

**AIRPORT LAND USE COMMISSION
MINUTE ORDER NOVEMBER 9, 2006
RIVERSIDE MEETING**

A regular scheduled meeting of the Airport Land Use Commission was held on November 9, 2006 at the Riverside County Administration Center, Board Chambers.

COMMISSIONERS PRESENT: Simon Housman, Chairman
 Rod Ballance, Vice Chairman
 Glen Holmes
 Arthur Butler
 John Lyon
 Robin Lowe

COMMISSIONERS ABSENT:

STAFF PRESENT: Ed. Cooper, ALUC
 John J. G. Guerin, Senior Planner
 Cecilia Lara, Planner
 Barbara Santos, Secretary
 B.T. Miller, Legal Counsel

OTHERS PRESENT: Lee Ambers, Vertical Aeronautics International
 Irfan Boukai, Owners of real property in question
 Mike Filing, Developer
 Wayton Lampman, Other Interested Person
 Robert Malcolm, Other Interested Person
 Larry Markham – French Valley Dev.
 Andree Nutter/Bussell, Other Interested Person
 John Powell, Peter Rabbit Farms
 Steven B. Quintanille, Applicant
 Robert Ricciardi , Architect for applicant
 Dr. Shane Shaw, Applicant
 Mario Suarez, Desert Hot Springs
 Michael Shoberg, Dillon Wind
 Richard Valdez, VSL Engineering
 Chuck Wolf, Other Interested Person

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I. **AGENDA ITEM 3.1: ZAP1009MA06 - Growth Management Company LLC - County Case No. CZ07358 (Change of Zone), PM34128 (Parcel Map), PP21813 (Plot Plan)** - Change zoning of 12.53 acres located north of Placentia St., and south of Rider St., southwesterly of March Air Reserve Base in unincorporated Riverside County, from M-SC to I-P, divide the property into 12 industrial parcels, ranging from 0.5-2.5 acres in size, and develop a multiple-building industrial park with a total gross floor area of 205,911 square feet. Airport Area II.

II. **MAJOR ISSUES**

None

III. **STAFF RECOMMENDATION**

Staff recommends a finding of consistency for the above referenced project, subject to the conditions specified herein.

IV. **PROJECT DESCRIPTION**

The applicant proposes to change the zoning of 12.53 acres from M-SC (Manufacturing-Service Commercial) to I-P (Industrial Park), divide the property into 12 industrial parcels, ranging from 0.5 acres to 2.5 acres in area, and develop a multiple-building industrial park with a total gross floor area of 205,911 square feet.

CONDITIONS:

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

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- d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
- 4. The attached notice shall be given to all prospective buyers or tenants.
- 5. The maximum elevation of each structure (at top of roof) shall not exceed 1,618 feet above mean sea level.

V. MEETING SUMMARY

The following staff presented the subject proposal:

ALUC Staff Planner: Cecilia Lara, Ph: (951) 955-0549, or E-mail at clara@rctlma.org.

The following spoke in favor of the project.

Dr. Shane Shaw, applicant (Growth Management)

VI. ALUC COMMISSION ACTION

The ALUC Commission by a unanimous vote of 5-0, found the project **CONSISTENT**. **ABSENT:** Commissioner Robin Lowe.

VII. CD -

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 3.1: TIME 9:30 A.M.

**AIRPORT LAND USE COMMISSION
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I. **AGENDA ITEM 3.2: ZAP1005RI06 – Gary and Shannon Wiegert - County Case No. CZ 07236** – Change the zoning of a 2.5-2.64 acre parcel located at 8710 58th Street, on the south side of 58th Street, easterly of Pedley Road, in the unincorporated Riverside County community of Pedley, from A-1-1 (Light Agriculture, one acre minimum lot size) to A-1 (Light Agriculture), in order to facilitate division into two lots, with a minimum lot size of 20,000 square feet. Airport Zone E.

II. **MAJOR ISSUES**
None

III. **STAFF RECOMMENDATION**
Staff recommends a finding of consistency for the above referenced project, subject to the conditions specified herein.

IV. **PROJECT DESCRIPTION**
The applicant proposes a zone change on 2.5-2.64 acres from A-1-1 (Light Agriculture, one acre minimum lot size) to A-1 (Light Agriculture), in order to facilitate division into two lots with a minimum lot size of 20,000 square feet.

CONDITIONS:

1. Any outdoor lighting installed shall be hooded or shielded so as to prevent the spillage of lumens or reflection into the sky.
2. The following uses shall be prohibited:
 - a. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - c. Any use which would generate smoke or water vapor, or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
 - d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
3. The attached notice shall be given to all potential purchasers and tenants.

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V. MEETING SUMMARY

The following staff presented the subject proposal:

ALUC Staff Planner: Cecilia Lara, Ph: (951) 955-0549, or E-mail at clara@rctlma.org.

No one spoke in favor, neutral or opposition to the project.

VI. ALUC COMMISSION ACTION

The ALUC Commission by a unanimous vote of 5-0, found the project CONSISTENT. **ABSENT:** Commissioner Robin Lowe.

VII. CD

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 3.2: TIME IS 9:29 A.M.

**AIRPORT LAND USE COMMISSION
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I. **AGENDA ITEM 3.3: ZAP1008RI06- City of Riverside Public Utilities Department – City Case Nos. P04-1195 and P04-1196** – Establishment of a radio transmitter facility including a tower 80 feet high, with top of antenna 96 feet high, along with an equipment building, at the southwesterly corner of the City’s power generation facility, located northerly of Jurupa Avenue, westerly of Payton Avenue, and easterly of Acorn Street in the City of Riverside. Airport Zone C.

II. **MAJOR ISSUES**
None

III. **STAFF RECOMMENDATION**
Staff recommends a finding of consistency for the above referenced project, subject to the conditions specified herein.

IV. **PROJECT DESCRIPTION**
The applicant proposes to construct a radio transmitter facility including a tower 80 feet high, with top of antenna at 96 feet high, along with an equipment building, at the site of an existing power generation facility with electrical substation, control room, and administration building, at the southwesterly corner of the generation facility on a 16.5 acre site.

CONDITIONS:

1. The following uses shall be prohibited:
 - a. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - c. Any use which would generate smoke or water vapor, or which would attract 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.
2. Any marking and/or lighting of the antenna and/or tower shall be installed and maintained in accordance with FAA Advisory Circular 70/7460-1K.
3. The height of the proposed structure (antenna and tower) shall not exceed ninety-six (96) feet above ground level.

