# Memo

To: City of Irvine Planning Commission

Via: Susan Emery, Director of Community Development

Via: Tim Gehrich, Deputy Director of Community Development

Via: Joel Belding, Principal Planner

From: Stephanie Roxas, Associate Planner SR

Date: November 17, 2016

Re: Agenda Item 3 – Conditional Use Permit, Vesting Tentative Tract

Map 17996, and Park Plan for an Age-Qualified Residential

**Development in Planning Area 40 (Cypress Village)** 

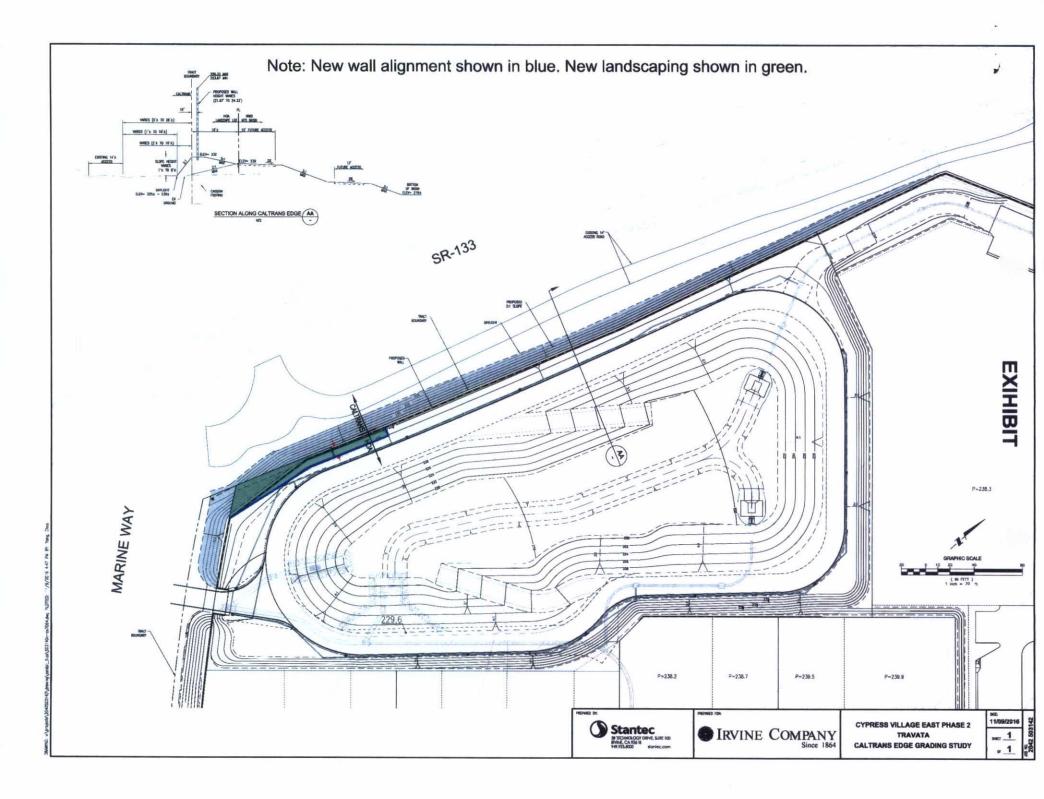
Subsequent to distribution of the Planning Commission agenda packet, the applicant modified the alignment of the community sound wall in the vicinity of Marine Way facing the SR-133 toll road. This change would allow landscaping to be planted at the top of the berm in front of the wall where none was proposed in the original design included in the staff report. The proposed modified wall alignment is detailed in the attached exhibit.

Additionally, to ensure the landscaping will provide sufficient screening for the community walls, staff has added Condition 6.21 to the Conditional Use Permit resolution (PC Attachment 12), detailed below for your review.

# Condition 6.21

#### LANDSCAPE SCREENING FOR WALLS

Screening trees, shrubs, and ground cover shall be planted along all community walls visible from Marine Way. At maturity, the screening trees shall be a minimum height equal to the height of the adjoining wall segment and shall be planted a maximum distance of 15 feet apart. If subsequent to the project approval the Director of Community Development ("Director") determines that the landscaping does not sufficiently screen the community walls visible from Marine Way, the Homeowners Association (HOA) may be required to submit a plan to the Director to enhance the landscape screening, including, but not limited to, replacing or planting additional trees, shrubs, and/or ground cover. The plan shall be submitted within 30 days of notification by the City and shall be reviewed and approved by the Director. The HOA shall be required, at its sole expense, to implement the landscape enhancement plan within 45 days of written notice from the Director, or in such time frame as directed by the Director.





# **AGENDA**

# PLANNING COMMISSION REGULAR MEETING

November 17, 2016 5:30 PM City Council Chamber One Civic Center Plaza Irvine, California

Speaker's Card/Request to Speak: If you would like to address the Commission on a scheduled agenda item, please complete the Request to Speak Form. The card is at the table at the entrance to the Council Chamber. Please identify on the card your name, address (optional), and the item on which you would like to speak and return to the Recording Secretary. The Request to Speak Form assists the Chair in ensuring that all persons wishing to address the Commission are recognized. Your name will be called at the time the matter is heard by the Commission.

# **CALL TO ORDER**

A regular meeting of the Irvine Planning Commission will be called to order on November 17, 2016 at 5:30 p.m., in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California, by Chair Kuo, presiding officer.

# **ROLL CALL**

**COMMISSIONER:** 

COMMISSIONER:

**CHAIR PRO TEMPORE:** 

VICE CHAIR:

CHAIR:

PATTY BARTLETT
MARY ANN GAIDO

JOHN DUONG

**GREG SMITH** 

**ANTHONY KUO** 

PLEDGE OF ALLEGIANCE

INTRODUCTIONS

ADDITIONS AND DELETIONS TO THE AGENDA

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# **PUBLIC COMMENTS**

# **COMMISSION BUSINESS**

1. APPROVAL OF MINUTES

# **RECOMMENDED ACTION:**

Approve the minutes of a regular meeting of the Planning Commission held on October 20, 2016.

2. APPROVAL OF ENVIRONMENTAL DOCUMENTATION FOR THE KELVIN AVENUE PEDESTRIAN BRIDGE

# **RECOMMENDED ACTION:**

Recommend that the City Council adopt a resolution certifying the Addendum to the Irvine Business Complex Vision Plan and Mixed Use Overlay Zoning Code Final Program Environmental Impact Report (SCH No. 2007011024) for the Kelvin Avenue Pedestrian Bridge Project

# **PUBLIC HEARINGS**

3. CONDITIONAL USE PERMIT, VESTING TENTATIVE TRACT MAP 17996, AND PARK PLAN FOR AN AGE-QUALIFIED RESIDENTIAL DEVELOPMENT IN PLANNING AREA 40 (CYPRESS VILLAGE)

# **RECOMMENDED ACTION:**

- 1) Open the public hearing; receive public input; Commission comments and questions.
- 2) Close the public hearing.
- Adopt RESOLUTION No. 16-3551 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRVINE, CALIFORNIA, APPROVING VESTING TENTATIVE TRACT MAP 17996 (FILE NO. 00662606-PTT), TO SUBDIVIDE 32.09 ACRES INTO 52 NUMBERED LOTS AND 37 LETTERED LOTS TO FACILITATE FUTURE RESIDENTIAL DEVELOPMENT OF UP TO 243 CONDOMINIUM UNITS, ONE PRIVATE PARK, AND ANCILLIARY USES INCLUDING TWO LOTS FOR MONUMENT PURPOSES, ALONG WITH SUPPORTING LANDSCAPE AND VEHICULAR ACCESS LOTS; LOCATED WITHIN DISTRICT 3 OF PLANNING AREA 40 (CYPRESS VILLAGE); FILED BY IRVINE COMPANY COMMUNITY DEVELOPMENT
- 4) Adopt RESOLUTION NO. 16-3552 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRVINE, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (FILE NO. 00670179-PCPU) FOR THE DEVELOPMENT OF 243

- ATTACHED AND DETACHED RESIDENTIAL CONDOMINIUM UNITS WITHIN VESTING TENTATIVE TRACT MAP 17996, INCLUDING ADMINISTRATIVE RELIEF FROM WALL HEIGHT STANDARDS AND VISITOR PARKING SPACES; LOCATED WITHIN DISTRICT 3 OF PLANNING AREA 40 (CYPRESS VILLAGE); FILED BY IRVINE COMPANY COMMUNITY DEVELOPMENT
- 5) Adopt RESOLUTION NO. 16-3553 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRVINE, CALIFORNIA, APPROVING PARK PLAN (FILE NO. 00662863-PPP) FOR A PROPOSED 243 UNIT AGE-QUALIFIED RESIDENTIAL PROJECT WITHIN VESTING TENTATIVE TRACT MAP 17996; LOCATED IN PLANNING AREA 40 (CYPRESS VILLAGE); FILED BY IRVINE COMPANY COMMUNITY DEVELOPMENT
- 4. VESTING TENTATIVE TRACT MAPS 18049, 18050, 18051 AND 18052 WITH ASSOCIATED MASTER PLANS AND MODIFICATIONS TO THE MASTER LANDSCAPE AND TRAILS PLAN AND THE PARK PLAN FOR EASTWOOD (PLANNING AREA 5B)

# **RECOMMENDED ACTION:**

- 1) Open the public hearing; receive public input; Commission comments and questions.
- 2) Close the public hearing.
- Adopt RESOLUTION NO. 16-3554 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRVINE, CALIFORNIA, APPROVING VESTING TENTATIVE TRACT MAP 18049 (00674705-PTT) TO SUBDIVIDE 6.93 GROSS-ACRES INTO 50 NUMBERED LOTS FOR FUTURE SINGLE-FAMILY RESIDENTIAL DEVELOPMENT, 10 LETTERED LOTS FOR LANDSCAPE PURPOSES AND TWO LETTERED LOTS FOR PRIVATE STREETS, LOCATED IN PLANNING AREA 5B (EASTWOOD); FILED BY IRVINE COMPANY COMMUNITY DEVELOPMENT
- 4) Adopt RESOLUTION NO. 16-3555 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRVINE, CALIFORNIA, APPROVING MASTER PLAN 00674702-PMP FOR THE DEVELOPMENT OF 50 DETACHED SINGLE-FAMILY RESIDENCES IN TRACT 18049, INCLUDING REQUESTS FOR AN ALTERNATIVE SIDE YARD SETBACK STANDARD AND ADMINISTRATIVE RELIEF FROM WALL HEIGHT AND VISITOR PARKING STANDARDS, LOCATED IN PLANNING AREA 5B (EASTWOOD); FILED BY IRVINE COMPANY COMMUNITY DEVELOPMENT

- 5) Adopt RESOLUTION NO. 16-3556 A RÉSOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRVINE, CALIFORNIA, APPROVING VESTING TENTATIVE TRACT MAP 18050 (00674711-PTT) TO SUBDIVIDE 17.05 GROSS-ACRES INTO 80 NUMBERED LOTS FOR FUTURE SINGLE-FAMILY RESIDENTIAL DEVELOPMENT, 21 LETTERED LOTS FOR LANDSCAPE PURPOSES AND SEVEN LETTERED LOTS FOR PRIVATE STREETS, LOCATED IN PLANNING AREA 5B (EASTWOOD); FILED BY IRVINE COMPANY COMMUNITY DEVELOPMENT
- 6) Adopt RESOLUTION NO. 16-3557 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRVINE, CALIFORNIA, APPROVING MASTER PLAN 00679397-PMP FOR THE DEVELOPMENT OF 80 DETACHED SINGLE-FAMILY RESIDENCES IN TRACT 18050, INCLUDING A REQUEST FOR ADMINISTRATIVE RELIEF FROM WALL HEIGHT AND VISITOR PARKING STANDARDS, LOCATED IN PLANNING AREA 5B (EASTWOOD); FILED BY IRVINE COMPANY COMMUNITY DEVELOPMENT
- 7) Adopt RESOLUTION NO. 16-3558 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRVINE, CALIFORNIA, APPROVING VESTING TENTATIVE TRACT MAP 18051 (00674712-PTT) TO SUBDIVIDE 13.94 GROSS-ACRES INTO 81 NUMBERED LOTS FOR FUTURE SINGLE-FAMILY RESIDENTIAL DEVELOPMENT, SIX LETTERED LOTS FOR LANDSCAPE PURPOSES AND FOUR LETTERED LOTS FOR PUBLIC STREETS, LOCATED IN PLANNING AREA 5B (EASTWOOD); FILED BY IRVINE COMPANY COMMUNITY DEVELOPMENT
- 8) Adopt RESOLUTION NO. 16-3559 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRVINE, CALIFORNIA, APPROVING MASTER PLAN 00679883-PMP FOR THE DEVELOPMENT OF 81 DETACHED SINGLE-FAMILY RESIDENCES IN TRACT 18051, INCLUDING A REQUEST FOR ADMINISTRATIVE RELIEF FROM WALL HEIGHT AND VISITOR PARKING STANDARDS, LOCATED IN PLANNING AREA 5B (EASTWOOD); FILED BY IRVINE COMPANY COMMUNITY DEVELOPMENT
- 9) Adopt RESOLUTION NO. 16-3560 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRVINE, CALIFORNIA, APPROVING VESTING TENTATIVE TRACT MAP 18052 (00674715-PTT) TO SUBDIVIDE 15.26 GROSS-ACRES INTO 111 NUMBERED LOTS FOR FUTURE SINGLE-FAMILY RESIDENTIAL DEVELOPMENT, 11 LETTERED LOTS FOR LANDSCAPE PURPOSES, FOUR LETTERED LOTS FOR PUBLIC STREETS AND ONE LETTERED LOT FOR A PRIVATE COURT,

- LOCATED IN PLANNING AREA 5B (EASTWOOD); FILED BY IRVINE COMPANY COMMUNITY DEVELOPMENT
- 10) Adopt RESOLUTION NO. 16-3561— A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRVINE, CALIFORNIA, APPROVING MASTER PLAN 00678877-PMP FOR THE DEVELOPMENT OF 111 DETACHED SINGLE-FAMILY RESIDENCES IN TRACT 18052, INCLUDING REQUESTS FOR ALTERNATIVE REAR AND SIDE YARD SETBACK STANDARDS AND ADMINISTRATIVE RELIEF FROM WALL HEIGHT AND VISITOR PARKING STANDARDS, LOCATED IN PLANNING AREA 5B (EASTWOOD); FILED BY IRVINE COMPANY COMMUNITY DEVELOPMENT
- 11) Adopt RESOLUTION NO. 16-3562 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRVINE, CALIFORNIA, APPROVING PARK PLAN MODIFICATION 00676119-PPK FOR PLANNING AREA 5B (EASTWOOD); FILED BY IRVINE COMPANY COMMUNITY DEVELOPMENT
- 12) Adopt RESOLUTION NO. 16-3563 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRVINE, CALIFORNIA, APPROVING MASTER LANDSCAPE AND TRAILS PLAN MODIFICATION 00687223-PMP FOR PLANNING AREA 5B (EASTWOOD); FILED BY IRVINE COMPANY COMMUNITY DEVELOPMENT

#### STAFF REPORTS

# PLANNING COMMISSION REPORTS

# ADJOURNMENT

Next Meeting: PLANNING COMMISSION REGULAR meeting, December 1, 2016, 5:30 p.m., City of Irvine, City Council Chamber, One Civic Center Plaza, Irvine, California.

# NOTICE TO THE PUBLIC

The foregoing does not constitute the final agenda. The final agenda will be posted no later than 72 hours prior to the meeting date.

The agenda may also be accessed through the City's Web page at www.ci.irvine.ca.us

#### NOTICE TO THE PUBLIC

At 10:00 p.m., the Planning Commission will determine which of the remaining agenda items can be considered and acted upon prior to 11:00 p.m., and will continue all other items on which additional time is required until a future Commission meeting. All meetings are scheduled to terminate at 11:00 p.m.

The Irvine Planning Commission consists of five residents of the City who are appointed by Irvine City Council members. The Commission meets regularly on the first and third Thursday of each month in the Council Chambers of the Irvine Civic Center located at One Civic Center Plaza. Meetings begin at 5:30 p.m., unless otherwise noted. The Planning Commission Agenda is posted in the Police Department. Meeting agendas and approved minutes are kept current on the City website at <a href="https://www.ci.irvine.ca.us">www.ci.irvine.ca.us</a>.

The Planning Commission is responsible for providing input to the City Council on long-range planning. Irvine's long-range planning goals are embodied in the General Plan. The General Plan and the amendments to it are reviewed by the Planning Commission and adopted by the City Council. The General Plan is implemented through the City's development regulations.

The Planning Commission has the authority to approve or deny applications concerning development within the City. The category of applications includes: tentative tract maps, conditional use permits, master plans, administrative relief and variances. The Planning Commission also makes recommendations to the City Council on all applications for amendments to the Zoning Ordinance.

An agenda is provided for each Planning Commission meeting, which list the items submitted for consideration. Prior to the listed agenda items, the Commission may hold a study session to receive information or meet with another committee. A study session is open to the public; however, no public testimony is taken and no decisions are made. Following a study session, the regular meeting will begin at 5:30 p.m. At this time, the Commission allows oral communications from the public to address the Commission on items NOT listed on the agenda. Oral comments to address the Planning Commission are limited to three minutes per person.

Staff Reports are available in the Community Development Department for public review and copying. Please call the Planning Commission administrative secretary at (949) 724-6465 for assistance or any additional information.

Additions and Deletions to the Agenda: 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 Commission meeting.

The items on the agenda are arranged in three categories: <u>Consent Calendar</u>: These are relatively minor in nature, do not have any outstanding issues or concerns, and do not require a public hearing. All consent calendar items are considered by the Commission as one item and a single vote is taken for their approval, unless an item is pulled from the consent calendar for individual discussion. There is no public discussion of consent calendar items unless requested by the Commission. <u>Public Hearings</u>: This category is for case applications that require, by law, a hearing open to public comment because of the discretionary nature of the request. Public hearings are formally conducted and public input/testimony is requested at a specific time. This is your opportunity to speak on the item(s) that concern you. If, in the future, you wish to challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues which you (or someone else) raised orally at the public hearing or in written correspondence received by the City at or before the hearing. <u>Commission Business</u>: Items in this category are general in nature and may require Commission action. Public input may be received at the request of the Commission.

Public Input: If you are interested in addressing the Planning Commission, please fill out a form provided at the meeting with your full name and address. These forms are submitted to the secretary at the front of

the room. The Chair of the Planning Commission will call your name to speak when your item is considered. When you speak to the Commission, state your full name and address for the record.

Appeals: Any decision of the Planning Commission may be appealed to the City Council by the applicant, any member of the City Council, or any person who owns property or resides within five hundred (500) feet of the property line of the proposed project. All appeals must be in writing and state the reasons for the appeal, and submitted within 15 days of the decision to the City Clerk. A deposit of \$245 shall accompany the appeal when the appellant is not the applicant. The City Council will hold a public hearing on the appeal within 60 days of receipt of the appeal.

Supplemental Material Received After The Posting Of The Agenda: Any supplemental writings or documents distributed to a majority of the Planning Commission regarding any item on this agenda after the posting of the agenda will be available for public review in the Community Development Department, 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.

Submittal of Information by Members of the Public for Dissemination or Presentation at Public Meetings (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 Planning Commission. Please provide 15 copies of the information to be submitted and file with the Recording Secretary at the time of arrival to the meeting. This information will be disseminated to the Planning Commission at the time testimony is given.

Americans with Disabilities Act (ADA): 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 Planning Commission secretary at (949) 724-6465 at least 48 hours prior to the meeting to inform us of your needs and to determine if accommodation is feasible. Please advise us at that time if you will need accommodations to attend or participate in meetings on a regular basis.

I hereby certify that the agenda for the Regular Planning Commission meeting was posted in the posting book located in the Public Safety Lobby of City Hall, One Civic Center Plaza, Irvine, California on p.m. as well as on the City's web page.

Department Liaison

# AGENDA ITEM NO 3

**MEETING DATE:** NOVEMBER 17, 2016

TITLE: CONDITIONAL (

CONDITIONAL USE PERMIT, VESTING TENTATIVE TRACT MAP 17996, AND PARK PLAN FOR AN AGE-QUALIFIED RESIDENTIAL DEVELOPMENT IN PLANNING AREA 40 (CYPRESS VILLAGE)

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. 16-3551 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRVINE, CALIFORNIA, APPROVING VESTING TENTATIVE TRACT MAP 17996 (FILE NO. 00662606-PTT), TO SUBDIVIDE 32.09 ACRES INTO 52 NUMBERED LOTS AND 37 LETTERED LOTS TO FACILITATE FUTURE RESIDENTIAL DEVELOPMENT OF UP TO 243 CONDOMINIUM UNITS, ONE PRIVATE PARK, AND ANCILLIARY USES INCLUDING TWO LOTS FOR MONUMENT PURPOSES, ALONG WITH SUPPORTING LANDSCAPE AND VEHICULAR ACCESS LOTS; LOCATED WITHIN DISTRICT 3 OF PLANNING AREA 40 (CYPRESS VILLAGE); FILED BY IRVINE COMPANY COMMUNITY DEVELOPMENT
- 4. Adopt RESOLUTION NO. 16-3552 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRVINE, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (FILE NO. 00670179-PCPU) FOR THE DEVELOPMENT OF 243 ATTACHED AND DETACHED RESIDENTIAL CONDOMINIUM UNITS WITHIN VESTING TENTATIVE TRACT MAP 17996, INCLUDING ADMINISTRATIVE RELIEF FROM WALL HEIGHT STANDARDS AND VISITOR PARKING SPACES; LOCATED WITHIN DISTRICT 3 OF PLANNING AREA 40 (CYPRESS VILLAGE); FILED BY IRVINE COMPANY COMMUNITY DEVELOPMENT
- 5. Adopt RESOLUTION NO. 16-3553 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRVINE, CALIFORNIA, APPROVING PARK PLAN (FILE NO. 00662863-PPP) FOR A PROPOSED 243 UNIT AGE-QUALIFIED RESIDENTIAL PROJECT WITHIN VESTING TENTATIVE TRACT MAP 17996; LOCATED IN PLANNING AREA 40 (CYPRESS VILLAGE); FILED BY IRVINE COMPANY COMMUNITY DEVELOPMENT

# **EXECUTIVE SUMMARY**

Irvine Company Community Development (ICCD) has submitted applications for Vesting Tentative Tract Map (VTTM) 17996, a Conditional Use Permit (CUP), and a Park Plan for the development of up to 243 condominium units on 32.09 gross acres within District 3 of Planning Area 40 (Cypress Village). The proposed project is a gated, market-rate age-qualified community for homebuyers over the age of 55. The project area, also referred to as Planning Area 40 East East, is generally bounded by State Route 133 (SR-133) to the west, Marine Way to the south, Ridge Valley to the east, and Pinehurst and future Cypress Village neighborhoods to the north (PC Attachment 1).

Staff has reviewed the proposed CUP, VTTM 17996, and Park Plan and determined that the applications comply with all applicable requirements of the Irvine General Plan, Zoning Ordinance, Subdivision Ordinance, Subdivision Manual, and Park and Parks Facilities Standards (PC Attachment 2). An Alternative Setback Standard for a reduced front setback from the sidewalk or back of curb is proposed (10 feet required, 9 feet proposed) for multiple lots. Administrative Relief requests were submitted to deviate from maximum wall height standards and maximum distance between units and visitor parking spaces. Staff determined that findings in support of most of these requests, with the exception of a request related to an over-height sound wall, can be made. Therefore, staff recommends the Planning Commission approve the proposed applications subject to the conditions contained in each respective resolution (PC Attachments 10, 11, and 12).

# COMMISSION/ADVISORY BOARD RECOMMENDATION

On October 19, 2016, the Community Services Commission considered Park Plan (File No. 00662863-PPP) and recommended Planning Commission approval of the Park Plan by a 4-0-1 vote (Commissioners Trussell, Fox, Schultz, and Shute voting in favor; Commissioner Carroll absent).

On October 26, 2016, the Subdivision Committee considered VTTM 17996 and unanimously, with all members present, recommended Planning Commission approval of the subdivision map.

# **ANALYSIS**

# **BACKGROUND**

On November 18, 2010, the Planning Commission unanimously approved, with all members present, development plans for Districts 1 and 2 of Cypress Village totaling 3,500 attached and detached residential units. On November 5, 2015, the Planning Commission unanimously approved, with Commissioner Bartlett absent, maps and associated master plans for District 3 of Cypress Village totaling 411 attached residential units. This project represents the remaining residential land in District 3.

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Development in Planning Area 40 is also subject to the terms and provisions of the Northern Sphere Development Agreement (DA). However, there are no regulations within the DA that affect the subdivision of land as proposed by this project.

The project site has a General Plan Land Use Designation of Multi-Use and is zoned 3.1H Multi-Use in Planning Area 40. The project site, also referred to as Planning Area 40 East East, is generally bounded by State Route 133 (SR-133) to the west, Marine Way to the south, Ridge Valley to the east, and Pinehurst and future Cypress Village neighborhoods to the north. The Orange County Great Park is located to the southeast of the project site, across Ridge Valley.

# PROJECT DESCRIPTION

# **Vesting Tentative Tract Map**

VTTM 17996 will subdivide 32.09 gross acres into 52 numbered lots and 37 lettered lots for condominium purposes (PC Attachment 3). The numbered lots consist of 49 lots for residential development, two lots for monument purposes, and one lot for a recreation center. The lettered lots consist of 12 lots for landscaping, 21 lots for private drives and private streets, and four lots that will be maintained or reserved for other public agencies (Irvine Ranch Water District, Caltrans, or OC Flood Control District).

The project will utilize privacy gates that control vehicular and pedestrian access into the residential neighborhood. Vehicular site access is provided via a gated entry off Ridge Valley, and pedestrian access is also provided on Marine Way and Pinehurst. All residential lots will be connected via private streets and private courts that provide direct vehicular access to individual garages.

# **Conditional Use Permit**

The proposed project is a market-rate, age-qualified community for homebuyers over the age of 55. "Senior housing" is a conditionally permitted use in the 3.1H zoning district; consequently, the proposed use is subject to Planning Commission approval of a Conditional Use Permit (CUP).

The CUP proposes the development of 243 residential dwelling units consisting of three different product types as described in detail below. Plans are provided as PC Attachment 4. The age-qualified concept is intended to meet the changing lifestyles of older adults that are still independent and active, yet want the comfort and benefits found in an age-qualified community, such as single-story floor plans and community amenities targeted towards this demographic. The homes are predominantly single-story with all major living spaces located on the first floor. The homes will also provide internally-oriented private outdoor spaces as opposed to large yards. The smaller outdoor spaces require less maintenance and are preferred by the age-qualified

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homebuyers. There will be no support services (e.g., housekeeping, medical care, or communal dining) that are typically found at dependent or assisted living facilities.

# Product 1 – Bungalows

Product Type 1, referred to as "Bungalows," includes 77 attached and detached units at a density of 11.2 units per net acre. The units are designed in clusters containing three to six units organized around a private motor court. All units have two-car garages. The homes feature an architectural style described as Spanish Heritage, Rancho Adobe and Monterey Progressive. A summary of the proposed floor plans is provided below:

Plan No.	Unit Count	Square Footage	Bedrooms / Bathrooms
Plan 1	26	1,705 sq. ft.	2/2
Plan 2	25	1,986 - 2,487 sq. ft.	2-3* / 2
Plan 3	26	2,102 sq. ft.	3/2
TOTAL	77	A SAME AND	

<sup>\*</sup>Plan 2 has the option of adding a second floor loft. The second floor is intended to be used as a retreat, office, or media room.

# Product 2 - Stacked Flats

Product Type 2, referred to as "Stacked Flats," includes 105 attached units at a density of 16.8 units per acre. The units are located either on the first or second floor of a two-story building; elevators provide access to the second floor units. Buildings contain three or six units each. With the exception of Plan 1X, all units have two-car garages. The Plan 1X units have one-car garages and an assigned on-street parking space. The homes feature an architectural style described as Santa Barbara and Monterey. A summary of the proposed floor plans is provided below:

Plan No.	Unit Count	Square Footage	Bedrooms / Bathrooms
Plan 1	17	1,936 sq. ft.	2/2
Plan 1X	18	1,847 sq. ft.	1-2* / 1.5
Plan 2	35	2,085 sq. ft.	2/2
Plan 3	35	2,405 sq. ft.	2-3 / 2
TOTAL	105		Section 2

<sup>\*</sup>Plan 1X has the option of adding a second bedroom.

# Product 3 - Single Family

Product Type 3, referred to as "Single Family," includes 61 detached units at a density of 8.2 units per acre. The site plan is designed as a neighborhood of single family detached homes with two-car garages and driveways. The homes feature an

architectural style described as Adobe Ranch, Santa Barbara, Monterey and Formal Italianate. A summary of the proposed floor plans is provided below:

Plan No.	Unit Count	Square Footage	Bedrooms* / Bathrooms
Plan 1	18	2,244 sq. ft.	2-3 / 2
Plan 1X	6	2,244 sq. ft.	2-3 / 2
Plan 2	14	2,632 sq. ft.	2-3 / 2.5
Plan 3	7	2,720 sq. ft.	2-3 / 2.5
Plan 4	9	2,850 sq. ft.	2-3/ 2.5
Plan 5	7	2,970 sq. ft.	2-3 / 2.5
TOTAL	61	and the second second	

<sup>\*</sup>All plans have the option of adding a third bedroom to the second floor loft.

# Parking

The applicant proposes to apply the parking rate for for-sale attached condominiums to the project, which is detailed in the following table:

Eller Services	1BR	2BR or more	Recreation Center	TOTAL
Unit Count	18	225		243
Proposed Parking Standard	1.5 owner spaces/unit 0.4 visitor spaces/unit	2 owner spaces/unit 0.4 visitor spaces/unit		
Owner Parking Required	27	450		477
Visitor Parking Required	7	90		97
Total Parking Required	34	540	39	613
Total Parking Provided				613

Pursuant to Section 4-3-3 of the Zoning Ordinance, off-street parking requirements for senior housing uses are determined by the Planning Commission based upon a parking study. A study was conducted of a community located in Ranch Mission Viejo (Gavilan), a similarly designed and sized age-qualified neighborhood with similar resident demographics. Gavilan is a gated community comprised of 283 residential units with two-car garages.

The study concluded that Gavilan has a resident and visitor parking utilization rate of 2.27 parking spaces per dwelling unit (peak parking demand of 643 vehicles divided by 283 dwelling units). The visitor parking rate alone was calculated by excluding vehicles in garages. The rate included vehicles observed in driveways and vehicles parked onstreet (77), and the study concluded that Gavilan has a visitor parking rate of 0.27 parking spaces per dwelling unit. The study confirms the overall assumptions and appropriateness of utilizing the proposed parking rates above, and moreover, the proposed visitor parking rate will exceed the observed demand for a similar

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development. Furthermore, staff does not anticipate parking issues due to the low household size (given the age-restricted nature of the community) and the proposed privacy gates facilitate management of internal parking and traffic by preventing outside traffic from entering this site. This project is located immediately adjacent to and within short walking distance of the area within the Orange County Great park known as the "Western Sector," which includes sports fields, the balloon and other public attractions. Gating this community will ensure that no parking for those uses occur within this private neighborhood.

# Alternative Setback Standards

The applicant is requesting an alternative setback standard to allow a reduced front yard setback from the sidewalk or back of curb. The Zoning Ordinance requires a minimum of 10 feet, and a 9-foot front setback is proposed.

Pursuant to Zoning Ordinance Section 9-40-7(P), the Planning Commission must consider the general character, quality of life, suitability and limitations when evaluating alternative setback requests. The proposed alternative setback meets each of the required criteria as follows:

- a. Project is compatible with existing and proposed development in the vicinity and provides scale, bulk, coverage and density consistent with surrounding uses.
- b. Setback is internal in nature and, therefore, will not have an adverse impact on existing neighborhoods or village edges.
- c. Setback will be implemented on a site that is physically suited for the proposed development.

These setbacks are internal to the project site and will not be visible from any public street. The proposed alternative setbacks do not impact overall site landscaping provisions or restrict pedestrian or vehicle circulation throughout the site. Therefore, staff recommends the Planning Commission approve this request.

# Park Plan

The proposed Park Plan (00662863-PPP) demonstrates the project's compliance with the City's community and neighborhood park dedication standards (PC Attachment 5). Park obligations can be met through a combination of land, improvements and/or the payment of in-lieu fees.

# Community Park Dedication Requirements

The project has a community park obligation of two acres of parkland per 1,000 residents. Based on the projected population of 616 persons, the project is required to provide 1.23 acres of community parks. The project will meet this obligation through payment of an in-lieu fee of \$4,797,000. This fee is based on an appraised value of

Planning Commission I ng November 17, 2016 Page 7 of 12

\$3,900,000 per acre, as indicated in an appraisal report (PC Attachment 6). Staff has placed a condition in the Park Plan resolution requiring payment of the community park in-lieu fee prior to issuance of building permits (PC Attachment 12).

Neighborhood Park Dedication Requirements

The project has a neighborhood park obligation of three acres of parkland per 1,000 residents. Based on the projected population of 616 persons, the project is required to provide 1.85 acres of neighborhood parks. Neighborhood park requirements will be met through a combination of land dedication of 0.98 acres for a private park and improvement values equivalent to 0.87 acres of land.

The private park is proposed adjacent to the SR-133 Toll Road and near the center of the development. Major amenities proposed within the park include a recreation building, swimming pool, spa, pool deck and restroom building with showers, shade structures, barbeque patio, outdoor lounge, bocce courts, outdoor fitness deck, and pedestrian paseo. Because the park is intended to serve the recreational needs of its residents (aged 55 years and above), the park does not include a playground. The park is required to provide a total of 39 parking spaces. The park includes two parking lots with 37 standard parking spaces and two- ADA accessible spaces; therefore, the project satisfies City parking requirements.

# ADMINISTRATIVE RELIEF REQUESTS

# Visitor Parking

Pursuant to Zoning Ordinance Section 4-4-1(C)(b), visitor parking spaces are required to be within 250 feet of a designated residential unit. However, three of the 243 total units exceed this distance, and consequently, the applicant is requesting Administrative Relief to allow visitor parking for the three units to be located more than 250 feet away. Due to the unique placement of the units within the overall development, the closest visitor parking spaces are located at a distance ranging between 270 feet and 356 feet away. This parking configuration is consistent with similar parking programs approved in the City. Furthermore, the number of visitor parking spaces provided exceeds the observed visitor parking demand in a similar age-qualified development. It is also unlikely that all visitor parking spaces will be occupied, making the distances above a 'worst-case' scenario that is not likely to ever occur. Therefore, staff determined this Administrative Relief request meets the intent of the Zoning Ordinance and findings for approval have been incorporated into the resolution.

# Wall Heights

Pursuant to Zoning Ordinance Section 3-35-2, the maximum wall height for residential uses is 6 feet, as measured from grade. Neighborhood walls for individual units are proposed at a height of 7 feet, with associated pilasters reaching up to 8 feet in height

Planning Commission I ing November 17, 2016 Page 8 of 12

for these walls. Community walls and sound walls along the north, east and south project boundaries range between 6 feet and 8 feet in height. The proposed sound wall along the southwest corner and west edge, along Marine Way and the edge facing the 133 Toll Road, ranges from 8 feet to 30 feet in height.

The noise study submitted for the project (PC Attachment 7) demonstrates that a sound wall between 6 feet and 8 feet tall along the west edge of the project would sufficiently ensure that noise at ground level throughout the site complies with City standards. The taller wall, up to 30 feet in height, is proposed as an enhancement to the required mitigation as it will lower noise levels for second floor living spaces throughout the development, but is not required by any City noise regulations. The applicant has requested Administrative Relief to allow for this enhanced sound-attenuating wall up to 30 feet in height. A similar approach was used at the Los Olivos apartments in Planning Area 39, where a sound wall was provided to reduce noise for balconies on the second and third floors of residential buildings where no noise mitigation was required.

Given that the excess height is not required to address required noise mitigation and the high visibility of the wall from Marine Way, which serves as a primary entrance to the Orange County Great Park, staff recommends that the project provide only the necessary sounds walls along the Marine Way frontage and around the retention basin to address City noise standards, which would result in walls ranging from 6 feet to 8 feet tall. The 133 Toll Road frontage north of the retention basis has limited public visibility, due in large part to the 15 to 20 foot high transition road and existing landscaping, and staff has no concerns with an increased height for this portion of the wall.

Staff is supportive of the Administrative Relief request for the 7 foot and 8 foot heights for the community walls and internal private walls; findings for this request are contained in the CUP resolution (PC Attachment 11). Should the Planning Commission wish to approve the proposed 30-foot tall sound wall, the Commission would need to make similar findings for Administrative Relief in the CUP resolution.

# MAXIMUM DWELLING UNITS

The original General Plan and Zoning designations for Planning Area 40 included Section 9-40-7(B)(1) of the Irvine Zoning Ordinance, which creates an allowance for up to 1,309 additional dwelling units in excess of 3,918 units in the 2.3N and 2.4l residential zones in Planning Area 40 that may be substituted for Multi-Use square footage in the Area 3.1H zone. This flexibility is based on equivalent traffic generation between the 1,540,000 square feet of multi-use intensity available for conversion, compared with the 1,309 residential units that would be created. With the previously-approved residential developments, the proposed 243 condominium units fall within the secondary, convertible unit cap established for the 3.1H zoned portion of PA 40. A total of 1,303 units will have been converted from multi-use intensity to residential intensity.

# TRAFFIC CIRCULATION AND VEHICULAR ACCESS

Pursuant to the North Irvine Transportation Mitigation (NITM) Program requirements, a project-specific NITM level traffic study was prepared to assess the potential impacts of the project upon intersection and roadway levels of service for interim year 2017. The analysis considered all existing, and approved development projects and the primary streets proposed as a part of this project. All improvements required to mitigate the impacts of the project have been addressed.

# AFFORDABLE HOUSING COMPLIANCE

The affordable housing requirement for this project site is proposed to be addressed through the application of affordable housing credits established within the Northern Sphere and Planning Area 39 Master Affordable Housing Plans. This development's affordable housing requirement will be satisfied by the application of 12.15 Low Income credits and 12.15 Very Low Income credits, leaving a balance of 271 Very Low Income and 74 Low Income credits between the two Master Affordable Housing Plans. No additional on-site affordable units are required.

# WALKABLE COMMUNITIES

The proposed project has been designed to allow for safe pedestrian travel within the gated community. Sidewalks are available along all private streets, and pedestrian connections provide residents easy access to a future trail along Marine Way and Pinehurst. Sidewalk connections are also provided to all three adjacent public streets (Marine Way, Ridge Valley and Pinehurst). The estimated distances to major amenities and services in the immediate vicinity of the project site, utilizing the ultimate pedestrian access network, are provided below. For more information, refer to the Healthy Communities Checklist included as PC Attachment 8.

Amenity / Service	Location	Walking/Biking Distance
Closest Bus stop	Trabuco Road/Jeffrey Road	1.5 miles
District 1-South commercial district (Future)	South of Trabuco Road and east of Ridge Valley	0.1 miles
Cypress Village Center	14221 Jeffrey Road	1.0 mile
Woodbury Town Center	6400 Irvine Boulevard	1.0 mile
Orange County Great Park	Terminus of Bosque	0.3 miles
Cypress Village Elementary School	355 Rush Lily	1.5 miles
Jeffrey Trail Middle School	155 Visions	1.5 miles
Irvine High School	4321 Walnut Avenue	4.7 miles
Cypress Village Community Park	255 Visions	1.52 miles
Portola High School	SEC of Irvine Boulevard and Desert Storm Drive	2 miles

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Overall, the connectivity of this project allows for residents full and easy access to all of the amenities provided within Cypress Village and the Orange County Great Park.

# VISITABILITY

With the development of the Northern Sphere (including the Villages of Woodbury, Stonegate, Orchard Hills, Portola Springs and Cypress Village), Irvine Company voluntarily committed to achieving certain levels of accessibility and visitability goals with all future development. The distribution of visitable and accessible units is considered on a Northern Sphere area-wide basis and is not counted within each planning area or project site. The following goals were established by Irvine Company to address the needs of residents and visitors, as well as aging generations in Irvine:

- 50 percent of the homes are visitable;
- five percent of homes are readily adaptable for full accessibility;
- 100 percent of the model homes meet visitability guidelines; and,
- at least one model home in each model home complex showcase options for Universal Design features.

Of the 243 units proposed by this Conditional Use Permit, 120 units (49 percent) are visitable and 10 units (four percent) are accessible. The builders of all product types will offer future homebuyers the opportunity of choosing Universal Design options. In the Northern Sphere, approximately 52 percent of the approved units, are visitable or accessible. With the addition of these proposed units, the percentage of visitable and accessible units will be 44 percent.

# ENVIRONMENTAL DETERMINATION

Pursuant to Section 15168 of the State of California Environmental Quality Act (CEQA) Guidelines, this project is covered by a previously certified Program EIR for the Planning Area 12/40 General Plan Amendment and Zone Change, which serves as a Program EIR for the proposed project (SCH No. 200071014). 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 and no new mitigation measures are required. The Program EIR is, therefore, determined to be adequate to serve as the environmental document for this project and satisfies all requirements of CEQA (PC Attachment 9).

# PUBLIC OUTREACH

On October 17, 2016, a notice of the Planning Commission hearing was published in the *Orange County Register*. Additionally, the public notice was posted at City-designated locations and mailed to all property owners, residents, and HOAs within 500-feet of the project boundaries. Staff received a comment letter from the Orange

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County Transportation Authority (OCTA), which is provided as PC Attachment 10 and has been incorporated into Condition 3.3 of Resolution No. 16-3551.

# **ALTERNATIVES CONSIDERED**

The proposed project complies with the requirements of the Irvine General Plan, Subdivision Ordinance, Subdivision Manual, and Park and Parks Facilities Standards. The project also complies with the City's Zoning Ordinance, except where Administrative Relief for visitor parking and wall heights has been requested.

The Planning Commission could request the applicant redesign the Conditional Use Permit to eliminate the proposed alternative setbacks. Redesigning the parcels to comply with the 10-foot front yard setback standard may result in the loss of dwelling units or reduced square footage for the units. As the approach to include alternative setback standards has been previously applied in other neighborhoods in the vicinity, the proposed project can be considered to be consistent with the Zoning Ordinance guidelines for Alternative Setback Standards with findings in support being able to be made; therefore this alternative is not recommended.

The Planning Commission could also direct the applicant to redesign the project to eliminate the Administrative Relief requests specific to visitor parking distances and wall height so that the project complies with the Zoning Ordinance. As all required parking is provided within the project, this alternative is not recommended.

The Planning Commission could also allow the Irvine Company to construct the overheight sound wall, which would require the granting of Administrative Relief and findings in support of the request would need to be added to the CUP resolution.

# FINANCIAL IMPACT

The City's Strategic Business Plan and the budgeting process account for the overall development of the Northern Sphere area consistent with the City's General Plan.

REPORT PREPARED BY Stephanie Roxas, Associate Planner

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

# **ATTACHMENTS**

PC Attachment 1 Vicinity Map

PC Attachment 2 Information Sheets PC Attachment 3 VTTM 17996 Plans

PC Attachment 4 Conditional Use Permit Plans

PC Attachment 5 Park Plan

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PC Attachment 6
PC Attachment 7
PC Attachment 8
PC Attachment 9
PC Attachment 10
PC Attachment 11
PC Attachment 11
PC Attachment 11
PC Attachment 12
PC Attachment 12
PC Attachment 12
Resolution No. 16-3551 Approving Vesting Tentative Tract Map 17996 (File No. 00662606-PTT)
PC Attachment 12
PC Attachment 13
Resolution No. 16-3553 Approving Park Plan 00662863-PPP

Jamie Yoshida, Irvine Company (via email: jyoshida@irvinecompany.com)

Jeff Davis, Irvine Company (via email: jsdavis@irvinecompany.com)

Aaron Beck, Irvine Company (via e-mail: abeck@irvinecompany.com)

Doug Johnson (Doug.Johnson@stantec.com)

Rob Holland, Stantec (via e-mail: rob.holland@stantec.com)

Kelsey Carton, Stantec (via e-mail: kelsey.carton@stantec.com)

Peter Prizadeh, Pirzadeh & Associates (via e-mail: pirzadeh@pirzadeh.com)

Joel Belding, Principal Planner

Farideh Lyons, Senior Transportation Analyst

Andrew Pham, Public Works Development Engineering

Files: 00670179-PCPU, 00662606-PTT, 00662863-PPP



# Age-Qualified Residential Project Planning Area 40 (Cypress Village)





This map is a user generated static output from an internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Printed: 10/10/2016

Case #: 00670179-PCPU, 00662606-PTT, THIS MAP 190662963-PEP FOR NAVIGATION



# Age-Qualified Residential Project Planning Area 40 (Cypress Village)





This map is a user generated static output from an internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Printed: 10/10/2016

Case #: 00670179-PCPU, 00662606-PTT, THIS MAP 100662988-PPEP FOR NAVIGATION

# PLANNING COMMISSION INFORMATION SHEET

# VESTING TENTATIVE TRACT MAP 17996 (00662606-PTT) PARK PLAN (00662863-PPP) CONDITIONAL USE PERMIT (00670179-PCPU)

#### **PLANNING AREA 40**

Hearing Date:

November 17, 2016

Applicant:

Stantec and BrightView Design Group, on behalf of Irvine Company

Community Development

Staff Recommends:

Approve the Vesting Tentative Tract Map, Park Plan and Conditional Use Permit applications for an age-qualified, gated residential development

consisting of 243 attached and detached condominium units.

