

AIRPORT LAND USE COMMISSION
RIVERSIDE COUNTY ADMINISTRATION CENTER
4080 Lemon St., Board Room (14th Floor)
Riverside, CA 92501

THURSDAY, MARCH 21, 2002
9:00 A.M.

MINUTES

A regular scheduled meeting of the Airport Land Use Commission was held on March 21, 2002 at Riverside County Administration Center, Board Room (14th Floor).

COMMISSIONERS PRESENT: William Cobb, Chairman
Allen Graff, Vice Chairman
Ed Adkison
Jim Potts
Roger Meadows [Alternate for Marge Tandy]
Paul Bell [Alternate for Paul Gill]
Walt Snyder

COMMISSIONERS ABSENT: Marge Tandy

OTHERS PRESENT: Russell Rumansoff, Herron + Rumansoff Architects, Inc.
Mike McFarland, RFA
Mike Lucey, Chevron
Robert Streeter, Inland Planning Services
Mary Rauschenburg, Community Southwest
Charles Brown, Charles Brown Architect
Steve Albright, March JPA
Polly Johnson, AT&T Wireless
Robert Casias, City of Blythe
Scott Galati, Blythe Energy (Rep.)
Jim Guerra, (Rep.) Mesa Verde Leadership Counsel
Matthew Webb, Albert A. Webb Associates
Curt Ealy, Attorney (Albert Webb/Kohl Ranch)
Bob Moon, Harry [last name unknown], Tuye Touye
Saengsouvana and other members of the Wat Lao
Buddhist of Riverside (LBOR)

STAFF PRESENT: Keith Downs, A.L.U.C. Executive Director
Beverly Coleman, Development Specialist III
B.T. Miller, Legal Counsel
Pat Moore, Office Assistant

I. CALL TO ORDER: The meeting was called to order at 9:00 a.m. by Chairman Cobb.

- II. SALUTE TO THE FLAG.
- III. ROLL CALL was taken.
- IV. APPROVAL OF MINUTES FOR JANUARY 24, 2002: Chairman Cobb noted changes to the Minutes pertaining to Pages 14, 30 and 36. Also, B.T. Miller, Legal Counsel advised of a modification to a statement on Page 36, in which various was changed to versus and the statement was updated to include a buy/sell agreement.

ACTION TAKEN: Commissioner Adkison made a motion to approve the minutes, per modifications noted by Chairman Cobb. Vice Chairman Graff seconded the motion. Motion carried unanimously.

APPROVAL OF MINUTES FOR FEBRUARY 28, 2002: Chairman Cobb depicted modifications to Pages 11 and 14. Since Commissioner Potts was not in attendance at this meeting he abstained from the voting process.

ACTION TAKEN: Commissioner Adkison made a motion to approve the minutes, subject to modifications denoted by Chairman Cobb. Commissioner Bell seconded the motion. Motion carried unanimously.

Due to the meeting running ahead of schedule the Administrative Items were covered.

Mr. Downs made reference to an article in the L.A. Times involving dispatch traffic from LAX. He added that L.A. County, Orange, Riverside and Imperial Valley's have their fair share of aircraft traffic, and that Palm Springs though it has a half million doesn't meet the criterion of six percent population.

Chairman Cobb inquired about El Toro Marine Base, to which Keith Downs responded that the population negated the ballot measure by a 3-2 vote with the Board of Supervisors.

V. CONTINUED/NEW BUSINESS

BERMUDA DUNES AIRPORT

9:00 A.M.

- A. BD-02-100 – Mowers Plus, Inc. (Continued from February 28th). Keith Downs presented the case by referring to and using exhibits, staff report and recommendations. Mr. Downs stated that since the 7460 review hadn't been received and is expected sometime next week, that staff's recommendations were to continue to case to the next meeting scheduled on April 18th. He further added that an aeronautics study has been ordered.

CASE SUMMARY

CASE NUMBER:	<u>BD-02-100 – Mowers Plus</u>
APPROVING JURISDICTION:	County of Riverside
JURISDICTION CASE NO.:	PP 17507, PM 29976

PROJECT DESCRIPTION:

The project is a proposal to develop a 9,044 sq. ft. 24' high industrial bldg. on a 33,000 sq. ft. parcel.

PROJECT LOCATION:

The site is situated at the easterly of Adams St. and south of Country Club Drive in the County of Riverside and immediately adjacent to the west end of Bermuda Dunes Airport.

Adjacent Airport:	Bermuda Dunes Airport
a. Airport Influence Area:	Area I and II
b. Land Use Policy:	Influence Area
c. Noise Levels:	60 to 70 dB CNEL (February 1996 future forecasts)

MAJOR ISSUES:

Land Use: The proposed site is located approximately 125 feet north of the west end of the runway and is within Areas I and II of the Airport Influence Area. At the time of the staff report writing the applicant had submitted a 7460 Notice to Construct to the FAA, and a copy of this proposal has been submitted to CalTrans Aeronautics for review (comment attached). The FAA response was not available at the time of the staff report. Existing structures and lots of a similar size are continuous along the north side of the runway. Most of the site is within the Imaginary Surface or Runway Safety Area and the Plan indicates it to be within AREAS II and I. This precludes the following usages:

1. High concentrations of people
2. Critical Facilities
3. Flammable or Explosive Material

Noise: The proposal is within the 60 to 70 CNEL as indicated in the 1996 Noise Report for the airports (See Exhibit C). Any industrial use is acceptable in that noise category if noise reduction measures are utilized for any office portion of the building. That may require more than normal construction, which only attenuates up to 20dB.

Height: Part 77 approach profiles are indicated on the exhibit and overlay all of the property. The runway elevation at the west end is 73 feet. The floor level of the buildings is proposed to be 72 feet.

CONDITIONS: for the County to utilize

1. Provide Avigation Easements to the Bermuda Dunes Airport prior to sale of any property to any entity exempt from the Subdivision Map Act and prior to recordation of the map, whichever is first.
2. Incorporate noise attenuation measures into the office portion of any building construction to ensure interior noise levels are at or below 45-decibel levels.
3. Install hooded or shielded outdoor lighting to prevent either the spillage of lumens or reflection into the sky (lights must be downward facing).
4. The following uses are prohibited at this site:

- A. *High Concentration of People*
 - (1) *Places of Assembly: Auditoriums; churches; schools, carnivals; drive-in theaters.*
 - (2) *High Patronage Services: Bowling alleys; restaurants; theaters; motels; banks; etc.*
 - (3) *Large Retail Outlets: Department stores; supermarkets; drug stores; etc.*
 - (4) *Residential Uses.*
 - B. *Critical Facilities: Telephone exchanges; radio/television studios; hospitals; etc.*
 - C. *Flammable Products: Bulk fuel storage; gasoline and liquid petroleum service stations; manufacture of plastics; breweries; feed and flour mills; etc.*
- 5. *The establishment of new land uses involving, as a primary activity, the manufacture, storage, or distribution of explosives or flammable materials are prohibited in this area.*
 - 6. *The following uses shall be prohibited:*
 - (1) *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.*
 - (2) *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.*
 - (3) *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.*
 - (4) *Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.*
 - 7. *Any subsequent permit shall require an ALUC review.*
 - 8. *The overall elevation of the structure shall not exceed 95MSL and shall be built in accordance with the submitted plot plan.*

RECOMMENDATION: *Staff would recommend that the Commission find the proposal consistent with the Bermuda Dunes Airport Land Use Plan.*

Chairman Cobb requested the applicant to come forward and present the case. Upon hearing no response or reply, Chairman Cobb opened the floor for comments

from the audience on the case. After hearing no reply from the audience, Chairman Cobb called for questions from the Commissioners for staff, and upon hearing no response, he called for a motion to be set.

ACTION TAKEN: Commissioner Potts made a motion to continue the project, per staff’s recommendations to the next scheduled meeting on April 18th. Commissioner Adkison seconded the motion. Motion carried unanimously.

HEMET/RYAN AIRPORT

9:15 A.M.

- B. HE-02-100 – AEI-CASC Engineering (Continued from February 28th). Keith Downs presented the case by referring to and using exhibits, staff report and recommendations. Mr. Downs noted that staff’s recommendation is to continue the case to the next scheduled meeting on April 18th.

Chairman Cobb requested the applicant to come forward and present the case. Upon hearing no response or reply, Chairman Cobb opened the floor for comments from the audience on the case. After hearing no reply from the audience, Chairman Cobb Chairman Cobb called for questions from the Commissioners for staff, and upon hearing no response, he called for a motion to be set.

ACTION TAKEN: Commissioner Bell made a motion to continue the project, per staff’s recommendations to the next scheduled meeting on April 18th. Commissioner Adkison seconded the motion. Motion carried unanimously.

- C. HE-02-101 – Herron + Rumansoff Architects – Beverly Coleman presented the case by referring to and using exhibits, staff report and recommendations.

CASE NUMBER: HE-02-101 – Herron + Rumansoff Architects
APPROVING JURISDICTION: City of Hemet
JURISDICTION CASE NO: CUP 01-8

PROJECT DESCRIPTION: *The project is a Conditional Use Permit for a 3,060 sq. ft. restaurant on a 47,445 sq. ft. lot.*

PROJECT LOCATION:
The site is situated north of Acacia Avenue and east of Sanderson Avenue, approximately 4,300 ft. northeast of Runway 5-23 for Hemet/Ryan Airport.

Adjacent Airport: Hemet-Ryan Airport
Land Use Policy: CLUP 1989: Adopted by City of Hemet and County of Riverside

- a. Airport Influence Area: Area III, Area of Moderate Risk*
- b. Noise Levels: Outside 55CNEL, but subject to annoyance levels*

MAJOR ISSUES:

LAND USE: *The proposed site is located approximately 4,300 feet northeast of Runway 5-23. The proposed site is within Area III (Area of Moderate Risk) of the Hemet-Ryan Airport Influence Area. The total site is approximately 47,445 sq. ft. and the lot coverage is 6%.*

Area III has no population density limits assigned to it, but requires a discretionary review for certain uses.

NOISE: The site is not underlying any specific traffic pattern but will experience annoyance from over flying aircraft. The 1989 plan indicates that the area is outside of the 55CNEL.

PART 77. The highest elevation on the site is 1525 MSL and the height of the tallest structure is 24 ft. Any structures exceeding 1555 MSL at this location needs to be reviewed by the FAA. The site is within the Horizontal Surface of 1662MSL.

DISCRETIONARY REVIEW: Pages 35 and 37 of the Hemet-Ryan CLUP include the discretionary review procedures and require us to review: 1) structure height, 2) population density, 3) nature of the land use activity, 4) noise, 5) relevant safety factors, 6) institutional uses, and 7) places of assembly. The present proposal would be consistent with that density and the plan.