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4. The elevation of the proposed structure at top of antenna shall not exceed eight hundred twenty-nine (829) feet above mean sea level.
5. The specific coordinates, heights, and power shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in height shall not require further review by the Airport Land Use Commission.
6. Temporary construction equipment used during actual construction of the facilities shall not exceed the height of the proposed facilities, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.
7. Antennas shall utilize a flat or matte (non-glossy) finish so as to minimize the reflection of sunlight.
8. Any outdoor lighting installed on the equipment building shall be hooded or shielded to prevent the spillage of lumens or reflection into the sky.

V. MEETING SUMMARY

The following staff presented the subject proposal:

ALUC Staff Planner: Cecilia Lara, Ph: (951) 955-0549, or E-mail at clara@rctlma.org.

No one spoke in favor, neutral or opposition to the project.

VI. ALUC COMMISSION ACTION

The ALUC Commission, by a unanimous vote of 5-0, found the project CONSISTENT.

ABSENT: Commissioner Robin Lowe

VII. CD

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 3.3: TIME IS 9:29 A.M.

**AIRPORT LAND USE COMMISSION
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I. **AGENDA ITEM 3.4: RI-06-113 – Durry Atassi for McKinley Freeway Center II, Inc. – City Case Nos. P-06-0681 (Design Review), P06-0682 (Change of Zone), P06-0683 (General Plan Amendment).** Development of a two-structure commercial shopping center with a total floor area of 21,364 square feet on 1 3/4 acres located easterly of Van Buren Boulevard and south-southeasterly of Colorado Avenue in the City of Riverside. Amend the General Plan designation of the easterly one-acre property from MDR to RBO and change the zoning from R-1-65 to C-2. Airport Zones D and E.

II. **MAJOR ISSUES**

The site is located at the boundary between Airport Zones D and E, with the larger proposed building split between the zones. The exact location of the boundary may impact the consistency determination utilizing the UBC method.

III. **STAFF RECOMMENDATION**

Staff recommends a finding of CONSISTENCY for the proposed general plan amendment and zone change, and a finding of CONDITIONAL CONSISTENCY for the design review.

IV. **PROJECT DESCRIPTION**

Development of a two-structure commercial shopping center with a total of 21,364 square feet of floor area on 1 3/4 acres. General Plan Amendment from Medium Density Residential (MDR) to Retail, Business, and Office (RBO) and Change of Zone from R-1-65 Single-family Residential to C-2 Restricted Commercial on the easterly one-acre parcel.

CONDITIONS:

1. The following uses shall be prohibited:

- (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
- (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
- (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
- (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
- (e) Children's schools, hospitals, nursing homes, and highly noise-sensitive outdoor nonresidential uses on the easterly property.

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2. The City of Riverside shall require additional review by the Airport Land Use Commission prior to the establishment of any of the following facilities in any of the units in Building “B” that are partially or wholly in Zone D:

Auction rooms, auditoriums, churches and chapels, dance floors, lodge rooms, reviewing stands, conference rooms, dining rooms, exhibit rooms, restaurants (other than carry-out/take-home facilities with less than 12 seats), drinking establishments, gymnasiums, lounges, stages, gaming, bowling alleys, congregate residences, swimming pools, and other uses that would be considered to have an occupancy level greater than one person per 30 square feet (minimum square feet per occupant less than 30) pursuant to California Building Code (1998) Table 10-A.

3. Any outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky.
4. The maximum structure height shall not exceed forty (40) feet.
5. The attached notice shall be provided to all potential purchasers and tenants.

V. **MEETING SUMMARY**

The following staff presented the subject proposal:

ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at jguerin@rctlma.org.

The following spoke in favor of the project:

Irfan Boukai, owners of real property in question, 32 Edelman, Irvine, CA 92618

VI. **ALUC COMMISSION ACTION**

The ALUC Commission, by a unanimous vote of 5-0, adopted staff recommendation as amended.

ABSENT: Commissioner Robin Lowe.

VII. **CD**

The entire discussion of this agenda item can be found on CD and referenced quickly by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 3.4: TIME IS 9:36 A.M.

**AIRPORT LAND USE COMMISSION
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I. **AGENDA ITEM 3.5: ZAP1001PS06 – Dillon Wind LLC/PPM Energy, Inc.-** Proposal to establish 51 wind turbines (wind energy conversion systems) on three separate sites in the wind energy area of Western Coachella Valley. All WECS will be 327.1 feet in height to top of blade, with a 201.4 foot rotor diameter. Area 1, proposed for 20 WECS, is a 615.53-acre site located east of Highway 62 and north of Dillon Road in unincorporated Riverside County; a variance from wind access and scenic highway setbacks is also sought (Case Nos. WECS 00116 and VAR 01797). Area 3, proposed for 26 WECS, is a 684.99-acre site located west of Indian Avenue and north of 16th Avenue in unincorporated Riverside County. A change of zone from W-2 to W-E is proposed for all of Area 3, as is a variance from safety and wind access setbacks. A General Plan Amendment from Estate Density Residential within the Community Development Foundation Component to Public Facilities is proposed for 180.16 acres of Area 3. (Case Nos. WECS 00117, GPA 00811, CZ07346, VAR 01798). Area 5, proposed for 5 WECS, is a 199.98-acre site located south of Dillon Road, east of Oasis Avenue, and west of Indian Avenue, in the City of Palm Springs; a variance from the height limit of 300 feet in the City's E-1 zone is also sought. (City Case Nos. CUP 5.115 and Variance 6.493). Outside Airport Influence Area, but subject to review due to height.

II. **MAJOR ISSUES**
None

III. **STAFF RECOMMENDATION**
Staff recommends a finding of CONSISTENCY, subject to the conditions included herein.

IV. **PROJECT DESCRIPTION**
The applicant proposes to establish 51 wind turbines (wind energy conversion systems) on three separate sites in the wind energy area of Western Coachella Valley. All WECS will be 327.1 feet to top of blade, with a 201.4 foot rotor diameter. WECS00116 proposes 20 WECS in Area 1, a 615.53 acre site. VAR01797 proposes a variance from wind access and scenic highway setbacks for this project. WECS00117 proposes 26 WECS in Area 3, a 684.99-acre site. VAR01798 proposes a variance from safety and wind access setbacks. CZ07346 proposes to change the zoning of Area 3 (684.99 acres) from W-2 (Controlled Development Areas) to W-E (Wind Energy Resource Zone). GPA00811 proposes to change the designation on 180.16 acres of Area 3 from Estate Density Residential within the Community Development Foundation Component to Public Facilities. CUI 5.115 proposes 5 WECS in Area 5, a 199.98-acre site. Variance 6.493 proposes a variance from the 300-foot height limit in the City's E-1 zone.

