

**AIRPORT LAND USE COMMISSION
MINUTE ORDER JANUARY 10, 2008
RIVERSIDE MEETING**

A regular scheduled meeting of the Airport Land Use Commission was held on January 10, 2008 at the Riverside County Administration Center, Board Chambers.

COMMISSIONERS PRESENT: Rod Ballance, Vice Chairman
Arthur Butler
John Lyon
Melanie Fesmire
Glen Holmes
Dr. James Hottois (Alternate for Simon Housman)

COMMISSIONERS ABSENT: Simon Housman (Chairman)
Robin Lowe

STAFF PRESENT: Ed. Cooper, Director
John J. G. Guerin, Principal Planner
Cecilia Lara, Urban Regional Planner
Brenda Ramirez, Contract Planner
Barbara Santos, ALUC Secretary
B.T. Miller, Legal Counsel

OTHERS PRESENT: Keith Downs, Mead and Hunt
Craig Kilday, Riverside County Sherriff's Dept.
Larry Markham, FV Commons LLC/Regency Centers LP
Thomas Riggle, TR Design Group
Anna Rodriquez, Riverside County EDA
Richard Zimmer, City of Murrieta

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I. **AGENDA ITEM 2.1: ZAP1020FV07 – City of Temecula** (Representative: Emery Papp) – City Case No. PA06-0340. Proposed Citywide General Plan Amendment to accurately reflect the built environment and preserve open space. Within the French Valley Airport Influence Area, the amendment proposes amendments to the City’s General Plan Land Use Map that would (1) amend the designation of Chaparral High School, and some adjoining land, from Industrial Park to Public/Institutional (50.84 acres); (2) amend the designation of 13.66 acres (largely a senior apartment project) from Industrial Park to Professional Office; (3) amend the designation of 22.96 acres from Very Low Density Residential to Open Space; and (4) amend the designation of 30.57 acres of land owned by public agencies (City, County, and Water District) from Low Medium Residential (16.94 acres), Community Commercial (4.52 acres), Medium Density Residential (3.78 acres), Industrial Park (3.19 acres), and Neighborhood Commercial (2.14 acres) to Open Space. All of these properties are located in the City of Temecula, southerly of French Valley Airport, easterly of Interstate 15, and westerly of Butterfield Stage Road. Airport Zones D and E.

II. **MAJOR ISSUES**
None

III. **STAFF RECOMMENDATION**
Staff recommends a finding of CONSISTENCY with the 2007 French Valley Airport Land Use Compatibility Plan and the policies of the 2004 Riverside County Airport Land Use Compatibility Plan.

IV. **PROJECT DESCRIPTION**
The City of Temecula proposes a Citywide General Plan Amendment to accurately reflect the built environment and preserve open space. This amendment essentially corrects erroneous designations on the City’s General Plan. Within the French Valley Airport Influence Area, the City of Temecula proposes the following amendments to its General Plan Land Use Map: (1) an amendment to the designation of 50.84 acres (including Chaparral High School and some adjoining land) from Industrial Park to Public/Institutional; (2) an amendment to the designation of 13.66 acres (largely a senior apartment project) from Industrial Park to Professional Office; (3) an amendment to the designation of 22.96 acres from Very Low Density Residential to Open Space; and (4) an amendment to the designation of 30.57 acres of land owned by public agencies (City, County, and Water District) from Low Medium Residential (16.94 acres), Community Commercial (4.52 acres), Medium Density Residential (3.78 acres), Industrial Park (3.19 acres), and Neighborhood Commercial (2.14 acres) to Open Space.

The properties within the French Valley Airport Influence Area affected by this amendment are located in the City of Temecula, southerly of French Valley Airport, easterly of Interstate 15, and westerly of Butterfield Stage Road.

The general plan amendment areas within the French Valley Airport Influence Area are referred to as the Chaparral High School GPA, the Enfield/Riverton GPA, the Meadowview GPA, the Nicolas Road Park GPA, the Voorburg Park GPA, and the Winchester Creek Park GPA.

The Chaparral High School GPA includes amendments from Industrial Park to Public/Institutional, Professional Office, and Open Space, from Business Park to Open Space, and from Community Commercial to Open Space. Except for the small area changing from Business Park to Open Space,

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this site is entirely westerly of Winchester Road. Except for the small area changing from Community Commercial to Open Space, the site is northerly and easterly of Margarita Road.

The Enfield/Riverton GPA is an amendment from Low Medium Residential to Open Space on property owned by the City of Temecula Community Services District located southerly and westerly of Calle Girasol and westerly of Riverton Lane.

