

1 CALIFORNIANS FOR HOMEOWNERSHIP, INC.  
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Californians for Homeownership, Inc.  
8

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

10 **FOR THE COUNTY OF ORANGE** Assigned for All Purposes  
11 Judge Derek W. Hunt

12 CALIFORNIANS FOR  
HOMEOWNERSHIP, INC., a  
13 California nonprofit public benefit  
corporation,  
14 Petitioner,  
15 v.  
16 CITY OF IRVINE,  
17 Respondent.  
18

Case No. 30-2022-01253030-CU-WM-CJC

**VERIFIED PETITION FOR  
WRIT OF MANDATE**

[Gov. Code § 6258; C.C.P. § 1085]

19 Petitioner Californians for Homeownership (“Californians”) alleges as follows:

- 20 1. California is in the midst of a “housing supply and affordability crisis of  
21 historic proportions.” Gov. Code 65589.5(a)(2).
- 22 2. As one critical element of its effort to address this crisis, the Legislature  
23 enacted new requirements for the permitting of accessory dwelling units (“ADUs”).
- 24 3. Californians believes that the City of Irvine is violating those rules.
- 25 4. To investigate the City’s conduct, Californians filed a request with the  
26 City under the California Public Records Act (Gov. Code § 6250 *et seq.*).
- 27 5. The City unlawfully redacted and withheld records in response,  
28 necessitating this lawsuit.

CALIFORNIANS FOR HOMEOWNERSHIP  
LOS ANGELES, CA

**PARTIES**

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2 6. Petitioner Californians for Homeownership, Inc. (“Californians”) is a  
3 California nonprofit public benefit corporation and 501(c)(3) public charity. Its  
4 mission is to address California’s housing crisis through litigation in support of the  
5 production of housing affordable to families at all income levels.

6 7. Respondent City of Irvine is a city situated in Orange County.

7 **JURISDICTION AND VENUE**

8 8. The Court has general subject matter jurisdiction over this action  
9 pursuant to Government Code Section 6258 and Code of Civil Procedure  
10 Section 1085.

11 9. The Court has personal jurisdiction over the City of Irvine pursuant to  
12 Code of Civil Procedure Section 410.10.

13 10. Venue for this action properly lies with this Court pursuant to Code of  
14 Civil Procedure Section 394.

15 **THE CALIFORNIA PUBLIC RECORDS ACT**

16 11. The California Public Records Act (“CPRA”) is codified at Gov. Code  
17 § 6250 *et seq.* and declares that “access to information concerning the conduct of the  
18 people’s business is a fundamental and necessary right of every person in this state.”  
19 Gov. Code § 6250.

20 12. The CPRA codifies the right found in the California Constitution to  
21 “access to information concerning the conduct of the people's business, and, therefore,  
22 the meetings of public bodies and the writings of public officials and agencies shall be  
23 open to public scrutiny.” Cal. Const. Art. 1, § 3(b)(1). Further, the California  
24 Constitution instructs that the CPRA must “be broadly construed if it furthers the  
25 people’s right of access, and narrowly construed if it limits the right of access.” *See*  
26 Cal. Const. Art. 1, § 3(b)(2).

27 13. Under the CPRA, upon request, any public agency must make publicly  
28 available for inspection and copying any record that it prepared, owns, uses, or retains

1 that is not subject to the CPRA’s statutory exemptions to disclosure. Gov. Code  
2 § 6253.

3 14. Any person may institute proceedings by verified petition for a writ of  
4 mandate to enforce their right to inspect or receive a copy of any public record or  
5 class of public records. Gov. Code §§ 6258, 6259.

6 15. “The court shall decide the case after examining the record in camera, if  
7 permitted by subdivision (b) of Section 915 of the Evidence Code, papers filed by the  
8 parties and any oral argument and additional evidence as the court may allow.” Gov.  
9 Code § 6259(a). “If the court finds that the failure to disclose is not justified, it shall  
10 order the public official to make the record public.” Gov. Code § 6259(b).

11 The court must award court costs and reasonable attorney fees to a prevailing  
12 petitioner, to be paid by the agency from which the petitioner requested the records.  
13 Gov. Code § 6259(d).