CONDITIONS OF APPROVAL:

1. Provide Avigation Easements to Hemet-Ryan Airport prior to any permits being issued or sale to any entity exempt from the Subdivision Map Act.
2. Incorporate noise attenuation measures into the building construction to ensure interior noise levels are at or below 45-decibel levels.
3. Install hooded or shielded outdoor lighting to prevent either the spillage of lumens or reflection into the sky.

RECOMMENDATION: Staff recommends a finding of consistency with the Hemet-Ryan Airport Comprehensive Land Use Plan on this project subject to the conditions of approval noted above.

Chairman Cobb called for questions from the Commissioners. Hearing no response, Chairman Cobb requested the applicant to come forward and present the case.

Russell Rumansoff, Herron + Rumansoff Architects, Inc. came forward in response to Chairman Cobb's invitation. At which time Chairman Cobb inquired if the applicant had any problems with the Conditions of Approval. Mr. Rumansoff voiced his concurrence with staff's Conditions of Approval.

Chairman Cobb called for questions from the Commissioners. Hearing no response from the Commissioners, he opened the floor for comments from the audience on the case. After hearing no reply from the audience, Chairman Cobb called for a motion to be set.

ACTION TAKEN: Vice Chairman Graff made a motion to approve the project, subject to staff's Conditions of Approval and recommendations. Commissioner Adkison seconded the motion. Motion carried unanimously.

FRENCH VALLEY AIRPORT

9:30 A.M.

D. FV-02-100 – Chevron Products – (Continued from February 28th). Beverly Coleman presented the case by referring to and using exhibits, staff report and recommendations. Beverly Coleman passed out a recently received 7460 review to the Commissioners. Ms. Coleman noted that findings (recommendations with CLUP) along with verbiage, etc. had been forwarded per B.T. Miller.

CASE SUMMARY:

CASE NUMBER:	<u>FV-02-100 – Chevron Products</u>
APPROVING JURISDICTION:	County of Riverside
JURISDICTION CASE NO.:	CZ 6658, PM 30474 and CUP 03359

PROJECT DESCRIPTION:

A request for CZ 6658, PM 30474 and CUP 03359 for a Zone Change on .95 acres, subdivision of 5.2 acres into four commercial lots, and a service station, convenience store and car wash on 1.33 acres.

PROJECT LOCATION:

The site is located in the County of Riverside, east of Winchester Road and south of Benton Road, approximately 3,200 ft. north of Runway 18/36 at the French Valley Airport.

LAND USE PLAN

Adjacent Airport:	French Valley
a. Airport Influence Area:	Outer Safety Zone (OSZ) and Emergency Touchdown Zone (ETZ)
b. Noise Levels:	Inside 55 CNEL for year 2013

MAJOR ISSUES:

Noise: *The current CLUP analysis was based upon flight tracks in the 1992-93 period of time. Newer contours indicate that the property is currently inside of the 55db CNEL. While the site currently is not within the 60 CNEL, it is possible that the airport at ultimate capacity will likely generate a 60 CNEL that will encroach upon some portion of the project. The CLUP indicates that non-noise sensitive commercial uses in the 60 CNEL are compatible.*

Land Use: *The proposed land use is commercial, including a service station with a convenience store and car wash, which requires a conditional use permit. The site is currently zoned Scenic Highway Commercial (C-P-S), except for the southern portion of Parcels 3 and 4, approximately .95 acres in area, which is zoned Industrial Park (I-P). The specific uses and exact locations of the other buildings proposed on the site are not known at this time according to the applicant’s representative. The proposed service station (Parcel 1) and the proposed building shown on the southwest portion of the site (Parcel 2) are located within the Outer Safety Zone (OSZ). Prohibited land uses within the OSZ include residences, public assembly uses, hotels, restaurants, bars, schools, hospitals, government services, public utility stations, plants, public communication facilities and uses involving, as the primary activity, manufacture, storage or distribution of explosives or flammable materials. Building coverage for the entire site and for Parcels 1 and 2 is less than 15%*

(net), which is below the OSZ standard of 25% (net). The maximum population density within the OSZ is 25 persons per acre for uses in structures. The proposed buildings shown on the eastern portion of the site (Parcels 3 and 4) are within the Emergency Touchdown Zone (ETZ). Structures, land uses involving concentrations of people, and significant obstructions are prohibited within the ETZ.

There is a GPS approach over the site (non-precision). A 34:1 approach would typically place an approaching aircraft 200+ feet over the proposed site. This elevation could be less in foggy conditions when visibility is poor.

Height: The highest elevation on the site is 1355MSL and the finished floor elevation for the service station on Parcel 1 is 1344MSL. The building, signs and lighting at the service station are not expected to exceed 25 feet. The proposed site is located within the Part 77 approach surface overlying this area at 1425MSL. The runway elevation is 1347MSL.

At the time of the staff report writing (3/13) the FAA 7460 review had not been received. Comments on the proposed project from Cal Trans Aeronautics have been received, and are provided as an exhibit to this staff report.

The proposed site is located within Specific Plan 106 (Dutch Village), with the exception of those portions of Parcels 3 and 4 that lie south of the old centerline of Benton Road (prior to realignment). This portion of the site is not located within an adopted specific plan. Policies described in Section 7.4 of the French Valley Airport Comprehensive Land Use Plan (CLUP), included as an exhibit to this staff report, provide for the exemption of projects located within adopted specific plans from all requirements of the CLUP pertaining to land use, development density and development intensity. However, Section 7.4.1 through 7.4.3.d require that certain land use restrictions and height standards specified in the CLUP shall be applicable to development approvals within adopted specific plans.

The land use and height standards of the CLUP applicable to the proposed project are shown in the table below:

SAFETY ZONE	APPLICABLE LAND USE AND HEIGHT STANDARDS	
	Area Inside Adopted Specific Plan	Area Outside Adopted Specific Plan
ETZ	Exempt from CLUP requirements applicable to land use, development density, and development intensity. However, development approval is subject to certain land use restrictions (Table 7 A, Notes A & B), sound insulation (Section 7.3.1) and height standards (FAR Part 77) set forth in the CLUP.	Structures, Uses Involving Concentrations of People, Significant Obstructions are Prohibited. Max. Density – 0 Max. Structural Coverage – 0 Max. Height – F.A.R. Part 77 standards apply
OSZ	Exempt from CLUP requirements applicable to land use, development density, and development intensity. However, development approval is subject to certain land use restrictions (Table 7 A, Notes A & B) and height standards (FAR Part 77) set forth in the CLUP.	Residences, concert halls, auditoriums, stadiums, arenas, hotels, motels, restaurants, bars, schools, hospitals, government services, public utility stations, plants, public communication facilities and uses involving, as the primary activity, manufacture, storage or distribution of explosives or flammable materials are prohibited. Max. Density- 25 persons/ac. (in structures) 50 persons/ac. (not in structures). Max. Structural Coverage– 25% of net area. Max. Height – F.A.R. Part 77 standards apply

Land Use Restrictions Applicable to Projects Within Approved Specific Plans (Notes From Table 7A of French Valley Airport CLUP):

- A. The following uses shall be prohibited in all airport safety zones:
 - (1) 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.
 - (2) 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.
 - (3) 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.
 - (4) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.

- B. Aviation easements shall be secured through dedication for all land uses permitted in any safety zone.

RECOMMENDATION: That the ALUC finds that: 1) those portions of the proposal that are within the OSZ or ETZ and are within SP 106 are exempt from the land use standards of the CLUP, and that the Commission forward the land use restrictions set forth in Notes A and B to Table 7A and the height Standards in Section 7.3.3 of the CLUP to the County; 2) those portions that are within the OSZ and are outside an adopted specific plan be found inconsistent with the CLUP; 3) those portions that are within the ETZ and are outside an adopted specific plan be found inconsistent with the CLUP.

CONDITIONS OF OVERRIDE: For County utilization

- 1. Provide Aviation Easements to the French Valley Airport prior to development of the project, or sale to an entity exempt from the Subdivision Map Act.
- 2. Install hooded or shielded outdoor lighting to prevent either the spillage of lumens or reflection into the sky (lights must be downward facing).
- 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 above ground storage of flammable materials shall be prohibited.
 5. Any subsequent permit on the property shall be reviewed by the ALUC and the Airport Operator prior to construction.
 6. The following land use and height standards are applicable to proposed uses that are outside an adopted specific plan:

SAFETY ZONE	LAND USE AND HEIGHT STANDARDS
ETZ	Structures, Uses Involving Concentrations of People, Significant Obstructions are Prohibited. Max. Density – 0 Max. Structural Coverage – 0 Max. Height – F.A.R. Part 77 standards apply
OSZ	Residences, concert halls auditoriums, stadiums, arenas, hotels, motels, restaurants, bars, schools, hospitals, government services, public utility stations, plants, public communication facilities and uses involving, as the primary activity, manufacture, storage or distribution of explosives or flammable materials are prohibited. Max. Density- 25 persons/ac. (in structures) 50 persons/ac. (not in structures). Max. Structural Coverage– 25% of net area. Max. Height – F.A.R. Part 77 standards apply

Chairman Cobb called for questions from the Commissioners. Commissioner Adkison asked for clarification to staff's recommendations involving the findings of exempt and inconsistent. Beverly Coleman responded to Chairman Adkison's clarification. Commissioner Potts inquired about the GPS Approach from that standpoint. Keith Downs responded it is underneath the instrument approach.

Upon hearing no further responses, Chairman Cobb requested the applicant to come forward and present the case.

Mike McFarland, RFA came forward in response to Chairman Cobb's invitation, and briefed the Commission on the project's specifications. Mr. McFarland mentioned a previous project that was not brought before the ALUC, in which the height was less and consisted of underground tanks and has not proven to be problematic.

Chairman Cobb called for questions from the Commissioners. Commissioner Adkison inquired if the project has a gas fuel station, mini-mart or repair facility. Mr. McFarland replied that the project consists of a convenience store with 29 sq. foot with a car wash and five pump islands. Vice Chairman Graff inquired about the customer ratio, to which Mr. McFarland responded that the Chevron rep. would need to answer that question.

Mike Lucey, Chevron came forward and stated the components of the project, which includes emergency shut-off valves, which pose as a non-hazard, and are 6-8 feet underground. He further added that the project will consist of two employees, and can service 10 autos simultaneously, and will peak at 6-8 customers. Mr. Lucey then voiced his concurrence with staff's findings.

