

**FIRST AMENDMENT TO MEMORANDUM OF UNDERSTANDING BETWEEN
THE CITY OF IRVINE AND THE UNIVERSITY OF CALIFORNIA, IRVINE,
REGARDING THE UCI EAST CAMPUS STUDENT APARTMENTS**

This First Amendment to the February 4, 2002 Memorandum of Understanding ("MOU") is entered into as of April 25, 2017, by the City of Irvine ("City") and the University of California, Irvine ("UCI").

1. Background

- 1.1. UCI and the City desire to continue their long-standing cooperation on physical planning, including coordination of the UCI Long Range Development Plan ("LRDP") and the City of Irvine General Plan ("General Plan").
- 1.2. UCI and the City desire to cooperate to implement objectives identified in the General Plan, including Objective C-4, Policy (e), in the Housing Element which encourages UCI to build low-cost housing to meet the needs of its student population.
- 1.3. A Renters' Advisory Task Force Report prepared for the Irvine City Council in August 2001 recommended that the City accelerate the production of affordable housing and that UCI explore issues of on-site housing for students.
- 1.4. UCI proposes a project on its East Campus to develop apartments and support facilities to accommodate an estimated 2,300 students on approximately 13.3 acres adjacent to Campus Drive and California Avenue ("East Campus Student Apartments Phase 4" or "the Project").
- 1.5. Although UCI has land use autonomy regarding the development of University-oriented projects on its campus, the City and UCI enter into this MOU in order to facilitate implementation of the East Campus Student Apartments consistent with their respective planning goals.

2. East Campus Student Apartments

- 2.1. The City will continue to support the implementation of the UCI LRDP and the development of on-campus student housing as an element of the UCI.
- 2.2. UCI will continue to make reasonable efforts to consult with the City in the design and implementation of the East Campus Student Apartments.
- 2.3. UCI will design and implement the Project in conformance to design standards and guidelines ("Design Guidelines") identified in Exhibit A.
- 2.4. UCI will provide preliminary plans for the Project to the Director of Community Development as a courtesy for the purpose of confirming general conformance with the Design Guidelines. Following its review but within 30 days of receipt of preliminary plans, the City will provide a letter to UCI with its determination regarding the Project's general conformance to the Design Guidelines as well as other comments for consideration by UCI.

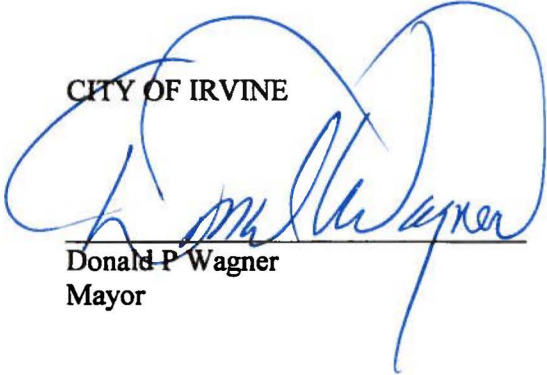
3. LRDP/General Plan Coordination

- 3.1. UCI will continue to support implementation of the General Plan and will incorporate

appropriate measures into the LRDP that support General Plan implementation objectives, including transportation and transit goals.

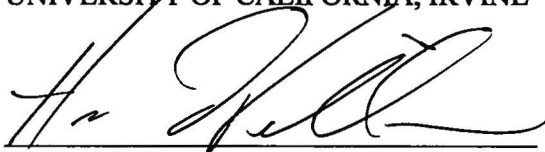
IN WITNESS WHEREOF, the parties have executed this First Amendment to the Memorandum of Understanding on the dates set forth below. The date of approval of this Amendment shall be the date of execution by the party signing last.

CITY OF IRVINE



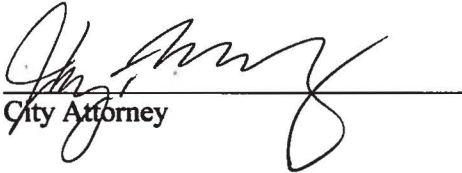
Donald P. Wagner
Mayor

UNIVERSITY OF CALIFORNIA, IRVINE



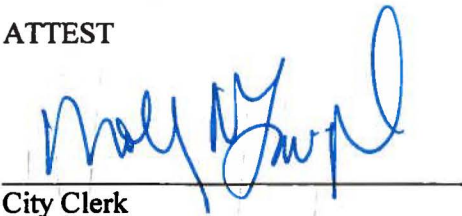
Howard Gillman
Chancellor

APPROVED AS TO FORM



City Attorney

ATTEST



City Clerk

**UCI EAST CAMPUS STUDENT APARTMENTS PHASE 4
DESIGN GUIDELINES**

SETBACKS

1. Minimum building setback shall be 50 feet measured from the back of curb of Campus Drive to the nearest building (see Figures 1 and 2).
2. Development within the 50-foot building setback will be limited to landscaping, berms, walkways, access drives, site walls, signage, site drainage, and other related appurtenances. No residential units shall be constructed within the 50-foot setback zone.

