

**AIRPORT LAND USE COMMISSION
RIVERSIDE COUNTY**
RIVERSIDE COUNTY ADMINISTRATIVE CENTER
4080 Lemon St., Board Room (14th Floor)
Riverside, California

**Thursday, July 18, 2002
9:00 a.m.**

MINUTES

A regular scheduled meeting of the Airport Land Use Commission was held on July 18, 2002, at the Riverside County Administrative Center, Board Room (14th Floor).

COMMISSIONERS PRESENT: William Cobb, Chairman
Allen Graff, Vice Chairman
Marge Tandy
Paul Bell
Rick Stephens
Sam Pratt
Walt Snyder
B.T. Miller, Legal Counsel

COMMISSIONERS ABSENT: None

OTHERS PRESENT: Ali Mazariff
B. P. Hanrath
Cheryl Gilleland
Chong H. Kim
Clayton Suitt
Dan Kearney
Diane and Zack Schreiber
Elizabeth N. Paynter
Greg Shanon
Jamie Jacobson
Joe Richards
Kathy Rohn
Lydia Shinohara
Mike Mueting
Ron Richmond
Sally Lyn Zeff
Tom Suitt

STAFF PRESENT: Keith Downs, Executive Director, ALUC
Beverly Coleman, Development Specialist III
Ruth Stewart, 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 – INTRODUCTIONS
- IV. APPROVAL OF MINUTES FOR June 20, 2002: Approval of the minutes was deferred until the next regular scheduled meeting (delay due to transition in Office Assistant staffing).
- V. OLD BUSINESS

BERMUDA DUNES AIRPORT

- A. BD-02-104 – Warner Engineering (Continued from June 20, 2002). Keith Downs presented the case by referring to and using exhibits, staff report and recommendations.

CASE SUMMARY

CASE NUMBER: BD-02-104 - Warner Engineering
 APPROVING JURISDICTION: County of Riverside
 JURISDICTION CASE NO.: CZ 6679, TRM 30483

PROJECT DESCRIPTION:

The project is a 29-lot Residential Tract on 10.46 acres with a detention basin.

PROJECT LOCATION:

The site is situated 650 to 1500 feet southwest of the runway northeast of Adams St. and 42 Avenue in the County of Riverside, south of the Bermuda Dunes Airport.

Adjacent Airport: *Bermuda Dunes Airport*
 Land Use Policy: *Area III and II*

- a. Airport Influence Area: *Area III and II*
- b. Land Use Policy: *Influence Area*
- c. Noise Levels: *60 dB CNEL (February 1996 future forecasts)*

MAJOR ISSUES:

Land Use: *The proposed site is located approximately, 650 feet south of the center of the runway and is within Areas III and II of the Airport Influence Area. Land uses within Area III that produce glare, direct illumination, vapor, smoke and dust that may affect airport operations shall be discouraged. Likewise, uses which would conflict or potentially conflict with the airport in terms of noise sensitivity and safety hazards are discouraged. The area north of Cliff St. is within Area II and preclude residential below 2.5 acres in size. There are 5 proposed lots in that area*

Noise: *The project is partially within the 60 CNEL as indicated in the 1996 Noise Report for the airports (see Exhibit A). This report did not account for the growth, seasonality and newer aircraft mix. The residential use is acceptable in that noise category up to 65CNEL if noise reduction measures are incorporated into the construction in order to achieve an interior annual noise level attributed to exterior sources, not to exceed 45 CNEL. That will likely require more than normal construction, which only attenuates up to 20dB.*

Height: *The elevation on the site ranges from 72 to 83 MSL, and the structures are not expected to exceed 35 feet. The runway ground elevation is from 49-73 feet. The Part 77 horizontal surface is overlying this area at 219 MSL, and no portion of the project intrudes upon that airspace. Any structures or homes on this project will*

need an FAA 7460 review.

RECOMMENDATION: Staff would recommend a finding of inconsistency of this project.

ADDENDUM JULY 18: This item was continued at the request of the applicant.

CONDITIONS OF OVERRIDE: should the county wish to override as per PUC21675.1(d)

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.*

An acoustical study should include analysis that will yield a noise reduction level of 25.

Incorporate noise attenuation measures into the building construction to ensure interior noise levels are at or below 45-decibel levels.

Install hooded or shielded outdoor lighting to prevent either the spillage of lumens or reflection into the sky (lights must be downward facing).

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 that 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 that 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. *An FAA 7460 review shall be filed and any resultant conditions shall be incorporated into the project.*

Keith Downs stated that because the lots in the northern area exceed the 2-1/2 acre limit and since a modified exhibit has not been presented, Staff recommends a finding of inconsistency. Staff could approve the project if there is a decision to put only one lot north of Cliff Dr.

Chairman Cobb called for questions from the Commissioners. Commissioner Graff referred to possible flood plain issues. Mr. Downs stated that the present zoning of the northern portion is W1, which is a zoning for flood plains. Commissioner Graff inquired as to the impact on the airport runway if any work is done to change the elevation of the property. Keith Downs responded that creation of a detention basin on the property would divert flooding to such a basin. He added that all that needs to be controlled is the water that is increased by paving the surface. If there is water going to the airport from the site now, that should not be a problem because the general direction of the water flow is downhill to the east, not necessarily to the north. He deferred to the applicant for clarification. Chairman Cobb asked for clarification on location of the lot. Keith Downs referred to an exhibit to do so. Chairman Cobb observed that Cliff Street does separate the lots of concern.

Chairman Cobb called for further questions from the Commissioners. Hearing no response, Chairman Cobb requested the applicant to come forward and present the case. Mr. Greg Shannon, representing the applicant, came forward in response to Chairman Cobb's invitation. He distributed materials to the Commissioners. He referred to a map on the cover page of his handout in which the project location was outlined. He observed there is residential housing even closer than his applicant's project and that there are airplanes and hangars on these residential lots—along the edge of the airport. In regards to the line Mr. Downs had referenced on the exhibit, Mr. Shannon observed that in the letter from the State-, this area is referred to as "north of Cliff Street," and the area is not clearly defined nor are there physical measurements for reference. Chairman Cobb asked for clarification. Mr. Shannon stated there is not a significant point to indicate where the area starts and stops. He referred to page three of the handout—the hash marks, and reiterated there is not clarification as to the area's relationship to the center of the airport runway, etc. The state letter simply indicates it is north of Adams. Mr. Shannon added that the airport is owned by an individual named Ernie Dunlovie, who also owns significant properties surrounding the airport. He referred to the Staff tract map and the respective property lines of Mr. Dunlovie and another (unnamed) individual (also noted on page one of his handout). He also referred to a ½-million dollar home north of the Pepper Tree project and closer to the airport.