Chairman Cobb called for questions from the Commissioners, and upon hearing no response or reply, Mike Montelano, Owner came forward. Mr. Montelano stated that the traffic issue is more relevant than the gas station, and he noted improvement of both cost and implementation.

Chairman Cobb then called for questions to the applicant from the Commissioners, and upon hearing no response or reply, he opened the floor for comments from the audience on the case. After hearing no response or reply from the audience, Chairman Cobb called for any discussion or comments from the Commissioners.

Vice Chairman Graff noted that he had reviewed the site and it appears to be lower in elevation. He then voiced his concern relative to lighting and the project's impact upon the airport. Vice Chairman Graff stated his preference would be for a gas station versus a restaurant, etc., due to the low population.

Chairman Cobb inquired if the gas station was exempt from the Specific Plan. Beverly Coleman confirmed. Chairman Cobb then inquired if the approval was for the structure only. Keith Downs stated that it would also include the car wash. A discussion then ensued between Chairman Cobb, Beverly Coleman and Commissioner Adkison involving the proponents of the Specific Plan, and which portions were consistent and inconsistent, along with mention of the CLUP.

After which Chairman Cobb called for a motion to be set.

ACTION TAKEN: Commissioner Bell made a motion to approve the project, subject to staff's Conditions of Approval and recommendations. Vice Chairman Graff seconded the motion. Motion carried unanimously.

B.T. Miller offered clarification by stating that staff's recommendation was to approve only the portion of the project that is non-exempt.

- E. FV-02-101 – Inland Planning Services - Beverly Coleman presented the case by referring to and using exhibits, staff report and recommendations.

CASE NUMBER: FV-02-101 – Inland Planning Services
APPROVING JURISDICTION: County of Riverside
JURISDICTION CASE NO.: CUP 3295

PROJECT DESCRIPTION:

A request for CUP 3295 for a Recreation Vehicle Storage Facility consisting of 240,000 sq. ft. on 24 acres.

PROJECT LOCATION:

The site is located in the County of Riverside, north of Benton Road, and east of Winchester Road, 4,300 ft. northeast of Runway No. 18-36 at the French Valley Airport.

LAND USE PLAN:

Adjacent Airport: French Valley
a. Airport Influence Area: Traffic Pattern Zone (TPZ),
b. Noise Levels: Outside 55 CNEL for year 2013

MAJOR ISSUES:

Noise: The current CLUP analysis was based upon flight tracks in the 1992-93 period of time. Newer contours indicate that the property is currently outside of the 55db CNEL. While the site currently is not within the 55 CNEL, it is possible that the airport at ultimate capacity will likely generate a 55 or 60 CNEL that will encroach upon some portion of the project. The CLUP indicates that commercial uses in the 60 CNEL are compatible.

Land Use: The proposed land use is a recreation vehicle storage facility, which consists of 240,000 sq. ft. on 24 acres with an existing mobile home/office. Structural coverage for the site is less than 1%, which is well below the TPZ standard of 50% (gross) or 65% (net). The densities and usages proposed within the TPZ are consistent with the plan.

Height: The highest elevation on the site is 1,356 MSL and the proposed structures (signage and lighting) are not expected to exceed 20 feet. The site is within the Part 77 horizontal surface of 1,500 MSL, and no portion of the project intrudes upon that airspace.

CONDITIONS OF APPROVAL: For County utilization

1. Provide Aviation Easements to the French Valley Airport prior to development of the project, or sale to an entity exempt from the Subdivision Map Act.
2. Install hooded or shielded outdoor lighting to prevent either the spillage of lumens or reflection into the sky (lights must be downward facing).
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 above ground storage of flammable materials shall be prohibited.

RECOMMENDATION: Staff recommends that the Commission find the project consistent with the adopted French Valley CLUP, subject to the conditions outlined above.

Chairman Cobb called for questions from the Commissioners. Hearing no response, Chairman Cobb requested the applicant to come forward and present the case.

Robert Streeter, Inland Planning Services came forward in response to Chairman Cobb’s invitation, and noted that the acreage on the staff report was incorrect and should be revised to read 5 acres. Mr. Streeter then voiced his concurrence with staff’s Conditions of Approval, along with stating that due to the area’s rapid growth his application for the Conditional Use Permit would only be on a temporary basis, consisting of a five-year period.

Chairman Cobb called for questions from the Commissioners. Commissioner Potts inquired if the project was for RV or if it also consisted of construction vehicles or water/fuel tankers. Mr. Streeter responded by reiterating the project as a temporary Conditional Use Permit, and noted that it consisted of RV, trailers, and boats.

After which time, Chairman Cobb opened the floor for comments from the audience on the case. After hearing no reply from the audience, Chairman Cobb called for discuss or comments from the Commissioners. Upon hearing no response or reply Chairman Cobb called for a motion to be set.

ACTION TAKEN: Commissioner Snyder made a motion to approve the project, subject to staff’s Conditions of Approval and recommendations. Vice Chairman Graff seconded the motion. Motion carried unanimously.

F. FV-02-102 – O2Wireless Solutions/Verizon Wireless - Beverly Coleman presented the case by referring to and using exhibits, staff report and recommendations.

CASE NUMBER:	<u>FV-02-102 – O2Wireless Solutions/Verizon Wireless</u>
APPROVING JURISDICTION:	County of Riverside
JURISDICTION CASE NO.:	PP 16514
PROJECT DESCRIPTION:	

A request for PP 16514 for a 60 ft. Monopalm Wireless Facility on approximately 5.5 acres.

PROJECT LOCATION:

The site is located in the County of Riverside, north of Murrieta Hot Springs Road and east of Sky Canyon Road, approximately 4,300 ft. south of Runway No. 18-36 at the French Valley Airport.

LAND USE PLAN:

Adjacent Airport:	French Valley
a. Airport Influence Area:	Traffic Pattern Zone (TPZ)
b. Noise Levels:	Outside 55 CNEL for year 2013

MAJOR ISSUES:

Noise: The current CLUP analysis was based upon flight tracks in the 1992-93 period of time. Newer contours indicate that the property is currently outside of the 55db CNEL. While the site currently is not within the 55 CNEL, it is possible that the airport at ultimate capacity will likely generate a 55 or 60 CNEL that will encroach upon some portion of the project. The CLUP indicates that commercial uses in the 60 CNEL are compatible.

Land Use: The proposed land use is a 60 ft. monopalm wireless facility on a 5.5 acre site which includes an existing building. Structural coverage for the site is less than 20%, which is well below the TPZ standard of 50% (gross) or 65% (net). The densities and usages proposed within the TPZ are consistent with the plan.

Height: The highest elevation on the site is 1144 MSL and the proposed structure is 65 ft. in height. The site is within the Part 77 horizontal surface of 1,500 MSL and no portion of the project intrudes upon than airspace.

CONDITIONS OF APPROVAL: For County utilization

1. Provide Aviation Easements to the French Valley Airport prior to development of the project, or sale to an entity exempt from the Subdivision Map Act.
2. Install hooded or shielded outdoor lighting to prevent either the spillage of lumens or reflection into the sky (lights must be downward facing).
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 above ground storage of flammable materials shall be prohibited.

RECOMMENDATION: Staff recommends that the Commission find the project consistent with the adopted French Valley CLUP, subject to the conditions outlined above.

Chairman Cobb called for questions from the Commissioners. Hearing no response, Chairman Cobb requested the applicant to come forward and present the case. Upon hearing no response or reply, Chairman Cobb opened the floor for comments from the audience on the case]. After hearing no reply from the audience, Chairman Cobb called for comments or discussion from the Commissioner's, and upon hearing no reply or response, he called for a motion to be set.

ACTION TAKEN: Vice Chairman Graff made a motion to approve the project, subject to staff's Conditions of Approval and recommendations. Commissioner Meadows seconded the motion. Motion carried unanimously.

MARCH AIR RESERVE BASE

9:45 A.M.

- G. MA-01-168 – Orangecrest Hills L.P. (Continued from November 15th) and H. MA-02-111 – Orangecrest Hills L.P. Keith Downs presented both cases by referring to and using exhibits, staff report and recommendations. Mr. Downs denoted Item I on a portion of the property, along with stating that Caltrans review had not been received. Keith Downs then handed out 'Draft' findings to the Commissioners, and advised of a previous approval on ALUC Case MA-01-120.

CASE SUMMARY

CASE NUMBER: MA-01-168 and MA-02-111 - Orangecrest Hills L.P.
APPROVING JURISDICTION: City of Riverside
JURISDICTION CASE NO.: Specific Plan Amendment #2 and Change of Zone

PROJECT DESCRIPTION:

A Specific Plan Amendment to change the designation on 186 acres from Manufacturing Business Park (MBP) to Residential (RM).

PROJECT LOCATION:

The site is north of Siegal Ave., east of Trautwein Road and west of March Air Reserve Base/MIP.

Adjacent Airport: March Air Reserve Base/March Inland Port

a. Airport Influence Area: Within Area of Influence Study Area

- b. Land Use Policy: Influence Area II
c. Noise Levels: See Below

BACKGROUND:

The ALUC has been active in protecting the airport from intrusion since the inception of the Commission in the early 1970's. The first AIR INSTALLATION COMPATIBILITY USES ZONE (AICUZ) protection was initiated by a Board of Supervisors request in November of 1971. The original Interim Influence Area was designated in February of 1972 and was redrawn in 1975 based upon a 1972 AICUZ.

In 1983 the ALUC redrew the boundaries to reflect the 1979 AICUZ. In April of 1984 the ALUC adopted the Riverside County Airport Land Use Plan (RCALUP). In May of 1986 the ALUC again redrew the boundaries to reflect the 1983 AICUZ. In 1992 and again in 1998 the AICUZ reports were redone to reflect the mission changes of the two Base Realignments: however, no changes were made to the Interim Influence Zone created in 1986.

In 1990 the ALUC was able to obtain Department of Defense funding for a Comprehensive Land Use Plan (CLUP) that resulted in the 1994 Draft, which was based upon the 1983 Caltrans Handbook. This was about the time that the second base realignment was announced and it was consequently never adopted. The 98/99 Draft CLUP effort was prepared utilizing the 1994 Draft, and the 1998 AICUZ noise data in conjunction with the 1993 CalTrans Handbook. The current countywide effort we have begun with the balance of the airports will not include an update to the Airport, but we are pursuing separate funding for that portion.

