

**AIRPORT LAND USE COMMISSION  
MINUTE ORDER MARCH 12, 2009  
RIVERSIDE MEETING**

A regular scheduled meeting of the Airport Land Use Commission was held on March 12, 2009 at the Riverside County Administration Center, Board Chambers.

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

COMMISSIONERS ABSENT: Simon Housman, Chairman  
Melanie Fesmire

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

OTHERS PRESENT: Gina Johnson, Other Interested Person  
John Schafer, Applicant

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- I. **AGENDA ITEM 2.1:** ZAP1031FV09 – Exotic Electro-Optics/Reisung Enterprises, Inc. (Representative: Matthew Fagan Consulting Services) – County Case No. PP23975 (Plot Plan). A proposal to construct and operate an approximately 24,600 square foot manufacturing building on an approximately 1.39 acre site located at 30735 Magdas Coloradas Street, easterly of Winchester Road and southerly of Benton Road, in the unincorporated Riverside County community of French Valley. Airport Compatibility Zone B1.
- II. **MAJOR ISSUES**  
Both the average acre and single acre intensities, as calculated using the Building Code method, exceed the limit for Airport Compatibility Zone B1. In addition, FAA review is required and is pending.
- III. **STAFF RECOMMENDATION**  
Staff recommends that this project be CONTINUED to April 16, 2009, unless (a) the Commission is willing to accept the applicant's offer to agree to a limit on building occupancy and (b) the applicant submits documentation of submittal to the FAA, in which case staff would recommend a finding of CONDITIONAL CONSISTENCY for the plot plan, pending FAA approval, subject to the conditions included in this staff report and such additional conditions as may be required pursuant to the terms of the FAA determination.
- IV. **PROJECT DESCRIPTION**  
The applicant proposes to construct and operate an approximately 24,600 square foot manufacturing building on approximately 1.39 acres.

**CONDITIONS: (ALUC Commission Amended Condition #5 on 3/12/09 )**

1. The following uses shall be prohibited:
  - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
  - (b) *Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.*
  - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
  - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
  - (e) Children's schools, hospitals, nursing homes, day care centers, libraries, highly noise-sensitive outdoor uses, places of worship, aboveground bulk storage of hazardous materials, and above ground bulk storage of 6,000 gallons or more of flammable materials.

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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, 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.
4. Prior to the 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 1,374 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.
5. **The maximum number of persons permitted in the structure at any given time shall not exceed fifty-six (56) persons. This limitation shall be posted in the reception area or any public space within the structure.**
6. 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, auction rooms, auditoriums, dance floors, lodge rooms, reviewing stands, conference rooms with capacities of 25 or more persons, dining rooms, exhibit rooms, 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.
7. Prior to final inspection approval, the landowner shall provide documentation to the Riverside County Airport Land Use Commission and to the Riverside County Planning Department that a document conveying an avigation easement to Riverside County as owner-operator of French Valley Airport has been recorded.
8. 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.

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.

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VI. **ALUC COMMISSION ACTION**

The ALUC Commission, by a unanimous vote of 5-0 found the project **CONDITIONALLY CONSISTENT** with amended condition #5 and such additional conditions as may be required pursuant to the terms of the FAA determination.

**Amended Condition #5**

The maximum number of persons permitted in the structure at any given time shall not exceed fifty-six (56) persons. This limitation shall be posted in the reception area or any public space within the structure.

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@rctilma.org](mailto:basantos@rctilma.org).

ITEM 2.1: TIME IS 9:36 A.M.

