

### AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY AGENDA

#### Riverside County Administration Center 4080 Lemon Street, 1st Floor Board Chambers Riverside, California

CHAIR Simon Housman Rancho Mirage	Thursday 9:00 A.M., October 13, 2016		
VICE CHAIRMAN Rod Ballance Riverside	NOTE: If you wish to speak, please complete a "SPEAKER IDENTIFICATION FORM" and give it to the Secretary. The purpose of the public hearing is to allow interested parties to express their concerns. Comments shall be limited to 5 minutes and to matters relevant to the item under consideration. Please do not repeat information already given. If you have no additional information,		
COMMISSIONERS	but wish to be on record, simply give your name and address and state that you agree with the		
Arthur Butler Riverside	previous speaker(s). <u>Also please be aware that the indicated staff recommendation shown below may</u> <u>differ from that presented to the Commission during the public hearing.</u>		
Glen Holmes Hemet	Non-exempt materials related to an item on this agenda submitted to the Airport Land Use Commission or its staff after distribution of the agenda packet are available for public inspection in the		
John Lyon Riverside	Airport Land Use Commission's office located at 4080 Lemon Street, 14 <sup>th</sup> Floor, Riverside, CA 92501 during normal business hours.		
Russell Betts Desert Hot Springs	Live Streaming of the meeting will be available during the meeting on our website at www.rcaluc.org.		
Steve Manos Lake Elsinore	In compliance with the Americans with Disabilities Act, if any accommodations are needed, please contact Barbara Santos at (951) 955-5132 or E-mail at <u>basantos@rctlma.org</u> . Request should be made at least 48 hours or as soon as possible prior to the scheduled meeting.		
STAFF	1.0 INTRODUCTIONS		
Director Ed Cooper	1.1 CALL TO ORDER		
John Guerin Paul Rull Barbara Santos	1.2 SALUTE TO FLAG		
	1.3 <u>ROLL CALL</u>		
County Administrative Center 4080 Lerron St, 14 <sup>th</sup> Floor Riverside, CA 92501 (951) 955-5132	2.0 PUBLIC HEARING: CONTINUED ITEMS		
(331) 333 3182	MARCH AIR RESERVE BASE		
<u>www.rcaluc.org</u>	2.1 <u>ZAP1206MA16 – Optimus Building Corporation (Representative: Gary Hamro)</u> – City of Perris Case No. DPR 14-01-0015 (Development Plan Review). The applicant is proposing a revision to plans for a two-building warehousing project previously determined to be consistent pursuant to ALUC Case No. ZAP1102MA14, specifically to increase the office area in Building A (which is not located in an Accident Potential Zone) from 15,000 square feet to 45,000 square feet. As amended, Building A would provide 45,000 square feet of office area and 867,338 square feet of warehouse area. No changes are proposed for Building B. The overall floor areas of Buildings A (912,338 square feet) and B (125,437 square feet) would remain the same as originally proposed. The 53.56-acre (gross) project site is located easterly of Patterson Avenue, northerly of Markham Street, westerly of Webster Avenue, and southerly of Nance Street (Airport Compatibility Zones B1-APZ I, B2, and C1 of the March Air Reserve Base/Inland Port Airport Influence Area). Continued from September 8 and August 11, 2016. ALUC Staff Planner: Paul Rull at (951) 955-6893, or e-mail at prull@rctIma.org		
	Staff Recommendation: CONTINUE to 11-10-16		

Staff Recommendation: CONTINUE to 11-10-16

#### MARCH AIR RESERVE BASE

2.2 <u>ZAP1204MA16 – Duke Realty, Adam Schmid (Representative: Albert A. Webb Associates, Nicole Torstvet)</u> – City of Perris Case No. PLN 16-00008 (Development Plan Review). The applicant is proposing to develop a 668,381 square foot warehouse/distribution center on 30.7 acres. The building floor plan consists of 649,481 square feet of warehouse area and 19,200 square feet of office area. The project site is located southerly of Markham Street, westerly of Indian Avenue, easterly of Barrett Avenue and northerly of Perry Street. (Airport Compatibility Zones B1-APZ I, B2, and C1 of the March Air Reserve Base/Inland Port Airport Influence Area). Continued from September 8 and August 11, 2016. ALUC Staff Planner: Paul Rull at (951) 955-6893, or e-mail at prull@rctIma.org

Staff Recommendation: CONTINUE to 11-10-16

#### 3.0 PUBLIC HEARING: NEW ITEMS

#### HEMET-RYAN AIRPORT

3.1 <u>ZAP1039HR16 – Hemet 55 SP, LLC (Representative: Joe Ham)</u> – City of Hemet Planning Case No. CUP 16-005 (Conditional Use Permit). The applicant is proposing to construct a gas station facility including a 5,881 square foot convenience store, 6,511 square foot 10 pump fueling area, and a 1,270 square foot automated car wash tunnel on a 1.8 acre parcel within an existing commercial shopping center, located on the northeast corner of W. Florida Avenue and Myers Street. This matter comes before the Airport Land Use Commission because service stations involved hazardous materials (gasoline). (Area III of the Hemet-Ryan Airport Comprehensive Airport Land Use Plan). ALUC Staff Planner: Paul Rull at (951) 955-6893, or e-mail at prull@rctIma.org

Staff Recommendation: CONSISTENT

#### BERMUDA DUNES AIRPORT

3.2 <u>ZAP1064BD16 – Shadow Hills RV Resort (Representative: Coachella Valley Engineers)</u> – City of Indio Planning Case No. CUP 16-1-1012 (Conditional Use Permit). The applicant is proposing to modify and expand the operation of the existing Shadow Hills RV Resort and establish guidelines for special events that temporarily allow additional RV camping and tent campsites on 14 acres. The project site is located westerly of Jefferson Street and northerly of Varner Road. (Airport Compatibility Zone D of the Bermuda Dunes Airport Influence Area). ALUC Staff Planner: Paul Rull at (951) 955-6893, or e-mail at pruli@rctima.org

Staff Recommendation: CONTINUE to 11-10-16

#### 4.0 ADMINISTRATIVE ITEMS

- 4.1 Director's Approval
- 4.2 Specific Delegation of Authority: Amendment to City of Riverside General Plan and Sycamore Canyon Business Park Specific Plan

#### 5.0 APPROVAL OF MINUTES September 8, 2016

#### 6.0 ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA

#### 7.0 COMMISSIONER'S COMMENTS

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#### COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

#### **STAFF REPORT**

2120

ACENDA ITEM.

HEARING DATE:	October 13, September 8, 2016 (continued from September 8 and August 11, 2016)
CASE NUMBER:	ZAP1206MA16 – Optimus Building Corporation (Representative: Gary Hamro)
<b>APPROVING JURISDICTION:</b>	City of Perris
JURISDICTION CASE NO:	DPR 14-01-0015 (Development Plan Review)

MAJOR ISSUES: None. The United States Air Force submitted a comment letter dated August 8, 2016, outlining their concerns with the project, specifically regarding Building B in the Accident Potential Zone I (APZ I). This project was previously reviewed by ALUC and found consistent, and no changes to Building B are proposed in this ALUC application, but the project has not yet received City approval. The ALUC staff report for the original project, ZAP1102MA14, determined that 86 or 93 people would be present in the most intense single-acre portion of Building B in Zone APZ I. The Airport Land Use Commission reduced the office area in Building B from 10,000 square feet to 2,500 square feet in Zone APZ I, reducing the single-acre intensity to approximately 74 people. This is consistent with the March Air Reserve Base/Inland Port Airport Compatibility Plan adopted in November 2014. However, since the adoption of the plan, there has been an evolution in the Air Force's position regarding the intent of the APZ I standard of 25 people per acre, as specified in Department of Defense Instruction (DoDI) 4165.57 dated March 12, 2015 and Air Force Instruction (AFI) 32-7063 dated December 18, 2015. These issues may ultimately need to be addressed through an amendment to the March Air Reserve Base/Inland Port Airport Airport Land Use Compatibility Plan.

In July, ALUC issued a determination of consistency for ZAP1199MA16, a proposal by the City of Perris to amend the City's General Plan, the Perris Valley Commerce Center Specific Plan, and the City's Zoning Ordinance to bring those documents into consistency with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan. That proposal has been tentatively approved by the Perris City Council. Final adoption is expected to occur prior to ALUC's November 10 meeting. Upon final adoption of the Citywide and area-wide amendments noted above, projects such as DPR 14-01-0015, which do not require site-specific general plan amendments, specific plan amendments, or zone changes, will be able to be evaluated for ALUCP consistency by the City of Perris without a mandatory ALUC referral. It is the applicant's intent to utilize the new process that will become available to projects in that City once final adoption of the Citywide and area-wide amendments has occurred. The applicant has requested continuance to ALUC's November 10 meeting with an eye toward possible withdrawal of this ALUC application prior to November 10. Staff Report Page 2 of 7

# **RECOMMENDATION:** At this time per the applicant's request, staff recommends that the Commission <u>CONTINUE</u> consideration of this matter to its <u>November 10</u> October 13, 2016 public hearing agenda.

**Staff recommends that the revisions to the Development Plan Review be found <u>CONSISTENT</u>, <b>subject to the revised conditions included herein.** 

**PROJECT DESCRIPTION**: The applicant is proposing a revision to plans for a two-building warehousing project previously determined to be consistent pursuant to ALUC Case No. ZAP1102MA14, specifically to increase the office area in Building A (which is not located in an Accident Potential Zone) from 15,000 square feet to 45,000 square feet. As amended, Building A would provide 45,000 square feet of office area and 867,338 square feet of warehouse area. No changes are proposed for Building B. The overall floor areas of Buildings A (912,338 square feet) and B (125,437 square feet) would remain the same as originally proposed.

**PROJECT LOCATION:** The 53.56-acre site is located easterly of Patterson Avenue, northerly of Markham Street, westerly of Webster Avenue, and southerly of Nance Street within the City of Perris, approximately 3,750 feet southerly of the southerly end of Runway 14-32 at March Air Reserve Base.

LAND USE PLAN: 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan

a. Airport Influence Area:	March Air Reserve Base
b. Land Use Policy:	Zones B1-APZ I, B2, and C1
c. Noise Levels:	60-70 CNEL from aircraft

#### **BACKGROUND:**

<u>Non-Residential Average Land Use Intensity</u>: Pursuant to the Airport Land Use Compatibility Plan for the March Air Reserve Base/Inland Port Airport, the site is located within Compatibility Zones B1-APZ I, B2, and C1. Zone B1-APZ I limits average intensity to 25 people per acre, and Zones B2 and C1 limit average intensity to 100 people per acre. There are no risk-reduction design bonuses available, as March Air Reserve Base/Inland Port Airport is primarily utilized by large aircraft weighing more than 12,500 pounds.

Pursuant to Appendix C, Table C-1, of the Riverside County Airport Land Use Compatibility Plan and March Air Reserve Base/Inland Port Airport Compatibility Plan Policy 2.4, the following rates were used to calculate the occupancy for Building A:

• Warehouse - 1 person per 1,428 square feet (35% of building code of 1 person per 500 square feet)

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• Office – 1 person per 200 square feet (with 50% reduction)

The applicant is seeking a change in the floor area configuration for only Building A. There are no proposed changes to Building B.

As revised, Building A would include 867,338 square feet of warehousing area and 45,000 square feet of office area. Building A is split between Compatibility Zones B2 and C1, but both zones have the same average acre intensity limit of 100 people. The revised total occupancy of Building A is 832 persons. The total occupancy of Building B is 259 persons. Therefore, the total on-site occupancy is 1,091 persons, resulting in an average intensity of 20 persons per acre.

Although Building A is designed and anticipated to be used as high-cube warehouse, if the warehouse area were calculated based on use as a fulfillment center pursuant to March Air Reserve Base/Inland Port Airport Compatibility Plan Policy 2.4 (50% of 1 person per 500 square feet), the building would accommodate a total occupancy of 1,092 people, resulting in a total on-site occupancy of 1,351 people and an average intensity of 25 people per acre.

<u>Non-Residential Single-Acre Land Use Intensity</u>: Compatibility Zone B1-APZ I limits maximum single acre intensity to 100 people, while Zones B2 and C1 limit maximum single acre intensity to 250 people. There are no risk-reduction design bonuses available, as March Air Reserve Base/Inland Port Airport is primarily utilized by large aircraft weighing more than 12,500 pounds.

The applicant is seeking a change in the floor area configuration only for Building A. There are no proposed changes to Building B.

Based on the occupancies as previously noted and the applicant's proposal for flexible location of office area in Building A, the maximum single-acre area for Building A would consist of 43,560 (of the 45,000 square feet total) square feet of office area. This would result in a single-acre occupancy of 219 people, which is consistent with Zones B2 and C1 single acre intensity criteria of 250 people. Any floor plan configuration that adds a warehouse component to this calculation would result in a lower single-acre occupancy, provided that no upper level or mezzanine area is proposed.

<u>Prohibited and Discouraged Uses:</u> The applicant does not propose any uses prohibited or discouraged in Compatibility Zones B1 (including those prohibited in APZ I per the AICUZ), B2, or C1 within the project. Projects within APZ I are required to locate structures a maximum distance from the extended runway centerline. The project site is located approximately 1,000 feet from the extended runway centerline, and the building is set back an additional 150 feet from the property line.

<u>Noise:</u> The March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan depicts the site as being in an area within the 60-70 CNEL range from aircraft noise. As a primarily industrial use not sensitive to noise (and considering typical anticipated building construction noise attenuation of approximately 20 dBA), the manufacturing/warehouse area would not require special measures to

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mitigate aircraft-generated noise. However, a condition is included to provide for adequate noise attenuation within office areas of the buildings.

<u>Part 77</u>: The elevation of Runway 14-32 at its southerly terminus is approximately 1488 feet above mean sea level (1488 feet AMSL). At a distance of approximately 3,750 feet from the runway, Federal Aviation Administration (FAA) review would be required for any structures with top of roof exceeding 1525.5 feet AMSL. The project proposes a maximum pad elevation of 1497.25 feet AMSL. The proposed buildings have a maximum height of 55 feet for a potential maximum elevation of 1552.25 feet AMSL. Therefore, review by the FAA Obstruction Evaluation Service was required. Submittal to the FAAOES was made and assigned Aeronautical Study Numbers (ASNs) of 2014-AWP-9108-OE and 2014-AWP-9157-OE. "Determination of No Hazard to Air Navigation" letters were issued by the FAAOES dated January 8, 2015, and the studies revealed that the project's structures would not exceed obstruction standards and would not be a hazard to air navigation, provided conditions are met. These FAAOES conditions have been incorporated into the project's conditions.

<u>Open Area:</u> None of the Compatibility Zones for the March Air Reserve Base/Inland Port ALUCP require open area specifically. However, Compatibility Zone B1 within either APZ does limit lot coverage to a maximum of 50%. Based on the site and building sizes noted previously, the project proposes lot coverage of approximately 27% within Zone B1, which is consistent with the maximum 50% criterion.

#### **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 area. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, 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) Children's schools, day care centers, libraries, hospitals, skilled nursing and care facilities, congregate care facilities, hotels/motels, places of assembly, hazardous materials manufacture/storage, noise sensitive outdoor nonresidential uses, and hazards to flight.
- 3. Prior to issuance of any building permits, the landowner shall convey and have recorded an avigation easement to the March Inland Port Airport Authority. Contact March Joint Powers Authority at (951) 656-7000 for additional information.
- 4. The attached notice shall be given to all prospective purchasers and/or tenants of the property.
- 5. The proposed detention basin(s) on the site shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the retention basin(s) 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. Landscaping in and around the retention basin(s) shall not include trees that produce seeds, fruits, or berries.
- 6. This project has been evaluated as a proposal for the establishment of a warehouse with ancillary office use. The City of Perris shall require additional review by the Airport Land Use Commission prior to the establishment of any of the following uses in these structures:

Commercial/service uses; civic uses; churches, chapels, and other places of worship; classrooms; gymnasiums; theaters; conference or convention halls; auditoriums; fraternal lodges; bowling alleys; gaming; and auction rooms.

7. The office component within Building B shall be no greater than 2,500 square feet. Overall office area within Building A shall be limited to a total maximum of 15,000 45,000 square feet.

Building A located within Compatibility Zones B2 and C1 does not require any restriction on consolidation of the maximum 15,000 45,000 square feet of office area. within any single-acre area. If any development of the warehouse building proposes to exceed the maximum

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office area per building, it shall require further ALUC review to determine its consistency with the applicable criteria in place at that time.

- 8. Building B shall be designed with zoned fire sprinkler systems and shall not exceed one aboveground habitable floor.
- 9. The following additional uses shall be prohibited in Building B:

Manufacturing of food and kindred products, textile mill products, apparel, chemicals and allied products, rubber and plastic products, fabricated metal products, professional, scientific, and controlling instruments, photographic and optical goods, watches and clocks.

Retail trade, eating and drinking establishments; personal services; professional services; educational services; governmental services; medical facilities; cultural activities; any other uses providing on-site services to the public.

- 10. March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result. Sources of electromagnetic radiation include radio wave transmission in conjunction with remote equipment inclusive of irrigation controllers, access gates, etc.
- 11. The Federal Aviation Administration has conducted an aeronautical study studies of the proposed building structures (Aeronautical Study Nos. 2014-AWP-9108-OE and 2014-AWP-9157-OE) and has determined that neither marking nor lighting of the structures is necessary for aviation safety. However, if marking and/or lighting for aviation safety are accomplished on a voluntary basis, such marking and/or lighting (if any) shall be installed in accordance with FAA Advisory Circular 70/7460-1 K Change 2 and shall be maintained in accordance therewith for the life of the project.
- 12. The maximum height of the proposed structures shall not exceed 55 feet above ground level and the maximum elevation of the proposed structures, including all roof-mounted appurtenances (if any) shall not exceed 1,552 feet above mean sea level for Building A and 1,536 feet above mean sea level for Building B.
- 13. The specific coordinates, height, and top point elevation of the proposed structures shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in building height or elevation shall not require further review by the Airport Land Use Commission.
- 14. Temporary construction equipment used during actual construction of the structures shall not exceed the height of the structure, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.

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- 15. Within five (5) days after construction of the each structure reaches its greatest height, FAA Form 7460-2 (Part II), Notice of Actual Construction or Alteration, shall be completed by the project proponent or his/her designee and e-filed with the Federal Aviation Administration. (Go to <a href="https://oeaaa.faa.gov">https://oeaaa.faa.gov</a> for instructions.) This requirement is also applicable in the event the project is abandoned.
- 16. Any roof-top equipment that exceeds the building parapet height of 55 feet will require Form 7460-1 submittal, review, and issuance of a new "Determination of No Hazard to Air Navigation" by the Federal Aviation Administration Obstruction Evaluation Service.
- 17. Noise attenuation measures shall be incorporated into the design of the office areas of the structure, to the extent such measures are necessary to ensure that interior noise levels from aircraft operations are at or below 45 CNEL.
- 18. The conditions set forth in Air Force comment letter dated August 8, 2016, shall be complied with as part of ALUC's consistency determination.

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#### Ruli, Paul

From:	Gary Hamro <garyhamro@gmail.com></garyhamro@gmail.com>
Sent:	Monday, September 19, 2016 5:04 PM
To:	Rull, Paul
Subject:	Re: Case # DPR 14-01-0015 (Development Plan review)

Paul –

Clara Miramontes brought me current. <u>Please extend my above referenced case to the November 10<sup>th</sup> Hearing</u> which will allow the City enough time to adopt their GP on October 13<sup>th</sup>.

Thx and please call me with any questions.

Best, Gary

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Gary Hamro | OPTIMUS GROUP | garyhamro@gmail.com 12040 East Florence Avenue, Santa Fe Springs, CA 90670 | 562 237-4071

# NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence? area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances [can vary from person to person. You may wish to consider what airport annoyances], if any, are associated with the property before you complete your purchase and determine whether they are acceptable to vou. Business & Professions Code Section 11010 (b)

. eronautical Study No. 2014-AWP-9108-OE



Mail Processing Center<sup>1</sup> Federal Aviation Administration Southwest Regional Office Obstruction Evaluation Group 2601 Meacham Boulevard Fort Worth, TX 76193

Issued Date: 01/08/2015

HECTOR CORREA HLC CIVIL ENGINEERING 39281 VIA CADIZ MURRIETA, CA 92563

#### **\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Building OPTIMUS LOGISTICS CENTER II
PERRIS, CA
33-51-15.01N NAD 83
117-14-48.06W
1497 feet site elevation (SE)
55 feet above ground level (AGL)
1552 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

\_\_\_\_\_ At least 10 days prior to start of construction (7460-2, Part 1) \_X\_\_ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/ lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

This determination expires on 07/08/2016 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF TO DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

If we can be of further assistance, please contact our office at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-AWP-9108-OE.

Signature Control No: 235446213-239546327 Karen McDonald Specialist

(DNE)

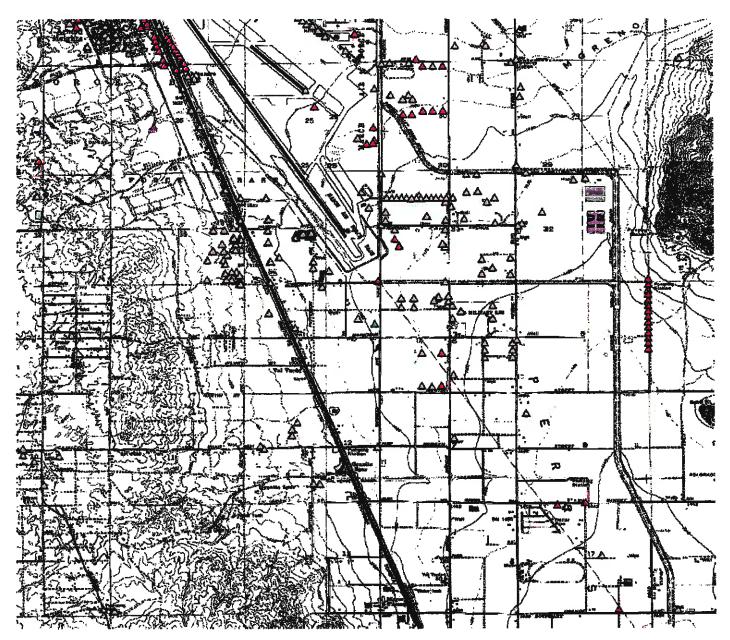
Attachment(s) Case Description Map(s)

## Case cription for ASN 2014-AWP-9108-(

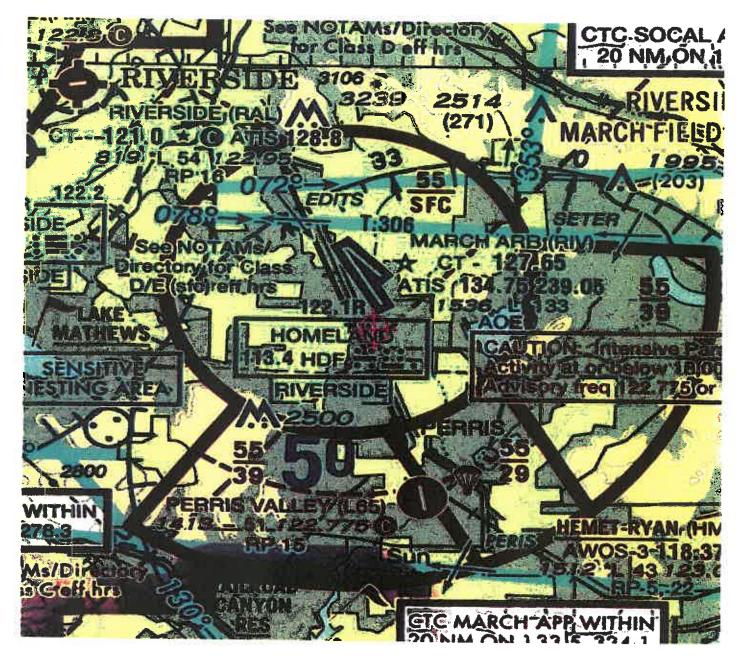
The project consists of two warehouse distribution buildings. Building-A is a 912,338 sf on a 41.72 acres Parcel. Building-B is 125,473 sf warehouse building on a 6.6 acre Parcel.

X.









Aeronautical Study No. 2014-AWP-9157-OE



Mail Processing Center Federal Aviation Administration Southwest Regional Office Obstruction Evaluation Group 2601 Meacham Boulevard Fort Worth, TX 76193

Issued Date: 01/08/2015

HECTOR CORREA HLC CIVIL ENGINEERING 39281 VIA CADIZ MURRIETA, CA 92563

#### **\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Building OPTIMUS LOGISTICS CENTER II BUILDING B
PERRIS, CA
33-51-12.36N NAD 83
117-14-40.29W
1481 feet site elevation (SE)
55 feet above ground level (AGL)
1536 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

At least 10 days prior to start of construction (7460-2, Part 1)

X\_\_\_\_ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/ lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

This determination expires on 07/08/2016 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF TO DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

If we can be of further assistance, please contact our office at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-AWP-9157-OE.

Signature Control No: 235566515-239546328 Karen McDonald Specialist

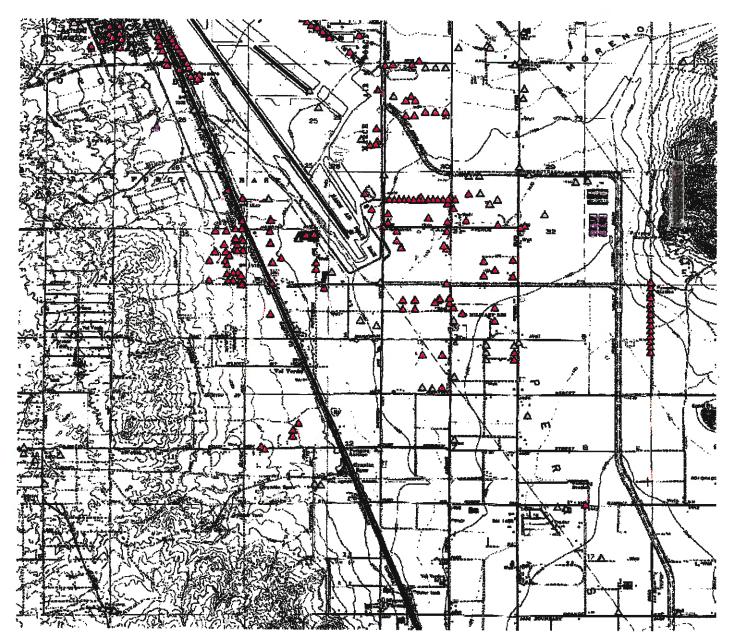
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Attachment(s) Case Description Map(s)

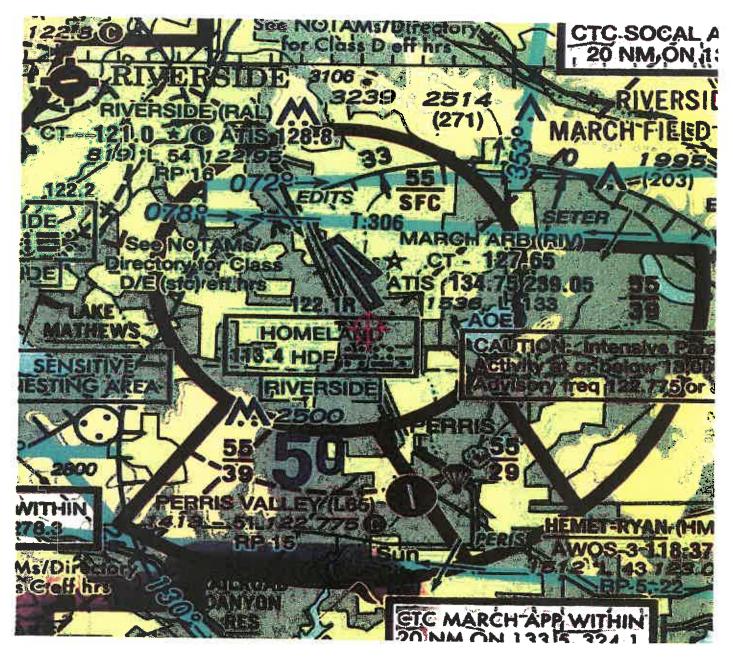
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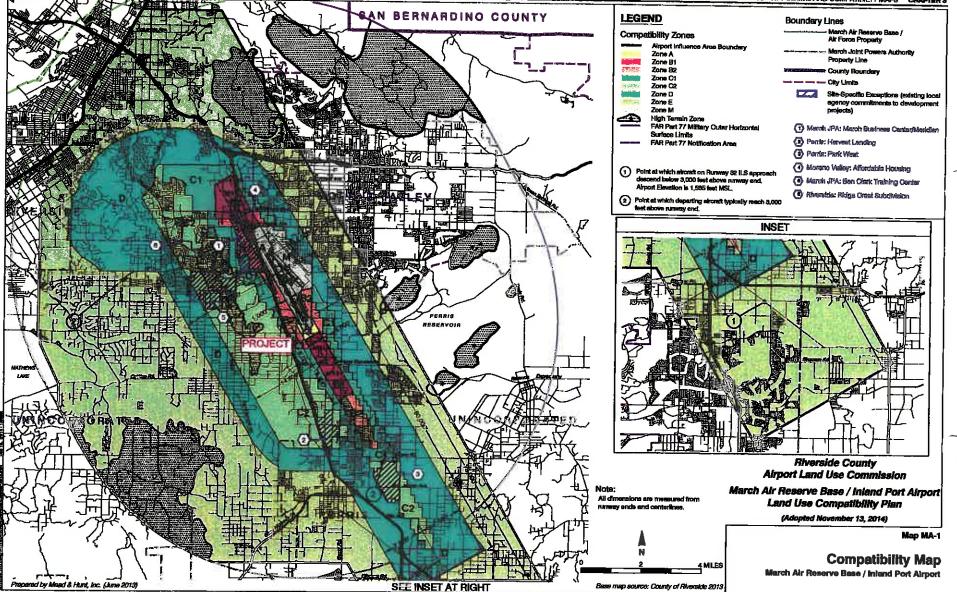
Building-B is a 125,473 SF Warehouse Building on 6.6 acre Parcel