GRADING

3. The project shall be designed in a manner that establishes the building pad elevations at the lowest elevation feasible based on reasonable engineering practices.

MASSING

4. No buildings shall exceed five stories or 60 feet in height (see Figure 2).
5. Any portion of building located adjacent to Campus Drive shall be limited to four stories.
6. Variation of building heights is preferred to create visual interest and to avoid a monolithic effect.

BUILDING FORM

7. Architecture should be generally similar in character and quality to other local apartment complexes in the vicinity of UCI.
8. Acoustical privacy and potential noise impacts on-site and on the local community should be considered in the design of building features and outdoor activity areas.

EXTERIOR MATERIALS

9. Exterior materials shall consist of durable materials that maintain their aesthetic quality over time. Primary material palette should include plaster, brick, or concrete masonry.

BUILDING COLORS

10. Building colors shall be medium to strong earth tones.

BICYCLE CIRCULATION AND PARKING

11. The Project shall accommodate bicycle circulation to the Anteater Recreation Center, the central academic core, off-campus service areas, and regional bike trails.
12. Bicycle parking shall be provided at 0.75 spaces per bed.

PEDESTRIAN CIRCULATION

13. The Project shall be developed in a way that promotes pedestrian circulation to the Anteater Recreation Center, the central academic core, and off-campus service areas.
14. The Project shall include convenient walkway connections to transit stops.

AUTOBOMILE PARKING

15. Vehicular parking shall be provided at 0.55 vehicular spaces per bed consistent with UCI transportation demand management goals.
16. Disabled parking shall be provided in accordance with the Americans with Disabilities Act (ADA).
17. All parking areas shall be screened from public streets by means of grading and/or landscaping (when mature).

TRANSIT CIRCULATION

18. The Project shall provide convenient transit stops for on-campus shuttle service.

SERVICE AREAS, WALLS, AND FENCES

19. Service, storage, maintenance, loading, and refuse collection areas shall be located out of view of public roadways, circulation routes, and dwelling units, or shall be screened with an architectural barrier or dense landscaping.

20. Walls used to screen service areas shall be of similar architectural material or character to other structures within the Project.

21. Landscaping should be used to soften walls.

SITE LIGHTING

22. All exterior lighting shall be full cutoff/fully shielded luminaires that direct all lighting downward to minimize direct light and glare impacts on adjacent properties.

23. Parking structure lighting shall be designed to minimize impacts on adjacent properties and achieve lighting levels required to maintain a safe environment.

LANDSCAPE

24. A canopy street tree shall be used adjacent to walkway along Campus Drive.

25. Landscaping between street tree and buildings along Campus Drive shall incorporate dense tree planting as a buffer using pines and other vertical evergreen trees.