Commissioner Pratt arrived at 9:15 a.m.

Mr. Shannon observed that any homes built would be approximately 40 feet inside the area of significant concern. He referred to a summary of comments from Sandy Hesnard, CalTrans, as well as comments from Keith Downs (page 4 of his handout). Ms. Hesnard had indicated that the State standard is 750 feet from the center of the runway to a house (i.e., Bermuda Dunes, a 5,000-foot runway). He further indicated that in discussion with Sandy Hesnard, the Airport Manager of Bermuda Dunes and Mr. Downs, he understands that adoption of the State standards for consistency between the County and the State of California is eminent. He referred to page five of the handout on which is an actual measurement of the runway to show the distance between his property and the runway. With regards to the flood plain concern, he referred to Lot B, the retention basin designed to hold a 100-year flood (designed to take all the water off the site as well as water that is coming onto the site). The first lot, Lot 5, is 71 feet to the corner of the lot, not to where the house is but, rather, to the actual corner. Lot 4 is over 800 feet to the corner. As the lot continues on down, it is progressively further away from the runway. He referred to the additional documents from the State included in his handout. He referred to a home on an 8-acre lot behind his project that is 100 feet of his property. Mr. Shannon noted the tentative tract map hearing is in September and there are at least another 6 to 8 months after that time before construction begins. He observed that by the time his project is (hopefully) approved and construction begins, the rules will be changed and his project would, at that point in time, comply with the new rules.

Mr. Tom Suitt, joint venture principal regarding this property, he referenced a letter of consistency in May and a letter of inconsistency in June. He expressed confidence this project is well within the guidelines of the State and reiterated Mr. Shannon's reference to several residences closer to the runway. He emphasized that removing the five lots in question will "destroy" the economics of the project and requested consideration given the devastating economic impact of complying with Riverside County and the local community tax revenue, fees, etc., requirements.

B. T. Miller requested a determination from Staff as to whether or not consideration can be based upon economic factors. Keith Downs responded that the responsibility of Staff and the

Commission is to determine whether the project is consistent or inconsistent with the plan. He quoted documentation in the State handbook, page 7, to clarify the meaning and implications of the word “standards”: “These examples are intended to provide general guidance for establishment of airport safety compatibility zones. They do not represent California Department of Transportation standards or policy.” He clarified that when local plans are developed with safety zones in mind, the handbook needs to be referenced as general guidelines. However, there are two pages to determine where deviation from the standards is applicable and, if so, the appropriate reasons necessary to explain or justify such deviation.

Chairman Cobb called for discussion from the Commissioners. Commission Snyder asked Staff if when this item was continued two months ago, the State letter was available for reference. Keith Downs indicated it was available but there was confusion as to the location of the property line. Commissioner Snyder inquired as to whether a study has been made under the current conditions. Keith Downs affirmed. In the first Staff report, a County map was referenced instead of the adopted map being currently referenced. The County map did not clearly reference streets and, therefore, was not user friendly. Commissioner Snyder inquired as to noise issues. Mr. Downs stated the noise factor is increasing but can be mitigated by the applicant but outdoor noise cannot be mitigated. That is why an acoustical report has been requested. Commissioner Snyder inquired as to whether or not there would still be issues once the noise problem is corrected. Mr. Downs responded he does not know where the 60 CNEL is located. In the current policy referenced by Staff, construction of homes is not permitted—even if indoor mitigation is accomplished. At 60 CNEL, a report is required. A 65 CNEL will encroach on part of the proper, at least the detention basin and possibly a couple of houses. At least six months is anticipated before such data would be available. On the height issue there is no significant problem. Regarding the noise, there is some concern already and there will likely be more concerns. Regarding safety, Staff cannot currently speculate as to where the future line will be located. Commissioner Snyder asked as to when information regarding that line will be forthcoming. Keith Downs indicated Staff has already met with the airport manager and there is a draft plan for approximately nine months (six months at the onset). He emphasized that this airport presents a more complex process than some of the other airports. However, other than the noise concern, the only other problem is the safety zone.

Mr. Suitt indicated the noise study has been done and is being reviewed by the Department of Public Health. According to the engineers, the project is within the appropriate guidelines. Commissioner Snyder commented the project cannot be approved as is but if the acoustical report is available, he would like the project to be continued until the report can be reviewed. Mr. Suitt stated that report can be made available for the next meeting. B. T. Miller added it should be submitted to Staff, as well, for review and comment.

ACTION TAKEN: Commissioner Snyder motioned to continue BD-02-104 – Warner Engineering until the acoustical report can be submitted to Staff for review and analysis. Commissioner Stephens. seconded the motion. Motion carried. Commissioner Pratt abstained.

FRENCH VALLEY AIRPORT

- B. FV-02-103 – Riverside County (Continued from June 20Th). Beverly Coleman presented the case by referring to and using exhibits, staff report and recommendations.

CASE SUMMARY:

CASE NUMBER: FV-02-103 – Riverside County
APPROVING JURISDICTION: County of Riverside
JURISDICTION CASE NO.: PP17666

PROJECT DESCRIPTION:

A request for PP 17666 for construction of a 240,000 sq. ft. Business Park with multiple buildings for offices, restaurants, health and exercise center, mini-warehouse, nursery, trailer, boat storage, blueprinting and duplicating services on approximately 61.75 acres.

PROJECT LOCATION:

The site is located at the northeast corner of Briggs Road and Auld Road, southerly of Benton Road in the County of Riverside, 460 - 2600 ft. north of the north end of Runway 18/36 at the French Valley Airport.