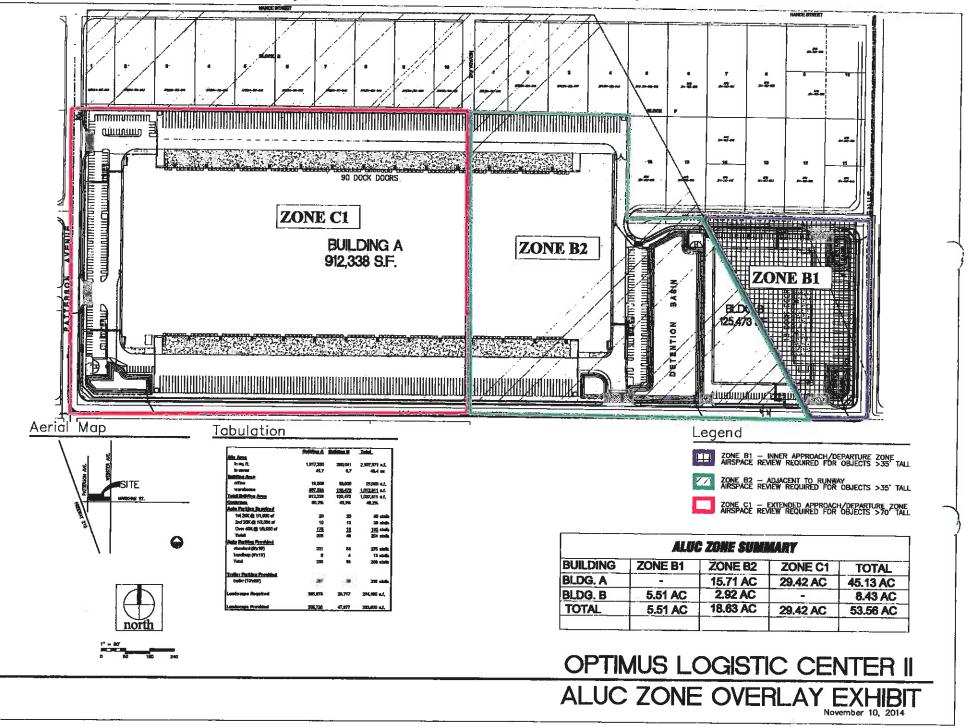


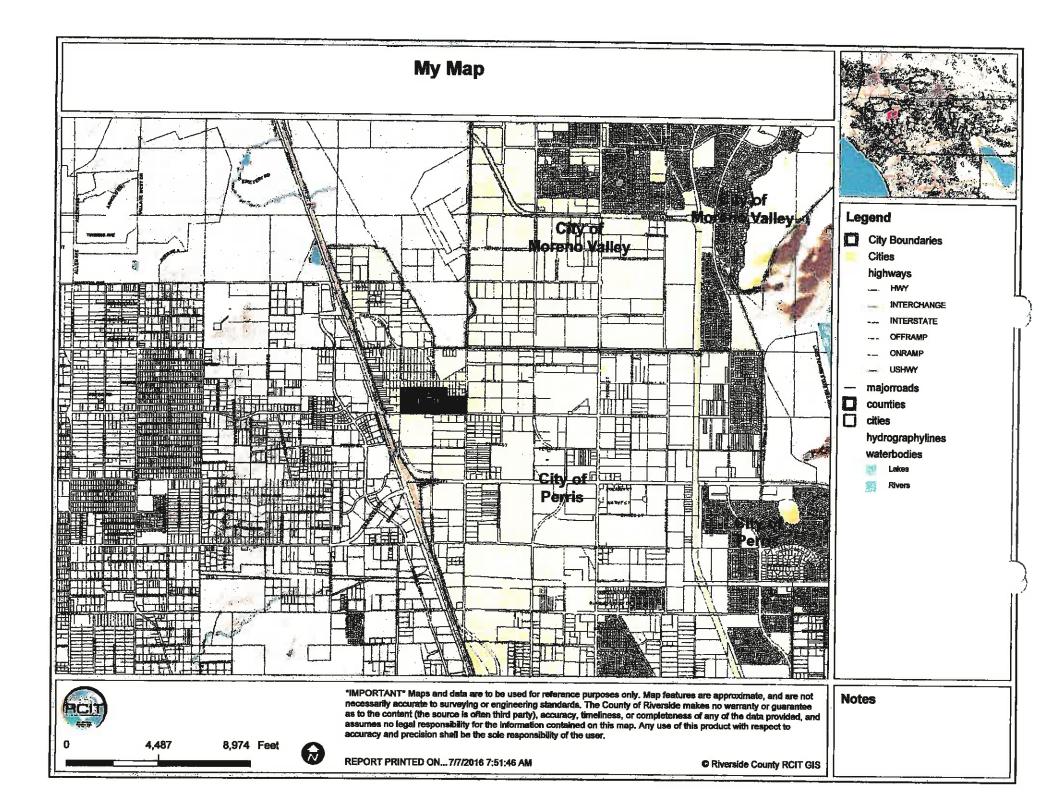


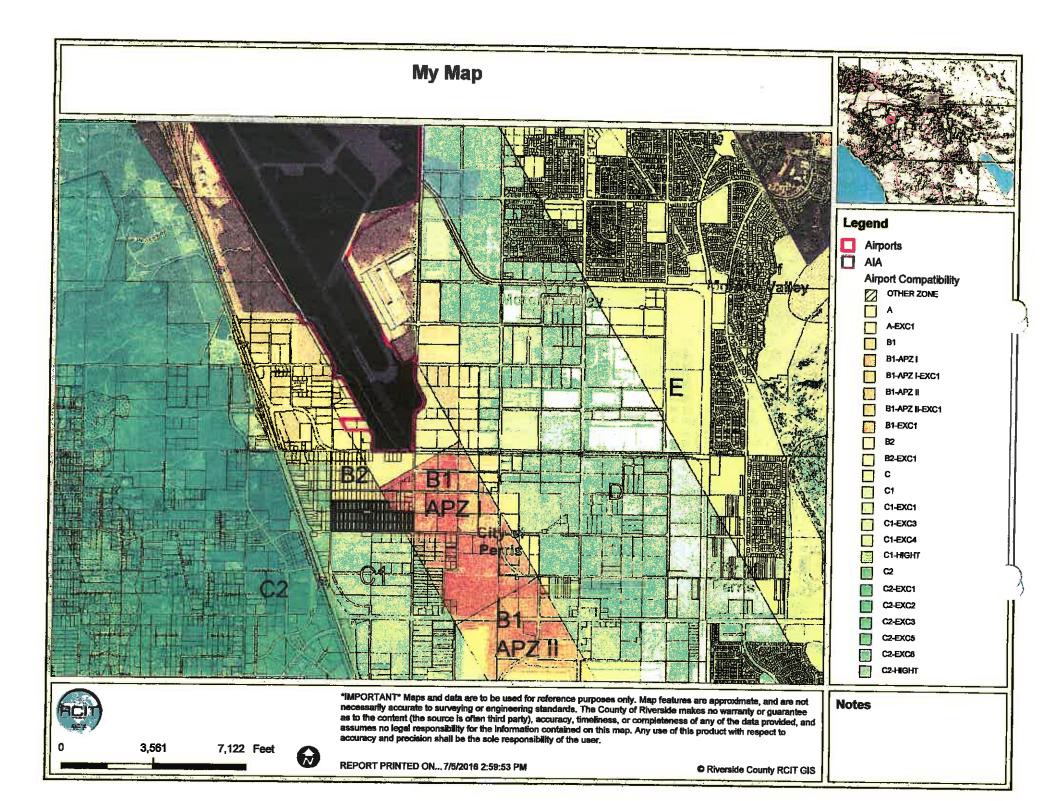


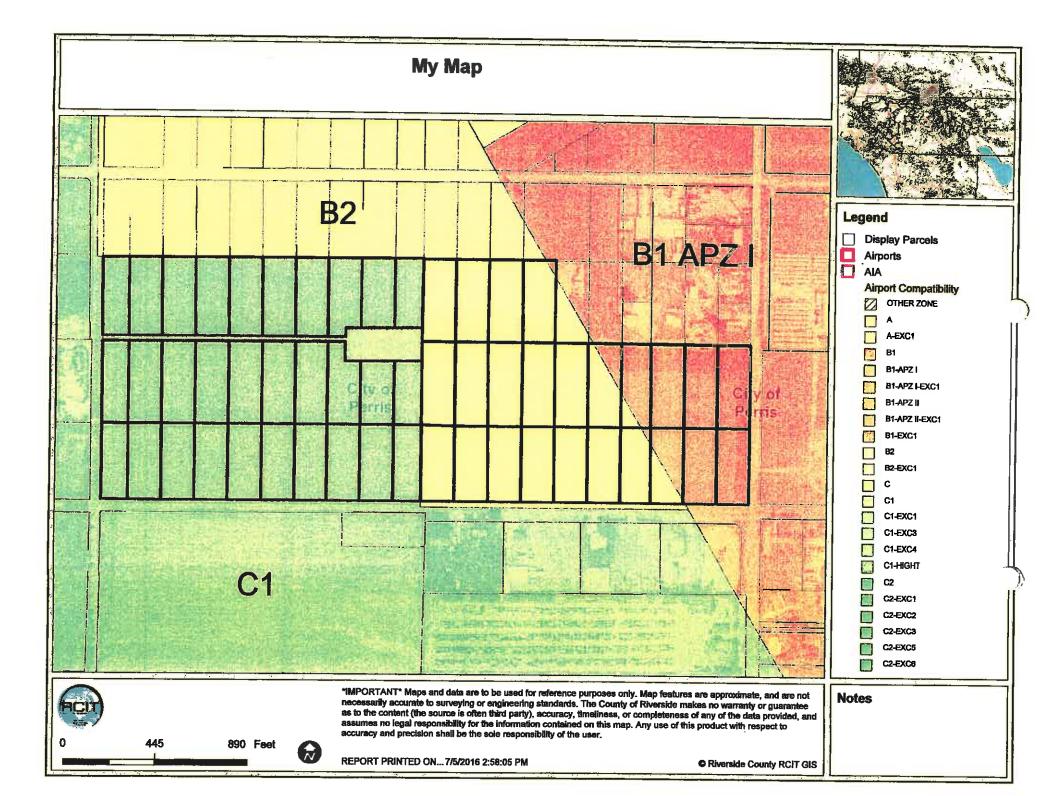
#### INDIVIDUAL AIRPORT POLICIES AND COMPATIBILITY MAPS CHAPTER 3

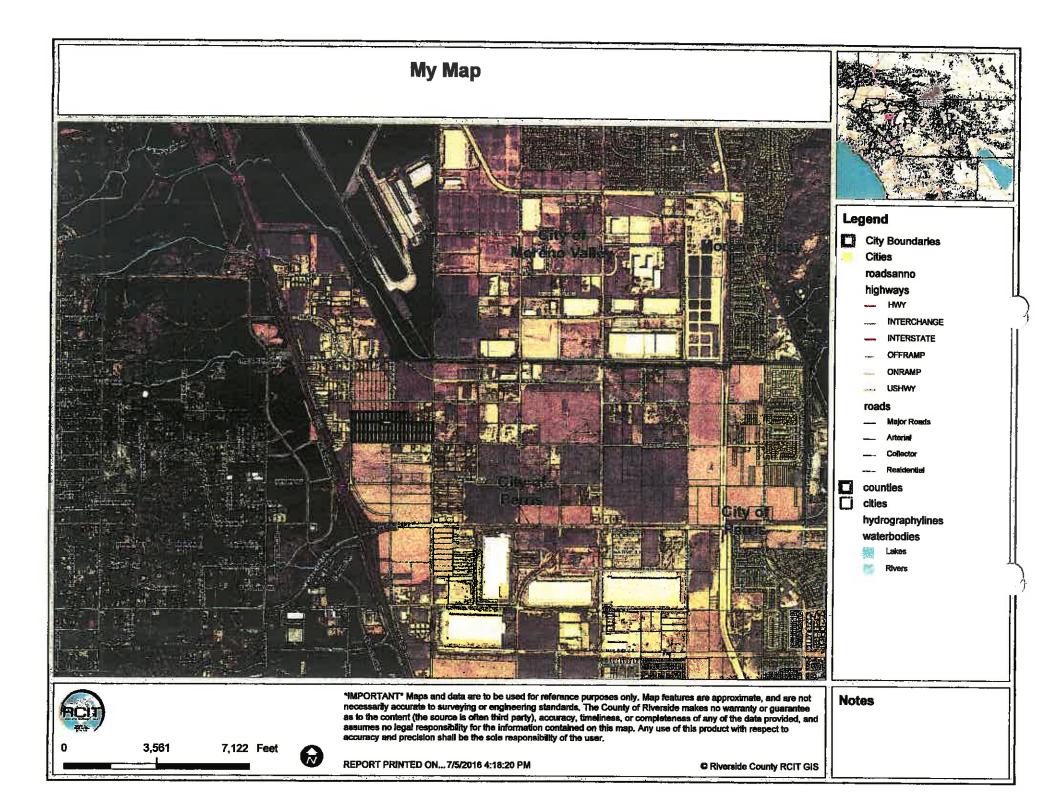
# PREVIOUS ZAP 1102MAILY EXHIBIT

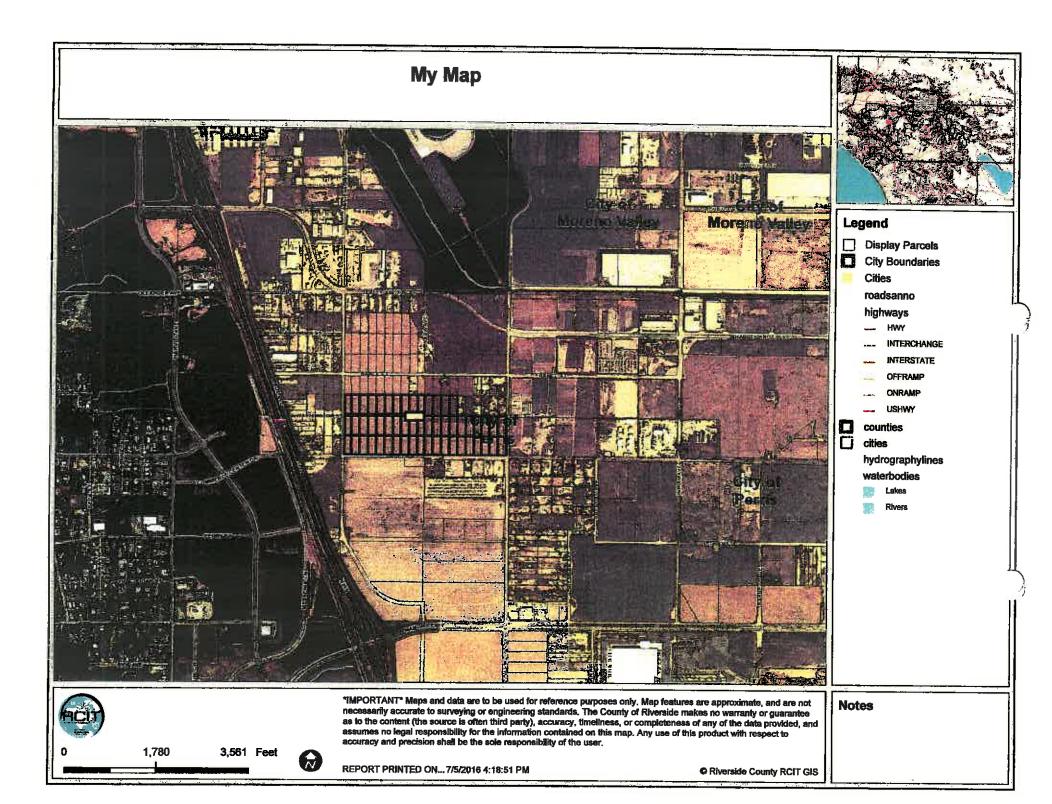


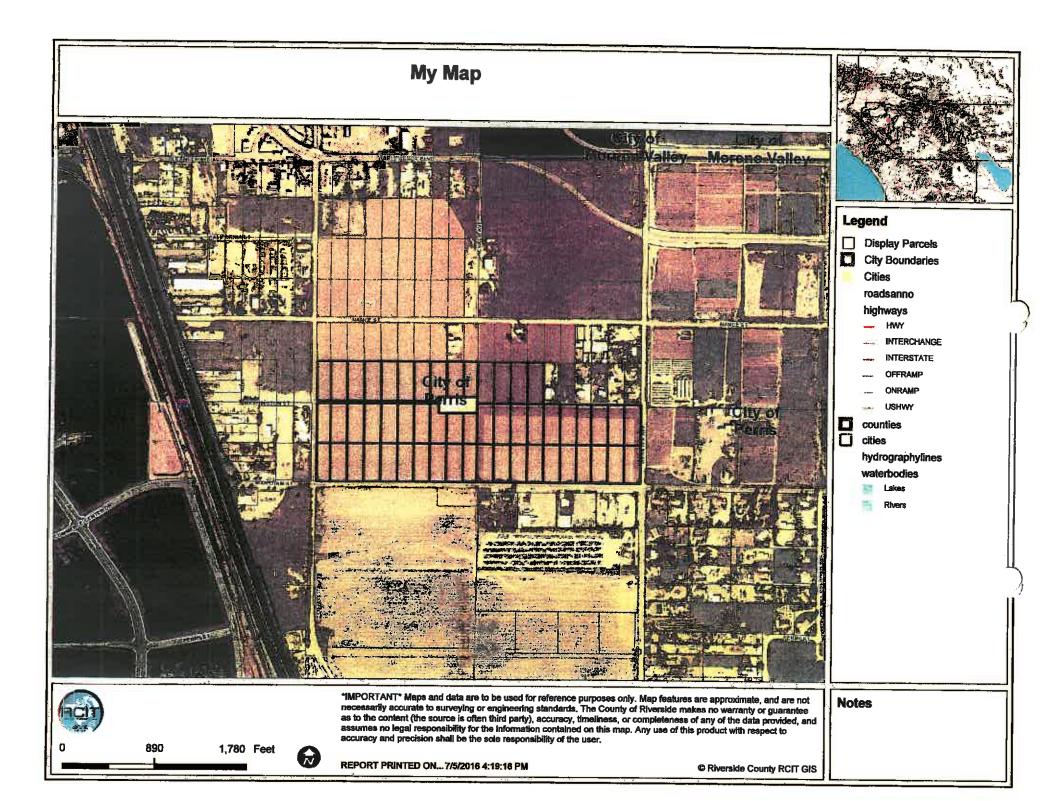


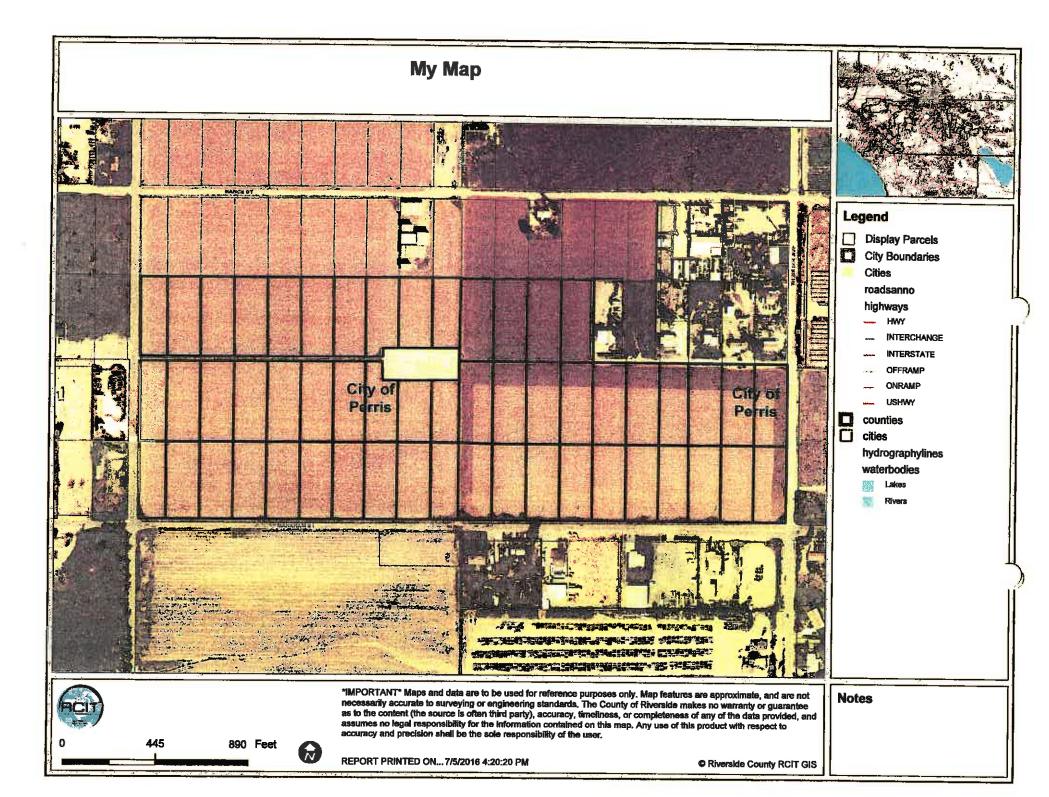










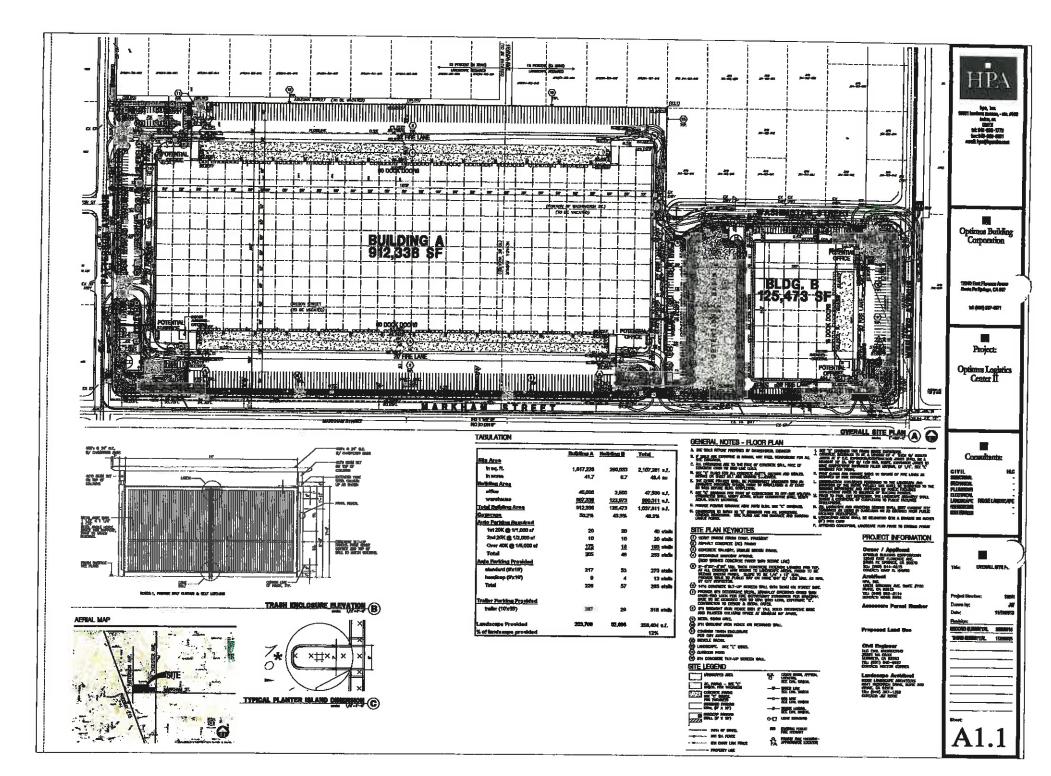


17

PROPOSED LAND USE:

Applicant is requesting that the overall office area within Building "A" be increased from 15,000 sf to 45,000 sf which falls within the March Air Reserve Base Land Use Compatibility Plan Density/Intensity Standards of 250 people per single acre area.

The applicants project is referred to as File # ZAP1102MA14 referenced in the ALUC Development Review Letter dated January 29, 2015.







8 August 2016

MEMORANDUM FOR RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION ATTN: MR. PAUL RULL URBAN REGIONAL PLANNER IV 4080 LEMON STREET, 14<sup>TH</sup> FLOOR RIVERSIDE, CA 92501

FROM: 452d Mission Support Group/Civil Engineers Base Operating Support 610 Meyer Drive, Bldg. 2403 March ARB CA 92518-2166

SUBJECT: Riverside County Airport Land Use Commission (RCALUC) - ZAP1206MA16 Optimus Logistic Center II

1. The March Air Reserve Base (MARB) review of the proposal to construct a two-building warehousing facility on 53.56 acres, Building A is 912,338 square feet, Building B is125,437 square feet, located easterly of Patterson Avenue, northerly of Markham Street, westerly of Webster Avenue, and southerly on Nance Street within the City of Perris, is provided in this memorandum.

2. The parcel for Building A is not located in an Accident Potential Zone (APZ). The parcel for Building B is located within the Accident Potential Zone I (APZ I), approximately 3,750 feet at the south end of Runway 14-32. Any construction in APZ I is to consist of facilities that are no greater than a single floor; airspace review is required for objects greater than 35 feet in height. Lot coverage is based on calculation in the Floor Area Ratios (FAR) of 1.0 in the case of warehouses in APZ I, per Air Force Instruction (AFI) 32-7063, December 18, 2015 and only a few types of facilities are compatible in this zone. There are restrictions on land uses and heights of natural objects and man-made objects in the vicinity of air installations that may obstruct the airspace, attract birds, cause electromagnetic or thermal interference, or produce dust, steam, smoke, or light emissions to provide for safety of flight and the public welfare.

3. A properly designed storm water management system and landscaping must address Bird/Wildlife Aircraft Strike Hazard (BASH) concerns including proper detention/infiltration of storm water runoff. MARB is requesting the water detention basins are completely drained within 48 hours and have a rock filled bottom, or be underground and covered. Prior to issuance of formal approval, the base will want to review details of the storm water conveyance system and the landscaping plan when they become available. Given the proximity to the airfield, trees which will bear mast or grow to an adequate size for roosting should not be planted. Additional information on reducing BASH hazards can be found in Air Force Pamphlet (AFPAM) 91-212, *Bird/Wildlife Aircraft Strike Hazard (BASH) Management Techniques*, dated February 1, 2004. We request that the City of Perris evaluate the storm water detention basin design to mitigate or eliminate any hazards, and jointly approve the design with MARB.

4. The site is located within an area that is exposed to elevated levels of noise from the base's flying operations; reference the AICUZ for MARB for the noise contours for this area. A more recent model can be found within the Airport Land Use Compatibility Plan (ALUCP) adopted by the Riverside County Airport Land Use Commission (ALUC) dated November 13, 2014. The document titled, "Background Data: March Air Reserve Base/Inland Port Airport Environs," is an insert to the ALUCP. Referencing

Exhibit MA-4 from the aforementioned insert, it would appear this project resides within an area that is subject to 60-70 dB Community Noise Equivalent Level (CNEL). In addition, this site is situated in an area where aircraft flying arrivals and departures from Runway 32 will overfly this proposed facility at relatively low altitudes. In addition, these aircraft will be at a high power setting generating significant noise contours. As such, the employees of this proposed development would be subject to noise occurrences that may generate complaints to the base and the community leadership. Employees and regularly received public may require protection using noise abatement (noise level reduction) provided in the construction design. Additionally, hearing protection for employees may be required by Occupational Safety and Health Administration (OSHA) or other agencies as it relates to safety and health in a high noise work environment.

5. While the proposed use may be consistent with the zoning and land use guidelines, in referencing a map of the area, this site is approximately .71 miles from the arrival end of Runway 32. Based on a statistical analysis by the USAF, Aircraft Accident Data, approximately 10 percent of recorded accidents have taken place within an APZ I Zone (AICUZ). The location of the development presents a concern due to the APZ I at the south end of Runway 14/32. Developments in this area should not be used for high-density functions, since the objective of the land use guidelines in and around APZs is to restrict people-intensive uses and hazardous materials/chemicals, due to a greater risk of aircraft incidents in these areas. The intensity in APZ I is restricted to 25 people and 50 people in APZ II per acre IAW DoD Instruction 4165.57, March 12, 2015 and AFI 32-7063, December 18, 2015.

6. The building height is a cause for concern. We request the latitude and longitude of the southeast and northeast corners and the ground elevation of the warehouse along this façade in order to confirm the building falls within established height restrictions. Consultation with the Federal Aviation Administration will be required and we will also require a Terminal Instrument Procedures (TERPS) review.

7. To help eliminate any potential adverse effects on aircraft operations at MARB, we ask that materials provided in construction be of a non-reflective material such as outside ductwork, windows and roofs by means such as painting or covering. In addition, none of the project improvements shall create:

- Distracting lights which could be mistaken for airport lights
- · Sources of dust, steam, or smoke which may impair pilot visibility
- Sources of electronic interference with aircraft communications or navigation.

8. The following are some mitigating measures and it is our desire that all such steps be researched and implemented.

- BMPs must be reviewed by the Base and must not introduce hazards related to bird strikes
- Solar panels or any reflective materials on the rooftop are prohibited
- No hazardous materials should be stored within the APZs
- Noise level hazards must be mitigated
- Personnel density in the floor area within APZ I is not allowed to exceed the 25 persons/acre and 50 persons/acre in APZ II.

9. Thank you for the opportunity to again, review and comment on this proposed development. If you have questions, please contact Ms. Denise Hauser at (951) 655-4862.

SEAN P. FEELEY Acting Base Civil Engineer

# NOTICE OF PUBLIC HEARING RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

A PUBLIC HEARING has been scheduled before the Riverside County Airport Land Use Commission (ALUC) to consider the application described below.

Any person may submit written comments to the ALUC before the hearing or may appear and be heard in support of or opposition to the project at the time of hearing. The proposed project application may be viewed at the Riverside County Administrative Center, 4080 Lemon Street, 14<sup>th</sup> Floor, Riverside, California 92501, Monday through Thursday from 8:00 a.m. to 5:00 p.m., and by prescheduled appointment on Fridays, from 9:00 a.m. to 5:00 p.m.

ATTENTION: ALUC reviews a proposed plan or project solely to determine whether it is consistent with the applicable Airport Land Use Compatibility Plan. The City of Perris may hold hearings on this project and should be contacted on non-ALUC issues.

PLACE OF HEARING: Eastern Municipal Water District Board Chambers 2270 Trumble Road Perris CA 92570

DATE OF HEARING: August 11, 2016

TIME OF HEARING: 9:00 A.M.

CASE DESCRIPTION:

<u>ZAP1206MA16 – Optimus Building Corporation (Representative: Gary Hamro)</u> – City of Perris Case No. DPR 14-01-0015 (Development Plan Review). The applicant is proposing a revision to plans for a two-building warehousing project previously determined to be consistent pursuant to ALUC Case No. ZAP1102MA14, specifically to increase the office area in Building A (which is not located in an Accident Potential Zone) from 15,000 square feet to 45,000 square feet. As amended, Building A would provide 45,000 square feet of office area and 867,338 square feet of warehouse area. No changes are proposed for Building B. The overall floor areas of Buildings A (912,338 square feet) and B (125,437 square feet) would remain the same as originally proposed. The 53.56-acre (gross) project site is located easterly of Patterson Avenue, northerly of Markham Street, westerly of Webster Avenue, and southerly of Nance Street (Airport Compatibility Zones B1-APZ I, B2, and C1 of the March Air Reserve Base/Inland Port Airport Influence Area).

FURTHER INFORMATION: Contact Paul Rull at (951) 955-6893. The ALUC holds hearings for local discretionary permits within the Airport Influence Areas, reviewing for aeronautical safety, noise and obstructions. All other concerns should be addressed to <u>Mr. Kenneth</u> <u>Phung of the City of Perris Planning Department at (951) 943-5003.</u>

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		TION FOR MAJOR LAND USE ACTION REVIEW			
	PROJECT PROPONENT (TO BE COMPLETED BY APPLICANT)				
	Date of Application Property Owner Mailing Address	Lo-29-16 LIATY MAMORATIMUS Blag. Phone Number 562-237-4671 12040 East Florence Are Santa Fe Springs, CA 90676			
	Agent (if any) Mailing Address	Lary HAMER/Michael NAGPHone Number 542-237-4074 12040 EAST Florence Ave Santa Fe Springs, CA 90670			
		ON (TO BE COMPLETED BY APPLICANT)			
	Street Address	North of Markham, East of Patterbon,			
Mmell C 51, 62-1	Assessor's Parcel No Subdivision Name Lot Number	<u>314-61-(11+hrv 41) 314-162-(17 +1+1++++++++++++++++++++++++++++++++</u>			
PP21	PROJECT DESCRIPTION (TO BE COMPLETED BY APPLICANT) If applicable, attach a detailed site plan showing ground elevations, the location of structures, open spaces and water bodies, and the heights of structures are and water bodies, and the heights of structures are and water bodies.				
	Existing Land Use (describe)	Light houstrial - Refer to File # ZAPIIOZMAIH			
	Proposed Land Use (describe)	see attached description			
	For Residential Uses For Other Land Uses	Number of Parcels or Units on Site (exclude secondary units) Hours of Use			
	(See Appendix C)	Number of People on Site Maximum Number ALUCIANTEVALATE			
	Height Data	Height above Ground or Tailest Object (including antennas and trees) 7 No change for fit. Highest Elevation (above sea level) of Any Object or Terrain on Site DC-2 Yi OUS and DV(At			
	Flight Hazerds	Does the project involve any characteristics which could create electrical interference.			
		If yes, describe			

REFERRING AGENCY (APPLICANT OR JURISDICTION TO COMPLETE)		
Date Received Agency Name Staff Contact Phone Number Agency's Project No. DEC 14-01-0015	Type of Project         General Plan Amendment         Zoning Amendment or Variance         Subdivision Approval         Use Permit         Public Facility         Other	

A. NOTICE: Failure of an applicant to submit complete or adequate information pursuant information pursuant information pursuant information pursuant information pursuant to submit complete or adequate information pursuant informa

## B. SUBMISSION PACKAGE:

#### **ALUC REVIEW**

- 1. Completed Application Form
- 1. . . . . Project Site Plan Folded (8-1/2 x 14 max.)
- 1..... Elevations of Buildings Folded
- 1 Each . 8 1/2 x 11 reduced copy of the above
- 1...... 8 ½ x 11 reduced copy showing project in relationship to airport.
- 1 Set Floor plans for non-residential projects
- 4 Sets. . Gummed address labels of the Owner and representative (See Proponent).
- 1 Set. Gummed address labels of all property owners within a 300' radius of the project site. If more than 100 property owners are involved, please provide prestamped envelopes (size #10), with ALUC return address.
- 4 Sets. Gummed address labels of the referring agency (City or County).
- 1..... Check for Fee (See Item "C" below)

## STAFF REVIEW (Consult with ALUC staff planner as to whether project qualifies)

- 1 .... Completed Application Form
- 1.... Project Site Plans Folded (8-1/2 x
- 1..... Elevations of Buildings Folded
- 1..... 8 1/2 x 11 Vicinity Map
- 1 Set . Gummed address labels of the Owner and representative (See Proposed)
- 1 Set . Gummed address labels of the advance agency.
- 1 . . . . Check for review-See Below

## Rull, Paul

From: Sent: To: Subject: Gary Hamro <garyhamro@gmail.com> Monday, August 15, 2016 8:48 AM Rull, Paul Re: ZAP120**6**MA16 continuance to Sept 8

Paul --

Thank you for the heads up! Let's continue to October 13.....

Thanks, Gary

Gary Hamro | OPTIMUS GROUP | garyhamro@gmail.com 12040 East Florence Avenue, Santa Fe Springs, CA 90670 | 562 237-4071

From: "Rull, Pau!" <<u>PRull@rctlma.org</u>> Date: Monday, August 15, 2016 at 7:01 AM To: Gary Hamro <<u>garyhamro@gmail.com</u>> Subject: ZAP1200MA16 continuance to Sept 8

Good Morning Gary,

Please be aware that your project was continued to the September 8 meeting. Please also note that the staff report deadline for that Sept 8 meeting is tomorrow to John. You can always request another continuance to October 13 if you need more time.

If you have any questions please feel free to contact me.

Paul Rull ALUC Urban Regional Planner IV



Riverside County Airport Land Use Commission 4080 Lemon Street, 14<sup>th</sup> Floor Riverside, Ca. 92501 (951) 955-5893 (951) 955-5177 (fax) PRULL/DRCTLMA.ORG

## COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

## **STAFF REPORT**

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ACTENIDA PERMA.

AGENDA HEM:	2.2 <del>3.3</del>
HEARING DATE:	October 13, September 8, 2016 (continued from September 8 and August 11, 2016)
CASE NUMBER:	<u>ZAP1204MA16 – Duke Realty, Adam Schmid</u> (Representative: Albert A. Webb Associates, Nicole <u>Torstvet</u> )
<b>APPROVING JURISDICTION:</b>	City of Perris
JURISDICTION CASE NO:	PLN 16-00008 (Development Plan Review)

MAJOR ISSUES: The applicant is proposing to construct a warehouse/distribution center on a site located predominately within the portion of Airport Compatibility Zone B1 that lies within Accident Potential Zone I (APZ I), as delineated by the United States Air Force in the 2005 Air Installation Compatible Use Zone (AICUZ) study. March Air Reserve Base officials contend that the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan is not consistent with current Air Force guidance found in Air Force Instruction 32-7063 dated December 18, 2015, which addresses Air Force policies on Land Use Compatibility in accordance with Department of Defense Instruction (DoDI) No. 4165.57. These inconsistencies include conflicts with regard to lot coverage, intensity, and permitted use definitions. The Air Force understands the DoDI as limiting intensity in APZ I to 25 people per acre (in any given acre), rather than an average intensity of 25 persons per acre of land area. The project results in a single-acre intensity of 56 or 66 people in Zone B1-APZ I, which is consistent with the ALUCP, but not with the Air Force DoDI interpretation. March Air Reserve Base/Inland Port Airport Compatibility Plan adopted in November 2014. However, since the adoption of the plan, there has been an evolution in the Air Force's position regarding the intent of the APZ I standard of 25 people per acre, as specified in Department of Defense Instruction (DoDI) No. 4165.57 dated March 12, 2015 and Air Force Instruction (AFI) 32-7063 dated December 18, 2015. These new documents may ultimately need to be addressed through an amendment to the March Air **Reserve Base/Inland Port Airport Land Use Compatibility Plan.** 

In July, ALUC issued a determination of consistency for ZAP1199MA16, a proposal by the City of Perris to amend the City's General Plan, the Perris Valley Commerce Center Specific Plan, and the City's Zoning Ordinance to bring those documents into consistency with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan. That proposal has been tentatively approved by the Perris City Council. Final adoption is expected to occur prior to ALUC's November 10 meeting. Upon final adoption of the Citywide and area-wide amendments noted above, projects such as PLN 16-00008, which do not require site-specific general plan amendments, specific plan amendments, or zone changes, will be able to be evaluated for ALUCP Staff Report Page 2 of 8

consistency by the City of Perris without a mandatory ALUC referral. It is the applicant's intent to utilize the new process that will become available to projects in that City once final adoption of the Citywide and area-wide amendments has occurred. The applicant has requested continuance to ALUC's November 10 meeting with an eye toward possible withdrawal of this ALUC application prior to November 10.

**RECOMMENDATION:** The applicant is requesting additional time to address issues raised by the Air Force with City staff<sub>3</sub>; therefore, staff recommends that the Commission <u>CONTINUE</u> consideration of the matter to its <u>November 10</u>, October 13, 2016 September 8, 2016, public hearing agenda.

**PROJECT DESCRIPTION:** The Development Plan Review is a proposal to develop a 668,681 square foot warehouse/distribution center on 30.7 net acres. The building floor plan consists of 649,481 square feet of warehouse area and 19,200 square feet of office area. (The applicant is also proposing a tentative parcel map [PLN 16-05150] to merge the six existing parcels comprising the site into one lot. The parcel map does not require ALUC review – no new lots created.)

**PROJECT LOCATION:** The site is located southerly of Markham Street, westerly of Indian Avenue, easterly of Barrett Avenue and northerly of Perry Street, within the City of Perris, approximately 6,360 feet southeasterly of the southerly end of Runway 14-32 at March Air Reserve Base.

LAND USE PLAN: 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan

a. Airport Influence Area:	March Air Reserve Base
b. Land Use Policy:	Zones B1-APZ I, B2, and C1
c. Noise Levels:	60-70 CNEL from aircraft

## **BACKGROUND:**

<u>Non-Residential Average Land Use Intensity</u>: Pursuant to the Airport Land Use Compatibility Plan for the March Air Reserve Base/Inland Port Airport, the site is located within Compatibility Zones B1-APZ I, B2, and C1. Zone B1-APZ I limits average intensity to 25 people per acre, and Zones B2 and C1 limit average intensity to 100 people per acre. No development generating any occupancy is located within the C1 portion of the site.

Pursuant to Appendix C, Table C-1, of the Riverside County Airport Land Use Compatibility Plan and March Air Reserve Base/Inland Port Airport Compatibility Plan Policy 2.4, the following rates were used to calculate the occupancy for the proposed building in Compatibility Zones B1-APZ I and B2: Staff Report Page 3 of 8

- Warehouse 1 person per 1,428 square feet (35% of building code of 1 person per 500 square feet)
- Office 1 person per 200 square feet (with 50% reduction)

The proposed building would include a total of 649,481 square feet of warehouse area and 19,200 square feet of office area, resulting in a total occupancy of 551 people and an average intensity of 18 people per acre, based on the site's total acreage of 30.7 acres, which is consistent with both Zone B1-APZ I average criteria of 25 people per acre, and Zone B2 average criteria of 100 people per acre. Zone B1-APZ I contains 17.78 acres and has 356,756 square feet of warehouse area and 7,000 square feet of office area, resulting in a total occupancy of 285 persons and an average intensity of 16 people per acre. Zone B2 contains 12.49 acres and has 294,030 square feet of warehouse area and 11,500 square feet of office area, resulting in a total occupancy of 264 persons and an average intensity of 21 people per acre. The average intensities in each zone are consistent with the average intensity criteria referenced above.

Although the planned warehouse is designed and anticipated to be used as high-cube warehouse, if the warehouse area were calculated based on use as a fulfillment center pursuant to March Air Reserve Base/Inland Port Airport Compatibility Plan Policy 2.4 (50% of 1 person per 500 square feet), the building would accommodate a total occupancy of 745 people, resulting in an average intensity of 24 people per acre, which is also consistent with the average intensity criteria referenced above. The Zone B1-APZ I portion would result in a building occupancy of 392 people and an average intensity of 22 people, and the Zone B2 portion would result in a building occupancy of 352 people and an average intensity of 28 people. The average intensities in each zone are consistent with Zone B1-APZ I average intensity criteria of 25 people, and B2 average intensity criteria of 100 people.

A second method for determining total occupancy involves multiplying the number of parking spaces provided or required (whichever is greater) by average vehicle occupancy (assumed to be 1.5 persons per standard vehicle and 1.0 persons per truck trailer parking/dock space in the absence of more precise data). Based on the number of standard parking spaces provided of 389 and truck trailer spaces of 108, the total occupancy would be estimated at 692 people. This total occupancy within the 30.7 acre project site (which includes 0.38 acre in Zone C1) results in an average intensity of 23 people per acre, which is consistent with Zone B1-APZ I average intensity criteria of 25 people, and B2 average intensity criteria of 100 people.

If the entire building were utilized as office space (with the 50 percent reduction) or for manufacturing (at 1 person per 200 square feet), the Zone B1-APZ I portion would result in an occupancy of 1,819 people and an average intensity of 102 people, and the Zone B2 portion would result in 1,528 people and an average intensity of 122 people. This would be inconsistent with both Zone B1-APZ I and Zone B2 average intensity criteria. However, this scenario is not being proposed and is also unrealistic, as the site would not be able to provide the necessary number of parking stalls to cater to a manufacturing use or an all-office use.

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<u>Non-Residential Single-Acre Land Use Intensity</u>: As adopted, Compatibility Zone B1-APZ I limits maximum single-acre intensity to 100 people, and Zones B2 and C1 limits maximum single-acre intensity to 250 people. There are no risk-reduction design bonuses available, as March Air Reserve Base/Inland Port Airport is primarily utilized by large aircraft weighing more than 12,500 pounds.

Based on the site plan provided and the occupancies as previously noted, the maximum single-acre area for the building would consist of 7,000 square feet of office area and 30,560 square feet of warehouse area. The 7,000 square foot office area and approximately 15,750 square feet of warehouse area is located within Zone B1-APZ I, and approximately 15,750 square feet of warehouse area is located within Zone B2 within the single-acre area. A portion of the single-acre area, 6,000 square feet, is located outside of the building and does not affect occupancy counts. This results in a total occupancy of 57 people (46 people in Zone B1-APZ I and 11 people in Zone B2 within the single-acre area), which is consistent with the single-acre intensity criteria referenced above.

If the warehouse area were calculated based on use as a fulfillment center pursuant to March Air Reserve Base/Inland Port Airport Compatibility Plan Policy 2.4, the maximum single-acre area of 7,000 square feet of office area and 30,560 square feet of warehouse area would result in a single-acre occupancy of 66 people, which is also consistent with the single-acre criterion referenced above.

If the most intense single-acre area were entirely utilized as office space (with the 50 percent reduction) or for manufacturing uses (at 1 person per 200 square feet), the single-acre intensity would be 218 people, which is inconsistent with the Zone B1-APZ I criterion of 100 people, although consistent with the Zone B2 criterion of 250 people. However, this scenario is not being proposed and is also unrealistic, as the site would not be able to provide the necessary number of parking stalls to cater to an all office or manufacturing use.

<u>Prohibited and Discouraged Uses:</u> A warehouse/distribution facility is not a prohibited or discouraged use in Compatibility Zones B1-APZ I, B2 or C1 of the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan (March ALUCP). The March ALUCP further specifies that uses listed in the Air Installation Compatible Use Zone (AICUZ) study as not compatible in APZ I or APZ II are prohibited uses within those zones. A warehouse/distribution facility is a compatible use within Accident Potential Zone I pursuant to the AICUZ and subsequent (2011) Department of Defense Instruction (DoDI) No. 4165.57.

<u>Noise:</u> The March ALUCP depicts the site as being in an area subject to aircraft noise within the 60-70 CNEL range. As a primarily industrial use not sensitive to noise (and considering typical anticipated building construction noise attenuation of approximately 20 dBA), the warehousing area would not require special measures to mitigate aircraft-generated noise. However, a condition is included to provide for adequate noise attenuation within office areas of the building.

<u>Part 77</u>: The elevation of Runway 14-32 at its southerly terminus is 1488 feet above mean sea level (1488 AMSL). At a distance of approximately 6,360 feet from the runway to the closest parcel

Staff Report Page 5 of 8

within the site, Federal Aviation Administration (FAA) review would be required for any structures with top of roof exceeding 1551 feet AMSL. The maximum finished floor elevation is 1464 feet AMSL. With a maximum building height of 42 feet, the top point elevation would be 1506 feet AMSL. Therefore, review by the Federal Aviation Administration Obstruction Evaluation Service is not required.

<u>Open Area:</u> None of the Compatibility Zones for the March Air Reserve Base/Inland Port ALUCP require open area specifically. However, development within Compatibility Zone B1-APZ I is limited to a maximum lot coverage of 50%. The proposed total building size of 15.3 acres would result in a lot coverage of 49%. The area of the building within Zone B1-APZ I is 363,756 square feet, which results in a lot coverage of 46% within the portion of the site located in that zone. The overall lot coverage is 27%. There are no lot coverage restrictions in Zones B2 or C1.

<u>Inconsistencies with March Air Reserve Base</u>: Although the proposed project is consistent with the March ALUCP, it is inconsistent with the Air Force interpretation of DoDI 4165.57 regarding allowable intensities in the Accident Protection Zones. While the lot coverage for this facility is consistent with the allowable floor area ratio for warehouses as per Table A2.1 of Air Force Instruction 32-7063 and no educational facilities are proposed, Air Force/March Air Reserve Base representatives have advised that the DoDI and AFI intensity limitations of 25 persons per acre in APZ I and 50 persons per acre in APZ II are <u>maximum</u> intensity limits, not average intensity limits. These limits were not specified in the 2005 AICUZ study, but were established in 2011 with the adoption of Department of Defense Instruction No. 4165.57. At no time between 2011 and 2014 did the Air Force or Base officials advise ALUC staff that either the Joint Land Use Study or the Draft ALUCP was relying on an incorrect understanding of this DoDI.

Based on the Air Force/March Air Reserve Base interpretation of its documents, the ALUCP's allowance for up to 100 persons in any given single-acre area of the APZ is inconsistent with the DoDI and AFI and needs to be modified as soon as reasonably possible. Additionally, the Air Force/March Air Reserve Base interpretation evaluates allowable intensity on the basis of building area, not site area. Thus, a project with a building area of 15.35 acres in APZ I would be limited to a total occupancy of 383 persons. In this case, the building is split between areas within and outside the APZ. The total occupancy of the portion of this building in APZ I should not exceed 208 persons, with not more than 25 in any one acre. At minimum, the office area would need to be eliminated from the APZ I portion of the building.

## **CONDITIONS:**

- 1. Any outdoor lighting installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
- 2. The following uses/activities are not included in the proposed project and shall be prohibited at this site:

## Staff Report Page 6 of 8

- (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. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, 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) Children's schools, day care centers, libraries, hospitals, skilled nursing and care facilities, congregate care facilities, hotels/motels, places of assembly (including churches and theaters), noise sensitive outdoor nonresidential uses, critical community infrastructure facilities and hazards to flight.
- (f) Manufacturing of food and kindred products, textile mill products, apparel, chemicals and allied products, rubber and plastic products, fabricated metal products, professional, scientific, and controlling instruments, photographic and optical goods, watches and clocks.
- (g) Retail trade; eating and drinking establishments; personal services; professional services; educational services; governmental services; medical facilities; cultural activities; any other uses providing on-site services to the public.
- 3. Prior to issuance of any building permits, the landowner shall convey and have recorded an avigation easement to the March Inland Port Airport Authority. Contact March Joint Powers Authority at (951) 656-7000 for additional information.
- 4. The attached notice shall be given to all prospective purchasers of the property and tenants of the building.
- 5. The proposed detention basins on the site (including water quality management basins) shall

be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the detention basins 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. Landscaping in and around the detention basin(s) shall not include trees that produce seeds, fruits, or berries.

- 6. This project has been evaluated as a proposal for the establishment of an industrial warehouse with not more than 7,000 square feet of office area in any given acre. The City of Perris shall require additional review by the Airport Land Use Commission prior to the establishment of any uses in this structure 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. Noise attenuation measures shall be incorporated into the design of the office areas of the structure, to the extent such measures are necessary to ensure that interior noise levels from aircraft operations are at or below 45 CNEL.
- 8. March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result. Sources of electromagnetic radiation include radio wave transmission in conjunction with remote equipment inclusive of irrigation controllers, access gates, etc.
- 9. Zoned fire sprinkler systems shall be required throughout the building.
- 10. Second-story floor area, if any, shall be limited to those portions of the site located in Compatibility Zone B2.
- 11. In order to ensure proper functioning of the project drain system to avoid potential hazards to March Air Reserve Base flights, an additional Best Management Practice (BMP) shall be added to the project Water Quality Management Plan (WQMP). The applicant shall enter into a covenant and agreement with the City of Perris similar to the Water Quality Management Plan and Urban Runoff BMP Transfer, Access and Maintenance Agreement between March Joint Powers Authority and Sun Life Assurance Company of Canada (Document No. 2014-0030862), which shall be recorded prior to issuance of a certificate of occupancy. A copy of the recorded agreement and BMP shall be provided to the Riverside County Airport Land Use Commission. The BMP shall include the following program:
  - a. The property owner (Pivovaroff Third Family Ltd Partnership, Nicholas and Leigh Bruno, and Jung-Huang and Li-Yuan Chen or its successor(s)-in-interest, hereinafter "Owner") or its designated representative shall monitor the conditions of the water

## Staff Report Page 8 of 8

quality management basins and promptly inspect such basins following the completion of each "significant" rain event and the 48-hour period thereafter.

- b. If any standing water remains in a water quality management basin that is not beneath a rock, gravel, or other layer following the completion of the "significant" rain event and the 48 hour period thereafter, Owner or its designated representative shall arrange to have such standing water either removed or covered within the next two business days following the conclusion of the 48 hour period.
- c. In the event that the standing water situation recurs on a regular basis following the 48hour detention period, the basin may no longer be draining as originally designed to prevent standing water from rising above a rock, gravel or other layer (for example, due to a rise in groundwater levels or other circumstance beyond Owner's ability to control). In that situation, Owner or its designated representative shall promptly engage a licensed civil engineer to prepare a design plan to assure that such condition does not persist for more than 48 hours following the conclusion of a "significant" rain event. The required engineering design solution shall be implemented promptly, but no later than 180 days following its approval by all applicable authorities, providing that, until such time as the engineered design solution is implemented, Owner or its designated representative will maintain water levels below the rock, gravel, or other layer.

## 12. The conditions set forth in the Air Force comment letter dated July 22, 2016, shall be complied with as part of ALUC's consistency determination.

