

**AIRPORT LAND USE COMMISSION
MINUTE ORDER JUNE 12, 2008
RIVERSIDE MEETING**

A regular scheduled meeting of the Airport Land Use Commission was held on June 12, 2008 at the Riverside County Administration Center, Board Chambers.

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

COMMISSIONERS ABSENT:

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

OTHERS PRESENT: Ricarda Bennett, Heliport Consultant
Raymond Cano, Christ is Salvation Church
John Dishell, Other Interested Person
Ryan Hill, Oakmont Industrial Group
Gabriel Lujan, Christ is Salvation Church
Paster Ruben Martinez, Christ is Salvation Church
David L. Morgan, SW Engineering, Inc.
Greg Pettis, Delson Group
Chuck Tobin, Representative for Applicant Cole Burr
Greg Tonkovich, Other Interested Person
James Wynhoff, Other Interested Person

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I. **AGENDA ITEM 2.1:** ZAP1008FL08 – Greenland Joint Venture and Adeel and Farooq Bhattha (Representative: Adkan Engineers) – County Case Nos. TR35801 (Tract Map) and CZ07606 (Change of Zone). A proposal to change the zoning of an 8.46-acre parcel located northeasterly of Peralta Place, southerly of Vista Del Caballero, and westerly of Ave. Juan Bautista, within the unincorporated Riverside County community of Rubidoux, from R-1-100 (One Family Dwellings, 100 foot minimum lot frontage) and R-A (Residential Agricultural) to R-1 (One-Family Dwellings), and to divide the parcel into six residential lots. Airport Zone E.

II. **MAJOR ISSUES**

None

III. **STAFF RECOMMENDATION**

Staff recommends a finding of CONSISTENCY for the change of zone and the tentative tract map, subject to the conditions specified herein for the tract map.

IV. **PROJECT DESCRIPTION**

The applicant proposes a change of zone from One Family Dwellings, 100 foot minimum lot frontage (R-1-100) and Residential Agriculture (R-A) to One Family Dwellings (R-1), and a subdivision of approximately 9.37 gross acres into six lots, with no structures being proposed at this time.

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. The attached notice shall be provided to all potential purchasers and tenants and shall be recorded as a deed notice.
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.

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4. Prior to issuance of building permits, the applicant shall file a Notice of Proposed Construction or Alteration (Form 7460-1) with the Federal Aviation Administration for any structure whose elevation in feet above mean sea level at top of roof or top point exceeds 872 and shall have received a determination of “No Hazard to Air Navigation.”

V. **MEETING SUMMARY**

The following staff presented the subject proposal:

ALUC Staff Planner: Brenda Ramirez, Ph: (951) 955-0873, or E-mail at brramire@rctlma.org.

The following spoke somewhat in opposition to the project:

James Wynhoff, 5873 Ave Juan Bautista, Riverside, CA 92509

No one spoke in favor or neutral to the project.

VI. **ALUC COMMISSION ACTION**

The ALUC Commission, by a unanimous vote of 7-0, found the project **CONSISTENT**.

VII. **CD -**

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

ITEM 2.1: TIME IS 9:02 A.M.

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I. **AGENDA ITEM 2.2:** ZAP1050MA08 – Davis Patterson Partners (Representative: Urban Environs, Patrick J. Meyer) – County Case Nos. PP23342 (Plot Plan) and CZ07648 (Change of Zone). A proposal to change the zoning of five parcels totaling approximately 11.26-11.4 acres in an area located northerly of Rider Street, easterly of Patterson Avenue, and westerly of Interstate 215 in the unincorporated Riverside County community of Mead Valley from M-H (Manufacturing-Heavy) and M-SC (Manufacturing-Service Commercial) to I-P (Industrial Park) and M-SC, and to develop a multi use industrial park consisting of four freestanding buildings totaling approximately 180,551 square feet in floor area on the site. Airport Area II.