LAND USE PLAN

Adjacent Airport: French Valley
a. Airport Influence Area: Inner Safety Zone (ISZ), Emergency Touchdown Zone (ETZ), Outer Safety Zone (OSZ) and Traffic Pattern Zone (TPZ)
b. Noise Levels: Inside 55 and 60 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 a portion of the property is currently inside of the 55db CNEL, with a smaller portion inside of the 60 CNEL. The CLUP indicates that noise sensitive commercial uses in the 60 CNEL are compatible with the appropriate mitigation for noise.

Land Use:

The site is located 460 – 2,600 ft. north of the north end of Runway 18/36, and 1200 ft. north of the north end of the proposed runway, to be located 600 ft. east of Runway 18/36. The proposed land use is commercial, and consists of a 240,000 sq. ft. business park with multiple buildings for offices, restaurants, health and exercise center, mini-warehouse, nursery, trailer, boat storage, blueprinting and duplicating services on approximately 61.75 acres.

The site consists of six Planning Areas, zoned Manufacturing Service Commercial (M-SC), as shown on the attached exhibit. Planning Area 1 (4.93 ac.) is located within the Inner Safety Zone (ISZ) and Traffic Pattern Zone (TPZ). Planning Area 2 (15 ac.) is within the ISZ for Runway 18/36 and is also within the ETZ and Outer Safety Zone (OSZ) for the proposed runway. Planning Area 3 (8.59 ac.) is primarily within the OSZ of the proposed runway, although the southeast corner is within the TPZ. Planning Area 4 (7.86 ac) is within the ISZ of Runway 18/36, and is also within the ETZ and OSZ for the proposed runway. Planning Areas 5 (9.4 ac.) and 6 (13.4 ac.) are within the ISZ and ETZ for Runway 18/36. The proposed buildings on the site or a portion of the proposed buildings are either within the ISZ for Runway 18/36, the ETZ for the proposed runway, or the OSZ for the proposed runway.

A portion of the building within Planning Area 1 is in the TPZ, with the remaining portion in the ISZ.

Prohibited and Discouraged Uses

Structures and land uses involving petroleum, explosives or above-grade powerlines are prohibited within the ISZ. Structures, land uses involving concentrations of people, and significant obstructions are prohibited within the ETZ. 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.

Discouraged uses within the TPZ include schools, auditoriums, amphitheaters, stadiums, churches, and uses involving, as the primary activity, manufacture, storage or distribution of explosives or flammable materials.

Building coverage for Planning Areas 2, 3 and 4 is less than 25% (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.

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.

Height: The highest elevation on the site is 1354 MSL. The building, signs and lighting at the proposed site are not expected to exceed 35 feet. The proposed site is located within the Part 77 approach surface overlying this area at 1,350 – 1,410MSL. The runway elevation is 1,347MSL. The distance from Runway 18/36 to the closest building on the proposed site is approximately 950 ft.

Planning Areas 5 and 6, and the western portion of Planning Area 4 lie to the west of the Building Restriction Line (BRL) established in accordance with FAR Part 77 criteria. Buildings to be constructed within Planning Areas 2, 3, 4, 5, and 6 on the proposed site are restricted to those portions of the site east of the BRL. The BRL does not extend into or lie adjacent to Planning Area 1.

The applicant received the attached Determination of No Hazard to Air Navigation from the FAA with the condition that the structure be marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1K. As of the date of this staff report (7/09), no comments from Cal Trans Aeronautics have been received.

RECOMMENDATION: Staff recommends continuance of the item until August in order to obtain comments from Cal Trans Aeronautics.

Beverly Coleman stated that currently Staff has not prepared the findings, and any conditions of override, if any, are pending the receipt and review of any comments from CalTrans Aeronautics. Staff recommends continuance of the project at the request of the applicant and to await receipt of the letter from CalTrans. She stated these comments should be received from CalTrans prior to the next meeting.

Commissioner Stephens excused himself from this case.

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

ACTION TAKEN: Commissioner Graff motioned to continue FV-02-103 – Riverside County to the next regular scheduled meeting of the Airport Land Use Commission meeting in August. Commissioner Snyder seconded the motion. Motion carried.

BLYTHE AIRPORT

C. BL-02-101 – Blythe Energy Project – Phase II (Continued from June 20th). Keith Downs presented the case by referring to and using exhibits, staff report and recommendations.

CASE SUMMARY

CASE NUMBER

BL-02-101 – Blythe Energy Phase II

APPROVING JURISDICTION:

California Energy Commission

JURISDICTION CASE NO.:

CEC: Docket #02-AFC-1, Related Cases BL-02-106, BL-00-102, BL 01-100, BL-02-

PROJECT DESCRIPTION:

An expansion of an additional 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 (See Attached Summaries).

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: 1999-2002

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 2000, 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. On October 19, 2000 the ALUC found the original project consistent with the plan. In March of this year the ALUC found the amendment for this property (BL-01-100) to the original project inconsistent with the CLUP.

ENVIRONMENTAL:

The proposal is being processed by the California Energy Commission and as such is the Lead Agency. The Zoning and General Plan Amendment was processed by the City of Blythe and was on the March 2002 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 for long-range capacity do cover the site with 55CNEL and 60CNEL. 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. See request dated April 19, 2002. No response has been received as of May 7th. **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 or 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: Staff Recommends a finding for consistency for any portion of the project on the original (eastern) property in conformance with the ALUC approval of October 2000, but a recommendation of inconsistency for that portion of the project on the westerly parcel in conformance with ALUC’s (March 2002) previous ruling.

ADDENDUM JULY: This item was continued to June as requested by the staff and the additional previous texts are provided as per the Commission’s request. This was continued to July as requested by the project proponent.