Y:\AIRPORT CASE FILES\March\ZAP1204MA16\ZAP1204MA16octsr.doc

## Rull, Paul

From:	Sandy Chandler <sandy.chandler@webbassociates.com></sandy.chandler@webbassociates.com>
Sent:	Tuesday, September 20, 2016 3:56 PM
To:	Rull, Paul
Cc:	Nicole Torstvet
Subject:	RE: ZAP1204 MA16 Duke Perris TPM 20160812.pdf

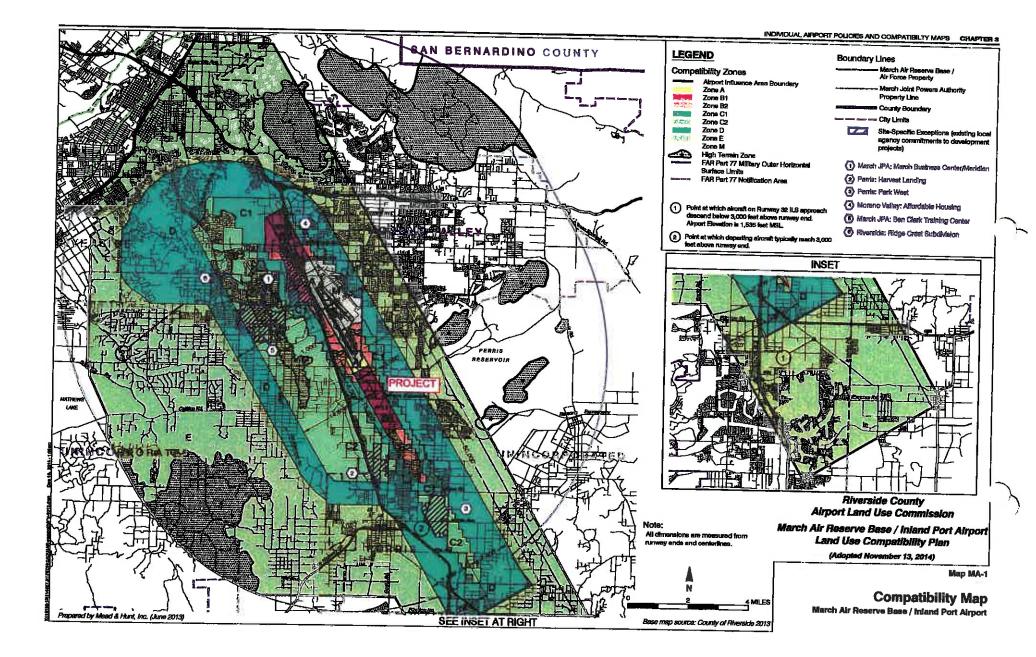
Hi Paul—On behalf of the applicant, please continue to the next hearing date.

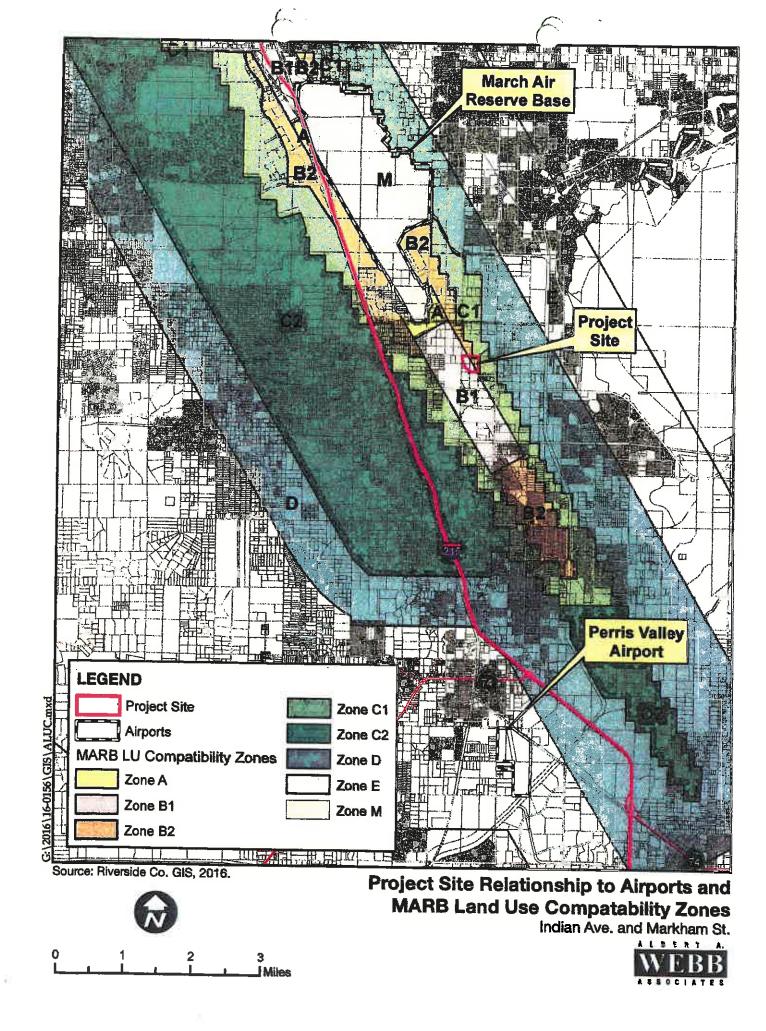
Sandy G. Chandler, AICP - Entitlement Manager Albert A. Webb Associates 3788 McCray Street, Riverside, CA 92506 t: 951.248.4291 e: <u>sandy.chandler@webbassociates.com</u> w: <u>www.webbassociates.com</u> LinkedIn | Twitter | Facebook | YouTube

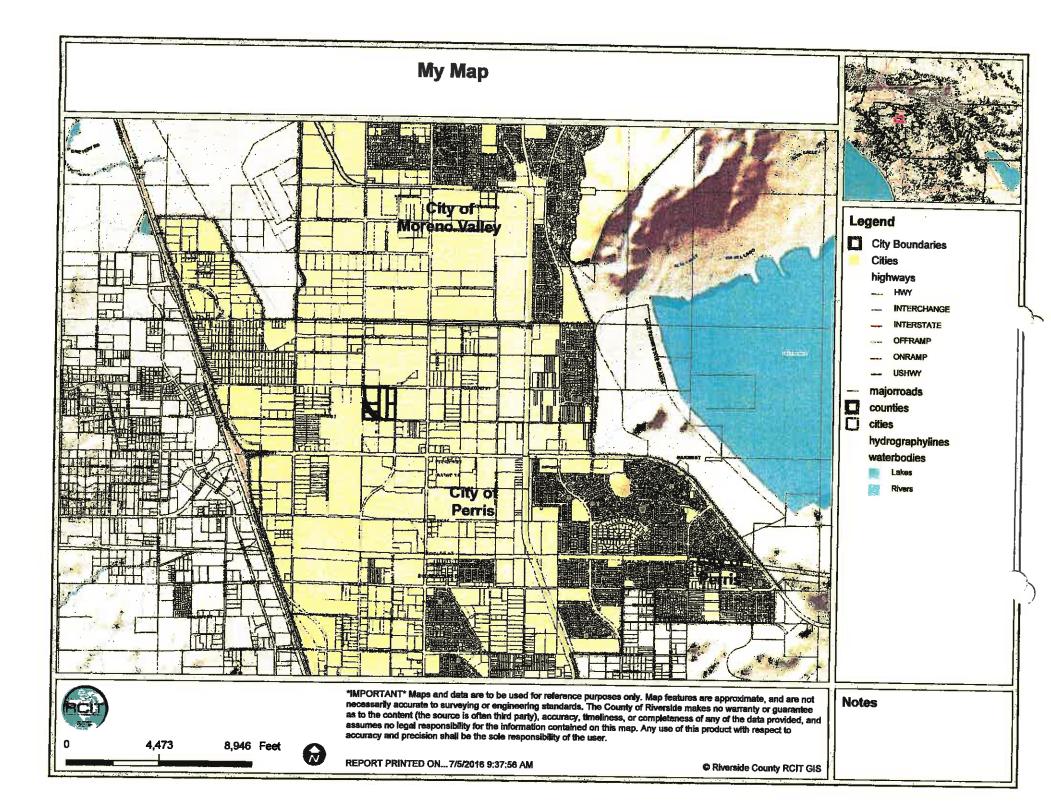
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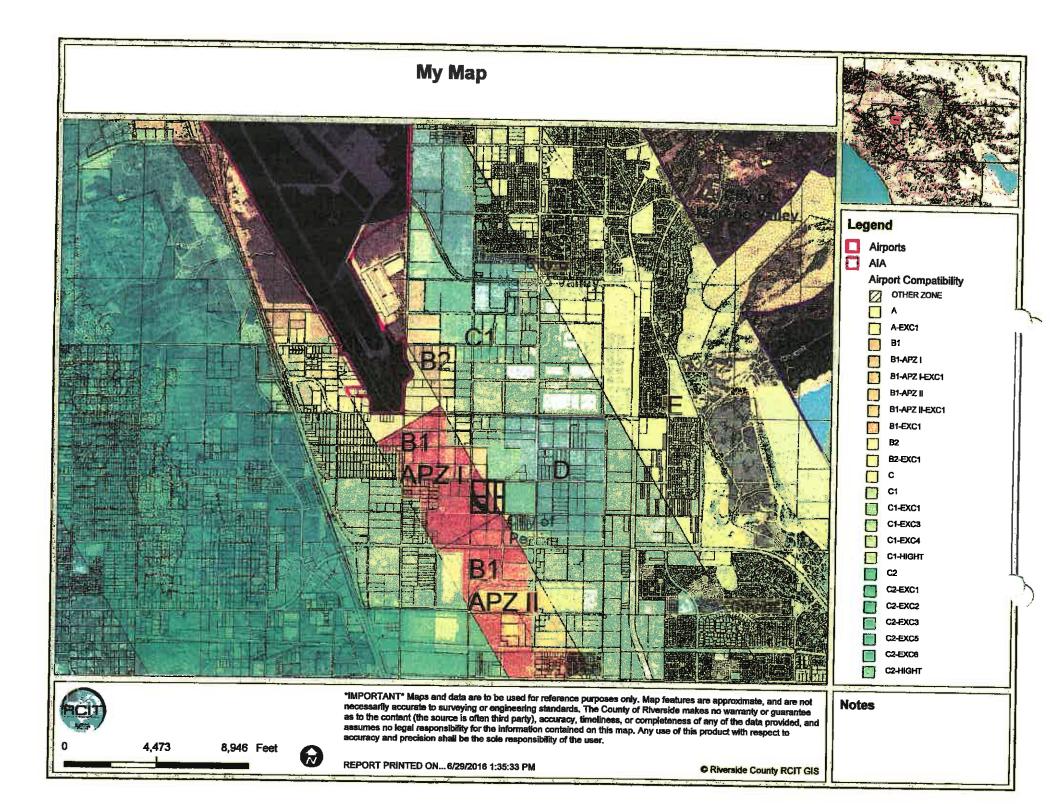
# NOTICE OF AIRPORT IN VICINITY

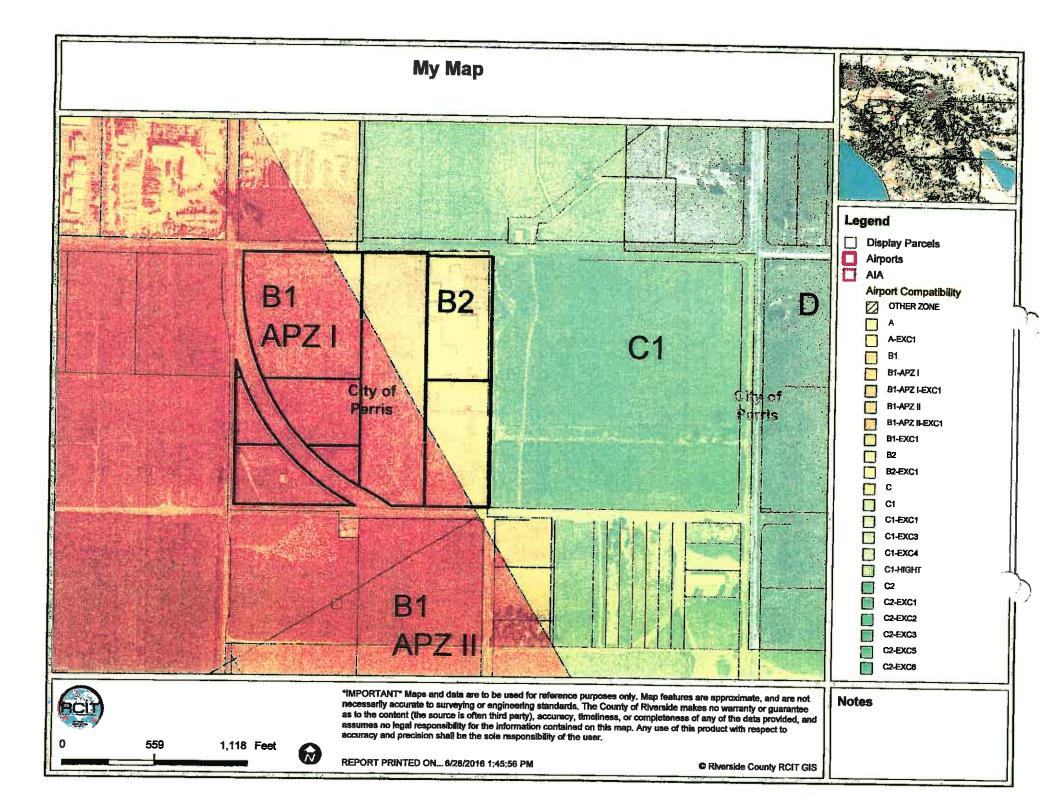
This property is presently located in the vicinity of an airport, within what is known as an airport influence, area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances [can vary from person to person. You may wish to consider what airport annoyances], if any, are associated with the property before you complete your purchase and determine whether they are acceptable to vou. Business & Professions Code Section 11010 (b)

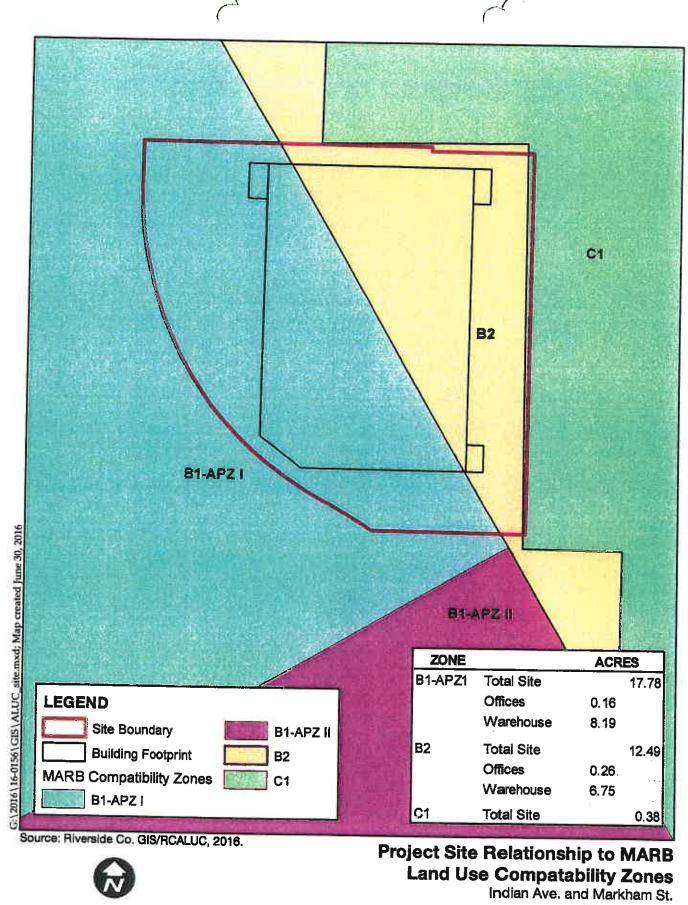








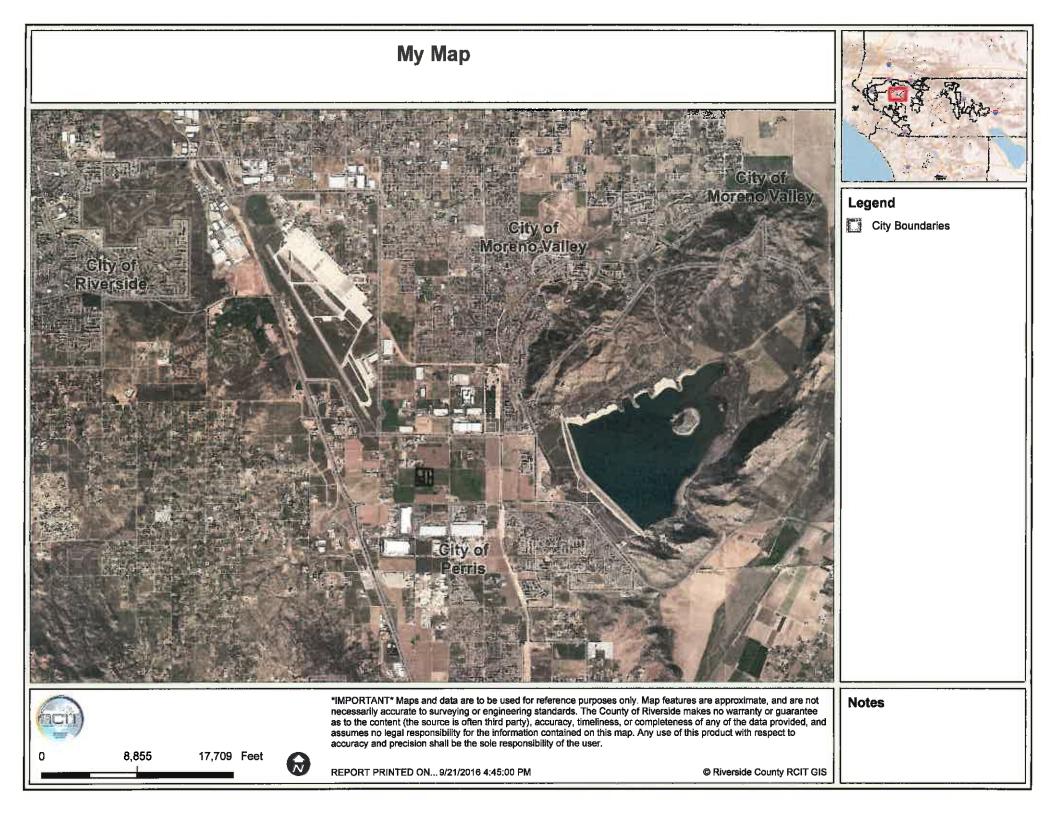


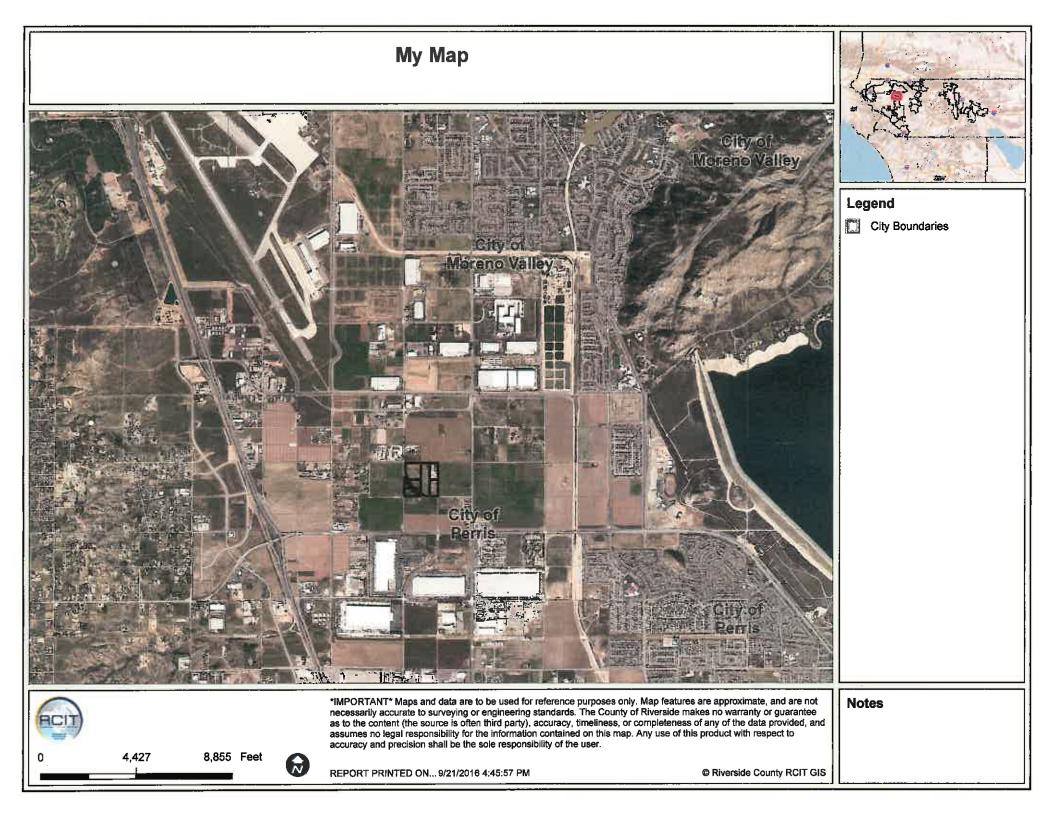


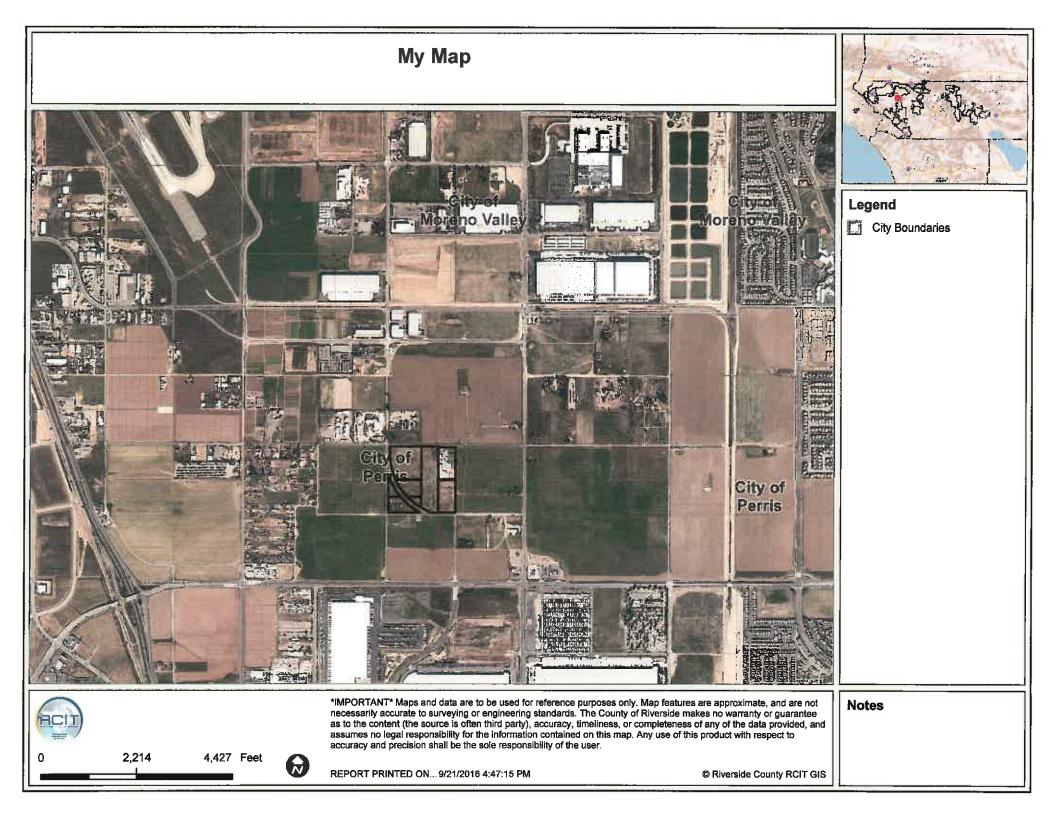
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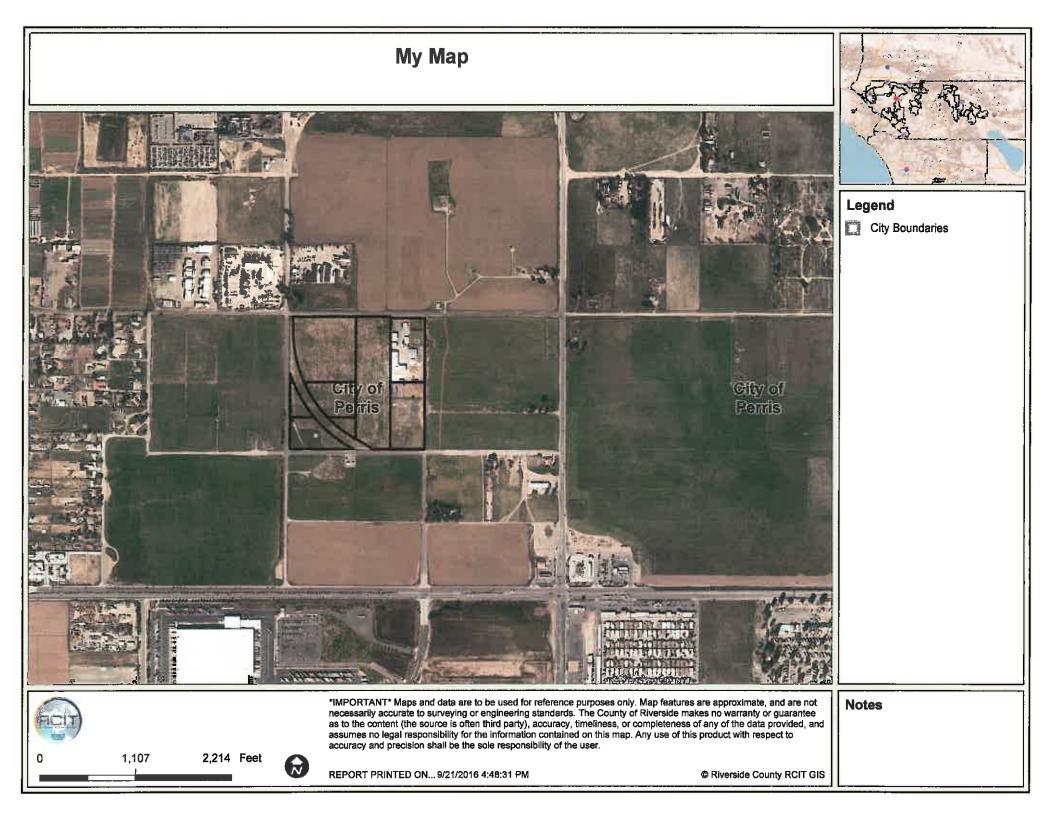
300

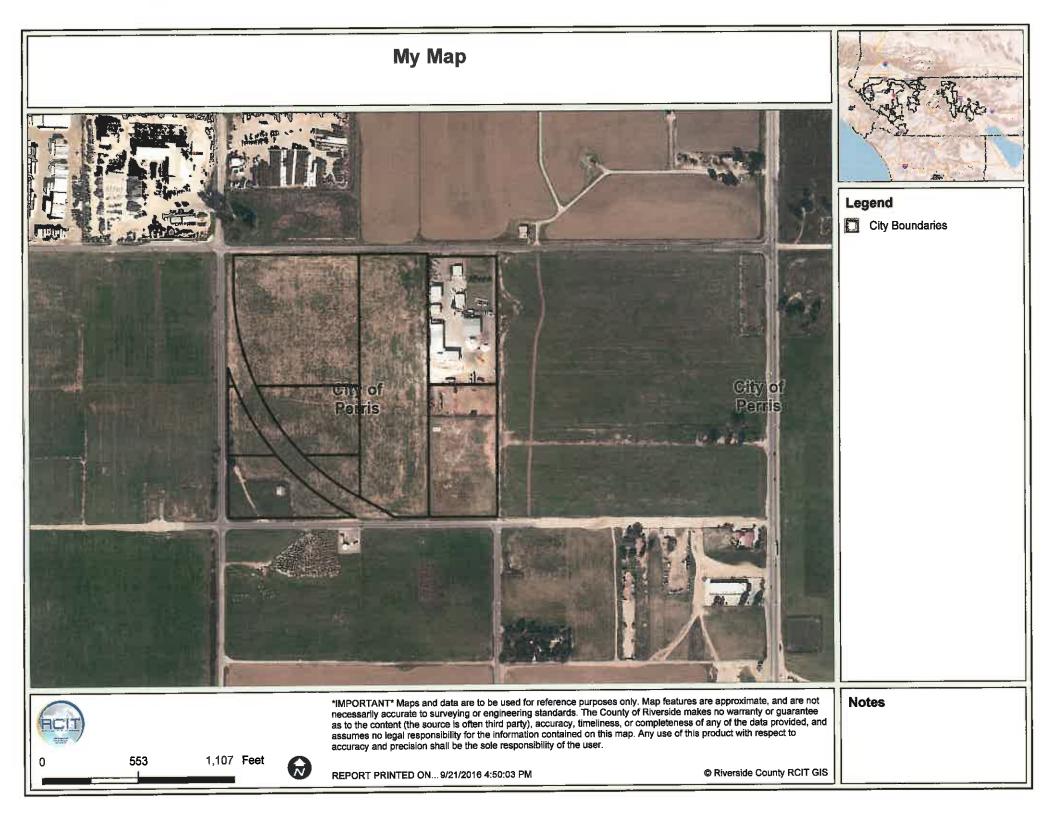
600 \_\_\_ Feet WEBB

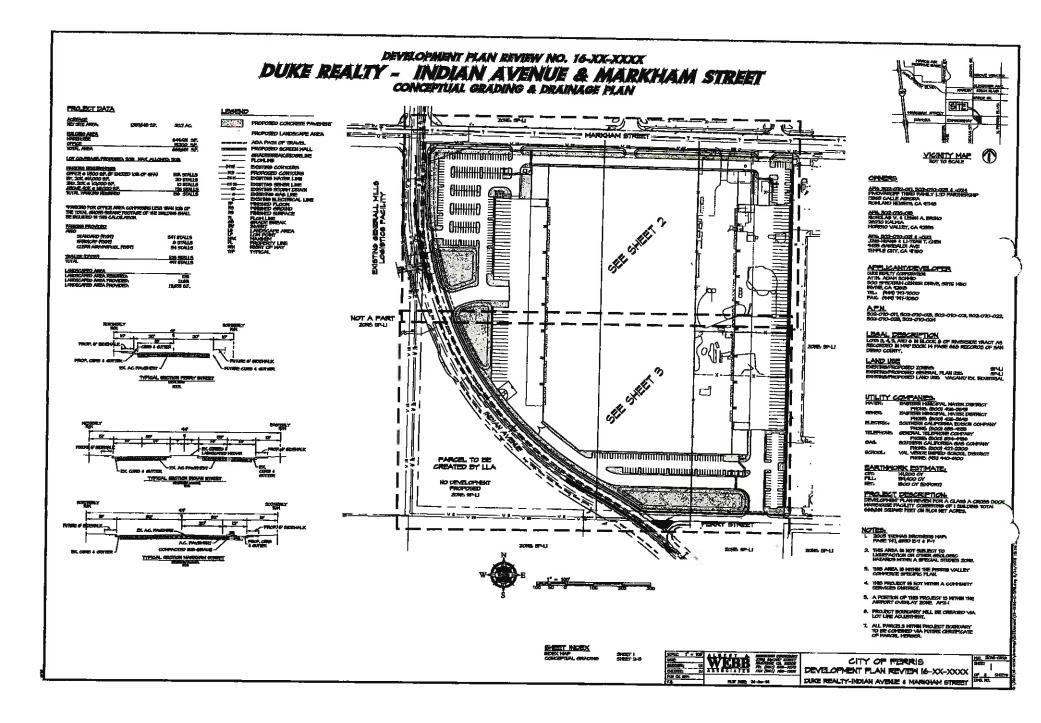


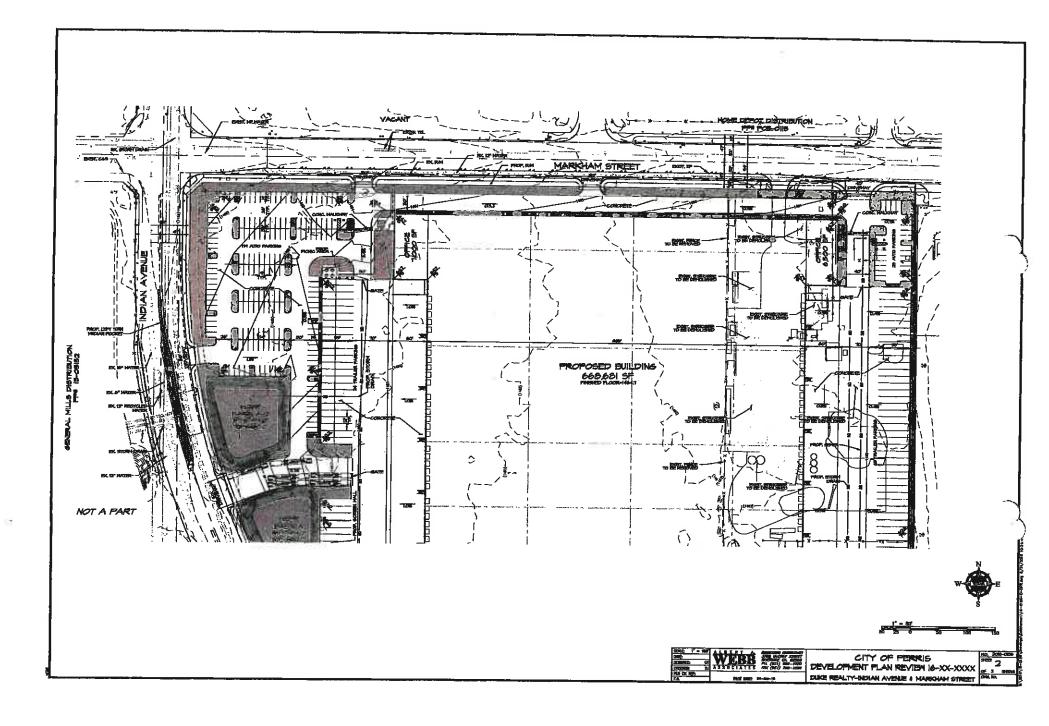


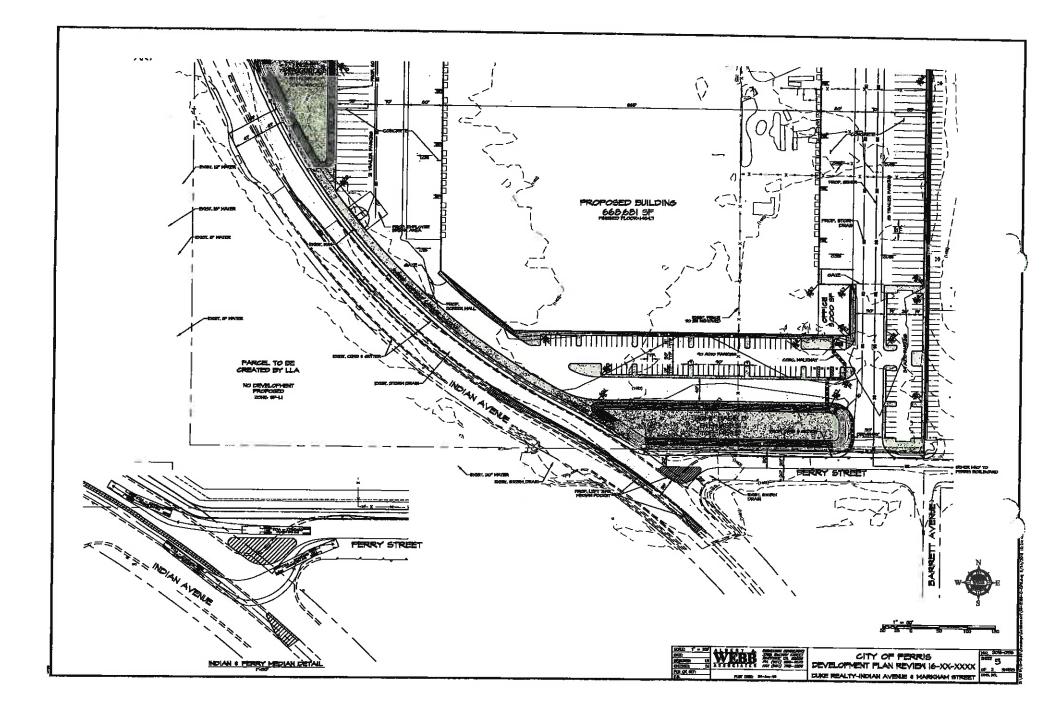


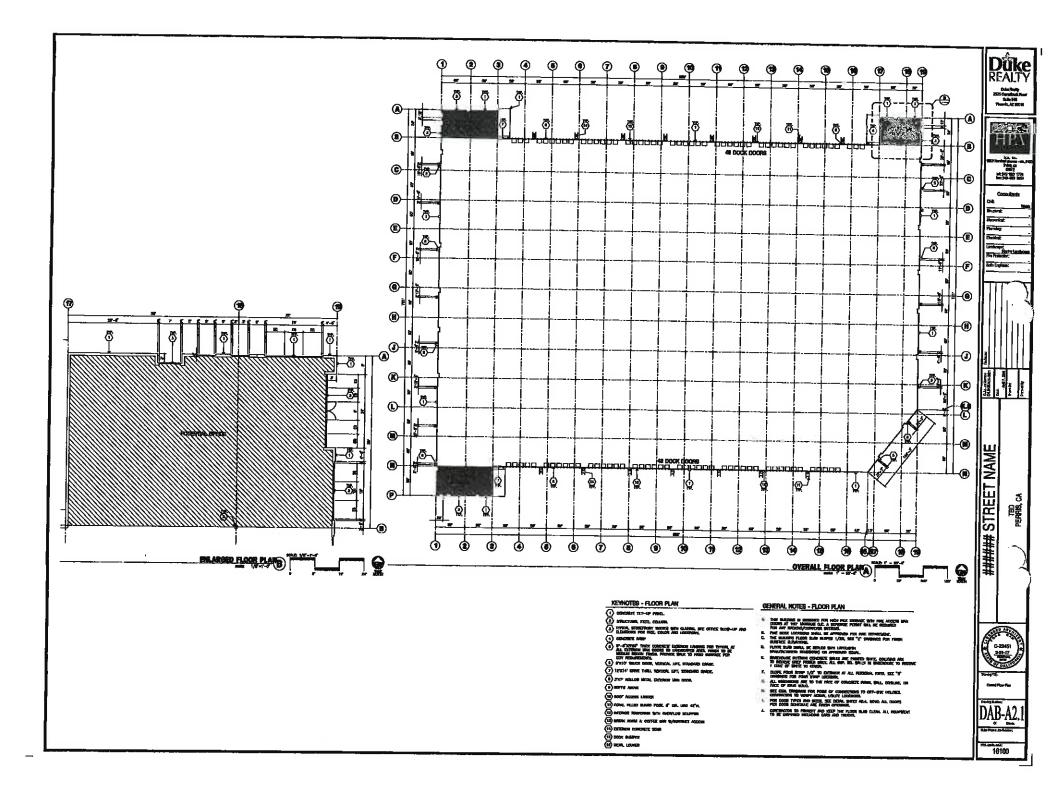


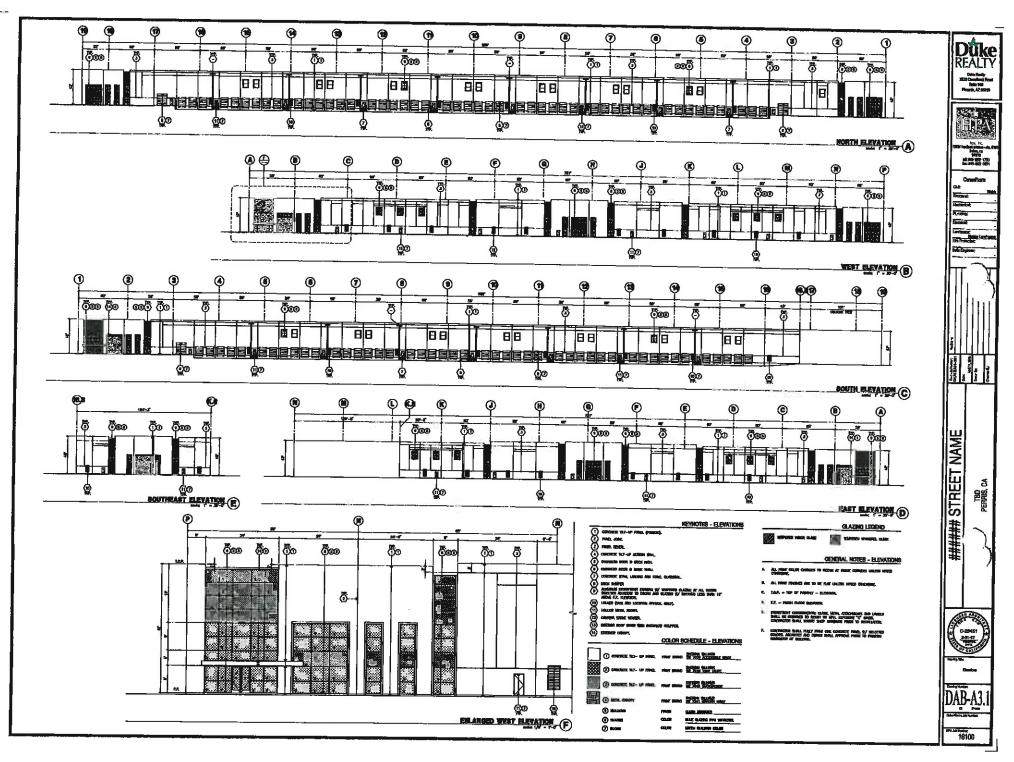


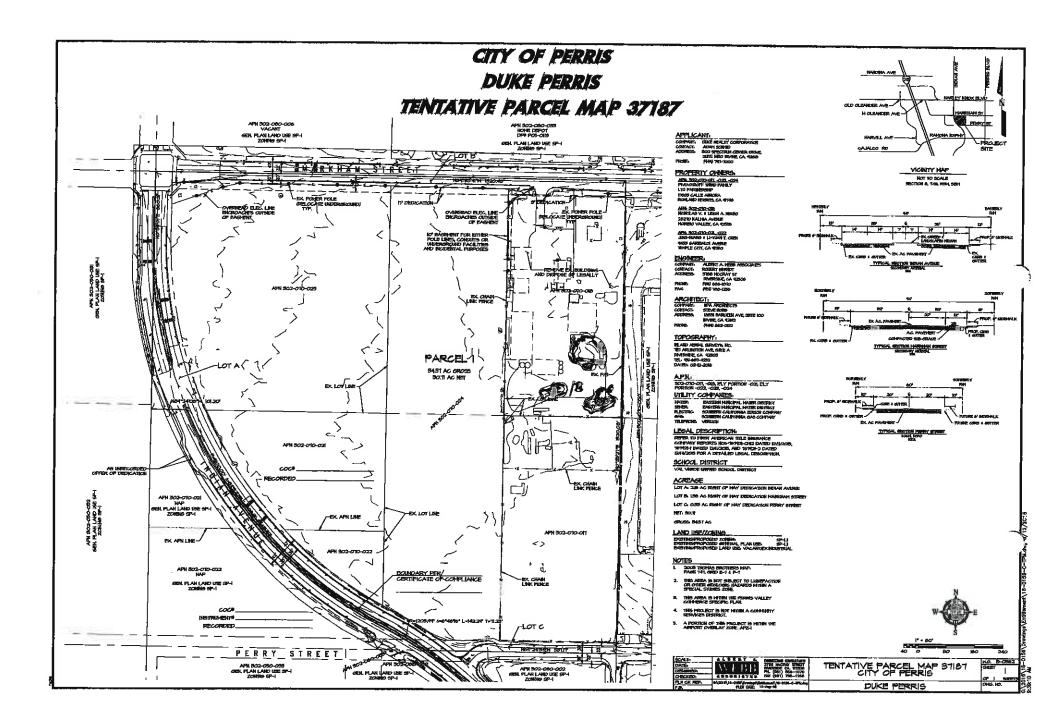














# DEPARTMENT OF THE AIR FORCE

22 July 2016

## MEMORANDUM FOR RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION ATTN: MR. PAUL RULL URBAN REGIONAL PLANNER IV 4080 LEMON STREET, 14<sup>TH</sup> FLOOR

**RIVERSIDE, CA 92501** 

Airport Land Use Commission Received AUG 0 1 2016

FROM: 452d Mission Support Group/Civil Engineers Base Operating Support 610 Meyer Drive, Bldg. 2403 March ARB CA 92518-2166

SUBJECT: Riverside County Airport Land Use Commission (RCALUC) - ZAP1204MA16

1. The March Air Reserve Base (MARB) review of the proposal to construct a 669,000 square foot distribution warehouse facility on 31 acres, located on the southeast corner of Indian Avenue and Markham Street in the City of Perris is provided in this memorandum.