II. **MAJOR ISSUES**
None

III. **STAFF RECOMMENDATION**
Staff recommends a finding of CONSISTENCY with the 1984 Riverside County Airport Land Use Plan, subject to the conditions specified herein for the plot plan.

IV. **PROJECT DESCRIPTION**
A proposal to change the zone from Manufacturing-Heavy (M-H) Zone and Manufacturing-Service Commercial (M-SC) Zone to Industrial Park (I-P) Zone and Manufacturing-Service Commercial (M-SC) Zone, and to develop a multi use industrial park consisting of four freestanding buildings totaling approximately 180,551 square feet, on five parcels approximately 11.39 acres in total.

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 avigation easement to the MARB/MIP Airport. (Contact March Joint Powers Authority at (951) 656-7000 for additional information.)

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3. Any outdoor lighting shall be hooded or shielded to assure that no lights are above the horizontal plan. (It is recommended that airport management be provided an opportunity to review outdoor lighting plans prior to approval.)
4. The attached notice shall be given to all prospective purchasers and/or tenants of the property.
5. Noise attenuation measures shall be incorporated into office areas of the proposed structures, 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, Ph: (951) 955-0873, or 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 7-0, found the project **CONSISTENT**.

VII. CD

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

ITEM 2.2: TIME IS 9:10 A.M.

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- I. **AGENDA ITEM 2.3: ZAP1040RI08 – TR Design Group, Inc/ Thomas E. Jimenez – City Case No. P08-0300 (Change of Zone).** A proposal to change the zoning of one 0.42-acre parcel with an address of 7179 Magnolia Avenue, located on the northerly side of Magnolia Avenue, easterly of its intersection with El Hijo Street and westerly of its intersection with Arlington Avenue, within the City of Riverside, from R-1-7000 (Single Family Residential) to O (Office). Airport Zone D.
- II. **MAJOR ISSUES**
None
- III. **STAFF RECOMMENDATION**
Staff recommends a finding of CONSISTENCY for the change of zone.
- IV. **PROJECT DESCRIPTION**
A proposal to change the existing zone from Residential (R-1-7000) to Office (Office) and convert existing structures, totaling approximately 2,718 square feet, into office space, on an approximately 0.41 acre parcel.

General plan amendments and rezoning are not subject to conditions.
- V. **MEETING SUMMARY**
The following staff presented the subject proposal:
ALUC Staff Planner: Brenda Ramirez, Ph: (951) 955-0873, or 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 7-0, found the project CONSISTENT.
- VII. **CD**
The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 2.3: TIME IS 9:10 A.M.

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I. **AGENDA ITEM 3.1:** 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. (Continued from March 13, 2008 and May 8, 2008).

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 195 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 applicant is requesting risk-reduction design bonuses of up to 30% for single-story buildings and up to 20% for two-story buildings. 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 Report)**

Staff recommends a finding of CONSISTENCY for the specific plan amendment, change of zone, and parcel map.

In the event that the Commission is willing to grant the requested risk-reduction design bonuses, staff recommends a finding of **CONDITIONAL CONSISTENCY** for the plot plan, subject to the conditions included herein and such additional conditions as may be required to be added pursuant to the terms of the FAA determination. In the event that the Commission is not willing to grant the requested risk-reduction design bonuses, staff recommends that consideration of the plot plan be continued an additional month to allow for further redesign or reallocation of land uses.

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~~ from 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-

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reduction design bonus with appropriate documentation. As of January 30, this information has not been received.

UPDATE III: The additional information has not been received as of February 28, 2008. The applicant's representative is attempting to satisfy County Planning staff concerns, as well as ALUC staff concerns regarding single-acre intensities, and has indicated that these changes may affect the locations of Buildings K and L, as well as building heights. Both the site plan and elevations may be modified as a result..

UPDATE IV: THE APPLICANT HAS REQUESTED AN ADDITIONAL ONE-MONTH CONTINUANCE.

