

**AIRPORT LAND USE COMMISSION
MINUTE ORDER FEBRUARY 14, 2008
RIVERSIDE MEETING**

A regular scheduled meeting of the Airport Land Use Commission was held on February 14, 2008 at the Riverside County Administration Center, Board Chambers.

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

COMMISSIONERS ABSENT: Glen Holmes

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: Robert Beers, Jurupa Western Inc. and KDB Mgmt. Services
Kirk Bowlus, Other Interested Person
Shawn Jenkins, Other Interested Person
Kassen Klein, Pac Ten Partners
Barbara Lichman, Sanderson Square
John Maple, Maple Dell McClelland Architects
Richard Masyczek, City of Hemet
Joel Morse, T&B Planning
Janie Quezada, Other Interested Person

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I. **AGENDA ITEM 2.1:** ZAP1047MA07 Ramona Promenade, LLC/Stratford Ranch, LLC- City Case Nos. GP 07-10-0029, ZC 07-10-0030, CUP 07-10-0034, VAR 07-10-0031, TR 07-10-0032, DPR 07-10-0033. ZC 07-10-0030 proposes to change the zoning from R-10,000 on 46.3 acres to CC (Community Commercial) on 37.7 acres and to R-22 (Residential, 14-15 dwelling units per acre) on 8.5 acres. DPR 07-10-0033 proposes a shopping center with 426,516 square feet of retail, restaurant, and bank uses on 37.7 acres located northerly of Ramona Expressway, easterly of Evans Road and westerly of Lake Perris Drive in the City of Perris. GP 07-10-0029 proposes to change the General Plan designation on 8.5 acres located directly north of the proposed shopping center site from Community Commercial to Multiple-Family Residential. CUP 07-10-0034 would allow for drive-thru restaurants. TR 07-10-0032 proposes the establishment of 14 commercial lots and one remainder lot for residential use. VAR 07-10-0031 proposes a variance from the City's height limit of 20 feet for signs, to allow a sign up to fifty (50) feet in height. Airport Area III.

II. **MAJOR ISSUES**
None

III. **STAFF RECOMMENDATION**
Staff recommends a finding of CONSISTENCY for the Development Plan Review, Conditional Use Permit, Variance and Tract Map, subject to the conditions specified herein. The General Plan Amendment and Zone Change are also CONSISTENT and are not subject to conditions.

IV. **PROJECT DESCRIPTION**
The proposed project would allow for development of a 426,516 square foot commercial shopping center on 37.8 acres. The General Plan Amendment proposes to change the land use designation on 8.5 acres located directly northerly of the proposed shopping center site from CC (Community Commercial) Specific Plan to Multiple Family Residential. The Zone Change proposes to change the zoning from R-10,000 on 46.3 acres to Community Commercial on 37.8 acres and to R-22 (Residential, 14-15 dwelling units per acre) on 8.5 acres. The CUP would allow for drive-thru restaurants. The tract map proposes 14 commercial lots and one remainder lot for future residential use. Variance 07-10-0034 proposes a variance from the City's height limit of 20 feet for signs, to allow a sign up to 50 feet in height.

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 or provide documentation to the City of Perris and the Airport Land Use Commission that such conveyance has previously been recorded. (Contact March Joint Powers Authority at (951) 656-7000 for additional information.)
2. Any outdoor lighting shall be hooded or shielded to assure that no lights are above the horizontal plane.
3. The following uses shall be prohibited:
 - a. Any use which would direct a steady light or flashing light of red, white, green or amber

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colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.

- b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - c. Any use which would generate smoke or water vapor, or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
 - d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
4. The attached notice shall be given to all prospective buyers and tenants of the real property and the proposed structures.

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 6-0, found the project CONSISTENT. Absent: Commissioner Glen Holmes.

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 9:01 A.M.

**AIRPORT LAND USE COMMISSION
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- I. **AGENDA ITEM 3.1: ZAP1022BD07** – (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. **Note: The applicant’s engineer has agreed to a continuance.**

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 MARCH 13, 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 submitted Form 7460-1 to the Federal Aviation Administration on September 25, 2007, 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, 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 March 13, 2008.

Absent: Commissioner Glen Holmes.

