

Mission Viejo Buzz

Keeping the California Promise
Week of December 5, 2005



Carl Schulthess, Editor in Chief carl.s@cox.net
Dale Tyler, Publisher edt@missionviejoca.org
Kathy Miramontes, Content Manager katmiris@cox.net

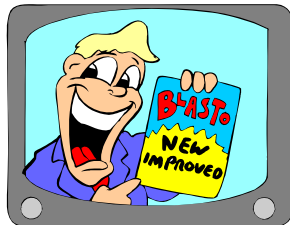
STAFF EDITORIAL

The Case Against Aliso Ridge Mixed-use Development – Part 1

by Dale Tyler (edt@missionviejoca.org)

The property located near the intersection of Jeronimo Road and Los Alisos Blvd. has been zoned commercial since long before the inception of the City of Mission Viejo. It remained zoned commercial in the Master Plan because of the perceived need for a balance of commercial uses to provide revenue and residential uses to provide housing. When the city road system and infrastructure were planned, a specific number (approximately 30,000) of dwelling units were to be constructed. Yet now, a developer – Steadfast – is coming forward with a plan to build 160-plus dwellings on 10.5 acres of this 23-acre parcel, with the remaining 13 acres being used for a Target retail store. Attempts by the same developer to convert the entire parcel to residential have been turned down repeatedly by the Mission Viejo Planning Commission and City Council over the last two years, so Steadfast has come up with another plan.

Over the years, the city has approved dwelling-unit increases that exceed the original limit, with corresponding increases in traffic problems and other impacts to the schools and parks. This is especially apparent in south Mission Viejo, where in 1992, 700-plus dwellings were approved to be constructed on land pre-



viously zoned commercial. Although more than 7,000 residents filed a referendum to overturn the zoning change, it was eventually defeated by the city by procedural means. The case was never tried on the merits, although one judge said he thought it would be likely that the residents would prevail.

The situation with Aliso Ridge closely parallels the situation 13 years ago in several respects. First, this property has always been commercial with the potential to generate revenue for the city, including sales tax. Second, increased peak-direction, peak-time traffic will adversely affect neighbors and other commuters. Third, notwithstanding the inaccurate attendance estimates from the school district, the actual number of children generated by the proposed project will adversely impact local schools and parks. In addition to these clearly observable effects, the residents adjacent to the project in south Mission Viejo will tell you that the high-density nature of the development has resulted in more crime, including several shootings, and increased graffiti, mostly in and near the project.

The primary negative impacts of the residential portion of the Aliso Ridge project can be summed up as follows:

Loss of commercial-zoned property that will provide Mission Viejo with sale tax revenue into the future.
Increased peak-hour/peak-direction traffic that will hurt neighbors and commuters using the already very congested streets in the area.

Potential damage to the Aliso Creek watershed due to residents of the new project using it for recreation. This area has no convenient local parks be-

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cause it is primarily a commercial area, so residents would have few other choices to walk their dogs, etc.

Increased burden on already overcrowded schools and parks. This is especially problematic because the proposed residential area is in the middle of a commercial zone.

Increased requirement for police and other community services. The 160-plus dwellings will generate far more calls for service, especially for crimes to persons (assault, battery, spousal abuse) than a store, which will, at most, have a few shoplifters to be carted off to jail.



Of all of the negative impacts, the one that will have the worst long-term effect is that of converting property zoned from commercial to residential uses. In general, commercial uses, especially retail, provide income to the city. Commercial uses also provide jobs, some of which could be filled by Mission Viejo residents. This would reduce traffic on the freeways and allow people to live and work in Mission Viejo. On the other hand, residential uses, in general, cost the city money. While property taxes will be higher with residential uses, this extra income to the city is swamped by the increases in costs for roads, schools, police and parks that the new residents will demand and the loss of sales-tax income to the city that commercial uses could provide.

Assuming a 120,000-square-foot retail use on 10.5 acres (Target is proposing 150,000 sq. ft. on 13 acres next door on the same parcel) and using \$400/sq.ft./year (average value for large retail home goods stores), we see that the store will generate \$3.72 million in sales tax per year. Mission Viejo's share would be \$480,000 per year from this one store. This is the kind of money our city needs to pay for repairs and replacement of our roads, parks and such other city facilities as the community center. Over the next decade, this would amount to nearly \$5 million dollars.

To conclude, why should the city give the developer, Steadfast, a gift with no return by allowing them to pack more than 160 dwellings into an area that could instead be used for valuable retail space? The citizens of Mission Viejo owe Steadfast nothing. Some may say that the property is now empty and would be more productive



with any use. However, that is incorrect reasoning. Housing costs us increased traffic and crowded schools, not to mention a net loss to the city treasury. Even empty land with a potential for commercial is better than that. However, Target has said they think this property has so much promise that they are building a 150,000-square-foot store on the same property. Why can't the rest of the property hold another retail store? I'll bet it can.



