

**AIRPORT LAND USE COMMISSION
MINUTE ORDER SEPTEMBER 13, 2012
RIVERSIDE MEETING**

A regular scheduled meeting of the Airport Land Use Commission was held on September 13, 2012 at the Riverside County Administrative Center, Board Chambers.

COMMISSIONERS PRESENT: Simon Housman, Chairman
Rod Ballance, Vice Chairman
Arthur Butler
Glen Holmes
John Lyon
Richard Stewart
Greg Pettis

COMMISSIONERS ABSENT:

STAFF PRESENT: Ed Cooper, ALUC Director
John Guerin, Principal Planner
Russell Brady, Contract Planner
Barbara Santos, ALUC Secretary
B. T. Miller, ALUC Counsel

OTHERS PRESENT: Marco Eacrett, HMC Architects
Tom Eisenhauer, Renewable Resources Group
Rosie Garcia, Other Interested Person
Tom Johnson, Riverside County Office of Education
David Leonard, California Baptist University
Mel Mercado, California Baptist University
Rupal Patel, Renewable Resources Group
Jason Pfaff, Other Interested Person
Thomas Ryan, Power Engineers, Inc.
John Schafer, Applicant Representative
Dirk Van Voorhis, Other Interested Person

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- I. **AGENDA ITEM 2.1:** ZAP1008BL11 – Gila Farm Land, LLC and A&F Growers (Representative: Renewable Resources Group/Rupal Patel and Power Engineers) – County Case No.: Conditional Use Permit No. 03684 - A proposal to construct Palo Verde Mesa Solar Project, a 486 megawatt solar photovoltaic electric generating facility and associated facilities on 3,250 acres, including two electrical substations, one operation and maintenance building, inverters, transformers, underground 34.5 kV distribution lines, overhead 230 kV transmission lines, and associated switchgear located northerly of Interstate-10, with the solar photovoltaic panels generally located northeasterly of Blythe Airport, northerly of 10th Avenue, westerly of the extension of Neighbors Boulevard, easterly of Mesa Drive, and southerly of 5th Avenue within the land use jurisdiction of the County of Riverside. An additional 150 acres would be within a 100-foot-wide right-of-way for 12.4 miles of transmission lines outside the solar array field. (Compatibility Zones B1, C, D, and E of the Blythe Municipal Airport Influence Area).

II. **MAJOR ISSUES**

1. Proposed transmission lines extending through Compatibility Zones C and D. Distribution lines will be undergrounded throughout the project;
2. Reflectivity/glare; and
3. Cumulative impacts of multiple energy projects.

III. **STAFF RECOMMENDATION**

Staff recommends that the Commission open the public hearing, discuss the project, consider the staff and applicant presentations and any public testimony and find the project **CONSISTENT**, subject to the conditions specified herein.

IV. **PROJECT DESCRIPTION**

The project proposes to construct a 486 megawatt solar photovoltaic electric generating facility and associated facilities on 3,250 acres, including two electrical substations, one operation and maintenance building, inverters, transformers, underground 34.5 kV distribution lines, overhead 230 kV transmission lines, and associated switchgear. An additional 150 acres would be within a 10-foot wide right-of-way for transmission lines outside the solar array field. The project would utilize the previously proposed 9.1 miles of 230 kV transmission line associated with ZAP1007BL11 and would propose an additional 5.6 miles to directly serve the project.

V. **MEETING SUMMARY**

The following staff presented the subject proposal:

ALUC Staff Planner: Russell Brady at (951) 955-0549, or e-mail at rbrady@rctlma.org.

The following spoke in favor of the project:

Tom Eisenhauer, Renewable Resources Group, 5700 Wilshire Blvd, #330, Los Angeles, CA 90036

Rupal Patel, Renewable Resources Group, 5700 Wilshire Blvd, STE 330, Los Angeles, CA 90036

The following spoke neither for or against the project, but added information to the decision making process:

Jason Pfaff, Other Interested Person, 1152 Nearing Rd, Moscow, ID 83843

Thomas Ryan, Power Engineers Inc., 8852 Luss Drive, Huntington Beach, CA 92646

No one spoke in opposition to the project.

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VI. **ALUC COMMISSION ACTION**

The ALUC Commission by a unanimous vote of 7-0, **CONTINUED** the project to October 11, 2012.