CONDITIONS:

1. WECS shall be marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1 70/7460-1K, Obstruction Marking and Lighting, red lights – Chapters 4, 5 (Red), & 12, in accordance with the Federal Aviation Administration letters dated July 12, 2006, as implemented through the use of the continuously monitored Red Synchronized Lighting System as described below.
2. Within five (5) days after the construction reaches its greatest height, FAA Form 7460-2, Notice of Actual Construction or Alteration, shall be completed by the project proponent or his/her designee and submitted to the Federal Aviation Administration Air Traffic Airspace

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Branch, ASW-520, 2601 Meacham Blvd., Fort Worth TX 76137-0520.

3. The specific coordinates, heights, and power shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in height shall not require further review by the Airport Land Use Commission.
4. Due to the specification of turbines to be lighted using the Red Synchronized Lighting System, any change to the development in terms of turbine height, physical layout and design of the development, or turbine obstruction lighting designation, including, but not limited to, the deletion of any turbines included in the Red Synchronized Lighting System, shall require the entire development to be resubmitted to the FAA for airspace evaluation.
5. Each wind turbine shall be painted in a bright white color for daytime conspicuity.
6. The seventeen wind turbines identified in FAA Aeronautical Study Numbers 2006-AWP-4032-OE, 2006-AWP-4037-OE, 2006-AWP-4042-OE, 2006-AWP-4043-OE, 2006-AWP-4044-OE, 2006-AWP-4050-OE, 2006-AWP-4051-OE, 2006-AWP-4053-OE, 2006-AWP-4057-OE, 2006-AWP-4059-OE, 2006-AWP-4062-OE, 2006-AWP-4066-OE, 2006-AWP-4067-OE, 2006-AWP-4073-OE, 2006-AWP-4078-OE, 2006-AWP-4079-OE, and 2006-AWP-4083-OE shall be obstruction lighted for nighttime conspicuity using single-fixture L-864 Red Synchronized Lighting, as outlined in the report prepared by the FAA William J. Hughes Technical Center titled "Development of Obstruction Lighting Standards for Wind Turbine Farms". Minimum intensities of 2,000 candelas for nighttime red flashing are required. The lighting shall be continuously monitored.
7. Light outage notification by the project sponsor and/or operator to the FAA Automated Flight Service Station (AFSS) facility is required for either light outages on any of the individual turbines and/or the failure of the synchronization system.
8. Temporary construction equipment used during actual construction of the facilities shall not exceed the height of the proposed facilities, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.
9. The proposed WECS shall not generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
10. Other than FAA-approved lighting and marking as specified above, no lighting shall be installed that would direct a steady light or flashing light of red, white, green, or amber colors associated with aircraft operations toward an aircraft engaged in an initial straight climb during takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport.
11. Rotor blades shall utilize a flat or matte (non-glossy) finish so as to minimize the reflection of sunlight towards an aircraft engaged in an initial straight climb during takeoff or towards an aircraft engaged in a straight final approach toward a landing at an airport.

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12. The WECS and any accessory uses shall not generate smoke or water vapor and shall be designed so as not to attract large concentrations of birds.
13. The maximum height of any WECS and tower shall not exceed 327.1 feet to top of blade at 12 o'clock position.

V. MEETING SUMMARY

The following staff presented the subject proposal:

ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at jguerin@rctlma.org.

The following spoke in favor of the project:

Michael Shoberg, Dillon Wind LLC, 73-733 Fred Waring Drive, Suite 100, Palm Desert, CA 92260

The following spoke in neutral of the project:

Mario Suarez, Desert Hot Springs, 2825 E. Taquitz Avenue, Palm Springs, CA

The following spoke in opposition to the project:

Chuck Wolf, Other Interested Person, 4779 First St., Tustin, CA 92780

Andree Nutter/Bussell, Other Interested Person, 61980 Smoketree Road, P.O. Box 580041, North Palm Springs, CA

Steven B. Quintanille, Property Owner, 69295 Woodside Ave.

Clayton Lampman, Other Interested Person, 61-635 Smoketree Road, North Palm Springs, CA 92258

VI. ALUC COMMISSION ACTION

The ALUC Commission, by a unanimous vote of 6-0, found the project CONSISTENT.

VII. CD

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 3.5: TIME IS 9:42 A.M.

**AIRPORT LAND USE COMMISSION
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I. **AGENDA ITEM 4.1: ZAP1001CH06 Silviera Dairy Investment, LLC/Stratham Cloverdale, Inc. – Case Nos. GPA 00807, SP 00357, CZ 07073, TR 32821** – A proposed Specific Plan (Cleveland Square) of 236 detached single-family residences on small lots, with 2.08 acres of parks, on a 40-acre site located westerly of Cleveland Avenue and northerly of Limonite (formerly Cloverdale) Avenue in unincorporated Riverside County, with General Plan Amendment from MDR to MHDR, change of zone from A-2-10 to SP, and tract map for 236 residential lots, 3 park lots, 1 detention basin lot, and 46 open space lots. Airport Zone D on Draft Chino Plan. Airport Area III.

II. **MAJOR ISSUES**

The proposed general plan amendment from Medium Density Residential to Medium High Density Residential is clearly consistent with the Draft Chino Airport Land Use Compatibility Plan, and the overall project is consistent with proposed density criteria, but the project is deficient in its provision of open areas that would be required in Airport Zone D if the Chino Plan were adopted. However, it has not been adopted due to the requirement for environmental review, which will be initiated following the completion of the CEQA process for the French Valley ALUCP. Staff would recommend that the project be redesigned to provide a minimum of 10% (4 acres) in qualified open areas as defined in Section 4.2.4 of the Riverside County Airport Land Use Compatibility Plan Countywide Policies. However, the project is not inconsistent with the 1991 Comprehensive Land Use Plan for Chino Airport adopted by San Bernardino County or with the 1984 Riverside County Airport Land Use Plan.

III. **STAFF RECOMMENDATION**

Staff recommends a finding of CONSISTENCY with the 1984 Riverside County Airport Land Use Plan, subject to the conditions included herein. Staff also recommends that the Commission direct staff to prepare a letter to the Riverside County Planning Department advising that, in the event the County decides that a redesign is appropriate, consideration should be given to including at least 4 acres in qualified open areas that could serve as emergency landing sites, to the extent that such reservation of open space may be accommodated within a workable design.