Legal Description:

A portion of Lot 250 in Block 122 of Irvine's Subdivision M.R.M. 1/88, in the

City of Irvine, County of Orange, California.

Location:

The project is located in District 3 of Planning Area 40 (also referred to as PA 40 East East) and is generally bounded by State Route 133 (SR-133) to the west, Marine Way to the south, Ridge Valley to the east, and Pinehurst

and future Cypress Village neighborhoods to the north.

Site Size:

32.09 gross acres (31.94 net acres)

Topography:

Generally flat

General Plan:

Multi-Use

**Existing Zoning:** 

3.1 H Multi-Use

Existing Land Use:

Vacant

# ADJACENT ZONING / LAND USES

Zoning Designation

Land Uses

North:

3.1H Multi-Use

Future attached residential condominiums

East:

8.1 Trails and Transit

Vacant - District 1 South (Great Park

Oriented Development

Neighborhoods and commercial uses planned)

West:

n/a

SR-133 toll road

South:

5.5D Medical and Science

Vacant

# **DEVELOPMENT STANDARDS**

	Required	Provided
Building Setbacks:		
Primary highway	42 feet	48 feet
Front (from sidewalk or back of curb)	10 feet	9 feet*
Side (interior)	5 feet	7 feet

Building to building 6 9 feet

**Density** 0-50 du/net acre 7.65 du/net acre

Minimum Site Size 2,400 square feet 148,539 square feet (3.41 acres)

Site Coverage Unlimited 65.8%

Building Height 35 feet maximum 32 feet maximum

Parking 613 parking spaces\*\* 613 parking spaces

Site Landscaping 30% minimum 37%

# Notes:

\* Alternative Setback Standard requested.

\*\* Zoning Ordinance does not have a parking standard for senior housing uses and requires preparation of a parking study to identify the project's parking demand.

# VESTING TENTATIVE TRACT MAP NO. 17996 FOR CONDOMINIUM PURPOSES **GENERAL NOTES** LEGAL DESCRIPTION 1 CESTING LINE LEE: VACHE ADJACTINE LINES 1: MESTRE - JETS BROWN & RETRIGHTRIN, CA.111 MAJOR MED 1007 - SE-120, 20070 - Depting: MAJORET CONTROL SERVING, MAJORET ٥ A. COSTING & PROPERTY TOWNS . A. IN MAIN LINE S. ONS SERVICE WILL HE PROMISED BY THE SEXUDIENTS CHARGESING CHIEF COLUMNS. BLESTREAL SERVICE WILL BE PREMISED BY THE SOUTHERN CHILDREN COMPANY. ALL BEFORESAL DESIREMENT LINES WILL BE PLACED LIMITAGENIAN. SHEET LEGEND LOCATION MAP TITLE/INDEX/STATISTICAL SUMMARY TENTATIVE TRACT MAP A COMMETTIC WIGHT, RECLARED WICH AND SENER SURVEY WILL BY PREMISED BY THE WORL ROCK MADER SERVER. TYPICAL SECTIONS LAND USE/ACERAGE SUMMARY STREET SUMMARY ... PHENUTET REDEC VALLEY 1 UTILITY SUMMARY RECYCLED WATER NUZ THAT ENGINEERS, MISTRAGOS NO. 301800000007721, TO RESINA PERMIT OWNERSHIP/MAINTENANCE SUMMARY A BASCHENT TO BIND PUR SCHER AND WHEEL PURPOSES A COL ACCES & STUPE SHIPE CHEMOS INDEX MAP LETTERED LOTS LOT & LOT BOX DONG LET # LET SHE GASS LOT # LUT SIZE (MORE) LEGEND LOT 1 PRIMET SOME PROPERTY LINE

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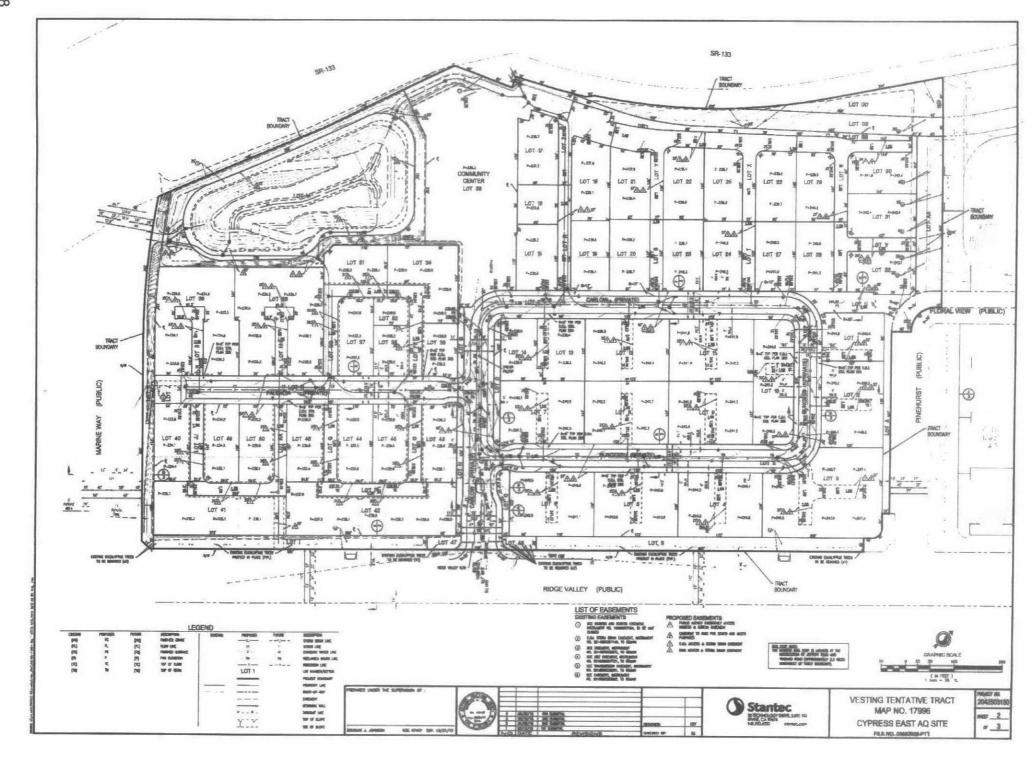
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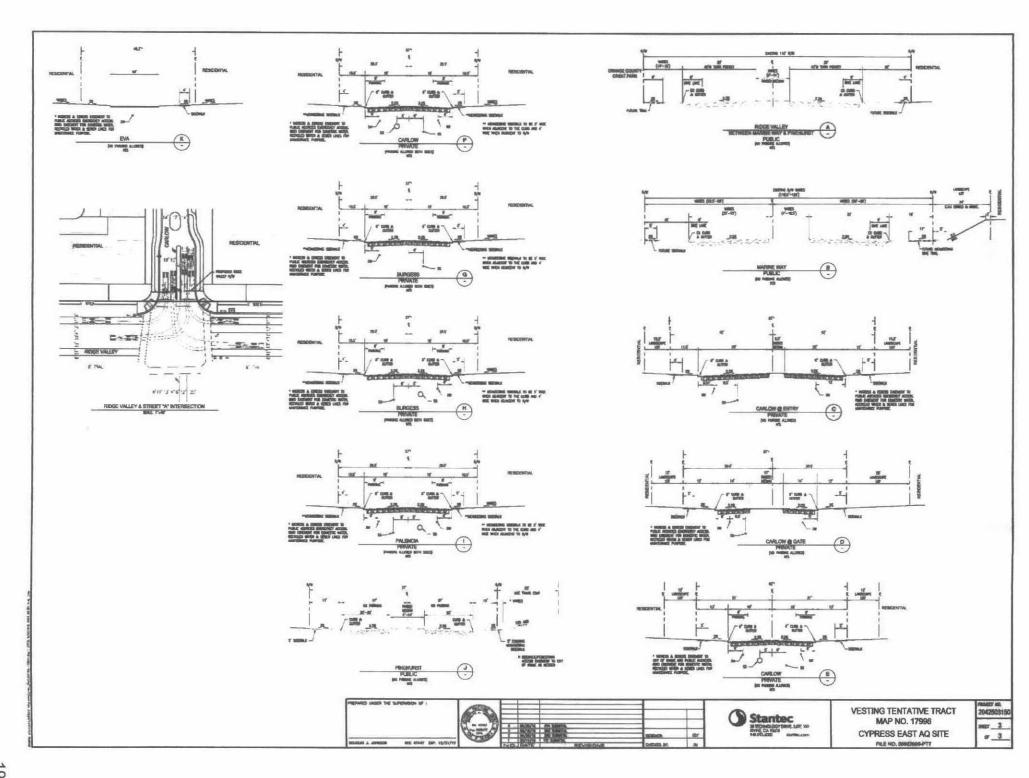
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#### TRACT 17996 - PLAN MIX SUMMARY

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# CONDITIONAL USE PERMIT FOR TRACT 17996 (LOTS 1-52, A-KK)

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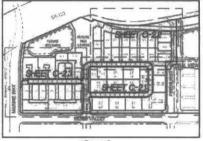
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PUBLIC UTILITY AUTHORIZATION FOR OPERATION



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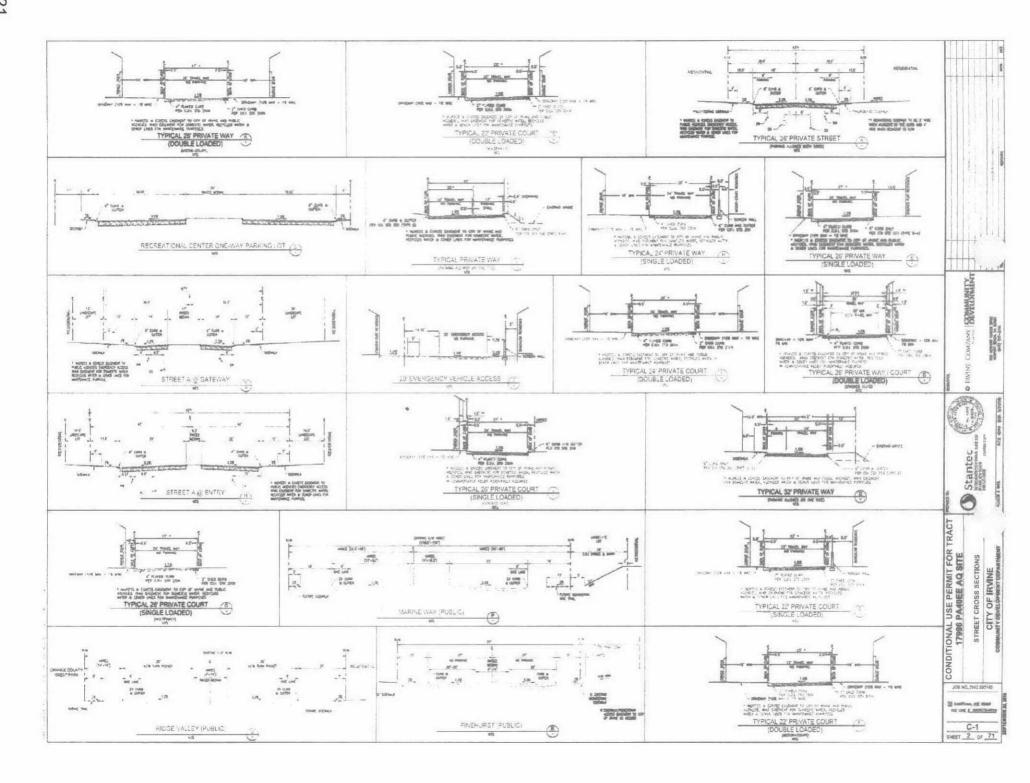
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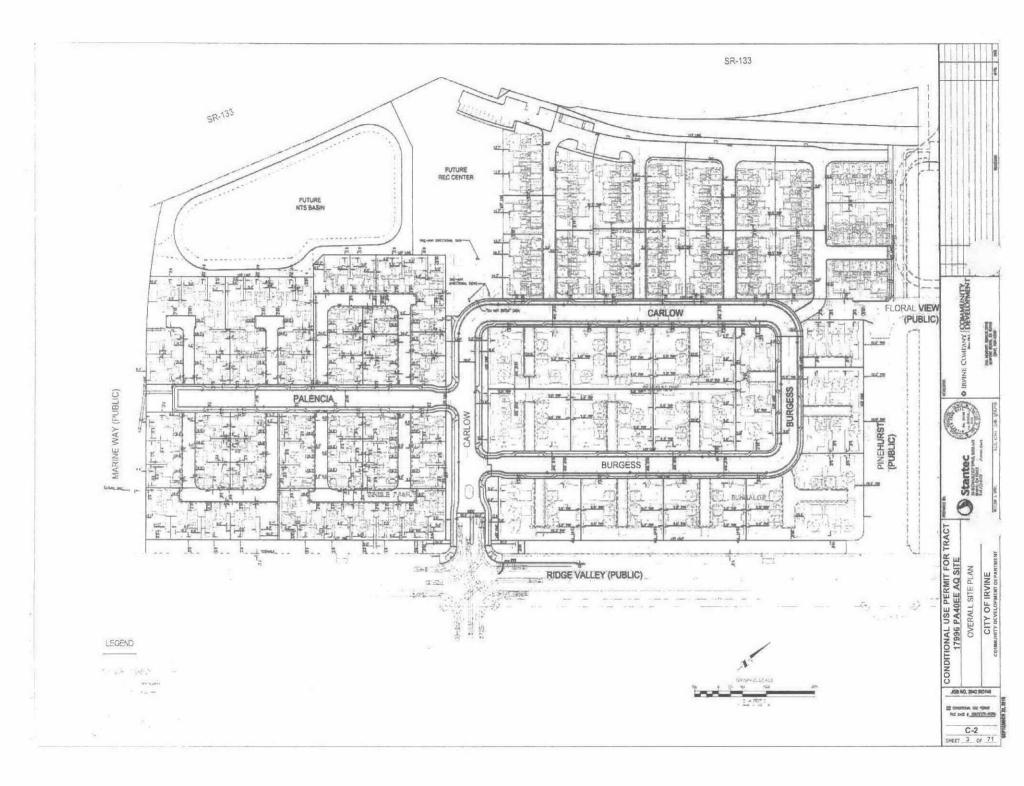
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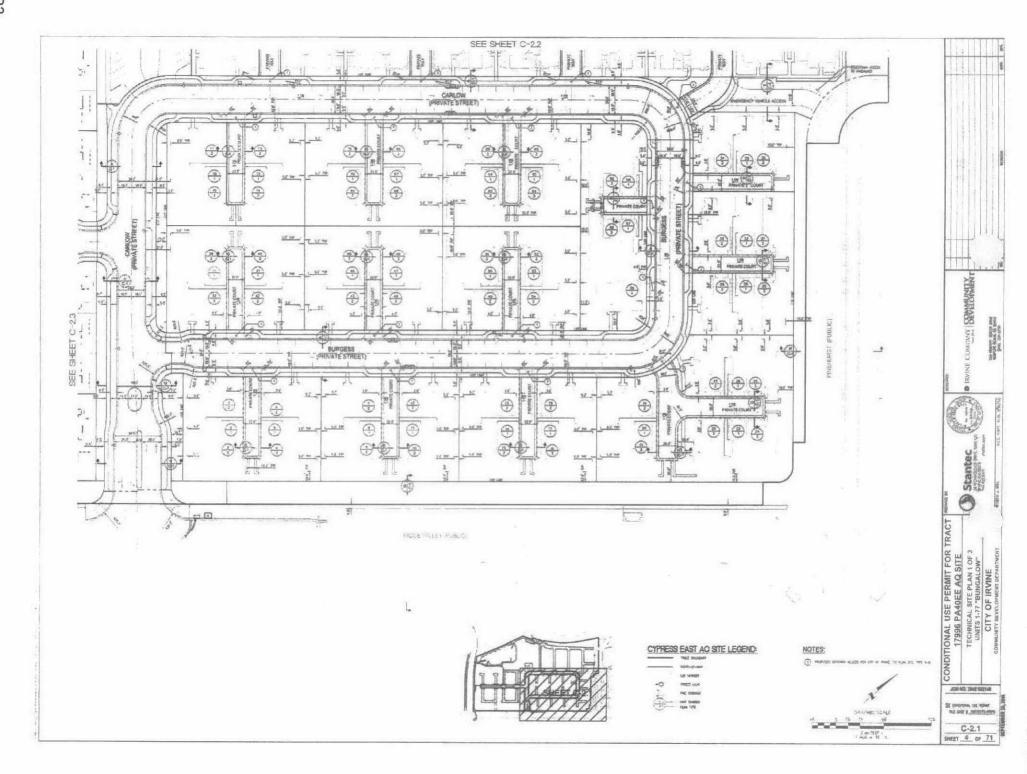
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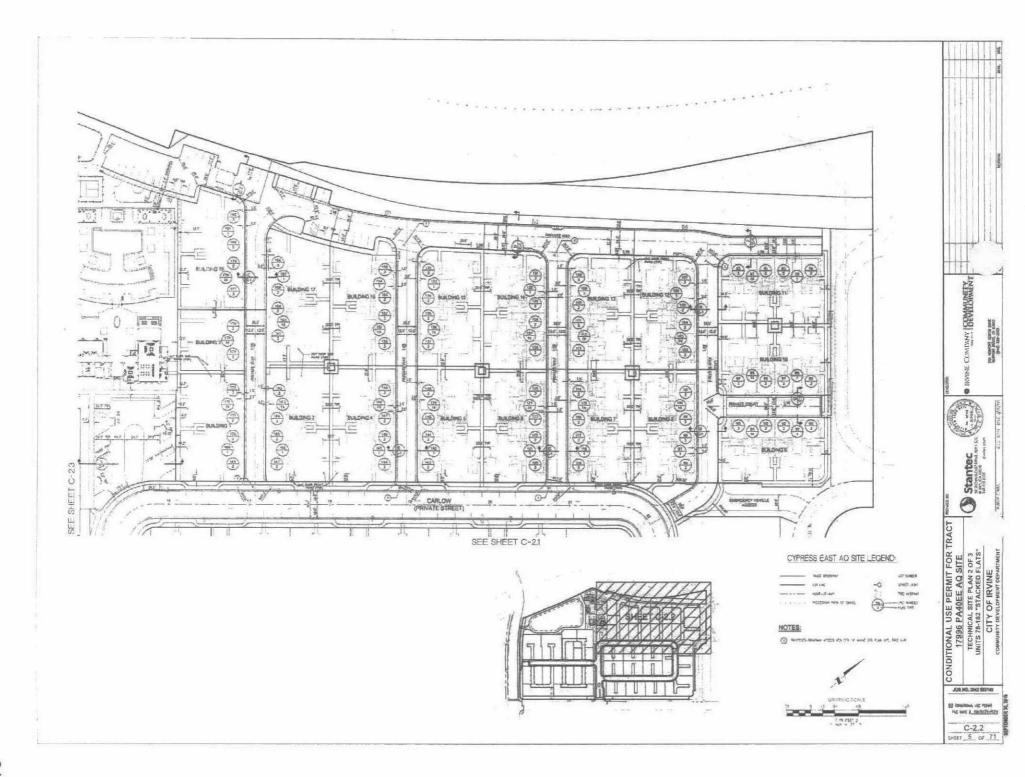
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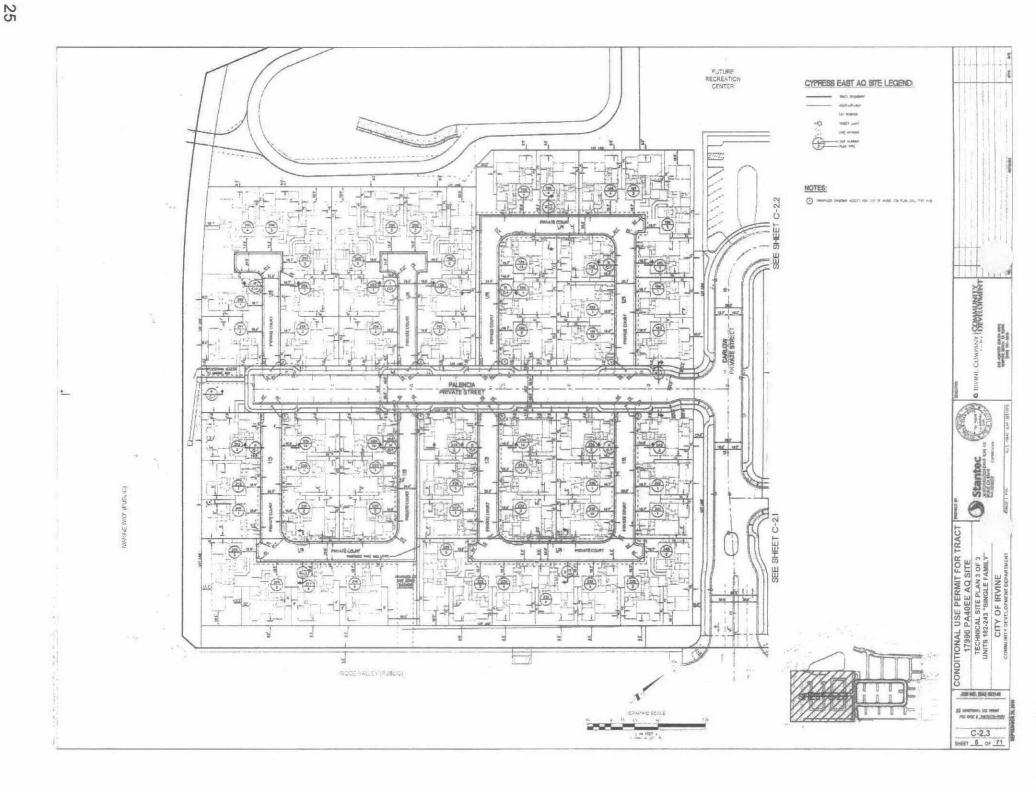
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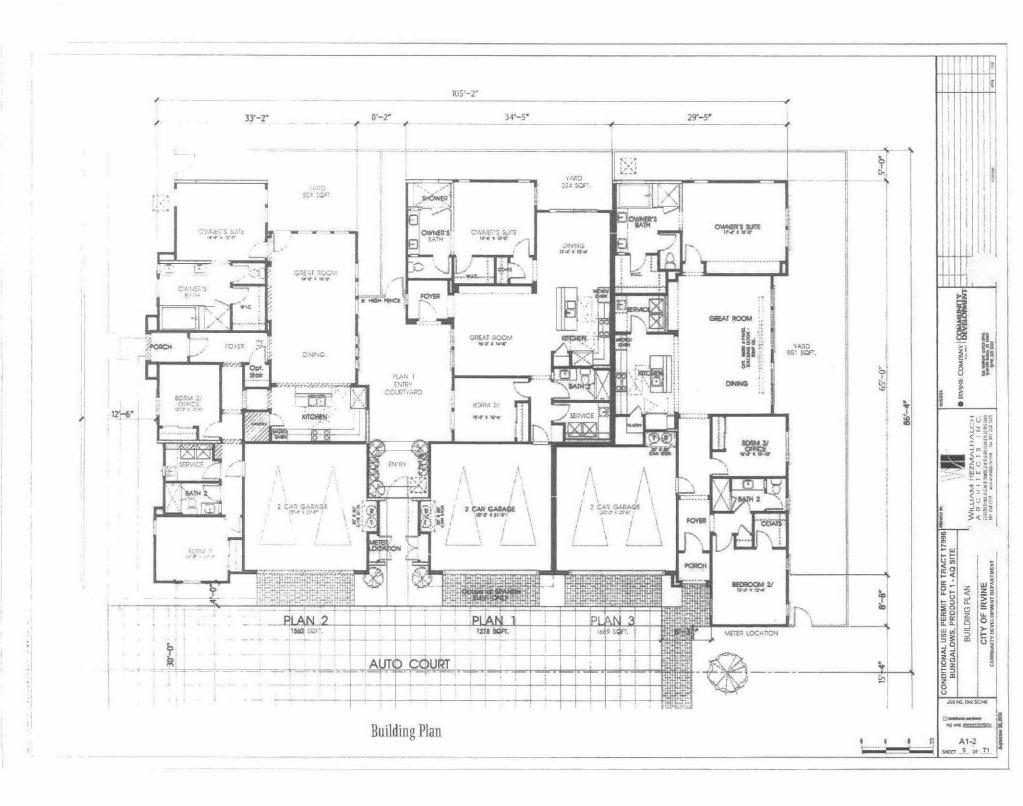