The Meadowview GPA includes two separate site locations. One parcel owned by the Meadowview Community Association located northerly of Via Norte, easterly of Paseo Sereno, and westerly of Calle Torcida is proposed for an amendment from Very Low Density Residential to Open Space. The second site consists of three contiguous County-owned parcels located northerly of Nicolas Road, southerly of Sierra Madre Drive, easterly of Nada Lane, and westerly of Joseph Road. This site is proposed for an amendment from Low Medium Density Residential to Open Space. To the west of Nada Road, additional County owned land is proposed for a change from Low Medium Residential and Medium Density Residential to Open Space.

The Nicolas Road Park GPA includes land owned by the City of Temecula and the County located northerly of Nicolas Road, westerly of North General Kearny Road, and southerly of Sierra Madre Drive. This area is proposed for an amendment from Medium Density Residential and Low Medium Density Residential to Open Space.

The Voorburg Park GPA includes land owned by the City of Temecula and the County located northerly of Nicolas Road, easterly of North General Kearny Road, and southerly of Sierra Madre Drive. This area is proposed for an amendment from Low Medium Density Residential to Open Space.

Finally, the Winchester Creek Park GPA includes land owned by the City of Temecula located northeasterly of Margarita Road, westerly of Oak Cliff Drive, and southeasterly of Greenstone Street. This property is proposed for an amendment from Low Medium Density Residential to Open Space.

General plan amendments are not subject to conditions.

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 5-0, found the project **CONSISTENT**. Absent: James Hottois (Alternate) and 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 2.1: TIME IS 9:04 A.M.

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I. **AGENDA ITEM 2.2:** ZAP1008TH07 – David Gough/Pacific Real Estate Invest. Group, Inc. – (Representative: Lawrence McDermott) - County Case Nos. GPA 00860 (General Plan Amendment), CZ 07519 (Change of Zone), and CUP 03148R1 (Revised Conditional Use Permit). A proposal to amend the Eastern Coachella Valley Area Plan designation of a 15-acre area of a 30-acre contiguous ownership located easterly of Shady Lane, westerly of Rulon Lane, southerly of 54th Avenue, and northerly of 55th Avenue in the unincorporated Thermal area from Light Industrial to Medium High Density Residential (5-8 dwelling units per acre), to change the zoning from M-SC (Manufacturing-Service Commercial) to R-3 (General Residential), and to redesign and expand the mobile home park. The existing 10-acre mobile home park would be expanded to 15 acres, increasing the size of mobile home spaces. The redesigned mobile home park would include 110 mobile home spaces, along with a clubhouse, tot lot, and swimming pool. Airport Zone D.

II. **MAJOR ISSUES**

The proposed actions convert industrially designated and zoned land to residential use; however, the extent of land conversion is limited.

III. **STAFF RECOMMENDATION**

Staff recommends a finding of Consistency, subject to the conditions specified herein for the revised conditional use permit.

IV. **PROJECT DESCRIPTION**

A proposal to amend the Eastern Coachella Valley Area Plan designation of a 15-acre area of a 30-acre contiguous ownership from Light Industrial to Medium High Density Residential (5-8 dwelling units per acre), to change the zoning from M-SC (Manufacturing-Service Commercial) to R-3 (General Residential), and to redesign and expand the mobile home park. The existing 10-acre mobile home park would be expanded to 15 acres, increasing the size of mobile home spaces. The redesigned mobile home park would include 110 mobile home spaces, along with a club house, tot lot, and swimming pool.

General plan amendments and changes of zone are not subject to conditions.

CONDITIONS (for the conditional use permit):

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, including landfills, trash transfer stations that are open on one or more sides,

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recycling centers containing putrescible wastes, construction and demolition debris facilities, incinerators, fly ash disposal, wastewater management facilities, and livestock operations..

- (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation
- 2. Any outdoor lighting installed should be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing and shall comply with Ordinance No. 655.
- 3. The attached notice shall be provided to all potential purchasers and tenants, including tenants of individual mobile home spaces.
- 4. Any structure or mobile home that would exceed an elevation of -57 feet (i.e., have an elevation that is not at least 57 feet BELOW mean sea level) at top point shall be subject to the requirement for an aeronautical study by the Federal Aviation Administration through the Form 7460-1 process

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: James Hottois (Alternate) and 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 2.2: TIME IS 9:04 A.M.

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- I. **AGENDA ITEM 3.1:** ZAP1022BD07 – Iland Development – (Representative: Coachella Valley Engineers) – County Case No. PP22915 (Plot Plan) – A proposal to develop a 19,388 square foot industrial/office building for multi-tenant use (7,388 square feet to be basement area, primarily underground parking) on 0.66-0.70 acres located on the south/southwesterly side of Country Club Drive, north/northeasterly of Bermuda Dunes Airport, easterly of Adams Street, and westerly of Jefferson Street in the unincorporated Riverside County community of Bermuda Dunes. Airport Zones A and B2.