2. The parcel is located within the Accident Potential Zone I (APZ I) to the south of Runway 14/32. Any construction in APZ I is to consist of facilities that are no greater than a single floor; airspace review is required for objects greater than 35 feet in height. Lot coverage is based on calculation in the Floor Area Ratios (FAR). Only a few types of facilities are compatible in this zone. There are restrictions on land uses and heights of natural objects and man-made objects in the vicinity of air installations that may obstruct the airspace, attract birds, cause electromagnetic or thermal interference, or produce dust, steam, smoke, or light emissions to provide for safety of flight and the public welfare.

3. A properly designed storm water management system and landscaping must address Bird/Wildlife Aircraft Strike Hazard (BASH) concerns including proper detention/infiltration of storm water runoff. MARB is requesting the water detention basins are completely drained within 48 hours and have a rock filled bottom, or be underground and covered. Prior to issuance of formal approval, the base will want to review details of the storm water conveyance system and the landscaping plan when they become available. Given the proximity to the airfield, trees which will bear mast or grow to an adequate size for roosting should not be planted. Additional information on reducing BASH hazards can be found in Air Force Pamphlet (AFPAM) 91-212, *Bird/Wildlife Aircraft Strike Hazard (BASH) Management Techniques*, dated February 1, 2004. We request that the City of Perris evaluate the storm water detention basin design to mitigate or eliminate any hazards, and jointly approve the design with MARB.

4. The site is located within an area that is exposed to elevated levels of noise from the base's flying operations; reference the AICUZ for MARB for the noise contours for this area. A more recent model can be found within the Airport Land Use Compatibility Plan (ALUCP) adopted by the Riverside County Airport Land Use Commission (ALUC) dated November 13, 2014. The document titled, "Background Data: March Air Reserve Base/Inland Port Airport Environs," is an insert to the ALUCP. Referencing Exhibit MA-4 from the aforementioned insert, it would appear this project resides within an area that is subject to 65 dB Community Noise Equivalent Level (CNEL) and on the border of an area subject to 75 dB CNEL. In addition, this site is situated in an area where aircraft flying arrivals and departures from Runway 32 will overfly this proposed facility at relatively low altitudes. In addition, these aircraft will be

at a high power setting generating significant noise contours. As such, the employees of this proposed development would be subject to noise occurrences that may generate complaints to the base and the community leadership. Employees and regularly received public may require protection using noise abatement (noise level reduction) provided in the construction design. Additionally, hearing protection for employees may be required by Occupational Safety and Health Administration (OSHA) or other agencies as it relates to safety and health in a high noise work environment.

5. While the proposed use may be consistent with the zoning and land use guidelines, in referencing a map of the area, this site is approximately 1.14 miles from the arrival end of Runway 32. Based on a statistical analysis by the USAF, Aircraft Accident Data, approximately 10 percent of recorded accidents have taken place within an APZ I Zone (AICUZ). The location of the development presents a concern due to the APZ I at the south end of Runway 14/32. Developments in this area should not be used for high-density functions, since the objective of the land use guidelines in and around APZs is to restrict people-intensive uses and hazardous materials/chemicals, due to a greater risk of aircraft incidents in these areas. The intensity in APZ I is restricted to 25 people and 50 people in APZ II per acre IAW DoD Instruction 4165.57, March 12, 2015 and Air Force Instruction 32-7063, December 18, 2015.

6. The building height is a cause for concern. We request the latitude and longitude of the southeast and northeast corners and the ground elevation of the warehouse along this façade in order to confirm the building falls within established height restrictions. Consultation with the Federal Aviation Administration will be required and we will also require a Terminal Instrument Procedures (TERPS) review.

7. To help eliminate any potential adverse effects on aircraft operations at MARB, we ask that materials provided in construction be of a non-reflective material such as outside ductwork, windows and roofs by means such as painting or covering. In addition, none of the project improvements shall create:

- Distracting lights which could be mistaken for airport lights
- Sources of dust, steam, or smoke which may impair pilot visibility
- Sources of electronic interference with aircraft communications or navigation.

8. The following are some mitigating measures and it is our desire that all such steps be researched and implemented.

- BMPs must be reviewed by the Base and must not introduce hazards related to bird strikes
- Solar panels or any reflective materials on the rooftop are prohibited
- No hazardous materials should be stored within the APZs
- Noise level hazards must be mitigated
- Personnel density in the floor area within APZ I is not allowed to exceed the 25 persons/acre and 50 persons/acre in APZ II.

9. Thank you for the opportunity to again, review and comment on this proposed development. If you have questions, please contact Ms. Denise Hauser at (951) 655-4862.

SEAN P. FEELEY Acting Base Civil Engineer

## NUTICE OF PUBLIC HEARING RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

A PUBLIC HEARING has been scheduled before the Riverside County Airport Land Use Commission (ALUC) to consider the application described below.

Any person may submit written comments to the ALUC before the hearing or may appear and be heard in support of or opposition to the project at the time of hearing. The proposed project application may be viewed at the Riverside County Administrative Center, 4080 Lemon Street, 14<sup>th</sup> Floor, Riverside, California 92501, Monday through Thursday from 8:00 a.m. to 5:00 p.m., and by prescheduled appointment on Fridays, from 9:00 a.m. to 5:00 p.m.

ATTENTION: ALUC reviews a proposed plan or project solely to determine whether it is consistent with the applicable Airport Land Use Compatibility Plan. The City of Perris may hold hearings on this project and should be contacted on non-ALUC issues.

PLACE OF HEARING: Eastern Municipal Water District Board Chambers 2270 Trumble Road Perris CA 92570

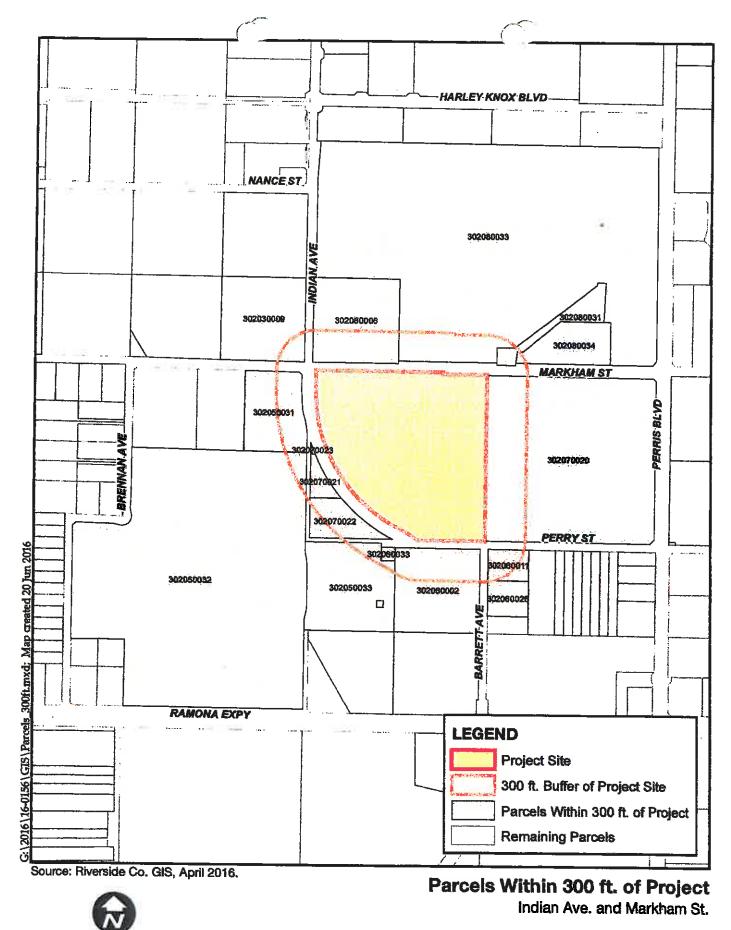
DATE OF HEARING: August 11, 2016

TIME OF HEARING: 9:00 A.M.

CASE DESCRIPTION:

<u>ZAP1204MA16 – Duke Realty, Adam Schmid (Representative: Albert A. Webb</u> <u>Associates, Nicole Torstvet)</u> – City of Perris Case No. PLN 16-00008 (Development Plan Review). The applicant is proposing to develop a 668,381 square foot warehouse/distribution center on 30.7 acres. The building floor plan consists of 649,481 square feet of warehouse area and 19,200 square feet of office area. The project site is located southerly of Markham Street, westerly of Indian Avenue, easterly of Barrett Avenue and northerly of Perry Street. (Airport Compatibility Zones B1-APZ I, B2, and C1 of the March Air Reserve Base/Inland Port Airport Influence Area).

FURTHER INFORMATION: Contact Paul Rull at (951) 955-6893. The ALUC holds hearings for local discretionary permits within the Airport Influence Areas, reviewing for aeronautical safety, noise and obstructions. All other concerns should be addressed to <u>Mr. Nathan Perez of the City of Perris Planning Department at (951) 943-5003.</u>



1,200



RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION ZAPI204M				
	NENT (TO BE COMPLETED BY APPLICANT)			
Date of Application	6-27-16			
Property Owner Mailing Address	See Attached List	Phone Num	ber <u>949-797-70</u>	
Agent (if any) Mailing Address	Duke Realty c/o Adam Schmid 300 Spectrum Center Drive, Suite 1450, Irvine, CA 92618	Phone Num	ber <u>949-797-70</u>	
		2		
PROJECT LOCATIO	DN (TO BE COMPLETED BY APPLICANT)	_	· · · · · · · · · · · · · · · · · · ·	
	lied map showing the relationship of the project site to the airport boundary and runway			
Street Address	Norht of Perry Street. South of Markham Street. East of Indian	Avenue, West	of Perris Blvd.	
Assessor's Parcel No	302-070-017, 302-070-018, 302-070-021, 302-070-022 that -024	Dans -1 61		
Assessor's Parcel No Subdivision Name	. 302-070-017, 302-070-018, 302-070-021, 302-070-022 thru -024	Parcel Size	34.48	
Subdivision Name Lot Number PROJECT DESCRIP		- Zoning Classification	PVCC-SP L	
Subdivision Name Lot Number PROJECT DESCRIP	TION (TO BE COMPLETED BY APPLICANT) halled site plan showing ground elevations, the location of structures, open spaces and description data as needed	- Zoning Classification	PVCC-SP L	
Subdivision Name Lot Number PROJECT DESCRIP If applicable, attach a det Include additional project Existing Land Use	TION (TO BE COMPLETED BY APPLICANT) tailed site plan showing ground elevations, the location of structures, open spaces and description data as needed	Zoning Classification water bodies, and	PVCC-SP L the heights of structur d in the Perris Val	
Subdivision Name Lot Number PROJECT DESCRIP If applicable, attach a dat Include additional project Existing Land Use (describe) Proposed Land Use (describe)	TION (TO BE COMPLETED BY APPLICANT) tailed site plan showing ground elevations, the location of structures, open spaces and description data as needed <u>Vacant</u> <u>Proposed 669.000SF distribution warehouse on approximately 3:</u> Commerce Center Specific Plan at the southeast corner of Markt is zoned SP and has a land use designation of Light Industrial wf proposed facility.	Zoning Classification water bodies, and 1 acres located ham Street and hich are both c	PVCC-SP L the heights of structur d in the Perris Val	
Subdivision Name Lot Number PROJECT DESCRIP If applicable, attach a dat Include additional project Existing Land Use (describe) Proposed Land Use (describe)	TION (TO BE COMPLETED BY APPLICANT) halled site plan showing ground elevations, the location of structures, open spaces and description data as needed Vacant Proposed 669.000SF distribution warehouse on approximately 3 Commerce Center Specific Plan at the southeast corner of Markh is zoned SP and has a land use designation of Light Industrial with	Zoning Classification water bodies, and	PVCC-SP L the heights of structur d in the Perris Val	
Subdivision Name Lot Number PROJECT DESCRIP If applicable, attach a dat Include additional project Existing Land Use (describe) Proposed Land Use (describe) For Residential Uses For Other Land Uses	TION (TO BE COMPLETED BY APPLICANT) halled site plan showing ground elevations, the location of structures, open spaces and description data as needed Vacant Proposed 669.000SF distribution warehouse on approximately 3 Commerce Center Specific Plan at the southeast corner of Markf Is zoned SP and has a land use designation of Light Industrial wf proposed facility. Number of Parcels or Units on Site (axclude secondary units)	Zoning Classification water bodies, and 1 acres located ham Street and hich are both c	PVCC-SP L the heights of structur d in the Perris Val	
Subdivision Name Lot Number PROJECT DESCRIP If applicable, attach a dat Incluide additional project Existing Land Use (describe) Proposed Land Use (describe) For Residential Uses For Other Land Uses (See Appendix C)	TION (TO BE COMPLETED BY APPLICANT)         halled site plan showing ground elevations, the location of structures, open spaces and description data as needed         Vacant         Proposed 669 000SF distribution warehouse on approximately 3*         Commerce Center Specific Plan at the southeast corner of Markh is zoned SP and has a land use designation of Light industrial wf proposed facility.         Number of Parcels or Units on Site (exclude secondary units)         Hours of Use	Zoning Classification water bodies, and 1 acres locater ham Street and hich are both c	PVCC-SP t the heights of structur	
Subdivision Name Lot Number PROJECT DESCRIP If applicable, attach a dat Include additional project Existing Land Use (describe) Proposed Land Use	TION (TO BE COMPLETED BY APPLICANT)  tailed site plan showing ground elevations, the location of structures, open spaces and description data as needed  Vacant  Proposed 669.000SF distribution warehouse on approximately 3 Commerce Center Specific Plan at the southeast corner of Markh Is zoned SP and has a land use designation of Light Industrial wf proposed facility.  Number of Parcels or Units on Site (exclude secondary units) Hours of UseSpec Building Number of People on Site	Zoning Classification water bodies, and 1 acres located ham Street and hich are both c	PVCC-SP t the heights of structur	

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	Y (APPLICANT OR JURISDICTION TO COMPLETE)	5i
Date Received	· · · · · · · · · · · · · · · · · · ·	Type of Project
Agency Name	City of Perris, 101 N. D. Street, Perris CA 92570	General Plan Amendment
		Zoning Amendment or Variance
Staff Contact		Subdivision Approval
Phone Number	951-943-6100	🚺 Use Permit
Agency's Project No.	PLN 16-00008	Public Facility
		Other Development Plan Review

A. NOTICE: Failure of an applicant to submit complete or adequate information pursuant to Sections 65940 to 65948 inclusive, of the California Government Code, MAY constitute grounds for disapproval of actions, regulations, or permits.

## B. SUBMISSION PACKAGE:

#### **ALUC REVIEW**

- 1. .... Completed Application Form
- 1. . . . . Project Site Plan Folded (8-1/2 x 14 max.)
- 1..... Elevations of Buildings Folded
- 1 Each . 8 1/2 x 11 reduced copy of the above
- 1.....8 ½ x 11 reduced copy showing project in relationship to airport.
- 1 Set Floor plans for non-residential projects
- 4 Sets. . Gummed address labels of the Owner and representative (See Proponent).
- 1 Set. . Gummed address labels of all property owners within a 300' radius of the project site. If more than 100 property owners are involved, please provide prestamped envelopes (size #10), with ALUC return address.
- 4 Sets. Gummed address labels of the referring agency (City or County).

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1..... Check for Fee (See Item "C" below) \*

## STAFF REVIEW (Consult with ALUC staff planner as to whether project qualifies)

- 1..... Completed Application Form
- 1..... Project Site Plans Folded (8-1/2 x 14 max.)
- 1..... Elevations of Buildings Folded
- 1..... 8 1/2 x 11 Vicinity Map
- 1 Set . Gummed address labels of the Owner and representative (See Proponent).
- 1 Set . Gummed address labels of the referring agency.
- 1.....Check for review-See Below

#### Rull, Paul

From: Sent:	Sandy Chandler <sandy.chandler@webbassociates.com> Monday, August 15, 2016 4:18 pt4</sandy.chandler@webbassociates.com>
To:	Monday, August 15, 2016 4:18 PM Rull, Paul; Nicole Torstvet
Subject:	RE: ZAP1204 MA16 Duke Perris TPM 20160812.pdf

Hi Paul—Down to the wire. We are going to request continuance of the above referenced project to the next hearing in October. Thanks. Please let us know that date.

Sandy G. Chandler, AICP - Entitlement Manager Albert A. Webb Associates 3788 McCray Street, Riverside, CA 92506 t: 951.248.4291 e: sandy.chandler@webbassociates.com w: www.webbassociates.com LinkedIn | Twitter | Facebook | YouTube

From: Rull, Paul [malito:PRull@rctIma.org] Sent: Monday, August 15, 2016 11:04 AM To: Nicole Torstvet; Sandy Chandler Subject: RE: ZAP1204 MA16 Duke Perris TPM 20160812.pdf

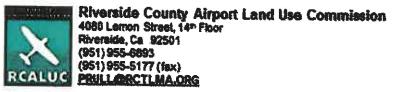
I have received the parcel map exhibit thank you.

Can you please provide me with a status update regarding your project i.e. the meeting with the MARB, the staff report deadline is tomorrow for John's review and I would need to know if the project is changing, or if you need another continuance.

If you have any questions please feel free to contact me.

#### Paul Ruli

ALUC Urban Regional Planner IV



From: Nicole Torstvet [mailto:nicole.torstvet@webbassociates.com] Sent: Monday, August 15, 2016 7:19 AM To: Rull, Paul; Sandy Chandler Subject: RE: ZAP1204 MA16 Duke Perris TPM 20160812.pdf

Great, thank you. I will have the hard copy delivered to you this morning.

Nicole Torstvet - Project Administrator Albert A. Webb Associates 3788 McCray Street, Riverside, CA 92506

#### Ruii, Paul

From:	Nicole Torstvet <nicole.torstvet@webbassociates.com></nicole.torstvet@webbassociates.com>
Sent:	Thursday, July 28, 2016 11:04 AM
To:	Rull, Paul
Cc:	Nathan Perez; Sandy Chandler; Eliza Laws; Adam Schmid
Subject:	ZAP1204MA16 Request for Continuance

(

Good morning Paul,

Webb would like to request continuance to the September 8<sup>th</sup> meeting on behalf of Duke Realty in regards to the ZAP1204MA16 case. This will allow us time to work out the March Air Force Base comments received on 07/27.

Thank you, Nicole

Nicole Torstvet - Project Administrator Albert A. Webb Associates 3788 McCray Street, Riverside, CA 92506 t: 951.320.6066 e: <u>nicole.torstvet@webbassociates.com</u> w: <u>www.webbassociates.com</u> LinkedIn | <u>Twitter | Facebook | YouTube</u>



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Constant Contact 45

## COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

#### **STAFF REPORT**

3.1
October 13, 2016
ZAP1039HR16 – Hemet 55 SP, LLC (Representative: Joe Ham)
City of Hemet
CUP 16-005 (Conditional Use Permit)

**MAJOR ISSUES:** None

**RECOMMENDATION:** Staff recommends that the Conditional Use Permit be found <u>CONSISTENT</u>, subject to the conditions included herein.

**PROJECT DESCRIPTION**: The applicant is proposing to construct a gas station facility including a 5,881 square foot convenience store, 6,511 square foot 10 pump fueling area, and a 1,270 square foot automated car wash tunnel on a 1.8 acre parcel within an existing commercial shopping center.

**PROJECT LOCATION:** The site is located on the northeast corner of West Florida Avenue and Myers Street in the City of Hemet, approximately 3,500 feet northerly of Runway 5-23 at Hemet-Ryan Airport

LAND USE PLAN: 1992 Hemet-Ryan Airport Comprehensive Airport Land Use Plan (HRACALUP)

- a. Airport Influence Area: Hemet-Ryan Airport
- b. Land Use Policy: Area III
- c. Noise Levels: Below 55 dBA CNEL

#### **BACKGROUND:**

Land Use Intensity: The site is located in Area III of the Hemet-Ryan Airport Influence Area. Residential densities and non-residential land use intensities are not limited within Area III.

<u>Prohibited Uses:</u> The HRACALUP does not prohibit any specific uses in Area III. The HRACALUP requires ALUC discretionary review of places of assembly, schools, institutional uses,

Staff Report Page 2 of 3

structures greater than 35 feet in height, and hazardous materials facilities proposed in Area III. The HRACALUP list of "hazardous materials" includes flammable liquids, a category that includes gasoline. The proposed gas station will have 10 fueling pumps and underground fueling tanks. However, due to the fact that the storage is underground, the likelihood of an aircraft colliding with the fueling tanks underground is significantly low. In addition, the applicant will have to submit plans for their fueling tanks with the Riverside County Department of Environmental Health Hazardous Materials Branch for review and approval according to their safety regulations.

<u>Part 77</u>: The elevation of Runway 5-23 at its easterly terminus is approximately 1517 feet above mean sea level (AMSL). At a distance of approximately 3,500 feet from the runway, any structure with an elevation at top point exceeding 1,552 feet AMSL would require Federal Aviation Administration (FAA) review through the Form 7460-1 process. The final floor site elevation is 1,510 feet AMSL and the proposed height of the highest structure (the convenience store building) is 26 feet, resulting in a maximum elevation of 1,536 feet AMSL. Therefore, FAA review for height/elevation reasons is not required.

Noise: Average noise levels on this site from aircraft operations would be below 55 dB CNEL.

Open Area: The HRACALUP does not have any requirements for provision of open space.

<u>Attachment/Disclosure:</u> State law requires notification in the course of real estate transactions if the property is located in an Airport Influence Area.

<u>Proposed Compatibility Plan:</u> Pursuant to the proposed Hemet-Ryan Airport Land Use Compatibility Plan, this property would be located in Compatibility Zone E, which does not have any density or intensity restrictions.

### **CONDITIONS:**

- 1. 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. 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.

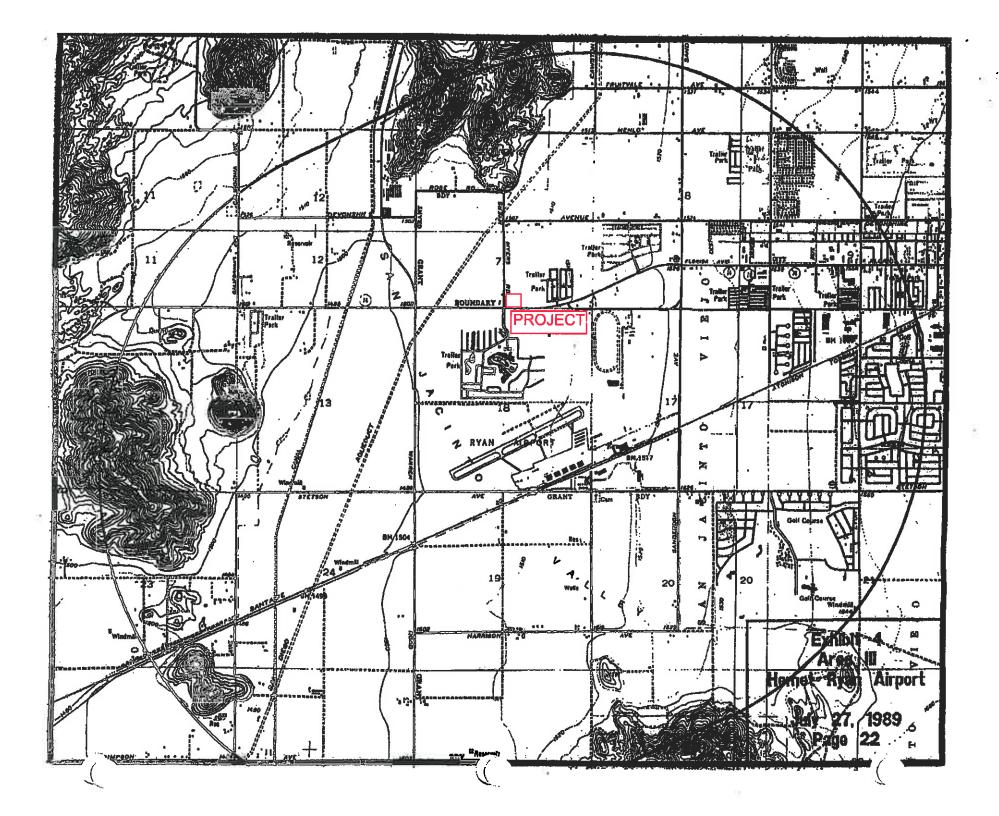
Staff Report Page 3 of 3

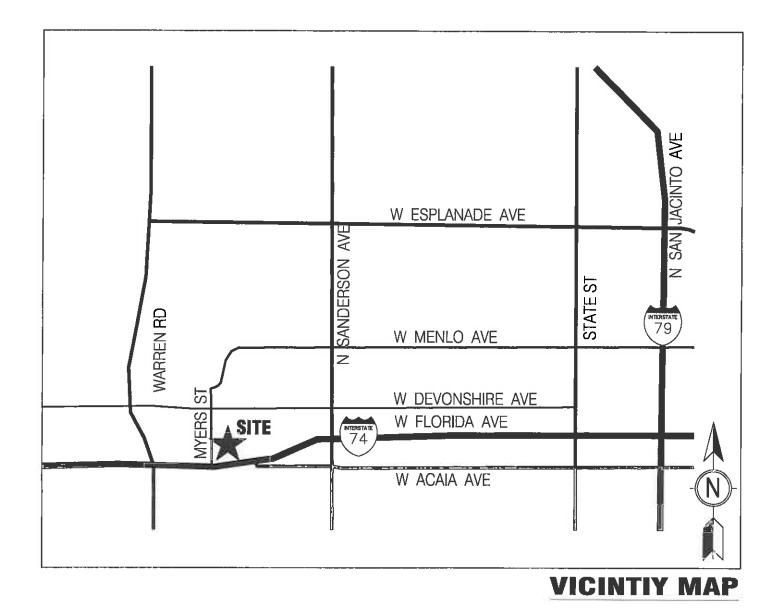
- (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, 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.
- 3. The attached notice shall be given to all prospective purchasers and/or tenants of the property.
- 4. Any new proposed detention basin(s) on the site shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the detention basin(s) that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.
- 5. Prior to issuance of building permits, the landowner shall convey an avigation easement to the County of Riverside as owner of Hemet-Ryan Airport or provide documentation to the City of Hemet and the Riverside County Airport Land Use Commission that such an easement has already been recorded. Contact the Riverside County Economic Development Agency at (951) 955-9802 for additional information.

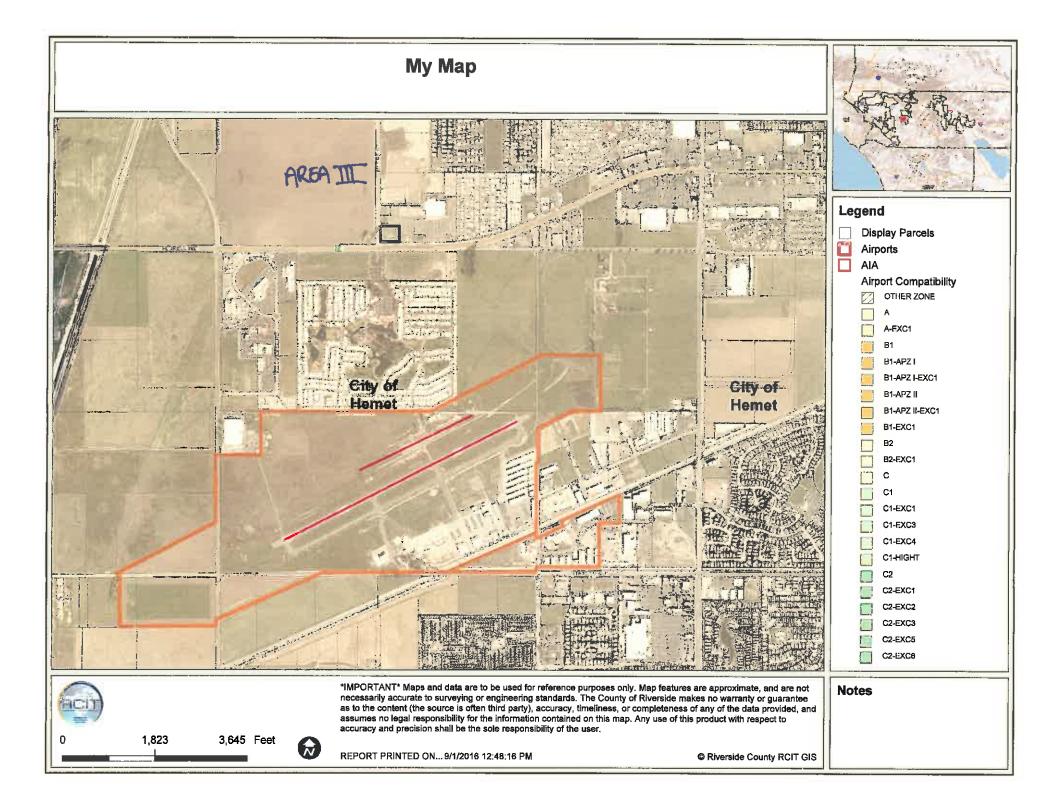
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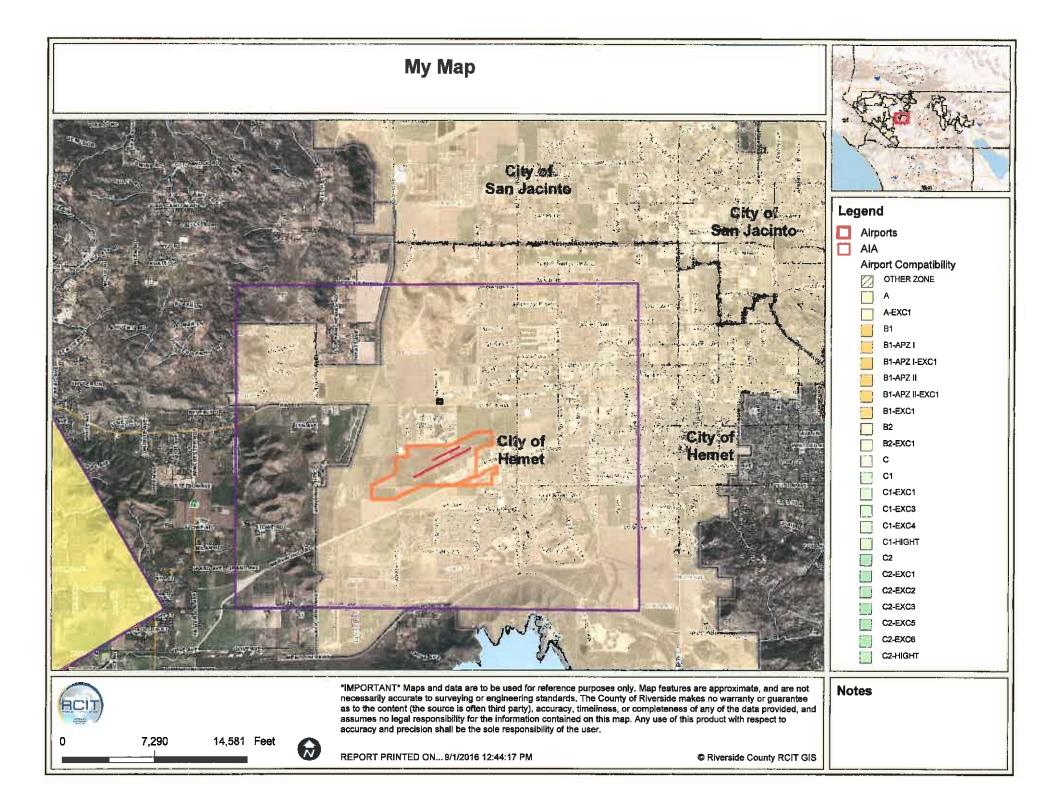
# NOTICE OF AIRPORT IN VICINITY

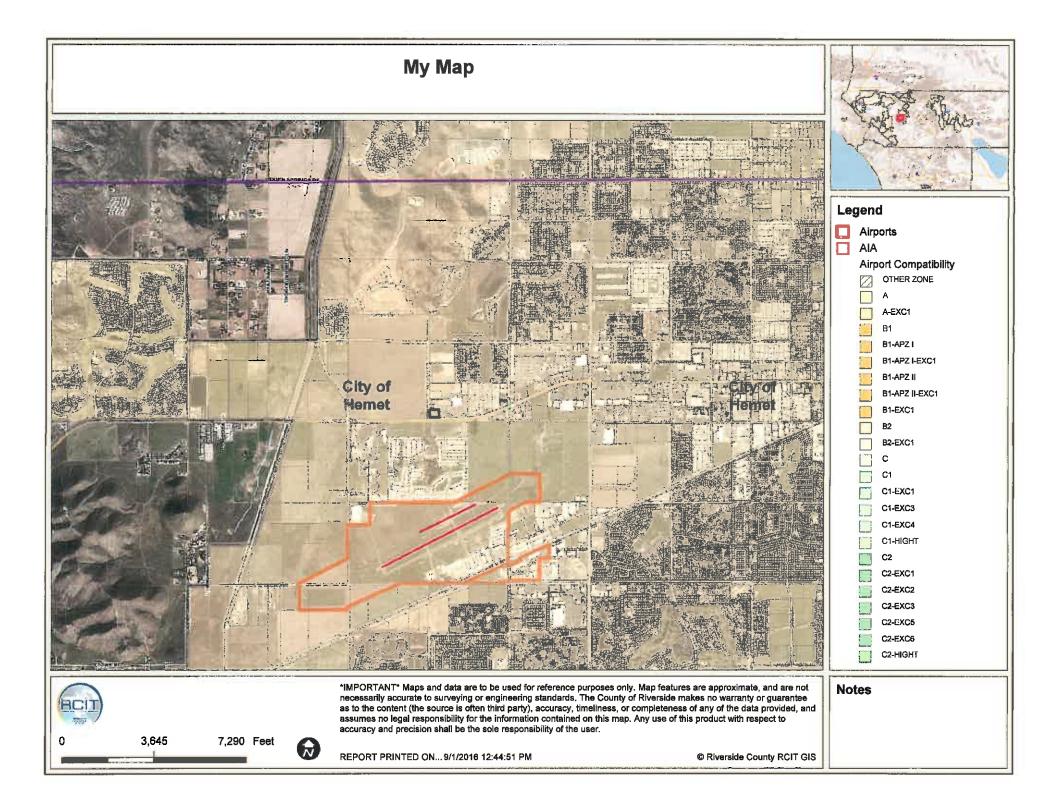
This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annovances [can vary from person to person. You may wish to consider what airport annoyances], if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b) 13)