Figure 1

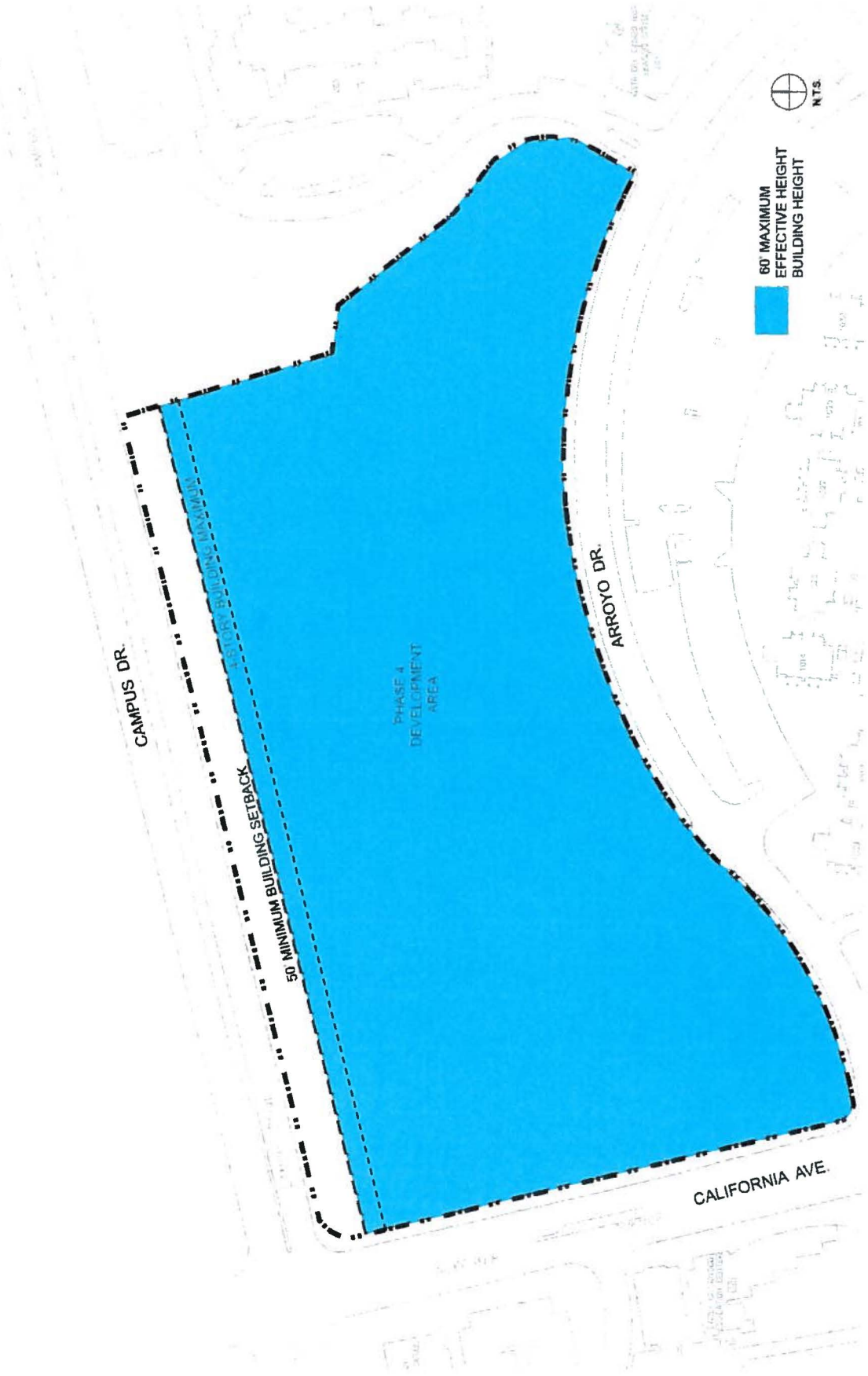
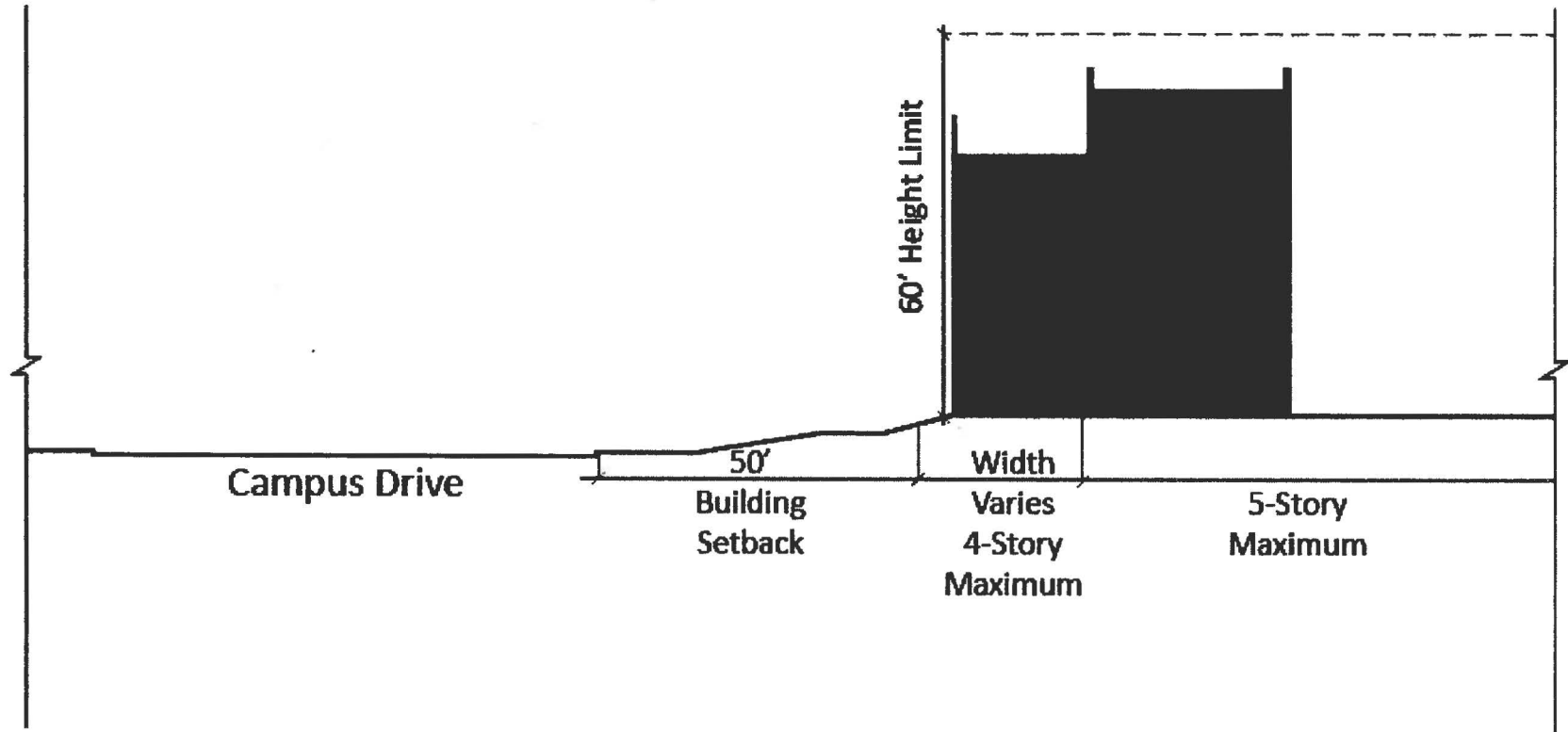


