



# AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY AGENDA

Riverside County Administration Center  
4080 Lemon St., Hearing Room (1st Floor)  
Riverside, California

Thursday 9:00 a.m., November 8, 2007

CHAIR  
Simon Housman  
Rancho Mirage

VICE CHAIRMAN  
Rod Ballance  
Riverside

COMMISSIONERS

Arthur Butler  
Riverside

Robin Lowe  
Hemet

John Lyon  
Riverside

Glen Holmes  
Hemet

Melanie Fesmire  
Indio

STAFF

Director  
Ed Cooper

John Guerin  
Cecilia Lara  
Sophia Nolasco  
Barbara Santos

County Administrative Center  
4080 Lemon St., 9<sup>th</sup> Floor.  
Riverside, CA 92501  
(951) 955-5132

[www.rcaluc.org](http://www.rcaluc.org)

NOTE: If you wish to speak, please complete a "SPEAKER IDENTIFICATION FORM" and give it to the Secretary. The purpose of the public hearing is to allow interested parties to express their concerns. Comments shall be limited to 5 minutes and to matters relevant to the Plan. Please do not repeat information already given. If you have no additional information, but wish to be on record, simply give your name and address and state that you agree with the previous speaker(s). Also please be aware that the indicated staff recommendation shown below may differ from that presented to the Commission during the public hearing.

In compliance with the Americans with Disabilities Act, if any accommodations are needed, please contact Barbara Santos at (951) 955-5132 or E-mail at [basantos@rctlma.org](mailto:basantos@rctlma.org). Request should be made at least 48 hours or as soon as possible prior to the scheduled meeting.

1.0 **INTRODUCTIONS**

1.1 **CALL TO ORDER**

1.2 **SALUTE TO FLAG**

1.3 **ROLL CALL**

2.0 **ADMINISTRATIVE ITEMS**

2.1 **Director's Approval**

2.2 **Availability of Commissioners for Special Meeting: November 26 – December 11**

2.3 **Notice of Intent to Overrule on Sanderson Square**

2.4 **Hemet Ryan Subcommittee Meeting Today: Conference Room 1B (Lunch Room)**

3.0 **PUBLIC HEARING: 9:00 A.M.**  
**NEW BUSINESS**

**HEMET RYAN AIRPORT**

- 3.1 **ZAP1011HR07 – Hickory Investors, LLC** (Representative: T&B Planning) – City Case Nos. GPA 05-002 (General Plan Amendment) and SP 05-001 (Specific Plan). "Emerald Acres." A Specific Plan proposing 674 dwelling units, a 7.5-acre community recreation center area, an equestrian trail, and 156.5 acres of preserved natural open space within a 334.2-acre master planned community located southerly of Florida Avenue (State Highway Route 74), northerly of the straight-line westerly extension of Stetson Avenue, westerly of California Avenue, and easterly of Calvert Avenue and the community of

Green Acres. The General Plan Amendment would change the land use designation from the County designations of Rural Mountainous, Commercial Retail, Medium High Density Residential, and Low Density Residential within the Community Development Foundation Component to the City of Hemet designation of Specific Plan. Airport Area III (partially within 660 feet of Area II). ALUC Staff Planner: Cecilia Lara, Ph: (951) 955-0549, or E-mail at [clara@rctlma.org](mailto:clara@rctlma.org).

Staff Recommendation: CONSISTENT

**MARCH AIR RESERVE BASE**

- 3.2 ZAP1039MA07 – Sycamore III/Magnon Companies (Representative: Carter Group Architects) – City Case No. P07-1013. (Design Review). “Sycamore Canyon 3 Business Center Phase 2.” A proposal to develop two (2) two-story office buildings and one (1) three story office building with a gross floor area (cumulative) of 131,280 square feet on 11.66 acres within a 30.24-acre contiguous ownership located northerly of Eastridge Avenue, westerly of Sycamore Canyon Boulevard, and southerly of proposed Sierra Ridge Drive in the City of Riverside. Airport Area I. ALUC Staff Planner: Cecilia Lara, Ph: (951) 955-0549, or E-mail at [clara@rctlma.org](mailto:clara@rctlma.org).

Staff Recommendation: CONSISTENT

- 4.0 **PUBLIC HEARING: 9:30 A.M.**  
**ITEMS FOR WHICH STAFF RECOMMENDS CONDITIONAL CONSISTENCY**  
**PENDING FAA APPROVAL.**

**HEMET RYAN AIRPORT**

- 4.1 ZAP1010HR07 – Nine Hemet Acres, LLC/Medical Real Estate Dev., LLC – City Case No. CUP 07-024 (Conditional Use Permit). A proposal to develop an eight-building, 126,616 square foot office and commercial center on 9.86 acres located on the south side of Stetson Avenue, easterly of Cawston Avenue, in the City of Hemet. The center is proposed to accommodate 20,814 square feet of retail space, a 10,000 square foot outpatient surgery center, and 95,802 square feet of medical offices. Transition Zone (inner 660 feet of Airport Area III). ALUC Staff Planner: Cecilia Lara, Ph: (951) 955-0549, or E-mail at [clara@rctlma.org](mailto:clara@rctlma.org).

Staff Recommendation: CONDITIONALLY CONSISTENT

**5.0 PUBLIC HEARING: 9:30 A.M.**

**FRENCH VALLEY AIRPORT**

- 5.1 ZAP1016FV07 – Reve Salon and Spa (Steve Brown)/Garrett Group – County Case No. PP19437S6 (Substantial Conformance). A proposal to establish an 11,368 square foot salon and day spa, with a small coffee shop and retail area, within a building previously approved for office and warehouse uses located easterly of Sky Canyon Drive and northerly of Technology Drive within the unincorporated Riverside County community of French Valley. Airport Zone C. ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at [jguerin@rctlma.org](mailto:jguerin@rctlma.org).

Staff Recommendation: CONSISTENT

**HEMET RYAN AIRPORT**

- 5.2 ZAP1009HR07 – Hemet 63 Investments, LLC/Corman Leigh Communities – (Representative: RGP Planning & Development & Services) – City Case No. GPA 05-4 (Revised) and ZC 05-4 (Revised). A proposal (as revised) to amend the General Plan designation of 37.59 acres located southerly of Florida Avenue (State Highway Route 74) and Acacia Avenue, westerly of Cawston Avenue, and north/northwesterly of Hemet-Ryan Airport in the City of Hemet from Commercial/Industrial to Mixed Use, and to amend the zoning from M-2 (Heavy Manufacturing) to C-2 (General Commercial) on 23.94 acres and R-3 (Multi-Family Residential) on 13.65 acres. (The revision maintains 26.29 acres adjacent to the airport in the Commercial/Industrial General Plan designation and M-2 zone.) Transition Zone (inner 660 feet of Area III). ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at [jguerin@rctlma.org](mailto:jguerin@rctlma.org).

Staff Recommendation: CONSISTENT

**6.0 PUBLIC HEARING: 10:00 A.M.**

**BERMUDA DUNES AIRPORT**

- 6.1 ZAP1022BD07 – Iland Development – (Representative: Coachella Valley Engineers) – County Case No. PP22915 (Plot Plan) – A proposal to develop a 19,388 square foot industrial/office building for multi-tenant use (7,388 square feet to be basement area, primarily underground parking) on 0.66-0.70 acres located on the south/southwesterly side of Country Club Drive, north/northeasterly of Bermuda Dunes Airport, easterly of Adams Street, and westerly of Jefferson Street in the unincorporated Riverside County community of Bermuda Dunes. Airport Zones A and B2. ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at [jguerin@rctlma.org](mailto:jguerin@rctlma.org).

Staff Recommendation: INCONSISTENT

- 6.2 ZAP1023BD07 – Ruben Grijalva and Don and Julia Lawson (Representative: Design Build Structures, Inc.) – County Case No. PP21421 (Plot Plan). A proposal to develop an industrial/office building with a gross floor area of 31,380 square feet on a 4.51-acre parcel located on the east side of Adams Street, northerly of the easterly straight-line extension of 41<sup>st</sup> Avenue, in the unincorporated Riverside County community of Bermuda Dunes. Airport Zones B1 and A. ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: INCONSISTENT

- 6.3 ZAP1020BD07 – Manuel and Flora Abarca – (Representative: Pacific Engineering and Associates) – County Case Nos. GPA 00871 (General Plan Amendment) and PM 33432 (Parcel Map). A proposal to amend the Western Coachella Valley Area Plan designation of 2.3-2.41 acres located on the west side of Yucca Lane, northerly of 41<sup>st</sup> Avenue and easterly of Washington Street in the unincorporated Riverside County community of Bermuda Dunes, from Very Low Density Residential within the Community Development Foundation Component to Medium Density Residential, and to divide the property into four parcels with a minimum lot size of 13,000 square feet and one remainder lot. Airport Zone C. ALUC Staff Planner: Cecilia Lara, Ph: (951) 955-0549, or E-mail at clara@rctlma.org.

Staff Recommendation: INCONSISTENT

### **JACQUELINE COCHRAN REGIONAL AIRPORT**

- 6.4 ZAP1006TH07 – Christ is Salvation Church (Representative: Gabriel Lujan and Associates) – County Case No. PP22980 (Plot Plan) – A proposal to establish a 42,250 square foot, two-story church building, with a 6,400 square foot maintenance/storage building and a 1,440-1,500 square foot caretaker's quarters, on 5 acres located on the west side of Olive Street, southerly of Church Street and northerly of 57<sup>th</sup> Avenue, in the unincorporated Riverside County community of Thermal. The church building is proposed to include seventeen classrooms, two multi-purpose rooms, and a 649 seat sanctuary. Airport Zone D. ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: INCONSISTENT

- 6.5 ZAP1007TH07 - Riverside County Economic Development Agency (EDA) and Riverside County Sheriff (Representative: Mead & Hunt) – County Facility. Development of a restricted-use heliport for use by the Riverside County Sheriff Department, a Sheriff aviation facility including hangar, an aviation-related education center and hangars (under EDA management), and a Sheriff station with warehouse and utility building on 20 acres located southerly of Airport Boulevard, westerly of Polk Street, and easterly of the primary runway of Jacqueline Cochran Regional Airport in the unincorporated Riverside County community of Thermal. Airport Zones C and B2. ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: CONTINUANCE

7.0 **RESOLUTION:** Adoption of French Valley Airport Land Use Compatibility Plan.

