

**CITY OF ALISO VIEJO
DEVELOPMENT REVIEW/SUBDIVISION COMMITTEE MEETING
SEPTEMBER 26, 2006**

MINUTES

CALL TO ORDER

The Regular Meeting of the Development Review Committee of the City of Aliso Viejo was called to order by Chair Garcia at 4:17 p.m., on Tuesday, September 26, 2006, at the Aliso Viejo City Hall Council Chambers, 12 Journey, Aliso Viejo, California.

ROLL CALL

Present: Committee Members: Mark Hiller, Joseph Koszarek, Lt. Rich Paddock, Lori Trottier, John Whitman, Chair Genia Garcia

Absent: (Alternate) Donald Garcia, (Excused); Lynne Pivaroff (Excused)

ITEM 1: APPROVAL OF SEPTEMBER 12, 2006, MINUTES

A MOTION was made by Committee Member Hiller to amend the Minutes on Page 1-3 in the second paragraph from the bottom to read, "He also stated that he would put all of the proposed sites before the DRC at the same time." The motion was seconded by Committee Member Whitman. With Committee Members Trottier and Paddock abstaining, motion carried.

ITEM 2: SITE DEVELOPMENT PERMIT SDP06-05 VANTIS PODIUM

Consulting Planner Loftus stated the proposal is for 102 dwelling units (du). There is an overall threshold of 409 du on the property and 102 du is the maximum number allowed for construction on this 2.44-acre site. This is a mid- to high-rise, seven-story building over a two-level subterranean parking structure at the corner of Vantis and Enterprise. This is an "urban" project with a density of 48 du per acre, which falls within the 30 du per acre maximum allowed in the General Plan and identified by the Specific Plan when the entire Vantis development is considered. It is zoned high-density residential. This seven-story structure is lower in overall height than the approved five-story building originally described in the Specific Plan.

Consulting Planner Loftus stated that Staff has included a condition to address the retaining walls used to buttress the fill slopes on the site, which rise considerably above the intersection. Staff will work with the applicant on that issue and recommends the committee forward a recommendation of approval to the City Council. Staff will work with developer regarding parking ratio and structure design. Consulting Planner Loftus clarified that OCFA determined that a helicopter pad will not be required due to implementation of alternative fire suppression methods.

Representing Shea Homes, Mr. Brian Riggs stated that the Podium is higher density and will complement the Townhomes across Vantis Dr. Mr. Riggs stated that construction on the garage is targeted to commence in March 2007, with occupancy slated for 2009.

Architect Rob Walker gave a general overview of the project and stated that one of the property lines has been adjusted between the parking structure and the proposed residential development so the property dimensions vary slightly from the original submission. Parking for 218 vehicles is a ratio of more than one parking space per residential bedroom, plus 21 additional stalls for visitor parking. Ninety-three residences are located in the main building; nine are Vantis Townhomes, which share the same podium over the parking structure. Forty-one percent of the units are one bedroom, forty-two percent are two bedrooms, and seventeen percent Townhomes that have two bedrooms and a den. Units range between 800 and 2200 sf., with an average unit size of 1350 sf. The Podium offers a wide range of unit types and configurations, including two-level penthouses and three-story Townhomes along Vantis. The project includes 20 one-bedroom affordable housing units. Mr. Walker also described the proposed materials, and colors.

The intent of the architecture is to provide a unique urban style building appropriate in scale to transition this project with the various office, commercial, and residential uses within the entire Vantis project. It is also designed to encourage pedestrian usage. The building design has been created so that it has a dynamic appearance in that as one moves along the street, the sight of the building is constantly changing. A key design component has been integrating the building and landscaping.

D.J. Taylor, Urban Arena landscape architect, stated that the plaza space was designed to enhance the architecture, with a mixture of materials and by using vertical and structural planting. The landscaping draws the people from the vehicle area into the plaza and major amenities space which includes a pool, spas, BBQ and areas to socialize.