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 avigation 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 that 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 that 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. The applicant's Representative, Sally Lyn Zeff, from Greystone, came forward in response to Chairman Cobb's invitation. She reviewed the previous power plant/phases of the Blythe energy project. This second power plant (Phase II) would locate the power plant itself on the southern portion of the western parcel. In response to concerns that have been raised, the applicant is no longer proposing to locate the evaporation pond in the northern portion of the site. The pond that was originally approved on the Blythe Phase I site will be built instead. Chairman Cobb asked if changes have been made since the most recent Staff review. Ms. Zeff affirmed, clarifying, however, that she had discussed these changes with Keith Downs prior to this meeting, and Mr. Downs had concluded there were no changes which would require a further continuance of this project. This would mean that no development on the site would take place in any of the hazard zones, the OSC, ETZ, or the ERC. All development on the site would continue within the traffic pattern zone, which is the southern portion of the project. The Brine concentrator was already moved off of the western parcel and the pond back on the eastern parcel. No development is proposed in any of the hazard zones related to the runway. She stated that the 7460 clearance has been received from the FAA as well as USDA clearance related to the pond. There have been concerns expressed by the Aeronautics Division of CalTrans that the proposed development in the ERC and the OSC could be inconsistent but that all of the development proposed in the traffic pattern zone would be consistent with the comprehensive land use plan. Ms. Zeff requested approval of consistency of the project as adjusted with the relocation of the pond.

Chairman Cobb called for further questions or comments from the applicant. Chairman Cobb asked for Keith Downs to confirm his position regarding the changes presented immediately

preceding the meeting. Mr. Downs based his recommendation on the Airport Land Use Commission's previous actions more than upon review--one action which was consistent with Staff and one that was not. He clarified that the project could be continued if preferenced by the Commission. An appropriate fee would be required for the additional change. If the change were significant, advertising would be required and a fee would be involved. However, this change, namely the relocation of the pond, is not that significant. Ms. Zeff was amenable to a continuance, if necessary. Chairman Cobb called for any additional discussion from the Commissioners. Upon hearing none, Chairman Cobb opened the floor for comments from the audience on the case. Upon hearing none, Chairman Cobb called for any further discussion from the Commissioners. Upon hearing no reply, Chairman Cobb called for a motion to be set. Keith Downs informed that Commissioner Pratt could participate in the vote for this item if he had read the minutes of the last meeting. Chairman Cobb clarified the Staff recommendation is consistency and inconsistency. Commissioner Graff stated his position to support Staff recommendations regarding the consistency and inconsistency of the project. He recollected that, unfortunately, part of the site was found consistent in years past and there are constant changes. In the original application, there was no mention of Phase I or Phase II, so they opened the door. He recommended closing the door on this item. B. T. Miller asked for clarity on the Commission's action—was it being based on the information submitted to Staff and Staff's report as is, and not on today's comments submitted by the applicants representative that have not been submitted to Staff's review. Chairman Cobb asked Keith Downs if what has been suggested is followed up by the Commissioners, and action is taken on the present recommendation, would the applicant have to begin the process over again. Mr. Downs affirmed. Once the letter is sent to the CEC, an override may be possible—it may be redundant for them to do so. The technical applicant is the California Energy Commission that is processing a permit for this item. It has been referred to the Commission. In a practical matter, all of those applicants present their cases before the Commission. But the actual applicant for the information that we are going to provide is the CEC. If the project is found inconsistent, the CEC will need to override that decision via the same process as a city or a county.

ACTION TAKEN: Commissioner Graff motioned to follow Staff recommendation to find consistency in the portion of the project originally approved and inconsistency in the other portion Commissioner Snyder seconded the motion. Motion carried. Sam Pratt abstained.

RIVERSIDE MUNICIPAL AIRPORT

D. RI-02-133 – City of Riverside (Continued from June 20th). Keith Downs presented the case by referring to and using exhibits, staff report and recommendations.

CASE SUMMARY:

CASE NUMBER: RI-02-133 – City of Riverside
APPROVING JURISDICTION: City of Riverside

PROJECT DESCRIPTION: *A request for administrative permits within the Traffic Pattern Zone (TPZ) and not within the 60 CNEL*

PROJECT LOCATION:

The site is all of the area within the adopted TPZ and not within the 60CNEL for the Riverside Municipal Airport. This is generally two miles from the airport runways.

a. Airport Influence Area: TPZ

b. Noise Levels: Outside 60 CNEL

MAJOR ISSUES:

Land Use: This Permit includes residential permits within the area that are administratively reviewed by the City staff (See Exhibit A). Any permit going to a hearing body such as the City Council or Planning Commission would not be included within this review.

Part 77: The elevation over this site is varies and the maximum building height is allowed is 35 feet AGL. The site and is under the horizontal and conical surface at these locations, which is 966MSL. Any structure over 35 feet AGL would still need an ALUC review.

Noise: By definition the site is outside of the 60 CNEL contour for the airport. This is acceptable for the usage proposed with the appropriate mitigation for noise.

BACKGROUND:

In conformance with the Rules adopted by the ALUC, staff routinely reviews the projects on a one by one basis. This use is an excessive amount of time for a task that the city would normally do when they adopt the plan. Due to the forthcoming update of the CLUP the city has chosen to wait until the plans are complete. The City of Riverside is the only city affected by more than one airport. Your staff will provide training and technical backup for the city staff.

APPENDIX: July 18, 2002. This item was continued from the last meeting in order to discuss the proposal with Counsel and staff. Concerns were raised regarding: jurisdiction, duration and notification. Staff has discussed the proposal with Counsel and added additional statements and conditions to the proposal regarding a termination date, notification of permits and ultimate authority. Permits already exempt are: garages, carports, patios, re-roofs, wall, plumbing, electrical, heating, air-conditioning, retaining walls, pools, spas, interior remodeling, accessory buildings and satellite dish.

This permit does not otherwise alter the ALUC's rules and regulations.

RECOMMENDATION: Information only

Keith Downs indicated that RI-02-133 and MA-02-142 are identical—applications by the City of Riverside in concurrence with the Staff to establish a permit for the next year and a half for all administrative items being currently reviewed. The Staff report has been revised. Mr. Downs is seeking authorization from the Airport Land Use Commission for this permit. The letters have also been revised, with one technical error that needs to be corrected to state that they will terminate on December 1, 2003, unless terminated sooner because of good cause. That was added to RI-02-133 in both cases; and, “D” should state that the granting of the application shall not otherwise alter the Airport Land Use Commission Rules and Regulations, eliminating the term “unless terminated for good cause.” Item “D” was added to MA-02-142. Mr. Downs reiterated Staff’s request for authorization to issue administrative permits for patio enclosures, single-family dwellings, etc., outside of the 60 CNEL and the intimate safety zones and only in the TPZ outside the 60 CNEL at Riverside Municipal.