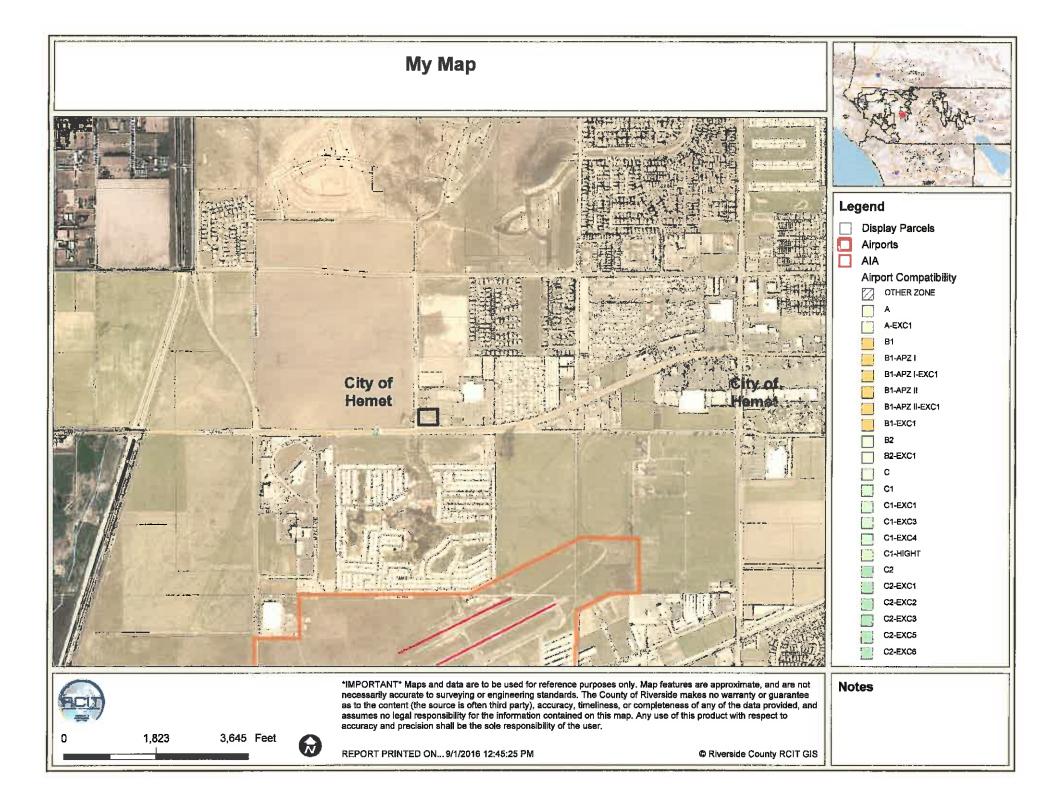


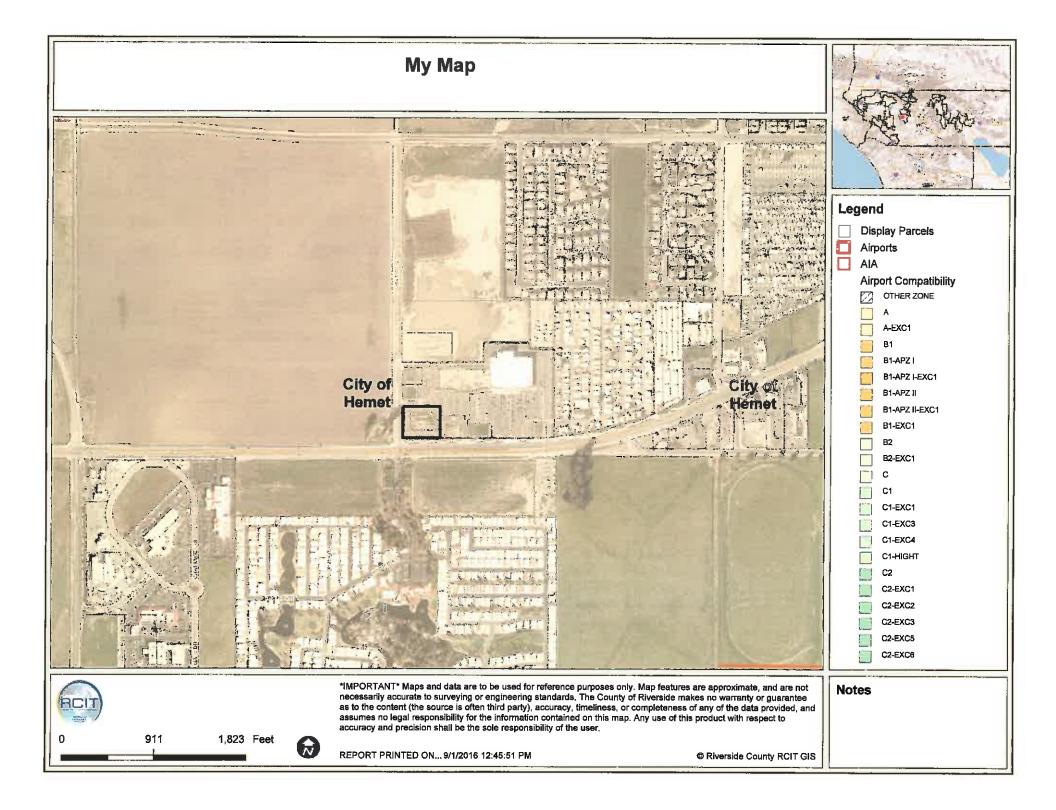


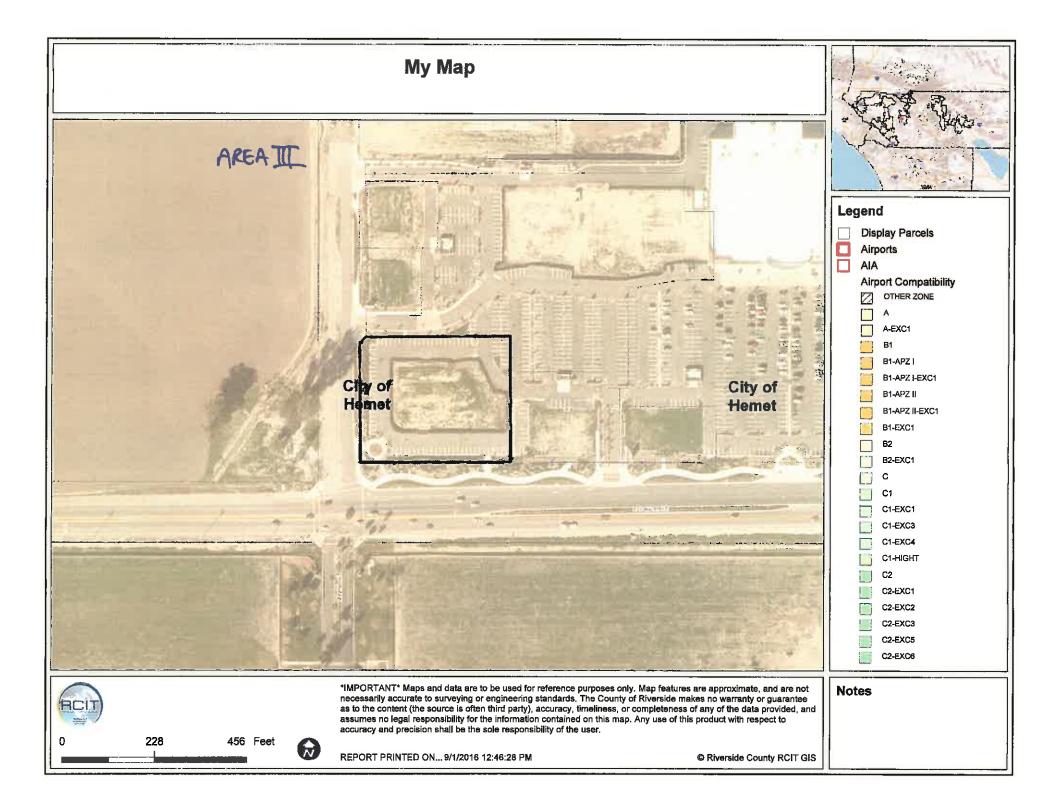


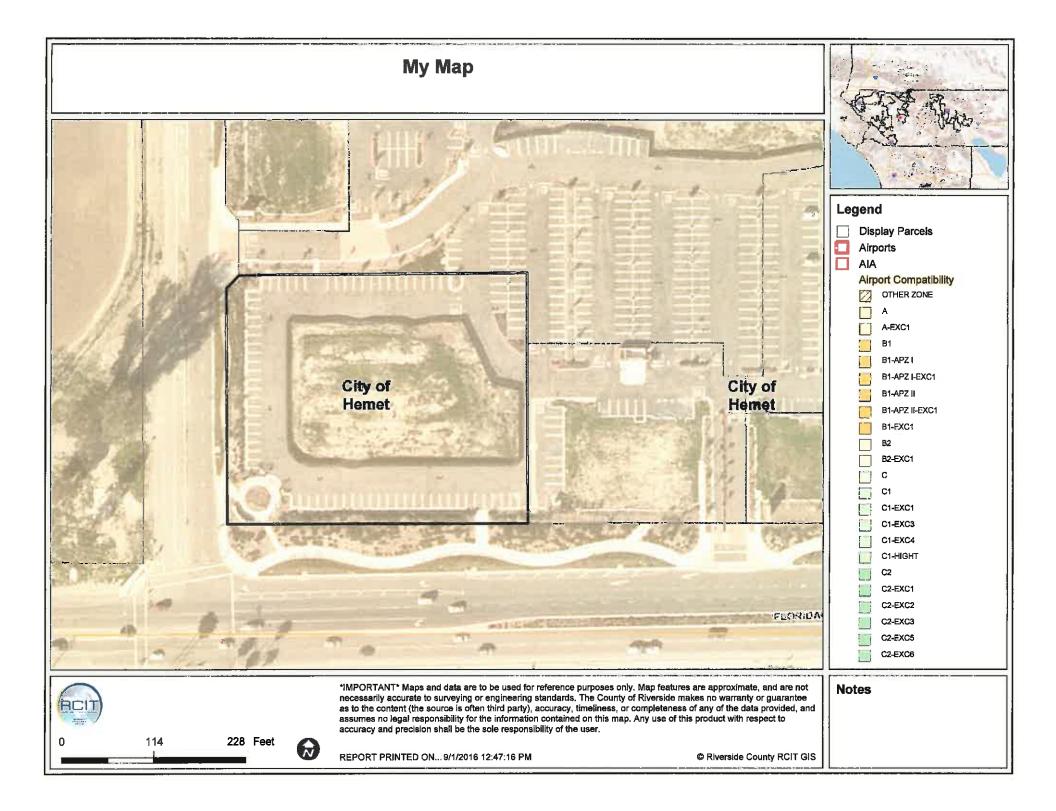


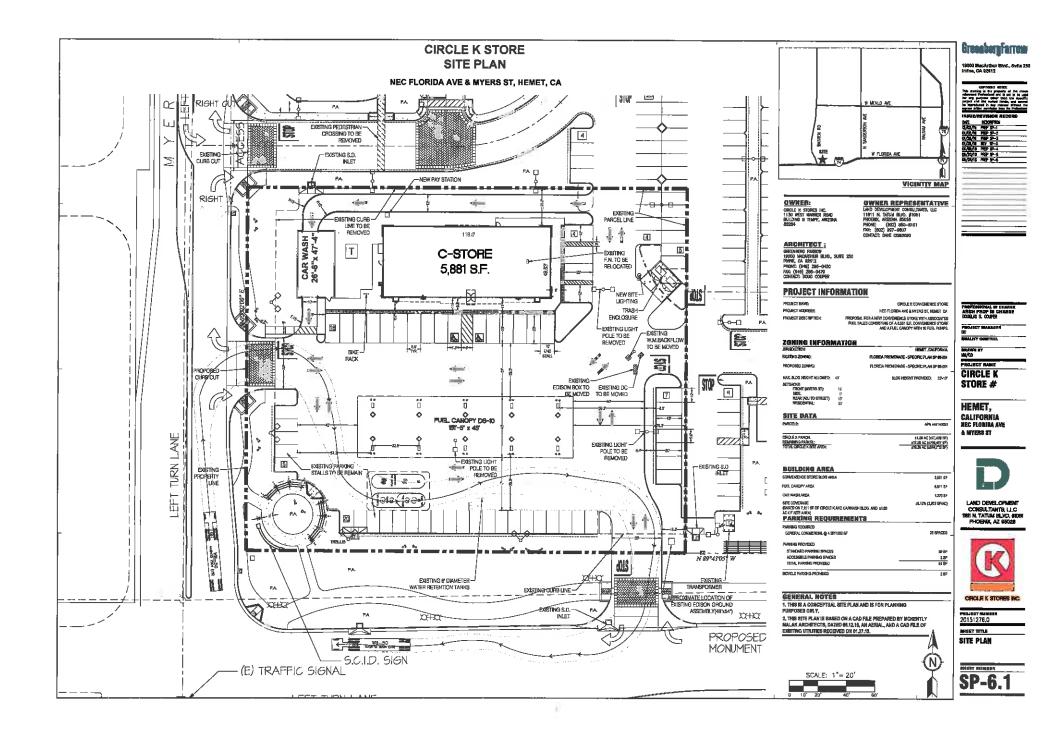


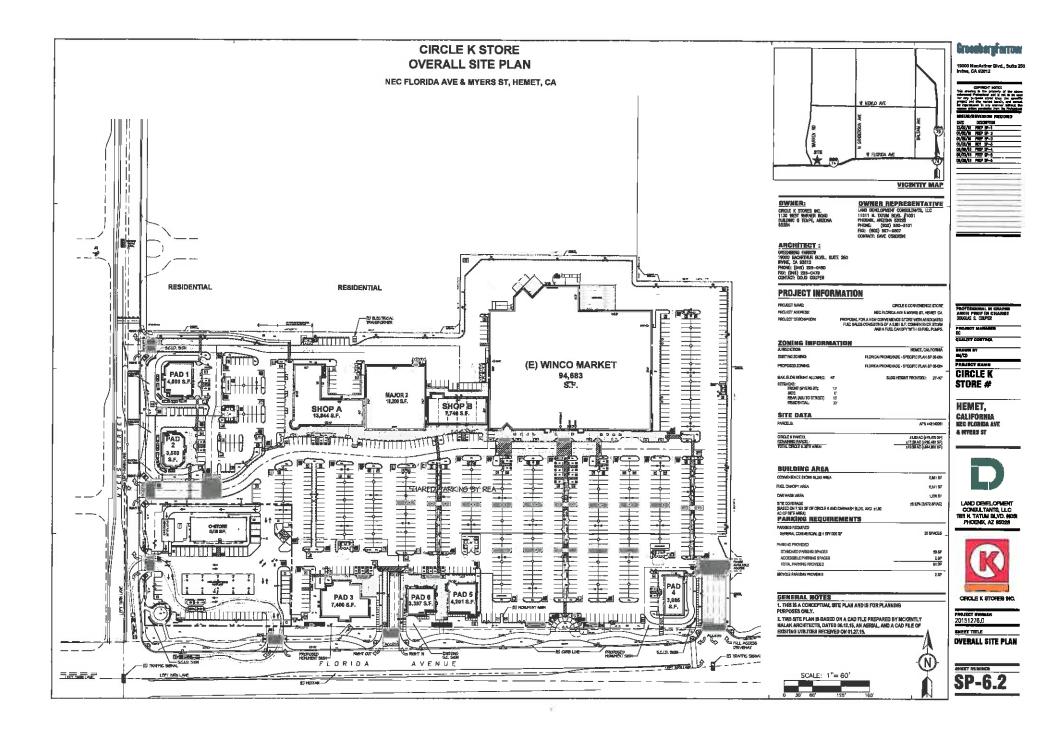


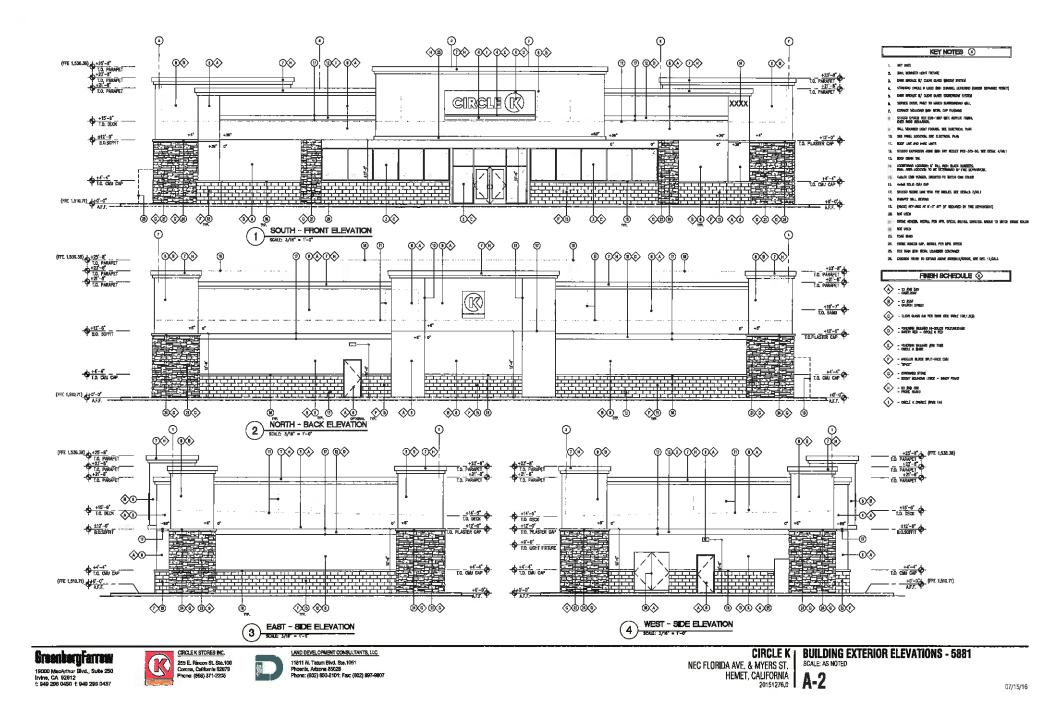


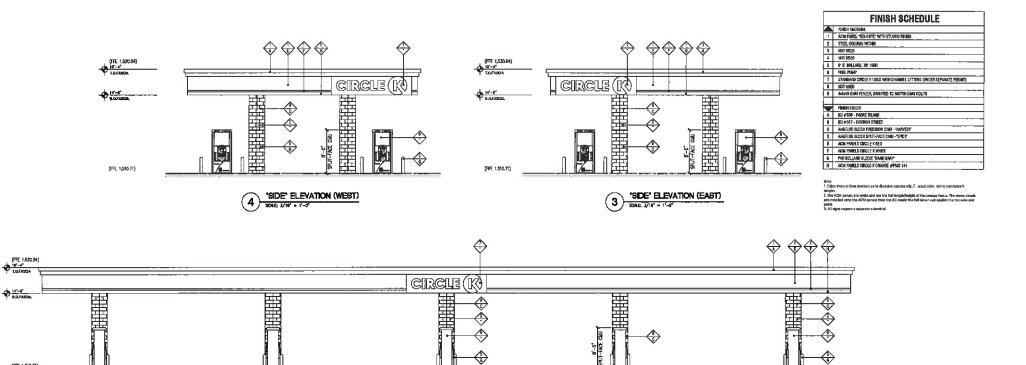


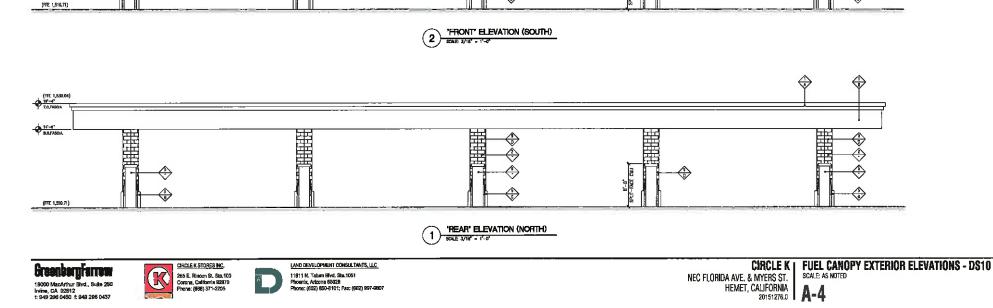






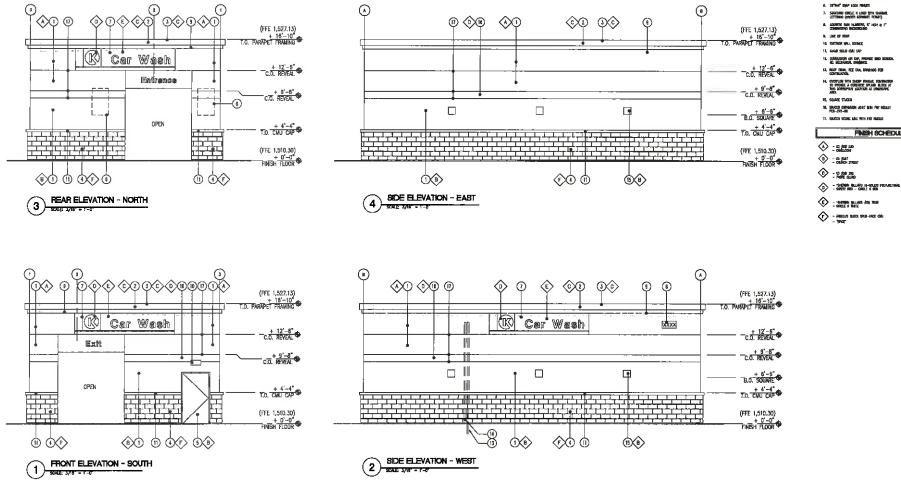






 $\Rightarrow$ 

 $\Leftrightarrow$ 



**GreenbergFarrow** 

K

19000 MacArthur Blvd., Suite 250 Irvine, CA 92612 I; 949 296 0450 f; 949 296 0437



**CIRCLE K CARWASH EXTERIOR ELEVATIONS** SCALE: AS NOTED NEC FLORIDA AVE, & MYERS ST. HEMET, CALIFORNIA ALIFORNIA A-3

1. STUCCO SYSTEM PER EXX-1007 TATA ACTORS March Office Real Actor March 2. ROAH WITH HEDRIAL SHID FLOW FORCE 3. DIP AJENING TO SINCH COMMON COLOR . REALAND HELLOW METAL DOOR (R-C.70)

17. SAUGO SCORE LIKE WITH FAT MARKET

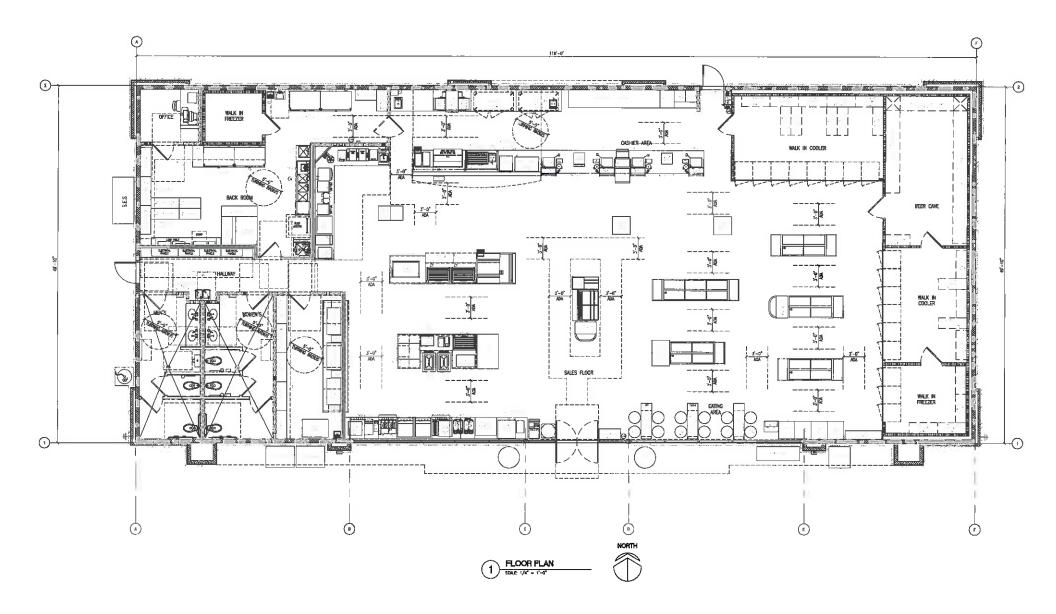
FINSH SCHEDULE 🔇

KEY NOTES (3)

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08/15/16



Greenberg fattom 19000 MacArthur Blvd., Suite 250 Intrine, CA 92612 1: 549 285 0450 ft 949 286 0437 CIRCLE K STORES INC. 255 E. Rincon St. Ste, 100 Corona, California 92879 Phone: (988) 371-2206

K

LAND DEVELOPMENT CONSULTANTS, LLC 11811 N. Talum Blvd. Ste. 1051 Phoenic, Arizona 85028 Phone: (602) 850-8101; Fax: (602) 997-9807 CIRCLE K NEC FLORIDA AVE, & MYERS ST. HEMET, CALIFORNIA 20151276.0 A-1

08/18/16

A. Critical Facilities:

Examples (including but not limited to):

- 1. Telephone Exchanges
- 2. Electrical Transformer Relays
- 3. Radio HV Studies
- B. Discretionary Review:

#### Land Uses

There exists a wide variety of land uses categories. To deal with the review of such land uses in a practical manner, a discretionary review procedure is employed. The discretionary review procedure is located in Section VIII, Discretionary Review Procedures, page 36.

C. Hazardous Materials:

Examples (including, but not limited to):

- 1. Flammable Liquids
- 2. Flammable Materials
- 3. Combustible Materials
- 4. Explosive Materials
- 5. Pesticides
- 6. Cleaning Agents
- 7. Compressed Gas
- 8. Feed and Flour Mills
- 9. Plastics Manufacturing/Storage
- 10. Breweries

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## **NOTICE OF PUBLIC HEARING** RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

A PUBLIC HEARING has been scheduled before the Riverside County Airport Land Use Commission (ALUC) to consider the application described below.

Any person may submit written comments to the ALUC before the hearing or may appear and be heard in support of or opposition to the project at the time of hearing. The proposed project application may be viewed at the Riverside County Administrative Center, 4080 Lemon Street, 14<sup>th</sup> Floor, Riverside, California 92501, Monday through Thursday from 8:00 a.m. to 5:00 p.m., except Monday, October 10, 2016 (Columbus Day), and by prescheduled appointment on Fridays, from 9:00 a.m. to 5:00 p.m.

ATTENTION: ALUC reviews a proposed plan or project solely to determine whether it is consistent with the applicable Airport Land Use Compatibility Plan. The City of Hemet may hold hearings on this project and should be contacted on non-ALUC issues.

PLACE OF HEARING: Riverside County Administration Center 4080 Lemon St., 1 <sup>st</sup> Floor Board Chambers Riverside, California
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DATE OF HEARING: October 13, 2016

TIME OF HEARING: 9:00 A.M.

CASE DESCRIPTION:

ZAP1039HR16 – Hemet 55 SP, LLC (Representative: Joe Ham) – City of Hemet Planning Case No. CUP 16-005 (Conditional Use Permit). The applicant is proposing to construct a gas station facility including a 5,881 square foot convenience store, 6,511 square foot 10 pump fueling area, and a 1,270 square foot automated car wash tunnel on a 1.8 acre parcel within an existing commercial shopping center, located on the northeast corner of W. Florida Avenue and Myers Street. This matter comes before the Airport Land Use Commission because service stations involved hazardous materials (gasoline). (Area III of the Hemet-Ryan Airport Comprehensive Airport Land Use Plan).

FURTHER INFORMATION: Contact Paul Rull at (951) 955-6893. The ALUC holds hearings for local discretionary permits within the Airport Influence Areas, reviewing for aeronautical safety, noise and obstructions. All other concerns should be addressed to <u>Ms.</u> <u>Soledad Carrisoza of the City of Hemet Planning Department at (951) 765-2376.</u>

PROJECT PROPONENT (TO BE COMPLETED BY APPLICANT)         Date of Application       8[26]16         Property Owner       Hendel 55 5P ULC         Mailing Address       271/3 B Paseo Espa du         Subte I DOG       Same Capistrano, C.A. 92675         Agent (if any)       Joe Harn         Phone Number       Same         PROJECT LOCATION       TO E. Harn         PROJECT LOCATION (TO BE COMPLETED BY APPLICANT)         Attech an accurately scaled map showing the relationship of the project site to the algort boundary and runways         Street Address       485 2 West F Elovid & Ave.         Hernel, C.A. 92545         Assessor's Parcel No.       445 14 0051-1         Subdivision Name       N/A         Zoning       Zoning         Lot Number       MAR         Zoning       Zoning         Lot Number       MAR         Zoning       SP 0 b-004         PROJECT DESCRIPTION (TO BE COMPLETED BY APPLICANT)       Tradicable, statisticable, statisticable as attractures and tradicable additional project description date as readed         Existing Land Logis       Assessor's Parcel No.       MAR         PROJECT DESCRIPTION (TO BE COMPLETED BY APPLICANT)       Tradicable, statisticable additional project description date as readed         Existing Land Logis <td< th=""><th>le management</th><th>TION FOR MAJOR LAND USE ACTION REVIE E COUNTY AIRPORT LAND USE COMMISSIO</th><th>71</th><th>Identification No. AP 1039 HR 16</th></td<>	le management	TION FOR MAJOR LAND USE ACTION REVIE E COUNTY AIRPORT LAND USE COMMISSIO	71	Identification No. AP 1039 HR 16
Property Owner       Heinet 55 SP LUC       Phone Number $21/4.408-600$ Mailing Address $37/3.3$ B Paseo Esspa da       Suite_ 1206       Saw Juan Capistrano, CA 93675         Agent (if any)       Joe Harn       Phone Number       Sam L         Mailing Address       Sam Juan Capistrano, CA 93675         Agent (if any)       Joe Harn       Phone Number       Sam L         Mailing Address       Sam Juan Capistrano, CA 93675         PROJECT LOCATION (TO BE COMPLETED BY APPLICANT)       Attach an accurately scient map should be project sile to the aiport boundary and numeys         Street Address $48.5$ West F Floridac Ave.         Hemet CA       93545         Assessors Parcel No. $448.140051-7$ Parcel Size         Subdivision Name $M/A$ Zoning       Classification         Lot Number $M/A$ Zoning       Classification         PROJECT DESCRIPTION (TO BE COMPLETED BY APPLICANT)       Yeapticable additional project description is bioinforg ground alwaten. the location of structures, open spaces and weter bodies, and the neights of structures and tractures (describe)         Existing Land Use       I/ACC mt out parcel of Floridac Provema de         (describe)       I/ACC mt out parcel of Lon V eniemeel Store, car wash of gas station of the projeco most of Conty eniemeel Store, car wash of gas statio on the st	PROJECT PROPOR	ENT (TO BE COMPLETED BY APPLICANT)		
Mailing Address       Same         PROJECT LOCATION (TO BE COMPLETED BY APPLICANT)         Attach an accurately scaled map showing the relationship of the project site to the sirport boundary and runways         Street Address       48.52         West Street Address       48.52         Memet , CA       92.545         Assessor's Parcel No.       44.8         MAIL       Parcel Size         Subdivision Name       N/A         Data       VIA         Classification       SP 0.6-004         PROJECT DESCRIPTION (TO BE COMPLETED BY APPLICANT)       Parcel Size         If applicable, sitesh & detailed site plan showing provid dewridens, the location of structures, open spaces and water bodies, and the heights of structures and the inclused addition after as mediated         PROJECT DESCRIPTION (TO BE COMPLETED BY APPLICANT)       If applicable, sitesh of detailed site plan showing provid dewridens, the location of structures, open spaces and water bodies, and the heights of structures and the inclused addition after as mediated         Existing Land Use (describe)       If accan + out parcel of Florida Romen ade (describe)         Sub ppiny       Center X       Parking, lot d whili it with improvements (describe)         For Residential Uses       Number of Parcels or Units on Site (exclude secondary units)       For Other Land Uses         For Cother Land Uses       Hours of Use       24/17	Property Owner	27132 B Paseo Espada Suite 1206	Phone Number	114-408-6000
Attach an accurately scaled map showing the relationship of the project sile to the airport boundary and runways         Street Address       48.5.2       West F [lorida Ave. Hemet, CA 92545         Assessor's Parcel No.       44.8       14.005/-7         Subdivision Name       N/A       Zoning Classification       SP 0.6-004         Lot Number       N/A       Zoning Classification       SP 0.6-004         PROJECT DESCRIPTION (TO BE COMPLETED BY APPLICANT)       Parcel Size       1.8 acrvs.         Include additional project description date as needed       Subdivision and the heights of structures and the heights of structures and the heights of structures and the height ad structures and the height additional project description date as needed         Existing Land Use (describe)       UACant out parcel of Florida Romenade         Sub ppive, centex w/ parking (of d withit with prove ment include additional project description date as needed         Proposed Land Use (describe)       Construction of convenience store, car wash dgas station (describe)         For Residential Uses (describe)       Number of Parcels or Units on Site (exclude secondary units)         For Other Land Uses (describe)       Number of Parcels or Units on Site (exclude secondary units)         For Other Land Uses       Number of Parcels or Units on Site (exclude secondary units)         For Other Land Uses       Number of Parcels on Site Method of Calculation       At 15 = 18 fortal expected maximu			Phone Number	Same
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Assessor's Parcel No. $\frac{448}{14} \frac{14005/-1}{005/-1}$ Parcel Size $1.8 \text{ acres}$ Subdivision Name $N/A$ Zoning       Zoning $SP0b-004$ Lot Number $N/A$ Classification $SP0b-004$ PROJECT DESCRIPTION (TO BE COMPLETED BY APPLICANT)       If applicable, sitech a detailed site plan showing ground elevations, the location of structures, open spaces and water bodies, and the heights of structures and include additional project description date as needed         Existing Land Use (description date as needed $Naccan + out parcel of Florida Romenade         Glassification       Supppiny, centex w/ parking lot d wtillity improvement         Proposed Land Use (describe)       Naccan + out parcel of Convenience Store, car wash agas static         For Residential Uses       Number of Parcels or Units on Site (exclude secondary units)         For Other Land Uses       Hours of Use       24/7         (See Appendix C)       Number of People on Site       Maximum Number       3 employeected Maximum         Height above Ground or Tallest Object (including antennas and trees)       26 153 b 153 b         Flight Hazards       Does the project Involve any characteristics which could create electrical interference, confusing lights, glare, smoke, or other electrical or visual hazards to alignaft flight?       Yes   $		4852 West Florida Ave		
Lot Number       NIM       Classification       SP 06-004         PROJECT DESCRIPTION (TO BE COMPLETED BY APPLICANT)       If applicable, sitech a detailed site plan showing ground elevations, the location of structures, open spaces and water bodies, and the heights of structures and trainclude additional project description date as needed         Existing Land Use (describe)       If accant out parcel of Florida Promenade         Idescribe)       If accant out parcel of Florida Promenade         (describe)       If accant out parcel of Convenience Store, car wash of gas station         Proposed Land Use (describe)       Construction of convenience Store, car wash of gas station         For Residential Uses (describe)       Construction of convenience Store, car wash of gas station         For Other Land Uses (describe)       Number of Parcels or Units on Site (exclude secondary units)         For Other Land Uses Hours of Use       24/7         (See Appendix C)       Number of Parcels or Units on Site (exclude secondary units)         For Other Land Uses Method of Calculation       at 15 = 18 fortal expected maximum         Height above Ground or Tallest Object (including antennas and trees)       26         Highest Elevation (above sea level) of Any Object or Terrain on Site       15 3 6         Flight Hazards       Does the project involve any characteristics which could create electrical interference, confusing lights, glare, smoke, or other electrical or visual hazards to alroral flight?       Y		448 14 0051-1		1.8 acres
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(describe)       Image: Second s	Existing Land Use	vacant out parcel of Florida Pron	renade	
For Other Land Uses       Hours of Use       24/7         (See Appendix C)       Number of People on Site       Maximum Number       3 employees plus customers         Method of Calculation       at 15 = 18 total expected maximum         Height Data       Height above Ground or Tallest Object (including antennas and trees)       26         Highest Elevation (above sea level) of Any Object or Terrain on Site       153 6         Flight Hazards       Does the project involve any characteristics which could create electrical interference, confusing lights, glare, smoke, or other electrical or visual hazards to aircraft flight?       Yes	•	Construction of convenience Store, (	iar wash	orgas station
Method of Calculation       at 15 = 18 fotal expected maximum         Height Data       Height above Ground or Tallest Object (including antennas and trees)       26         Highest Elevation (above sea level) of Any Object or Terrain on Site       1536         Flight Hazards       Does the project involve any characteristics which could create electrical interference, confusing lights, glare, smoke, or other electrical or visual hazards to aircraft flight?       Yes	For Other Land Uses	Hours of Use <u>24/7</u>	nueec plus	custom and set
Highest Elevation (above sea level) of Any Object or Terrain on Site       1536         Flight Hazards       Does the project involve any characteristics which could create electrical interference, confusing lights, glare, smoke, or other electrical or visual hazards to aircraft flight?       Yes			La La Maria	
confusing lights, glare, smoke, or other electrical or visual hazards to aircraft flight?	Height Data			
If yes, describe	Flight Hazards	contusing lights, glare, smoke, or other electrical or visual hazards to aircraf	l flight?	
		If yes, describe		

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REFERRING AGENCY (APPLICANT OR JURISDICTION TO COMPLETE)				
Date Received		Type of Project		
Agency Name	City of Hemet	General Plan Amendment		
		Zoning Amendment or Variance		
Staff Contact	Soledad Carrisoza	Subdivision Approval		
Phone Number	951-765-2376	Use Permit		
Agency's Project No.	<u>CUP 16-005</u>	D Public Facility		
		Other		

A. NOTICE: Failure of an applicant to submit complete or adequate information pursuant to Sections 65940 to 65948 inclusive, of the California Government Code, MAY constitute grounds for disapproval of actions, regulations, or permits.

#### B. SUBMISSION PACKAGE:

#### ALUC REVIEW

- 1. Completed Application Form
- 1..... Project Site Plan Folded (8-1/2 x 14 max.)
- 1..... Elevations of Buildings Folded
- 1 Each . 8 1/2 x 11 reduced copy of the above
- 1...... 8 ½ x 11 reduced copy showing project in relationship to airport.
- 1 Set Floor plans for non-residential projects
- 4 Sets. . Gummed address labels of the Owner and representative (See Proponent).
- 1 Set. . Gummed address labels of all property owners within a 300' radius of the project site. If more than 100 property owners are involved, please provide prestamped envelopes (size #10), with ALUC return address.
- 4 Sets. Gummed address labels of the referring agency (City or County).
- 1..... Check for Fee (See Item "C" below)

#### STAFF REVIEW (Consult with ALUC staff planner as to whether project qualifies)

- 1.... Completed Application Form
- 1 . . . . Project Site Plans Folded (8-1/2 x 14 max.)
- 1 . . . . Elevations of Buildings Folded
- 1..... 8 ½ x 11 Vicinity Map
- 1 Set . Gummed address labels of the Owner and representative (See Proponent).
- 1 Set Gummed address labels of the referring agency.
- 1....Check for review-See Below

## COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

#### **STAFF REPORT**

AGENDA ITEM:	3.2
HEARING DATE:	October 13, 2016
CASE NUMBER:	ZAP1064BD16 – Shadow Hills RV Resort (Representative: Coachella Valley Engineers)
<b>APPROVING JURISDICTION:</b>	City of Indio
JURISDICTION CASE NO:	CUP 16-1-1012 (Conditional Use Permit)

MAJOR ISSUES: The existing RV resort was established prior to the adoption of the Bermuda Dunes ALUCP and qualifies as a pre-existing use. The applicant is proposing to utilize 4 acres of an adjacent property for temporary usage during events. Should the expansion be approved, 4 acres of land would remain vacant for most of the year. However, during special events (which may ultimately be up to 50 days per year, generally not more than five consecutive days), this 4-acre area would be used for temporary RV spaces or tents. During these special events, a combination of up to 700 camping tents and 259 RV spaces could result in exceedance of Compatibility Zone D single-acre intensity limits if not dispersed. In order for the project to be consistent, a condition has been applied to ensure that the tents are dispersed so as not to exceed the single acre criterion.

In addition, staff received a comment letter dated September 28, 2016, from the property owner of the adjacent 4 acre expansion property, Joseph Tennant of Jefferson Desert St. Property, LLC. This entity is proposing to develop a business park on its acreage (including the 4-acre area in question) and is requesting that the 4-acre area be deleted from ALUC's action on this project. He also provided a copy of a notice issued to Shadow Hills RV Resort on June 2, 2016, requesting vacation of the leased property within 90 days. The applicant contends that this notice is not consistent with the terms of his lease.

**RECOMMENDATION:** Staff is requesting additional time to look into the issues raised by Jefferson Desert St. Property, LLC, and, therefore, recommends that the Commission <u>CONTINUE</u> consideration of the matter to its November 10, 2016, public hearing agenda.

**PROJECT DESCRIPTION**: The applicant proposes to modify and expand the operation of the existing Shadow Hills RV Resort and establish guidelines for special events that would allow additional RV camping on an adjacent 4-acre area and provision for up to 700 tents within the 14-acre area. The applicant is proposing to increase the number of permanent RV spaces from 124 to 135 on the existing 10 acre parcel, provide for an additional 124 spaces on a temporary basis (during special events) located on the adjacent 4 acre parcel to the west, resulting in a total 259 spaces, and

Staff Report Page 2 of 5

allow up to 700 camping tents onsite during major special events to occur up to 50 days per year. The project is divided into two portions: the existing RV park located on a 10 acre parcel, and an adjacent 4 acre parcel which will be used as temporary RV spaces during major special events. The existing RV park currently contains 124 permanent RV spaces. The applicant proposes to add 11 permanent RV spaces. The applicant is also proposing that 700 camping tents be allowed onsite during major special events. (Tent spaces are 300 square feet in area [10 feet by 30 feet] and includes vehicle parking area for the tent campers.) The applicant proposes to have 124 temporary RV spaces on the adjacent 4 acre parcel during special events. In total, there will be some combination of up to 259 RV spaces and up to 700 camping tents during peak time occupancy, but the maximum levels of each would not occur simultaneously, and a maximum occupancy of 1,250 persons as conditioned by the City of Indio.

**PROJECT LOCATION:** The site is located westerly of Jefferson Street and northerly of Varner Road, in the City of Indio, approximately 2,100 feet northerly of the easterly terminus of Runway 10-28 at Bermuda Dunes Airport.

LAND USE PLAN: 2004 Bermuda Dunes Airport Land Use Compatibility Plan

a. Airport Influence Area:	Bermuda Dunes Airport
b. Land Use Policy:	Compatibility Zone D
c. Noise Levels:	55 - 60 CNEL contour

### **BACKGROUND:**

<u>Non-Residential</u> <u>Average Intensity</u>: Pursuant to the 2004 Bermuda Dunes Airport Land Use Compatibility Plan, the project site is located within Compatibility Zone D. Zone D restricts average intensity to 100 people per acre.

The City of Indio has conditioned the project's 14-acre site for a maximum occupancy of 1,250 persons during special events. This results in an average intensity of 89 people per acre, which is consistent with the Zone D criterion of 100.

Another method of calculating total occupancy involves multiplying the number of RV spaces and tents by average vehicle occupancy (assumed to be 1.5 persons per standard vehicle). Based on the combined maximum number of RV spaces (259 RV spaces) and tents (700 tents) permitted for use during special events, the total occupancy of the entire 14-acre site would be estimated at 1,439 people. This would result in an average intensity of 103 people, which just exceeds the Zone D criterion of 100 and, therefore, would be inconsistent. If we anticipated that each RV space/tent had 2.0 people, the occupancy during special events would be 1,918 people or 137 people per average acre, which is inconsistent with Zone D criterion of 100. However, these maximum levels would not occur simultaneously. Rather, the 4-acre area will be used for varying combinations of RVs and

Staff Report Page 3 of 5

tents, depending on the event.

When there are no special events, the occupancy of the park would be 135 RV spaces, resulting in an occupancy of 203 people, and an average intensity of 14 people per acre which is consistent with Zone D criterion of 100. In the case of special events with RV occupancy only, the average intensity on the 4-acre parcel would be consistent even if one were to assume up to 3.2 persons per RV.

<u>Non-Residential Single-Acre Intensity</u>: Pursuant to the 2004 Bermuda Dunes Airport Land Use Compatibility Plan, the project site is located within Compatibility Zone D. Zone D restricts single acre intensity to 300 people per acre.

Based on the site plan provided and project description as previously noted, the single acre intensity can be calculated in three different occupancy scenarios during special events (which is when the peak times occupancy in the project occurs): RV occupancy only, tent occupancy only, and a combination of RV and tent occupancy.

In the RV occupancy-only scenario, the single acre would have a maximum total of 259 RVs (135 permanent and 124 temporary). Based on the site plan, the highest congregation of RVs in a single acre is located in the northwest corner of the 4 acre expansion parcel, resulting in 36 RV spaces and would accommodate a total of 72 people (using a 2.0 persons per RV space ratio). This is consistent with Compatibility Zone D single acre criterion of 300.

In the tent occupancy-only scenario, the single acre would have a maximum total of 145 tent spaces. Based on a reconfigured site plan, the tents would replace the RVs in the location stated in the above scenario. This would result in a total of 290 people (using a 2.0 persons per tent ratio), which is consistent with Compatibility Zone D single acre criterion of 300.

In the combination RV/tent occupancy scenario, the single acre would have 17 RV spaces and 70 tent spaces, located in the same location as referenced above, resulting in a total of 174 people (using a 2.0 persons per RV/tent ratio), which is consistent with Compatibility Zone D single acre criterion of 300.

Staff is proposing a condition requiring dispersal of tent camping areas, such that not more than 145 tents would be sited in any one-acre area. This would likely limit additional single-acre intensity to 300 persons (i.e., in addition to intensity of the pre-existing RV park).

<u>Prohibited and Discouraged Uses:</u> The applicant does not propose any uses specifically prohibited or discouraged in Compatibility Zone D of the Bermuda Dunes Airport Influence Area.

<u>Noise:</u> The site is located within the 55-65 CNEL contour range from aircraft noise. Sensitive uses like the RVs would be impacted by aircraft generated noise, but noise levels resulting from freeway traffic and railroad operations would be more intrusive at this location.