Discussion ensued regarding issues brought up by the following committee members: Committee Member Koszarek asked whether it was within Code to have only one entrance to the parking garage; Mr. Walker did not have the answer. Further discussion ensued regarding the parking garage; no on-street parking; and, whether there was sufficient parking for those who own more than one vehicle. Mr. Walker stated experience shows that one parking space per bedroom generally provides the ratio margin needed for this type of a building.

Committee Member Whitman stated that he was concerned about water quality issues and could not discern where and how in the design this subject could be addressed. In response to Committee Member Whitman, Mr. Walker stated that storm water management has not been addressed; however, design goals are to move toward green and sustainable architecture, such as collecting water on-site and reusing it for irrigation, etc. The significant landscape on this project would minimize water run-off. Committee Member Whitman stated he would need to see the design criteria.

Committee Member Whitman stated he hasn't seen a turning radius study for the driveway to accommodate large trucks and moving vans particularly because of the

driveway's steepness. He also was concerned about the location of the support columns in the underground garage at, or near, the driving aisle. Currently parking spaces are 18 ft. deep and the driving aisles are 24 ft. wide, but are impacted by the support columns. He said the Enterprise corridor is part of the City's master trails plan and is concerned about the sidewalk configuration with very steep grades and limited sight distance. He would like to see more pedestrian-friendly treatment along the edge that is in compliance with the master trails plan. Discussion then followed regarding the how Townhomes soften the character of the street.

Committee Member Paddock requested some innovative design in parking and security to address the motorcycle theft issue which occurs frequently.

Committee Member Paddock asked if clearly marked, hands-free panic alarms could be installed throughout the structure and recommended 122 Vantis be reviewed as an example. He also asked about the building's security videos and ability to access them quickly by public safety officials. Committee Member Paddock also noted that 800MHz bi-directional amplifiers for use by emergency personnel for radio transmissions are a requirement.

Committee Member Trottier questioned how the design was conceived and how it was determined that this design transitions into the surrounding architecture. Mr. Walker explained that of the surrounding office/commercial buildings, the most significant consideration was two office buildings and a six-story parking structure immediately to the northwest of the site. In addition to being directed to incorporate an innovative urban design for the master planned community, the design strategy was to pick up elements from, and co-exist with, surrounding non-residential buildings, without making the residential area look like a commercial site.

Discussion ensued regarding visitor parking; fire department access turnaround; that more information would be required regarding the specifications and the appearance of a retaining wall. Mr. Walker reassured the committee that the retaining wall would incorporate architectural and landscaping elements to avoid the classic engineered retaining wall that appears like the back of a building. He also mentioned that the trash containers will be located in the parking garage with great consideration given to location of the trash chutes; there will be a recycling program.

Committee Member Hiller asked about amenities for children. Mr. Taylor stated that this complex is only a segment of the whole project and a more suitable site that can accommodate the dimensions for a playground should be provided elsewhere and within walking distance. Committee Member Hiller brought up the issue about homeowner associations and payment for amenities which would be used by outsiders, albeit in the same project; the issue of having to contend with easement rights and maintenance of facilities. Discussion ensued regarding the pool and its surrounding security fencing. Chair Garcia stated that a permit could not be issued if the fencing did not meet code. Discussion followed regarding the design and appearance of the building; number of required stairways; underground parking with elevator access to

condominiums and direct garage access to the Townhomes. It was also discussed whether there is sufficient parking allocated for the number of units and that parking will ultimately be assigned with the potential that additional spaces will be available to rent; plywood fencing around construction site; rooftop mechanical equipment being within the height limitation; Condition No. 5 removing the sentence which states "...by which actions brought within the statue of limitations." Chair Garcia stated that the City Attorney is reviewing that suggestion.

Chair Garcia stated that Shea properties is building two parking structures and three office buildings adjacent to this project and in meetings with Staff, a copy of the City's Streets and Trails Master Plan was provided. Chair Garcia encouraged all developers to work together and determine how the Enterprise/Vantis intersection will be configured to work within the recommendations of the trails master plan. She also recommended incorporation of drought tolerant, low water usage plants in the landscaping palette, which is required by the Specific Plan. Discussion followed regarding rentable storage space in the parking garage. Mr. Walker described the rooftop terrace/common area/amenity spaces directly above the pool area which is more conducive to parties and events vs. the second location overseeing the corner of Vantis/Enterprise, which is more for resident usage. The procedure for visitor access to secured parking has yet to be determined and will have to be configured in the security system design. Chair Garcia stressed implementation of the CPTED conditions, specifically, that the structure be well lit and painted in a light color.