8.0 **APPROVAL OF MINUTES:** October 11, 2007

9.0 **ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA**

**COMMISSIONER'S COMMENTS**

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# **RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION**

## **STAFF REPORT**

### **ADMINISTRATIVE ITEMS**

- 2.1** Copies of administrative approvals issued by the ALUC Director for cases determined to be consistent with applicable Airport Land Use Compatibility Plans are attached, for your Commission's information.
- 2.2** The Riverside County Planning Department, under the direction of Deputy Planning Director Jerry Jolliffe, Project Manager, and with the assistance of Hogle-Ireland, has prepared a multi-site general plan amendment proposing changes in the Elsinore Area Plan designations of land in the community of Wildomar. The Office of First District Supervisor Bob Buster has urged that this amendment be adopted as soon as possible (preferably in January). Some of the designation changes affect land in the Skylark Airport Influence Area; therefore, the general plan amendment requires ALUC review. In order to maintain an action schedule consistent with the intent of the Board of Supervisors and the Riverside County Planning Commission, it may be necessary to consider this matter at a special meeting to be held prior to the Planning Commission meeting of December 12, 2007. The Planning Commission is not scheduled to meet after December 12 until 2008. Would the Commission be willing and able to meet on a day during the period November 26 through December 11 to consider this case? (This would be a special meeting to handle this item only, unless the Commission were to continue items on today's agenda to the special meeting.)
- 2.3** The City of Hemet has sent ALUC a Notice of Proposed Overrule of its finding of inconsistency relative to the Sanderson Square project (ZAP1002HR07). The overrule hearing will be held on Tuesday, November 27, 2007, at 7:00 P.M. at the Hemet City Council chambers located at 450 East Latham Avenue in the City of Hemet. Staff will be preparing a response to the Notice of Proposed Overrule within the next week. A copy of the documentation submitted by the City of Hemet is attached.
- 2.4** The Hemet-Ryan Subcommittee will be meeting with City of Hemet Planning Director Richard Masyczek at 1:00 P.M. today in Board Conference Room 1B to discuss issues relative to the future runway extension at Hemet-Ryan Airport, the Hemet-Ryan Airport Comprehensive Airport Land Use Plan, and the City's ongoing General Plan effort.

**COUNTY OF RIVERSIDE  
AIRPORT LAND USE COMMISSION**

**STAFF REPORT**

**AGENDA ITEM:** 3.1

**HEARING DATE:** November 8, 2007

**CASE SUMMARY:**

**CASE NUMBER:** ZAP1011HR07-Hickory Investors, LLC  
T & B Planning

**APPROVING JURISDICTION:** City of Hemet

**JURISDICTION CASE NO.:** General Plan Amendment No. 05-002  
Specific Plan 05-001 (“Emerald Acres”).

**MAJOR ISSUES:** None.

**RECOMMENDATION:** Staff recommends a finding of consistency for the General Plan Amendment and the Specific Plan, with the finding for the Specific Plan subject to the attached Specific Plan conditions.

**PROJECT DESCRIPTION:**

A Specific Plan proposing 674 dwelling units, a 7.5-acre community recreation center area, an equestrian trail, and 156.5 acres of preserved natural open space within a 334.2-acre master planned community. The General Plan Amendment would change the land use designation from County designations of Rural Mountainous, Commercial Retail, Medium High Density Residential, and Low Density Residential within the Community Development Foundation Component to the City of Hemet designation of Specific Plan.

While the materials submitted included a copy of a tract map, the associated tract map was not submitted for formal review, nor were fees paid for review of the tract map.

**PROJECT LOCATION:**

The project is located southerly of Florida Avenue (State Highway Route 74), northerly of the straight-line westerly extension of Stetson Avenue, westerly of California Avenue and easterly of Calvert Avenue and the community of Green Acres, approximately 6,105 feet westerly of Runway 5-23 at the Hemet Ryan Airport, in an area proposed for annexation to the City of Hemet.

**LAND USE PLAN:** 1992 Hemet-Ryan Airport Comprehensive Airport Land Use Plan

- a. Airport Influence Area: Hemet-Ryan Airport
- b. Land Use Policy: Area III (partially within 660 feet of Area II)
- c. Noise Levels: Outside the 55 CNEL Contour

**BACKGROUND:**

The Hemet-Ryan Airport Comprehensive Airport Land Use Plan (HRACALUP) was adopted in 1992. The Plan defines areas of extreme risk (Area I), high risk (Area II), and moderate risk (Area III), as well as a Transition Area between areas of high and moderate risk. The Transition Area includes the outer 330 feet of Area II and the inner 660 feet of Area III, adjacent to the outer boundary of Area II.

Land Use-Density: It has been determined that the site is in Area III of the Hemet-Ryan Airport Influence Area. Densities and intensities are not restricted in Area III. The southerly 660 feet of the site is within the mapped Transition Area, but the project is not considered to be within the Transition area, because less than 50% of the project is in the Transition area, pursuant to Policy V.C.2 of the HRACALUP.

PART 77: The maximum elevation on site is 2047 feet above mean sea level (AMSL). The runway elevation at its westerly terminus is 1,507 feet AMSL. At a distance of 6,105 feet from the runway, any structure with a top elevation greater than 1,568 feet AMSL would require FAA review. There are no structures proposed through this application, but all structures proposed at this location will be subject to FAA review.

Noise: The site is outside the 55 CNEL contour; therefore noise mitigation is not required.

**CONDITIONS:**

1. Prior to final adoption of the specific plan, the landowner shall record Avigation Easements covering the entire parcel proposed for development to the County of Riverside as owner-operator of Hemet-Ryan Airport. (Contact the Riverside County Economic Development Agency – Aviation Division for further information.)



2. Any outdoor lighting installed shall be hooded and shielded to prevent either the spillage of lumens or reflection into the sky. All lighting plans should be reviewed and approved by the airport manager prior to approval.
3. The following uses shall be prohibited:
  - a. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
  - b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
  - c. Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
  - d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
4. The attached notice shall be given to all prospective buyers and tenants.
5. Unless otherwise determined inapplicable by Airport Land Use Commission staff, all structures at this location with an elevation above 1,568 feet above mean sea level at top of structure shall require FAA aeronautical review through the Form 7460-1 FAA notice process.
6. All tract maps, places of assembly, schools, institutional uses, and structures over 35 feet in height within the Specific Plan shall be subject to review by the Airport Land Use Commission or ALUC staff.

**COUNTY OF RIVERSIDE  
AIRPORT LAND USE COMMISSION**

**STAFF REPORT**

**AGENDA ITEM:** 3.2

**HEARING DATE:** November 8, 2007

**CASE SUMMARY:**

**CASE NUMBER:** ZAP1039MA07-The Magnon Companies  
CarterRedish/Carter Group Architects

**APPROVING JURISDICTION:** City of Riverside

**JURISDICTION CASE NO.:** P07-1013 (Design Review)

**MAJOR ISSUES:** It has not been determined whether or not Building “A” is located at least 15,000 feet from the end of the runway. The applicant is awaiting word from March Air Reserve Base.

**RECOMMENDATION:** Staff recommends a finding of Consistency, for Buildings F and G. Building A shall also be found consistent if the applicant can produce supporting documentation demonstrating that Building A is at least 15,000 feet from the runway.

**PROJECT DESCRIPTION:**

A proposal to develop two (2) two-story office buildings and one (1) three story office building with a gross floor area (cumulative) of 131,280 square feet on 11.66 acres within a 30.24-acre contiguous ownership.

**PROJECT LOCATION:**

The project site is located northerly of Eastridge Avenue, westerly of Sycamore Canyon Boulevard, and southerly of proposed Sierra Ridge Drive, approximately 14,900 feet from the runway at March Air Reserve Base, in the City of Riverside.

**LAND USE PLAN:**

1984 Riverside County Airport Land Use Plan, applied to March Air Reserve Base

Adjacent Airport:

- |                            |  |
|----------------------------|--|
| a. Airport Influence Area: | March Air Reserve Base/March Inland Port   |
| b. Land Use Policy:        | Area I                                     |
| c. Noise Policy:           | The site is crossed by the 60 CNEL Contour |

**BACKGROUND:**

Land Use/Intensity: The site is located in Airport Area I. Policy I in chapter II of the 1984 RCALUCP states that Area I shall be kept free of all “high risk land uses.”

High risk land uses are conceptually defined in Appendix B of the 1984 RCALUP titled HIGH RISK LAND USE EXAMPLES. Appendix B (a copy of which is attached) states that high risk land uses have one or more of the following characteristics:

- (1) high concentration of people,
- (2) critical facilities, and
- (3) flammable or explosive materials.

Type (1) includes “high patronage services”. These uses are listed as including “bowling alleys, restaurants, theaters, motels, banks, etc.”

The 1984 Riverside County Airport Land Use Plan allows commercial and industrial development, other than high risk land uses, in Area I.

The 2005 Airport Installation Compatibility Use Zone report for March Air Reserve Base, a U.S. Air Force publication, identifies Accident Potential Zones in the airport vicinity. This property is not within Accident Potential Zone I, but lies partially within Accident Potential Zone II. Accident Potential Zone II is an area located a distance of 8,000 to 15,000 feet from the runway threshold and within 1,500 feet from the extended runway centerline. On page A-6 of Appendix A, the report states: “For most nonresidential usage, buildings shall be limited to one story and lot coverage should not exceed 20%.”

While Buildings F and G are clearly located more than 15,000 feet from the runway, the distance from Building A to the runway is not clear. This three-story building may be partially within this distance. Staff is requesting additional information in this regard.

The Draft March Land Use Study prepared by Mead and Hunt depicts this property as being within Airport Zones B1 and C1. Airport Zone B1 would limit nonresidential intensity to 50 persons per acre average and 100 persons per single acre. Airport Zone C1 would limit nonresidential intensity to 100 persons per acre average and 250 persons in any given acre.

PART 77: The highest existing elevation on site is 1,539 feet above mean sea level (AMSL). The elevation of the runway at its northerly end is 1,535 feet AMSL. At a distance of approximately 15,300 feet from the runway, any structure exceeding 1,692 feet at top of roof will require FAA review. FAA review is not required.

Noise: The site is crossed by the 60 CNEL contour.

The Draft March Joint Land Use Study prepared by Mead and Hunt indicates a noise level reduction requirement of 30 dB in residences (including mobile homes) and office buildings in Airport Zone B1. Airport Zone C1 calls for a noise level reduction requirement of 25dB in residences (including mobile homes) and office buildings.

Prohibited and Discouraged Uses: The applicant does not propose any of the uses specifically listed in Appendix B as being prohibited uses in Area I.

### **CONDITIONS:**

1. Prior to recordation of a final map, issuance of new building permits, or conveyance to an entity exempt from the Subdivision Map Act, whichever occurs first, the landowner shall convey an aviation easement to the MARB/MIP Airport. (Contact March Joint Powers Authority at (951) 656-7000 for additional information.)
2. Any outdoor lighting shall be hooded or shielded to assure that no lights are above the horizontal plane.
3. The following uses shall be prohibited:
  - a. Any use which would direct a steady light or flashing light of red, white, green or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.