II. **MAJOR ISSUES**

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

The Commission may wish to consider the facts of the case in order to determine whether the granting of a special conditions exception pursuant to Section 3.3.6 is appropriate in this situation. The granting of a special conditions exception in the case of a structure in Zone A should only occur following the completion of the FAA review.

III. **STAFF RECOMMENDATION**

Staff recommends that the Airport Land Use Commission CONTINUE this matter to February 14, 2008, pending completion of review by the Federal Aviation Administration pursuant to Aeronautical Study No. 2007-AWP-5943-OE.

(Alternatively, if the Commission finds that the granting of a special conditions exception would not be appropriate in this case, staff would recommend a finding of INCONSISTENCY, based on the encroachment of the structure into Airport Zone A.)

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

UPDATE: The applicant has submitted Form 7460-1 to the Federal Aviation Administration and review is in progress.

IV. **PROJECT DESCRIPTION**

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

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V. MEETING SUMMARY

The following staff presented the subject proposal:

ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, 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 5-0, **CONTINUED** the project to February 14, 2008. Absent: James Hottois (Alternate) and 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 IS 9:05 A.M.

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I. **AGENDA ITEM 3.2:** ZAP1024BD07 – Rob, Tom, and Jill Rosztoczy and AA Equipment (Representative: Jonathan L. Zane Architecture) – County Case Nos. CZ07530 (Change of Zone) and PP22846 (Plot Plan). A proposal to change the zoning on 4.03-4.08 acres located southerly of Country Club Drive and westerly of Carter Lane in the unincorporated Riverside County community of Bermuda Dunes from R-1-12,000 (One-family Dwellings, 12,000 square foot minimum lot size) to M-SC (Manufacturing-Service Commercial) or I-P (Industrial Park), and to develop an 18,000 square foot building as a John Deere dealership for the sales and service of turf maintenance equipment (such as fairway mowers, riding greens mowers, and tractors). Airport Zone B1.

II. **MAJOR ISSUES**

Single-acre intensity is an issue in relation to the plot plan, utilizing the standard Uniform Building Code Method, due to the retail sales component of the project. In addition to the intensity issue, the building requires FAA review. The building is proposed to be located directly below the extended runway centerline.

III. **STAFF RECOMMENDATION**

Staff recommends a finding of CONSISTENCY for the change of zone to either I-P or M-SC, but recommends CONTINUANCE of the plot plan to February 14, 2008, unless (a) the Commission is willing to accept the applicant's offer to agree to a limit on building occupancy and (b) the applicant submits documentation of submittal to the FAA, in which case staff would recommend a finding of CONDITIONAL CONSISTENCY for the plot plan, pending FAA approval, subject to the conditions included in this staff report and such additional conditions as may be required pursuant to the terms of the FAA determination.

IV. **PROJECT DESCRIPTION**

As submitted to ALUC, ZAP1024BD07 is a proposal to change the zoning of this 4.03-4.08 acre property from R-1-12,000 (One-family Dwellings, 12,000 square foot minimum lot size) to I-P (Industrial Park), and to develop an 18,000 square foot building for the sales and service of lawn mowers and turf equipment (John Deere dealership). The proposal has since been amended to propose M-SC (Manufacturing-Service Commercial) zoning, and it has been clarified that the dealership would predominantly sell turf maintenance equipment (such as fairway mowers, riding greens mowers, and tractors) to golf courses.

CONDITIONS:

1. Prior to issuance of building permits, the landowner shall convey an avigation easement to Bermuda Dunes Airport, which shall be recorded. Copies of the avigation easement, upon recordation, shall be forwarded to the Riverside County Planning Department (Desert office) and to the Riverside County Airport Land Use Commission.
2. 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,

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or red light obstruction marking in accordance with the conditions specified herein.

- b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - c. Any use which would generate smoke or water vapor or which would attract a large concentrations of birds, or which may otherwise affect safe air navigation within the area, including landfills, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, incinerators, composting operations, fly ash disposal, wastewater management facilities, artificial marshes, production of cereal grains, sunflower, and row crops, livestock operations, aquaculture, and landscaping utilizing water features.
 - d. Any use which would generate electrical interference that may be detrimental to any operation of aircraft and/or aircraft instrumentation.
 - e. Children's schools, day care centers, libraries, hospitals, nursing homes, places of worship, highly noise-sensitive outdoor nonresidential uses, aboveground bulk storage of hazardous materials, and aboveground bulk storage of 6,000 gallons or more of flammable materials.
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, and shall comply with Riverside County Ordinance No. 655, as applicable. Outdoor lighting plans shall be transmitted to the airport manager for review and comment. (Failure to comment within thirty days shall be considered to constitute acceptability on the part of the airport manager.)
4. The attached notation regarding proximity to the airport shall be given to each potential tenant.
5. The Riverside County Planning Department shall require additional review by the Airport Land Use Commission prior to the establishment of any of the following uses in the proposed structure:

Retail sales other than sales of lawn mowers and turf equipment, auction rooms, auditoriums, dance floors, lodge rooms, reviewing stands, conference rooms with capacities of 25 or more persons, dining rooms, exhibit rooms (other than for retail sales), restaurants, drinking establishments, gymnasiums, lounges, gaming, bowling alleys, classrooms, courtrooms, dormitories, swimming pools, skating rinks, locker rooms, and other uses that would be considered to have an occupancy level greater than one person per 100 square feet (minimum square feet per occupant less than 100) pursuant to California Building Code (1998) Table 10-A.