Committee Member Trottier left the dais at 5:50 p.m.

Committee Member Whitman discussed the City's plant palette and suggested using large drought tolerant trees, citing Grand Avenue as an example. Discussion followed regarding opinions as to whether this urban design is appropriate for tying in and transitioning the residential project with the surrounding commercial projects. Mr. Walker stated that the intent is not to design a project that is all things to all people, rather it is one component of a larger project. A community is being created that can accommodate a variety of people, family situations, lifestyles, without requiring one to drive. This is one element in a large project of different buildings with different uses, each with a different appearance that make a unified whole, which is tied together through landscape and architectural design.

Lt. Paddock asked that the designer be sensitive to the school children that will be walking to/from school and avoid a sidewalk that allows kids to step off the curb and onto the roadway. Lt. Paddock also recommended the design committee tour the 122 Vantis site for examples of excellent CPTED implementation.

Chair Garcia opened the public hearing. Sharon DeJean Murray stated that she is concerned about kids cutting through the slopes en route to school; there should be softscape between the road and sidewalk; there is inadequate parking for residents and visitors; water quality; and the stucco glass fencing around the pool. With no further testimony, Chair Garcia closed the public hearing.

Committee Member Koszarek stated that overflow street parking is not an option at this project and felt parking was insufficient for the size of this project. Mr. Riggs stated that there are over two parking stalls per residence, of which half are only one bedroom units. Shea's market niche and target market research shows very few children would reside in this building because families with children look for residences with yards and attached garages. Additionally, limited parking encourages people to walk rather than drive, however, parking spaces are assigned based on the unit. Aside from exceeding City parking requirements, Shea has provided for additional stalls to augment the parking requirement based on market research. Chair Garcia requested the applicant return with parking information requirements from other podium-type development projects that are up and running.

A MOTION was made by Committee Member Hiller to continue the item to the October 10, 2006, DRC meeting and provide the applicant with a checklist in order to address all the concerns of the committee. The motion was seconded by Committee Member Koszarek, motion carried.

Chair Garcia called a recess at 6:13 p.m., and reconvened the meeting at 6:27 p.m.

ITEM 3: SITE DEVELOPMENT PERMIT SDP06-12 PINWOOD PARK

Committee Member Hiller recused himself explaining that he was on the AVCA Board when the restrooms were purchased and left the dais at 6:27 p.m.

Consulting Planner Lawrence stating that on August 22, 2006, the DRC reviewed the Pinewood restroom site. The item was continued to September 12, wherein additional testimony was heard before it was again continued to September 26, to allow AVCA further time to conduct outreach. Staff reports include potential impacts of the proposed site relating to noise, vandalism, crime and usage by non-residents. Staff believes Pinewood is not the best location as compared to larger sports parks. Staff recommends the Committee take additional public testimony and if not continued, forward a recommendation to City Council.

Ross Chun, representing the AVCA Board of Directors, asked the item be continued based on the additional requirements placed by Council when it heard the Foxborough application. Council requested photo simulations and enhanced site plans be provided. Mr. Gesner estimated it would cost approximately \$10-15,000 per site to produce and would require 30-90 days. Both the Foxborough and Pinewood would be done concurrently.

Chair Garcia opened the public hearing.

Brett Goellner stated he sat through discussion of Item 1 today (Vantis Podium) and heard discussion about the importance of landscaping; that all the security issues regarding the restrooms have been discussed already; that AVCA is proposing to

remove a 20-yr-old pine tree; the restroom is too large; and, there isn't sufficient parking. He stated AVCA could get a smaller restroom and position it toward the back of the park. A petition with three hundred signatures was presented in opposition, yet AVCA doesn't listen to the residents--what has AVCA done about the petition? He asks DRC to recommend moving the restroom to a more desirable location by listening to the community that is in opposition.