IV. **PROJECT DESCRIPTION**

Specific Plan No. 357 proposes 236 dwelling units in Planning Areas with densities ranging from 6.0 to 8.4 dwelling units per acre, three parks comprising 1.6 acres, a 0.48-acre basin, and 4.49 acres of rights-of-way within a 39.58-acre area. General Plan Amendment No. 00807 proposes to amend the designation of the site on the Eastvale Area Plan from Medium Density Residential (2-5 dwelling units per acre) to Medium High Density Residential (5-8 dwelling units per acre). Change of Zone Case No. 7073 proposes to change the zoning of the amendment site from A-2-10 (Heavy Agriculture, 10 acre minimum lot size) to SP (Specific Plan). Tentative Tract Map No. 32821, Amended No. 1, proposes to divide the property into 236 residential lots, three park lots, one basin lot, and 46 open space lots.

CONDITIONS:

1. The Specific Plan shall not provide for the location of schools, hospitals, nursing homes, or highly noise-sensitive nonresidential uses within its boundaries.

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2. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall 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 instruments: 1:100 slope from the end of the runway.
4. Additional Airport Land Use Commission staff review shall be required at the tentative map, plot plan, or use permit stage for any structure greater than 70 feet in height.
5. The attached notice shall be provided to all potential purchasers and tenants.
6. Prior to recordation of a final map, issuance of building permits, or conveyance to an entity exempt from the Subdivision Map Act, whichever occurs first, the landowner shall convey an aviation easement to Chino Airport. (Contact San Bernardino County Department of Airports at (909) 387-7801 for additional information.)

V. MEETING SUMMARY

The following staff presented the subject proposal:

ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at jguerin@rctlma.org.

No one spoke in favor, neutral or opposition to the project.

VI. ALUC COMMISSION ACTION

The ALUC Commission, by a unanimous vote of 6-0, found the project CONSISTENT; staff directed to also prepare letter regarding consideration for additional open space.

VII. CD

The entire discussion of this agenda item can be found on CD and referenced quickly by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 4.1: TIME IS 10:32 A.M.

**AIRPORT LAND USE COMMISSION
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I. **AGENDA ITEM 4.2: ZAP1002BD06 Mike Filing/Global Select Capital/Bulls-Eye Dev. & Const. Co. – Plot Plan Case No. 21840** – Develop a 7,650 square foot office building (6,664 net square feet) with attached 6,139 square foot airplane hangar/warehouse (including a 525 square foot pilot lounge) on a 33,000 square foot lot located at 79-579 Country Club Drive (southerly of Country Club Drive and northerly of Bermuda Dunes Airport) in unincorporated Riverside County. Airport Zones A and B2.

II. **MAJOR ISSUES**

Location of structures partially within Airport Zone A less than 250 feet from the runway centerline, specifically a hangar/warehouse at a distance of 150 feet from centerline and an office building at a distance of 248 feet from centerline. A secondary issue is that occupancy/intensity issues would require that the pilot lounge and hangar not be occupied by persons at the same time. As of November 1, FAA review is not complete for this project, and staff awaits additional information from the Airport Manager confirming the intent of the State of California Division of Aeronautics regarding the variance for “existing” development included in the Airport Permit.

III. **STAFF RECOMMENDATION**

Written Recommendation: Staff recommends that the Airport Land Use Commission, consider public testimony, and CONTINUE this matter to December 14, 2006, unless the information required for the Commission to make findings pursuant to Section 3.3.6 of the Countywide Policies of the Riverside County Airport Land Use Compatibility Plan (including the “Determination of No Hazard to Air Navigation”) has been submitted prior to the hearing date.

Oral Recommendation: Conditional Consistency pursuant to Special Conditions Policy 3.3.6.

IV. **PROJECT DESCRIPTION**

The project is a Plot Plan for the development of a 7,650 square foot office building with attached 6,139 square foot airplane hangar/warehouse (including a 525 square foot pilot lounge) on a 33,000 square foot lot.

CONDITIONS: (Staff advised that the conditions herein were subject to additional modification pursuant to FAA requirements).

1. Prior to issuance of building permits, the landowner shall record an aviation easement to Bermuda Dunes Airport.
2. Noise attenuation measures shall be incorporated into the office areas of the building construction to ensure a minimum noise level reduction of 25dB, so as to reduce interior noise levels in the office areas from aircraft operations to 45 CNEL or below.
3. The following uses shall be prohibited:
 - a. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than

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an FAA-approved navigational signal light, visual approach slope indicator, or red light obstruction marking in accordance with the conditions specified herein.

- b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - c. Any use which would generate smoke or water vapor or which would attract a large concentration of birds, or which may otherwise affect safe air navigation within the area.
 - d. Any use which would generate electrical interference that may be detrimental to any operation of aircraft and/or aircraft instrumentation.
 - e. Children's schools, day care centers, libraries, hospitals, nursing homes, places of worship, highly noise-sensitive outdoor nonresidential uses, above ground bulk storage of hazardous materials, and critical community infrastructure facilities.
4. The attached notation regarding proximity to the airport shall be given to each potential property purchaser or tenant.
5. Additional review by the Airport Land Use Commission staff shall be required prior to the establishment of any of the following facilities on this property:
- Retail sales facilities, dormitories, courtrooms, community care facilities, auction rooms, auditoriums, churches and chapels, dance floors, lodge rooms, reviewing stands, conference rooms with capacities exceeding a UBC capacity of 55, dining rooms, exhibit rooms, restaurants, drinking establishments, gymnasiums, lounges other than the pilot lounge in the hangar structure, stages, gaming, bowling alleys, swimming pools, locker rooms, exercising rooms, and other uses that would be considered to have an occupancy level greater than one person per 100 square feet (minimum square feet per occupant less than 100) pursuant to California Building Code (1998) Table 10-A, unless it can be demonstrated that other portions of the structure are occupied at a level less intense than the level assumed in this staff report.
6. The maximum height of the proposed building shall not exceed 24 feet above ground level, and the maximum elevation at the top of structure shall not exceed 76 feet above mean sea level.
7. Prior to scheduling of the proposed plot plan for hearing before the Riverside County Planning Director, the proponent shall file Form 7460-1, Notice of Proposed Construction or Alteration, with the Federal Aviation Administration and shall present evidence of a finding of "Not a Hazard to Air Navigation" to Airport Land Use Commission staff.

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8. The proposed building shall be marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1K, Obstruction Marking and Lighting, red lights – Chapters 4, 5 (Red), & 12.
9. At least ten (10) days prior to construction, and again, within five (5) days after the construction reaches its greatest height, FAA Form 7460-2, Notice of Actual Construction or Alteration, shall be completed by the project proponent or his/her designee and submitted to the Federal Aviation Administration Air Traffic Airspace Branch, ASW-520, 2601 Meacham Blvd., Fort Worth TX 76137-0520.
10. The specific coordinates and height of the proposed building shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in building height shall not require further review by the Airport Land Use Commission.
11. Temporary construction equipment used during actual construction of the building shall not exceed the height of the proposed building.
12. The maximum occupancy of the hangar and pilot lounge together shall be limited to seventeen (17) persons.