Since we have not adopted the CLUP for MARB, we utilize five resources for our review:

1. The RCALUP: 1984 with Interim boundaries for March Air Force Base: 1986
2. The current CalTrans Airport Land Use Planning Handbook: 1993
3. Draft CLUP for March Air Force Base: 1994
4. Noise Data from the Air Installation Compatibility Use Zone Study: 1998 March Air Reserve Base
5. Draft 98/99 CLUP for MARB/MIP

MAJOR ISSUES:

Land Use: The proposed site is located approximately 7,500 –16,000 feet west of the north end of Runway 14-32. The proposal consists of a change that would allow 521 additional homes and/or a variety of special uses as listed in the Exhibit "D." The proposal is underlying two approach tracks and near others within the inner horizontal surface, conical surface and the outer horizontal surface. The existing designation of 'Manufacturing Park' is compatible with the CLUP and is equivalent to the previous land use designation inside of the adjoining March JPA property.

The 1984 Plan places an emphasis upon the type of airport, type of aircraft using the airport, planned and existing approach profiles, actual flight tracks, and noise levels, or a combination of these factors. The site is located in Area II, which allows commercial, industrial and agriculture, but allows no residential below lot sizes of two and one half acres. The 1994 Draft CLUP placed the property inside of the 60 CNEL.

Density and Coverage: The lots are approximately 6,500 to 8,000 sq. ft and coverage would likely be less than 50%.

Part 77: The elevation at this site is between 1,607 and 1,858 MSL feet and the maximum allowed building height is 35 feet. All of the area in the shaded portion of Exhibit "C" is an 'obstruction' and any structure within that area or within the added area would be an 'obstruction.' Staff has requested that the applicant submit a 'conceptual' FAA Notice to Construct review to the FAA for a response. Most of the project is within Part 77 obstruction criteria.

Noise: The site has been shown to have noise over the property with each of the AICUZ reports. The 1998 AICUZ indicated the property to have from below 55 CNEL to above 60 CNEL. The inclusion of another 521 homes will likely result in 1,745 new residents (3.35pph x 521 = 1745). The predicted level of noise complaints from the project would likely produce a complaint level of 7% of that population (i.e. 122). Since the setting is a quiet suburban community that level is more likely to be 13-23% (226-400). This project would likely result in many new complaints regarding noise from the airport.

Other: The Traffic Pattern Zones (TPZ's) of other CLUP's define facilities such as churches, amphitheatres, community halls, sports facilities, and outdoor lighting as 'discouraged uses' and require the evaluation of alternative sites.

Environmental: The City of Riverside's staff is preparing an Environmental Review for the project, which should include an acoustical analysis. A preliminary noise report is attached.

RECOMMENDATION: Staff recommends that the ALUC finds the proposed land use change from Industrial to Single-Family Residential inconsistent with the 1984/88 Airport Land Use Plan.

APPENDIX

1984 RCALUP: The 1984 RCALUP with the 1986 map identifies all of the project as within AREA II.

Area II, Policy #2 states: "Area II shall have a minimum residential lot size of two and one-half acres. Agricultural, industrial and commercial uses are acceptable." Policy #4 states: "New housing to be constructed within the noise level specified by the ALUC for each airport shall be soundproofed as necessary to achieve interior annual noise levels attributable to exterior sources, not to exceed 46 dB (CNEL of Ldn) in any inhabited room with windows closed."

Conclusion: The proposed residential density is inconsistent with that proposal. The Matrix Table I identifies all applicable plans and whether the project is consistent with those plans' criteria. The proposal is at a density ten times that designated in the 84/86 RCALUP.

The 1994 Draft CLUP for MAFB

The Draft 1994 plan defined the Traffic Pattern Zone outer boundary as the outer edge of the Military Part 77 Conical Surface. Most of the project is within that boundary as shown on Exhibit "C." Section 7.3.2. on Page 7-13 and 14 contains the following language: "Uses such as schools, auditoriums, and amphitheatres...shall be discouraged from being developed in this area." Section 7.4.2. states: "Within the TPZ Safety Zone (the area out to the outer edge of the FAR Part 77 Conical Surface – See Figures 14 and 15), a variety of land uses are to be discouraged from being developed. When development of these uses is proposed, the Airport Land Use Commission shall require the applicant to show that alternative locations have been considered and are not feasible. The applicant shall then be

directed to consider a development plan that will minimize the exposure to hazard as much as possible. This might involve reducing structure heights, reducing lot coverage, reducing the overall scale of the project, or considering satellite locations for some of the proposed functions of the facility.”

The plan places the property within the 60+ CNEL. Section 7.3.1. (Page 7.4 first bullet states): “With the exception of transient lodgings (e.g., hotels and motels) and caretaker residences, all residential uses are considered incompatible with noise levels 60 dB CNEL. However, all residential uses could be conditionally compatible in the noise range between 60 and 65 dB CNEL, if appropriate noise attenuation measures are incorporated into the construction.

Bullet 4 (Page 7.9) states: “Schools, hospitals, nursing homes, churches, auditoriums, and concert halls shall be considered noise-sensitive institutions. While they are compatible with noise levels between 60 dB and 65 dB CNEL, they are not compatible with noise levels above 65 dB CNEL.”

Conclusion: The eastern portion of the proposal as submitted would be inconsistent with the 1994 Draft for both safety and noise, due to the lack of alternative analysis and noise.

1998/99 Draft CLUP:

This DRAFT was an update to the 1994 document with changes proposed for components of the text and graphic illustrations depicting:

1. 1998 AICUZ Noise Contours.
2. 1999 adjusted Area I (APZ II) boundary on the north end, and
3. The addition of the 55 CNEL added to the graphic (1999).
4. Part 77 boundaries are more detailed.

A “First Draft” of the text was completed for review by CalTrans, but no further text has been completed, but the graphics were completed. The site is within the TPZ and High Risk Uses such as schools, hospitals, nursing homes, churches, auditoriums, and concert halls are discouraged. The text would require an acoustical analysis for all projects within the 60 CNEL.

Conclusion: The project as submitted would be inconsistent with the 98/99 Draft CLUP and would require acoustical analysis.

TABLE 1

<u>DOCUMENT</u>	<u>SAFETY</u>	<u>NOISE</u>	<u>PART 77</u>
1984 RCA.L.U.P.	Not Consistent	Not Consistent	Obstruction *
1994 Draft CLUP	Not Consistent	Not Consistent	Obstruction *
1998/99 Draft CLUP	Not Consistent	Not Consistent	Obstruction *

* Over eastern portion of property

CONDITIONS FOR OVERRIDE

Should the City of Riverside wish to pursue an overrule of the Commission (PUC 21675.1), the following conditions are recommended for inclusion:

1. *An acoustical analysis shall be required that includes the following components:*
 - a. *A description of the components necessary to achieve a noise reduction level (CRL) of 25 and 30 for each of the project's components with noise sensitive uses (i.e., schools, hospitals, nursing homes, churches, auditoriums, and concert halls).*
 - b. *Inclusion of all surrounding noise sources (roadway, industrial) at their ultimate design and buildout capacity.*
2. *Prior to project development, recordation of the map, or sale to any entity exempt from the Subdivision Map Act, the project proponents shall convey an avigation easement to the MARB/MIP Airport.*
3. *Lighting plans for any additional development on the vacant lots shall be reviewed and approved by an Airport Lighting Consultant prior to placement.*
4. *No obstruction of the "FAR Part 77 Conical Surface" shall be permitted. The following procedure shall be utilized in order to make a determination as to whether a project would result in such obstruction:*
 - a. *Any proposal for a variance in height limitations of the applicable zone, or for a plot plan or use permit proposing a greater height limit pursuant to the provisions of the Zoning Ordinance shall be transmitted to the Riverside County ALUC staff for a determination of whether review by the Riverside County Airport Land Use Commission is required. The application for such a proposal shall also provide evidence to the Planning Department that the proposal has been submitted to the Federal Aviation Administration for review and comment relative to the provisions of FAR Part 77, or written documentation from the Federal Aviation Administration that such review is not required.*
 - b. *The Federal Aviation Administration shall conduct a Form 7460 review, unless that agency determines in writing that such a review is not required or not applicable.*
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 above ground storage of explosives or flammable materials shall be prohibited.*

DRAFT FINDINGS: MA-01-168

MARCH 18, 2002

- 1) *The site is in Area II of the Adopted 1984/86 Airport Land Use Plan.*
- 2) *There are vacant single-family lots and homes to the south of the proposal.*
- 3) *There are 2-3 flight tracks over or near the site.*
- 4) *The proposal consists of changing the general plan designation and zoning from industrial to residential.*
- 5) *The site is from 7,500 to 16,500 feet west of Runway 14-32.and the elevation is from 1607 to 1858MSL.*
- 6) *The overall site will have densities of 10 people /acre with a building coverage of less than 50%.*
- 7) *The site is from 6,000-14,400 feet from the airport boundary.*
- 8) *There are vacant single-family lots to the north of the proposal for the western one-third of the property.*
- 9) *The property within the JPA boundary to the north of the church complex is indicated as a habitat area.*
- 10) *There is an agreement regarding the site between the JPA, the City of Riverside, Victoria Community Church and Orangecrest Hills observed by the local Congressman and the Air Force.*
- 11) *Neither the March JPA nor the Air Force Reserve has stated opposition to the project.*
- 12) *The original Industrial designations of Specific Plan for the area was approved prior to March Air Reserve Base privatization.*
- 13) *The City of Riverside recognizes AICUZ in other documents to guide its decisions, does not recognize the RCALUP (Riverside County Airport Land Use Plan).*
- 14) *The Specific Plan allows houses surrounding the sites which are 25 ft. high or better, this height is not different from the current proposal.*

- 15) *The Commission has found the single-family tract to the south consistent with the ALUP with case MA-01-120.*
- 16) ~~*The FAA with the Notice to Construct Review has stated...?*~~

In order to approve this item the ALUC must make the following findings, as identified in Section 21675.1 of the California Public Utilities Code.

1. *The ALUC is making substantial progress toward the completion of the; MARB/MIP CLUP and*
2. *There is a reasonable probability that the project will be consistent with the plan; and*
3. *There is little or no probability of substantial detriment to or interference with the plan, if the project is ultimately inconsistent with the plan.*

CONCLUSIONS

1. *This project will: 1) allow the continued orderly expansion of the airport, 2.) protect the public from the adverse effects of aircraft noise, 3.) ensures that people and facilities are not concentrated in areas susceptible to aircraft accidents and 4.) no structures encroach upon or adversely affect the use of navigable airspace.*
2. *All parties to the agreement understand the risks and detriment at the site such as noise, annoyance, safety, and air quality.*

Chairman Cobb called for questions from the Commissioners. Commissioner Adkison asked for clarification on the finding of consistency and inconsistency, in which a discussion then ensued between B.T. Miller, Legal Counsel and Keith Downs relative to the Specific Plan findings of inconsistency and consistency for the church, in which it was determined that one case would directly impact the second project. B.T. Miller also added that an override of staff's recommendations could be implemented on MA-02-111, to which Mr. Downs replied positively and offered clarification and confirmation.