14 **FACTS**

15 *California’s Housing Crisis and the ADU Laws*

16 16. In recent years, the California Legislature has sought to address what it  
17 has described as a “housing supply and affordability crisis of historic proportions.”  
18 Gov. Code 65589.5(a)(2). “The consequences of failing to effectively and  
19 aggressively confront this crisis are hurting millions of Californians, robbing future  
20 generations of the chance to call California home, stifling economic opportunities for  
21 workers and businesses, worsening poverty and homelessness, and undermining the  
22 state’s environmental and climate objectives. While the causes of this crisis are  
23 multiple and complex, the absence of meaningful and effective policy reforms to  
24 significantly enhance the approval and supply of housing affordable to Californians of  
25 all income levels is a key factor.” *Id.* (subdivision numbers omitted).

26 17. As a result of the housing crisis, younger Californians are being denied  
27 the opportunities for housing security and homeownership that were afforded to  
28 previous generations. Families across economic strata are being forced to rent rather

1 than experience the wealth-building benefits of homeownership.<sup>1</sup> Many middle and  
2 lower income families devote more than half of their take-home pay to rent, leaving  
3 little money to pay for transportation, food, healthcare and other necessities.<sup>2</sup> Unable  
4 to set aside money for savings, these families are also at risk of losing their housing in  
5 the event of a personal financial setback. Indeed, housing insecurity in California has  
6 led to a mounting homelessness crisis.<sup>3</sup>

7 18. Beyond the human toll, California’s housing crisis harms the  
8 environment. “[W]hen Californians seeking affordable housing are forced to drive  
9 longer distances to work, an increased amount of greenhouse gases and other  
10 pollutants is released and puts in jeopardy the achievement of the state’s climate  
11 goals.” Gov. Code § 65584.

12 19. At the core of California’s affordable housing crisis is a failure to build  
13 enough housing to meet demand. California’s Legislative Analyst’s Office estimates  
14 that the state should have been building approximately 210,000 units a year in major  
15 metropolitan areas from 1980 to 2010 to meet housing demand. Instead, it built  
16 approximately 120,000 units per year.<sup>4</sup> Today, California ranks 49th out of the 50  
17 states in existing housing units per capita.<sup>5</sup>

18 20. California’s housing crisis has been building for decades. The  
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20 <sup>1</sup> California Department of Housing and Community Development, *California’s*  
21 *Housing Future: Challenges and Opportunities: Final Statewide Housing Assessment*  
22 *2025* (2018), available at [http://www.hcd.ca.gov/policy-research/plans-](http://www.hcd.ca.gov/policy-research/plans-reports/docs/SHA_Final_Combined.pdf)  
23 [reports/docs/SHA\\_Final\\_Combined.pdf](http://www.hcd.ca.gov/policy-research/plans-reports/docs/SHA_Final_Combined.pdf), at 18-19.

24 <sup>2</sup> *Id.* at 27.

25 <sup>3</sup> *Id.* at 3, 48-50.

26 <sup>4</sup> Legislative Analyst’s Office, *California’s High Housing Costs: Causes and*  
27 *Consequences* (2015), available at [https://lao.ca.gov/reports/2015/finance/housing-](https://lao.ca.gov/reports/2015/finance/housing-costs/housing-costs.pdf)  
28 [costs/housing-costs.pdf](https://lao.ca.gov/reports/2015/finance/housing-costs/housing-costs.pdf), at 21.

<sup>5</sup> McKinsey & Company, *A Tool Kit to Close California’s Housing Gap: 3.5*  
*Million Homes By 2025* (2016), available at [https://www.mckinsey.com/~media/](https://www.mckinsey.com/~media/mckinsey/featured_insights/Urbanization/Closing_Californias_housing_gap/Closing-Californias-housing-gap-Full-report.ashx)  
[mckinsey/featured\\_insights/Urbanization/Closing Californias housing gap/Closing-](https://www.mckinsey.com/~media/mckinsey/featured_insights/Urbanization/Closing_Californias_housing_gap/Closing-Californias-housing-gap-Full-report.ashx)  
[Californias-housing-gap-Full-report.ashx](https://www.mckinsey.com/~media/mckinsey/featured_insights/Urbanization/Closing_Californias_housing_gap/Closing-Californias-housing-gap-Full-report.ashx), at document page 6.

1 Legislature has recognized that the crisis is driven, in part, “by activities and policies  
2 of many local governments that limit the approval of housing, increase the cost of  
3 land for housing, and require that high fees and exactions be paid by producers of  
4 housing.” Gov. Code §65589.5(a)(1)(B).