(FAA approval was subsequently granted. See ALUC letter dated January 29, 2007 for final conditions).

FINDINGS:

After due consideration of the proposal for Plot Plan Case No. 21840, the Airport Land Use Commission has determined the project is conditionally consistent with the 2004 Bermuda Dunes Airport Land Use Compatibility Plan (BDALUCP) under the Special Conditions Policies outlined in Chapter 2, Section 3.3.6 of the Countywide Policies of the 2004 Riverside County Airport Land Use Compatibility Plan, based on the following findings:

1. The State Airport Permit for Bermuda Dunes Airport, a.k.a. Bermuda Dunes Executive Airport (UDD), includes a variance for the existing Federal Aviation Regulations Part 77 imaginary surface penetrations in the 7:1 Transitional Surface on the north side of the runway, with a 25 foot height restriction. These penetrations are the tree line, which is located at the edge of the Primary Surface and is marked in several locations with lighted obstruction poles. Objects north of the tree line, such as buildings in the industrial park, are acceptable as long as they do not exceed the 25 foot height restriction, since they are, in effect, shadowed by the tree line. In light of this variance, consideration may be given in the future to amending the boundaries of Zone A as depicted in the maps of the Bermuda Dunes Airport Land Use Compatibility Plan to exclude the developed area of this industrial park.
2. The mass and setback of the proposed structure are consistent with similar development in this industrial park at a similar distance from, and parallel to, the runway.

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3. The proposed use of the structure or portion of the structure closest to the runway is an aviation-related use (an aircraft hangar), and the property owner is more likely to be aware of the increased potential aircraft accident hazard associated with locations in proximity to airport runways.
4. The non-aviation-related portion of the development extends only two (2) feet into Airport Zone A.
5. The proposed project as submitted will not create an undue safety hazard to people on the ground or aircraft in flight, provided that the Federal Aviation Administration aeronautical study results in a Determination of No Hazard to Air Navigation.
6. The land use intensity for the entire site does not exceed the allowable land use intensity for the portion of the site in Airport Zone B2, when one considers the gross area of the parcel (55 persons).
7. The land use will not result in excessive noise exposure because, in accordance with criteria for Airport Zone B2, the structure will be required to be designed to provide a minimum noise level reduction of 25dB for the office building.
8. The airport manager has expressed support for the project after consultation with the applicant.
9. The applicant has submitted a Notice of Proposed Construction or Alteration to the Federal Aviation Administration, which is under review by that agency.

V. MEETING SUMMARY

The following staff presented the subject proposal:

ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at jguerin@rctlma.org.

The following spoke in favor of the project:

Mike Filing, Developer, 73199 Rod Laver Lane, Palm Desert, CA 92260

VI. ALUC COMMISSION ACTION

The ALUC Commission, by a unanimous vote of 6-0, found the project **CONDITIONALLY CONSISTENT**, adopting findings as amended pursuant to Section 3.3.6.

VII. CD

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 4.2: TIME IS 10:36 A.M.

**AIRPORT LAND USE COMMISSION
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I. **AGENDA ITEM 4.3: BD-06-103 – Valley Landscape Services (Reconsideration) - Plot Plan Case No. 20513** – Develop a 7,530 square foot office building on a 0.76-acre lot located southwesterly of Country Club Drive and northeasterly of Bermuda Dunes Airport in unincorporated Riverside County. Airport Zones A and B2.

II. **MAJOR ISSUES**

Location of a structure that is not an aviation-related use partially within Airport Zone A less than 250 feet from the runway centerline. Staff awaits additional information from CALTRANS Division of Aeronautics confirming its intent regarding the variance for “existing” development included in the Airport Permit for Bermuda Dunes Airport. Consideration should be given to the fact that the FAA has issued a Determination that the project is not a hazard to air navigation, the major concern (along with safety for building occupants) in Zone A.

III. **STAFF RECOMMENDATION**

Written Recommendation: Staff recommends that the Airport Land Use Commission open the public hearing, consider public testimony, and CONTINUE this matter to December 14, 2006, unless the information required for the Commission to make findings pursuant to Section 3.3.6 of the Countywide Policies of the Riverside County Airport Land Use Compatibility Plan has been submitted prior to the hearing date.

Oral Recommendation: Conditional Consistency, pursuant to Special Conditions Policy 3.3.6.

IV. **PROJECT DESCRIPTION**

The project is a Plot Plan for a 7,530 square foot industrial building on a 0.76-acre site. Valley Landscape Service would occupy approximately one-third of the building, with the other two suites rented to other users. The majority of area within the building would be for warehouse or storage uses.

CONDITIONS:

1. Prior to issuance of building permits, the landowner shall record an aviation easement to Bermuda Dunes Airport.
2. Noise attenuation measures shall be incorporated into the office and reception areas of the building construction to ensure a minimum noise level reduction of 25dB, so as to reduce interior noise levels from aircraft operations to 45 CNEL or below.
3. The following uses shall be prohibited:
 - a. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light, visual approach slope indicator, or red light obstruction marking in accordance with the conditions specified herein.

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- b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - c. Any use which would generate smoke or water vapor or which would attract a large concentration of birds, or which may otherwise affect safe air navigation within the area.
 - d. Any use which would generate electrical interference that may be detrimental to any operation of aircraft and/or aircraft instrumentation.
4. The attached notation regarding proximity to the airport shall be given to each potential property purchaser or tenant.
 5. Not more than 50 percent of the floor area of each suite or unit shall be utilized for office space or reception areas, with the remaining areas used for storage or warehousing of goods or supplies.
 6. The maximum height of the proposed building shall not exceed 24 feet above ground level, and the maximum elevation at the top of structure shall not exceed 85 feet above mean sea level. No point of the proposed building shall be located at a distance less than one hundred eighty-six (186) feet from the centerline of the runway at Bermuda Dunes Airport.
 7. The proposed building shall be marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1 70/7460-1K, Obstruction Marking and Lighting, red lights – Chapters 4, 5 (Red), & 12.
 8. At least ten (10) days prior to construction, and again, within five (5) days after the construction reaches its greatest height, FAA Form 7460-2, Notice of Actual Construction or Alteration, shall be completed by the project proponent or his/her designee and submitted to the Federal Aviation Administration Air Traffic Airspace Branch, ASW-520, 2601 Meacham Blvd., Fort Worth TX 76137-0520. A 1A-Accuracy as-built certified survey shall be attached to the final submittal of Form 7460-2 as supplemental information for FAA use in aeronautical charting.
 9. The specific coordinates and height of the proposed building shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in building height shall not require further review by the Airport Land Use Commission.
 10. Temporary construction equipment used during actual construction of the building shall not exceed the height of the proposed building.
 11. The rear wall, carport or parking space cover, and trash enclosure shall not exceed a height of ten (10) feet. These facilities are subject to separate review by the Federal Aviation Administration through the Form 7460-1 process, due to location less than 186 feet from the runway centerline, unless exempted by the Federal Aviation Administration.