Another discussion ensued between Commissioner Adkison, Keith Downs and B.T. Miller relating to the Specific Plan, adoption of staff's recommendations and impact on the related cases to one another.

Hearing no further responses from the Commissioners, Chairman Cobb requested the applicant to come forward and present the case.

Mary Rauschenburg, Community Southwest came forward in response to Chairman Cobb's invitation. Ms. Rauschenburg voiced her concern with the analysis of the project, and passed out a response from the FAA to Keith Downs. She continued by noting the excluded uses as being okay, and advising of March JPA's support of the zoning change to residential on the project.

Chairman Cobb called for questions from the Commissioners. Hearing no response from the Commissioners, he opened the floor for comments from the audience on the case. No response or reply was heard from the audience.

A discussion then ensued between Keith Downs and Mary Rauschenburg pertaining to the 7460 review and Plan Amendments #4.

Commissioner Adkison then addressed the ALUC's role and responsibilities and noise complaints. He stated that the industrial zoning was more suitable along with denoting church site and proceedings. Commissioner Adkison then reiterated the finding of consistency for the portion west of Barton Road, and east of Barton Road was being deemed inconsistent.

ACTION TAKEN: Commissioner Adkison made a motion to approve the project, subject to staff's Conditions of Approval and recommendations. Commissioner Snyder seconded the motion. Motion carried unanimously.

Another discussion then arose between B.T. Miller and Keith Downs relating to the FAA 7460 language being unclear, in which Item #16 was deleted from the findings.

Chairman Cobb abstained from voting on the case.

- I. MA-02-102 – Grove Community Church – (Continued from February 28th). Keith Downs presented the case by referring to and using exhibits, staff report and recommendations. Mr. Downs provided a handout of findings to the Commissioner's and advised of a letter submitted by Caltrans to the City of Riverside. He continued by stating that an EIR was being requested by Caltrans and brought attention to the amended letter (attachment). Keith Downs noted that per Mike Barnes the FAA 7460 review is currently being worked on.

CASE SUMMARY

CASE NUMBER: MA 02-102 – Grove Community Church
APPROVING JURISDICTION: *City of Riverside*
JURISDICTION CASE NO.: *CU-056, 057, 58, 59*

PROJECT DESCRIPTION:

A Church complex with senior housing, a school, pre-school, bookstore, restaurant, and lighted play fields.

PROJECT LOCATION:

The site is situated west of Barton Street, north of Siegal Ave. east of Trautwein and south of John F. Kennedy Drive, within the City of Riverside approximately 13,000-16,500 feet westerly of the north end of Runway 14/32 at March Air Reserve Base/March Inland Port.

Adjacent Airport: March Air Reserve Base/March Inland Port

- a. Airport Influence Area: Within Area of Influence Study Area*
- b. Land Use Policy: Influence Area II*
- c. Noise Levels: See Below*

BACKGROUND:

The ALUC has been active in protecting the airport from intrusion since the inception of the Commission in the early 1970's. The first AIR INSTALLATION COMPATIBILITY USE ZONE (AICUZ) protection was initiated by a Board of Supervisors request in November of 1971. The original Interim Influence Area was designated in February of 1972 and was redrawn in 1975 based upon a 1972 AICUZ.

In 1983 the ALUC redrew the boundaries to reflect the 1979 AICUZ. In May of 1986 the ALUC again redrew the boundaries to reflect the 1983 AICUZ. In 1992 and again in 1998 the AICUZ reports were redone to reflect the mission changes of the two Base Realignments: however, no changes were made to the Interim Influence Zone created in 1986.

In 1990 the ALUC was able to obtain Department of Defense funding for a Comprehensive Land Use Plan (CLUP) that resulted in the 1994 Draft. This was about the time that the second base realignment was announced and it was consequently never adopted. The 1999 effort was an update of the 1994 Draft utilizing the 1998 AICUZ in conjunction with the 1993 CalTrans Handbook. Currently, ALUC has obtained a grant to update the non-federal airports within the County. The text will relate to all of the airports.

Since we have not adopted the CLUP for, we will utilize five resources for our review:

1. The RCALUP: 1984 with 1986 Interim Boundaries for March Air Force Base
2. The current CalTrans Airport Land Use Planning Handbook: 1993
3. Draft CLUP for March Air Force Base: 1994
4. Noise Data from A.I.C.U.Z.: 1998 March Air Reserve Base
5. 98/99 Draft CLUP

MAJOR ISSUES:

Land Use: The proposed site is located approximately 13,000- 16,500 feet west of Runway 14-32. The site consists of: 76 new senior multi-family dwellings with recreational facilities on 6.84 acres, an elementary school for 630 students on 4.6 acres, night lighted playgrounds on 9.5 acres, and a church complex with a 2,500 seat sanctuary with classrooms, production facility, amphitheater, pre-school, parking and open space on 27 acres totaling 52 acres. The ultimate capacity of the project is approximately 5,000 people. The existing site is vacant and zoned for industrial uses. The proposal is underlying the Runway 14-32 PART 77 approach and departure tracks and within the conical surface and outer horizontal surface. The current generalized flight tracks are described in the AICUZ report and are on Exhibit B. Case MA-01-168 includes this property.

The 1984 Plan places an emphasis upon the type airport, to use the airport, planned and existing approach profiles, actual flight tracks, noise, type of aircraft and expected type of aircraft or a combination of these factors. The site is located in Area II, and would require residential lots to be at least two and one-half acres in size. Industrial uses are allowed subject to certain constraints. The 1993 Draft CLUP placed the property outside of Safety Zone III, but within the approach and departure profiles for Runway 14/32. The proposed land use would be allowed within this area contingent upon noise and height issues.

Density and Coverage: The number of people on the site at one time could be in the range of up to 5,000 with densities of 65-94 people per acre over the 52-acre site. The structural coverage proposed for the site is 18%.

Part 77: The elevation at this site, after grading varies from approximately 1,610 to 1,688 feet and the maximum building height is less than 45 feet. In order to be an obstruction a structure would need to exceed 1,850-1,885 MSL feet in elevation. The ballfields will have night lighting, and the height of the structures are 80 feet. Any construction above an elevation of 1,665 – 1,690 will require an FAA 7460 review.

School Siting: Exhibit (S) indicates the local public schools and preschools (P). These sites would be closer to the airfield than any existing school.

Noise: The site has been shown to have significant noise over the property with each of the AICUZ reports. The 1998 AICUZ indicated the property to have 55-60+ CNEL and is overlain with various flight tracks. California law (Title 24) requires any residential project within the 60 CNEL to prepare an acoustical analysis to prescribe the necessary measures to achieve allowable interior noise levels. The same regulation list uses that are deemed incompatible and include:

1. residences
2. public and private schools
3. hospitals and convalescent homes
4. churches, and other places of worship

Previous AICUZ indicated that the noise levels were as high as 65+ CNEL.

Other: The Traffic Pattern Zone (TPZ) of other CLUP's define facilities such as churches, amphitheatres, community halls, sports facilities, and outdoor lighting as 'discouraged uses' and require the evaluation of alternative sites.

Environmental: The City of Riverside Staff is preparing the Environmental Assessment for the project, which would include any noise analysis.

RECOMMENDATION:

Staff recommends that the ALUC find the project as submitted before inconsistent with the 1984/86 Airport Land Use Plan.

Adopted 1984 RCALUP: The 1984 RCALUP with the 1986 map identifies all of the project as within AREA II. Area II, Policy #2 states: "Area II shall have a minimum residential lot size of two and one-half acres. Agricultural, industrial and commercial uses are acceptable." Policy #4 states: "New housing to be constructed within the noise level specified by the ALUC for each airport shall be soundproofed as necessary to achieve interior annual noise levels attributable to exterior sources, not to exceed 45 dB (CNEL of Ldn) in any habitated room with windows closed."

Conclusion: The proposed residential, educational, cultural project is inconsistent with that proposal. The Bookstore and Restaurant are consistent with the 1984/86 ALUP. The Matrix Table I identifies all the other applicable plans and whether the project is consistent with those plans' criteria.

The 1994 Draft CLUP for MAFB

The Draft 1994 plan defined the Traffic Pattern Zone outer boundary as the outer edge of the military PART 77 conical surface. Half of the project is within that boundary as shown on Exhibit 8. Section 7.3.2 on Page 7-13 and 14 of the text contains the following language: "Uses such as schools, auditoriums, and amphitheatres . . . shall be discouraged from being

developed in this area. Section 7.4.2 states: “Within the TPZ safety zone (the area out of the outer edge of the FAR Part 77 Conical Surface – see Figures 14 and 15), a variety of land uses are to be discouraged from being developed. When development of these uses is proposed, the Airport Land Use Commission shall require the applicant to show that alternative locations have been considered and are not feasible. The applicant shall then be directed to consider a development plan that will minimize the exposure to hazard as much as possible. This might involve reducing structure heights, reducing lot coverage, reducing the overall scale of the project, or considering satellite locations for some of the proposed functions of the facility.”

The plan places the property within the 60+ CNEL. Section 7.3.1 (p7.4 first bullet states): “With the exception of the transient lodgings (e.g., hotels and motels) and caretaker residences, all residential uses are considered incompatible with noise above 60 dB CNEL. However, all residential uses could be conditionally compatible in the noise range between 60 and 65dB CNEL, if appropriate noise attenuation measures are incorporated into the construction.”

Bullet 4 (P.7.9) states: “Schools, hospitals, nursing homes, churches, auditoriums, concert halls shall be considered noise-sensitive institutions. While they are compatible with noise levels between 60 dB and 65 dB CNEL, they are not compatible with noise levels above 65 dB CNEL.”

The eastern half of the project requires a Part 77 review by the FAA.

Conclusion: The eastern portion of the proposal would be inconsistent with the 1994 Draft for both safety and noise. An alternative site has been reviewed (See Comparison Sheet).

1998/99 Draft CLUP:

This DRAFT was an update to the 1994 document with changes proposed for components of the text and graphic illustrations depicting:

1. 1998 AICUZ Noise Contours.
2. 1999 Adjusted Area I (APZ II) boundary on the north end, and
3. The addition of the 55 CNEL added to the graphic (1999).
4. PART 77 boundaries

A first draft of the text was completed for review by CalTrans, but no further text has been completed but the graphics were completed. The site is within AREA I and High Risk Uses such as the church complex would not be allowed. The text would require an acoustical analysis for all projects within the 60 CNEL.