5 21. In 2016, the California Legislature passed SB 1069 (Wieckowski) and  
6 AB 2299 (Bloom), designed to address the housing crisis by easing local restrictions  
7 on the development of ADUs, sometimes called “in-law units,” “granny flats,” or  
8 “casitas.” Stats. 2016, c. 720 (SB 1069); Stats. 2016, c. 735 (AB 2299). The  
9 Legislature found that “accessory dwelling units are a valuable form of housing in  
10 California,” that “accessory dwelling units provide housing for family members,  
11 students, the elderly, in-home health care providers, the disabled, and others, at below  
12 market prices within existing neighborhoods,” that “accessory dwelling units offer  
13 lower cost housing to meet the needs of existing and future residents within existing  
14 neighborhoods, while respecting architectural character,” and that “accessory  
15 dwelling units are, therefore, an essential component of California’s housing supply.”  
16 Gov. Code § 65852.150.

17 22. In the years since, the Legislature has further eased the permitting of  
18 ADUs. These collective reforms to ADU law have been codified in Government  
19 Code Sections 65852.150, 65852.2, and 65852.22.

20 *Californians’ Investigation of the City of Irvine*

21 23. Californians is conducting an ongoing investigation of local compliance  
22 with the rules regarding the permitting of ADUs under Section 65852.2.

23 24. As part of this work, since mid-2019, Californians has reviewed ADU  
24 policies in over 200 cities and approached approximately 150 cities regarding  
25 concerns over these policies. This has resulted in changes to ADU policies in most of  
26 the contacted cities.

27 25. In May 2020, Californians received information that caused it to become  
28 concerned regarding Irvine’s compliance with state ADU law. Among other things,

1 the City was considering adoption of an ADU ordinance that would have openly  
2 defied state ADU law. Ultimately, following threats of litigation by Californians and  
3 opposition from the state Department of Housing and Community Development  
4 (“HCD”), the City abandoned the planned ordinance.

5 26. Californians then began conducting an investigation into the City’s  
6 existing practices for permitting ADUs through demands for records under the CPRA.

7 27. Through documents obtained from these requests, Californians learned  
8 that the City was reviewing ADUs using standards in an internal “handout” created by  
9 Principal Planner Marika Poynter (“Poynter Handout”).

10 28. Under Government Code Sections 65852.2(a)(4) and (5), the City is  
11 prohibited from enforcing the rules in the Poynter Handout because it has not adopted  
12 a valid local ADU ordinance.

13 29. Although the City treated the Poynter Handout as a binding policy  
14 document for determining whether or not to approve ADU applications, it adopted the  
15 position that it was a confidential internal document that would not be shared with the  
16 public, and did not produce it in response to Californians’ initial requests. In a  
17 March 31, 2021 internal City email, a City employee noted that the document was  
18 “INTERNAL ONLY” and the City redacted a portion of that email.

19 30. The City’s responsive documents also revealed that City staff had briefed  
20 the City’s elected officials regarding the City’s ADU policies and inconsistencies  
21 between the policies and state law as it is interpreted by HCD, but did not reveal the  
22 complete contents of those briefings.

23 31. The briefings did not appear to correspond with valid closed session  
24 meetings of the City’s elected bodies and Californians is not aware of any other  
25 mechanism through which they could have occurred without triggering obligations for  
26 public noticing and access.

27 32. On July 13, 2021, Californians sent the City a new demand (the “CPRA  
28 Request”) for records specifically related to the Poynter Handout and the briefings

1 regarding ADU law. Californians limited the request in a manner intended to ensure  
2 that it would not cover any records that could colorably be withheld under the CPRA.  
3 The CPRA Request is attached to this Petition as Exhibit A.

4 33. On July 23, 2021, the City provided its formal response to Californians’  
5 demand for records. In its response, the City disclosed a small number of records,  
6 some of which were redacted, and withheld other records.

7 34. On the same day, Californians emailed counsel for the City to ask for  
8 additional explanation regarding the redacted and withheld documents but received no  
9 response.

10 35. On September 10, 2021, Californians wrote to the Irvine City Council to  
11 demand that the City produce additional and unredacted records in response to the  
12 CPRA Request, or to provide an additional explanation for the City’s decision to  
13 withhold the information, but received no response.

14 *Inadequacy of City of Irvine’s Response*

15 36. The City’s response to Californians’ CPRA requests was inadequate.

16 37. The City’s response does not explain why any particular record was  
17 withheld and merely cites three general reasons for withholding or redacting  
18 documents, none of which can justify the City withholding documents.