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 9:02 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 No. PP22846 (Plot Plan). A proposal 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) 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. **Staff is awaiting documentation demonstrating that FAA has been provided sufficient information to enable an aeronautical study to be conducted. Staff’s recommendation may change if this information is received prior to the hearing.** 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 Report)**

Staff recommends CONTINUANCE of the plot plan to March 13, 2008, unless (a) the Commission is willing to accept the applicant’s offer to agree to a limit on building occupancy and (b) the FAA has received valid information as to project coordinates, so as to enable the conduct of an aeronautical study, 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.

STAFF RECOMMENDED AT HEARING: CONSISTENT for the Plot Plan pending FAA approval subject to the conditions included in the staff report and such additional conditions as may be required by 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.

UPDATE: The change of zoning to either I-P or M-SC was determined to be consistent by the Airport Land Use Commission at its January 10, 2008 hearing. Consideration of the plot plan was continued to the February 14 meeting.

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)

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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, 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,

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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.

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, 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 CONDITIONALLY CONSISTENT pending FAA approval. Absent: Commissioner Glen Holmes

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 9:03 A.M.

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- I. **AGENDA ITEM 3.3:** 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 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. **Staff requests that the Commission direct staff as to evaluation of intensity for the lobby, vestibule, waiting room, and cafeteria.**

II. **MAJOR ISSUES**

A determination of consistency with the Airport Zone B2 single-acre intensity standard limiting intensity to 200 persons depends upon intensity assumptions for the lobby, vestibule, waiting area, and cafeteria within the building.

III. **STAFF RECOMMENDATION**

The floor plans submitted do not appear to coincide with the presumed configuration of the building, as judged by the aerial photo. Additionally, staff has been provided with differing information regarding the square footage of the building. It is not clear that sufficient information can be provided without a tour of the existing building, floor plans in hand. Staff recommends CONTINUANCE to March 13, 2008 unless these discrepancies can be resolved prior to the February 14 public hearing.

Staff recommends that the Commission open the public hearing, consider testimony, and determine how to treat the lobby, vestibule, waiting room, and cafeteria relative to intensity assumptions for this land use. If these areas are considered as having the intensity attributed by Uniform Building Code (with a 50% reduction), staff would have to recommend a finding of inconsistency based on these areas. Without these areas and uses, the intensity would be consistent.

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 on an 8-acre site. Staff was initially advised that the existing building included 51,120 square feet of floor area. However, the floor plans provided to staff indicate an initial floor area of 19,826 square feet, with an existing addition of 3,552 square feet. A separate sheet depicts an area of 13,873 square feet, including 2,410 square feet of office area and 11,463 square feet of auction area, but the latter area may not be in an enclosed building.

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 March 13, 2008. Absent: Commissioner Glen Holmes.

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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 9:10 A.M.

**AIRPORT LAND USE COMMISSION
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I. **AGENDA ITEM 3.4:** 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. **Staff’s recommendation may change if the applicant submits requested information prior to the hearing.** 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 March 13, 2008 to allow for submittal to the Federal Aviation Administration and to allow for further design modifications and submittal of additional information from the applicant.

Staff’s recommendation may change in the event that the necessary information is submitted prior to the hearing.

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.

UPDATE II: On January 24, 2008, staff met again with the two project representatives, the project architect, the applicant, and representatives of the County Planning Department and Economic Development Agency. It was indicated at that meeting that ALUC staff would be provided with (1) documentation regarding each building corner’s maximum elevation and distance of runway (or, alternatively, verification of FAA submittal); (2) more precise information regarding building square footage within the single-acre areas of greatest concern; and (3) a request for use of the risk-reduction design bonus with appropriate documentation. As of January 30, this information has not been received.

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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.

VI. ALUC COMMISSION ACTION

The ALUC Commission, by a unanimous vote of 6-0, CONTINUED the project to March 13, 2008.
Absent: Commissioner Glen Holmes.

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 9:10 A.M.