Figure 2

East Campus Student Apartments Phase 4
Building Setbacks and Height Restrictions



UCI LRDP Mitigation Measure Tra-1 Monitoring

Measure	Status & Summary of Actions
<p>TRA-1A: To reduce on- and off-campus vehicle trips and resulting impacts, UCI will continue to implement a range of Transportation Demand Management (TDM) strategies. Program elements will include measures to increase transit and shuttle use, encourage alternative transportation modes including bicycle transportation, implement parking polices that reduce demand, and implement other administrative mechanisms that reduce vehicle trips to and from the campus. UCI shall monitor the performance of TDM programs through annual surveys.</p>	<p>Since 2007 UCI has implemented a comprehensive program of TDM measures resulting in an average vehicle ridership of 1.94 (based on 2015 survey), the highest of any employer greater than 3,000 in the Orange, Los Angeles, and Riverside County SCAQMD. UCI's annual investment in TDM measures is approximately \$4.7 million.</p> <ul style="list-style-type: none"> • 2015 UCI shuttle system ridership was 2.2 million passengers at a cost of \$2.8 million. • "University Pass" transit program with 80% subsidy for unlimited OCTA ridership and coordination OCTA of routes • 20% rebate on commuter Metrolink and Amtrak train passes • Incentivized vanpool, carpool, ridesharing programs • Zipcar car sharing program with 6,000 on campus members • Bicycle program highlights include "ZotWheels," the first bike sharing system in the region; over 3,000 bike parking spaces; significant investment in bikeway infrastructure; bicycle education for campus affiliates of all bicycling levels offered quarterly; and major bi-annual bike education festivals to encourage safe and legal riding.
<p>TRA-1B: UCI will continue to pursue the implementation of affordable on-campus housing to reduce peak-hour commuter trips to the campus.</p>	<p>UCI has implemented 2,910 beds of on-campus student housing (Fall 2016 occupancy) since 2007 with an investment of approximately \$354 million. Approximately 47% of UCI students live on-campus. Planning is underway for an additional 2,200 student beds for Fall 2019 occupancy.</p> <p>UCI has constructed or approved 708 affordable on-campus faculty and staff homes at a cost of \$275 million since 2007. Approximately two-thirds of UCI faculty live on campus.</p>
<p>TRA-1C: To enhance transit systems serving the campus and local community, UCI will work cooperatively with the City of Irvine, City of Newport Beach, OCTA and other local agencies to coordinate service and routes of the UCI Shuttle with existing and proposed shuttle and transit programs including the proposed Jamboree/IBC Shuttle, proposed Orange County Great Park Shuttle, Irvine Spectrum Shuttle, and other community transit programs.</p>	<p>UCI works collaboratively with the local community to coordinate transit service including the City of Irvine Transportation Coordination committee to coordinate City-wide transit programs such as the UCI Shuttle, City I-Shuttle, bike programs, and other transit needs.</p> <p>UCI collaborates regularly with OCTA regarding bus routing, schedules, and UCI ridership.</p>
<p>TRA-1D: UCI will monitor campus trip generation and distribution and the performance of UCITP intersections in relationship to enrollment growth. Monitoring will be conducted in consultation</p>	<p>UCI has reached the second 3,000-student-enrollment increase threshold and has initiated monitoring of UCITP intersections and data collection for analysis.</p>