- b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
  - c. Any use which would generate smoke or water vapor, or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
  - d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
  - e. Children's schools, hospitals, nursing homes, churches and chapels, restaurants, cafes, cafeterias, theaters, bowling alleys, motels, banks, department stores, supermarkets, drug stores, service stations, and public assembly uses such as amphitheaters, outdoor music shells, and sports stadiums.
  - f. The above ground storage of explosive or flammable materials.
4. The attached notice shall be given to all prospective buyers and/or tenants.
  5. Supporting documentation demonstrating that Building "A" is entirely located at least 15,000 feet from the end of the runway at March Air Reserve Base must be submitted to the staff of the Airport Land Use Commission in order to uphold the validity of a consistency determination for building "A". In the event Building "A" is not at least 15,000 feet from the runway, Building "A" must be moved to a location that meets this criterion. Otherwise, Building "A" is to be considered NOT A PART of the approval and shall be re-submitted for further review.
  6. Noise attenuation measures shall be incorporated into office areas of the buildings as necessary to ensure interior noise levels from aircraft operations are at or below 45 CNEL.
  7. The uses specified in the attached Appendix B of the Riverside County Airport Land Use Compatibility Plan shall be prohibited.

# COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

## STAFF REPORT

**AGENDA ITEM:** 4.1

**HEARING DATE:** October 8, 2007

**CASE SUMMARY:**

**CASE NUMBER:** ZAP1010HR-Medical Real Estate  
Development

**APPROVING JURISDICTION:** City of Hemet

**JURISDICTION CASE NO.:** CUP 07-024 (Conditional Use Permit)

**MAJOR ISSUES:** None.

**RECOMMENDATION:** Staff recommends a finding of Conditional Consistency, pending FAA approval, subject to the conditions included in this staff report and such additional conditions as may be required pursuant to the terms of the FAA determination.

### PROJECT DESCRIPTION:

A proposal to develop an eight-building, 126,616 square foot office and commercial center on 9.86 acres. The center is proposed to accommodate 20,814 square feet of retail space, a 10,000 square foot outpatient surgery center, and 95,802 square feet of medical offices.

### PROJECT LOCATION:

The property is located on the south side of Stetson Avenue, easterly of Cawston Avenue, approximately 2,600 feet southeasterly of the easterly terminus of Runway 5-23 at Hemet -Ryan Airport, in the City of Hemet.

**LAND USE PLAN:** 1992 Hemet-Ryan Airport Comprehensive Land Use Plan

Adjacent Airport:

- a. Airport Influence Area: Hemet-Ryan Airport
- b. Land Use Plan: Transition Area (inner 660 feet of Area III)
- c. Noise Levels: Outside the 55 CNEL Contour

**BACKGROUND:**

Land Use/Intensity: The site is located in Area III/Transition Zone (660 feet). Area III permits a wide range of uses and places no restrictions on intensity.

The site is considered part of the Transition Area since more than 50% of the project site is within the inner 660 feet of Area III. Policy VC.5. of the Transition Area limits structure height to 35 feet (or two stories, whichever is less). Policy V.C.6 indicates that institutional uses and places of assembly in the Transition Zone “require a discretionary review as to its location and relative risk area.”

Based on the land uses proposed, this project would constitute a “place of assembly” as defined in the 1992 Plan. Staff estimates an occupancy of 889 persons for this project, for an average intensity of 90 persons per acre. Pursuant to the State Airport Land Use Planning Handbook, this average intensity is acceptable in the Traffic Pattern Zone, which would allow an average of 150 persons per acre.

Noise: The site lies outside the ultimate 55 CNEL contour; consequently, no special mitigation for aircraft noise is required.

PART 77: The maximum elevation at this site is approximately 1,520 feet above mean sea level. The proposed structures will not exceed a height of 35 feet. Elevation at top of structure could be as high as 1,555 feet above mean sea level. The runway elevation at its easterly end is 1,517 feet above mean sea level. At a distance of 2,600 feet from the runway, FAA review would be required for any structures with top of roof exceeding 1,543 feet above mean sea level. The applicant has submitted to the FAA for review.

Other: The applicant has proposed an aviation easement listing the City of Hemet as grantee. The County of Riverside is the owner-operator of Hemet-Ryan Airport.

**CONDITIONS:**

1. Prior to issuance of building permits, the landowner shall record Aviation Easements covering the entire parcel proposed for development to the County of Riverside as owner-operator of Hemet-Ryan Airport. (Contact the Riverside County Economic Development Agency – Aviation Division for further information.)
2. All structures at this location with an elevation above 1,543 feet above mean sea level at top of structure shall require FAA aeronautical review through the Form 7460-1 FAA notice process.

3. Any outdoor lighting installed shall be hooded and shielded to prevent either the spillage of lumens or reflection into the sky. (It is recommended that airport management be provided an opportunity to review outdoor lighting plans prior to approval.)
4. The following uses shall be prohibited:
  - a. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
  - b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
  - c. Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
  - d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
5. The attached notice shall be given to all prospective buyers of real property interests and tenants.



**COUNTY OF RIVERSIDE  
AIRPORT LAND USE COMMISSION**

**STAFF REPORT**

**AGENDA ITEM:** 5.1

**HEARING DATE:** November 8, 2007

**CASE NUMBER:** ZAP1016FV07- Reve Salon and Spa (Steve Brown)/RCI Silverhawk, LLC/The Garrett Group

**APPROVING JURISDICTION:** County of Riverside

**JURISDICTION CASE NO:** PP19437S6 (Plot Plan Substantial Conformance)

**MAJOR ISSUES:** The applicant is proposing to establish a salon and day spa, with a small coffee shop and retail area, within Building “B” at Parcel 22 of Silverhawk Business Park, located at 36388 Sky Canyon Drive. The buildings were found consistent as “shell” office/industrial buildings in 2005, on the basis of office and industrial use. However, the spaces or suites within these buildings have apparently been marketed to other users. The main issue regarding this project is the level at which the remaining areas of the building would still be able to be occupied, given this use and the uses already established or permitted, including a church in Building “A” and a thrift store and pantry/distribution center in Building “B”. Neither of these would be in the same single-acre as the salon and day spa.

**RECOMMENDATION:** Staff recommends a finding of CONSISTENCY for this proposed use, subject to the attached conditions, including limits on hours of operation to avoid situations where intensity in persons per acre would exceed average intensity limitations for the site. (If the limits on hours of operation are not acceptable to the applicant, staff recommends a continuance to allow the landowner to obtain additional information regarding hours of operation for the church and the William Lyles Company, so as to devise alternatives.)

**PROJECT DESCRIPTION:**

A request to establish a salon and day spa (not exceeding 11,368 square feet in gross floor area), with a small coffee shop and retail area, within a building previously approved for office and warehouse uses on a 4.55-acre property. The two buildings on the property have a combined gross floor area of 80,566 square feet, and were found consistent in 2005 (through ALUC Case Number FV-05-107) as “office/industrial” buildings.

**PROJECT LOCATION:**

The site is located easterly of Sky Canyon Drive and northerly of Technology Drive in the French Valley area of unincorporated Riverside County, approximately 1,915 feet southwesterly of Runway 18/36 at French Valley Airport.

**LAND USE PLAN:** 2007 French Valley Airport Land Use Compatibility Plan (FVALUCP)

Adjacent Airport:

- a. Airport Influence Area: French Valley Airport
- b. Land Use Policy: Airport Zone C
- c. Noise Levels: 55-60 CNEL.

**BACKGROUND:**

Nonresidential Average Intensity: The 4.55-acre property is split by the boundary between Airport Zones B1 and C, with Building “B” located in Airport Zone C. The property includes 3.87 acres in Airport Zone C and 0.68 acres in Airport Zone B1. Pursuant to the 2007 French Valley Airport Land Use Compatibility Plan, Airport Zone C allows an average intensity of 80 persons per acre, while Airport Zone B1 allows an average intensity of 40 persons per acre. Based on this information, a total of 336 persons would be allowable on this property, or one person per 240 square feet of gross floor area of the 80,566 square feet of building area.

Both buildings were originally considered as office/industrial buildings, with no reference to retail use or public assembly uses. As an office/industrial project, with 26% office and 74% warehouse use, the original project, considered pursuant to ALUC Case Number FV-05-107, was consistent with the 2004 French Valley Airport Land Use Compatibility Plan. Since that time, Building “A” has been occupied by a church. Building “B” includes a thrift shop with food pantry/distribution center, and one office/industrial tenant, The William Lyles Company. Three other suites in Building “B” are vacant.

The following information is based on best available data. Staff has requested additional information from the landowner’s architect regarding the square footage of the various suites in Building “B”. In the meantime, staff has utilized a “worst-case scenario”.

The applicant is proposing a salon and day spa, with multiple rooms and varying activities. While the largest individual room is the salon (3,162 square feet in area), the floor plan also provides for eight “treatment” rooms, a manicure room, a pedicure room, sauna, steam room, two locker rooms, a retail area, and a coffee serving area. Staff has elected to evaluate the majority of the project under the category of “health care facility”, which is assumed to have an intensity of one person per 160 square feet. The project includes a 562 square foot coffee room, a 567 square foot retail room, a 384 square foot office, and 866 square feet of storage areas, which are evaluated separately for intensity. Using a formula of  $[(8989 \text{ divided by } 160) + (562 \text{ divided by } 30) + (567 \text{ divided by } 115)]$

+ (384 divided by 200) + (866 divided by 600)] = [56 + 19 + 5 + 2 + 1], staff projects a total intensity of 83 persons for this establishment.

An additional 14,212 square feet is included in the thrift shop/food pantry facility. That facility includes 5,784 square feet of retail space, 6,528 square feet of warehouse space, and 1,900 square feet of office space. Using a formula of [(5784 divided by 115) + (6528 divided by 600) + (1900 divided by 200)] = [50 + 11 + 10], staff projects a total intensity of 71 persons for this establishment.

If the remaining areas of Building “B” are developed as 30% office and 70% warehouse, staff projects a total intensity of 101 persons for these suites, for a Building “B” total of 255 persons.

Building “A” is now a church with a gross floor area of 12,615 square feet. While the sanctuary has a seating capacity of 250 persons, pursuant to Planning Department conditions of approval, worship services would be limited to the hours of 8 AM to Noon and 6:00 PM to 8:00 PM on Saturdays and Sundays. At other times, the facility would be limited to office uses during weekdays and small group meetings in the evenings.

Hours of operation at the thrift store and food pantry/distribution facility were limited so as to be closed on Saturday evenings and all day Sunday. The only overlap between worship services and group meetings at the church and thrift store/food pantry operation is between 10 A.M. and Noon on Saturday mornings.