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I. **AGENDA ITEM 4.1:** ZAP1035RI07- Jurupa Western, Inc and KDB Management Services, LLC (Representative: Robert M. Beers) - City Case Nos. P07-0381 (General Plan Amendment), P07-0382 (Zone Change), P07-1372 (PRD) and P07-1374 (Tract Map No. 35531). A proposal to change the land use designation from Commercial to Medium Density Residential on 5.29 acres located at the southeast corner of Tyler Avenue and Jurupa Avenue in the City of Riverside, to rezone the property from CR (Commercial Retail) to R-1-7000 (Single Family Residential, 7,000 square foot minimum lot size), and to subdivide the property for the establishment of a Planned Residential Development comprised of 14 buildings containing 42 attached condominium units. Airport Zone C.

II. **MAJOR ISSUES**

The proposed General Plan Amendment, Zone Change, and Tract Map are all clearly inconsistent with Zone C compatibility criteria. The proposed density exceeds the Zone C maximum of one dwelling unit per five acres and exceeds the Zone C infill maximum of one dwelling unit per 2 1/2 acres.

III. **STAFF RECOMMENDATION**

Staff recommends a finding of INCONSISTENCY for the General Plan Amendment, Zone Change and Tract Map.

IV. **PROJECT DESCRIPTION**

A proposal to change the land use designation on 5.29 acres from Commercial to Medium Density Residential, to rezone the property from CR (CR-Commercial Retail) to R-1-7,000 (Single Family Residential, 7,000 square foot minimum lot size), and to construct a 14-building, 42- unit, planned residential community through Tract Map 35531 subdividing the property for the establishment of condominium units.

In the event that the City of Riverside 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 Riverside Municipal 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. Any new outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky.
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

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an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.

- (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
 - (e) Children's schools, day care centers, libraries, hospitals, nursing homes, and highly noise-sensitive outdoor uses.
3. The attached notice shall be provided to all potential purchasers and tenants.
 4. Prior to final map recordation, the land owner shall provide documentation to the City Planning Department and the Riverside County Airport Land Use Commission that an avigation easement has been conveyed to the City of Riverside as owner-operator of Riverside Municipal Airport and has been recorded.
 5. Noise attenuation measures shall be incorporated into structure design so as to provide an exterior-to-interior noise level reduction of 20dB, in order to ensure that interior noise levels from aircraft operations do not exceed 45 dB (A) CNEL.

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:

Robert Beers, representative for Jurupa Western, Inc. and KDB Management Services, 8175 Limonite Avenue, Riverside, CA 92509

Kirk Bowlus, Other Interested Person, 7177 Brockton Ave., Suite 215, Riverside, CA 92506

The following spoke in opposition to the project:

Janie Quezada, Other Interested Person, 10250 Dunn CT.

No one spoke in neutral of the project.

VI. ALUC COMMISSION ACTION

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

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 4.1: TIME 9:11 A.M.

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- I. **AGENDA ITEM 4.2:** ZAP1046MA07 – Perris Alere LLC and First Industrial – City of Perris Case No. DPR 06-0432 (Development Plan Review) with EIR – Development of 642,072 square foot warehouse/distribution center on 28.2 acres located northerly of Rider Street, westerly of Redlands Avenue, easterly of Johnson Avenue, and southerly of the Metropolitan Water District right-of-way in the City of Perris. Airport Areas I and II. **Staff’s recommendation may change if the applicant submits requested information prior to the hearing.**

II. **MAJOR ISSUES**

Lot coverage is 52.3% of gross area. The property is located partially within Accident Potential Zone II, and partially outside delineated Accident Potential Zones within Airport Areas I and II. U.S. Air Force AICUZ (Air Installation Compatible Use Zone) studies state “For most nonresidential usage [in Accident Potential Zones], buildings should be limited to one story and the lot coverage should not exceed 20 percent.” Staff has asked the applicant to prepare an amended site plan depicting the boundaries of Accident Potential Zone II on the property and the lot coverage within the portion of the property in Accident Potential Zone II. The 1984 Riverside County Airport Land Use Plan does not restrict commercial or industrial land use intensities, other than by prohibiting “high risk” land uses, including those characterized by “high concentrations of people”.

III. **STAFF RECOMMENDATION (Staff Report)**

Staff recommends CONTINUANCE to March 13, 2008, to allow time for the applicant to prepare an exhibit overlaying the Accident Potential Zone on the site plan and identifying lot coverage within that portion of the property, as requested by staff. If lot coverage within the Accident Potential Zone exceeds 20%, staff would encourage the applicant to consider redesign in order to comply with the AICUZ recommendation.