19 38. The City cites the privileges for records related to pending litigation and  
20 attorney-client communications and attorney work product. These privileges cannot  
21 apply to the Poynter Handout and related documents because those documents  
22 constitute policy and the City cannot shield its enforced land use policies behind  
23 privileges. These privileges also cannot apply to the documents related to briefings of  
24 elected officials because it appears the briefings were made in meetings not properly  
25 noticed as closed sessions.

26 39. The City additionally cited the “deliberative process” privilege. But for  
27 this privilege to apply, the City must specifically identify the public interest it is  
28 seeking to protect by withholding the documents, and explain why that interest

1 outweighs the specific public interest in disclosure of the documents. *Citizens for*  
2 *Open Govt. v. City of Lodi*, 205 Cal. App. 4th 296, 307 (2012). The City provided no  
3 such explanation, even after specifically being asked.

4 **FIRST CAUSE OF ACTION**

5 **Writ of Mandate to Compel Production of Records**  
6 **(Gov. Code § 6258; C.C.P. § 1085)**

7 40. Californians incorporates and realleges all of the foregoing paragraphs.

8 41. Under the CPRA, Californians has a right to inspect, and Irvine has a  
9 duty to provide, public records subject to disclosure.

10 42. Californians submitted a valid request for records under the CPRA on  
11 July 13, 2021, in the form of the CPRA Request.

12 43. Irvine wrongfully redacted and withheld records responsive to  
13 Californians' request.

14 44. Irvine cannot demonstrate that any record subject to Californians'  
15 requests, or any portion of those records, is exempt under express provisions of the  
16 CPRA or any other authority, or that on the facts of this particular case the public  
17 interest served by not disclosing the record clearly outweighs the public interest  
18 served by disclosing the record.

19 45. Californians is therefore entitled to production of the records.

20 **PRAYER**

21 WHEREFORE, Petitioner prays for relief as follows:

22 1. A peremptory writ of mandate requiring the City of Irvine to provide  
23 Californians with all records requested in the CPRA Request;

24 2. Attorneys' fees as allowed by law, including under Government Code  
25 Section 6259(d) and Code of Civil Procedure Section 1021.5; and

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3. Such other and further relief as the Court deems just and proper.

Dated: March 30, 2022

Respectfully Submitted,

CALIFORNIANS FOR HOMEOWNERSHIP, INC.

By   
Matthew P. Gelfand

Attorneys for Petitioner,  
Californians for Homeownership, Inc.

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**VERIFICATION**

I, Matthew P. Gelfand, declare:

- 1. I hold the position of Counsel at Petitioner Californians for Homeownership, Inc., and am familiar with the matters discussed in the foregoing Petition.
- 2. I have read the Petition and know the contents thereof. The statements of fact therein are true and correct of my own knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 30, 2022 at Los Angeles, California.



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Matthew P. Gelfand

# EXHIBIT A



July 13, 2021

**VIA EMAIL**

City Clerk's Office  
1 Civic Center Plaza  
Irvine, CA 92606  
Email: [clerk@cityofirvine.org](mailto:clerk@cityofirvine.org)

RE: *Request for public records regarding ADU laws.*

To the City Clerk's Office:

Pursuant to the California Public Records Act (Gov. Code § 6250 *et seq.*), I am writing on behalf of Californians for Homeownership to request a copy of the records detailed below. This is not an update to our prior request, but a demand for certain specific documents. We request documents falling into the following categories:

**1. Marika Poynter's ADU cheat sheet:**

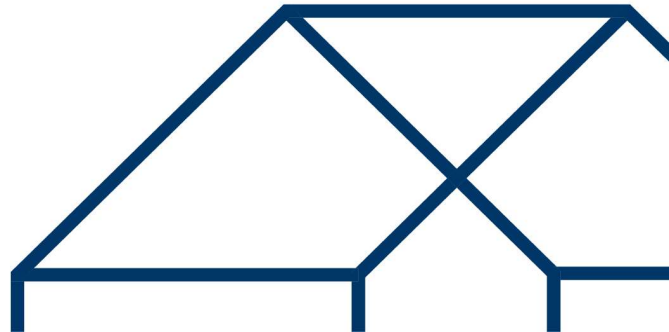
The document referred to as "Marika's internal handout" in the document attached as Attachment 1, including the version referenced in the document and any subsequent version.

