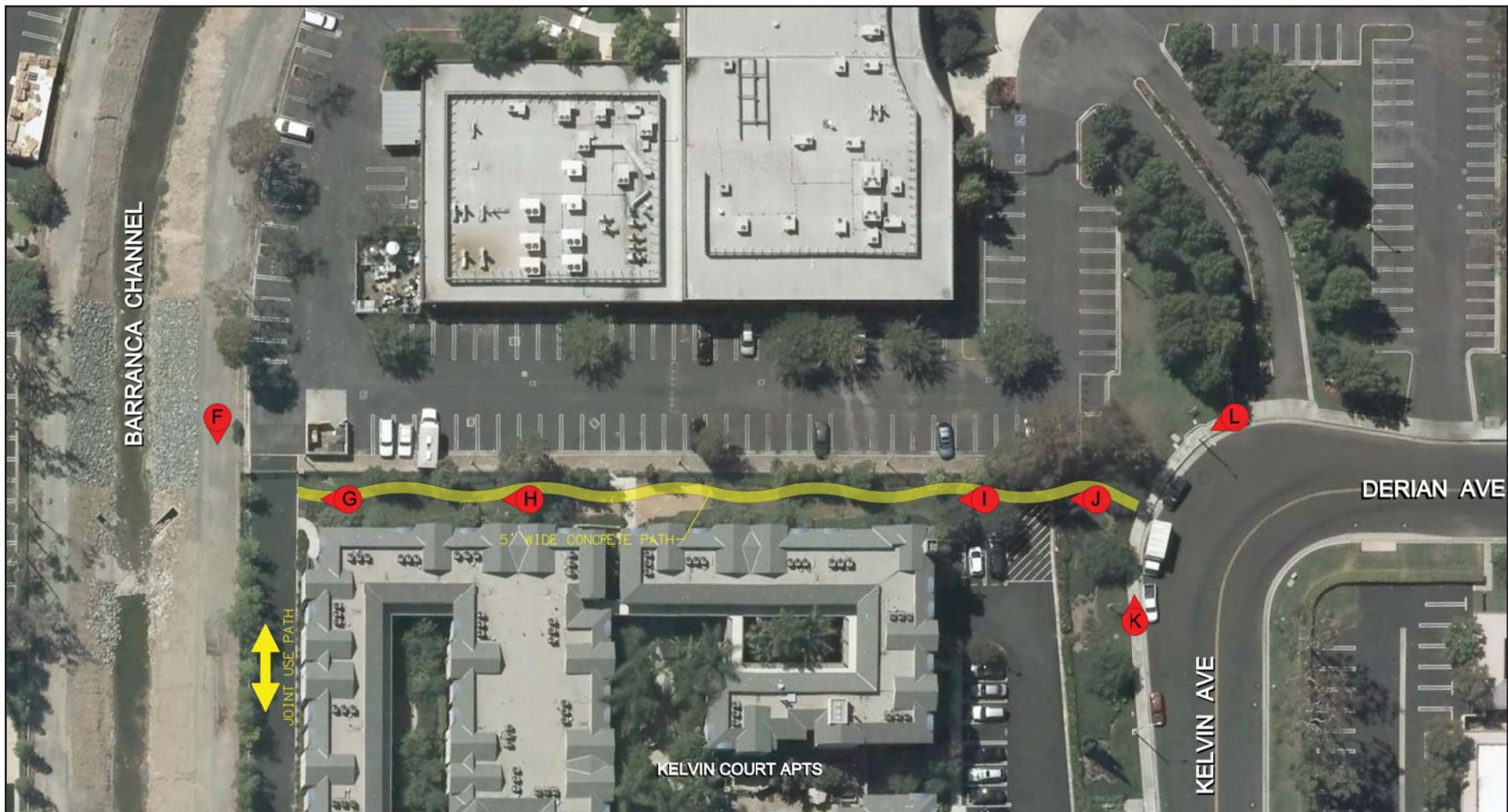
Exhibit 3b
8

MATCH LINE
SEE SHEET 2



NOT TO SCALE





NOT TO SCALE



Conceptual Site Plan (Sheet L-3)



VIEW A



VIEW B



VIEW C



VIEW D



VIEW E



VIEW F



VIEW G



VIEW H



VIEW I



VIEW J



VIEW K



VIEW L



B. Users of the Bridge

The bridge will provide a connection between the residents and employees located north of the bridge with the Main Street Village apartment homes, commercial buildings and Main Street Plaza south of the bridge. From the north side of the bridge, the residents of the apartment homes and/or employees on Kelvin/Derian Avenue will be able to access Main Street by utilizing the bridge and walking along the sidewalk in the Main Street Village development. Using the pedestrian bridge, it is approximately 1,800' from Kelvin Court to Main Street Plaza compared to approximately 3,500' by walking along the sidewalk on Kelvin Avenue to Jamboree Road and then to Main Street. At this time, it is less likely for the bridge to be utilized by the pedestrians south of the bridge as there is no retail uses or attractions located north of the bridge.

C. Alternative Bridge Types

The Kelvin Pedestrian Bridge is proposed to span the Barranca channel in the reach between Derian Avenue and Jamboree Road. The bridge span and location have been developed taking into consideration potential future improvements to Barranca Channel. A potential future configuration of the channel to provide additional capacity would be a rectangular channel, with a width of 50 feet and a height of 12 feet with a soft or vegetated invert. The future channel would be designed to take into account the surcharge loads from the bridge footings, due to the close proximity of the footings to the channel walls.

Prefabricated Truss Bridge Alternative: Geometry and Design

The proposed bridge would span 62 feet and have a width of 8 feet. The deck is recommended to be a 4 inch thick concrete deck slab. Wooden planks are also an alternative, however in 10 years these would need to be replaced or turned. The concrete deck has a bridge lifetime guarantee. For ease of maintenance, the bridge would be made of weathering steel so that no painting is required. The bridge will have pedestrian handrails 4 feet-6 inches tall made of vertical pickets.

The depth of the concrete slab plus floor beam is 1 foot. The soffit of the bridge would be one-foot above the elevation of the channel bank. Therefore the access road would be 2 foot higher at the bridge than in other portions of the channel. The access road would need to ramp up to the bridge for 50 feet at a grade of 4%, to obtain the required elevation at the bridge. Abutment design will be completed as part of the construction documents for the bridge and pathway. A truss bridge manufacturer will be selected to provide the design of the superstructure and delivery of the bridge to the jobsite. The bridge and abutments will be designed in accordance with current Caltrans design criteria: AASHTO LRFD Design Specifications with the Caltrans Amendments, the latest edition of the Caltrans Seismic Design Criteria and the LRFD Guide Specifications for the Design of Pedestrian Bridges. In accordance with these codes, the bridge will be designed for a pedestrian live load of 90 lbs per square feet. Vehicle live loading will not be considered because of the bridge's narrow width. Bollards will be placed at either end of the bridge so that a vehicle is not able to be driven onto the bridge.

Prefabricated Truss Bridge Construction

The existing maintenance road adjacent to the existing trapezoidal channel is approximately 17 feet wide and accessed from a driveway at Jamboree Road. The bridge superstructure would be placed on a truck in one piece and delivered to the site. A crane would be placed on the maintenance road and would lift the bridge off the truck and set the bridge in place on the bridge.



abutments. This process has been verified by a truss bridge manufacturer and also through recent RBF experience of a similar construction project adjacent to a channel. In the future, to facilitate construction of the future rectangular channel, the spread footings may need to be removed. The bridge will need to be temporarily relocated during construction of the new channel. The rectangular channel can then be built, the spread footings will be reconstructed and the bridge can be replaced onto the new footings.

Alternative Bridge Type Eliminated from Further Consideration

RBF investigated a second alternative for this bridge: a cast-in-place prestressed concrete slab bridge. This type of bridge has the most efficient depth to span ratio for a concrete bridge of this span length. For a depth to span ratio of 0.03 and a 62 foot span, a structure depth of 1.86 feet would be required, or approximately 2 feet. A precast bridge would require a depth to span ratio of 0.05 and a superstructure depth of 3 feet. The slab bridge weighs more and would require a pile footing foundation, which increases the cost of the bridge. The bridge would also need to be removed for construction of the future rectangular channel. The 2 foot structure depth would require the access ramp to be 2 feet higher than at the rest of the channel, creating a greater grading impact than the truss bridge option. Therefore, for better constructability and for the most economical design, the prefabricated truss bridge is the preferred alternative.

D. Sidewalk/Trail Improvements

The project proposes to construct ancillary trail improvements on both sides of the proposed bridge. The proposed trail improvements are as follows:

- Trail Improvements South of the Proposed Bridge – These trail improvements extend along the southerly limit of the Barranca Channel maintenance road from Siglo Street to the proposed bridge location. As shown on Exhibit 3c, Conceptual Site Plan (Sheet L-2), this proposed trail would be approximately 260 feet in length and 5 feet in width and would be paved with asphalt concrete (AC). Two Americans with Disabilities Act (ADA)-accessible curb ramps and a crosswalk would be constructed to provide a pedestrian crossing to and from the Barranca Channel at Siglo Street. A gate would be installed at the entrance of the sidewalk along the Barranca Channel. Easement dedication is reflected on Tract No. 16955 in the report attachments.
- Trail Improvements North of the Proposed Bridge – These trail improvements would be constructed along the northwestern border of the Kelvin Court Apartments. The proposed sidewalk would start near the Barranca Channel and extend to the southwest corner of Kelvin Avenue and Derian Avenue, meandering through an existing landscaped area of the apartment property. As shown on Exhibit 3d, Conceptual Site Plan (Sheet L-3), this proposed meandering trail would be approximately 370 feet in length and 5 feet in width, with AC paving. The City of Irvine maintains an existing easement through this area; as such, right-of-way acquisition would not be required for these improvements.
- Between the proposed trail and the bridge, trail users would travel along an existing paved access road along the southwesterly boundary of the Kelvin Court Apartments, which would be utilized as a joint use path. In addition, a gate would be installed where the joint use path and Barranca Channel converge.



E. Utilities

Currently, no utilities exist within the limits of the proposed pedestrian bridge crossing over Barranca Channel. Nighttime lighting may be installed along the pedestrian bridge and unlit portions of the proposed sidewalk/trail improvements.

F. Landscaping & Irrigation

The proposed sidewalk between Kelvin Avenue and private road parallel to Barranca would be located along the base of the small slope at the northerly property line. The precise alignment will be determined in final design with the intent of minimize grading and disruption to existing planting, irrigation and small local planter drainage inlets. Minor modifications to these facilities are anticipated in the construction of the sidewalk.

G. Conformance with General Plan and Zoning Code Standards

The proposed pedestrian bridge overcrossing is in conformance with General Plan and Zoning Code Standards.

H. Project Schedule

Following is a schedule for the Kelvin Pedestrian Bridge Project

Task	Completion Timeframe
1. Feasibility Study	June 2015
2. Addendum EIR	June 2015
3. Final PS&E / Permits/RW Acquisition	12 months
4. Advertise and Award Construction Contract	4-5 months
5. Construction	12 months

I. Project Costs

The total project cost is approximately \$501,000 as itemized on page 6. Annual routine cleaning costs associated with the new bridge and sidewalk are:

1. Pedestrian Bridge - \$477.15
2. Sidewalk (S/O of the Bridge) - \$1,250.60
3. Sidewalk (N/O of the Bridge) - \$1,779.70

Replacement costs for the bridge if the County reconstructs the Barranca Channel in the future are:

1. Bridge Removal – Assumes stored on site access road near current location - \$10,000
2. Concrete Abutment Removal - \$5,000
3. New Abutments - \$30,000
4. Bridge Installation - \$10,000
5. 10% Mobilization + 25% Contingency = \$20,000

Total (Budget) = \$75,000



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KELVIN AVE PEDESTRIAN BRIDGE

May 2015

ITEM	DESCRIPTION	COST /UNIT	QUANTITY	COST
1	EARTHWORK			
1.1	Mobilization	LS		\$22,000
1.2	Fine Grading	2.00 /SF	5,000	10,000
	- S u b t o t a l -			\$32,000
2	STRUCTURAL SECTION			
2.1	Construct AC Path	\$5.00 /SF	1,530	\$7,650
2.2	Construct Curb & Gutter	40.00 /LF	40	1,600
2.3	Construct Retaining Curb (H=0" to 24")	80.00 /LF	220	17,600
2.4	Construct PCC Sidewalk	9.00 /SF	130	1,170
2.5	Construct Concrete Path	9.00 /SF	1,860	16,740
2.6	Construct ADA Access Ramp	6,000 /EA	2	12,000
2.7	Remove Curb & Gutter	16.00 /LF	40	640
2.8	Remove PCC Sidewalk	5.00 /SF	130	700
	- S u b t o t a l -			\$58,100
3	DRAINAGE			
3.1	Protect Manhole in Place	\$500 /EA	1	\$500
	- S u b t o t a l -			\$500
4	SPECIALTY ITEMS			
4.1	Construct Pre-Fabricated Bridge/Spreadfootings	\$300 /SF	500	\$150,000
4.2	Install Pedestrian Gate (5' Wide)	500 /EA	2	1,000
4.3	Chain Link Gate (20' wide)	2,000 /EA	4	8,000
	- S u b t o t a l -			\$159,000
5	TRAFFIC ITEMS			
5.1	Signing & Striping	LS		2,000
	- S u b t o t a l -			\$2,000
	SUBTOTAL CONSTRUCTION COST			\$252,000
6	CONTINGENCIES	25%		63,000
	TOTAL CONSTRUCTION COST			\$315,000
7	RIGHT OF WAY			
7.1	Permanent Easement	\$4 /SF	2,026	\$8,100
7.2	Appraisal	LS		8,000
7.3	Initial Site Assessment (ISA)	LS		2,000
7.4	Right of Way Administration (Legal Description)	LS		20,000
	- S u b t o t a l -			\$38,000
8	PROJECT DEVELOPMENT COSTS			
8.1	Design Engineering/Administration Costs	LS		75,000
8.2	Construction Engineering/Administration Costs	25%		73,000
	- S u b t o t a l -			\$148,000
	TOTAL PROJECT COST			\$501,000

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V. AGREEMENTS/PERMITS

The City will need to obtain surface right easement with conditions from OCFCD. A cooperative agreement will be required between OCFCD and the City. The terms of the agreement regarding liability and maintenance responsibilities and other issues will be included. Improvement plans will be processed through Orange County Property Permit for review and approval.

The area of AC trail impervious area within OCFCD right-of-way is approximately 1,600 square feet. The area of impervious concrete sidewalk between Kelvin Avenue and Barranca Channel is approximately 1,900 square feet. The total new impervious area constructed by the project will be 3,500 square feet and will not require preparation of a Water Quality Management Plan (WQMP).

VI. RIGHT OF WAY

No new right of way is required for the project.

VII. ENVIRONMENTAL CLEARANCE

An Addendum to the IBC Vision Plan and Mixed Use Zoning Code Final Environmental Impact Report (EIR) which was certified by the Irvine City Council on July 13, 2010 (SCH No. 2007011024) (referred to hereafter as the "IBC EIR") was prepared for the project. The documents serve as the environmental review of the proposed Kelvin Avenue Pedestrian Bridge Project, as required pursuant to the provisions of CEQA, the CEQA Guidelines, 14 CCR Section 15000 et. Seq. (CEQA Guidelines), and the City of Irvine procedures for CEQA Implementation.

Based on the Environmental Checklist and supporting environmental analysis, the proposed project would not result in any new significant impacts that were not previously addressed in the IBC EIR, nor are there any substantial increases in the severity of any previously identified environmental impacts. The scope of the installation of a prefabricated pedestrian bridge over the Barranca Channel and trail construction/modification do not result in any new impacts that are not already covered in the IBC EIR, and none of the conditions set forth in Section 15162 of the CEQA Guidelines which would otherwise require preparation of a Subsequent or Supplemental EIR are met in this instance.

VIII. CONCLUSION

Based on the findings of this feasibility report, the bridge is estimated to cost \$501,000 to design and construct. Annual maintenance cost is estimated to be \$3,507. In the future when the County of Orange reconstructs the Barranca Channel the cost to remove, store on-site and replace the bridge would be approximately \$75,000. At this time, the County does not have any programmed channel improvements at the proposed bridge location. Although the bridge is feasible to construct, the potential users of the bridge would likely be limited to the adjacent properties; specifically, the pedestrians from the north side of the bridge heading south on the bridge to access the retail center on Main Street.



The proposed project is consistent with the Irvine Business Complex (IBC) Vision Plan. The existing street network and large blocks result in restricted pedestrian connectivity. The proposed pedestrian bridge would improve connectivity consistent with Objective N-3 Connectivity Policy (c): Provide pedestrian linkages that facilitate improved resident access to local services, recreation facilities, the City's trail network and transit access.

The Kelvin Apartments Conditional Use Permit Letter in Attachment 1 states in Items 4 and 5:

4) Commencement of construction of the pedestrian bridge shall occur no later than eight years from the date of this signed letter by both parties.

5) If commencement of the pedestrian bridge does not occur within the agreed time frame, the full amount of funds, plus interest, shall be refunded to Alta Pacific, LLC through Wood Partners' Newport Beach office.

The letter agreement was executed on July 24, 2008. Based upon the agreement, construction must commence by July 24, 2016.

IX. Attachments

Attachment 1 – Kelvin Apartments Conditional Use Permit Letter Agreement

Attachment 2 – Initial Pedestrian Bridge Concept and County Review Comments

Attachment 3 – Public Access Easements

Attachment 4 – Preliminary Foundation Report

Attachment 5 – Kelvin Avenue Pedestrian Bridge – Barranca Storm Channel Basis of Design Report

Attachment 6 – County Plan Check Comments and Responses

Attachment 1 – Kelvin Apartments Conditional Use Permit Letter Agreement



July 18, 2008

Mr. Kyle Woodley
c/o Wood Partners
3991 MacArthur Blvd Suite 350
Newport Beach, CA 92660

Subject: Kelvin Apartments - Condition E.10.b.2, Conditional Use Permit 47198-CPU; Letter Agreement

Dear Mr. Woodley:

This letter is in response to your correspondence of June 19, 2008, in which you expressed the desire to satisfy the requirements of a condition of approval that was placed on your project located at 2552 Kelvin Avenue in the Irvine Business Complex. As you know, the subject condition requires the construction of a pedestrian bridge across the Barranca Flood Control Channel connecting your site to the Main Street Village Apartments. The development of Kelvin Apartments was approved through Conditional Use Permit 47198-CPU by adoption of City Council Resolution 03-50.

Condition E.10.b.2 reads as follows:

"Prior to the issuance of building permits, the applicant shall demonstrate to the Director of Community Development that the Orange County Flood Control District (OCFCD) and owner/assignee of the MetLife property have consented to construction of a pedestrian bridge over the Barranca Channel linking the subject site with the future MetLife residential apartment community. The applicant shall be responsible for all costs to acquire consent, design and construct the bridge, and for ongoing maintenance. The applicant shall post an appropriate bond to guarantee construction of the bridge prior to the issuance of building permits for any structures on the site. The construction of the bridge shall be complete prior to the issuance of the first certificate of use and occupancy."

In your June 19, 2008 letter, Alta Pacific, LLC ("Wood Partners") proposes to provide the City of Irvine funding for the construction of the pedestrian bridge as a means of fully satisfying its obligations pursuant to this condition of approval. We have reviewed Wood Partners' proposal and agree that such funding will satisfy the terms of this condition but that additional details concerning the proposal need to be included.

Specifically, we propose that Condition E.10.b.2 of City Council Resolution 03-50 is satisfied subject to the following terms:

- 1) Wood Partners shall provide the City of Irvine payment in the amount of \$184,000 towards the cost of constructing the pedestrian bridge as required in Condition E.10.b.2. The money will be deposited into an interest-bearing account and shall be used only towards the pedestrian bridge across the Barranca Flood Control Channel connecting the Kelvin Apartments to the Main Street Village Apartments.
- 2) Wood Partners shall grant to the City, without costs, the necessary connections and easements on their property for public access to the pedestrian bridge including the necessary landings on their property prior to commencement of bridge construction. Since engineering and project design has yet to be undertaken, the exact locations of the bridge connection from the street and fire lane bridge landing will be determined at a later time. The public access easement areas shall remain unobstructed and occur within the 30-foot westerly boundaries and continue along the fire lane easterly. The locations of these areas are shown in "Exhibit A" as denoted by the dashed lines.
- 3) The City of Irvine shall be responsible for design, construction, and securing all public easements and landings between Main Street Village Apartments and the Orange County Flood Control District associated with the pedestrian bridge.
- 4) Commencement of construction of the pedestrian bridge shall occur no later than eight years from the date of this signed letter by both parties.
- 5) If commencement of the pedestrian bridge does not occur within the agreed time frame, the full amount of the funds, plus interest, shall be refunded to Alta Pacific, LLC through Wood Partners' Newport Beach office.
- 6) In the event that the final amount associated with the pedestrian bridge is less than \$184,000 plus interest, the remaining balance will be refunded to Alta Pacific, LLC through Wood Partners' Newport Beach office upon completion of the bridge. The final amount includes all costs associated with the pedestrian bridge which includes, but is not limited to, construction of the bridge and necessary landings, gate/fence installations, as well as securing all easements. In the event that the cost of the pedestrian bridge exceeds \$184,000, Wood Partners shall have no further obligation to fund such additional amount.
- 7) Wood Partners shall sign and return a copy of this letter with a check to the City of Irvine in the amount of \$184,000. A signed copy of this letter by both parties will signify Wood Partners' agreement to the terms listed herein regarding the full satisfaction of Condition E.10.b.2 of City Council Resolution 03-50.
- 8) This letter agreement shall be binding on the successors and assignees of Wood Partners and inure to their benefit.

If you have any questions regarding this letter, please contact Tim Gehrich, Manager of Development Services at (949) 724-6363.

Attachment:

1. Exhibit A: Easement Locations

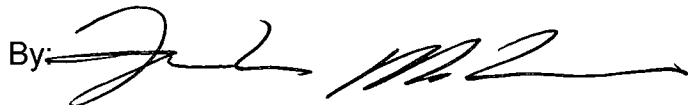
Agreed as set forth above:

Dated: 7/22/08 "WOOD PARTNERS"

ALTA PACIFIC, LLC, a Georgia limited liability company

By: Wood Alta Pacific, LLC, a Georgia limited liability company, Its Manager

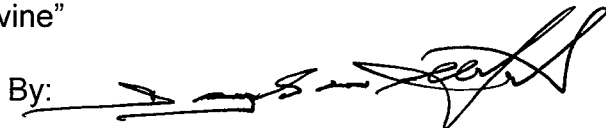
By: WP South Corporation, Inc., a Georgia corporation, Its Manager

By: 

Name: Frank B. Middleton

Title: Vice President

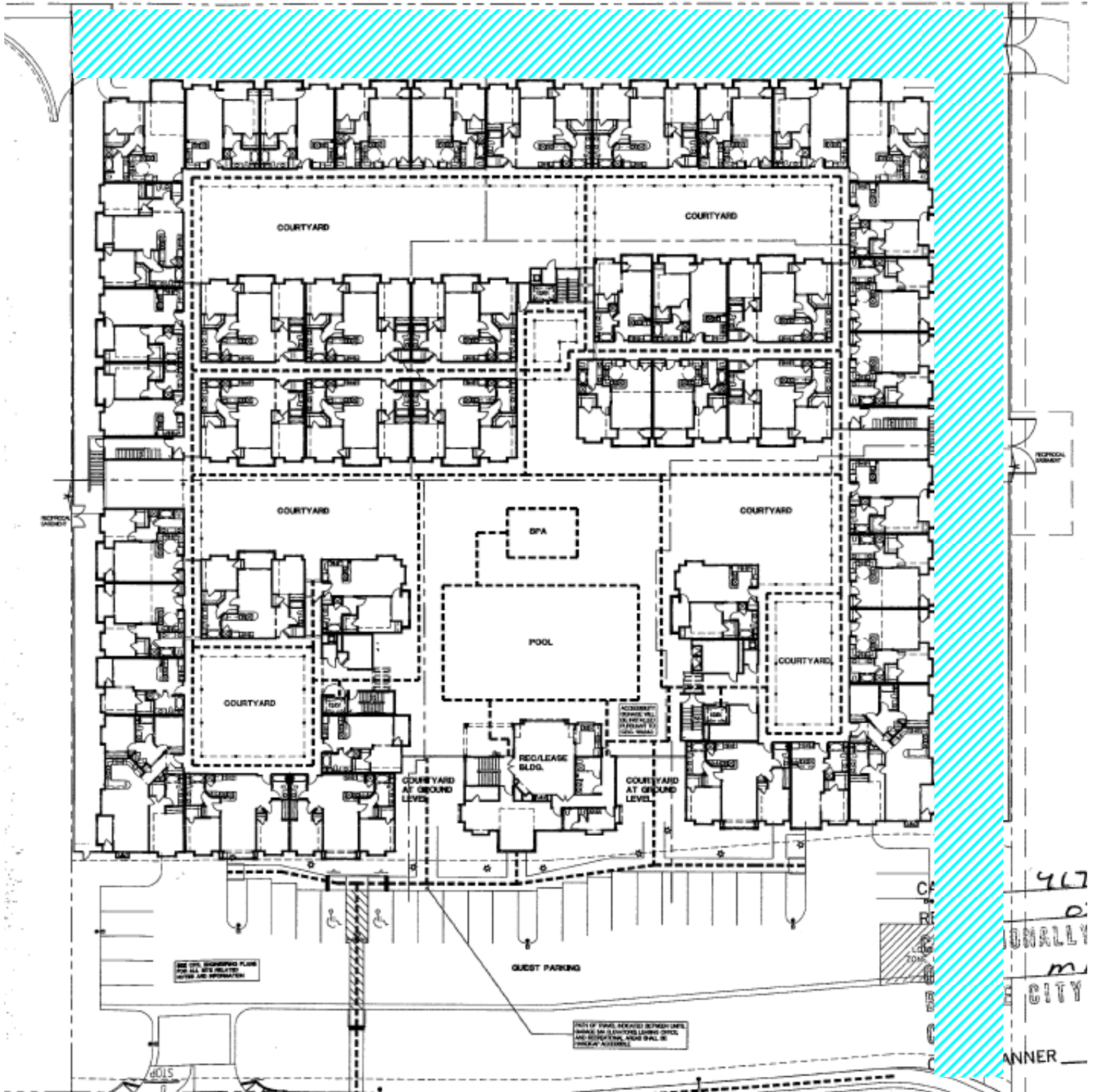
Dated: 7/24/08 "City of Irvine"

By: 

Name: Douglas Williford, AICP

Title: Director of Community Development

Easement Locations



Attachment 2 – Initial Pedestrian Bridge Concept and County Review Comments

Date: 12/10/2012

City of Irvine
One Civic Center Plaza
P. O. Box 19575
Irvine, CA. 92623

Attn.: Lana Weiss

Re: Plan Check # 1 Permit No. 2012-00694

Dear Mrs. Weiss:

Your application to construct and maintain a bridge over Barranca Channel (F09), 900-ft west of Jamboree Road and 400-ft south of Kelvin Avenue, Irvine within a portion of Orange County Flood Control District's Barranca Channel (F09) right-of-way was submitted for review within the Orange County Public Works (OC Public Works). The following comments are being provided:

OC Inspection:

1. Provide total of (2) additional swing gates on south west and north east on drive ramps.
2. Please find attached redlined plans.

Operation and Maintenance:

O&M is not opposed to proposal of a pedestrian bridge over Barranca Channel (F09). However, O&M submits the following comments, concerns, and recommendations:

1. Permittee to provide full detailed plans to fully evaluate the impact to OCFCD Facility.

2. Permittee shall enter into and/or amend current "Agreement" with OCFCD/County of Orange.
3. Permittee shall incorporate O&M plan to keep debris, trash, and graffiti at a minimum to non-existence.
4. Bridge deck shall be out of the 100 year flow elevation and a minimum of 12' (FT) above design elevation.
5. Pedestrian surface shall be AC paving or better. This shall include both sides of bridge ramping as shown on submitted proposal.
6. Guard Cable Fencing per OC Public Works Standard Plan 1413 shall be provided at top of channel for public safety.
7. Please provide construction plans and details in next submittal for evaluation and considerations. Return for further review.

Flood Design:

Flood Programs has reviewed permit 2012-00694 #1 and have the following comments:

1. The City's proposal to place a bridge over Barranca Channel is feasible. However, when more detailed drawings are submitted for permit review, the City needs to work with OCFCD to obtain surface right easement with conditions from OCFCD. A cooperative agreement maybe needed between OCFCD and the City. The terms of the agreement regarding liability and maintenance responsibilities and other issues will be included.
2. Permittee needs to submit improvement plans to Orange County Property Permit for review. After the City submits plans with more details for a permit, additional comments will be provided to the City.
3. The improvement plans will need to meet many requirements. The following are general conditions and more will be provided after detailed plans are submitted:
 - a. No piers are allowed within the channel and no changes or modifications are allowed to existing channel.
 - b. The soffit of proposed bridge must be equal to, or higher than the top of existing channel and provide a minimum 12' vertical clearance.

- c. OCFCD operation and maintenance may provide requirements to facilitate their access along the channel that may include gates and fencing restricting public access to specific areas within OCFCD right-of-way.
 - d. Operation and maintenance of proposed bridge will be by the Permittee at its own costs and this statement should be shown on the first page of improvement plans.
4. Please note that the purpose of Flood Channels is for flood control and public safety. If any of Permittee's improvements are disturbed, damaged or removed by OCFCD during the course of OCFCD's operations, maintenance, repair, improvements, restoring, or enlargement of OCFCD's facilities within, upon, over or under OCFCD's ROW, Permittee shall be responsible for the work and cost for replacing, repairing, restoring or removing Permittee's improvements.

Watersheds / Environ. Res.:

We recommend the following conditions:

1. The following should be included as NPDES notes on project plan construction Sheets:
 - Sediment from areas disturbed by construction shall be retained on site using structural controls to the maximum extent practicable.
 - Stockpiles of soil shall be properly contained to eliminate or reduce sediment transport from the site to the streets, drainage facilities or adjacent properties via runoff, vehicle tracking, or wind.
 - Appropriate BMPs for construction-related materials, wastes, spills or residues shall be implemented to minimize transport from the site to streets, drainage facilities, or adjoining properties by wind or runoff.
 - Runoff from equipment and vehicle washing shall be contained at construction sites unless treated to reduce or remove sediment and other pollutants.
 - All construction contractor and subcontractor personnel are to be made aware of the required best management practices and good housekeeping measures for the project site and any associated construction staging areas.
 - At the end of each day of construction activity all construction debris and waste materials shall be collected and properly disposed of in trash or recycle bins.

- Construction sites shall be maintained in such a condition that a storm does not carry wastes or pollutants off the site. Discharges other than stormwater (non-stormwater discharges) are prohibited, except as authorized by an individual NPDES permit or the statewide General Construction Stormwater Permit.

Potential pollutants include but are not limited to: solid or liquid chemical spills; wastes from paints, stains, sealants, solvents, detergents, glues, lime, pesticides, herbicides, fertilizers, wood preservatives, and asbestos fibers, paint flakes or stucco fragments; fuels, oils, lubricants, and hydraulic, radiator or battery fluids; concrete and related cutting or curing residues; floatable wastes; wastes from engine/equipment steam cleaning or chemical degreasing; wastes from street cleaning; and super-chlorinated potable water from line flushing and testing.

During construction, disposal of such materials should occur in a specified and controlled temporary area on-site physically separated from potential stormwater runoff, with ultimate disposal in accordance with local, state and federal requirements.

- Discharging contaminated groundwater produced by dewatering groundwater that has infiltrated into construction sites is prohibited. Discharging of contaminated soils via surface erosion is also prohibited. Discharging of non - contaminated groundwater produced by dewatering shall comply with those National Pollutant Discharge Elimination System (NPDES) Permit Orders No. R8-2009-0045 and R8-2007-0041, NPDES general discharge permits for groundwater in the San Diego Creek / Newport Bay Watershed, of the Santa Ana Regional Water Quality Control Board (RWQCB). Any indication or evidence of water quality that does not meet required standards will be reported to OC Public Works / Environmental Resources.

2. Any spillage of fuel, oil or hazardous materials from construction materials, equipment or vehicles must be immediately and properly cleaned up and removed from the OCFCD right-of-way. For spills which have caused or have the potential to cause any environmental impact, notification must be immediately made to OC Public Works / Environmental Resources (877-89-SPILL) for assessment of appropriate corrective action. Contaminated soil, sand or material and hazardous wastes generated from the cleanup must be disposed of by approved methods. For all emergencies, call 911.

Permittee assumes full responsibility for costs to investigate extent of contamination, cleanup, waste removal and implementation of an approved

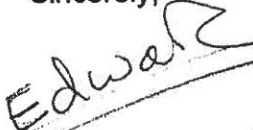
remedial action plan for the release of any wastes or hazardous materials that result in soil, surface water and groundwater contamination.

3. To ensure that post-construction contribution of polluted runoff to OCFCD right-of-way is minimized and prevented through implementation of Best Management Practices (BMPs), permit applicant shall provide a proposed Water Quality Plan (WQP) for the proposed public project, consistent with requirements of the 4th Term Municipal Storm- water NPDES Permit to which the County, District and City are all parties. Please submit WQP to OC Public Works / Environmental Resources, Attn: Jim Swanek, 2301 North Glassell Street, Orange, California 92865.

Please prepare comment response letter with next submittal. Once you have completed your revisions, please submit revised plans which have the proposed permit area clearly highlighted to County Property Permits for further processing.

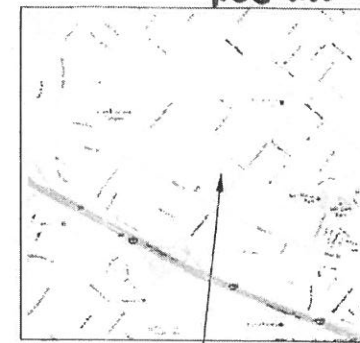
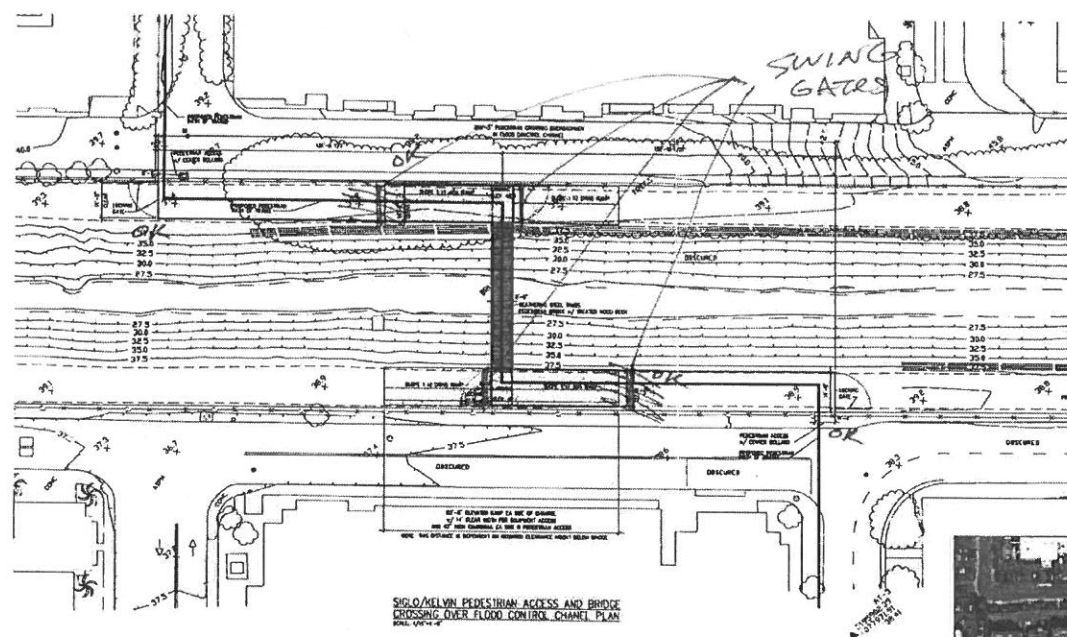
If you have any questions, please contact me directly at (714) 667-8842.

Sincerely,

A handwritten signature in dark ink, appearing to read "Edward", with a large, sweeping flourish extending from the end of the signature.

Edward Shahid
County Property Permits

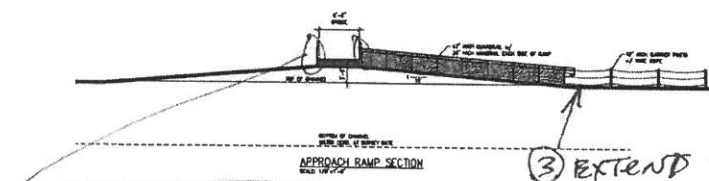
Redlined From P&T



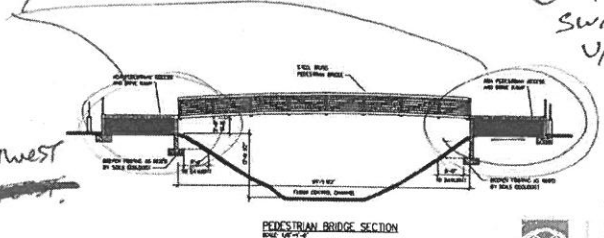
PROJECT SITE
VICINITY MAP



SITE MAP



APPROACH RAMP SECTION

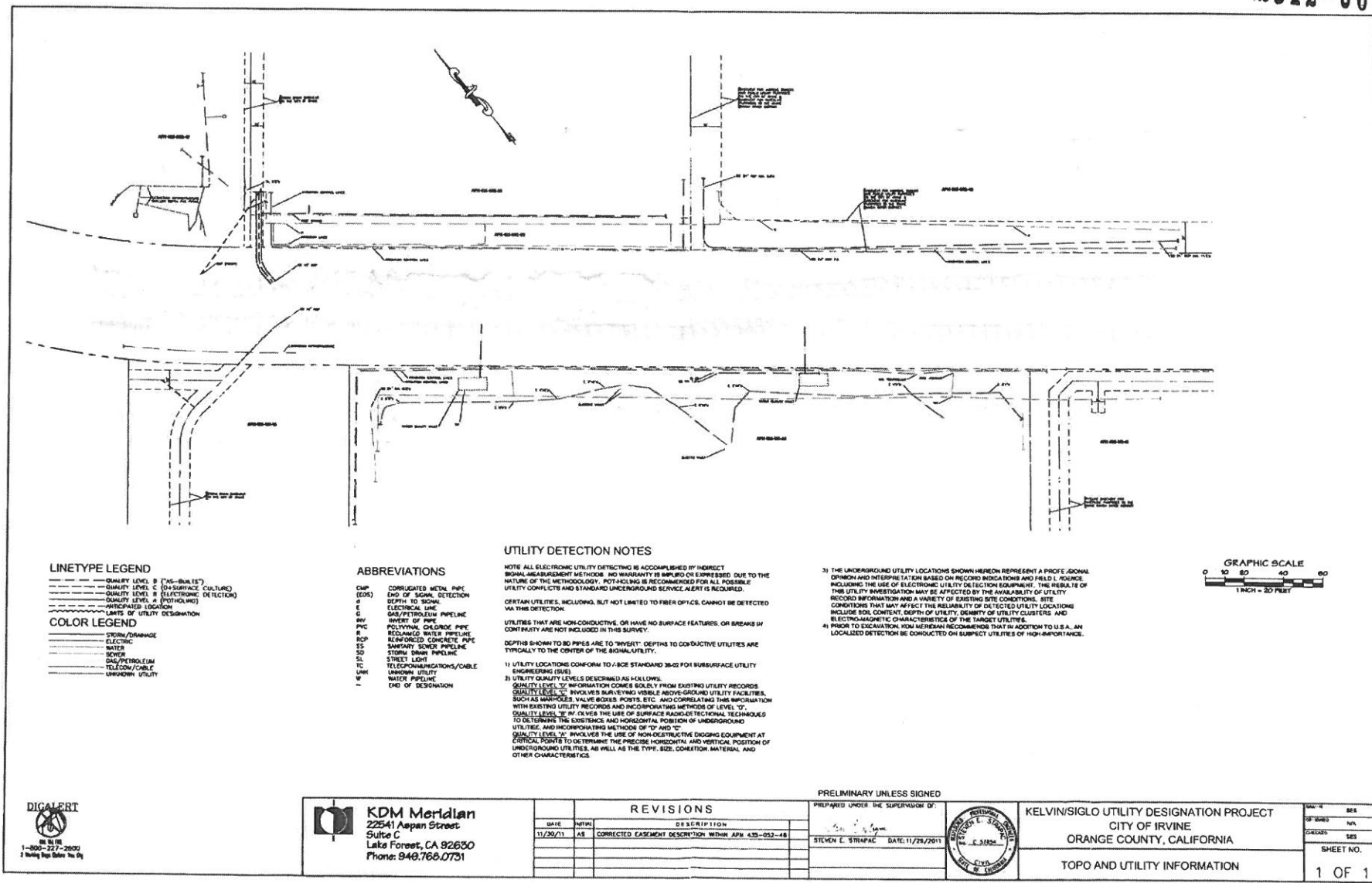


PEDESTRIAN BRIDGE SECTION



SCHEMATIC DESIGN PHASE

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Attachment 3 – Public Access Easements

SHEET 1 OF 8
1 LOT
9.781 ACRES
DATE OF SURVEY: JULY 2011
ALL OF TENTATIVE TRACT MAP NO. 16955

TRACT NO. 16955

IN THE CITY OF IRVINE, COUNTY OF ORANGE, STATE OF CALIFORNIA
FOR CONDOMINIUM PURPOSES

BEING A SUBDIVISION OF A PORTION OF PARCEL 2 OF PARCEL MAP FILED IN
BOOK 43, PAGE 6 OF PARCEL MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA

KHR ASSOCIATES
JAMES H. KAWAMURA R.C.E. 30560
JULY 2011

ACCEPTED AND FILED AT THE
REQUEST OF

CHICAGO TITLE COMPANY

DATE December 30, 2013

TIME 3:35 PM FEE \$ 20.00

INSTRUMENT NO. 2013000714055

BOOK 922 PAGE 21-28 N/M

HUGH NGUYEN
COUNTY CLERK-RECORDER
BY [Signature]
DEPUTY

OWNERSHIP CERTIFICATE:

WE, THE UNDERSIGNED, BEING ALL PARTIES HAVING ANY RECORD TITLE INTEREST IN THE LAND COVERED BY THIS MAP, DO HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF SAID MAP, AS SHOWN WITHIN THE DISTINCTIVE BORDER LINE.