B. T. Miller, referencing RI-02-133, reiterated Mr. Downs request that Staff is asking the Commission to approve the application as submitted by the City subject to the conditions expressed in the letter, authorizing Staff to approve the application with those conditions. Mr. Miller added that one of the concerns he had raised in the last ALUC meeting was to make sure that the Commission was not relinquishing any authority in delegating some responsibility to the City to review this “blanket permit.” So certain terms have been added to ensure the Staff and Commission’s continued review oversight with regards to the permits that are granted

under the application finding and its ability to assert its authority by denying those permits if issued by the City after Staff's review. Chairman Cobb asked if, when there is no compliance with guidelines on projects the City approves, it will be necessary to go back to Item A and terminate some permits. Keith Downs affirmed.

Chairman Cobb called for discussion from the Commissioners. Upon hearing no response, he opened the floor for comments from the audience on the case. Upon hearing no response, he returned to the Commissioners for any further discussion. Upon hearing no reply, Chairman Cobb called for a motion to be set.

ACTION TAKEN: Commissioner Bell motioned to approve RI-02-133 – City of Riverside. Commissioner Snyder seconded the motion. Motion carried. Commissioner Pratt abstained.

MARCH AIR RESERVE BASE

E. MA-02-142 – City of Riverside (Continued from June 20th). Keith Downs presented the case by referring to and using exhibits, staff report and recommendations.

CASE SUMMARY:

CASE NUMBER: MA-02-142 – City of Riverside
APPROVING JURISDICTION: City of Riverside
JURISDICTION CASE NO: Numerous

PROJECT DESCRIPTION: *A request for administrative permits within the Areas II and III of the adopted Influence Area and not within the 60 CNEL of the AICUZ*

PROJECT LOCATION:

The site is all of the area within the adopted Airport Influence Area for the March Air Reserve Base Airport and not within the 60CNEL of the current AICUZ. This is generally two to five miles from the airport runways.

a. Airport Influence Area: *Areas II and III*
b. Noise Levels: *Outside 60 CNEL*

MAJOR ISSUES:

Land Use: *This Permit includes residential permits within the area that are administratively reviewed by the City of Riverside staff (See Exhibit A). Any permit going to a hearing body such as the City Council or Planning Commission would not be included within this review. These sites are within areas II and III of the March Air Reserve Base Airport Influence Area*

Part 77: *The elevation over this site is varies and the maximum building height is 35 feet AGL. The site and is under the horizontal and conical surface at these locations, which is 1,888MSL. Any structure over 35 feet AGL would still need an ALUC review.*

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

In conformance with the Rules adopted by the ALUC, staff routinely reviews the projects on a one by one basis. This use is an excessive amount of time for a task that the city would normally do when they adopt the plan. Due to the forthcoming update of the CLUP the city has chosen to wait until the plans are complete.

The City of Riverside is the only city affected by more than one airport. Your staff will provide training and technical backup for the city staff. Permits already exempt are: garages, carports, patios, re-roofs, wall, plumbing, electrical, heating, air-conditioning, retaining walls, pools, spas, interior remodeling, accessory buildings and satellite dish.

Granting of this application does otherwise alter the ALUC's rules and regulations.

APPENDIX: July 18, 2002. This item was continued from the last meeting in order to discuss the proposal with Counsel and staff. Concerns were raised regarding: jurisdiction, duration and notification. Staff has discussed the proposal with Counsel and added additional statements and conditions to the proposal regarding a termination date, notification of permits and ultimate authority.

RECOMMENDATION: Information Only

Keith Downs reiterated that this item is identical to RI-02-133 – City of Riverside. There are three findings at the end of the letter that need to be clarified; that ALUC is making substantial progress toward completion of the March Air Reserve Base Plan. There is a reasonable probability that the project will be consistent with the plan and little or no probability of substantial detriment. The language "A" was added and was successfully deleted in "D," in this particular case. He further clarified that this is in Area's II and III, outside of the current 60 CNEL line, not in Safety Zone 2.

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

ACTION TAKEN: Commissioner Graff motioned to approve MA-02-142 – City of Riverside. Commissioner Tandy seconded the motion. Motion carried. Commissioner Pratt abstained.

VI. NEW BUSINESS

RIVERSIDE MUNICIPAL AIRPORT

- A. RI-02-136 – Joe Richards. Keith Downs presented the case by referring to and using exhibits, staff report and recommendations.

CASE SUMMARY

CASE NUMBER: RI-02-136 –Joe Richards RMW
APPROVING JURISDICTION: City of Riverside
JURISDICTION CASE NO: Tract 30625

PROJECT DESCRIPTION:

The project is a tract for 13 lots on 3.4 acres.

PROJECT LOCATION:

The site is located south of Clifton Blvd. east of Adams St. within the City of Riverside, and approximately 3,000 feet north 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 proposed site is located approximately 3,000 feet north of Runway 9-27 and is within the TRAFFIC PATTERN ZONE of the Riverside Municipal Airport Influence Area. The project is a tract map for 13 lots on 3.4 acres. The TPZ has no population limits assigned, but has a lot coverage standard of 50% of the gross or 65% of the net lot. The lot coverage of the buildings at the site is approximately 15 to 20% of the net area.

Part 77: The elevation at this site is approximately 830 MSL feet and the maximum building height is 35 feet. The site is well below the horizontal surface at this location, which is approximately 966MSL. Part 77 is not a concern.

Noise: The site is outside of the 60 CNEL contour for the airport. The site is under an approach and departure flight track and will experience annoyance from aircraft over flight.

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.
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 that 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 that 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.

RECOMMENDATION: Staff would recommend a finding of consistency for the project, subject to the conditions outlined above.

Keith Downs indicated Staff recommendation that the remaining items, namely A, B, C, D, E, F, G, and H be taken as a consent calendar.