STAFF RECOMMENDED AT HEARING: INCONSISTENT

IV. **PROJECT DESCRIPTION**

City Case No. DPR06-0432 proposes the development of a 642,072 square foot warehouse, with limited office areas at three corners of the building, on 28.2 acres.

CONDITIONS:

1. Prior to issuance of building permits, the landowner shall convey an avigation easement to the MARB/MIP Airport.
2. Noise attenuation measures shall be incorporated into office areas of the building construction as necessary to ensure interior noise levels from aircraft operations are at or below 45 CNEL in office areas of the buildings.
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.

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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 large concentrations of birds, or which may otherwise affect safe air navigation within the area.
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
 - (e) Children's schools, hospitals, nursing homes, churches and chapels, auditoriums, restaurants, cafes, cafeterias, theaters, bowling alleys, motels, banks, department stores, supermarkets, drug stores, service stations, and public assembly uses such as amphitheaters, outdoor music shells, and sports stadiums.
 - (f) Structures greater than one story in height.
4. Except for three offices not exceeding 6,000 square feet in floor area each, located at building corners, the proposed structure shall be utilized for warehousing and distribution functions.
5. The City of Perris shall require additional review by the Airport Land Use Commission prior to the establishment of any of the following facilities on this property:
- Auction rooms, dance floors, lodge rooms, reviewing stands, conference rooms with capacities exceeding 100 persons pursuant to the Uniform Building Code, dining rooms, exhibit rooms, drinking establishments, retail sales facilities, gymnasiums, lounges, stages, gaming, congregate residences, and swimming pools.
- The manufacturing of apparel, chemicals, rubber and plastic products, professional, scientific, and controlling instruments, photographic and optical goods, watches, and clocks.
- Any other uses that would be considered to have an occupancy level greater than one person per 500 square feet (minimum square feet per occupant less than 500) pursuant to California Building Code (1998) Table 10-A, other than offices within the delineated office areas..
6. 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. All outdoor lighting shall be downward facing. (It is recommended that airport management be provided an opportunity to review outdoor lighting plans prior to approval.)
7. The aboveground storage of explosive or flammable materials is prohibited, except that flammable materials may be stored in accordance with quantities permitted in Airport Zone B1 pursuant to the provisions of the Countywide Policies of the 2004 Riverside County Airport Land Use Compatibility Plan (shall be less than 6,000 gallons). Such storage shall

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- only be in conjunction with (and accessory to) a permitted use.
8. The uses specified in the attached Appendix B of the Riverside County Airport Land Use Plan shall be prohibited, except as otherwise modified by Condition No. 7 above.
 9. The attached notice shall be provided to all potential purchasers and tenants.
 10. Proposed uses of space within the structures, other than offices and industrial uses, including, but not limited to, manufacturing, fabrication, storage, and warehousing, shall be submitted to Airport Land Use Commission staff for consistency review. Where the use would not require any discretionary action by the City, the staff consistency review shall be at the building permit review fee level.

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 neutral of the project:

Shawn Jenkins, Other Interested Persons, 4472 Orange Street, Riverside, CA 92501

No one spoke in favor or opposition to the project.

VI. ALUC COMMISSION ACTION

The ALUC Commission, by a vote of 4-2, found the project CONDITIONALLY CONSISTENT.
Opposed: Commissioner Melanie Fesmire and Vice Chairman Rod Ballance. Absent:
Commissioner Glen Holmes

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 9:19 A.M.

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I. **AGENDA ITEM 4.3:** ZAP1013HR08 and ZAP1002HR07 – Sanderson Associates, LLC – City Case Nos. SP 05-3 (Amended) and GPA 05-1 (Sanderson Square). Amended proposal to establish a Specific Plan for 23 acres of retail commercial uses and 17 acres of business park uses (with amended site plan) on a 40-acre site located easterly of Sanderson Avenue, northerly of Wentworth Drive and the rail line, and southerly of Acacia Avenue in the City of Hemet, and to amend the site’s General Plan designation from Industrial to Specific Plan. Airport Areas I and II.