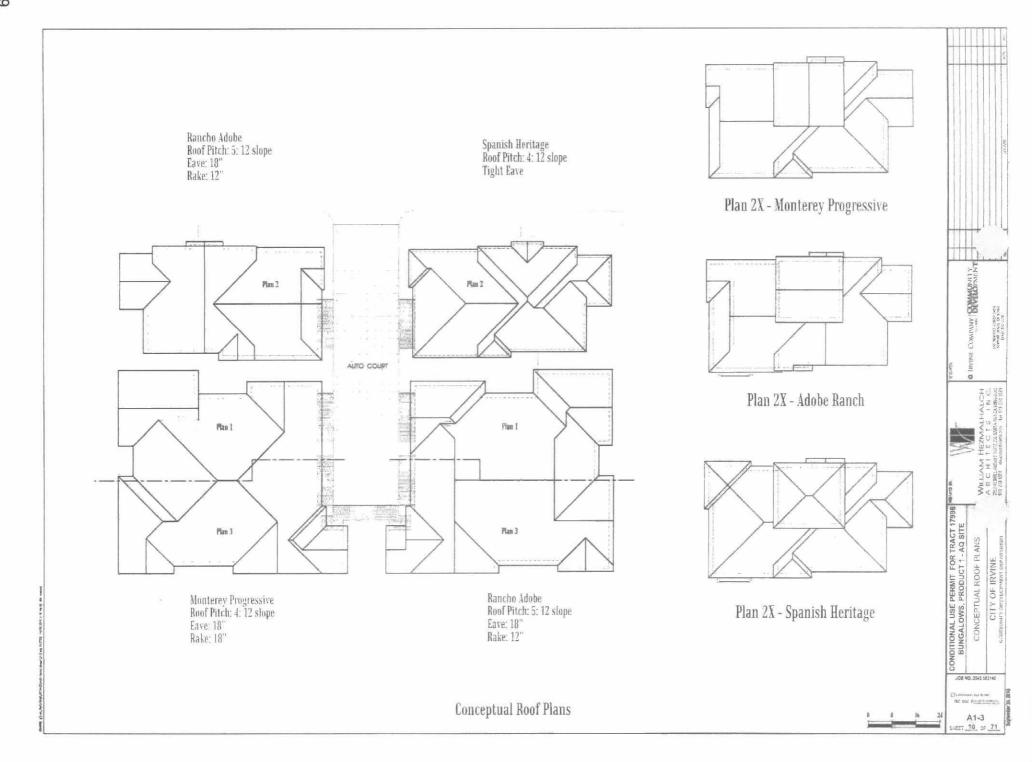








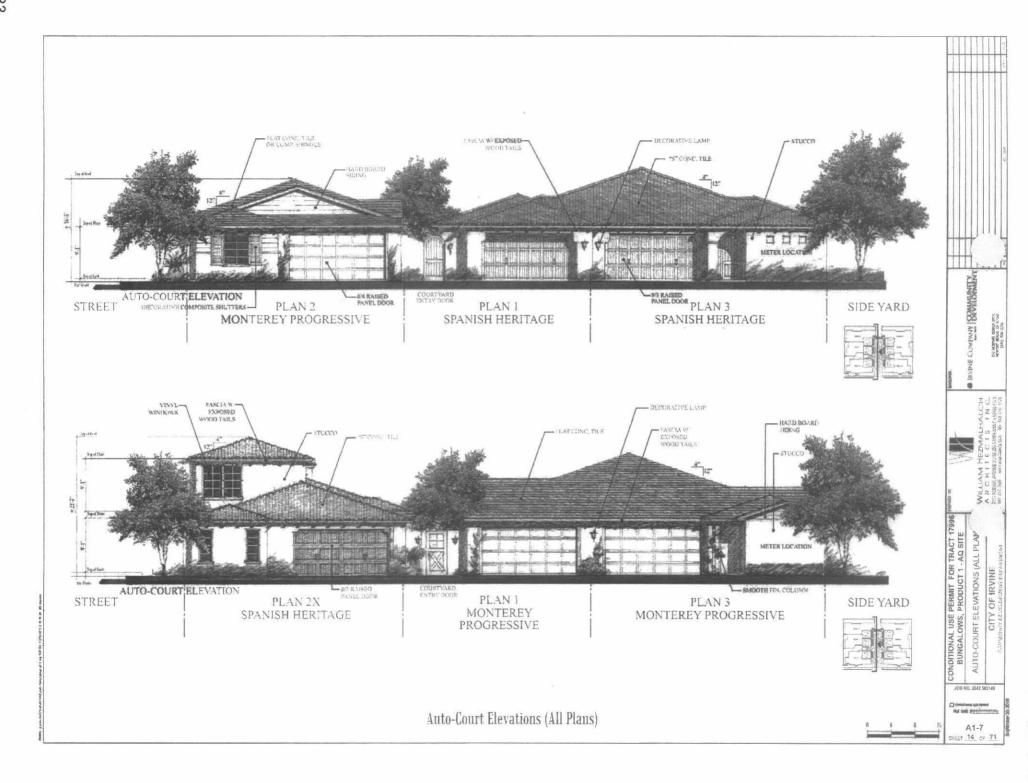












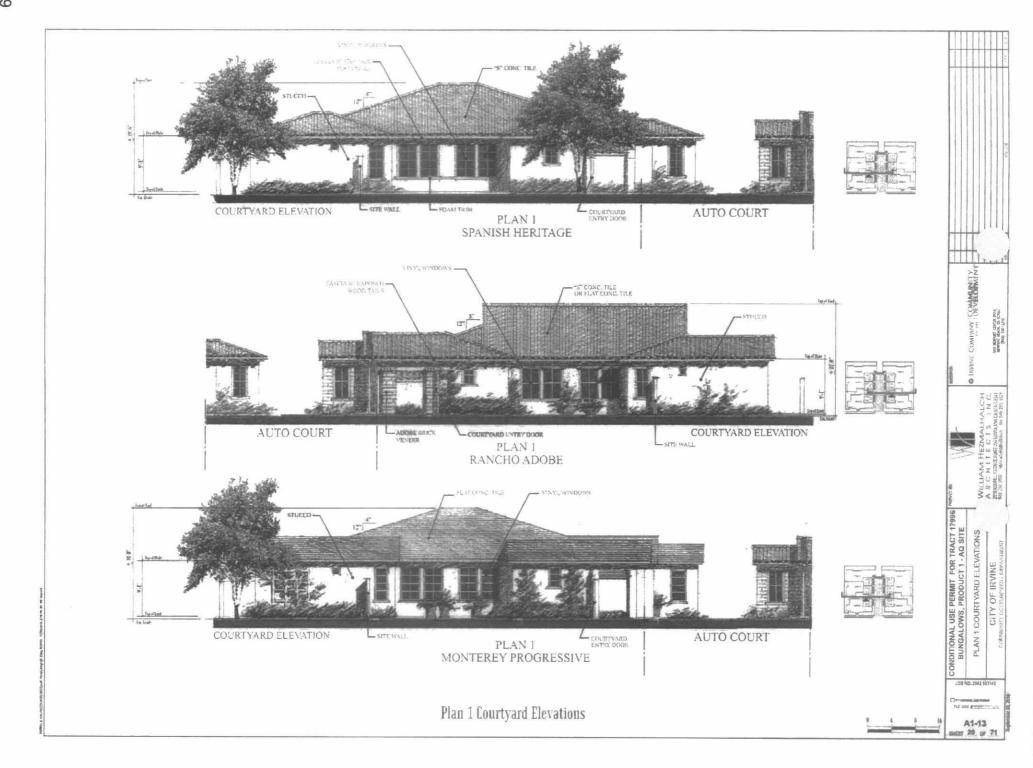


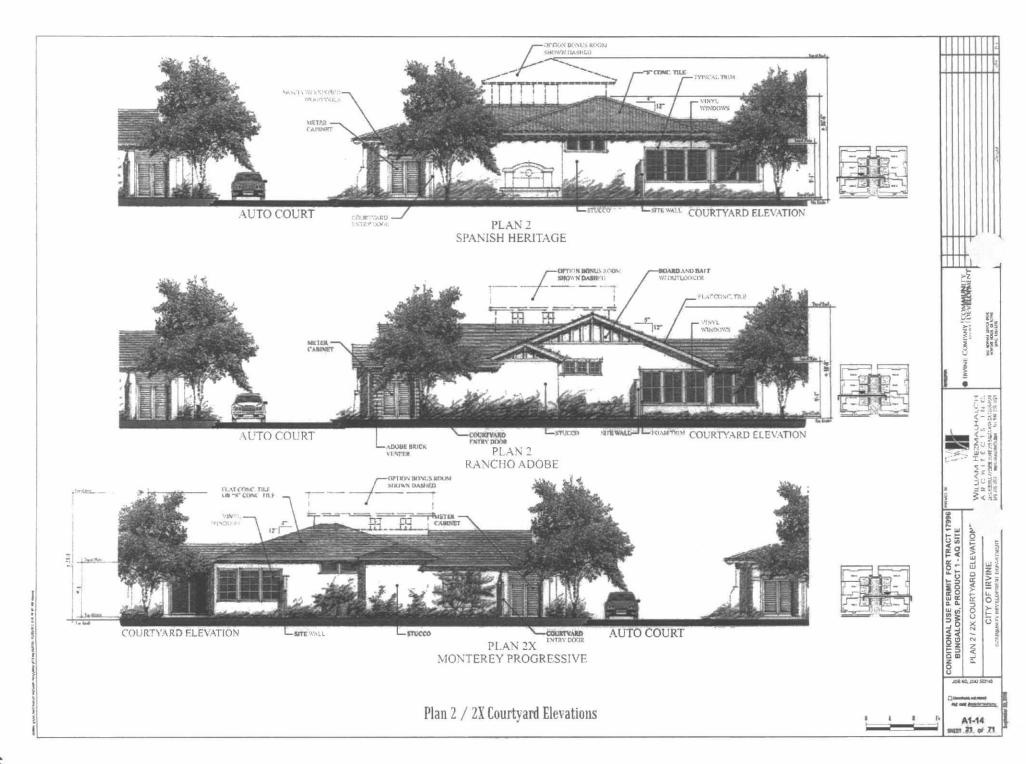




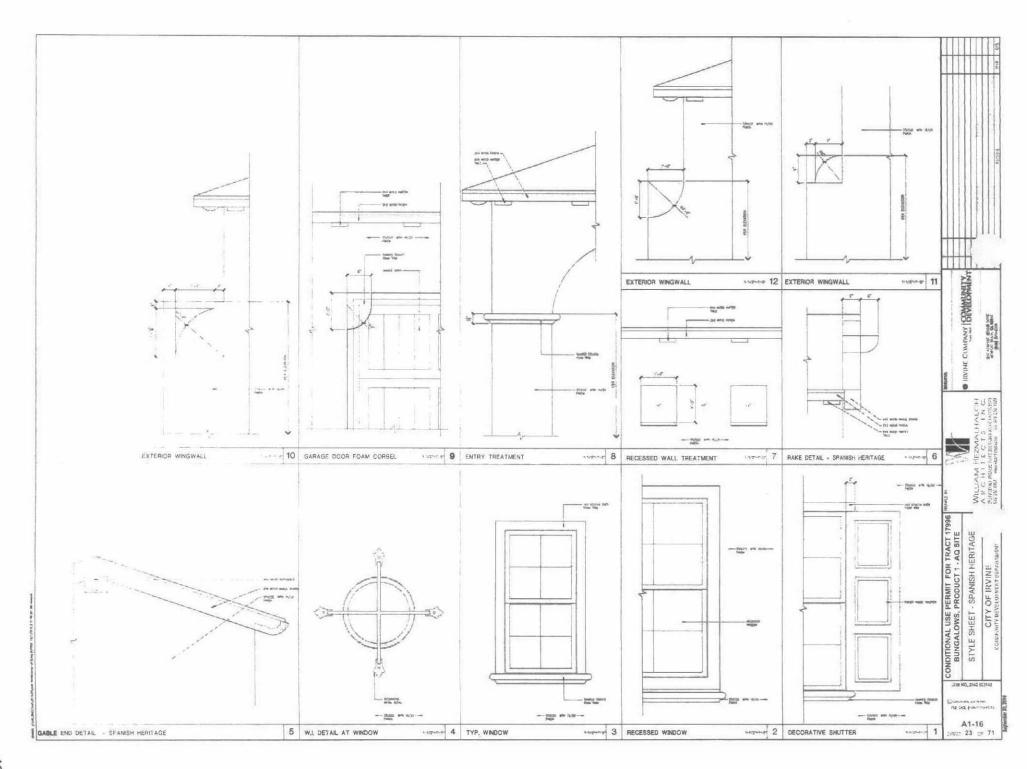


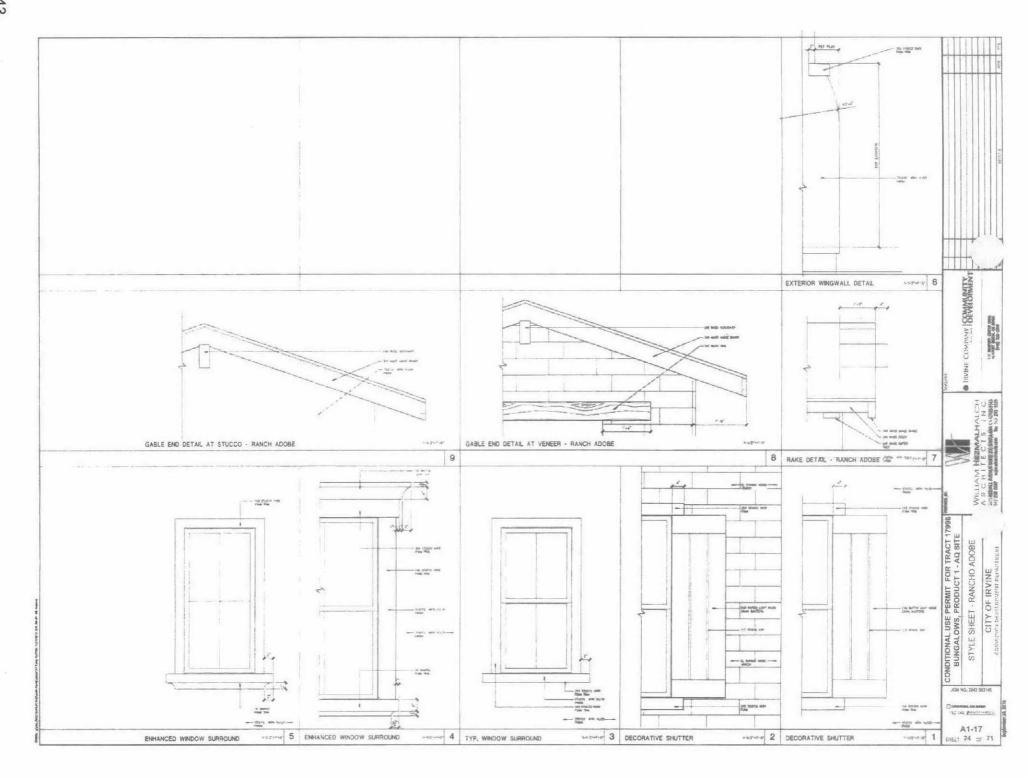


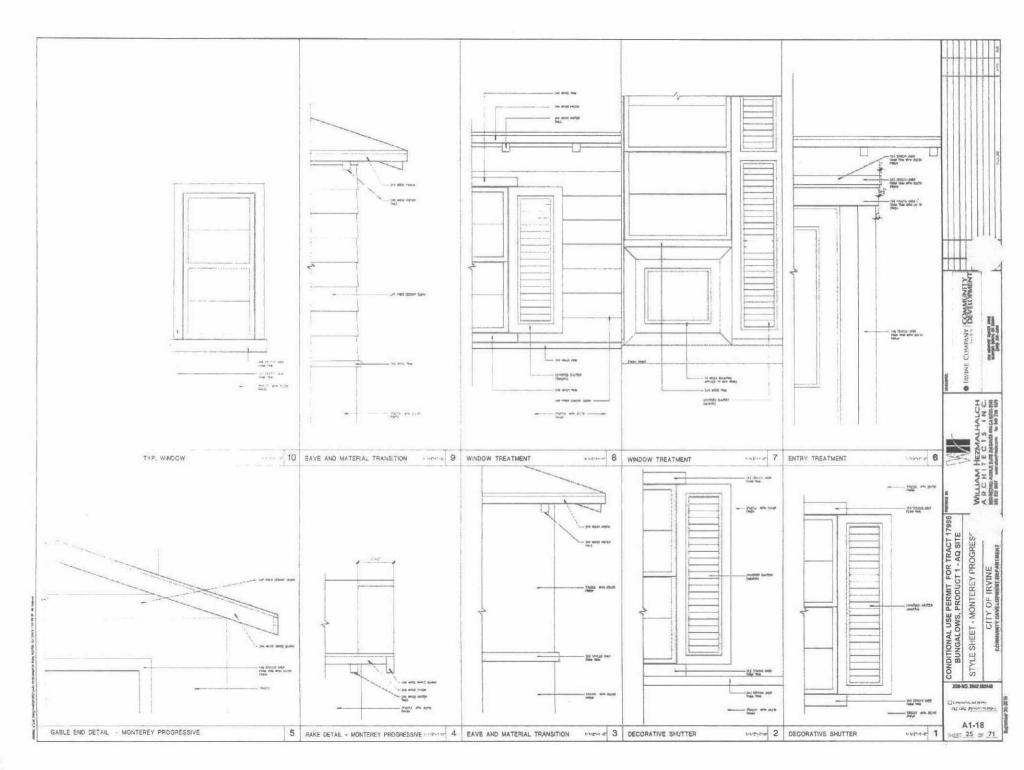


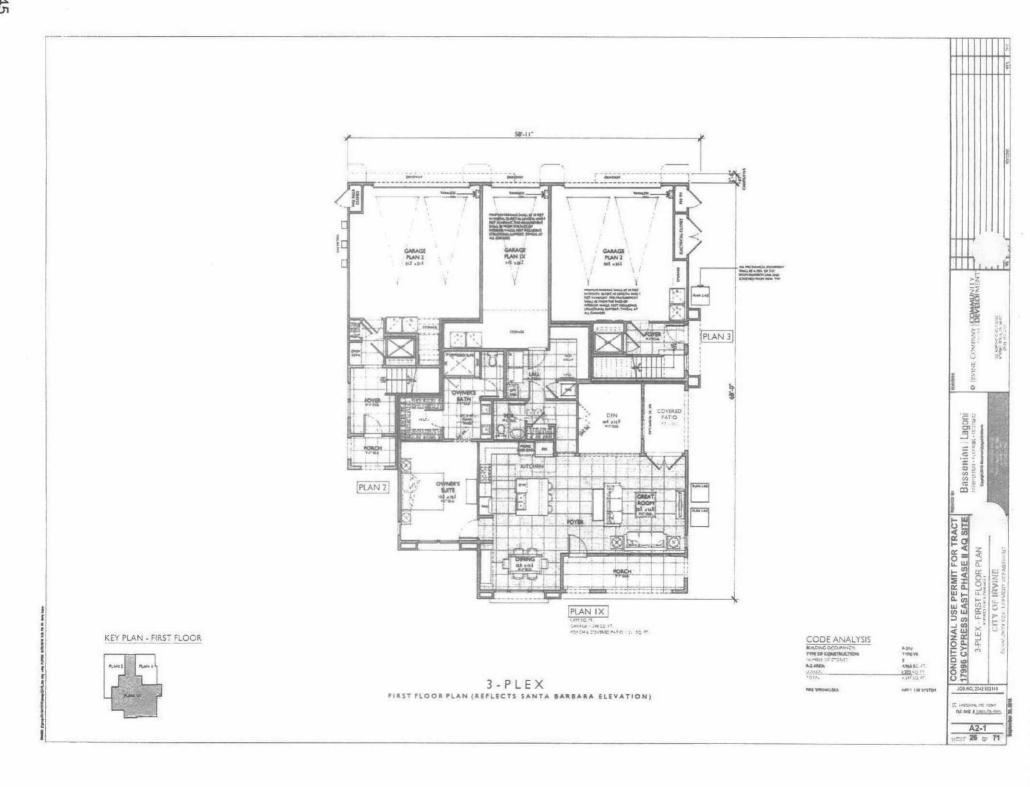


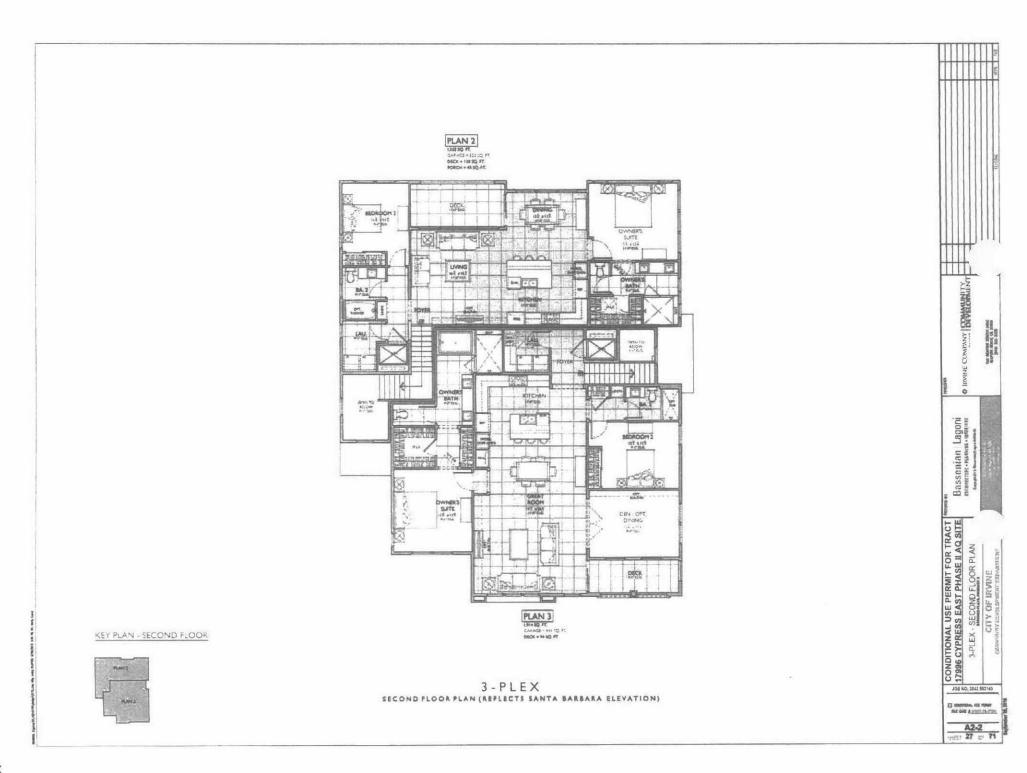


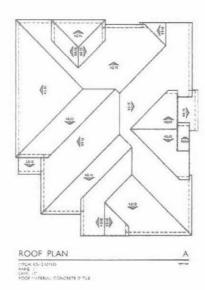












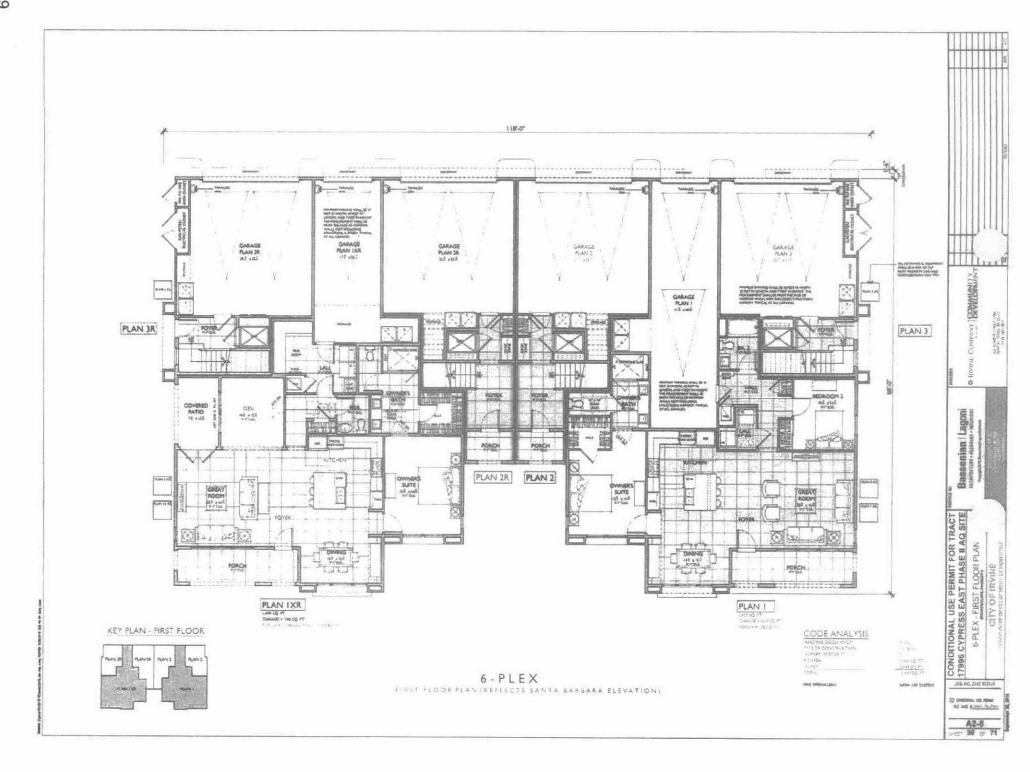
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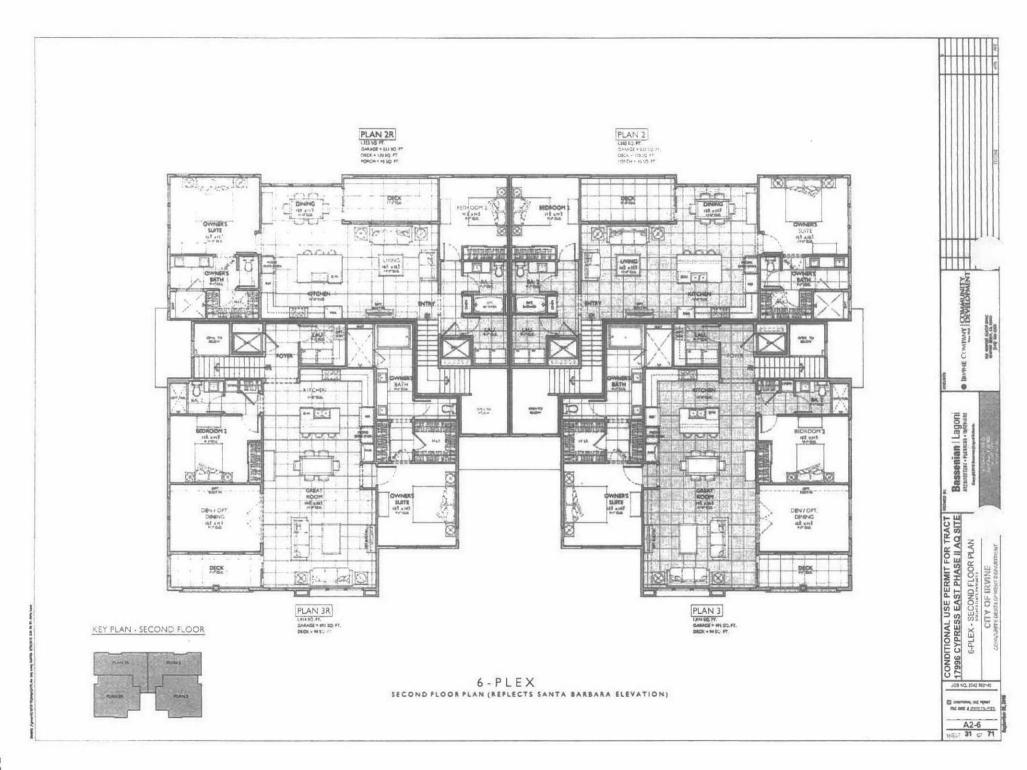
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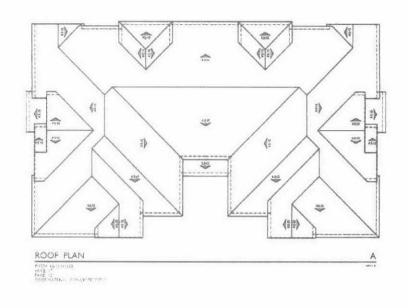
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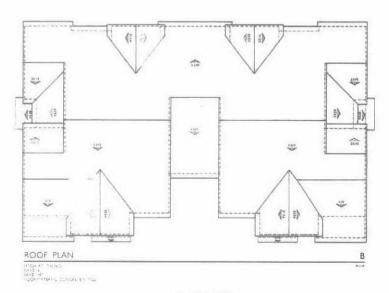
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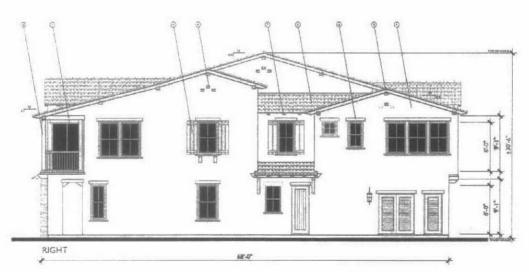
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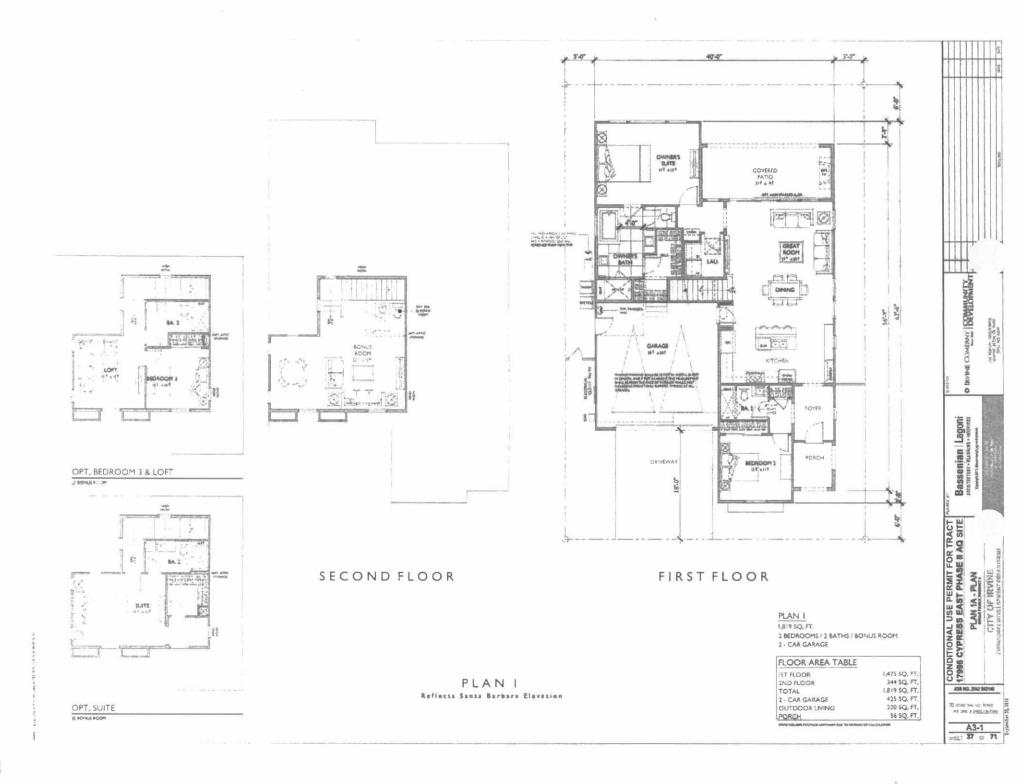
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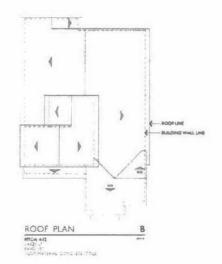
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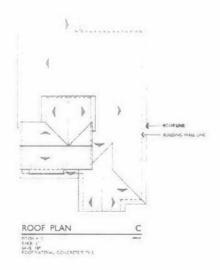


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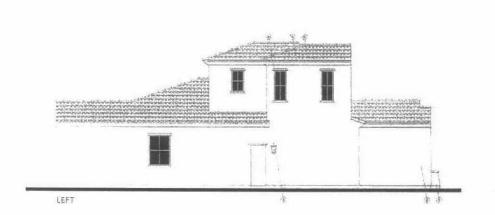
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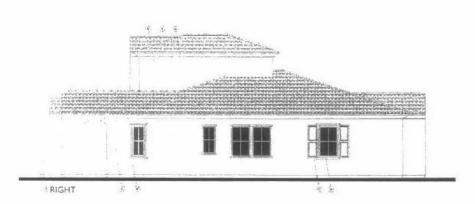


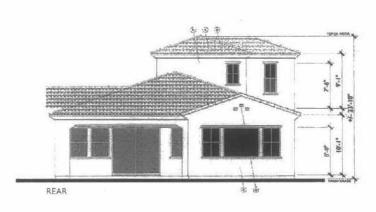
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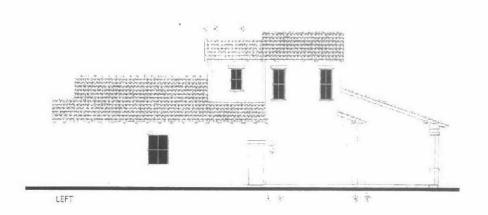
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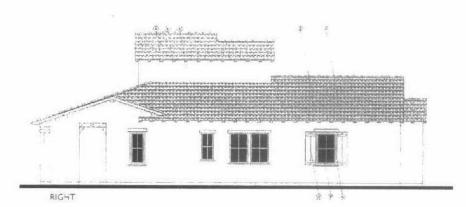
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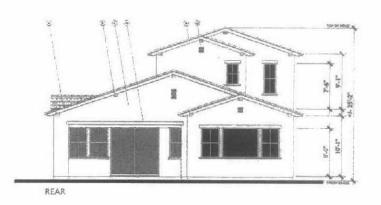
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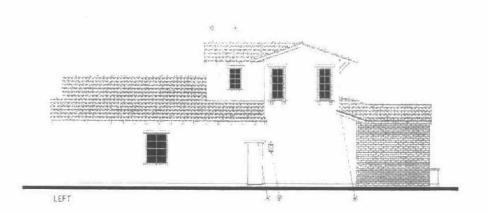
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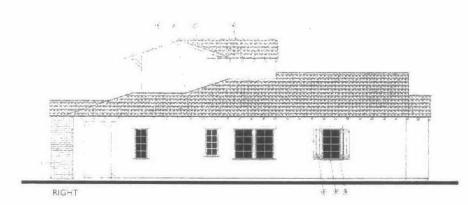
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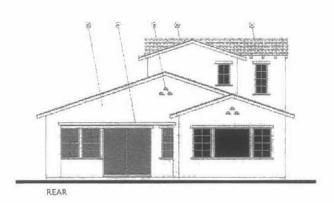
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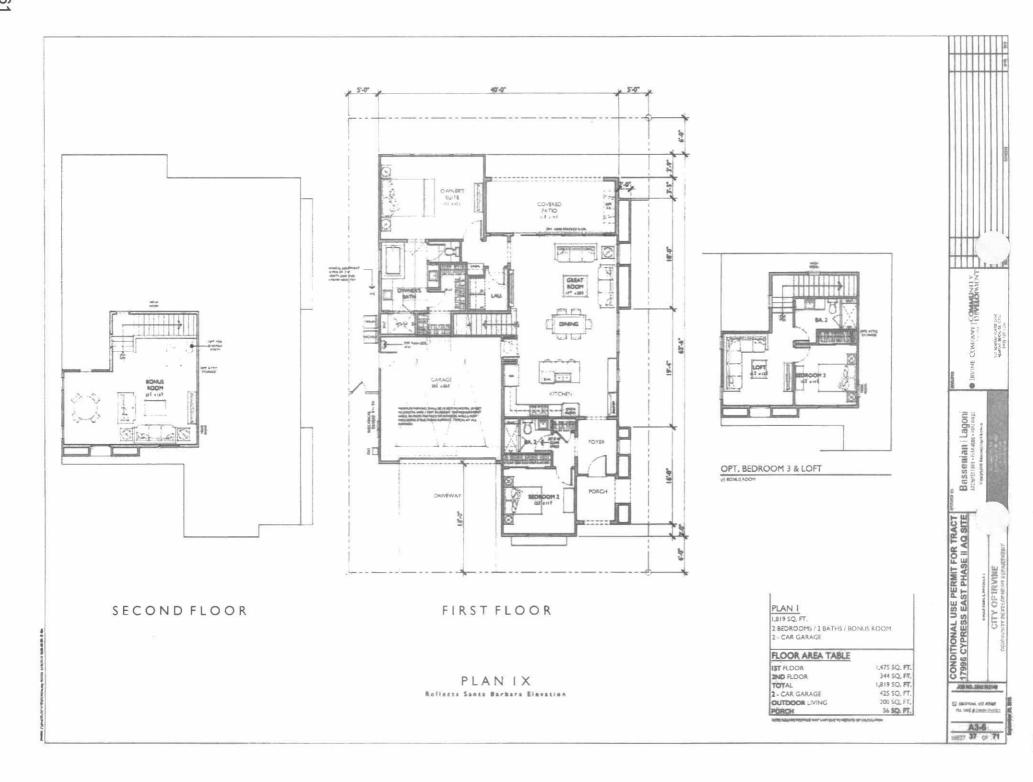
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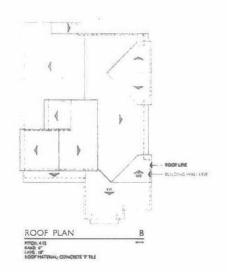
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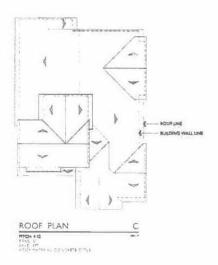
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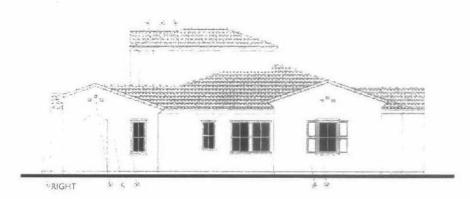
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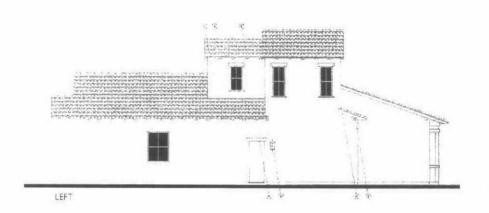


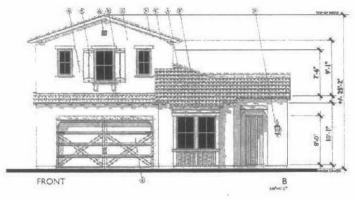


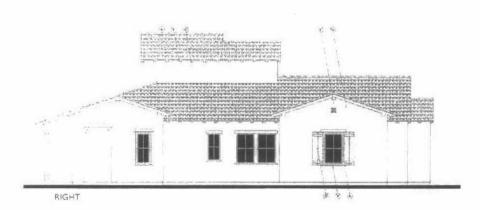
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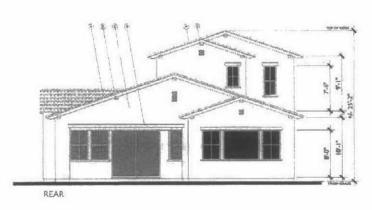
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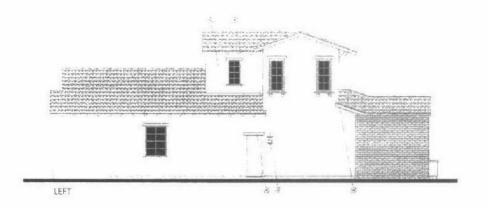
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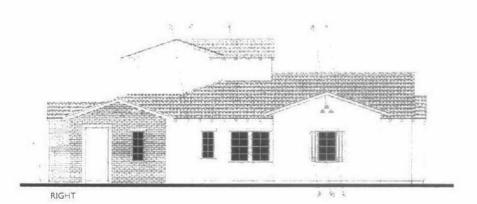
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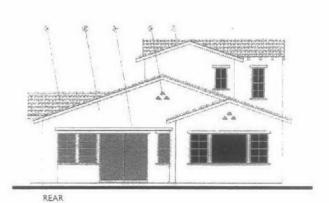
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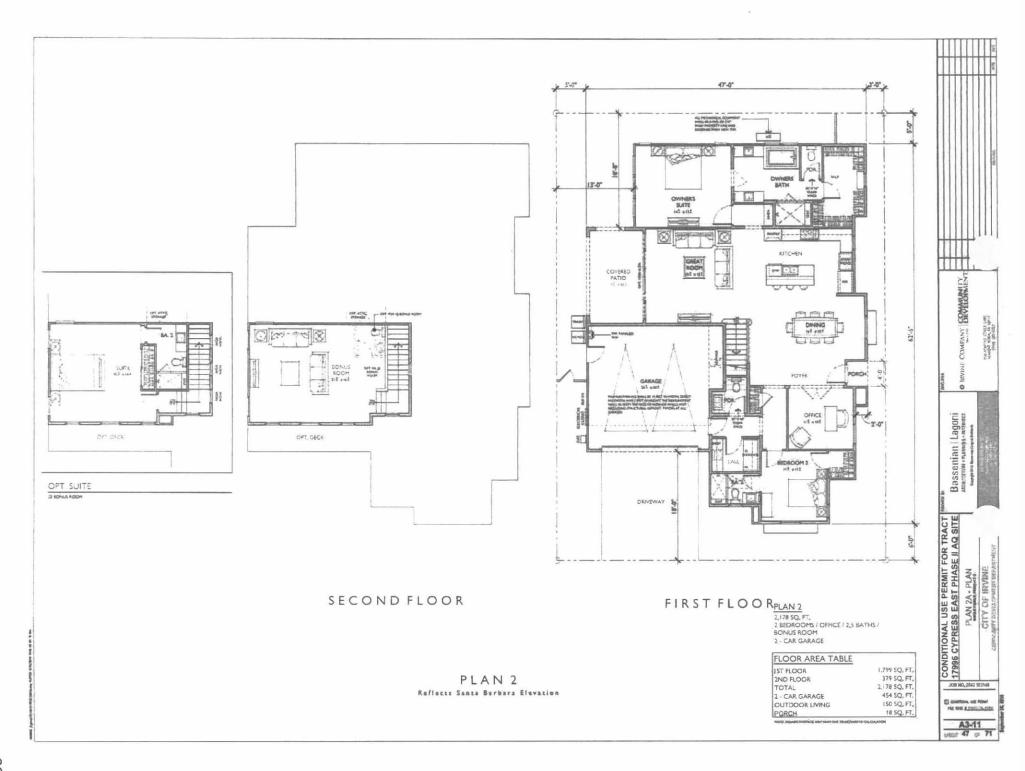
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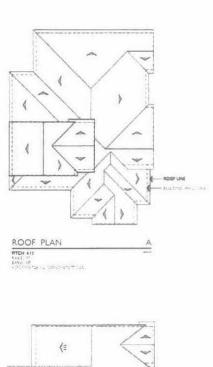
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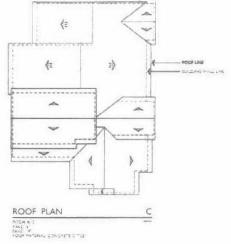
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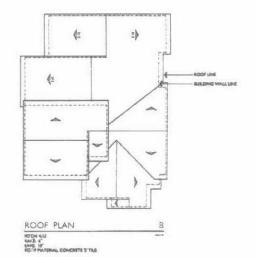
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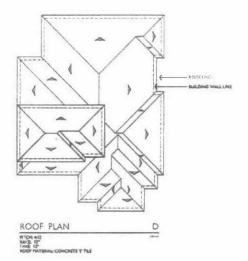
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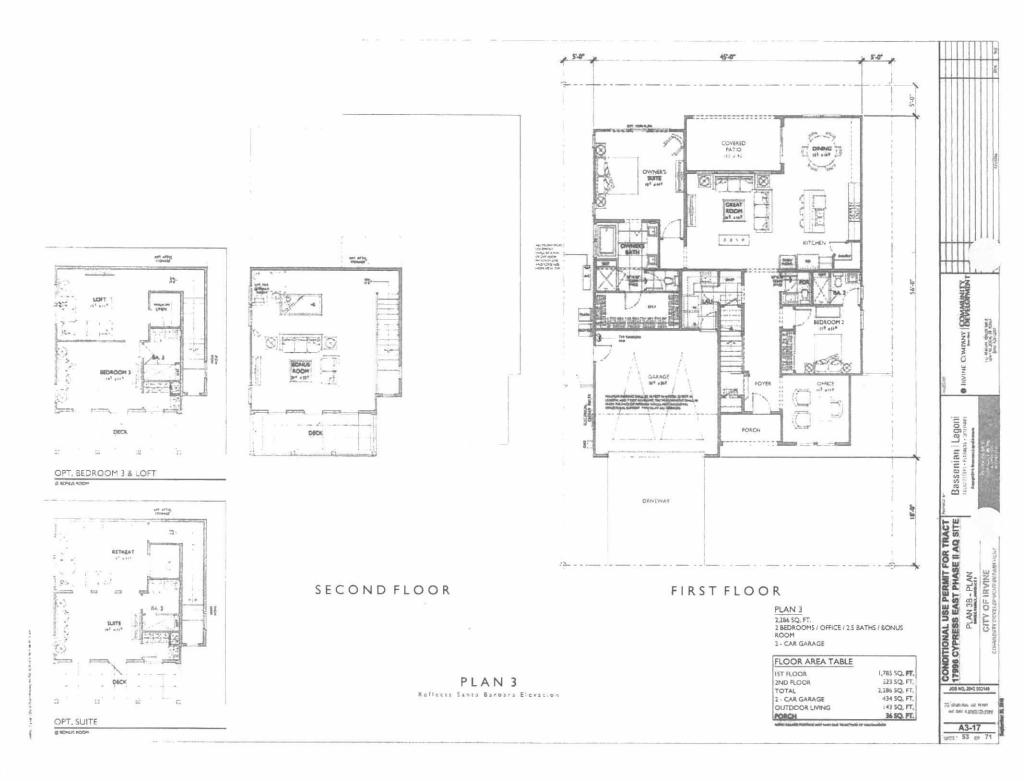
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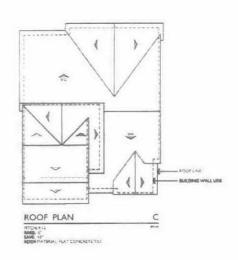
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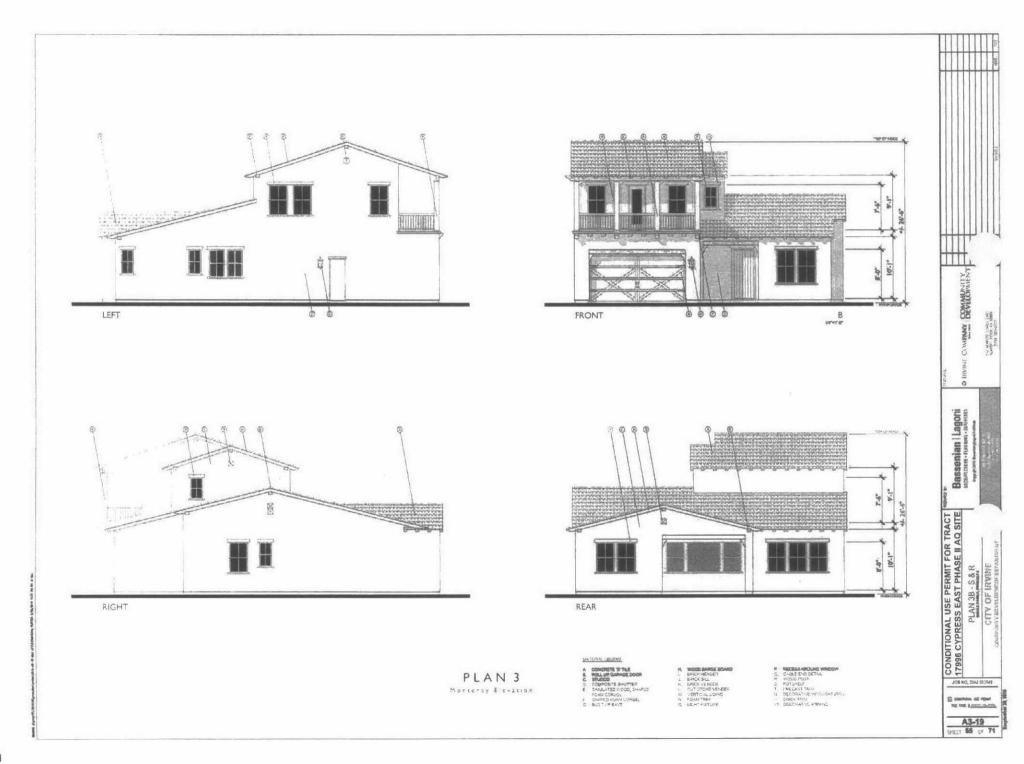


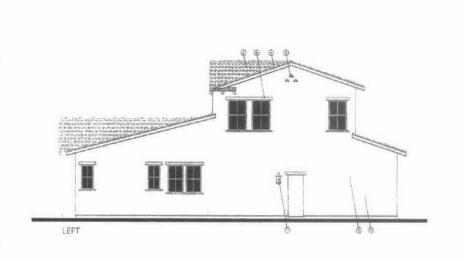


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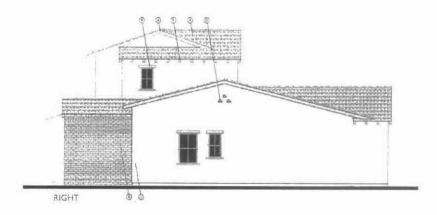
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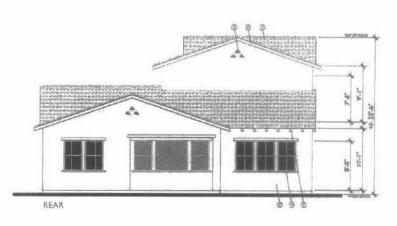
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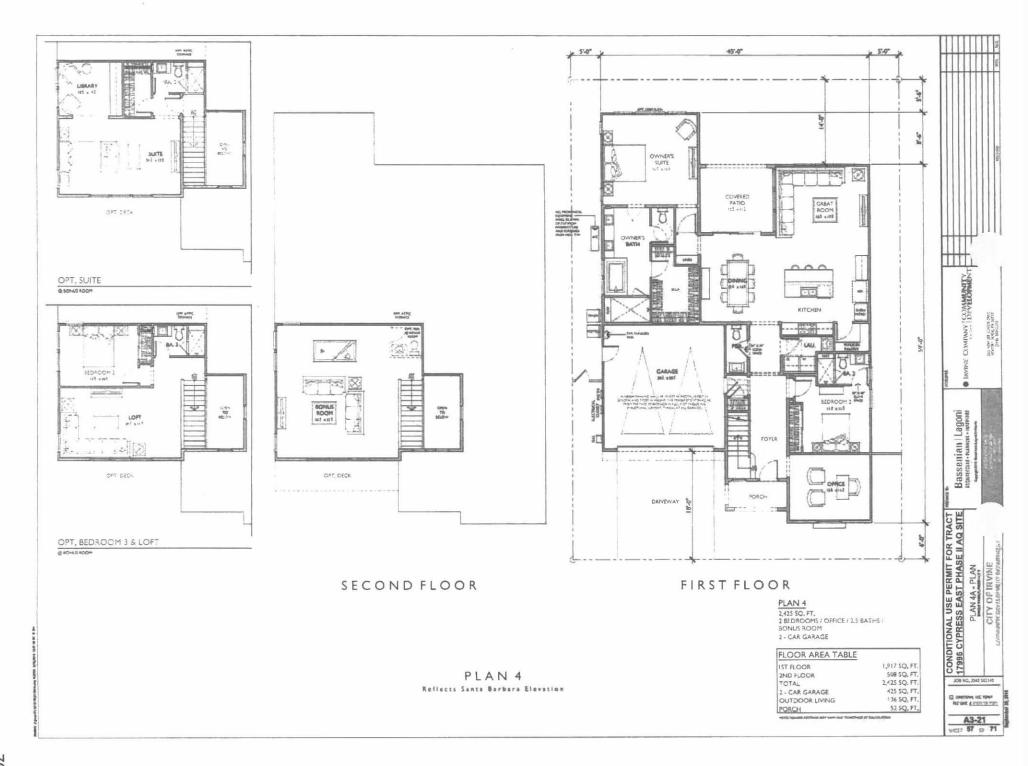
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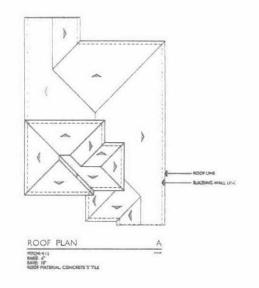


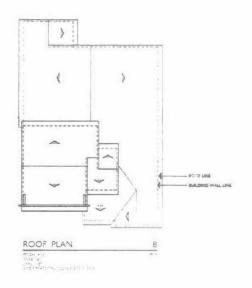


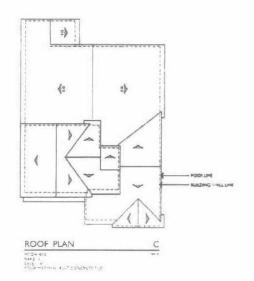


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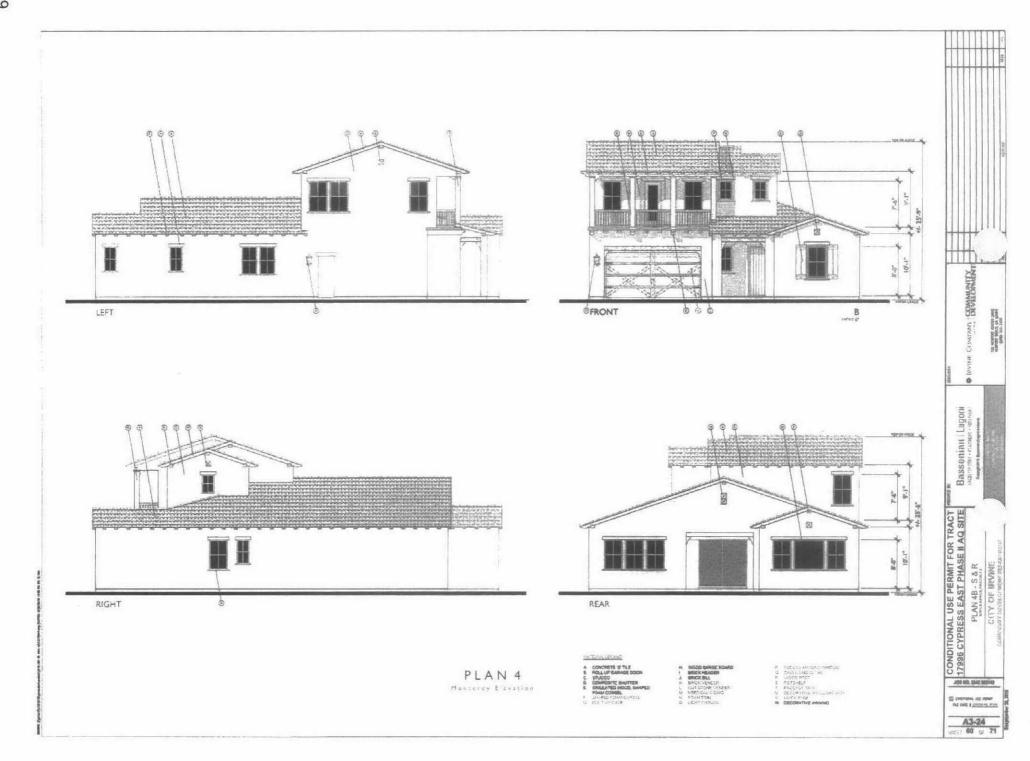
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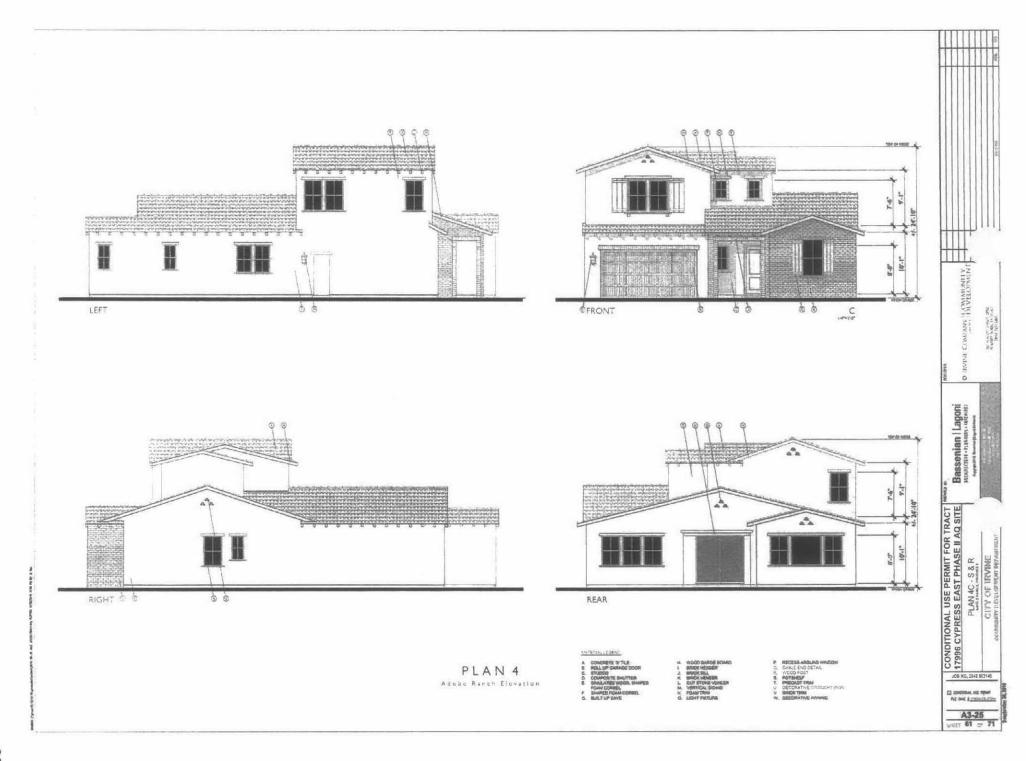
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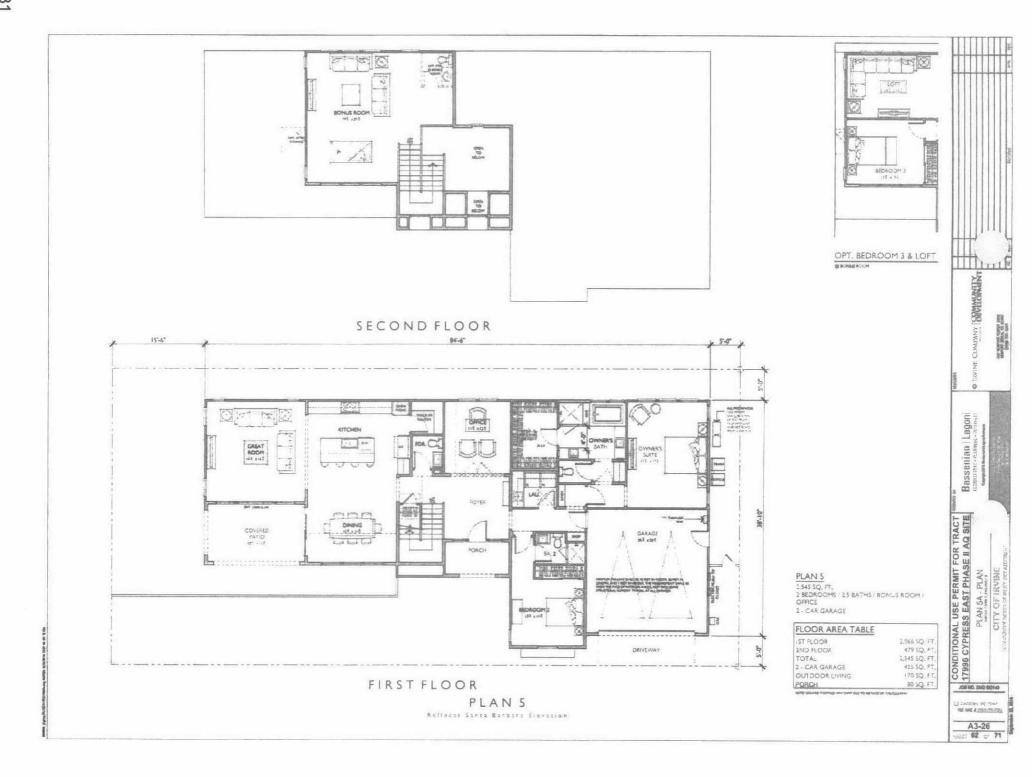
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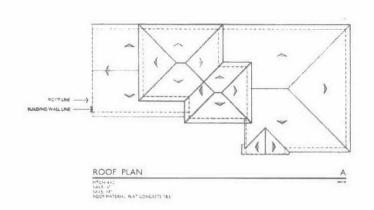
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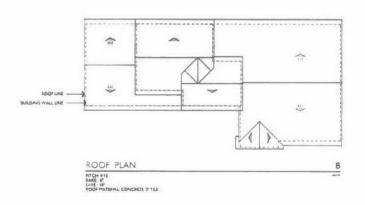