<p>with the City of Irvine and the City of Newport Beach, and will occur at each 3,000-student increase in enrollment (measured as General Campus three-term average headcount), above the 2007-08 General Campus enrollment level. If UCI monitoring determines that LRDP traffic results in significant traffic impacts at UCITP intersections, UCI will implement measures to reduce vehicle trips contributing to the impact or provide “fair share” funding for improvements at the impacted intersections as described in Mitigation Measures Tra-1E and Tra-1F. UCI’s share of funding will be determined by the percentage of UCI traffic volumes compared to the total traffic volumes at the impacted intersections.</p>	<p>The previous threshold analysis prepared in 2016 found all UCITP intersections operating at an acceptable level of service.</p>
<p>TRA-1E: UCI will collect UCITP traffic fees from “for-profit” development projects on campus or other campus development as determined by the University. Fees will be provided to the City of Irvine, City of Newport Beach, or other public agencies to fund UCI’s share of UCITP improvements when the improvements are implemented, as provided in mitigation measure Tra-1D.</p>	<p>No for-profit development has occurred on campus since 2007; therefore, no for-profit traffic fees have been collected.</p>
<p>TRA-1F: If the City of Irvine or City of Newport Beach implements UCITP improvements following UCI determination that LRDP traffic is causing a significant impact, and UCITP fees collected to date are insufficient to fund UCI’s fair share, UCI shall identify and obtain funding for the fair share of identified improvements from an alternative source.</p>	<p>UCI currently holds a traffic fee balance of \$2.6 million as a result of traffic fee credits from the City of Irvine, but no determination of impact has been identified to date. 2007 LRDP EIR estimated that UCI additionally generates \$2 million per year in Measure M funds for off-campus transportation improvements.</p>
<p>TRA-1G: UCITP fees established for future “for-profit” development on UCI’s North Campus shall be commensurate with the traffic fees established in the City of Irvine’s IBC Transportation Fee program.</p>	<p>No for-profit development projects have occurred at the North Campus.</p>
<p>TRA-1H: UCI will assess a San Joaquin Hills Transportation Corridor fee to future “for-profit” campus development projects in accordance with the development fee program established by the Joint Powers Agreement entered into by the City of Irvine, the County of Orange, and neighbor cities to help pay for the San Joaquin Hills Transportation Corridor. Future “for-profit” campus development shall be required to pay such fees prior to construction. UCI’s obligation to pay its share of the costs of the San Joaquin Hills Transportation Corridor shall be satisfied upon the forwarding of</p>	<p>SJHTC fees have been paid for all University Hills faculty/staff homes. No for-profit projects have occurred since adoption of the 2007 LRDP.</p>

<p>these fees to the Transportation Corridor Agencies or other agency designated to collect such fees.</p>	
<p>TRA-1I: UCI shall review individual projects proposed under the 2007 LRDP for consistency with UC Sustainable Transportation Policy and UCI Transportation Demand Management goals to ensure that bicycle and pedestrian improvements, transit stops, and other project features that promote alternative transportation are incorporated to the extent feasible.</p>	<p>All UCI projects undergo review for consistency with UC Sustainable Transportation Policy and UCI TDM goals.</p>
<p>TRA-1J: If a campus construction project or a specific campus event requires an on-campus lane or roadway closure, or could otherwise substantially interfere with campus traffic circulation, the contractor or other responsible party will provide a traffic control plan for review and approval by UCI. The traffic control plan shall ensure that adequate emergency access and egress is maintained and that traffic is allowed to move efficiently and safely in and around the campus. The traffic control plan may include measures such as signage, detours, traffic control staff, a temporary traffic signal, or other appropriate traffic controls. If the interference would occur on a public street, UCI shall apply for all applicable permits from the appropriate jurisdiction.</p>	<p>MM Tra-1J is implemented on all UCI projects.</p>