WE HEREBY IRREVOCABLY OFFER TO DEDICATE AN EASEMENT FOR PUBLIC ACCESS PURPOSES TO THE CITY OF IRVINE AS SHOWN ON THIS MAP.

WE ALSO HEREBY DEDICATE TO THE CITY OF IRVINE:

EASEMENTS FOR EMERGENCY INGRESS, EGRESS AND FIRE PROTECTION ACCESS PURPOSES AS SHOWN ON THIS MAP.

EASEMENT FOR SIDEWALK AND ACCESS PURPOSES AS SHOWN ON THIS MAP.

MCP MAIN STREET VILLAGE, LLC, A DELAWARE LIMITED LIABILITY COMPANY, RECORD OWNER

BY: METLIFE CORE PROPERTY HOLDINGS, LLC, A DELAWARE LIMITED LIABILITY COMPANY, ITS SOLE MEMBER

BY: METLIFE CORE PROPERTY REIT, LLC, A DELAWARE LIMITED LIABILITY COMPANY, ITS SOLE MEMBER

BY: METLIFE CORE PROPERTY FUND, LP, A DELAWARE LIMITED PARTNERSHIP, ITS MANAGING MEMBER

BY: METLIFE CORE PROPERTY FUND GP, LLC, A DELAWARE LIMITED LIABILITY COMPANY, ITS GENERAL PARTNER

BY: [Signature]
NAME: Jacqueline A. Dennis
TITLE: Regional Director

NOTARY ACKNOWLEDGMENT:

STATE OF CALIFORNIA }
COUNTY OF Los Angeles } SS

ON December 5, 2013 BEFORE ME, D. K. Dantic
PERSONALLY APPEARED Jacqueline A. Dennis
WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME IN HIS/HER AUTHORIZED CAPACITY, AND THAT BY HIS/HER SIGNATURE ON THE INSTRUMENT THE PERSON, OR THE ENTITY UPON BEHALF OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND:

SIGNATURE [Signature]
NOTARY PUBLIC IN AND FOR SAID STATE.

MY PRINCIPAL PLACE OF BUSINESS IS IN
Los Angeles COUNTY.

D. K. Dantic
NAME PRINTED

MY COMMISSION EXPIRES June 21, 2017
COMMISSION #: 2026087

COUNTY SURVEYOR'S STATEMENT:

THIS MAP IS ACCEPTABLE FOR RECORDATION THIS 27th DAY OF December, 2013

KEVIN R. HILLS, COUNTY SURVEYOR
L.S. 8617, EXPIRATION DATE: 12-31-

BY: [Signature], DEPUTY

CRAG S. WEHMAN, CHIEF DEPUTY SURVEYOR
P.L.S. 6131, EXPIRATION DATE: 3-31-14



COUNTY TREASURER-TAX COLLECTOR'S CERTIFICATE:

STATE OF CALIFORNIA }
COUNTY OF ORANGE } SS

I HEREBY CERTIFY THAT ACCORDING TO THE RECORDS OF MY OFFICE THERE ARE NO LIENS AGAINST THE LAND COVERED BY THIS MAP OR ANY PART THEREOF FOR UNPAID STATE, COUNTY, MUNICIPAL OR LOCAL TAXES OR SPECIAL ASSESSMENTS COLLECTED AS TAXES.

ALL RECORDS OF THE COUNTY OF ORANGE, CALIFORNIA, ARE KEPT IN THE OFFICE OF THE COUNTY CLERK-RECORDER, 1000 MAIN STREET, IRVINE, CALIFORNIA 92614.

DATED THIS 26th DAY OF December, 2013

SHARI L. FREIDENRICH
COUNTY TREASURER-TAX COLLECTOR

BY: [Signature]
DEPUTY TREASURER-TAX COLLECTOR

ENGINEER'S STATEMENT:

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF MCP MAIN STREET VILLAGE, LLC, A DELAWARE LIMITED LIABILITY COMPANY IN NOVEMBER 2013. I HEREBY STATE THAT ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED; AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED. I HEREBY STATE THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP.

[Signature] 12/4/13
JAMES H. KAWAMURA DATE
R.C.E. 30560
MY LICENSE EXPIRES: 3-31-14



CITY ENGINEER'S CERTIFICATE:

THIS MAP CONFORMS WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE. I HAVE EXAMINED THIS MAP AND I AM SATISFIED IT IS TECHNICALLY CORRECT. THE SUBDIVISION AS SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP.

IN ADDITION:

ON BEHALF OF THE CITY COUNCIL, PURSUANT TO SECTION 5-5-704 OF THE IRVINE MUNICIPAL CODE, I HEREBY APPROVE THIS MAP.

ON BEHALF OF THE CITY OF IRVINE, I DID NOT ACCEPT AT THIS TIME, THE IRREVOCABLE OFFER OF DEDICATION FOR THE EASEMENT FOR PUBLIC ACCESS PURPOSES.

ON BEHALF OF THE CITY OF IRVINE, I HEREBY ACCEPT THE EASEMENTS FOR EMERGENCY INGRESS, EGRESS AND FIRE PROTECTION ACCESS PURPOSES, TOGETHER WITH THE EASEMENT FOR SIDEWALK AND ACCESS PURPOSES AS DEDICATED.

ON BEHALF OF THE CITY COUNCIL, PURSUANT TO GOVERNMENT CODE SECTIONS 66409.202 AND 66434(a), I HEREBY ABANDON THE EASEMENT WITHIN THE BOUNDARY OF THIS MAP FOR PEDESTRIAN SIDEWALK INGRESS AND EGRESS PURPOSES PER INSTRUMENT NO. 2000700048839 OF OFFICIAL RECORDS, NOT SHOWN HEREON.

PURSUANT TO THE PROVISIONS OF GOVERNMENT CODE SECTION 66436(c)(3)(A), I HEREBY APPROVE THIS MAP.

DATED THIS 13th DAY OF NOVEMBER 2013

[Signature]
MARK L. CARROLL, R.C.E. 31016
CITY ENGINEER, CITY OF IRVINE
REGISTRATION EXPIRES 12-31-14



SIGNATURE OMISSIONS:

PURSUANT TO THE PROVISIONS OF SECTION 66436 (c) (3) OF THE SUBDIVISION MAP ACT THE FOLLOWING SIGNATURES HAVE BEEN OMITTED:

1. AN AVIGATION EASEMENT TO THE COUNTY OF ORANGE FILED IN BOOK 6865, PAGE 721 OF OFFICIAL RECORDS. BLANKET EASEMENT NOT SHOWN.
2. AN EASEMENT FOR CLEAR AREA YARD IN FAVOR OF THE METROPOLITAN LIFE INSURANCE COMPANY, A NEW YORK CORPORATION PER INSTRUMENT NO. 85-353822 OF OFFICIAL RECORDS, AS CONVEYED IN THE DEED PER INSTRUMENT NO. 86-149146 OF OFFICIAL RECORDS.
3. AN EASEMENT FOR SANITARY SEWER PURPOSES IN FAVOR OF THE METROPOLITAN LIFE INSURANCE COMPANY, A NEW YORK CORPORATION PER INSTRUMENT NO. 86-032535 OF OFFICIAL RECORDS, AS CONVEYED IN THE DEED PER INSTRUMENT NO. 86-149146 OF OFFICIAL RECORDS.
4. AN EASEMENT FOR STREET SIGNALIZATION MAINTENANCE IN FAVOR OF THE CITY OF IRVINE PER INSTRUMENT NO. 19990124672 OF OFFICIAL RECORDS.
5. AN EASEMENT FOR SIGLO DRIVEWAY AND ALLEY ACCESS IN FAVOR OF CENTURY CENTRE, LLC, A NEVADA LIMITED LIABILITY COMPANY AND METROPOLITAN LIFE INSURANCE COMPANY, A NEW YORK CORPORATION PER INSTRUMENT NO. 2006000677922 OF OFFICIAL RECORDS. AN AMENDMENT TO EASEMENT AGREEMENT RECORDED SEPTEMBER 28, 2012 AS INSTRUMENT NO. 2012000574631 OF OFFICIAL RECORDS.
6. AN EASEMENT FOR FIRE ROAD ACCESS PURPOSES IN FAVOR OF THE CITY OF IRVINE PER INSTRUMENT NO. 2007000248838 OF OFFICIAL RECORDS.
7. AN EASEMENT FOR PEDESTRIAN SIDEWALK INGRESS AND EGRESS PURPOSES IN FAVOR OF THE CITY OF IRVINE PER INSTRUMENT NO. 2007000248839 OF OFFICIAL RECORDS.
8. AN EASEMENT FOR RIGHT OF WAY PURPOSES IN FAVOR OF THE CITY OF IRVINE PER INSTRUMENT NO. 2007000248840 OF OFFICIAL RECORDS.
9. AN EASEMENT FOR CONSTRUCTION, OPERATION, AND MAINTENANCE OF TELECOMMUNICATION FACILITIES IN FAVOR OF COXCOM, INC., A DELAWARE CORPORATION PER INSTRUMENT NO. 2007000385385 OF OFFICIAL RECORDS. BLANKET EASEMENT NOT SHOWN.
10. AN EASEMENT FOR CONSTRUCTION, OPERATION, AND MAINTENANCE OF TELECOMMUNICATION FACILITIES IN FAVOR OF COXCOM, INC., A DELAWARE CORPORATION PER INSTRUMENT NO. 2007000385386 OF OFFICIAL RECORDS. BLANKET EASEMENT NOT SHOWN.
11. AN EASEMENT FOR PIPELINES AND CONDUIT PURPOSES IN FAVOR OF SOUTHERN CALIFORNIA GAS COMPANY, A CALIFORNIA CORPORATION PER INSTRUMENT NO. 2007000399118 OF OFFICIAL RECORDS. NOT PLOTTABLE PER RECORD DESCRIPTION.
12. AN EASEMENT FOR PIPELINES AND CONDUIT PURPOSES AND RIGHTS INCIDENTAL THERETO IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY, A CALIFORNIA CORPORATION PER INSTRUMENT NO. 2007000546833 OF OFFICIAL RECORDS.
13. AN EASEMENT FOR WATER PIPELINES AND ACCESS IN FAVOR OF IRVINE RANCH WATER DISTRICT PER INSTRUMENT NO. 2009000582177 OF OFFICIAL RECORDS.
14. IRVINE INDUSTRIAL COMPLEX, A CORPORATION, HOLDER OF MINERAL RIGHTS, AS RESERVED IN DEED FILED IN BOOK 10151, PAGE 541 OF OFFICIAL RECORDS.

SHEET 2 OF 8
1 LOT
9.781 ACRES
DATE OF SURVEY: JULY 2011
ALL OF TENTATIVE TRACT MAP NO. 16955

TRACT NO. 16955

IN THE CITY OF IRVINE, COUNTY OF ORANGE, STATE OF CALIFORNIA
FOR CONDOMINIUM PURPOSES

KHR ASSOCIATES
JAMES H. KAWAMURA R.C.E. 30560



BASIS OF BEARINGS:

THE BEARINGS SHOWN HEREON ARE BASED ON THE BEARING BETWEEN O.C.S. HORIZONTAL CONTROL STATION GPS NO. 6748 AND STATION GPS NO. 6554 BEING NORTH 51°46'29" WEST, PER RECORDS ON FILE IN THE ORANGE COUNTY SURVEYOR'S OFFICE.

DATUM STATEMENT:

COORDINATES SHOWN ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM (CCS83), ZONE VI, 1983 NAD, (1991.35 EPOCH OCS GPS ADJUSTMENT) AND ARE AS PUBLISHED BY THE ORANGE COUNTY SURVEYOR'S OFFICE IN THE DATUM SHOWN. ALL DISTANCES SHOWN ARE GROUND UNLESS OTHERWISE NOTED. TO OBTAIN GRID DISTANCE MULTIPLY GROUND DISTANCE BY 0.999983617.

REFERENCES:

- R1= INDICATES RECORD DISTANCE PER P.M.B. NO. 43/6
- R2= INDICATES RECORD DISTANCE PER P.M. NO. 81-604, P.M.B. 170/20-21
- R3= INDICATES RECORD DISTANCE PER P.M. NO. 84-630, P.M.B. 209/15-19
- R4= INDICATES RECORD DISTANCE PER INST. NO. 94-0132094, O.R.
- R5= INDICATES RECORD DISTANCE PER ROS 97-1004, R.S.B. 164/33-40
- R6= INDICATES RECORD DISTANCE PER ROS 2002-1024, R.S.B. 197-50

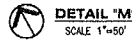
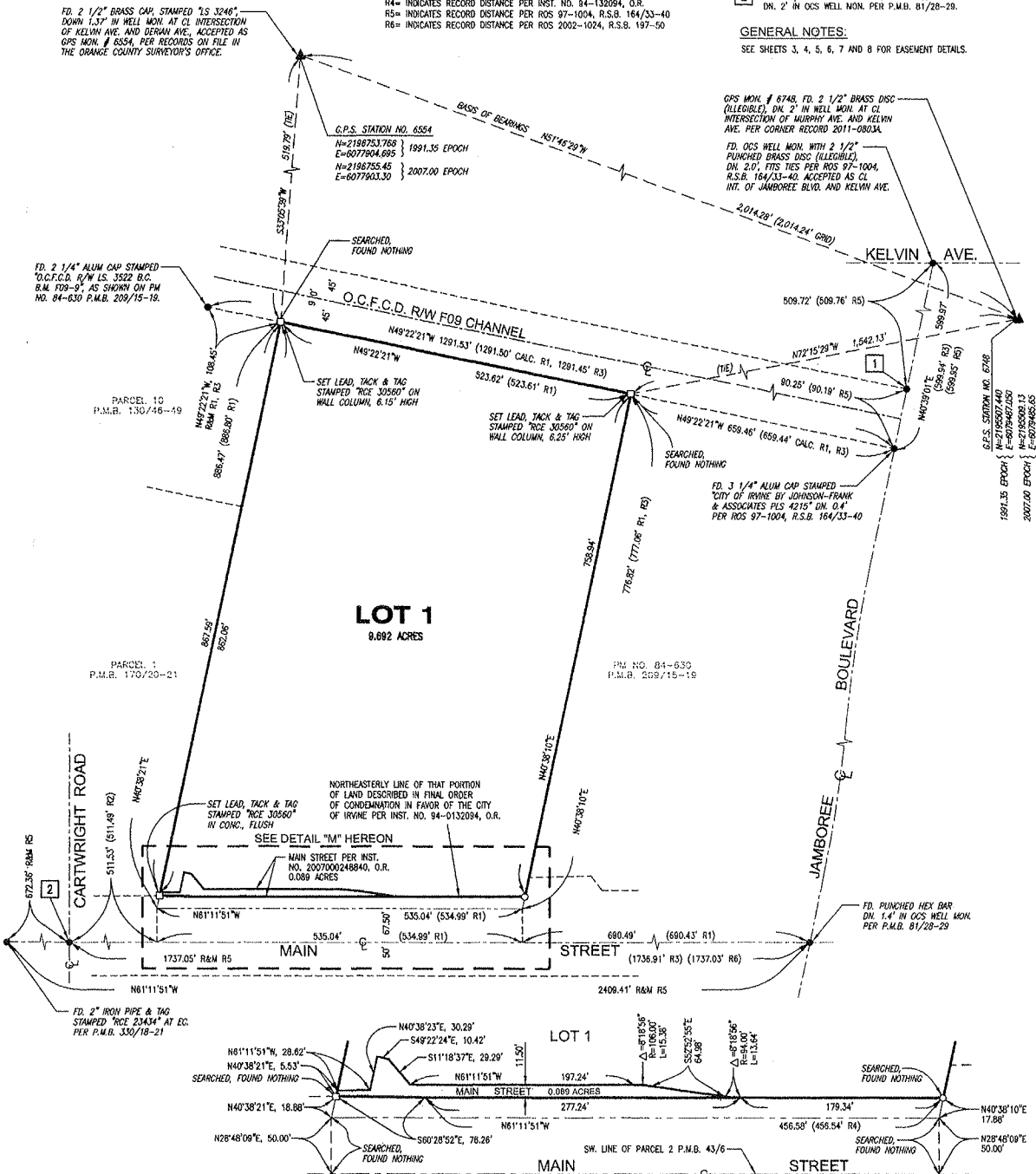
MONUMENT NOTES:

- INDICATES FD. MONUMENT AS NOTED
- ▲ INDICATES FOUND GPS MONUMENT PER RECORDS ON FILE IN THE ORANGE COUNTY SURVEYOR'S OFFICE.
- INDICATES SET SPIKE & WASHER STAMPED "RCE 30560", FLUSH
- SET LEAD, TACK & TAG STAMPED "RCE 30560" AS NOTED.
- 1" I.P. WITH TAG STAMPED "RCE 30560" OR 2" I.P. WITH TAG STAMPED "RCE 30560" OR LEAD, TACK & TAG STAMPED "RCE 30560" SET AT ALL LOT CORNERS, UNLESS OTHERWISE NOTED.

- 1 FD. 3 1/4" ALUM CAP STAMPED "CITY OF IRVINE BY JOHNSON-FRANK & ASSOCIATES PLS 4215" DN. 0.4" PER ROS 97-1004, R.S.B. 164/33-40
- 2 FD. 2 1/2" PUNCHED BRASS CAP STAMPED "LS 3246" DN. 2" IN OCS WELL MON. PER P.M.B. 81/28-29.

GENERAL NOTES:

SEE SHEETS 3, 4, 5, 6, 7 AND 8 FOR EASEMENT DETAILS.



SHEET 3 OF 8
1 LOT
9.781 ACRES
DATE OF SURVEY: JULY 2011
ALL OF TENTATIVE TRACT MAP NO. 16955

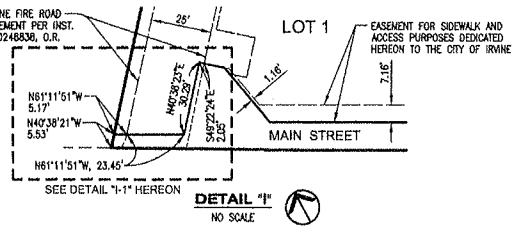
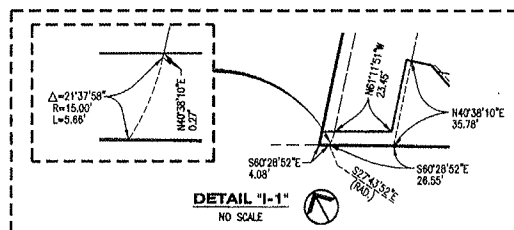
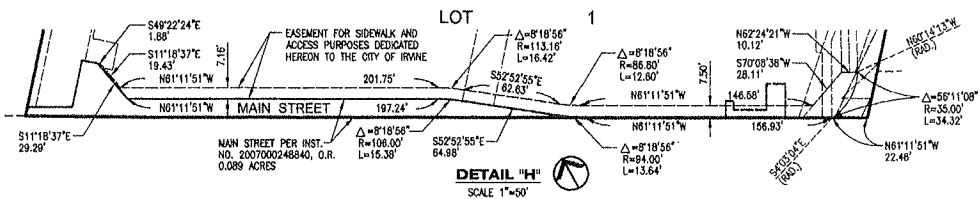
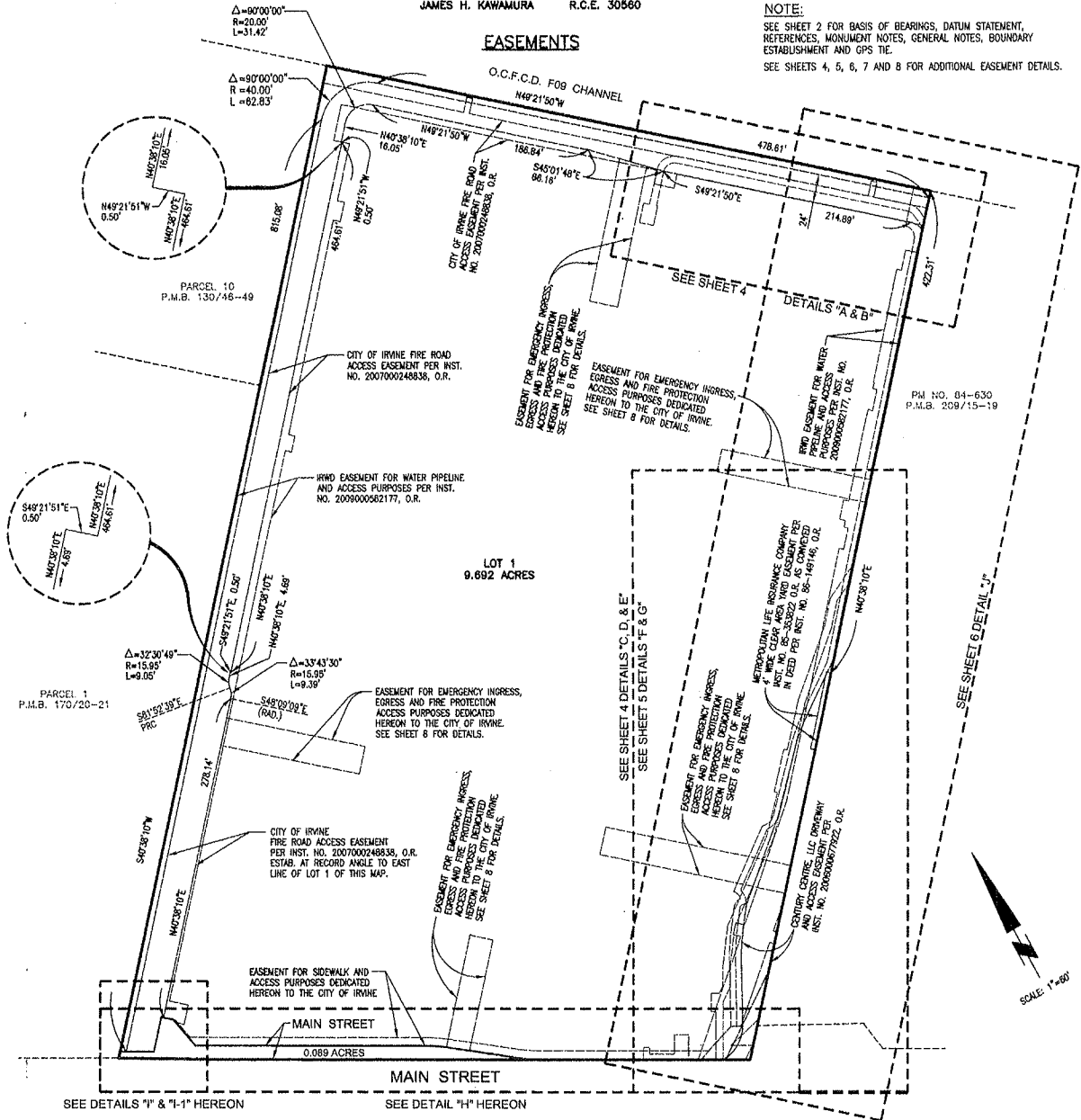
TRACT NO. 16955

IN THE CITY OF IRVINE, COUNTY OF ORANGE, STATE OF CALIFORNIA
FOR CONDOMINIUM PURPOSES

KHR ASSOCIATES
JAMES H. KAWAMURA R.C.E. 30560

EASEMENTS

NOTE:
SEE SHEET 2 FOR BASIS OF BEARINGS, DATUM STATEMENT,
REFERENCES, MONUMENT NOTES, GENERAL NOTES, BOUNDARY
ESTABLISHMENT AND GPS TIE.
SEE SHEETS 4, 5, 6, 7 AND 8 FOR ADDITIONAL EASEMENT DETAILS.



SHEET 5 OF 8
1 LOT
9.781 ACRES
DATE OF SURVEY: JULY 2011
ALL OF TENTATIVE TRACT MAP NO. 16955

TRACT NO. 16955

IN THE CITY OF IRVINE, COUNTY OF ORANGE, STATE OF CALIFORNIA

FOR CONDOMINIUM PURPOSES

KHR ASSOCIATES
JAMES H. KAWAMURA R.C.E. 30580

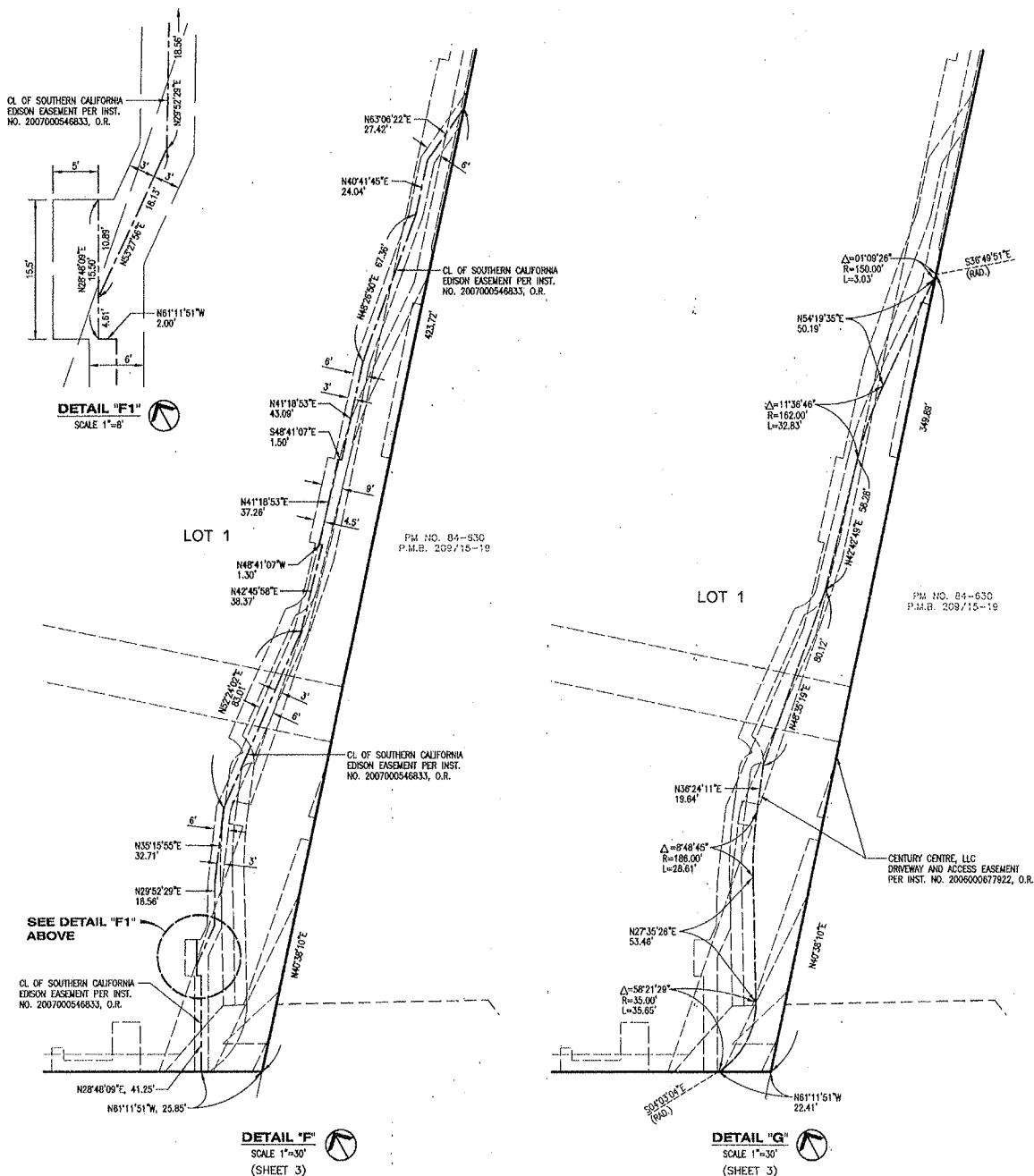
EASEMENTS DETAILS

NOTE:

SEE SHEET 2 FOR BASIS OF BEARINGS, DATUM STATEMENT, REFERENCES, MONUMENT NOTES, GENERAL NOTES, BOUNDARY ESTABLISHMENT AND GPS TIE.

SEE SHEET 3 FOR EASEMENTS LOCATION SHEET.

SEE SHEETS 4, 6, 7 AND 8 FOR ADDITIONAL EASEMENT DETAILS.



922

SHEET 6 OF 8
1 LOT
9.781 ACRES
DATE OF SURVEY: JULY 2011
ALL OF TENTATIVE TRACT MAP NO. 16955

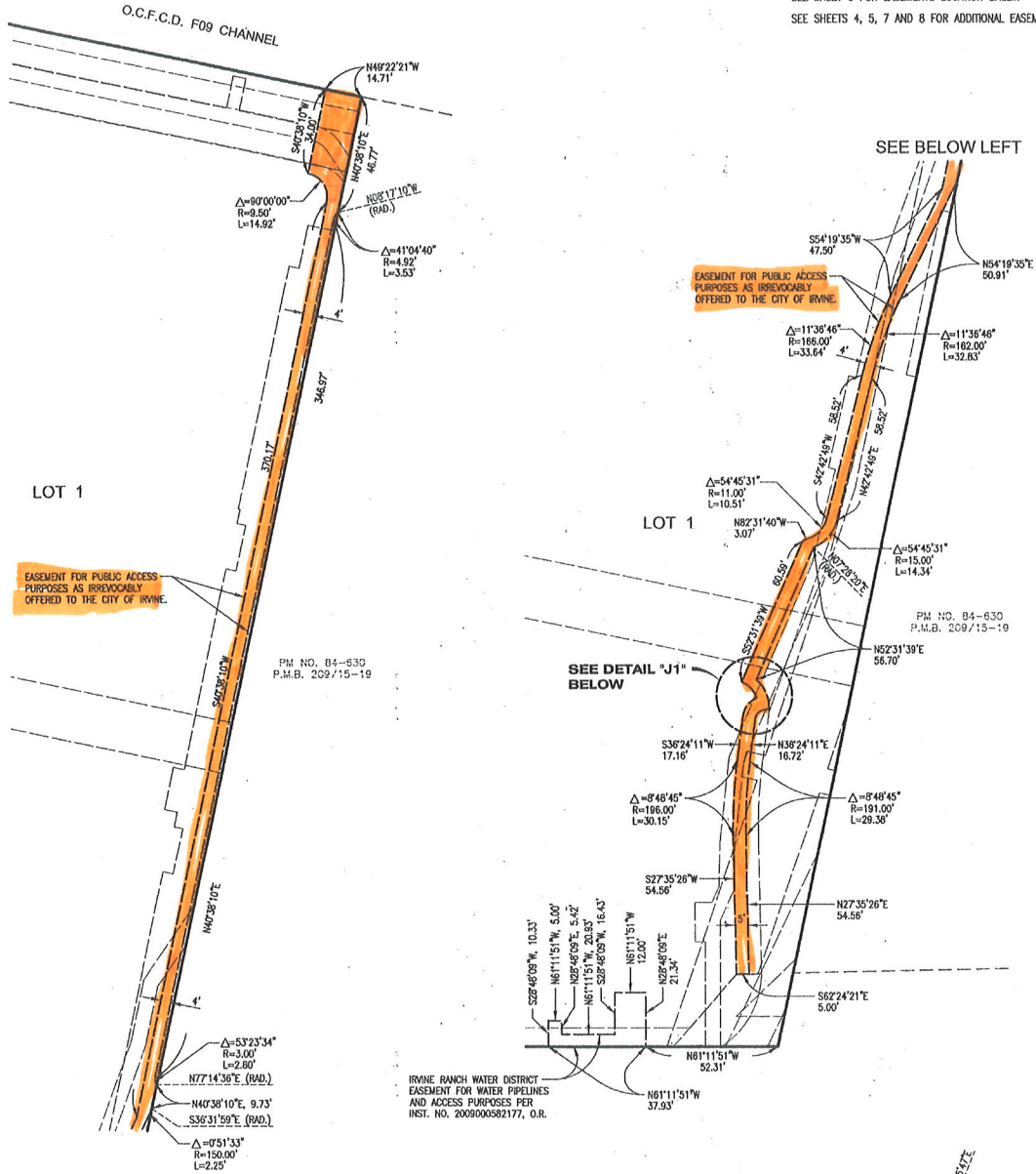
TRACT NO. 16955

IN THE CITY OF IRVINE, COUNTY OF ORANGE, STATE OF CALIFORNIA
FOR CONDOMINIUM PURPOSES

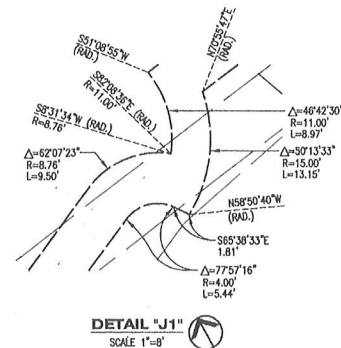
KHR ASSOCIATES
JAMES H. KAWAMURA R.C.E. 30560

EASEMENTS DETAILS

NOTE:
SEE SHEET 2 FOR BASIS OF BEARINGS, DATUM STATEMENT, REFERENCES, MONUMENT NOTES, GENERAL NOTES, BOUNDARY ESTABLISHMENT AND GPS TIE.
SEE SHEET 3 FOR EASEMENTS LOCATION SHEET.
SEE SHEETS 4, 5, 7 AND 8 FOR ADDITIONAL EASEMENT DETAILS.



DETAIL "J"
SCALE 1"=30'
(SHEET 3)



SHEET 7 OF 8
1 LOT
9.781 ACRES
DATE OF SURVEY: JULY 2011
ALL OF TENTATIVE TRACT MAP NO. 16955

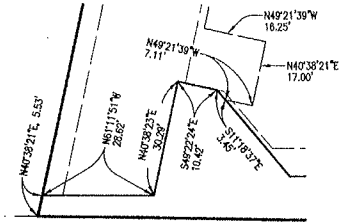
TRACT NO. 16955

IN THE CITY OF IRVINE, COUNTY OF ORANGE, STATE OF CALIFORNIA
FOR CONDOMINIUM PURPOSES
KHR ASSOCIATES
JAMES H. KAWAMURA R.C.E. 30560

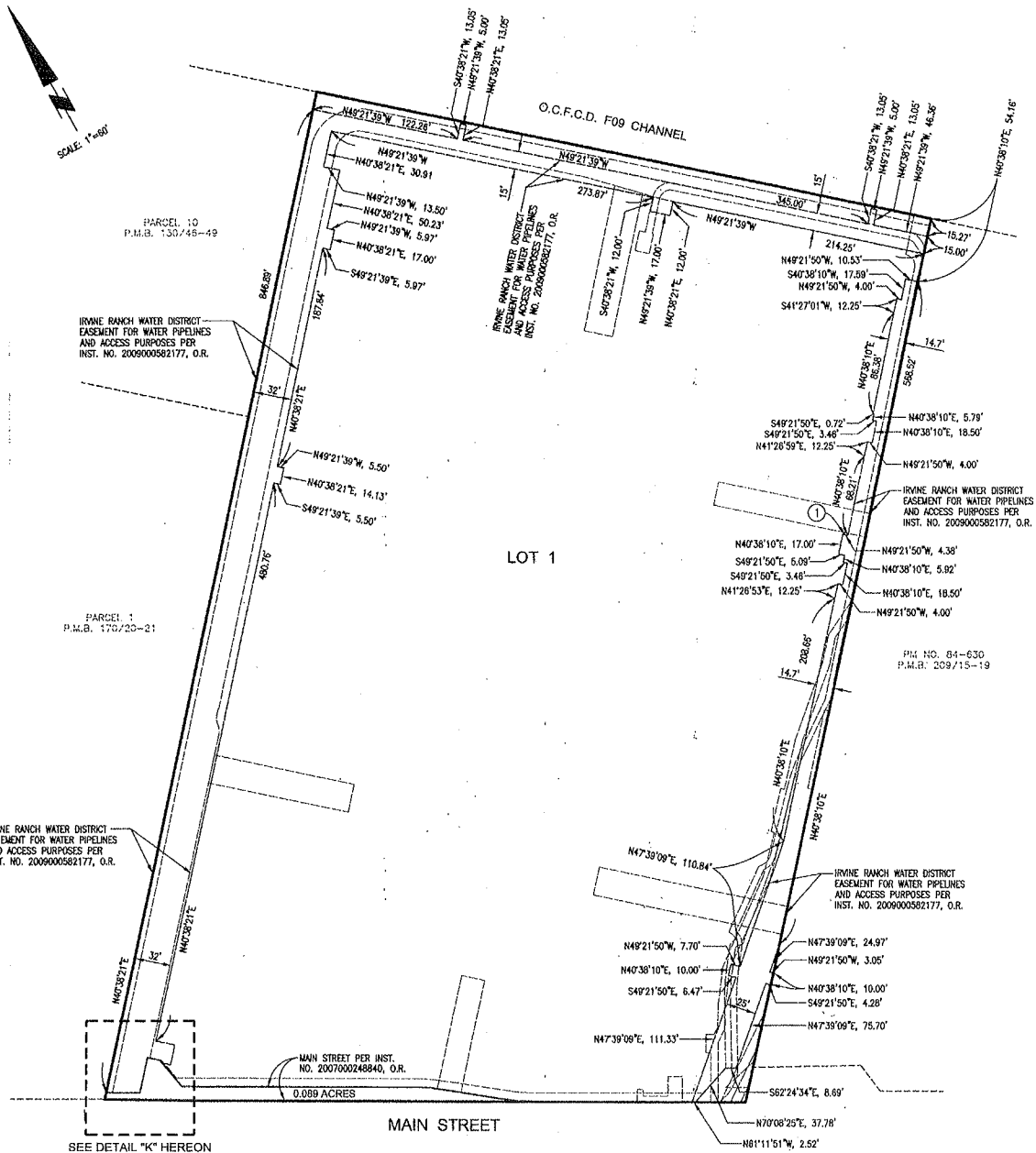
EASEMENT NOTE:
① HELD RECORD DISTANCE (4.38') AS DESCRIBED IN INSTRUMENT NO. 2009000582177 OF OFFICIAL RECORDS. SAID DISTANCE IS INCORRECTLY SHOWN AS 4.34' IN THE RECORD PLAT OF SAID INSTRUMENT.

NOTE:
SEE SHEET 2 FOR BASIS OF BEARINGS, DATUM STATEMENT, REFERENCES, MONUMENT NOTES, GENERAL NOTES, BOUNDARY ESTABLISHMENT AND GPS TIE.
SEE SHEET 3 FOR EASEMENTS LOCATION SHEET.
SEE SHEETS 4, 5, 6 AND 8 FOR ADDITIONAL EASEMENT DETAILS.

EASEMENTS DETAILS



DETAIL "K"
NO SCALE



SHEET 8 OF 8
1 LOT
9.781 ACRES
DATE OF SURVEY: JULY 2011
ALL OF TENTATIVE TRACT MAP NO. 16955

TRACT NO. 16955

IN THE CITY OF IRVINE, COUNTY OF ORANGE, STATE OF CALIFORNIA

FOR CONDOMINIUM PURPOSES

KHR ASSOCIATES
JAMES H. KAWAMURA R.C.E. 30560

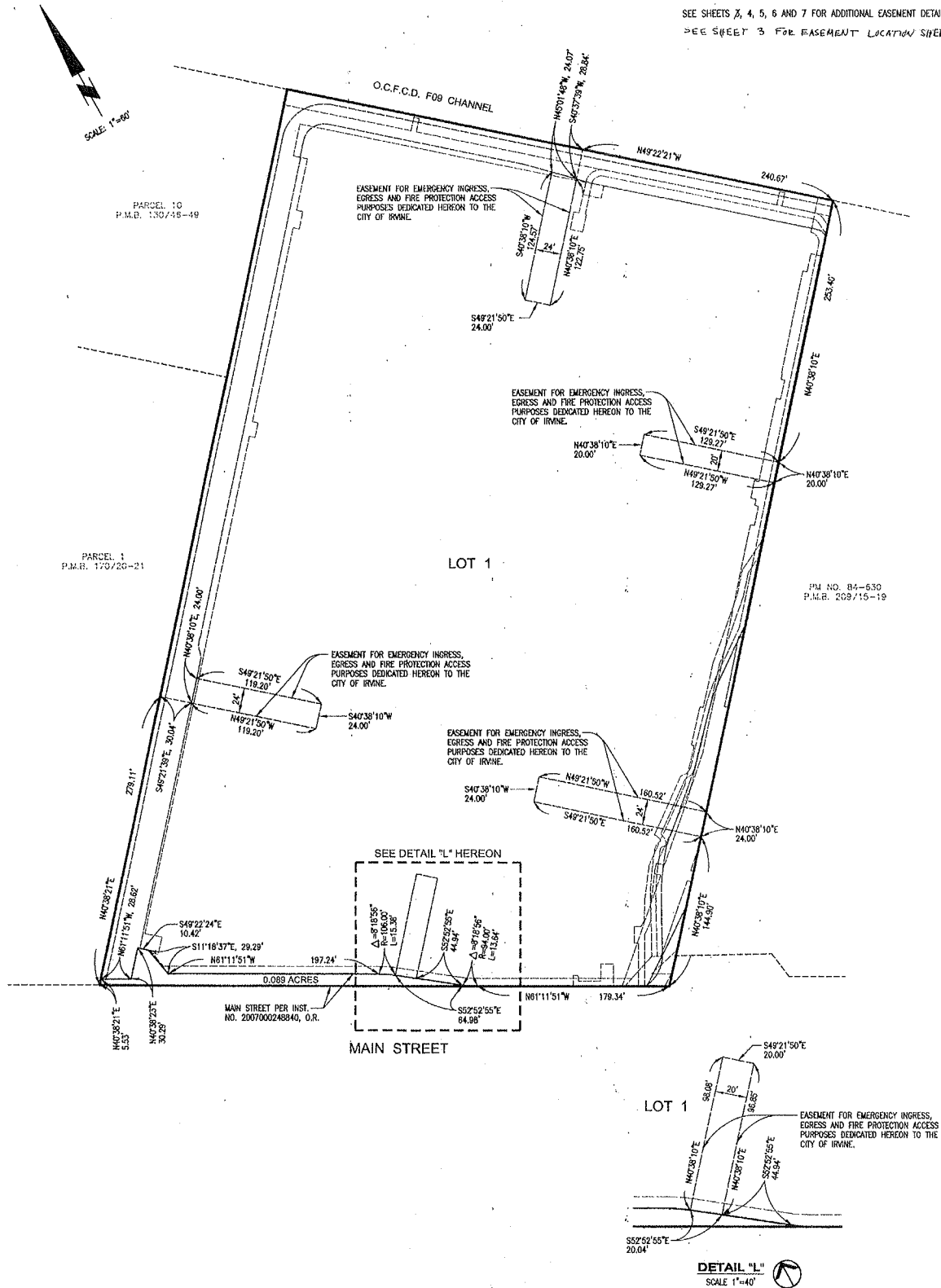
EASEMENTS DETAILS

NOTE:

SEE SHEET 2 FOR BASIS OF BEARINGS, DATUM STATEMENT, REFERENCES, MONUMENT NOTES, GENERAL NOTES, BOUNDARY ESTABLISHMENT AND GPS TIE.