Provided that there is no overlap between salon and spa hours of operation and worship service hours at the church, staff projects that the overall intensity limitation of 336 persons for the entire site will be met.

Nonresidential Single-Acre Intensity: The single-acre area that includes the salon and day spa would also include two adjacent vacant suites (130 and 140), portions of Suite 150 occupied by the William Lyles Company, and a small portion of vacant Suite 160. It does not include the thrift shop/food pantry or the church.

Provided that these suites are occupied in accordance with the original projection of not more than 30% office space and 70% storage and warehousing, these other suites, even if developed with a full mezzanine, would have a potential occupancy of 66 persons. Therefore, the total occupancy of the single acre would be 149 persons, which is consistent with Airport Zone C standards for nonresidential intensity.

Noise: The site is located within the area subject to average noise levels in excess of 55 dB CNEL. The proposed uses are not considered noise-sensitive.

PART 77: The maximum elevation on site is 1,283 feet above mean sea level (AMSL). The runway elevation at its closest point is 1,330 feet AMSL. At a distance of 1,915 feet from the runway, FAA notice and review would be required for new structures exceeding a maximum elevation of 1,349 feet AMSL at top of roof. FAA review is not required.

**CONDITIONS:**

1. Prior to final inspection approval, the landowner shall provide documentation to the Riverside County Airport Land Use Commission and to the Riverside County Planning Department that a document conveying an aviation easement to Riverside County as owner-operator of French Valley Airport has been recorded.
2. Any new outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky, and shall comply with the provisions of Riverside County Ordinance No. 655.
3. The following uses shall be prohibited:
  - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
  - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
  - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
  - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
  - (e) Children's schools, day care centers, libraries, hospitals, nursing homes, highly noise-sensitive outdoor uses, and aboveground bulk storage of 6,000 gallons or more of hazardous or flammable materials.
4. Saturday and Sunday business hours for this salon and day spa shall be limited so as not to be open for business until 12:00 Noon and to close not later than 6:00 P.M. On other days, the business may be open from 7:00 A.M. to 10:00 P.M., as the proprietor may deem appropriate.
5. Retail sales within the salon and day spa shall be confined to the areas depicted as "coffee" and "retail" on the floor plan submitted with this application.
6. The Riverside County Planning Department shall require additional review by the Airport Land Use Commission prior to the establishment of any of the following uses in any of the structures approved through Plot Plan No. 19437 and the

substantial conformance requests pertaining thereto:

Retail sales, auction rooms, auditoriums, dance floors, lodge rooms, reviewing stands, conference rooms with capacities of 28 or more persons, dining rooms, exhibit rooms, restaurants, drinking establishments, gymnasiums, lounges, stages, gaming, bowling alleys, classrooms, courtrooms, dormitories, swimming pools, skating rinks, locker rooms, and other uses that would be considered to have an occupancy level greater than one person per 100 square feet (minimum square feet per occupant less than 100) pursuant to California Building Code (1998) Table 10-A.

7. The attached notice shall be provided to all potential purchasers and tenants.
8. Not more than 30 percent of the area within vacant suites in Building "B" shall be utilized for office space, with the remainder to consist of storage and warehousing. Any deviations that would result in higher intensity shall require further review by the Airport Land Use Commission.

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**COUNTY OF RIVERSIDE  
AIRPORT LAND USE COMMISSION**

**STAFF REPORT**

**AGENDA ITEM:** 5.2

**HEARING DATE:** November 8, 2007

**CASE SUMMARY**

**CASE NUMBER:** ZAP1009HR07 – Hemet 63 Investments, LLC/Corman Leigh Communities

**APPROVING JURISDICTION:** City of Hemet

**JURISDICTION CASE NO.:** GPA 05-4 (Revised) and ZC 05-4 (Revised)

**PROJECT REVISIONS:** The project has been revised so as to avoid the placement of residential dwellings within the Inner Turning Zone of the main runway and to maintain a 500 foot setback from the glider/sailplane runway as recommended in last year’s staff report for ALUC Case No. HR-06-100.

**MAJOR ISSUES:** While conversion of land designated for industrial and commercial use to residential and commercial uses is still not preferable, the revisions cited above bring the project into consistency with the recommendations of the Airport Land Use Planning Handbook, based on the existing runway length. Approximately three acres of the area proposed for Medium Density Residential use are within the projected boundaries of the Inner Turning Zone based on the proposed runway configuration.

**RECOMMENDATION:** The project is Consistent with the 1992 Hemet-Ryan Airport Comprehensive Airport Land Use Plan. The project is also in compliance with the 2002 Airport Land Use Planning Handbook compatibility criteria based on the current runway length and configuration, provided that the applicant adheres to the mitigation measures listed on pages 18 and 19 of the Airport Land Use Compatibility Study, as revised on September 19, 2007.

Staff also recommends that the letter informing the City of Hemet of the Commission’s action include a statement that the City may wish to consider in its deliberations (regarding these cases) the fact that approximately three acres within the area proposed for residential development pursuant to the general plan amendment and change of zone would be considered to be within the Inner Turning Zone in the event that the primary runway is extended to a length of 6,000 feet as presently contemplated.

**PROJECT DESCRIPTION:**

GPA 05-4, as revised, proposes to amend the designation of 37.59 acres within a 63.82-acre property from Commercial/Industrial to Mixed Use. ZC 05-4, as revised, proposes to change the zoning of the property from M-2 (Heavy Manufacturing) to C-2 (General Commercial) on 23.94 acres and R-3 (Multi-Family Residential) on 13.65 acres. The revision maintains 26.29 acres adjacent to Hemet-Ryan Airport in the Commercial/Industrial General Plan designation and M-2 zone.)

**PROJECT LOCATION:**

The site is located southerly of Florida Avenue and Acacia Street, westerly of Cawston Avenue, and northerly of Hemet-Ryan Airport. The airport boundary is located directly southerly of the property boundary (approximately 500 feet southerly of the proposed amendment area).

**LAND USE PLAN:** 1992 Hemet-Ryan Airport Comprehensive Airport Land Use Plan (HRACALUP)

Adjacent Airport:

- a. Airport Influence Area: Hemet-Ryan Airport
- b. Land Use Policy: Transition Area and Area III
- c. Noise Levels: From below 55 CNEL to above 60 CNEL

**BACKGROUND:**

The Hemet-Ryan Airport Comprehensive Airport Land Use Plan (HRACALUP) was adopted in 1992. The Plan defines areas of extreme risk (Area I), high risk (Area II), and moderate risk (Area III), as well as a Transition Area between areas of high and moderate risk. This property lies just outside the area of extreme risk extending easterly from the runways. The property also lies outside the area of high risk, which is narrow on the area parallel to the airport because aircraft approaching or departing from the airport would not fly over the property under normal weather conditions. The Transition Area includes the outer 330 feet of Area II and the inner 660 feet of Area III adjacent to the outer boundary of Area II.

Land Use: The site is located largely within the Transition Area, with the remainder in Area III. In accordance with the policies for Transition Areas specified on pages 27 through 29 of the HRACALUP, “if 50% or more of the project site is in the Transition Area, it shall be considered part of the Transition Area.” Commercial, industrial, and manufacturing uses, other than institutional uses, places of assembly, public and private schools, and hazardous material facilities, are permitted in this area. Residential uses and the special nonresidential uses specified above are subject to discretionary review, with maximum residential density limited to twenty (20) dwelling units per acre. The HRACALUP requires that the Airport Land Use Commission hold a public hearing on each application for discretionary use. Given this provision, residential uses are potentially consistent with the HRACALUP requirements for this area, provided that density is limited to twenty dwelling units per acre.

Having acknowledged this, it must be stated that the general plan amendment and zone change move the direction of development on this property in a manner that is not preferable from an airport land use planning perspective. From the point of view of minimizing risk to the public health, safety, and welfare, it would be preferable to maintain the existing zoning and establish an Industrial designation. If residential development is to occur here, it would be preferable for the residential development to be located within the portion of the site farthest from the airport, or, more precisely, to the area least impacted by airport and aircraft operations. However, the revised project presents a significant improvement over the previous design, which had proposed residential development in the portion of the property adjacent to the airport.

The Draft Hemet-Ryan Master Plan, Appendix A, includes data indicating that a majority of

operations at the airport involves “single engine, propeller, variable pitch”, and that almost half of those operations occur on Runway 22.

Safety zone criteria included in the 2002 California Airport Land Use Planning Handbook recommend that residential densities not exceed one dwelling unit per two to five acres in the Inner Turning Zone and one dwelling unit per one to two acres in the Sideline Zone. The Sideline Zone is located parallel to the runway and is basically located at a distance of 125 feet to 500 feet from the centerline of runways less than 4,000 feet in length and at a distance of 250 to 750 feet from the runway centerline for longer runways. Pursuant to the revised project, all dwelling units would maintain a 1,000 foot setback from both runways.

The Economic Development Agency – Aviation Division has asked that staff advise the Airport Land Use Commission that the “NDB” flight pattern for nonprecision approaches using a non-directional radio beacon – a pattern that would be utilized under adverse weather conditions – crosses directly over the site.

Noise: The HRACALUP includes six CNEL contour maps based on various scenarios. Noise levels are expected to be higher during the fire season, with most of the site within the 55 CNEL contour on such days. At other times, most of the site would be beyond the 55 CNEL contour, although some portions would experience noise in excess of 60 CNEL. The higher noise levels would be in the area closest to the airport. The site does not underlie a primary approach and departure flight track, but future residents would experience noise from over flying and adjacent aircraft.

Part 77: The elevation on the site varies from 1,486 to 1,509 feet above mean sea level (AMSL). No structures are proposed at this time, but the Transition Area policies limit structure height to 35 feet. Thus, it is expected that the top of any structure will not exceed 1,544 feet AMSL. The amendment site is approximately 500 feet from the runway. The surface of the runway varies from 1,499 feet to 1,515 feet AMSL. It would appear that all structures at this location will require an FAA 7460 review. However, no structures would be authorized by the general plan amendment and zone change.

**General plan amendments and changes of zone are not subject to conditions, but it is recommended that the Airport Land Use Commission endorse the following mitigation measures:**

**MITIGATION MEASURES:**

1. Prior to final adoption of the general plan amendment, the landowner shall record Avigation Easements covering the entire parcel proposed for development to the County of Riverside as owner-operator of Hemet-Ryan Airport. (Contact the Riverside County Economic Development Agency – Aviation Division for further information.)
2. Any habitable structures to be constructed within areas of the site within the year 2005 average annual day 60 CNEL noise contour (as depicted on Figure 5 of Appendix C of the Hemet Ryan Airport Comprehensive Airport Land Use Plan) shall be soundproofed as necessary to achieve 45 Ldn interior sound levels or quieter relative to aircraft operations.



