

**AIRPORT LAND USE COMMISSION  
MINUTE ORDER JANUARY 8, 2009  
RIVERSIDE MEETING**

A regular scheduled meeting of the Airport Land Use Commission was held on January 8, 2009 at the Riverside County Administration Center, Board Chambers.

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

COMMISSIONERS ABSENT:

STAFF PRESENT: Ed Cooper, Director  
Brenda Ramirez, Contract Planner  
Barbara Santos, ALUC Secretary  
BT Miller, County Counsel

OTHERS PRESENT: Ward Mace, Applicant Representative

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I. **AGENDA ITEM 2.1:** ZAP1030FV08 - FV Crossings, LP – City Case No. DPO-004-249 (Development Plan). A proposal to develop a nine-building, 69,730 square foot retail commercial center on 11.05 net acres (13.74 gross acres) of land located northwesterly of Winchester Road, westerly of the new alignment of Clinton Keith Road at its intersection with Winchester Road, and southerly of Porth Road in the City of Murrieta. Airport Compatibility Zones B1 and C. (Continued from 12-11-08).

II. **MAJOR ISSUES**

Staff has verified that the project design would meet the open space requirements, and per the testimony of both the applicant and Rick Zimmer, Contract Planner for the City Murrieta, the use of the 6,500 square foot Building “D” identified as “food” will be change to another less intensive use in order to meet the single acre density. In addition Mr. Zimmer stated that the City had not asked for a restaurant in that building nor had any intention on doing so in the future due to the relatively small project site.

Staff has added additional conditions in light of the new information.

III. **STAFF RECOMMENDATION**

Staff recommends a finding of CONSISTENCY for the Development Plan, subject to the conditions included herein.

IV. **PROJECT DESCRIPTION**

The applicant proposes to develop a nine-building, 69,730 square foot retail commercial center on 11.05 net acres (13.74 gross acres).

**CONDITIONS:**

1. Prior to issuance of building permits, the landowner shall convey an avigation easement to the County of Riverside as owner-operator of French Valley Airport, which shall be recorded upon approval by the County of Riverside Economic Development Agency – Aviation Division. Copies of the recorded avigation easement shall be forwarded to the Airport Land Use Commission and to the City of Murrieta Planning Department.
2. Prior to issuance of building permits for Buildings “A”, “B”, “C”, “D”, “E”, or “I”, the applicant shall submit a Notice of Proposed Construction or Alteration (Form 7460-1) to the Federal Aviation Administration (FAA) for each building or structure with an elevation at top point exceeding “X” feet above mean sea level, where “X” = 1,347 + (distance from the nearest point of the structure or building to the nearest point of the runway, in feet, divided by 100), and shall have received a determination of “No Hazard to Air Navigation” from the FAA. Copies of the FAA determination shall be provided to the City of Murrieta Planning Department and the Riverside County Airport Land Use Commission.
3. Any outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky.
4. The following uses shall be prohibited:
  - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational

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signal light, visual approach slope indicator, or such red light obstruction marking as may be permitted by the Federal Aviation Administration.

- (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
  - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
  - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
  - (e) Children's schools, hospitals, nursing homes, day care centers, libraries, highly noise-sensitive outdoor uses, aboveground bulk storage of hazardous materials, aboveground bulk storage of 6,000 gallons or more of flammable materials, and (within Airport Zone B1) churches and chapels.
5. The City of Murrieta shall require additional review by the Airport Land Use Commission prior to the establishment of any of the following uses in any of the structures proposed through this conditional use permit:
- Auction rooms, auditoriums, churches and chapels (within Airport Zone C), dance floors, lodge rooms, reviewing stands, exhibit rooms, gymnasiums, lounges, stages, gaming, bowling alleys, classrooms, courtrooms, dormitories, locker rooms, exercising rooms, swimming pools, skating rinks, and other uses that would be considered to have an occupancy level greater than one person per 60 square feet (minimum square feet per occupant less than 60) pursuant to California Building Code (1998) Table 10-A, other than restaurants, dining establishments, and drinking establishments within Building "B" and retail sales at all buildings except Building "F."
6. The attached notice shall be provided to all potential purchasers of real property interests and tenants.
7. The applicant shall submit an Open Areas exhibit demonstrating compliance with minimum requirements of 20 percent open area within Airport Compatibility Zone C and 30 percent within Airport Compatibility Zone B1, as depicted in the ALUC Open Area Exhibit dated 12/16/08.
8. Building "D" shall be used for retail sales or less intensive uses. It shall not be utilized as a restaurant, eating establishment, drinking establishment, or any other use listed in Condition No. 5.
9. The square footage of restaurant serving area in Building "B" shall be limited to 2,480 square feet. If Building "B" is developed as a restaurant, the remaining area shall be kitchen area not accessible to the public.
10. The maximum height of Building "F" shall not exceed 43 feet above ground level, and the maximum elevation at the top point of Building "F" shall not exceed 1,380 feet above mean sea level.