Gregory Lee has lived in Glenwood Village since 1987. Pinewood is a neighborhood park and restrooms would be justified in a park that had activities from sun up to sunset, seven days per week. If, in deed, restrooms had been on Master Plan, then 15 years later, the item should be revisited for its relevance. He believes AVCA is disingenuous by stating that everyone new about the restrooms which were in the Mater plan. He concluded that Pinewood wasn't even AVCA's first choice location.

Larry Lazar, representing the Glenwood Village Homeowners Association, submitted a letter in opposition of the restroom. He said that at the previous DRC meeting, AVCA said it would conduct an outreach, knowing the item would be heard again at this meeting. As president of the homeowners' association he reported that not even a phone call was conducted regarding the 200 residents who oppose the restrooms, nor did AVCA express an interest in attending their board meeting. Mr. Lazar attended the Council meeting wherein AVCA was directed to install the bathroom in a highly visible area, well lit with minimal landscaping around it, and Pinewood Park is not a good location based on those requirements. He objected to a prefabricated bathroom. He would like to see a determination rather than continuance since AVCA never fulfills its promises.

Xiomara Hiller stated that she previously submitted copies of AVCA's 1995 and 2000 Master Plan wherein there was no mention of restrooms, a copy of the fall Softball schedule, which was a very light due to practices at other fields; and copies of letters on AVCA stationery, wherein there is a discrepancy on the dates and did not contain signatures. She stated that when Mr. Goellner went door-to-door for the petition, many people didn't want to sign it because they felt intimidated and didn't want AVCA calling them at home. She asked the Committee not to grant AVCA's request for continuance.

Sally Burke stated that her property would be the most impacted as the restroom is visible from several rooms in her house. She observed several people relieve themselves behind the structure and in the landscaping. She thinks the bathroom is unsightly, unsanitary, and nuisance that will draw unsavory characters. She called the police on Friday due to a loud car radio; the fire department had to respond on Saturday night. She stated an article by AVCA Board Member, Judy Fouladi, mentioned 19 parks; however, Ms. Fouladi made no mention of Pinewood Park. Ms. Burke believes this validates the insignificance size of the park. She objects to how Pinewood was selected and asked DRC not allow the restroom in Pinewood.

Larry Lazar returned to the podium stating that the AVCA representative had already left the meeting, which to him symbolized indifference to the 300 residents who oppose the restroom.

With no further testimony, Chair Garcia closed the public hearing.

Committee Member Whitman stated that although he understood the opinions of the residents, general practice has been to approve a continuance when requested by the applicant and motioned to continue the item.

Chair Garcia stated that the Committee gave AVCA direction to work with the residents who signed the petition, and at a subsequent meeting, another petition was submitted. She respects the fact that AVCA is attempting to comply with Council's request to submit photo simulations, etc., however, AVCA has not responded to any of the direction by the DRC to work with the residents and conduct outreach. Mr. Lazar, representing the homeowners association, hadn't even received a call from AVCA. A SUBSTITUE MOTION was made by Chair Garcia to deny the application. She stated that this park is too small and not sufficiently used to warrant a restroom. Chair Garcia stated that the committee will vote, and she will abide by that decision although she thinks the location is inappropriate for facilities of this type and size and denies the continuance.

Committee Member Koszarek stated he drove by the park today and does not believe the restroom, as proposed, is appropriate for that location. It is too small of a park and even a smaller restroom would not be appropriate. He recommended the restroom be installed elsewhere.

Lt. Paddock visited the park with one of his deputies and agreed the restroom is too big for the park. Committee Member Paddock seconded the motion to deny the continuance and forward a recommendation to Council to deny the application.

Ayes: Committee Member Koszarek, Committee Member Paddock, Chair Garcia
Noes: Committee Member Whitman
Abstain: None

Chair Garcia thanked everyone. She informed the audience that AVCA could still bring compelling information to Council for their consideration; however, the Committee will forward its recommendation to City Council.

ADJOURNMENT

Chair Garcia adjourned the meeting at 6:54p.m.