Chairman Cobb called for questions or discussion from the Commissioners or audience regarding any of the consent items. MA-02-146 (Item D), MA-02-152 (Item F) , MA-02-153 (Item G) were held back for presentation and discussion.

ACTION TAKEN: Commissioner Graff motioned to approve RI-02-136 – Joe Richards, BD-02-107 – Pacific Engineering, MA-02-145 – Pinnacle Real Estate Holdings, Inc., MA-02-151 – Mericom Corp, and MA-02-154 – Alex Mucino. Commissioner Tandy seconded the motion. Motion carried unanimously. Commissioner Pratt abstained.

BERMUDA DUNES AIRPORT.

- B. BD-02-107 – Pacific Engineering – P.P. 17611 and PM 30536 for a Business Center on approximately 2.8 acres south of Dune Lake St. and east of Berkey Drive., within the County of Riverside, west of Bermuda Dunes Airport. Please see staff reports in July agenda packets

ACTION TAKEN: Commissioner Graff motioned to approve, BD-02-107 – Pacific Engineering. Commissioner Tandy seconded the motion. Motion carried. Commissioner Pratt abstained.

MARCH AIR RESERVE BASE

- C. MA-02-145 – Pinnacle Real Estate Holdings, Inc – CUP 3370 for a truck stop on 11.5 acres south of Cajalco Expressway and west of Harvill Ave., within the County of Riverside, southwest of March Air Reserve Base. Please see staff reports in July agenda packets

ACTION TAKEN: Commissioner Graff motioned to approve MA-02-145 – Pinnacle Real Estate Holdings, Inc. Commissioner Tandy seconded the motion. Motion carried. Commissioner Pratt abstained.

- D. MA-02-146 – ~~Adkan Engineers~~ – Beverly Coleman presented the case by referring to and using exhibits, staff report and recommendations. Ms. Coleman corrected the Item to reflect Gable, Cook & Becklund, Inc., not Adkan Engineers.

CASE SUMMARY

CASE NUMBER: MA-02-146 – Gabel, Cook &, Inc.
APPROVING JURISDICTION: City of Riverside
JURISDICTION CASE NO: TM 30334

PROJECT DESCRIPTION:

A Tract Map for a 15-unit condominium complex on 4.46 acres.

PROJECT LOCATION:

The site is located at 5461 Glen Haven Avenue east of Alessandro Blvd., approximately 31,200 ft. northwest of Runway 14/32 at March Air Reserve Base.

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 III*

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 MARB, we will utilize five resources for our review:
RCALUP: 1984 with Interim boundaries for March Air Force Base: 1986 CalTrans Airport Land Use Planning Handbook: 2002 Draft CLUP for March Air Force Base: 1994 Noise Data from the Air Installation Compatibility Use Zone Study: 1998 March Air Reserve BaseDraft 98/99 CLUP for MARB/MIP*

MAJOR ISSUES:

Land Use: *The proposed site is located approximately 31,200 northwest of Runway 14-32. The proposal is for a Tract Map for a 15-unit condominium complex. The existing site is vacant and zoned for residential uses. The proposal is near a flight track and within the outer horizontal surface. The current generalized flight tracks are described in the AICUZ report and are on Exhibit B.*

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 III, which allows residential land use. The 1994 Draft CLUP placed the property outside of the 60 CNEL. The proposed land use designation would be consistent with allowed land uses within this area contingent upon noise and height issues.

Density and Coverage: *The proposal includes 52,440 sq. ft of buildings on approximately 4.46 acres (net) consisting of 15 lots and one common area. The lot area of each condominium unit is 3,360 to 3,540 sq. ft. The structural coverage for each lot will be 50% or less of the net area. The structural coverage for the entire site will be less than 30% of the net area.*

Part 77: *The highest elevation at the site is 1164 MSL feet. The height of the tallest structure is 17 ft. An FAA 7460 review would be required for any structure exceeding 1,847 MSL. Part 77 obstruction criteria are not a concern with this project.*

Noise: *The site has been shown to have some noise over the property with each of the AICUZ reports. The 1998 AICUZ indicated the noise level at the property to be less than 55 CNEL. The proposed use is an acceptable use with the appropriate mitigation for noise.*

CONDITIONS:

1. *Prior to project development or sale to an entity exempt from the Subdivision Map Act, the project proponents shall convey an avigation easement to the MARB/MIP Airport. (Tel.909- 656-7000)*

2. *Incorporate noise attenuation measures into the building construction to ensure interior noise levels are at or below 45-decibel levels.*
3. *Additional noise insulation shall be included in all homes within this subdivision to achieve at least an NLR of 25.*
4. *Install hooded or shielded outdoor lighting measures to assure that no lights are above the horizontal plane.*

RECOMMENDATION: *Staff recommends a finding of consistency for the project subject to the conditions outlined above.*

Chairman Cobb called for questions from the Commissioners. Upon hearing no response, he requested the applicant to come forward. Upon hearing no response, Chairman Cobb opened the floor for comments from the audience on the case.

Cheryl Gilleland, resident at 5509 Glenhaven, indicated the paper she received in the mail spelled Glenhaven as two words. She requested clarification as to which spelling applies to this particular project because there are apparently two streets with the same name. She asked if the project was near the tennis/swim Club. Beverly Coleman responded by referring back to the City map provided by the applicant's representative. The location was shown as 5641 Glenhaven, east of Allesandro Blvd. and Glenhaven Court is an extension is an extension of Glenhaven Ave. Royal Ridge Drive is nearby as well as Swanson Park. The owner of the property is RTC Corporation. An audience member clarified the property next to the club is part of the project. Keith Downs affirmed that the project is near the swim club and near to Ms. Gilleland's residence on Glenhaven. Ms. Gilleland asked for clarification regarding the elevation of the site. Ms. Coleman responded it is two stories with a garage below. The elevation increases at one portion of the building. Ms. Gilleland asked if this hearing is the only hearing. Keith Downs responded there will be a hearing before the City Planning Commission and City Council regarding which she will receive a notice.