CUSD RECALL UPDATE

The Full Count, as reported by the San Juan Capistrano Dispatch

The Orange County Registrar of Voters has until Dec. 23 to check the signatures submitted by a group hoping to recall the Capistrano Unified Board of Trustees -- and the office will likely need every minute of it, Acting Registrar Neal Kelley told The Dispatch on Monday. The office did a random sample and must now go over each signature. That means the random sample showed more than 90 percent but less than 110 percent of the signatures necessary were valid. About 140,000 valid signatures -- 20,000 per trustee -- are needed to put the issue before voters; recall proponents submitted more than 175,000.

www.cusdreCALL.com



COUNCIL MEETING SUMMARY, DECEMBER 5

With a short agenda and little business to transact, the council held its last regular meeting of the year with unusual calm.

The only presentation was Mayor Trish Kelley's videotaped State of the City Address. A portion of the script read by Kelley was about Mission Viejo's economic development. With no economic development program of significance, the city's impact on business is minimal at best. The address referred to The Shops at Mission Viejo being "fully leased." With Saks on the verge of leaving, (Continued on page 3)

Macy's planning to move into the Robinsons-May space, Casual Corner leaving and The Bombay Co. gone, the status of leases is secondary.

The State of the City Address mentioned numbers: \$23.9 million in the city's General Fund and \$33.4 total discretionary funds. Again, the missing information is the amount remaining in city coffers after subtracting encumbered funds and appropriated funds from reserves. What about unfunded retiree medical (more than \$5 million) and interest payments on \$50 million of bonded indebtedness? Also noticeably absent from the script was any mention of other council members besides Kelley.

Jim Leach spoke on behalf of the Mission Viejo Foundation, which was formed in May. He gave a partial view of the foundation's financial status, including a city grant of \$184,000 as startup money, \$22,000 in pledges from residents and \$314,000 in corporate pledges from companies represented by the foundation's 13 board members. His mention of \$500,000 "assets" apparently didn't account for expenses, including the director's \$9,000-plus monthly salary. As other accomplishments, he listed the foundation's installation of phone, fax and email, the formation of five committees, design of a logo and stationery and the IRS's granting of 501(c)(3) nonprofit status.

http://www.missionviejoca.org/News/2005_10_08/06letter/06letter.html

An architect, Bob Coffee, presented information about the community center addition of 12,000 sq. ft. of space. The staff's recommended action was to approve the site plan for the expansion. Two residents made public comments regarding traffic, parking, lighting, noise and the loss of a soccer field. The amount budgeted for the project is \$5.5 million, which includes a state grant of \$3 million. The council voted 5-0 to approve the site plan.

City Manager Dennis Wilberg said a special meeting of the council will be held Dec. 13 to discuss choosing a new city attorney firm, awarding the contract for widening Crown Valley Parkway and possibly awarding the public outreach contract for widening Crown Valley.

The council's final item of business was to select a mayor for 2006. Councilman John Paul

Ledesma said he supported the city practice of rotating the position, and he nominated Councilman MacLean. Councilwoman Gail Reavis seconded the motion, stating she also supports the practice. The motion carried 5-0. Councilman Ury was selected as mayor pro-tem for 2006 with a 5-0 vote.



LETTERS TO THE EDITOR

CUSD SMOKE, MIRRORS AND NON-SENSE



I saw in the Nov. 25 Saddleback Valley News the article about Capistrano Unified School District's new high school in San Juan Capistrano. You remember -- the school being built next to the dump. It won't be ready to open next year. So, guess what? Overcrowding of the present high schools is the plan. Supt. James Fleming blames the delay on "construction equipment" being on the new campus. Also, shame of all shames, the football field will not be ready. I guess football is essential to the Three R's now!

Reading between the lines, I call it another example of an inept administration, namely Dr. Fleming and the current board of trustees. I see, however, that construction on the new administration building is smartly proceeding. The recall cannot start soon enough to depose this misguided administration.

I about dropped to my knees in laughter that they call the new high school a "magnet school." From my lifetime experiences, dumps are magnets that draw flies, gnats, rats, vermin, methane gas and other toxic fumes. This is yet another example of the total nonsense Dr. Fleming is attempting to feed the community.

Joe Holtzman
Mission Viejo



Letters Continued

NORMAN MURRAY CENTER EXPANSION

Our city council on December 5 approved PDP2005-154 on the agenda, which is the planned development of the Norman Murray Community Center. The approval was necessary in order to meet grant deadlines established by the state, which has given the city a \$3 million grant for the expansion. When combined with other money from the city and the foundation, the center is budgeted at about \$5.5 million.

<http://cityofmissionviejo.org/depts/rcs/srnews.pdf>

Several very obvious inconsistencies developed during the council meeting. In order to create enough parking for the structure, one soccer field would be eliminated. In the discussion, one council member proposed building a new field at the community center for \$1.9 million. Leveling dirt and creating a new level field will cost \$1.9 million? Which gold-plated shovel are they using?

To add confusion to the issue, the council discussed entering into joint-use agreements with school districts for available fields. The city's experience with shared facilities has been poor. The city is still paying a large percentage of the electricity and utility bills for the Nadasores and YMCA swim center, and it probably costs several hundred thousand dollars over the length of the arrangement, even though the city was out of it years ago. We can be thankful for Council Member Gail Reavis' diligent follow-up on this issue at one of the last council meetings.