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6. The maximum number of persons permitted in the structure at any given time shall not exceed fifty (50) persons.
7. The size of the retail sales display area or showroom shall not exceed 3,797 square feet.
8. Prior to issuance of building permits, the applicant shall submit a Notice of Proposed Construction or Alteration (Form 7460-1) to the Federal Aviation Administration (FAA) for the proposed building and shall have received a determination of "Not a Hazard to Air Navigation" from the FAA. Copies of the FAA determination shall be provided to the Riverside County Planning Department (Desert office) and to the Riverside County Airport Land Use Commission.

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 5-0, found the project **CONSISTENT** for the Change of Zone. The Plot Plan was **CONTINUED** to February 14, 2008 pending FAA approval and further discussion of the occupancy restriction. Absent: James Hottois (Alternate) and 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 9:07 A.M.

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I. **AGENDA ITEM 3.3:** ZAP1008FV07 – Wilshire Greenway I, LLC (Representative: Ebru Ozdil/Advanced Development Solutions) – County Case Nos. SP00284A3 (Specific Plan Amendment), CZ07596 (Change of Zone), PP23146 (Plot Plan), and PM29509 (Parcel Map No. 29509, Amended No. 2). Plot Plan No. 23146 proposes to establish a mixed use commercial/office/industrial project consisting of 13 buildings plus two freestanding pads with a total of 351,975 square feet of floor area on 34.59 net acres (37.73 gross acres) located westerly of Leon Road, southerly of Benton Road, and northerly of Auld Road in the unincorporated Riverside County community of French Valley. SP00284A3 proposes to change the Specific Plan designation of the site from Office/Industrial Park to Commercial/Office/Industrial Park, and from Industrial Park to Commercial/Industrial Park, CZ07596 proposes to amend the zoning ordinance for Specific Plan No. 284 to allow commercial uses in Planning Areas 1 and 2. PM29509 proposes to divide the property into six commercial/industrial parcels and one open space parcel. Airport Zones C, B1, and D.

II. **MAJOR ISSUES**

Single-acre intensities exceed Zone C criteria in portions of the site, most notably in the area of the two-story office buildings K and L. These intensities are up to 224 persons per acre. The problems appear to be surmountable through redesign or reallocation of land uses and structures and/or demonstration of eligibility for risk-reduction and/or open land bonuses. The project does meet the average intensity standard. FAA review is required for at least some of the structures at this location.

III. **STAFF RECOMMENDATION**

Staff recommends CONTINUANCE to February 14, 2008 to allow for submittal to the Federal Aviation Administration and to allow for further study and possible redesign or reallocation of land use in portions of the site.

UPDATE: This item was continued without discussion from the December 13 agenda in order to allow for redesign or reallocation of uses or structures in the vicinity of Buildings K and L, and to allow for FAA review. Staff met with two project representatives on December 18 to discuss these concerns. Staff is awaiting further information from the applicant as of January 2, 2008. Staff has recommended the preparation of a site plan that depicts airport zone boundaries on the site.

IV. **PROJECT DESCRIPTION**

Plot Plan No. 23146 proposes to establish a mixed use commercial, office, and industrial project consisting of 13 buildings plus two freestanding pads with a total of 351,975 square feet of floor area on 34.59 net acres (37.73 gross acres). SP00284A3 proposes to change the Specific Plan designation of the site from Office/Industrial Park to Commercial/Office/Industrial Park, and from Industrial Park to Commercial/Industrial Park. CZ07596 proposes to amend the zoning ordinance for Specific Plan No. 284 to allow commercial uses in Planning Areas 1 and 2. PM29509 proposes to divide the property into six commercial/industrial parcels and one open space parcel.

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.

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VI. ALUC COMMISSION ACTION

The ALUC Commission, by a unanimous vote of 5-0, **CONTINUED** the project to February 14, 2008. Absent: James Hottois (Alternate) and 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 3.3: TIME IS 9:05 A.M.