Staff Report Page 4 of 5

<u>Part 77</u>: The elevation of Runway 10-28 at its easterly terminus is approximately 49 feet above mean sea level (AMSL). At a distance of approximately 2,100 feet from the runway, FAA review would be required for any structures with top of roof exceeding 70 feet AMSL. The project is not proposing any new permanent structures or buildings, just RVs. The project site elevation is 57 feet AMSL, and the anticipated maximum height of the RVs is 12 feet, for a maximum top point elevation of 69 feet AMSL. Therefore, Federal Aviation Administration (FAA) obstruction evaluation review for height/elevation reasons is not required.

<u>Open Area:</u> The site is located within Airport Compatibility Zone D of the Bermuda Dunes Airport Influence Area, which requires projects 10 acres or larger to designate 10% of project area as ALUCqualifying open area that could potentially serve as emergency landing areas. The project's 4 acre expansion area does not trigger open area requirements at this time. However, the project has been conditioned that any subsequent project expansions in the future would result in an ALUC review of the entire project including the existing 10 acre site, which would then trigger open area requirements.

#### **CONDITIONS:**

- 1. 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.
- 2. The following uses/activities are not included in the proposed project and shall be prohibited at this site:
  - (a) Any use or activity 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 or activity 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 or activity 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, composting operations, production of cereal grains, sunflower, and row crops, 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.)

#### Staff Report Page 5 of 5

- (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.
- 3. The attached disclosure notice shall be provided to all potential purchasers of the property and tenants with rental or lease agreements of 30 days or greater, and shall be recorded as a deed notice.
- 4. Any new detention basin(s) on the site shall be designed so as to provide for a maximum 48hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the detention basin(s) that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.
- 5. The total on-site occupancy shall not exceed 1,400 people, unless the applicable Compatibility Plan is modified so as to increase permissible average intensity levels in Compatibility Zone D to a higher level. If this number were to be exceeded, the project shall be brought back to ALUC for review.
- 6. RVs up to 12 feet in height are permitted at topographical contour locations of 57 feet above mean sea level (AMSL). Any RVs greater than 12 feet in height shall only be permitted at spaces where the ground elevation is at least as many feet lower than 57 feet AMSL as the number of feet by which the RV height exceeds 12 feet. The applicant would have to submit to FAA for review if site elevation plus RV height exceeds 70 feet AMSL.
- 7. The maximum allowable intensity within any single acre of the site (excluding RV spaces in existence as of 2004) shall be limited to 300 persons.
- 8. The tent camping area shall be dispersed over the 10-acre or 14-acre project site, such that not more than 145 tents are placed in any one acre area.
- 9. Open area requirements were not applied to this project as the 4 acre expansion is below the required threshold of 10 acres or greater. However, any additional or further project expansions in the future will be considered by ALUC in context with the existing 10 acre RV park and this project's 4 acre expansion area, which will trigger open area requirements.

Y:\AIRPORT CASE FILES\Bermuda Dunes\ZAP1064BD16\ZAP1064BD16sr.doc

# NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise. vibration, or odors). Individual sensitivities to those annoyances [can vary from person to person. You may wish to consider what airport annoyances], if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b) 13)(A

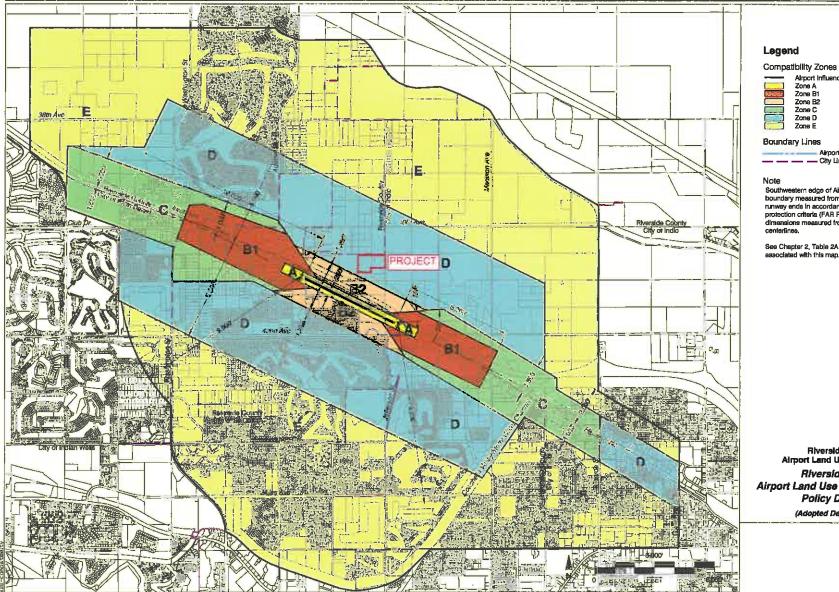
#### INDIVIDUAL AIRPORT POLICIES AND COMPATIBILITY MAPS CHAPTER 3

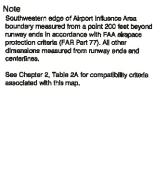
Airport Influence Area Boundary

Airport Property Line — City Limits

Zone A Zone B1 Zone B2 Zone C Zone D Zone E

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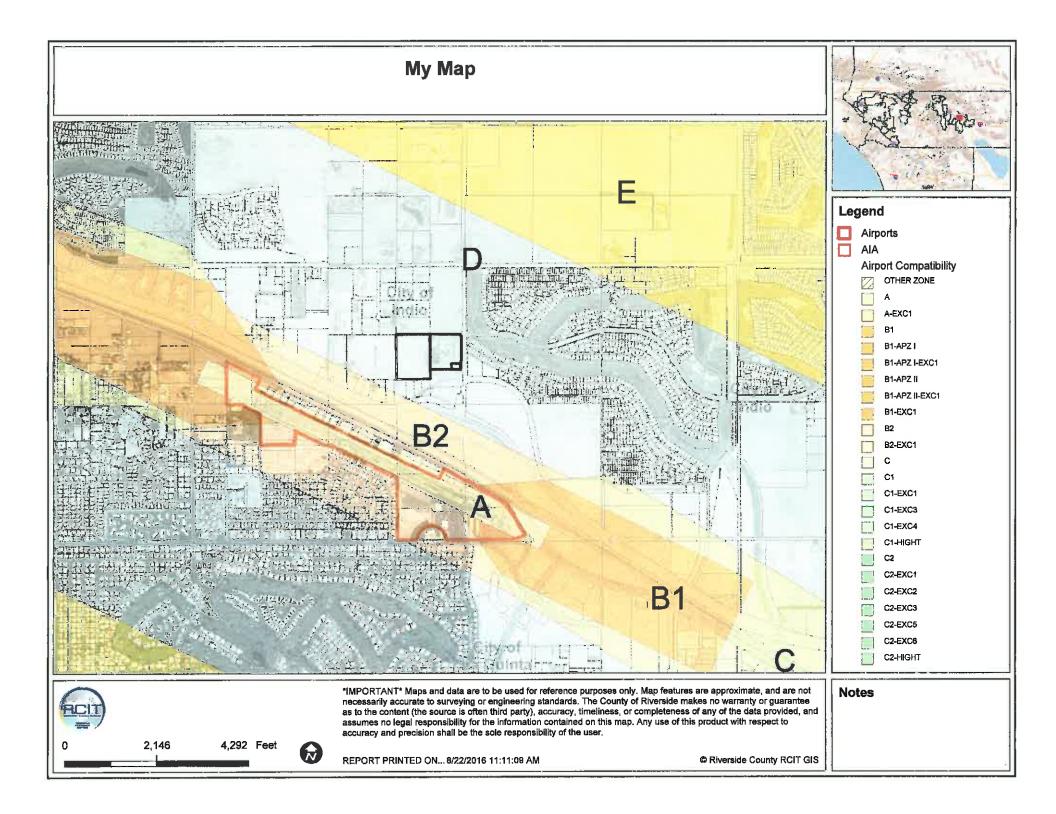


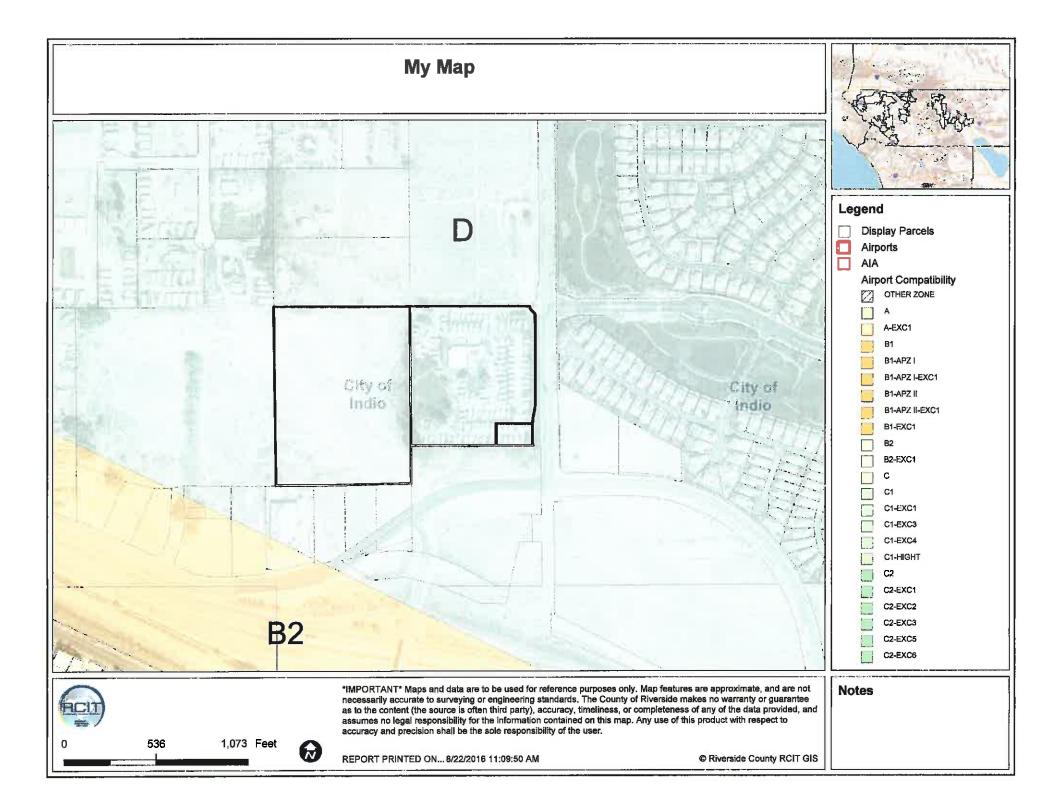


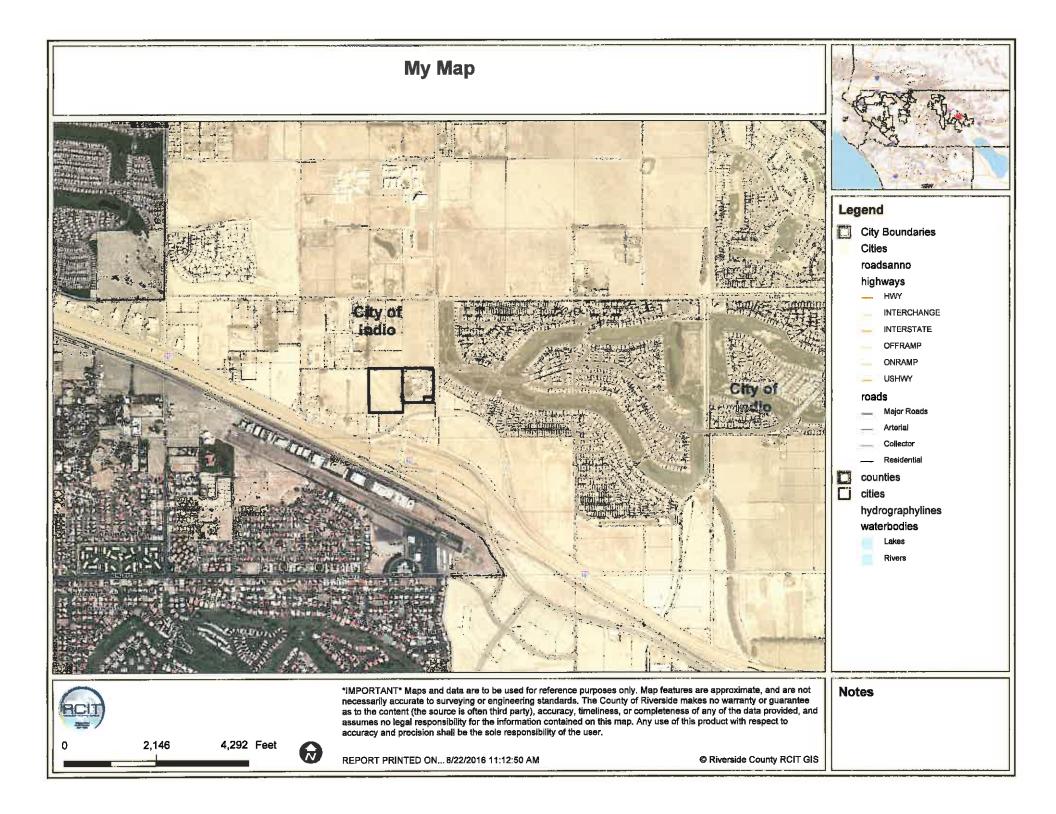
Riverside County Airport Land Use Commission **Riverside** County Airport Land Use Compatibility Plan Policy Document (Adopted December 2004)

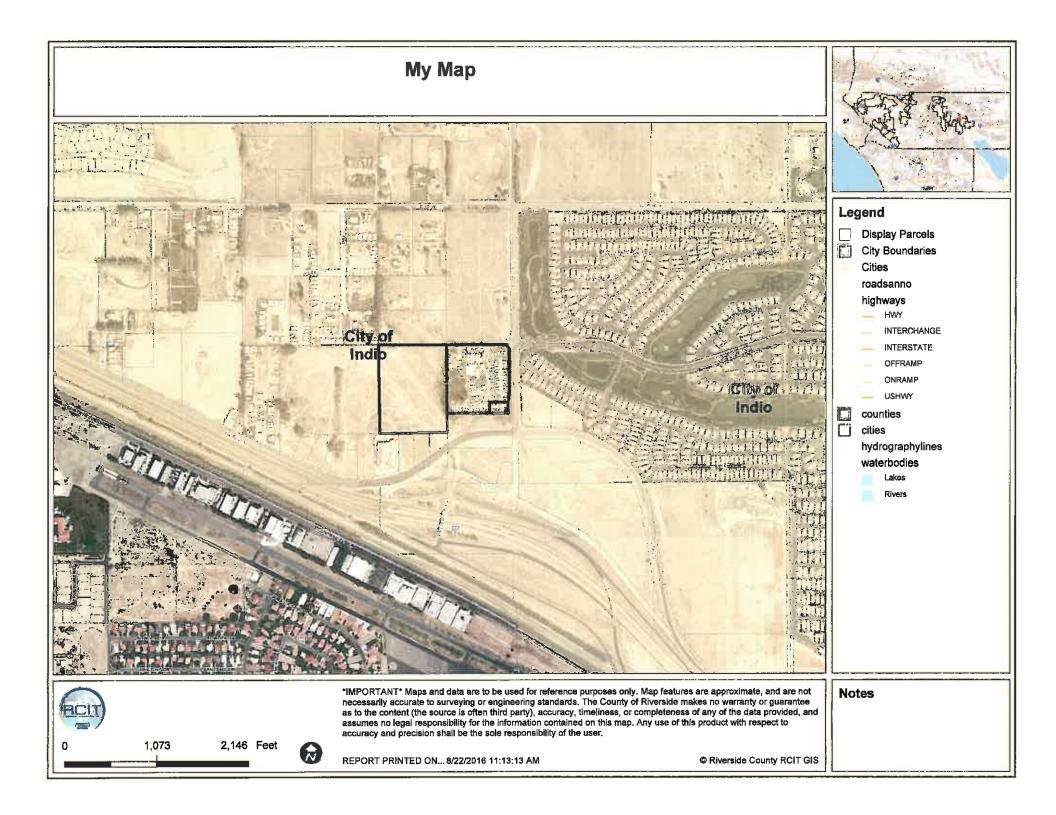
Map BD-1

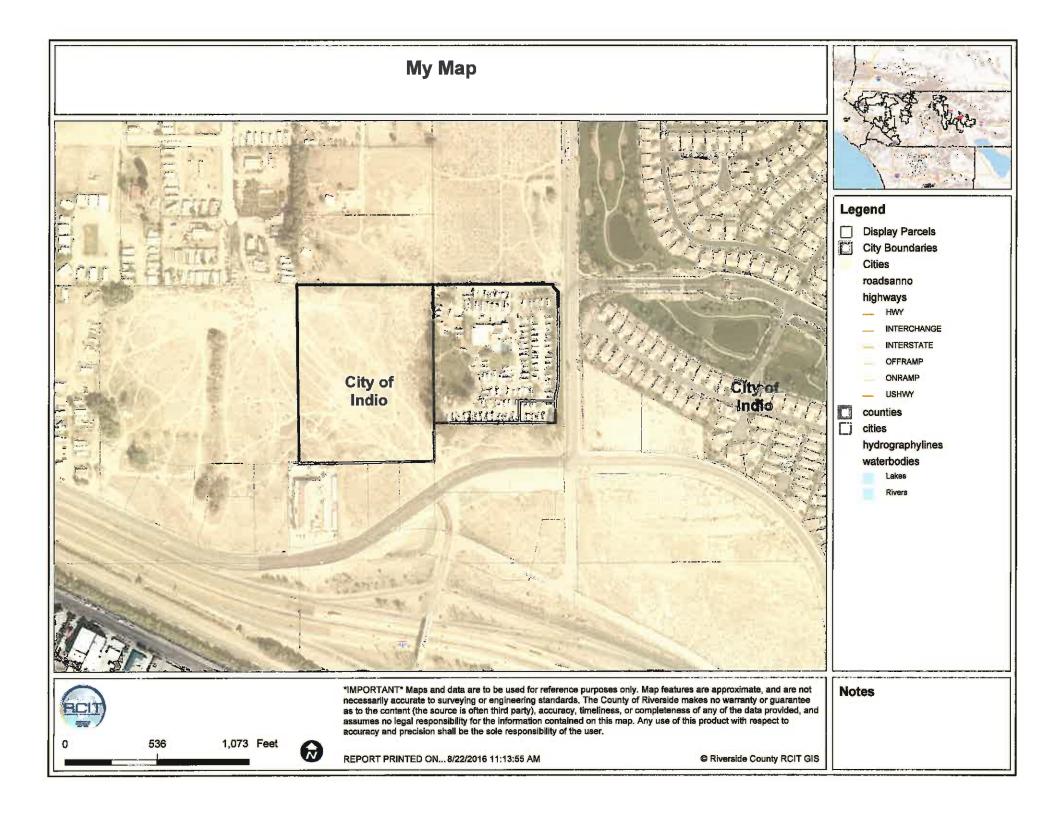
**Compatibility Map** Bermuda Dunes Airport

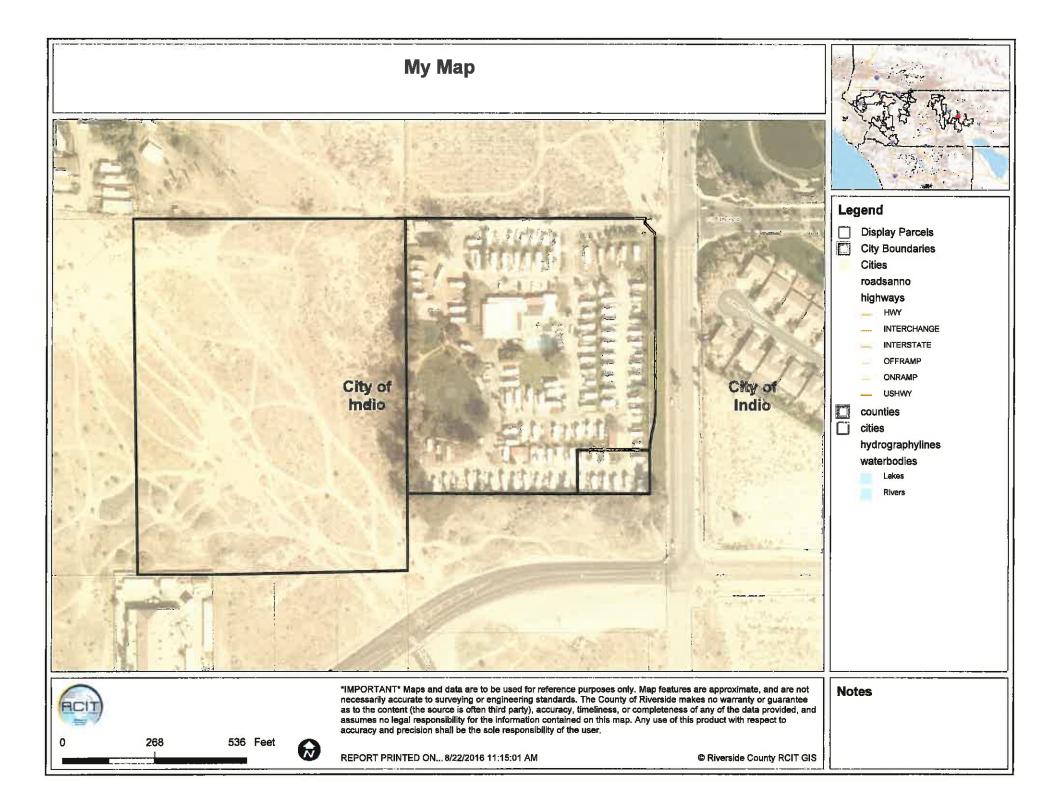


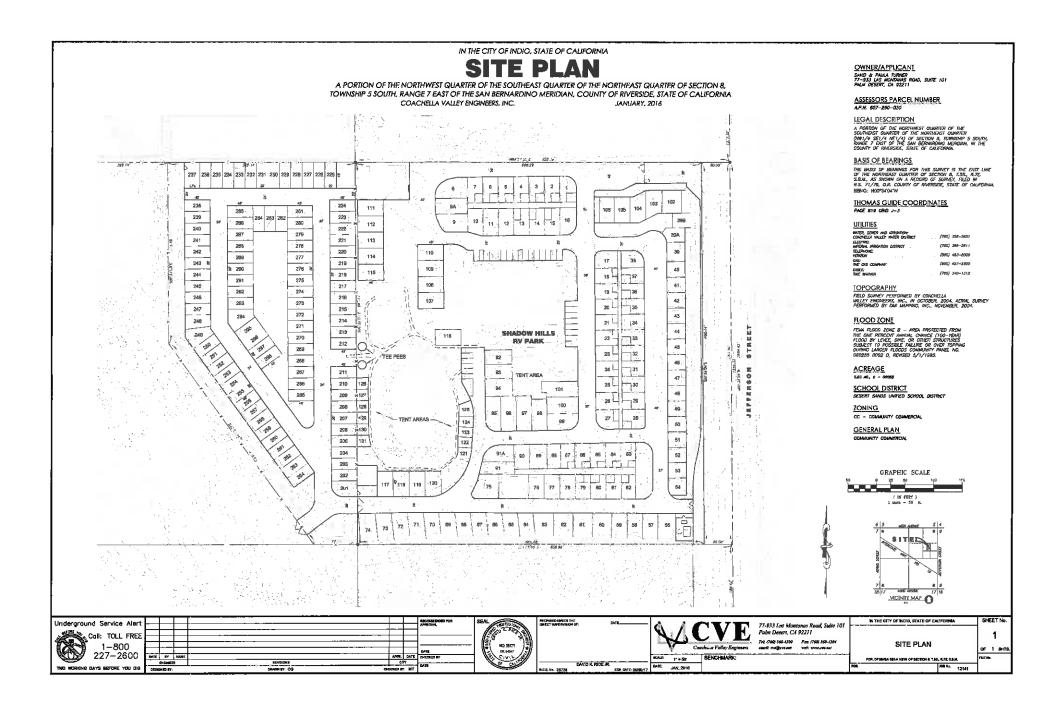


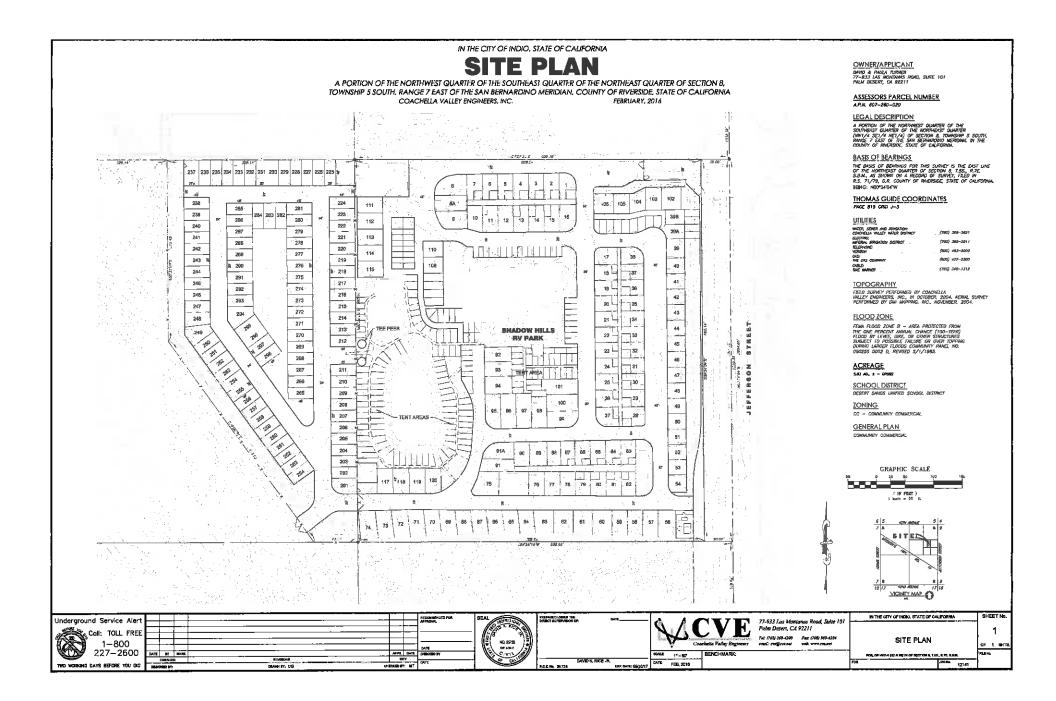






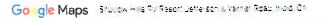


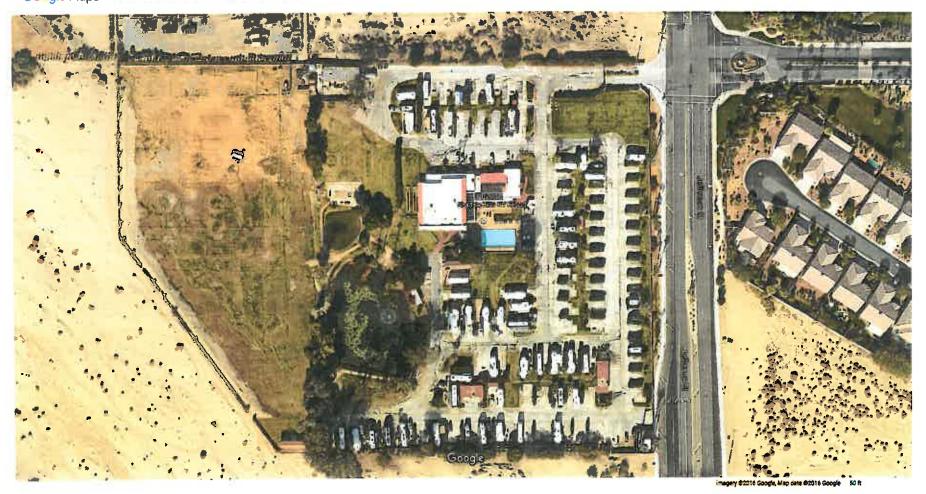




8/19/2016

#### Google Maps





# JEFFERSON ST. DESERT PROPERTIES, LLC

937 SW 14<sup>th</sup> Ave., Suite 200 Portland, OR 97205 Phone (503)241-1255 Fax (503)299-6653

September 28, 2016

Paul Rull Riverside County prull@rctlma.org

Dear Paul,

#### <u>Re: ZAP1064BD16-Shadow Hills RV Resort - City of Indio Planning Case No.</u> <u>CUP 16-1-1012 (Conditional Use Permit)</u>

We received the Notice of Public Hearing with regards to the above referenced case. Please be advised that Jefferson Desert St. Property, LLC owns approximately four of the fourteen acres apparently referenced in the application (please send me the land area as we can confirm). We are in the process of entitling the property as a Business Park and gave notice per the lease to Shadow Hills RV Resort to vacate the four acres of property they had previously leased from us. (Attached hereto is our notice of June 2<sup>nd</sup>). As such, to the extent any application includes the four acres owned by Jefferson St. Desert Properties, LLC and previously leased to Shadow Hills RV Resort, that acreage should be deleted from any application and their application should only include the ten acres that they own outright. Should you have any questions, please do not hesitate to contact me.

Sincerely,

Joseph P. Tennant

JPT/lts cc: Leila Namvar, lnamvar@indio.org

## **NOTICE OF PUBLIC HEARING** RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

A PUBLIC HEARING has been scheduled before the Riverside County Airport Land Use Commission (ALUC) to consider the application described below.

Any person may submit written comments to the ALUC before the hearing or may appear and be heard in support of or opposition to the project at the time of hearing. The proposed project application may be viewed at the Riverside County Administrative Center, 4080 Lemon Street, 14<sup>th</sup> Floor, Riverside, California 92501, Monday through Thursday from 8:00 a.m. to 5:00 p.m. except Monday October 10, 2016 (Columbus Day) and by prescheduled appointment on Fridays, from 9:00 a.m. to 5:00 p.m.

ATTENTION: ALUC reviews a proposed plan or project solely to determine whether it is consistent with the applicable Airport Land Use Compatibility Plan. The City of Indio may hold hearings on this project and should be contacted on non-ALUC issues.

PLACE OF HEARING:	Riverside County Administration Center 4080 Lemon St., 1 <sup>st</sup> Floor Board Chambers Riverside, California
DATE OF HEARING:	October 13, 2016
TIME OF HEARING:	9:00 A.M.

CASE DESCRIPTION:

<u>ZAP1064BD16 – Shadow Hills RV Resort (Representative: Coachella Valley Engineers)</u> – City of Indio Planning Case No. CUP 16-1-1012 (Conditional Use Permit). The applicant is proposing to modify and expand the operation of the existing Shadow Hills RV Resort and establish guidelines for special events that temporarily allow additional RV camping and tent campsites on 14 acres. The project site is located westerly of Jefferson Street and northerly of Varner Road. (Airport Compatibility Zone D of the Bermuda Dunes Airport Influence Area).

FURTHER INFORMATION: Contact Paul Rull at (951) 955-6893. The ALUC holds hearings for local discretionary permits within the Airport Influence Areas, reviewing for aeronautical safety, noise and obstructions. All other concerns should be addressed to <u>Ms. Leila Namvar of the City of Indio Planning Division at (760) 391-4120.</u>

## JEFFERSON ST. DESERT PROPERTIES, LLC

422 Larkfield Center #307 Santa Rosa, CA 95403 Phone (760)902-6860 Phone (760)709-7369 937 S.W. 14<sup>th</sup> Ave., Ste. 200 Portland, OR 97205 Phone (503)241-1255 Fax (503)299-6653

June 2, 2016

David Turner Paula Turner 77-933 Las Montanas Rd. Ste 101 Palm Desert, CA 92211 dturner@cve.net paula@dpplic.com

Dear David and Paula,

#### Re: Oasis Dunes Inc. DBA Shadow Hills RV Resort

As I mentioned to Paula a couple of weeks ago, we are beginning the development of our approximately 41 acre parcel of property which includes the property (approximately 4 acres) you are currently leasing from us. Pursuant to the lease of February 20, 2013 between Jefferson St. Desert Properties and Oasis Dunes, Inc. DBA Shadow Hills RV Resort, this letter will serve as our 90 day notice to vacate the property. Any utility installations, trade fixtures or other alterations made to the premises by you during the term of the lease need to be removed within 90 days and any damage to the premises due to said removal repaired within said time frame. Since there may be land testing, survey work, etc. needing to be completed in conjunction with the development, to the extent you can vacate and complete the work prior to 90 days, it would be appreciated.

Sincerely, Joseph P. Tennant

JPT:km

422 Larkfield Center #307 Santa Rosa, CA 95403 Phone (707) 544-6549

y 2

937 S. W. 14th Ave., Ste. 200 Portland, OR 97205 Phone (503)241-1255

June 27, 2016

David Turner Paula Turner Oasis Dunes Inc. DBA, Shadow Hills RV Resort 77-933 Las Montanas Rd. Ste 101 Palm Desert, CA 92211

dturner@cve.net paula@dppllc.com

Dear David and Paula,

Re: Varner Business Park

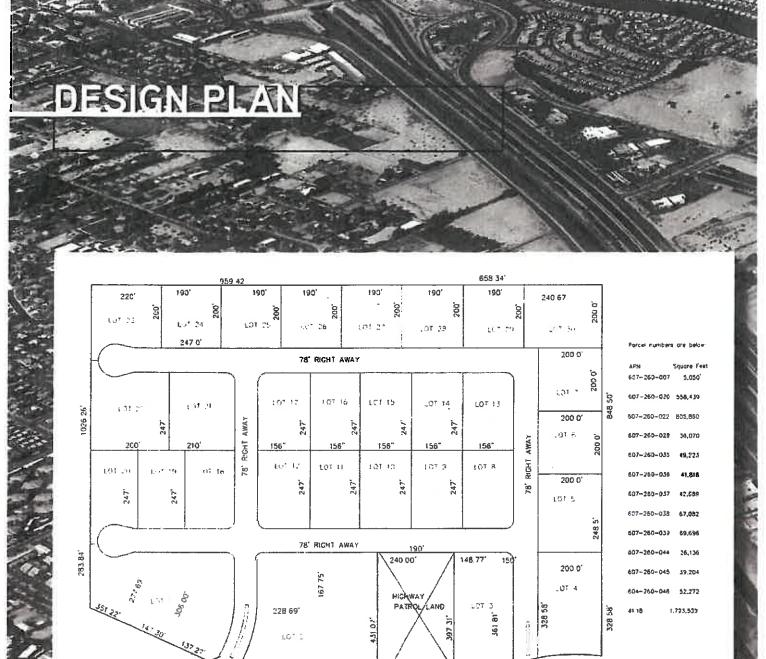
Per Paula's request, attached is a copy of the design plan for the Varner Business Park. Paula inquired last week about the possibility of acquiring the four acres you had been leasing. According to our architects and engineering consulting firm, the four acres you had been leasing is an integral part of the project. As such, it is unfortunately not available for purchase. Per my letter of June 2, please advise as to when you expect to have all utility installations, trade fixtures, and other alterations removed from the premises. We are in the process of getting an updated survey of the property. I have let the consulting engineer know that they can coordinate access to the property with you while you are in the process of removing the fence, etc.

Sincerely,

al

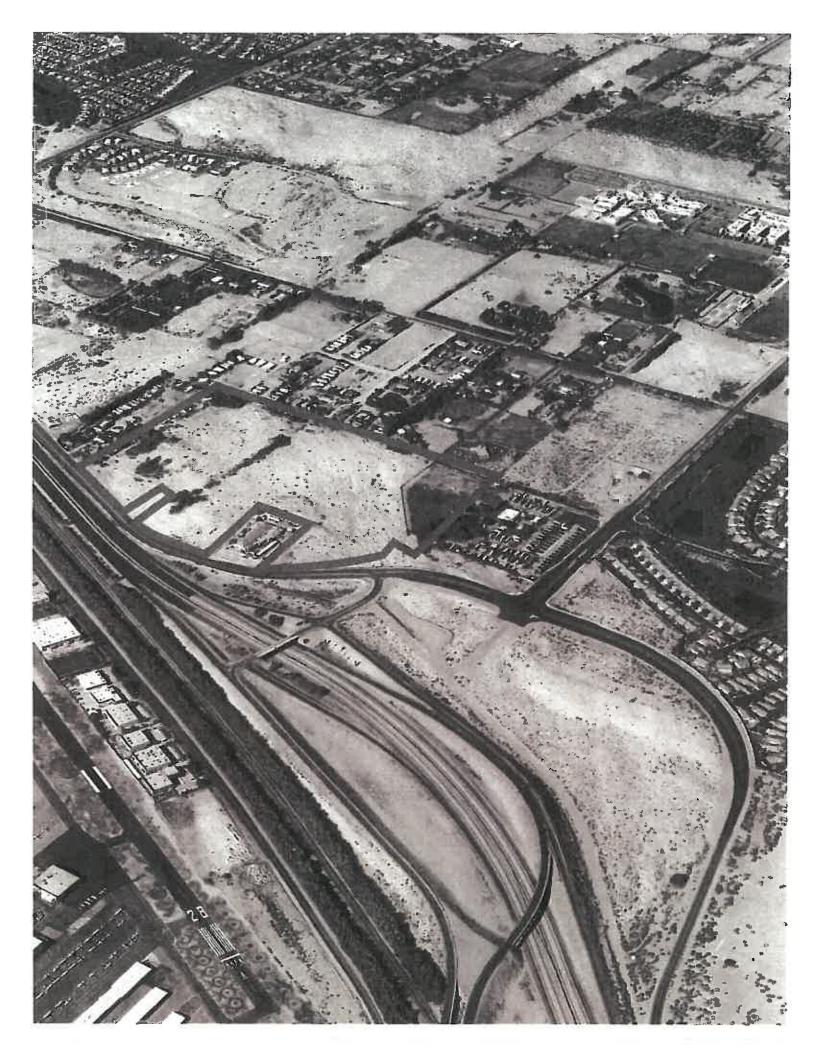
loseph ). Tennant

**JPT/its** 



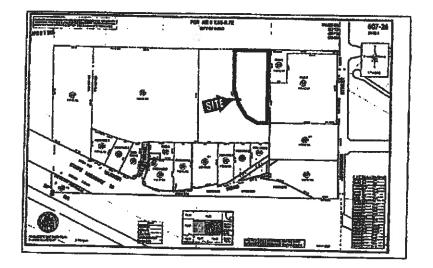
1+275 CE VARNER ROAD

VARNER BUSINESS PARK •



#### ADDENDUM STANDARD INDUSTRIAL LEASE SINGLE-TENANT LEASE - GROSS DATED FEBRUARY 20, 2013 FOR 4 ACRES VACANT LAND NORTH OF VARNER RD., INDIO, CA 92203

#### EXHIBIT "A"



Lessee's initials

28

Lessor's initials

FAIDPPDOCSWI Main Documents/Word/LEASESUEASESURAUStrial/ S as Vacant Land East of Jefferson -Tennant Investors - DD,SHRV.doc

## **NOTICE OF PUBLIC HEARING** RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

A PUBLIC HEARING has been scheduled before the Riverside County Airport Land Use Commission (ALUC) to consider the application described below.

Any person may submit written comments to the ALUC before the hearing or may appear and be heard in support of or opposition to the project at the time of hearing. The proposed project application may be viewed at the Riverside County Administrative Center, 4080 Lemon Street, 14<sup>th</sup> Floor, Riverside, California 92501, Monday through Thursday from 8:00 a.m. to 5:00 p.m. except Monday October 10, 2016 (Columbus Day) and by prescheduled appointment on Fridays, from 9:00 a.m. to 5:00 p.m.

ATTENTION: ALUC reviews a proposed plan or project solely to determine whether it is consistent with the applicable Airport Land Use Compatibility Plan. The City of Indio may hold hearings on this project and should be contacted on non-ALUC issues.

PLACE OF HEARING:	Riverside County Administration Center 4080 Lemon St., 1 <sup>st</sup> Floor Board Chambers Riverside, California
DATE OF HEARING:	October 13, 2016
TIME OF HEARING:	9:00 A.M.

CASE DESCRIPTION:

<u>ZAP1064BD16 – Shadow Hills RV Resort (Representative: Coachella Valley Engineers)</u> – City of Indio Planning Case No. CUP 16-1-1012 (Conditional Use Permit). The applicant is proposing to modify and expand the operation of the existing Shadow Hills RV Resort and establish guidelines for special events that temporarily allow additional RV camping and tent campsites on 14 acres. The project site is located westerly of Jefferson Street and northerly of Varner Road. (Airport Compatibility Zone D of the Bermuda Dunes Airport Influence Area).

FURTHER INFORMATION: Contact Paul Rull at (951) 955-6893. The ALUC holds hearings for local discretionary permits within the Airport Influence Areas, reviewing for aeronautical safety, noise and obstructions. All other concerns should be addressed to <u>Ms. Leila Namvar of the City of Indio Planning Division at (760) 391-4120.</u>

# APPLICATION FOR MAJOR LAND USE ACTION REVIEW

ALUC Identification No.