SEE SHEETS 3, 4, 5, 6 AND 7 FOR ADDITIONAL EASEMENT DETAILS.

SEE SHEET 3 FOR EASEMENT LOCATION SHEET



Attachment 4 – Preliminary Foundation Report



TECHNICAL MEMORANDUM

EMI PROJECT NO: 14-127

DATE: August 6, 2014

PREPARED FOR: Mr. Chad Harden / Michael Baker Jr., Inc.

PREPARED BY: (Raja) S. Pirathiviraj and Lino Cheang / Earth Mechanics, Inc. (EMI)

SUBJECT: Preliminary Foundation Report (PFR)
Kelvin Pedestrian Bridge (New)
Irvine, Orange County, California

1.0 Scope of Work

This memorandum has been prepared to provide the necessary geotechnical information to assist the structural designers in the type selection process for the new Kelvin Pedestrian Bridge in City of Irvine, California. The content of this memorandum follows Caltrans Foundation Report Preparation for Bridge Foundations (Caltrans, 2009). It includes preliminary geotechnical, seismic, and foundation recommendations for the subject structure. The recommendations provided in this memorandum are based on subsurface information obtained from the recent field investigation performed by Earth Mechanics, Inc. The log-of-test-borings (LOTB) sheet is presented in the Appendix A. Foundation recommendations included in this report are based on preliminary design drawings and loads. As a result, these recommendations should be considered preliminary; final foundation design will be performed later during the PS&E phase.

2.0 Project Description

The Kelvin pedestrian bridge crosses Barranca Channel to provide connection between Kelvin Avenue and Main Street. A Site Location Map is presented in Figure 1.

At the project site, Barranca Channel is running in a northwest-southeast direction. The existing Barranca Channel is a trapezoidal channel with a total top-width of about 56.5 feet and a height of about 12.5 feet at the pedestrian bridge crossing. In the future, Barranca Channel will become a rectangular concrete channel at the pedestrian bridge crossing. The rectangular channel will be about 50-foot wide and about 12-foot high.

The pedestrian bridge will be a single-span structure. The length of the bridge is 62 feet and the width is 8 feet. The bridge abutments are proposed to be on spread footings.

3.0 Field Investigation and Testing Program

EMI performed two soil borings on July 21, 2014 near the proposed supports. Both borings were drilled to a depth of 70 feet below the existing ground surface. The LOTB sheet is presented in Appendix A.

4.0 Laboratory Testing Program

Soil laboratory testing was performed on selected samples obtained from the site-specific borings. Laboratory test results are included in Appendix B.

5.0 Site Geology and Subsurface Conditions

Topography: The project site is in the southern part of the basin known as the Tustin Plain and is near the eastern margin of the San Joaquin Hills. The major drainages in this part of the basin flow from the surrounding hills and mountains in the east and south. The principal drainage in the site area is San Diego Creek which flows northwesterly from the southern part of the plain, around the northern end of the San Joaquin Hills, into Newport Bay. The creek is now largely confined to earthen and concrete- or rip-rap-lined channels which include Peters Canyon Channel and Barranca Channel. At the proposed bridge site, the Barranca Channel extends southeast until it confluences with San Diego Creek at Main Street. Overall, the site is relatively flat with elevations at approximately +40 feet at the site and a regional topography sloping gently to the southwest.

Physiography: The project site is in the Los Angeles physiographic basin, a large, relatively flat, low-lying, coastal plain surrounded by mountains on the north, east, and southeast. The basin is bounded on the north by the Santa Monica Mountains, on the east by the Repetto-Puente-Santa Ana ranges, and on the south by San Joaquin Hills. The western margin of the basin is bordered by the sea and the Palos Verdes Hills. The floor of the basin slopes gradually southwesterly from about 300 to 600 feet elevation along the margins of the surrounding hills to sea level along the coastline. The generally flat-lying nature of the Los Angeles Basin floor is disrupted by an alignment of northwest-southeast trending, low-elevation hills along the Newport-Inglewood Structural Zone. The areas on either side of the Newport-Inglewood Structural Zone are essentially flat and comprise the Downey-Tustin Plain on the northeast and the Torrance Plain on the southwest. Major rivers within the basin are the Los Angeles, San Gabriel, and Santa Ana Rivers which enter the basin through gaps in the surrounding mountains and drain southerly across the basin floor.

Seismicity: The project site is in seismically active southern California. The largest historical earthquake within the project vicinity was the 1933 Long Beach event which had a magnitude of about 6.3. This earthquake did not rupture the surface but is believed to have been centered in the Huntington Beach-Newport Beach area and associated with the Newport-Inglewood Structural Zone (Hauksson and Gross, 1991).

The 1987 Whittier earthquake ($M=5.9$) occurred at depth on a thrust or reverse fault dipping northerly from the Los Angeles Basin, below the Puente Hills and the San Gabriel Basin. This



event probably occurred on one of the faults within the Coyote Hills fault zone which includes the Norwalk fault and the Puente Hills fault of Shaw and Shearer (1999).

There is no clustering or alignment of earthquakes in proximity to the site. This apparent lack of earthquake activity suggests that the site area is tectonically stable and suggests that there are no unrecognized active faults at the site.

The project site is located near projected trace of the San Joaquin Hills blind thrust fault. According to Caltrans ARS Online, the project site is approximately 1.3 miles from the buried fault rupture plane (Caltrans, 2012a). In the event of an earthquake, strong to moderate shaking should be anticipated at the site.

Subsurface Conditions. Based on the site-specific soil boring data, the subsurface material consists predominantly of fine-grained soils. Lean clay and silt were encountered to a depth of about 30 feet with occasional layers of silty sand and clayey sand. Fat clay with interbedded layers of silt was encountered between depths of about 30 feet and 65 feet. Below a depth of about 65 feet to the maximum depth explored, a clayey sand layer was encountered.

Perched groundwater was encountered at an approximate elevation of +16 feet (about 24 feet below the existing ground surface) in Boring A-14-01 only during drilling.

6.0 Scour Evaluation

Scour potential should not be a design issue because there is no support within the channel.

7.0 Corrosion Evaluation

Three soil samples were tested for pH, minimum resistivity, soluble chloride content and soluble sulfate content. The test result indicates that the minimum resistivities ranged from 100 to 330 ohm-cm. The pH ranged from 8.0 to 8.6. The soluble sulfate ranged from 1,500 to 7,700 ppm. The soluble chloride ranged from 512 to 5,168 ppm.

Based on the Caltrans Corrosion Guidelines (2012b), soils are considered corrosive if the pH is 5.5 or less, or the sulfate concentration is 2,000 ppm or greater, or the chloride concentration is 500 ppm or greater. Based on the above Caltrans criteria and the corrosivity test results, the on-site soils are corrosive to bare metals and concrete.

8.0 Preliminary Seismic Recommendations

The design ARS curve was determined using the Caltrans ARS Online website. The key parameters for determining the preliminary design ARS curve are listed in Table 1. The peak ground acceleration (PGA) is the zero-period spectral acceleration shown on the ARS curve. The design ARS curve is presented in Figure 2.

Table 1. Key Parameters for Determining Design ARS

Site Coordinates	Latitude = 33.6839 degrees	Longitude = -117.8405 degrees
Shear Wave Velocity, $V_{s(30)}$	853 feet/sec	
Peak Ground Acceleration (PGA)	0.606 g	

Liquefaction Evaluation. Liquefaction analysis was performed using the recent soil boring data and an assumed design groundwater depth of 10 feet below existing grade, which is roughly the depth to the channel bottom. Based on the results of the analysis, liquefiable materials were not encountered in Boring A-14-01. Results also indicate that a thin layer (less than 3 feet thick) of potentially liquefiable coarse-grained soils was encountered at a depth of about 17.5 feet in Boring A-14-02. This thin liquefiable soil layer does not appear to represent a continuous horizontal soil layer, and impact should not result in the collapse of the proposed bridge.

Liquefaction-Induced Soil Settlement. Calculated liquefaction-induced settlement at the northern approach (Boring A-14-01) was zero, and calculated liquefaction-induced settlement at the southern approach (Boring A-14-02) was 0.3-inch. We do not anticipate that the above settlement magnitudes will result in the collapse of the proposed bridge.

Surface Fault Rupture. The potential of surface fault rupture at this bridge site is anticipated to be low. In addition, per Caltrans Memo to Designer 20-10 (Caltrans, 2013), since the subject structure do not fall within an Alquist-Priolo Earthquake Fault Zone or within 1,000 feet of an unzoned fault that is Holocene or younger in age, further fault studies will not be needed.

9.0 Preliminary Foundation Recommendation

Spread footings are being considered for the proposed abutments. Based on the information provided by the structural designers, dimensions of the spread footing are 4 feet wide and 13 feet long. The bottom of footing is located about 6 feet below the existing grade. The service limit state bearing pressure is 1,200 psf.

Based on the service limit state bearing pressure, the resulting maximum calculated settlement is about 1-inch provided 2-foot of overexcavation is performed below the bottom of footing. The horizontal limits of the overexcavation should begin one foot from the bottom edge of the abutment footing and extending downward at a 45 degree imaginary plane until the plane intersects the recommended minimum excavation depth. Caltrans Structure Backfill should be used for backfilling with a minimum relative compaction of 95% of maximum density as determined by Caltrans Test Method 216. The overexcavation bottom should be proof rolled prior to backfilling. Further, the overexcavation bottom should be inspected by a qualified geotechnical engineer or technician to confirm the presence of an unyielding and competent surface.

10.0 Rectangular Channel

Existing Channel. A trapezoidal channel is located underneath the pedestrian bridge. Slope stability analyses were conducted for both static and pseudo-static conditions using subsurface information obtained from the LOTB sheet. Results of our analyses show that the calculated factor-of-safety is greater than the minimum required 1.5 under the static condition. Slope stability analysis under the pseudo-static condition was performed using a seismic coefficient equal to 0.202 (one-third of the horizontal peak ground acceleration). Analysis indicates that the calculated factor-of-safety is greater than the required minimum of 1.1 under the pseudo-static condition.

Future Channel. In the future, the existing trapezoidal channel will be re-configured to a rectangular channel. The rectangular channel wall will be located in close proximity to the abutment spread footing. As a result, additional surcharge loads exerted by the abutment footings will need to be considered in the future design of the vertical channel wall. This preliminary surcharge loading is presented in Figure 3.

11.0 References

Caltrans, 2013, Memo to Designer 20-10, January.

Caltrans, 2012a, Caltrans ARS Online Version 2 Website
(http://dap3.dot.ca.gov/ARS_Online/index.php).

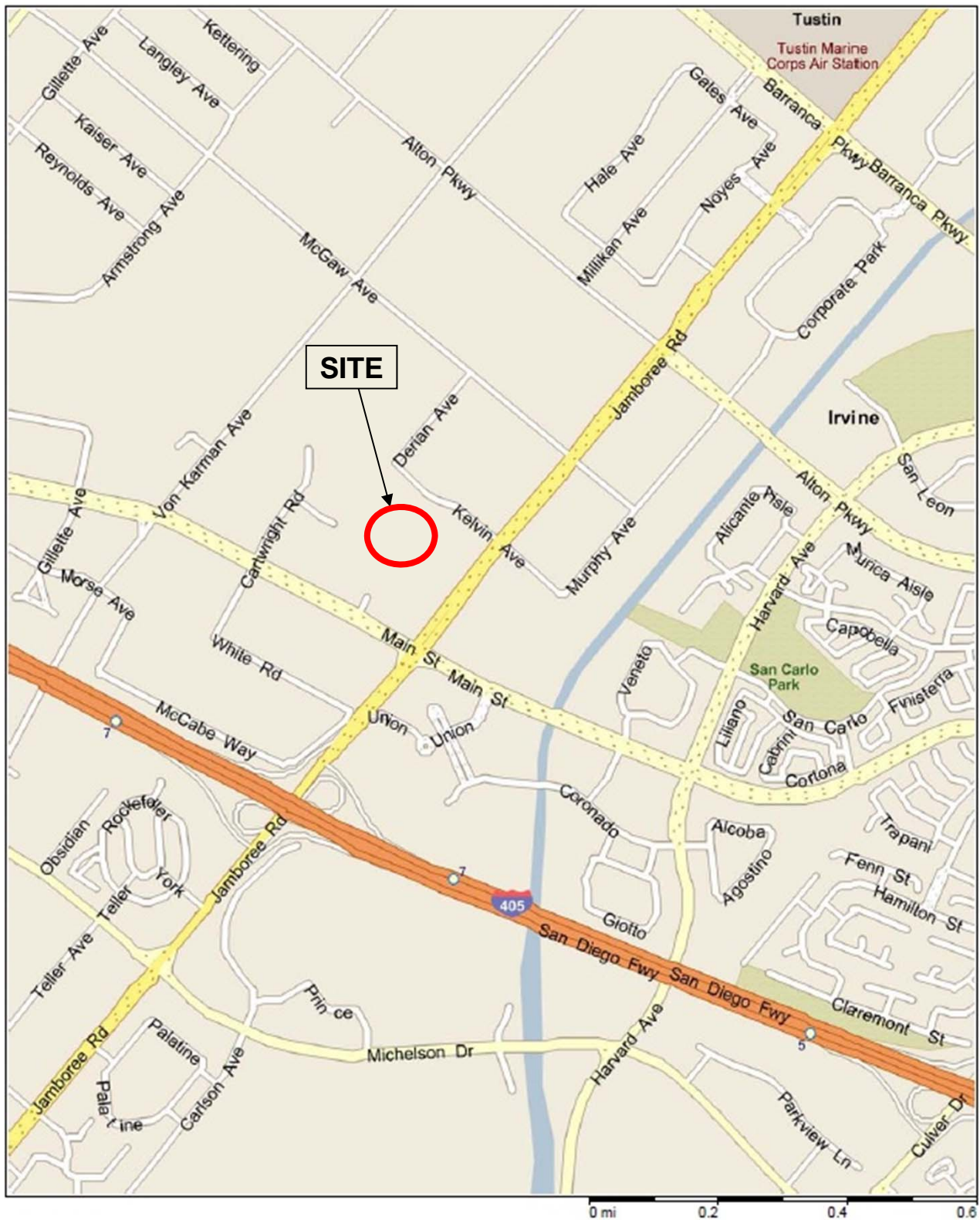
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Hauksson, E. and Gross, S., 1991, Source parameters of the 1933 Long Beach earthquake: Bulletin of the Seismological Society of American, v. 81, p. 81-98.

Shaw, J.H., and Shearer, P.M., 1999, An elusive blind-thrust fault beneath metropolitan Los Angeles: Science, v. 283, p.1516 (5 March)





Kelvin Pedestrian Bridge (New)



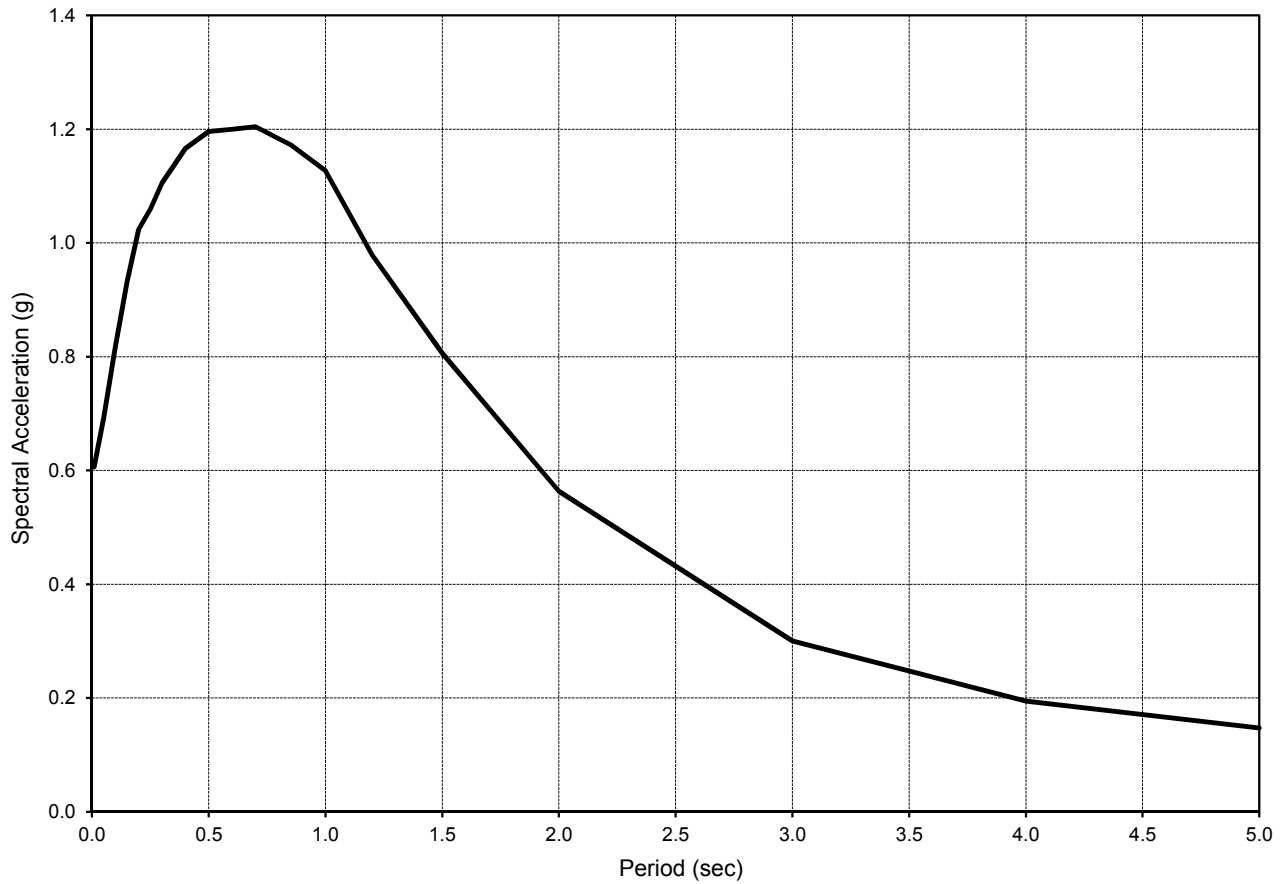
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SITE LOCATION MAP

Figure 1

Project No. 14-127

Date: 08-05-2014



Latitude = 33.6839 °
 Longitude = -117.8405 °
 Damping Ratio = 5%
 Magnitude M = 7.0

Spectral Coordinates			
Period (sec)	Acc. (g)	Period (sec)	Acc. (g)
0.010	0.606	0.700	1.204
0.050	0.693	0.850	1.173
0.100	0.817	1.000	1.127
0.150	0.932	1.200	0.979
0.200	1.024	1.500	0.806
0.250	1.060	2.000	0.563
0.300	1.105	3.000	0.300
0.400	1.166	4.000	0.194
0.500	1.196	5.000	0.147
0.600	1.200		



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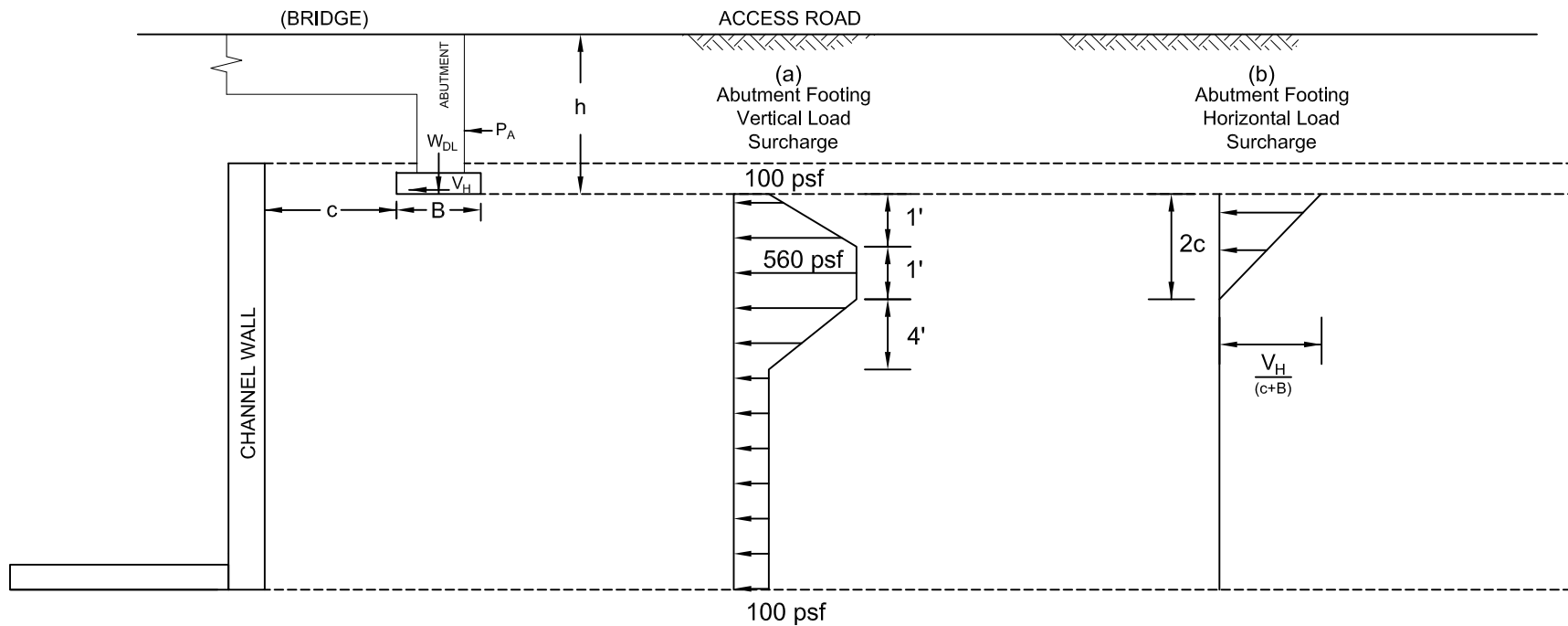
Kelvin Pedestrian Bridge

Project: 14-127

Date: 07/29/14

Design ARS Curve

Figure 2



W_{DL} = Dead load reaction at base of footing

V_H = Static horizontal reaction at base of footing = $0.5W_{DL}$, but not less than P_A

P_A = $18h^2$ lbs/ft (Active lateral earth pressure resultant)

Assumptions:

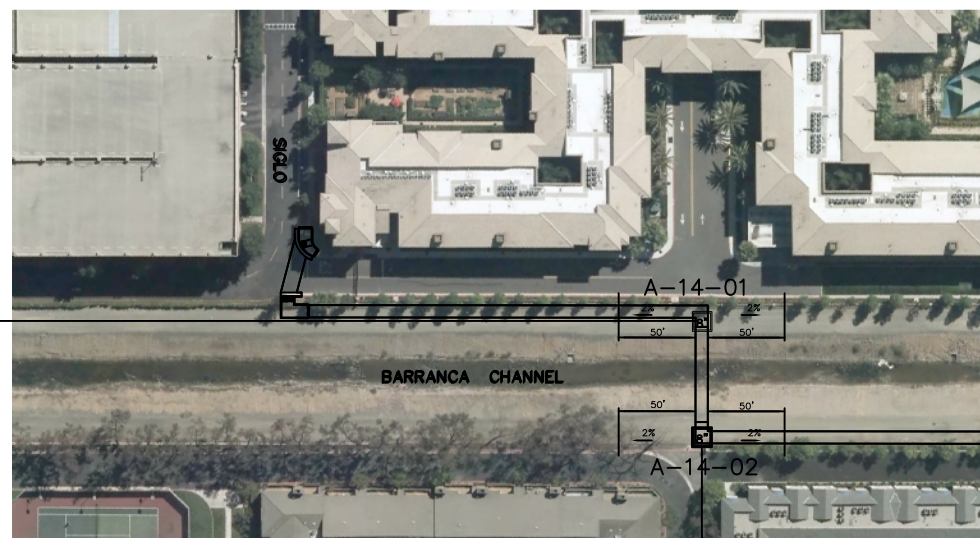
c = 1 foot (Distance between channel wall and abutment footing)

B = 4 feet (Width of abutment spread footing)

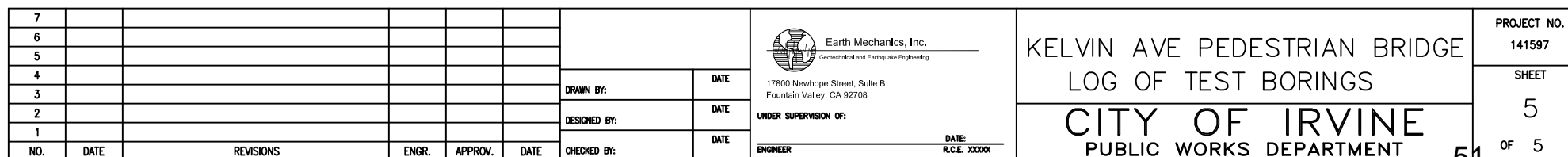
q = 1200 psf (Abutment footing bearing pressure)



Appendix A
Log-Of-Test-Borings (LOTB) Sheet



- (1) This LOTB sheet was prepared in accordance with the Caltrans Soil and Rock Logging, Classification and Presentation Manual (June 2010).
- (2) See Caltrans 2010 Standard Plan Sheets A10F and A10G for Legend.
- (3) 2.4" samples were taken using a California Modified Sampler.
- (4) An automatic trip hammer system consisting of a hammer weight of 140 lbs falling a distance of 30" was used to advance the drive sampler.
- (5) Conversion factor from 2.4" Modified California Ring Sampler blowcounts to Standard Penetration Test (SPT) blowcounts is 0.5.

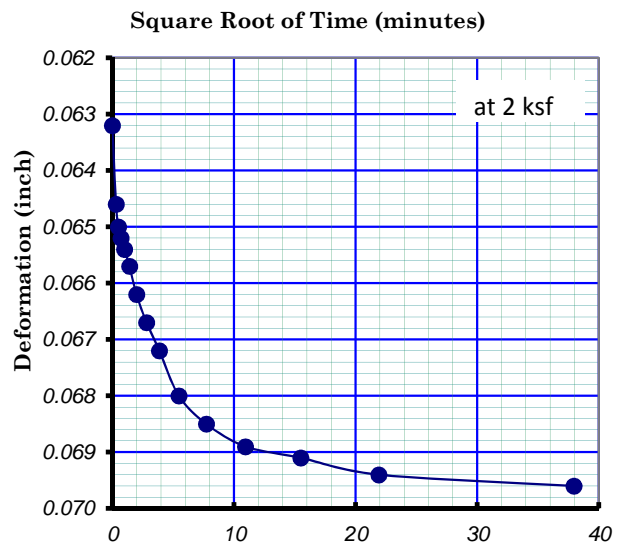
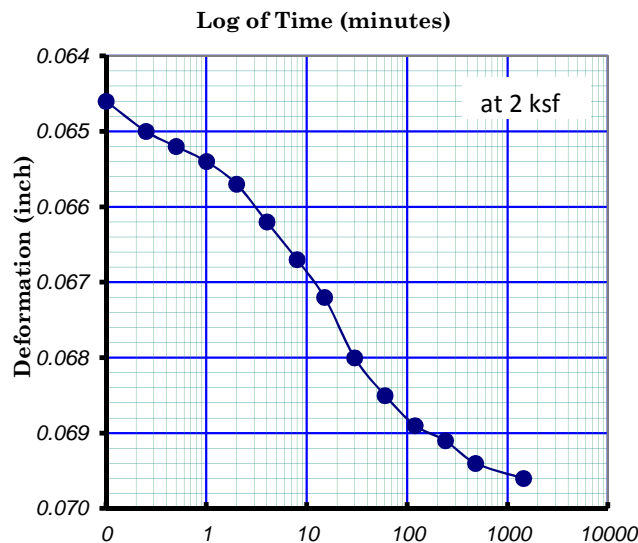
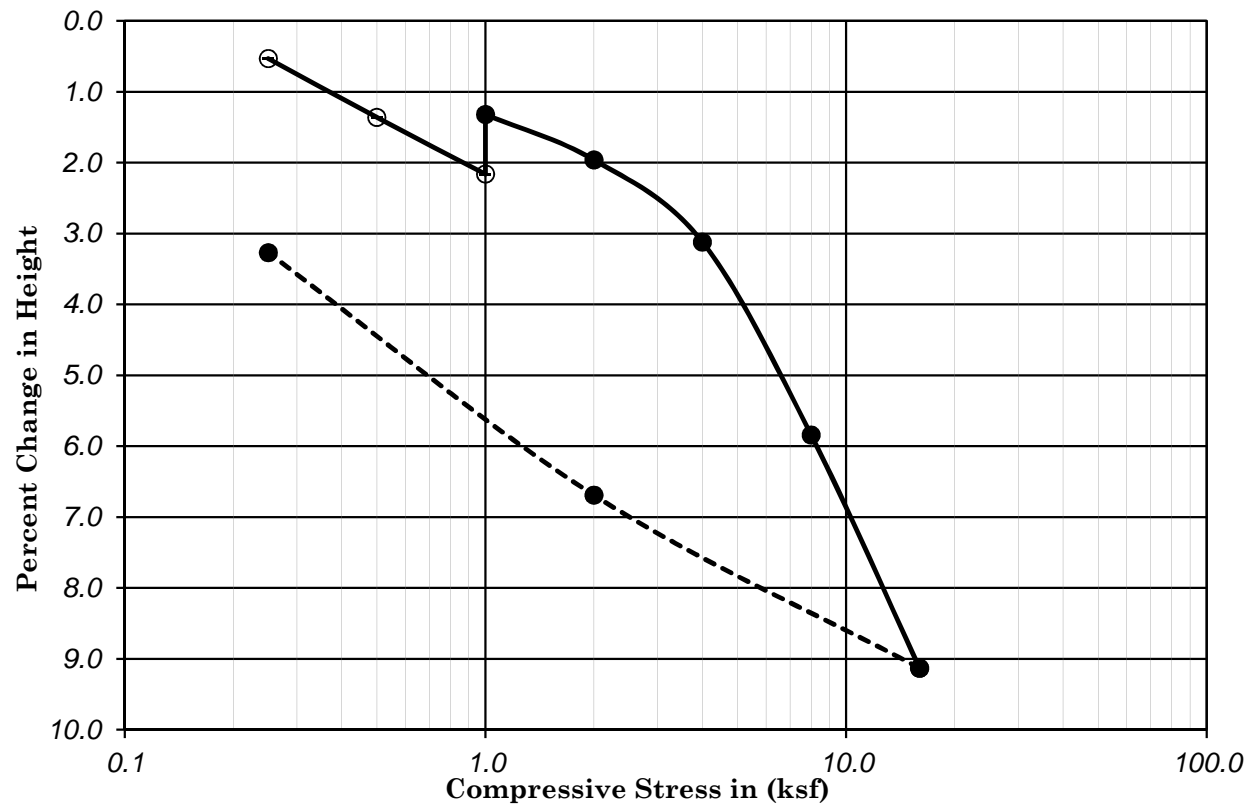


Appendix B
Laboratory Test Results

TABLE A-1 SUMMARY OF LABORATORY TEST RESULTS

Project No. : 14-127 Project Name : Kelvin Pedestrian Bridge

Boring No.	Sample No.	Sample Depth (ft)	Soil Identification (group symbol) ASTM D2488/D2487	Moisture Content ASTM D2216 (%)	Total Unit Weight ASTM D2937 (pcf)	Pocket Penetrometer (tsf)	Torvane Shear (tsf)	Grain Size Distribution GR:SA:FI (%)	Sand Equivalent (CT-217)	Atterberg Limits ASTM D4318 (LL/PL/PI)	Soil-Minimum Resistivity CT-643 (ohm-cm)	Soil-pH CT-643	Soil-Soluble Sulfate Content CT-417 (ppm)	Soil-Moisture Free Chloride Content CT-422 (ppm)
A-14-001	S-1	2.5	SM	4.5										
A-14-001	D-2	5	CL	34.8	110.9						240	8.0	7700	1243
A-14-001	S-3	7.5	CL	22.4										
A-14-001	D-4	10	CL	16.9	132.0	2.0								
A-14-001	S-5	12.5	CL	17.4										
A-14-001	D-6	15	CH	28.6	130.7	0.5								
A-14-001	S-7	17.5	CL	26.1										
A-14-001	D-8	20	SM	26.9	125.3									
A-14-001	S-9	25	CL	27.9				1:9:90						
A-14-001	D-10	30	CH	26.5	125.8									
A-14-001	S-11	35	CL	25.0										
A-14-001	D-12	40	ML	27.2	120.1	4.5								
A-14-001	S-13	45	CL	30.1										
A-14-001	D-14	50	CH	15.6	125.0	3.5								
A-14-001	S-15	55	CH	22.6										
A-14-001	D-16	60	SM	18.4	128.2									
A-14-001	S-17	65	CL	18.4										
A-14-001	D-18	70	SM	21.8	125.0									
A-14-002	D-1	2.5	CL	20.5	116.0	4.5								
A-14-002	S-2	5	CL	25.3										
A-14-002	D-3	7.5	CL	22.8	121.3	0.25					330	8.3	1500	512
A-14-002	S-4	10	CH	17.7										
A-14-002	D-5	12.5	CL	16.4	135.5	3.75								
A-14-002	S-6	15	CH	28.4										
A-14-002	D-7	17.5	SM	17.6	133.0									
A-14-002	S-8	20	CL	25.4						34/17/17				
A-14-002	D-9	25	CH	23.2	127.4									
A-14-002	S-10	30	CL	22.6						28/18/10				
A-14-002	D-11	35	CL	21.0	130.9	2.25					100	8.6	3700	5168
A-14-002	S-12	40	CL	29.9										
A-14-002	D-13	45	CH	24.7	125.5	3.25								
A-14-002	S-14	50	CH	23.8										
A-14-002	D-15	55	ML	25.7	121.3									
A-14-002	S-16	60	SM	27.4										
A-14-002	D-17	70	SC-SM	24.3	128.1									



Boring No. : A-14-001				Liquid Limit : -			Moisture Content (%)		Dry Density		Percent Saturation		Void Ratio
Sample No. : D-6				Plastic Limit : -					(pcf)		(kN/m ³)		
Depth	(ft)	15.0	16.5	Plasticity Index : -		Initial	23.71	104.38	16.43	104.11		0.61	
	(m)	4.58	5.03	Specific Gravity : 2.70		Final	22.80	107.93	16.99	109.61		0.56	
Description : Yellowish brown , Fat CLAY (CH)													



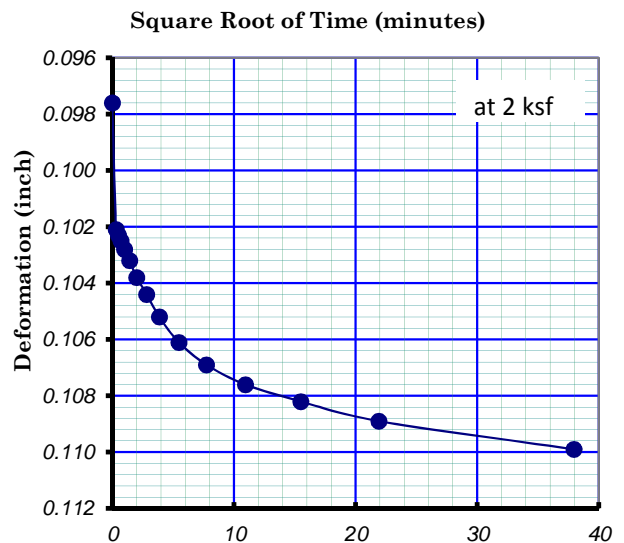
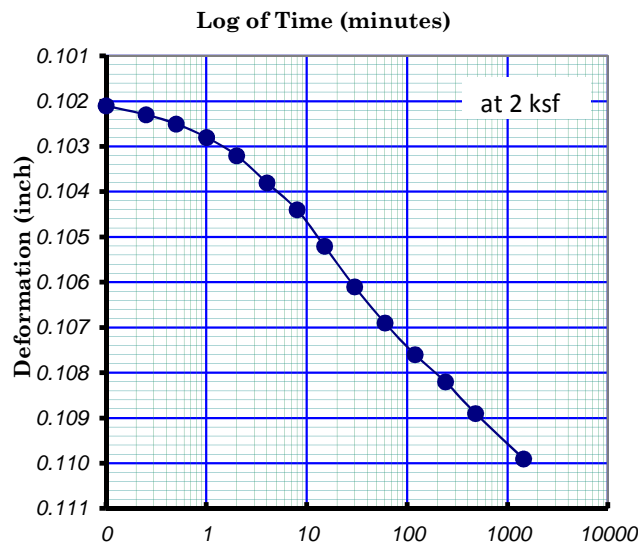
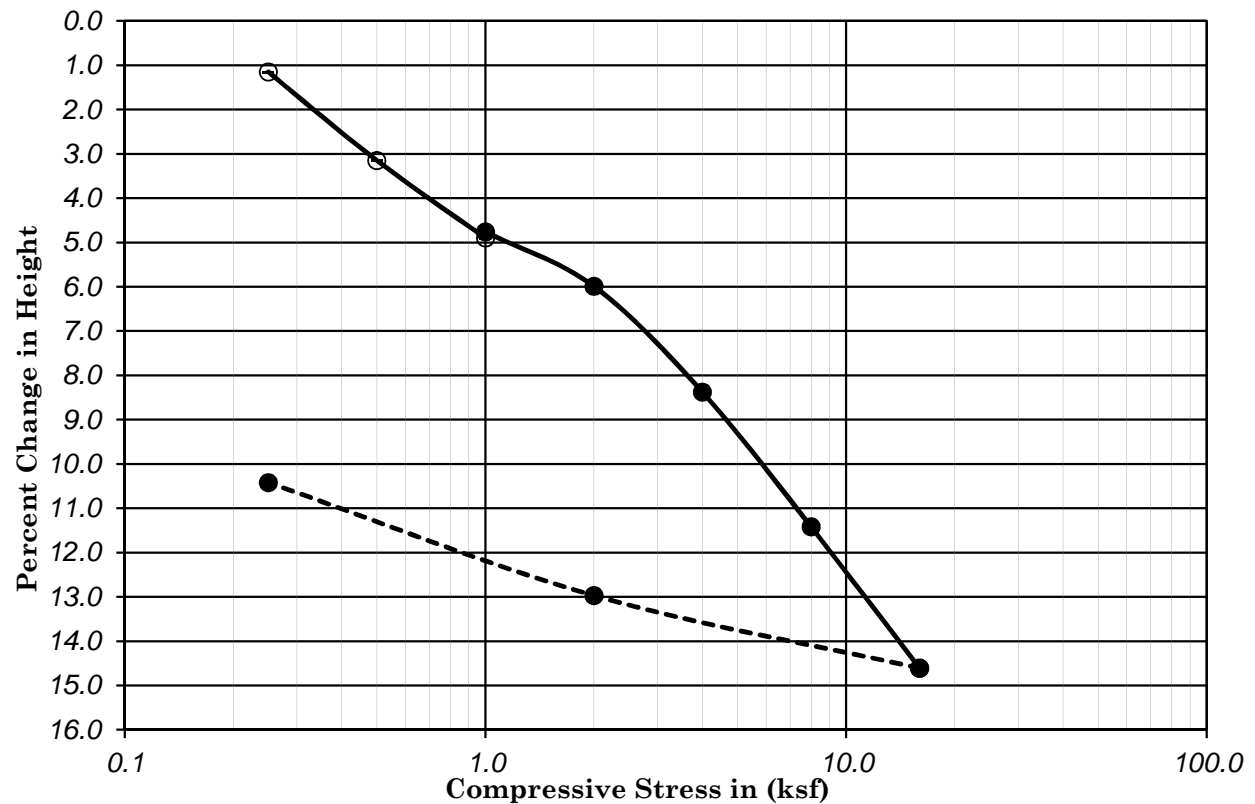
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Project No. : 14-127

08/04/14

CONSOLIDATION TEST
(ASTM D-2435 / CT-219)



Boring No. : A-14-002				Liquid Limit : -			Moisture Content (%)		Dry Density		Percent Saturation		Void Ratio
Sample No. : D-3				Plastic Limit : -					(pcf) (kN/m ³)				
Depth	(ft)	7.5	9.0	Plasticity Index : -		Initial	23.73	100.64	15.84	94.92		0.67	
	(m)	2.29	2.75	Specific Gravity : 2.70		Final	20.45	112.39	17.69	110.50		0.50	
Description : Dark olive brown , Fat CLAY (CH)													