The city is way over budget on the architectural work for the community center expansion. The building designs look good, and the architect explained them very well and has done a good job. The building expansion has been redesigned so many times due to changing city requirements that it has become a moving target.

We have some very fine council members who work hard for our city and try to do the right thing for our citizens. The problems begin when some council members fall into the school district joint-agreement process every time and, as a consequence, the whole discussion breaks down.

James Edward Woodin
Mission Viejo



DECEMBER 8

Steadfast's return to the Planning Commission on Mon., Dec. 12, should shake people up ... if they know about it. In addition to those living near the proposed high-density housing project at Los Alisos Blvd. and Jeronimo Road, all residents should be concerned about the impact on the city. With irresponsible council and planning commission majority decisions, high-density projects could spring up in other locations. The meeting begins at 7 p.m. in City Hall council chambers. This is a crucial meeting to stop the housing project.

Leaders of the Capistrano USD recall are featured in a nine-minute video blog by Full Disclosure, an Emmy Award winning news program. Here's a link to the video, which shows exclusive footage regarding recall issues.

<http://www.fulldisclosure.net/flash/VideoBlogs/VideoBlog17.php>

Recall leaders featured in the video are Kevin Murphy of San Juan Capistrano and Jennifer Beall and Tom Russell, both of Rancho Santa Margarita. The CUSD trustees had an opportunity but declined to be interviewed by the program. In other CUSD recall news, the recall organizers have asked law enforcement authorities to begin an investigation into the allegations of crimes and corruption at CUSD.

Board members from the Mission Viejo Foundation made an appearance at
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the Dec. 5 council meeting. Foundation chairman Jim Leach (Cox Communications employee) spoke as six of the other 12 board members sat in the audience. He reported the foundation has \$500,000 in assets. He counted the city's \$200,000 grant for 2005, residents' pledges and the pledges made by board members' employers. Calling pledges "assets" is one thing, but how can an organization pay its director more than \$9,000 per month plus expenses, print literature, hold meetings, and so on ... and still have its first dime? Has anyone seen a balance sheet? The board members, however, deserve commendation for getting pledges from their respective companies.

If the MV Foundation is to stay ahead of the council majority, the board members will have to work nights. Does anyone who watched the Dec. 5 meeting believe the council and city staff are competent at completing the community center expansion? Some people observing the process estimate the design phase alone will likely top \$1 million – that's unreasonably high (18 percent) for a \$5.5 million project. Architectural fees can average up to 8 percent of construction costs for public works projects of similar size and high complexity, according to such sources as L.A. County Community College District and the State of Washington, which publish fee schedules. Councilwoman Kelley pressed on, despite no sense of direction or basis for making a decision, referring to the architect's projection of 1 percent to 1.5 percent monthly inflation in building materials as a reason to decide quickly. The Buzz paraphrases: "Oooooooh, let's vote first and then figure out what we're doing." Compared with the city's usual budget overruns the rising cost of materials is practically inconsequential.

The architect said he was considering alternative materials to steel, which has dramatically increased in price. Costs of such other construction materials as rebar, concrete and lumber have also sharply increased. Those who think they know which materials will be up or down by the time construction begins should be playing the commodities market. The city would be better off containing things within its control, including architectural fees.

When residents watched Susan Withrow as mayor during 2002, they thought it couldn't get worse, but it did. Trish Kelley's year is ending, and Lance MacLean received acknowledgement on

Dec. 5 with a 5-0 vote that he would be the next mayor. No one expressed real support for him, but Council Members John Paul Ledesma and Gail Reavis both politely said everyone should have a turn.

Let us learn you to write? The city's character program will now have a character essay contest. The stated reason is "to help students become better writers." Failing to get any traction with "character words," the program will now take a swing at sentences. Did someone take a wrong turn on her way to a school board meeting? Those driving this social engineering effort appear to have no clue about education or the English language.

What's in back of the push for "green buildings" in Mission Viejo, and what's the point? Apparently, a planning commissioner thinks residents who are considering a remodel will go to city hall to get construction ideas. Most folks look for contractors or go to a showroom. By the time they consider getting a permit from the city, the design process is over. This planning commissioner seems to be the least likely person to offer advice. From the dais, she said she didn't know the street in front of her house is a public street, owned by the city. After six months on the planning commission, she didn't know the city had a design review process. Now, she's promoting a "green building" concept for a city that's completely built out.

Keep those calls coming in. Parents of special children in Capo USD are getting together with a Parent to Parent Support Group, which will meet on Sat., Dec. 17, 9 a.m., at the Dana Point Community Center, 34052 Del Obispo, Dana Point. Children are welcome. For more information, call (949) 249-0629.

Insiders say the Acura dealer walked away empty-handed after requesting redevelopment funds. The dealer's request for money was denied. As another thread, UDR/Pacific has been trying to get redevelopment funds to subsidize the affordable element of its housing project, recently approved by the council for the former Kmart site. The set-aside funds might be used instead for affordable housing at Technology Park, along the freeway south of Oso Parkway. Both UDR/Pacific and Steadfast are apparently interested in eliminating the affordable element altogether in their respective plans.

- T h e E n d -