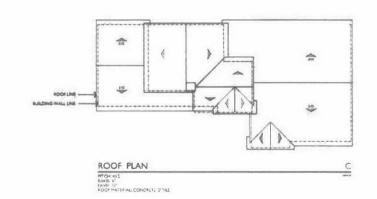




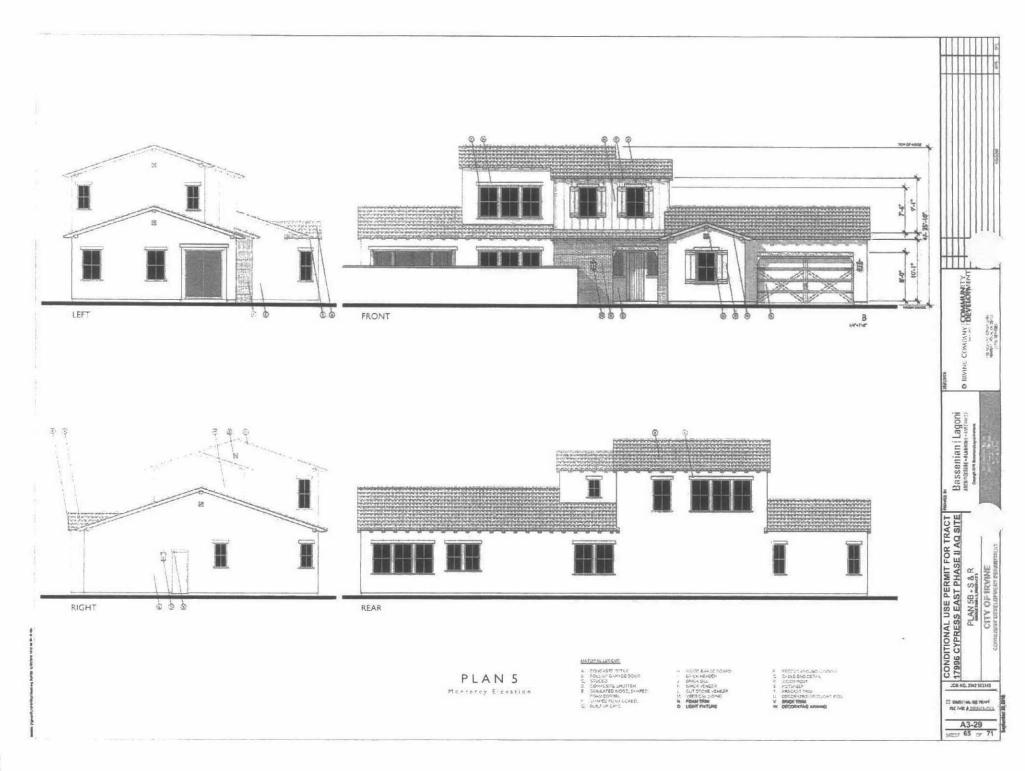


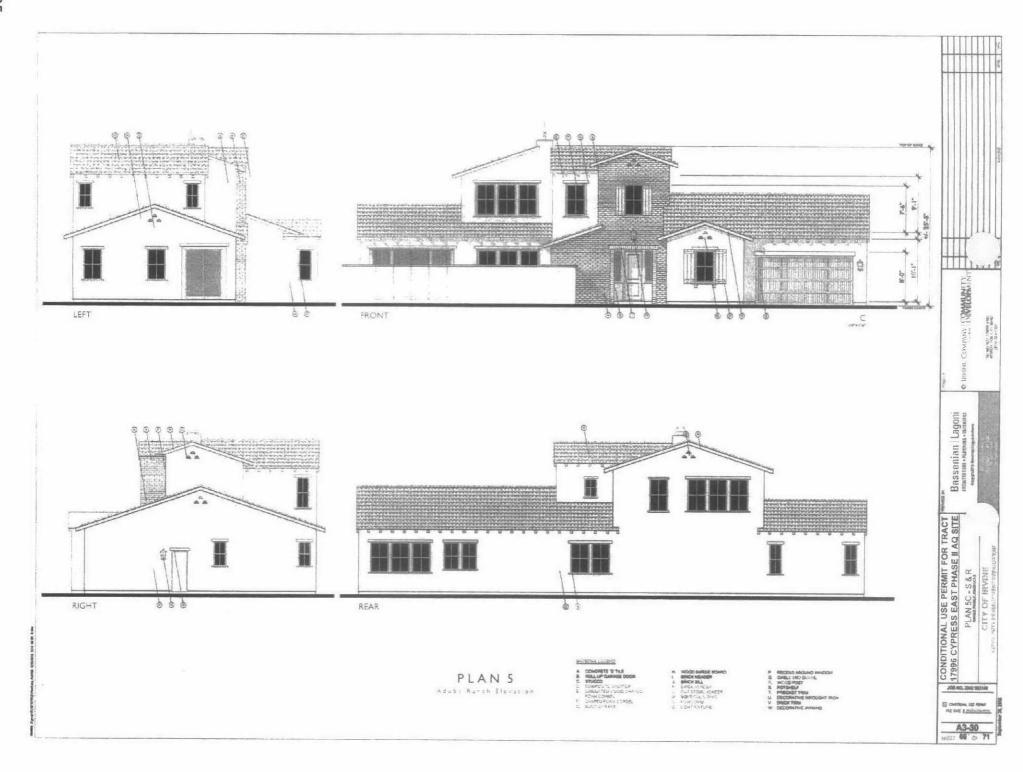


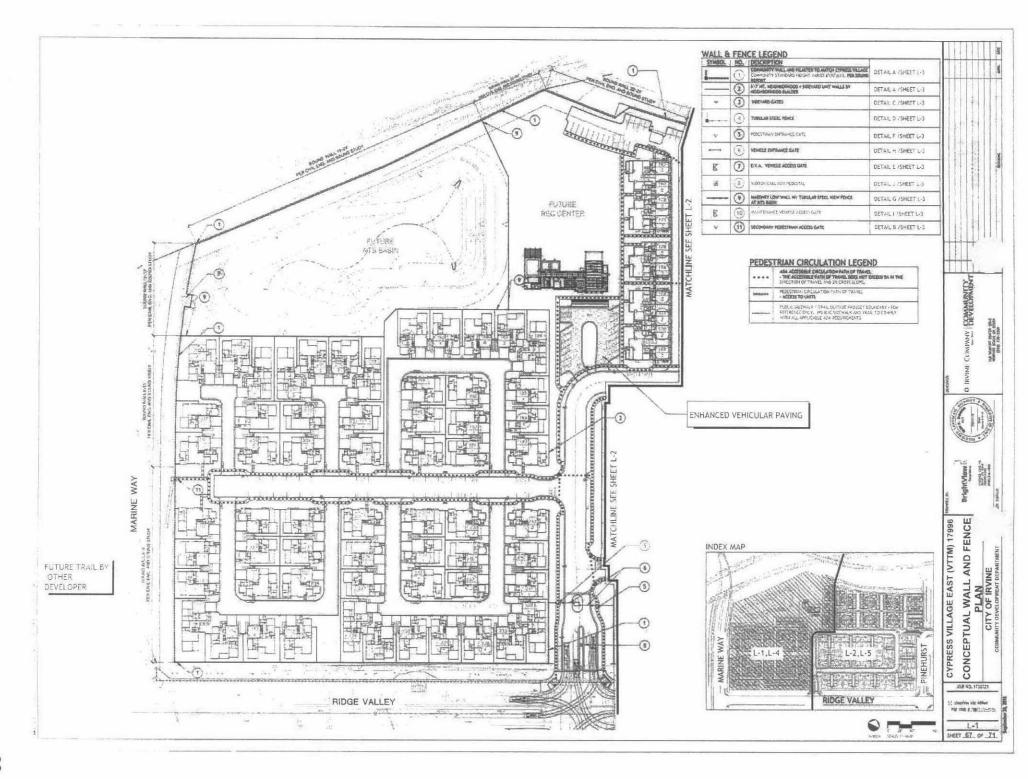


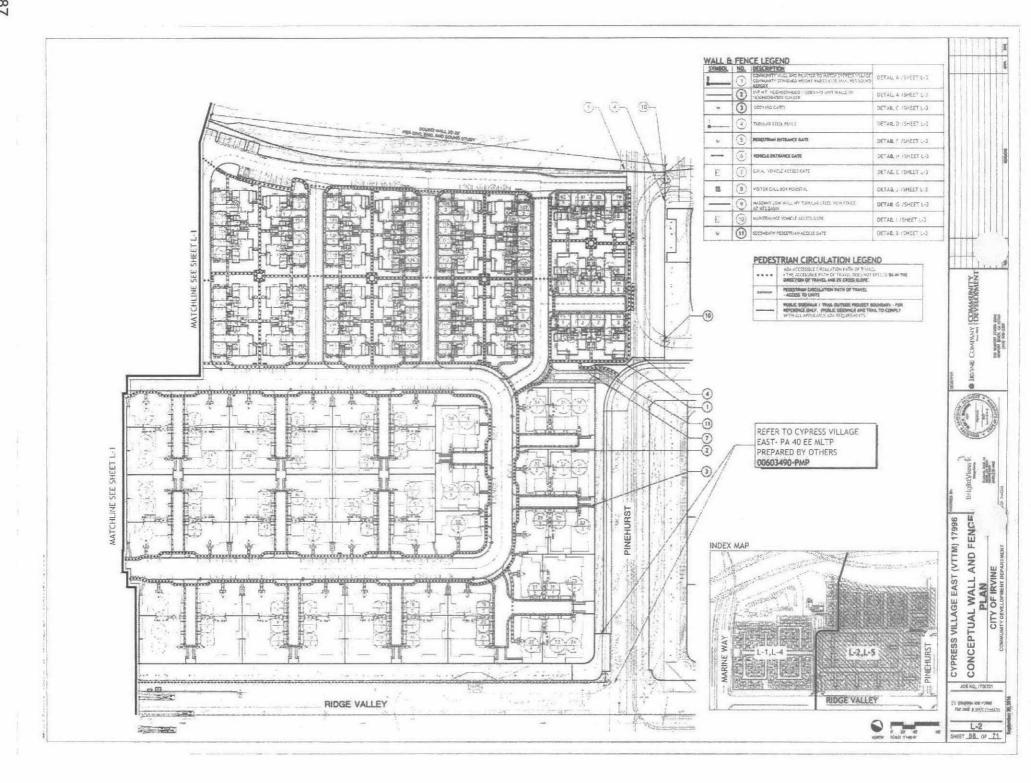


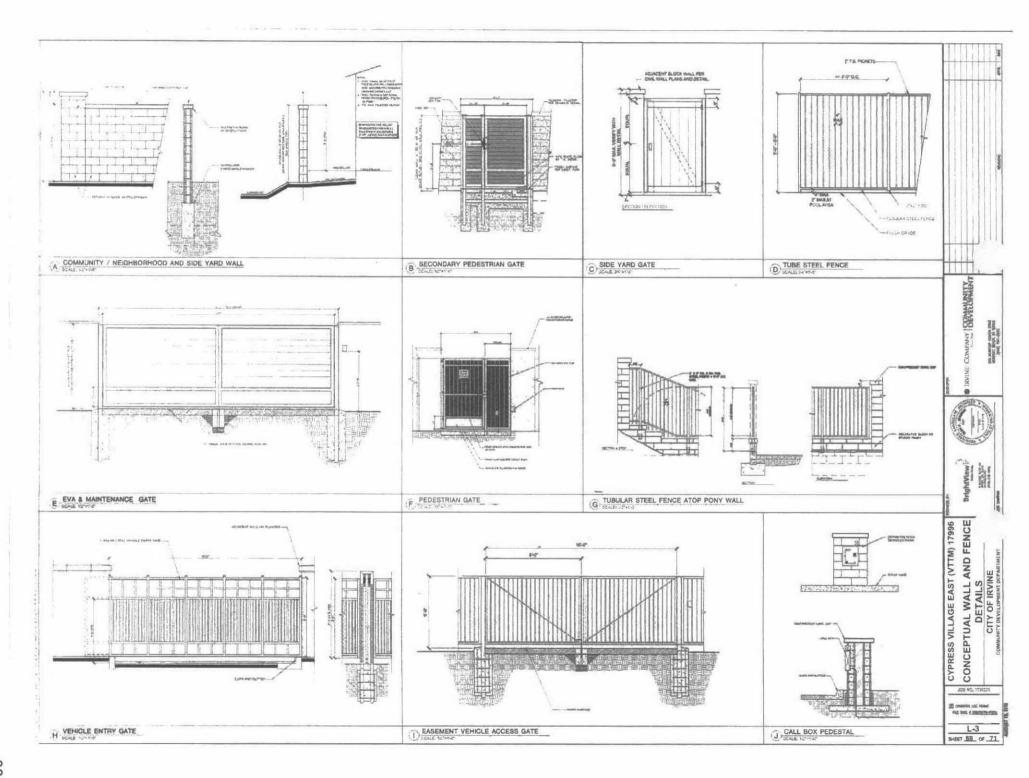


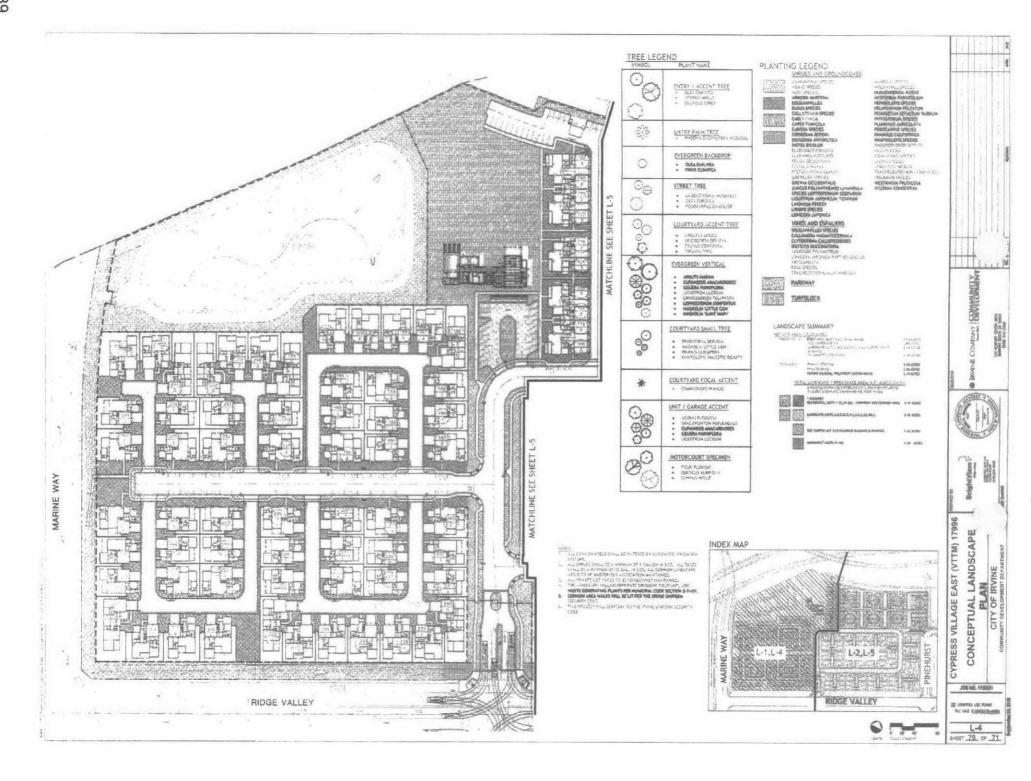


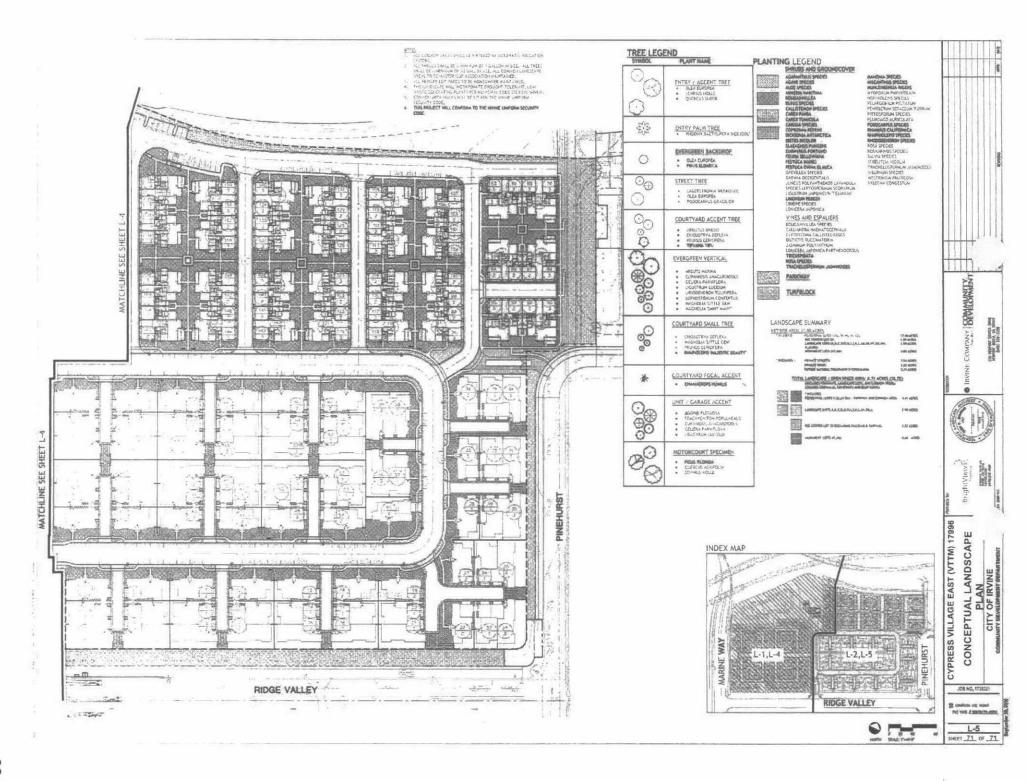






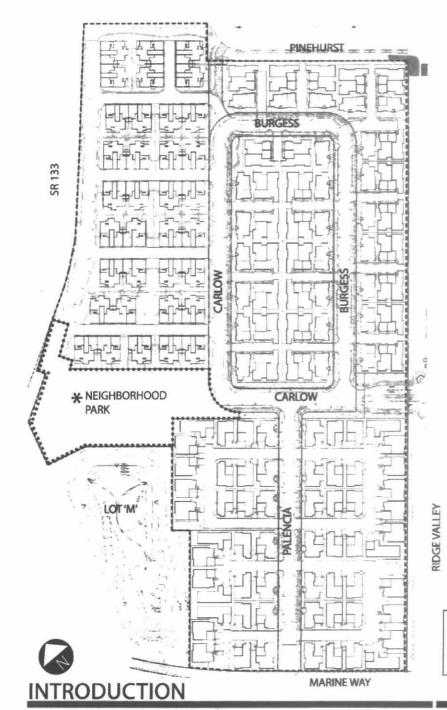






# IRVINE COMPANY COMMUNITY DEVELOPMENT CYPRESS EAST - VESTING TENTATIVE TRACT (VTTM) 17996

BrightView F



This park plan demonstrates how the city's park requirements are being met for VTTM 17996. As illustrated on the plan to the left, VTTM 17996 is located between sr 133 and the Great Park with Pinehurst to the North and Marine Way to the South.

VTTM 17996 has been planned as a small age qualified residential enclave comprised of approximately 243 for-sale homes with a private neighborhood park located within the community.

Exhibit 1: shows the neighborhood park and community park requirements for VTTM 17996.

Exhibit 2: outlines how the neighborhood and community park requirements for VTTM 17996 will be met. Neighborhood park requirements are met through the dedication of land. Conceptual location, minimum size have been identified.

Community park requirements will be met through payment of an in-lieu fee as permitted by the city's park code.

Exhibit 3: provides a summary of the proposed amenities for the neighborhood park along with provided parking.

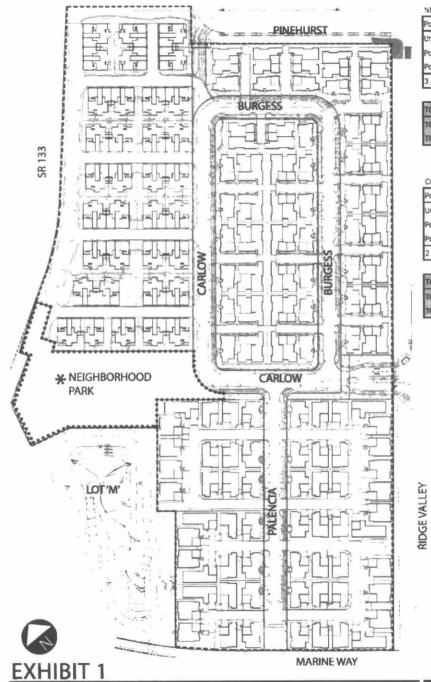
PRIVATE NEIGHBORHOOD PARK

---- PROJECT BOUNDARY

\*\*\*\*\* NEIGHBORHOOD PARK BOUNDARY

PARK PLAN NARRATIVE





NEIGHBORHOOD PARK REQUIREMENTS

Population Calculation for Cypress East (VTTM 17996)	1.1 to 6.5 du/ac	6.6 to 12.5 du/ac	12.6 to 31.0 du/ac	Total		
Units	0 units	138 units	105 units	243 units		
Population/Unit	O pop./unit	2.75 pop./unit	2.25 pop./unit			
Population	O pop.	380 pop.	236 рор.	616 population		
3 acres/1,000 Population	0.00 Acres	1.14 Acres	0.71 Acres	1.85 Acres Required		

TOTAL NEIGHBORHOOD PARK REQUIREMENTS	Up to 6.5 du/ac	6.6 to 12.5 du/ac	12.6 to 31.0 du/ac	Total
TOTAL UNITS		138 Units	105 Units	243 Units
TOTAL NEIGHBORHOOD PARK REQUIREMENTS	0.00 Acres	1.14 Acres	0.71 Acres	1.85 Acres

COMMUNITY PARK REQUIREMENTS

Population Calculation for Cypress East (VTTM 17996)	1.1 to 6.5 du/ac	6.6 to 12.5 du/ac	12.6 to 31.0 du/ac	Total
Units	O units	138 units	105 units	243 units
Population/Unit	O pop./unit	2.75 pap./unit	2.25 pop./unit	
Population	O pop.	380 pop.	236 рор.	616 population
2 acres/1,000 Population	0.00 Acres	0.76 Acres	0.47 Acres	1.23 Acres

TOTAL COMMUNITY PARK REQUIREMENTS	Up to 6.5 du/ac	6.6 to 12.5 du/ac	12.6 to 31.0 du/ac	Total	
TOTAL UNITS		138 Units	105 Units	243 Units	
TOTAL COMMUNITY PARK REQUIREMENTS	0.00 Acres	0.76 Acres	0.47 Acres	1.23 Acres	

PRIVATE NEIGHBORHOOD PARK

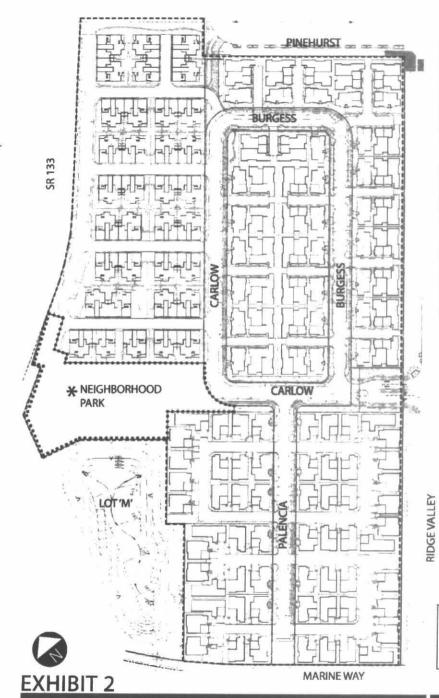
---- PROJECT BOUNDARY

\*\*\*\*\* NEIGHBORHOOD PARK BOUNDARY

**SUMMARY of PARK REQUIREMENTS** 



Project No: 1730321 00662863-PPP October 19, 2016 Page 3



Appraised land value per acre (Appraisal approved November 5, 2015)	\$3,900,000	1 Acre
Population Calculation for Cypress East (VTTM 17996)		
NEIGHBORHOOD PARK LAND PROVIDED		
	Value	Acres
Park Land		0.98 Acre
Park Improvements		0.87 Acre
Total Provided		1.85 Acre
TOTAL NEIGHBORHOOD PARK REQUIREMENTS		1.85 Acre
COMMUNITY PARK CREDITS REQUESTED		
COMMUNITY PARK REQUIRED		1.23 Acre

Note: Prior to the issuance of the first residential building permit, the applicant shall pay the required community park in-lieu fee for all project units. This fee shall be deposited into an account designated by the City of Irvine's Fiscal Services Division for funding of community parks to serve this project, including the Orange County Great Park, as determined by the City Manager.

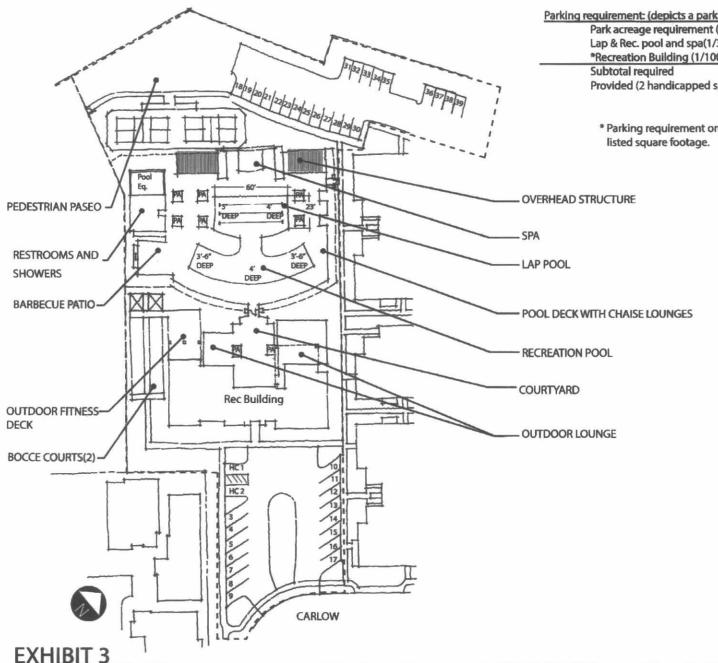
★ PRIVATE NEIGHBORHOOD PARK

---- PROJECT BOUNDARY

\*\*\*\*\* NEIGHBORHOOD PARK BOUNDARY

SATISFACTION of PARK REQUIREMENTS





Parking requirement: (depicts a parking stall)

Park acreage requirement (5 + 1/ac over 2 acres) 5 Lap & Rec. pool and spa(1/300 sf) (1/3,750 sq ft) 13 \*Recreation Building (1/100 sf) (1,949 sf) 20 38

39 (spaces provided Provided (2 handicapped spaces included) are on site)

\* Parking requirement only apply to assembly spaces, as reflected in the

#### General notes:

- 1. Neighborhood pool park located at the south west corner of the project directly adjacent to the IRWD storm water basin.
- 2. The neighborhood pool park is 1.98
- Pool depths shall comply with city standards
- Pool depth shown is estimated minimum. Precise pool depth to be called out in pool engineer's plan.

## Program-proposed recreation

### Amenities (Quantity below is estimated)

- Recreation pool with lap swimming- 3,500 SF
- 2. Spa- 250 SF
- Pool deck with chaise lounges- 7,950 SF
- Shade structure- 900 SF
- Barbecue patio with dining table- 600 SF
- Outdoor lounge- 500 SF
- Bocce court- 2 Total
- Outdoor Fitness Deck and Lawn- 850 SF
- Pool restroom building with showers-717
- 10. Pedestrian paseo
- 11. Recreation Building (including outdoor and trellis) - 6,500 SF
- 12. Pickleball Courts 2 Total

SUMMARY of RECREATIONAL AMENITIES for NEIGHBORHOOD PARK

Project No: 1730321 00662863-PPP October 19, 2016 Page 5

		ARK

	Condition	Quantity	% Credit	<u>\$ Value</u>	Units	\$ Eligible	Units	Unita Total
A. MINIMUM IMPROVEMENTS								
Construction Water	Lump Sum Allowance	1		\$4,612.50		\$4,612.50		\$4,612
Temporary Utilities	Lump Sum Allowance	1	100	\$9,348.00		\$9,348.00	Ea.	\$9,348.
Site Grading, Rough	On-Site Only	300		\$2.82		\$2.82	sq. ft.	\$846.
Site Grading, Fine	On-Site Only	43,124		\$0.23		\$0.23	sq. ft.	\$9,918.
Site Drainage	On-Site Only	43,400		\$0.60		\$0.60	sq. ft.	\$26,040.
Utility Connections	Storm drain, domestic water, reclaimed water, sewer, electrical, gas, telephone	1	100	\$62,525.00		\$62,525.00	Ea.	\$62,525.
Hardscape, Sidewalks	5' Wide, Concrete	8,350		\$4.97		\$4.97	sq. ft.	\$41,499.
Turf	Hydroseed	3,120		\$0.21		\$0.21	sq. ft.	\$655.
Shrubs	5 Gal. Size	2,486		\$16.91		\$16.91	Ea.	\$42,038.
Trees	15 Gal. Siza	129		\$158.88		\$158.88		\$20,495.
Mulch \ Soil Preparation		26,200			sq. ft.		sq. ft.	\$6,812
Automatic Imigation	With Computer	28,100		\$0.51		\$0.51	sq. ft.	\$14,331.
Safety Lighting	1 light per 100 lin. ft. of pavement	25	100	\$4,612.00	Ea.	\$4,612.00	Ea.	\$115,300
TOTAL MINIMUM IMPROVEMENTS			ADAZESI (TERE					\$354,421.
B. RECREATIONAL AMENITIES								Total Services
Concrete Pavement	Under tables, etc.	900	100	\$5.84	sq. ft.	\$5.64	sq. ft.	\$5,076.
Pionic Table	Permanent, non-moveable; passive or group pionic areas only	4	100	\$1,008.60		\$1,008.60	Ea.	\$4,034.
Barbecue-Group	Non-Gas in public parks, gas or non-gas in private parks; adjacent to perm. picnic tables	1	100	\$1,035.00		\$1,035.00		\$1,035.
Drinking Fountain	Handicap Accessible	1	100	\$4,349.00	Ea.	\$4,349.00	Ea.	\$4,349.
Bench	Permanent, non-moveable	2	100	\$1,430.90		\$1,430.90		\$2,861.
Trash Receptacle	Permanent Holder	2	100	\$549.00		\$549.00		\$1,098.
Recycling Receptacle	Permanent Holder	2		\$456.13		\$456.13		\$912.
Dog Bag Dispenser	Permanent Holder	2	100	\$299.00		\$299.00		\$598.
Parking Lot - Lighted	Eligible in Public Parks only and then only when spaces are designated for park use	0		\$6.12	sq. ft.	\$6.12	sq. ft.	\$0.
Shade Structure	For group recreation purposes only, min. 50% shade coverage	900	100	\$59.45	sq. fl.	\$59.45	sq. ft.	\$53,505.0
Pickle Ball Court		2	50	\$30,246.00	Ea.	\$30,246.00	Sa.	\$60,492.0
Bocce Courts		2	100	\$0.00	Ea.	\$0.00	Ea.	\$0.0
Lap Pool Spe Zero Depth Entry Lap Pool Pool Ramps Restpoons/Showers Deck Shade Structure Fencing Pool Equipment Area COMMUNITY BUILDINGS Mulfi-Purpose Room Klichen	Minimum 1,500 sf (except for small lap pool, minimum 1,000 sf); minimum 37.5 length; minimum Minimum 30.sf, maximum 250 sf, maximum 1 spa per 1,500 units eligible for park credit ADA accessible portion of the pool with depth from zero depth to 31-5" anly may receive this park Minimum 1,500 sf (except for small lap pool, minimum 1,000 sf); minimum 37.5 length; minimum ADA Accessible; ramp area may receive this park credit instead of the regular pool credit Credit to match pool designation  Credit to match pool designation  Credit to match pool designation; min. 50% shade coverage  Minimum 6" High  Credit to match pool designation  Available for reservation - minimum 600 sw ft; adjacent kitchen  Must be primarily for multi-purpose room use	3,500 259 0 710 710 10,950 900 765 300	100 100 100 100 100 100 100 100 100	\$132.33 \$132.33 \$132.33 \$132.33 \$132.33 \$244.77 \$92.05 \$42.44 \$29.35 \$47.11	sq. fl.	\$132.33 \$132.33 \$132.33 \$132.33 \$132.33 \$244.77 \$8.20 \$42.44 \$29.35 \$47.11	SQ. ft. SQ. ft. SQ. ft. SQ. ft. SQ. ft. SQ. ft. SQ. ft. SQ. ft. SQ. ft.	\$463,1561, \$33,082,1 \$0.0 \$33,964, \$173,786, \$98,790, \$38,196,6 \$22,452,7 \$14,133,6
Exercise Room \ gym	Resilient surface	0		\$244.77		\$244.77		\$0.0
Restrooms / showers / lockers		0	100	\$244.77		\$244,77		\$0.0
TOTAL RECREATIONAL AMENITIES		100217			e (le			\$2,509,347.1
PARK DEVELOPMENT COST			No Act of the					
Mobilization	% of estimated "min. impr." plus "amenities"	2,863,769	2%	\$2,863,769	ALEX DEC. 200	57,275	UPPLICATE TO	\$57,275.3
Design Fees / Survey	% of estimated "min. impr." plus "amenities"	2,863,769	7%	\$2,863,769		200,464		\$200,463.8
Fees & Permits	% of estimated "min. impr." plus "amenities"	2,863,769	2%	\$2,863,769		200,464 57,275		
Contingencies	% of estimated "min. impr." plus "amenities"	2,863,769	7%	\$2,863,769				\$57,275.3
Landscape Maintenance	3 months	28,100			an A	200,464	0	\$200,463.6
TOTAL PARK DEVELOPMENT COST	ALL AND SERVICE AND SERVICE STREET AND SERVICE SERVICES.	28,100	100	\$0.05	SQ. R.	\$0.05	SQ. TL	\$516,883.3
TOTAL NEIGHBORHOOD PARK PIIM					0.87			\$3,380,65

# **EXHIBIT 4**



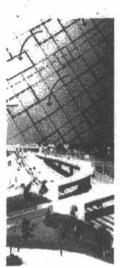
## Phasing - private neighborhood parks

- 1. Prior to the issuance of the first residential building permit in VTTM 17996 the applicant shall have submitted a park design application to the city for the private neighborhood park.
- 2. Prior to the issuance of the first residential building permit on any lot within VTTM 17996, except for model homes, the applicant shall commence construction of the park.

**PHASING** 

BrightView





# APPRAISAL REPORT

Residential Land Planning Area 40 City of Irvine, California

## Prepared for:

Irvine Company Community Development 550 Newport Center Drive Newport Beach, CA 92660

> Effective Date August 22, 2015

> Date of Report August 26, 2015



August 26, 2015

Mr. Aaron Beck Project Manager Irvine Company Community Development 550 Newport Center Drive Newport Beach, California 92660

Re: Our File No. 15-5271

Land value analysis of a hypothetical semi-finished vacant parcel of residentially zoned land with a density of 13 dwelling units per acre of for-sale land near the southwest corner of Trabuco Road and future "O" Street, in the City of Irvine, California.

Dear Mr. Beck,

In accordance with your authorization, the investigation and analysis of the market data has been made for the purpose of forming an opinion of value of the fee simple interest for the hypothetical one-acre parcel. There is no specifically located subject property. This analysis is based on the hypothetical condition that the semi-finished vacant parcel of land is in a rough graded condition, with access and utilities available, and entitlement approvals for a density of 13 dwelling units per acre. A one-acre parcel size is assumed per scope of work requirements. The size, width and depth are presumed to be sufficient to maximize the utility and development potential of the site. The hypothetical parcel is presumed to be a part of a larger 51 acre development with a maximum of 842 units for an average density of 15.9 dwelling units per acre.

The function of this report is to establish an opinion of land value based on the agreed hypothetical condition that the one-acre site can be developed with for sale units. The appraisal is intended to assist in negotiations for a possible land exchange. The appraisal should not be used for any other purpose. The intended user is the Irvine Company Community Development. No other party shall have any right to rely on any service provided by the Kiley Company without prior written consent.

The analysis is intended to be representative of the hypothetical one-acre parcel. The individual land value conclusion is not intended to be representative of any specific or individual property, but rather is developed to serve as an estimate for negotiating compensation for a contemplated land exchange. The development of an individual opinion of value is not the intended purpose of this assignment and the individual finding should not necessarily be mathematically extended to other properties or other purposes.

2151 Michelson Dr., Suite 205, Irvine, CA 92612 Phone: (714) 665-6515 • Email: bkiley@kileycompany.com Irvine Company Community Development August 26, 2015 Page Two

The following appraisal report is made under Section 2-2(a) of the Uniform Standards of Professional Appraisal Practice (USPAP). The reported analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute. The report is also made in compliance with the Uniform Standards of Professional Appraisal Practice, guidelines set forth by the Irvine Company Community Development.

#### Market Value

Based on the market data and analysis summarized herein, the concluded opinion of market value for the hypothetical average acre of partially finished vacant land, which is defined as a semi-finished vacant parcel of land in a rough graded condition, with access and utilities available, and entitlement approvals for a density of 13 for sale dwelling units per acre, as of August 22, 2015, would be:

## MARKET VALUE FOR AN AVERAGE ACRE OF RESIDENTIAL LAND \$3,900,000

The opinions and conclusion are subject to the definitions, certifications, assumptions and limiting conditions summarized in this report. The following is a narrative report which sets forth the investigation, data, and analyses upon which the conclusion is predicated. This letter must remain attached to the report in order for the conclusion to be considered valid.

Respectfully submitted,

Chicagnin

Elizabeth M. Kiley, MAI, AI-GRS Certified General Real Estate Appraiser

Certificate No. AG005391

Expiration Date: April 13, 2016

Stephanie L. Kavanaugh

Certified General Real Estate Appraiser

Certificate No. AG030565

Expiration Date: April 15, 2017

#### SUMMARY OF FACTS AND CONCLUSIONS

PROPERTY AND LOCATION Hypothetical semi-finished vacant parcel of entitled,

residentially zoned land in a rough graded condition with access and utilities available and an approved density of approximately 13 for sale dwelling units per acre. The subject is located near the southwest corner of Trabuco Road and future "O" Street (east of SR-133), in the City of

Irvine, California.

EFFECTIVE DATE OF VALUE

August 22, 2015

DATE OF INSPECTION

August 22, 2015

DATE OF REPORT

August 26, 2015

INTEREST APPRAISED

Fee simple

SITE AREA

There is no specific property, but a one-acre parcel size is assumed per client requirements. The size is assumed to be sufficient to maximize site utility. The hypothetical parcel is presumed to be part of a larger 51-acre development with a maximum of 842 units for an average density of 15.9

dwelling units per acre.

ZONING

Assumed to be 3.1H Multi-Use, which allows a maximum

residential density of 50 dwelling units per net acre.

CONDITION

Assumed to be rough graded with access and utilities

available and entitlements approved.

### **TABLE OF CONTENTS**

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#### INTRODUCTION

Location:	The subject is located near the southwest corner of Trabuco
-----------	---

Road and future "O" Street (east of SR-133), in the City of

Irvine, California.

Purpose of Report: To estimate the market value of a hypothetical semi-

finished vacant parcel of entitled, residentially zoned land in a rough graded condition with access and utilities available and an approved density of approximately 13 dwelling units per acre. The hypothetical parcel is presumed to be part of a larger 51-acre development with a maximum of 842 units for an average density of 15.9

dwelling units per acre.

Intended Use: The appraisal is intended to assist in negotiations for a

possible land exchange. The appraisal should not be used

for any other purpose.

Intended User: The Irvine Company Community Development is the

intended user. No other party shall have any right to rely on any service provided by the Kiley Company without prior

written consent.

Date of Opinion: August 22, 2015

Date of Inspection: August 22, 2015

Property Rights: Fee simple

Appraisal Scope: The scope of work and report content are defined by the appraiser to develop credible assignment results in compliance with USPAP standards. The assignment elements

that are defined and analyzed in order to identify the

problem to be solved include:

Client and intended user:

Intended use;

Type and definition of value;

Effective date;

Subject of the assignment and relevant

characteristics; and

Assignment conditions.

As part of this appraisal, a number of independent investigations and analyses were made. In this appraisal assignment, all three approaches to value were considered. The primary approach most often relied on by buyers of this type of property has been developed. The investigations and analyses undertaken include the following:

- A physical inspection of the general area of the subject area was performed on August 22, 2015. In addition to the physical inspection, aerial photographs and maps were examined;
- A physical inspection of the comparable sales from at least the street;
- Collection and verification of relevant market data gathered from sources such as CoStar, LoopNet, MyFirstAm, Realist, and Pricewaterhouse Coopers. Direct and indirect verification was used for this assignment. Direct verification confirms information with a party directly involved in the transaction. Where possible, direct verification is attempted. Indirect verification uses information obtained from a secondary data source such as public records data, a secondary data provider or another appraiser;
- Interviews with knowledgeable professionals such as local area brokers and developers, as well as local governmental personnel and website information regarding real property values, real estate taxes, contamination and zoning issues in the area;
- A primary field study of potentially competitive properties for sale;
- Preparation of an appraisal report, which includes the most pertinent data and analyses used in developing the final value conclusion. This report is prepared for persons who are knowledgeable about real estate and the use of extraneous data is limited; and
- The summary of the scope of work should be considered in conjunction with the assumptions and limiting conditions set forth in the report.

The appraisers have the required knowledge and experience in the analysis of similar property types.

**USPAP** Competency:

#### **Assumptions and Limiting Conditions**

The certification of the appraisers appearing in this appraisal report is subject to the following extraordinary and general assumptions and limiting conditions:

#### **Hypothetical Conditions**

USPAP defines a hypothetical condition as "a condition, directly related to a specific assignment, which is contrary to what is known by the appraiser to exist on the effective date of the assignment results, but is used for the purpose of analysis." The use of hypothetical conditions can have an affect on assignment results. In this case, there is no specifically located subject property. This analysis is based on the hypothetical condition that the semi-finished vacant parcel of entitled, residentially zoned land in a rough graded condition with access and utilities available and an approved density of approximately 13 dwelling units per acre actually exists, when in fact it does not. The size, width and depth are presumed to be sufficient to maximize the utility and development potential of the site. The hypothetical parcel is presumed to be a part of a larger 51 acre development with a maximum of 842 units for an average density of 15.9 dwelling units per acre.

#### **Extraordinary Assumptions**

USPAP defines an Extraordinary Assumption to be "an assumption directly related to a specific assignment, as of the effective date of the assignment results, which, if found to be false, could alter the appraiser's opinion or conclusion." This appraisal has no extraordinary assumptions.

#### **General Assumptions**

The appraisers assume no responsibility for economic, legal or physical factors, which may affect the opinions herein stated, occurring at some date after the effective date of the report.

No responsibility is assumed for matters legal in character and no opinion is rendered as to title, which is assumed to be good and marketable. The premises are assumed to be free and clear of all leases, use restrictions and reservations, covenants, conditions, easements, cases or actions pending, tax liens and bonded indebtedness, except as specified.

The right is reserved to change the opinions and conclusion if so warranted, when supplied with further information if that information so dictates.

Any estimates or projections included in this report are not predictions of the future. Rather, they are estimates of expectations based on current market conditions. The achievement of the projections may be affected by fluctuations in economic conditions and is dependent upon future occurrences that cannot be assured. Actual results may vary from the projections included in this report.

No survey, legal or engineering analyses have been made. It is recommended that such analyses be made for exact verification through appropriate professionals before demising, hypothecating, or any decision is made requiring exact survey, legal or engineering analyses.

Maps, plats and exhibits included in this report are for illustration only, as an aid for the reader in visualizing matters discussed within the report. They should not be considered as surveys or relied upon for any other purpose, nor should they be removed from, reproduced or used apart from this report.

The information furnished by others is believed to be reliable. However, no warranty is given for its accuracy.

No opinion is intended to be expressed for matters which require legal expertise or specialized investigation or knowledge beyond that customarily employed by real estate appraisers.

#### **Definitions**

## Market Value [The Dictionary of Real Estate Appraisal, Fifth Edition, 2010, Appraisal Institute, Chicago, IL. p. 123)

The most probable price that a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- Buyer and seller are typically motivated;
- Both parties are well informed or well advised, and acting in what they consider their best interests;
- A reasonable time is allowed for exposure in the open market;
- Payment is made in terms of cash in U. S. dollars or in terms of financial arrangements comparable thereto; and
- The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

## Fee Simple Estate (The Dictionary of Real Estate Appraisal, Fifth Edition, 2010, Appraisal Institute, Chicago, IL p. 78)

Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power and escheat.

#### Finished Lot

For purposes of this appraisal, finished lot shall mean that for each lot, all fees have been paid (excluding building permits), and improvements and all other work on or off the site have been constructed, installed or completed in order to obtain a building permit for the construction of a single-family residence. This assumes that tract map and site plans are completed and approved, and that the lots are graded, approved by all applicable governmental agencies, and are suitable for construction of the proposed product, with pads certified by a civil engineer, all utilities installed and stubbed to the lot lines, and all storm drains, curbs, gutters, street paving, driveway approaches, monuments, walls, sidewalks, lights, signs and water meters installed. This also assumes completion of any parks, open space areas or other items required by the tentative tract map and final map or governmental agencies.

## Market Study (The Dictionary of Real Estate Appraisal, Fifth Edition, 2010, Appraisal Institute, Chicago, IL p. 122)

A macroeconomic analysis that examines the general market conditions of supply, demand, and pricing or the demographics of demand for a specific area or property type. A market study may also include analyses of construction and absorption trends.

#### AREA DESCRIPTION

#### **Orange County**

Orange County covers an area of approximately 798.3 square miles, three-quarters of which is privately owned. There are 34 cities and numerous unincorporated communities within Orange County. Orange County is the second most populous county in the state, surpassed only by Los Angeles County.

		Annual	Annual %
Year	Population	Change	Change
2004	2,948,135		(
2005	2,956,847	8,712	0.3%
2006	2,956,334	(513)	0.0%
2007	2,960,659	4,325	0.1%
2008	2,974,321	13,662	0.5%
2009	2,990,805	16,484	0.6%
2010	3,010,232	19,427	0.7%
2011	3,028,846	18,614	0.6%
2012	3,055,792	26,946	0.9%
2013	3,085,269	29,477	1.0%
2014	3,114,209	28,940	0.9%
2015	3,147,655	33,446	1.1%

The following section is an overview of the demographic and economic trends in Orange County. Most of the data is based on the December 2014 Economic and Business Review, published by Chapman University.

Although it has been sluggish, the current recovery has been resilient. The recovery began in June 2009 and is now six years old. Orange County gross domestic product (GDP) data is not available, but tends to trend with the national GDF. Economic growth has been slow but improving with U.S. GDP increases of 3.8% in 2010, 3.7% in 2011, 4.2% in 2012 and 3.7% in 2013.

Chapman is estimating U.S. GDP growth of 3.8% for 2014 and 5.1% for 2015. Generally, Orange County economic conditions also show moderate but improving growth.

Average household debt service payments as a share of disposable income have reached new lows. Household net worth increased, fueled by rising home prices and a strong stock market. Chapman forecasts that consumer spending will maintain a positive growth trajectory, with total taxable sales increasing by 5.9% in 2014 and 6.1% in 2015.

With stronger construction spending and an improving national and international economic outlook, Orange County's payroll jobs are forecasted to increase by 2.6% in 2015. This translates to an additional 37,875 payroll jobs in 2015.