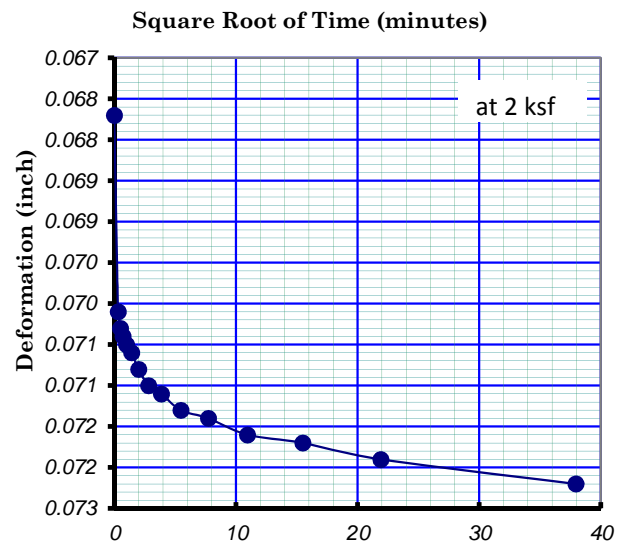
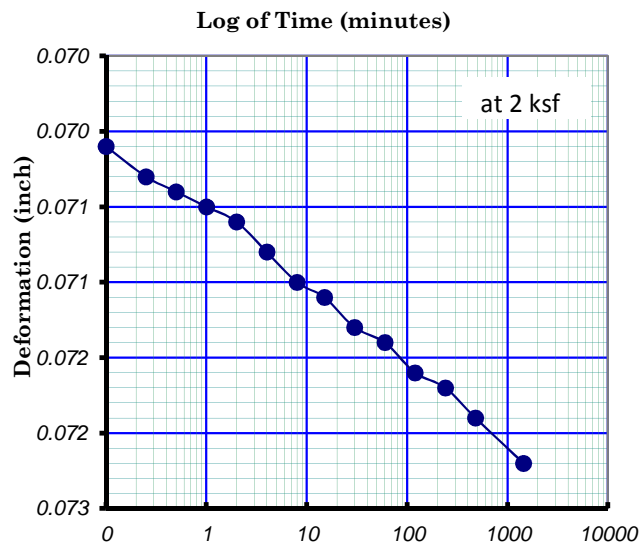
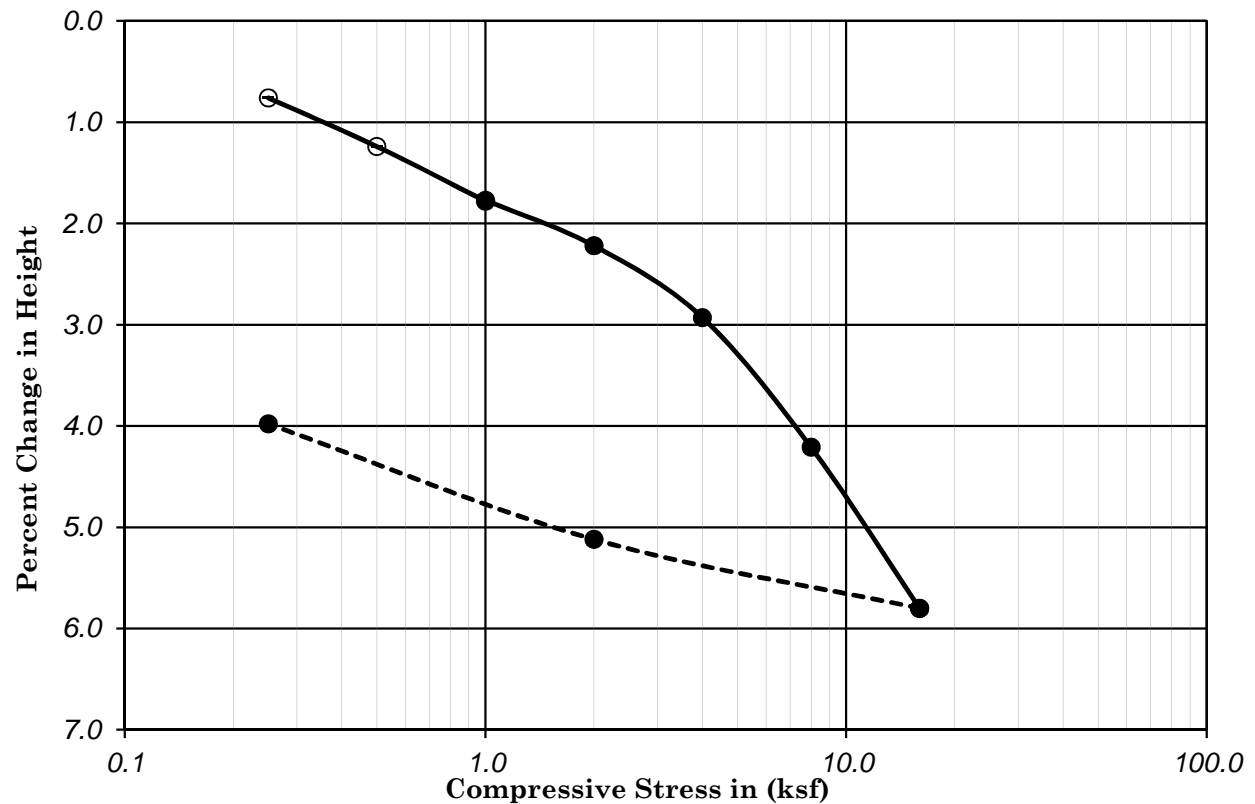
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Project No. : 14-127

08/04/14

CONSOLIDATION TEST
(ASTM D-2435 / CT-219)



Boring No. : A-14-002				Liquid Limit : -			Moisture Content (%)		Dry Density		Percent Saturation		Void Ratio
Sample No. : D-5				Plastic Limit : -					(pcf)		(kN/m ³)		
Depth	(ft)	12.5	14.0	Plasticity Index : -		Initial	16.62	116.27	18.30	99.76		0.45	
	(m)	3.81	4.27	Specific Gravity : 2.70		Final	15.04	121.12	19.06	103.72		0.39	
Description : Dark yellowish brown , SANDY lean CLAY (CL)													



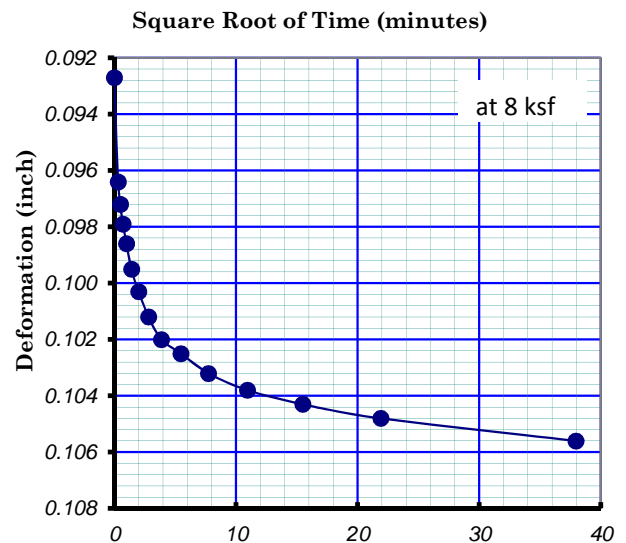
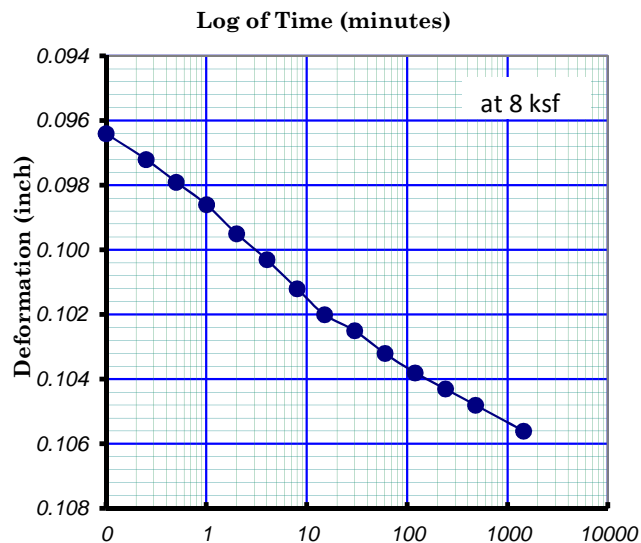
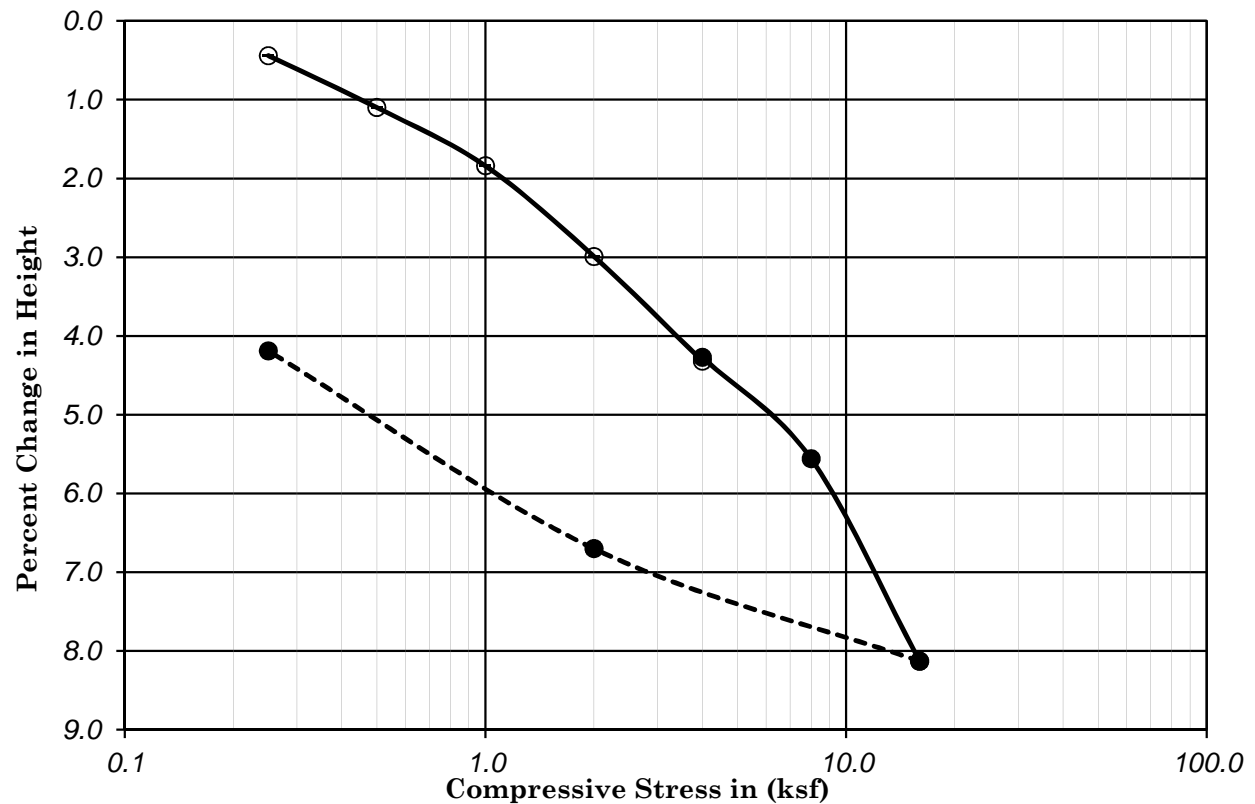
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08/04/14

CONSOLIDATION TEST
(ASTM D-2435 / CT-219)



Boring No. : A-14-002				Liquid Limit :		-		Moisture Content (%)		Dry Density		Percent Saturation	Void Ratio
Sample No. : D-11				Plastic Limit :		-				(pcf)	(kN/m³)		
Depth	(ft)	35.0	36.5	Plasticity Index :		-	Initial	22.78	106.67	16.79	106.00	0.58	
	(m)	10.68	11.13	Specific Gravity :		2.70	Final	20.84	111.34	17.53	109.50	0.51	
Description : Olive brown with gray, Lean CLAY (CL)													



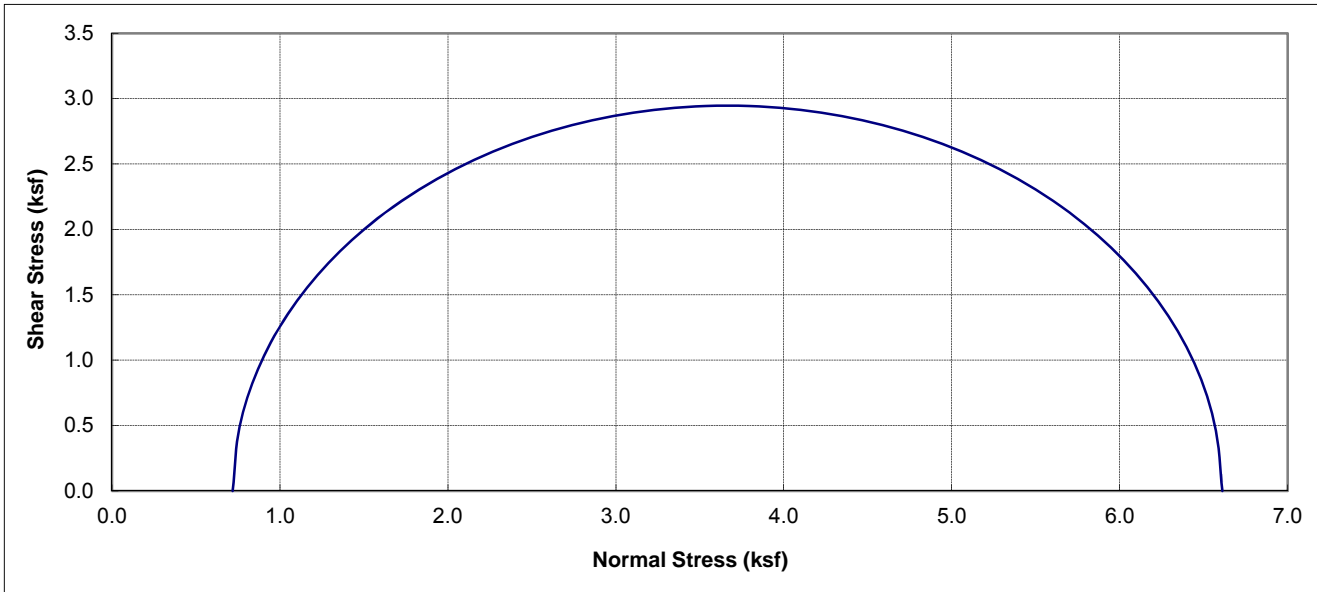
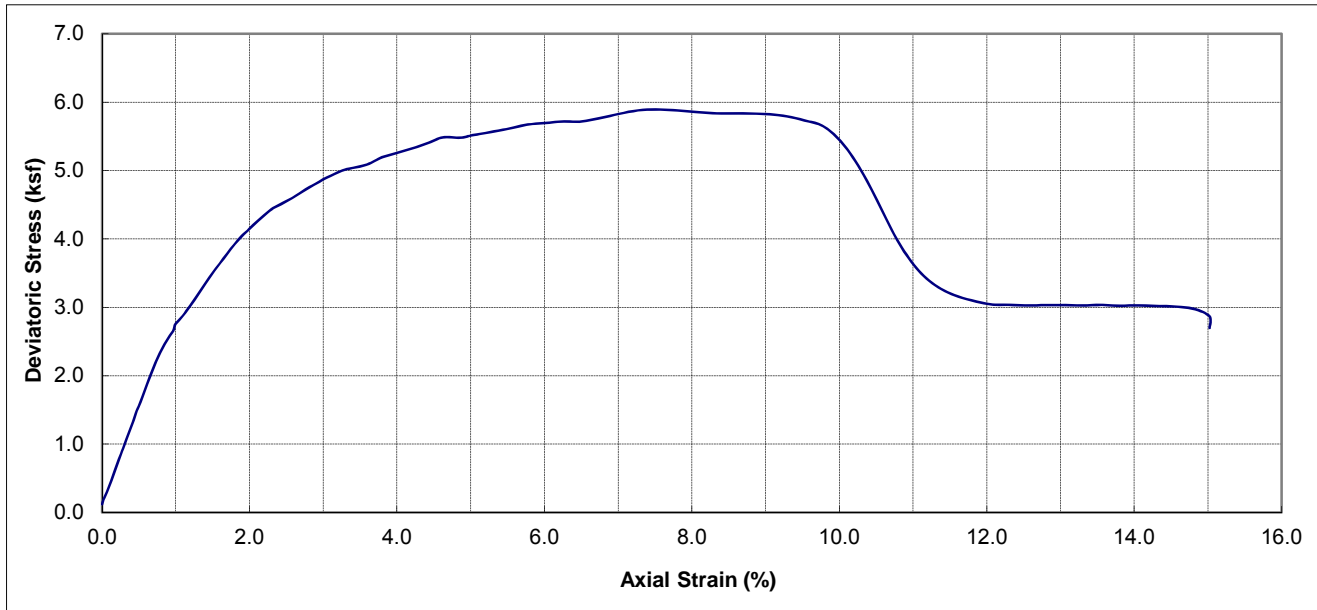
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Project No. : 14-127

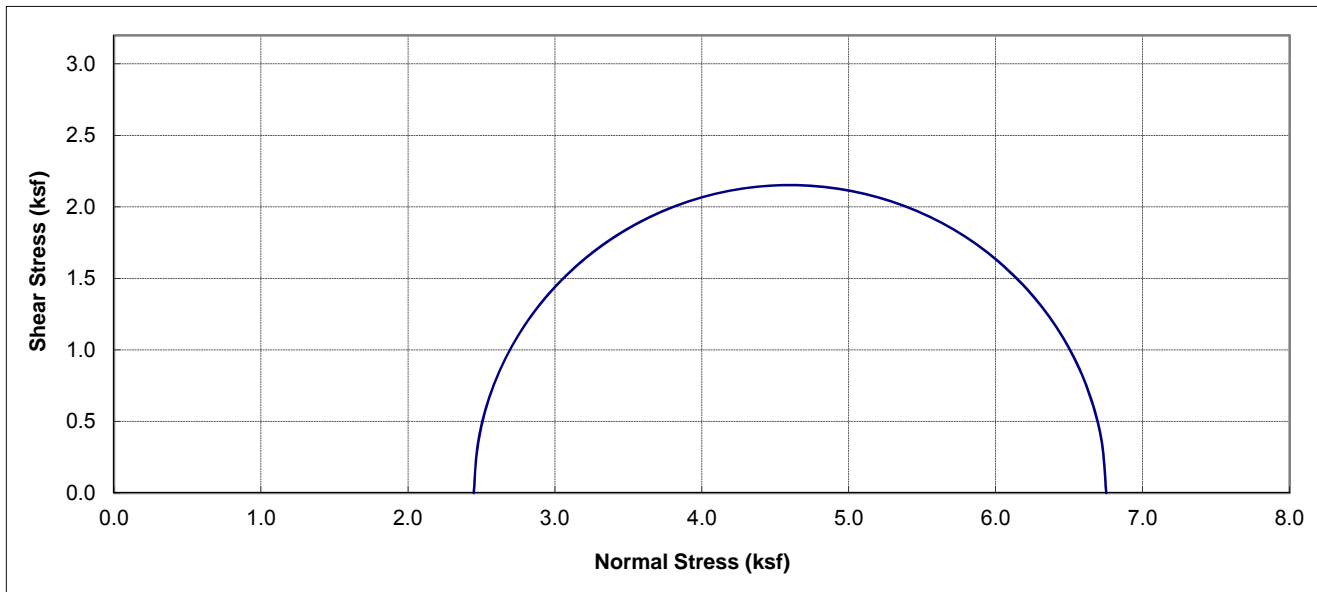
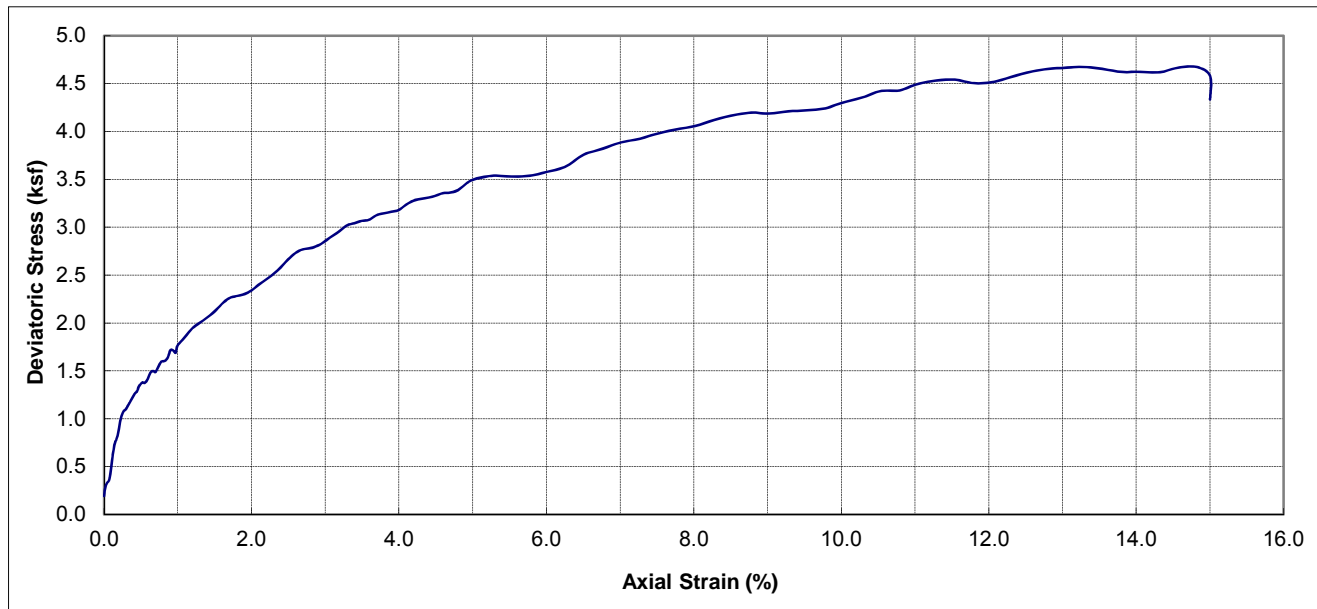
08/04/14

CONSOLIDATION TEST
(ASTM D-2435 / CT-219)




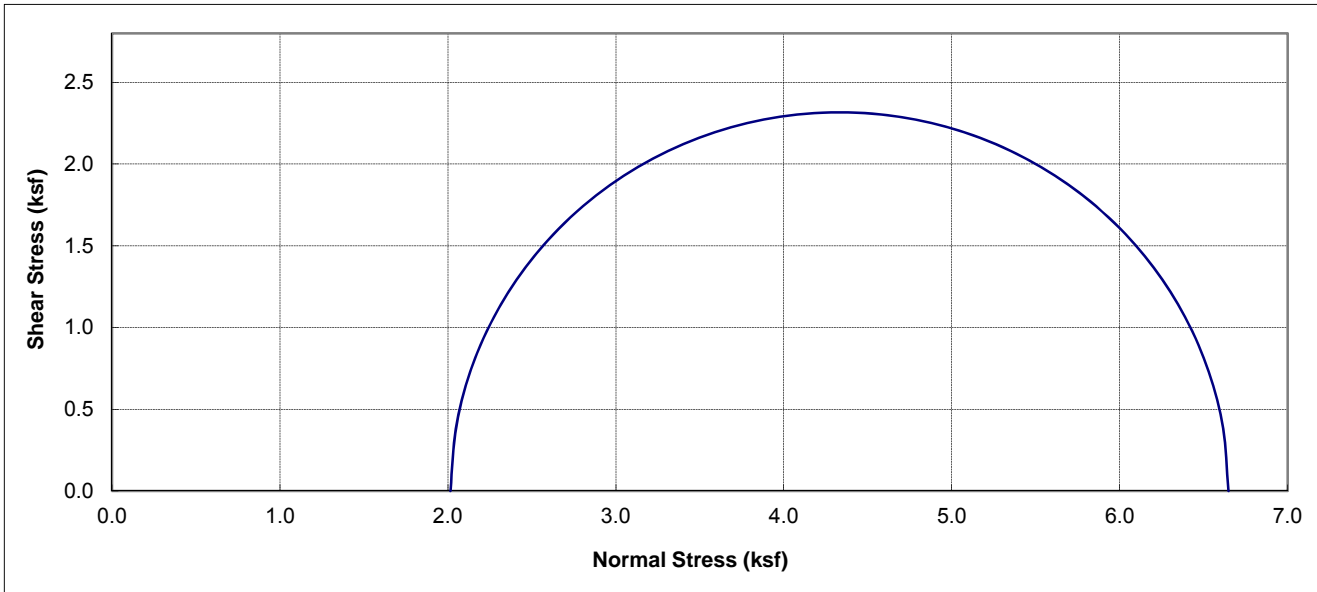
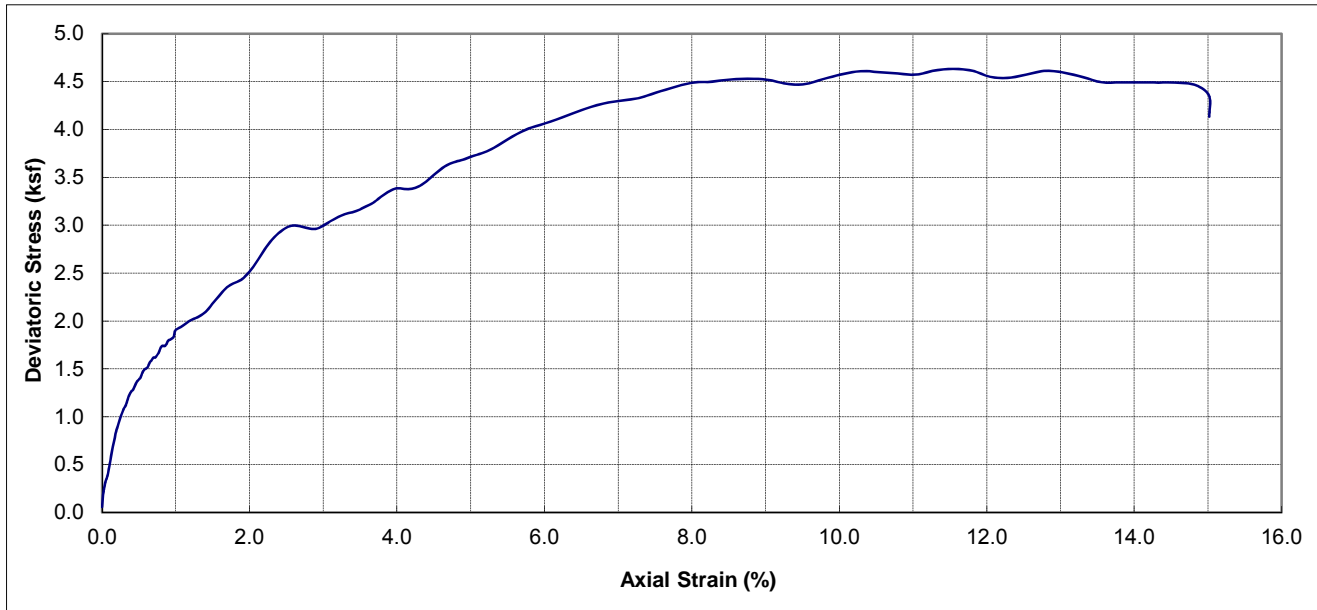
Boring No.	Sample No.	Depth (ft)	Soil Type	Dry Density (pcf)	Moisture Content (%)	Conf. Stress (ksf)	10% Axial Strain Dev. Stress (ksf)	Initial Saturation (%)
A-14-01	D-2	5	Dk. Brown, LEAN CLAY (CL)	85.4	34.77	0.72	5.89	96.4

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	UNCONSOLIDATED UNDRAINED TEST (ASTM D2850)				
Project No. : 14-127		Date : 07/28/14		Figure No. :	




Boring No.	Sample No.	Depth (ft)	Soil Type	Dry Density (pcf)	Moisture Content (%)	Conf. Stress (ksf)	10% Axial Strain Dev. Stress (ksf)	Initial Saturation (%)
A-14-01	D-10	30	Olive Brown, FAT CLAY (CH)	104.3	23.29	2.45	4.30	102.3

 Earth Mechanics, Inc. Geotechnical and Earthquake Engineering			RBF, Kelvin Ped Bridge, City of Irvine		
			UNCONSOLIDATED UNDRAINED TEST (ASTM D2850)		
Project No. : 14-127		Date : 07/28/14		Figure No. :	



Boring No.	Sample No.	Depth (ft)	Soil Type	Dry Density (pcf)	Moisture Content (%)	Conf. Stress (ksf)	10% Axial Strain Dev. Stress (ksf)	Initial Saturation (%)
A-14-02	D-9	25	Olive Brown, FAT CLAY (CH)	100.1	26.50	2.02	4.63	104.7

 Earth Mechanics, Inc. Geotechnical and Earthquake Engineering		RBF, Kelvin Ped Bridge, City of Irvine	
Project No. : 14-127		Date : 07/28/14	UNCONSOLIDATED UNDRAINED TEST (ASTM D2850)
			Figure No. :

**Attachment 5 – Kelvin Avenue Pedestrian Bridge –
Barranca Storm Channel Basis of Design Report**

Kelvin Avenue Pedestrian Bridge

Barranca Storm Channel Improvements, Facility F09

Bridge Feasibility Study BASIS OF DESIGN REPORT

Prepared by:

RBF Consulting, a Company of Michael Baker International

Contact:

Brad Losey, RCE 65140

JN 141597

May 13, 2015 – Revised per comments



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SECTION 4 – OVERLAND FLOW DISCUSSION 7

SECTION 5 – FREEBOARD CONSIDERATIONS 12

SECTION 6 – CONCLUSIONS AND RECOMMENDATIONS..... 13

Technical Appendix

- A. Barranca Channel Capacity Calculations
- B. Comment Response Letters to OCPW and Conditions of Approval

SECTION 1 – INTRODUCTION

This report serves to document the supplemental hydraulic analysis used to evaluate the required span width for the proposed Kelvin Pedestrian Bridge over Barranca Channel. The purpose of this analysis is to evaluate the feasibility of the Kelvin Avenue Pedestrian Bridge and recommend a clear span distance that will allow for construction of a pedestrian bridge without adversely impacting the existing flood plain, allowing potential future channel expansion, and minimizing throw-away costs. This is a preliminary Basis of Design Report in support of the pedestrian bridge feasibility study, and is not intended to be used as the final analysis for the design of the ultimate improvements to Barranca Channel.

Barranca Channel is owned by Orange County Flood Control District (OCFCD) and maintained on its behalf by Orange County Public Works (OCPW). The OCFCD designation for the Barranca Channel is F09. The channel was initially constructed in 1970. Subsequent projects have added box culverts for street crossings, and a 1993 emergency repair project widened the most downstream reach of the channel (Main Street to Jamboree Road). The channel is tributary to San Diego Creek. San Diego Creek was the subject of a Project Report that determined the ultimate channel size and design water surface elevations in 1987. OCFCD uses these elevations as the downstream control for design calculations, because San Diego Creek has not yet been expanded to the ultimate size. The San Diego Creek Project Report also developed recommendations for an ultimate Barranca Channel using a rectangular concrete channel.



Photo 1 - View of the inactive AT&SF railroad spur at the channel crossing. Looking from southeast side. Upstream is to the right of this photo.



Photo 2 - View of Barranca Channel at the entrance to the RCB under the AT&SF Railroad Spur. This RCB is located upstream of the proposed Kelvin Pedestrian Bridge location. (Approximate capacity of 750 cfs.) Note restriction of existing box culvert at Barranca Channel.

SECTION 2 – HYDROLOGY

Barranca Channel is owned by Orange County Flood Control District (OCFCD) and maintained on its behalf by Orange County Public Works (OCPW). The OCFCD designation for the Barranca Channel is F09. The channel was initially constructed in 1970. Subsequent projects have added box culverts for street crossings, and a 1993 emergency repair project widened the most downstream reach of the channel (Main Street to Jamboree Road). The channel is tributary to San Diego Creek.

The 100-year High Confidence peak flow rate for the Barranca Channel at the confluence with San Diego Creek is 1448 cfs per the "San Diego Creek Master Plan" (RBF Consulting, September 30, 2013). The San Diego Creek Master Plan report also cites the "Barranca Channel Update to the San Diego Creek Flood Control Master Plan" (September 28, 2007) as the source of the Barranca Channel flow rates. The San Diego Creek Master Plan Table 7.1 recommends a peak flow rate at the confluence with Barranca Channel (CP6K) of 28,600 cfs for the 100-year High Confidence event.

SECTION 3 – HYDRAULICS

The Los Angeles County Flood Control District hydraulic analysis program F0515P, Water Surface Pressure Gradient (WSPG) computer program was used to develop the hydraulic model of the channel system. The program computes and plots uniform and non-uniform steady flow water surface profiles and pressure gradients in open channels or closed conduit with irregular or regular sections. The computational procedure is based on solving Bernoulli's equation for the total energy between the sections in a reach. The flow regime may alternate between supercritical, critical, subcritical and pressure flow in any sequence. The open channel flow procedure utilizes the standard step method. Losses at bends, angle points, manholes, entrances and exits, junctions, and friction are accounted for along each reach of the analysis. Confluences and bridge piers are analyzed using pressure and momentum theory. The locations of hydraulic jumps within the system are estimated by analyzing the system in the subcritical regime and reanalyzing the system in the supercritical regime. A hydraulic jump is approximately located where points of equal energy are calculated for the two analyses. The regime analyses are performed automatically within the analysis and require no additional user input.

The program output includes a listing of the input data, and for each reach depth of flow, water surface elevation or pressure gradient, discharge, flow velocity, velocity head, energy grade elevation, critical depth, normal depth, and conveyance characteristics.

The As-Built Plans for Barranca Channel were compiled into a hydraulic model using the WSPG 2.4 software. The model covers the channel from the outlet at San Diego Creek (Station 2+84) to the RCB outlet at Barranca Road (Station 89+80). The proposed Kelvin Pedestrian Bridge is at approximate Channel Station 28+10. The existing channel is an engineered earth trapezoidal shape with 1.5:1 side slopes in the vicinity of the proposed pedestrian bridge location. The channel is 12.5-ft deep with a 16-ft bottom width. There is a six inch depression from the channel wall toe to the channel invert. Per the OCFCD Addendum 5, this depressed invert is not considered in the channel capacity calculations.

On January 15, 2015, OCPW provided a water surface elevation of 35.16 (NGVD 29) to be used as the water surface control elevation in San Diego Creek for Barranca Channel.

The existing Barranca Channel is considered deficient by OCPW. The channel does not have the capacity to pass the 100-year High Confidence flow rate with the freeboard required in accordance with the Orange County Flood Control District Design Manual Addendum 3. Using the downstream control provided by OCPW, the existing channel was analyzed using WSPG for the existing condition, and verified that the channel is deficient. To determine the capacity of the channel, the hydraulics were repeated with smaller flow rates. The peak flow was reduced in 10 percent increments to find the flow rate that will remain within the channel banks. Two flow rates were determined to be relevant to the discussion. The capacity of Barranca Channel in the vicinity of the proposed bridge is limited by the capacity of the box culvert underneath the inactive AT&SF railroad spur (Station 39+50). The capacity of the channel at the railroad spur RCB is approximately 750 cfs. At the proposed Kelvin Avenue Bridge, the capacity is approximately 900 cfs. The WSPG calculations are contained in the Appendix and summarized on the included chart "Barranca Channel HGL Plot"

SECTION 4 – OVERLAND FLOW DISCUSSION

The project site and environs were examined using USGS Quadmaps, OCPW index maps, aerial topography, Google Earth topographic data, verified by a field visit. Additionally, RBF/Baker conducted a Topographic Route Survey on March 4, 2015. The object of this examination was to find the areas of ponding and/or the potential route of breakout for the flow that exceeds the existing channel capacity. The USGS mapping indicates a prevailing grade toward the southwest. The contours shown on the Tustin California Quadmap do not definitively show the breakout route from the channel should the channel capacity be exceeded. To further evaluate the probable breakout route and ponding areas aerial mapping contours at a five-foot interval were obtained and evaluated. The mapping confirmed the information gleaned from the quadmap, and showed a low area along Von Karman Avenue, where the breakout flow would initially pond. The OCPW index maps show that the local storm drains in Von Karman Avenue will convey the ponded water back into Barranca Channel as the flooding depicted by the hydrograph recedes. The site visit found that the breakout route for flow is along the railroad spur, out to Von Karman Avenue, and ultimately out of the Barranca Channel watershed. Because the area is relatively flat, it is difficult to conclusively delineate a defined breakout route. The Elevation Profile tool in Google Earth can help find breakout routes by comparing the profile of alternative routes.

Four routes were investigated:

- 1) Along the Tracks and South on Von Karman,
- 2) South through the development and along Cartwright Road,
- 3) East across the development and along Kelvin Avenue toward Jamboree Road,
- 4) East along Barranca Channel toward Jamboree Road.

These four potential breakout routes are illustrated and attached to this report. The routes and profiles are displayed using Google Earth and the included Elevation Profile tool. The conclusions herein are made based on a Topographic Route Survey, but displayed using the Google tools.

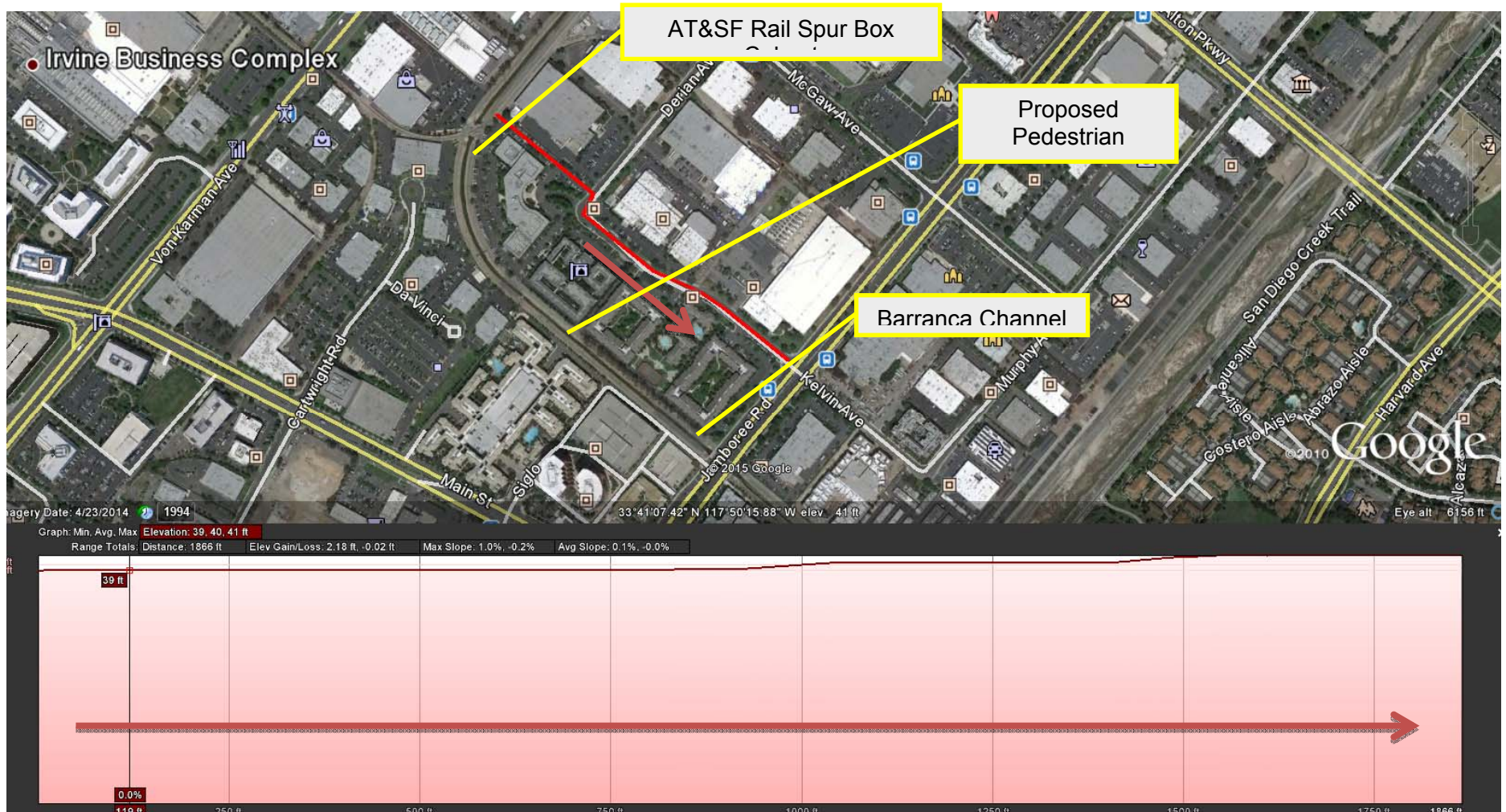
The Topographic Route Survey conducted by the RBF/Baker Survey Crews confirmed the results found using the Google Earth Elevation Profile tool, it shows that breakout toward the east is not probable. The terrain rises approximately two feet from the top of the channel at the railroad spur RCB to Jamboree Road. Similarly, the OCFCD right of way adjacent to Barranca Channel also rises over two feet toward Jamboree. Conversely, the Topographic Route Survey did confirm that the primary breakout route is along the AT&SF railroad spur, and south along Von Karman Avenue, across Main Street, and toward the Lane Channel (F08). The secondary breakout route is toward Cartwright Road, across Main Street, and toward Lane Channel.

The capacity of the channel at the railroad spur RCB limits the channel capacity to 750 cfs. As the channel banks are exceeded, the runoff will pond in the adjacent developed areas, and eventually breakout toward the south. Ponded water within the watershed will return to the channel as the hydrograph recedes through the local storm drain system, but the flow that is forced outside the channel does not return to the system at a rate that can cause the channel to reach a bank-full condition at the proposed pedestrian bridge location. Therefore, the construction of the proposed Kelvin Avenue Pedestrian Bridge will not alter the existing flow conditions and will not adversely impact the existing channel hydraulics.

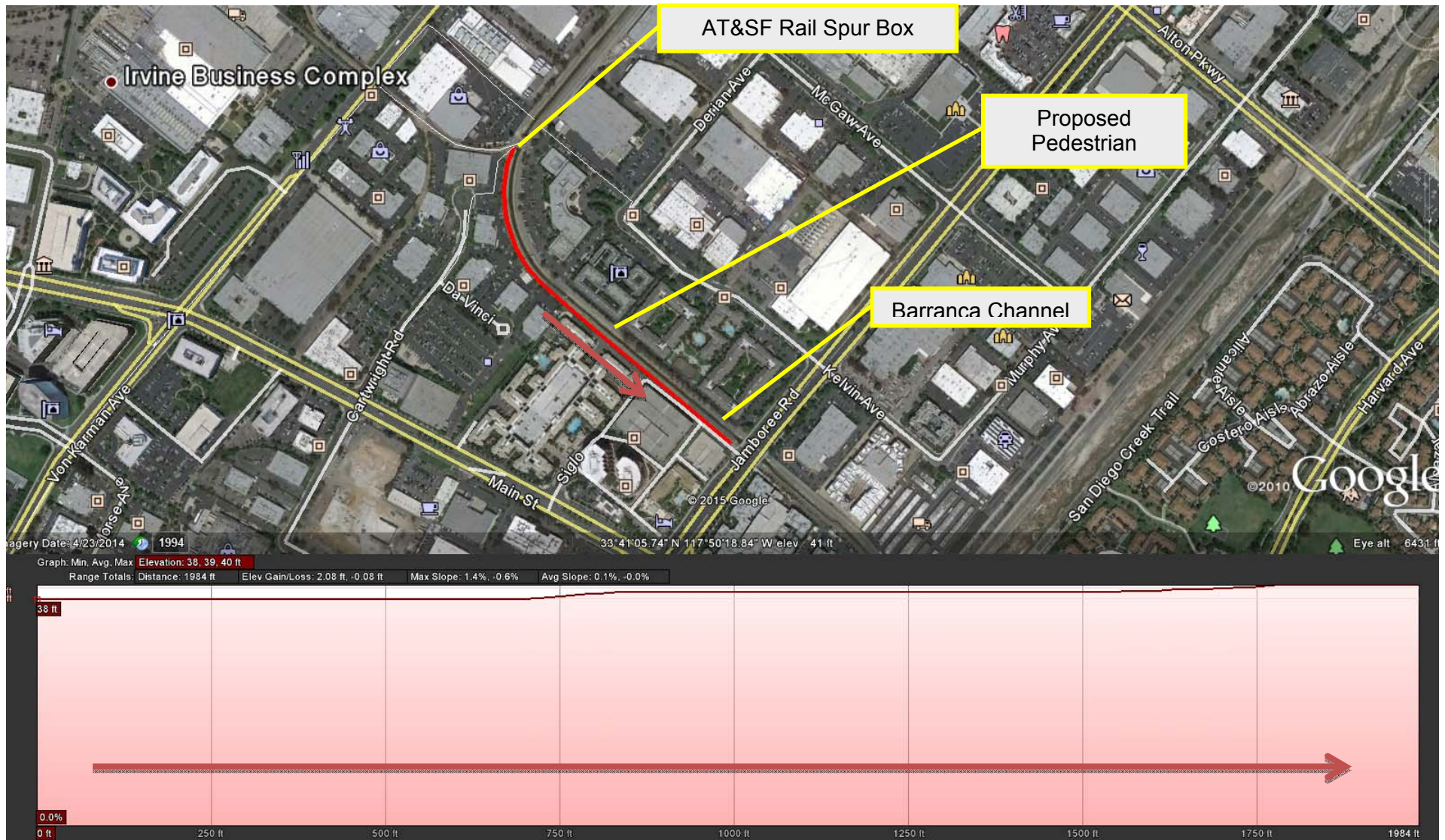
70



Route 2: Profile of potential breakout along Cartwright Road. Note: Elevations shown are not on project datum



Route 3: Profile of containment along Kelvin Ave. Note: Elevations shown are not on project datum



Route 4: Profile of containment along Barranca Channel. Note: Elevations shown are not on project datum

SECTION 5 – FREEBOARD CONSIDERATIONS

Due to the existing hydraulic deficiencies within the Barranca Channel, the available channel freeboard does not meet the freeboard requirements per Addendum #3 of the OCFCD Design Manual. The available freeboard is a result of the existing channel geometry, cross section, and the quantity of flow within the channel has been shown to be restricted by the upstream AT&SF box culvert.