Property Owner       I         Mailing Address       I         Agent (if any)       I         Mailing Address       I         Agent (if any)       I         Mailing Address       I         PROJECT LOCATION (TO       Attach an accurately scaled map         Street Address       4 0         Street Address       5 0         Assessor's Parcel No.       6 0         Subdivision Name       Sh         Lot Number       2         PROJECT DESCRIPTION       If applicable, attach a detailed sit include additional project descrip         Existing Land Use (describe)       RV	August 4 Dakota D 77933 LA PALM DES DBE COMPLETER p showing the rela 0655 Jef: 07-260-0 hadow Hi.	A 2016 Dunes AS MONT SERT CZ D BY APPLIC thouship of the ferson 54 & 6 11s RV	6 TANAS A, CA A, CA SANT) Project site f Stree 507-26 7 Resol	92211 to the emport. et, In 0-055;	ooundery and rui dio, CA	Phone Nu Phone Nu Phone Nu Phone Nu 92203 020 Parcel Siz Classifica	umber	<u>760-360-42</u> 
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Agent (if any) Mailing Address PROJECT LOCATION (TO Attach an accurately scaled map Street Address 40 Assessor's Parcel No. 60 Subdivision Name Sh Lot Number 2 PROJECT DESCRIPTION If applicable, attach a detailed sit include additional project descrip Existing Land Use RV (describe) Proposed Land Use RV	PALM DES DBE COMPLETER p showing the rela 0655 Jef: 07-260-0 nadow Hi. (TO BE COMPLE ite plan showing g ption data as need	D BY APPLIC othership of the ferson 54 & 6 11s RV	A, CA ANT) 9 project site f 507-26 7 Resol	92211 to the emport. et, In 0-055;	ooundery and rui dio, CA	nways 92203 OZOParcel Siz Zoning		9.18
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If applicable, attach a detailed sit include additional project descrip Existing Land Use RV (describe)	ite plan showing g ption data as need						tion	D
Proposed Land Use RV	RESOLL	round elevatio led Park		on of structur	əs, open spacas	and water bodies, i	and the	heights of structures and tre
(2003.20) 	7 Resort	Park						
	ber of Parcels o	or Units on S	Site (exclude	secondary	units)			
(See Appendix C) Num!	nber of People of hthod of Calculat		Maximun	n Number	· · · · · · · · · · · · · · · · · · ·			· · · · · · · · · · · · · · · · · · ·
	ht above Groun				,			
Flight Hazards Does confu	-	olve any cha	aracteristics	which could	create electric	cal interference, aircraft flight?		Yes No

BD Love D

REFERRING AGENCY (APPLICANT OR JURISDICTION TO COMPLETE)				
Date Received Agency Name	City of Indio	Type of Project		
Staff Contact Phone Number Agency's Project No.	Leila Namvar (760)391-4120 CUP0 <del>2636</del> [G-1-1012	Zoning Amendment or Variance     Subdivision Approval     X Use Permit     Public Facility     Other		

A. NOTICE: Failure of an applicant to submit complete or adequate information pursuant to Sections 65940 to 65948 inclusive, of the California Government Code, MAY constitute grounds for disapproval of actions, regulations, or permits.

#### B. SUBMISSION PACKAGE:

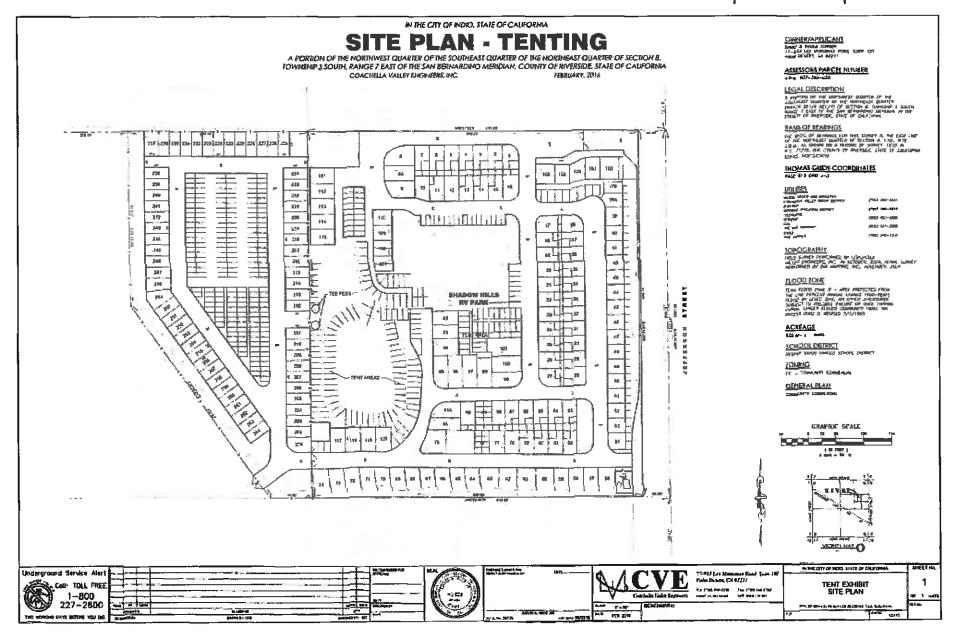
#### ALUC REVIEW

- 1. Completed Application Form
- 1. . . . . Project Site Plan Folded (8-1/2 x 14 max.)
- 1..... Elevations of Buildings Folded
- 1 Each . 8 1/2 x 11 reduced copy of the above
- 1...... 8 ½ x 11 reduced copy showing project in relationship to airport.
- 1 Set Floor plans for non-residential projects
- 4 Sets. . Gummed address labels of the Owner and representative (See Proponent).
- 1 Set. Gummed address labels of all property owners within a 300' radius of the project site. If more than 100 property owners are involved, please provide prestamped envelopes (size #10), with ALUC return address.
- 4 Sets. Gummed address labels of the referring agency (City or County).
- 1..... Check for Fee (See Item "C" below)

#### STAFF REVIEW (Consult with ALUC staff planner as to whether project qualifies)

- 1.... Completed Application Form
- 1 . . . . Project Site Plans Folded (8-1/2 x 14 max.)
- 1 ...... Elevations of Buildings Folded
- 1..... 8 1/2 x 11 Vicinity Map
- 1 Set . Gummed address labels of the Owner and representative (See Proponent).
- 1 Set Gummed address labels of the referring agency.
- 1 . . . . Check for review-See Below

Sample Concept





## STAFF REPORT City of Indio Planning Commission Meeting of March 9, 2016

APPLICATION:	Shadow Hills RV Resort Conditional Use Permit 16-1-1012
	David Turner 77-933 Las Montanas Road, Suite 101 Palm Desert, CA 92211
PROJECT LOCATION:	The site is located west of Jefferson Street, north of Varner Road, including the existing 10 acre Shadow Hills RV Resort and an adjacent, undeveloped 4 acre site to the west, totaling 14 acres.
ASSESSOR'S PARCEL NO.:	607-260-020, 607-260-054 & 607-260-055
PROJECT DESCRIPTION:	A Conditional Use Permit (CUP 16-1-1012); to modify and expand operation of an existing RV resort and establish guidelines for special events, including events that temporarily allow additional RV camping and tent campsites on an approximately 14 acre project site.
GENERAL PLAN:	Community Commercial & Residential Medium Density
ZONING:	Community Commercial
ENVIRONMENTAL ASSESSMENT:	Pursuant to the requirements of the California Environmental Quality Act (CEQA), The City reviewed this project and determined that the project is exempt under Section 15301 (Existing Facilities), Section 15303 (New Construction or Conversion of Small Structures), and Section 15061(b)(3).

## **RECOMMENDATION:**

Approve Resolution No. 1755, a Resolution of the Planning Commission of the City of Indio, California, granting Conditional Use Permit 16-1-1012 subject to the conditions of approval contained therein.

### **Revised Conditions:**

2. This Conditional Use Permit (CUP 16-1-1012) grants a total of 135 RV lots within the permanent site (exiting existing 10 acres), which includes 124 regular RV lots and 11 vintage RV spaces for vintage trailers to be established around the existing small pond for renting purposes.

5. Maximum occupancy for Shadow Hills RV Resort shall be 1,250 persons. A Special Event Permit shall be required for any activity, event or function proposed to exceed 1,250 persons. Special Event Permits shall be submitted to the City (Community Services manager) at least 60 days prior to the event. Additional conditions may be required in association of issuance of a special events permit.

10. For any special event with attendance ranging from 501 to 1,250 persons, a Special Event Permit Special/Temporary Use permit shall be required. The application material shall include a detailed site plan and project description and shall be submitted to the Development Services Department at least 60 days prior to the event for review and approval by the Development Services Director.

All Fire conditions would read as:

For any special event requiring a City eppresed permit, the City of Indio Fire Services/Riverside County Fire Department will conduct fire inspections for Emergency Vehicle access, and enforce fire protection standards, when applicable.

New Development Services Department Condition:

The project site is within zone D of Riverside Airport Land Use Commission (ALUC) Compatibility Plan. The applicant shall contact ALUC for consistency purposes and notify Development Services Director of any requirements and/or conditions that ALUC may impose on the project.

#### SURROUNDING LAND USES:

The General Plan land use designations, zoning, and current land uses are represented below in Table 1.

Table 1           General Plan, Zoning and Surrounding Land Use				
Direction	General Plan	Zoning	Current Land Use	
North	Business Park (BP)	Business Park (BP)	Vacant	
South	Residential Medium (RM)	Community Commercial (CC)	Vacant	
East	Residential Low (RL)	Project Master Plan (PMP) & Mixed Use Specific Plan (MUSP)	Single Family Home Development & Vacant	
West	Community Commercial (CC)	Community Commercial (CC)	Vacant	

#### BACKGROUND:

On April 8, 2015, the Planning Commission held a public hearing to consider an appeal from Mr. Dave Turner of the Shadow Hills RV Resort regarding staff's denial of a special event permit for expanding camping and additional activities during the 2015 music festivals. The Planning Commission ultimately decided to overturn staff's decision and issue the permit with conditions.

The next day, City Council conducted a special meeting to discuss the City's camping ordinance, its application to RV Parks during the music festivals, and other issues relating to special events held during the festivals. The camping ordinance, found at Indio Municipal Code Section 130.020, restricts camping in the City during the music festivals with only limited exceptions provided. At that meeting, Council provided staff direction to review amending the City's existing camping restrictions to allow camping at lawfully operated RV parks during the music festivals, as well as to allow RV parks to conduct additional activities and events.

On January 20, 2016, City Council passed Zone Text Amendment 15-12-63 amending Chapter 159 of the Indio Municipal Code related to recreational vehicle and travel trailer parks. The Amendment provides that recreational vehicle parks in existence prior to June 16, 1994 are deemed permitted uses within the zone where they are currently located (previously, they were only permitted in the Residential Medium zone). In addition, the Amendment allows these parks to expand their existing operations or footprint upon receipt of a conditional use permit, without necessarily meeting the current regulations and standards applicable to new parks. The ordinance representing this text amendment went into effect March 6, 2016. Shadow Hills RV Resort ("Resort") is a recreational vehicle park comprising 124 RV spaces, club house, pool area, restrooms, shower facilities, and a small pond located on 10 acres within the Community Commercial (CC) zoning district. The Resort was entitled by Riverside County in 1984. In 2007, the City of Indio completed an annexation that included the Resort. The Resort is served by domestic wells and a septic system. Both are in good standing and regularly inspected by Riverside County Health Department. All lots within the Resort will be served by access from Jefferson Street. The Resort leases 4 acres of vacant land immediately adjacent to and west of the Resort site. In recent years, this property has been used for special events, functions, parking, etc. in conjunction with the Resort.

#### ANALYSIS:

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#### New Municipal Code Language

The new municipal code language is intended to provide an opportunity for established RV parks to upgrade, modify and/or expand their operations. Historically, this has been challenging due to their legal non-conformance status and the requirement that they make significant upgrades to their facilities. The language recognizes RV parks established prior to, and continually operated since, June 15, 1994, as legal conforming permitted uses and provides an opportunity for them to upgrade, modify and/or expand via issuance of a conditional use permit.

#### Shadow Hills RV Park

As a result of the new language, Mr. Turner has applied for a conditional use permit that proposes the following:

- Increase the number of permanent RV spaces from 124 to 135. The additional 11 spaces will be for vintage trailers that the Resort is establishing around the small pond and will make available for rent.
- Allow an additional 124 spaces on a temporary basis during special events on the adjacent four (4) acres to the west of the permanent facility (total of 259 spaces).
- Allow for a number of major special events. This would include the three events conducted during the music festivals in April and May, and potentially two proposed Fall concerts that have yet to be scheduled. Up to 700 tent camping sites would be permitted during these major festivals.
- Allow for use of the clubhouse and/or grounds for minor special events and functions.

#### Increase in RV Spaces:

Currently the 10-acre permanent RV site is operating with 124 RV lots. Mr. Turner is proposing to increase the permanent RV lots from 124 to 135, including 11 Vintage RV sites where the trailers will be available for rent. Although the original County-issued CUP permitted 100 spaces, additional spaces have been added so that, today, the number of available spaces is 124. The pending CUP application is intended to confirm the availability of the 124 spaces, plus the 11 new spaces for the vintage RV's.

#### Major Special Events:

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A number of major special events are being proposed. These events would not occur during the peak season of January through the latter part of March. The maximum park capacity during major special events would be limited to 1,250 persons. The new municipal code language clarifies that the City's prohibition on camping would not apply to lawfully operating RV parks during the festivals. The camping prohibition during the festivals was never intended to apply to RV parks, where various forms of camping are conducted on a year-round basis as part of normal business operations. Therefore, the applicant is proposing during the music festivals (currently Coachella Music & Arts Festival and Stagecoach Music Festival) to have up to 259 RV lots, up to 700 tent sites, and up to 500 cars on the 14 acre site. The event may also include entertainment, stages, amplifiers, generators, portable toilets, temporary tents, and temporary cooking facilities on site.

According to the applicant the setup and number of campsites, RV lots, and cars varies from one event to another. For example during the Coachella Music & Arts Festivals there would be more campsites and fewer RV lots. In contrast, during the Stagecoach Music Festival there would be more RV lots and fewer campsites. A condition has been added establishing a maximum occupancy of 1,250 persons during these events. In addition, a condition is also added requiring the applicant to timely submit a site plan for each major special event for administrative review and approval. A special event permit would be required should the applicant wish to exceed the maximum occupancy.

Three major special events are currently expected that will coincide with the three music festival events. Two additional music festival events could be conducted in the future, which would likely result in the Resort adding major special events accordingly. In addition, other major special events could be conducted. The applicant is required to provide timely notification of any major special event, which would either require administrative approval by the Development Services Director or a special event permit by the Community Services Manager, depending upon the type of event and number of persons expected.

It should be noted that, the Resort may lawfully conduct normal RV and tent camping at its current park during the festivals, not to exceed 10 people per lot (for 124 lots), in compliance with the Special Occupancy Park Act (the "Act"), Health & Safety Code Sections 18860 et seq., and its implementing regulations found at Title 25 Cal. Code Regs. 2000 et seq.

#### Minor Special Events:

Minor events are the events that could have up to 500 attendees. The applicant has represented that smaller special events (minor events) would include weddings, quinceaneras, birthday parties, pool parties, holiday parties, pet shows, concerts, RV shows, sporting events, movie nights, cooking contests, church services, art shows, carnivals, swap meets, farmers markets, community gardens, rallies, wine/beer/alcohol tastings, wagon rides, community blood drive, non-profit and political fund raisers, etc. Many of these events would be exclusive to the Shadow Hills RV Resort's guests and

would be conducted during the peak months or might be open to public. A condition has been added to require the applicant to notify the Development Services Director of such events two weeks prior to the event via email for review and approval if needed.

Submitted by:

Leila Namvar Assistant Planner

Approved by:

Les Johnson Development Services Director

Attachments:

A. Aerial Map

- B. Resolution No. 1755
- C. Site Plan
- D. Ordinance No. 1687

## ATTACHMENT A

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# **Aerial Map**



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## ATTACHMENT B

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**Resolution 1755** 

#### Resolution No. 1755

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A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDIO, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT 16-1-1012 TO MODIFY AND EXPAND OPERATION OF AN EXISTING RV RESORT (SHADOW HILLS RV RESORT) AND TO CONDUCT SPECIAL EVENTS THAT TEMPORARILY ALLOW ADDITIONAL RV CAMPING AND TENT CAMPSITES ON AN APPROXIMATELY 14 ACRE PROJECT SITE; LOCATED AT 40655 JEFFERSON STREET.

WHEREAS, David Turner ("Applicant") applied for Conditional Use Permit 16-1-1012 to modify operation of an existing RV resort, Shadow Hills RV Resort, and to expand to conduct special events by setting up additional RV lots and tent campsites (Referred to herein as "RV Resort", "RV Park" or "Proposed Use") on an approximately 14 acre project site on a property within Community Commercial (CC) zone district located at 40655 Jefferson Street ("Property"); and,

WHEREAS, Ordinance No. 1687 permits an existing RV park established prior to, and continually operated, since June 15, 1994, to expand or modify its size or number of permitted spaces upon approval of a CUP; and

WHEREAS, The Shadow Hills RV Resort was established in 1984 upon receipt of a CUP from the County of Riverside and has operated continuously since that time at its current location. It therefore qualifies for a CUP to permit its expansion; and

WHEREAS, on March 9, 2016, the Planning Commission held a duly noticed public hearing to consider Conditional Use Permit 16-1-1012. Evidence both written and oral, including the staff report and supporting documents, was presented at said hearing. At the conclusion of the hearing, the Planning Commission approved this Resolution for Conditional Use Permit 16-1-1012, as conditioned.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF INDIO, CALIFORNIA, HEREBY RESOLVES, FINDS AND DETERMINES AS FOLLOWS:

<u>Section 1</u>. The Planning Commission hereby specifically finds that all of the facts set forth in the recitals of this Resolution are true and correct.

<u>Section 2.</u> Based upon the evidence presented at the hearing, including the staff report, the Planning Commission hereby finds:

1. The location of the Proposed Use is in accord with the objectives of Title XV of the Indio Municipal Code and the purpose of the Chapter 159 of the Indio Municipal Code related to recreational vehicle and travel trailer parks. The zoning regulations of the City are adopted to protect, promote and enhance the public health, safety and general welfare, ensuring that developments within the City is related to the City's ability to provide essential urban services and is consistent with the City of Indio General Plan 2020 ("General Plan"). The purpose of this CUP is to ensure that the Proposed Use is consistent with the provisions of Chapter 159 addressing RV parks that have been in existence and currently operating since June 15, 1994. The conditions of approval list many requirements to protect and enhance the public health, safety and general welfare, and the Applicant must submit detailed plans showing compliance with all of the conditions of approval. Conditions relating to fire prevention and law enforcement will promote the safety of guests and visitors to the Proposed Use and prevent the site from burdening public safety resources during major music festivals. Furthermore, the objectives of Title XV of the Indio Municipal Code includes ensuring that public and private lands ultimately are used for the purposes which are most appropriate and most beneficial to the City as a whole... The Planning Commission believes that the most appropriate use of the Property at this time is as an RV park that can house visitors to the City host special community events, particularly during the City's music festivals. This use will support the community and will bring in people who need to stay within an RV park while travelling or visiting the City. Thus, the Planning Commission finds that the proposed Project is in accord with the objectives of Title XV ("Land Usage").

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- 2. The location for the Proposed Use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, and welfare, nor be materially injurious to properties or improvements in the vicinity. The Applicant is required to conduct the Proposed Use in an orderly manner and it must be contained entirely within the area as represented in the site plan. The Applicant must satisfy the requirements of Burrtec Waste Management regarding solid waste, trash and recycling materials. These conditions prevent the Proposed Use from being detrimental to the public health, safety or welfare. Conditions relating to fire prevention and law enforcement will promote the safety of guests and visitors to the RV park and prevent the site from burdening public safety resources during major music festivals. The conditions of approval prevent material injury to properties or improvements in the vicinity. Therefore, the Planning Commission finds that the location of the Proposed Use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, and welfare, nor be materially injurious to properties or improvements in the vicinity.
- 3. The Proposed Use will comply with each of the applicable provisions of Title XV of the Indio Municipal Code, which, in this case, is specifically governed by Chapter 159 of the Indio Municipal Code related to recreational vehicle and travel trailer parks and allowing modification and/or expansion of existing RV parks with approval of a Conditional Use Permit. In addition, the Zoning Ordinance is intended to ensure that private lands ultimately are used for the purposes which are most appropriate and most beneficial to the City as a whole. Recreational vehicle and travel trailer parks in operation for more than twenty years have demonstrated their viability in their current locations. They therefore are considered appropriate in their current locations and should be permitted uses in accordance with the Zoning Ordinance. This CUP will allow a minor expansion of the RV park to ensure that it remains economically viable at its current site. Therefore, the Planning Commission finds that the proposed conditional use will comply with each of the applicable provisions of

Title XV.

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- 4. According to the City of Indio's General Plan 2020 ("General Plan"), all new recreational vehicle park development to occur within the Residential Medium Mobile Home Park Developed designation in accordance with General Plan Land Use Police 2.5. However, because the Shadow Hills RV Resort was established prior to the development standards contained in the General Plan, this park was not required to comply with them. Ordinance No. 1687 ensures that older RV parks are allowed to continue operating at their existing sites without the undue burden of meeting each and every development standard applicable to new RV parks established in the City after 1994. The Planning Commission believes that issuance of this CUP is consistent with the intent of the General Plan because the Shadow Hills RV Resort is not a new RV park and the minor additions proposed herein do not substantially change the park. The proposed use will also further the City's economic development objectives by encouraging the economic viability of existing recreational vehicle and travel trailer parks within the City and therefore will substantially conform to the goals and objectives of the General Plan 2020. Therefore, the Planning Commission finds that the Project complies with the goals, objectives, and policies of the City's General Plan.
- 5. The Proposed Use has been environmentally reviewed pursuant to the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines and the City has determined that the Proposed Use is exempt under Section 15301 (Existing Facilities), because the applicant is requesting to permit an existing RV resort that has been in operation since 1984. In addition, the City has determined that the Proposed Use is exempt under Section 15303 (New Construction or Conversion of Small Structures), because the applicant is proposing to expand the use by utilizing the adjacent 4 acres on a temporary basis and to add 11 new permanent RV lots. The proposed expansion of the facility will not result in any new construction. Moreover, the City has determined that the Proposed Use is exempt under section 15061(b)(3), because the Proposed Use will not result in a direct or reasonably foreseeable indirect physical change in the environment nor does the Proposed Use have the potential for causing a significant effect on the environment since the use is contained entirely within the Property. Therefore, the Planning Commission finds that this project is exempt under CEQA and there is no need for further environmental review.

<u>Section 3.</u> Based on the foregoing findings, the Planning Commission hereby approves Conditional Use Permit 16-1-1012, subject to the following conditions of approval:

### **Development Services Department:**

1. The Applicant shall ensure that the Proposed Use complies with all applicable local, State, and federal guidelines and requirements, including but not limited to the Special Occupancy Park Act (the "Act"), Health & Safety Code Sections 18860

et seq., and its implementing regulations found at Title 25 Cal. Code Regs. 2000 et seq.

 This Conditional Use Permit (CUP 16-1-1012) grants a total of 135 RV lots within the permanent site (exiting 10 acres), which includes 124 regular RV lots and 11 vintage RV spaces for vintage trailers to be established around the existing small pond for renting purposes.

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- 3. Issuance of this permit is based upon the project area of 14 acres encompassing the RV Park's 10-acre parcel and the adjacent, undeveloped 4-acre parcel located west of the 10-acre parcel in which the Applicant holds a leasehold interest. Applicant is required to notify the Development Services Department of any change to the use status of the westerly 4 acre site. Should this property no longer be available for use by the Applicant, this Conditional Use Permit (CUP 16-1-1012) shall be revisited by the Planning Commission. In that case, no major special event shall be conducted until the permit has been revisited.
- 4. The Applicant shall satisfy all applicable Burrtec Waste Management requirements regarding solid waste, trash and recycling materials. The applicant shall ensure that trash and recycling enclosures are of adequate size to contain and obscure from view the receptacles and materials therein.
- 5. Maximum occupancy for Shadow Hills RV Resort shall be 1,250 persons. A Special Event Permit shall be required for any activity, event or function proposed to exceed 1,250 persons. Special Event Permits shall be submitted to the City (Community Services manager) at least 60 days prior to the event.
- 6. The applicant and/or permit holder shall be responsible for the assurance of the number of attendees on site and under no situation the number of attendees within the Shadow Hills RV Resort (including temporary usage of 4 acres to the west of the permanent facility) shall exceed 1,250 persons, the maximum allowed, without securing a Special Event Permit.
- 7. The events that are exclusive to the Shadow Hills Resort's guests do not require any additional land use permit (Special Use, Temporary Use, or Special Events permit). However, based on the event the venders and/or service providers might need to obtain a City businesses license.
- 8. Special events with less than 200 attendees that do not involve the sale of an event ticket shall be permitted.
- 9. For any special event with attendance ranging from 200 to 500 persons or with ticket sales of up to 500 persons, the applicant shall inform the Development Services Director of the event via email or a letter at least two (2) weeks prior to said event. The Director shall review the event information, identify if additional information is necessary and grant or deny the event.

10. For any special event with attendance ranging from 501 to 1,250 persons, a Special Event Permit shall be required. The application material shall include a detailed site plan and project description and shall be submitted to the Development Services Department at least 60 days prior to the event for review and approval by the Development Services Director.

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- 11. In the event of any court action or proceeding challenging the approval of this resolution or otherwise challenging the Proposed Use, or the environmental review conducted in conjunction with this Proposed Use, the Applicant shall defend, at its own expense, the action or proceeding. In addition, the Applicant shall reimburse the City for the City's cost of defending any such court action or proceeding. The Applicant shall also pay any award of costs, expenses and fees that the court having jurisdiction over such challenge makes in favor of any challenger and against the City. The Applicant shall cooperate with the City in any such defense as the City may reasonably request and may not resolve such challenge without the agreement of the City. In the event the Applicant fails or refuses to reimburse the City for its cost to defend any challenge to the approval of the Proposed Use, or the environmental review conducted in conjunction with this Proposed Use, the City shall have the right, among other remedies, to revoke this CUP approval. In order to ensure compliance with this condition, within twenty (20) days after notification by the City of the filing of any claim, action or proceeding to attack, set aside, void or annul the approval of this CUP or the Proposed Use, the Applicant shall deposit with the City cash or other security in the amount of ten thousand dollars (\$10,000), satisfactory in form to the City Attorney, guaranteeing indemnification or reimbursement to the City of all costs related to any action triggering the obligations of this condition. If the City is required to draw on that cash or security to indemnify or reimburse itself for such costs, the Applicant shall restore the deposit to its original amount within thirty (30) days after notice from the City. Additionally, if at any time the City Attorney determines that an additional deposit is necessary to secure the obligations of this section, the Applicant shall provide such additional security within thirty (30) days of notice from the City Attorney. The City shall promptly notify the Applicant of any claim, action or proceeding within the scope of this condition.
- 12. The Applicant shall obtain and maintain a City business license, and it must be posted at the business.
- 13. The applicant shall be responsible for the tenants/vendors proper State and/or City licensing.
- 14. When applicable, all tenants/vendors shall obtain a City business license with proper address and personal information including State's VALID seller's permit, and leased contract with the applicant. The said items must be made available upon request. Tenants/vendors shall acknowledge that any personally identifiable information provided by vendor, including but not limited to name, address, telephone number, and license number is a matter of public record and may be released to a member of public, upon written request under certain circumstances.

- 15. The uses allowed by this Conditional Use Permit (CUP 16-10-1012) shall be conducted in an orderly manner and shall be contained entirely within the existing 10-acre parcel encompassing the existing Shadow Hills RV Resort and, when permitted, the adjacent 4-acre parcel west of the existing park.
- 16. The Proposed Use shall arrange all permanent facilities and lots in accordance with the approved site plan attached to this Resolution as Exhibit C. Site plans for special events shall be submitted, reviewed, and approved in accordance with the applicable review or permit process.
- 17. Loading and unloading of goods and people on Jefferson Street is prohibited.
- 18. The property owner and/or the applicant is responsible for the collection of any trash or debris on or adjacent to the property if said items were generated from the operation, tenants or visitors of the Shadow Hills RV Resorts.
- 19. The applicant may upgrade the existing temporary kitchen to a certified commercial kitchen by complying with all applicable local and State guidelines and requirements.
- 20. The Applicant shall, within thirty (30) days of approval of this Resolution, submit to the Development Services Director its written consent to all of the conditions of approval contained in this Resolution without amendment. CUP 16-1-1012 shall be void and of no force or effect unless such written consent is submitted to the City within the 30-day period.

#### **Building and Safety Division:**

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- 21. For any special event requiring City approval, the applicant shall submit plans for any proposed structures (temporary or permanent) to show how the units are secured and properly and adequately connected to power, water, and sewer.
- 22. For any special event requiring City approval, the applicant shall submit plans for review and approval by demonstrating that the existing private sewer systems can handle the increase in volume.
- 23. The applicant shall provide copies of Riverside County Health Department inspections for the Shadow Hills RV Resort's sewer and water systems to the City, in a timely manner

#### Public Works Department:

24) The applicant shall submit an as-built grading plan to the City's Public Works Department for review and approval.

\* ALUC SUBMITTAL

#### Indio Fire Department:

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#### FIRE SAFETY REQUIREMENTS FOR EMERGENCY VEHICLE ACCESS

For any special event requiring City approval, the City of Indio Fire Services/Riverside County Fire Department will conduct fire inspections for Emergency Vehicle access, and enforce fire protection standards, when applicable. Inspections will consist of certifying that all access points utilized in the event area have met the required standards. All access points maybe be inspected before opening day and during the event operation. Those access points, which do not meet the minimum fire safety standards on the day of inspection, will be required to comply with prior to conducting business. The following is a list of the most common fire safety violations that the fire inspectors will be checking for:

- 25. The applicant shall ensure that emergency vehicle access roads have an unobstructed width of not less than 20 feet and unobstructed vertical clearance of not less than 13 feet 6 inches. This shall apply to all areas of the event/venue site, including but not limited to parking lots (on site and off site), camping areas, internal event/venue roads, etc.
- 26. The applicant shall note that when planning and identifying emergency vehicle access roads, guide lines (wire or rope), anchor points and any other securing device for temporary structures need to be considered obstructions. Therefore, these items cannot extend into emergency vehicle access roads.
- 27. Where required, the applicant shall install and maintain signs or other approved notices for fire apparatus access roads (fire lanes) to identify such roads and prohibit the obstruction thereof or both.
- 28. The applicant shall clearly identify vehicle parking areas and camping areas. Row identification markers shall be provided for each location. A parking/camping site map shall be provided to the Indio Fire Department for approval.
- 29. The applicant shall ensure that fire hydrants which are behind a temporary fence shall have a means to access the hydrant from the road side access.
- 30. The applicant shall ensure that fire hydrants which are screened from view shall have a sign posted on the road side access indicating the Fire hydrant location. Sizing and font size of such signs shall be approved by the Indio Fire Department, prior to installation.
- 31. The applicants shall ensure that all drive isles within all camping areas shall be designated as "FIRE LANES". Fire Lanes shall NOT be obstructed at any time.

The applicant shall submit a scaled site plan indicating all drive isles, access points, entry/exit gates, fire hydrants, temporary power supplies, stages, to the Indio Fire Department for review and approval.

#### FIRE SAFETY REQUIREMENTS FOR STAGES

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For any special event requiring City approval, the City of Indio Fire Services/Riverside County Fire Department may conduct fire inspections for all stages, and enforce fire protection standards for the special event. Inspections will consist of certifying that all stages utilized have met the required standards. All stages may be inspected before opening day and/or during the event. Those stages, which do not meet the minimum fire safety standards on the day of inspection, will be required to comply prior to conducting business. The following is a list of the most common fire safety violations that the fire inspectors will be checking for:

- 32. The applicant shall ensure that a minimum of two (2) <u>fire extinguishers with a</u> <u>minimum rating of 2A10BC</u>, with a California State Fire Marshal approved service tag that reflects a current inspection date, shall be required for each stage/platform. Additional fire extinguishers maybe required depending on the square footage of the stage. The inspection date shall be within the last twelve months.
- 33. The applicant shall ensure that all electrical components shall meet all applicable codes and standards as contained in the State of California CCR Title 24.
- 34. The applicant shall ensure that combustible material shall not be stored under the stage/platform, including any adjacent area next to the stage/platform that is directly connected to the stage/platform.
- 35. Smoking shall be prohibited on the stage/platform. Smoking shall be prohibited within 20 feet of the stage/platform. No smoking signs shall be mounted on the stage/platform.
- 36. No portable generators will be allowed. All power needed for your stage/platform shall be provided by the event electrical contractor.

#### FIRE SAFETY REQUIREMENTS FOR CAR CAMPING AREA

For any special event requiring City approval, the City of Indio Fire Services/Riverside County Fire Department will conduct fire inspections of the various car camping areas, and enforce fire protection standards for the special event. The following is a list of the requirements for approval of outdoor cooking appliances:

- 37. All cooking appliances shall bear a certification or listing from a nationally recognized test or certification organization.
- 38. A minimum of 3 feet of clearance shall be maintained at all times while cooking appliance is in use. No combustible material shall be within 3 feet of the cooking appliance.
- 39. Cooking appliance that only utilizes propane as the fuel source shall be permitted. No wood, charcoal, flammable/combustible liquid cooking appliances or items permitted.

40. One cooking appliance per camp site shall be permitted.

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- 41. Maximum amount of propane per campsite shall not exceed 20 pounds or 48 pounds of water capacity.
- 42. Cooking appliances shall only be used during the hours of 7:00am to 11:00 pm (PST).
- 43. Cooking appliances, when in use, shall not be left unattended.
- 44. Campfires, fire pits, fire cages or any other open flame device are not permitted anywhere on the event site, unless it is reviewed on a case-by-case basis by the Fire Marshal.
- 45. The use of any type of heating appliance is not permitted anywhere on the event site.
- 46. The use of portable generators are not permitted anywhere on the event site.
- 47. Fire lanes shall remain unobstructed at all times.
- 48. Rules & Safety Tips shall be posted on the Shadow Hill RV Resort web site; posted at each camping site and included as a handout to all campers.

#### FIRE SAFETY REQUIREMENTS FOR TEMPORARY RV CAMPING

For any special event requiring City approval, the City of Indio Fire Services/Riverside County Fire Department will conduct fire inspections of the various camping areas, and enforce fire protection standards for the special event. The following is a list of the requirements:

- 49. Campfires, fire pits, fire cages or any other open flame device are not permitted anywhere on the event site.
- 50. The use of an outdoor cooking appliance is not permitted anywhere on the festival site. The only exception is; RV's may use their factory installed interior cooking appliance.
- 51. The use of any type of heating appliance is not permitted anywhere on the festival site. The only exception is; RV's may use their factory installed interior climate control appliances.
- 52. The use of portable generators are not permitted anywhere on the event site. The only exception is; RV's may use their factory installed generators. However if the exhaust vapors present a health hazard; the generator will not be permitted to be utilized.

53. Fire lanes shall remain unobstructed at all times. Examples of obstructions include, but are not limited to; rear drop gates, tables & chairs, outdoor games, and bicycles.

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54. Rules & Safety Tips shall be posted on the Shadow Hills RV Resort web site; posted at each camping site and included as a handout to all campers.

#### FIRE SAFETY REQUIREMENTS / TO ALL EXHIBITORS AND CONCESSIONAIRES

For any special event requiring City approval, the City of Indio Fire Services/Riverside County Fire Department may conduct fire inspections for all concessions, and enforce fire protection standards for the special event. Inspections will consist of certifying that all participants in the event area have met the required standards. All concessions and exhibits will be inspected before opening day and/or during the event. Those exhibits and concessions, which do not meet the minimum fire safety standards on the day of inspection, will be required to comply prior to conducting business. The following is a list of the most common fire safety violations that the fire inspectors will be checking for:

- 55. Minimum of one (1) fire extinguisher with a minimum rating of 2A10BC, with a California State Fire Marshal approved service tag that reflects a current inspection date, shall be required for each concession using any type of open flame device. The inspection date shall be within the last twelve months.
- 56. Multi-plug connections, frayed/broken electrical extension cords, or cords with less than 12-gage wiring are prohibited.
- 57. All L.P.G. tanks (empty or full) shall be secured with a small chain or other approved device and kept a safe distance from open flame. L.P.G. tanks can be placed into plastic milk crates for protection.
- 58. Cooking that requires the use of a deep fat fryer(s) shall provide a minimum of one Class K portable fire extinguisher. Class K extinguisher shall be a minimum of 1.5 gallon in capacity.
- 59. No portable generators will be allowed. All power needed for your booth shall be provided by the event electrical contractor.
- 60. Outdoor cooking that produces sparks or grease-laden vapors shall not be performed inside a tent or booth.
- 61. All cooking devices shall be in good working condition. All cooking equipment shall be restricted to UL approved commercial cooking appliances only.
- 62. All cooking devices shall be on a flat stable surface.
- 63. If wood, charcoal or any other type of approved solid burning material is utilized, the material shall be stored away from any combustible material and usage shall be confined to a cooking device designed for such use/material. All hot material

shall be disposed of in a proper container designed for the hot material. Hot material shall not be stored near combustible material. There shall be a method in place to prevent any combustible material from coming in direct contact with the discarded hot material.

64. Portable vendor carts shall be prohibited from the use of any combustible liquid or gas fuel for the purpose of providing lighting to said carts.

#### FIRE SAFETY REQUIREMENTS FOR TENT CAMPING AREA

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For any special event requiring City approval, the City of Indio Fire Services/Riverside County Fire Department may conduct fire inspections of the various tent camping areas, and enforce fire protection standards for the special event.

- 65. The City of Indio Fire Services/Riverside County Fire Department may conduct fire inspections of the various tent camping areas, and enforce fire protection standards for the Festival.
- 66. Campfires, fire pits, fire cages, cooking appliances or any other open flame device are not permitted anywhere on the event site.
- 67. The use of any type of heating appliance is not permitted anywhere on the event site.
- 68. The use of portable generators are not permitted anywhere on the event site.
- 69. Fire lanes shall remain unobstructed at all times. Rules & Safety Tips shall be posted on the Shadow Hills RV Resort web site; posted at each camping site and included as a handout to all campers.

#### FIRE SAFETY REQUIREMENTS FOR PERMANENT RV CAMPING SPACES

For any special event requiring City approval, the City of Indio Fire Services/Riverside County Fire Department will conduct fire inspections and enforce fire protection standards for the special event. The following is a list of the requirements for approval of outdoor cooking appliances:

- 70. All cooking appliances shall bear a certification or listing from a nationally recognized test or certification organization.
- 71. A minimum of 3 feet of clearance shall be maintained at all times while cooking appliance is in use. No combustible material shall be within 3 feet of the cooking appliance.
- 72. Cooking appliance that only utilizes propane as the fuel source shall be permitted. No wood, charcoal, flammable/combustible liquid cooking appliances or items permitted.
- 73. One cooking appliance per camp site shall be permitted.

- 74. Maximum amount of propane per campsite shall not exceed 20 pounds or 48 pounds of water capacity.
- 75. Cooking appliances shall only be used during the hours of 7:00am to 11:00 pm (PST).
- 76. Cooking appliances, when in use, shall not be left unattended.

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- 77. Campfires, fire pits, fire cages or any other open flame device are not permitted anywhere on the event site.
- 78. The use of any type of heating appliance is not permitted anywhere on the event site. The only exception is; RV's may use their factory installed interior climate control appliances.
- 79. The use of portable generators are not permitted anywhere on the event site. The only exception is; RV's may use their factory installed generators. However if the exhaust vapors present a health hazard; the generator will not be permitted to be utilized.
- 80. Fire lanes shall remain unobstructed at all times.
- 81. Rules & Safety Tips shall be posted on the Shadow Hill RV Resort web site; posted at each camping site and included as a handout to all campers.

#### TENTS AND MEMBRANE STRUCTURE REQUIREMENTS

For any special event requiring City approval, the City of Indio Fire Services/Riverside County Fire Department may conduct fire inspections for all tents, and membrane structures, and enforce fire protection standards for the special event. Inspections will consist of certifying that all participants in the event have met the required standards. All tents, canopies, and membrane structures may be inspected before opening day, and/or during the event. Those tents, canopies and membrane structures, which do not meet the minimum fire safety standards on the day of inspection, will be required to comply prior to occupancy.

- 82. Permits shall be obtained from the Fire Department, for any tent, membrane structure, or canopy (or grouping of) that exceed 400 square feet. Ref. CFC 3103.2.
- 83. Shall provide to the Fire Department for review, a site map indicating the location and size of each tent, canopy, and membrane structure.
- 84. Minimum number of means of egress and means of egress widths shall be determined using table 3103.12.2, of the CFC.\Exiting lighting shall conform to Section 3103.12.6 of the CFC.

85. Minimum size fire extinguisher shall be a 2A10BC.

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- 86. Fire extinguishers shall not be mounted higher than 5 feet (top of fire extinguisher) from the ground level.
- 87. Travel distance to a fire extinguisher shall not exceed 75 feet.
- 88. No Smoking" signs shall be posted in a conspicuous location throughout the tent, canopy and membrane structure.
- 89. Shall meet all requirements as set forth in Chapter 31 of the California Fire Code (CFC), 2013 edition.
- 90. Shall provide certificate of acceptance for meeting the State Fire Marshals flame retardant certification.

#### ADDITIONAL FIRE SAFETY REQUIREMENTS

For any special event requiring City approval, the City of Indio Fire Services/Riverside County Fire Department may conduct fire inspections and enforce fire protection standards for the special event. Inspections will consist of certifying that all participants in the event have met the required standards. Inspections shall be conducted on or before opening day, or during the event. Those areas which do not meet the minimum fire safety standards on the day of the inspection will be required to comply. The following is a list of additional requirements:

- 91. The applicant shall provide to the Indio Fire Department a layout for camping areas, to scale including row designators.
- 92. The applicant shall provide to the Indio Fire Department a seating layout for all stage/platform areas.
- 93. The applicant shall identify and mark path of travel for disable persons, to and from "handicap" seating area.
- 94. The applicant shall obtain necessary permits from the Indio Fire Department.
- 95. The applicant shall ensure that all Water Tenders (Water Trucks) shall be equipped with the capabilities to transfer their water from the Water Tender to the pump intake of the Indio Fire Departments Fire Engines.
- 96. The applicant shall provide a scaled site plan delineating all tents, art displays, stages, vendors (not located inside a tent), and any other display that would utilize available open space for the event.
- 97. The Fire Code Official, upon finding any overcrowding conditions or obstructions in aisles, passageways or other means of egress, or upon finding any condition which

constitutes a life safety hazard, shall be authorized to cause the event to be stopped until such condition(s) or obstruction(s) is corrected.

- 98. The applicants shall ensure that the secondary gate on Jefferson Street is operable and equipped to a Knox box key entry lock.
- 99. The applicant shall provide trained crowd managers personnel for events where more than 1,000 persons congregate. The minimum number of crowd managers shall be established at a ratio of one crowd manager to every 250 persons.