UPDATE V: A NEW PACKET OF MATERIALS WAS SUBMITTED ON MAY 29, 2008. THE APPLICANT HAS MADE SOME CHANGES TO BUILDING LAYOUT AND LAND USES AND HAS SUBMITTED TO FAA FOR AERONAUTICAL REVIEW WHERE REQUIRED.

STAFF RECOMMENDED AT HEARING: CONDITIONALLY CONSISTENT (Plot Plan); other applications CONSISTENT.

IV. PROJECT DESCRIPTION

Plot Plan No. 23146 proposes to establish a mixed use commercial, office, and industrial project consisting of 12 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.

In the event that the County of Riverside chooses to overrule a determination of inconsistency, the County 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 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 1,364 feet above mean sea level and exceeding Notice Criteria 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 County of Riverside Planning Department and the Riverside County Airport Land Use Commission.
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.

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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 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.

4. The County of Riverside 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 *plot plan*, except for the two freestanding pads:

Auction rooms, auditoriums, churches and chapels, dance floors, lodge rooms, reviewing stands, dining rooms, exhibit rooms, restaurants, drinking establishments, gymnasiums, lounges, stages, gaming, bowling alleys, classrooms, swimming pools, 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. The attached notice shall be provided to all potential purchasers and tenants *of the real property and the proposed buildings, AND SHALL BE RECORDED AS A DEED NOTICE.*

6. Building D shall be limited to a maximum of 5% office area, with the remainder utilized for warehousing.

7. Retail sales areas in Building E shall be limited to the easterly 42 feet of the building, and shall be confined to the first floor. Office areas in Building E shall be confined to the second floor, and shall be limited to the easterly 33 feet of the building. The westerly 40 feet of the building shall be limited to storage and stock rooms, and/or warehousing.

8. Building G shall be limited to warehousing uses.

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V. MEETING SUMMARY

The following staff presented the subject proposal:

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

The following spoke in favor of the project:

John Dishell, Other Interested Person

No one spoke in neutral or opposition to the project.

VI. ALUC COMMISSION ACTION

The ALUC Commission, by a unanimous vote of 7-0, found the The Specific Plan Amendment and Change of Zone **CONSISTENT**, subject to Condition Nos. 2, 3, and 5. The plot plan and parcel map were **CONTINUED** to July 10, 2008.

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 9:11 A.M.

**AIRPORT LAND USE COMMISSION
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- I. **AGENDA ITEM 3.2** ZAP1049MA08 – Oakmont Ramona Expressway, LLC/Oakmont Industrial Group, LLC (Representative: Kurt Schlyer) – City Case No. DPR 07-0029 – Development of five industrial buildings with a total building area of up to 1,611,000 square feet (including 90,907 square feet of office area) and 1,417 parking spaces on 81.92 – 87 acres located northerly of Ramona Expressway, southerly of Markham Street, easterly of Brennan Avenue, and westerly of Barrett Avenue in the City of Perris. Most of the project site is located westerly of Indian Street. Airport Area I (Accident Potential Zones I and II). (Continued from May 8, 2008).

II. **MAJOR ISSUES**

One major issue is whether the Commission has the authority to make its determination of consistency based on the U.S. Air Force Air Installation Compatible Use Zone (AICUZ) studies, or whether it must confine its determination to consistency with the 1984 Riverside County Airport Land Use Plan. A corollary issue is the intent of the lot coverage maximum in the AICUZ Appendix. Lot coverage is 45.98% of net site area. The property is located largely within Accident Potential Zone I (APZ I), with the remaining area in Accident Potential Zone II (APZ II). The 1998 and 2005 AICUZ 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 interpreted this as being applicable to both APZ I and APZ II. The applicant has submitted a statement that the context of this criterion within the AICUZ is intended to apply to land uses permissible in APZ II, but not in APZ I. The applicant notes that industrial and warehousing uses are listed as being among the permissible uses in APZ I. The site is located within Airport Area I on the March Air Reserve Base Airport Influence Area map. The 1984 Riverside County Airport Land Use Plan does not restrict commercial or industrial land use intensities in Area I, other than by prohibiting “high risk” land uses, including those characterized by “high concentrations of people”. The Draft March Joint Land Use Study proposes to apply the 20% coverage limit in APZ I and a 40% coverage limit in APZ II, in addition to person-intensity limits. The City of Perris Planning Director has advised that the City is willing to accept the person-intensity limits, but that the lot coverage limitations on warehousing and distribution would render such projects economically infeasible.