II. **MAJOR ISSUES**

Places of assembly as defined in the Hemet-Ryan Airport Comprehensive Airport Land Use Plan of 1992 include “any structure with a capacity for occupancy of over 50 persons”, and they are prohibited in Areas I and II. Therefore, pursuant to that Plan, most commercial uses would be found inconsistent.

III. **STAFF RECOMMENDATION**

While some types of commercial development may be allowable in Areas I and II, it is clear from the conceptual site plan that the applicant intends to develop a major complex consisting predominantly of structures with capacities for occupancy of more than 50 persons. Therefore, staff must recommend that the project be found Inconsistent, as it is located entirely within Areas I and II; however, staff would not object to a continuance in conjunction with a proposal by the City to amend the provisions of the existing 1992 Hemet-Ryan Airport Land Use Compatibility Plan to modify the definition of “places of assembly”.

IV. **PROJECT DESCRIPTION**

SP 05-3 proposes the establishment of a 40-acre Specific Plan (“Sanderson Square”) providing for 23 acres of retail commercial uses and 17 acres of business park uses. A total gross floor area of 218,825 square feet is projected for the westerly 23 acres of the project site. GPA 05-1 proposes to amend the General Plan designation of the property from Industrial to Specific Plan.

In the event that the City of Hemet chooses to overrule a determination of inconsistency, the City should require the following as conditions of its approval. Implementation of these conditions would NOT render the project consistent with the Hemet-Ryan Airport Comprehensive Airport Land Use 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 final adoption of the specific plan, the landowner shall record Avigation Easements covering the entire parcel proposed for development to the County of Riverside as owner-operator of Hemet-Ryan Airport. (Contact the Riverside County Economic Development Agency – Aviation Division for further information.)
2. Unless otherwise determined inapplicable by Airport Land Use Commission staff, all structures at this location with an elevation above 1,546 feet above mean sea level at top of structure shall require FAA aeronautical review through the Form 7460-1 FAA notice process.

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3. Any outdoor lighting installed shall be hooded and shielded to prevent either the spillage of lumens or reflection into the sky. All lighting plans should be reviewed and approved by the airport manager prior to approval.
4. The following uses shall be prohibited:
 - a. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - c. Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
 - d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
5. The attached notice shall be given to all prospective buyers and tenants.
6. All future structures at the site shall be limited to thirty-five (35) feet in height or two stories, whichever is less.

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:

Barbara Lichman, representing Sanderson Square, 695 Town Center Drive, STE 700, Costa Mesa, CA 92626

John Maple, Maple Dell McClelland Architects, 380 Stevens Ave. #308, Solana Beach, CA 92075

Richard Masyczek, City of Hemet, 445 E. Florida Ave, Hemet, CA 92543

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 project INCONSISTENT. Absent: Commissioner Glen Holmes.

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VII. CD

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ITEM 4.3: TIME IS 9:49 A.M.

**AIRPORT LAND USE COMMISSION
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I. AGENDA ITEM 5.0: ADMINISTRATIVE ITEMS

5.1 Notice of Intent to Override – City of Palm Springs, Desert Son-Shine Preschool and Kindergarten (ZAP1004PS07).

John Guerin, ALUC Principal Planner, announced that the City of Palm Springs Overrule Meeting will be held on February 20th. Simon Housman advised that he will be attending that meeting and will present the Commission's position.

5.2 Possible ALUC Commission Meetings in the Desert.

Staff advised that locations for meetings are considered partially based on location of projects and proposed that the March 13 meeting be held at Eastern Municipal Water District (EMWD) in Perris. The Commission discussed possible meeting locations in Coachella, La Quinta, Palm Desert, Indian Wells, and Jacqueline Cochran Airport. The Commission agreed to having the March 13, 2008 ALUC Commission meeting at EMWD. No dates were set for future Commission meetings located in the desert at this time. Staff suggested keeping this on the agenda for further study.

5.3 Proposed Format for Letters Advising Jurisdictions of Determinations of Inconsistency (Follow-up to Report from Committee on Conditions).