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- I. **AGENDA ITEM 2.2:** ZAP1016CH09 – JHB Colony Investments, LLC/ Richland Ventures, Inc. (Representative: Albert A Webb Associates) – County Case No. PM36068 (Parcel Map), TR36069 (Tract Map), PP23899 (Plot Plan), PP23900, CZ07693 (Change of Zone), and GPA01060 (General Plan Amendment). PM 36068 proposes to divide approximately 48.05 gross acres into four parcels that range from 6.67 to 15.86 gross acres on a project site located easterly of Archibald Avenue, northerly of Schleisman Road, southerly of Whispering Hills Drive and westerly of Harrison Avenue, in the unincorporated Riverside County community of Eastvale. GPA 01060 proposes to amend the Eastvale Area Plan designation from Medium Density Residential (MDR) to Commercial Retail (CR), High Density Residential (HDR), and Highest Density Residential (H'TDR). CZ 07693 proposes to change the site's zoning classification from R-1 (One Family Dwelling) to R-3 (General Residential) and C-1/C-P (General Commercial). The Tentative Tract Map proposes to subdivide one of the four parcels, approximately 10.25 net acres, into 16 lots for the construction of approximately 90 condominium units and open recreation center. Plot Plan No. 23899 proposes to construct a 330 unit apartment complex with a recreation area on 13.23 net acres. Plot Plan No. 23900 proposes to construct a 328 unit apartment complex with recreation center on approximately 14.12 net acres. The remaining 5.47 net acre commercial parcel is not proposed for development at this time. Airport Compatibility Zone D.
- II. **MAJOR ISSUES**  
Open area requirements have not been met as of staff's report. The applicant is working to provide ALUC staff with an open land exhibit.
- III. **STAFF RECOMMENDATION**  
Staff recommends these projects be CONTINUED OFF CALENDAR per the project coordinator's request in her letter dated February 25, 2009.
- IV. **PROJECT DESCRIPTION**  
Tentative Parcel Map No. 36068 proposes to divide approximately 48.05 gross acres into four parcels that range from 6.67 to 15.86 gross acres in area. The General Plan Amendment proposes to amend the Eastvale Area Plan designation from Medium Density Residential (MDR) to Commercial Retail (CR), High Density Residential (HDR), and Highest Density Residential (H'TDR). The Change of Zone proposes to change the site's zoning classification from R-1 (One Family Dwelling) to R-3 (General Residential) and C-1/C-P (General Commercial). The Tentative Tract Map proposes to subdivide one of the four proposed parcels, approximately 10.25 net acres, into 16 lots for the construction of approximately 90 condominium units and an open recreation center. Plot Plan No. 23899 proposes to construct a 330 unit apartment complex with a recreation area on 13.23 net acres. Plot Plan No. 23900 proposes to construct a 328 unit apartment complex with recreation center on approximately 14.12 net acres. The remaining 5.47 net acre (proposed) commercial parcel is not proposed for development at this time.
- 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.
- The following spoke in favor of the project:  
John Schafer, applicant, 4100 Newport Place, Newport Beach, CA 92661
- The following spoke in opposition to the project:  
Gina Johnson, Other Interested Persons, 6831 Old Peak Lane, Corona, CA 92880

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VI. **ALUC COMMISSION ACTION**

The ALUC Commission, by a unanimous vote of 5-0 **CONTINUED OFF CALENDAR.**

VII. **CD**

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ITEM 2.2: TIME IS 9:50 A.M.

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**I. AGENDA ITEM 3.0: APPROVAL OF MINUTES**

The January 8, 2009 minutes were approved by a unanimous vote of 5-0.

**II. AGENDA ITEM 4.0: ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA**

John Guerin, ALUC Principal Planner, informed the Commission that copies of the draft initial study and Negative Declaration for the 2009 Amendment to the Hemet Ryan Airport Comprehensive ALUP are being provided, and a plan will come forward to the Commission at the April 16th Hearing.

Commissioners Glen Holmes and Robin Lowe inquired as to meeting location, public notice, and advertising. John Guerin advised that the hearing had already been advertised. The meeting would be held at the Riverside CAC. Staff had checked with Eastern Municipal Water District to see if their Hearing Room would be available on April 16, but it was not available. He further advised that copies of the document had been provided to the City of Hemet Planning Department and the Hemet Public Library, so that members of the public would not have to come to Riverside to view the documents.