**AIRPORT LAND USE COMMISSION
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I. **AGENDA ITEM 3.4:** ZAP1029RI07 – California Square Partners/R.A. Iglesias (Representative: TR Design Group) – City Case No. P07-1125 (Conditional Use Permit) (Associated with Design Review Case No. P07-1124). A proposal for redesign of a shopping center located at the southeasterly corner of Monroe Street and California Avenue, in the City of Riverside. The redesigned center would include an expanded Maxi Foods supermarket (35,924 square feet), 5,385 square feet of retail/fast food area, a 17,369 square foot Rite-Aid Pharmacy, and 20,006 square feet of new retail, with 21 apartment units on the second floor of the new retail building. Airport Zone D.

II. **MAJOR ISSUES**

The intensity of use on-site is slightly above the maximum allowable intensity in Airport Zone D, using the standard Uniform Building Code methodology and calculating retail intensity pursuant to Appendix C. The average intensity is approximately 117 persons per acre. However, average intensity is consistent using the Parking Space Method or the Modified Building Code Method with an assumption of one person per 115 square feet of gross floor area for the retail stores. The single acre intensity exceeds 300 persons using the standard method, but falls below 300, provided that a reasonable assumption regarding the proportion of restaurant space that is commercial kitchen is utilized.

III. **STAFF RECOMMENDATION**

Staff recommends that the Commission open the public hearing, consider testimony, and determine whether it is willing to consider the average intensity of this project pursuant to the Parking Space Method or pursuant to an alternative calculation methodology. If it is willing to consider the average intensity pursuant to either of these methods, staff recommends *a* finding of CONSISTENCY with the 2005 Riverside Municipal Airport Land Use Compatibility Plan.

IV. **PROJECT DESCRIPTION**

A proposal for redesign of a shopping center. The redesigned center would include an expanded Maxi Foods supermarket (35,924 square feet), 5,385 square feet of retail/fast food area, a 17,369 square foot Rite-Aid Pharmacy, and 20,006 square feet of new retail, with 21 apartment units on the second floor of the new retail building. The pre-existing shopping center on this property (a portion of which has been demolished) provided for 69,902 square feet of retail area and one 1,087 square foot Dairy Queen restaurant.

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.

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- (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) Use of any of these structures as a children's school, hospital, or nursing home.
2. Any outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky.
 3. The attached notice shall be provided to all potential property purchasers and tenants, and shall be recorded as a deed notice.
 4. The City of Riverside shall require additional review by the Airport Land Use Commission prior to the establishment of any of the following uses on the site:
Auction rooms, auditoriums, churches and chapels, dance floors, day care centers, dining rooms and drinking establishments (except in designated restaurant building), lounges, stages, lodge rooms, reviewing stands, exhibit rooms, bowling alleys, classrooms, skating rinks, 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.
 5. Within the restaurant building, total serving area (excluding kitchen areas not accessible to the public) shall not exceed 3,385 square feet.
 6. The following condition is only applicable if the Commission does not wish to utilize the Modified Building Code method:

Not less than 4,471 square feet within the 92 linear feet of the Maxi Foods store closest to California Avenue shall be utilized as stock or storage areas not normally accessible to the public.

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:

Thomas Riggle, TR Design Group, 3747 Monroe Street

No one spoke in neutral or opposition to the project.

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VI. ALUC COMMISSION ACTION

The ALUC Commission, by a unanimous vote of 5-0, found the project **CONSISTENT**. Absent: James Hottois (Alternate) and 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 3.4: TIME 9:30 A.M.

**AIRPORT LAND USE COMMISSION
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- I. **AGENDA ITEM 3.5: ZAP1031RI07 – Riverside Auto Auction/Manheim Auto Auction** (Representative: Kimley-Horn Associates, Inc.) – City Case No. P07-1121 (Conditional Use Permit). (Associated with Design Review Case No. P07-1123). A proposal to add 4,740 square feet of additional floor space to an existing building with 51,120 square feet of building area located on an 8-acre parcel with an address of 6446 Fremont Street. The property is on the west side of Fremont Street, northerly of Central Avenue, in the City of Riverside. Airport Zones B2 and D.
- II. **MAJOR ISSUES**
Insufficient information regarding uses within the existing building was provided to enable a determination of consistency with the Airport Zone B2 single-acre intensity standard limiting intensity to 200 persons.
- III. **STAFF RECOMMENDATION**
Staff recommends CONTINUANCE to February 14, 2008, pending receipt of floor plans for the existing building and the building as modified.
- IV. **PROJECT DESCRIPTION**
Conditional Use Permit No. P07-1121 (associated with Design Review Case No. P07-1123) proposes to add 4,740 square feet of additional floor space to an existing building with 51,120 square feet of building area on an 8-acre site.
- 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 5-0, CONTINUED the project to February 14, 2008. Absent: James Hottois (Alternate) and 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 3.5: TIME IS 9:05 A.M.