**2. April City Council briefing presentation(s):**

All documents referred to in the document attached as Attachment 2, including the versions referenced in the document and any subsequent versions.

We specifically demand that these requests be treated independently and that documents be provided as soon as they are available, without any delay related to the City's search for other documents. These requests are intended to cover all forms of electronic communication, including emails, text messages, and communications using social media (e.g. Facebook posts and messages, discussion threads on Nextdoor, and the like). This includes communications by a public official using a "personal" account, if the official uses the account to communicate about the subject matter of the requested records, which by their nature implicate the official's work for the City.

This request applies to all records that the City is required to provide under the Public Records Act. Please provide entire documents, even if only parts of them are responsive to this request. If any portion of a document is exempt from disclosure, please narrowly redact that portion and provide the redacted document. If an entire document needs to be withheld because



July 13, 2021

Page 2

there is no non-exempt portion, please provide a log with a detailed description of the document, including the author, the subject matter, and any individuals who received it.

To the extent that you maintain records in electronic format, please provide them in that same format to avoid copying costs. If you are unable to reproduce electronic records in electronic form, please provide an explanation. For the same reason, please scan documents into an electronic format rather than copying them, if you have access to equipment capable of doing so. If any information responsive to this request is contained in an electronic database, you may respond by providing a copy of the database or remote access to the database, with sufficient information to allow us to identify and access the responsive records using ordinary computer software.

We request that you waive copying fees because we have limited resources and the requested information will be used in the public interest. None of the information obtained will be sold or distributed for profit. If you are unable to waive the copying fees and you anticipate that these costs will exceed \$50, or if you determine that the time needed to collect the records will delay their release, please contact us so that we can arrange to inspect the documents or decide which documents we wish to receive. Otherwise, please send them as soon as possible. By this letter, Californians for Homeownership is agreeing to pay for up to \$50 in properly substantiated costs payable under the Public Records Act.

Please respond to this request within ten days, either by providing all of the requested records or by providing a smaller set of records accompanied by a written response setting forth the legal authority for withholding or redacting any document and stating when any remaining documents will be made available. If you require any clarification in identifying responsive documents or focusing this request, please contact me at [matt@caforhomes.org](mailto:matt@caforhomes.org).

Please send records responsive to this request directly to me using the contact information above. We can accept documents in hardcopy format, on physical data media sent by mail, by email, or through an electronic transfer. We are also happy to arrange an FTP site for your use.

I look forward to receiving your response by July 26, 2021.

Sincerely,



Matthew Gelfand

# ATTACHMENT 1

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**From:** Christina Rahmani  
**Sent:** Wednesday, March 31, 2021 3:41 PM PDT  
**To:** David Law; DAC; >Development Assistance Center  
**CC:** Claudia Landeras-Sobaih; Joel Belanger; Advance Planning  
**Subject:** RE: ADU Building to Building Setback

Marika's internal handout says building to building setbacks per California Building Code apply. The more restrictive will apply. I am not sure what the second sentence means.

This link should take you to the document. Note this document is INTERNAL ONLY.

**Christina Rahmani, Associate Planner**  
949-724-6352

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**From:** David Law <dlaw@cityofirvine.org>  
**Sent:** Wednesday, March 31, 2021 3:37 PM  
**To:** DAC <Dac@cityofirvine.org>; >Development Assistance Center <DevelopmentAssistanceCenter@cityofirvine.org>  
**Cc:** Claudia Landeras-Sobaih <clanderas-sobaih@cityofirvine.org>; Joel Belanger <JBelanger@cityofirvine.org>  
**Subject:** RE: ADU Building to Building Setback

Hi Catherine,

The zoning code requires six feet and the Building code may require greater separation and I copied Claudia and Joel to see if they can provide input on this question.

Can anyone from the DAC Team answer the Catherine's question if there a special or different requirement for building separation for ADUs under the State law?