As shown in the analysis in Section 4, Runoff in excess of the channel capacity will tend to flow away from Barranca Channel. This condition is also documented by the stepped vertical profile of the top of channel bank as shown in the original Barranca Channel As-Built Plan (DWG F09-101-1A) in the appendix. Based on these conditions it is not possible for flow to exceed the channel banks at the proposed bridge location.

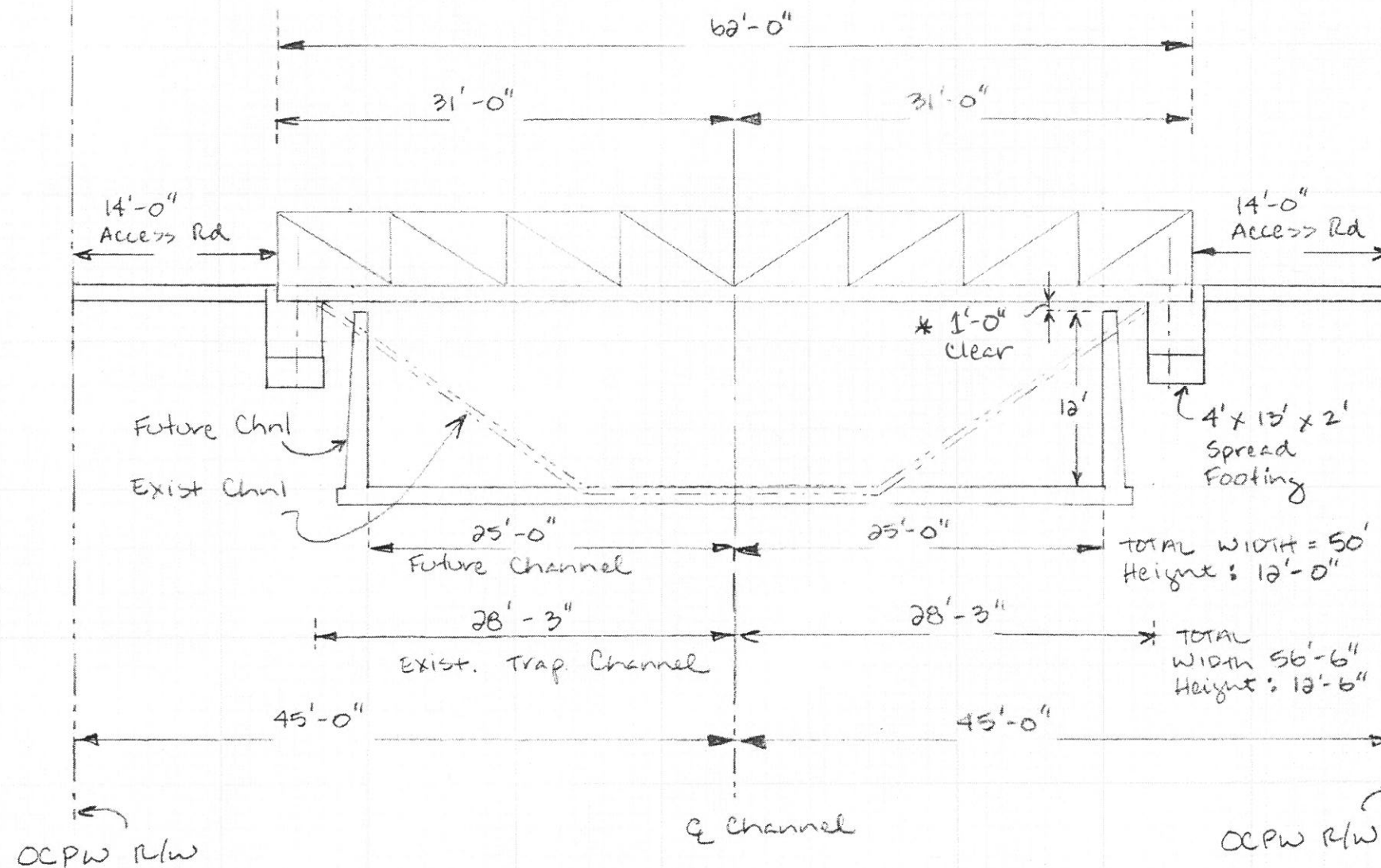
Because the proposed bridge cannot worsen the existing deficient condition, the freeboard requirements for this pedestrian bridge have been discussed with OCPW Flood Programs. Elevating the soffit of the pedestrian bridge a minimum of one-foot above the existing channel bank was determined to be adequate for this bridge. The relationship between the proposed bridge and the top of channel bank is shown as a sketch on the included copy of the Barranca Channel As-Built Plan (DWG F09-101-1A).

SECTION 6 – CONCLUSIONS AND RECOMMENDATIONS

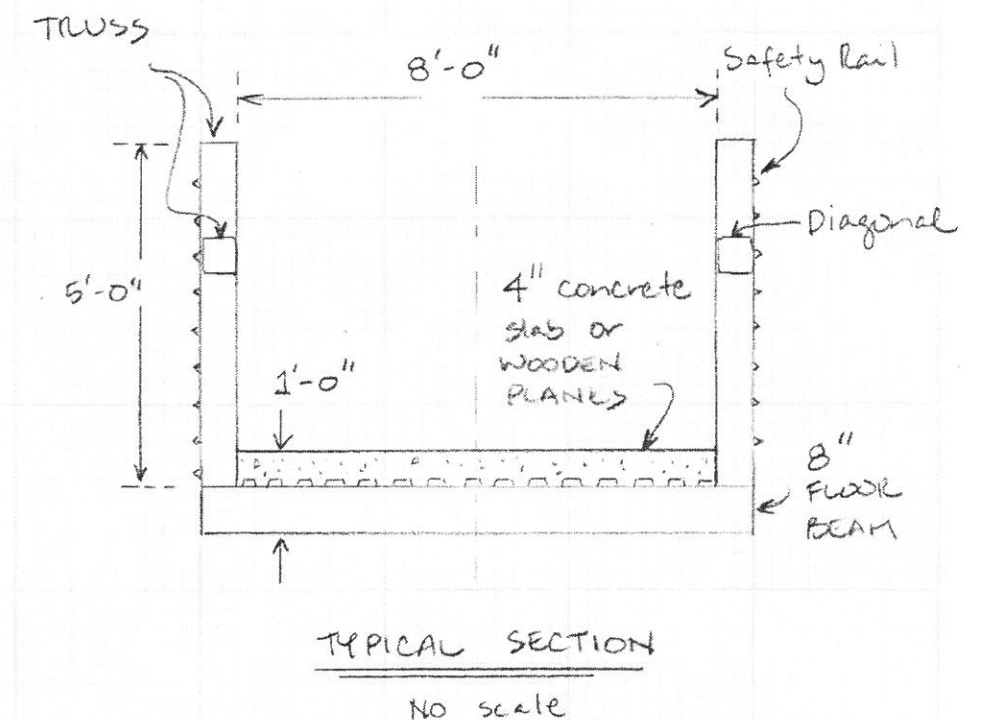
Based on field review and the route survey conducted by the RBF/Baker Survey Crews, it is apparent that the Barranca Channel watershed is not a traditional "closed system". Flow in the channel can escape the watershed when the channel capacity is exceeded. The profile of the channel banks restricts the ponded water from returning to the channel. Ponding that will occur during the 100-year High Confidence Event is expected to be relatively shallow as a result of the available break-out routes and velocities are anticipated to be minimal. Addition of the Pedestrian Bridge does not present an impediment to the existing levels of protection provided by Barranca Channel

The existing channel width at the Kelvin Pedestrian Bridge is 56.5 feet. The ultimate Barranca Channel has not yet been recommended by OCPW. The OCFCD Right of Way is 90-ft. Reserving 14-ft on each side of the channel for maintenance access, the maximum possible channel width within the existing R/W is 62-ft. To provide additional freeboard at the proposed pedestrian bridge location, it is recommended that the soffit elevation be designed a minimum of one-foot above the existing top of channel bank. This will provide approximately 1.5 feet of freeboard from the 750 cfs water surface, based on the capacity of the upstream AT&SF box culvert. This would allow the existing channel to flow in a manner similar to the existing condition, should a 100-year high confidence event be experienced. Future channel width should be addressed if/when OCFCD upgrades Barranca Channel to the ultimate configuration.

The City will need to obtain an encroachment permit from OCPW Property Permits for the City's plans to remove, reconstruct, and relocate structures interfering with future OCFCD improvements. Additionally, Orange County stipulates that performance of these activities shall be at no cost to OCFCD/County. There will be a language to that effect in the easement document and any license or permit for this project.



KELVIN BRIDGE - ELEVATION
Scale 1" = 10'



* Note: Provide additional 1'-0" of clearance as recommended in Kelvin Bridge Pedestrian Bridge Feasibility Study Basis of Design Report.

Attachment 6 – County Plan Check Comments and Responses

December 3, 2014

Sahar Parsi
Encroachment Permits
OC Public Works
300 N. Flower Street
Santa Ana, CA 92702-4048

JN 141597

Subject: Response to Plan Check Comments #01-Permit: 2014-755 and # 01.1 – Permit 2014 – 00755

Thank you for providing the attached comments dated November 17 and 18, 2014. We intend to include the comments in the attachments to the Feasibility Study for the Kelvin Avenue Pedestrian Bridge Project. Following are our responses to comments from each of the commenting departments:

OC Construction: Materials Lab

1. Preliminary foundation report should be signed and stamped by the project geotechnical engineer.

Response: The final report will be signed and stamped by a geotechnical engineer.

2. Final foundation report should be submitted for our review with the project plan and specification review letter from the project geotechnical engineer of record.

Response: To be provided in final design activities.

3. Future rectangular channel foundation recommendations should be provided based on the proposed bridge loading and the subsurface conditions encountered in the field geotechnical investigation.

Response: The specific design of future channel improvements is not known at this time and will not be known next year when final design of the pedestrian bridge is submitted for an encroachment permit with the County.

4. Final foundation report should include but not limited to all the calculations for liquefaction settlement, slope stability, bearing capacity and static settlement and all design and construction considerations.

Response: To be provided in final design activities.

5. After construction, final construction observation report including as built plan and compaction information should be provided for our review.

Response: To be provided in final design activities.

OC Operations & Maintenance

1. Permittee to provide full detailed plans to fully evaluate the impact to OCFCD Facility.

Response: To be provided in final design activities.

2. Permittee shall enter into and/or amend current “Agreement” with OCFCD/County of Orange.

Response: It is requested that a meeting be scheduled with the County reviewer and City staff to clarify the agreement requirements so that they can be documented in the Feasibility Study.

3. Permittee shall incorporate O&M plan to keep debris, trash, and graffiti at a minimum to non-existence.

Response: To be provided in final design activities.

4. Bridge deck shall be out of the 100 year flow elevation and a minimum of 12’ (FT) above design elevation.

Response: The proposed concept meets this requirement.

5. Pedestrian surface shall be AC paving or better. This shall include both sides of bridge ramping as shown on submitted proposal.

Response: The proposed concept meets this requirement.

6. Guard Cable Fencing per OC Public Works Standard Plan 1413 shall be provided at top of channel for public safety.

Response: Fencing added to concept plan.

7. Please provide construction plans and details in next submittal for evaluation and considerations. Return for further review.

Response: To be provided in final design activities.

OC Infrastructure Programs –Flood Control:

General

1. We find the City of Irvine’s (City) proposal to construct a pedestrian bridge (relocated approximately a hundred feet upstream of the previous proposal) over Barranca Channel (OCFCD Facility No. F09) and a 5-foot wide trail along F09 to be conceptually feasible subject to the following:

a. City should acknowledge that due to the deficiency of F09 and OCFCD’s need to construct an improved channel with increased capacity, the proposed bridge and its foundation components,

appurtenances, etc. essentially represent a throw away cost. The proposed bridge may need future removal or reconstruction to accommodate OCFCD's future channel improvements.

Response: The bridge has been designed so that it could be compatible with future channel improvements. The foundations may require reconstruction dependent on the ultimate channel improvements.

b. Once City addresses all technical and operational comments and concerns as summarized herein, City will need to acquire an easement based on the fair market value of the property from OCFCD for public use of the proposed pedestrian bridge and an appropriate license or permit for the proposed 5-foot wide trail over the maintenance access road within OCFCD's right-of-way.

Response: The City intends to construct the project by means of an encroachment permit. An easement acquisition is not proposed. The City would like to schedule a meeting with the commenter to confirm this assumption.

c. Use of OCFCD right-of-way will be based on the City being responsible for all maintenance responsibilities, liability, etc. associated with the proposed project and public use. The easement document and any license or permit will contain a language stating that the use of the property is primarily for flood control purposes and will include indemnification provisions against any damages, losses, fines, etc.

Response: The City would like to meet with the County to confirm agreement requirements.

d. Improvement plans and supporting calculations (e.g., hydraulic calculations, bridge foundation stability assessment, etc.) should be submitted for review and approval via County Property Permit process. A detailed review of the proposed project and its compatibility with OCFCD's requirements will be performed at that time.

Response: To be provided in final design activities.

e. Gates and fencing requirements restricting public access to specific areas within OCFCD right-of-way may be required.

Response: To be provided in final design activities.

f. The proposed bridge foundations should neither interfere with the operation and maintenance activities for F09 nor jeopardize the structural integrity of the channel.

Response: The proposed concept meets this requirement.

Barranca Channel Memo and Kelvin Bridge Planning Study Write-up

2. The documents state that the Barranca Channel is owned and maintained by Orange County Public Works. F09 is owned and maintained by OCFCD. Please note of the correction for future submittals.

Response: Ownership corrected in Feasibility Study.

3. The memo indicates that the Final Runoff Management Plan for Tustin Legacy (RBF Consulting, December 2004) is cited in the San Diego Creek Master Plan (RBF Consulting, September 30, 2013) for the source of Barranca Channel flow rates. The Barranca Channel Update (RBF Consulting, September 28, 2007) was used in RBF's September 30, 2013 San Diego Creek Flood Control Master Plan Extension. It is not clear what discharges were used in the hydraulic modeling of F09.

Response: Comment Noted. This memorandum is revised to clarify the source of the discharge rate and the specific value is now listed.

4. The documents indicate that existing condition hydraulic analysis for the channel show that the water depth at the proposed bridge location is 9.9 feet. Additionally, proposed condition analyses were also performed based on OCFCD Design Manual's freeboard and maintenance requirements. These analyses will need to be provided for our review. Please see comment 1.d above.

Response: Comment Noted. This memorandum was written to evaluate the feasibility of the Kelvin Avenue Bridge. This is not an encroachment permit application, and a full Basis of Design Report has not yet been prepared. The hydraulics will require further refinement as the project develops, a statement regarding the need for a Basis of Design Report and an Encroachment Permit application have been added to the memorandum text. The hydraulic calculations used for this preliminary analysis are not attached.

5. The study write-up indicates that in the future, should OCFCD intend to improve F09, the spread footings can be removed and reconstructed, and the bridge superstructure relocated and re-placed. The City will need to obtain an encroachment permit from the County covering City's plans to remove, reconstruct, and relocate structures interfering OCFCD's improvements. Additionally, performance of these activities shall be at no cost to OCFCD/County. There will be a language to that effect in the easement document and any license or permit for this project.

Response: Comment Noted. These requirements are added to the memorandum text.

OC Development Services: Inspection Services

1. Locate the bridge entry/exits outside of OCFCD right-of-way as it reduces the channel access road width below the 14- foot minimum.

Response: The channel access road has a minimum width of 14 feet at the location where the bridge crosses the channel. This change has not been made to the concept.

2. Construct (4) dual swing gates per OCPW standard plans to secure OCFCD right-of-way at all times.

Response: Dual swing gates have been added to concept plan.

OC Watershed and Environmental Resources

1. As considered in the initial application for this project under Permit No. 2012-00694, to ensure that post-construction contribution of polluted runoff to OCFCD right-of-way is minimized and prevented through implementation of Best Management Practices (BMPs), permit applicant shall provide a proposed Water Quality Plan (WQP) for the proposed public project, consistent with requirements of

the Fourth Term Municipal Stormwater NPDES Permit to which the County, District and City are all parties. Please submit WQP for review and approval to OC Public Works / Environmental Resources, Attn: Duc Nguyen (714) 955-0676, at Duc.Nguyen@ocpw.ocgov.com or 2301 North Glassell Street, Orange, California 92865.

Response: The area of imperviable improvements (i.e. the AC walkway and bridge within OCFCD right of way is approximately 2,000 s.f. and therefore a WQMP is not required.

2. Any spillage of fuel, oil or hazardous materials from construction equipment or vehicles must be immediately and properly cleaned up and removed from the OCFCD right-of-way. For spills of significant volume, notifications must be immediately made to OC Public Works/Water Quality Compliance for assessment of appropriate corrective action. Contaminated soil, sand or other material, and hazardous wastes generated from the cleanup must be disposed of by approved methods.

Permittee assumes full responsibility for costs to investigate extent of contamination, cleanup, waste removal and implementation of an approved remedial action plan for the release of any wastes or hazardous materials that result in soil, surface water and groundwater contamination. Notification to OC Public Works/Water Quality Compliance should be directed to (877) 89-SPILL. For emergency or after-hours spill notification, call (877) 89-SPILL or contact the Orange County Sheriff's Communications Control 1 by dialing 911.

Response: Comments noted and will be included in construction document specifications.

3. The following shall be included as general or specific notes on project plan construction sheets:

- Sediment from areas disturbed by construction shall be retained on site using structural controls to the maximum extent practicable.
- Stockpiles of soil shall be properly contained to eliminate or reduce sediment transport from the site to the streets, drainage facilities or adjacent properties via runoff, vehicle tracking, or wind.
- Appropriate BMPs for construction-related materials, wastes, spills or residues shall be implemented to minimize transport from the site to streets, drainage facilities, or adjoining properties by wind or runoff.
- Runoff from equipment and vehicle washing shall be contained at construction sites unless treated to reduce or remove sediment and other pollutants.
- All construction contractor and subcontractor personnel are to be made aware of the required best management practices and good housekeeping measures for the project site and any associated construction staging areas.
- At the end of each day of construction activity all construction debris and waste materials shall be collected and properly disposed of in trash or recycle bins.
- Construction sites shall be maintained in such a condition that a storm does not carry wastes or pollutants off the site. Discharges other than stormwater (non-stormwater discharges) are prohibited, except as authorized by an individual NPDES permit or the statewide General Construction Stormwater

Permit. Potential pollutants include but are not limited to: solid or liquid chemical spills; wastes from paints, stains, sealants, solvents, detergents, glues, lime, pesticides, herbicides, fertilizers, wood preservatives, and asbestos fibers, paint flakes or stucco fragments; fuels, oils, lubricants, and hydraulic, radiator or battery fluids; concrete and related cutting or curing residues; floatable wastes; wastes from engine / equipment steam cleaning or chemical degreasing; wastes from street cleaning; and super-chlorinated potable water from line flushing and testing. During construction, disposal of such materials should occur in a specified and controlled temporary area on-site physically separated from potential stormwater runoff, with ultimate disposal in accordance with local, state and federal requirements.

- Discharging contaminated groundwater produced by dewatering groundwater that has infiltrated into construction sites is prohibited, as is discharging of contaminated soils via surface erosion. Discharging of non-contaminated groundwater produced by de-watering shall comply with National Pollutant Discharge Elimination System (NPDES) Permit No. CAG918002, R8-2009-0045 and R8-2007-0041 (general discharge permits for groundwater at sites within the San Diego Creek/Newport Bay Watershed) issued by the Santa Ana Regional Water Quality Control Board, and as said permit may be updated during the term of the construction.

Response: Comments noted and will be included in construction document specifications.

May 13, 2015

Sahar Parsi
Encroachment Permits
OC Public Works
300 N. Flower Street
Santa Ana, CA 92702-4048

JN 141597

Subject: Response to Final Plan Check Comments Permit 2014 – 00755

Thank you for providing the attached comments dated November 17 and 18, 2014. We intend to include the comments in the attachments to the Feasibility Study for the Kelvin Avenue Pedestrian Bridge Project. Following are our responses to comments from each of the commenting departments:

OC Infrastructure Programs – Flood Programs:

We have reviewed the Basis of Design Report dated March 24, 2015 for the proposed Kelvin Pedestrian Bridge over Barranca Channel (F09). Based on RBF's analyses and conclusion, the proposed pedestrian bridge does not worsen the existing hydrological or hydraulic conveyance capacity in Barranca Channel, OCFCD Facility No F09. From this perspective, the project is deemed acceptable from Flood Program Support for concept. These items need to be addressed in the separate construction for the Kelvin Pedestrian Bridge.

Response: Comment Noted. The Basis of Design Report will be amended and resubmitted as shown below, and this letter included as an attachment.

With respect to the Basis of Design report, comments are as follows:

Section 1 – Introduction

- 1st paragraph, 2nd sentence - Replace "flood hazard" with "flood plain".
- 2nd paragraph, 1st Sentence - Revise to read: "... maintained on its behalf by Orange County Public Works (OCPW)."

Section 2 – Hydrology

- 1st paragraph, 1st sentence - Revise to read: "... maintained on its behalf by Orange County Public Works (OCPW)."
- 2nd paragraph, 1st Sentence – Revise to read: "... a peak flow rate for San Diego Creek at the confluence with Barranca Channel ..."

Response: The above listed edits are now included.

Section 5 – Conclusions and Recommendations

- Within the second paragraph, the report presumes under ultimate conditions the channel will be constructed within existing right-of-way as an open concrete rectangular channel (U channel) with 14 foot wide maintenance roads along each side.
- For the ultimate channel configuration, neither confinement to existing right-of-way nor the presumed geometric configuration identified or depicted in the Kelvin Bridge – Elevation detail provided may be pursued by OC Public Works on behalf of OCFCD.

Response: Comment Noted. The report does not presume to confine the ultimate configuration to the existing R/W or a specific cross-section. The intent of the second paragraph is to convey that the existing limitations of R/W and dual-side maintenance access are accommodated with the proposed Kelvin Pedestrian Bridge.

- Also within the second paragraph, the report recommends that the soffit elevation of the proposed pedestrian bridge be designed a minimum of six inches above the existing top of channel bank. (Said 6" clearance is also depicted in the Kelvin Bridge – Elevation detail provided and references a Bridge Memo dated 1/30/5.)

Response: The report now shows a recommendation for one-foot of vertical clearance over the existing channel bank. The elevation detail is revised.

- Per Caltrans Bridge Design Details dated June 1990, clearance between the top of slope and soffit of the bridge should be about three feet, but may be as little as two feet. As such, compliance or reasoning for divergence needs to be provided.

Response: Discussion on proposed freeboard has been provided in a separate section of the report.

Hydraulics

- Freeboard – For non-leveed condition, the final design of the pedestrian bridge needs to meet the minimum freeboard requirements (1.5') per addendum #3 of the current OCFCD Design Manual. For leveed conditions, FEMA regulations control – ie: 2 feet of freeboard for facilities where water surface elevation is not more than 2-feet above surrounding ground.

Response: Discussion on proposed freeboard has been provided in a separate section of the report. The channel is an incised/excavated channel (no levees), therefore the FEMA regulations for leveed channels do not apply.

Maintenance

- OCFCD security and maintenance access to its facility.
- City will bear responsibilities to construct, operate, and maintain the trail, pedestrian bridge and amenities within OCFCD right-of-way – including:
- Removal of debris, trash, and graffiti within, upon, under and over OCFCD's right-of-way.
- City's use of OCFCD's right-of-way shall be non-exclusive and OCFCD reserves the right to use the property as necessary to access, construct, reconstruct, widen and maintain the flood control facility.
- City will need to bear the cost and expense for the repair, relocation, and/or replacement of City's improvements within OCFCD's right-of-way.

Response: Comments Noted. The Basis of Design Report includes this letter so that this criteria will be identified as the project moves into final design phase.

Indemnification/Liability

- The City will be required to indemnify OCFCD from any damages, losses, fines, claims, etc. in connection to the proposed improvements and activities within, upon, under, or over OCFCD right-of-way.

Response: Comment Noted. The Basis of Design Report includes this letter so that this criteria will be identified as the project moves into final design phase.

OC Operations & Maintenance:

O&M has no further comments

Response: To be provided in final design activities.

May 21, 2015

Email: dbrandt@rbf.com
lthai@ci.irvine.ca.us

City of Irvine
One Civic Center Plaza
Irvine, CA. 92612

Attn: David Brandt

Re: Plan Check Review #4 – Permit: 2014-00755

Dear Mr. Brandt

Your request for the conceptual review of a pedestrian bridge over Barranca Channel (F09), West of Kelvin Avenue, North of Siglo, near Northwest of Jamboree Road in Irvine within a portion of Orange County Flood Control District's Barranca Channel (F09) right-of-way, was reviewed by Orange County Public Works reviewers.

Provided Information was satisfactory and there is no further comments regarding this subject. Permit 2014-00755 will be closed and if you decide to proceed with this project, please submit a new permit application and provide (7) sets of construction plans and all related documents to Encroachment Permits. Please feel free to contact me at 714-667- 8838, if you have any further questions or concerns.

Sincerely,

Sahar Parsi

Encroachment Permits

**ADDENDUM TO THE
IBC VISION PLAN AND MIXED USE OVERLAY ZONING CODE
FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT
(SCH No. 2007011024)
FOR THE**

Kelvin Avenue Pedestrian Bridge Project

LEAD AGENCY:



City of Irvine

One Civic Center Plaza
Irvine, CA 92606

Contact: Ms. Lisa Thai
949.724.7384

PREPARED BY:

RBF Consulting

14725 Alton Parkway
Irvine, California 92618

Contact: Mr. Alan Ashimine
949.472.3505

June 2015

JN 141597

ATTACHMENT 3

This document is designed for double-sided printing to conserve natural resources.



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Appendix A Environmental Checklist



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1.0 INTRODUCTION AND SUMMARY

1.1 PURPOSE OF ADDENDUM

Pursuant to the California Environmental Quality Act (CEQA) Public Resources Code section 21000 et. seq. (CEQA), this Addendum is prepared to address potential environmental impacts of the Kelvin Avenue Pedestrian Bridge Project over Barranca Channel within the Irvine Business Complex (IBC). This document is an Addendum to the IBC Vision Plan and Mixed Use Zoning Code Final Program Environmental Impact Report (EIR) which was certified by the Irvine City Council on July 13, 2010 (SCH No. 2007011024) (referred to hereafter as the "IBC EIR"). These documents serve as the environmental review of the proposed Kelvin Avenue Pedestrian Bridge Project, as required pursuant to the provisions of CEQA, the CEQA Guidelines, 14 CCR Section 15000 et. seq. (CEQA Guidelines), and the City of Irvine procedures for CEQA implementation.

As described herein, there are no new significant impacts resulting from the current design changes of the proposed project, nor are there any substantial increases in the severity of any previously identified environmental impacts. The proposed project's effects were covered in the IBC EIR. All feasible mitigation measures and alternatives have been incorporated into the proposed project.

1.2 USE OF AN ADDENDUM TO A PREVIOUSLY CERTIFIED EIR

To ensure that individual projects are within the scope of the previously certified IBC EIR and that no new significant impacts would result, the City reviews each application in accordance with Sections 15162 and 15164 of the CEQA Guidelines. When necessary, additional environmental analysis is completed consistent with Sections 15162 through 15164, including EIR Addendums, Supplemental EIRs, or Subsequent EIRs. In addition, the proposed zoning ordinance specifies master plans, conditional use permits or other discretionary review processes to ensure that all aspects of proposed projects, including land use compatibility, are analyzed.

CEQA Guidelines Section 15164 states that: "The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR have occurred." Pursuant to Section 15162 of the CEQA guidelines, no subsequent EIR may be required for the project unless the City determines, on the basis of substantial evidence, that one or more of the following conditions are met:

- (a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:
 - (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
 - (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
 - (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:



- (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
- (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
- (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

1.3 PREVIOUS ENVIRONMENTAL DOCUMENTATION

The proposed project is located within the IBC, or Planning Area 36, of the City of Irvine in central Orange County. The IBC consists of a range of industrial, office, commercial, and residential uses covering approximately 2,800 acres in the western portion of the City of Irvine.

Due to shifts in land use, the City conducted regional efforts to update planning policies for the IBC to allow for residential uses in what were historically industrial areas. The result was the IBC EIR certified by the Irvine City Council on July 13, 2010. The document set forth a framework for new residential uses within the IBC to ensure proper integration of a mixed-use community comprised of residential, office, industrial, and commercial uses. The IBC EIR reviewed and analyzed the land use policy changes and covered the cumulative impacts of the land use shift.

The IBC EIR analyzed an increase in total residential units in the IBC from 9,015 to 15,000 units, a difference of 5,985 units, along with a corresponding reduction of nonresidential office equivalency square footage. In addition, a total of 1,598 density bonus units, in addition to 440 existing, approved, or under construction would be allowed in accordance with state law, for a total 17,038 units. The IBC Vision Plan outlined the City's policies and objectives for addressing residential and mixed-use development within the IBC, to be incorporated as a new element in the *City of Irvine General Plan* (General Plan). The framework for the IBC Vision Plan provided the land use and urban design structure by which new residential development would be organized.

As they relate to the proposed Kelvin Avenue Pedestrian Bridge Project, the IBC Vision Plan provides a series of objectives related to improving pedestrian and bicycle circulation in the project area. Figure 3-4, *IBC Vision Plan Framework* and Figure 3-5, *Proposed IBC Infrastructure Improvements*, of the IBC EIR identified several infrastructure improvements including pedestrian bridges, creek walks, sidewalk completion, Class I bikeways, and on-street bikeways. The pedestrian bridges identified in the IBC Vision Plan consist of five pedestrian bridges (four across Jamboree Road and the fifth across the San Diego Creek at the terminus of McGaw Avenue).

Most of the potentially significant environmental impacts identified in the IBC EIR were determined to be less than significant or were reduced to a level that is considered less than significant through either the adoption of mitigation measures or the incorporation of project revisions that would avoid or substantially lessen significant impacts. Impacts related to Air Quality, Noise, Land Use and Traffic, however, were identified as significant and unavoidable in the IBC EIR. For those impact areas, the City adopted a Statement of Overriding Considerations.

1.4 EVALUATION OF ENVIRONMENTAL IMPACTS

This document, prepared pursuant to CEQA, constitutes an Addendum to the IBC EIR. These documents serve as the environmental review of the proposed project, as required pursuant to the provisions of CEQA, the CEQA



Guidelines, 14 Cal. Code Regs. section 15000 et seq. (CEQA Guidelines), and the City of Irvine procedures for CEQA implementation.

This Addendum relies on use of an Environmental Checklist Form, as suggested in Section 15063 (d)(3) of the State CEQA Guidelines. The form includes a checklist to indicate whether the conditions set forth in Section 15162 of the State CEQA Guidelines that would require a subsequent or supplemental EIR are met, and whether there are new significant impacts resulting from the project. The Environmental Checklist Form is used to review the potential environmental effects of the proposed project for each of the following areas:

- Aesthetics
- Agricultural and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities and Service Systems

The Environmental Checklist Form prepared for this project is found in Appendix A of this Addendum. It contains a series of questions about the project for each of the impact categories. There are six possible responses to each of the questions included on the Environmental Checklist Form as follows:

1. Substantial Change in Project Requiring Major EIR Revisions;
2. Substantial Change in Circumstances Requiring Major EIR Revisions;
3. New Information Resulting in New Significant Impacts;
4. New Information Resulting in More Severe Impacts;
5. New Information Identifying New Mitigation Measures Available to Reduce Significant Impacts;
6. Less Than Significant Impact/No Substantial Change From Previous Analysis.

1.5 SUMMARY OF FINDINGS

Based on the Environmental Checklist and supporting environmental analysis, the proposed project would not result in any new significant impacts that were not previously addressed in the IBC EIR, nor are there any substantial increases in the severity of any previously identified environmental impacts. The scope of the installation of a prefabricated pedestrian bridge over the Barranca Channel and trail construction/modification do not result in any new impacts that are not already covered in the IBC EIR, and none of the conditions set forth in Section 15162 of the



CEQA Guidelines which would otherwise require preparation of a Subsequent or Supplemental EIR are met in this instance.



2.0 PROJECT DESCRIPTION

2.1 PROJECT LOCATION

Regionally, the project site is located within the western portion of the City of Irvine (City), within the central Orange County; refer to [Exhibit 2-1, Regional Map](#). Locally, the project site is located within the IBC, Planning Area 36, between the Main Street and Kelvin Avenue to the west of Jamboree Road. Barranca Channel traverses the site in a northwest-southeast direction; refer to [Exhibit 2-2, Site Vicinity](#). The project site is located approximately 0.35 miles northwest of the San Diego Creek, approximately 0.35 miles northeast of San Diego Freeway (Interstate 405), and approximately 1.5 miles southeast of Costa Mesa Freeway (State Route 55).

The project site is surrounded by residential (apartment buildings), commercial (office buildings), and transportation (roadway) uses. Additionally, a parking structure is located to the east of Siglo Street and south of Barranca Channel.

2.2 PROJECT DESCRIPTION

The proposed project consists of the installation of a pedestrian bridge (Kelvin Pedestrian Bridge) and trail improvements/modifications to promote pedestrian connectivity within the project area. Specifically, the bridge would be constructed over Barranca Channel, with a new pedestrian path along the Barranca Channel and between the channel and Kelvin Avenue to the northwest border of Kelvin Courts Apartments; refer to [Exhibit 2-3a through Exhibit 2-3e, Conceptual Site Plan](#). It should be noted that [Exhibit 2-3e, Conceptual Site Plan View Locations](#) provides photographs of existing conditions at various locations along the project site. Proposed improvements are described in additional detail below.

KELVIN PEDESTRIAN BRIDGE

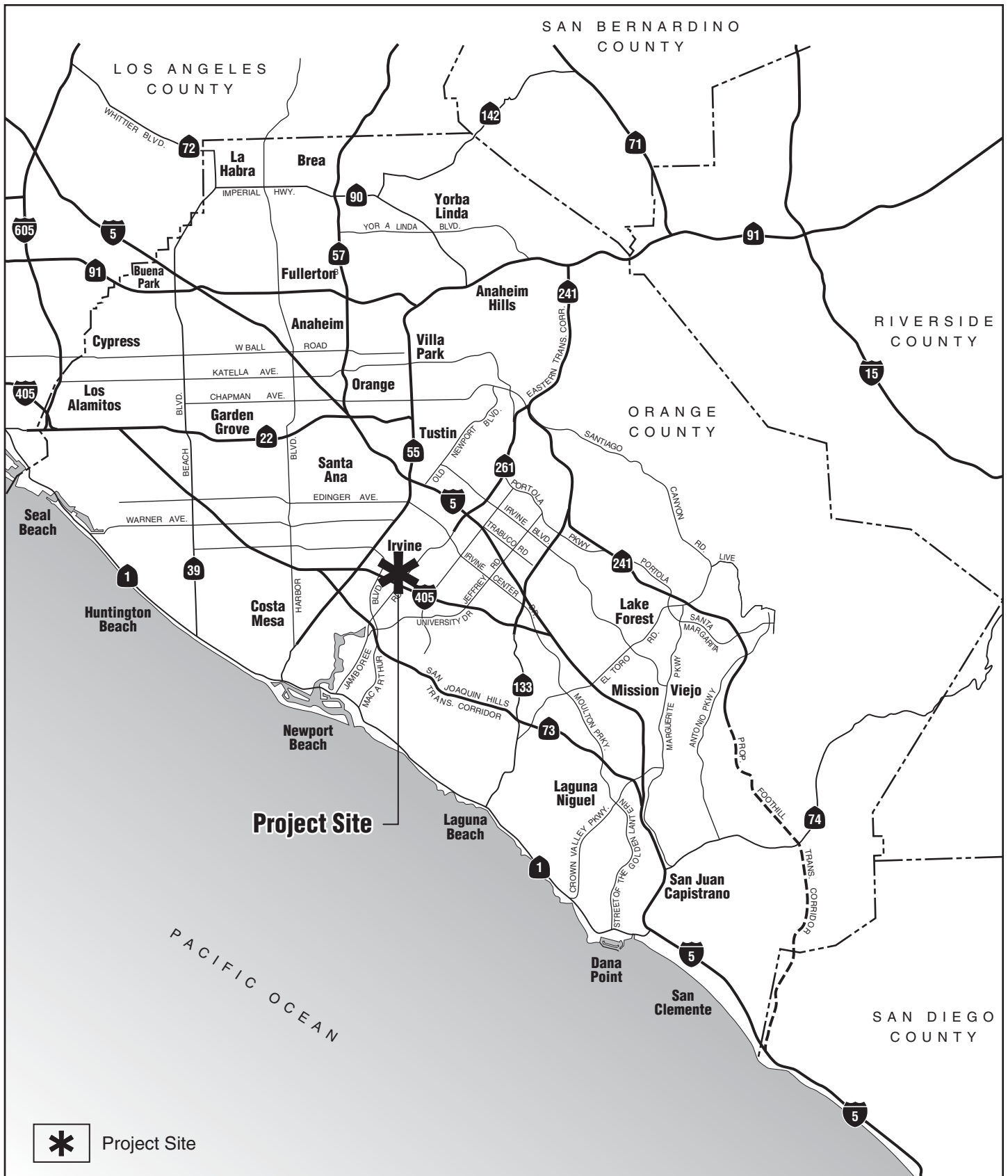
The proposed Kelvin Pedestrian Bridge would span over the Barranca Channel in the reach between Derian Avenue and Jamboree Road. Barranca Channel is owned by Orange County Flood Control District (OCFCD) and maintained on its behalf by Orange County Public Works (OCPW) and is a tributary to San Diego Creek. The existing channel is a rip-rap lined trapezoidal channel 56' 6" inches wide, 12' 6" inches tall, with a 16-foot bottom width. The channel has 17-foot wide unpaved access roads on both sides immediately adjacent to the channel. The proposed bridge location is surrounded by multi-family residential uses to the north and south.

Based on the existing hydraulic conditions, the water depth is 9.9 feet at the proposed bridge location. The profile of the proposed pedestrian bridge would provide 2.6 feet of freeboard. Immediately adjacent to the bridge, the access roads would have a width of 14 feet. The proposed bridge is a 62-foot span prefabricated truss bridge on spread footings. The bridge and pedestrian access paths would be built entirely within the OCPW right-of-way, and no additional right-of-way would be required.

The bridge span and location have been developed taking into consideration potential future improvements to Barranca Channel. A potential future configuration of the channel to provide additional capacity would be a rectangular channel, with a width of 50 feet and a height of 12 feet with a soft or vegetated invert. The future channel would be designed to take into account the surcharge loads from the bridge footings, due to the close proximity of the footings to the channel walls.

Prefabricated Truss Bridge Geometry and Design

The proposed bridge would span 62 feet and have a width of 8 feet. The deck would either be a 4-inch thick concrete deck slab or wooden planks. For ease of maintenance, the bridge would be made of weathering steel so that no painting is required. The bridge would have pedestrian handrails 4' 6" tall made of vertical pickets.