Conclusion: The project as submitted would be inconsistent with the 98/99 Draft CLUP and would require acoustical analysis.

Table 1

<u>Document</u>	<u>Safety</u>	<u>Noise</u>
1998 RCA.L.U.P.	Not Consistent	Not Consistent
1994 Draft CLUP	Not Consistent	Not Consistent (for portions within 60 CNEL)
1998/99 Draft CLUP	Not Consistent	Not Consistent

CONDITIONS FOR OVERRIDE

Should the City of Riverside wish to pursue an overrule of the Commission (PUC 21675.1), the following conditions are recommended for inclusion:

1. *An acoustical analysis shall be required that includes the following components:*
 - a. *A description of the components necessary to achieve a noise reduction level (CRL) of 30 and 35 for each of the project's components with noise sensitive uses (i.e., church, school, housing, and audio visual production).*
 - b. *Inclusion of all surrounding noise sources (highway, industrial) at their ultimate design and buildout capacity.*
2. *Prior to project development, recordation of the map, or sale to any entity exempt from the Subdivision Map Act, the project proponents shall convey an avigation easement to the MARB/MIP Airport.*
3. *Lighting plans for any additional development on the vacant lots shall be reviewed and approved by an airport lighting consultant prior to placement.*
4. *No obstruction of the "FAR Part 77 Conical Surface" shall be permitted. The following procedure shall be utilized in order to make a determination as to whether a project would result in such obstruction:*
 - a. *Any proposal for a variance in height limitations of the applicable zone, or for a plot plan or use permit proposing a greater height limit pursuant to the provisions of the Zoning Ordinance, shall be transmitted to the Riverside County ALUC staff for determination of whether review by the Riverside County Airport Land Use Commission is required. The application for such a proposal shall also provide evidence to the Planning Department that the proposed has been submitted to the Federal Aviation Administration for review and comment relative to the provisions of FAR Part 77, or written documentation from the Federal Aviation Administration that such review is not required.*
 - b. *The Federal Aviation Administration shall conduct a Form 7450 review, unless that agency determines in writing that such a review is not required or not applicable.*
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 above ground storage of explosives or flammable materials shall be prohibited.

The proposal was previously submitted in May of 2000 by the same applicant (Victoria Community Church) on a different site as MA-00-101. The proposal was withdrawn at the applicant's request on October 19, 2000, after five hearings (Staff Report attached). The current proposal was submitted January 17, 2002.

COMPARISON OF TWO ALTERNATIVES

The attached table compares the two sites:

	MA – 01-101	MA-02- 102
1984/86 Plan Category	Area II	Area II
Size of Project acres	49	53
Distance from RW end	13,500-15,000	13,000-16,500
Distance from Airport Boundary **	8,800 – 10,800	10,800 – 14,400
Elevation MSL	1,577 – 1,610	1,610 – 1,688
Coverage % by Structures	18%	18%
Density of People/acre	65-80/acre	65-95/acre
Total # or site	3,800	5,000*
Height of Building	60'	45'
Height of Lights	50-60'	80'
<u>Usages:</u>	Same	Except
	Amphitheater	Bookstore
	Included, no	Restaurant
	Restaurant or	Added no
	Pre-school	Amphitheater
		Pre-school added
Senior Housing	64 units	76 Units
School/#Students		260
Noise CNEL	Within 60-65	Less than 55
	Within 61-64	55-60
		60+
# Flight Tracks	2-3	3
* From Applicant's Architect		

** two nautical miles is 12,152 feet

- 1) *The site is in Area II of the Adopted 1984/86 Airport Land Use Plan.*
- 2) *No AMPHITHREATRE is proposed at the site.*
- 3) *There are vacant single-family lots and homes to the south of the proposal.*
- 4) *There are 2-3 flight tracks over or near the site.*
- 5) *The proposal consists of a church complex for 2500 people with 76 senior housing units, a 630-student school, a 260 person pre-school, a bookstore, restaurant and lighted play fields.*
- 6) *The site is from 13,000 to 16,500 feet west of Runway 14-32.and the elevation is from 1,610 to 1,688MSL*
- 7) *The ball field lights are 80 feet in height and the other structures will be no higher than 45 feet.*
- 8) *The overall site will have densities of 65-94 people /acre with a building coverage of 18%.*
- 9) *The site is from 10,800-14,400 feet from the airport boundary.*
- 10) *There are vacant single-family lots to the north of the proposal for the western half of the property.*
- 11) *The property within the JPA boundary to the north of the church complex is indicated as a habitat area.*
- 12) *There is an agreement regarding the site between the JPA, the City of Riverside, Victoria Community Church and Orangecrest Hills observed by the local Congressman and the Air Force.*
- 13) *Neither the March JPA nor the Air Force Reserve has stated opposition to the project.*
- 14) *The original Specific Plan for the area was approved prior to March Air Reserve Base privatization.*
- 15) *The City of Riverside recognizes AICUZ in other documents to guide its decisions, does not recognize the RCALUP (Riverside County Airport Land Use Plan).*
- 16) *Cultural Activities, such as churches within Noise Levels 60-65 are acceptable according to AICUZ. The Specific Plan allows houses surrounding the sites which are 25 ft. high or better, this height is not different from the current proposal.*
- 17) *Caltrans Aeronautics is recommending that the City prepare an EIR.*
- 18) *The Commission has found the single-family tract to the south consistent with the ALUP with case MA-01-120.*

19) *The FAA with the Notice to Construct Review has stated...?*

In order to approve this item the ALUC must make the following findings, as identified in Section 21675.1 of the California Public Utilities Code.

1. *The ALUC is making substantial progress toward the completion of the; MARB/MIP CLUP and*
2. *There is a reasonable probability that the project will be consistent with the plan; and*
3. *There is little or no probability of substantial detriment to or interference with the plan, if the project is ultimately inconsistent with the plan.*

CONCLUSIONS

1. *This project will: 1) allow the continued orderly expansion of the airport, 2.) protect the public from the adverse effects of aircraft noise, 3.) ensures that people and facilities are not concentrated in areas susceptible to aircraft accidents and 4.) no structures encroach upon or adversely affect the use of navigable airspace.*
2. *All parties to the agreement understand the risks and detriment at the site such as noise, annoyance, safety, and air quality.*

Vice Chairman Graff called for questions from the Commissioners. Hearing no response, Vice Chairman Graff requested the applicant to come forward and present the case.

Charles Brown, Charles Brown Architect came forward in response to Vice Chairman Graff's invitation. Mr. Brown addressed several issues involving 98 AICUZ, FAA review (that was hand delivered to the congressman's office), hazardous issues, alternative sites, approval/support by March JPA, centerline, and CNEL. He then requested the Commission's support of the project. Mr. Brown then asked that Conditions of Override, Item 1 to be stricken as the acoustical analysis were to be provided as per California Building Code. He continued by voicing his agreement with #2, and noting that #3 was not applicable since the lots were vacant, and added further that #4 be stricken noting that the applicant provide evidence to the Conditions of Override, because the review was not required. Mr. Brown then concurred with Items 5 & 6.

Vice Chairman Graff called for questions from the Commissioners. Commissioner Adkison asked Mr. Brown if he was in compliance with #4, to which he replied that the information was pending.

Hearing no further responses from the Commissioners, Vice Chairman Graff opened the floor for comments from the audience on the case.

Steve Albright, March JPA came forward in response to Vice Chairman Graff's invitation and noted problems with encroachment on previous sites, and that negotiations have been in effect since 1999 for alternate sites. Mr. Albright voiced his support of the project's location versus the original site on Alessandro, although after today's presentation maybe they shouldn't have, and passed a letter for staff's information/review.

Vice Chairman Graff opened the floor for comments from the audience on the case, and upon hearing no response or reply, he called for comments or discussion from the Commissioner's.

After which time a discussion ensued between Commissioner Adkison, B.T. Miller and Keith Downs, in which Commissioner Adkison mentioned the East Hills case in which the Commission overrode staff's recommendations. Discussion continued relative to Items a. and b. pertaining to highway and noise components, in which Commissioner Adkison voiced his concern with the component modification being in compliance with the Uniform Building Code.

Another discussion ensued between Commissioner's Snyder, Bell, Potts and Keith Downs relative to lighting plans and Part 77 obstruction, relating in modification to Conditions of Override as follows: Item 1 – modification to read as: "An acoustical analysis shall be required that conforms with current Building Standards", and deletion of b.; Item 2 – modification to read: "Provide Avigation Easements to March ARB/MIP prior to any permits being issued or sale of any entity exempt from the Subdivision Map Act."; Item 3 – modification to read as: "Lighting plans for any development shall be reviewed and approved by an Airport Lighting Consultant or March Air Reserve Base prior to placement", and finally deletion of Item #4, pertaining to FAR Part 77.

Upon hearing no further responses, Vice Chairman Graff called for a motion to be set.

ACTION TAKEN: Commissioner Adkison made a motion to approve the project, pursuant to the above changes to the Conditions of Override. Commissioner Potts seconded the motion. Motion carried unanimously.

Chairman Cobb rejoined the Commissioners.

J. MA-02-112 – AT&T Wireless – Keith Downs presented the case by referring to and using exhibits, staff report and recommendations.

CASE NUMBER: *MA-02-112 – City of Riverside*
APPROVING JURISDICTION: *City of Riverside*
JURISDICTION CASE NO.: *CUP 066-012*

PROJECT DESCRIPTION:

A Conditional Use Permit for adding a telecommunications facility to an existing office building to a height of 33 feet.

PROJECT LOCATION:

The site is at 6690 Alessandro Blvd., within the City of Riverside.

Adjacent Airport: March Air Reserve Base/March Inland Port

a. Airport Influence Area: Within Area of Influence Study Area
b. Land Use Policy: Influence Area II

c. Noise Levels: See Below

BACKGROUND:

The ALUC has been active in protecting the airport from intrusion since the inception of the Commission in the early 1970's. The first AIR INSTALLATION COMPATIBILITY USES ZONE (AICUZ) protection was initiated by a Board of Supervisors request in November of 1971. The original Interim Influence Area was designated in February of 1972 and was redrawn in 1975 based upon a 1972 AICUZ.

In 1983 the ALUC redrew the boundaries to reflect the 1979 AICUZ. In April of 1984 the ALUC adopted the Riverside County Airport Land Use Plan (RCALUP). In May of 1986 the ALUC again redrew the boundaries to reflect the 1983 AICUZ. In 1992 and again in 1998 the AICUZ reports were redone to reflect the mission changes of the two Base Realignments: however, no changes were made to the Interim Influence Zone created in 1986.