All building plans within those areas shall be signed by a qualified acoustical engineer certifying that the 45 Ldn level will be achieved, based on construction materials and design of the proposed structure.

3. Unless otherwise determined inapplicable by Airport Land Use Commission staff, all structures at this location shall require FAA aeronautical review through the Form 7460-1 FAA notice process.
4. Any outdoor lighting installed shall be hooded and shielded to prevent either the spillage of lumens or reflection into the sky. All lighting plans should be reviewed and approved by the airport manager prior to approval.
5. The following uses shall be prohibited:
  - a. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
  - b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
  - c. Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
  - d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
6. The attached notice shall be given to all prospective buyers and tenants.
7. All future structures at the site shall be limited to thirty-five (35) feet in height or two stories, whichever is less.
8. Residential density within the site shall be limited to not more than twenty (20) dwelling units per acre.
9. Future discretionary development applications within this area, including tract maps and such permits as may require a public hearing pursuant to City of Hemet codes and ordinances, including, but not limited to, applications proposing the establishment of institutional uses, places of assembly, or any structure with a Uniform Building Code capacity of 100 persons or more, shall require subsequent review by the Airport Land Use Commission.

Staff Report  
Page 5 of 5

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**COUNTY OF RIVERSIDE  
AIRPORT LAND USE COMMISSION**

**STAFF REPORT**

**AGENDA ITEM:** 6.1

**HEARING DATE:** November 8, 2007

**CASE SUMMARY**

**CASE NUMBER:** ZAP1022BD07 – Iland Development

**APPROVING JURISDICTION:** County of Riverside

**JURISDICTION CASE NO.:** Plot Plan No. 22915

**MAJOR ISSUES:** Location of a structure that is not an aviation-related use within Airport Zone A and less than 250 feet from the runway centerline. The Airport Permit for Bermuda Dunes Airport includes a variance for structures northerly of the airport allowing structures not greater than 25 feet in height at a setback of 125 feet from the runway centerline. It would be preferable if the project were designed so as to place the building closer to Country Club Drive and the parking in the rear. This property lies at or near the easterly edge of the industrial area; development of the structure as proposed would extend the existing pattern.

In the event that documentation of submittal to the Federal Aviation Administration is available by the time of the hearing, the Commission may wish to consider the facts of the case in order to determine whether the granting of a special conditions exception pursuant to Section 3.3.6 is appropriate in this situation. The granting of a special conditions exception in the case of a structure in Zone A should only occur following the completion of the FAA review.

**RECOMMENDATION:** Staff recommends that the Airport Land Use Commission open the public hearing, consider public testimony, provide direction to staff as to whether it would be willing to consider the granting of a special conditions exception given the current project design, and CONTINUE this matter to December 13, 2007, pending submittal to, and review by, the Federal Aviation Administration. (Alternatively, if the Commission finds that the granting of a special conditions exception would not be appropriate in this case, staff would recommend a finding of INCONSISTENCY, based on the encroachment of the structure into Airport Zone A.)

In the event that the Commission chooses to find this proposal consistent with the ALUCP pursuant to Policy 3.3.6, or in the event that the Commission finds the proposal inconsistent with the Bermuda Dunes ALUCP but is overruled by the Riverside County Board of Supervisors or its successor-in-interest, staff would recommend that the conditions included in this staff report be applied.

**PROJECT DESCRIPTION:**

The project is a Plot Plan for the development of a 19,388 square foot industrial/office building for multi-tenant use (7,388 square feet to be basement area, primarily underground parking) on a 0.66-acre site. The floor plan indicates that the project would include 5,890 square feet of office space and 6,110 square feet of manufacturing/fabrication area. The basement would include the parking garage, elevator, elevator lobby, staircases, and a machine room.

**PROJECT LOCATION:**

The site is located southwesterly of Country Club Drive, northeasterly of Bermuda Dunes Airport, easterly of Adams Street, and westerly of Jefferson Street in the community of Bermuda Dunes in the County of Riverside, approximately 132 feet northeasterly of Runway 10-28 at the Bermuda Dunes Airport.

**LAND USE PLAN :** 2004 Bermuda Dunes Airport Land Use Compatibility Plan

- a. Airport Influence Area: Bermuda Dunes Airport
- b. Land Use Policy: Airport Zones A and B2
- c. Noise Levels: Greater than 65 dB CNEL at ultimate traffic level

**BACKGROUND:**

Land Use Intensity: The proposal is a Plot Plan for a 19,388 square foot office and industrial building on a 0.66-acre site. The site is split by the boundary between Airport Zone A and Airport Zone B2. Airport Zone A prohibits all structures except those with location set by aeronautical function. Airport Zone B2 allows an average non-residential intensity of 100 persons per acre with clustering on a single acre of up to 200 persons. In this case, the site is less than one acre in area, so the single-acre clustering allowance is not applicable. With a total site area of 0.66 acre, the maximum number of persons that would be allowed on the site if the site were entirely in Airport Zone B2 is 66 persons. However, most of the site (0.40 acre) is in Airport Zone A, with only 0.26 acre of net area in Airport Zone B2. This would allow a total of 26 persons. However, the intent of the intensity standards is to consider the site's gross acreage in reviewing nonresidential intensity. The adjacent part-width of Country Club Drive provides an additional 0.21 acre, allowing an intensity of 47 persons.

The project proposes 36 parking spaces (21 surface and 15 underground), which would translate as 54 persons using the standard parking space methodology of 1.5 occupants per parking space. However, information from ALUC consultant Mead & Hunt indicates that, for work trips, vehicle occupancy is closer to 1.1 or 1.2 persons per vehicle, which would translate as 40 to 43 persons.

Based on the information included in the floor plan, the project includes 5,890 square feet of office uses and 6,110 square feet of fabrication uses, with the 7,388 square feet of remaining area constituting a parking garage, with a machine room, elevator, elevator lobby, and staircases. Pursuant to Appendix C, maximum capacity of office areas is one person per 100 square feet, and maximum capacity of manufacturing areas and parking garages is one person per 200 square feet.

Utilizing the UBC method, with the 50% reduction, the office areas would accommodate 29 persons, and the manufacturing area and parking garage would accommodate 34 persons, for a total intensity of 63 persons. However, provided that the underground parking is restricted to employees' vehicles, it may be argued that the garage would not be fully occupied at the same time as the office and fabrication areas. If the basement area is discounted, total occupancy is reduced to 45 persons, which would be consistent with the overall allowable intensity when one considers the gross acreage in Airport Zone B2.

Airport Zone A: The major issue for this project is that Airport Zone A, as mapped on the Bermuda Dunes Airport Land Use Compatibility Plan (BDALUCP) extends onto this property to a depth of 118 feet. The project as designed is inconsistent with the provisions of the BDALUCP and the Countywide Policies, which prohibit new occupiable buildings in Airport Zone A. The building is entirely within Airport Zone A, with the outdoor parking in Airport Zone B2. The project should be designed so as to place the building along Country Club Drive, with parking in the rear. The proposed building encroaches approximately 102 feet into Airport Zone A. While it may not be possible to eliminate encroachment into Zone A, a redesign that places the building at the front of the property would reduce the proportion of the building extending into Airport Zone A.

While Kenneth Brody of Mead & Hunt has previously verified that Airport Zone A at this location extends a distance of 250 feet from the centerline of the runway, it should be noted that Airport Manager Mike Smith has previously advised that the boundary of Airport Zone A should have reflected the variance in the State Airport Permit whereby the primary surface extends to a distance of 125 feet from the runway centerline, and objects beyond this limit may be up to 25 feet in height. The variance in the permit is for "existing...imaginary surface penetrations, but has been interpreted as applicable to all lots in the industrial park, including vacant lots.

Noise: The site is subject to extremely high noise levels from aircraft operations due to its proximity to the runway. Noise levels are projected to exceed 65 CNEL at ultimate traffic levels; consequently, the site would not be suitable for residential or other noise-sensitive uses. In accordance with criteria for Airport Zone B2, the structure will be required to be designed to provide a minimum noise level reduction of 25dB for the office portions of the building construction.

PART 77: The ground level elevation of the site is 52 feet above sea level. The height of the structure is 24 feet, so the height at top of structure may be as high as 76 feet. The runway elevation at its easterly end is 45.1 feet above sea level. At a distance of 147 to 148 feet from the runway, any structure with an elevation greater than 46 feet above sea level is subject to aeronautical review by the Federal Aviation Administration. FAA review is required in this case.

In past studies, the FAA has determined that buildings in this area exceed obstruction standards, but that such buildings (provided that they are red obstruction lighted) may not have a substantial adverse effect on the safe and efficient utilization of airspace due to location in an area of previously studied structures of similar height. These reviews have referenced the variance in the State Airport Permit "for existing penetrations 125 feet or more to the north of the runway centerline, with the additional conditions that no object subject to the variance shall exceed 25 feet in height above the nearest point of the runway elevation, and that all objects subject to the variance shall be red

obstruction lighted.”

In past studies, the FAA has also commented that this airport is “not listed in the National Plan of Integrated Airports (NPIAS), because it can never meet FAA Airport Design Standards contained in FAA Advisory Circular 150/5300-13, Change 8” and that the inability to meet these design standards is partially due to “the existing tree line and existing buildings which have previously been located in the FAA Part 77 Primary Surface and the Obstacle-Free Area (OFA).”

Additional Design/Layout Considerations: From an airport land use compatibility planning perspective, the layout is not the most preferable. The Compatibility Plan recommends that structures be located a maximum distance from the runway, which would be better accomplished by siting the structure at the front of the property (along Country Club Drive), with parking in the rear.

### **CONDITIONS:**

1. Prior to issuance of building permits, the landowner shall record the conveyance of an aviation easement to Bermuda Dunes Airport.
2. Noise attenuation measures shall be incorporated into the office areas of the building construction to ensure a minimum noise level reduction of 25dB, so as to reduce interior noise levels from aircraft operations to 45 CNEL or below.
3. The following uses shall be prohibited:
  - a. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light, visual approach slope indicator, or red light obstruction marking in accordance with the conditions specified herein.
  - b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
  - c. Any use which would generate smoke or water vapor or which would attract a large concentrations of birds, or which may otherwise affect safe air navigation within the area.
  - d. Any use which would generate electrical interference that may be detrimental to any operation of aircraft and/or aircraft instrumentation.
4. The attached notation regarding proximity to the airport shall be given to each potential property purchaser or tenant.

5. The maximum floor area utilized for office space shall not exceed 5,980 square feet, with the remaining aboveground areas used for manufacturing, fabrication, storage, or warehousing. Basement areas shall not be rented or leased separately, and no person shall maintain an office in the basement.
6. The maximum height of the proposed building shall not exceed 24 feet above ground level, and the maximum elevation at the top of structure shall not exceed 76 feet above mean sea level, unless a greater top point elevation is approved by the Federal Aviation Administration through the Form 7460-1 process.
7. Prior to the issuance of building permits, the permittee shall submit documentation demonstrating that the Federal Aviation Administration has issued a finding that the proposed building will not be a hazard to air navigation.