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FINDINGS

After due consideration of the proposal for Plot Plan Case No. 20513, the Airport Land Use Commission has determined the project is consistent with the 2004 Bermuda Dunes Airport Land Use Compatibility Plan (BDALUCP) under the Special Conditions Policies outlined in Chapter 2, Section 3.3.6 of the Countywide Policies of the 2004 Riverside County Airport Land Use Compatibility Plan, based on the following findings:

1. The State Airport Permit for Bermuda Dunes Airport, a.k.a. Bermuda Dunes Executive Airport (UDD), includes a variance for the existing Federal Aviation Regulations Part 77 imaginary surface penetrations in the 7:1 Transitional Surface on the north side of the runway, with a 25 foot height restriction. These penetrations are the tree line, which is located at the edge of the Primary Surface and is marked in several locations with lighted obstruction poles. Objects north of the tree line, such as buildings in the industrial park, are acceptable as long as they do not exceed the 25 foot height restriction, since they are, in effect, shadowed by the tree line. In light of this variance, consideration may be given in the future to amending the boundaries of Zone A as depicted in the maps of the Bermuda Dunes Airport Land Use Compatibility Plan to exclude the developed area of this industrial park.
2. The mass and setback of the proposed structure are consistent with similar development in this industrial park at a similar distance from, and parallel to, the runway.
3. The Federal Aviation Administration has completed aeronautical studies for each point of the building and has issued a "Determination of No Hazard to Air Navigation" on April 25, 2006. The FAA determination states that "the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities".
4. The portion of the structure extending into Airport Zone A will be used for storage or warehousing of goods and supplies. The proposed office and reception areas will be located in Airport Zone B2.
5. The proposed project as submitted will not create an undue safety hazard to people on the ground or aircraft in flight.
6. The land use intensity for the entire site does not exceed the allowable land use intensity for the portion of the site in Airport Zone B2 (32 persons).
7. The land use will not result in excessive noise exposure because, in accordance with criteria for Airport Zone B2, the structure will be required to be designed to provide a minimum noise level reduction of 25dB for the office and reception areas of the building.
8. The airport manager has expressed support for the project after consultation with the applicant.

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V. MEETING SUMMARY

The following staff presented the subject proposal:

ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at jguerin@rctlma.org.

The following spoke in favor of the project:

Robert Ricciardi, Architect for Applicant, 75-090 St. Charles Place, Suite A, Palm Desert, CA

VI. ALUC COMMISSION ACTION

The ALUC Commission, by a unanimous vote of 6-0, found the project CONSISTENT with findings as amended pursuant to Section 3.3.6.

VII. CD

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM: 4.3: TIME IS 10:46 A.M.

**AIRPORT LAND USE COMMISSION
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- I. **AGENDA ITEM 5.1: ZAP1004BD06 – Robert Mainiero for Wafick Zaky - County Case Nos. GPA 00822 and TR 33994** – A proposal to amend the General Plan designation of 4.51 acres located on the north side of 41st Ave., east of Washington St., in the unincorporated Riverside County community of Bermuda Dunes, from Very Low Density Residential within the Community Development Foundation Component to Medium Density Residential, and to divide the site into eight (8) residential lots with a minimum lot size of 20,000 sq. ft., and one detention/retention lot. Airport Zone C.
- II. **MAJOR ISSUES**
The project proposes a density of 1.7 to 1.8 dwelling units per acre in Airport Zone C, which allows a maximum density of 0.2 dwelling units per acre.
- III. **STAFF RECOMMENDATION**
Staff recommends a finding of INCONSISTENCY with the Airport Land Use Compatibility Plan. The landowner may wish to consider nonresidential land use options at this location.
- IV. **PROJECT DESCRIPTION**
General Plan Amendment No. 00822 proposes to amend the General Plan designation on 4.51 acres from Very Low Density Residential within the Community Development Foundation Component (one dwelling unit per acre) to Medium Density Residential (2 to 5 dwelling units per acre). Tentative Tract Map No. 33994 proposes to divide 4.51 acres into eight (8) residential lots with a minimum lot size of 20,000 square feet and one detention/retention lot.
- V. **MEETING SUMMARY**
The following staff presented the subject proposal:
ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at jguerin@rctlma.org.
- No one spoke in favor, neutral, or opposition to the project.
- VI. **ALUC COMMISSION ACTION**
The ALUC Commission, by a unanimous vote of 6-0, continued the project by applicant request.
- VII. **CD**
The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 5.1: TIME IS 9:29 A.M.

**AIRPORT LAND USE COMMISSION
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- I. **AGENDA ITEM 5.2: ZAP1002FV06 – Joe Poon/French Valley Industrial Development - Plot Plan No. 21163 and Commercial/Industrial Parcel Map No. 33691 (Redesigned)**. Develop a multiple-building industrial and business park with a total gross floor area of 294,132 square feet, and divide 82.74 acres into 11 industrial parcels and up to 12 open space, conservation, and governmental lots. The project is located southerly of Auld Road and westerly of Leon Road, in unincorporated Riverside County. Suspended Plan.
- II. **MAJOR ISSUES**
The use of the 2004 French Valley Airport Land Use Compatibility Plan has been suspended pursuant to Court action; as a result, there is no Plan against which projects may be evaluated for consistency. There is a possibility of reinstatement in January or February once an environmental document is adopted. Until such time as such a document is adopted, the Commission is legally unable to make a determination of consistency or inconsistency.
- III. **STAFF RECOMMENDATION**
If the applicant is willing to accept a continuance to January 11, 2007, to allow sufficient time for submittal of the required forms to the Federal Aviation Administration and to allow for the possible reinstatement/adoption of the Land Use Compatibility Plan following adoption of the environmental document, staff recommends CONTINUANCE to January 11, 2007; otherwise, staff recommends that the Commission determine that it is UNABLE TO ACT on this matter at this time because of the ruling of the Riverside Superior Court in *Silverhawk Land and Acquisitions LLC v. Riverside County Airport Land Use Commission* suspending any and all land use review activity under the 2004 French Valley Airport Land Use Compatibility Plan until the ALUC has taken necessary action to bring its approval of the 2004 Airport Land Use Compatibility Plan into compliance with the California Environmental Quality Act.
- IV. **PROJECT DESCRIPTION**
Develop a multiple-building industrial and business park with a total gross floor area of 294,132 square feet, and divide 82.74 acres into 11 industrial parcels and up to 12 open space, conservation, and governmental lots.
- V. **MEETING SUMMARY**
The following staff presented the subject proposal:
ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at jguerin@rctlma.org.
- The following spoke in favor of the project:
Larry Markham, French Valley Ind. Dev., 41635 Enterprise Circle, Temecula, CA 92590
- VI. **ALUC COMMISSION ACTION**
The ALUC Commission, by a unanimous vote of 6-0, directed staff to issue a NO ACTION TAKEN letter.
- VII. **CD**
The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.
ITEM 5.2: TIME IS 10:48 A.M.