In 1990 the ALUC was able to obtain Department of Defense funding for a Comprehensive Land Use Plan (CLUP) that resulted in the 1994 Draft. This was about the time that the second base realignment was announced and it was consequently never adopted. The current 98/99 Draft CLUP effort was prepared utilizing the 1998 AICUZ in conjunction with the 1993 CalTrans Handbook.

Since we have not adopted the CLUP for, we will utilize five resources for our review:

- 1. The RCALUP: 1984 with Interim boundaries for March Air Force Base: 1986*
- 2. The current CalTrans Airport Land Use Planning Handbook: 1993*
- 3. Draft CLUP for March Air Force Base: 1994*
- 4. Noise Data from the Air Installation Compatibility Use Zone Study: 1998 March Air Reserve Base*
- 5. Draft 98/99 CLUP for MARB/MIP*

MAJOR ISSUES:

Land Use: *The site is located approximately 25,000 feet northwest of the north end of Runway 14-32. The proposal consists of additions to an existing office building on lot of approximately 19,000 sq. ft. The proposal is underlying one approach and departure track and near others and within the outer horizontal surface.*

The 1984 Plan places an emphasis upon the type of airport, the type of aircraft using the airport, planned and existing approach profiles, actual flight tracks, noise levels, or a combination of these factors. The site is located in Area II, which allows commercial, industrial and agriculture, but allows no residential. The 1994 Draft CLUP placed the property inside of the 55 CNEI

Density and Coverage: *The lot is approximately 19,000 sq. ft. (net) and approximately 166 sq. ft. of structures are proposed at this time.*

Part 77: *The elevation at this site is 1,414 MSL feet and the maximum building height is 60 feet. In order to be an obstruction, a structure would need to exceed approximately 1,888 MSL feet in elevation.*

Noise: The site has been shown to have some noise over the property with each of the AICUZ reports. The 1998 AICUZ indicated the property to have below 60 CNEL.

CONDITIONS OF APPROVAL: for the city to utilize

1. Provide Avigation Easements to March ARB/MIP prior to any permits being issued or sale to any entity exempt from the Subdivision Map Act.
2. Incorporate noise attenuation measures into the office portions of any building construction to ensure interior noise levels are at or below 45-decibel levels.
3. Install hooded or shielded outdoor lighting measures into the building construction to ensure that all light is below the horizontal plane.
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 above ground storage of explosives or flammable materials shall be prohibited.

RECOMMENDATION: Staff would recommend that the Commission find the project consistent with the Airport Land Use Plan for MARB.

Chairman Cobb called for questions from the Commissioners. Hearing no response, Chairman Cobb requested the applicant to come forward and present the case.

Polly Johnson, AT&T Wireless came forward in response to Chairman Cobb's invitation, and voiced her concurrence with staff's Conditions of Approval.

Chairman Cobb called for questions from the Commissioners. Hearing no response from the Commissioners, he opened the floor for comments from the audience on the case. After hearing no reply from the audience, Chairman Cobb called for comments or discussion from the Commissioner's, and upon hearing no reply or response, he called for a motion to be set.

ACTION TAKEN: Commissioner Adkison made a motion to approve the project, subject to staff's Conditions of Approval. Vice Chairman Graff seconded the motion. Motion carried unanimously.

B.T. Miller confirmed that the motion for approval also included staff's recommendations.

BLYTHE AIRPORT

10:00 A.M.

- K. BL-02-100 – City of Blythe – (Continued from February 28th). Keith Downs presented the case by referring to and using exhibits, staff report and recommendations.

Chairman Cobb called for questions from the Commissioners. Hearing no response, Chairman Cobb requested the applicant to come forward and present the case.

Robert Casias, City of Blythe came forward in response to Chairman Cobb's invitation, and passed out a handout addressing staff's concerns. After which time he voiced his concurrence with the staff report relative to land use. Mr. Casias noted from the handout that the project was outside of the ETZ.

A discussion then ensued between Mr. Casias, Vice Chairman Graff and Commissioner Snyder relative to the site relocation in relationship to the runway.

Scott Galati, Blythe Energy representative came forward and clarified the constraints and components of the relocation.

Hearing no further responses from the Commissioner's Chairman Cobb opened the floor for comments from the audience on the case.

Jim Guerra, Representative from Mesa Verde Leadership Counsel came forward and indicated that they are plaintiffs in a lawsuit with the City of Blythe. Mr. Guerra requested that the Commission make no determination or finding until a meeting could be held between the Commission and members of the community, and he suggested holding said meeting in Blythe.

Mr. Guerra felt that not doing so would violate the community member's rights. He continued by saying that such detriment would be catastrophic for the migrant farm workers that he represents resulting in job loss, and housing, and added that they are often not informed of community issues.

Mr. Guerra brought of many concerns such as the sacred Indian burial land and it's close proximity to the project, annexation of the airport, Cabazon [a poor community], pollution, Mexico suing three power plants, and hazardous power plants.

Hearing no further responses from the audience, Chairman Cobb called questions or comments from the Commissioners. A discussion then ensued between Vice Chairman Graff and Keith Downs involving concerns with AWOS, ASAIS and confirmation of ponds. Vice Chairman Graff stated that the project relocation was further north and suggested removing the citrus growers. He then voiced his concern with ponds, and recommended finding the project inconsistent per staff's recommendations. Commissioner Snyder commended Vice Chairman Graff on his statement.

Chairman Cobb inquired if the City of Blythe letter was reviewed with the Conditions of Approval, to which Keith Downs replied that no changes in the recommendations were applicable. Chairman Cobb then asked about a possibility of continuance, Keith Downs responded negatively and reiterated that no change had been made. Commissioner Adkison conferred with Vice Chairman Graff and commented there could be no worse location.

Upon hearing no reply or response, Chairman Cobb called for a motion to be set.

ACTION TAKEN: Vice Chairman Graff made a motion to find for inconsistency, subject to staff's Conditions of Approval and recommendations[1) those portions within OSZ, ETZ and ERC zone on the above-referenced project inconsistent with the Comprehensive Land Use Plan (C.L.U.P.) for Blythe Airport, and 2) that those portions within the TPZ be found consistent with the CLUP plan]. Commissioner Snyder seconded the motion. Motion carried unanimously.

- L. BL-01-100 – Blythe Energy – Keith Downs presented the case by referring to and using exhibits, staff report and recommendations. Mr. Downs advised the Commission that its parent case was found inconsistent.

CASE NUMBER *BL-01-100 – Blythe Energy*
APPROVING JURISDICTION: *California Energy Commission, City of Blythe and various other agencies*
JURISDICTION CASE NO.: *CEC: Docket #99-AFC-8 (1 AB Amendment)*

PROJECT DESCRIPTION:
An Amendment to a 520-Megawatt (MW) natural gas-fired combined-cycle power plant utilizing 30 acres for the plant and switchyard and 16 acres for evaporating ponds. The total size of the additional area is 76 acres.

PROJECT LOCATION:
The project is located north of Hobsonway west of Buck Boulevard, from 3,900-5,400 feet easterly of the east end of RWY 8/26 and approximately five miles west of Downtown.

BACKGROUND:

This project, an Application For Certification (AFC) was submitted to the California Energy Commission (CEC) on December 9, 1999 and the CEC distributed the application to the public on December 14, 1999. None were sent to this Commission or to CalTrans Aeronautics. In June, Staff was made aware by the City of Blythe Staff of an energy plant to be permitted 'east of the airport' and on July 5th the precise site was depicted. A copy of the 4 Volume permit was sent by the CEC to Staff on July 25th. A cursory review of the documents was made by Staff and the letter of July 31st was sent to the CEC. On August 9th an initial response to the letter was received along with some components of an application to ALUC. A complete application was received as of August 21st. A review of the response and complete document was completed and the request for additional information was sent on August 22nd. Additional information requested was received on September 11th. The CEC sent the staff a copy of their Preliminary Staff Assessment (PSA) on September 12th. A copy will be included, but there was not time to review it prior to this mailing.

ENVIRONMENTAL:

The proposal will be approved by the California Energy Commission and as such is the Lead Agency. The Zoning and General Plan Amendment is being processed by the City of Blythe and is on the agenda (BL-02-106).

LAND USE PLAN:

The current Land Use Plan (CLUP) designation for the expansions for the site includes the Extended Runway Centerline (ERC), the Outer Safety Zone (OSZ), Emergency Touchdown Zone (ETZ) and Traffic Pattern Zone (TPZ).

Text within the adopted CLUP specifically states that power plants and landfills are inherently incompatible with the airport (See Page 7.3.2f, Page 7.6).

NOISE:

The area is outside of the 55 CNEL for 1992. The 2000 plan contours do not cover the proposed site. The project is by its nature a source of noise and not a sensitive receptor.

PART 77: OBSTRUCTION

The applicant obtained an FAA 7460 Obstruction Review for the original proposal the brine separator does not need an FAA review (See Attached).

APPROACH

ILS Approach: The existing approach is illustrated on the Master Plan for Runway 26.

ILS Potential: The Master Plan (See item BL-00-101) envisions an Instrument Approach for Runway 26 as either an ILS or GPS.

GPS Approach: The Master Plan for the airport assumes that Runway 26 will be the recipient of a straight-in GPS low angle approach.

Other Issues:

Wildlife Attractant: See letter USDA February 13, 2002

PURPOSE AND SCOPE: Chapter I, Paragraph 1.1 states the purpose of the plan:

“The Comprehensive Land Use Plan for Blythe Airport is intended to protect and promote the safety and welfare of residents of the airport vicinity and users of the airport while ensuring the continued operation of the airport. Specifically, the plan seeks to protect the public from the adverse effects of aircraft noise, to ensure that people and facilities are not concentrated in areas susceptible to aircraft accidents, and to ensure that no structures are activities encroach upon or adversely affect the use of navigable airspace.”

While this project does not adversely affect the public with aircraft noise, the site is in an area with higher incidences of aircraft accidents and the activity or structure may encroach upon or adversely affect the use of navigable airspace. The degree that it does is not likely to be high with the conditions as required, but that is not clearly insignificant.

RECOMMENDATION: (See previous item)

At the time of the mailing of the Staff Report no response had been received from the City of Blythe.