Chairman Cobb asked for further questions from the audience. Upon hearing no response, he returned to the Commission for possible further discussion. Commissioner Graff referred to the Conditions for Approval and requested Item 5 to include a rental clause that: "Should these condominiums be rented, all prospective tenants shall be given notice explaining the noise from the airport and/or over flights due to close proximity of an airport, and all tenants shall sign a notice information them that the annoyance and the traffic shall likely increase significantly in the future. Also, that an avigation easement is in place for that property."

Chairman Cobb asked if this has been done in the past. Commissioner Graff indicated that an item is coming before the Commission that is almost identical. Keith Downs responded that, to his knowledge, this has not been done regarding condominiums but has been done regarding rental property. Commissioner Graff interjected, "as rentals"...and this could be also a rental property." Keith Downs added that a home could also be a rental property. Commissioner Graff agreed but added he has observed more condominiums being rented than being purchased. Mr. Downs indicated there is no basis for that in the plans but the Commission could add it; however, he recommended Counsel comments. B. T. Miller responded that it could be added; however, it would be subject to the City's override. Commissioner Graff interjected it is being approved so there is nothing to override. In terms of a potential renter, this is not designated as rental property. He recalled some condition with notice to tenants as to rental property. He further recalled a condition regarding future purchasers and leasers but never as to future renters. It could be added subject to City override. Commissioner Graff withdrew his request.

Chairman Cobb asked for further discussion. Upon hearing no reply, he called for a motion to be set.

ACTION TAKEN: Commissioner Graff motioned to approve MA-02-146 – Gable, Cook, & Becklund (to find the project consistent). Commissioner Tandy seconded the motion. Motion carried. Commissioner Pratt abstained.

E. MA-02-151– Mericom Corp. – PUP 855 for a telecom tower and facility at 20185 Markham Street south of Markham Street and west of Una St., within the County of Riverside, northwest of March Air Reserve Base. Please see staff reports in July agenda packets

ACTION TAKEN: Commissioner Graff motioned to MA-02-151 – Mericom Corp, and MA-02-154 – Alex Mucino. Commissioner Tandy seconded the motion. Motion carried. Commissioner Pratt abstained.

F. MA-02-152 – Gabel, Cook & . Beverly Coleman presented the case by referring to and using exhibits, staff report, and recommendations.

CASE SUMMARY

CASE NUMBER: MA-02-152 – Gabel, Cook &, Inc.
APPROVING JURISDICTION: City of Riverside
JURISDICTION CASE NO: TM 27824

PROJECT DESCRIPTION:

A Tract Map for 17 single-family residential plots on 61 acres.

PROJECT LOCATION:

The site is situated north of John F. Kennedy Drive and west of Chicago Avenue within the City of Riverside, approximately 23,400 ft. west of Runway 14/32 at March Air Reserve Base.

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 III
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 MARB, we will utilize five resources for our review:

1. RCALUP: 1984 with Interim boundaries for March Air Force Base: 1986
2. CalTrans Airport Land Use Planning Handbook: 2002
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 proposal is for the development of 17 single-family plots on 61 acres. The existing site is vacant and zoned for residential uses. The proposal is near a major flight track and within the outer horizontal surface. The current generalized flight tracks are described in the AICUZ report and are on Exhibit B.

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 III, which allows residential land use. In The 1994 Draft CLUP placed the property outside of the 60 CNEL. The proposed land use designation would be consistent with allowed land uses within this area contingent upon noise and height issues.

Density and Coverage: The lots range from 1 to 32.74 acres and coverage would likely be less than 50%.

Part 77: The highest elevation at the site is 1606 MSL feet. Part 77 obstruction criteria are not a concern with this project until a subsequent permit comes for review. An FAA 7460 review would be required for any structure exceeding 1,769 MSL.

Noise: The site has been shown to have some noise over the property with each of the AICUZ reports. The 1998 AICUZ indicated the noise level at the property to be less 55 CNEL. The proposed use is an acceptable use with the appropriate mitigation for noise.

CONDITIONS:

2. Prior to project development or sale to an entity exempt from the Subdivision Map Act, the project proponents shall convey an avigation easement to the MARB/MIP Airport. (Tel.909- 656-7000)
2. Incorporate noise attenuation measures into the building construction to ensure interior noise levels are at or below 45-decibel levels.
3. Additional noise insulation shall be included in all homes within this subdivision to achieve at least an NLR of 25.
4. Install hooded or shielded outdoor lighting measures to assure that no lights are above the horizontal plane.

RECOMMENDATION: Staff recommends a finding of consistency for the project subject to the conditions outlined above.

Chairman Cobb called for questions from the Commissioners. Chairman Cobb asked if the lots are arranged—the total project is 61 acres and the lots range from 1 acre to 32 acres. Ms. Coleman responded that is the information shown on the tract map. Based on the information shown on the tract map, the range of the lots was from 1 to 32 acres. The 32-acre site is 13. Chairman Cobb asked for any further questions from the Commissioners. Upon hearing no

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

Ron Richmond, 15027 Broaden, presented a plot map to assist in clarifying some concerns regarding this project. He indicated that Chicago was in proximity to this project and JFK is not developed in the area near this project. He indicated JFK is just a dirt road and since that is true, if it is paved, it will take a substantial amount of property off of the existing pieces of property. He has been a 15-year resident and there is currently no problem with aircraft noise nor does he foresee any problem in the future. Mr. Richmond stated there is a substantial hill that goes up to approximately 1,800 feet, and if there are any houses there, that hill might be of concern. He stated his concerns probably do not effect the Commission at this point and that he will communicate with the contractor. Chairman Cobb inquired if this issue was going before the City Planning Commission as well. Keith Downs affirmed.

Chairman Cobb asked for any further questions or comments from the audience. Jamie Jacobson, 15030 Broaden Lane, inquired as the increase of noise levels in relation to the project and March Air Reserve Base flight activity. Keith Downs responded that if she is concerned with noise in general, the City of Riverside would have to reply to that concern. He clarified there would be an increase in noise on this site because there is humanity moving into the site. Ms. Jacobson asked for clarification regarding the 55 CNEL. Beverly Coleman clarified that 55 CNEL is referring to the noise level from the aircraft as reported in the 1998 AICUZ that was used as a reference for this project. Ms. Jacobson asked to whom she should address additional concerns regarding traffic congestion, noise level, etc. Chairman Cobb responded that she should speak to the City of Riverside Planning Commission when this item goes before that commission.