The unemployment rate in Orange County was 4.2% in May 2015, below the year-ago estimate of 4.9%. This compares with an unadjusted unemployment rate of 6.2% for California and 5.5% for the nation during the same period.

The following table reflects the comparative forecasts for California and Orange County indicators by local economic groups. All forecast positive job growth. Personal income growth and building permits are also expected to increase. National GDP is projected to grow.

2015 Forecast	LAEDC	Chapman University	Cal State Fullerton
2015 Torcease	(Feb 2015)	(December 2014)	(October 2014)
Job Growth	1.9%	2.6%	2.7%
U.S. Unemployment Rate	5.6%	5.6%	5.7%
Personal Income Growth	N/Av	5.5%	4.7%
U.S. GDP	3.0%	5.1%	2.5%

The Chapman University 2015 Economic and Business Forecast reflects the following trends in the key economic factors for Orange County, showing the county is performing slightly better than the state and national averages.

ORANGE COUNTY ECONOMIC TRENDS AND FORECAST

Year-to-Year Percentage Change

	·				2014	2015
	2010	2011	2012	2013	Estimate	Forecast
Employment Growth	-1.2%	1,1%	2.7%	2.5%	2.1%	2.6%
Personal Income	0.9%	5.1%	4.5%	4.3%	5.2%	5.5%
Taxable Sales	4.3%	8.5%	6.8%	5.4%	5.9%	6.1%
Construction Activity - Dwelling Units	40.5%	55.5%	28.2%	69,6%	-15.2%	-3,0%
C.P.I.	1.2%	2.7%	2.0%	1.1%	1.6%	2.4%
Resale Home Price Appreciation	7.6%	-5.7%	4.9%	20.3%	5.7%	4.0%

Income growth turned positive in 2010 and personal income is projected to increase by 5.5% in 2015. The recovery in the stock market, lower unemployment, reduction in debt, and higher home prices have improved the balance sheets of households, which helps to support consumer spending and consumer confidence.

The forecast for Orange County taxable sales is shown in the following table.

ORANGE COUNTY TAXABLE SALES						
Year	Taxable Sales (\$ Millions)	Annual % Change				
2010	\$47,667	4.3%				
2011	\$51,731	8.5%				
2012	\$55,231	6.8%				
2013	\$58,208	5.4%				
2014 (Estimate)	\$61,636	5.9%				
2015 (Forecast)	\$65,411	6.1%				

Taxable sales showed a modest rebound in 2010, returning to positive growth. Taxable sales are estimated to increase by 5.9% in 2014 and are forecasted to increase by 6.1% in 2015. Retailers are optimistic that sales are trending in a positive direction.

The forecast for Orange County residential dwelling units is shown in the following table.

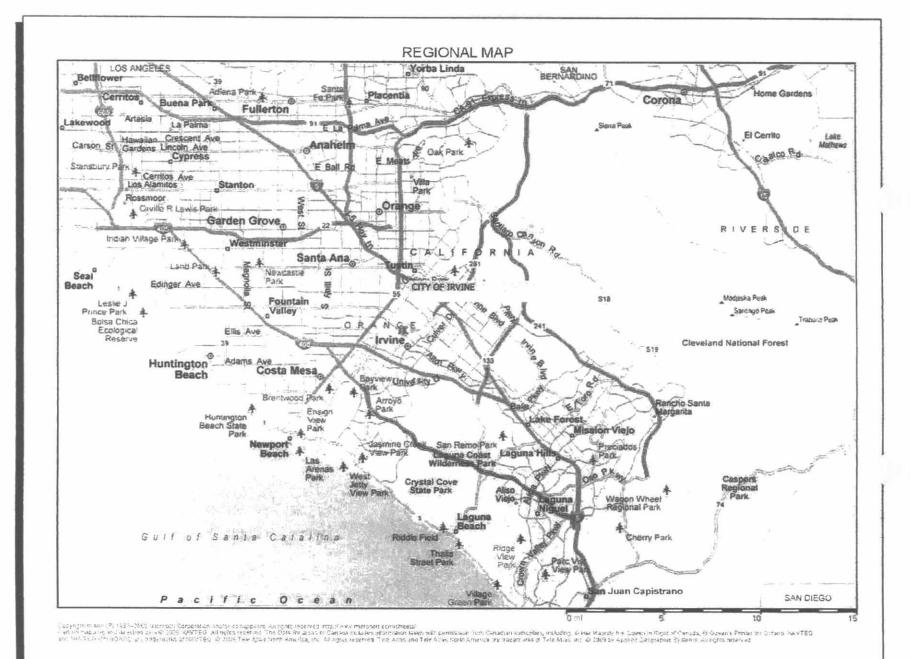
ORANGE COUNTY TOTAL CONSTRUCTION DWELLING UNITS					
Year	Number of Dwelling Units	Percent Change			
2010 - Actual	3,091	40.5%			
2011 - Actual	4,807	55.5%			
2012 - Actual	6,163	28.2%			
2013 - Actual	10,453	69.6%			
2014 - Estimate	8,861	-15.2%			
2015- Forecast	8,593	-3.0%			

Residential construction activity rebounded in 2010 and peaked in 2013. While the number of dwelling units constructed dipped slightly in 2014 and 2015, construction activity remains at healthy levels.

The estimated resale home price appreciation rate of 6.1% for the county in 2015 reflects continued strong demand, but lower than the feverish 20.3% increases in 2013. Chapman forecasts resale home price appreciation of 4.0% for Orange County in 2015. Home prices are increasing due to positive job growth, supply constraints and historically low interest rates. The inventory of homes for sale has stayed at a very low level, which is providing price support.

With mostly positive economic indicators, Orange County is facing a continued positive economic environment in 2015. The economic environment in 2015 is more positive than early 2014. Job growth is continuing to increase, with over 47,000 new jobs projected in 2015.

The area's fundamentals of high education, high income, new building stock, and near perfect weather continue to provide a foundation for the county. Technology, medical research and the ports to the north in Los Angeles also help support the area's businesses. Most economists call for economic conditions to continue to improve in 2015.



#### City of Irvine

The subject property is located in the city of Irvine, one of Southern California's premier master-planned communities. Irvine is located in central Orange County, approximately 60 miles southeast of downtown Los Angeles. The surrounding cities include Tustin, Costa Mesa, Santa Ana, Newport Beach, Laguna Hills, Lake Forest and Mission Viejo.

Access to regional transportation linkages and an extensive transportation infrastructure contribute to the city's growth and success. Primary access to the city of Irvine is provided by several major freeways, including the San Diego (I-405) Freeway, the Santa Ana (I-5) Freeway, the Costa Mesa (SR-55) Freeway, the Corona Del Mar (SR-73) Freeway (toll road), the Foothill Transportation Corridor (SR-241), and the Eastern Transportation Corridor (SR-133). Domestic air service and limited international air transportation is available at nearby John Wayne Airport. International flight service is via Los Angeles International Airport (LAX), located approximately 50 miles northwest. The community is also served by MetroLink commuter rail service and extensive bus lines.

The city of Irvine encompasses 46 square miles. The General Plan for the City of Irvine, adopted in 1973, provides for a coordinated land use pattern which integrates residential, commercial, industrial, institutional, parks, and open space uses in a manner which promotes a pleasant residential environment, as well as allowing expansion of the local economy. Areas within Irvine offer a variety of housing styles, numerous recreational facilities, shopping and business centers, industrial complexes, restaurants and public facilities.

As a master-planned community, Irvine experienced explosive population growth of about 20% per year between 1970 and 1980. The average rate of growth slowed to approximately 8% in the 1980s and 2% per year in the 1990s as the city matured. However, the recent opening of several new areas or "villages" has spurred more growth. The city's average annual growth rate of 4.0% for the past decade is significantly higher than the countywide average annual growth rate of approximately 1.0%.

The demographic profile reflects a high-income, well-educated population base. Irvine draws new home buyers from throughout Orange County, the state and the surrounding areas. The high-income population, low crime rate, excellent quality schools, location and desirability of the area indicate that functional demand for new housing and land should be good relative to Orange County as a whole.

The City of Irvine has experienced significant population and economic growth since its incorporation. The area is expected to continue to grow, which should result in a continuation of positive real estate conditions in the area.

		CI.
Year	Population	Change
2005	183,218	*****
2006	192,167	4.88%
2007	199,400	3.76%
2008	207,646	4.14%
2009	212,541	2.36%
2010	212,375	-0.08%
2011	218,357	2.82%
2012	223,837	2.51%
2013	231,558	3.45%
2014	242,676	4.80%
2015	250,384	3.18%

Source: California Department of Finance, April 2015

Irvine is considered a family-oriented city, with more than 67% of all households having children. The most recent information provided by the City states that the average household size is approximately 2.7 persons. Nineteen percent of the city's population is under the age of 13. The median age is 33.4 years. Over 40% of the adults reportedly have college degrees. This is reflected in strong community values regarding education, which have produced a well-respected school system. The emphasis on the welfare of children is also reflected by the large number of quality day care facilities and recreation programs in the city. Irvine consistently ranks as one of the safest and most desirable cities to live in on a national basis.

Nearby landmarks include the Limestone Canyon Regional Park and The Nature Conservancy to the north and northwest, the El Toro Marine Corps Station to the east and south, the James A. Musick Branch Jail to the southeast, the Irvine Spectrum Center to the south, the Oak Creek Golf Course and Irvine Valley College to the south and the Tustin Market Place to the west.

The Irvine School District serves most of the city. Irvine home prices benefit from the Irvine Unified School District, which has highly regarded schools. There are 22 elementary, five middle and four high schools in the Irvine School District.

A demographic study by The Site To Do Business Online reflects the following for Irvine and Orange County.

DEMOGRAPHIC PROFILE	IRVINE	ORANGE COUNTY
2015 Population	232,628	3,124,130
2020 Population Forecast	249,156	3,253,590
Population Increase (5 yrs)	16,528	129,460
Persons Per Household	3.1	3.5
New Housing Units Needed (5 yrs)	5,297	36,989
Owner Occupied	44.8%	54.4%
Owner Occupied Demand	2,373	20,122
Renter Occupied	50.2%	40.6%
Vacant	4.9%	5.0%
Median Household Income	\$95,450	\$77,676
Average Household Income	\$122,848	\$106,158

The data reflects a need for 5,297 new housing units in Irvine and 36,989 in Orange County over the five-year forecast. Assuming the current 44.8% owner-occupancy rate remains constant for Irvine, this equates to potential demand for 478 new owner-occupied homes per year.

The Market Profile report indicates that approximately 32.5% of Irvine households earn between \$100,000 and \$199,999, a level which could likely afford and want a new home in the proposed price range. Assuming that the 32.5% affordability rate remains constant, this equates to potential demand for 155 new owner-occupied homes per year in Irvine in this segment. Currently the city is seeing an influx of new residents as a result of the many new developments underway on the Irvine Ranch and Heritage Fields. Current absorption appears to show significantly higher demand is being experienced than that projected using population growth and fundamental demand analysis.

Given the need for additional units in Orange County, coupled with the lack of vacant land, it appears demand for new homes in this area will continue to be strong relative to other new

projects selling in Orange County. The subject area median income of \$95,450 is above-average compared to the \$77,676 for all Orange County households, and above the \$52,076 for all U.S. households.

The demand analysis suggests growth is strong enough to continue to support new home projects in Irvine and throughout the county. The anticipated supply of similar new home projects expected to enter the market over the next five years in Irvine is expected to remain relatively stable as demand continues to meet or exceed supply. The two large land owners in Irvine control the majority of the market and have a history of keeping supply tight. It appears that functional demand for new housing in Irvine should continue to be good relative to Orange County.

#### Neighborhood

The subject neighborhood is defined as the master-planned community of Cypress Village. Cypress Village is bound by the San Diego Freeway to the south, the former MCAS El Toro to the east. Trabuco Road to the north and Jeffrey Road to the west.

The village is the newest master plan within the Villages of Irvine and will feature a range of products from apartments and townhomes to detached single-family homes on small lots. The neighborhood is near a variety of amenities and four parks and is served by some of the highest performing schools in the state. Cypress Village will include approximately 2,300 housing units and support amenities such as recreational facilities and walking trails. Two schools will be located within Cypress Village. Elementary students attend Cypress Village Elementary School, API score data is not yet available, Middle school students will attend the new Jeffrey Trail Middle School located within Cypress Village, which was completed in Fall 2013; API score data is not yet available.

The subject property is in the Irvine Unified School District (IUSD). Irvine home prices benefit from the IUSD, which has highly regarded schools that are among the highest ranking in the nation. Many high school students attend nearby Irvine High School, which has an API score of 877. Irvine Valley College is two miles south of the subject. Two larger universities are further south: Concordia University and the University of California Irvine, with approximately 2,000 and 23,000 students, respectively.

The neighborhood is in the growth stage of its life cycle with significant new residential construction underway. The adjacent Stonegate Village was recently reported to be the best selling community on the Irvine Ranch. Demand for new homes and apartments has been very strong in nearby Irvine communities.

There are many local shopping centers of various sizes. Woodbury Town Center is located just outside the northeast corner of the community. Woodbury Town Center is a 430,000 square-foot retail center anchored by Ralph's, Home Depot and LA Fitness. The center also has restaurants, small retail shops and outdoor areas. Cypress Village Shopping Center is located just outside the west boundary of the community. Cypress Village Shopping Center is anchored by Albertsons, Kohl's and Starbucks Coffee. The center also has convenience stores, restaurants and service-based retail shops.

A neighborhood aerial photograph is included on the following page.



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#### MARKET ANALYSIS

Limited published data is available regarding market conditions specific to residential land in Orange County. As such, a survey of market participants, including land brokers, developers and investors, has been conducted. In addition, trends in prices of land sales over time and residual analyses and housing market trends have been reviewed in order to determine the current market conditions.

Orange County is considered to be a supply-constrained market and has benefitted from builders' transition to acquiring "A" market lots. The subject property has a good Irvine market location, and demand for land is reported to be especially strong, from public home builders in particular. Improvements in the residential housing market over the past two years appear to have generated improving demand for land.

A number of factors have led to improved conditions for land in Irvine in particular. Fundamental factors include an increase in demand for new homes and the success of many Irvine developments. Other non-fundamental factors are also influencing the land market. Orange County has drawn significant attention as public home builders have zeroed in on the most promising markets.

There is now a significant supply of capital focused in Orange County as too many home builders need someplace to build that proves feasible. Large public builders are under pressure to turn a profit and are willing to take reduced returns in order to deploy capital in the best markets, including Orange County. At present, demand for residentially zoned land in Orange County is especially strong as builders are looking for places to continue to build.

Demand for residentially zoned land in Irvine is reported to be among the highest in the nation. A review of sales data and reports from developers and brokers active in the area indicate that land prices in Irvine are described as increasing year-over-year starting in 2010. Price increases accelerated in 2012/2013, increases in new home prices have moderated but are still increasing.

#### **Local Housing Market Trends**

Southern California median single-family residence price was up 7.27% year over year. The median price of \$478,667 was the highest in more than six years. Similarly, the median condominium price is up 4.13% year over year.

The following table illustrates the findings of the CoreLogic monthly housing survey for Southern California.

Southern California Home Sales July 2015							
The Danklink		SFR's			Condomini <b>u</b> m	S	SFR Only
			Yr/Yr			Yr/Yr	
County	No. Sold	Median 7/15	Change	No. Sold	Median 7/15	Change	Median \$/\$F
Los Angeles	5,660	\$525,000	7.00%	2,222	\$425,000	6.10%	\$340
Orange	2,374	\$680,000	6.00%	1,090	\$423,000	6.00%	\$364
Riverside	3,097	\$315,000	8.60%	416	\$222,000	-1.30%	\$159
San Bernardino	2,539	\$257,000	9.40%	202	\$245,000	1.70%	\$161
San Diego	2,797	\$520,000	6.10%	1,355	\$362,000	8.20%	\$290
Ventura	757	\$575,000	6.50%	286	\$364,000	4.10%	\$298
So. Cal	17,224	\$478,667	7.27%	5,571	\$340,167	4.13%	\$269

According to CoreLogic, Orange County home sales volume increased 15.5% from July of last year. The median selling price of an Orange County home was \$680,000. Prices were up 6.0%, for existing single-family homes.

"Sales increased year over year, which is something that's only happened in a few months over the past year," said CoreLogic analyst Andrew LePage. "Sales have been hampered by low inventory, especially in the lower price ranges, rising prices and lingering credit hurdles." An increase in the number of homes for sale "could support higher sales and tame home price appreciation."

The following table illustrates the findings of the CoreLogic resale activity for Irvine. The data for Irvine shows an 11.53% increase in median home price for all single-family residences, and a 2.03% increase for all condominiums from year-ago levels.

The population of data for any single month is small and is especially susceptible to changes in the mix of home selling, and should be taken in context as price shifts can be exaggerated by the small sample size.

Irvine Home Sales July 2015								
		SFR's		(	Condominium	S	SFR Only	
			Yr/Yr			Yr/Yr		
Zip Code	No. Sold	Median 7/15	Change	No. Sold	Median 7/15	Change	Median \$/\$F	
92602	18	\$1,065,000	21.00%	20	\$608,000	12.00%	N/A	
92603	25	\$1,765,000	19.30%	16	\$658,000	8.10%	\$639	
92604	23	\$746,000	11.00%	16	\$528,000	-18.80%	\$437	
92606	9	\$865,000	-4.50%	6	\$583,000	-10.20%	\$421	
92612	8	\$758,000	19.40%	22	\$543,000	8.90%	\$454	
92614	11	\$948,000	6.80%	25	\$489,000	-2.20%	\$448	
92618	1 1	\$717,000	2.20%	31	\$605,000	3.00%	\$478	
92620	28	\$1,012,000	17.00%	37	\$617,000	15.40%	\$431	
Irvine	133	\$984,500	11.53%	173	\$578,875	2.03%	\$473	

Overall, Orange County and Irvine appear to be outperforming the Southern California market, and the new home market appears to be performing on par with the resale home market.

#### Conclusion

Market prices appear to be steadily increasing over the past year, as the median home price in Orange County is up 6.0% since July 2014. About half the increase is usually attributed to price appreciation, while the other half is attributed to a change in the mix of homes selling. Overall, the housing market is best described as appreciating at an average rate of 1.0% per month through 2013, slowing to 0.5% per month in 2014 and 2015.

#### SITE DESCRIPTION

Location:

The hypothetical semi-finished vacant parcel of entitled, residentially zoned land in a rough graded condition with access and utilities available and an approved density of approximately 13 dwelling units per acre. The subject is located near the southwest corner of Trabuco Road and future "O" Street (east of SR-133), in the City of Irvine, California.

Size:

There is no specific property, but a one-acre parcel size is assumed per client requirements. The size is assumed to be sufficient to maximize site utility. The hypothetical parcel is presumed to be part of a larger 51-acre development with a maximum of 842 units for an average density of 15.9 dwelling units per acre.

Condition:

Basic infrastructure to the site perimeter shall include rough grading, installation of streets, curbs and gutters, and installation of trunk line utilities. Assumed to be a vacant, rough graded parcel of land with access and utilities available and entitlement approvals for approved density of ±13 dwelling units per acre. The obligation remains to pay all applicable city and/or county fees, in-lieu fees for neighborhood and community park requirements, and affordable housing obligations.

Shape:

Assumed to have sufficient width, depth and frontage in order to maximize site utility.

Topography:

Assumed to be sufficient to maximize site utility and provide for proper drainage.

General Plan Land Use:

Multi-Use

Zoning:

3.1H, Multi-Use (Section 3-37-17 of the Irvine Zoning Ordinance). This category corresponds to the Multi-Use land use category as defined in the general plan. This category allows for a combination of commercial, office, residential, and institutional uses within the same project site. This designation allows a maximum residential density of 50 dwelling units per net acre, with a maximum building height of 70 feet. Development standards are assumed to be generally as follows:

Min. Site Size: 0.25 acre Max. Site Coverage: 65% Max. Building Height: 70 feet

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Min. Site Landscaping: 15%

Minimum Setbacks: To be determined at time of master plan or conditional use permit review

Utilities: It is assumed that the site would have adequate access to

utilities and public services. Public utility providers in the

City are:

Water & Sewer - Irvine Ranch Water District

Electricity - Southern California Edison

Gas - Southern California Gas Police & Fire - City of Irvine Trash - City contracted

School District: Irvine Unified School District

Soil Condition: It is assumed that there are no soils issues.

Flood Hazards: It is assumed that the subject property is not located in a

detrimental flood zone.

Seismic Hazards: It is assumed that the subject property is not located in a

detrimental fault-hazard area or liquefaction zone.

Environmental Hazards: It is assumed that the subject property site is clear from

hazardous materials so that it can be used for residential

development without need for remediation.

Easements: It is assumed that there are no cross-lot, blanket or other

easements, encroachments or restrictions.

Street Improvements: It is assumed that the subject property would have adequate

access to the city surface streets, that the improvements are typical of the infrastructure found in most suburban and urban areas and meet or exceed the market standard.

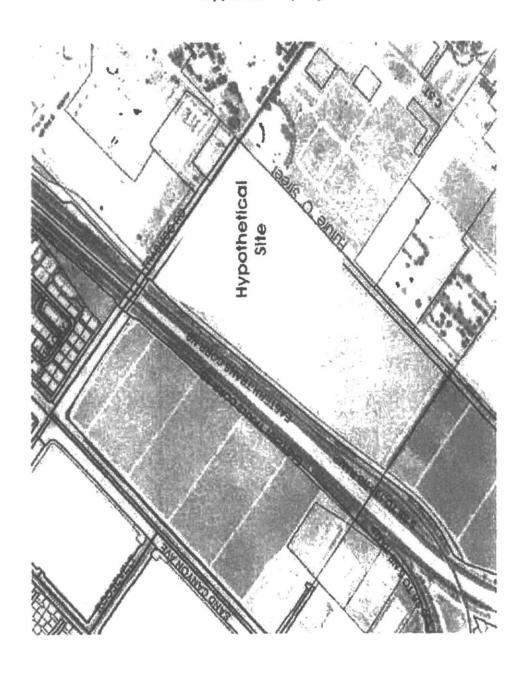
diban areas and meet of exceed the market standard.

Regional Freeway Access: Regional access is considered to be a competitive advantage

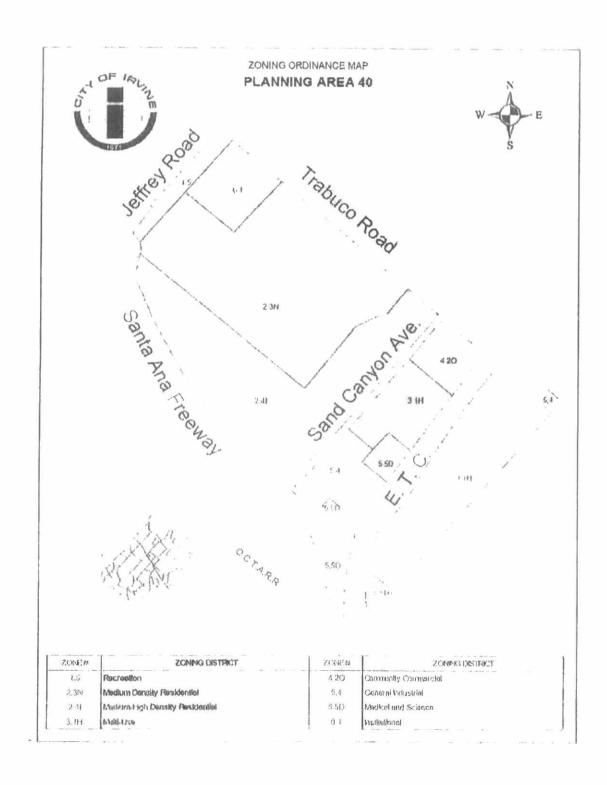
for properties in Irvine. The Costa Mesa (SR-55), San Diego (I-405) and Santa Ana (I-5) Freeways are all in close

proximity.

#### Attachment 1 Appraisal Property



#### Attachment 2 Planning Area 40 Zoning Map



#### HIGHEST AND BEST USE

The highest and best use is shaped by the competitive forces within the market where the property is located and provides the foundation for a thorough investigation of the competitive position of the property in the minds of market participants.

Highest and best use is defined as the reasonably probable use of property that results in the highest value. To be reasonably probable, a use must meet certain conditions. The use must be physically possible, legally permissible and financially feasible. Uses that meet the three criteria are tested for economic productivity, and the reasonably probable use with the highest value is the highest and best use.

#### Legally Permissible

Regarding legally permissible uses, the hypothetical site is zoned 3.1H, Multi-Use (Section 3-37-17 of the Irvine Zoning Ordinance). This category corresponds to the Multi-Use land use category as defined in the general plan. This category allows for a combination of commercial, office, residential, and institutional uses within the same project site. This designation allows a maximum residential density of 50 dwelling units per net acre, with a maximum building height of 70 feet. A change in zoning in this area appears very unlikely at this time.

#### Physically Possible

For physically possible uses, the characteristics of the subject property have been discussed in a prior section of this report. Overall, the subject site is typical of many similarly-zoned sites in the surrounding area. The site is presumed to have level topography and sufficient shape to allow for good site utilization. Utilities and street infrastructure are presumed to be available abutting the site.

#### Financially Feasible

Financially feasible uses are those uses which could produce positive returns. A full feasibility analysis of the proposed use and all possible development scenarios is not within the scope of work of this assignment. However, under current market conditions, there appears to be good demand for residential development sites. Permit activity indicates that construction activity of new residential projects continues but appears to be limited by vacant land availability.

Demand for new residential units is especially strong in Irvine. It can be inferred from current construction activity that single-family, condominium and apartment projects are feasible.

Regarding maximally productive use of the site, market conditions appear to support feasibility for residential development. Retail, office or institutional uses do not appear likely in this case due to the assumed location and master land plan for Cypress Village.

#### Conclusions - Highest and Best Use

Analysis of the three criteria used to determine highest and best use indicates that a for sale project would be the highest and best use of the hypothetical land. The scope of work for the assignment requires the valuation of the land to be for a for-sale use. Thus, the highest and best use is concluded to be for single-family residential development.

#### VALUATION METHODOLOGY

An estimate of vacant land value is being derived in this analysis. Three approaches to value are commonly used in real property appraisals and appraisal consulting assignments: the cost approach, the sales comparison approach, and the income approach. The sales comparison approach is the most common technique for valuing land, and is the preferable method when comparable sales are available. In this assignment, a sufficient quantity of sufficient quality land sales data is available for the analysis. To apply this method, data on sales of similar parcels of land is collected, analyzed, compared, and adjusted to provide an indication for the subject site.

The income approach is not developed as land is rarely purchased for income production in this market and this approach is not considered relevant or reliable. The cost approach has not been developed as it has no applicability for vacant unimproved land. A brief summation of the sales comparison approach to value is provided below.

#### Sales Comparison Approach

The process of deriving a value indication for the subject property by comparing market information for similar properties with the property being appraised, identifying appropriate units of comparison, and making qualitative comparisons with or quantitative adjustments to the sale prices (or unit prices, as appropriate) of the comparable properties based on relevant, market-derived elements of comparison.

The elements of comparison are defined as:

The characteristics or attributes of properties and transactions that cause the prices of real property to vary; include real property rights conveyed, financing terms, conditions of sale, expenditures made immediately after purchase, market conditions, location, physical characteristics, and other characteristics such as economic characteristics, use, and non-realty components of value.

In the sales comparison approach, the value of a property is estimated by comparing it with similar, recently sold properties in the surrounding or competing area. Inherent in this approach is the principle of substitution, which holds that when a property is replaceable in the market, its value tends to be set by the cost of acquiring an equally desirable substitute property, assuming that no costly delay is encountered in making the substitution.

Through the analysis of sales of verified arm's-length transactions, market value and price trends are identified. The sales utilized are comparable to the subject in physical, functional, and economic characteristics. The basic procedure is as follows:

- Identify the most recent relevant sales from which to select and analyze truly comparable sales, with consideration given to the date of sale.
- 2. Identify any changes in economic conditions between the date of sale and the date of value.
- Calculate the cash equivalent price for any sale that includes favorable financing.
- 4. Reduce the sale price to a unit of comparison such as the sale price per square foot or sale price per unit.
- 5. Make appropriate adjustments to the prices of the comparable sale properties for differences in the relevant elements of comparison.
- 6. Interpret the results to derive a value indication from the sales comparison approach.

#### LAND VALUATION - SALES COMPARISON APPROACH

#### Land Sales Data Analysis

A search was conducted for recent sales of similar subdivision sites in the subject market area. An extensive search for current market transactions was made as market data pertaining to subdivision land transactions is generally limited and, especially in Irvine, kept confidential.

Five land comparables are found to be the most similar transactions available for the sales comparison analysis. The valuation premise is that the hypothetical subject site is a partially finished vacant parcel of entitled, residentially zoned land in a rough graded condition with access and utilities available and an approved density of approximately 13 dwelling units per acre. The sales used for comparison are in a similar condition and reflect value of partially finished sites.

Units of comparison are used to facilitate comparison of the subject and comparable properties. The appropriate unit is the one that sellers and purchasers use to decide on the price they are willing to accept or pay for the property in question. Market data was analyzed to determine which unit of comparison reflects the most stable indication of a unit value. From the data, it can be determined that the number of buildable units is an important influence on value. The most stable relationship is the price per buildable unit, and reflects the least variation. Thus, the price per buildable unit is the unit of measure used for the analysis.

The land sales are analyzed and reviewed for the following transactional elements of comparison: property rights conveyed, financing terms, conditions of sale, expenditures made immediately after purchase (deferred maintenance), market conditions (date of sale) and physical characteristics including location, entitlements, density and site utility.

The comparable land sale transactions are summarized in the following adjustment grid, followed by analysis of the data.

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#### LAND SALES COMPARISON GRID Irvine, California August 2015 Subject Property Land Sale No. 1 Land Sale No. 2 Land Sale No. 3 Land Sale No. 4 Land Sale No. 5 Project Confidential Confidential Confidential Confidential Confidential Invine, CA Location Imme, CA tryine, CA Irvine, CA Invine, CA Invine, CA Site Status Semi-tinished land w. TTM Semi-tinished land w/ TTM Semi-finished land w/ TTM Semi-finished land w/ TTM Blue-topped site w/ TTM Semi-finished and w/ TTM Total Sale Price 518,779,642 \$13,700,000 \$24,270,111 \$26,600,000 \$36,748,104 Price Per Unit \$264,502 \$228,333 \$299,631 5350,000 5248,298 ADJUS IMENTS Property Rights Conveyed Fee Simple SU Fee Simple 50 Fee Simple 0.04 50 Fee Simple 0.0% 50 Fee Simple 0.0 Sū \$264,502 Adjusted Price 5228,333 \$299,631 \$350,000 \$248,298 Financing Terms 0.05 50 None SO None 0.0% 50 0.0% Conv. \$0 None 60.0 50 Adjusted Price 5264,502 \$228,333 \$299,631 \$350,000 \$248,298 Condition of Sale None 0.05 SO None 0.02 SO None SO 0.0% None 0.0% SO None Adjusted Price \$264,502 \$228,333 \$299,631 \$350,000 \$248,298 Expanditures After Purchase None 0.0% 50. Inferior 10.05 \$22,833 None Superior -\$50,000 Inferior 5.0% \$12,415 Adjusted Price \$264,502 5251,167 \$299,631 \$300,000 \$260,713 Date of Sale\* 97.15 0.0% SO 4/15 0.0% 50 10/14 50 12.14 0.00 501 07/14 0.0% 50 Adjusted Price 3264.502 \$251,167 \$299,631 \$300,000 \$260,713 Location Irvine Inferior 10.0% 526,450 Inferior 10.0% \$25,117 Similar 0.0% 50 Inferior 10.0% \$30,000 Similar 0.0% Entitled Enridement Status Similar 0.0% 50 Similar 0.0% Similar 0.0% 50 50 Similar 0.0% SO Similar 50.0 Density du/ac 13.0 13.8 0.0% \$0 12.61 ₽0.0 50 13.97 0.0% SO 13,6 0.0% 50 16,9 15.0% 535. Site Utility Good Similar 0.0% \$0 Similar 0.04 50 Similar 0.0% 50 Similar 0.0% So Similar 0.00 \$0 10,0% Net Adjustment \$26,450 10.0% \$25,117 0.0% 50 10.0% \$30,000 15.09 \$39,107 Indicated Value Unic \$290,952 \$276,283 5299,631 \$330,000 \$299,820 Indicated Value/Acre \$3,491,426 \$3,315,400 \$3,595,572 \$3,960,000 \$3,597,838

<sup>\*</sup> Differences may be due to rounding.

<sup>&</sup>quot; Market coaditions adjustment made at 1250 per month.

#### Transactional Adjustments

#### Property Rights Conveyed

In this case, the comparable transactions all conveyed the fee simple interest and the fee simple interest is assumed for the subject property; no adjustments are applied.

#### Financing Terms

The transaction price of one property may differ from that of an identical property due to different financing arrangements. The comparable transactions report cash to seller or equivalent financing. No special financing terms were involved in the sales and no adjustments are indicated.

#### Conditions of Sale

All of the comparable transactions were all arm's length transactions with no atypical motivation and no reported conditions of sale. Accordingly, no adjustments for conditions of sale are indicated.

#### Expenditures Immediately After Purchase

A knowledgeable buyer considers expenditures that will have to be made upon purchase of a property because these costs affect the price the buyer agrees to pay. Such expenditures may include:

- Cure deferred maintenance
- Demolish and remove a portion of the improvements
- Costs for additions or improvements to the property
- Costs to petition for a zoning change
- Costs to remediate environmental contamination

These costs are often quantified in price negotiations and can be discovered through verification of the sale transactions. Comparable Nos. 1 and 3 sold in a partially finished condition, with rough grading completed and access and utilities available; as such, no adjustments are applied for condition. Comparable Nos. 2 and 5 sold with access and utilities available to the site perimeter, but no grading had been completed. Varying upward adjustments based on cost to finish the site are made. Comparable No. 4 sold in blue-top condition, and a downward adjustment is indicated.

#### Market Conditions

An adjustment for market conditions is made if general property values have increased or decreased since the transaction dates. The comparables sold between July 2014 and July 2015. A review of the current market conditions was made for an indication of appropriate market condition/time adjustments, if applicable. Home values have been increasing in 2014 and 2015, which may support an upward adjustment of market conditions. However, the two most recent land purchases, even after location adjustments, appear to reflect stable land values. There appears to be an insufficient number of market sales to support upward market conditions adjustments at this times.

#### **Physical Considerations**

#### Location

The location adjustment is a percentage adjustment made for differences between the subject and comparables regarding the general and specific location. Adjustments are based on a review of the difference in the selling prices within the different areas in addition to other factors such as supply and demand, median home price, median and average price per square foot, median household income, and proximity to community services, job centers, transportation linkages and nuisances. The comparable sales are all located in Irvine, however, three of the sales are located in areas further from employment and community service areas. Upward adjustments for the variation in locations are made.

#### Entitlement Status

The subject is assumed to have all necessary entitlement approvals. Each of the comparables sold with entitlements in place. Accordingly, no adjustments are applied for entitlement status.

#### Density Dwelling Units/Acre

The comparables reflect densities ranging from approximately 12.61 to 16.9 dwelling units per acre. Land residual analysis and comparable sales data were examined in order to estimate an appropriate adjustment for differences in density between the subject and comparables. Sites with lower allowable densities typically reflect higher per-unit selling prices than sites with higher

densities, and vice versa. This is a result of the lower selling prices typically received for homes built on more dense sites. Land Sale Nos. 1 through 4 are generally similar in terms of density and no adjustments area made. Land Sale No 5 is adjusted upward for its higher density.

Site Utility

The comparables all have nearly level topographies, and sufficient width and depth to maximize the site utility. No adjustments are indicated for site condition.

#### Conclusion

The unadjusted sales prices reflect a range from \$228,333 to \$350,000 per unit. After adjustments, the sales prices reflect a narrower range from \$276,283 to \$330,000 per unit. Land Sale Nos. 1 through 4 reflect recent closed sales data for sites with similar density, while Land Sale No. 5 reflects a recent closed sales data for a higher density site. Overall, Land Sale No. 3 is most similar, reflects the least adjustment amount and is given emphasis in the analysis.

Based on a review of the data and sales comparison analysis, a value of \$300,000 per unit is supported by the market data and is concluded to be the fee simple market value for the hypothetical subject property.

The analysis assumes a density of 13 for sale dwelling units per acre. Thus, the market value per acre is calculated by multiplying the indicated \$300,000 value per unit by 13 dwelling units per acre to derive the average value per acre. The average market value for a hypothetical acre of residentially zoned land in Irvine, as of August 22, 2015, would be:

MARKET VALUE FOR AN AVERAGE ACRE OF RESIDENTIAL LAND
\$300,000 Per Unit x 13 Dwelling Units Per Acre = \$3,900,000

# RECONCILIATION

Reconciliation represents the final step in the valuation process as the data and value indications from the approaches to value are reconciled to arrive at the opinion of market value for the subject property. As part of the reconciliation, the report has been reviewed to verify that the data and the analytical techniques applied have led to reliable and consistent judgements. In addition, the data utilized in the report has been reviewed to ensure that it is authentic, pertinent and sufficient. Finally, mathematical calculations have been verified.

# Sales Comparison Approach

The sales comparison approach is based on the premise that a purchaser will not pay more for an existing property than for a comparable property of similar utility. This approach is often used by investors as a primary method to analyze vacant land properties. The sales comparison approach is the primary approach used in the valuation as it closely mirrors the interactions of buyers and sellers in the marketplace. Five sales of sufficiently comparable properties were available for comparison to the subject. The quantity and quality of the land sales data is sufficient to provide a reliable indication of market value for the subject property.

## Market Value Conclusion

Based on the data and analysis summarized herein, the concluded opinion of market value for the hypothetical average acre of partially finished vacant land in Irvine, which is defined as a residentially zoned parcel of land in a rough graded condition, with access and utilities available and entitlement approvals for a density of 13 for sale dwelling units per acre, as of August 22, 2015, would be:

MARKET VALUE FOR AN	AVERAGE ACRE OF RESIDENTIAL LAND
	\$3,900,000

# **CERTIFICATION**

We certify that, to the best of our knowledge and belief:

- 1. The statements of fact contained in this report are true and correct.
- 2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are our personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- 3. We have no present or prospective interest in the property that is the subject of this report and no personal interest or bias with respect to the properties or parties involved.
- 4. We have performed a previous appraisal dated October 2014 of the property that is the subject of this report.
- 5. We have no bias with respect to the property that is the subject of this report or to the parties involved in this assignment.
- Our engagement in this assignment was not contingent upon developing or reporting predetermined results.
- 7. Our compensation is not contingent on the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- 8. Our analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
- 9. Stephanie Kavanaugh has made a personal inspection of portions of the Irvine market and of the comparables. Elizabeth M. Kiley has also made a personal inspection of portions of the Irvine market and has fully participated in the analyses, opinions and conclusions concerning real estate contained in this report and fully concurs with the conclusions expressed herein.
- 10. No one provided significant real property appraisal assistance to the persons signing this certification.
- 11. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- 12. The reported analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.
- 13. As of the date of this report, Elizabeth M. Kiley has completed the continuing education program for Designated Members of the Appraisal Institute.

Elizabeth M. Kiley, MAI, Al-GRS

Certified General Real Estate Appraiser

Certificate No. AG005391

Chrowwax

Expiration Date: April 13, 2016

Stephanie L. Kavanaugh

Aghan Kurkush

Certified General Real Estate Appraiser

Certificate No. AG030565

Expiration Date: April 15, 2017

# ELIZABETH M. KILEY, MAI, AI-GRS STATEMENT OF QUALIFICATIONS

#### **EMPLOYMENT**

Appraiser/Consultant/President, 1990 to Present Elizabeth M. Kiley, Inc., DBA Kiley Company, Tustin, CA

Assistant Vice President/Senior Appraiser, 1984 to 1989 Interstate Appraisal Corporation, Newport Beach, CA

Chief Appraiser/Commercial Underwriter, 1982, 1983 to 1984 Cambridge Capital Group, Santa Ana, CA

Appraiser, 1982 to 1983 Harold Davidson & Associates, Los Angeles, CA

Senior Appraiser, 1979 to 1981 Bank of America NT & SA, Riverside/San Bernardino District, CA

## **EDUCATION**

Bachelor of Science, Business Administration, 1974 San Diego State University, San Diego, CA

# Appraisal Courses

Review Theory-General; Appraisal Principles; Appraisal Procedures; Income Capitalization; Advanced Income Capitalization; Standards of Professional Practice A, B & C; Report Writing and Valuation Analysis; Litigation Valuation; Case Studies in Real Estate Valuation; Mold, Pollution and the Appraiser; The Nuts and Bolts of Green Building for Appraisers; USPAP; Appraisal Curriculum Overview/General Class

### Professional Seminars

2011 Estate Tax Changes; Update on Climate Change Regulations Affecting Local Governments; Litigation Valuation; Condemnation-Partial Takes and Super Funds Sites; Property Acquisition, Appraisal, and Relocation in an Upside Down Market; Appraising in a Declining or Changing Market; Appraising Apartments; Leasehold Valuation; Easement Valuation; Appraising in the New Regulatory Climate; Feasibility Analysis and Highest and Best Use; Faculty Training Seminar; Federal and State Law and Regulation Workshop; Service Station; Restaurant Seminar; OCTA Partial Take Appraisal Workshop; Moderator E-commerce Panel, 2000 Summer Conference

# **EXPERIENCE**

## Commercial

High-rise, mid-rise and garden offices; community and neighborhood shopping centers; single tenant NNN properties; convenience stores; restaurants and fast-food stores; auto dealerships; service stations; bank branches; special-use properties; valuation of fee simple, leased fee, and leasehold interests

#### Industrial

Existing and proposed multi-tenant industrial parks; single-tenant buildings; research and development buildings; and self-storage facilities

Kiley Company

# ELIZABETH M. KILEY, MAI, AI-GRS (Continued)

# Residential

Apartments; proposed subdivisions; condominium complexes; apartment conversions and CBD lofts; mass appraisal for acquisitions

#### Vacant Land

Planned community developments; business parks; industrial subdivisions; commercial sites; agricultural land; desert land; and Indian Trust property

#### Litigation

Whole and partial take condemnation appraisals; redevelopment agency analyses; ground lease negotiations; bankruptcy appraisals; foreclosures; partnership valuations; estate tax valuations; and contaminated properties

# Public Agency

Railway corridors; transmission line easements, easement upgrades, and electrical substations; open space valuations; water tank sites; libraries; fire stations; correctional institutions; freeway widenings; railroad grade separations

#### **QUALIFICATIONS**

MAI Designation No. 8339, Appraisal Institute

AI-GRS Designation, Appraisal Institute

Certified General Real Estate Appraiser, Certificate No. AG005391, State of California

Expert Witness, Superior Court of California, Los Angeles and Riverside Districts

Expert Witness, U. S. District Court, Los Angeles

Expert Witness, U. S. Bankruptcy Court, Central District, Los Angeles and Orange Counties

Qualified Instructor, Appraisal Principles Course, Appraisal Institute

Qualified Instructor, Legal Consideration in Appraisal, Cal State Fullerton

# **AFFILIATIONS**

## Appraisal Institute

Elected Regional Representative, 2011; Public Relations Chair, 2003; Moderator for Summer Program, 2000; Executive Committee Member, 1995 to 1996; Member National Public Relations Committee, 1994 to 1996; Assistant Secretary, 1994; Public Relations Chair, 1993; Representative, Regional Committee, 1992 to 1996; Program Chairperson, Orange County, 1991; Co-chair, Highest and Best Use Seminar, 1991; Co-chair, Easement Valuation Seminar, 1990

## Commercial Real Estate Women (CREW - Orange County)

Regional Conference Chair, 1998; First Vice President, 1997; Second Vice President, 1995; Marketing Publications Chair, 1994 to 1996; Network Lunch Program Chair, 1993; Chapter President, 1991; Membership Chair, 1990; Program Chair, 1990

## International Right-of-Way Association

Public Agency Liaison, 2011

Member, Board of Directors 2009 and 2010

Presenter for 2010 Spring Seminar - How Energy is Changing Land Use and Values

# STEPHANIE KAVANAUGH STATEMENT OF QUALIFICATIONS

#### **EMPLOYMENT**

Appraiser/Consultant, 2003 to Present Elizabeth M. Kiley, Inc., DBA Kiley Company, Tustin, CA

Buyer, North West Region, 1988 to 2000 Nordstrom, Inc.