**AIRPORT LAND USE COMMISSION
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I. **AGENDA ITEM 3.6:** ZAP1007TH07 - Riverside County Economic Development Agency (EDA) and Riverside County Sheriff (Representative: Mead & Hunt) – County Facility. Development of a restricted-use heliport for use by the Riverside County Sheriff Department, a Sheriff aviation facility including hangar, an aviation-related education center and hangars (under EDA management), and a Sheriff station with warehouse and utility building on 20 acres located southerly of Airport Boulevard, westerly of Polk Street, and easterly of the primary runway of Jacqueline Cochran Regional Airport in the unincorporated Riverside County community of Thermal. Airport Zones C and B2.

II. **MAJOR ISSUES**

The single acres including the EDA education building and the easterly 210 feet of the sheriff station would appear to provide for occupancies exceeding the Airport Zone C intensity limit of 150 persons, and the exceedance is beyond the level that may be addressed through the use of a risk-reduction design bonus.

III. **STAFF RECOMMENDATION**

Staff recommends that a finding of CONSISTENCY be issued for the heliport, so as to allow for the processing of a State Heliport Permit by the State Division of Aeronautics.

In the event that the proposed structures have not yet received their final discretionary review, staff recommends that consideration of the proposed structures be CONTINUED to February 14, 2008, unless (a) the County is willing to limit occupancy of the Sheriff station and the EDA educational facility building to 150 people each and (b) documentation of submittal to the FAA for each proposed building is provided, in which case staff would recommend a finding of CONDITIONAL CONSISTENCY for the proposed structures, pending FAA approval, subject to the conditions included in this staff report and such additional conditions as may be required pursuant to the terms of the FAA determination.

IV. **PROJECT DESCRIPTION**

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

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

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

CONDITIONS:

1. The landowner is the owner-operator of Jacqueline Cochran Regional Airport; therefore, an aviation easement would be superfluous at this time; however, prior to sale of land and/or buildings to any other entity, the landowner shall convey an aviation easement to the Riverside County Economic Development Agency as airport owner-operator, which shall be recorded.

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2. Noise attenuation measures shall be incorporated into the office areas of the building construction to ensure a minimum noise level reduction of 25dB, so as to reduce interior noise levels from aircraft operations to 45 CNEL or below.
3. The following uses shall be prohibited:
 - a. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light, visual approach slope indicator, or red light obstruction marking in accordance with the conditions specified herein.
 - b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - c. Any use which would generate smoke or water vapor or which would attract a large concentrations of birds, or which may otherwise affect safe air navigation within the area, including landfills, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, incinerators, composting operations, fly ash disposal, wastewater management facilities, artificial marshes, production of cereal grains, sunflower, and row crops, livestock operations, aquaculture, and landscaping utilizing water features.
 - d. Any use which would generate electrical interference that may be detrimental to any operation of aircraft and/or aircraft instrumentation.
 - e. Children's schools, day care centers, libraries, hospitals, nursing homes, places of worship, highly noise-sensitive outdoor nonresidential uses, and aboveground bulk storage of 6,000 gallons or more of hazardous or flammable materials.
4. The attached notice regarding proximity to the airport shall be given to each potential tenant.
5. Any outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky, and shall comply with Riverside County Ordinance No. 655, if applicable.
6. The maximum occupancy of the Sheriff station shall be limited to 150 persons.
7. The maximum occupancy of the EDA education building shall be limited to 150 persons.
8. Prior to issuance of building permits or authorization to construct, the applicant shall submit a Notice of Proposed Construction or Alteration (Form 7460-1) to the Federal Aviation Administration (FAA) for each proposed building and shall have received a determination of

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“No Hazard to Air Navigation” from the FAA. Copies of the FAA determination shall be provided to the Riverside County Airport Land Use Commission.

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:

Keith Downs, Mead and Hunt, 133 Aviation Blvd., Suite 100, Santa Rosa, CA 95403

Craig Kilday, Riverside County Sherriff’s Department, 4095 Lemon Street, Riverside, CA 92520

Anna Rodriquez, Riverside County EDA, 44-199 Monroe Street, Indio, CA 92201

No one spoke in neutral or opposition to the project.

VI. ALUC COMMISSION ACTION

The ALUC Commission, by a unanimous vote of 6-0, found the heliport **CONSISTENT, CONDITIONAL CONSISTENTENCY** for the County Sherriff’s facility only, not including the educational buildings, and with Condition 1 being stricken. The finding of conditional consistency is based on the understanding that County EDA will file form 7460-1 with the FAA and will request that the Berber Foundation grant an avigation easement. The other buildings will be taken **OFF CALENDAR**. 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 3.6: TIME IS 10:31 A.M.