III. **STAFF RECOMMENDATION**

Staff recommends that this item be CONTINUED to July 10, 2008, to allow time for the March Joint Powers Authority to receive a reply from the United States Air Force to its request for a clarification of the intent of the lot coverage reference in the AICUZ Appendix. If the Commission wishes to make its determination based on staff’s interpretation of the provisions of the AICUZ study, a determination of INCONSISTENCY should be made, on the basis of the lot coverage exceeding 20 percent of lot area. (In the event that the Commission wishes to act solely pursuant to the 1984 Riverside County Airport Land Use Plan, staff would note that the project is consistent with that Plan, considered alone. The project is not consistent with the Draft March Joint Land Use Study criteria, as presently proposed.)

UPDATE: Since the May 8 public hearing, Michael Johnson, Vice President of Oakmont Industrial Group, has submitted an e-mail with attached memorandum to staff and the members of the Commission in support of the position that: (a) the 20% lot coverage limit should only apply to buildings with high densities of people in APZ II; (b) the land use compatibility guidelines are intended to be “sufficiently flexible to allow reasonable economic use of the land, such as industrial/manufacturing...[and]...wholesale trade”; and (c) the 20% lot coverage limit would

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render light industrial and manufacturing uses infeasible, thereby either prohibiting the economic use of the land or resulting in the establishment of higher occupancy buildings within a concentrated area. Mr. Johnson also notes in his e-mail that the AICUZ study does not reference the words "emergency landing." Mr. Johnson concludes that the proposed project is "exactly what is called for in the AICUZ document" and "completely compatible...with the intent of the AICUZ study when properly interpreted." This is consistent with previous oral and written communications from the applicant's consultant, Kurt Schlyer of Golder Associates, Inc.

In order to attempt to resolve this issue, which has been an ongoing point of contention both in the review of individual development projects and in the crafting of the March Joint Land Use Study, March Joint Powers Authority submitted a letter to Lynn Engelman, Air Force Civil Engineer, requesting assistance in the interpretation of the land use compatibility provisions identified in Table 3-1 and Appendix A of the AICUZ.

ALUC staff supports the course of action taken by the March Joint Powers Authority requesting that the interpretation of AICUZ be made by the entity responsible for its preparation. Unless the applicant insists on final action at this meeting, it may be prudent for the Commission to continue this matter pending receipt of the clarification/interpretation by the author.

IV. PROJECT DESCRIPTION

City Case No. DPR07-0029 proposes the development of five industrial buildings with a total building area of up to 1,611,000 square feet (including 90,907 square feet of office area) and 1,417 parking spaces on 81.92-87 acres.

V. MEETING SUMMARY

The following staff presented the subject proposal:

ALUC Staff Planner: John Guerin at (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 7-0, **CONTINUED** the project to July 10, 2008.

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 9:37 A.M.

**AIRPORT LAND USE COMMISSION
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I. **AGENDA ITEM 3.3:** ZAP1006TH07 – Christ is Salvation Church (Representative: Gabriel Lujan and Associates) – County Case No. PP22980 (Plot Plan) – A proposal to establish a 42,250 square foot, two-story church building, with a 6,400 square foot maintenance/storage building and a 1,440-1,500 square foot caretaker’s quarters, on 5 acres located on the west side of Olive Street, southerly of Church Street and northerly of 57th Avenue, in the unincorporated Riverside County community of Thermal. The church building is proposed to include sixteen classrooms, two multi-purpose rooms, and a 649 seat sanctuary. **This project has been revised. The Commission may consider whether to find the revised project consistent pursuant to Countywide Policy 3.3.6. Airport Zone D.** (Continued from April 10, 2008 and May 8, 2008).