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11. The maximum height of Building "G" shall not exceed 48 feet above ground level, and the maximum elevation at the top point of Building "G" shall not exceed 1,386 feet above mean sea level.
12. The maximum height of Building "H" shall not exceed 45 feet above ground level, and the maximum elevation at the top point of Building "H" shall not exceed 1,387 feet above mean sea level.
13. The open areas exhibit submitted to the Airport Land Use Commission by Latham & Watkins LLP on 12-16-08 depict 38 percent of open space within Compatibility Zone B1 on the right of way of Clinton Keith Road and Winchester Road, and 21 percent in Compatibility Zone C along the private drive. All uses within these areas, such as landscaped planters, bike racks, focal points, and break areas, shall comply with the requirements of Policy 4.2.4 as referenced above. Walls, trash enclosures, and trees and light fixtures greater than four feet in height shall not be permitted in this area.

V. **MEETING SUMMARY**

The following staff presented the subject proposal:

ALUC Staff Planner: Brenda Ramirez at (951) 955-0549, or E-mail at [brramire@rctlma.org](mailto: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 6-0, found the project **CONSISTENT**.

VII. **CD**

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

ITEM 2.1: TIME IS 9:01 A.M.

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I. **AGENDA ITEM 3.1:** ZAP1054MA08 – Coudures Family Limited Partnership (Representative: Kelly Buffa) – City of Perris Change of Zone 08110002. A proposal to change the zone from A-1 (Light Agriculture) to BP (Business Park) on three contiguous parcels totaling approximately 8.34 acres, located easterly of Frontage Road, southerly of Placentia Street, northerly of Orange Avenue, and westerly of Indian Avenue, in the City of Perris, within Area II of the March Air Reserve Base.

II. **MAJOR ISSUES**  
None.

III. **STAFF RECOMMENDATION**  
Staff recommends a finding of CONSISTENCY for the change of zone.

IV. **PROJECT DESCRIPTION**  
The project proposes to change the zone of three contiguous parcels totaling approximately 8.34 acres from A-1 (Light Agriculture) to BP (Business Park).

**CONDITIONS (for future projects on this property):**

1. Prior to project development or issuance of building permits, the landowner shall convey an avigation easement to the MARB/IPA Airport (March Joint Powers Authority), which shall subsequently be recorded, or shall provide documentation of such existing recorded easement to the satisfaction of March Joint Powers Authority. A copy of the recorded avigation easement shall be forwarded to the Airport Land Use Commission for its records.
2. All proposed residential dwellings shall be designed to ensure that interior noise levels from aircraft operations do not exceed 45 dB(A) CNEL.
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 FAA-approved obstruction lighting.
  - (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 provided to all potential purchasers and tenants.
5. Any outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. All outdoor lighting shall be downward facing.

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V. **MEETING SUMMARY**

The following staff presented the subject proposal:

ALUC Staff Planner: Brenda Ramirez at (951) 955-0549, or E-mail at [brramire@rctlma.org](mailto: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 6-0, found the project **CONSISTENT**.

VII. **CD**

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

ITEM 3.1: TIME IS 9:01 A.M.