NOT TO SCALE

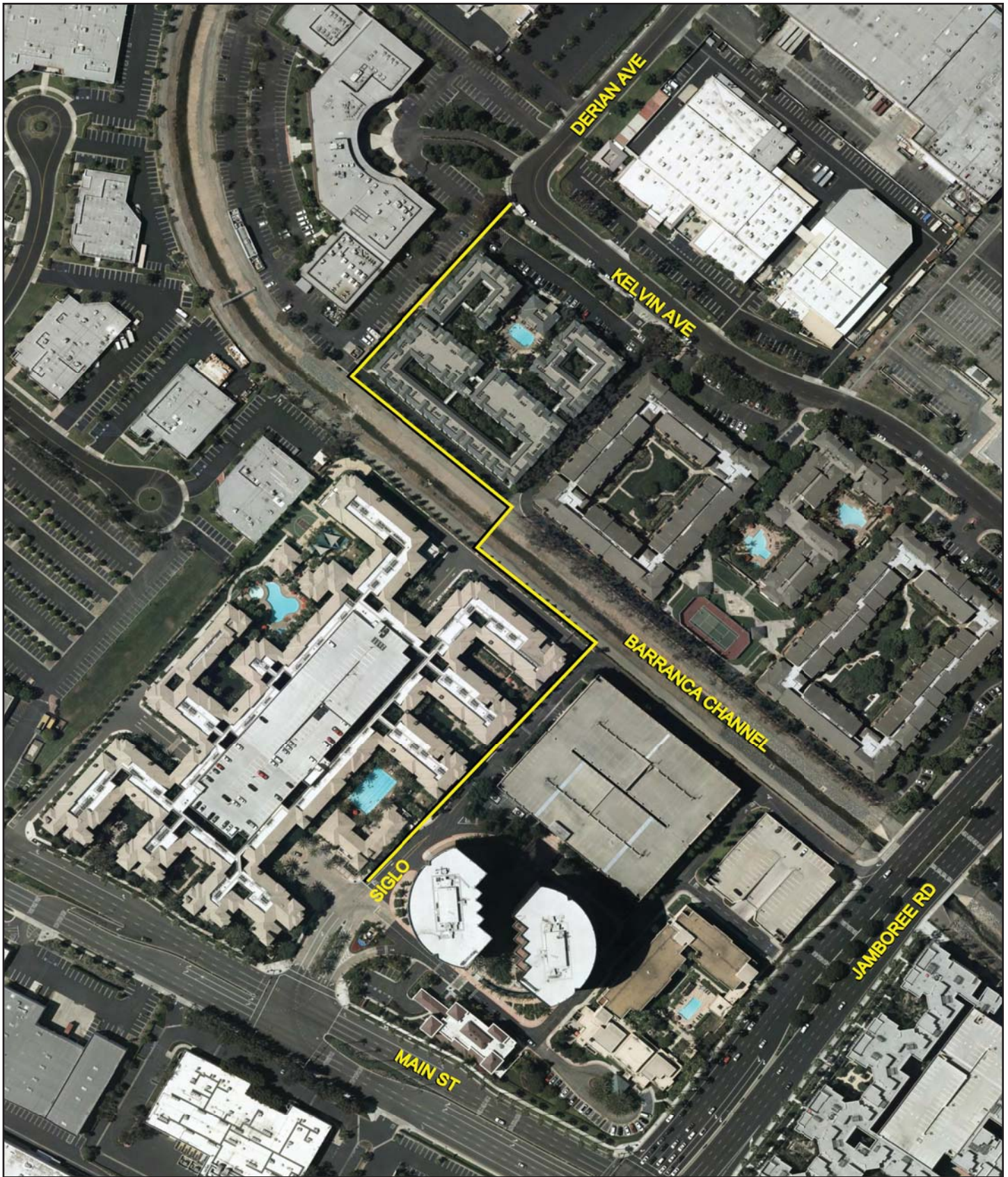


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ADDENDUM TO THE FINAL EIR
KELVIN AVENUE PEDESTRIAN BRIDGE PROJECT

Regional Map

Exhibit 2-1



- Proposed Improvement

NOT TO SCALE

RBF
CONSULTING
A Baker Company

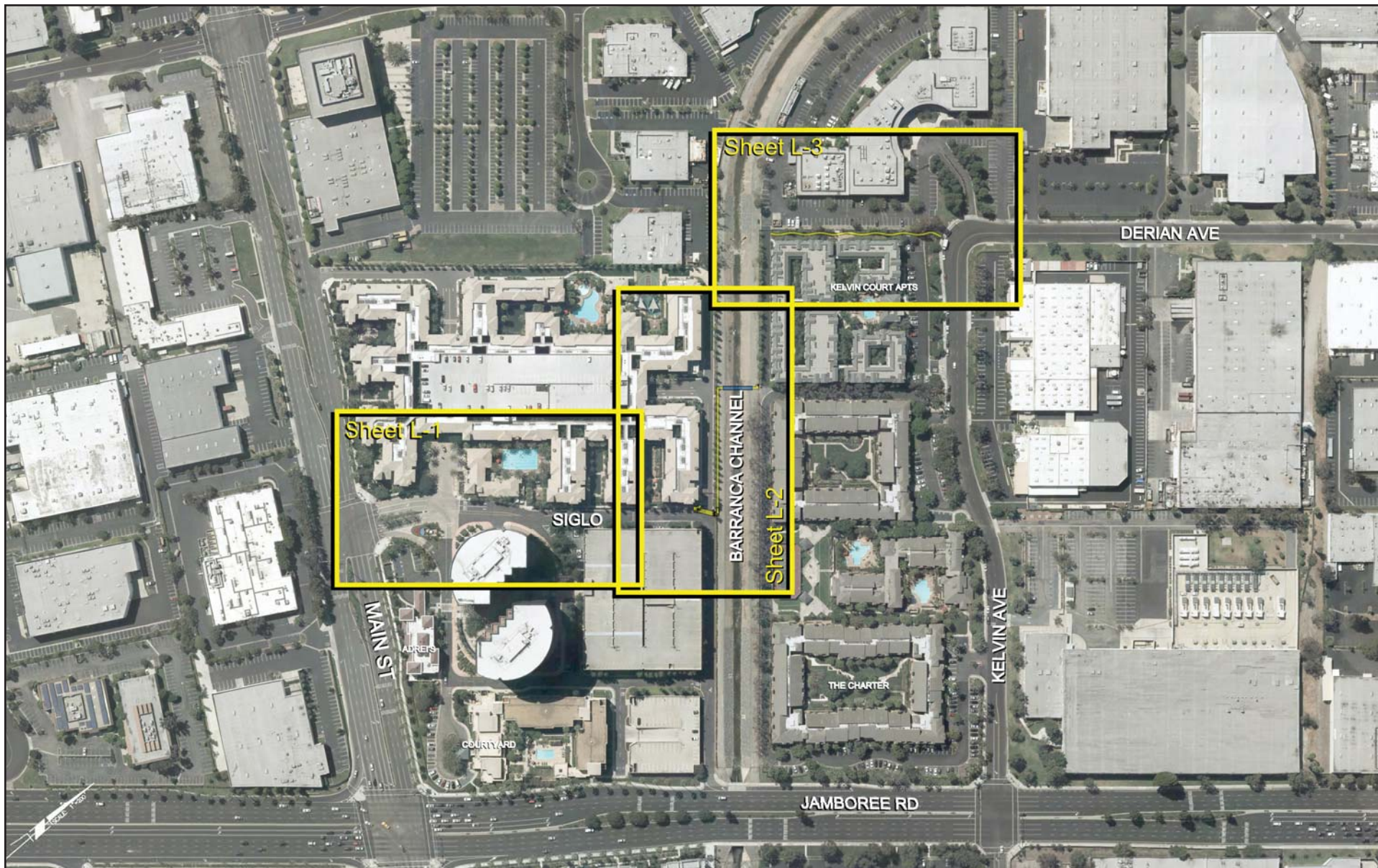


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ADDENDUM TO THE FINAL EIR
KELVIN AVENUE PEDESTRIAN BRIDGE PROJECT

Site Vicinity

Exhibit 2-2



NOT TO SCALE

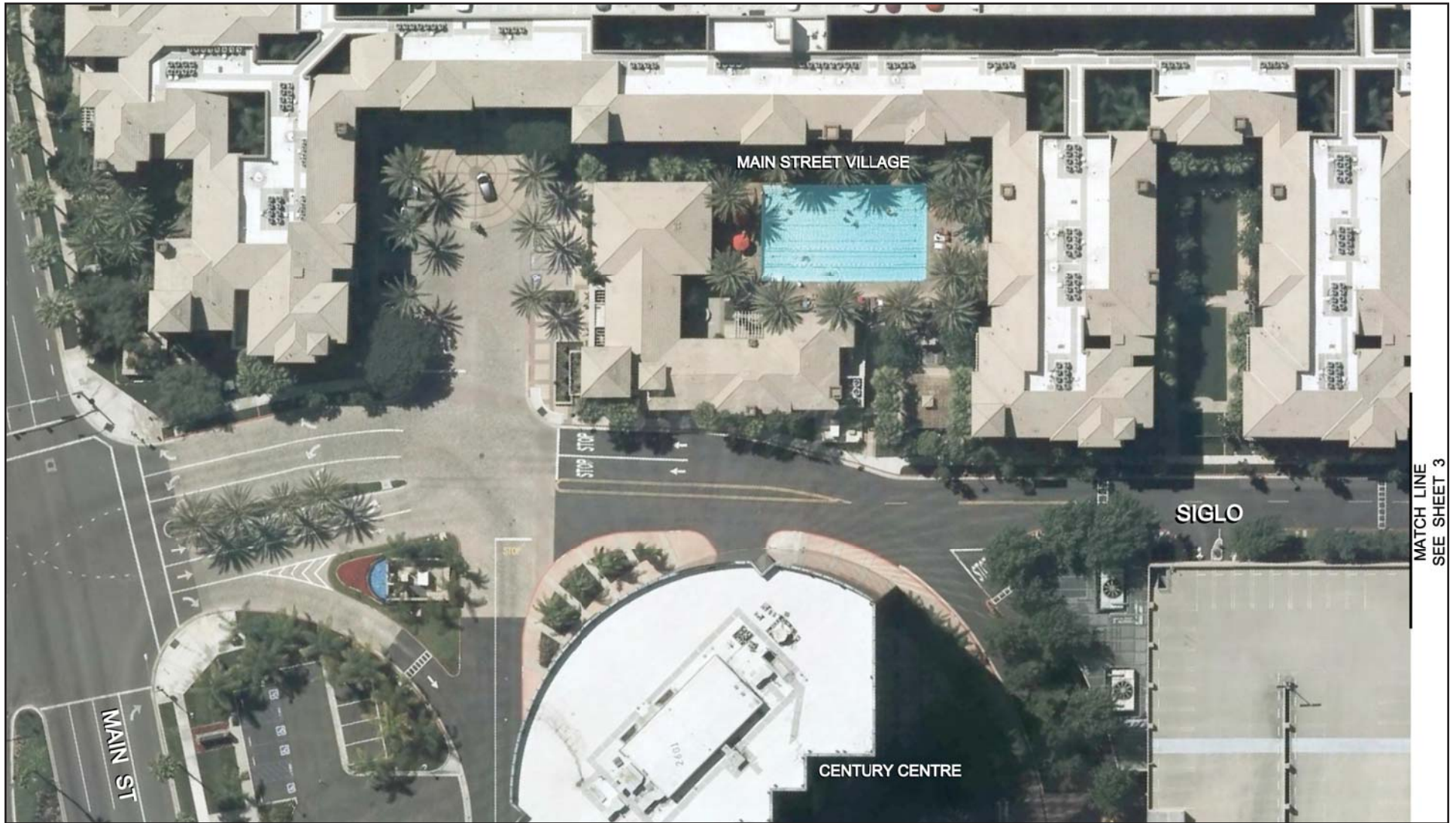


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ADDENDUM TO THE FINAL EIR
KELVIN AVENUE PEDESTRIAN BRIDGE PROJECT

Conceptual Site Plan

Exhibit 2-3a



NOT TO SCALE

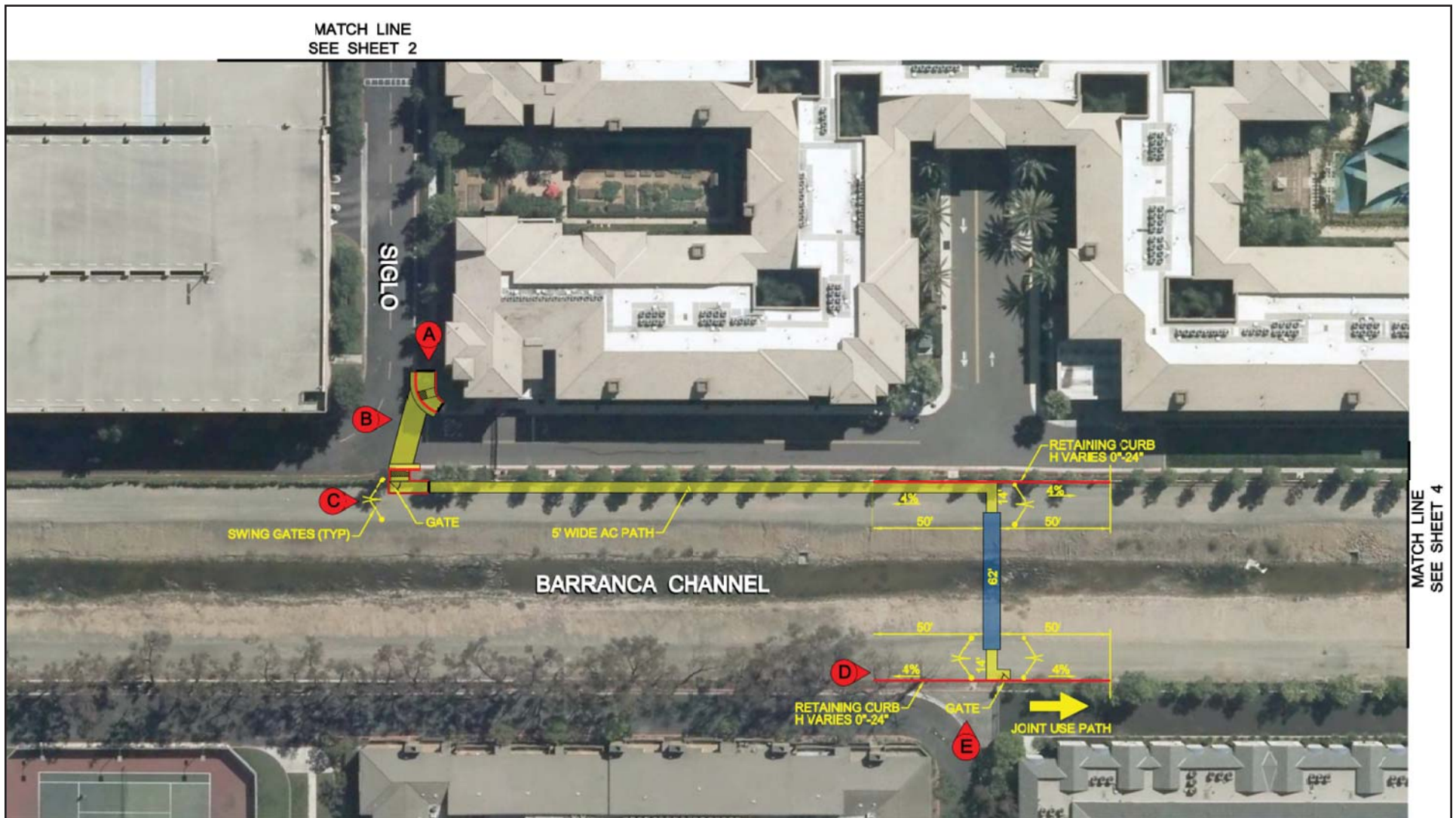


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ADDENDUM TO THE FINAL EIR
KELVIN AVENUE PEDESTRIAN BRIDGE PROJECT

Conceptual Site Plan (Sheet L-1)

Exhibit 2-3b



NOT TO SCALE

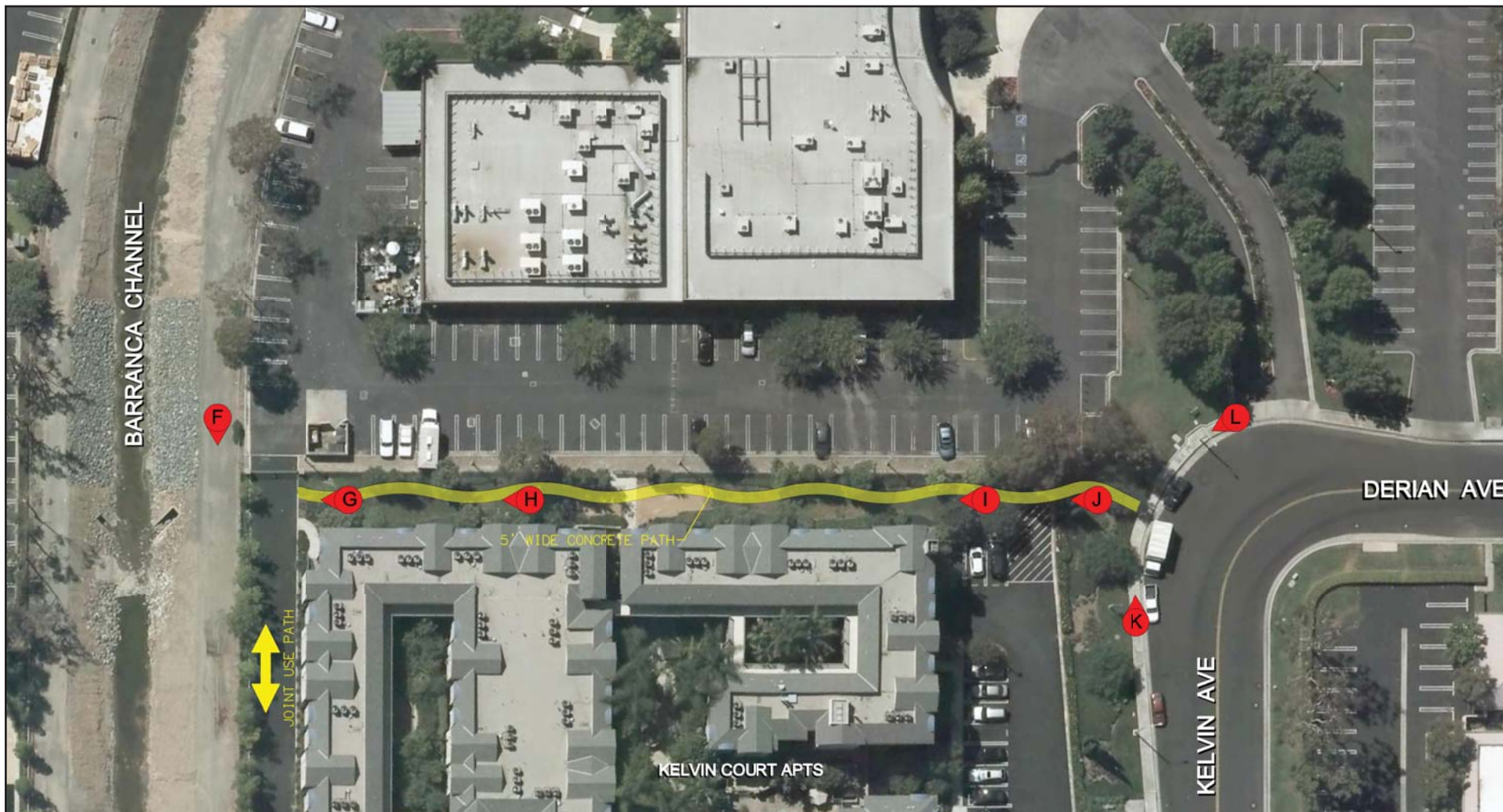


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ADDENDUM TO THE FINAL EIR
KELVIN AVENUE PEDESTRIAN BRIDGE PROJECT

Conceptual Site Plan (Sheet L-2)

Exhibit 2-3c



NOT TO SCALE



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ADDENDUM TO THE FINAL EIR
KELVIN AVENUE PEDESTRIAN BRIDGE PROJECT

Conceptual Site Plan (Sheet L-3)

Exhibit 2-3d



VIEW A



VIEW B



VIEW C



VIEW D



VIEW E



VIEW F



VIEW G



VIEW H



VIEW I



VIEW J



VIEW K



VIEW L



The depth of the concrete slab plus floor beam would be 1 foot. The soffit elevation of the bridge would be designed as minimum of one-foot above the existing top of channel bank. Therefore the access roads on each side of the bridge would be 2 feet higher at the bridge than in other portions of the channel. The access road would need to ramp up to the bridge for 50 feet at a grade of 4%, to obtain the required elevation at the bridge.

Abutment design would be completed as part of the construction documents for the bridge and pathway. A truss bridge manufacturer would be selected to provide the design of the superstructure and delivery of the bridge to the jobsite. The bridge and abutments would be designed in accordance with current Caltrans design criteria: American Association of State Highway and Transportation Officials (AASHTO) Load and Resistance Factor Design (LRFD) Design Specifications with the Caltrans Amendments, the latest edition of the Caltrans Seismic Design Criteria and the LRFD Guide Specifications for the Design of Pedestrian Bridges. In accordance with these codes, the bridge would be designed for a pedestrian live load of 90 lbs per square feet. Vehicle live loading would not be considered because of the bridge's narrow width. Bollards would be placed at either end of the bridge so that a vehicle is not able to be driven onto the bridge.

Prefabricated Truss Bridge Construction

The existing maintenance road adjacent to the existing trapezoidal channel is approximately 17 feet wide and accessed from a driveway at Jamboree Road. The bridge superstructure would be placed on a truck in one piece and delivered to the site. A crane would be placed on the maintenance road and would lift the bridge off the truck and set the bridge in place on the bridge abutments.

In the future, to facilitate construction of the future rectangular channel, the spread footings may need to be removed. The bridge would need to be temporarily relocated during construction of the new channel. The rectangular channel can then be built, the spread footings would be reconstructed, and the bridge can be replaced onto the new footings.

Currently, no utilities exist within the limits of the proposed pedestrian bridge crossing over the Barranca Channel. Nighttime security lighting may be installed along the prefabricated pedestrian bridge to provide security for users of the bridge.

TRAIL IMPROVEMENTS

The project proposes to construct ancillary trail improvements on both sides of the proposed bridge. The proposed trail improvements are as follows:

- Trail Improvements South of the Proposed Bridge – These trail improvements extend along the southerly limit of the Barranca Channel maintenance road from Siglo Street to the proposed bridge location. As shown on Exhibit 2-3c, Conceptual Site Plan (Sheet L-2), this proposed trail would be approximately 260 feet in length and 5 feet in width and would be paved with asphalt concrete (AC). Additionally, two Americans with Disabilities Act (ADA)-accessible curb ramps and a crosswalk would be constructed to provide a pedestrian crossing to and from the Barranca Channel at Siglo Street. In addition, a gate would be installed at the entrance of the sidewalk along the Barranca Channel.
- Trail Improvements North of the Proposed Bridge – These trail improvements would be constructed along the northwestern border of the Kelvin Court Apartments. The proposed sidewalk would start near the Barranca Channel and extend to the southwest corner of Kelvin Avenue and Derian Avenue, meandering through an existing landscaped area of the apartment property. As shown on Exhibit 2-3d, Conceptual Site Plan (Sheet L-3), this proposed meandering trail would be approximately 370 feet in length and 5 feet in width, with AC paving. The City of Irvine maintains an existing easement through this area; as such, right-of-way acquisition would not be required for these improvements.



- Between the proposed trail and the bridge, trail users would travel along an existing paved access road along the southwesterly boundary of the Kelvin Court Apartments, which would be utilized as a joint use path. In addition, a gate would be installed where the joint use path and Barranca Channel converge.

PERMITS

The existing channel is maintained by the OCPW. The area has limited access and temporary construction limits next to the channel would be required. This area is subject to jurisdiction and approval from the following agencies:

- City of Irvine
- Orange County Public Works

2.3 SUMMARY

The project proposes bridge and trail improvements that are consistent with the objectives of the IBC Vision Plan to improve pedestrian connectivity in the IBC. The proposed project would create a new point of access over Barranca Channel within an area surrounded by residential and employment-generating uses, and would promote and encourage the use of existing and proposed regional trails within the IBC, as identified within the IBC Vision Plan. According to the IBC Element of the *General Plan*, the vision of the IBC is to create a system of new public parks, urban plazas, open spaces, and private or public recreation areas that are interconnected by streets, bikeways, and trails. To provide enhanced pedestrian connectivity to the IBC, new bridges were proposed in the IBC EIR to create enhanced pedestrian connections within the IBC and to the wider system of trails. Additionally, the Vision Plan suggests a more “pedestrian oriented, urban living experience” within the emerging residential and mixed-use districts of the IBC. Although the proposed Kelvin Pedestrian Bridge is not identified as a future improvement within the IBC EIR, it is consistent with several other pedestrian bridges proposed to cross Jamboree Road and the San Diego Creek. As such, this Addendum covers the incorporation of the Kelvin Avenue Pedestrian Bridge as a transportation infrastructure improvement intended to improve local and regional connectivity within the IBC.



3.0 ENVIRONMENTAL SETTING

This Chapter presents the environmental setting for the proposed project site and surrounding areas. The setting is described as it relates to potential environmental effects associated with the proposed project. The existing setting is also shown in Exhibit 2-2. A discussion of the potential environmental impacts is provided in Chapter 4.

3.1 Aesthetics

The project site is located between Main Street and Kelvin Avenue to the west of Jamboree Road, within the eastern area of the IBC. The project site consists of portions of the maintenance road along Barranca Channel, a section of Barranca Channel, and a landscaped area located at the northwest border of the Kelvin Court Apartments. The existing Barranca Channel is a tributary to San Diego Creek and is a rip-rap lined trapezoidal channel 56' 6" inches wide, 12' 6" inches tall, with a 16 feet bottom width. The channel has 17-foot wide maintenance roads on both sides immediately adjacent to the channel. The channel and maintenance roads are bounded by a chain-link fence, and surrounded primarily by multi-family residential uses.

Generally, the site vicinity is highly urbanized and void of unique aesthetic resources or sensitive scenic vistas. The site is surrounded by numerous multi-level apartment buildings (e.g., Main Street Village Apartments, Kelvin Court Apartments, and Charter Apartments) which range in height from approximately three to four stories. In addition, the Century Center, which includes two twelve-story office buildings along with a six-story parking structure, is located at northeast corner of Main Street and Siglo Street in the vicinity of the project site. Thus, with the high level of development that has occurred in the project area, there are no significant visual resources on or in the vicinity of the site.

3.2 Agriculture and Forest Resources

The IBC does not contain any land zoned for agriculture or forestry. The project site is currently developed and no agricultural or forest resources exist on the project site or in the vicinity.

3.3 Air Quality

The project site shares the same air quality characteristics as the IBC and the City of Irvine, within the South Coast Air Basin (SoCAB). The SoCAB falls within the jurisdiction of the South Coast Air Quality Management District (SCAQMD), and is subject to rules and regulations of the SCAQMD. The existing project site consists of an existing roadway (Siglo Street), Barranca Channel, and an existing landscaped area associated with the Kelvin Court Apartments. None of the project site includes stationary equipment generating air pollutant emissions. However, nominal amounts of air pollutant emissions occur due to maintenance activities (i.e., periodic maintenance vehicle trips along Barranca Channel, landscape maintenance at the Kelvin Court Apartments).

3.4 Biological Resources

Generally, the project area has been graded and developed and is void of sensitive biological resources. While the area along the northwesterly boundary of the Kelvin Court Apartments is landscaped, it is limited to ornamental vegetation. The Barranca Channel is an earthen bottom/bank drainage facility with rip-rap placed in various locations in the project area. While the majority of the banks are unvegetated, small and sporadic patches of riparian vegetation exist along the bottom of the channel. However, bridge construction activities would not encroach into the channel bottom or banks; thus, there are no native, sensitive, or important biological resources that would potentially be affected by the project.



3.5 Cultural Resources

There are two historical resources and three archaeological resource sites documented within the IBC and described in the IBC EIR. Neither historical resource site is considered historically significant nor are they located within or near the proposed project site. The three archeological sites are in the southern portion of the IBC and are not near the proposed project site.

3.6 Geology and Soils

Based on the IBC EIR, the project site is located within the Tustin Plain, which is part of the coastal section of the Peninsular Range Province, a geomorphic province that extends 900 miles south from the Los Angeles basin to the tip of Baja California. The Peninsular Ranges Province is characterized by elongated northwest-trending mountain ridges separated by sediment-floored valleys. The Tustin Plain separates the Santa Ana Mountains, to the north and east, from the San Joaquin Hills to the south. Sediments eroded from the Santa Ana Mountain and the San Joaquin Hills have been deposited by streams emanating from these highlands (Santiago Creek, Peters Canyon Wash, Rattlesnake Canyon Wash, San Diego Creek, El Modena Canyon, etc.) and the lower reach of the Santa Ana River to produce the broad, complex, alluvial fan of the Tustin Plain. This area consists of relatively flat-lying unconsolidated to semiconsolidated sediments that are approximately 30 to over 1,200 feet thick beneath the IBC area, generally thickening to the northwest. These deposits include strata of the upper member of the Pliocene Fernando Formation (approximately 2 to 3 million years old) and Pleistocene (10,000 to 2 million years old) older alluvium. The near-surface, unconsolidated Holocene sediments beneath the site are between 10 and 20 feet thick and predominately consist of young alluvial fan deposits. Soil development within the IBC includes well-drained soils of the Alo, Balcom, and Myford Series, which are characteristic of upland and marine terrace deposits, and poorly drained soils of the Chino and Omni Series and Thapto-Histic Fluvaquents, which are characteristic of alluvial fan, floodplain, and coastal basin deposits.

No active surface earthquake faults are mapped or known to cross the IBC area, and the site is not in an Alquist-Priolo Earthquake Fault Zone. The known regional active and potentially active faults that could produce the most significant ground shaking within the IBC are the San Joaquin Hills, Newport-Inglewood, and Whittier-Elsinore Faults. The Newport-Inglewood Fault zone extends northwest from offshore Newport Beach to Inglewood, as close as approximately 3.5 miles to the southwest of the IBC, with the offshore portion as close as approximately 7.5 miles south. The Newport-Inglewood fault zone is broad, and is considered seismically active with numerous recorded earthquakes of generally small size.

As with all of Orange County, the IBC area is in the California Building Code Seismic Zone 4. This is the highest classification of the four zones in the United States, with the most stringent requirements for building design. The project area is also in the City of Irvine Seismic Response Area (SRA) 1, which is predominantly characterized by soft soils and high groundwater. In SRA 1, liquefaction is the primary potential seismic hazard. The California Geological Survey seismic hazard maps also delineate the subject site and surrounding areas as being potentially liquefiable.

Based on the presence of alluvial materials within the IBC, there is a potential for expansive soils. Expansive soils shrink or swell as the moisture content decreases or increases. Structures built on these soils may experience shifting, cracking, and breaking damage as soils shrink and subside or expand.

Numerous geotechnical investigations within the IBC have encountered severely corrosive soils, as classified by Uniform Building Code Table 19-A-3. Corrosive soils contain chemical constituents that may cause damage to construction materials such as concrete and ferrous metals.

Subsidence, the phenomenon of widespread land sinking, is generally related to substantial overdraft of groundwater or petroleum reserves from underground reservoirs. The project does not have an oil field or drinking water



production wells on-site and has not been used for the extraction of either resource; therefore, subsidence is not considered a potential hazard on the project site.

The groundwater table is relatively shallow within the IBC area, and groundwater may come into contact with surface waters by seeping through channel bottoms, cracks in storm drain pipes, and through groundwater dewatering activities.

3.7 Greenhouse Gas Emissions

Generally, the project area shares Greenhouse Gas (GHG) emissions characteristics similar to the IBC and the City of Irvine. The existing project site consists of an existing roadway (Siglo Street), Barranca Channel, and an existing landscaped area associated with the Kelvin Court Apartments. None of the project site includes stationary equipment generating GHGs. However, nominal amounts of GHG emissions occur due to maintenance activities (i.e., periodic maintenance vehicle trips along Barranca Channel, landscape maintenance at the Kelvin Court Apartments).

3.8 Hazards and Hazardous Materials

Based on the IBC EIR, IBC encompasses an area that includes numerous businesses that have had historical releases of hazardous substances to the environment and/or are undergoing environmental investigation or remediation. Certain features could influence the impact of hazardous material releases occurring within the IBC, including prevailing wind patterns and the direction of groundwater flow.

According to the State Water Resources Control Board (SWRCB) Leaking Underground Storage Tanks (LUST) GeoTracker website and Department of Toxic Substances Control (DTSC) EnviroStor website, the proposed project site is not listed in any of their databases. However, the GeoTracker website lists several LUSTs within the project vicinity. With the exception of Former Great Lakes Chemical Corp. (located at 17461 Derian Avenue, directly to the northeast of the project site), other adjacent reported facilities have a "Completed-Case Closed" status. The former Great Lakes Chemical Corp. has been under remediation as of January 2012. Potential contaminants of concern are chlorinated hydrocarbons, tetrachloroethylene (PCE), and trichloroethylene (TCE) that may have affected groundwater.

3.9 Hydrology and Water Quality

The IBC and project site are within the western portion of the San Diego Creek watershed, which is part of the larger Santa Ana River basin. The San Diego Creek Watershed covers 112.2 square miles in central Orange County, of which the IBC project site comprises 3.9-percent of the total watershed area. Its main tributary, San Diego Creek, drains from the Santiago Hills and outlets into the Upper Newport Bay. Watershed uses are generally comprised of agricultural, vacant, developed and recreational land uses. The entire western portion of the watershed is developed, with development spreading to the east and south.

The Santa Ana Regional Water Quality Control Board (RWQCB) generally divides the San Diego Creek into two reaches: Reach 1 extends from the Upper Newport Bay outlet of the creek to the crossing at Jeffrey Road, and Reach 2 extends from Jeffrey Road to its headwaters within the City of Lake Forest. Specifically, runoff from the IBC area ultimately discharges into Reach 1 of San Diego Creek, which flows generally along the eastern boundary of the Complex.

The majority of the local drainage systems within the IBC (approximately 75 percent) discharge to one of the three regional facilities within the area: Lane Channel (designated F08 by the Orange County Flood Control District [OCFCD]), Armstrong Channel (F08S01), and Barranca Channel (F09), all of which ultimately discharge into San Diego Creek Reach 1.



The project site is located on and in the vicinity of Barranca Channel. In general, the Barranca Channel drains the central and eastern portions of the IBC, in addition to portions of the Cities of Tustin and Santa Ana. Overall, the Barranca Channel drains 1,337 acres, and roughly 500 acres (or 37 percent) are within the IBC. At its downstream location, Barranca Channel confluences with San Diego Creek at Main Street, approximately 1,800 feet upstream of the Lane Channel confluence. From there, it continues upstream in a northwest direction as a rip-rap lined trapezoidal soft bottom section. It then crosses Jamboree Road as a double reinforced concrete box (RCB), and then transitions back to an earthen trapezoidal channel that parallels Kelvin Avenue. The flood control facility continues in this fashion for approximately 1,350 feet before curving northeasterly at the Atchison, Topeka and Santa Fe (AT&SF) railroad crossing. It then continues north, parallel to Von Karman Avenue until it reaches Barranca Parkway, south of the Tustin Legacy development at the former Marine Corps Air Station (MCAS) Tustin, as a rip-rap lined channel until it reaches Red Hill Avenue. The rip-rap lined channel then transitions into an RCP and turns northeasterly to continue upstream along Red Hill Avenue.

In addition to the three major drainage channels listed above, local storm water runoff within the IBC is collected by a series of smaller drainage channels and underground storm drains that discharge into the tributary channels and into San Diego Creek. The project site is in an existing developing area and all drainage infrastructure is already in place. An existing 24" storm drain is located along Kelvin Avenue, and an existing catch basin is located at the intersection of Kelvin Avenue and Jamboree Boulevard. Additionally, an existing catch basin is located at Siglo Street approximately 370 feet southwest of the project site. Currently, surface water on the site is either drained into Barranca Channel or directed by curbing into storm drains that discharge directly to San Diego Creek approximately 0.35-mile southeast of the site.

The portion of the project site which is along and over Barranca Channel is within Flood Hazard Areas identified in the City's Safety Element of the *General Plan* (City of Irvine 2012), and similarly is located within flood hazard and floodway areas as defined on the Flood Insurance Rate Map (FIRM) (FEMA 2009).

The proposed project site and surrounding areas are fully developed. The project site is not within a dam/levee inundation area, a tsunami hazard area, a seiche inundation area, or subject to mudflows as designated in the County of Orange *General Plan* and City of Irvine *General Plan*.

Geographically, the IBC is located within the Irvine Groundwater Management Zone of the lower Santa Ana River basin. As defined in the Basin Plan, the Irvine Groundwater Management Zone is generally bounded by Newport Bay and the San Joaquin Hills to the south/southwest, the Santa Ana Mountains to the east, and the Orange County Groundwater Management Zone to the north. The project site is situated over the Irvine Subbasin of the Orange County Main Groundwater Basin. The Orange County Water District (OCWD) manages the level of water in the Basin, including the Irvine Subbasin, by regulating the amount of water pumped out and by recharging water into the Basin.

The project site is not located in a groundwater recharge area. The site will not utilize groundwater for operation; water will be supplied by the local municipal water service. Due agricultural activities and the increasing urbanization in the watershed over the past 100 years, shallow groundwater within portions of the watershed contains high levels of nutrients and selenium. Groundwater levels in portions of the watershed are shallow and relatively close to the ground surface.

The Santa Ana RWQCB recognized the potential threat groundwater discharges may have on surface water quality, and began regulating discharges of groundwater into surface waters through National Pollutant Discharge Elimination Systems (NPDES) permits. Due to the concerns from short-term discharges of nitrogen and selenium into surface waters, a separate permit was issued by the RWQCB specific to the San Diego Creek and Newport Bay watersheds. Order No. 2004-0021 (superseded by Order No. R8-2007-0041 in 2007) recognized that while groundwater contained high levels of selenium, there were no feasible treatment technologies for reducing selenium concentrations in discharges. The Orange County Nitrogen Selenium Management Program (NSMP) was developed



to investigate alternative compliance approaches and develop an overall understanding and management plan for selenium and nitrogen as a result of groundwater discharges in the watershed.

3.10 Land Use and Planning

The project site is within Planning Area 36 that includes a mix of office, light industrial, commercial, and high-density residential uses. The project site and surrounding area are designated as “Urban and Industrial” by the City of Irvine *General Plan*. The project site is designated as “5.1 IBC Multi-Use” by the City of Irvine *Zoning Map* and surrounding area are designated as “5.3 IBC Residential” and “5.1 IBC Multi-Use” by the *Zoning Map*. The IBC Element of the *General Plan* outlines the framework for future development of the IBC as a mixed-use community. A portion of the proposed project alignment along Barranca Channel would be located within an area designated “Proposed Trail Adjacent to Canal” identified in the Figure N-2, IBC Vision, of the IBC Element of the *General Plan*. Additionally, the IBC Vision Plan provides a series of objectives related to improving pedestrian and bicycle circulation in the project area. Figure 3-4, *IBC Vision Plan Framework* and Figure 3-5, *Proposed IBC Infrastructure Improvements*, of the IBC EIR identified several infrastructure improvements including pedestrian bridges, creek walks, sidewalk completion, Class I bikeways, and on-street bikeways. The pedestrian bridges identified in the IBC Vision Plan consist of five pedestrian bridges (four across Jamboree Road and the fifth across the San Diego Creek at the terminus of McGaw Avenue). The Kelvin Pedestrian Bridge is not included in the IBC Vision Plan; however, it would be consistent with the five pedestrian bridges proposed in the IBC EIR.

3.11 Mineral Resources

The project area is fully developed with commercial/residential land uses and lacks valuable or important mineral resources or mining operations. No mineral recovery activities currently occur in the project area, and the project site is not underlain by any known mineral resources of value to the region and residents of the state.

3.12 Noise

Noise levels in the project area are influenced primarily by motor vehicle and air traffic. Motor vehicle noise from the San Diego Freeway (I-405), Jamboree Road, Main Street, and other local streets produces a steady source of ambient noise to the project area. In addition, air traffic at John Wayne Airport contributes to ambient noise on the project site. Noise levels of 60 to 70 Community Noise Equivalent Level (CNEL)¹ are common along arterials within the IBC. According to the IBC EIR, ADT volume levels along Jamboree Road, between Kelvin Avenue and Main Street were 53,259 and ADT volume levels along Main Street, between Siglo Street and Jamboree Road were 22,024 in 2008. According to the City of Irvine Noise Element, vehicular traffic noise levels along Jamboree Road between Alton Parkway and Main Street were determined to be 71.4 CNEL at 100 feet from centerline, and are projected to increase to 73.2 CNEL by 2020 buildout condition. Additionally, vehicular traffic noise levels along Main Street between Von Karman Avenue and Jamboree Road were determined to be 68.1 CNEL at 100 feet from centerline, and are projected to increase to 71.7 CNEL by 2020 buildout condition (City of Irvine 2012). Noise sources on the project site consist of vehicle traffic along Siglo Street, in addition to periodic maintenance vehicle trips along Barranca Channel and landscape maintenance at the Kelvin Court Apartments.

3.13 Population and Housing

The project site is surrounded primarily by multi-family residential development; however, there is currently no housing or associated population that occurs within site boundaries.

¹ The CNEL is an average of noise levels over a twenty-four (24) hour period. The measured energy equivalent level (Leq) is weighted for the hours when there is a greater sensitivity to noise. A weighting factor of 5 decibels is applied to the evening period (7 to 10 p.m.) and a weighting factor of 10 decibels is applied to the night time period (10 p.m. to 7 a.m.). The daytime Leqs between 7 a.m. and 7 p.m. are not weighted.



3.14 Public Services

Although the project site currently produces no demand for public services, the project site is served by the Orange County Fire Authority (OCFA) for fire protection services, the Irvine Police Department (IPD) for police protection services, and the Irvine Unified School District (IUSD) for school services. All parks and other public facilities that serve the IBC would also serve the project.

3.15 Recreation

The project site consists of a section of Barranca Channel, maintenance road along the Barranca Channel within project limits, and landscaped area at the northwest border of the Kelvin Court Apartments in the extension of Derian Avenue. There are no existing public or private recreational amenities on the site, and there is currently no demand for recreational facilities created by the project site.

3.16 Transportation/Traffic

The majority of the site is inaccessible to public vehicular traffic, with the exception of the portion of the site along Siglo Street. There is no use on-site that generates substantial vehicle trips. The Barranca Channel is gated and the only trips associated with it are occasional maintenance vehicle trips.

Intersections within 0.5-mile of the project site are as follow:

- Von Karman Avenue/McGaw Avenue
- Von Karman Avenue/Main Street
- Jamboree Road/McGaw Avenue
- Jamboree Road/Kelvin Avenue
- Jamboree Road/Main Street
- Jamboree Road/I-405 northbound ramps
- Jamboree Road/I-405 southbound ramps

For existing conditions, levels of service at intersections were calculated in the IBC EIR through application of the Intersection Capacity Utilization (ICU) method, which quantifies the Level of Service (LOS) for an intersection. The methodology calculates the ratio of the sum of critical turning movement volumes to saturated flow rates. The ICU output is analogous to the intersection's volume-to-capacity (V/C) ratio. LOS A represents free-flow activity and LOS F represents overcapacity operation. According to the City's traffic impact study (TIA) Guidelines, LOS at an intersection or roadway is considered to be unsatisfactory when the ICU exceeds 1.00 (LOS E) within the IBC and 0.90 (LOS D) in all other areas of the City.

For freeway ramps, a similar methodology was employed to collect data for ramps that were within the study area but not associated with any intersection counts taken for the study. The freeway ramp criteria are based on peak hour V/C ratios. The freeway ramp capacities applied in the IBC EIR analysis are based on information contained in the Caltrans Highway Design Manual and the Caltrans Ramp Meter Design Manual and have been verified through discussions with Caltrans staff.