**AIRPORT LAND USE COMMISSION
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I. **AGENDA ITEM 5.3: ZAP1003FV06 – Hill Country S.A. Ltd./Richland Investments, LLC- County Case Nos. Change of Zone No. 6811 and Tentative Tract Map No. 30430** – Change zoning of 40 acres located northerly of Yates Road and westerly of Charlois Drive in French Valley, unincorporated Riverside County, from R-A-2½ to R-1, and divide the 40 acres into 117 residential lots and four open space lots. Suspended Plan.

II. **MAJOR ISSUES**

The use of the 2004 French Valley Airport Land Use Compatibility Plan has been suspended pursuant to Court action; as a result, there is no Plan against which projects may be evaluated for consistency. There is a possibility of reinstatement in January or February once an environmental document is adopted. Until such time as such a document is adopted, the Commission is legally unable to make a determination of consistency or inconsistency.

III. **STAFF RECOMMENDATION**

If the applicant is willing to accept a continuance to January 11, 2007, to allow sufficient time to allow for the possible reinstatement/adoption of the Land Use Compatibility Plan following adoption of the environmental document, staff recommends CONTINUANCE to January 11, 2007; otherwise, staff recommends that the Commission determine that it is UNABLE TO ACT on this matter at this time because of the ruling of the Riverside Superior Court in *Silverhawk Land and Acquisitions LLC v. Riverside County Airport Land Use Commission* suspending any and all land use review activity under the 2004 French Valley Airport Land Use Compatibility Plan until the ALUC has taken necessary action to bring its approval of the 2004 Airport Land Use Compatibility Plan into compliance with the California Environmental Quality Act.

IV. **PROJECT DESCRIPTION**

The proposed project involves a change of zone of 40 acres from R-A-2 1/2 (Residential Agricultural, 2 1/2 acre minimum lot size) to R-1 (Residential One- Family Dwelling), and division of the 40 acres into 117 residential lots and four open space lots.

V. **MEETING SUMMARY**

The following staff presented the subject proposal:

ALUC Staff Planner: Cecilia Lara, Ph: (951) 955-0549, or E-mail at clara@rctlma.org.

The following spoke in favor of the project:

Richard Valdez, VSL Engineering, 40935 County Center Drive, Temecula, CA

VI. **ALUC COMMISSION ACTION**

The ALUC Commission, by a unanimous vote of 6-0, CONTINUED the project to January 11, 2007.

VII. **CD**

The entire discussion of this agenda item can be found on CD and referenced by the time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 5.3: TIME IS 10:53 A.M.

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I. **AGENDA ITEM 5.4: ZAP1006RI06 – Robert Malcolm/M&M Plumbing, Inc.- City Case No. P06-0497 (Design Review)** – Proposal to increase floor area of a company office to 4,203 square feet through a second floor addition, for a total on-site square footage of 9,003 square feet, on a 0.55-acre lot located at 6782 Columbus Avenue, northerly of Jurupa Avenue and westerly of Jasmine Street in the City of Riverside. Airport Zone D.

II. **MAJOR ISSUES**

Would the Commission be willing to make a determination that the proposed structure is shielded and that, as a result, no FAA review is necessary in this case?

III. **STAFF RECOMMENDATION**

If the Commission makes a determination that it is evident beyond all reasonable doubt that the proposed structure is shielded and will not adversely affect safety in air navigation, staff recommends a finding of CONSISTENCY. Otherwise, staff recommends CONTINUANCE to December 14, 2006 to allow the project proponent an opportunity to comply with ALUCP requirements by submitting a Notice of Proposed Construction or Alteration Form 7460-1 to the Federal Aviation Administration.

IV. **PROJECT DESCRIPTION**

Proposal to increase floor area of a company office to 4,203 square feet through a second floor addition, for a total on-site square footage of 9,003 square feet, on a 0.55-acre lot.

CONDITIONS:

1. The following uses shall be prohibited:

- (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
- (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
- (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
- (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
- (e) Children's schools, hospitals, nursing homes, and highly noise-sensitive outdoor nonresidential uses.

2. The City of Riverside shall require additional review by the Airport Land Use Commission prior to the establishment of any of the following facilities on this property:

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Retail sales facilities, dormitories, courtrooms, community care facilities, churches and chapels, auction rooms, auditoriums, dance floors, lodge rooms, reviewing stands, conference rooms with capacities exceeding 55 persons, dining rooms, exhibit rooms, restaurants, drinking establishments, gymnasiums, lounges, stages, gaming, bowling alleys, swimming pools, locker rooms, exercising rooms, and other uses that would be considered to have an occupancy level greater than one person per 100 square feet (minimum square feet per occupant less than 100) pursuant to California Building Code (1998) Table 10-A, unless it can be demonstrated that other portions of the structure are occupied at a level less intense than the level assumed in this staff report.

3. Any outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky.
4. Unless the Airport Land Use Commission makes a finding that, as a result of shielding, it is evident beyond a reasonable doubt that the project will not adversely affect safety in air navigation, prior to the approval of this design review case by the City of Riverside, the proponent shall file Form 7460-1, Notice of Proposed Construction or Alteration, with the Federal Aviation Administration and shall present evidence of a finding of "Not a Hazard to Air Navigation" to Airport Land Use Commission staff.
5. The maximum structure height for any structure or addition thereto constructed pursuant to this project shall not exceed twenty-six (26) feet.
6. The attached notice shall be provided to all potential purchasers and tenants.

V. MEETING SUMMARY

The following staff presented the subject proposal:

ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at jguerin@rctlma.org.