**COUNTY OF RIVERSIDE  
AIRPORT LAND USE COMMISSION**

**STAFF REPORT**

**AGENDA ITEM:** 6.2

**HEARING DATE:** November 8, 2007

**CASE SUMMARY**

**CASE NUMBER:** ZAP1023BD07 – Ruben Grijalva and Don and Julia Lawson

**APPROVING JURISDICTION:** County of Riverside

**JURISDICTION CASE NO.:** Plot Plan No. 21421

**MAJOR ISSUES:** Intensity is an issue, depending on the uses within the building. The project meets the average intensity criteria using the Parking Space Method and is envisioned to meet the criteria using the Building Code Method, provided that the office area of the building is limited. However, the project does not meet the single-acre intensity criteria unless the westerly 210 feet of the building is restricted to a maximum of 25% office area, with the rest of the square footage being devoted to warehousing. This constraint is partially the result of a portion of the property being within Airport Zone A; that portion of the property cannot be allocated any intensity. The project also includes a retention basin at a location very close to Bermuda Dunes Airport.

**RECOMMENDATION:** Staff must recommend a finding of INCONSISTENCY based on insufficient evidence to confirm conformance with the single-acre intensity criteria unless (a) the applicant is willing and able to limit the use of the westerly 210 feet of building area to 25% office area and 75% warehousing area, so as to meet the Airport Zone B1 intensity criteria of 50 persons in any single acre or (b) the applicant is willing and able to limit the use of the westerly 210 feet of building area to 33% office area and 67% warehousing area, AND provides sufficient documentation so as to be granted a 16% risk-reduction design bonus. If the applicant, as landowner and manager, is willing and able to make and enforce this commitment, staff recommends a finding of CONDITIONAL CONSISTENCY, subject to the conditions in this staff report, including this additional intensity limitation.

**PROJECT DESCRIPTION:**

The project is a Plot Plan for the development of a 31,380 square foot industrial/office building on a 4.51-acre site.

**PROJECT LOCATION:**

The site is located on the east side of Adams Street, northerly of the easterly straight-line extension of 41<sup>st</sup> Avenue, in the unincorporated Riverside County community of Bermuda Dunes,



approximately 594 feet westerly of the northwesterly terminus of Runway 10-28 at Bermuda Dunes Airport.

**LAND USE PLAN : 2004 Bermuda Dunes Airport Land Use Compatibility Plan**

- a. Airport Influence Area: Bermuda Dunes Airport
- b. Land Use Policy: Airport Zones B1 and A
- c. Noise Levels: Greater than 60 dB CNEL to greater than 65 dB CNEL

**BACKGROUND:**

Land Use Intensity – Average Intensity: The proposal is a Plot Plan for a 31,380 square foot office and industrial building on a 4.51-acre site. The site is split by the boundary between Airport Zone A and Airport Zone B1. Airport Zone A prohibits all structures except those with location set by aeronautical function. Airport Zone B1 allows an average non-residential intensity of 25 persons per acre with clustering on a single acre of up to 50 persons. With a total site area of 4.51 acres, the maximum number of persons that would be allowed on the site if the site were entirely in Airport Zone B1 is 113 persons. However, a portion of the site (0.95 acre) is in Airport Zone A. The net acreage of the Zone B1 portion of the site is 3.56 acres. This would allow a total of 89 persons. However, the intent of the nonresidential intensity standards is to consider the site's gross acreage in reviewing nonresidential intensity. The adjacent street half-widths provide an additional 0.74 acre, resulting in a gross acreage in Zone B1 of 4.3 acres, and an allowable intensity of 107 persons.

The project proposes 63 parking spaces, which would translate as 95 persons using the standard parking space methodology of 1.5 occupants per parking space. Therefore, the project meets average intensity standards using the parking space method.

However, a 31,380 square foot office building would be expected to accommodate 157 persons. This would be in excess of allowable intensity levels for this property. In order to reduce the intensity of the building to the allowable level of 107 persons, the office area would need to be restricted to a limited portion of the building area, with the remainder of the internal square footage limited to manufacturing, fabrication, storage, and warehousing uses.

The applicant's representative has indicated that the parking for the project was calculated on the basis of an approximate 2:1 ratio of warehousing area to office area (specifically, 10,500 square feet of office area and 20,880 square feet of warehousing area). If the ultimate use maintains this mix, the ultimate intensity would be calculated as follows:  $(10,500 \text{ divided by } 100, \text{ divided by } 2) + (20,880 \text{ divided by } 500, \text{ divided by } 2) = 52.5 + 20.88 = 73.38$  persons. Thus, the average intensity would be 17 persons per acre. This would be consistent with Plan criteria.

Land Use Intensity – Single-Acre Intensity: The maximum single-acre intensity permitted in Airport Zone B1 pursuant to the Countywide Policies section of the 2004 Riverside County Airport Land Use Compatibility Plan is 50 persons. The use of risk-reduction design measures may allow for a bonus of up to 30%, resulting in a total allowance of 65 persons. The most intense single-acre within this site is the area within the westerly 210 feet of the building, which includes approximately

24,656 square feet of the building's floor area. If this area were entirely used as offices, this portion of the building would be expected to accommodate 123 persons, a single-acre intensity that is acceptable in Airport Zone C, but not in Airport Zone B1. However, if this area is utilized on the basis of a 2:1 warehousing-to-office ratio, this portion of the building would be expected to accommodate 58 persons. This would exceed the allowable single-acre intensity of 50 persons. If the warehousing-to-office ratio is increased to 3:1 (i.e., 75% warehouse, 25% office), the single-acre intensity would be reduced to 49 persons. Compliance with the single-acre intensity criteria at this location requires strict controls on the land use split in the westerly 210 feet of the structure, given the square footage within this portion of the property. In order to be eligible for a finding of consistency or conditional consistency, the applicant must be willing and able to assure that the appropriate mix of uses is maintained. This requires either (a) a limit of 25% of office area within the westerly 210 feet, with the rest of the square footage in warehousing, or (b) a limit of 33% of office area within the westerly 210 feet, with the rest of the square footage in warehousing AND the granting of a risk-reduction design bonus of 16% by this Commission.

(The Commission may grant a risk-reduction design bonus of up to 30% [15 persons, so as to allow a single-acre intensity of 65 persons] for use of risk-reduction design features, including, but not limited to, the following possible mitigation measures: limiting buildings to a single story; enhancing the fire sprinkler system; increasing the number of emergency exits; upgrading the strength of the building roof; avoiding skylights; limiting the number and size of windows; and using concrete walls.)

The applicant noted on page 1 of the application that the number of people on site "cannot be calculated at this time" because the "building has rentable tenant spaces." Since the majority of this building is a "shell structure", staff cannot confirm that the project would meet the single-acre intensity criteria in the absence of the imposition of conditions or documentation from the applicant.

It appears that the occupancy of the most easterly suite in the building is known, and the floor plan indicates that this area would be used primarily (50-60%) as offices. Fortunately, that area is not within the westerly 210 feet of the building, where the greater square footage within the single-acre area requires the 3:1 (75% warehouse, 25% office) ratio. If this ratio is maintained in the westerly 210 feet of the building, the remainder of the building may be developed as predominantly office.

Staff is recommending conditions that limit the proportion of office space in the uncommitted westerly 210 feet of the building to 25% of that portion of the building area (6,164 square feet).

Airport Zone A: As stated above, 0.95 acres of this property are within Airport Zone A, as mapped on the Bermuda Dunes Airport Land Use Compatibility Plan (BDALUCP). The project is consistent with criteria for Airport Zone A, in that no occupiable buildings are located in that portion of the property. However, the applicant is proposing to include a retention basin in this area. This raises an entirely different issue of land use compatibility – impacts on airport operations that could result if the retention basin becomes a "water feature" that attracts birds. In order to minimize the potential for bird attraction, the retention basin shall be designed to provide for a maximum 48-hour detention period for the design storm and to remain totally dry between rainfalls. Any landscaping or vegetation shall be designed so as not to provide food or cover for species that may present a wildlife hazard.

Noise: The site is subject to extremely high noise levels from aircraft operations due to its proximity to the runway. Noise levels are projected to exceed 65 CNEL in the easterly portion of the property at ultimate aircraft traffic levels, and would exceed 60 CNEL in the remainder of the property. In accordance with criteria for Airport Zone B1, the structure will be required to be designed to provide a minimum noise level reduction of 25dB for at least the office portions of the building construction.

Extended Runway Centerline: The extended runway centerline of Bermuda Dunes Airport is located north-northeasterly of the site, such that a line drawn from the northwest corner of the site to the southeast corner of the site would be parallel to the extended runway centerline. The building is located in the southerly and westerly portions of the site. In this case, the prohibition of structures for human occupancy in Airport Zone A assisted in prohibiting structures closer to the extended runway centerline. The structure could potentially be farther from the extended runway centerline if it were sited closer to Adams Street, with parking on the east side of the structure.

PART 77: The applicant has indicated that the pad elevation would not exceed 86 feet above mean sea level, and that the structure would not exceed a height of 24 feet, for a height at top of structure not exceeding 111 feet above sea level. The runway elevation is 73.4 feet above sea level at its westerly terminus. At a distance of 594 feet from the runway, any structure exceeding an elevation of 79 feet above sea level at top point requires FAA review.

FAA reviews have been completed for each of the six points of the proposed building (Aeronautical Study Nos. 2007-AWP-1569-OE, 2007-AWP-1570-OE, 2007-AWP-1571-OE, 2007-AWP-1572-OE, 2007-AWP-1573-OE, and 2007-AWP-1574-OE). The building location required redesign as an earlier site layout had resulted in a design that penetrated FAR Part 77 approach and transition surfaces. The FAA determined that the building “is identified as an obstruction by exceeding the standards” of FAR Part 77, Subpart C, in its penetration of Runway 28’s 40:1 departure surface in the initial climb area. The FAA has advised that, upon receipt of FAA Form 7460-2 verifying actual construction, “FAA Flight Procedures will request a note to be published in the take-off minimums and (obstacle) departure procedures.” The FAA is also asking that a “1A-Accuracy As-Built Survey” be attached to Form 7460-2 upon submittal; information from that survey will be utilized for aeronautical charting. However, due to the proposal being “in an area of previously studied structures of similar height”, the FAA issued a “Determination of No Hazard to Air Navigation” on July 11, 2007. The determination letter advises that the “aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities”, provided that red obstruction marking and lighting is provided and that the maximum height of 25 feet include all roof-mounted appurtenances, including obstruction lighting. The FAA evaluation determined that “there would be no significant adverse effect upon Visual Flight Rules (VFR) operations, or upon Instrument Flight Rules (IFR) operations, or upon the operation of an Air Navigation Aid (NAVAID), if the structure were built only to the maximum proposed height.” The FAA further determined that “the site underlies the VFR traffic pattern airspace for the airport,” but that “the structure height does not impact VFR traffic operations.”