II. **MAJOR ISSUES**

The intensity of use on-site, especially the single-acre intensity, is well above the maximum allowable intensity in Airport Zone D. The average intensity is approximately 138 persons per acre, 38% above the Zone D standard, and the single-acre intensity of 452 is more than 1.5 times the Zone D standard.

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

The applicant requests consideration pursuant to Section 3.3.6 (Other Special Conditions) on the basis of the proximity of the schools and *the apartment complex and the limited hours of operation.*

RECOMMENDATION:

Staff recommends that the Commission determine whether, in its independent judgment, this project qualifies for a determination of special circumstances based on the findings specified herein. If so, then the Commission may proceed to find the project consistent. If not, staff must recommend a finding of INCONSISTENCY.

UPDATE: The Frequency of Use Subcommittee was formed at the April 10 ALUC hearing. A meeting date and time were set for April 28, but only one member was present. Staff obtained input from Ken Brody of Mead & Hunt, and Commissioner Lyon provided an overview of the issue. Copies of these documents are attached. In the meantime, the applicant has prepared a conceptual site plan that moves the recreational facilities into an acre that is separate from the location of the church. The average intensity will continue to exceed 100 persons per acre using the Building Code method, but the redesign is expected to significantly reduce the single-acre intensity.

STAFF RECOMMENDED AT HEARING: CONSISTENT with Special Conditions otherwise INCONSISTENT.

IV. **PROJECT DESCRIPTION**

The applicant proposes to construct and operate a 19,575 square foot, single-story church building and a 16,250 square foot multipurpose building/activity center, with a 6,400 square foot maintenance/storage building and a 1,440-1,500 square foot caretaker’s quarters, on a five-acre site. The church building is proposed to include seven classrooms, eleven offices, and a 479-seat sanctuary. The multi-purpose building would include a 4,095 square foot multi-purpose room, a 1,637 square foot vocational room, four classrooms, a kitchen, an exercise/weight room and a racquetball court.

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In a “project narrative” submitted after the completion of the November staff report, but in time for inclusion in the packets distributed to the Commission, the applicant advised that the proposed building would be a “center of community” including a “750 seat sanctuary, 15 ministry classrooms and 10 staff offices, a full-size indoor gymnasium with racquet ball court and fitness room, a student computer resources lab, and a large chapel/multipurpose room.”

The sanctuary seating has since been reduced by 36 percent to 479 seats.

The following conditions are necessary to prevent the establishment of uses that are hazards to flight and to provide notification in accordance with State law. Implementation of these conditions does NOT render the project consistent with the Jacqueline Cochran Regional Airport Land Use Compatibility Plan and may not be sufficient to mitigate potential safety hazards (as they would affect the worshippers, students, ministers, and other occupants of this building) to below a level of significance pursuant to the California Environmental Quality Act.

FINDINGS OF FACT (in the event that the Commission considers a finding pursuant to Countywide Policy 3.3.6):

1. The parcel size is less than 20 acres in area.
2. The project site is bordered by schools to the north and by an apartment complex to the west.
3. The average usage intensity of the site is consistent using the Parking Space Method, and would substantially comply with the recommended standard for intensity for the Traffic Pattern Zone (average of 150 persons per acre) in the California Airport Land Use Planning Handbook even at periods of peak usage.
4. The single-acre intensity of the site would substantially comply with the recommended standard for intensity for the Traffic Pattern Zone (average of 450 persons per acre) in the California Airport Land Use Planning Handbook, and would not exceed that number by more than 22% even at periods of peak usage.
5. The applicant has made a substantial design change in order to reduce the intensity of this project in relation to the project as originally proposed.
6. The building where the single-acre intensity standard of 300 persons would be exceeded would only be utilized for the higher level of intensity less than ten hours per week.
7. The primary community served by the proposed facility is entirely located in Airport Zone D, such that a location outside that zone would limit the community’s access to the facility and the services provided therein.
8. The overall land coverage by buildings would be approximately 20% of site area.
9. The project is located to the side of the runway, not along the extended runway centerline.