**III. AGENDA ITEM 5.0: COMMISSIONER'S COMMENTS**

Vice Chairman Rod Ballance commented on an article in the Press Enterprise concerning the Department of Commerce denial of the Foreign Trade Zone expansion. He stated that the decision will affect many cities. In response to Commissioner Holmes' request for background information, Commissioner Ballance advised that Foreign Trade Zones are like duty-free islands, and that Foreign Trade Zone 244 is domiciled at March. The creation of sub-zones allows for companies to have their place of business to be designated as a sub-zone. Commissioner Robin Lowe commented that, if this is appropriate for our Commission, she would recommend writing a letter of support to our Senators regarding this issue. Commissioner Glen Holmes commented that this was an excellent idea, and Commissioner Ballance noted that Senator Feinstein was very supportive of the Foreign Trade Zone. BT Miller suggested that a better approach might be to sign onto letters of other organizations. He commented that, due to ALUC's limited jurisdictional responsibilities, he didn't "know if we want to stand out on that particular issue." Commissioners Holmes and Lowe felt that it was appropriate for the Commission to take a stand on the matter, and Commissioner Robin Lowe suggested that this matter be placed on the next meeting's agenda for further discussion. John Guerin noted that, as land use planners, staff members are not experts on the subject of foreign trade zones. Commissioner Ballance suggested that perhaps Dan Fairbanks or other representatives from March Joint Powers Authority could illuminate the Commission on their plans. Ed Cooper, ALUC Director, commented that, since ALUC's jurisdiction is in land use planning around the airports, "we can partner in this regard, but... the charge should be led by the airport operators." Among County departments, EDA would be the appropriate agency to lead the thrust. Commissioner Ballance suggested that staff contact Chad Davies at EDA to find out if they are planning to send a letter regarding this matter. On behalf of staff, Mr. Cooper advised that staff would contact EDA and report back next month as an Administrative Item at our April 16<sup>th</sup> Commission Meeting. Commissioner Lowe noted that, in addition to economic development, the use of Foreign Trade Zones promotes coordinated land use planning.

ALUC Counsel B. T. Miller asked if ALUC Director Ed Cooper wished to comment on ALUC's future meeting schedule. Mr. Cooper commented on the economy in general, noting that incoming applications are down and that, if the situation persists, staff would seek the Chairman's approval to reduce ALUC's meeting schedule in the following year and would

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place this item on the agenda next month. Vice Chairman Rod Ballance suggested having a 2009 long range planning component, where the Commission ranks projects. Ed Cooper advised that staff anticipates completing the three components of the strategic plan as envisioned by the Commission in December 2007. The Chino Plan has already been adopted, and the minor amendment to the Hemet-Ryan Plan regarding "Places of Assembly" and a new Perris Valley Airport ALUCP are slated to be considered by the Commission by the end of the fiscal year. Mr. Cooper also informed the Commission that the City of Ontario and Ontario International Airport had qualified for, and had received, a "Section 160" grant from the FAA to prepare an Airport Land Use Compatibility Plan for the Ontario International Airport Vision 2030. Riverside County was invited to be a member of their Technical Advisory Committee, and Mr. Cooper attended their kickoff meeting. Commissioner Glen Holmes commented that he is against spacing out the Commission meetings, because he gains important information at the meetings. Vice Chairman Rod Ballance suggested that individual Commissioners e-mail items of concern, so as to enable ALUC meetings to be "study sessions as well as case studies." Ed Cooper commented that, if the Commission wants to meet once a month regardless of the size of the agenda, staff will support whatever decision is made. This idea of modifying the schedule is being brought to the Commission as one possible way to reduce expenses, but the financial considerations involved with the hearing schedule are relatively minor compared to the overall challenges posed by the continued cutbacks in the general funding.

IV. **ADJOURNMENT:** Vice Chairman Rod Ballance adjourned the meeting at 10:28 a.m.

V. **CD**

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ITEM 3.0: TIME IS 10:02 A.M.