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@rcilma.org.

ITEM 2.1: TIME IS 9:00 A.M.

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I. **AGENDA ITEM 2.2:** ZAP1017CH12 – Richland Properties, LLC and M.J. Bray, LLC (Representative: Tom Sanhamel) – City Case Nos.: 11-0558 (General Plan Amendment, Change of Zone, Plot Plan), TR36423 (Tentative Tract Map) - The General Plan Amendment proposes to amend the land use designation of 50.48 acres (gross) located northerly of 65th Street and westerly of Archibald Avenue, within the City of Eastvale, from Light Industrial (LI) to Medium Density Residential (MDR). The Change of Zone proposes to change the zoning classification on the site from Heavy Agriculture 10-acre minimum (A-2-10) to Planned Residential (R-4). The Tentative Tract Map proposes to divide the property into 224 single-family residential lots, a 1.82-acre park and 13 other open space lots. The gross area of the property includes a 7.59-acre Southern California Edison easement with transmission lines and towers. (Compatibility Zones C and D of the Chino Airport Influence Area).

II. **MAJOR ISSUES**

A portion of the property is located in Airport Compatibility Zone C. The Zone C area is located primarily within a utility easement.

III. **STAFF RECOMMENDATION**

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

IV. **PROJECT DESCRIPTION**

The General Plan Amendment proposes to amend the land use designation of 50.48 acres (gross) from Light Industrial (LI) to Medium Density Residential (MDR). The Change of Zone proposes to change the zoning classification on the site from Heavy Agriculture 10-acre minimum (A-2-10) to Planned Residential (R-4). The Tentative Tract Map proposes to subdivide the property into 224 single-family residential lots, a 1.82-acre park and 13 other open space lots. The gross area of the property includes a 7.59-acre Southern California Edison easement with transmission lines and towers.

CONDITIONS:

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 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

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area. (Such uses include landscaping utilizing water features, aquaculture, 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, and incinerators.)

- (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
 - (e) Highly noise-sensitive outdoor nonresidential uses, children's schools, hospitals, and nursing homes.
3. The attached notice shall be provided to all potential purchasers of the property, and shall be recorded as a deed notice.
4. Any ground-level or aboveground water retention or detention basin or facilities shall be designed so as to provide for a detention period for the design storm that does not exceed 48 hours and to remain totally dry between rainfalls. Vegetation in and around such facilities that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping. Trees shall be spaced so as to prevent large expanses of contiguous canopy, when mature.
5. All open space areas as indicated on the exhibit titled ALUC Open Land Analysis Exhibit, dated Revised 8/15/2012 shall be kept free of structures and other major obstacles such as walls, large trees or poles (greater than 4 inches in diameter, measured 4 feet above the ground), and overhead wires. Small trees and shrubs that exceed 4 feet in height and/or thickness of 4 inches may be allowed along the edge of open space areas where the area abuts a wall or other similar feature, provided that they are planted within 4 feet of the wall.

V. MEETING SUMMARY

The following staff presented the subject proposal:

ALUC Staff Planner: Russell Brady at (951) 955-0549, or e-mail at rbrady@rctlma.org.

The following spoke in favor of the project:

John Schafer, Applicant Representative, 4100 Newport Place #800, Newport Beach, California 92600

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 **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 10:24 A.M.

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- I. **AGENDA ITEM 2.3:** ZAP1081MA12 – Riverside County Board of Education (Representative: School Advisors) – City Case No. P12-0360 (Conditional Use Permit). The applicant proposes to establish a medical vocational school for adult students within an 11,505 square foot single-story building originally approved for commercial retail use on a 2.15-acre site located on the northerly side of Alessandro Boulevard, easterly of San Gorgonio Drive, in the City of Riverside. (Airport Area II of the March Air Reserve Base Airport Influence Area).

II. **MAJOR ISSUES**

The Department of the Air Force sent a letter to the City of Riverside on July 25, 2012 commenting on the proposed project. The letter notes that the use is generally incompatible with operations at March Air Reserve Base due to noise and safety concerns and that an alternate location should be considered. The letter also refers to the project's location relative to the Joint Land Use Study, the basis for the future Airport Land Use Compatibility Plan for March Air Reserve Base/Inland Port Airport.