CONDITIONS: (DRAFT) OVERRIDE OR APPROVAL

The following condition shall apply to this project:

1. *Prior to the development of the above project, recordation of the map, or sale to an entity exempt from the Subdivision Map Act the project proponents shall convey an aviation easement to the Blythe Airport for all portions of the project including offsite power lines within the Airport Influence Area.*
2. *All outdoor lighting shall be hooded or shielded to prevent either spillage of lumens shall be reflections into the sky (downward facing).*
3. *Incorporate noise attenuation measure into any office portion of the building construction to ensure interior noise levels are at or below 45-decibel levels.*
4. *Signs for this project should be approved by the City of Blythe prior to any development of the site.*
5. *Lighting plans for any additional development shall be reviewed and approved by an airport lighting consultant and the Airport Operator prior to placement.*
6. *No obstruction of the “FAR Part 77 Conical Surface” shall be permitted.*
7. *The following conditions shall be required with this application:*
 - 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 and 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. All plans for construction surfaces shall be reviewed by the airport operator and their appointed consultant for this concern prior to construction and any recommended changes or condition adhered to and monitored over the life of the permit.*
- 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.*

Chairman Cobb called for questions from the Commissioners. Hearing no response, Chairman Cobb requested the applicant to come forward and present the case.

Scott Galati, California Energy Commission came forward in response to Chairman Cobb's invitation, and indicated that the project site was shifted for consistency with the plan. Mr. Galati also added that pond the replacement was due to Edison power lines, in which the Treatment Plant was moved for close proximity to the ponds.

Upon hearing no further responses, Chairman Cobb requested the applicant to come forward and present the case. Hearing no response, he opened the floor for comments from the audience on the case.

Jim Guerra, Mesa Verde Leadership Counsel, came forward and voiced his concurrence and agreement with staff's recommendations and comments.

After hearing no further reply or response from the audience, Chairman Cobb called for comments or discussion from the Commissioner's.

A discussion then ensued between Vice Chairman Graff, B.T. Miller and Keith Downs relative to findings, in which Mr. Downs confirmed the parent case "K" had been found inconsistent.

Commissioner Potts left the Commission momentarily and did not take part in the voting process.

Upon hearing no further replies or responses, Chairman Cobb called for a motion to be set.

ACTION TAKEN: Commissioner Adkison made a motion to find for inconsistency in conjunction to it's parent case BL-02-100, Item K being found inconsistent, subject to staff's Conditions of Approval and recommendations. Commissioner

Snyder seconded the motion. Motion carried unanimously.

DESERT RESORTS REGIONAL AIRPORT

10:15 A.M.

M. TH-02-100 – Albert Webb/Kohl Ranch – (Continued from February 28th). Keith Downs presented the case by referring to and using exhibits, staff report and recommendations. Mr. Downs noted a modification to Condition #6, involving the Runway Point, in which the longitude should read 33 versus 30. He also advised that his recommendation for the project has changed from a continuance to a finding of consistent, due to the information received in the project as of this meeting.

Chairman Cobb called for questions from the Commissioners. Hearing no response, Chairman Cobb requested the applicant to come forward and present the case.

Matt Webb, Albert Webb Associates (aka: Webb Associates) came forward in response to Chairman Cobb's invitation, and briefed the Commissioner's on the project specifications. Mr. Webb stated that the lakes have been reduced by 10,000 ft. and contains no attractants or nesting for birds. He addressed a letter dated 3/14/02 [HANDOUT PROVIDED TO STAFF & COMMISSIONERS]. He continued by addressing Condition of Approval #7, and denoted that the project is residential and is being kept out of the 60 CNEL, and in a letter dated 3/20/02 four additional elements relative to homebuyer notification are addressed.

Curt Ealy, Attorney for project came forward and stated the finding of natural hazard is not necessary, and that the seller disclosure includes language that informing the buyer of this event.

Mr. Webb then requested Condition of Approval #7 (involving mitigation measures) be re-worded to read: "That the County considers the attached "Recommended Noise Mitigation Measures." and Condition of Approval #6 be deleted due to property being out of the purview or scope of the FAA.

Chairman Cobb called for questions from the Commissioners. Commissioner Adkison called for a modification to Condition of Approval #6 to read as: "100 to 1 for a horizontal distance of 20,000 feet from the nearest point of the nearest runway as determined by County Airport Staff."

Hearing no response from the Commissioners, he opened the floor for comments from the audience on the case. After hearing no reply from the audience, Chairman Cobb called for a motion to be set.

ACTION TAKEN: Commissioner Adkison made a motion to approve the project, subject to staff's Conditions of Approval and recommendations, with modifications to Condition of Approval #6 and #7. Vice Chairman Graff seconded the motion. Motion carried unanimously.

N. RI-02-111 – Bob Moon – Beverly Coleman presented the case by referring to and using exhibits, staff report and recommendations. Ms. Coleman advised that per her conversation with the Planning Department, the project consist of an Conditional Use Permit versus a Change of Zone.

CASE NUMBER: RI-02-111 – Bob Moon
APPROVING JURISDICTION: City of Riverside
JURISDICTION CASE NO.: CU 062-012

PROJECT DESCRIPTION:

A Conditional Use Permit for a conversion of a 3,200 sq. ft. Residence to a Church on a 15,400 sq. ft. lot.

PROJECT LOCATION:

The proposed site is situated north of Cypress and east of Rutland Avenue within the City of Riverside, and approximately 6,200 ft. southwest of Runway 16/24 at the Riverside Municipal Airport.

Adjacent Airport: Riverside Municipal Airport

- a. Airport Influence Area: TPZ*
- b. Noise Levels: Outside 60 CNEL*

MAJOR ISSUES:

Land Use: *The site is located approximately 6,200 ft. southwest of Runway 16/24 and is within the TRAFFIC PATTERN ZONE (TPZ) of the Riverside Municipal Airport Influence Area. The proposal is a Conditional Use Permit for conversion of a 3,200 sq. ft. residence to a church on 15,400 sq. ft. The TPZ has no population density assigned, but has a lot coverage standard of 50% of the gross or 65% of the net lot. The existing and proposed structures, including a church/residence and a garage/laundry building, are approximately 25% of the gross area. The present proposal would be consistent with that density and the plan.*

Part 77: *The elevation at this site is approximately 746 MSL. The site is within the horizontal surface at this location, and is well below the horizontal surface elevation of 966 MSL.*

Noise: *The site is outside of the 60 CNEL contour for the airport. This is acceptable for the proposed use with the appropriate mitigation for noise.*

CONDITIONS OF APPROVAL:

- 1. Provide Avigation Easements to Riverside Municipal Airport.*
- 2. Incorporate noise attenuation measures into the building construction to ensure interior noise levels are at or below 45-decibel levels.*

3. *Install hooded or shielded outdoor lighting to prevent either the spillage of lumens or reflection into the sky.*

RECOMMENDATION: *Staff would recommend a finding of consistency for the project, subject to the Conditions of Approval outlined in this staff report.*

Chairman Cobb called for questions from the Commissioners. Hearing no response, Chairman Cobb requested the applicant to come forward and present the case.

Bob Moon, Harry [last name unknown], Tuye Touye Saengsouvana and other members of the Wat Lao Buddhist of Riverside (LBOR) were in the audience, though they did not come forward.

And when asked by Chairman Cobb if they were in concurrence with staff recommendations a positive gesture was made.

Chairman Cobb called for questions from the Commissioners. Hearing no response from the Commissioners, he opened the floor for comments from the audience on the case. After hearing no reply from the audience, Chairman Cobb called for a motion to be set.

ACTION TAKEN: Commissioner Bell made a motion to approve the project, subject to staff's Conditions of Approval and recommendations. Vice Chairman Graff or Commissioner Meadows seconded the motion. Motion carried unanimously.

- O. RI-02-112 – Douglas Mead –Beverly Coleman presented the case by referring to and using exhibits, staff report and recommendations. Ms. Coleman advised the Commission of the applicant's concurrence with staff's Conditions of Approval, and noted that he had to leave due to the meeting going over schedule.

CASE NUMBER: RI-02-112 – Realty Executive
APPROVING JURISDICTION: *City of Riverside*
JURISDICTION CASE NO.: *Change of Zone*

PROJECT DESCRIPTION:

Change of Zone from Residential to Commercial on a 37,000 sq. ft. lot.

PROJECT LOCATION:

The proposed site is situated north of Arlington and east of Jones Avenue within the City of Riverside, and approximately 8,100 ft. southwest of Runway 9/27 at the Riverside Municipal Airport.

Adjacent Airport: Riverside Municipal Airport

a. Airport Influence Area: TPZ
b. Noise Levels: Outside 60 CNEL

MAJOR ISSUES:

Land Use: The site is located approximately 8,100 ft. southwest of Runway 9/27 and is within the TRAFFIC PATTERN ZONE (TPZ) of the Riverside Municipal Airport Influence Area. The proposal is a Change of Zone from Residential to Commercial on a 37,000 sq. ft. lot. Review of subsequent permits for construction on the property will be necessary to determine consistency of proposed land uses with the CLUP.

Part 77: The elevation at this site is approximately 850 MSL. The site is within the horizontal surface at this location, and is well below the horizontal surface elevation of 966 MSL.

Noise: The site is outside of the 60 CNEL contour for the airport. This is acceptable for commercial uses.

CONDITIONS OF APPROVAL:

1. Provide Avigation Easements to Riverside Municipal Airport.
2. That any subsequent permits on the property be reviewed by the ALUC prior to construction.

RECOMMENDATION: Staff would recommend a finding of consistency for the project, subject to the Conditions of Approval outlined in this staff report.

Chairman Cobb called for questions from the Commissioners.

Hearing no response from the Commissioners, he opened the floor for comments from the audience on the case. After hearing no reply from the audience, Chairman Cobb called for a motion to be set.

ACTION TAKEN: Commissioner Adkison made a motion to approve the project, subject to staff's Conditions of Approval and recommendations. Commissioner Snyder seconded the motion. Motion carried unanimously.

VI. ADMINISTRATIVE ITEMS

A. Terms of Office

B. Mileage Reimbursement

Keith Downs informed the Commissioners that the mileage reimbursement had been approved as of March 12th and that they were to turn in their forms to Pat Moore for processing.

C. CLUP Date: Issue of the Month

Keith Downs advised that the aerial photos requested at the last meeting were pending.

Mr. Downs made mention of the invites that had been passed out to the Commissioner's inviting them to the Desert Resorts Regional Airport Open House scheduled for Monday, April 8th.

VII. ORAL COMMUNICATION FROM THE PUBLIC ON ANY ITEM NOT ON THE AGENDA.

None.

VIII. COMMISSIONER'S COMMENTS

IX. Adjournment: Chairman Cobb adjourned the meeting at 12:43 p.m.
NEXT REGULARLY SCHEDULED MEETING: April 18, 2002 at 9:00 a.m., Riverside.