Overview of Today’s Presentation

- There are three (3) key areas we will cover

- **Public Hearing – CEQA**
  Board item 6.1

- **Certification of CEQA Addendum/Initial Study**
  Board item 6.2
  Exhibit A – Resolution No. 13-18

- **Approving the Agreements**
  Board item 6.3
  Exhibit A - Resolution No. 13-19
Overview of Today’s Presentation

Certification of CEQA Addendum/Initial Study
- Board item 6.2
- Exhibit A – Resolution No. 13-18
  - Attachment 1: FEIS / EIR Addendum / Initial Study

- Approving the Agreements
  - Board item 6.3
  - Exhibit A - Resolution No. 13-19
    - Attachment 1: Key Agreements
      - Land Exchange Agreement
      - Development Agreement and Restated Conveyance Agreement
      - McCain Smith Infrastructure Construction and Payment Agreement
      - Bell Avenue Infrastructure Construction and Payment Agreement
The “Project”

Consists of several agreements and documents that will be approved as a packet

- CEQA public hearing | CEQA certification
- Development Agreement and restated Conveyance Agreement
- Land Exchange Agreement with exhibits
- Bell Ave Infrastructure Construction and Payment Agreement
- McCain Smith Road Infrastructure Construction and Payment Agreement
- On May 13, 2013 the City of Tustin City Council approved the Specific Plan and General Plan amendments to reflect the land exchange and development agreement changes
Land Exchange

The Land Exchange Agreement is the Master Document for the Entire Transaction

- Exchange of property between city and district (22 acres)
- Reconfiguration of site for campus development
- Access and infrastructure improved
- Shared dedication of Bell Ave Right of Way (ROW)
- SOCCCD acquires city day care site
- City acquires current temporary campus
- District leases temp campus back from city *(up to 3 years for $1 a year)*
- Bell Ave & McCain Smith construction / cost share
- Mutual Releases between City and SOCCCD
Development Agreement & Restated Conveyance Agreement

- Restates Conveyance Agreement and provides entitlements guaranteed by law
- Provides for New Entitlements and Permitted Uses
- Assists in eliminating uncertainty by both parties in planning
- Provide for the orderly development of the SOCCCD property
- Eliminates uncertainty in the application of the rules and regulations in the MCAS Tustin Specific Plan to the SOCCCD property
- Provide for public services appropriate to the development and use of the SOCCCD property
Development Agreement

Contents:

- Duration of the Agreement
- The permitted uses of the project site
- The density and intensity of use of the project site
- Provision for reservation and/or dedication of land for public purposes
- Provision of access plan and land uses contained in the Land Use Access Plan
- Phasing, etc.
Development Agreement &
Restated Conveyance Agreement

- Ability to build Land Use Category 2, non-educational. 
  *Previously did not have this in original conveyance agreement*

- Ability for us to build between 100% educational to 51% educational / 49% non-educational

- Increased Floor Area Ratio (FAR) / Gross Square Feet (GSF) 
  .30 FAR to .59 FAR

- Existing 5,240 Average Daily Trips (ADT) increase by 5000 to 10,240 Total
  *Additional trips = additional allowable total square footage to build-out building on type of use*

- Sets all future development processes and approvals
Land Use – Category 1
Educational

- Allowed uses:
  - Standard Education: classrooms, labs, admin, security, maintenance, etc.
  - Traditional and non-traditional advanced education
  - Student Housing / Dorms
  - Workforce center
  - Food services

- Supportive Uses (≤10%):
  - Minor retail
  - Post office
  - Administrative offices
  - Medical clinics
  - Lab/offices for applied research, testing and consulting
  - Industrial/commercial business incubators
  - Commercial studios

Partial list includes:
Land Use – Category 2
Non-Educational

Allowed Uses

- Non-educational
- Income producing
- Includes private sector uses as defined and allowed under the Tustin Specific Plan

Partial list includes:

- Auto research, design & development
- Communications businesses
- Corporate headquarters/office
- Data storage, retrieval, send-receive ops
- Electronic equipment testing
- Experimental prototype assembly and testing facilities
- Industrial/commercial incubator (flexible) buildings
- Instructional/vocational school
- Medical offices/healthcare centers
- Motion picture and recording studios
- Pharmaceutical products manufacturing/distribution
- Precision machine shop
- Professional offices
- Research and development facilities, includes labs, biotech, product development, and manufacturing
- Science labs
- Simulation development uses
- Software design uses
- Technology exchange/transfer service
Land Use – Category 2
Non- Educational

Prohibited Uses

- Uses as defined and allowed under the Tustin Specific Plan

Partial list includes:

- Shopping Centers or commercial strip malls over 15,000 sf
- Hotels and motels
- Thrift stores, flea markets, farmers markets
- Auto sales, leasing, repairs
- Congregate care facilities
- Residential (except student housing)
- Drive-through uses
- Live entertainment uses such as motion picture theaters, unless associated with educational uses
Development Agreement and
Restated Conveyance Agreement

- ATEP Partners / Developers will pay “backbone” ($19.38) infrastructure fees like all other developers
- City approvals
  - Annual City & District Meeting
  - Approval of lessee
  - Site Plan
  - Certain Construction
  - Developers required to meet all fee / permit requirements
  - Transfer Restrictions and Right of Reverter
  - Term to April 2034
Benefit to District