BT Miller, County Counsel submitted the proposed letter for determination of inconsistency to the Commission for their review and comments. Commissioner John Lyon commented that the letter can be further improved. He recommended that extracts from the State Aeronautics Act be limited to Section 21670, and those portions dealing with overrules. He advocated that the letter be clear. In the first paragraph, he suggested that "has the power to overrule" be inserted in place of "may overrule" and that "provided that such an overrule meets the requirements" be inserted in place of "pursuant to the requirements." An overrule must advance the purposes of the State Aeronautics Act - "Protecting People from the Airports and Airports from the People". Vice Chairman Rod Ballance commented that we need to work with the jurisdictions and that it is important to think of the best interest of our airports. He suggested including the reference to CEQA included in several staff reports. Commissioner Robin Lowe commented that there is a new attitude of cooperation to find a solution that meets the goals of the Commission. She suggested that ALUC make a presentation at a League of Cities meeting. Commissioner Melanie Fesmire commented that we need to find ways to explain the importance of our local airports, including their possible role in emergency preparedness, and emphasized partnership in preserving our resources. Ed Cooper noted that the attachments are an interim measure until a succinct pamphlet is prepared.

5.4 Announcement: Hemet-Ryan Subcommittee Meeting, Conference Room 1B, 1:00 p.m. Information only.

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II. AGENDA ITEM 6.0: APPROVAL OF MINUTES: December 13, 2007 and January 10, 2008

Commissioner Melanie Fesmire motioned to approve the December 13, 2007 minutes. Seconded by Vice Chairman Rod Ballance. Carried unanimously by a vote of 6-0. Absent: Commissioner Glen Holmes.

Commissioner Arthur Butler motioned to approve the January 10, 2008 minutes. Seconded by Commissioner Melanie Fesmire. (Vote 4-0). Abstain: Chairman Simon Housman and Commissioner Robin Lowe. Absent: Commissioner Glen Holmes.

III. AGENDA ITEM 7.0: ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA

Kassen Klein addressed the Commission, advising that his client, Pac Ten Partners, is considering buying properties in a recorded parcel map for nonresidential development. He is requesting a workshop to allow dialogue so as to gain input from the Commission on some issues relative to interpretation of criteria. Chairman Housman advised that the Commission normally does not discuss criteria with applicants unless a specific application has been filed, but this could be an item for consideration by a subcommittee. The Chairman expressed concern that a Commission discussion without full knowledge of the project may result in the proponent being misled. Staff advised that this involved an issue of interpretation regarding whether, and the extent to which, rights-of-way could be counted toward open land in determining the open land bonus. Counsel B.T. Miller suggested that the applicant could submit questions to staff, and that staff could place the issues on the Administrative Items calendar for discussion at the next meeting. The Chairman directed staff to proceed accordingly.

Joel Morse of T&B Planning Consultants noted that his firm represents a number of clients who have proposed, or are contemplating submittal of, Specific Plans. He requested that the Commission clarify its position regarding residential densities in Specific Plans, an issue that had been left unresolved when last considered as an Administrative Item. He advised that the issue was whether each residential Planning Area must meet the density criteria for a Specific Plan to be consistent, or whether consistency could be determined based on the overall density of the residential areas within the Specific Plan. The Chairman agreed to schedule two meetings of the Density and Intensity subcommittee to address this issue, and asked staff to notify Mr. Morse of the dates and times of such meetings.

IV. AGENDA ITEM 8.0: COMMISSIONER'S COMMENTS

Commissioner John Lyon inquired as to the effect of the adoption of the International Building Code on intensity calculation methodology. Staff agreed to follow up with the State Division of Aeronautics. Rod Ballance commented on the need to analyze the unfortunate disasters that create teachable moments, for example the Corona crash incident. BT Miller provided copies of the SB1118 (Senate Bill) with regards to ALUC and advised that he had been on a panel at an Airport Executives conference with Chris Ferrell from State Aeronautics. He stated that the State is considering its next Handbook revision. Commissioner Lyon noted that there was a series of workshops before that last Handbook was adopted. Simon Housman reported on the results of the Residential Intensity Subcommittee (Commissioners Arthur Butler, Glen Holmes, and the Chair) who met with representatives from Temecula and Murrieta addressing areas around the French Valley Airport.

V. ADJOURNMENT

Chairman Simon Housman adjourned the meeting at 12:04 p.m.

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VI. CD

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ITEM 5.0: TIME IS 11:36 A.M.