# **EDUCATION**

Fashion Institute of Design and Merchandising, Los Angeles, CA

UCLA, Westwood, CA

## Professional Courses

Real Estate Appraisal 1, Introduction to Appraising Real Property, Applied Residential Property Valuation, Principles of Income Property Appraising, Apartment Underwriting Seminar 2003, Property Inspection Seminar 2003, 15-hour USPAP Course, Basic Income Capitalization, General Demonstration and Report Writing Seminar, Report Writing and Valuation Analysis, Residential Site Valuation and Cost Approach, Residential Sales and Income Approach, Residential Report Writing and Case Studies, Eminent Domain and Condemnation, Business Practices and Ethics, Analyzing Distressed Real Estate, Analyzing Operating Expenses, Property Acquisition, Appraisal and Relocation in an Upside Down Market, The Nuts and Bolts of Green Building, Risky Business: Ways to Minimize Your Liability, Foundations in Sustainability, Condemnation Appraising: Principles and Applications, Advanced Income Capitalization, Advanced Concepts and Case Studies

## **EXPERIENCE**

#### Commercial

Single and multi-tenant offices; single-tenant NNN properties; convenience stores; retail; special use properties; fee simple and leased fees

## Industrial

Existing and proposed single and multi-tenant buildings; research and development buildings; self-storage facilities

## Residential

Proposed subdivisions; condominium complexes; apartments; apartment conversions

#### Vacant Land

Planned community developments; commercial sites; residential sites; agricultural land

# STEPHANIE KAVANAUGH (Continued)

# Public Agency

Transmission line easements, easement upgrades, and electrical substations; open space valuations; water tank sites; libraries; fire stations; correctional institutions; freeway widenings; railroad grade separations

# **QUALIFICATIONS**

Certified General Real Estate Appraiser, Certificate No. AG030565, State of California

# **ADDENDA**



August 12, 2015

Mr. Aaron Beck Project Manager Irvine Company Community Development 550 Newport Center Drive Newport Beach, CA 92660 Via Email: ABeck@irvinecompany.com

Re:

Proposal for the land value analysis of a hypothetical semi-finished vacant parcel of land near the southwest corner of Trabuco Road and future "O" Street, in the City of Irvine, California.

Dear Mr. Beck:

At your request, we are submitting this proposal for the land value analysis of a hypothetical semi-finished vacant parcel of land near the southwest corner of Trabuco Road and future "O" Street, in the City of Irvine, California. It is our understanding that the purpose of the appraisal will be to establish a land value estimate based on the assumption that the hypothetical one-acre site available for development of for sale housing.

We will undertake this assignment and provide you with a draft PDF of the appraisal report within approximately 30 days from the date of authorization. The date of authorization will be the date that we receive a signed copy of this agreement, and the documents requested. After review of the draft report, we will respond to any comments or concerns within 10 days. Once accepted, we will deliver one original and one copy of the appraisal to Aaron Beck, at the above address.

The report will be prepared in a summary report format as described in the general appraisal requirements, as outlined in the scope of services provided. It will be prepared in conformity with the standards of USPAP, the Code of Professional Ethics and Standards of Professional Practice of the Appraisal Institute. We agree to take no other employment which would be in conflict with this assignment. No warranties, guarantees, or assurances of any kind are expressed or implied and we assume no liability in connection with this appraisal.

Irvine Company Community Development August 12, 2015 Page Two

Project Budget

The fee for the appraisal report will be Six Thousand Three Dollars (\$6,300). Final payment is due and payable on delivery of the final report or within thirty (30) days of your receipt of our draft report, whichever is sooner. If a draft report is requested for review purposes, the fee is considered earned on delivery of our draft report. The fee is not contingent on the closing of any escrows or loan fundings. If any portion of the fee becomes delinquent, a re-billing charge of 1% per month from the due date until paid will be applied to the total bill.

This proposal, or the acceptance of this proposal, is not contingent on, or related to, any anticipated value conclusions. The fee will have been earned in full on delivery of the completed appraisal report. Report revision or amendment, other than those required due to our error, shall be prepared at my current hourly rate in addition to the original fee. Any additional copies of the completed reports, other than the two copies currently agreed upon, shall be made available at an additional cost of \$75 per copy.

If for any reason you wish to cancel this assignment, please do so in writing. We shall be compensated at our current hourly rate for the time we have spent on the assignment prior to the date we receive such notification. Our hourly rate for calendar year 2015 is \$200 for appraisal and \$450 for court-related meetings and expert witness testimony.

We appreciate the opportunity to present this proposal for your consideration. If the proposal meets with your approval, please sign for written authorization.

Thank you for considering the Kiley Company. We look forward to working with you. Please feel free to contact me if you have any questions.

Sincerely,

Elizabeth M. Kiley, MAI, AI-GRS

Certified General Real Estate Appraiser

Certificate No. AG005391

Chicoupunk!

Expiration Date: April 13, 2016

Irvine Company Community Development August 12, 2015 Page Three

# Appraisal/Consultation Agreement Authorization

I hereby agree to the terms and conditions of this Appraisal/Consultation Agreement, as detailed on this and the preceding pages, as submitted by Elizabeth M. Kiley, MAI, AI-GRS, Kiley Company.

- 1. Sae	8/12/15
Signature	Date
PROJECT MANAGER.	
IBAINE COMBANA COMMAND	EVELOPMENT
Company Name	
550 NEWPORT CTE TR	
Street Address	
NEWPORT BEACH, CD. 72660	
City, State, Zip	
949.724.2635	
Area Code and Phone Number	



Irvine City, CA 3 Irvine city, CA (0636770) Place

Prepared by Esri

	Yearlest aller of the Cal
Population Summary	Irvine city, CA
2000 Total Population	146,825
2010 Total Population	212,375
2015 Total Population	232,628
2015 Group Quarters	7,303
2020 Total Population	249,156
2015-2020 Annual Rate	1.38%
Household Summary	1.5070
2000 Households	52,382
2000 Notice Household Size	2.65
2010 Households	78,978
2010 Average Household Size	2.61
2015 Households	86,690
2015 Nouseholds 2015 Average Household Size	2.60
2020 Households	93,469
2020 Average Household Size	2.59
2015-2020 Annual Rate	1.52%
2010 Families	51,453
	31,455
2010 Average Family Size	56,441
2015 Families	30,441
2015 Average Family Size 2020 Families	60,815
VIII	3,11
2020 Average Family Size	1.50%
2015-2020 Annual Rate	1.3070
Housing Unit Summary	55,940
2000 Housing Units	56.8%
Owner Occupied Housing Units	36.8%
Renter Occupied Housing Units	6.4%
Vacant Housing Units	83,899
2010 Housing Units	47.3%
Owner Occupied Housing Units	47.3%
Renter Occupied Housing Units	5.9%
Vacant Housing Units	91,187
2015 Housing Units	44.8%
Owner Occupied Housing Units	50.2%
Renter Occupied Housing Units	4.9%
Vacant Housing Units	97,470
2020 Housing Units	43.8%
Owner Occupied Housing Units	52.1%
Renter Occupied Housing Units	4.1%
Vacant Housing Units	4,170
Median Household Income	\$95,450
2015	\$104,938
2020	\$104,936
Median Home Value	\$690,595
2015 2020	\$785,338
	٥٤رړو، پ
Per Capita Income	\$46,457
2015 2020	\$52,559
Median Age	406,000
2010	33.9
2015	34.7
2015	35.4
2020	33.4

Data Note: Household population includes persons not residing in group quarters. Average Flousehold Size is the household-population divided by total nouseholds. Persons in families include the householder and persons related to the householder by birth, marriage, or adoption. Per Capita Income represents the income received by all nersons add 15 years and over divided by the total population.

Source: 0.5: Census Surges. Census 2010 Summary File 1. Esti forecasts for 2015 and 2020, Esti converted Census 2000 data into 2010 geography.



Irvine City, CA 3 Irvine city, CA (0636770) Place

Prepared by Esri

	Irvine city, CA
2015 Households by Income	No again
Household Income Base	86,689
<\$15,000	8.3%
\$15,000 - \$24,999	3.8%
\$25,000 - \$34,999	4.0%
\$35,000 - \$49,999	6.6%
\$50,000 - \$74,999	14.5%
\$75,000 - \$99,999	14.9%
\$100,000 - \$149,999	21.6%
\$150,000 - \$199,999	10.9%
\$200,000+	15.3%
Average Household Income	\$122,848
2020 Households by Income	
Household Income Base	93,466
<\$15,000	7.2%
\$15,000 - \$24,999	2.4%
\$25,000 - \$34,999	2.9%
\$35,000 - \$49,999	5.7%
\$50,000 - \$74,999	12.9%
\$75,000 - \$99,999	15.4%
\$100,000 - \$149,999	22.8%
\$150,000 - \$199,999	13.2%
\$200,000+	17.5%
Average Household Income	\$138,417
2015 Owner Occupied Housing Units by Value	
Total	40,845
<\$50,000	0.6%
\$50,000 - \$99,999	0.4%
\$100,000 - \$149,999	1.1%
\$150,000 - \$199,999	1.8%
\$200,000 - \$249,999	2.2%
\$250,000 - \$299,999	2.5%
\$300,000 - \$399,999	8.0%
\$400,000 - \$499,999	10.2%
\$500,000 - \$749,999	30.5%
\$750,000 - \$999,999	20.6%
\$1,000,000 +	22.1%
Average Home Value	\$738,244
2020 Owner Occupied Housing Units by Value	
Total	42,638
<\$50,000	0.5%
\$50,000 - \$99,999	0.2%
\$100,000 - \$149,999	0.5%
\$150,000 - \$199,999	1.2%
\$200,000 - \$249,999	1.5%
\$250,000 - \$299,999	1.5%
\$300,000 - \$399,999	4.3%
\$400,000 - \$499,999	7.1%
\$500,000 - \$749,999	29.2%
\$750,000 - \$999,999	28.0%
\$1,000,000 +	25.9%
Average Home Value	\$809,251
arrange nome raise	,,002,222

Data Note: Income represents the preceding year, expressed in current policies. Household in our clinicales wasy and onlary norming, referred dividends, no. 1964. reasons. Soil and werfers payonents, child support, and abropay.

Source: U.S. Census Bureau, Census 2010 Summary Fig. 1. Esti for€casts for 2015 and 2026. Esti converted Careas 2009 data into 2010 geography.



Irvine City, CA 3 Irvine city, CA (0636770) Prepared by Esri

	Irvine city, CA
2010 Population by Age	242.276
Total	212,375
0 - 4	5.7%
5 - 9	6.0%
10 - 14	6.1%
15 - 24	18.1%
25 - 34	15.8%
35 - 44	15.6%
45 - 54	14.0%
55 - 64	10.1%
65 - 74	5.1%
75 - 84	2.5%
85 +	1.1%
18 +	78.5%
2015 Population by Age	
Total	232,629
0 - 4	5.3%
5 - 9	5.7%
10 - 14	6.0%
15 - 24	17.2%
25 - 34	16.3%
35 - 44	14.3%
45 - 54	13.8%
55 - 64	10.9%
65 - 74	6.5%
75 - 84	2.8%
85 +	1.3%
18 +	79.7%
2020 Population by Age	
Total	249,155
0 - 4	5.3%
5 - 9	5.4%
10 - 14	5.6%
15 - 24	15.8%
25 - 34	17.3%
35 - 44	14.6%
45 - 54	12.9%
55 - 64	11.0%
65 - 74	7.3%
75 - 84	3.4%
85 +	1.3%
18 +	80,4%
2010 Population by Sex	
Males	103,434
Females	108,941
2015 Population by Sex	100/211
Males	113,450
	119,179
Females	115,179
2020 Population by Sex	121,510
Males	127,645
Females	127,643

Source: J.S. Census dureau, Census 2010 Summary File 1, Earl Forecasts for 2015 and 2026. Earl converted Census 2000 data into 2010 geography.



Irvine City, CA 3 Irvine city, CA (0636770) Place Prepared by Esri

Place	
3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3	Irvine city, CA
2010 Population by Race/Ethnicity	212,375
Total	50.5%
White Alone	1,8%
Black Alone	0.2%
American Indian Alone	39.2%
Asian Alone	0.2%
Pacific Islander Alone	2.8%
Some Other Race Alone	5.5%
Two or More Races	9.2%
Hispanic Origin	
Diversity Index	66.0
2015 Population by Race/Ethnicity	222 620
Total	232,629
White Alone	47.6%
Black Alone	2.0%
American Indian Alone	0.2%
Asian Alone	41.1%
Pacific Islander Alone	0.2%
Some Other Race Alone	3.0%
Two or More Races	5.9%
Hispanic Origin	10.1%
Diversity Index	67.5
2020 Population by Race/Ethnicity	
Total	249,155
White Alone	44.3%
Black Alone	2.1%
American Indian Alone	0.2%
Asian Alone	43.9%
Pacific Islander Alone	0.2%
Some Other Race Alone	3.2%
Two or More Races	6.1%
Hispanic Origin	10.7%
Diversity Index	68.5
2010 Population by Relationship and Household Type	
Total	212,375
In Households	96.9%
In Family Households	77.2%
Householder	24.2%
Spouse	19.3%
Child	28.0%
Other relative	4.3%
Nonrelative	1.4%
In Nonfamily Households	19.7%
In Group Quarters	3.1%
Institutionalized Population	0.3%
	2.8%
Noninstitutionalized Population	2.0 70

Data Note: Persons of Hispanis, Origin may be at any race. The Diversity Index measures to a probability that two people from the same area will be from different cate/

Source: U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2015 and 2010. Esri converted Census 2000 data into 2010 geography.



# Mar 🗽 Profile

Irvine City, CA 3 Irvine city, CA (0636770) Place

Prepared by Esri

	Irvine city, CA
2015 Population 25+ by Educational Attainment	1 See 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
Total	153,094
Less than 9th Grade	1.7%
9th - 12th Grade, No Diploma	1.7%
High School Graduate	8.1%
GED/Alternative Credential	0.8%
Some College, No Degree	15.7%
Associate Degree	7.0%
Bachelor's Degree	36.8%
Graduate/Professional Degree	28.3%
2015 Population 15+ by Marital Status	
Total	193,142
Never Married	37.6%
Married	51.3%
Widowed	2.9%
Divorced	8.2%
2015 Civilian Population 16+ in Labor Force	
Civillan Employed	95.1%
Civillan Unemployed	4.9%
2015 Employed Population 16+ by Industry	
Total	115,096
Agriculture/Mining	0.3%
Construction	2.8%
Manufacturing	13.1%
Wholesale Trade	3.1%
Retail Trade	8.9%
Transportation/Utilities	2.2%
Information	2.8%
Finance/Insurance/Real Estate	11.2%
Services	53.1%
Public Administration	2.5%
2015 Employed Population 16+ by Occupation	
Total	115,094
White Collar	84.2%
Management/Business/Financial	25.0%
Professional	35.0%
Sales	12.4%
Administrative Support	11.8%
Services	9.1%
Blue Collar	6.7%
Farming/Forestry/Fishing	0.1%
Construction/Extraction	1.3%
Installation/Maintenance/Repair	1.6%
Production	2.2%
Transportation/Material Moving	1.6%

Source: U.S. Census Bureau, Census 2010 Summary File 1. Esn forecasts for 2015 and 2020. Esnl converted Census 2000 data into 2010 geography.



Irvine City, CA 3 Irvine city, CA (0636770) Place Prepared by Esri

race	
	Irvine city, CA
2010 Households by Type	
Total	78,978
Households with 1 Person	23.4%
Households with 2+ People	76.6%
Family Households	65.1%
Husband-wife Families	51.8%
With Related Children	26.9%
Other Family (No Spouse Present)	13.3%
Other Family with Male Householder	3.8%
With Related Children	1.6%
Other Family with Female Householder	9.6%
With Related Children	5.1%
Nonfamily Households	11.5%
All Households with Children	33.8%
Multigenerational Households	3.2%
Unmarried Partner Households	4.7%
Male-female	4.1%
Same-sex	0.6%
2010 Households by Size	
Total	78,978
1 Person Household	23.4%
2 Person Household	31.4%
3 Person Household	18.7%
4 Person Household	18.0%
5 Person Household	5.8%
6 Person Household	1.9%
7 + Person Household	0.8%
2010 Households by Tenure and Mortgage Status	
Total	78,978
Owner Occupied	50.2%
Owned with a Mortgage/Loan	41.7%
Owned Free and Clear	8.5%
Renter Occupied	49.8%

Data Note: How enolds were children include any house halos with people inversion. Its, colored or not. Multigenerational houses class or surface the notes there is another needed to the households are usually classified as something noundations there is another needed to the household related could be usually classified as something noundations. However, multigenerational and compared to partner households are reported only to the brait level, but estimated clock group data, which is used to exercise polygons or non-standard get draphy.

Source: U.S. Census Bureau, Census 2010 Summary File 1. Earl forecasts for 2015 and 2020. Earl converted Census 2000 data into 2010 geography.



# Mai \_c Profile

Irvine City, CA 3 Irvine city, CA (0636770) Place

Prepared by Esri

Top 3 Tapestry Segments	Irvine city, CA
1.	Enterprising Professionals
2.	Boomburbs (1C)
3.	Metro Renters (3B)
2015 Consumer Spending	riedo Renteis (3b)
Apparel & Services: Total \$	+220 207 070
Average Spent	\$338,297,070
Spending Potential Index	\$3,902.38
Computers & Accessories: Total \$	169
Average Spent	\$39,320,721
Spending Potential Index	\$453.58
Education: Total \$	178
Average Spent	\$245,905,581
Spending Potential Index	\$2,836.61
Entertalnment/Recreation: Total \$	186
Average Spent	\$467,073,822
Spending Potential Index	\$5,387.86
Food at Home: Total \$	163
Average Spent	\$718,089,061
Spending Potential Index	\$8,283.41
Food Away from Home: Total \$	159
Average Spent	\$480,338,091
Spending Potential Index	\$5,540.87
Health Care: Total \$	169
Average Spent	\$613,229,963
Spending Potential Index	\$7,073.83
HH Furnishings & Equipment: Total \$	149
Average Spent	\$262,765,127
Spending Potential Index	\$3,031.09 165
Investments: Total \$	
Average Spent	\$433,152,608
Spending Potential Index	\$4,996.57 181
Retail Goods: Total \$	\$3,501,373,376
Average Spent	\$40,389.59
Spending Potential Index	158
Shelter: Total \$	\$2,439,114,172
Average Spent	\$28,136.05
Spending Potential Index	171
TV/Video/Audio: Total \$	\$178,292,114
Average Spent	\$2,056,66
Spending Potential Index	157
Travel: Total \$	\$291,630,303
Average Spent	\$3,364.06
Spending Potential Index	\$5,364.00 172
Vehicle Maintenance & Repairs: Total \$	\$157,335,385
Average Spent	\$1,814.92
Spending Potential Index	163
Spending totalistat ander	103

Data Note: Consumer spending shows the amount spent on a variety of goods and services by households that regide in the area. Expenditures are shown by broad budget categories that are not mutually exclusive. Consumer spending does not onual Business revenue. Total and Average Amount Spend For Household represent annual figures. The Spending Potential Index represents the amount spent in the area relative to a national average of 190.

Source: Consumer Spending data are derived from the 2011 and 2012 Consumer Expenditure Surveys, Bureau of Labor Statistics. Ps. I.

Source: U.S. Consus Bureau, Census 2010 Summary File 1. Earn forecasts for 2015 and 2020, Earn converted Census 2000 data into 2010 geography.

2014. However, box office revenues increased by over a third in  ${\rm China}^{22}$  and set a new record last year in  ${\rm Japan}.^{23}$ 

Total home entertainment spending fell by 1.8% from \$18.1 billion in 2013 to \$17.8 billion in 2014. Spending has been more or less flat over the last three years. However, strong revenue gains occurred in electronic sell-through (consumers pay a one-time fee to download a media file) and subscription streaming, while other categories such as rentals (excluding video on demand) declined.<sup>24</sup>

Having enacted California Film Tax Credit in 2009, the California legislature expanded the program in 2014, tripling the amount to \$330 million annually. This bill is aimed at reversing runaway film production by offering more incentives to studios to keep production in California. The increase in filming locally is expected to create or retain jobs in the state and is expected to pay for itself in that the credits will lead to increased tax revenues to state and local government over and above the credits themselves.

# REAL ESTATE AND CONSTRUCTION

# Residential Real Estate

Although 2014 proved to be a disappointing year for Southern California's housing market, there are reasons to feel more optimistic about 2015. Housing market indicators that are on a firmer foundation include:

- Stronger job growth which has increased the number of potential qualified buyers
- Improving inventories (if only slowly)
- Lowest foreclosure resale rate since 2007
- Mortgage interest rates near historic lows, with only a modest increase expected later this year
- Mortgage lending standards that are starting to ease

What is holding the housing market back from making a full recovery this year? Southern California home sales in 2014 declined by 8.7% compared with 2013. As of December, sales throughout the five-county region had fallen on a year-over-year basis for 15 consecutive months. Institutional investors have largely withdrawn from the housing market, but traditional first-time buyers have not returned in sufficient numbers to fill the void. While mortgage lending standards have eased, they remain restrictive. Only a relatively small group of potential buyers with strong credit scores and big down

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<sup>&</sup>lt;sup>22</sup> http://www.latimes.com/world/asia/la-et-ct-china-box-office-revenues-surge-2014-20150105-story.html

<sup>23</sup> http://www.eiren.org/statistics\_e/index.html

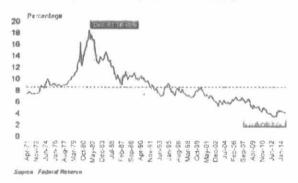
<sup>&</sup>lt;sup>24</sup> The Digital Entertainment Group, 2014 Year-End Home Entertainment Report

payments are able to get financing. There are some encouraging signs, however. Mortgage applications, a leading indicator of future home sales fell to their lowest level 14 years in the fall of 2014, but surged higher after the first of the year, posting the largest weekly gain during the first week of January since November 2008. Moreover, the first cohort of homeowners whose credit was impaired by foreclosures during the housing crisis will be able to qualify for a new home loan this year – it generally takes seven years to rebuild credit after a foreclosure – potentially boosting market activity.

Another roadblock is the sharp rebound in home prices, which have outpaced improvements in the labor market, particularly wage growth. Affordability is still good compared with historic norms, but many potential buyers have already been priced out of the market. In 2014, the median price of an existing single family home in California climbed by 9.8% over the year to \$447,010. Many new and young households either cannot afford to buy (even with today's exceptionally low interest rates) or cannot qualify for a mortgage loan. Disappointingly, surveys have shown that there is a great deal of confusion and misperception regarding mortgage loans among the public. Within the pool of qualified buyers, many do not even apply for a mortgage loan because they think the process is too expensive and time consuming, or they do not believe they can get a loan.

# Mortgage Interest Rates

30-year Fixed Rate, Conventional Mortgage



At the same time, rents are soaring even faster than home prices (and income) in many parts of the country. In the Los Angeles metro area, the share of income needed make the monthly mortgage payment on a median priced home was 40.8% (third quarter, 2014). It was even higher for first-time homebuyers (50.7%) because they tend to make smaller down payments. The share of income needed to afford median rent in Los Angeles was 47.9%, the highest of any large metro area in the country. With more income needed for rent, many households cannot save for a down payment on a home. Additionally, since households spend the largest share of their average annual

LAEDC Kyser Center for Economic Research

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Economic Forecast, February 2015

<sup>&</sup>lt;sup>25</sup> "Renting is Twice as Expensive as Buying", Garrison, Trey. Zillow.com (December, 9, 2014)

expenditures on housing, increases in housing expenditures can have a detrimental effect on other areas of consumer spending like clothing, entertainment, medical care or even food.

A sustained housing market recovery also requires rising rates of household formation and homeownership. Job growth has improved to the point where household formations are on the upswing. In 2013, household formations picked up to nearly 1.4 million. In 2014, the number of new households dropped back to the long-run average of 1.2 million, but is projected to increase to 1.5 million in 2015.

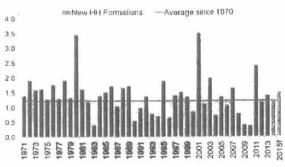
Rates of homeownership on the other hand have not recovered. Homeownership peaked at 69.0% nationally in 2004 and has been declining ever since, falling to 64.3% in the third quarter of 2014. In California, homeownership peaked later, in 2006 at 60.2% and has also been on a trend decline. In 2013, the homeownership rate in California dropped to 54.3%, the lowest rate since 1987. One reason for the decline is the slow pace of wage and salary growth since the end of the recession homeownership tends to rise with income. another reason may be that homeownership rates during peak years were unsustainable because of the easy lending practices that prevailed at the time. which enabled less-than-qualified households to become homeowners, many of whom subsequently lost their homes during the housing meltdown and recession.

Attitudes toward homeownership are also less favorable than they have been in the past, especially among younger households. Yet, the perception that there has been long-term shift in preferences of renting versus owning a home is probably premature. Given the challenging job market, slow wage growth and high levels of student debt, many young families are likely to remain renters for longer than in the past, but a number of surveys have shown that most young families (and an increasing number of singles) still aspire to own a home.

Apariments: The apartment market has been strong for several years. Demand for rental units shows no sign of slowing. Vacancy rates are low

# U.S. Household Formation

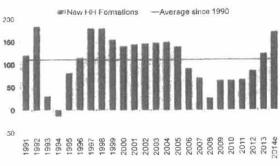
Annual change number of households, millions



Source: U.S. Census Bureau, Walls Fargo Economics Group

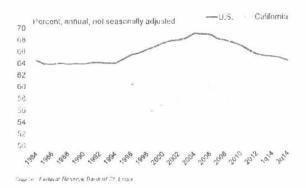
# **California Household Formation**

Annual change number of households, thousands



Scurce, HIS Global Insight

# Homeownership rates are declining in the U.S. and California



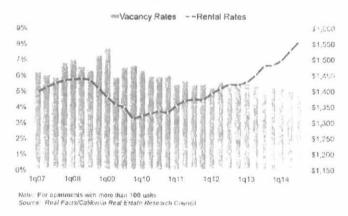
Economic Forecast, February 2015

and rental rates continue to rise. In spite of the local flurry of new apartment construction, supply has not kept up with demand, especially in the market for more affordable units.

A number of economic and demographic factors are driving demand for apartment rentals. Stronger job growth has enabled more young people to form separate households and many are choosing to rent. In some cases, the decision to rent is due to preference, but other factors such as student loan debt may also influence this decision. The difficulty of qualifying for a mortgage loan or coming up with a down payment have also pushed many would-be buyers to the rental market. Additionally, as enrollment at the nation's colleges and universities has increased, so has demand for student rental housing. At the other end of the age spectrum, longer life expectancy and better health are swelling demand for senior housing. It is not yet clear how many aging baby-boomers will opt to remain in the family home versus downsizing to a condo or apartment.

Since the end of the recession, multi-family has been the most active area of new residential construction and is set to rise at an even faster rate in the coming years. The increasing ratio of multi- to single-family new home construction is clearly visible in many metro areas in California. So far improvement in underlying fundamentals (employment and income growth, household formation) suggest that current demand can absorb supply but rising rental rates have made affordability an issue. Looking ahead, as more apartment units become available, the added supply will push vacancy rates higher and check the rate at which rental rates have been rising.

# Apartment rents soar as vacancy rates decline in Southern California

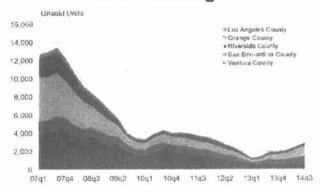


Unsold Inventories of Homes: Inventories of homes for sale have improved marginally from the exceptionally low levels seen last year. According to the California Association of Realtors, the unsold inventory of existing single-family homes in California represented a 3.3-month supply in December. This was up from a 3.0-month supply in December 2013. In a balanced market, a seven-month supply is the norm for California. Locally, inventories ranged from a low of 3.1 months in Orange County to a high of 4.7 months in Riverside County.

Inventories of unsold new homes are also lean, but have been on the rise across most of the region. In Los Angeles County, the inventory of new unsold housing declined by 6.2% to 618 units, during the third quarter of 2014 compared with the same period in 2013. The number of unsold homes plunged during the final months of 2013 (to 563 units) but rose on a quarter-to-quarter basis in 2014. Inventories in Orange County were up by 90.2% (793 units) during the third quarter of 2014 compared with year ago levels. In the Inland Empire, unsold inventories in Riverside County jumped by 119.2% (1,129 units) and in San Bernardino County, by 30.9% (342 units). In Ventura County the unsold new home inventory was up by 10.9% (102 units).

Why are inventories so low? On the existing home front, the foreclosure pipeline has slowed to a trickle, investors are holding rather than flipping, and many would-be owner-occupant sellers still have insufficient equity to trade up. On the new home side, there has been little new construction other than apartments for the last several years. While these conditions have limited supply, this situation will improve as uncertainty about the future direction of the housing market lessens.

# Southern California Unsold New Housing



Source: California Real Estate Research Council

New Home Construction: New home construction is slowly coming back, but the pace has been disappointing. Part of the problem has been a lack of construction and development lending. The lending environment is improving, but the time it takes to develop new residential land is lengthy in California and the supply of available land is limited throughout much of the region. New multi-family housing, the one bright spot in residential construction is expected to begin shifting from apartments to townhouses and condominiums as older Millennials enter their mid-thirties, begin to have families and look to buy a home.

Permits for new home construction in Southern California increased moderately in 2014, rising by 2.6% to 38,800 units. Since bottoming out in 2009 at 14,942 total units permitted, housing permits have rebounded by nearly 160%. Even so, permit levels remain a fraction of the peak of 91,556 units reached in 2004.

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The LAEDC forecasts that homebuilders will pull permits for 46,300 units in the Los Angeles five-county region this year, an increase of 19.3% compared with 2014. New home construction is expected continue on much the same trajectory in 2016 with a projected increase of 17.1% to 54,200 units permitted. In addition rising home prices, employment, income and population growth will drive new home construction. This is likely to be a process that will stretch out over many years.

Conclusion: Southern California's housing market is on the mend. Although the pace so far has been too slow to provide much of a boost to sales of existing homes or new home construction, conditions will improve this year and show more pronounced gains in 2016.

Increases in median home prices moderated significantly over the course of 2014 – a sign the housing market is moving back to a more balanced position. While support for existing home sales has shifted away from investor purchases and back to traditional buyers, stronger job and wage growth is needed to support housing demand and price appreciation. The decline in sales over the course of 2014 may be a reflection of the market adjusting to this shift.

Further improvement this year and next will depend in large part on progress in the rest of the economy, including the housing credit market. As price increases continue to moderate, Southern California's housing market will rely more on job and income growth to support housing demand and prices.

Table 22: Median Existing Single-Family Home Prices

Year	L.A. County	Orange County	Inland Empire	Ventura County
2004	435,954	642,577	295,173	599,282
2005	517,853	706,555	364,407	668,138
2006	577,147	732,517	383,580	685,957
2007	589,166	727.570	367,248	673,940
2008	382,714	540,650	230,710	463,560
2009	299,268	505,589	161,114	416,770
2010	323,290	546,385	179,268	442,820
2011	307,660	512,500	172,280	418,270
2012	327,470	542,700	189,300	427,000
2013	405,630	651,640	241,410	516,470
2014	449.510	687,930	273.890	573,560

Year	L.A. County	Orange County	Inland Empire	Ventura County
2004	25.1%	31.6%	35.4%	29.6%
2005	18.8%	10.0%	23,5%	11.5%
2006	11.4%	3.7%	5,3%	2.7%
2007	2.1%	-0.7%	-4,3%	-1.8%
2008	-35.0%	-25.7%	-37.2%	-31.2%
2009	-21.8%	-6.5%	-30.2%	-10.1%
2010	8.0%	8.1%	11.3%	6.3%
2011	4.8%	-6.2%	-3.9%	-5.5%
2012	6.4%	5.9%	9.9%	2.1%
2013	23.9%	20.1%	27,5%	21.0%
2014	10.8%	5.6%	13.5%	11.1%

Source California Association of Realtors

Table 23: Total Housing Permits

Year	L.A. County	Orange County	Inland Empire	Ventura County	LA-5
2004	26.935	9.322	52,696	2,603	91.556
2005	25,647	7,206	50,818	4,516	88.187
2006	26,348	8,371	39,083	2,461	76,263
2007	20,363	7,072	20,457	1.847	49,739
2008	13,704	3,159	9,101	842	26,806
2009	5,653	2,200	6,685	404	14,942
2010	7.468	3,091	6,269	590	17,418
2011	10,403	4,807	5,214	640	21,064
2012	10,709	6,862	6,034	410	24,015
2013	16.850	10,453	9,456	1.048	37,807
2014e	18,000	10.100	9,700	1,000	38,800
2015f	20,700	11,400	12,900	1,300	46,300
2016f	24,300	12,400	15,900	1,600	54,200

% Annual Change L.A. County Empire 22.5% 18.5% 2004 26,4% 0.1% 2005 4.8% -22.7% -3.6% 73.5% -3.7% -13.5% 2.7% 16.2% -23.1% 45.5% 2006 2007 -22.7% -15.5% 47,7% -24.9% -34.8% 2008 -32.7% -55,3% -55.5% -54.4% -46,1% -26.5% -52,0% 44.3% 2009 -58.7% -30,4% 16.6% 40.5% -6.2% 46.0% 2010 32.1% 2011 39.3% 55,5% -16.8% 8.5% 20.9% 2012 2.9% 42,8% 15.7% -35.9% 14.0% 57.4% 2013 57.3% 52.3% 56.7% 155.6% 2014e 2.6% 4.6% 2.6% 6.8% -3.4% 2015f 15.0% 12.9% 33.0% 30.0% 19,3% 23.3% 17.1% 2016f 17.4% 8.8% 23.1%

Sources: Construction Industry Research Board, California Homebuilding Foundation; forecasts by LAEDC

November 3, 2015

Irvine Company
550 Newport Center Drive
Newport Beach, California 92660

Attention:

Mr. Jamie Yoshida

Subject:

Cypress East Phase II (AQ Site)

Irvine, California Exterior Noise Analysis VA Project # 4214-053

Dear Mr. Yoshida:

Veneklasen Associates (VA) has completed our acoustical review of the Cypress East Phase II Development Site located in Irvine, California. This report represents the results of our findings.

#### 1.0 INTRODUCTION

This study was conducted to determine the impact of the exterior noise sources on the Cypress East Phase II Residential Development Site. VA's scope of work included calculating the exterior noise levels impacting the site based on the information available from the City, determining the method, if any, required to lower the exterior sound levels to meet the applicable code requirements. The results of VA's analysis are presented in this report.

The project site consists of a 26.3 acre site which will be developed to include approximately 242 residential units. The project site is bounded by SR-133 to the west, marine way to the south, the proposed Ridge Valley Road to the east, and a future residential development to the north.

#### 2.0 NOISE CRITERIA

CNEL is the 24-hour equivalent sound pressure level in which the nighttime noise levels, occurring between the hours of 10 pm and 7 am, are weighted by adding 10 dB of sound level to the measured hourly average, and 5 dB for the hours between 7pm and 10pm. Since this is a 24 hour metric, single event noise levels (truck pass-bye, bus, trains, etc.) are smoothed over the time frame meaning that the single event noise levels are not as prominent in the analysis.

Leq (equivalent continuous sound level) is defined as the steady sound pressure level which, over a given period of time, has the same total energy as the actual fluctuating noise.

#### 2.1 State of California Building Code and City of Irvine Noise Element

The exterior noise standard for the City of Irvine is 65 CNEL. Balconies are exempt from this standard but developers are required to provide disclosure notices to tenants regarding potential noise impacts.

The State of California Building Code (Part 2, Title 24, CCR, Appendix 12, "Sound Transmission Control") and the City of Irvine Noise Element state that *interior CNEL* values for residential land uses are not to exceed 45 CNEL in any habitable room.

If the windows must be closed to meet an interior level of 45 CNEL, then a mechanical ventilating system or other means of natural ventilation shall be provided.

#### 3.0 EXTERIOR NOISE ENVIRONMENT

# 3.1 Computer Modeling

VA has utilized the Traffic Noise Model (TNM 2.5) computer software program in order to predict vehicular noise levels at various locations. The primary purpose of the computer model was to determine how the noise environment will change due to traffic and site changes. Modeling was based on the Cypress East Phase II Site Study, dated August 7, 2015.

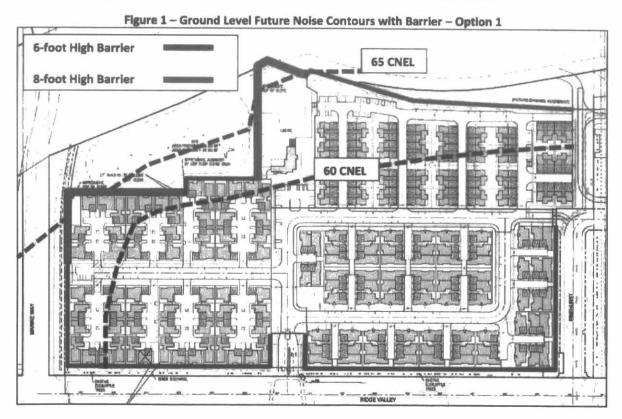
Future traffic conditions were obtained from the City of Irvine Transportation Department. Information on truck mix was not available and VA made assumptions based on roadway classification. The modeled traffic information is shown in Table 1, below.

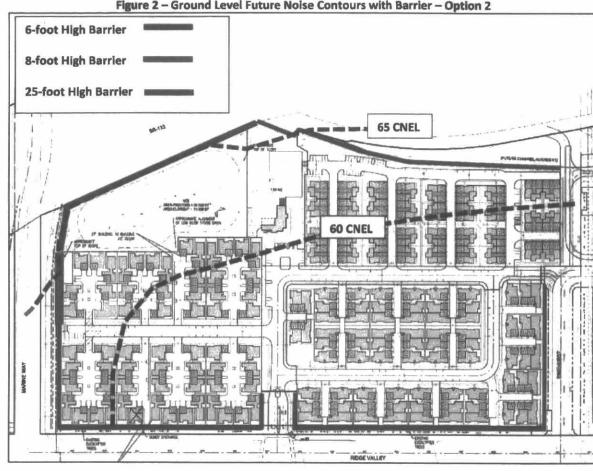
Table 1 - Future Traffic Information (Year 2035)

Roadway	ADT	Speed	Truck Mix			
Modernay	ADI	Speed	% Medium	% Heavy		
SR-133	85,000	65 mph	1.5	1.5		
I-5	241,600	65 mph	1.5	1.5		
O Street (Ridge Valley)	10,300	25 mph	1	1		
Ramp (I-5 SB to SR-133 NB)	18,100	45 mph	1.5	1.5		
Marine Way	37,400	35 mph	1	1		

#### 3.2 Future Noise Contours

Figures 1 and 2 show the 2 wall options for meeting the City's 65 CNEL noise goal at all lot locations. The figure also shows the ground level noise contours for these configurations.





#### Figure 2 - Ground Level Future Noise Contours with Barrier - Option 2

#### 4.0 CONCLUSIONS

The following is a summary of the conclusions within this report.

- With either of the proposed barrier options shown in Figures 1 and 2, the ground level noise impacts to all lot locations will be less than 65 CNEL.
- No further mitigation is required to satisfy the City of Irvine exterior noise requirements.
- An independent acoustical analysis will need to be performed for the building exterior façade when the plans of the buildings are further developed. That study will need to be submitted to the City of Irvine to show compliance with the California State Building Code and City of Irvine interior noise requirements.

Various noise mitigation methods may be utilized to satisfy the noise criteria described in this report. Alteration of mitigation methods that deviate from requirements should be reviewed by the acoustical consultant.

Sincerely,

Veneklasen Associates, Inc.

John LoVerde Principal

# Health Impact Assessment Checklist - Planning Area 40, Age-Qualified Site (00670179-PCPU)

	Yes	No	Maybe	Notes
Density: Does the project involve residential components that are built at an average density greater than seven units per acre of buildable land available for residential use?	X			Overall project has a density of 7.65 dwelling units per net acre.
Access to Transit: Is regularly scheduled transit service available within one-half mile of all residential and employment areas?			Х	Nearest bus stop is 2.3 miles northwest of project site on Jeffrey Road. Transit service may be extended in the future as the Great Park continues to develop.
Physical activity: Is the project located within 1/4 mile of a neighborhood park, trail, or open space?	X			One private neighborhood park within project boundaries. Project is also located adjacent to the Orange County Great Park.
Housing Affordability: Does the project include a mix of housing affordability levels?	Х			Affordable housing requirements met through the application of credits established within the Northern Sphere and Planning Area 39 Master Affordable Housing Plans.
5. <b>Water quality:</b> Is the project site designed to fully treat water runoff on-site before discharge into the public storm drain system?	Х			Complies with MS4 permit.
6. Food: Are there supermarkets or fruit and vegetable stores located within a mile of the project site?			Х	Ralphs at Woodbury Town Center is located northwest of the project site approximately 2.5 miles away. Weekly farmers market held in adjacent Orange County Great Park on Sunday.
7. <b>Design:</b> Is the project design in character with the surrounding neighborhood?	Х			Refer to project plans.
8. <b>Circulation:</b> Does the project adequately account for safe circulation patterns, including separation of pedestrian and vehicular traffic?	Х			Pedestrian sidewalks provided along all vehicular streets. Traffic circulation and access have been analyzed through traffic study.
Access to Medical Services: Is the project located within one mile of a hospital or medical office complex?		Х		Hoag Heath Center (2.5 miles away in Woodbury Town Center) and multiple medical office buildings in Planning Area 31 (approximately 3.5 miles away).
Mixed Use: Does the project include accessory retail or other non-residential use?		Х		No accessory retail or other non-residential uses proposed.

11. <u>Safety:</u> Is the project designed with windows overlooking public spaces?	Х		Refer to project plans.
12. <b>Connectivity:</b> Does the project include linkages to public sidewalks?	Х		Direct connections to Ridge Valley, Marine Way, and Pinehurst are provided.
13. <b>Recycling:</b> Does the project provide for onsite recycling facilities for different types of waste materials?	Х		Separate recycling bins are provided for each unit.
14. <b>Energy Efficiency:</b> Is the project designed to meet criteria for third party certification such as Build-It Green or LEED?	Х		Project will comply with Title 24 standards.
15. Water Conservation: Does the project include water efficient landscaping and plumbing fixtures?	Х		Project will comply with Title 24 standards.
16. Noise: Is the project located within 1,000 feet of specific noise generating uses?	Х		Community sound wall will be constructed along western boundary to mitigate noise impacts from SR-133.
17. Proximity to Hazardous Materials: Is the project site located within 1,000 feet of hazardous materials as identified by the Orange County Fire Authority?		Х	No hazardous materials identified within 1,000 feet of project site.
18. Air Quality: Is the project located within 1,000 feet of specific air toxics generating uses as identified in the AQMD FIND database?		Х	No specific air toxics generating uses identified within 1,000 feet of project site.
19. Odors: Is the project located within 1,000 feet of specific odor generating uses?		Х	No specific odor generating uses identified within 1,000 feet of project site.
20. <b>Traffic:</b> Is the project located within 1,000 feet of uses with traffic levels above and beyond normal traffic patterns for the neighborhood?		Х	Traffic study confirmed this conclusion.

City of Irvine Department of Community Dev pment P.O. Box 19575 Irvine, CA 92623-9575





# SUBSEQUENT ACTIVITY UNDER A PROGRAM EIR (This is not an Initial Study)

# PLANNNG AREA 40 EAST EAST - AGE-QUALIFIED SITE

# **SECTION I. PROJECT INFORMATION**

PROJECT TITLE AND NUMBER(S): Vesting Tentative Tract Map (VTTM) 17996 (00662606-PTT), Condition Use Permit (00670179-PCPU), and Park Plan (00662863-PPP)
PROGRAM EIR NAME: Planning Areas 12/40 General Plan Amendment and Zone Change Final Environmental Impact Report EIR CLEARINGHOUSE NUMBER: SCH# 200071014
PROJECT APPLICANT: Stantec on behalf of Irvine Company Community Development
PROJECT LOCATION (SPECIFIED): This vesting tentative tract map covers the southern portion of District 3 Planning Area 40, Cypress Village (also referred to as "Planning Area 40 East East") and is generally bounded to State Route 133 (SR-133) to the west, Marine Way to the south, Ridge Valley and the Orange County Great Part to the east, and Pinehurst and future Cypress Village neighborhoods to the north.
PROJECT LOCATION (CITY): Irvine  PROJECT LOCATION (COUNTY): Orange
PROJECT DESCRIPTION: Vesting Tentative Tract Map (VTTM) 17996, a Conditional Use Permit (CUP), and a Pair Plan for the development of up to 243 attached and detached residential condominium units and a private park of 32.09 gross acres within District 3 of Planning Area 40 (Cypress Village). The proposed project is a gated, market rate age-qualified community for homebuyers over the age of 55.
GENERAL PLAN LAND USE DESIGNATION: The General Plan Designation for this portion of Planning Area 40 is Multi-Use.
ZONING DESIGNATION OF SITE: The Zoning Designation for this portion of Planning Area 40 is Multi-Use 3.1H.
PREPARED BY: Stephanie Roxas, Associate Planner  DATE: November 1, 2016
APPROVED BY: DATE:

# SECTION II: PROGRAM EIR CHECKLIST

In accordance with Section 15168c of the CEQA Guidelines, the following checklist ensures that all project-related impacts have been addressed in the Program EIR. Mitigation measures identified in the Program EIR are listed for each project-related impact.