Thanks,

David

**David R. Law, AICP | Principal Planner | 949-724-6314**

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**From:** DAC <Dac@cityofirvine.org>  
**Sent:** Wednesday, March 31, 2021 3:19 PM  
**To:** >Development Assistance Center <DevelopmentAssistanceCenter@cityofirvine.org>  
**Subject:** ADU Building to Building Setback

Hi all,

I have to call someone back that asked what the building to building setbacks are for a detached ADU. Are they what we'd find in our code or are they different?

thanks,  
Catherine



# ATTACHMENT 2

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**From:** Hitta Mosesman  
**Sent:** Friday, April 9, 2021 11:08 AM PDT  
**To:** Pete Carmichael; Melissa Chao; Marika Poynter; Jordan Perez; Kerwin Lau  
**CC:** Tim Gehrich  
**Subject:** RE: [External]Re: Updated unit yield calcs for CC briefings

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Melissa,

A couple of notes on the presentation:

- Slide 9 – might be good to say that additional residential around retail helps support those businesses
- Slides 30 – appears to be a repeat of slide 30
- Slide 31 – maybe move to Slide 4?
- Slide 38 – I think include an title slide for “other” opportunity sites?
- I think all slides show the #4 on the bottom right side.

We are working on a map now that shows the planning areas and shades what is proposed as the “overlays” allowing residential in commercial areas to illustrate that all properties in certain areas would have the ability to redevelop or add residential which takes the pressure off of existing sites in light of the no net loss State requirement. Since this is a planning exercise, there are some unknowns about the actual development that will occur on sites over the next 8 years. We will be prepared to zoom on specific sites as well.

Thanks!

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**From:** Pete Carmichael <PCarmichael@cityofirvine.org>  
**Sent:** Friday, April 9, 2021 10:53 AM  
**To:** Melissa Chao <MChao@cityofirvine.org>; Marika Poynter <mpoynter@cityofirvine.org>; Hitta Mosesman <hitta.mosesman@weareharris.com>; Jordan Perez <Jordan.Perez@weareharris.com>; Kerwin Lau <klau@cityofirvine.org>  
**Cc:** Tim Gehrich <tgehrich@cityofirvine.org>  
**Subject:** [External]Re: Updated unit yield calcs for CC briefings

Melissa,

Thanks for your quick work on this. I think the spreadsheet represents a pretty good ‘best guess’ based on what we know at this point. We can continue to tweak, as we move through discussions in coming weeks with CC, property owners, public.

I have a few suggestions on the PPT;

- For the ADU slides, please add a bullet on 29 Seton and the pending conflict with HCD
- Please add a slide between 4 and 5 for update on counting UCI housing toward RHNA. Marika or I can fill in today or Monday
- Please add a slide after 5 that shows the same table, but with 20% inclusionary so CC can see the difference. For this one, I think we can assume fewer overall market rate units to get to the affordable number?
- Slide 6 – The two bullets are good, please finish these. Please broaden the title to say something like notable policy / strategy items and add;
  - Extension of pending affordable expirations – put #s in here for what is expiring in the 6th cycle
  - Updating affordable-in-lieu fees
  - Strategy to combine per parcel count with overlays for flexibility
- For the section on “notable Opportunity Sites Review”
  - Please separate this section into 2 sections; one that includes notable sites / areas that are in our number (PA 32, IBC, Irvine Lanes / boomers, retail centers, county and city sites etc.; and another section that shows the sites we considered but are keeping out of our number for now, I think you called these ‘desperate measures’ – Woodbridge Village Center, Gateway Park, PA 1 orchards, RCI
  - We probably only have time for 5 – 6 in each section – so I would suggest we have one slide at the start of this section that lists all of the ‘notable sites’ that are both in and out, but then only has slides on the priority ones that we think are most important to bring to CC attention. If the Council members sees one on the list that we do not focus on in a slide, we can have it in backup section or address it verbally..
  - Let’s try to get a map going with Harris so Hitta / Jordan can jump to sites in a map as we talk. If we have to, we can rely on the snap shots in the PPT, but the graphics aren’t great and some of them will be hard for Council Members to understand where they are.

Thanks,  
Pete

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**From:** Melissa Chao <[MChao@cityofirvine.org](mailto:MChao@cityofirvine.org)>  
**Date:** Thursday, April 8, 2021 at 9:26 PM  
**To:** Marika Poynter <[mpoynter@cityofirvine.org](mailto:mpoynter@cityofirvine.org)>, Hitta Mosesman <[hitta.mosesman@weareharris.com](mailto:hitta.mosesman@weareharris.com)>, "[jordan.perez@weareharris.com](mailto:jordan.perez@weareharris.com)" <[jordan.perez@weareharris.com](mailto:jordan.perez@weareharris.com)>, Kerwin Lau <[klau@cityofirvine.org](mailto:klau@cityofirvine.org)>  
**Cc:** Tim Gehrich <[tgehrich@cityofirvine.org](mailto:tgehrich@cityofirvine.org)>, Pete Carmichael <[PCarmichael@cityofirvine.org](mailto:PCarmichael@cityofirvine.org)>  
**Subject:** RE: Updated unit yield calcs for CC briefings

Hi team:

Attached is the updated unit yield calculations based on this afternoon’s meeting discussion. Please refer to the tab entitled “April CC briefings totals.” Please direct your attention to the comment for Cell D16 regarding assumptions made for PA 32 estimates. Let me know what you think – are they realistic?