**AIRPORT LAND USE COMMISSION
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RIVERSIDE MEETING**

- I. **AGENDA ITEM 4.1:** ZAP1045MA07 – Christian Singletary (Representative: Timothy Wilkes) – City of Riverside Case No. P06-1620 (Design Review). A proposal to establish a new 11,505 square foot single-story neighborhood retail commercial building (with 125 parking spaces) on 3.4 acres located on the northerly side of Alessandro Boulevard, easterly of San Gorgonio Drive and westerly of Sycamore Canyon Boulevard in the City of Riverside. Airport Area II.
- II. **MAJOR ISSUES**
None pursuant to 1984 Plan, but the site would be subject to intensity limits if the Draft March JLUS were in effect.
- III. **STAFF RECOMMENDATION**
Staff recommends a finding of Consistency with the 1984 Riverside County Airport Land Use Plan, subject to the conditions specified herein.
- IV. **PROJECT DESCRIPTION**
A proposal to develop a one-story, retail commercial building with a gross floor area of 11,505 square feet, with approximately 125 parking spaces, on 3.4 acres consisting of two contiguously owned parcels.

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. Prior to issuance of building permits, the landowner shall convey an aviation easement to the MARB/MIP Airport. (Contact March Joint Powers Authority at (951) 656-7000 for additional information.)
3. Any outdoor lighting shall be hooded or shielded to assure that no lights are above the horizontal plane. (It is recommended that airport management be provided an opportunity to review outdoor lighting plans prior to approval.)

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4. The attached notice shall be given to all prospective purchasers and/or tenants of the property.
5. If any portion of the proposed building will be used as offices, noise attenuation measures shall be incorporated into such office areas as necessary to ensure interior noise levels from aircraft operations are at or below 45 CNEL.

V. MEETING SUMMARY

The following staff presented the subject proposal:

ALUC Staff Planner: Brenda Ramirez at (951) 955-0873, E-mail at brramire@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 and James Hottois (Alternate).

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 9:04 A.M.

**AIRPORT LAND USE COMMISSION
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I. **AGENDA ITEM 4.2:** ZAP1019FV07 – FV Commons, LLC/Regency Centers LP (Representative: MDMG, Inc.) – City of Murrieta Case Nos. 004-057 (General Plan Amendment), 004-062 (Conditional Use Permit), 005-057 (Change of Zone), and 004-058 (Parcel Map No. 32123). A proposal to amend the City of Murrieta General Plan Land Use Map designations and zoning of approximately 80.5 acres located northwesterly of Winchester Road, easterly of Briggs Road extended southerly, and southwesterly of Max Gilliss Boulevard (the northwesterly extension of Thompson Road) in the City of Murrieta from Business Park and Rural Residential (up to 0.4 dwelling units per acre) to Regional Commercial and Open Space, to establish a regional commercial center (“Murrieta Marketplace”) with multiple buildings (including Target, Lowe’s, retail stores, and eight freestanding restaurants) and a cumulative square footage of up to 572,105 square feet, and to divide the property into 15 commercial lots and one remainder lot for open space. Airport Zones B1 and C.

II. **MAJOR ISSUES**

This proposed project would work well in Airport Zone D, but the site is located in Airport Zones B1 and C. Single-acre intensities exceed Zone B1 and Zone C criteria in portions of the site and may be as high as 379 persons in portions of the site, evaluated pursuant to the Modified Building Code (2007 French Valley retail intensity calculation). Average intensity for the portion of the property in Airport Zone C is consistent using this method, but average intensity for the portion of the property in Airport Zone B1 is inconsistent. FAA review may be required for structures at this location, depending on finished floor elevation.

III. **STAFF RECOMMENDATION**

At this time, staff must recommend a finding of INCONSISTENCY, given the single-acre intensities of the proposed structures, unless the applicant is amenable to a continuance to allow for possible redesign or reallocation of land use in portions of the site.

IV. **PROJECT DESCRIPTION**

A proposal to amend the City of Murrieta General Plan Land Use Map designations and zoning of approximately 80.5 acres from Business Park and Rural Residential (up to 0.4 dwelling units per acre) to Regional Commercial and Open Space, to establish a regional commercial center (“Murrieta Marketplace”) with multiple buildings (including Target, Lowe’s, retail stores, and eight freestanding restaurants) and a cumulative gross floor area of up to 572,105 square feet, and to divide the property into 15 commercial lots and one remainder lot for open space.

In the event that the City of Murrieta chooses to overrule a determination of inconsistency, the City should require the following as conditions of its approval. Implementation of these conditions does NOT render the project consistent with the French Valley Airport Land Use Compatibility Plan and may not be sufficient to mitigate potential safety hazards to below a level of significance pursuant to the California Environmental Quality Act.