			Project related impact	EIR	Impact DOES require mitIgation through EIR analysis**	Assigned mitigation measures
1.	AE	ESTHETICS. Will the proposal:				
	Α.	Have a substantial adverse effect on a scenic vista?	Yes / No	X		
	B.	Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	Yes / No		X	15, 16
	С	Substantially degrade the existing visual character or quality of the site and its surroundings?	Yes / No	×		
	D	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area	Yes / No		X	2, 3, 4, 5
2.	AC	GRICULTURE. Will the proposal:				
	Α.	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?	Yes / <u>No</u>	×		
	В.	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	Yes / No	X		
	C	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to Non-agricultural use?	Yes / <u>No</u>	X		

			Project related impact	EIR	Impact DOES require mitigation through EIR analysis**	Assigned mitigation measures
3.	All	R RESOURCES. Will the proposal:				
•	Α	Conflict with or obstruct implementation of the applicable air quality plan?	<u>Yes</u> / No	)	X	SOC, 7, 8, 9, 10, 11, 12
	B.	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<u>Yes</u> / No	)	X	SOC, 7, 8, 9, 10, 11, 12
	С	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)?	<u>Yes</u> / No	0	X	SOC, 7, 8, 9, 10, 11, 12
1	D	Exposure of sensitive receptors to substantial pollutant concentrations?				
			Yes / <u>No</u>	<u>X</u>		-
I	Ε.	The creation of objectionable odors?	Yes / <u>N</u>	2 X		
4.	BIC	DLOGICAL RESOURCES. Will the proposal:				
,	Α	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 Services?	Yes / <u>N</u> o	<u>2</u> X		
1	В.	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 Services?	Yes / <u>N</u>	<u>X</u>		
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		Project related impact	Impact DOES NOT require mitigation through EIR analysis	Impact DOES require mitigation through EIR analysis**	Assigned mitigation measures
	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?	Yes / <u>No</u>	X		
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?	Yes / <u>No</u>	X		
E.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Yes / <u>No</u>	X		
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?	Yes / <u>No</u>	X		
	ULTURAL/SCIENTIFIC RESOURCES. Will the oposal:				
Α	Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	Yes / <u>No</u>	X		
В	Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	Yes / <u>No</u>	X		
C	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Yes / <u>No</u>	X		
D	Disturb any human remains, including those interred outside of formal cemeteries?			X	17, 18
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			Project related impact	Impact DOES NOT require mitigation through EIR analysis	Impact DOES require mitigation through EIR analysis**	Assigned mitigation measures
6,		GEOLOGY AND SOILS. Will the proposal:				
,	Α	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
		i. 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.	Yes / <u>No</u>	X		
		ii. Strong seismic ground shaking?	·			20, 21,22,
			<u>Yes</u> / No		X	23, 24
		iii. Seismic-related ground failure, including liquefaction?	<u>Yes</u> / No		X	20, 21,22, 23, 24
		iv. Landslides?				20, 21,22,
			<u>Yes</u> / No	<del></del>	X	23, 24
	B.	Result in substantial soil erosion or loss of topsoil?	<u>Yes</u> / No		X	19, 20
	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?	<u>Yes</u> / No		X	20, 21,22, 23, 24
	D.	Be located on expansive soil, as defined in Table 18- 1-B of the Uniform Building Code (2007), creating substantial risks to life or property?	Yes / No		X	20, 21,22,

			Project related impact	Impact DOES NOT require mitigation through EIR analysis	Impact DOES require mitigation through EIR analysis**	Assigned mitigation measures
	E.	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	Yes / No		X	26, 27, 28, 29, 30, 32, 35
7.		GREEN HOUSE GAS EMISSIONS. Will the proposal:				
	A.	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environments?	<u>Yes</u> / No		X	96, 97, 98, 99
	B.	Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emission of greenhouse gases?	<u>Yes</u> / No		X	96, 97, 98, 99
8.		HAZARDS AND HAZARDOUS MATERIALS. Will the proposal:				
	A.	Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	Yes / <u>No</u>	X		
	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?	Yes / <u>No</u>	×		
	C.	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	Yes / <u>No</u>	×		
	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?	Yes / <u>No</u>	X		,
		GHAILOITHIGHT.	1 62 \ 140			-

		Project related impact	Impact DOES NOT require mitigation through EIR analysis	Impact DOES require mitigation through EIR analysis**	Assigned mitigation measures
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 a project area?	Yes / <u>No</u>	X		
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?	Yes / <u>No</u>	X		
G.	Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	Yes / <u>No</u>	X	***	
H.	Expose people or structures to a significant risk of loss, injury or death involving wildfires, including where wildlands are adjacent to urbanized areas or where residents are intermixed with wildlands?	Yes / <u>No</u>	X		
9. <b>HYDI</b>	ROLOGY AND WATER QUALITY. Would the project:				
A.	Violate any water quality standards or waste discharge requirements?	Yes / <u>No</u>	X		
B.	Substantially deplete groundwater supplies or substantially interfere with groundwater recharge such that there would be a net deficient 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)?	Yes / <u>No</u>	X		-
C.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a matter which would result in substantial erosion or siltation on- or off-site?				
		Yes / <u>No</u>	X		
		·			
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			Project related impact	Impact DOES NOT require mitigation through EIR analysis	Impact DOES require mitigation through EIR analysis**	Assigned mitigation measures
	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?	Yes / No		X	36, 37, 38, 39, 42, 43, 44, 45, 46, 47, 48, 49, 50
	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?	Yes / <u>No</u>			
	F.	Otherwise substantially degrade water quality?	Yes / <u>No</u>	Х		
	G.	Place housing within a 100-year flood hazard area as mapped on federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	Yes / <u>No</u>	X		
	H.	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	Yes / <u>No</u>	×		
	1.	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?	Yes / <u>No</u>			
	J.	Inundation by seiche, tsunami, or mudflow?	Yes / <u>No</u>	X		
10.	L	AND USE. Will the proposal:				
	A.	Physically divide an established community?	Yes / <u>No</u>	X	,	
	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?	Yes / <u>No</u>	X		<del></del>

		^		Impact DOES NOT require mitigation	Impact DOES require mitigation	
		•	Project related impact	through EIR analysis	through EIR analysis**	Assigned mitigation measures
	C.	Conflict with any applicable habitat conservation plan or natural community conservation plan?	Yes / <u>No</u>	X	-	
11.	<u>!</u>	MINERAL RESOURCES. Will the proposal:				
	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?	Yes / <u>No</u>	x		
	B.		,			
12.	NO	ISE. Would the project result in:	Yes / <u>No</u>	X		
	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?	<u>Yes</u> / No		X	52, 53, 54, 55, 56, 57, 58, 60, 61
	B.	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	Yes / <u>No</u>	X		
	C.	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<u>Yes</u> / No		X	52, 53, 54, 55, 56, 57, 58, 60, 61
	D.	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<u>Yes</u> / No		X	52, 53, 54, 55, 56, 57, 58, 60, 61
	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?	Yes / <u>No</u>			

Yes / <u>No</u> Yes / <u>No</u> Yes / <u>No</u>	X		
<u></u>	_		
<u></u>	_		-
Yes / <u>No</u>	X	:	
Yes / <u>No</u>	X		****
<u>Yes</u> / No		X	66, 67, 68, 69
Yes / No		X	63, 64, 65
Yes / <u>No</u>	X		
Yes / <u>No</u>	X		
<u>Yes</u> / No		X	70, 71, 72
Y Y	<u>'es</u> / No 'es / <u>No</u> 'es / <u>No</u>	<u>'es</u> / No 'es / <u>No</u> X 'es / <u>No</u> X	<u>'es</u> / No X <u>'es / No X</u> <u>'es / No X</u>

			Project related impact	Impact DOES NOT require mitigation through EIR analysis	Impact DOES require mitigation through EIR analysis**	Assigned mitigation measures
15.	RE	ECREATION. Will the proposal:		<u> </u>	·	
	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?	<u>Yes</u> / No		X	73, 74
	B.	Does the project include recreation facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	Yes / <u>No</u>	X	-	
16.		RANSPORTATION/CIRCULATION ill the proposal:				
	A.	Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trip, the volume to capacity ratio on road, or congestion at intersections)?	. <u>Yes</u> ./ No		X	79, 80, 82, 84, 88, 90, 100, 101
	B.	Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<u>Yes</u> / No		X	79, 80, 82, 84, 88, 90, 100, 101
	C.	Result in a change in air traffic patterns, including either an increase in traffic level or a change in location that results in substantial safety risks?	Yes / <u>No</u>	X		
	D.	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Yes / <u>No</u>	X	4	,
	E.	Result in inadequate emergency access?	Yes / <u>No</u>	X		
	F.	Result in inadequate parking capacity?	Yes / <u>No</u>	X		
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		Project related impact	Impact DOES NOT require mitigation through EIR analysis	Impact DOES require mitigation through EIR analysis**	Assigned mitigation measures
	UTILITIES, SERVICE SYSTEMS AND ENERGY. Vill the proposal:				
A.	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	Yes / <u>No</u>	×		
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?	Yes / <u>No</u>	X		
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?	Yes / <u>No</u>	X		
D.	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<u>Yes</u> / No		X	91, 92, 93
E.	Results 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?	Yes / <u>No</u>	X		
F.	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<u>Yes</u> / No		X	94
G.	Comply with federal, state, and local statutes and regulations related to solid waste?	Yes / <u>No</u>	Х		
H.	Result in wasteful use of fuel or energy?	Yes / <u>No</u>	X		
1.	Abnormally increase demand for existing sources of energy, or require the development of new sources of energy?	<u>Yes</u> / No	X		95
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# SECTION III. APPLICABILITY OF CEQA GUIDELINES SECTIONS 15162 AND 15163

			•	<u>YES</u>	<u>NO</u>
1.	revi	sions	ent changes are proposed in the project which will require important of the EIR due to the involvement of new significant environmental not considered in a EIR on the project.		Х
2,	the qual revis	proje lity w sions	ial changes occur with respect to the circumstances under which ect is undertaken, such as a substantial deterioration in the air where the project will be located, which will require important in the EIR due to the involvement of new significant environmental not covered in the EIR; or		Х
3.	New and		rmation of substantial importance to the project becomes available,	-	
	A.		information was not known and could not have been known at the the EIR was certified as complete or was adopted, and		X
	B.	The	new information shows any of the following:		
		1.	The project will have one or more significant effects not discussed previously in the EIR;		Х
		2.	Significant effects previously examined will be substantially more severe than shown in the EIR;		X
		3.	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; or	-	X
		4.	Mitigation measures or alternatives which were not previously considered in the EIR would substantially lessen one or more significant effects on the environment.		X
			SECTION IV. FINDINGS	YES	<u>NO</u>
1.	Initia		ct has effects that were not examined in the EIR; therefore, and dy needs to be prepared leading to either an EIR or a Negative on.		X
2.	The a no no proje new	X			
and P	olicies	s (PP	signed Mitigation Measures" includes <i>Project Design Features</i> (PDF), and <i>Mitigation Measures</i> (MM). Similar to Mitigation Measures, Fat reduce potential significant impacts of the project.		
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Vesting Tentative Tract Map (VTTM) 17996 (00662606-PTT), Conditional Use Case No.:

Permit (00670179-PCPU), and Park Plan (00662863-PPP)

Date:

November 17, 2016

Planner:

Stephanie Roxas, Associate Planner

# SUBSEQUENT ACTIVITY UNDER A PROGRAM EIR PLANNING AREA 40/12 (State Clearinghouse No. 200071014)

(Prepared: November 1, 2016)

Note to Planners: The corresponding numbers of the actual PPPs, PDFs, Mitigation Measures contained in the Project EIR for the Planning Area 12 and 40 GPA/ZC have been provided in parentheses in italicized font. The numbers used in the left-hand margin correspond to the mitigation numbers listed in the accompanying Environmental Evaluation.

Previously applied mitigation measures Α

Mitigation measures for this project В

Mitigation Measures Satisfied for Entire Planning Area S N/A

Not applicable mitigation measures for this project

## **AESTHETICS**

Plans, Programs, and Policies

- **N/A** 1. As required by the City's Zoning Ordinance, Chapter 2-17, Master Plan, the applicant shall submit a Master Plan application to the City of Irvine, including a conceptual landscape plan. The conceptual landscape plan shall be prepared in compliance with the landscape requirements outlined in Chapter 3-15 of the Zoning Code, Landscaping Standards, and Chapter 3-32, Streetscapes and Public Right-of-Way Standards. (PPP-AES-1)
- Prior to issuance of building permits, the applicant shall demonstrate through **B** 2, submittal of electrical engineer's photometric survey, prepared to the satisfaction of the Director of Community Development, that lighting requirements as set forth in the Irvine Security Code are met (Standard Condition 3.6). (PPP-AES-2)
- N/A 3. Any lighting of athletic fields and courts in Planning Area 40 shall conform to the City of Irvine Community Services Athletic Field Lighting Standards contained in the City of Irvine Park Standards Manual. (PPP-AES-3)
- As required by the City's Zoning Ordinance, Chapter 3-16, Lighting, outdoor В lighting shall be designed and installed so that all direct rays are confined to the site and adjacent properties are protected from glare. The level of lighting on the site shall comply with the requirements of the City's security code. (Municipal Code Title 5, Division 9, Chapter 5). (PPP-AES-4)

Project Design Features

No sports fields (such as Baseball and Soccer fields) that require sports field lighting with light standards 60 feet or more in height shall be located adjacent to Street "AA" as identified in Exhibit D "Community Park Concept Plan" in Zoning Code Chapter 9-40. (PDF-AES-1)

## AGRICULTURAL RESOURCES

Plans, Programs, and Policies

S 6. <u>Agricultural Legacy Program</u>: Implementation of the Agricultural Legacy Program is intended to mitigate for the loss of agricultural land in the City resulting from the conversion of existing farmland to planned development uses, such as in the case of the currently proposed Project. (PPP-AGR-1)

## **AIR QUALITY**

Plans, Programs, and Policies

- **B** 7. Compliance with SCAQMD Rules 402 and 403: During construction of the Project, the property owner/developer and its contractors shall be required to comply with regional rules, which will assist in reducing short-term air pollutant emissions. SCAQMD Rule 402 requires that air pollutant emissions not be a nuisance off-site. SCAQMD Rule 403 requires that fugitive dust be controlled with the 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 Two options are presented in Rule 403; monitoring of particulate concentrations or active control. Monitoring involves a sampling network around the project with no additional control measures unless specified concentrations are exceeded. The active control option does not require any monitoring, but requires that a list of measures be implemented starting with the first day of construction. Relevant control measures from Rule 403 are identified in Tables 17 through 20 of the Air Quality Assessment completed for the Project by MGA (see Appendix B1 of the DEIR). (PPP-AQ-1)
- B 8. Compliance with Title 24, Part 6, California's Energy Efficiency Standards for Residential and Nonresidential Buildings: All buildings must comply with Title 24, Part 6. Reducing the need to heat or cool structures by improving thermal integrity will result in a reduced expenditure of energy and a reduction in pollutant emissions. (PPP-AQ-2)

#### Mitigation Measures

B 9. Construction Equipment Emissions Measures: Prior to the issuance of each grading permit, the following information shall be included as a note on the cover sheet of the grading plans (MM-AQ-1):

"The following measures shall be implemented during grading and construction of the project:

- Use low emission construction equipment. The property owner/develop shall comply with CARB requirements for heavy construction equipment. For mass or rough grading, contractors shall be required to utilize heavy construction equipment that complies with the SCAQMD contractor requirement to maintain a Tier 2 fleet average.
- Maintain construction equipment engines by keeping them tuned.
- Use low sulfur fuel for stationary construction equipment.
- Utilize existing power sources (i.e., power poles) when available.
- Configure construction parking to minimize traffic interference.
- Minimize obstruction of through-traffic lanes. Construction should be planned so that lane closures on existing streets are kept to a minimum.
- Schedule construction operations affecting traffic for off-peak hours to the maximum extent feasible.
- Develop a traffic plan to minimize traffic flow interference from construction activities (the plan may include advance public notice of routing, use of public transportation and satellite parking areas with a shuttle service).
- Avoid unnecessary idling by shutting off engines that are expected to idle for more than five minutes.
- Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.
- Schedule construction activities that that affect traffic flow on the arterial system to off-peak hour to the extent practicable.
- Reroute construction trucks away from congested streets or sensitive receptor areas, and appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation."
- B 10. ROG Control Measures: Prior to issuance of the first building permit, the applicant shall provide evidence to the Director of Community Development that the following measures shall be incorporated into project construction to the greatest extent feasible (MM-AQ-2):
  - Minimize the amount of paint used by using pre-coated, pre-colored and naturally colored building materials. (Note: The architectural and construction design typically used by the Project applicant includes, to a large extent, these type building materials, when practicable);
  - Use Water-Based and LOW-VOC coatings with VOC contents set forth in SCAQMD Rule 1113 (http://www.aqmd/gov/prdas/brochures/Super-Compliant\_AIM.pdf); and

- Use high transfer efficiency painting methods such as HVLP (High Volume Low Pressure) sprayers and brushes/rollers were possible.
- B 11. Implement Measures Recommended in SCAQMD's CEQA Handbook and the URBEMIS2002 Model: Prior to issuance of the first building permit, the applicant shall provide evidence to the Director of Community Development that demonstrates how the property owner/developer shall reduce operation-related emissions through implementation of the following practices identified in SCAQMD's CEQA Handbook and the URBEMIS2002 model (MM-AQ-3):
  - Install low-emission water heaters;
  - Use built-in, energy-efficient appliances; and
  - Ensure that sidewalks and pedestrian paths are installed throughout the project area.
- A 12. The project shall comply with Proposed SCAQMD Rule 445 regarding wood-burning devices. (MM-AQ-4)

## **BIOLOGICAL RESOURCES**

Plans, Programs, and Policies

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- A 13. In accordance with Section 1602 of the Fish and Game Code, prior to issuance of grading permits for portion of Planning Area 40 that includes the MCAS El Toro Ditch, which extends east from the Marshburn Channel to the future Orange County Great Park/Heritage Fields development, the landowner or subsequent project applicant shall provide notification to the California Department of Fish and Game (CDFG) and comply with any further actions required by CDFG. (PPP-BIO-1)
- N/A 14. Prior to any installation of any new storm drain connections to and/or discharges into the Marshburn Channel associated with the PA 40/PA 12 Project, landowner or subsequent project applicant shall 1) obtain a permit or other authorization from the U.S. Army Corps Engineers pursuant to Section 404 of the Clean Water Act; 2) obtain a Section 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region pursuant to Section 401 of the federal Clean Water Act which requires any applicant for a Federal permit, such as a Clean Water Act Section 404 permit, to provide the licensing agency a certification from the California Regional Water Quality Control Board that the project will comply with adopted water quality standards; and 3) provide notification to the California Department of Fish and Game (CDFG) of the project pursuant to Section 16-2 of the Fish and Game Code and comply with any further actions required by CDFG. (PPP-BIO-2)

Project Design Features

S 15. The proposed zoning text for PA 40 states that existing eucalyptus windrows in Planning Area 40 will be retained in median landscaping, landscaped setbacks, parks, trails, agricultural areas and areas adjacent to open space to the extent that trees are: 1) deemed sufficiently healthy for preservation in accordance with a survey conducted by a certified arborist; 2) pose no safety concerns; and 3) do not conflict with roads, utilities, drainages, and other infrastructure improvements, schools, parks, and regional trails, as well as between residential neighborhoods. (PDF-BIO-1)

## Mitigation Measures

- B 16. Prior to the issuance of grading permits, the project applicant shall prepare a tree removal plan for approval by the Director of Community Development. The plan shall include the following items and requirements (MM-BIO-1):
  - a. Identify all trees to be removed during project construction. Such trees should be removed outside the avian nesting season, which extends from March 15 to July 15.

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- b. If it is not possible to remove all trees during the non-nesting season, then within three days of removal, trees shall be surveyed by a qualified biologist. If no nesting birds are found, the tree may be removed. If nesting birds are detected, then removal shall be postponed until the fledglings have vacated the nest or the biologist has determined that the nest has failed.
- c. If construction is to occur during the nesting season, preserved trees shall be surveyed for the presence of nesting birds. If nesting birds are detected, the biologist shall establish an appropriate buffer zone where construction activity may not occur until the fledglings have vacated the nest or the biologist has determined that the nest has failed.

## **CULTURAL RESOURCES**

Plans, Programs, and Policies

B 17. Prior to the issuance of the first preliminary or precise grading permit, and for any subsequent permit involving excavation to increased depth, the applicant shall provide letters from an archaeologist and a paleontologist. The letters shall state that the applicant has retained these individuals, and that the consultant(s) 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 and for developing mitigation plans for archaeological/historical and paleontological resources. 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. Specific measures that shall be required include at a minimum (PPP-CLT-1):

- a. A qualified archaeological and/or paleontological monitor will observe and inspect grading and other construction excavations in undisturbed, native sediments, including full time monitoring during grading of undisturbed Pleistocene age sediments below a depth of 8 feet;
- b. If archaeological excavations are conducted, the Owner will retain a qualified Native American monitor with demonstrated ancestral ties to the area. The Native American monitor will observe all archaeological excavations and provide a written report.
- c. Conduct an archaeological survey of the PA 12 Project site in conjunction with clearing and grubbing of the property, prior to major earth-moving activity.

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 (i.e., significant scientific/cultural resources will be preserved in place or recovered and curated at a museum or other suitable repository for curation in perpetuity. The repository will afford access to the collection to future researchers. Proof of curation shall be provided). (City of Irvine Modified Standard Condition 2.1).

- B 18. In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps shall be taken (PPP-CLT-2):
  - 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, or
  - 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:

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- 1. 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.
- 2. The identified descendent fails to make a recommendation; or
- 3. 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)]

## **GEOLOGY AND SEISMICITY**

Plans, Programs, and Policies

- A 19. Revegetation: Revegetation of cut and fill slopes shall be required in accordance with the City of Irvine Grading Code (Municipal Code Title 5, Division 10) and Grading Manual. (PPP-GEO-1)
- B 20. Grading Operations and Construction: 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 Uniform 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-GEO-2)
- Geotechnical Reports: In accordance with the City of Irvine Grading Code **B** 21. (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 soil engineering design conditions and provide 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. (PPP-GEO-3)
- A 22. Registered Civil Engineer: 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 sub-grade 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-GEO-4)

- A 23. Certified Engineering Geologist: 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 different, provide findings to the geotechnical engineer for possible design modifications. (PPP-GEO-5)
- A 24. Structures and Seismic Design: Future buildings and structure (i.e., houses, retaining walls, etc.) shall be designed in accordance with the City of Irvine Building Code and the most recent Uniform Building Code and/or California Building Code (UBC/CBC). 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. (PPP-GEO-6)
- B 25. Septic Tanks, Leech Fields, and Seepage Pits: If encountered during grading, the abandonment of the septic tanks, leech field, and seepage pits shall be performed in accordance with Section 722 of the Uniform Plumbing Code requirements. These structures shall be removed from the upper 10 feet from finish grade and disposed of offsite. The structures shall be properly abandoned below this depth. (PPP-GEO-7)

## **HAZARDOUS MATERIALS**

Plans, Programs, and Policies

**B** 26. 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 AST/UST Removal Report and Remediation Procedures Report. 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 in AST/UST Removal Report and Remediation Procedures Report and as directed by OCHCA. If hydrocarbons are identified in the soil, the appropriate response/remedial measures will be implemented as directed by OCHCA or other appropriate agency until all specified requirements of the oversight agencies are satisfied and a no-further-action status is attained. Any Above Ground Storage Tank (AST) in existence at the commencement of site development shall be removed in accordance with all applicable regulations

under the oversight of OCHCA. These procedures are detailed in the UST/AST Removal Report. Compliance with the requirements of the OCHCA relative to the removal/closure of storage tanks is set forth through the California Health and Safety Code Sections 25280 through 25299. (PPP-HHM-1)

- If any of the irrigation piping encountered during site grading and excavation **B** 27. activities is found to contain asbestos fibers, demolition shall be conducted in accordance with the remediation and mitigation procedures established by all federal, state, and local standards including federal and California Occupation Safety and Health Administration (OSHA), and Air Quality Management District (AQMD) regulations for the excavation, removal, and proper disposal of the transite pipe [CFR Title 29 (OSHA) - Chapter XVII, Section 1926.1101, CFR Title 29 California Health & Safety Code, and SCAQMD Regulation X - National Emission Standards For Hazardous Air Pollutants, Subpart M - National Emission Standards For Asbestos, which include demolition activities involving asbestos]. The aforementioned regulations include AQMD Rule 1403, which sets forth specific procedures and requirements related to demolition activities involving asbestos containing materials including piping. Asbestos materials removed in conjunction with site preparation/demolition activities will be disposed of at a landfill permitted to accept such material. (PPP-HHM-2)
- A 28. 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-HHM-3)
- B 29. Groundwater wells, if any, that will no longer be used shall be properly abandoned in conjunction with site grading or redevelopment activities, in accordance with the requirements for a well deconstruction permit from the Orange County Health Care Agency (see <a href="http://ochealthinfo.com/docs/regulatory/well/destruction.pdf">http://ochealthinfo.com/docs/regulatory/well/destruction.pdf</a>). (PPP-HHM-4)

# Project Design Features

B 30. Septic or waste holding tanks, if any, found onsite shall be properly closed and abandoned in conjunction with site grading or redevelopment activities. Abandonment through removal would include observation by a trained monitor of the removal of the tank contents and subsurface equipment including associated piping. Visual observations would include tank/piping integrity and the conditions of the surrounding soils to evaluate if there is evidence of a release from the system. Contingent upon these observations and after the equipment is removed, confirmatory soil samples at the base of the excavation would be conducted as warranted to evaluate soil conditions. Abandonment inplace would include visual observation by a trained monitor while tank contents are removed, followed by placement of an inert solid material (e.g., lean

concrete) to fill the tank. With either option, the removed tank contents would be profiled for proper waste disposal, per local, state and federal regulations. (PDF-HHM-1)

## Mitigation Measures

- N/A 31. Prior to demolition of any on-site structure(s) within the Project portion of PA 12, a survey shall be performed for asbestos containing materials within the subject structure(s). If asbestos containing materials are found, demolition shall be conducted in accordance with the remediation and mitigation procedures established by all federal, state, and local standards, as described in PPP-HHM-1. (MM-HHM-1)
- N/A 32. If residential, recreational, or other sensitive uses (i.e., medical facilities, child care centers, schools [K-12], etc.) are to be developed in the portions of PA 40 that are subject to soils management options and/or reevaluation, as shown in Figure 5.7-1, PA 40 Areas Subject to Mitigation Measure MM-HHM-2, of the Draft EIR, one or more remedial option(s) as described below shall be identified for such area prior to issuance of grading permits. For uses other than those specified above, such as employment, soils management options and/or reevaluation shall not be required (consistent with the results of the Human Health Risk Assessment [HHRA], Planning Area 40, Irvine, Orange County, California, prepared by GeoSyntec Consultants in November 2007, which found that there were no sample locations that exceeded the target risk levels applicable to cancer effects and noncancer effects for commercial workers.).

Remedial Options (One or more of these options shall be implemented in conjunction with recreation, residential, or other sensitive uses proposed in the areas that exceed a future onsite residential cancer risk of  $1 \times 10^{-6}$ ):

Targeted Excavation: Subsequent to current facility tenant(s) vacating the property, but prior to issuance of a grading permit(s) or demolition associated with proposed recreational, residential, or other sensitive uses, excavation may be conducted for soils that exceed a future onsite lifetime cancer risk of 1 x 10<sup>-6</sup>. or for soils that exceed a lead concentration of 150 mg/kg (identified as the preliminary remediation goal). Soils to be excavated would be based on soil sample results set forth in the Phase II Environmental Assessment, as depicted in Figures 15 and 16 of the HHRA. For these soils, excavation would be conducted to a depth of one foot below ground surface. The lateral extent of excavation would be to the nearest sample point that was found in the HHRA to pose a future onsite lifetime cancer risk less than 1 x 10<sup>-6</sup>, or a lead concentration less than the identified remediation goal of 150 mg/kg. Following excavation, but prior to development, additional sampling and analysis of remaining soils will be conducted in areas where soils that currently exceed a future onsite lifetime cancer risk of 1 x 10<sup>-6</sup> have been excavated to confirm that cancer risks are below 1 x 10-6. A confirmation sampling and analysis plan will be prepared prior to conducting this sampling and analysis step. Depending

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upon the volume of soils to be excavated pursuant to this option, a backhoe or other loading equipment shall be used. Using standard operating procedures for soil operations at the site, soils shall be loaded onto a truck for offsite disposal at an appropriate receiving facility. The nearest appropriate receiving facility is the Frank R. Bowerman landfill in central Orange County. None of the identified soil samples exceed either federal or California hazardous waste criteria.

Grading: Subsequent to current facility tenant(s) vacating the property, a grading operation will be conducted as part of site preparation for development. Grading of soils that currently exceed a future onsite lifetime cancer risk of 1 x 10<sup>-6</sup> will be included in this operation. Following grading, but prior to issuance of building permits, additional sampling and analysis of graded soils will be conducted in areas where soils that exceed a future onsite lifetime cancer risk of 1 x 10<sup>-6</sup>have been relocated to confirm reduction in risk associated with the grading operation. A confirmation sampling and analysis plan will be prepared prior to conducting this sampling and analysis step. Following such soil sampling and analysis, additional human health risk assessment of such soils will be conducted. If, as a result of such post-grading sampling, any such soils are found to be at or below a future onsite lifetime cancer risk of 1 x 10<sup>-6</sup>, no further action or restriction on development will be required. If, as a result of such post-grading sampling, any such soils still exceed a future onsite lifetime cancer risk of 1 x 10<sup>-6</sup>, additional grading or excavation will be conducted, or land use considerations such as the following may be taken.

<u>Land Use Considerations</u>: The development of Planning Area 40 will include residential, multi-use and recreational land uses. No soil sampling results, as assessed in the HHRA, exceed a future onsite cancer risk of 1 x  $10^{-6}$  for future construction or commercial use and a limited area was identified exceeding the 1 x  $10^{-6}$  cancer risk for recreational use. An option for managing areas of the site where soils exceed a future onsite lifetime cancer risk of 1 x  $10^{-6}$  is to plan the development to prevent direct contact of the soils by future occupants.

Alternatively, evidence may be provided to the Community Development Director to show that no further remedial actions are required, based on updated soil sampling conducted to reassess the chemical content of soils (i.e., portions of the site may not be developed for several years, during which time certain chemical concentrations may attenuate to lower concentrations) and reevaluation of the lifetime cancer risk. (MM-HHM-2)

N/A 33. Prior to tentative tract map approval for the PA 12 portion of the Project, a human health risk assessment (HHRA) shall be completed to evaluate the potential hazard risk level of future occupants of the site given the known soil and groundwater contamination at the site. The analysis shall evaluate the site conditions in terms of acceptable levels of risk applicable to the proposed non-residential uses, consistent with guidance documents by U.S. Environmental Protection Agency (EPA) or California EPA (i.e., USEPA Risk Assessment

Guidance for Superfund. Volume I: Human Health Evaluation Manual and California Department of Toxic Substances Control Guidance for The Evaluation and Mitigation of Subsurface Vapor Intrusion to Indoor Air and Supplemental Guidance for Human Health Multimedia Risk Assessments of Hazardous Waste Sites and Permitted Facilities, and related guidance documents as applicable). The HHRA shall identify options for reducing risk hazards to acceptable levels if/as necessary and appropriate, which may include, but not be limited to, targeted excavation or managed grading, or in-situ treatment. (MM-HHM-3)

- N/A 34. Prior to issuance of building permits for development within the PA 12 portion of the Project, the recommendations presented in Section 8.0 of the Phase I Environmental Site Assessment, Planning Area 12 (a.k.a. Traveland USA Site) report completed by Laguna Geosciences, Inc. in September 2007 shall be addressed. Based on the results of the additional investigations set forth in the recommendations, any required remediation shall be completed in accordance with applicable regulatory requirements. A report documenting the completion, results, and any follow-up (remediation) on the recommendations shall be provided to the Director of Community Development prior to issuance of building permits within the PA 12 site. (MM-HHM-4)
- B 35. If soil is encountered during Project site development that is suspected of being impacted by hazardous materials, work at the subject construction activity area will be halted and the suspect site conditions will be evaluated by a qualified environmental professional. The results of the evaluation will be submitted to the Orange County Health Care Agency (OCHCA) and/or the California Regional Water Quality Control Board (RWQCB), as appropriate, and the necessary response/remedial measures will be implemented, as directed by OCHCA, RWQCB, or other applicable oversight agency, until all specified requirements of the oversight agencies are satisfied and a no-further action status is attained. (MM-HHM-5)

# **HYDROLOGY AND WATER QUALITY**

# Surface Hydrology

Plans, Programs, and Policies

- A 36. Storm Drain Facilities: Prior to release of a final map by the City, the landowner or subsequent project applicant shall construct, or enter into an agreement and post security, in a form and amount acceptable to the City Engineer, guaranteeing the construction of the following public and/or private improvements in conformance with applicable City Standards and the City's Capital Improvement Policy. (City of Irvine Standard Condition 1.1) (PPP-SH-1)
- N/A 37. Federal Emergency Management Agency (FEMA): Prior to the issuance of precise grading permit for any lot or parcel wholly or partially located within the

Special Flood Hazard Area (SFHA), the applicant shall furnish to the City Engineer documentation required by the FEMA for revision to the FIRM and Flood Insurance Study (FIS). The applicant shall pay all preliminary and subsequent fees as required by FEMA. (City of Irvine Standard Condition 2.4) (PPP-SH-2)

- N/A 38. National Flood Insurance Program (NIP) Elevation Certificate: Prior to the issuance of building permits on any lot or parcel located wholly or partially within the SFHA, a NFIP Elevation Certificate shall be submitted in accordance with the requirements of the NFIP and shall have been reviewed and approved by the City Engineer. The elevation certificate shall be on a FEMA form. If a nonresidential building is being floodproofed, then a FEMA Floodproofing Certificate must be completed and submitted in addition to the elevation certificate. (City of Irvine Standard Condition 3.3) (PPP-SH-3)
- B 39. Hydrology and Hydraulics Report: Prior to the issuance of preliminary grading permits, the landowner or subsequent project applicant shall complete, and submit to the Department of Public Works, a hydrology and hydraulics report to verify that the final development conforms to the proposed drainage patterns and flow rates shown in the Master Plan of Drainage. The final pad layout and street locations along with final onsite storm drain design shall be verified with more refined flow rates and pipeline layouts, to the satisfaction of the City Engineer. (Section 102 of the Standards & Design Manual) (PPP-SH-4)

## Project Design Features

**.A**. 40. Routing of Flows to Trabuco Retarding Basin: A portion of the existing drainage area tributary to the Caltrans Channel will be routed to Trabuco Retarding Basin. PA 40 planned development will be designed per San Diego Creek Master Plan Central-Irvine Channel Update Calculations (RBF Report, 2-26-The Flood Control Master Plan designed a portion of the PA 40 development to be routed to the Trabuco Retarding Basin. The area allocated to Trabuco Retarding Basin in the Flood Control Master Plan is 85 acres or 200 cfs, whichever is the limiting factor. The actual developed area proposed to be routed to Trabuco Retarding Basin, as modeled in this hydrology study, is approximately 78 acres, which will generate approximately 200 cfs of developed flow. The area of PA 40 allocated to be routed to Trabuco Retarding Basin will be drained via an on-site storm drain system towards Trabuco Road. An existing trunk storm drain pipe system located in Trabuco Road is designed and built to convey the proposed discharges from a portion of PA 40. This flow will be discharged to the Trabuco Retarding Basin. The Trabuco Retarding Basin was recently modified to attenuate the flow from increased tributary drainage areas and latest land use changes, and to provide water quality benefits for the watershed. As a result of this drainage improvement, the developed drainage area tributary to the existing Caltrans Channel will be less than the existing drainage area tributary to the Caltrans Channel, thus reducing the impact of the developed flow rates to the channel. (PDF-SH-1)

A 41. Use of Available Capacity in Caltrans Channel: In the developed condition, the PA 40 on-site storm drain system is proposed to be designed to optimize the capacity of the existing Caltrans Channel by making connections from the developed PA 40 storm drain system at strategic locations in the Caltrans Channel where the existing channel has maximum capacity to handle the increased flow rates. As a result of this improvement, the portions of the existing channel with capacity and freeboard problems will be reduced. The onsite drainage improvements will consist of a storm drain system paralleling the existing Caltrans Channel, located north of Caltrans right of way. The proposed new on-site storm drain system will discharge flow into the existing Caltrans Channel at specific strategic locations where the channel has maximum capacity. There are approximately four (4) new connections to the Caltrans Channel proposed (see Exhibit 2 in the PA 40 Hydrology Technical Report, provided as Appendix G1 of this EIR). (PDF-SH-2)

#### Mitigation Measures

A 42. Prior to the issuance of building permits, the landowner or subsequent project applicant shall improve the existing Caltrans Channel structure to add additional height to the rim of the channel to meet Caltrans minimum freeboard criteria. The channel rim will have to be raised approximately 1.5 feet high over a 150 feet long reach from approximately station: 60+00 to station: 61+50. This can be accomplished by adding concrete splash walls or flood walls adjacent to the existing channel structure. The proposed improvements shall be reviewed and approved by Caltrans. (MM-SH-1)

## Surface Water Quality

Plans, Programs, and Policies

- B 43. Notice of Intent (NOI): Prior to the issuance of preliminary or precise grading permits, the landowner or subsequent project applicant shall provide the City Engineer with evidence that a 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 Regional Water Quality Control Board, or a letter from either agency stating that the NOI has been filed. (City of Irvine Standard Condition 2.5) (PPP-SWQ-1)
- Water Quality Management Plan (WQMP): Prior to the issuance of precise grading permits, the applicant shall submit, and the Director of Community Development shall have approved, 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 (City of Irvine Standard Condition 2.10) (PPP-SWQ-2)

More specifically, the WQMP shall, in accordance with the DAMP and LIP, do the following:

- Describe the routine and special post-construction BMPs to be used at the proposed development site (including both structural and nonstructural measures);
- b. Describe responsibility for the initial implementation and long-term maintenance of the BMPs;
- c. Provide narrative with the graphic materials as necessary to specify the locations of the structural BMPs; and
- d. Certify that the project proponent will seek to have the WQMP carried out by all future successors or assigns to the property. Detailed information about the process for identifying BMPs is included in the Water Quality Assessment Technical Reports contained in Appendices G3 and G4 of the EIR.
- A 45. Storm Water Pollution Prevention Plan (SWPPP): Prior to the issuance of grading permits, the landowner or subsequent project applicant shall prepare a SWPPP that will (PPP-SWQ-3):
  - a. Require implementation of Best Management Practices (BMPs) designed with a goal of preventing a net increase in sediment load in storm water discharges relative to preconstruction levels;
  - b. Prohibit during the construction period discharges of storm water or nonstorm water at levels which would cause or contribute to an exceedance of applicable water quality standards contained in the Basin Plan;
  - c. Discuss in detail the BMPs planned for the project related to control of sediment and erosion, non-sediment pollutants, and potential pollutants in non-storm water discharges;
  - d. Describe post-construction BMPs for the project;
  - e. Explain the maintenance program for the project's BMPs;
  - f. During construction, require reporting of violations to the Regional Board; and
  - g. List the parties responsible for SWPPP implementation and BMP maintenance during and after grading. The project proponent shall implement the SWPPP and will modify the SWPPP as directed by the Storm Water Permit.
- S 46. Encroachment Permit: The landowner or subsequent project applicant shall obtain an encroachment permit for any construction activities that will result in runoff within Caltrans Right-of-Way. The landowner or subsequent project applicant must submit a copy of the SWPPP prior to construction. If a SWPPP is not required for the project, the landowner or subsequent project applicant shall prepare and submit a Water Pollution Control Plan pursuant to Caltrans Standard Specifications and "Caltrans Storm Water Quality Handbook, Project Planning and Design Guide." (May 2007) All activities within Caltrans Right-of-Way must fully conform to the Caltrans Statewide NPDES Permit No. CAS000003 (Order No. 99-06-DWQ). (PPP-SWQ-4)

N/A 47. De Minimis Permit: If and when construction dewatering is required, the Project shall comply with the requirements of General Waste Discharge Requirements for Short-Term Groundwater-Related Discharges and De Minimus Wastewater Discharges to Surface Waters within the San Diego Creek/Newport Bay Watershed (RWQCB Order No. R8-2004-0021 NPDES No. CAG998002) (PPP-SWQ-5)

## Project Design Features

A 48. Site Design Best Management Practices (BMPs): The MS4 permit and implementation plans described in the DAMP/LIP and the City's model Water Quality Management Plan (WQMP) require the consideration and incorporation of site design BMPs to reduce runoff and create a hydrologically functional project. Accordingly, the project WQMP, approval of which is required prior to the issuance of precise grading permits per PPP-SWQ-2, shall include the following site planning principles that have been incorporated into the Project design. (PDF-SWQ-1)

Minimize Impervious Area and Impervious Area Directly Connected to Storm Drains:

- Impervious areas will be minimized by incorporating landscaped areas over substantial portions of the Project area. Single family residential landscape areas will be determined by zoning requirements, village setback/parkway standards, and design objectives.
- Within PA 40 approximately 41.3 acres of parks, windrows, trail, and berm will be provided within the Project. An additional approximately 15 acres will be dedicated to the City of Irvine for JOST within the Project boundary.
- Most sidewalks will drain into landscaping prior to discharging to the stormwater conveyance system.
- Vegetated treatment control BMPs will reduce runoff volumes through evapotranspiration and infiltration.

Selection of Construction Materials and Design Practices:

- Building materials for roof gutters and downspouts will not include copper or zinc.
- Streets, sidewalks, and parking lot aisles will be constructed to the minimum widths specified in the City Land Use Code and in compliance with regulations for the Americans with Disabilities Act and safety requirements for fire and emergency vehicle access.

#### Conserve Natural Areas:

 Canopy interception and water conservation will be increased by incorporating trees (including existing windrows) into the Project design pursuant to the landscape plan and include native or drought resistant plants in development plant palettes. A 49. Source Control BMPs: Effective management of wet- and dry-weather water quality begins with limiting pollutant sources. The project WQMP, approval of which is required prior to the issuance of precise grading permits per PPP-SWQ-2, shall include the following source control BMPs as set forth below. The source control BMPs shall be implemented in accordance with the MS4 Permit and DAMP/LIP. These source control BMPs were selected based on the land uses included in the Project: single-family residential, multi-family residential, commercial, mixed-use, education, roadways, park, and open space. (PDF-SWQ-2)

#### Non-Structural Source Control BMPs

N1: Education for Property Owners, Tenants and Occupants - practical information materials will be provided to the first residents/occupants/tenants on general housekeeping practices that contribute to the protection of stormwater quality. The Home Owner Association (HOA) will have an ongoing educational material distribution program. At a minimum, these materials will cover the following topics:

- 1. The use of chemicals (including household type) that will be limited to the property, and avoidance of discharge of specified wastes via hosing or other means to gutters, catch basins, and storm drains.
- 2. The proper handling of material such as fertilizers, pesticides, cleaning solutions, paint products, automotive products, and swimming pool chemicals, and swimming pool drainage.
- 3. The environmental and legal impacts of illegal dumping of harmful substances into storm drains and sewers.
- 4. Alternative household products which are safer to the environment.
- 5. Household hazardous waste collection programs.
- 6. Used oil recycling programs.
- 7. Proper procedures for spill prevention and clean up.
- 8. Proper storage of materials which pose pollution risks to local waters.
- 9. Carpooling programs and public transportation alternatives to driving.

N2: Activity Restrictions (Conditions, Covenants, and Restrictions) - Conditions, Covenants, and Restrictions (CC&Rs) will be prepared as necessary and will address surface water quality protection.

N3: Common Area Landscape Management - ongoing maintenance will be consistent with the County Water Conservation Resolution or the City of Irvine equivalent, and fertilizer and/or pesticide usage will be consistent with County Management Guidelines for Use of Fertilizers (DAMP Section 5.5). See also, efficient irrigation systems under structural controls.

N4: BMP Maintenance - IRWD will be responsible for the inspection and maintenance of the Trabuco Basin and other extended detention basins that are accepted into the NTS Master Plan within the Project boundary. The HOA,

property owner, and/or Property Owner's Association (POA) will be responsible for the inspection and maintenance of non-NTS treatment BMPs within the Project.