The FAA determination is based on a maximum structure height of 25 feet above ground level, a

maximum elevation of 111 feet above mean sea level (AMSL), and a minimum distance of 841 feet from the Runway 10 physical approach end.

**CONDITIONS:**

1. Prior to issuance of building permits, the landowner shall convey an avigation easement to Bermuda Dunes Airport, which shall be recorded. Copies of the avigation easement, upon recordation, shall be forwarded to the Riverside County Planning Department (Desert office) and to the Riverside County Airport Land Use Commission.
2. Noise attenuation measures shall be incorporated into the office areas of the building construction to ensure a minimum noise level reduction of 25dB, so as to reduce interior noise levels from aircraft operations to 45 CNEL or below.
3. The following uses shall be prohibited:
  - a. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light, visual approach slope indicator, or red light obstruction marking in accordance with the conditions specified herein.
  - b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
  - c. Any use which would generate smoke or water vapor or which would attract a large concentrations of birds, or which may otherwise affect safe air navigation within the area, including landfills, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, incinerators, composting operations, fly ash disposal, wastewater management facilities, artificial marshes, production of cereal grains, sunflower, and row crops, livestock operations, aquaculture, and landscaping utilizing water features.
  - d. Any use which would generate electrical interference that may be detrimental to any operation of aircraft and/or aircraft instrumentation.
  - e. Children's schools, day care centers, libraries, hospitals, nursing homes, places of worship, highly noise-sensitive outdoor nonresidential uses, and aboveground bulk storage of 6,000 gallons or more of hazardous or flammable materials.

4. The attached notation regarding proximity to the airport shall be given to each potential tenant.
5. The maximum height of the proposed building, including all roof-mounted appurtenances and obstruction lighting, shall not exceed 25 feet above ground level, and the maximum elevation at the top of structure shall not exceed 111 feet above mean sea level. The building shall maintain a minimum distance of 841 feet from the Runway 10 physical approach end , as it existed on July 11, 2007.
6. The proposed building shall be marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1K, Change 2, Obstruction Marking and Lighting, red lights – Chapters 4, 5 (Red) & 12.
7. Within five (5) days after the construction reaches its greatest height, FAA Form 7460-2, Notice of Actual Construction or Alteration, shall be completed by the project proponent or his/her designee and submitted to the Federal Aviation Administration Air Traffic Airspace Branch, ASW-520, 2601 Meacham Blvd., Fort Worth TX 76137-0520. A 1A-Accuracy as-built certified survey shall be attached to the submittal of Form 7460-2 as supplemental information for FAA use in aeronautical charting.
8. The specific coordinates and height of the proposed building shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in building height shall not require further review by the Airport Land Use Commission.
9. Temporary construction equipment used during actual construction of the building shall not exceed the height of the proposed building, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.
10. This approval is for a building with a maximum gross floor area of 31,380 square feet. The maximum office area shall not exceed 10,500 square feet.
11. Within the westerly 210 feet of the proposed building, the maximum office area shall be 6,164 square feet, with the remainder of the area devoted to the storage or warehousing of goods.
12. Any outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky, and shall comply with Riverside County Ordinance No. 655, as applicable. Outdoor lighting plans shall be transmitted to the airport manager for review and comment. (Failure to comment within thirty days shall be considered to constitute acceptability on the part of the airport manager.)
13. The Riverside County Planning Department shall require additional review by the Airport Land Use Commission prior to the establishment of any of the following uses in the proposed structure:

Retail sales, auction rooms, auditoriums, dance floors, lodge rooms, reviewing stands, conference rooms with capacities of 28 or more persons, dining rooms, exhibit rooms, restaurants, drinking establishments, gymnasiums, lounges, gaming, bowling alleys, classrooms, courtrooms, dormitories, swimming pools, skating rinks, locker rooms, and other uses that would be considered to have an occupancy level greater than one person per 100 square feet (minimum square feet per occupant less than 100) pursuant to California Building Code (1998) Table 10-A.

14. The retention basin shall be designed so as to provide a maximum 48-hour detention period for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the retention basin that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.
15. The height of all trees on-site shall be monitored by the landowner so as not to exceed a height of twenty-five (25) feet above ground level.

COUNTY OF RIVERSIDE  
AIRPORT LAND USE COMMISSION

**STAFF REPORT**

**AGENDA ITEM:** 6.3

**HEARING DATE:** November 8, 2007

**CASE SUMMARY:**  
**CASE NUMBER:** ZAP1020BD07-Pacific Engineering & Associates

**APPROVING JURISDICTION:** County of Riverside

**JURISDICTION CASE NO.:** GPA 00871 and PM 33432

**MAJOR ISSUES:** Both the Parcel Map and the General Plan Amendment conflict with Zone C compatibility criteria.

**RECOMMENDATION:** Staff recommends a finding of INCONSISTENCY with the Airport Land Use Compatibility Plan for both the Parcel Map and the General Plan Amendment.

**PROJECT DESCRIPTION:**

A proposal to amend the Western Coachella Valley Area Plan designation of 2.3-2.41 acres from Very Low Density Residential (one dwelling unit per acre) within the Community Development Foundation Component to Medium Density Residential (2 to 5 dwelling units per acre), and to divide the property into four parcels with a minimum lot size of 13,000 square feet and one remainder lot.

**PROJECT LOCATION:**

The site is located on the west side of Yucca Lane, northerly of 41<sup>st</sup> Avenue and easterly of Washington Street, approximately 5,000 feet westerly of Runway 10-28 at the Bermuda Dunes Airport in the unincorporated Riverside County community of Bermuda Dunes.

**LAND USE PLAN: 2004 Bermuda Dunes Airport Land Use Compatibility Plan**

- a. Adjacent Airport: Bermuda Dunes Airport
- b. Land Use Policy: Airport Zone C
- c. Noise Policy: Outside the 55 CNEL contour

**BACKGROUND:**

Land Use/Density: The site is located in Airport Zone C of the Bermuda Dunes Airport. Zone C requires the average parcel size to be 5 or more acres. Residential density is restricted to a rural density not exceeding one dwelling unit per five acres. If one includes the remainder lot, this project has an overall gross density of 2.07-2.17 dwelling units per acre. Thus, the proposed general plan amendment and parcel map are inconsistent. The site is located a considerable distance from the extended runway centerline, but is included within Airport Zone C due to aircraft turning movements and the height of aircraft above ground level.

PART 77: The maximum elevation at this site is 98 feet above mean sea level. The runway elevation at its westerly end is 73.4 feet above mean sea level. At a distance of 5,000 feet from the runway, FAA notice and review would be required for any structures with top of roof exceeding 123.4 feet above mean sea level. There are no proposed structures through this application.

Noise: The site is outside the 55 CNEL contour; therefore noise attenuation is not required.

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The following conditions are necessary to prevent the establishment of uses that are hazards to flight and to provide notification in accordance with State law. Implementation of these conditions does NOT render the project consistent with the Bermuda Dunes Airport Land Use Compatibility Plan and may not be sufficient to mitigate potential safety hazards (as they would affect the residents of this property) to below a level of significance pursuant to the California Environmental Quality Act.

**CONDITIONS (Parcel Map):**

1. Any outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky, and shall comply with Riverside County Ordinance No. 655 (if applicable).
2. The following uses shall be prohibited:
  - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
  - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft



engaged in a straight final approach towards a landing at an airport.

- (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
  - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
  - (e) Children's schools, day care centers, hospitals, nursing homes, and libraries.
3. The maximum height of any structure shall not exceed twenty-five (25) feet, and the maximum elevation at the top point of structure shall not exceed 123 feet above mean sea level.
  4. The attached notice shall be provided to all potential purchasers and tenants.

**COUNTY OF RIVERSIDE  
AIRPORT LAND USE COMMISSION**

**STAFF REPORT**

**AGENDA ITEM:** 6.4

**HEARING DATE:** November 8, 2007

**CASE SUMMARY:**

**CASE NUMBER:** ZAP1006TH07- Christ Is Salvation Church

**APPROVING JURISDICTION:** County of Riverside

**JURISDICTION CASE NO.:** PP22980 (Plot Plan)

**MAJOR ISSUES:** The intensity of use on-site, especially the single-acre intensity, is well above the maximum allowable intensity in Airport Zone D. The average intensity is approximately 160 persons per acre, 60% above the Zone D standard (although only 7% above the State-wide standard for projects in the Traffic Pattern Zone of rural/suburban airports). However, the single-acre intensity, at 693 persons, is more than twice the Zone D standard.

**RECOMMENDATION:** Staff must recommend a finding of Inconsistency due to the intensity of the proposed development, especially the single-acre intensity. Staff would note that a smaller facility with a sanctuary seating capacity of 300 persons and with no simultaneous use of the sanctuary, multi-purpose rooms, and classrooms could potentially be found consistent. The applicant requests consideration pursuant to Section 3.3.6 (Other Special Conditions) on the basis of the proximity of the school and the limited hours of operation. This project provides an opportunity for the Commission to consider whether it may be appropriate to establish a methodology for addressing frequency of use.

**PROJECT DESCRIPTION:**

The applicant proposes to construct and operate a 42,250 square foot, two-story church building, with a 6,400 square foot maintenance/storage building and a 1,440-1,500 square foot caretaker's quarters, on a five-acre site. The church building is proposed to include seventeen classrooms, two multi-purpose rooms, and a 649 seat sanctuary. The building would also include an exercise/weight room and racquetball court.

**PROJECT LOCATION:**

The site is located on the west side of Olive Street, southerly of Church Street and northerly of 57<sup>th</sup> Avenue, approximately 3,700 feet easterly of Runway 17-35 at Jacqueline Cochran Regional Airport.

**LAND USE PLAN:** 2005 Jacqueline Cochran Regional Airport Land Use Compatibility Plan

Adjacent Airport:

- a. Airport Influence Area: Jacqueline Cochran Regional Airport
- b. Land Use Policy: Airport Zone D
- c. Noise Levels: Outside the 55 CNEL contour

**BACKGROUND:**

Land Use/Intensity: The site is in Airport Zone D. Children's schools are discouraged in Airport Zone D. Places of worship are not discouraged or prohibited uses in Airport Zone D, but are subject to the same intensity restrictions as any other nonresidential land use. The compatibility criteria for Airport Zone D permit 100 people per acre (average) and a maximum of 300 people in any given acre. Even with use of all risk-reduction design measures, the single-acre intensity cannot exceed 390.