Pursuant to the draft Joint Land Use Study for the March Air Reserve Base/Inland Port Airport, the site would be located within Compatibility Zone B1, which would limit intensity to 50 people per average acre and a maximum of 100 in any given single acre. The proposed project would exceed these draft limits. However, the 1984 Riverside County Airport Land Use Plan that is currently applicable to March Air Reserve Base does not include any intensity limitations. In addition, the proposed project would represent a reduction in anticipated intensity compared with the potential use of the building for retail activity. Retail use was previously found consistent via ZAP1045MA07.

Noise attenuation will be required inside the building so as to attain a 25dB exterior-to-interior noise level reduction, in accordance with the criteria of Department of Defense Instruction 4165.57.

III. **STAFF RECOMMENDATION**

Staff recommends that the proposed project be found CONSISTENT with the 1984 Riverside County Airport Land Use Plan, as applied to the March Air Reserve Base Airport Influence Area, subject to the conditions included herein.

IV. **PROJECT DESCRIPTION**

P12-0360 is a proposal to operate an adult medical vocational program within an existing 11,505 square foot building on a 2.16 acre (net) parcel.

V. **MEETING SUMMARY**

The following staff presented the subject proposal:

ALUC Staff Planner: Russell Brady at (951) 955-0549, or e-mail at rbrady@rctlma.org.

The following spoke in favor of the project:

Marco Eacrett, HMC Architects, 3546 Concours Street
Tom Johnson, Riverside County Office of Education

No one spoke in neutral or opposition to the project.

VI. **ALUC COMMISSION ACTION**

The ALUC Commission by a unanimous vote of 7-0, CONTINUED the project to October 11, 2012.

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VII. **CD**

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ITEM 2.3: TIME IS 10:28 A.M.

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I. **AGENDA ITEM 2.4:** ZAP1055RI12 – California Baptist University (Representative: David Leonard Associates) – City Case Nos. P11-0342 (Specific Plan), P11-0272 (General Plan Amendment) and P12-0410 (Rezoning). A Specific Plan providing for the continued development of the California Baptist University campus, consisting of 132.6 acres predominantly located southerly of Magnolia Avenue, westerly of Adams Street, easterly of Monroe Street, and northerly of State Highway Route 91 in the City of Riverside. The Specific Plan provides for 558,000 square feet of academic buildings on 22.3 acres, 35.8 acres of residential facilities providing for a residential population of 3,522, 31.3 acres of parking, 15.8 acres of athletic facilities, 14.2 acres of open space, 5.3 acres of mixed-use development, and 7.9 acres of streets, to serve an enrollment of 9,193 students, with 827 faculty and staff, by the year 2025. (Present development includes 316,000 square feet of academic buildings, residential facilities providing for a residential population of 3,000, and 13.4 acres of athletic facilities, serving an enrollment of 6,263, with 564 faculty and staff.) Zones D and E of the Riverside Municipal Airport Influence Area.

II. **MAJOR ISSUES**

Compliance with Airport Compatibility Zone D non-residential intensity limitations and proposal to allow structures at heights up to 165 feet.

III. **STAFF RECOMMENDATION**

Staff recommends that these items be CONTINUED to ALUC's October 11, 2012 public hearing agenda, pending receipt of additional information from the applicant needed to clarify that proposed land use intensities within the portion of the campus in Airport Compatibility Zone D will be consistent with Countywide criteria for this zone.

IV. **PROJECT DESCRIPTION**

The California Baptist University (CBU) Specific Plan provides for the continued development of the California Baptist University's 132.6-acre campus. The Specific Plan provides for 558,000 square feet of academic buildings on 22.3 acres, 35.8 acres of residential facilities providing for a residential population of 3,522, 31.3 acres of parking, 15.8 acres of athletic facilities, 14.2 acres of open space, 5.3 acres of mixed-use development, and 7.9 acres of streets, to serve an enrollment of 9,193 students, with 827 faculty and staff, by the year 2025. (Present development includes 316,000 square feet of academic buildings, residential facilities providing for a residential population of 3,000, and 13.4 acres of athletic facilities, serving an enrollment of 6,263, with 564 faculty and staff.)