NTS facilities will be inspected on a regular scheduled basis as part of the NTS Master Plan. The inspections will ensure that the facility is operating properly, record observations, and initiate any maintenance activities that may be required. Site visits will require one person driving a single vehicle for water quality basin inspection, including walking the perimeter of the facility. This will be conducted on a monthly basis with additional inspections during the wet months corresponding to monitored storm events.

BMP maintenance activities that will be performed on a regularly scheduled basis include but are not limited to:

- Trash/Debris Removal
- Vegetation Removal/Thinning
- Sediment Removal
- Integrated Pest/Plant Management
- Vector Control

N6: Local Water Quality Permit Compliance – Occupants/tenants will be responsible for applying for and complying with appropriate local water quality permits for stormwater discharges from fuel dispensing areas or other areas of public concern to public properties.

N7: Spill Contingency Plan – Occupants/tenants will develop a spill contingency plan which mandates stockpiling of cleanup materials, notification of responsible agencies such as the County of Orange Environmental Health, Fire Department, etc., disposal of cleanup materials, and documentation.

N9: Hazardous Materials Disclosure Compliance – Occupants/tenants will comply with County of Orange ordinances enforced by the fire protection agency for the management of hazardous materials.

*N10: Uniform Fire Code Implementation* – Occupants/tenants will comply with Article 80 of the Uniform Fire Code enforced by the fire protection agency.

N11: Common Area Litter Control - litter patrol, covered trash receptacles, trash cans with lids, emptying of trash receptacles in common areas, and noting trash disposal violations by tenants/homeowners and reporting the violations to the HOA or POA for investigation will be conducted.

N12: Employee Training – Environmental awareness education materials will be prepared by business owners for education of employees, similar to those topics listed in N1 above, tailored to the specific business activities.

N13: Housekeeping of Loading Docks - Loading docks typically found at large retail and warehouse-type commercial facilities will be kept in a clean and orderly condition through a regular program of sweeping and litter control and immediate cleanup of spills and broken containers. Cleanup procedures will minimize or eliminate the use of water. If wash down water is used, it will be disposed of in an approved manner and not discharged to the storm drain system. If there are no other alternatives, discharge of non-stormwater flow to the sanitary sewer will be considered only if allowed by the local sewering agency through a permitted connection.

N14: Common Area Drainage Facility Inspection - privately-owned drainage facilities will be inspected each year and, if necessary, cleaned and maintained prior to the storm season, no later than October 1st each year. Drainage facilities include catch basins, inlets, and open drainage channels.

N15: Street Sweeping Private Streets – private streets will be swept monthly.

N17: Retail Gasoline Outlets - Retail gasoline outlets (RGOs) will implement the following BMPs:

- At a minimum, the fuel dispensing area will extend 6.5 feet (2.0 meters) from the corner of each fuel dispenser, or the length at which the hose and nozzle assembly may be operated plus 1 foot (0.3 meter), whichever is less.
- The fuel dispensing area will be paved with Portland cement concrete (or equivalent smooth impervious surface). The use of asphalt concrete will be prohibited.
- The fuel dispensing area will have an appropriate slope (2% 4%) to prevent ponding, and will be separated from the rest of the site by a grade break that prevents run-on of stormwater.
- An overhanging roof structure or canopy will be provided. The cover's
  minimum dimensions will be equal to or greater than the area of the fuel
  dispensing area in #1 above. The cover will not drain onto the fuel
  dispensing area and the downspouts will be routed to prevent drainage
  across the fueling area. The fueling area will drain to the Project's
  Treatment Control BMP(s) prior to discharging to the municipal storm
  drain system.

#### Structural Source Control BMPs

Provide Storm Drain Stenciling and Signage - all storm drain inlets and catch basins, constructed or modified, within the Project area will be stenciled or labeled. Signs which prohibit illegal dumping will be posted at public access points along channels and creeks within the Project area. Legibility of stencils and signs shall be maintained.

Trash Area Design - trash areas will be paved, designed not to allow run-on, screened or walled to prevent off-site transport of trash, and covered to

minimize direct precipitation. Connection of trash area drains to the municipal storm drain system will be prohibited.

Efficient Irrigation - the timing and application methods of irrigation water in common areas will minimize the runoff of excess irrigation water into the stormwater conveyance system. IRWD has an aggressive block rate structure for water use that encourages conservation. This block rate structure will be applied to the Project.

Loading Dock Areas - Loading/unloading dock areas will include the following:

Cover loading dock areas, or design drainage to preclude urban run-on and runoff.

Runoff from below grade loading docks (truck wells) or similar structures will be treated with a Treatment Control BMP applicable to the use prior to discharge to the storm drain.

Housekeeping of loading docks will be consistent with N13,

Retail Gasoline Outlets - Retail gasoline outlets will implement the BMPs listed above in source control N17.

Community Car Wash Racks – a designated car wash area that drains to the sanitary sewer or an engineered infiltration system will be included in complexes larger than 100 dwelling units. Signage will be provided prohibiting discharges of car wash water outside of the designated car wash area. Alternatively, car washing will not be allowed.

A 50. Treatment Control BMPs: Priority projects within Orange County are required to reduce pollutants of concern in stormwater discharges to the maximum extent practicable through the incorporation and implementation of treatment control BMPs. To meet this requirement, the project WQMP, approval of which is required prior to the issuance of precise grading permits per PPP-SWQ-2 shall incorporate a combination of stormwater treatment BMPs as set forth below that will address the pollutants of concern. A variety of treatment BMP scenarios are considered herein and are intended to allow flexibility in selection of treatment control BMPs in later phases of Project implementation. Treatment BMPs set forth in the DAMP are listed in Table 5.8-5, in Section 5.8.2 Surface Water Quality, along with the pollutants of concern addressed by each. (PDF-SWQ-3)

#### Treatment Control BMP Options for PA 40

The PA 40 portion of the Project will utilize one constructed wetland basin (also referred to as an NTS basin) and options related to dry extended detention basins and/or biofilters (vegetated swales and/or bioretention areas) as

treatment control BMPs. Catch basin inserts will also be provided to control trash and debris in runoff from retail parking lots. These BMPs, when combined with the site design and source control BMPs described above, will address all of the pollutants of concern.

North Drainage Area: The North Drainage Area encompasses approximately 67.4 acres along Trabuco Road west of SR-133. Runoff from the North Drainage Area will be treated in the Trabuco Basin. The Trabuco Basin is a NTS basin that is being retrofit into the bottom of the Trabuco Retarding Basin (a flood control facility) as part of the NTS Master Plan. The Trabuco Basin is currently under construction and is expected to be complete in early 2008. The Trabuco Basin has more than adequate capacity to treat the runoff from the North Drainage Area. The Trabuco Basin will be operational prior to PA 40 construction completion so that at no time will runoff from the developed portions of the Project be discharged to receiving waters without treatment. The Trabuco Basin will be owned and operated by IRWD.

East and West Drainage Areas: Runoff from the East Drainage Area (99.8) acres) and the majority of the West Drainage Area (395.0 acres) will be treated in either extended detention basins or biofiltration BMPs (vegetated swales and/or bioretention areas). In the East Drainage Area, extended detention basins or swales and/or bioretention areas will be integrated into the site design to provide treatment of runoff (small storm and dry weather) prior to discharge to the Marshburn Channel. These BMPs will be designed as off-line facilities with capacity up to the water quality design flow rate and with higher flows routed directly to Marshburn Channel.

Runoff from the West Drainage Area will be treated in extended detention basins or swales/bioretention anticipated to be located in the setback corridor between the southwest edge of development and the Santa Ana (I-5) Freeway. The treatment control facilities will accept dry weather flows and low stormwater flows from the development at multiple locations and will discharge treated runoff to the Caltrans Channel. The treatment control facilities in the multi-use corridor will be off-line facilities, with high flow bypassed directly to the Caltrans Channel. A brief description of extended detention basins, vegetated swales, and bioretention are provided below.

Extended Detention Basins: Extended detention basins are designed with outlets that detain the runoff volume from the water quality design storm (e.g., the 85th percentile 24-hour event) for some minimum time (in this case 36 hours) to allow particles and associated pollutants to settle out. The outlets are also designed to retain trash and debris within the basin for removal during maintenance. The extended detention basins will also incorporate a low flow channel in the bottom of the basin that will support wetland vegetation. Wetland vegetation provides one of the most effective methods for pollutant removal. As dry weather and low flows pass through the wetland vegetation, pollutant removal is achieved through settling and biological uptake of nutrients and

dissolved pollutants within the vegetation. Pathogen reductions are also achieved by exposure to sunlight (UV radiation). These basins are not designed or anticipated to contain ponded, standing water for periods in excess of 36 to 48 hours.

Per the DAMP/LIP requirements, the extended detention basins within the Project will be designed to collect and treat the volume of runoff produced from a 24-hour, 85th percentile storm event, determined as the maximized capture stormwater volume for the area (DAMP/LIP Sizing Option #2).

An amendment of the IRWD NTS Master Plan will be requested that would include some or all of the extended detention basins, if and as incorporated into the detailed project design. If IRWD approves an amendment to the NTS Master Plan to incorporate some or all of the extended detention basins into the Master Plan and O&M program, then IRWD will own and maintain those basins that are incorporated. If IRWD does not include the extended detention basins in the NTS Master Plan, the HOA or POA will assume maintenance and ownership responsibilities.

Vegetated Swales: Vegetated swales are engineered vegetation-lined channels that provide water quality benefits in addition to conveying stormwater runoff. Swales provide pollutant removal through settling and filtration in the vegetation (often grasses) lining the channels and also provide the opportunity for volume reductions through infiltration and evapotranspiration. Swales are most effective where longitudinal slopes are small (2 percent to 6 percent), thereby increasing the residence time for treatment, and where water depths are less than the vegetation height. The vegetated swales will incorporate trash screens on the outlet structures to capture trash and debris and to facilitate removal.

If incorporated into the Project, vegetated swales will be designed to capture and treat the maximum flow rate of runoff produced by the 85th percentile hourly rainfall intensity, as determined from the local historical rainfall record, multiplied by a factor of two per DAMP/LIP flow-based Sizing Option #2. Sizes of swales will vary based on catchment properties and site constraints.

Bioretention: Bioretention areas are vegetated (i.e., landscaped) shallow depressions that provide storage, infiltration, and evapotranspiration, and also provide for pollutant removal (e.g. filtration, adsorption, nutrient uptake) by filtering stormwater through the vegetation and soils. In bioretention areas, as well as in vegetated swales and filter strips, pore spaces and organic material in the soils help to retain water in the form of soil moisture and to promote the adsorption of pollutants (e.g., dissolved metals and petroleum hydrocarbons) into the soil matrix. Plants utilize soil moisture and promote the drying of the soil through transpiration. The bioretention areas will incorporate trash screens on the overflow structures to capture and retain floatable trash and debris within the facility.

Bioretention areas are volume-based BMPs, but have a relatively high draw down rate and relatively little surface storage compared to typical extended detention basins. Consequently, they are not properly sized using DAMP/LIP volume-based Sizing Options #1 or #2. If incorporated into the Project, bioretention areas will be sized using volume-based sizing option #3 which calls for 80 percent average annual capture of stormwater runoff.

A Project WQMP that specifically identifies the BMPs to be used for the East and West Drainage Areas will be submitted to the City of Irvine for review prior to the recordation of any final subdivision map (except those maps for financing or conveyance purposes only) or the issuance of any grading or building permit (whichever comes first). The Project WQMP will identify, at a minimum: (1) site design BMPS (as appropriate); (2) the routine structural and non-structural BMPs; (3) treatment control BMPs; and (4) the mechanism(s) by which long-term operation and maintenance of all structural BMPs will be provided.

#### Treatment Control BMP Options for PA 12

All of the approximately 36 acres of the PA 12 site will drain to a single facility, the existing storm drain south of the site that flows to the Como Channel. The treatment control BMP options currently proposed to be included in the PA 12 project design include a combination of vegetated swales and bioretention areas such as described above for PA 40.

#### LAND USE

Plans, Programs, and Policies

B 51. A permit shall be required to remove any significant tree on public or private land in the development area. Prior to approval of a tree removal permit as required by Section 5-7-410 of the Municipal Code, the project applicant shall complete a comprehensive management plan through the City's Community Forests Program or equivalent to address phased removals and appropriate replacement. (PPP-LU-1)

#### <u>NOISE</u>

Plans, Programs, and Policies

A 52. 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 a.m. and 7:00 p.m. Mondayś through Fridays, and 9:00 a.m. and 6:00 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. (PPP-NOS-1)

B 53. 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. (Standard Condition B.1) (PPP-NOS-2)

## Project Design Features

- A 54. Freeway Edge: The land use plan for PA 40 incorporates a landscaped village edge treatment along the southwestern edge paralleling the Santa Ana (I-5) Freeway to serve as a buffer for the adjacent residential community. The freeway edge treatment shall combine functional elements such as sound attenuation barriers, water quality basins, storm drainage features, berms or berming, and a landscape buffer incorporating mature trees. The width of the village edge varies in dimension with a 50-foot minimum. The sound attenuation barriers shall consist of an earthen berm and wall combination that varies in height from 12 to 21 feet. The materials used in construction of the sound attenuation barriers shall be subject to review and approval by the City. The location, size, and design of the sound attenuation barriers, as well as the materials used in their construction, shall be in accordance with the recommendations of the Noise analysis, subject to further specification as more detailed site and building design plans are developed. (PDF-NOS-1)
- B 55. Construction-Related Noise Mitigation Plan: For development proposed adjacent to any developed/occupied uses, a construction-related noise mitigation plan shall be submitted to and approved by the Director of Community Development for review and approval prior to issuance of grading permits. The plan must depict the location of construction equipment and how the noise from this equipment will be mitigated during construction of the project, through the use of such methods as the following: (1) temporary noise

attenuation fences; (2) preferential location of equipment; and (3) use of current technology and noise suppression equipment. (PDF-NOS-2)

## Mitigation Measures

- B 56. Prior to the issuance of grading permits for any residential development along the Santa Ana (I-5) Freeway or SR-133 in Planning Area 40, a detailed acoustical analysis study shall be prepared by a qualified acoustical consultant and submitted to the City for review and approval. This acoustical study shall describe and quantify the noise sources impacting the area and the measures required to meet the 65 CNEL exterior residential noise standard. The final grading plans shall incorporate the noise barriers (wall, berm or combination wall/berm) required by the analysis and the property owner/developer shall install these barriers per the recommendations of the acoustical analysis study. These noise barriers shall be taken into consideration in the building-specific acoustical reports required by PPP-NOS-2, which may specify additional measures to achieve acceptable interior noise levels. (MM-NOS-1)
- A 57. Prior to issuance of building permits for all residential buildings in the area shown in Figure 5.10-8 of the PA 40/PA 12 DEIR, all documentation shall be provided to show that the building meets the ventilation standards required by the Uniform Building Code with windows closed. Alternatively, the applicant can show that, based on the building's location relative to the roadway and any intervening topography and structures, the structure will meet the applicable interior noise standard with open windows. (MM-NOS-2)
- A 58. Prior to issuance of building permits, a detailed acoustical study using architectural plans shall be prepared by a qualified acoustical consultant and submitted to, and approved by, the City for residential structures in the areas shown in Figure 5.10-8. This study shall describe and quantify the noise sources impacting the building(s), the amount of outdoor-to-indoor noise reduction provided by the design in the architectural plans, and any upgrades required to meet the City's interior noise standards (45 CNEL for residences). The measures described in the report shall be incorporated into the architectural plans for the buildings and implemented with building construction. (MM-NOS-3)
- A 59. Prior to issuance of building permits, a detailed acoustical study using architectural plans shall be prepared by a qualified acoustical consultant and submitted to, and approved by, the City for office structures in the PA 12 Project area and the southwestern portion of District 3 adjacent to SR-133. This study shall describe and quantify the noise sources impacting the building(s), the amount of outdoor-to-indoor noise reduction provided by the design in the architectural plans, and any upgrades required to meet the City's interior noise standards. The measures described in the report shall be incorporated into the architectural plans for the buildings and implemented with building construction. (MM-NOS-4)

- Prior to approval of the first tentative tract map, the applicant shall demonstrate **A** 60. to the satisfaction of the Director of Community Development that it has entered into, or in good faith attempted to enter into, an agreement with the Irvine Community Church that meets the following requirements. First, an acoustical analysis shall be completed at the Irvine Community Church, with the permission of the church, to determine the current outdoor-to-indoor noise reduction of the church. The church has received settlements from OCTA when the nearby OCTA bus yard was constructed, with some or all of the settlement intended to be used for soundproofing improvements. The church also received from the Transportation Corridor Agency (TCA) soundproofing improvements when the SR-133 was constructed. If the existing outdoor-to-indoor noise reduction level of the church is less than 27.4 dBA (i.e., the minimum amount necessary to achieve an interior noise level of 45 CNEL based on a projected future peak noise level of 72.4 CNEL), then the acoustical study shall explore soundproofing options, and make recommendations for soundproofing the church building to achieve the necessary level of outdoor-toindoor noise reduction, taking into account the limited extent to which the PA40/PA12 Project contributes to the future peak noise level. Measures to be considered include window upgrades, additional wall and ceiling insulation, upgraded doors, and a soundwall. Upon completion of the acoustical analysis. the project applicant shall be responsible for negotiating a settlement with the church based on the recommended acoustical upgrades and the proportion of the Project's contribution to the future noise impact. As part of that settlement, a preliminary schedule shall be prepared, based on the findings and recommendations of the acoustical analysis, identifying the approximate timing for when the necessary soundproofing measures should be implemented, and whether the soundproofing should occur in phases. Such timing shall take into account the incremental increases in traffic on Sand Canyon Avenue attributable to the phased implementation of the proposed Project, as will be evaluated in traffic studies associated with tract map approvals for the Project (i.e., the Project's contribution to increased traffic noise levels along Sand Canyon Road will occur incrementally over time as each phase of development is implemented and exceedance of the threshold of significance, while imminent, is not immediate). The phasing/timing of the necessary soundproofing improvements, and the applicant's fair-share funding increments for those improvements, will be based on the level and timing of Project impacts over time, as determined in the traffic studies associated with tract map approvals. (MM-NOS-5)
- N/A 61. Prior to the issuance of any precise grading permit for new ball fields, or retail uses within 100 feet of residential or other noise sensitive land uses, an acoustical analysis shall be provided to the Director of Community Development for review and approval. If a roadway separates these uses from the residential areas, then this study will not be required. The analysis shall show that the noise from the use will comply with the Irvine Noise Ordinance. (MM-NOS-6)

N/A 62. Prior to issuance of building permits within PA 12, a detailed vibration report using architectural plans shall be prepared by a qualified Registered Engineer and submitted to, and approved by, the City for all FTA Category 1 Buildings within 600 feet of the rail line and for all FTA Category 3 Buildings within 120 feet of the rail line. This report shall describe and quantify the vibration levels impacting the building(s) and any building upgrades required to meet the FTA criteria. The criteria and methodology to be employed is detailed in the FTA's "Transit Noise and Vibration Impact Assessment," (FTA-VA-90-1003-06, May 2006). The measures described in the report shall be incorporated into the architectural plans for the buildings and implemented with building construction. (MM-NOS-7)

## **PUBLIC SERVICES AND FACILITIES**

#### Law Enforcement

Plans, Programs, and Policies

B 63. The Project applicant shall comply with all relevant requirements of the City of Irvine Uniform Security Code. (Municipal Code Title 5, Division 9, Chapter 5). (PPP-LE-1)

## Project Design Features

- **B** 64. A Click2Enter radio frequency access system shall be installed at any vehicle and pedestrian access point controlled by privacy gates within the Project area. (PDF-LE-1)
- **N/A** 65. An Opticom traffic signal light changing system shall be provided where new traffic signal lights are installed. (PDF-LE-2)

## Fire and Emergency Medical Service

Plans, Programs, and Policies

- S 66. The landowner or subsequent project applicant shall comply with all applicable provisions of the Secured Fire Protection Services Agreement between The Irvine Company and the Orange County Fire Authority on February 11, 2003. (PPP-FS-1)
- **N/A** 67. Prior to the release of a final map by the City, all fire protection access easements shall be approved by the Orange County Fire Authority and irrevocably dedicated in perpetuity to the City. (Standard Condition 1.10) (PPP-FS-2)
- **S** 68. The landowner or subsequent project applicant shall comply with all applicable Orange County Fire Authority (OCFA) 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, fire sprinkler system, etc. (PPP-FS-3)

## Project Design Features

B 69. Prior to approval of tentative tract maps and street improvement plans for traffic/vehicle circulation, all circulation and access plans shall be reviewed and approved by the Orange County Fire Authority. (PDF-FS-1)

#### <u>Schools</u>

Plans, Programs, and Policies

A 70. Pursuant to Government Code Section 65995, the Applicant shall pay developer fees at the time building permits are issued to the appropriate school districts; payment of the adopted fees would provide full and complete mitigation of school impacts. Alternatively, the Applicant may enter into a school finance agreement (Agreement) with the school district(s) to address mitigation to school impacts in lieu of payment of developer fees. The Agreement shall be mutually satisfying and 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. (PPP-SCH-1)

# Project Design Features

S 71. The Applicant shall reserve one school site (an elementary school site of approximately 10 acres) within the PA 40 Project area to be acquired by the school district. The site may include a "joint use" park, which could be available for school use during school operation hours and community use during school off hours. The school site (including the joint use land) shall meet requirements established by Public Resources Code Section 21151.8; Education Code Section 17213; and California Code of Regulations, Title 5, Sections 14011[h] and [i]: and CCR Title 14, Section 15093.

Financing for site acquisition and construction of an elementary school is being contemplated by IUSD and the Applicant in the Updated Mitigation Agreement. In the event that the Applicant and IUSD cannot reach a mutually satisfying alternative mitigation plan, payment of the adopted developer fees by the Applicant would fully and completely mitigate all school impacts. (PDF-SCH-2)

#### Libraries

Project Design Features

A \_\_72. In the event that a city-wide library impact fee is adopted and in force, the developer shall pay this fee prior to issuance of building permits for new development. (PDF-LIB-1)

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## **RECREATION**

Plans, Programs, and Policies

- B 73. This development necessitates the construction of public and/or private infrastructure improvements. Prior to the release of a final map by the City, the landowner or subsequent project applicant shall construct, or enter into an agreement and post security, in a form and amount acceptable to the City Engineer, guaranteeing the construction of riding, hiking and bicycle trails (if any) adjacent to or through the project site, in conformance with applicable City standards and the City's Capital Improvement Policy. (Modified Standard Condition 1.1) (PPP-REC-1)
- A 74. This development includes public trails, which the City Engineer may permit to be recorded separately from the final map. Prior to the issuance of the first precise grading permit, the landowner or subsequent project applicant shall submit to the City Engineer and the Director of Community Services all documents ready for recording of such easements. (Standard Condition 2.7) (PPP-REC-2)

## Project Design Features

- S 75. Prior to approval of the first Tentative Tract Map within Planning Area 40, the landowner or subsequent project applicant shall submit a Master Landscape and Trails Plan for review by the Community Services Commission and approval by the Planning Commission. Consistent with the zoning for PA 40, the Master Landscape and Trails Plan shall specify trail locations and types, ownership and maintenance, and a phasing plan for construction of trails. (PDF-REC-1)
- N/A 76. Prior to approval of any map for the project area within PA 12, the project applicant shall submit a Master Landscape and Trails Plan for the project area to include extension of the Sand Canyon Trail along the eastern edge of the project for review by the Community Services Commission and approval by the Planning Commission. The Master Landscape and Trails Plan shall specify trail locations and types, ownership and maintenance, and a phasing plan for construction of trails. (PDF-REC-2)

- S 77. In conjunction with approval of the first tentative tract map for residential purposes for the portion of Planning Area 40 west of SR-133, a Park Plan shall be approved establishing the exact number, precise location, configuration, ownership, and size of community and neighborhood parks, for all of Planning Area 40, consistent with the zoning. (PDF-REC-3)
- S 78. In conjunction with the first residential "A" master tract map for the portion of Planning Area 40 west of SR-133, the project applicant shall submit a segment park design to the City. The segment park design shall include: dimensions and acreage of the JOST segment, trails and pedestrian access to trails, landscape elements, conceptual plant palette, planned vehicular access or crossings, special design features and passive recreational amenities and improvements. (PDF-REC-4)

## TRAFFIC

Plans, Programs, and Policies

- A 79. The landowner or subsequent project applicant shall pay applicable fees per the North Irvine Transportation Mitigation (NITM) Program to provide its fair share funding towards improvements identified within such Program. The timing of payment of fees shall be per the City of Irvine Municipal Code (Title 6, Division 3, Chapter 7). (PPP-TR-1)
- B 80. The landowner or subsequent Project applicant shall pay applicable Foothill/Eastern Major Thoroughfare and Bridge fees to provide its fair share funding of the Foothill/Eastern Transportation Corridor improvements. (PPP-TR-2)

# Project Design Features

- B 81. Project Related Roadway Improvements: New on-site roadways and roadway improvements adjacent to the Project site are proposed to facilitate access to and from the development uses proposed in PA 40 and PA 12. Figure 5.14-7, PA 12 and PA 40 Project-Related Roadway Improvements, in Section 5.14, Traffic, illustrates the general nature, location, and timing of those improvements, and Table 5.14-10, Project-Related Roadway Improvements, in Section 5.14, Traffic, provides a brief description of each improvement. (PDF-TR-1)
- S 82. Prior to the recordation of the first tentative map or the awarding of a construction contract for the Sand Canyon Avenue grade-separation improvement whichever occurs first, the Project applicant will contribute \$6 million (cash and/or right of way) towards the City of Irvine proposed Sand Canyon Grade Separation Project. The \$6 million contribution will be comprised of: (a) providing assessment district funds to the City equal to the estimated cost of the Spectrum 6/Spectrum 7 widening conditions of approval for Sand

Canyon Avenue between Burt Road and Oak Canyon; and, (b) additional cash and/or right of way, as needed to provide the \$6 million amount. (PDF-TR-2)

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## Mitigation Measures

- **B** 83. In conjunction with the submittal of any tentative tract maps/tentative parcel maps for the Project within PA40, the landowner or subsequent project applicant shall prepare, subject to review and approval of the City, the required tentative tract map/tentative parcel map (TTM/TPM) level traffic study per City Resolution No. 03-61. This traffic study will verify whether the intersection locations listed below, which have been identified as impacted in this EIR, are projected to be at an ICU of 0.91 (LOS E) or greater for the Interim Year Analysis. For those intersections, which are projected to be 0.91 or greater in the TTM/TPM traffic study, the tentative tract map/tentative parcel map will be conditioned to construct the necessary improvements that have been identified in the traffic study (Appendix I1). For those intersections, which are not projected to be 0.91 or greater, the landowner or subsequent project applicant shall enter into an agreement with the City of Irvine to provide funding for the TTM/TPM's fair share allocation towards the full funding obligation of the Project to the future implementation of the necessary improvements or acceptable alternative improvements as determined by the jurisdiction in which the improvement is located so long as their cost will not exceed the cost of the improvements listed below. EIR Subsection 5.14.6.2 contains a more detailed description of the improvements proposed to mitigate the impacts of the proposed GPA/ZC project based on year 2012, 2030 and Post-2030 conditions. The following identifies the intersection reference number, intersection location and applicable year (i.e. future scenario year(s) in which a significant impact is anticipated to occur (MM-TR-1):
  - 16. Newport Avenue/Irvine Boulevard- Add westbound de-facto right turn lane (Post 2030)
  - 303. Add second eastbound through lane and convert second westbound right-turn lane to a-shared second through/second right-turn lane(Post-2030)
  - 306. Sand Canyon Avenue and Oak Canyon/Laguna Canyon- Add westbound free right-turn lane and convert the shared through/right turn lane back to a through lane (Post 2030)
  - 559. "O" Street and Trabuco Road- Provide a southbound right-turn overlap phase with eastbound left-turns (2030)
- A 84. The NITM Program provides a funding mechanism for the coordinated and phased installation of required traffic and transportation improvements established in connection with land use entitlements for City of Irvine Planning Areas 1, 5, 6, 8, 9, 30, 40 and 51. As established by City Ordinance No. 03-20, the PA 40 portion of the proposed GPA/ZC is included in this program and, as such, is required to pay its fair share towards the List of NITM Improvements included within the established NITM Program. The following Project impacted

locations are included in the NITM List of Improvements and, thus, payment of NITM fees will mitigate the PA 40 project's fair share responsibility towards these improvements (MM-TR-2):

- Santa Ana (I-5) Freeway SB Off-ramp at Alton Parkway- Add second auxiliary lane from I-5 to the off-ramp (2030 and Post-2030)
- Santa Ana (I-5) NB Off-ramp at Jamboree Road- Add second drop lane from I-5 to the off-ramp (2012)
- Santa Ana (I-5) Freeway SB Off-ramp at Bake Parkway- Widen connector from I-5 to I-405 exit to Bake Parkway to two lanes (Post 2030)
- San Diego (I-405) Freeway SB Off-ramp at Sand Canyon Avenue- Add second drop lane from I-405 to the off-ramp (Post 2030)
- 306. Sand Canyon Avenue and Oak Canyon/Laguna Canyon –Convert the westbound through lane to a shared westbound through/second westbound right turn lane (2012 and 2030)
- N/A 85. Prior to approval of any tentative tract map/tentative parcel map for the Project within PA 12, the landowner or subsequent project applicant will enter into an agreement to establish PA12's fair share towards the listed locations in MM-TR-2 using the same methodology for determining fair share contributions as included in the NITM Program. (MM-TR-3)
- N/A 86. In conjunction with the submittal of any tentative tract maps/tentative parcel maps for the Project within PA12, the landowner or subsequent project applicant shall prepare, subject to review and approval of the City, the required tentative tract map/tentative parcel map (TTM/TPM) level traffic study for Year 2012, Year 2030 and Post-2030 (or equivalent) per City of Irvine Traffic Impact Analysis Guidelines. This traffic study will verify whether the intersection locations listed below, which have been identified as impacted in this EIR, are projected to be at an ICU of 0.91 (LOS E) or greater for the Interim Year Analysis. For those intersections, which are projected to be 0.91 or greater in the TTM/TPM traffic study, the tentative tract map/tentative parcel map will be conditioned to construct the necessary improvements that have been identified in the traffic study (Appendix 11). For those intersections, which are not projected to be 0.91 or greater, the landowner or subsequent project applicant shall enter into an agreement with the City of Irvine to provide funding for the TTM/TPM's fair share allocation towards the full funding obligation of the Project to the future implementation of the necessary improvements or acceptable alternative improvements as determined by the jurisdiction in which the improvement is located so long as their cost will not exceed the cost of the improvements listed below identified in this EIR. EIR Subsection 5.14.6.2 contains a more detailed description of the improvements proposed to mitigate the impacts of the proposed GPA/ZC project based on year 2012, 2030 and Post-2030 conditions. The following identifies the intersection reference number, intersection location and applicable year (i.e. future scenario year(s) in which a significant impact is anticipated to occur (MM-TR-4):

- 16. Newport Avenue/Irvine Boulevard- Add westbound de-facto right turn lane (Post 2030)
- 303. Add second eastbound through lane and convert second westbound right-turn lane to a shared second through/second right-turn lane (Post-2030)
- 306. Sand Canyon Avenue and Oak Canyon/Laguna Canyon (westbound free right-turn lane)- Add westbound free right-turn lane and convert the shared through/right turn lane back to a through lane (Post 2030)
- 559. "O" Street and Trabuco Road- Provide a southbound right-turn overlap phase with eastbound left-turns (2030)
- A 87. Prior to approval of the first tentative tract/tentative parcel map in PA 40 westerly of Sand Canyon Avenue that includes an internal roadway connection to Roosevelt Avenue, the landowner or subsequent project applicant shall prepare a Year 2012, Year 2030 and Post-2030 (or equivalent) focused traffic study at the Jeffrey Road/ Roosevelt intersection for the review and approval by the City of Irvine to establish the PA12/40 GPA fair share responsibility towards the following improvements or mutually acceptable alternative improvements at the Jeffrey Road/Roosevelt intersection if the study re-verifies their need (MM-TR-5):
  - Provide an eastbound right-turn overlap phase with northbound left-turns
  - Convert the eastbound through lane to a shared eastbound through/second eastbound right-turn lane

The fair share contribution of the Project will be based on the same methodology for determining fair share as utilized in the North Irvine Transportation Improvement Mitigation Program. The traffic study shall assume land use development based on the then existing General Plan and any pending development projects as of the date of the approved scope of work for such a study.

- A 88. Prior to issuance of the first non-model building permits for subject tentative tract/tentative parcel map, the landowner or subsequent project applicant shall enter into a fair share agreement with the City for satisfaction of the PA12/40 GPA fair share obligation, if any, at the Jeffrey Road/Roosevelt intersection. (MM-TR-6)
- N/A 89. The City of Irvine and the Orange County Transportation Authority (OCTA) will implement the proposed Sand Canyon Railroad Grade Separation Project. (MM-TR-7)
- S 90. Prior to approval of the first tentative tract map, the landowner or subsequent Project Applicant shall enter into an agreement with the City to provide its fair share funding (which is \$39.8 million, in 2006 dollars, subject to updating depending on approval of the proposed GPA/ZC) towards improvements included within the established NITM Program. (MM-TR-8)

## **UTILITIES AND SERVICES SYSTEMS**

#### Potable Water

Plans, Programs, and Policies

B 91. In accordance with the Irvine Ranch Water District Procedural Guidelines and General Design Requirements, Sub-Area Master Plan (SAMP) information for the PA 40 and PA 12 portions of the Project, which identify the specific potable water, non-potable water, and wastewater systems improvements necessary to serve the proposed Project, shall be submitted to IRWD for review and approval. (PPP-PW-1)

#### Water Treatment and Collection

## Mitigation Measures

- S 92. Prior to issuance of grading permits for the PA 40 Project area west of Sand Canyon Avenue, the project applicant shall provide evidence that IRWD has approved a SAMP for the Project that demonstrates that adequate capacity exists or will be provided in the Jeffrey Road trunk sewer to accommodate the wastewater flows associated with the Project, when considering the flows anticipated from the approved PA 6 and PA 9 developments. The identification of improvements necessary to address potential deficiencies in the capacity of the subject trunk sewer, as related to the Project shall include evaluation of potential environmental impacts associated with constructing the improvements and shall specify measures to avoid or reduce potential impacts. In particular, such measures shall seek to avoid or minimize construction impacts related to dust, noise, traffic disruptions, and disturbance of any natural/vegetated areas. (MM-SWR-1)
- N/A 93. Prior to issuance of grading permits for PA 40 Project area east of Sand Canyon Avenue and the PA 12 Project area, the project applicant shall provide evidence that IRWD has approved a SAMP for the Project that demonstrates that adequate capacity exists or will be provided in the Sand Canyon Avenue trunk sewer to accommodate the wastewater flows associated with the Project, when considering the flows anticipated from the planned industrial development in PA 12 between the Project site and existing golf course. The identification of improvements necessary to address potential deficiencies in the capacity of the subject trunk sewer, as related to the Project shall include evaluation of potential environmental impacts associated with constructing the improvements and shall specify measures to avoid or reduce potential impacts. In particular, such measures shall seek to avoid or minimize construction impacts related to dust, noise, traffic disruptions, and disturbance of any natural/vegetated areas. (MM-SWR-2)

## Solid Waste

Plans, Programs, and Policies

B 94. The project will result in new construction which 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 landowner or subsequent project applicant must provide a letter verifying that recycling will be conducted off site in an acceptable manner. (Standard Condition A.12.) (PPP-SWM-1)

## **Energy and Communications**

Plans, Programs, and Policies

B 95. 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.

Measures contained in the mitigation monitoring program and which are identified in other sections of this DEIR (5.1 - 5.17) will address the environmental impacts associated with the construction and operation of public energy and communications facilities. These measures are applicable to the construction and operation of new electrical energy facilities identified in this section to serve new growth expected in the Project area. (PPP-EC-1)

# **GLOBAL CLIMATE CHANGE**

Plans, Programs, and Policies

B 96. Title 24 Energy Standards: 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. (PPP-GHG-1)

## Project Design Features

- N/A 97. Transportation Management Association: Following Project approval, the Project Applicant shall apply for annexation of the non-residential portions (excluding parks, schools, and institutional uses) of the Project site into, or request to be a volunteer member of, the Spectrumotion Transportation Management Association (TMA). As an alternative, the Project Applicant may instead form a new TMA specific to the non-residential portions of the PA 40/PA12 Project site, providing comparable services, functions, and benefits as those of Spectrumotion. (PDF-GHG-1)
- A 98. Green Site Design: In addition to the favorable location, land use mix, and density of the Project that serve to reduce potential GHG emissions, as described in the Impacts Analysis below, the overall project design includes a number of features that will reduce energy consumption and associated GHG emissions. Such features include (PDF-GHG-2):

Reduced Automobile Dependence - The following site design features will help to reduce the number of vehicle trips and the vehicle miles traveled.

<u>Public Transit Access</u>: There are currently three bus stops on Trabuco Road and three on Sand Canyon Avenue adjacent to the PA 40 Project site. Also, a new bus stop is proposal on Jeffrey Road adjacent to the Project site, just north of Roosevelt, as part of the ultimate widening of Jeffrey Road. The City/Applicant shall work with the OCTA towards further expansion of existing OCTA bus routes to better serve the Project site. The roadway system proposed for the project will include provisions for bus stops and bus turnouts, as coordinated with OCTA.

Spectrumotion: Spectrumotion is a nationally recognized private, nonprofit Transportation Management Association (TMA) that promotes, markets and subsidizes alternatives to solo commuting for those employed in the Irvine Spectrum. Spectrumotion was formed in 1985 as a collaborative effort between The Irvine Company and the City of Irvine, and has a proven record of successfully assisting employees of the Irvine Spectrum with finding alternative means of commuting. Spectrumotion is funded by Irvine Spectrum property owners and offers the following free employer services:

- New Hire Orientation Information
- Bus and Train Pass Sales and Subsidies
- Vanpool Administration and Subsidies
- On-site Promotions
- Commuter Information Bulletin Board Acquisition and Update Service

- Telecommuting and Alternative Work Schedule Consulting and Implementation Assistance
- Rideshare Incentive Program Management
- SCAQMD Emission Reduction Plan Preparation

Additional information regarding Spectrumotion can be found at http://www.spectrumotion.com. As described above in PDF GHG-1, the non-residential portions of the Project site would be served by Spectrumotion or other comparable TMA.

Internal Non-Vehicular Access: As will be further defined at more detailed levels of site design, the Project site will include a network of pedestrian and bicycle trails that facilitate non vehicular access and links with neighborhoods, parks, schools, retail/commercial uses, and employment areas.

Effective Use of Landscaping - Development of the Project site will include the installation of landscaping throughout the site, similar to that used for the recently developed Woodbury and Stonegate residential planned community developments located near the Project site. Such landscaping includes the use of trees and shrubbery, much of which is transplanted to the site as mature These landscaping characteristics provide for more dense planted areas with fuller foliage than what can be typically observed at many other new developments in southern California. This provides multiple benefits related to GHGs such as helping to shade and cool the site, helping to absorb CO2 through photosynthesis, and helping to stabilize soils onsite, which can help reduce existing GHG emissions (i.e., the tilling of soils and biodegradation of organic materials associated with current agricultural activities in PA 40 will be replaced by site landscaping - additionally the temporary/periodic nature of low lying vegetation [row crops] within the PA 40 site will be replaced with Irrigation of the site landscaping in common areas will use recycled (reclaimed) water from the Michelson Reclamation Plant, which offers certain environmental benefits and requires less embodied energy (i.e., less GHG emissions) compared to using potable water for irrigation. Common area landscaping will include the following design features:

- All irrigation systems shall be designed to conform to California AB 325 (Model Water Efficient Landscape Ordinance).
- Irrigation systems shall be designed to apply water at a rate which does not exceed the infiltration rate of the soils, and systems shall be programmable to prevent ponding and minimize runoff.
- Irrigation systems shall be designed to apply water at a rate which does not exceed the infiltration rate of the soils, and systems shall be programmable to prevent ponding and minimize runoff.
- Irrigation systems shall be designed to meet the peak moisture demand of all plant materials used within the design area. Individual station run time shall meet peak evapotranspiration (E.T.) rate. Additionally, satellite-linked system controllers/rain sensors are used to monitor and adjust the timing and amount of irrigation.

- Separate remote control valves shall be used for shrub and groundcover areas versus turf-areas. Sun and shade areas shall also have segregated-irrigation controls.
- Green Building Design: Based on the principles and point score system of the City's existing voluntary Irvine Green Building Program, individual residential and professional administrative office developments occurring within the Project site shall be designed and constructed to incorporate "Green Building Design" features from the menu provided in Table 5.17-2, PA40/12 Green Building Options, summarized the various measures available for different building types and the relative score value for each measure, while Appendix K1 provides the detailed scoring sheets for each building type. For the PA 40/PA 12 Project, buildings within each of the categories identified in Table 5.17-2, PA 40/12 Green Building Options, will incorporate measures to achieve at least 50 points in order to meet the Green Building Design requirement set forth in this PDF, as will be confirmed prior to issuance of a building permit(s) for the candidate building(s). (PDF-GHG-3)
  - 1. Site & Landscape
  - 2. Foundation, Frame, And Roofing
  - 3. Plumbing
  - 4. Lighting & Appliances
  - 5. HVAC
  - 6. Energy Performance
  - 7. Renewable Energy
  - 8. Indoor Air Quality
  - 9. Resource Efficient Materials
  - 10. Education, Awareness, and Operations

# **VOLUNTARY UNDERTAKING BY PROJECT APPLICANT**

S 100. The applicant has voluntarily agreed to prepare, in cooperation with the City, a comprehensive study of a clean technology shuttle system that extends the existing shuttle system in IBC (the i shuttle) to the Irvine Transportation Center, the Great Park, and the Spectrum. The study will discuss and identify optional routes, stops, phasing, costs, and other information necessary to explore eligible funding opportunities available from OCTA or outside funding sources, with the goal of beginning to implement the system by December 2010. The applicant shall complete the study within 180 calendar days of the effective date of the zone change for Planning Area 40.

Prior to the recordation of the first residential tract map for Planning Area 40, the City will evaluate the status of securing the necessary funding from OCTA and other available outside funding sources for the implementation of the clean technology shuttle system based on the options and corresponding financing plans identified in the applicant's study.

At that time, if there is a shortfall in funding for the clean technology shuttle system under the financing plan identified in the applicant's study, the applicant has committed to fund the shortfall in an amount not to exceed \$10 million dollars, payable pursuant to a separate funding agreement. The separate funding agreement shall be executed before recordation of the applicant's first residential tract map for Planning Area 40.

## A 101. The applicant shall:

- Fund 50 percent of the costs to widen the Trabuco Road/SR-133 Bridge to accommodate an eight-foot-wide sidewalk/trail along the north side of the bridge. The bridge widening project will be constructed as part of the Trabuco Road/SR-133 Interchange Improvement Project.
- Advance the remaining 50 percent of the costs if the City does not have funds available to complete the bridge widening project, provided that advancing the costs is subject to a reimbursement agreement between the City and the applicant. The City and the applicant will execute the reimbursement agreement before the award of the construction contract for the bridge widening project.
- Widen the existing sidewalk located along the north side of Trabuco Road between Sand Canyon Avenue and the Trabuco Road/SR-133 interchange from five (5) feet to eight (8) feet. The applicant shall complete the sidewalk widening project by the time that the bridge widening project for the Trabuco Road/SR-133 Bridge is complete.



October 19, 2016

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Darrell Johnson Chief Executive Officer Ms. Stephanie Roxas, AICP, Associate Planner City of Irvine Community Services Department P.O. Box 19575 Irvine CA 92623-9575

SUBJECT: City of Irvine - Cypress Village Park Plan

Dear Ms. Roxas:

Thank you for providing the Orange County Transportation Authority (OCTA) with the Public Notice for a public hearing regarding the Cypress Village Park Plan.

Please be advised that OCTA currently owns and operates a bus base in the vicinity of Sand Canyon Avenue and Marine Way. In addition, an existing Metrolink-Maintenance-of-way-facility is currently in the area, and a future Metrolink Maintenance Facility is contemplated. We recommend this information be publicly disclosed as part of the approval process with the Community Services Commission as well as to any other approving body, and circulation considerations for each of these facilities also be considered.

According to the October 19, 2016 staff report for the Community Services Commission meeting, the Program Environmental Impact Report for Planning Area 12/40 (SCH No. 200071014) General Plan Amendment and Zone Change satisfies the California Environmental Quality Act (CEQA) requirement for the Irvine Cypress Village Park Plan. OCTA hereby requests any relevant CEQA document(s) related to this project.

Throughout the development of this project, we encourage communication with OCTA on any matters discussed herein. If you have any questions or comments, please contact me at (714) 560-5907 or at <a href="mailto:dphu@octa.net">dphu@octa.net</a>.

Sincerely,

Dan Phu

**Environmental Programs Manager** 

Orange County Transportation Authority