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10. At the present time, much of the land to the east of the block where this building is proposed is in agricultural and open space use, while the area to the west of the block is open land and airport grounds.
11. The project site is located outside the area subject to aircraft noise exceeding 55 dB(A) CNEL.
12. The project does not require FAA notice and will not constitute a hazard to air navigation.

The following conditions are necessary to prevent the establishment of uses that are hazards to flight and to provide notification in accordance with State law. Implementation of these conditions does NOT render the project consistent with the Jacqueline Cochran Regional Airport Land Use Compatibility Plan and may not be sufficient to mitigate potential safety hazards (as they would affect the worshippers, students, ministers, and other occupants of this building) to below a level of significance pursuant to the California Environmental Quality Act.

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 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 the operation of aircraft and/or aircraft instrumentation.
2. Any outdoor lighting that is installed shall be hooded or shielded so as to prevent

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either the spillage of lumens or reflection into the sky, and shall comply with the requirements of Riverside County Ordinance No. 655, as applicable.

3. The attached notice shall be provided to all potential property purchasers and tenants, and shall be recorded as a deed notice.
4. The landowner shall convey an avigation easement to the County of Riverside as owner-operator of Jacqueline Cochran Regional Airport. (Contact the Riverside County Economic Development Agency – Aviation Division for additional information.)
5. The top point of the building shall be not less than 77 feet below mean sea level.
6. The retention basin shall be designed so as to provide a maximum 48-hour detention period for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the retention basin that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.

V. MEETING SUMMARY

The following staff presented the subject proposal:

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

The following spoke in favor of the project:

Raymond Cano, Christ is Salvation Church, 85100 Damascus Ave, Coachella, CA 92236

Gabriel Lujan, Christ is Salvation Church, 45175 Panorama Drive, STE A, Palm Desert, CA 92260

Pastor Ruben Martinez, Christ is Salvation Church, 54-684, Hwy 86, Thermal, CA 92274

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 **CONSISTENT** pursuant to Countywide Policy 3.3.6, subject to the conditions in the staff report, including the requirement for an avigation agreement, based on the findings of fact included in the staff report, as supplemented by the comments made by Commissioners Rod Ballance and John Lyon. Absent (recused): Melanie Fesmire.

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 9:40 A.M.

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I. **AGENDA ITEM 4.1:** ZAP1024FV08 – French Valley Business Park I, L.P. and Pacific Realty Partners, L.P. (Representative: SW Engineering, Inc.). County Case Nos. PP23404 (Plot Plan) and PM30790 R1 (Revised Parcel Map). A proposal to develop an eight-building mixed-use business park, including retail, office, and industrial uses, with a combined gross floor area of up to 140,000 square feet, on approximately 10.5 acres of a 17.45-18.7 acre property located at the northeasterly corner of Auld Road and Leon Road (extending almost ¼ mile northerly of the intersection along the easterly side of Leon Road and 600 feet easterly of the intersection along the northerly side of Auld Road), in the unincorporated Riverside County community of French Valley, and to divide the property into two commercial/industrial parcels for condominium purposes. The proposed buildings would be subdivided into condominium airspace units. Airport Zones C and D.

II. **MAJOR ISSUES**

The open space provided by the applicant in Zone C does not meet the 20 percent requirement for Zone C. However, the combined open space in both Zone C and Zone D would meet the minimum requirement. Staff would ask that the Commission consider the overall open space being provided, as the open space is contiguous and constitutes a 615 feet x 150 feet open space area.