CONDITIONS:

1. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Lights must 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 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, including landscaping utilizing water features, aquaculture, livestock operations, production of cereal grains, sunflower, and row crops, artificial marshes, landfills, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, incinerators, fly ash disposal, and wastewater management facilities.)
 - (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, and nursing homes.
3. The attached notice shall be provided to all potential purchasers and tenants, and shall be recorded as a deed notice.
4. Any ground-level or aboveground water retention or detention basin or facilities shall be designed so as to provide for a detention period for the design storm that does not exceed 48 hours and to remain totally dry between rainfalls. Vegetation in and around such facilities that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping. Trees shall be spaced so as to prevent large expanses of contiguous canopy, when mature.

In the event that the requirements of this condition cannot be met, CBU (or its successor-in-interest) shall work with the City Airport Department and a qualified bird strike/wildlife hazard management consultant to prepare a Wildlife Hazard Management Plan that is acceptable to both the airport operator and the United States Department of Agriculture Wildlife Services agency.

5. Prior to issuance of building permits for any new structure or remodeling that would increase the height of any existing structure, CBU (or its successor-in-interest, if applicable) shall submit documentation verifying that the structure's elevation above mean sea level (at top point, including all roof-mounted equipment and lighting, if applicable): (1) will not exceed the elevation of Runway 16-32 at its southerly terminus (747.5 feet above mean sea level) by more than one foot for every 100 feet of distance from the structure to that runway; and, (2) will not exceed the elevation of Runway 9-27 at its easterly terminus (815 feet above mean sea level) by more than one foot for every 100 feet of distance from the structure to that runway. If both of these requirements cannot be met for any given structure, the applicant shall file Form 7460-1 with the Federal Aviation Administration, and no building permit shall be issued until a "Determination of No Hazard to Air Navigation" is received from the Federal Aviation Administration and filed with the City of Riverside Planning Department, the City of Riverside Building and Safety 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 Leonard, California Baptist University, 1770 Iowa Ave., STE 100, Riverside, CA 92507

Mel Mercado, Project Manager, California Baptist University, 8432 Magnolia Ave., Riverside, CA

The following spoke neither for or against the project, but added information to the decision making process:

Dirk Van Voorhis, Other Interested Person, 8631 Sands Ave.

The following spoke in opposition to the project:

Rosie Garcia, Other Interested Person, 8671 Magnolia Ave., Riverside, CA

VI. **ALUC COMMISSION ACTION**

The ALUC Commission by a vote of 6-0, found the project **CONSISTENT**, pursuant to the infill provisions of Policy 3.3.1, based on the staff report, as supplemented by the information provided by the applicant at the hearing, and subject to the conditions in the staff report. Absent: Commissioner Glen Holmes

VII. **CD**

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ITEM 2.4: TIME IS 11:02 A.M.

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I. **3.0 ADMINISTRATIVE ITEMS**

3.1 Director's Approvals – Information Only

3.2 Withdrawal of ZAP1080MA12

Submittal to the FAA did not occur by July 2, and, as no other cases were scheduled for hearing on July 12, the July 12 ALUC meeting was cancelled, and ZAP1080MA12 was declared "incomplete." ZAP1080MA12 was subsequently withdrawn by the project representative on August 15. On August 20, an article in the Riverside Press-Enterprise announced that Evolution Fresh would be relocating to a 260,000 square foot facility (slightly larger than the Phillips Building) in Rancho Cucamonga.

The building owner is presently working with March Joint Powers Authority on the establishment of Industrial zoning for the property, which does not have official zoning and is presently designated Aviation on the March Joint Powers Authority General Plan Land Use Map. The Commission will consider this zone change at next month's meeting.

II. **4.0 APPROVAL OF MINUTES**

The ALUC Commission approved the June 14, 2012 minutes by a vote of 5-0. Absent: Commissioner Glen Holmes; Abstain: Commissioner Greg Pettis

III. **5.0 ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA**

Chairman Housman thanked Commissioner Butler for volunteering to be re-assigned to the Airport Land Use Commission.

IV. **6.0 COMMISSIONER'S COMMENTS**

B. T. Miller, ALUC Counsel, advised for the record that Commissioner Glen Holmes had to leave the ALUC Commission Meeting (Board Chambers) at 11:10 a.m.

Chairman Housman stated that it is a pleasure to have B. T. Miller back with the Airport Land Use Commission.

V. **7.0 ADJOURNMENT**

Chairman Simon Housman adjourned the meeting at 12:14 p.m.

VI. **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 3.0: TIME IS 12:10 P.M.