Given the short turnaround, I was unable to specify actual parcels and attempted a rough estimate. I'll circle back to select actual parcels in PA 32 for the site inventory late next week.

I've updated the briefing [presentation](#) to reflect the changes in the opportunity sites list. I did not move the "desperate measures" sites to the back-up section and will leave it up to the team on how to proceed.

Thanks,

**MELISSA CHAO | SENIOR PLANNER**

P 949-724-6395 | F 949-724-6440

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**From:** Melissa Chao

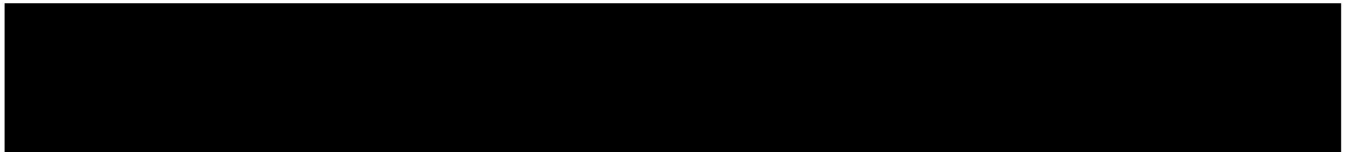
**Sent:** Thursday, April 8, 2021 2:22 PM

**To:** Marika Poynter <[mpoynter@cityofirvine.org](mailto:mpoynter@cityofirvine.org)>; Hitta Mosesman <[hitta.mosesman@weareharris.com](mailto:hitta.mosesman@weareharris.com)>; [jordan.perez@weareharris.com](mailto:jordan.perez@weareharris.com); Kerwin Lau <[klau@cityofirvine.org](mailto:klau@cityofirvine.org)>

**Cc:** 'Pete Carmichael ([PCarmichael@cityofirvine.org](mailto:PCarmichael@cityofirvine.org))' <[PCarmichael@cityofirvine.org](mailto:PCarmichael@cityofirvine.org)>; Tim Gehrich <[tgehrich@cityofirvine.org](mailto:tgehrich@cityofirvine.org)>

**Subject:** RE: Unit yield calcs for CC briefings

Briefing presentation:



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**From:** Melissa Chao

**Sent:** Tuesday, April 6, 2021 8:33 PM

**To:** Marika Poynter <[mpoynter@cityofirvine.org](mailto:mpoynter@cityofirvine.org)>; Hitta Mosesman <[hitta.mosesman@weareharris.com](mailto:hitta.mosesman@weareharris.com)>; [jordan.perez@weareharris.com](mailto:jordan.perez@weareharris.com); Kerwin Lau <[klau@cityofirvine.org](mailto:klau@cityofirvine.org)>

**Cc:** Pete Carmichael ([PCarmichael@cityofirvine.org](mailto:PCarmichael@cityofirvine.org)) <[PCarmichael@cityofirvine.org](mailto:PCarmichael@cityofirvine.org)>; Tim Gehrich <[tgehrich@cityofirvine.org](mailto:tgehrich@cityofirvine.org)>

**Subject:** Unit yield calcs for CC briefings

Hi team:

In preparation for April Council briefings, please refer to the tab entitled "April CC briefings totals" on the attached spreadsheet (or in [SharePoint](#)), which is the latest opportunity sites list. The

aforementioned tab provides a snapshot of the current situation with assumptions noted. No churches have responded except University Synagogue, which indicated no plans to add residential uses. All sites are conservatively calculated at 50 du/ac except when otherwise noted.

Additionally, I was planning on following up with Jeff tomorrow by providing him just the tab entitled "IC for April CC brief" with a changed name, and perhaps reviewing the list one-by-one with him over the phone (assuming he is available). Please let me know what you think.

I'm continuing work on the briefing presentation tomorrow. I plan on grouping the unit yields by category: IBC, GP, other PAs, and City & County owned.

Thanks,

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