III. **STAFF RECOMMENDATION**

Staff recommends a finding of CONSISTENCY for the Parcel Map and CONDITIONAL CONSISTENCY for the Plot Plan, subject to the conditions herein and such additional conditions as may be required pursuant to the terms of the FAA determination.

IV. **PROJECT DESCRIPTION**

A proposal to divide approximately 18.7 acres into two commercial lots consisting of 10.5 acres for lot one (Phase I) and 8.2 acres for lot two (Phase II). The plot plan proposes a mixed-use business park consisting of eight commercial/industrial buildings, including retail, office, and industrial uses. The buildings provide a combined gross floor area of approximately 139,040 square feet. The parcel map would provide for subdivision of the buildings into condominium airspace units. The project design provides for approximately 1 acres of open space in Zone C and 1.82 acres in Zone D.

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.

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- (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
 - (e) Children's schools, day care centers, libraries, hospitals, nursing homes, highly noise-sensitive outdoor uses, and aboveground bulk storage of 6,000 gallons or more of hazardous or flammable materials.
2. 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 any of the structures approved through Plot Plan No. 23404 and any future substantial conformance requests pertaining thereto:
- Retail sales (except in Building 1), auction rooms, auditoriums, churches and chapels, dance floors, lodge rooms, reviewing stands, conference rooms with capacities of 28 or more persons, dining rooms, exhibit rooms, restaurants, drinking establishments, gymnasiums, lounges, stages, 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.
- 3. The attached notice shall be provided to all potential purchasers and tenants, and shall be recorded as a deed notice.
 - 4. 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, and shall comply with the provisions of Riverside County Ordinance No. 655.
 - 5. An exterior to interior noise reduction of 20 dB will be required in all office buildings, including those buildings partially located within Zone C with office space.
 - 6. No more than 50 percent of the area in Building 3 shall be utilized for office space.
 - 7. No more than 75 percent of the area in Buildings 4 and 6 shall be utilized for office space.
 - 8. No more than 75 percent of the portion of Building 8 within Zone C shall be utilized for office space.
 - 9. Prior to the issuance of building permits, the applicant shall submit a Notice of Proposed Construction of Alteration (Form 7460-1) to the Federal Aviation Administration (FAA) for each building with an elevation at top point exceeding 1,371 feet AMSL 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 County of Riverside Planning Department and the Riverside County Airport Land Use Commission.

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V. MEETING SUMMARY

The following staff presented the subject proposal:

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

The following spoke in favor of the project:

David L. Morgan, SW Engineering, Inc., 41951 Remington Ave., Suite 160, Temecula, CA 92590

No one spoke in neutral or opposition to the project.

VI. ALUC COMMISSION ACTION

The ALUC Commission, by a unanimous vote of 7-0, found the project **CONDITIONALLY CONSISTENT** for the Plot Plan, and **CONSISTENT** for the Parcel Map.

VII. CD

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

ITEM 4.1: TIME IS 10:39 A.M.

**AIRPORT LAND USE COMMISSION
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RIVERSIDE MEETING**

I. **AGENDA ITEM 4.2:** ZAP1025FV08 – Cole and Tracy Burr/Heliport Consultants (Representative: Ricarda Bennett) – County Case No. CUP 03551 (Conditional Use Permit). A proposal to develop a private use, ground level heliport for the take off and landing of a helicopter on 28.58-29.34 acres of contiguously owned property located at 35550 and 35560 De Portola Road, on the northerly side of De Portola Road, easterly of Anza Road and westerly of Pauba Road in the “Valle De Los Caballos” Policy Area of unincorporated Riverside County. The County anticipates limiting usage to a maximum of two round trips per day, and to the hours of 7:00 a.m. to 7:00 p.m. daily. Not located within an existing Airport Influence Area.

II. **MAJOR ISSUES**
None

III. **STAFF RECOMMENDATION (Staff Report)**
Staff recommends a finding of CONSISTENCY, subject to the conditions specified herein.

STAFF RECOMMENDED AT HEARING: CONTINUE TO JULY 10, 2008 to allow time for adjacent property owners to meet and confer with the applicant on proposed project.