- Land Exchange:
  Reconfiguration of property for more efficient, contiguous and well-planned development of campus – enhanced visibility, circulation and access and infrastructure costs will be reduced

- Increase in square footage to be developed

- District able to receive ground lease income to further develop ATEP site due to the increased square footage

- Allows public / private partnerships and beneficial connections to colleges

- Bell Ave construction will allow
  Better access and circulation for our campus
  More attractive site configuration to future partners / developers
### City of Tustin | Benefits vs. Costs

#### BENEFITS
1. Receiving temporary campus for Community Park department
2. Army Reserve relocating to Warner parcel
3. Educational college campus in City of Tustin
4. Increase in capacity for Economic Development in City and Region
5. Community park enhanced by land exchange.

#### COSTS
1. Bell Ave Cost Share
   - $1.8M est.
2. Forgo of lease payments of temporary campus at market value
   - $792,000
CEQA Addendum

Summary of Findings

- Potential impacts previously analyzed in or substantially similar to impacts analyzed in the previously certified Final Joint Program Environmental Impact Statement / Environmental Impact Report (FEIS/EIR)
- Traffic Study – no new significant impacts to surrounding intersections
- No substantial changes requiring major revisions to the FEIS/EIR due to new environmental effects
- No new information of substantial importance requiring major revisions to the FEIS/EIR or its conclusions
- None of the conditions identified in Public Resources Code or CEQA Guidelines requiring more extensive environmental review apply

MCAS Tustin Specific Plan / Reuse Plan

Land use and development / reuse plan and regulations will be updated
Other Tasks Completed for Transaction

- Due diligence performed
  - Environmental
  - Geotechnical
  - Biological

- Environmental Insurance
  - No cost to add City Parcels to existing policy
  - Agreement with City for their environmental insurance

- Surveys

- Appraisals

- Title Commitment
Timeline

- **SOCCCD Board**
  - Study session May 7
    - 2 hour closed session
    - To review agreements (total packet)
    - Discuss issues
  - May 10 Public Noticing
    - OC Register Notice
    - Mailings to Agencies and surrounding property owners
  - May 20th Board Meeting (Tonight)
    - CEQA Public Hearing
    - CEQA document certification
    - Review / approval of finalized agreements

- **City**
  - City published CEQA docs for review April 11
  - Planning Commission April 23
  - City Council meeting
    - Approval and 1st reading May 13th
    - 2nd reading / Final Approval May 21st

- **County**
  - County meeting 3/12/13
  - Land exchange will follow after leased Navy land conveys in fee

**CLOSE ESCROW 6/28/13**
ATEP - Next Steps (it continues!)

- Implementation of the agreements / close of escrow
- On Site Development
  - Demo Phase 5 (at-ground demo & grading)
  - Demo Phase 6 (Bell ROW and Acquired Buildings)
  - Coordination of Bell Ave. Construction with City
- Intensify Exploration for External Funding
  - Fed, State, Local, Other
  - Explore Public | Private Partnerships
    - Education Ground Lease Partners
    - Commercial Ground Lease Partners (New)
- LIFOC 9 Transfer
- County of Orange Transfer – 10 Acres
- Parking Reciprocal Agreement with City
- Parking MOU with OC Rescue Mission
- Further develop ATEP Site Plan
- Transition Planning of IVC & ATEP operations
- Annual meeting with City of Tustin
- Develop templates for Ground Leases
• Public Hearing – CEQA
  Board item 6.1

• Certification of CEQA Addendum/Initial Study
  Board item 6.2
  Exhibit A – Resolution No. 13-18

• Approving the Agreements
  Board item 6.3
  Exhibit A - Resolution No. 13-19
Thank you!

ATEP Development Team

- Gary Poertner, Chancellor
- Dr. Debra L. Fitzsimons, Vice Chancellor
- Dr. Randy W. Peebles, Associate Vice Chancellor
- Andrew P. Bernstein, JDTP
- Ronald J. DeFelice, JDTP
- Alene M. Taber, JDTP
- Jeremy Krout, RGP Planning and Development
- Nader A. Shah, Hudson Pacific Properties
- Robert E. Tritt, McKenna Long & Aldridge
- Nicholas Steenhaut, Environ

SOCCCD Board of Trustees

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- T.J. Prendergast, III, Vice President
- Marcia Milchiker, Clerk
- William O. Jay, Member
- David B. Lang, Member
- Timothy Jemal, Member
- James R. Wright, Member
- David Robinson, Student Member

City of Tustin

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- Charles E. "Chuck" Puckett, Mayor Pro Tem
- John Nielson, Councilmember
- Rebecca "Beckie" Gomez, Councilmember
- Allan Bernstein, Councilmember
- Jeffrey C. Parker, City Manager
- Matt West, Program Manager
- Elizabeth Binsack, Director of Community Development
- Justina Willkom, Asst. Director of Community Development
- Ken Nishikawa, Tustin Legacy Development Services Manager
- David A. DeBerry, Woodruff, Spradin & Smart