Chairman asked for further questions from the audience. Upon hearing no response, he called for further questions from the Commission. Upon hearing no reply, Chairman Cobb called for a motion to be set.

ACTION TAKEN: Commissioner Graff motioned to approve MA-02-152 – Gable, Cook &. Commissioner Snyder. Seconded the motion. Motion carried. Commissioner Pratt abstained.

G. MA-02-153 – Via Puebla. Beverly Coleman presented the case referring to and using exhibits, staff report and recommendations.

CASE SUMMARY

CASE NUMBER: MA-02-153-Via Pueblo
APPROVING JURISDICTION: City of Riverside
JURISDICTION CASE NO: *Variance*

PROJECT DESCRIPTION:

A 28-unit apartment complex on approximately 1 acre.

PROJECT LOCATION:

The site located at 750 Via Pueblo, west of Monte Vista Drive within the City of Riverside, approximately 27,000 ft. northwest of Runway 14/32 at March Air Reserve Base.

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 III*
- 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 MARB, we will utilize five resources for our review:

- 6. *RCALUP: 1984 with Interim boundaries for March Air Force Base: 1986*
- 7. *CalTrans Airport Land Use Planning Handbook: 2002*
- 8. *Draft CLUP for March Air Force Base: 1994*
- 9. *Noise Data from the Air Installation Compatibility Use Zone Study: 1998 March Air Reserve Base*
- 10. *Draft 98/99 CLUP for MARB/MIP*

MAJOR ISSUES:

Land Use: *The proposal is for a 28-unit apartment complex on approximately 1 acre. The proposed site is located approximately 27,000 ft. northwest of Runway 14/32. The proposal is near a major flight track and within the outer horizontal surface. The current generalized flight tracks are described in the AICUZ report and are on Exhibit B.*

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 III, which allows residential land use. The 1994 Draft CLUP placed the property outside of the 60 CNEL. The proposed land use designation would be consistent with allowed land uses within this area contingent upon noise and height issues.

Density and Coverage: *Proposed structures include two apartment buildings covering 12,210 sq. ft. of lot area on 43,327 sq. ft. Structural coverage will be less than 35% of the net area.*

Part 77: *The highest elevation at the site is 1090 MSL feet. The height of the tallest structure is approximately 39 ft. above ground level. Any structures over 1,805 MSL feet in elevation will require an FAA 7460 review. Part 77 obstruction criteria are not a concern with this project.*

Noise: *The site has been shown to have some noise over the property with each of the AICUZ reports. The 1998 AICUZ indicated the noise level at the property to be less 55 CNEL. The proposed use is an acceptable use with the appropriate mitigation for noise.*

CONDITIONS:

3. *Prior to project development or sale to an entity exempt from the Subdivision Map Act, the project proponents shall convey an avigation easement to the MARB/MIP Airport. (Tel. 909- 656-7000)*
2. *Incorporate noise attenuation measures into the building construction to ensure interior noise levels are at or below 45-decibel levels.*
3. *Additional noise insulation shall be included in the development to achieve at least an NLR of 25.*
4. *Install hooded or shielded outdoor lighting measures to assure that no lights are above the horizontal plane.*
5. *All prospective tenants shall be given a notice explaining the noise from the airport and overflights, and all tenants shall sign a notice informing them of the annoyance.*

RECOMMENDATION: Staff recommends a finding of consistency for the project subject to the conditions outlined above.

Chairman Cobb called for questions from the Commissioners. Upon hearing no response, he opened the floor for comments from the audience on the case. Don Kearney, representing Mr. Ken Newby, stated Mr. Newby is building a condominium project right behind the project site. The information he received in the mail seems to indicate his company's parcel numbers. It is described as a 22-unit project on three acres. His project has 2400 to 2500 square foot units with price ranges from \$275,000 to \$400,000. There are two-story apartments in front of his project. There will be a two-story project with 22-foot crib walls. The Item MA-02-153 is described as a 28 units on one acre. There appears to be inconsistency in information. To put a 3-story unit in front of his project is of concern. Chong Kim, architect for the Gabel, Cook & Becklund project, (his office is 611 South Catalina Street, Los Angeles) stated his project is a two-story project and further clarified the details of the project, noting that because of the slope in elevation and garage on the lower level, it may have been perceived as a 3-story project.

Chairman Cobb referred Mr. Kearney to the City Planning Commission for further concerns. He called for further questions from the audience. Upon hearing no response, Chairman Cobb called for a motion to be set.

ACTION TAKEN: Commissioner Stephens motioned to approve MA-02-153 – Gable, Cook, & Becklund (to recommend finding of consistency). Commissioner Tandy seconded the motion. Motion carried. Commissioner Pratt abstained.

- H. MA-02-154 – Alex Mucino – CUP for a restaurant north of Campus Parkway and west of Day St., within the City of Riverside, northwest of March Air Reserve Base. Please see staff reports in July agenda packets

ACTION TAKEN: Commissioner Graff motioned to approve MA-02-154 – Alex Mucino. Commissioner Tandy seconded the motion. Motion carried. Commissioner Pratt abstained.

VII. ADMINISTRATIVE ITEMS

A. Reappointments and Status of Alternates

Sam Pratt was welcomed as a new Commission appointee to replace Mr. Potts. Commissioner Bell noted the need to correct the records regarding the date his term ends

from May 2005 to May 2006.

B. County of Riverside Letter

Keith Downs stated they had received no comment.

C. CLUP Update: Status

Keith Downs indicated he has received updates from most of the cities. Questions need to be back to him within two weeks.??

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

There was no response from the public.

IX. COMMISSIONER'S COMMENTS

None.

X. NEXT REGULARLY SCHEDULED MEETING: August 15, 2002 at 9:00 a.m., Riverside.

Meeting was adjourned at 10:30 a.m.