IV. **PROJECT DESCRIPTION**

The applicant proposes to construct a 900 square foot private-use (non-commercial) helicopter landing pad on two contiguously owned parcels, totaling approximately 29.34 acres.

The heliport will be at an elevation of 1200 feet above mean sea level. The Touch Down and Lift Off Area (TLOF) will be 37 feet by 37 feet (1,369 square feet) in area. The proposed flight path will be within the property owner’s boundaries northerly of De Portola Road. (It is anticipated that the flight path will cross private property southerly of the road, but at that point, the helicopter would be operating at a greater height above ground level and would, therefore, result in a lesser noise level at residential locations.)

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:
Ricarda Bennett, Heliport Consultant, 148 Gazania CT, Thousand Oaks, CA 91362.
Chuck Tobin, Applicant Representative, 9890 Cherry Ave, Fontana, CA 92335.
Greg Tonkovich, Other Interested Person, 1021 Didrikson Way, Laguna Beach, CA

The following spoke in opposition to the project:
Greg Pettis, Delson Group, 38073 Chris Drive, Cathedral City, CA 92234

No one spoke in neutral of the project.

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VI. ALUC COMMISSION ACTION

The ALUC Commission, by a unanimous vote of 7-0, **CONTINUED** the project to July 10, 2008.

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 10:55 A.M.

**AIRPORT LAND USE COMMISSION
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RIVERSIDE MEETING**

I. AGENDA ITEM 5.0: ADMINISTRATIVE ITEMS

- 5.1 **Chino Airport Land Use Compatibility Plan Schedule** - John Guerin, ALUC Principal Planner presented information regarding the draft schedule for consideration of this compatibility plan.
- 5.2 **Report from Frequency of Use Subcommittee: Calculation of Intensity for Meeting Places and Intermittent Uses** - Vice Chairman Rod Ballance made a motion to receive and file the report. Seconded by Commissioner Robin Lowe. Chairman Housman, Commissioner Fesmire, and Commissioner Lyon offered comments.
- 5.3 **Notice of Intent to Overrule – Harvest Landing (City of Perris) – ZAP1048MA08** John Guerin advised that staff will prepare its letter as soon as possible. Chairman Housman directed staff to advise Vice Chairman Rod Ballance as soon as we find out the date of the City of Perris Overrule meeting, so that he can attend the meeting, or, if he's not available, have another member of the Commission attend.
- 5.4 **Director's Approvals** – Information only

II. AGENDA ITEM 6.0: APPROVAL OF MINUTES:

Vice Chairman Rod Ballance motioned to approve the May 8, 2008 minutes. Seconded by Commissioner Robin Lowe. Abstain: Commissioner Melanie Fesmire. (Vote 6-0).

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

Ed Cooper, ALUC Director, informed the Commission that he will be on vacation the week of June 30, returning on July 7.

IV. AGENDA ITEM 8.0: COMMISSIONER'S COMMENTS

Commissioner John Lyon advised the Commission that Senate Bill 1118 passed the Senate and is now in the Assembly. The bill would restore the requirement for Airport Land Use Commissions in a number of Counties where they do not exist (because the law presently allows alternative arrangements). He also stated that he has suggested a subsequent amendment to extend the liability immunity in the event of overrule to all public use airports, not just publicly owned airports. Vice Chairman Rod Ballance thanked staff for their outstanding work with Southern California Edison regarding a proposed project in the French Valley area. On another subject, he advised that the National Transportation Safety Board will need another 6 to 7 months to investigate the fatal accident that occurred near Riverside Municipal Airport earlier this year. Chairman Housman informed the Commission that he will not be attending the July Commission meeting and Vice Chairman Rod Ballance will be acting as Chair.

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V. **ADJOURNMENT**

Chairman Housman adjourned the meeting at 11:31 a.m.

VI. **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 5.0: TIME IS 11:19 A.M.