CONDITIONS:

1. Prior to issuance of building permits, the landowner shall convey an avigation easement to the County of Riverside as owner-operator of French Valley Airport, which shall be recorded upon approval by the County of Riverside Economic Development Agency – Aviation Division. Copies of the recorded avigation easement shall be forwarded to the Airport Land Use Commission and to the City of Murrieta Planning Department.

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2. Prior to issuance of building permits, the applicant shall submit a Notice of Proposed Construction or Alteration (Form 7460-1) to the Federal Aviation Administration (FAA) for each building with an elevation at top point exceeding 1,378 feet above mean sea level and shall have received a determination of “No Hazard to Air Navigation” from the FAA. Copies of the FAA determination shall be provided to the City of Murrieta Planning Department and the Riverside County Airport Land Use Commission.
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 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 such red light obstruction marking as may be permitted by the Federal Aviation Administration.
 - (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, day care centers, libraries, highly noise-sensitive outdoor uses, aboveground bulk storage of hazardous materials, aboveground bulk storage of 6,000 gallons or more of flammable materials, and (within Airport Zone B1) churches and chapels.
5. The City of Murrieta shall require additional review by the Airport Land Use Commission prior to the establishment of any of the following uses in any of the structures proposed through this conditional use permit:

Auction rooms, auditoriums, churches and chapels (within Airport Zone C), dance floors, lodge rooms, reviewing stands, exhibit rooms, gymnasiums, lounges, stages, gaming, bowling alleys, classrooms, courtrooms, dormitories, locker rooms, exercising rooms, swimming pools, skating rinks, and other uses that would be considered to have an occupancy level greater than one person per 60 square feet (minimum square feet per occupant less than 60) pursuant to California Building Code (1998) Table 10-A, other than restaurants, dining establishments, and drinking establishments within those structures identified as restaurants on the project site plan, and retail sales.

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6. The attached notice shall be provided to all potential purchasers of real property interests 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 opposition to the project:

Larry Markham, FV Commons LLC, 41635 Enterprise Circle N. STE B, Temecula, CA 92590-5614

Richard Zimmer, City of Murrieta

No one spoke in favor or neutral to the project.

VI. ALUC COMMISSION ACTION

The ALUC Commission, by a unanimous vote of 6-0, found the project **INCONSISTENT**.
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 4.2: TIME IS 9:57 A.M.

**AIRPORT LAND USE COMMISSION
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RIVERSIDE MEETING**

I. AGENDA ITEM 5.0: ADMINISTRATIVE ITEMS

5.1 – Directors Approvals – Information only

5.2 – Report of Committee on Conditions - Commissioner John Lyon commented that the committee felt we could improve our communication with respect to conditions accompanying an override in two basic ways: 1) That letters provide more detailed information as to what the law requires under the Public Utilities Code, and 2) That ALUC initiate an outreach and educational effort to improve understanding of the overrule process to better explain conditions. Extensive discussion followed. Counsel commented on the options. The report was referred to staff for further study.

5.3 – Notice of Intent to Override – Magnolia Avenue Baptist Church (ZAP1023RI07) – Commissioner Lyon commented that this notice reinforced the Committee’s opinion that an outreach and educational program regarding required findings would be appropriate. The Code is difficult to understand, even for attorneys. The findings in the City’s draft resolution, in his opinion, have no relationship to the findings required as set forth in the code and provided in more detail in the Airport Land Use Planning Handbook. All planning and governing bodies must follow the Handbook. The City has made none of the findings about how the proposed project will benefit or protect the airport. The Commission requested that staff’s letter in response to the overrule include a comment that the findings do not appear to the Commission to be those required by law, and that relevant sections of the Handbook (regarding the required findings) be enclosed with the letter.

5.4 – Densities in Zone D of the French Valley Airport Workshop – Ed Cooper advised that a workshop regarding densities in Zone D of the French Valley Airport will be held on January 28, 2008. Commissioner John Lyon and County Counsel BT Miller requested hard copies of the new adopted 2007 French Valley Airport Compatibility Plan. Staff agreed to send copies to each Commissioner and to Mr. Miller in conjunction with notification to the State Division of Aeronautics.

5.5 – December 13, 2007 Minutes – will be provided at the next meeting in February – Information Only.

5.6 – Strategic Vision Document Update – The new updated colored ALUC Strategic Vision Charts were given to the Commissioners based on the prioritization established by the Commission.

II. AGENDA ITEM 6.0: ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA

John Guerin, ALUC Principal Planner, announced that staff had just received an overrule notice from the City of Palm Springs regarding the pre-school project that was found inconsistent by the Commission last month.

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III. AGENDA ITEM 7.0: COMMISSIONERS' COMMENTS
NO COMMENTS

IV. ADJOURNMENT

The meeting was adjourned at 11:40 a.m. by Vice Chairman Rod Ballance.

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 5.0: TIME IS 10:40 A.M.