Table 3-1, Arterial Segment V/C Ratio LOS summarizes the V/C ranges that correspond to LOS A through F for arterial roadways and freeway segments and ramps. The V/C ranges listed for arterial roads are designated in the Orange County Congestion Management Program (CMP) as well as the General Plans for the County of Orange and the Cities within the study area. The intersection criteria involve the use of peak hour ICU values. The ICU ranges that correspond to LOS A through F are the same as the V/C ranges shown in Table 5.13-1 for arterial roads.



Table 3-1
Arterial Segment V/C Ratio LOS

LOS	Arterial Segment V/C Ratio	Freeway Segment/Ramp V/C Ratio
A	0.00-0.60	0-0.3
B	0.61-0.70	0.31-0.50
C	0.71-0.80	0.51-0.71
D	0.81-0.90	0.72-0.89
E	0.91-1.00	0.90-1.0
F	F > 1.00	F > 1.0
Source: IBC EIR		

The 2801 Kelvin Residential Project is located at the northeast corner of the Jamboree Road and Kelvin Avenue intersection, approximately 0.25-mile east of the proposed Kelvin Avenue Pedestrian Bridge site. The 2801 Kelvin Residential Project included the preparation of a Traffic Impact Analysis (TIA) to determine the impacts of the residential project on roadway facilities in the vicinity. The TIA included a study area bounded by Barranca Parkway to the north, I-405 to the south, Murphy Avenue to the east, and Red Hill Avenue to the west. The TIA included an analysis of 21 study intersections within the study area; based on the TIA, all study area intersections currently operate at satisfactory LOS (LOS E or better).

Based on the IBC EIR, section 5.13, Transportation and Traffic, with the addition of residential units among the existing predominant office uses at the IBC, there is a growing need for pedestrian transportation amenities such as sidewalks, crosswalks, and other important connections throughout the study area.

3.17 Utilities and Service Systems

Local utilities (e.g., irrigation utilities, electricity, and sewer) that serve existing on-site and surrounding uses are present and available within the project area; however, no utilities exist within the limits of the proposed Kelvin Pedestrian Bridge crossing over Barranca Channel.



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4.0 ENVIRONMENTAL IMPACT ANALYSIS

This Chapter presents information and analysis of the environmental impacts potentially affected by the proposed project. The analysis contained within this Chapter addresses the changes to impacts identified in the IBC EIR that could potentially occur as a result of the proposed Kelvin Avenue Pedestrian Bridge project, as well as any other changes that could result in environmental effects.

A summary of the Final IBC EIR findings is provided, followed by a discussion of the impacts associated with the proposed project modifications and significance of the impacts. An Environmental Checklist Form is included in Appendix A. Mitigation measures from the IBC EIR, or requirements incorporated into the IBC Vision Plan, are incorporated into the proposed project where applicable. Those measures and requirements fall into the following three categories:

- **Existing Plans, Programs, and Policies (PPP)** - These measures include existing regulatory requirements or plans and programs that are applicable to the proposed project. For example, existing standard conditions set forth by the City of Irvine, such as the requirement that new structures meet seismic safety requirements (i.e., California Building Code requirements) serve to reduce the potential for new development within the project site to be significantly affected by possible seismic events.
- **Project Design Features (PDF)** - The analysis of each topic includes a description of any project design features proposed by the City of Irvine that are specifically intended and designed to reduce or avoid impacts.
- **Mitigation Measures (MM)** - For those issue areas where the impacts analysis determines that implementation of the proposed project would result in significant impacts, mitigation measures are proposed in accordance with the requirements of CEQA.

4.1 AESTHETICS

Summary of IBC EIR Findings

The certified IBC EIR identified no potentially significant aesthetic impacts.

- Future development pursuant to the IBC Vision Plan would not substantially alter the visual character of the IBC area and its surroundings and no mitigation measures were required.
- Additional light and glare generated by specific projects in accordance with the IBC Vision Plan would not substantially impact surrounding land uses. Outdoor lighting is required to be designed and installed so that direct rays are confined to the site and adjacent properties are protected from glare, and the level of lighting on the site must comply with the City's Uniform Security Code (IBC PPP 1-1). Prior to issuance of building permits, applicants must demonstrate through a photometric survey that lighting requirements of the Irvine Uniform Security Code are met (IBC PPP 1-2).
- Future development pursuant to the IBC Vision Plan may generate additional light and glare that could impact wildlife in the San Joaquin Freshwater Marsh and the San Diego Creek. However, for specific high-rise office or residential development projects within 100 feet of the San Joaquin Marsh or San Diego Creek, reflectivity shall be reduced through use of building surface materials and angles that are not highly reflective (IBC PDF 1-1).



Impacts of Proposed Project

The visual character of the portion of the IBC where the proposed project is located is characterized by multi-family residential apartment complexes and low- and mid-rise commercial (office) uses. The diversity of architectural types is bridged by a relatively uniform landscape treatment throughout the area. Based on the IBC EIR, the IBC Vision Plan outlines a conceptual framework of landscape improvements, pedestrian bridges, and new sidewalks. Similarly, the proposed project would result in construction of a trail and installation of a prefabricated pedestrian bridge over the Barranca Channel within the project limits in an urbanized setting. The proposed trail and Kelvin Pedestrian Bridge would be consistent with the visual character of the existing surrounding land uses and other proposed IBC infrastructure improvements in the IBC Vision Plan. The Kelvin Pedestrian Bridge would be of high visual quality and complement their surroundings.

Although the proposed project may incorporate nighttime security lighting for the benefit of trail users, this lighting would be compatible with existing sources of lighting in the project area. Receptors immediately surrounding the project site (i.e., apartment residents to the northeast and southwest of Barranca Channel) are already exposed to nighttime lighting due to existing security lighting along parking lots and internal roads in each residential development. In addition, any new lighting would be subject to existing City standards for intensity, placement, and shielding. There are no significant visual impacts resulting from the construction of the proposed project.

The City of Irvine *General Plan* does not identify any scenic resources or scenic highways within the IBC. The proposed project site is not characterized by unique visual resources or scenic vistas. Therefore, no adverse impact on designated scenic resources would result from the proposed project.

The IBC EIR identified no potentially significant aesthetic impacts. The proposed project would not result in new significant impacts or require new mitigation measures that have not already been addressed in the IBC EIR. Therefore, aesthetic impacts resulting from the proposed project would be less than significant and do not represent a substantial change from the previous analysis.

PPPs, PDFs, and MMs Applicable to the Proposed Project

None required.

4.2 AGRICULTURE AND FORESTRY RESOURCES

Summary of IBC EIR Findings

There are no designated farmlands, lands zoned for agricultural use, forest land or timberlands within the IBC.

Impacts of Proposed Project

The project site consists of Siglo Street, Barranca Channel, and a landscaped area associated with the Kelvin Court Apartments. Since no agricultural or forestry uses exist or adjacent to the project site, no impacts to agricultural/forestry resources would occur.

PPPs, PDFs, and MMs Applicable to the Proposed Project

None required.



4.3 Air Quality

Summary of IBC EIR Findings

The certified IBC EIR identified the following air quality impacts as significant and unavoidable, despite implementation of the following IBC PPPs and PDFs included:

- Regional population, housing and employment growth projections in the IBC were not accounted for in the South Coast Air Quality Management Plan (AQMP):
 - PPP 2-1. SCAQMD Rule 201 – Permit to Construct
 - PPP 2-2. SCAQMD Rule 402 – Nuisance Odors
 - PPP 2-3. SCAQMD Rule 403 – Fugitive Dust (PM₁₀ and PM_{2.5})
 - PPP 2-4. SCAQMD Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities
 - PDF 2-1. Health Risk Assessments for Residential Projects within Specified Distances of Certain Industrial Uses
 - PDF 2-2. Requirements for New Residential Developments within 500 Feet of I-405
 - PDF 2-3. Minimum Separation Distance from I-405 for Outdoor Active-Use Public Recreational Areas
 - PDF 2-4. Health Risk Assessments for Residential Projects within 1,000 Feet of Industrial Facility that Emits Toxic Air Contaminants
 - PDF 2-5. Odor Assessment for Residential Projects within 1,000 Feet of Industrial Facility that Emits Substantial Odors
 - PDF 2-6. Tier 3 USEPA Emission Standards for Off-Road Construction Equipment
 - PDF 2-7. Construction Equipment Properly Serviced and Maintained/Restrictions on Nonessential Idling of Construction Equipment
 - PDF 2-8. Construction Dust Control Plan and Enhanced Fugitive Dust Control Measures
- Construction emissions associated with build-out of the IBC would generate short-term emissions that exceed the SCAQMD's regional significance thresholds for VOC, NOX, CO, PM₁₀, and PM_{2.5}, and would significantly contribute to the nonattainment of designations of the South Coast Air Basin for O₃ and particulate matter (PM₁₀ and PM_{2.5}). Refer to PPP 2-1 through PPP 2-4 and PDF 2-6 through PDF 2-9.
- Build-out of the IBC would generate long-term stationary- and mobile-source emissions that exceed the SCAQMD regional significance threshold and significantly contribute to the nonattainment designations of the South Coast Air Basin for O₃ and particulate matter (PM₁₀ and PM_{2.5}). Refer to Global Climate Change PPP 15-2 through PPP 15-13 and PDF 15-3 through PDF 15-17.
- Project-related construction activities could expose sensitive receptors to substantial pollutant concentrations of NO_x, PM₁₀, and PM_{2.5}. Refer to PPP 2-1 through PPP 2-4 and PDF 2-6 through PDF 2-9.
- Development of residential uses within the IBC could be located within the California Air Resources Board's recommended buffer distances from I-405 or existing distribution centers, chrome platers, dry cleaners, or gas stations. Refer to PDF 2-1 through 2-5.

The certified IBC EIR found the following air quality impacts to be less than significant:

- Operation of the IBC would not expose off-site sensitive receptors to substantial concentrations of NO₂, CO, PM₁₀, and PM_{2.5}.



- New land uses within the IBC would not create objectionable odors; however, new residential land uses could be proximate to existing odor generators. Refer to PDF 2-5.

Impacts of Proposed Project

The proposed project would result in air quality impacts from construction. Construction activities produce fugitive dust and combustion emissions from various sources such as demolition, site grading, utility engines, on-site heavy-duty construction vehicles, equipment hauling materials to and from the site, asphalt paving, and motor vehicles transporting the construction crew. Exhaust emissions from construction activities envisioned on-site would vary daily as construction activity levels change. The use of construction equipment on-site would result in regional and localized exhaust emissions.

Nearby sensitive receptors and on-site workers may also be exposed to dust, depending upon prevailing wind conditions, and equipment exhaust emissions. Application of fugitive dust suppression measures would minimize impacts. The project would comply with regional rules, which would assist in reducing the short-term air pollutant emissions. Fugitive dust from a construction-site must be controlled with best available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. Implementation of these dust suppression techniques will reduce the fugitive dust generation (and thus the PM₁₀ component) by 50 percent or more. It should be noted that construction activities would be short-term in nature and cease upon project completion.

Long-term air quality impacts would typically consist of mobile source emissions generated from project-related traffic and from stationary source emissions from combustion. The proposed project involves implementation of trail improvements and installation of a pedestrian bridge over the Barranca Channel and would not generate any new vehicular trips. Additionally, the proposed project would not generate any stationary source emissions. The project would result in benefits related to air quality, since it would encourage pedestrian travel and reduce vehicular emissions over the long term. Thus, no impacts would occur in this regard.

During construction, potential odors would be generated by trucks and heavy-duty construction equipment used on-site during demolition and construction. However, odors from the trucks and heavy-duty construction equipment used at the project site would be temporary and would cease to exist after construction is completed. Construction of the proposed project would not create objectionable odors affecting a substantial number of people.

The IBC EIR identified that development of the IBC would increase air quality impacts related to a contribution to existing or projected air quality violations from both construction and operations. The IBC EIR identified mitigation measures that reduced these potential impacts, but not to less than significant levels. The City adopted Findings that reduction below significance levels was not feasible and adopted a Statement of Overriding Considerations for these impacts. Construction activities associated with the proposed project would be relatively minor, since it involves installation of a prefabricated bridge and minor trail improvements. The proposed project would not generate any long-term operational air pollutant emissions, and would result in beneficial effects related to air quality by reducing vehicle trips in the project area. As such, the proposed project would not result in any new significant impacts or substantially increase the severity of a previously-identified significant impact.

PPPs, PDFs, and MMs Applicable to the Proposed Project

Implementation of PPPs 2-2 and 2-3, as well as PDFs 2-3 and 2-6 through 2-8 would apply to the proposed project.

PPP 2-2 **SCAQMD Rule 402 – Nuisance Odors:** The SCAQMD prohibits the discharge of any quantities of air contaminants or other material that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endanger the comfort, repose, health or safety of any such persons or the public, or that cause, or have a natural tendency to cause, injury or damage to business or property to be emitted within the South Coast Air Basin (SoCAB).



- PPP 2-3 **SCAQMD Rule 403 – Fugitive Dust (PM₁₀ and PM_{2.5}):** The SCAQMD prohibits any person to cause or allow the emissions of fugitive dust from any active operation, open storage pile, or disturbed surface area such that: (a) the dust remains visible in the atmosphere beyond the property line of the emission source; or (b) the dust emission exceeds 20 percent opacity (as determined by the appropriate test method included in the Rule 403 Implementation Handbook) if the dust emission is the result of movement of a motorized vehicle.
- PDF 2-3 As described in the proposed design criteria for the project, all outdoor active-use public recreational areas associated with development projects shall be located more than 500 feet from the nearest lane of traffic on the Interstate 405.
- PDF 2-6 Applicants for new developments in the Irvine Business Complex shall require that the construction contractor utilize off-road construction equipment that conforms to Tier 3 of the United States Environmental Protection Agency, or higher emissions standards for construction equipment over 50 horsepower that are commercially available. The construction contractor shall be made aware of this requirement prior to the start of construction activities. Use of commercially available Tier 3 or higher off-road equipment, or:
- year 2006 or newer construction equipment for engines rated equal to 175 horsepower (hp) and greater;
 - year 2007 and newer construction equipment for engines rated equal to 100 hp but less than 175 hp; and
 - 2008 and newer construction equipment for engines rated equal to or greater than 50 hp.
- The use of such equipment shall be stated on all grading plans. The construction contractor shall maintain a list of all operating equipment in use on the project site. The construction equipment list shall state the makes, models, and numbers of construction equipment on-site.
- PDF 2-7 Applicants for new developments in the Irvine Business Complex shall require that the construction contractor to properly service and maintain construction equipment in accordance with the manufacturer's recommendations. Nonessential idling of construction equipment shall be restricted to five minutes or less in compliance with California Air Resources Board's Rule 2449.
- PDF 2-8 Applicants for new developments in the Irvine Business Complex shall require that the construction contractor prepare a dust control plan and implement the following measures during ground-disturbing activities in addition to the existing requirements for fugitive dust control under South Coast Air Quality Management District Rule 403 to further reduce PM₁₀ and PM_{2.5} emissions. To assure compliance, the City shall verify compliance that these measures have been implemented during normal construction site inspections:
- During all grading activities, the construction contractor shall reestablish ground cover on the construction site through seeding and watering. This would achieve a minimum control efficiency for PM₁₀ of 5 percent.
 - During all construction activities, the construction contractor shall sweep streets with Rule 1186 compliant PM₁₀-efficient vacuum units on a daily basis if silt is carried over to adjacent public thoroughfares or occurs as a result of hauling.



- During all construction activities, the construction contractor shall maintain a minimum 24-inch freeboard on trucks hauling dirt, sand, soil, or other loose materials and tarp materials with a fabric cover or other suitable means. This would achieve a control efficiency for PM₁₀ of 91 percent.
- During all construction activities, the construction contractor shall water exposed ground surfaces and disturbed areas a minimum of every three hours on the construction site and a minimum of three times per day. This would achieve an emissions reduction control efficiency for PM₁₀ of 61 percent.
- During all construction activities, the construction contractor shall limit on-site vehicle speeds on unpaved roads to no more than 15 miles per hour. This would achieve a control efficiency for PM₁₀ of 57 percent.
- The construction contractor shall apply chemical soil stabilizers to reduce wind erosion. This would achieve a control efficiency of up to 80 percent.

4.4 Biological Resources

Summary of IBC EIR Findings

The certified IBC EIR identified no potentially significant biological resources impacts.

- The project would not have a direct substantial adverse effect on any species identified as a sensitive or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service.
- The project would not have a substantial adverse effect of any riparian habitat or other sensitive natural community identified in local or regional plans, policies or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service.
- The project would not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.
- The project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.
- The proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan.

Impacts of Proposed Project

The site is currently developed with roadway uses, a drainage channel, and a landscaped area planted with ornamental vegetation along the northwesterly boundary of the Kelvin Court Apartments. The Barranca Channel is an earthen bottom/bank drainage facility with rip-rap placed in various locations in the project area. While the majority of the banks are unvegetated, small and sporadic patches of riparian vegetation exist along the bottom of the channel. However, bridge installation activities would not encroach into the channel bottom or banks, and would be



limited to paved and disturbed areas only; thus, there are no native, sensitive, or important biological resources that would potentially be affected by the project.

According to the *General Plan* Conservation Element, there is no identified Habitat Conservation Plan, Natural Community Conservation Plan, or other applicable habitat conservation plan within or adjacent to the project site. The proposed project would be implemented in an urbanized and developed area. A portion of the project site contains ornamental trees, some of which may be removed during project implementation. In the event any mature trees are removed as part of the project, compliance with existing Migratory Bird Treaty Act (MBTA) requirements would minimize impacts related to nesting birds to a less than significant level. In addition, IBC PPP 3-2 requires compliance with the City's Tree Preservation Ordinance for tree replacement. Therefore, implementation of the project would not cause any significant impacts related to biological resources, and no mitigation measures will be required. As a result, no new impacts are anticipated which were not previously addressed in the IBC EIR.

PPPs, PDFs, and MMs Applicable to the Proposed Project

PPP 3-2 If any trees are removed, the Applicant shall carry out a tree survey and obtain a permit for their removal in accordance with the City's tree preservation ordinance (including 1:1 replacement).

4.5 Cultural Resources

Summary of IBC EIR Findings

The certified IBC EIR identified no potentially significant cultural resources impacts. However, the EIR identified two PPPs to further reduce these less than significant impacts.

- Development of the project could impact prehistoric archaeological sites with burials and the proposed project could destroy paleontological resources or a unique geologic feature. However, prior to issuance of grading permits, project applicants are required to demonstrate retention of an archaeologist and paleontologist who shall remain on call during grading and other significant ground disturbing activities (IBC PPP 4-1).
- Grading activities could potentially disturb human remains. However, in the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, specified steps are to be taken for the treatment and disposition of any remains encountered (IBC PPP 4-2).

Impacts of Proposed Project

According to the IBC EIR, no cultural resources are known to exist on the proposed project site. The project site was previously mass-graded. Barranca Channel, its associated maintenance roads, and the landscaped area along the northwestern border of the Kelvin Court Apartments currently exist on-site. The surrounding structures are less than 50 years old and are not considered historically significant. There are no known archaeological or paleontological sites within the project boundary and the site is within an area of low paleontological sensitivity. Moreover, all ground-disturbing and grading associated with the proposed Kelvin Avenue Pedestrian Bridge project would be shallow and limited to a maximum depth of approximately six feet within a very small and focused area (for the construction of bridge's spread footings). Given the minimal ground disturbance associated with the project, it is unlikely that the proposed project would affect unknown archaeological, paleontological, or historic resources. Thus, it has been determined that PPP 4.1 (requiring monitoring during grading) would not apply to the project. However, IBC PPP 4-2 would remain applicable to the proposed project in the event human remains are discovered during earth moving activities. The proposed project would not result in new significant impacts or require new mitigation measures that have not already been addressed in the IBC EIR.



PPPs, PDFs, and MMs Applicable to the Proposed Project

Implementation of IBC PPP 4-2 would apply to the proposed project to minimize impacts related to the accidental discovery of human remains during earth-moving activities.

- PPP 4-2 In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, one of the following steps shall be taken (City of Irvine Standard Conditions 2.1 and A-6):
- a. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the Orange County Coroner is contacted to determine if the remains are prehistoric and that no investigation of the cause of death is required. If the coroner determines the remains to be Native American, then the coroner shall contact the Native American Heritage Commission within 24 hours, and the Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent from the deceased Native American. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98.
 - b. Where the following conditions occur, the land owner or his/her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendent or on the property in a location not subject to further subsurface disturbance:
 - The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.
 - The identified descendent fails to make a recommendation; or
 - The landowner or his/her authorized representative rejects the recommendation of the descendent, and mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner. (CEQA Guidelines Section 15064.5[e])

4.6 Geology and Soils

Summary of IBC EIR Findings

The certified IBC EIR identified no potentially significant geology and soils impacts. However, the PEIR identified several PPPs to further reduce the less than significant impacts.

- Future residents and employees could be subjected to strong earthquakes. With compliance with identified PPPs, no significant impacts would occur:
 - IBC PPP 5-1. Revegetation of cut and fill slopes in accordance with City of Irvine Grading Code and Grading Manual.
 - IBC PPP 5-2. Grading operations and construction in conformance with City of Irvine Grading Code and Grading Manual.
 - IBC PPP 5-3. Detailed geotechnical investigation reports for each Rough Grading Plan to evaluate faults, subsidence, slope stability, settlement, foundations, grading constraints, liquefaction potential,



- issues related to shallow groundwater, and other soil engineering design conditions and provide site-specific recommendations to mitigate these issues/hazards.
- IBC PPP 5-4. Grading and earthwork performed under the observation of a Registered Civil Engineer specializing in Geotechnical Engineering.
 - IBC PPP 5-5. Grading and earthwork performed under the observation of a Certified Engineering Geologist.
 - IBC PPP 5-6. Future buildings and structures designed in accordance with the City of Irvine Building Code and most recent Uniform Building Code and/or California Building Code.
- Future development could potentially be subjected to seismic-related ground failure, including landslides, lateral spreading, subsidence, liquefaction, or collapse, resulting in risks to life and property. With compliance with IBC PPPs 5-1 through 5-6 above, no significant impacts would occur.
 - The project would not result in substantial soil erosion or the loss of topsoil.
 - The project could have corrosive or expansive soil. With compliance with IBC PPPs 5-1 through 5-6 above, no significant impacts would occur.

Impacts of Proposed Project

Earthquakes are common to southern California, and have historically occurred in the project area. While no active surface faults are mapped or known to cross the IBC area, several known regional active and potentially active faults that could produce significant ground shaking may affect the project. Due to the shallow groundwater, the proposed project would also be subject to potential liquefaction hazards during a seismic event. As discussed previously, the project area is subject to several other geologic and soil conditions that could pose potential design hazards to the proposed project, including expansive soils, and corrosive soils. These impacts have been previously covered in the IBC EIR, and would be reduced to less than significant levels with the incorporation of PPPs and PDFs.

The proposed project would implement trail improvements and install a prefabricated pedestrian bridge over the Barranca Channel. The project site is relatively flat and previously graded. Minimal grading would be required for implementation of the proposed project. As noted in the Chapter 2, Project Description, the bridge and abutments would be designed in accordance with current Caltrans design criteria: AASHTO LRFD Design Specifications with the Caltrans Amendments, the latest edition of the Caltrans Seismic Design Criteria and the LRFD Guide Specifications for the Design of Pedestrian Bridges. IBC PPPs 5-2 and 5-4 require grading operations in conformance with City of Irvine Grading Code and Grading Manual and under observation of a Registered Civil Engineer specializing in Geotechnical Engineering or Certified Engineering Geologist. Additionally, IBC PPP 5-6 requires design of buildings and structures in accordance with the City of Irvine Building Code and most recent California Building Code. As such, the proposed project would not result in any new significant impacts or substantially increase the severity of a previously-identified significant impact in regards to geology and soils.

PPPs, PDFs, and MMs Applicable to the Proposed Project

Implementation of IBC PPPs 5-2 through 5-6 would apply to the proposed project and would minimize the potential for significant impacts related to geotechnical conditions.

- PPP 5-2 All grading operations and construction will be conducted in conformance with the applicable City of Irvine Grading Code (Municipal Code Title 5, Division 10) and Grading Manual, the most recent version of the California Building Code, and consistent with the recommendations included in the most current geotechnical reports for the project area prepared by the engineer of record.



- PPP 5-3. Detailed geotechnical investigation reports for each Rough Grading Plan to evaluate faults, subsidence, slope stability, settlement, foundations, grading constraints, liquefaction potential, issues related to shallow groundwater, and other soil engineering design conditions and provide site-specific recommendations to mitigate these issues/hazards.
- PPP 5-4. In accordance with the City of Irvine Grading Code (Municipal Code Title 5, Division 10) and Grading Manual, grading and earthwork shall be performed under the observation of a Registered Civil Engineer specializing in Geotechnical Engineering in order to achieve proper subgrade preparation, selection of satisfactory fill materials, placement and compaction of structural fill, stability of finished slopes, design of buttress fills, subdrain installation, and incorporation of data supplied by the engineering geologist.
- PPP 5-5. Grading and earthwork performed under the observation of a Certified Engineering Geologist.
- PPP 5-6. Future buildings and structures (e.g., houses, retaining walls) shall be designed in accordance with the City of Irvine Building Code and the most recent Uniform Building Code and/or California Building Code. The concrete utilized shall take into account the corrosion and soluble sulfate soil conditions at the site. The structures shall be designed in accordance with the seismic parameters included in the UBC/CBC.

4.7 Greenhouse Gas Emissions

Summary of IBC EIR Findings

The certified IBC EIR found the following impact to be less than significant with implementation of the identified IBC PPPs and PDFs:

- Project-related greenhouse gas emissions could significantly contribute to global climate change impacts or conflict with the California Air Resources Board-adopted Scoping Plan. The following IBC PPPs and PDFs were included to reduce this impact:
 - PPP 15-1. City of Irvine Construction and Demolition (C&D) Debris Recycling and Reuse Ordinance
 - PPP 15-2. 2008 Building and Energy Efficiency Standards (CCR Title 24)
 - PPP 15-3. Title 24 Code Cycles: Net-Zero Buildings (Residential & Non-Residential)
 - PPP 15-4. California Renewable Portfolio Standard
 - PPP 15-5. California Low Carbon Fuel Standard
 - PPP 15-6. Federal Corporate Average Fuel Economy (CAFE) Standards
 - PPP 15-7. California Assembly Bill 1493 – Pavley Standards
 - PPP 15-8. SB 375
 - PPP 15-9. Transit Service to LAX
 - PPP 15-10. Comprehensive Signal Retiming and Coordination Program
 - PPP 15-11. Additional Fixed Route Shuttle System to Complement the i Shuttle
 - PPP 15-12. Energy Efficient Traffic Lights
 - PPP 15-13. Waste Reduction
 - PPP 15-14. Renewable Energy and Existing Buildings Retrofit Program
 - PPP 15-15. Safe Route to Schools
 - PPP 15-16. Circulation Phasing Analysis
 - PDF 15-1. Alternate Transportation Incentives
 - PDF 15-2. Recycled Materials
 - PDF 15-3. Compact/Mixed-Use Development



- PDF 15-4. High Rate of Internal Trip Capture
- PDF 15-5. Office/Commercial Development Heat Island Standards
- PDF 15-6. Urban Infill Near Multiple Transit Modes
- PDF 15-7. Transportation Management Association (TMA)
- PDF 15-8. Pedestrian Improvements
- PDF 15-9. Bicycle Improvements
- PDF 15-10. Ultra-Low Flow Fixtures
- PDF 15-11. Landscaping and Irrigation Systems
- PDF 15-12. Use of Reclaimed Water on All Master Landscaped Areas
- PDR 15-13. Material Recovery
- PDF 15-14. GreenPoint Rated Residential Buildings
- PDF 15-15. Designed to Earn the Energy Star Non-Residential Buildings

Impacts of Proposed Project

Construction activities associated with heavy equipment emissions would contribute temporarily to greenhouse gas (GHG) emissions. Long-term operation of the project would not result in the generation of any GHGs, since the proposed project would not generate any vehicle trips or result in any stationary source emissions. The City of Irvine and the IBC EIR have set aggressive standards for reducing energy consumption and reduction of GHGs. Construction activities and associated GHG emissions associated with the proposed project would be relatively minor, since it involves installation of a prefabricated bridge and minor trail improvements. In addition, the project would result in beneficial effects related to air quality by reducing vehicle trips in the project area. As such, the proposed project would not result in any new significant impacts or substantially increase the severity of a previously-identified significant impact related to GHGs.

PPPs, PDFs, and MMs Applicable to the Proposed Project

Implementation of IBC PDF 15-8 would apply to the proposed project and would minimize the potential for significant impacts from GHGs.

PDF 15-8 **Pedestrian Improvements:** The IBC Vision Plan creates funding mechanisms to provide for the implementation of community-orientated pedestrian infrastructure improvements to increase walkability. New streets incorporated into the IBC would reduce the size of the city blocks to a pedestrian scale and pedestrian paseos would connect to the arterials at key locations. In addition, many of the streets in the IBC currently do not have sidewalks. The sidewalk improvement program would be expanded to provide connectivity, and incorporate several new pedestrian bridges, and many existing sidewalks would be moved away from the curb into the setback area. The Creek walk system is also envisioned adjacent to the San Diego Creek to provide a trail to connect the Great Park from the IBC and the Civic Center.

Also refer to PDF 13-1 and PDF 15-7, which allow for the creation of a Transportation Management Association (TMA) for the IBC area.

4.8 Hazards and Hazardous Materials

Summary of IBC EIR Findings

The certified IBC EIR identified no potentially significant hazards and hazardous material impacts.



- Project construction and/or operations would involve the transport, use, and/or disposal of hazardous materials. With compliance with identified PPPs, no significant impacts would occur:
 - IBC PPP 6-1. Removal of underground storage tanks in accordance with standards and regulations of the OCHCA.
 - IBC PPP 6-2. Compliance with Title 8 of California Code of Regulations (CCR) Section 1532.1 for protection of construction workers exposed to lead.
 - IBC PPP 6-3. Preparation of a Fire Master Plan for submittal to Orange County Fire Authority (OCFA).
 - IBC PPP 6-4. Lead-based paint assessment and removal requirements in compliance with Rule 29 of Code of Federal Regulations (CFR) Part 1926.
 - IBC PPP 6-5. Asbestos-containing materials (ACM) assessment and removal in compliance with applicable state and federal regulations.
 - IBC PPP 6-6. Hazardous waste management during site decommissioning and demolition in accordance with Title 22, Division 4.5 of the CCR.
 - IBC PPP 6-7. Limits and monitoring of construction worker exposure to asbestos in compliance with Title 8 of CCR, Section 1529.
 - IBC PPP 6-8. Appropriate agency notification of evidence of soil and/or groundwater contamination encountered during site development (i.e. OCHCA, DTSC, or RWQCB).
- Various hazardous material sites are located within the IBC project area. Refer to PPP 6-1 through PPP 6-8 above.

As described in the zoning code, PDF 6-2 requires discretionary applications for residential or residential mixed use to include a condition of approval for disclosure to residents clearly outlining the issues associated with living in a mixed-use environment. PDF 6-3 specifies project conditions of approval to mitigate any hazardous materials-related impacts during the removal of facilities such as transformers or clarifiers that would be demolished as part of a proposed development. As required by the zoning code, PDF 6-4 requires applications for new residential and/or residential mixed-use development to be accompanied by data evaluating compatibility with surrounding uses with respect to noise, odors, truck traffic and deliveries, hazardous materials handling/storage, air emissions, and soil/groundwater contamination. PDF 6-5 requires submittal to the City of a health risk assessment for all residential projects located within 1,000 feet of an industrial facility, which emits toxic air contaminants.

- The IBC project site is located in the vicinity of John Wayne Airport (JWA) and within the jurisdiction of an airport land use plan. PDF 6-1 specifies, as described in the zoning related to building height limitations, that recordation of aviation easements, obstruction lighting and marking, and airport proximity disclosures and signage shall be provided per Orange County Airport Environs Land Use Plan standards for JWA. PDF 6-2 requires discretionary applications for residential or residential mixed-use to include a condition of approval for disclosure to residents clearly outlining the issues associated with living in a mixed-use environment.
- IBC project development would not affect the implementation of an emergency response or evacuation plan. Refer to PPP 6-1 through PPP 6-8 above.

Impacts of Proposed Project

The proposed project would require only minor ground disturbance given the nature and scope of improvements (installation of a prefabricated bridge and associated trail improvements). Minor grading would be required for installation of new curb ramps, bridge footings, and trail construction. The bridge and pedestrian access paths would be built entirely within the OCPW right-of-way and no additional right-of-way would be required. IBC PPP 6-2 would protect construction workers from lead exposure, and IBC PPP 6-6 requires managing hazardous waste during site



decommissioning and demolition in accordance with Title 22, Division 4.5 of the CCR. Additionally, IBC PPP 6-8 requires notifying appropriated agency when evidence of soil and/or groundwater contamination encountered during site development. Upon implementation of these applicable PPPs, impacts in regard to hazards and hazardous materials would be less than significant and do not represent a substantial change from the previous analysis.

The project site is located in a built-up and urban area and is not subject to wildfire hazards. Additionally, public roadways provide adequate emergency access to the site, and appropriate fire lanes, water supplies, and other fire prevention measures are included in the project to minimize impacts to emergency providers.

The project site is located within the Federal Aviation Regulations Part 77 (FAR Part 77) "Imaginary Surfaces" associated with the John Wayne Airport, pursuant to the Airport Environs Land Use Plan (AELUP). An Aviation Easement for Orange County Airport covering approximately 18,500 acres around the airport, inclusive of the project site, restricts the construction of buildings and/or structures into air space above 203.68 feet mean sea level (msl). The existing elevation of the site is approximately 39 feet msl. The proposed Kelvin Pedestrian Bridge including floor beam, concrete slab, and pedestrian handrails would be approximately 5' 6" tall. Therefore, the proposed pedestrian bridge would be well below the restricted air space and would not represent a significant impact to aircraft safety, and do not represent a substantial change from the previous analysis.

Thus, the project would not result in any new significant impacts or substantially increase the severity of a previously-identified significant impact related to hazards or hazardous materials.

PPPs, PDFs, and MMs Applicable to the Proposed Project

Implementation of PPP 6-2, 6-6, and 6-8 would reduce potential impacts associated with hazards and hazardous materials to less than significant.

PPP 6-2 During demolition, grading, and excavation, workers shall comply with the requirements of Title 8 of the California Code of Regulations Section 1532.1, which provides for exposure limits, exposure monitoring, respiratory protection, and good working practice by workers exposed to lead. Lead-contaminated debris and other wastes shall be managed and disposed of in accordance with the applicable provision of the California Health and Safety Code.

PPP 6-6 During site decommissioning and demolition activities, hazardous wastes must be managed in accordance with the requirements of Title 22, Division 4.5 of the California Code of Regulations. Title 22 sets forth the requirements with which hazardous-waste generators, transporters, and owners or operators of treatment, storage, or disposal facilities must comply. These regulations include the requirements for packaging, storage, labeling, reporting, and general management of hazardous waste prior to shipment. In addition, the regulations identify standards applicable to transporters of hazardous waste such as the requirements for transporting shipments of hazardous waste, manifesting, vehicle registration, and emergency accidental discharges during transportation.

PPP 6-8 Evidence of soil and/or groundwater contamination (e.g., chemical odors, staining) unrelated to above/underground storage tank releases may be encountered during site development. The appropriate agency (e.g., OCHCA, DTSC, or the Regional Water Quality Board) shall be notified if these conditions are encountered during construction or grading activities. With their oversight, an environmental site assessment would be completed and a determination shall be made as to whether a cleanup is required. Cleanup activities would be consistent with all applicable state and local rules, regulations, and laws. A cleanup would not be considered complete until confirmatory samples of soil and/or groundwater reveal levels of contamination below the standards established by the oversight agency. Alternatively, a risk assessment may be prepared for the site to determine that there are no human or environmental risks associated with leaving contamination below specific levels in place.



Construction in the impacted area shall not proceed until a “no further action” clearance letter or similar determination is issued by the oversight agency, or until a land use covenant is implemented.

4.9 Hydrology and Water Quality

Summary of IBC EIR Findings

The certified IBC EIR identified no potentially significant hydrology and water quality impacts.

- Development pursuant to the proposed project would not increase the amount of impervious surfaces on the site and would therefore not impact opportunities for groundwater recharge. With compliance with identified PPPs, no significant impacts would occur:
 - IBC PPP 7-1. Requires submittal by a professional civil engineer of a hydrology and hydraulic analysis of the entire site prior to issuance of precise grading permits.
 - IBC PPP 7-2. Requires submittal by a geotechnical engineer of a groundwater survey of the entire site prior to issuance of precise grading permits.
 - IBC PPP 7-3. Requires evidence of filing of a Notice of Intent (NOI) with the State Water Resources Control Board, where a project results in soil disturbance of one or more acres of land that has not been addressed by an underlying subdivision map.
 - IBC PPP 7-4. Requires a project Final Water Quality Management Plan (WQMP) approved by the Director of Community Development prior to issuance of precise grading permits.
- Development pursuant to the proposed project would slightly alter the existing drainage pattern of the site, but would not result in erosion or siltation on- or off-site.
- Development pursuant to the proposed project would not increase the amount of impervious surfaces on the site and would therefore not increase surface water flows into drainage systems within the watershed.
- Portions of the IBC project area are within a 100-year flood hazard area. Within the IBC, Lane Channel, Armstrong Channel, and Barranca Channel all fall within Zone A, which are identified as areas within the one-percent annual chance floodplain (100-year floodplain).
- Development pursuant to the proposed project would not violate any water quality standards or waste discharge requirements. Refer to IBC PPP 7-3.
- During the construction phase of the proposed project, there is the potential for short-term unquantifiable increases in pollutant concentrations from the site. After project development, the quality of storm runoff (sediment, nutrients, metals, pesticides, pathogens, and hydrocarbons) may be altered.

Impacts of Proposed Project

The proposed project may result in water quality impacts during the short-term construction process. The minimal grading and excavation required for project implementation would result in exposed soils that may be subject to wind and water erosion. It should be noted that construction activities would be short-term in nature and cease upon project completion. Since the project impact area would be below one acre, the proposed project would not be subject to the requirements of the Construction General Permit under the National Pollutant Discharge Elimination System (NPDES) program administered by the Santa Ana Regional Water Quality Control Board (RWQCB).

The proposed project would slightly increase the impervious surface by implementing trail improvements over unpaved maintenance road and landscaped area at the northwesterly boundary of the Kelvin Court Apartments.



However, the proposed project would not result in substantial changes to the drainage patterns on-site or off-site. Similar to the existing condition, surface water on the project site would be either drained into Barranca Channel or directed into local storm drains that discharge directly to the San Diego Creek.

Under the municipal Orange County NPDES permit issued by the Santa Ana RWQCB, the City of Irvine is required to ensure that discharges from its municipal storm drain systems do not cause or contribute to exceedances of receiving water quality standards (designated beneficial uses and water quality objectives) for surface waters or groundwaters. The area of AC trail impervious area within Orange County Flood Control Channel (OCFCD) right-of-way is approximately 1,600 square feet. The area of impervious concrete sidewalk between Kelvin Avenue and Barranca Channel is approximately 1,900 square feet. The total new impervious area constructed by the project would be 3,500 square feet and would not require preparation of a WQMP.

As stated above, a portion of the project site which is along and over Barranca Channel is located within a 100-year flood hazard area. It should be noted that the bridge construction activities would not encroach into the channel bottom or banks and would not change the capacity of the channel. On the contrary, the bridge span and location have been developed taking into consideration potential future improvements to Barranca Channel. A potential future configuration of the channel to provide additional capacity would be a rectangular channel, with a width of 50 feet and a height of 12 feet with a soft or vegetated invert. In that case, the bridge would need to be temporarily relocated during construction of the new channel. The rectangular channel can then be built, the spread footings would be reconstructed, and the bridge can be replaced onto the new footings.

The IBC EIR reported that development of the IBC would result in changes in drainage patterns, rate and amount of surface water runoff, and substantial changes in absorption rates. The IBC projects would also alter drainage of storm waters and miscellaneous surface water runoff. However, the IBC EIR identified PPPs, PDFs, and mitigation measures that reduce these potential impacts to below a level of significance. Thus, the project would not result in any new significant impacts or substantially increase the severity of a previously-identified significant impact related to hydrology or water quality.

PPPs, PDFs, and MMs Applicable to the Proposed Project

Implementation of IBC PPP 7-1 would apply to the proposed project and would minimize the potential for significant impacts.

- PPP 7-1 Prior to the issuance of precise grading permits, the applicant shall submit a hydrology and hydraulic analysis of the entire site. The analysis shall be prepared by a professional civil engineer versed in flood control analysis and shall include the following information and analysis (Standard Condition A.6):
- a. Hydrology/hydraulic analysis of 100-year surface water elevation at the project site to determine building elevation or flood proofing elevation.
 - b. Analysis of existing and post development peak 100-year storm flow rates, including mitigation measures to reduce peak flows to existing conditions.
 - c. An analysis demonstrating that the volume of water ponded on the site and stored underground in the drainage system outside of the building envelope in the proposed condition is greater than or equal to the corresponding volume in the existing condition. The water surface used to determine the ponded volume shall be based on the water surface in the major flood control facility that the site is tributary to.



4.10 Land Use and Planning

Summary of IBC EIR Findings

The certified IBC EIR identified the following land use and planning impacts as less than significant:

- The proposed project would not divide an established community. PDF 8-1 establishes Residential Mixed-Use Design Criteria to guide the physical development of any residential or mixed-use project with residential component within the IBC. PDF 8-2 requires submittal of land use compatibility data for new residential and/or residential mixed-use development.
- Project implementation could potentially be in conflict with an applicable adopted land use plan.

Impacts of Proposed Project

The project site and surrounding area are designated as “Urban and Industrial” by the City of Irvine *General Plan*. The project site is designated as “5.1 IBC Multi-Use” by the City of Irvine *Zoning Map* and surrounding areas are designated as “5.3 IBC Residential” and “5.1 IBC Multi-Use” by the *Zoning Map*. The proposed project would implement trail improvements and install a pedestrian bridge over the Barranca Channel to improve walkability and accessibility in the project area and serve the needs of residents and employees of this district. The proposed project would not divide an established community, but would rather provide beneficial impacts in connectivity throughout the area. As stated above, portion of the proposed project (Barranca Channel Sidewalk) would be located within “Proposed Trail Adjacent to Canal” identified by the IBC Element of the *General Plan*. Therefore, the proposed project would result in a beneficial impact in regards to consistency with the City’s *General Plan*. The proposed project does not result in a new significant environmental impact nor is there a substantial increase in the severity of impacts from that described in the IBC EIR.

PPPs, PDFs, and MMs Applicable to the Proposed Project

None required.