The following spoke in favor of the project:

Robert Malcom, Other Interested Person, 6782 Columbus Street, Riverside, CA 92504

VI. ALUC COMMISSION ACTION

The ALUC Commission, by a unanimous vote of 6-0, found the project CONSISTENT.

VII. CD

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below . For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 5.4: TIME IS 10:54 A.M.

**AIRPORT LAND USE COMMISSION
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I. **AGENDA ITEM 5.5: ZAP1007RI06 – Fern Moss/Citicom Development LP - City Case Nos. P06-1187 (Rezone) and P06-1188 (Design Review)** – Change of Zone from RO to C-2 on 0.54 acre and development of two retail buildings with a total floor area of 7,999 square feet on a 1.33-acre site located northerly of Arlington Avenue and easterly of Phoenix Avenue, directly westerly of the Housing Authority/EDA building in the City of Riverside.

II. **MAJOR ISSUES**

The nonresidential intensity of this site exceeds the allowable nonresidential intensity for Airport Zone C on a site split between Airport Zones C and the even more restrictive Airport Zone B1 when the Uniform Building Code method is used. However, if one takes both of the parcels into consideration, the use of the Parking Space Method would indicate consistency. The site may be eligible for a determination of infill pursuant to Section 3.3.1, which may reduce the need for change in intensity levels, but either a change of use or reduction in floor area would still be required for the project to comply with limits based on UBC criteria.

III. **STAFF RECOMMENDATION**

Staff recommends a finding of INCONSISTENCY, as the level of nonresidential intensity exceeds the Countywide compatibility criteria for Airport Zones B1 and C as determined through the Building Code method; however, staff would not object to a continuance, if the applicant is agreeable, to December 14, 2006 to allow the project proponent an opportunity to demonstrate that the site qualifies for consideration as an infill-eligible property and to provide data regarding the occupancy and intensity levels of surrounding buildings.

IV. **PROJECT DESCRIPTION**

Change of zone from RO to C-2 on 0.54 net acre and development of two retail buildings with a total floor area of 7,999 square feet on 1.33 acres. There is an existing drive-through restaurant on the westerly property.

V. **MEETING SUMMARY**

The following staff presented the subject proposal:

ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at jguerin@rctlma.org.

No one spoke in favor, neutral, or opposition to the project.

VI. **ALUC COMMISSION ACTION**

The ALUC Commission, by a unanimous vote of 6-0, CONTINUED the project to December 14, 2006.

VII. **CD**

The entire discussion of this agenda item can be found on CD and reference by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM: 5.5: TIME IS 11:04 A.M.

**AIRPORT LAND USE COMMISSION
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- I. **AGENDA ITEM 5.6: ZAP1001CO06 – Sharon Orit and Ron Benetzhak/RMA-Riverside, Inc. City Case No. CUP 05-006 (Conditional Use Permit)** – A proposal to establish a personal-use heliport on an 8.32-acre site at 1251 Hidden Springs Drive, easterly of Gilbert Avenue, in the City of Corona.
- II. **MAJOR ISSUES**
As designed, a number of existing residences would be in the flight path and subjected to noise. Staff is awaiting the receipt of an acoustical study.
- III. **STAFF RECOMMENDATION**
Open the public hearing, consider testimony, and CONTINUE consideration of this matter to the December 14 public hearing calendar.
- IV. **PROJECT DESCRIPTION**
Establishment of a personal-use heliport on an 8.32-acre site within a city. The helipad will be at an elevation of 1468 feet above mean sea level (AMSL), with the center at 1468.3 and the corners at 1468.2 feet. The design helicopter is the Robinson 44 Raven II, with an overall length of 45 inches, undercarriage length of 51 inches, overall and undercarriage width of 86 inches, rotor diameter of 129 inches (10.75 feet), empty weight of 1,506 pounds, and gross weight of 2,500 pounds. The Touchdown and Liftoff Area (TLOF) will be 10.75 feet by 10.75 feet (115.56 square feet) in area, the Final Approach and Takeoff Area (FATO) will be 57.42 feet by 57.42 feet (3,297 square feet) in area, and the Safety Area will be 79.42 feet by 79.42 feet (6,308 square feet). The closest point of the FATO will be 86 feet from the rear property line. The California Department of Transportation Aeronautics Division requires a new heliport permit application, because the facility is proposed to be located inside city limits, which in turn triggered the requirement for Airport Land Use Commission review.
- V. **MEETING SUMMARY**
The following staff presented the subject proposal:
ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at jguerin@rctlma.org.
- No one spoke in favor, neutral, or opposition to the project.
- VI. **ALUC COMMISSION ACTION**
The ALUC Commission, by a unanimous vote of 6-0, CONTINUED the project to December 14, 2006.
- VII. **CD**
The entire discussion of this agenda item can be found on CD and reference by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM: 5.6: TIME IS 11:04 A.M.

**AIRPORT LAND USE COMMISSION
MINUTE ORDER NOVEMBER 9, 2006
RIVERSIDE MEETING**

I. AGENDA ITEM 2.0: ADMINISTRATIVE ITEMS

- 2.1 Jackie Cochran – Should reconsideration of decision to adopt alternative 3B be granted?

Commissioner Robin Lowe motioned to not reconsider the adoption of Alternative 3B in 2006 and asked staff to report back in 2007 regarding a more comprehensive review of issues relating to Vista Santa Rosa. Seconded by Commissioner John Lyon. Carried unanimously.

- 2.2 Signing Ceremony – Resolution PS-06-001 - Chairman Housman and Bob Johnson, Executive Director, signed Resolution.

- 2.3 Future Workshops – Ed Cooper came forward advising of a workshop with city planners. The first is tentatively scheduled for November 29, 2006 with the cities of Western Riverside County. We are moving forward with outreach to cities and local jurisdictions within the county to talk to them about ALUC's mission, get their input, and share ideas for a new process in 2007. Second workshop will be in December; date is to be determined.

II. AGENDA ITEM 8.0: ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA

None

III. AGENDA ITEM 9.0: COMMISSIONER COMMENTS

Glen Holmes congratulated Commissioner Robin Lowe on her victory in Hemet City Council election and is looking forward to working with her at ALUC. Rod Ballance attended a March JPA noise study session, and a powerpoint noise study from the Sacramento based consultant will be given to the Commissioners for their review.

IV. ADJOURNMENT

Commissioner John Lyon adjourned the meeting at 12:20 p.m.
Next regularly scheduled meeting: December 14, 2006 at 9:00 a.m., in Riverside.

V. CD

The entire discussion of this agenda item can be found on CD and reference by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM: 2.0: TIME IS 9:01 A.M. ITEM: 9.0 TIME IS 12:14 P.M.