Based on the square footage information provided by the project architect, staff calculates the total occupancy of the church building, if all rooms were in use simultaneously, at 830 persons. (The maintenance building would have an occupancy of six persons.) The single-acre intensity for the acre that includes the sanctuary would be 693 persons, based on the standard methodology utilized in Appendix C. (This number includes the standard 50% reduction, so the intensity would be higher if one were to substitute the fixed seating capacity of the sanctuary – 649 persons – for the square footage based calculation for that area, which would indicate an occupancy of 395 persons in the sanctuary. The UBC capacity for the sanctuary is 790 persons, and Church officials have indicated a capacity of 750 for the sanctuary.)

The project architect has advised that a Monday-through-Friday school is not contemplated, but the design provides for seventeen classrooms, which would be expected to accommodate 129 children for Sunday school. The multi-purpose rooms would accommodate an additional 221 persons, and the various offices, choir room, green room, conference room, and other uses would accommodate an additional 85 persons.

On an overall basis, the site (5.24 acres in gross area including the adjacent half-width of Olive Street) could potentially accommodate 524 persons pursuant to the existing criteria for Airport Zone D. The difficulty for churches and other places of assembly is in the single-acre intensity limitations. It is much easier to split an office project into multiple buildings than a church, which by its nature encourages the congregation of people. The single-acre intensity could be reduced (although not to a level of consistency with Zone D

criteria) by placing the classrooms and multi-purpose rooms in other buildings, such that these uses would be on separate acres.

In the long term, ALUC may wish to consider an amendment to the allowable single-acre intensity in Airport Zone D for this airport, as has been adopted in the French Valley area. The California Airport Land Use Planning Handbook guidelines for safety zones recommend average intensity criteria of 150 persons per acre and single-acre intensity maxima of 450 persons per acre for the Traffic Pattern Zone of suburban/rural airports (prior to application of risk-reduction design bonuses). Such a determination would need to be addressed through an amendment to the additional compatibility policies for this airport, which would need to be coordinated with the Economic Development Agency – Aviation Division, the City of Coachella, the County Planning Department, and the Jacqueline Cochran Regional Airport Authority.

At this time, staff is awaiting additional communication from the applicant as to whether certain portions of the building may not be in simultaneous use.

It should be noted that the heavily developed portion of the community of Thermal is entirely located in Airport Zone D, such that the church must either locate in Airport Zone D or outside the main area of the community. Additionally, a school is located adjacent to this church site, and the County plans to develop a sheriff's station at a location much closer to the runway. However, the site is at the edge of the developed area of the community and would not qualify pursuant to infill provisions in Section 3.3.1. Given the projected intensity, the only potential bases for a special finding pursuant to Section 3.3.6 would appear to be the fact that the community as a whole is in Zone D and the number of hours that the building would be in use on a weekly basis (frequency of use). At this time, there is no provision in the 2004 Riverside County Airport Land Use Compatibility Plan that allows for "weighting" of land use intensity limitations based on the frequency of use, such that a church building with a projected occupancy of 830 persons, which may be in full operation for 6-15 hours per week (except for offices and administrative functions), must be evaluated on the same basis as an office building with the same projected occupancy, which would be in full operation for 45 hours per week. [Of course, staff would not advocate an across-the-board, direct proportional weighting, in that a baseball stadium seating 6,000 people in use 4 hours per week (24,000 person-hours) presents a greater risk than a 150-seat restaurant open 24 hours per day (25,200 person-hours).]

Part 77: The maximum elevation at this site is 118 feet below mean sea level, and the proposed maximum structure height is 35 feet. (It should be noted that building elevations depict an architectural feature or parapet that extends the top point height an additional three to four feet.) Thus, the top point would be approximately 79 feet below sea level. The runway elevation at its northerly end is 114 feet below sea level. At a distance of 3,700 feet from the runway, any structure with a top elevation above -77 feet would require FAA review. FAA review is not required in this case, provided that the top point remains at an elevation that is more than 77 feet below sea level.

Noise: The site is outside the 55 CNEL contour. Noise mitigation is not required.

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The following conditions are necessary to prevent the establishment of uses that are hazards to flight and to provide notification in accordance with State law. Implementation of these conditions does NOT render the project consistent with the Jacqueline Cochran Regional Airport Land Use Compatibility Plan and may not be sufficient to mitigate potential safety hazards (as they would affect the worshippers, students, ministers, and other occupants of this building) to below a level of significance pursuant to the California Environmental Quality Act.

**CONDITIONS:**

1. The following uses shall be prohibited:
  - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
  - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
  - (c) Any use which would generate smoke or water vapor or which would attract a large concentrations of birds, or which may otherwise affect safe air navigation within the area, including landfills, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, incinerators, composting operations, fly ash disposal, wastewater management facilities, artificial marshes, production of cereal grains, sunflower, and row crops, livestock operations, aquaculture, and landscaping utilizing water features.
  - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
2. Any outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky, and shall comply with the requirements of Riverside County Ordinance No. 655, as applicable.
3. The attached notice shall be provided to all potential property purchasers and

- tenants, and shall be recorded as a deed notice.
4. The landowner shall convey an avigation easement to the County of Riverside as owner-operator of Jacqueline Cochran Regional Airport. (Contact the Riverside County Economic Development Agency – Aviation Division for additional information.)
  5. The top point of the building shall be not less than 77 feet below mean sea level.

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# COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

## STAFF REPORT

**AGENDA ITEM:** 6.5  
**HEARING DATE:** November 8, 2007

### CASE SUMMARY

**CASE NUMBER:** ZAP1007TH07 – Riverside County Economic Development Agency and Riverside County Sheriff (Representative: Mead & Hunt)  
**APPROVING JURISDICTION:** State of California Department of Transportation Division of Aeronautics (State Airport Permit); County of Riverside (County Facility exempt from Zoning Ordinance/Planning Review)  
**JURISDICTION CASE NO.:** No Case Number (Project Title is “Thermal Sheriff’s Station and Aviation Facilities”)

**MAJOR ISSUES:** As of October 26, 2007, no noise study had been submitted to ALUC staff for review, so staff has no evidence to verify that operations at the proposed helipad would not result in a significant increase in cumulative noise exposure at any sensitive receptor locations.

**RECOMMENDATION:** CONTINUANCE to December 13, 2007 to allow the project representative sufficient time to prepare a noise study in order to evaluate existing ambient noise levels and the increase in noise levels that would result from the operation of the helipad.

### PROJECT DESCRIPTION:

Development of a restricted-use heliport for use by the Riverside County Sheriff Department, a Sheriff aviation facility including hangar, an aviation-related education center and hangars (under EDA management), and a Sheriff station with warehouse and utility building on 20 acres of County-owned land.

The Touchdown and Liftoff Area (TLOF) will be a circular area with a 48-foot diameter. The Final Approach and Takeoff Area (FATO) will be 86 feet by 86 feet (7,396 square feet) in area centered on the TLOF, and will be surrounded by a safety area with a width of 16 feet.

The California Department of Transportation Aeronautics Division requires a new heliport permit application for special-use heliports, which in turn triggered the requirement for Airport Land Use Commission review.

### PROJECT LOCATION:

The site is located southerly of Airport Boulevard, westerly of Polk Street, and easterly of the

primary runway of Jacqueline Cochran Regional Airport in the unincorporated Riverside County community of Thermal. The property is owned by the County and is within the Jacqueline Cochran Regional Airport Influence Area.

**LAND USE PLAN:** 2005 Jacqueline Cochran Regional Airport Land Use Compatibility Plan

- a. Airport Influence Area: Jacqueline Cochran Regional Airport
- b. Land Use Policy: Airport Zones C and B2
- c. Noise Levels: 55-60 CNEL (ultimate operations)

**INTRODUCTION – BASIS FOR REVIEW**

As stated in Section 1.5.1 of the Countywide Policies of the Riverside County Airport Land Use Compatibility Plan, any “proposal for a new airport or heliport whether for public use or private use (Public Utilities Code Section 21661.5)” requires referral to the Airport Land Use Commission for a determination of consistency with the Commission’s Plan prior to approval by the local jurisdiction “if the facility requires a state airport permit.” The Riverside County Airport Land Use Compatibility Plan (RCALUCP) Policy Document, adopted on October 14, 2004, articulates “procedures and criteria” that the Airport Land Use Commission (ALUC) “shall utilize when evaluating certain types of airport development proposals that...are subject to ALUC review and are addressed by the Compatibility Plan.” In the case of a new airport or heliport, the proposal may be approved if it is consistent with the specific review policies listed in Section 5.2 of the Countywide Policies.

The ALUCP further states that, in its review of an Airport Master Plan or Airport Layout Plan, the Commission shall focus on the noise, safety, airspace protection, and overflight impacts on the surrounding land uses and must base its review on the proposed airfield design. In this regard, one of the critical issues is whether existing and/or approved land uses in the surrounding area would be considered incompatible with the heliport if the heliport were already in existence. Another critical issue is whether the proposal includes measures to mitigate the noise, safety, airspace protection, and overflight impacts on surrounding land uses. (Such measures could potentially include the siting of flight tracks so as to minimize impacts, selection of operational procedures to minimize impacts, installation of noise barriers or structural noise insulation, and/or acquisition of property interests on the impacted land.) With regard to noise, any proposed construction or alteration “that would result in a significant increase in cumulative noise exposure (measured in terms of CNEL) shall include measures to reduce the exposure to a less-than-significant level.” “In locations having an existing ambient noise level of less than 55 dB CNEL, a project that would increase the noise level by 5.0 dB or more” would be considered to result in a significant noise increase. However, in areas with existing ambient noise levels of 55-60 CNEL, a project that would increase the noise level by 3.0 dB or more would be considered to result in a significant noise increase. In areas with existing ambient noise levels greater than 60 CNEL, a project that would increase the noise level by 1.5 dB or more would be considered to result in a significant noise increase.

At this point, a noise study has not been prepared; therefore, staff has no information that would enable a determination as to whether or not the project would result in a significant increase in noise.

Land Use – Average Intensity: The project includes a sheriff’s station with a forensic services and



evidence warehouse facility on the northerly half of the 20-acre property and an aviation-related educational facility, sheriff's aviation facility, and hangars in the southerly half of the property. All of the buildings on the northerly half of the property are within Airport Zone C. Average intensity in the northerly half of the property would be well within ALUCP compatibility criteria, in that, even if both the sheriff's station and warehouse were entirely office space, the projected occupancy would be 388 persons – less than 40 persons per acre on average. As floor plans were not provided for these facilities, compliance with the single-acre intensity limit is not known at this time.

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