4.11 Mineral Resources

Summary of IBC EIR Findings

The IBC EIR indicates that there would be no impacts in regards to mineral resources. There are no known mineral resources or mineral resource recovery sites within the IBC.

Impacts of Proposed Project

The proposed project would have no adverse impacts on mineral resources as none exist within the project area. No changes to the IBC EIR are required.

PPPs, PDFs, and MMs Applicable to the Proposed Project

None required.



4.12 Noise

Summary of IBC EIR Findings

The certified IBC EIR identified the following significant and unavoidable noise impacts:

- Construction activities could result in temporary noise increases in the vicinity of the proposed project. IBC PPP 9-1, Control of Construction Hours, and PDF 9-2, specifying measures to separate noise sources and sensitive receptors during construction were identified.
- Construction of the proposed project may generate perceptible levels of vibration at adjacent vibration-sensitive land uses. PDF 9-1 requires noise vibration analysis and vibration reduction measures for individual projects that involve vibration-intensive construction activities. Also refer to PPP 9-1 and PDF 9-2 above.
- Project-related vehicle trips would substantially increase ambient noise at noise sensitive receptors in the vicinity of the project site on a segment of McGaw Avenue, and cumulatively on segments of Valencia Avenue (Newport Avenue to Red Hill Avenue), Warner Avenue (SR-55 to Red Hill Avenue), McGaw Avenue (Jamboree Road to Murphy Avenue), and Birch Street (Mesa Drive to Bristol Street SB).
- Sensitive land uses could be exposed to noise levels that exceed 65 dBA CNEL from transportation or stationary sources. PPP 9-2 requires a final acoustical report demonstrating that development will be adequately sound attenuated with all mitigation measures incorporated. PDF-3 requires occupancy disclosure notices for units with patios and/or balconies that do not meet the 65 dBA CNEL.

The certified IBC EIR found the following noise impacts to be less than significant:

- Stationary-source noise generated by land uses within the IBC would comply with City of Irvine Municipal Code and would not substantially elevate the ambient noise environment.
- Noise-sensitive habitable rooms in structures within the 60 dBA CNEL noise contour of the John Wayne Airport would be exposed to substantial levels of airport-related noise. PDF-4 prohibits residential and active recreational areas in the 65 dBA CNEL of John Wayne Airport, and requires preparation of an acoustical analysis identifying required building acoustical improvements for any project within the airport 65 dBA CNEL.

Impacts of Proposed Project

The proposed project would generate short-term noise impacts during construction, and nominal long-term noise impacts. The project proposes to implement trail improvements and install a prefabricated pedestrian bridge over the Barranca Channel within the project limits. Noise levels from grading and other construction activities for the proposed project may be elevated at the closest industrial/office uses near the project site, and for adjacent residences in the Main Street Village Apartments, Kelvin Court Apartments, and Charter Apartments for limited times when construction occurs. Construction related noise impacts from the proposed project would be potentially adverse; however, compliance with the City's allowable construction hours would reduce the impact to a less than significant level. In addition, substantially noisy construction activities, such as pile driving, would not be required for project implementation.

As described above, noise levels in the project area are influenced primarily by motor vehicle noise and commonly reach or exceed 60 to 70 CNEL along arterials within the IBC. Existing noise levels along Jamboree Road are determined to be 71.4 CNEL at 100 feet from centerline. However, the project would not generate any vehicle traffic;



rather, it would have beneficial impacts related to noise since it would reduce vehicle trips by encouraging travel by bicyclists and pedestrians. On-site noise levels associated with bridge/trail usage would be nominal, and would occur primarily during the daytime hours.

The proposed project would not contribute to any measurable long-term aircraft activity. The proposed on-site recreational uses would be exposed to noise levels below 60 dBA CNEL from John Wayne Airport. Because noise from aircraft activity would be below 60 dBA CNEL, no mitigation measures would be required for the proposed recreational uses.

The proposed project would implement trail improvements and install a prefabricated pedestrian bridge over the Barranca Channel. Implementation of IBC PPP 9-1 and PDF 9-2 would apply to the proposed project and would reduce impacts from construction noise to less than significant levels for the proposed project. The IBC EIR concluded that impacts from construction and operations of future development within the IBC would result in significant noise impacts. For the IBC EIR, the City adopted Findings that reduction below significance levels was not feasible and adopted a Statement of Overriding Considerations for short-term construction and long-term operational noise impacts. However, the proposed project does not result in a new significant noise impacts nor are there a substantial increases in the severity of impacts from that described in the IBC EIR.

PPPs, PDFs, and MMs Applicable to the Proposed Project

Implementation of IBC PPP 9-1 and PDF 9-2 would apply to the proposed project, which would reduce impacts from construction noise.

PPP 9-1 Control of Construction Hours: Construction activities occurring as part of the project shall be subject to the limitations and requirements of Section 6-8-205(a) of the Irvine Municipal Code which states that construction activities may occur between 7:00 AM and 7:00 PM Mondays through Fridays, and 9:00 AM and 6:00 PM on Saturdays. No construction activities shall be permitted outside of these hours or on Sundays and federal holidays unless a temporary waiver is granted by the Chief Building Official or his or her authorized representative. Trucks, vehicles, and equipment that are making, or are involved with, material deliveries, loading, or transfer of materials, equipment service, maintenance of any devices or appurtenances for or within any construction project in the City shall not be operated or driven on City streets outside of these hours or on Sundays and federal holidays unless a temporary waiver is granted by the City. Any waiver granted shall take impact upon the community into consideration. No construction activity will be permitted outside of these hours except in emergencies including maintenance work on the City rights-of-way that might be required.

PDF 9-2 Prior to issuance of grading permits, the project applicant shall incorporate the following measures as a note on the grading plan cover sheet to ensure that the greatest distance between noise sources and sensitive receptors during construction activities has been achieved.

- Construction equipment, fixed or mobile, shall be equipped with properly operating and maintained noise mufflers consistent with manufacturer's standards.
- Construction staging areas shall be located away from off-site sensitive uses during the later phases of project development.
- The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site, whenever feasible.



4.13 Population and Housing

Summary of IBC EIR Findings

The certified IBC EIR identified no potentially significant population and housing impacts.

- The proposed project would directly result in population and employment growth in the project area. IBC PPP 10-1 specifies compliance with City Housing Element policies to ensure the siting of new very low, low, and moderate income housing units in future development projects.

Impacts of Proposed Project

The proposed project would implement trail improvement and install a prefabricated pedestrian bridge over the Barranca Channel to create an interconnected system of pedestrian-friendly neighborhood. The proposed project would not involve the construction of any homes, businesses, or other uses that would directly or indirectly result in population growth. Additionally, the project area is urbanized and generally built-out. Therefore, no impacts would occur in regards to population and housing.

PPPs, PDFs, and MMs Applicable to the Proposed Project

None required.

4.14 Public Services

Summary of IBC EIR Findings

The certified IBC EIR identified no potentially significant public services impacts. The proposed IBC EIR project would introduce new structures, residents, and workers within the IBC, resulting in increased demand for fire, police, school, and library services. However, impacts related to development in the IBC would be minimized through adherence to existing City and/or State requirements (Orange County Fire Authority design requirements, City of Irvine Uniform Security Code, and payment of applicable development impact fees).

Impacts of Proposed Project

The proposed project would not result in the development of any habitable structures or uses that would create a substantial demand for public services. Although the project could potentially result in the need for fire and/or police protection as a result of trail usage, any such demand would be infrequent and would result in nominal impacts on OCFA and Irvine Police Department facilities and personnel. In addition, the project would not result in any demand for school/library services, since no population would be generated by the project. Thus, the proposed project would not result in a new significant impact or substantial increase in the severity of a significant impact as identified in the IBC EIR.

PPPs, PDFs, and MMs Applicable to the Proposed Project

Implementation of IBC PPPs 11-1 and 11-5 would apply to the proposed project, which would reduce impacts related to public services.

- PPP 11-1 Every project applicant shall comply with all applicable Orange County Fire Authority codes, ordinances, and standard conditions regarding fire prevention and suppression measures relating to



water improvement plans, fire hydrants, automatic fire extinguishing systems, fire access, access gates, combustible construction, water availability, and fire sprinkler systems.

PPP 11-5 The project applicant shall comply with all applicable requirements of the City of Irvine Uniform Security Code (Municipal Code Title 5, Division 9, Chapter 5).

4.15 Recreation

Summary of IBC EIR Findings

The certified IBC EIR identified no potentially significant recreation impacts.

- At project build-out, the IBC project would generate approximately 9,858 additional residents, which would increase the use of existing park and recreation facilities. IBC PPP 12-1 requires payment of park fees prior to issuance of any residential building permits for subdivisions. IBC PPP 12-2 requires irrevocable offers of dedication for nonexclusive easements for planned public use trails.

Impacts of Proposed Project

According to the IBC Element of the *General Plan*, higher density neighborhoods need parks and urban space to offset building intensity and provide space for informal activities. The vision of the IBC is to create a system of new public parks, urban plazas, open spaces, and private or public recreation areas that are interconnected by streets, bikeways, and trails. To provide enhanced pedestrian connectivity to the IBC, new bridges were proposed in the IBC EIR to create enhanced pedestrian and bicycle connections with the IBC and to the wider system of trails. Additionally, the Vision Plan suggests a more “pedestrian oriented, urban living experience” within the emerging residential and mixed-use districts of the IBC. Based on the IBC Element, the existing sidewalk improvement program will continue to be implemented and embellished with enhanced standards for improved walkability and connectivity to create an interconnected system of pedestrian-friendly boulevards, avenues, and streets.

The proposed project would implement trail improvements and install a pedestrian bridge over the Barranca Channel within the project limits which would be consistent with the Objectives N-3, Connectivity, and N-4, Open Space, of the IBC Element and would increase recreational facilities in the project area. The proposed project would create a new point of access over Barranca Channel within an area surrounded by residential and employment-generating uses, and would promote and encourage the use of existing and proposed regional trails within the IBC, as identified within the IBC Vision Plan. In addition, the proposed project would provide pedestrian linkages that facilitate improved resident access to local services, recreation facilities, the City’s trail network and transit access which all support Objective N-3 of the IBC Element. The project would not include the development of any land uses capable of producing population growth that would increase demand for recreational facilities or the construction of new recreational facilities. Rather, the project would represent a beneficial impact related to recreational opportunities in the project area. Thus, the proposed project does not result in new significant impacts in this regard nor is there a substantial increase in the severity of impacts from that described in the IBC EIR.

PPPs, PDFs, and MMs Applicable to the Proposed Project

None required.



4.16 Transportation/Traffic

Summary of IBC EIR Findings

The certified IBC EIR identified the following transportation and traffic impacts as significant and unavoidable with IBC PPPs, PDFs and MMs included:

- Build-out of the IBC pursuant to the proposed project would generate additional traffic volumes and impact levels of service for the existing area roadway system.
 - PPP 13-1. Development Fee Program
 - PDF 13-1. Transportation Management Association
 - MM 13-1. AB 1600 Nexus Study including intersection improvements in the cities of Costa Mesa, Irvine, Newport Beach, Santa Ana, and Tustin
 - MM 13-2. Update the IBC Development Fee Program (PPP 13-1) pursuant to the AB 1600 Nexus Study (MM 13-1)
 - MM 13-3. Update the IBC Land Use and Trip Monitoring Data base (IBC Database) to reflect land use changes associated with IBC project.

The certified IBC EIR identified the following transportation and traffic impacts as less than significant:

- The proposed project would not increase hazards due to a design feature or incompatible uses.
- Adequate parking would be provided for the proposed project.
- The proposed project complies with adopted policies, plans, and programs for alternative transportation.

Impacts of Proposed Project

The proposed project would implement trail improvements and install a pedestrian bridge over the Barranca Channel within the project limits. Construction traffic would occur during the short-term construction process. This short-term traffic would include the transfer to construction equipment, construction worker trips, and hauling trips for construction materials. However, given the scope and nature of the project and minimal nature of construction activities (installation of a prefabricated pedestrian bridge and minor grading for trail construction for an approximate length of 630 feet), impacts in this regard would be less than significant. These impacts would be short-term in nature and would cease upon completion of the construction process.

Long-term operation of the proposed project would not generate vehicle trips that would adversely affect the circulation system. Additionally, as stated above, based on the IBC EIR, section 5.13, Transportation and Traffic, with the addition of residential units among the existing predominant office uses at the IBC, there is a growing need for pedestrian transportation amenities such as sidewalks, crosswalks, and other important connections throughout the study area. Therefore, the proposed project would result in beneficial impacts in this regard, since it would create a new point of access over Barranca Channel within an area surrounded by residential and employment-generating uses, and would promote and encourage the use of existing and proposed regional trails within the IBC, as identified within the IBC Vision Plan. The project does not result in new significant impacts nor is there a substantial increase in the severity of impacts from that described in the IBC EIR.

PPPs, PDFs, and MMs Applicable to the Proposed Project

None required.



4.17 Utilities and Service Systems

Summary of IBC EIR Findings

The certified IBC EIR identified no potentially significant utilities and service systems impacts. Final build-out of the IBC would result in an increase in water demand. There is sufficient supply capacity for both potable and non-potable water to accommodate full build-out through 2028, upon completion of under development supplies. Future development projects in the IBC would be required to comply with existing plans, programs, or policies as they pertain to water supply, demand, and wastewater. IBC project-generated wastewater could be adequately treated by the wastewater service provider. Additionally, existing facilities would be able to accommodate IBC project-generated solid waste and comply with related solid waste regulations. Existing and/or proposed facilities would be able to accommodate IBC project generated utility demands. The IBC project shall comply with all State Energy Insulation Standards and City of Irvine codes in effect at the time of application for building permits (commonly referred to as Title 24 which covers the use of energy efficient building standards, including lighting.)

Impacts of Proposed Project

No utilities currently exist within the limits of the proposed pedestrian bridge crossing over the Barranca Channel. Nighttime security lighting may be installed along the prefabricated pedestrian bridge to provide security for users of the bridge. Compliance with existing State and local codes for energy efficiency (including Title 24) would minimize potential energy demand impacts to less than significant. Additionally, the proposed project would not include the construction of any habitable structures or other uses capable of consuming water or producing wastewater and solid waste. Therefore, project would not result in new significant impacts or an increase in the severity of an impact related to utilities and service systems.

PPPs, PDFs, and MMs Applicable to the Proposed Project

Implementation of PPP 14-5 would apply to the proposed project, and would minimize impacts related to utilities and service systems (energy).

PPP 14-5 The proposed project shall comply with all State Energy Insulation Standards and City of Irvine codes in effect at the time of application for building permits. (Commonly referred to as Title 24, these standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. Title 24 covers the use of energy efficient building standards, including ventilation, insulation and construction and the use of energy saving appliances, conditioning systems, water heating, and lighting.) Plans submitted for building permits shall include written notes demonstrating compliance with energy standards and shall be reviewed and approved by the Public Utilities Department prior to issuance of building permits.

SUMMARY

Pursuant to Section 15162 of the CEQA Guidelines, the City of Irvine makes the finding that the modification to the IBC Vision Plan (i.e., implementation of the Kelvin Avenue Pedestrian Bridge Project) does not require the preparation of a Subsequent or Supplemental EIR and that an Addendum to the certified IBC EIR is appropriate. The City of Irvine has determined that none of the conditions identified in Section 15162 of the CEQA Guidelines occur, and an Addendum has been prepared pursuant to Section 15164 of the CEQA Guidelines.



5.0 REFERENCES

The following references were utilized during preparation of this Addendum to the Final IBC Program EIR.

Addendum to the IBC Vision Plan and Mixed Use Overlay Zoning Code Final Environmental Impact Report (SCH No. 2007011024) for the 2801 Kelvin Residential Project, ICF International, June 2013.

City of Irvine General Plan, City of Irvine, adopted various dates since 1973.

IBC Vision Plan and Mixed Use Zoning Code Final Program Environmental Impact Report, City of Irvine, July 13, 2010.

Flood Insurance Rate Map for Orange County and Incorporated Areas, Panel 287 of 539, Map No. 06059C0287J, Federal Emergency Management Agency, Revised December 3, 2009.



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APPENDIX A

Environmental Checklist



Appendix A

Environmental Checklist

ISSUES:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Resulting in New Significant Impacts	New Information Resulting in More Severe Impacts	New Information Identifying New Mitigation Measures Available to Reduce Significant Impacts	Less Than Significant Impact/No Substantial Change From Previous Analysis
1. AESTHETICS. Would the project:						
a. Have a substantial adverse effect on a scenic vista?						✓
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?						✓
c. Substantially degrade the existing visual character or quality of the site and its surroundings?						✓
d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?						✓
2. AGRICULTURE AND FORESTRY RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:						
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?						✓
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?						✓



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c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?						✓
d. Result in the loss of forest land or conversion of forest land to non-forest use?						✓
e. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?						✓
3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:						
a. Conflict with or obstruct implementation of the applicable air quality plan?						✓
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?						✓
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?						✓
d. Expose sensitive receptors to substantial pollutant concentrations?						✓
e. Create objectionable odors affecting a substantial number of people?						✓
4. BIOLOGICAL RESOURCES. Would the project:						



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a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?						✓
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?						✓
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?						✓
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?						✓
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?						✓
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?						✓



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5. CULTURAL RESOURCES. Would the project:						
a. Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5?						✓
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?						✓
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?						✓
d. Disturb any human remains, including those interred outside of formal cemeteries?						✓
6. GEOLOGY AND SOILS. Would the project:						
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:						
1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.						✓
2) Strong seismic ground shaking?						✓
3) Seismic-related ground failure, including liquefaction?						✓
4) Landslides?						✓
b. Result in substantial soil erosion or the loss of topsoil?						✓
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?						✓



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d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?						✓
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?						✓
7. GREENHOUSE GAS EMISSIONS: Would the project:						
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?						✓
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?						✓
8. HAZARDS AND HAZARDOUS MATERIALS: Would the project:						
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?						✓
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?						✓
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?						✓
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?						✓



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e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?						✓
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?						✓
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?						✓
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?						✓
9. HYDROLOGY AND WATER QUALITY. Would the project:						
a. Violate any water quality standards or waste discharge requirements?						✓
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?						✓
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?						✓



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d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?						✓
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?						✓
f. Otherwise substantially degrade water quality?						✓
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?						✓
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?						✓
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?						✓
j. Inundation by seiche, tsunami, or mudflow?						✓



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10. LAND USE AND PLANNING. Would the project:						
a. Physically divide an established community?						✓
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?						✓
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?						✓
11. MINERAL RESOURCES. Would the project:						
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?						✓
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?						✓
12. NOISE. Would the project result in:						
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?						✓
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?						✓
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?						✓
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?						✓



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e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?						✓
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?						✓
13. POPULATION AND HOUSING. Would the project:						
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?						✓
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?						✓
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?						✓
14. PUBLIC SERVICES.						
a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:						
1) Fire protection?						✓
2) Police protection?						✓
3) Schools?						✓



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4) Parks?						✓
5) Other public facilities?						✓
15. RECREATION.						
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?						✓
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?						✓
16. TRANSPORTATION/TRAFFIC. Would the project:						
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?						✓
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?						✓
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?						✓



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d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?						✓
e. Result in inadequate emergency access?						✓
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?						✓
17. UTILITIES AND SERVICE SYSTEMS. Would the project:						
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?						✓
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?						✓
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?						✓
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?						✓
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?						✓
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?						✓



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g. Comply with federal, state, and local statutes and regulations related to solid waste?						✓
18. MANDATORY FINDINGS OF SIGNIFICANCE.						
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?						✓
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?						✓
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?						✓

AMENDMENT NO. 1
TO THE KELVIN APARTMENTS – CONDITION E.10.b.2, CONDITIONAL USE
PERMIT 47198-CPU, LETTER AGREEMENT

THIS AMENDMENT NO. 1 TO THE KELVIN APARTMENTS CONDITION E.10.b.2, CONDITIONAL USE PERMIT 47198-CPU LETTER AGREEMENT is made and entered as of July 18, 2016 by and between KELVIN COURT LIMITED PARTNERSHIP, a Delaware limited partnership ("Kelvin LP") and the CITY OF IRVINE, a California municipal corporation ("City"), for the purpose of amending the "Kelvin Apartments – Condition E.10.b.2, Conditional Use Permit 47198-CPU, Letter Agreement" entered into between Wood Partners and City as of July 18, 2008. Kelvin LP and City hereby agree to the following changes to the Letter Agreement.

1. Kelvin LP is the owner of Kelvin Apartments.
2. Revise No. 2 on the Terms to:

Kelvin LP shall grant to the City, without any costs to Kelvin LP, the necessary easements on its property for the City to construct the sidewalk and necessary connections for public access to the pedestrian bridge as well as the necessary landings on their property prior to the commencement of the bridge construction. Since engineering and project design has yet to be undertaken, the exact locations of the bridge connection from the street and fire lane bridge landing will be determined at a later time, although the parties intend to finalize the specific location of the sidewalk and landings and finalize applicable easement documents as soon as possible and no later than July 18, 2017, all subject to the reasonable approval of the parties. The public access easement areas shall remain unobstructed and occur within the 30 foot westerly boundaries and continue along the fire lane easterly. The locations of these areas are shown in "Exhibit A" as denoted by the dashed lines. The sidewalk along the westerly boundary would be located along the base of the small slope with the intent of minimizing grading and disruption to existing planting and irrigation. The sidewalk along the fire lane would be delineated with signs to direct pedestrian access to the bridge and would not obstruct fire access.

3. No. 4 on the Terms - The commencement of construction of the pedestrian bridge is extended to 48 months after the date upon which Kelvin LP has approved the specific location(s) of the contemplated easements and the City and Kelvin LP have both approved and fully executed the applicable easement agreements.
4. Revise No. 5 on the Terms – If (a) Kelvin LP has not approved the specific location(s) of the contemplated easements and the City and Kelvin LP have not both approved and executed the final applicable easement agreements by July

18, 2017 or (b) construction does not commence by 48 months following the date described in No. 4, then the full amount of the funds, plus interest, shall be refunded to Kelvin LP.

5. Add No. 9 Maintenance of the sidewalk and pedestrian bridge – The pedestrian bridge and the sidewalk will be maintained on an ongoing basis by the City at no costs to Kelvin LP.
6. Except as set forth in this Amendment, all terms, conditions and provisions of the Letter Agreement remain unmodified and in full force and effect. This Amendment is executed by their respective duly authorized agents as of the date first set forth above.

[SIGNATURE PAGE IMMEDIATELY FOLLOWING]

City of Irvine
A California municipal corporation

By: Susan Emery
Susan Emery
Director of Community Development

Kelvin Court Limited Partnership, a Delaware limited partnership:

By: Pacific Housing, Inc., a California nonprofit public benefit corporation,
its Managing General Partner

By: _____
Its: _____

By: EQR-Kelvin Court, LLC, a Delaware limited liability company,
its Co-General Partner

By: ERP Operating Limited Partnership, an Illinois limited partnership,
its member

By: Equity Residential, a Maryland real estate investment trust,
its general partner

By: _____
Its: _____

City of Irvine
A California municipal corporation

By: _____
Susan Emery
Director of Community Development

Kelvin Court Limited Partnership, a Delaware limited partnership:

By: Pacific Housing, Inc., a California nonprofit public benefit corporation,
its Managing General Partner

By:  _____
Its: President

By: EQR-Kelvin Court, LLC, a Delaware limited liability company,
its Co-General Partner

By: ERP Operating Limited Partnership, an Illinois limited partnership,
its member

By: Equity Residential, a Maryland real estate investment trust,
its general partner

By: _____
Its: _____

City of Irvine
A California municipal corporation

By: _____
Susan Emery
Director of Community Development

Kelvin Court Limited Partnership, a Delaware limited partnership:

By: Pacific Housing, Inc., a California nonprofit public benefit corporation,
its Managing General Partner

By: _____
Its: _____

By: EQR-Kelvin Court, LLC, a Delaware limited liability company,
its Co-General Partner

By: ERP Operating Limited Partnership, an Illinois limited partnership,
its member

By: Equity Residential, a Maryland real estate investment trust,
its general partner

By: _____
Its: Frost V. Lee Pres. 2015



July 18, 2008

Mr. Kyle Woodley
c/o Wood Partners
3991 MacArthur Blvd Suite 350
Newport Beach, CA 92660

Subject: Kelvin Apartments - Condition E.10.b.2, Conditional Use Permit 47198-CPU; Letter Agreement

Dear Mr. Woodley:

This letter is in response to your correspondence of June 19, 2008, in which you expressed the desire to satisfy the requirements of a condition of approval that was placed on your project located at 2552 Kelvin Avenue in the Irvine Business Complex. As you know, the subject condition requires the construction of a pedestrian bridge across the Barranca Flood Control Channel connecting your site to the Main Street Village Apartments. The development of Kelvin Apartments was approved through Conditional Use Permit 47198-CPU by adoption of City Council Resolution 03-50.

Condition E.10.b.2 reads as follows:

"Prior to the issuance of building permits, the applicant shall demonstrate to the Director of Community Development that the Orange County Flood Control District (OCFCD) and owner/assignee of the MetLife property have consented to construction of a pedestrian bridge over the Barranca Channel linking the subject site with the future MetLife residential apartment community. The applicant shall be responsible for all costs to acquire consent, design and construct the bridge, and for ongoing maintenance. The applicant shall post an appropriate bond to guarantee construction of the bridge prior to the issuance of building permits for any structures on the site. The construction of the bridge shall be complete prior to the issuance of the first certificate of use and occupancy."

In your June 19, 2008 letter, Alta Pacific, LLC ("Wood Partners") proposes to provide the City of Irvine funding for the construction of the pedestrian bridge as a means of fully satisfying its obligations pursuant to this condition of approval. We have reviewed Wood Partners' proposal and agree that such funding will satisfy the terms of this condition but that additional details concerning the proposal need to be included.

Specifically, we propose that Condition E.10.b.2 of City Council Resolution 03-50 is satisfied subject to the following terms:

- 1) Wood Partners shall provide the City of Irvine payment in the amount of \$184,000 towards the cost of constructing the pedestrian bridge as required in Condition E.10.b.2. The money will be deposited into an interest-bearing account and shall be used only towards the pedestrian bridge across the Barranca Flood Control Channel connecting the Kelvin Apartments to the Main Street Village Apartments.
- 2) Wood Partners shall grant to the City, without costs, the necessary connections and easements on their property for public access to the pedestrian bridge including the necessary landings on their property prior to commencement of bridge construction. Since engineering and project design has yet to be undertaken, the exact locations of the bridge connection from the street and fire lane bridge landing will be determined at a later time. The public access easement areas shall remain unobstructed and occur within the 30-foot westerly boundaries and continue along the fire lane easterly. The locations of these areas are shown in "Exhibit A" as denoted by the dashed lines.
- 3) The City of Irvine shall be responsible for design, construction, and securing all public easements and landings between Main Street Village Apartments and the Orange County Flood Control District associated with the pedestrian bridge.
- 4) Commencement of construction of the pedestrian bridge shall occur no later than eight years from the date of this signed letter by both parties.
- 5) If commencement of the pedestrian bridge does not occur within the agreed time frame, the full amount of the funds, plus interest, shall be refunded to Alta Pacific, LLC through Wood Partners' Newport Beach office.
- 6) In the event that the final amount associated with the pedestrian bridge is less than \$184,000 plus interest, the remaining balance will be refunded to Alta Pacific, LLC through Wood Partners' Newport Beach office upon completion of the bridge. The final amount includes all costs associated with the pedestrian bridge which includes, but is not limited to, construction of the bridge and necessary landings, gate/fence installations, as well as securing all easements. In the event that the cost of the pedestrian bridge exceeds \$184,000, Wood Partners shall have no further obligation to fund such additional amount.
- 7) Wood Partners shall sign and return a copy of this letter with a check to the City of Irvine in the amount of \$184,000. A signed copy of this letter by both parties will signify Wood Partners' agreement to the terms listed herein regarding the full satisfaction of Condition E.10.b.2 of City Council Resolution 03-50.
- 8) This letter agreement shall be binding on the successors and assignees of Wood Partners and inure to their benefit.

If you have any questions regarding this letter, please contact Tim Gehrich, Manager of Development Services at (949) 724-6363.

Attachment:

1. Exhibit A: Easement Locations

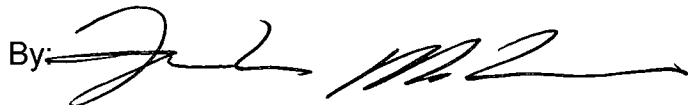
Agreed as set forth above:

Dated: 7/22/08 "WOOD PARTNERS"

ALTA PACIFIC, LLC, a Georgia limited liability company

By: Wood Alta Pacific, LLC, a Georgia limited liability company, Its Manager

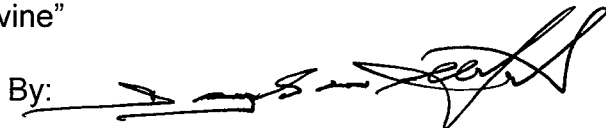
By: WP South Corporation, Inc., a Georgia corporation, Its Manager

By: 

Name: Frank B. Middleton

Title: Vice President

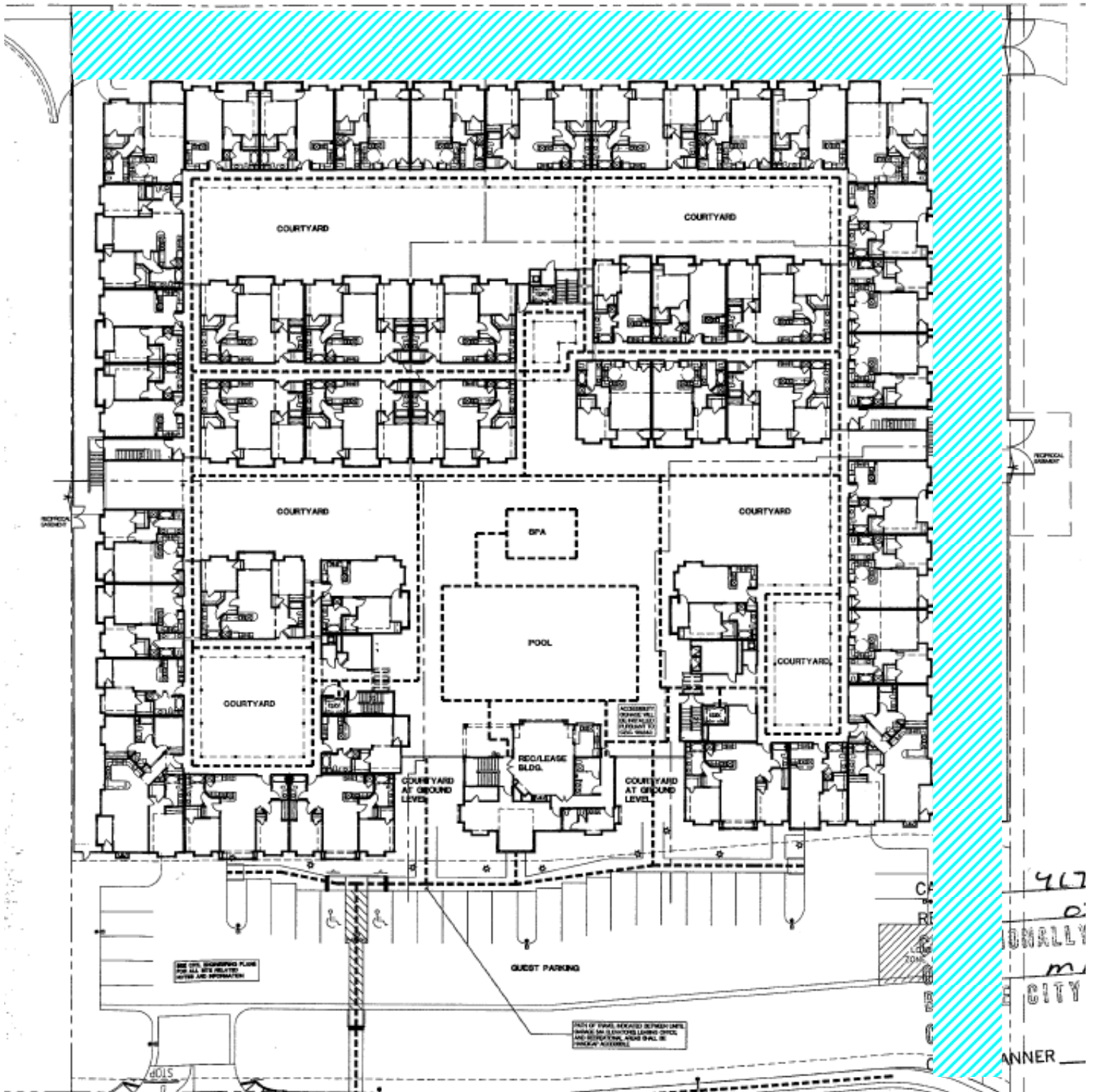
Dated: 7/24/08 "City of Irvine"

By: 

Name: Douglas Williford, AICP

Title: Director of Community Development

Exhibit A: Easement Locations



CITY OF IRVINE

DATE		INVOICE NO		DESCRIPTION	ACCOUNT	INVOICE AMOUNT	
7-21-08		47198-CPU 898		Bridge Settlement	184000.00	.00	184000.00
CHECK DATE		7-23-08		CHECK NUMBER	468	TOTAL >184000.00	
						.00	184000.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

THIS CHECK IS VOID WITHOUT A BLUE & GREEN BACKGROUND AND AN ARTIFICIAL WATERMARK ON THE BACK - HOLD AT ANGLE TO VIEW

TAC CTM-DN2 35483598-013659-0075-DA 7/21/2008 12:52:57 468 184000.00

ALTA PACIFIC, LLC

1110 Northchase Parkway

Suite 150

Marietta, GA 30067-6420

(770) 951-8989

BANK OF AMERICA
ATLANTA, GA

$$\frac{64-22}{610}$$

DATE
July 23, 2008

CHECK NO.
468

AMOUNT
\$****184,000.00

Pay: *****One hundred eighty-four thousand dollars and no cents

PAY
TO THE
ORDER OF

CITY OF IRVINE
FINANCE DEPT.
P.O. BOX 19575
IRVINE, CA 92623

Antony
Pellegrini

SIGNATURE HAS A COLORED BACKGROUND - BORDER CONTAINS MICROPRINTING

0000000468 06 10000521003268592252



Jim Houlihan
Manager of Engineering/City Engineer
City of Irvine/Public Works
One Civic Center Plaza
PO Box 19575
Irvine, CA 92623-9575

RE: Kelvin Court Pedestrian Bridge

Dear Jim,

Pursuant to our conversation on June 1st Equity's position on the questions that you posed is as follows:

1. Equity is open to reasonable requests for extending the Agreement for the funding contribution and for the recording of access easements necessary for the sidewalk/pathway through the apartment property provided meaningful progress is being made towards constructing a pedestrian bridge. Pedestrian access to Main Street would significantly improve the walkability of Kelvin Court and reduce the tenants' reliance on cars.
2. Equity is not able to release their contribution of funds (\$184,000 plus interest) to the City of Irvine for use on other nearby IBC pedestrian enhancement projects, should the City decide to defer the project to a future date or not build the bridge. These funds were required in connection with the development of the property and were to be used to construct a pedestrian bridge, which would directly benefit Kelvin Court Apartments. Equity is not able to release the funds for any use other than the agreed upon intended use.
3. As negotiated in the 1st amendment to the agreement Equity will agree to the necessary easements for the pedestrian bridge provided Equity is able to have approval on the location and terms of applicable easements to ensure no negative impacts to Kelvin Court.

Equity has been and continues to be a proponent of the City of Irvine constructing the pedestrian bridge for Kelvin Court required in the development agreement. We are optimistic that the City of Irvine remains committed to the bridge as well. If the City is no longer able to construct the pedestrian bridge, Equity will request the release of the \$184,000 plus interest held in escrow as the agreement, as extended, will have expired. Should the City desire to construct the bridge in the future after the escrowed funds plus interest have been returned, Equity would be open to negotiating consideration for the easements that would be required.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Henning', written over a horizontal line.

Daniel Henning
AVP-Investments
Equity Residential

4.2

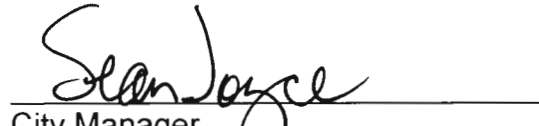


REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: JULY 11, 2017

TITLE: ZONING ADMINISTRATOR APPOINTMENT PROCEDURE


Director of Community Development


City Manager

RECOMMENDED ACTION

Direct staff to initiate an amendment to the Municipal Code to grant the City Manager appointment authority for the Zoning Administrator.

EXECUTIVE SUMMARY

Staff requests City Council direction to initiate a Municipal Code amendment granting the City Manager the authority to appoint the Zoning Administrator. Since November 1995, the Municipal Code has designated the City Council as the appointment authority for this position. Modifying the appointment procedure to allow the City Manager to appoint the Zoning Administrator will provide increased options for filling this role, align Irvine's practice with the general procedure for all other cities in Orange County and simplify future appointments for this position. Chief among the options includes assigning these responsibilities as a collateral assignment of an existing staff member as circumstances warrant.

The City's Zoning Administrator position has been vacant since the end of October 2016. A Request for Proposals for Zoning Administrator services resulted in one response that did not fully meet the requirements for the Request for Proposals. Due to the specific and technical expertise required, the irregular and limited hours, and the knowledge of the City needed, finding a qualified individual is challenging. Limitations on retirees by CalPERS, as well as potential conflict of interest restrictions for outside consultants are also barriers to finding suitable candidates.

In cities where the City Manager appoints the Zoning Administrator, it is typically the Director of Community Development or his/her designee that serves in this role based on expertise in the planning field, although the City Manager could appoint outside individuals, as desired.

COMMISSION / BOARD / COMMITTEE RECOMMENDATION

Not applicable.

ANALYSIS

Background

Per Title 5, Division 4, Section 5-4-103 of the City's Municipal Code, the Zoning Administrator has the authority to conduct public hearings and make determinations on conditional use permits, administrative relief and variances. The Zoning Ordinance establishes a specific list of application types over which the Zoning Administrator has approval authority. The Municipal Code originally designated the Director of Community Development as the Zoning Administrator. On November 28, 1995, the position became a City Council appointed position. The position receives a monthly stipend of \$600.

Since July 2000, the Zoning Administrator role has been filled by one individual. After more than 16 years of service, that individual stepped down at the end of October 2016. The Deputy Director of Community Development assumed the role of Associate Zoning Administrator, as permitted by the Municipal Code.

Staff sent out a Request for Proposals for Zoning Administrator services on January 19, 2017 and received one proposal. The proposal requested hourly compensation rather than the \$600 a month stipend. Given the typical time involved in reviewing projects for consideration, the hourly rate would far exceed the stipend amount; therefore, it did not fully meet the requirements for the Request for Proposals. The primary reason for firms not responding to the Request for Proposals related to the conflict of interest that would potentially preclude the firm from processing projects subject to Zoning Administrator review. The Zoning Administrator position also requires a high degree of specific technical expertise in reviewing zoning matters over which the role has oversight authority. CalPERS limitations on post-retirement compensation also limit the potential for a retired public employee to fill the role.

Subsequently, staff conducted a comprehensive evaluation of the Zoning Administrator position in cities across Orange County. The City of Irvine is unique in Orange County in requiring City Council designation of the Zoning Administrator. All other cities with a Zoning Administrator hearing body allow either the City Manager or the Director of Community Development to designate the Zoning Administrator. Unlike the Planning Commission function, the Zoning Administrator role is not a required function for cities. Nineteen of the thirty-four cities in Orange County do not have a Zoning Administrator hearing body, with Anaheim being the largest city within this group.

Amending the Municipal Code to allow the City Manager to designate the Zoning Administrator would simplify the appointment process and would allow either City staff or qualified private individuals to serve in this role. This appointment method provides a wider pool of qualified individuals for the position, aligns Irvine with the general practice for cities in the region, and streamlines future appointments.

With the City Council's direction, staff will initiate an amendment to Section 5-4-101 of the Municipal Code to modify the appointment procedure to allow the City Manager to appoint the Zoning Administrator as needed. The Community Development Director's authority to appoint an Associate Zoning Administrator will be unaffected by this change. The proposed amendment will be presented to the City Council for approval.

ALTERNATIVES CONSIDERED

The City Council could direct staff to examine whether the Zoning Administrator function could be modified in additional aspects, such as what types of projects over which it has approval authority, or eliminate the position altogether. This could result in a greater role for the Planning Commission for project review. Modification or elimination may result in certain approval authority for application types being delegated to the Community Development Director and certain application types being designated for Planning Commission review.

The City Council could retain appointment authority for the Zoning Administrator and direct staff to begin a recruitment, or issue a Request for Proposals to seek new outside candidates for the position. Once a qualified candidate has been identified, they will be presented to City Council for consideration. Given the challenges in finding qualified candidates, the City Council could also direct staff to reevaluate increasing the monthly stipend amount to elicit additional responses.

FINANCIAL IMPACT

The Zoning Administrator position, which is contemplated to be filled by a non-staff person, receives a \$600 stipend each month. By allowing the City Manager to designate a staff position to fill the Zoning Administrator role, this stipend could be eliminated.

REPORT PREPARED BY Joel Belding, Principal Planner

ATTACHMENT

Attachment 1: Municipal Code Section 5-4

cc: Tim Gehrich, Deputy Director of Community Development

Division 4 - ZONING ADMINISTRATION^[4]

Footnotes:

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Cross reference— Administrative services, tit. 2.

Sec. 5-4-101. - Office; compensation; appointment.

The Office of Zoning Administrator is hereby created. The Zoning Administrator shall be appointed by and serve at the will of the City Council. The Zoning Administrator compensation shall be set by resolution of the City Council.

(Code 1976, § V.D-101; Ord. No. 27, § 78.016, 4-17-72; Ord. No. 95-19, 11-28-95; Ord. No. 05-17, 7-12-05)

Sec. 5-4-102. - Assistants.

The Director of Community Development shall also appoint additional persons as Associate Zoning Administrators, meeting the established minimum qualifications, to act for and in behalf of the Zoning Administrator during his or her absence. In the event the Associate Zoning Administrator is an employee of the City of Irvine, he or she shall not receive additional compensation above his or her regular salary.

(Code 1976, § V.D-103; Ord. No. 27, § 78.017, 4-17-72; Ord. No. 95-19, 11-28-95)

Sec. 5-4-103. - Authority.

The Zoning Administrator shall have the authority to conduct public hearings and to make determinations regarding conditional use permit, administrative relief, and variance applications in accordance with the City Code.

(Code 1976, § V.D-104; Ord. No. 27, § 78.018, 4-17-72; Ord. No. 95-19, 11-28-95)

ATTACHMENT 1