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I. **AGENDA ITEM 4.1:** ZAP1012CH08 – Jack & Beatrice Moons, Jaime Carlos and Maricela Rodriguez (Representatives: Master Development Corporation and Albert A. Webb Associates) – County Case Nos. SP00358 (Specific Plan), CZ07345 (Change of Zone), GPA00827 (General Plan Amendment), and PM35786 (Tentative Parcel Map). The Specific Plan No. 358 “The Ranch at Eastvale,” proposes 47.7 acres of business park uses, 42.9 acres of light industrial uses, 17.5 of commercial retail uses, and 11.8 acres of major road way on 119.9 acres located southerly and easterly of the San Bernardino County/Riverside County line, northerly of a westerly straight extension of 65<sup>th</sup> Street, and westerly of Cucamonga Creek Storm Drain, (easterly of the terminus Kimball Road) in unincorporated Riverside County community of Eastvale. GPA 827 proposes to amend the Eastvale plan designation of this area from LI (Light Industrial) and MDR (Medium Density Residential) to LI (Light Industrial), CR (Commercial Retail), and BP (Business Park). CZ07345 proposes to change the zoning of the property from A-2-10 (Heavy Agriculture minimum 10 acre lot size) to SP (Specific Plan). PM35786 proposes to divide the westerly 97 acres into 6 lots for development (the remaining 22 acres along the westerly boundary are not proposed for division at this time). Project site is within Compatibility Airport Zone B1, C, and D of the Chino Airport.

II. **MAJOR ISSUES**

The proposed project as designed has no designated areas in which to provide open space required in each airport zone. In addition, the specific plan describes allowable uses that could potentially be inconsistent with the 2008 Chino Airport Land Use Compatibility Plan. Staff has added conditions to address those potential issues.

III. **STAFF RECOMMENDATION**

Staff recommends that the Commission open the public hearing, consider testimony, and CONTINUE this matter to the February 18, 2009 hearing, to allow the applicant time to demonstrate that the existing project design satisfies the open area requirements. As the project is currently designed staff cannot recommend a finding of consistency.

IV. **PROJECT DESCRIPTION**

The project proposes to amend the General Plan the Eastvale plan designation from LI (Light Industrial) and MDR (Medium Density Residential) to LI (Light Industrial), CR (commercial Retail), and BP (Business Park) and change the zoning from A-2-10 (Heavy Agriculture minimum 10 acre lot size) to SP (Specific Plan) on approximately 97 acres. The Specific Plan proposes to develop approximately 119 acres into a master-planned project divided into 9 planning areas consisting of 17.5 acres commercial retail use, 42.9 acres light industrial use, 47.7 acres business park use, and 11.8 acres of major road way use. The Parcel Map will divide the westerly 97 acres into 6 lots for industrial, commercial retail, and business park development, and leave the remaining eastern 22 acres unchanged.

**CONDITIONS: (Amended Conditions - numbers 4, 13 and 14)**

1. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
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

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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. (Such uses include landscaping utilizing water features, aquaculture, livestock operations, production of cereal grains, sunflower, and row crops, artificial marshes, wastewater management facilities, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, incinerators, and landfills.)
  - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
  - (e) Children's schools, hospitals, nursing homes, and highly noise-sensitive outdoor nonresidential uses, and, in the structures located partially or wholly in Compatibility Zone C, libraries and day care centers.
3. The Riverside County Planning Department shall require additional review by the Airport Land Use Commission prior to the establishment of any use other than offices, manufacturing, storage, and warehousing within the proposed buildings. Examples of uses that would require further review include, but are not limited to:
- Retail sales, auction rooms, auditoriums, churches and chapels, dance floors, day care or child care centers, libraries, lodge rooms, reviewing stands, conference rooms with capacities of 25 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 the edition of the Building Code in effect at the time of land use or building permit application, as applicable.
- These uses have greater intensity than the uses indicated on the plot plan and may not be possible within the single-acre intensity limits of the applicable Compatibility Zone.
4. **A minimum of 24 acres of open area as defined by Countywide Policy 4.2.4 of the 2004 Riverside County Airport Land Use Compatibility Plan shall be provided. Such open areas shall have minimum dimensions of approximately 75 feet by 300 feet, and shall be free of most structures and other major obstacles such as walls, large trees or poles greater than 4 inches in diameter at a height greater than 4 feet above the ground, or overhead wires. Roads and automobile lots are acceptable as open land areas if they meet the above criteria.**
5. The attached notice shall be provided to all potential purchasers and tenants, and shall be recorded as a deed notice.



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6. Prior to recordation of a final map, issuance of building permits, or conveyance to an entity exempt from the Subdivision Map Act, whichever occurs first, the landowner shall convey an avigation easement to Chino Airport. (Contact San Bernardino County Department of Airports at (909) 387-7801 for additional information.)
7. Bio-swales and detention basins shall be designed to remain totally dry between rainfalls and shall not be designed to provide a maximum detention period exceeding 48 hours. Vegetation in and around such swales or basins that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.
8. The applicant shall submit an Open Areas exhibit demonstrating compliance with minimum requirements of 30 percent open area within Airport Compatibility Zone B1, 20 percent open area within Airport Compatibility Zone C, and 10 percent within Airport Compatibility Zone D.
9. Noise attenuation measures shall be incorporated into any office areas of the building construction to ensure a minimum noise level reduction of 25dB, so as to reduce interior noise levels from aircraft operations to 45 CNEL or below.
10. Within Compatibility Zone B1, ALUC review is required for any proposed object taller than 35 feet unless the airport controls an easement on the land on which the object is to be located and grants a waiver to height restrictions.
11. Critical Community Infrastructures such as electrical substations, construction of power plants, public communications facilities, and other critical community infrastructures shall be restricted within Compatibility Zone B1 unless no other feasible alternative site exists and the facility is designed in a manner that minimizes its susceptibility to damage from an aircraft accident.
12. Hazardous material storage such as construction of facilities for that manufacture or storage of fuel, explosives, and other hazardous materials within the airport environs are restricted within Compatibility Zone B1. The storage of hazardous materials within Compatibility Zone B1 is permitted only if stored in underground tanks.
13. **Additional Airport Land Use Commission review shall be required for subsequent use permits or plot plans proposing structures with a cumulative square footage of 20,000 square feet or greater.**
14. **The Use and Development Standard will be in compliance with the 2008 Chino Airport Land Use Compatibility Plan.**

V. **MEETING SUMMARY**

The following staff presented the subject proposal:

ALUC Staff Planner: Brenda Ramirez, Ph: (951) 955-0549, or E-mail at [brramire@rctlma.org](mailto:brramire@rctlma.org).

The following spoke in favor of the project:

Ward Mace, Applicant Representative, 4200 Von Karman Ave., Newport Beach, CA 92660

No one spoke in neutral or opposition to the project.

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**VI. ALUC COMMISSION ACTION**

The ALUC Commission, by a unanimous vote of 7-0, found the project **CONSISTENT** with an amended staff report to add a condition that use and development standards will be in accordance with the 2008 Chino ALUCP.

**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](mailto:basantos@rctlma.org).

ITEM 4.1: TIME IS 9:03 A.M.

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**I. AGENDA ITEM 5.0: ADMINISTRATIVE ITEMS**

- 5.1 Presentation by Ed Cooper: Fiscal Year 2010 Budget and ALUC Strategic Plan  
Ed Cooper, ALUC Director presented Power Point charts to the Commission on the 2010 budget for ALUC.

**II. AGENDA ITEM 6.0: APPROVAL OF MINUTES:**

The December 11, 2008 minutes were approved by a unanimous vote of 7-0.

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

None

**IV. AGENDA ITEM 8.0: COMMISSIONER'S COMMENTS**

Vice Chairman Rod Ballance commented that several interesting articles were in the Press Enterprise this past week, one article which was presented in the morning on subject Airport Relics. He also commented on overrules and how the Commission is put at a disadvantage. Possibly in the future there should be some meeting of minds, a give and take on both ends so the County's position is not put in a negative light. As for the City of Perris we are not getting a fair shake to the public as to the safety of protecting people from airports and airports from people.

Chairman Simon Housman commented that he will be attending a March JPA meeting following today's Commission Hearing and also will be participating in a meeting next week regarding the Jacqueline Cochran Airport.

**V. ADJOURNMENT**

Chairman Simon Housman adjourned the meeting at 10:11 a.m.

**VI. CD**

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ITEM 5.0: TIME IS 9:32 A.M.