The applicant shall provide the Indio Fire Department with a Fire Safety Plan for review and approval.

#### Indio\_Police Department (IPD):

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- 100.) The applicant shall install "No Trespassing/Loitering" signs at all driveway and pedestrian entrances. The Applicant shall file, and keep on file, "No Trespass Authorizations Forms" with the Indio Police Department.
- 101. The applicant shall proactively enforce all "No Trespassing" and "No Loitering" laws and report all crimes to the Indio Police Department.
- 102. The applicant shall not block any emergency access areas as specified by Indio Fire Department.
- 103. The applicant shall ensure all signs, flags, or other displays advertising the proposed events are properly permitted by the City of Indio.
- (04.) The applicant shall submit complete floor plans of any new structures and existing structures and landscaping plans to the Indio Police Department in high resolution "PDF" format for any Major Special Events.
- 105. To control and abate unnecessary, excessive and annoying noise and vibration, the applicant shall comply with the City's noise restrictions and regulations as outlined in the Indio Municipal Code.
- 106. For all events that require a City permit, the applicant shall provide sufficient numbers of security personnel to ensure public safety. A security plan shall be submitted to Indio Police Department for review and approval, prior to the event.
- 107. During the major special events, the applicant shall reimburse the City of Indio for all costs associated with an emergency call-out for public safety emergencies requiring additional resources beyond an initial public safety personnel deployment.
- 108. It is the responsibility of the applicant and his or her successors in interest to comply with all above conditions of approval.

109. Violation of any of the above conditions of approval and regulation, or violation of any State and federal law by vendors, vendor's agent, employees, applicant, applicant's agent, or applicant's employees, and/or guests may be cause for revocation of this Conditional Use Permit (CUP 16-1-1012).

<u>Section 4.</u> The Planning Commission Secretary shall certify to the passage, approval, and adoption of this Resolution.

**PASSED, APPROVED, and ADOPTED** this 9<sup>th</sup> day of March, 2016, by the following vote, to wit:

AYES: NOES: ABSENT: ABSTAIN:

> GLORIA FRANZ Planning Commission Chair

ATTEST

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ELSA CORONA Planning Commission Secretary

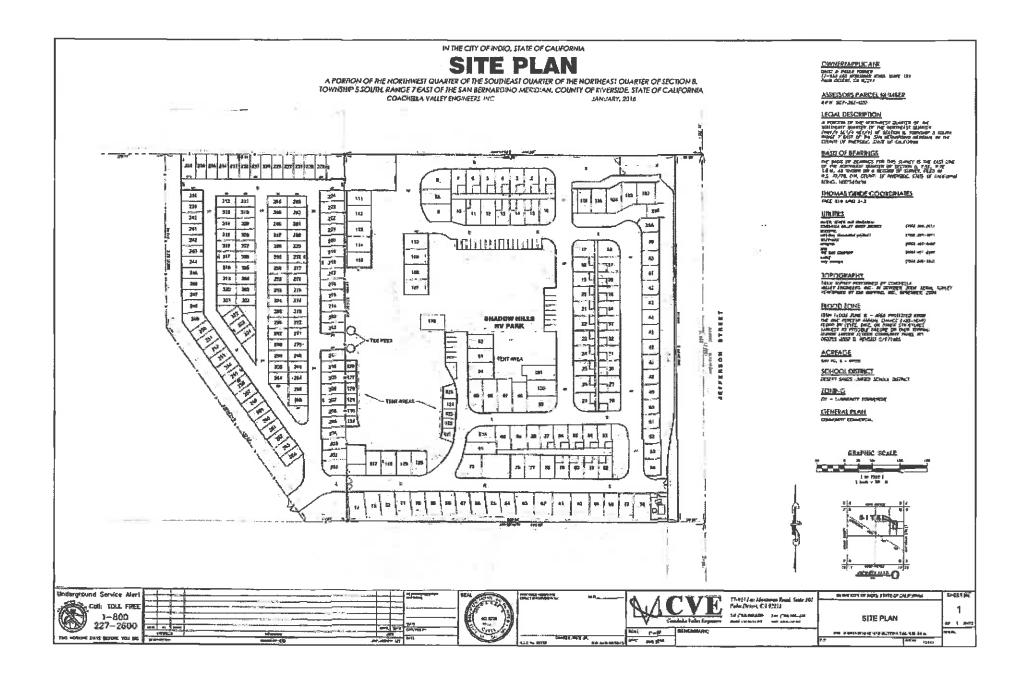
Conditional Use Permit 16-1-1012 Planning Commission – March 9, 2016 Shadow Hills RV Resort

## ATTACHMENT C

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Site Plan



Conditional Use Permit 16-1-1012 Planning Commission – March 9, 2016 Shadow Hills RV Resort

Attachment D Ordinance No. 1687

#### ORDINANCE NO. 1687

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ORDINANCE OF THE CITY COUNCIL, OF THE CITY OF INDIO, CALIFORNIA, TO AMEND SECTION 159.556 OF THE INDIO MUNICIPAL CODE REGARDING ZONING REGULATIONS APPLICABLE TO RECREATIONAL VEHICLE AND TRAVEL TRAILER PARKS ESTABLISHED PRIOR TO JUNE 15, 1994, SECTION 159.557 REGARDING APPROVAL OF TEMPORARY RECREATIONAL VEHICLE AND TRAVEL TRAILER PARKS, AND SECTION 130.020 REGARDING CAMPING CONDUCTED AT RECREATIONAL VEHICLE AND TRAVEL TRAILER PARKS

THE CITY COUNCIL OF THE CITY OF INDIO, CALIFORNIA, HEREBY ORDAINS AS FOLLOWS:

<u>Section 1</u>. Section 159.556 (Regulations and Standards) of Chapter 159 (Zoning Regulations) of the Indio Municipal Code is hereby amended in its entirety to read as follows:

(A) A recreational vehicle or travel trailer park established prior to, and continually operated since, June 15, 1994, shall be permitted in any land use district in which it currently operates, subject to the following regulations and standards:

(1) Expand or modify its size or number of permitted spaces, as existed on June 15, 1994, only upon approval of a conditional use permit. A conditional use permit may include conditions relating to the conduct of special events.

(2) Comply with all applicable State laws and City ordinances regulating the operation and design of recreational vehicle and travel trailer parks, except for the standards set forth in subsection (B).

(B) Recreational vehicle and travel trailer parks established after June 15, 1994, shall be permitted exclusively in the RM district and shall be subject to the Specific Plan Implementation requirements pursuant to §§ 159.950 through 159.958. The required land use designation shall be MHPD (Mobile Home Planned Development). The following regulations and standards shall supplement development standards enumerated for RM zoned property. When conflicting, the standards imposing the more stringent requirement shall prevail. These supplemental development standards shall only apply to new development or conversions subsequent to June 15, 1994.

- Minimum site size shall be ten acres.
- (2) Density shall not exceed 12 spaces per gross acre.
- (3) One shade tree per space shall be required.
- (4) The minimum space size shall be 30 feet in width by 65 feet in length.

(5) "Park Models" and other permanent or semi-permanent residential units shall be prohibited, except that one permanent residential structure may be permitted as a caretakers residence.

(6) Interior streets shall be a minimum of 24 feet wide. Rolled curbs may be

permitted.

(7) Decorative block walls shall be required around the perimeter of all projects. The minimum height shall be eight feet when measured from the interior grade and six feet when measured from the exterior grade.

(8) A minimum of 75% of the spaces shall be installed with sewer, water and electricity.

(9) A minimum of 25 percent of the site shall be maintained as common landscaped open space such as golf courses, tennis courts, and trails, but not to include recreation rooms, laundry rooms, offices, restrooms or other common structures or buildings.

(10) Each space shall be improved with concrete or other acceptable hard surface.

(11) Design review shall be required for all structures, landscaping, screening, street layout, recreational facilities, etc.

(12) Solid waste and recycling enclosures shall be required."

<u>Section 4.</u> Section 159.557 (Temporary Parks) of Chapter 159 (Zoning) of the Indio Municipal Code is hereby amended in its entirety to read as follows:

"Temporary recreational vehicle or travel trailer parks may be permitted on private or public property in any land use district upon approval of a permit issued by the Director of Development Services, subject to the following conditions and regulations:

- (A) Shall be permitted for no more than 21 days in any one calendar year.
- (B) A minimum of ten feet between vehicles or trailers shall be required.
- (C) Aisle ways shall be a minimum of 24 feet in width.
- (D) Toilets, if provided, shall be permitted at a rate of no more than one per fifteen spaces and shall be emptied daily by an approved method.
- (E) Fire hydrants shall be no more than 500 feet from any space.
- (F) Electrical, sewer and water hookups shall be prohibited.
- (G) Provisions for solid waste and recycling collection shall be made.
- (H) Provisions for dust control shall be made.
- No waste water shall be discharged on to the open ground surface or into city streets.
- (J) Other conditions to assure that the temporary recreational vehicle or travel trailer park will not adversely affect adjoining properties, public or private, or the public health, safety, and general welfare.
- (K) A permit issued by the Director of Development Services under this section may be revoked for violations of this section. The operator shall be given seventy two hours to correct violations or cease operation."

<u>Section 5.</u> Section 130.020 (When Prohibited) of Chapter 130 (Offenses Against Persons or Property) of the Indio Municipal Code is hereby amended to add a new Subsection (C)(3) to read as follows:

"(3) This division shall not prohibit camping at the site of a legally operating

recreational vehicle or travel trailer parks permitted in accordance with Sections 159.556 or 159.557."

Section 6. CEQA. This ordinance was assessed in accordance with the criteria contained in the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines. The City Council finds that adoption of this ordinance will not have a significant environmental impact on the environment and is exempt from CEQA pursuant to Section 15061(b)(3) of State CEQA Guidelines because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. Alternatively, this ordinance is exempt from CEQA pursuant to Section 15305 because it involves a minor alteration in land use limitations and it would not result in any changes in land use or density. The primary effect of this ordinance will be to permit existing recreational vehicle and travel trailer parks to continue operating at their current locations, and therefore the land use at those locations will remain the same.

<u>Section 7.</u> The City Clerk shall certify to the adoption of this Ordinance and shall cause the same to be published or posted in the manner prescribed by law.

Section 8. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, the remaining portions of this ordinance shall nonetheless remain in full force and effect. The City Council and voters of the City of Indio hereby declare that they would have adopted each section, subsection, sentence, clause, phrase, or portion of this ordinance, irrespective of the fact that any one or more

PASSED, APPROVED AND ADOPTED this 3rd day of February, 2016, by the following vote:

AYES: Holmes, Strange, Wilson, Miller NOES: None ABSENT: Ramos Watson

Jenn Miller

**GLENN MILLER, MAYOR** 

ATTEST: CYNTHIA HERNANDEZ. CMC **CITY CLERK** 

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# **RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION**

#### **STAFF REPORT**

#### **ADMINISTRATIVE ITEMS**

4.1 <u>Director's Approvals.</u> During the period of August 22, 2016 through September 23, 2016, as authorized pursuant to Section 1.5.2(d) of the 2004 Riverside County Airport Land Use Compatibility Plan, ALUC Director Ed Cooper reviewed six ALUC cases within western Riverside County and issued determinations of consistency.

ZAP1079RI16 (Riverside Municipal AIA, Zone E) pertains to City of Jurupa Valley Case No. SDP31436 (Site Development Permit), a proposal to construct a 64 foot tall faux water tower wireless communications facility within a 625 square foot enclosure with an 84 square foot equipment area in the existing Pedley Metrolink Station parking lot located on a 4.4-acre site at 6001 Pedley Road (on the westerly side of Pedley Road, northerly of Limonite Avenue and easterly of Van Buren Boulevard). The elevation of the site is 733 feet above mean sea level (AMSL), and the top point of the tower would be 797 feet AMSL. This top point would exceed the elevation of the runways at Riverside Municipal Airport by up to 40 feet; however, as the site is located more than 10,000 feet from the runways at this airport, elevations up to 867 feet AMSL at this site would not require notification to the Federal Aviation Administration (FAA) Obstruction Evaluation Service. Therefore, ALUC did not require FAA review for height/elevation reasons. ALUC Director Ed Cooper issued a determination of consistency for this project on August 22, 2016.

ZAP1208MA16 (March AIA, Zone E) pertains to City of Riverside Case Nos. P14-0225 (Conditional Use Permit) and P14-0227 (Design Review), which propose a 117-unit, three-story senior apartment complex on 3.75 acres located northerly of Dominion Avenue (which is proposed to be vacated), westerly of Division Street, and easterly of McMahon Street, in the area of the City northerly of Arlington Avenue and easterly of Highway 91. Residential density is not restricted in Zone E. The elevation of the site is more than 500 feet lower than the elevation of March's Runway 14-32, but the site is also located less than 20,000 feet from the runways at Riverside Municipal Airport. The site is 19,700 feet from the southerly terminus of Runway 16-34, which has an elevation of 747 feet AMSL. At this distance, any structure with a top point elevation exceeding 944 feet AMSL would require FAA review. The site's finished floor elevation is 901 feet AMSL, and the tallest building height is 42 feet, resulting in a maximum top point elevation of 943 feet AMSL. Therefore, ALUC did not require FAA review for height/elevation reasons. A condition was applied limiting height to 42 feet and maximum elevation to 943 feet AMSL, requiring FAA review if these numbers are exceeded. ALUC Director Ed Cooper issued a determination of consistency for this project on August 26, 2016.

ZAP1209MA16 (March AIA, Zone D) pertains to City of Riverside Case No. P16-0207 (Design Review), a proposal to construct a 1.93-acre auxiliary parking lot with landscaping and lighting as an extension of an existing 9.32-acre parcel developed with an auto dealership, located at 6050 Sycamore Canyon Boulevard (on the easterly side of Sycamore Canyon Boulevard, northerly of Crest Ridge Drive, westerly of Quail Valley Court, and southerly of Highway 60). Nonresidential intensity is not restricted in Zone D of the March AIA. The elevation of March's Runway 14-32 at its northerly terminus is 1,535 feet AMSL, and the site is located approximately 17,900 feet from that point. At this distance, FAA review would be required

for structures with a top point elevation exceeding 1714 feet AMSL. The site elevation is 1535 feet AMSL, and the parking lot light standards would be 18 feet in height, for a top point elevation of 1553 feet AMSL. Therefore, FAA review for height/elevation reasons was not required. ALUC Director Ed Cooper issued a determination of consistency for this project on August 26, 2016.

ZAP1080RI16 (Riverside Municipal AIA, Zone D) pertains to City of Riverside Case Nos. P15-0958 (Conditional Use Permit), P15-0959 (Design Review), and P15-1105 (Tentative Parcel Map). P15-0958 and P15-0959 involve a proposal to construct two commercial retail buildings totaling 16,607 square feet, a 6,029 square foot express car wash, 7,221 square foot vacuum station, and 1,081 square foot detail station on a 4-acre parcel located on the westerly side of Van Buren Boulevard, northerly of Arlington Avenue and southerly of Doolittle Avenue. P15-1105 is a proposal to divide the site into two commercial lots, with the retail building on the southerly parcel and the car wash on the northerly parcel. An evaluation of the property as a whole using the Building Code method results in a determination that the overall occupancy would be 327 persons (for an average of 82 persons per acre), with a maximum single-acre intensity of 234. These average and single-acre intensities meet Zone D criteria. However, the proposed parcel map would divide the site, requiring analysis of each proposed lot. In that situation, the average intensity of the southerly parcel would exceed 100 persons per acre using the Building Code method, but the average intensity would be consistent using the Parking Space method. Review by the FAA was conducted in 2015, and the FAA issued a Determination of No Hazard to Air Navigation for Aeronautical Study No. 2015-AWP-8544-OE on September 11, 2015. ALUC Director Ed Cooper issued a determination of consistency for this project on August 31, 2016.

ZAP1211MA16 (March AIA, Zone D) pertains to City of Perris Case No. PLN16-00013 (Development Plan Review), a proposal to construct a 240,911 square foot industrial building (with 7,145 square feet of office space and 233,766 square feet of warehouse area) on an 11.12 net acre parcel located southerly of Perry Street, westerly of Redlands Avenue, northerly of Ramona Expressway, and easterly of Perris Boulevard. Nonresidential intensity is not restricted in Zone D of the March AIA. The elevation of Runway 14-32 at its southerly terminus is 1488 feet AMSL. At a distance of 10,400 feet from the runway, FAA review would be required for any structure with top of roof exceeding 1592 feet AMSL. The site elevation is 1456 feet AMSL and the proposed building height is 42.6 feet, resulting in a maximum top point elevation of 1498.6 feet AMSL. Therefore, FAA review for height/elevation reasons was not required. ALUC Director Ed Cooper issued a determination of consistency for this project on September 19, 2016.

ZAP1213MA16 (March AIA, Zone D) pertains to City of Moreno Valley Case No. PA16-0052 (Plot Plan), a proposal to construct an 8,992 square foot mattress and bedding retail store ("Sit n Sleep") on a one-acre parcel located at 12540 Campus Parkway (on the northerly side of Campus Parkway, easterly of Day Street and westerly of Town Circle, in an existing shopping center). Nonresidential density is not restricted in Zone D of the March AIA. The elevation of Runway 14-32 at its northerly terminus is 1535 feet AMSL. At a distance of 14,400 feet from the runway, FAA review would be required for any structure with top of roof exceeding 1679 feet AMSL. The finished floor elevation is 1606 feet AMSL, and the proposed building height is 33 feet, resulting in a maximum top point elevation of 1639 feet AMSL. Therefore, FAA review for height/elevation reasons was not required. ALUC Director Ed Cooper issued a determination of consistency for this project on September 23, 2016.

Copies of these consistency letters and background documents are attached, for the Commission's information.

Specific Delegation of Authority: Amendment to City of Riverside General Plan and Sycamore Canyon 4.2 Business Park Specific Plan (Circulation). On December 10, 2015, ALUC found ZAP1158MA15, a proposal to develop two industrial (predominantly warehouse) buildings totaling 1,012,995 square feet of gross floor area (including 20,000 square feet of office space) on 71.5 acres located along the westerly side of Lance Drive, northerly of its intersection with Sierra Ridge Drive, consistent with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan. However, the applicant failed to submit the associated General Plan Amendment and Specific Plan Amendment for concurrent review. These are Circulation Element amendments proposing deletion of road segments. Both are necessary for the project to proceed, since the structures would otherwise be straddling planned roadways. Specifically, the amendments consist of deletion of the following roadway segments: (a) the segment of Dan Kipper Drive (General Plan name)/Crest Ridge Drive (Specific Plan name) extending westerly from Lance Drive to an unnamed northsouth roadway known as River Ridge; (b) the entirety of the unnamed north-south roadway known as River Ridge, which would have extended from the northerly boundary of the Specific Plan southerly to an unnamed east-west roadway known as Kangaroo Court; (c) the entirety of the unnamed east-west roadway known as Kangaroo Court, which would have extended westerly from Lance Drive to the easterly boundary of Sycamore Canyon Wilderness Park; and (d) the segment of Sierra Ridge Drive extending westerly from Lance Drive. Since these are all deletions of General Plan roadways (or General Plan status for roadways), these amendments clearly have no potential impacts on land use compatibility or on the safety of aircraft in flight. If these amendments had been initiated by the City of Riverside, they would have qualified as "nonimpact legislative actions" that could be determined consistent by the ALUC Director pursuant to ALUC Resolution No. 2011-02. That Resolution only addresses proposals by local jurisdictions. Since this proposal was submitted by a private sector applicant, the Resolution is not strictly applicable, and the proposal would be scheduled for an ALUC hearing in November. In this case, staff would support the applicant's request for delegation of authority to the ALUC Director to issue a finding of consistency.

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# AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY

CHAIR Simon Housman Rancho Mirage VICE CHAIRMAN Rod Ballance Riverside COMMISSIONERS	Mr. Brett Hamilton, Project Planner City of Jurupa Valley Planning Department 8930 Limonite Avenue Jurupa Valley CA 92509
Arthur Butler Riverside	RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW – DIRECTOR'S DETERMINATION
John Lyon Riverside Glen Holmes Hernet	File No.:ZAP1079RI16Related File No.:SDP31426 (Site Development Permit)APN:165-185-009
<b>Steve Manos</b> Lake Eisinore	Dear Mr. Hamilton:
Russell Betts Desert Hot Springs STAFF	Under the delegation of the Riverside County Airport Land Use Commission (ALUC) pursuant to ALUC's general delegation as per Policy 1.5.2(d) of the Countywide Policies of the 2004 Riverside County Airport Land Use Compatibility Plan, staff reviewed City of Jurupa Valley Case No. SDP31426 (Site Development Plan), a proposal to construct a 64 foot tall faux water tower wireless communications facility within a 625 servers for the reviewed in the server wireless communications facility within a 625 servers for the server in the ser
Director Ed Cooper John Guerin Paul Rull Barbara Santos	tower wireless communications facility within a 625 square foot enclosure with a 84 square foot equipment area in the existing Pedley Metrolink Station parking lot located on a 4.4-acre site at 6001 Pedley Road (on the westerly side of Pedley Road, northerly of Limonite Avenue and easterly of Van Buren Boulevard).
County Administrative Center 4080 Lemon St., 14th Roor. Riverside, CA 92501 (951) 955-5132	The site is located within Airport Compatibility Zone E of the 2005 Riverside Municipal Airport Compatibility Plan. Compatibility Zone E does not restrict nonresidential intensity.
<u>annach cor</u> g	The project site is approximately 10,964 feet from the westerly terminus of Runway 9-27 and 11,314 feet from the northerly terminus of Runway 16-34 at Riverside Municipal Airport. However, the elevation of Runway 16-34 at its northerly terminus (771.8 feet AMSL) is 14.2 feet higher than the elevation of Runway 9-27 at its westerly terminus (757.6 feet AMSL). At the distances cited above, structures with a top point elevation exceeding 885 feet and 867 feet AMSL, respectively, would require notification to the Federal Aviation Administration Obstruction Evaluation Service (FAA OES) through the online Form 7460-1 review process ( <u>https://oeaaa.faa.gov</u> ). The site has an elevation of 733 feet AMSL, and the top point of the proposed 64 foot high faux water tower would be 797 feet AMSL. Therefore, ALUC staff did not require review by the FAA OES for height/elevation reasons.
	As ALUC Director, I hereby find the above-referenced Site Development Permit <u>CONSISTENT</u> with the 2005 Riverside Municipal Airport Land Use Compatibility Plan, subject to the following conditions.

### AIRPORT LAND USE COMMISSION

#### **CONDITIONS:**

- 1. Any new outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky.
- 2. The following uses are 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. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris centers, 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.
- 3. The attached notice shall be provided to all prospective purchasers of the property and tenants and/or lessees of the building(s) and structures on-site.
- 4. No new detention basins are proposed through this application. Any new aboveground detention basins on the site shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around such detention basin(s) that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.

If you have any questions, please contact Paul Rull, ALUC Urban Regional Planner IV, at (951) 955-6893, or John Guerin, ALUC Principal Planner, at (951) 955-0982.

## **AIRPORT LAND USE COMMISSION**

Sincerely, RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

Edward C. Cooper, ALUC Director

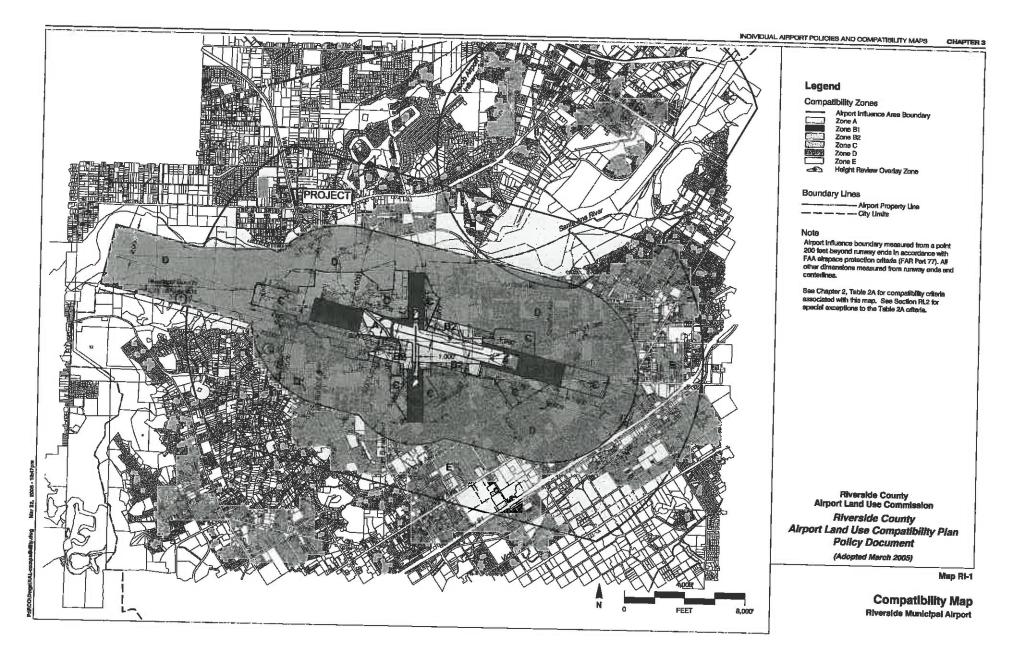
Attachments: Notice of Airport in Vicinity

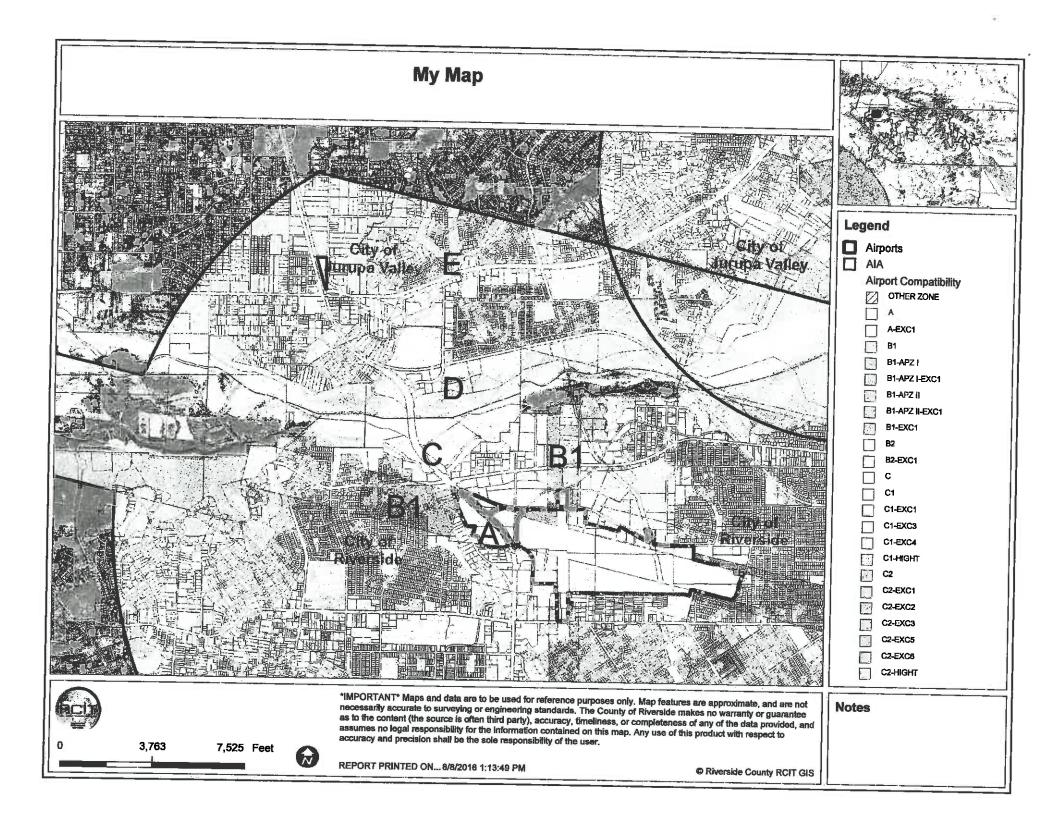
cc: Smartlink LLC, James Rogers (representative/payee) Verizon Wireless, Kelly McDonough (applicant) Riverside County Transportation Commission (landowner) Kim Ellis, Airport Manager, Riverside Municipal Airport ALUC Case File

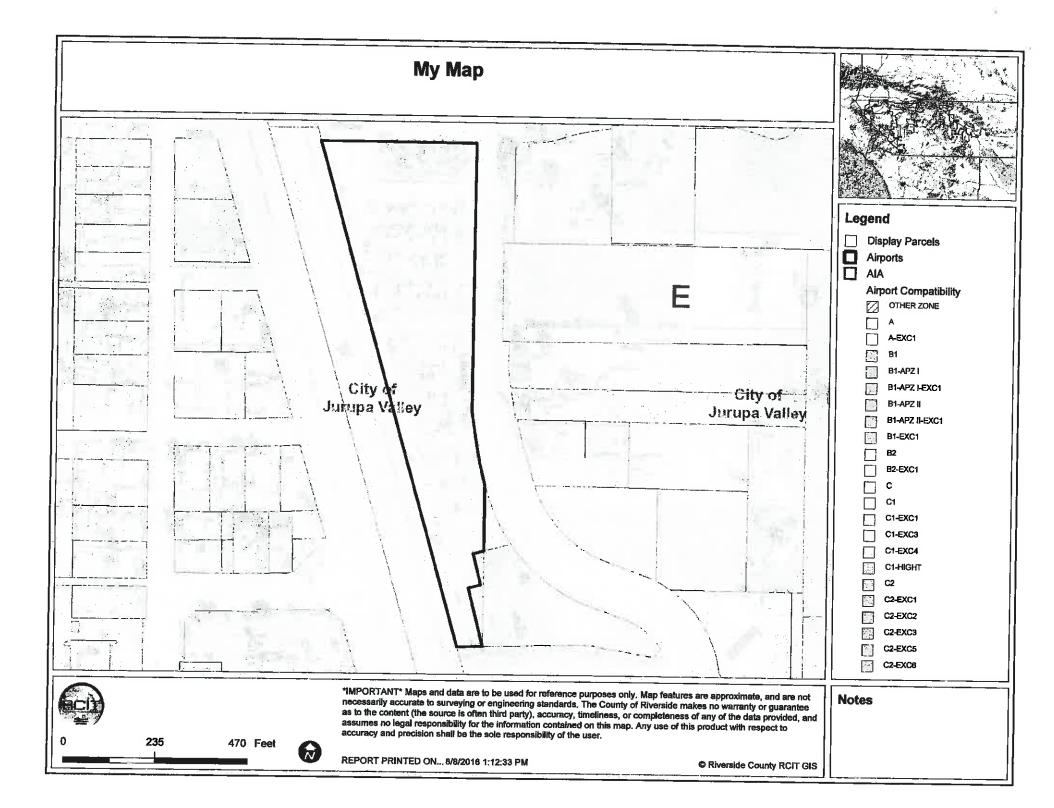
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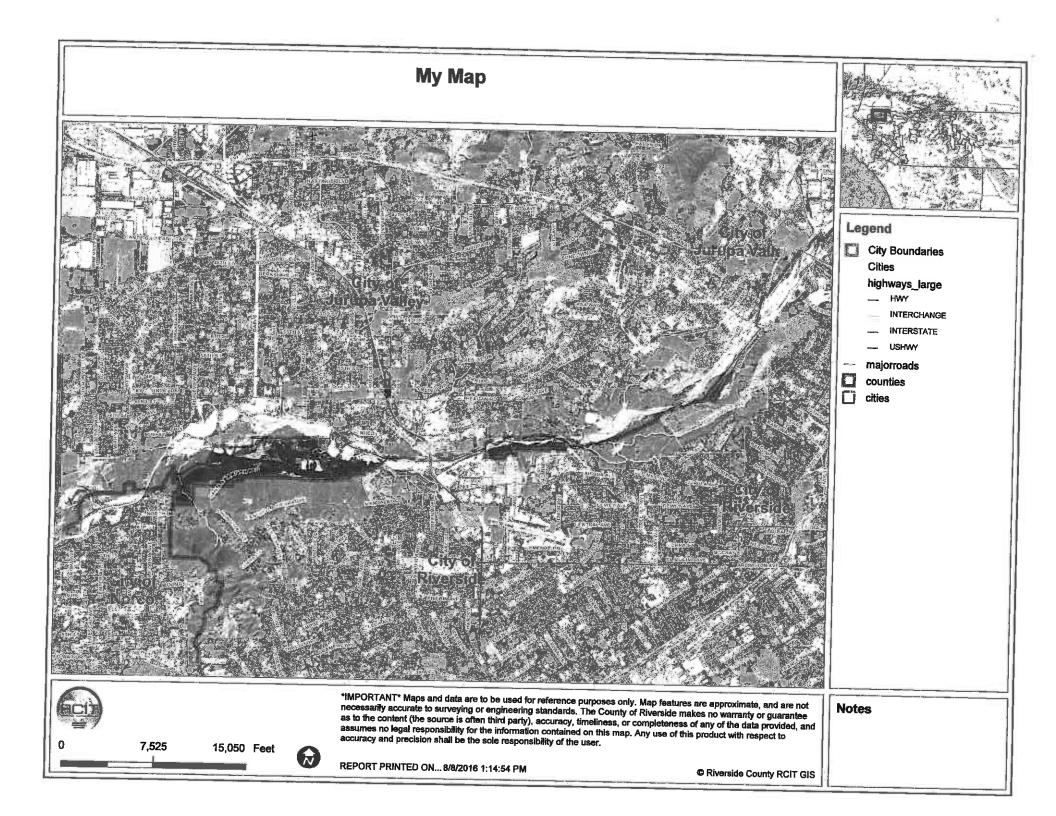
# NOTICE OF AIRPORT IN VICINITY

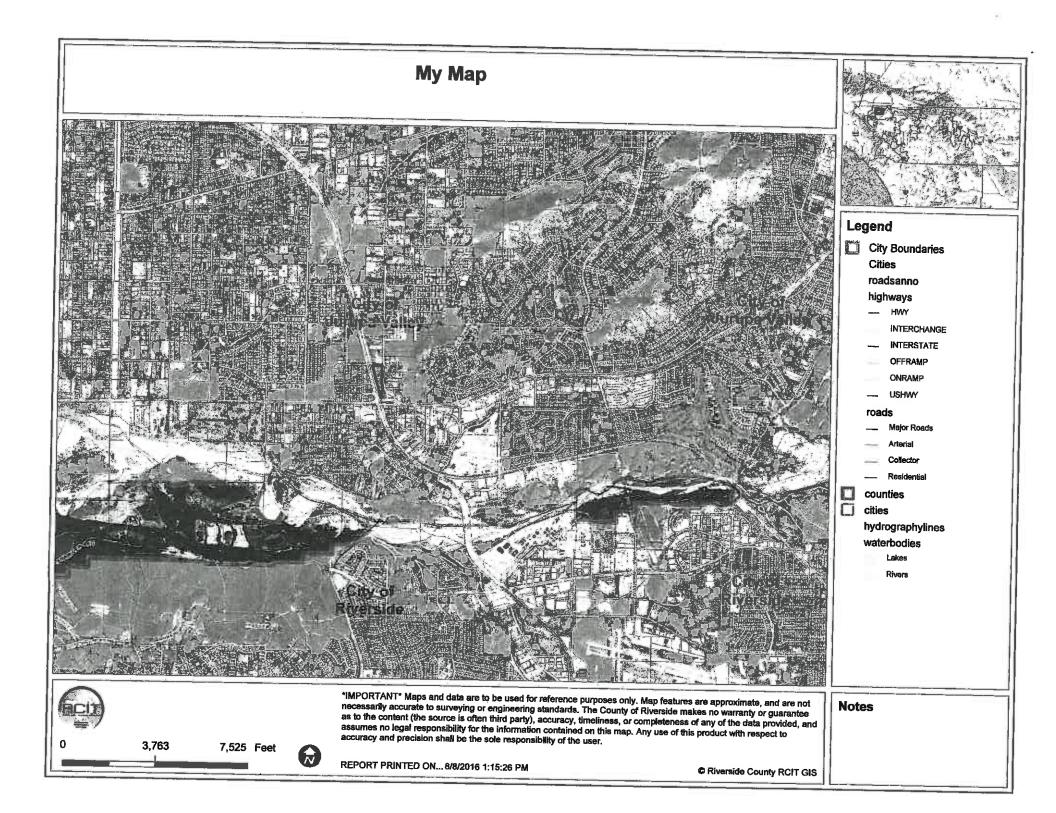
This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances [can vary from person to person. You may wish to consider what airport annoyances], if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b)

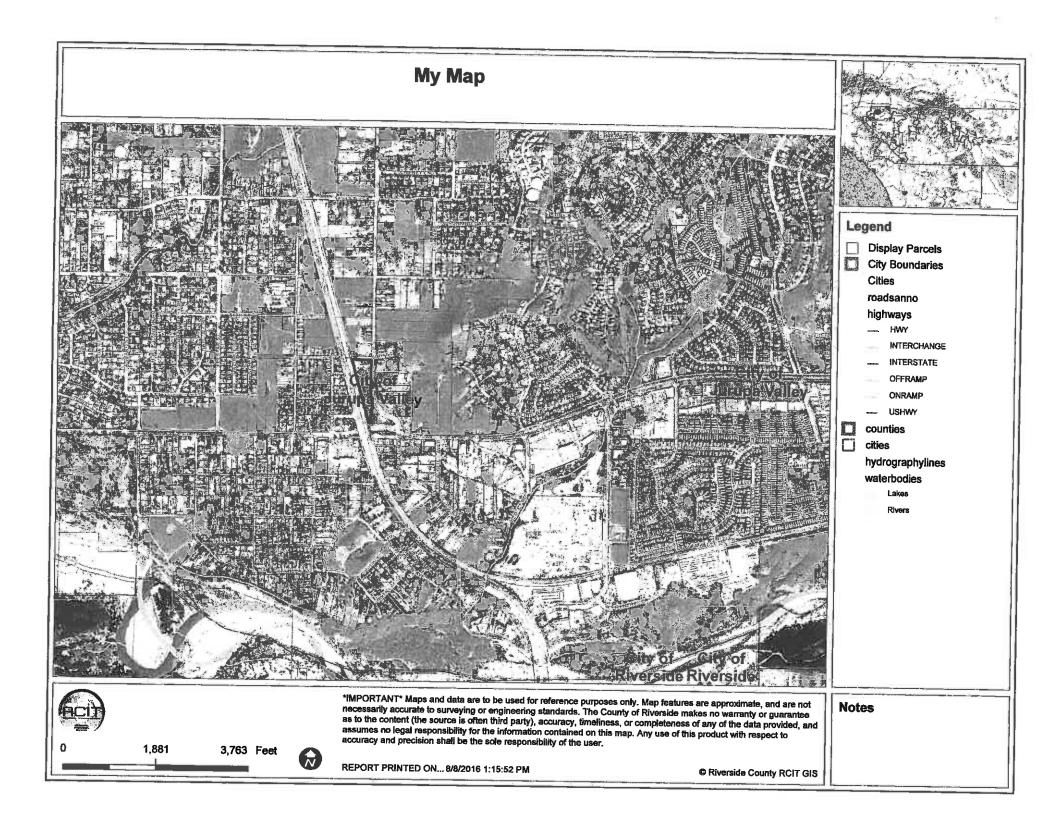


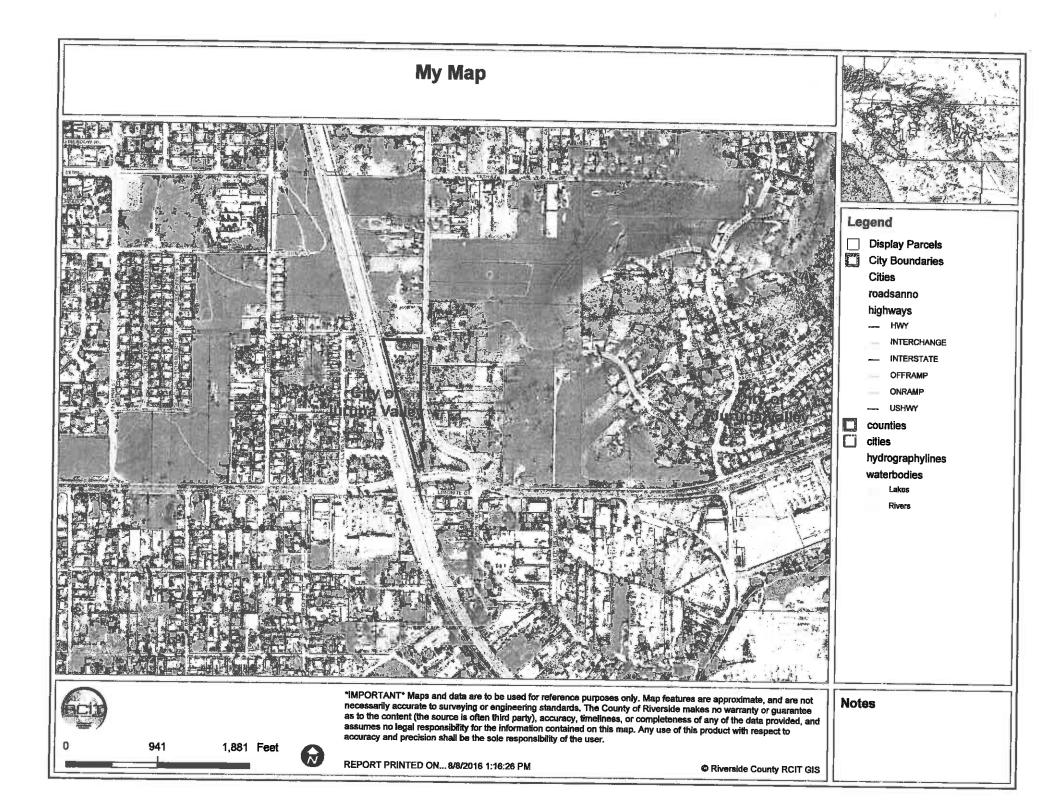


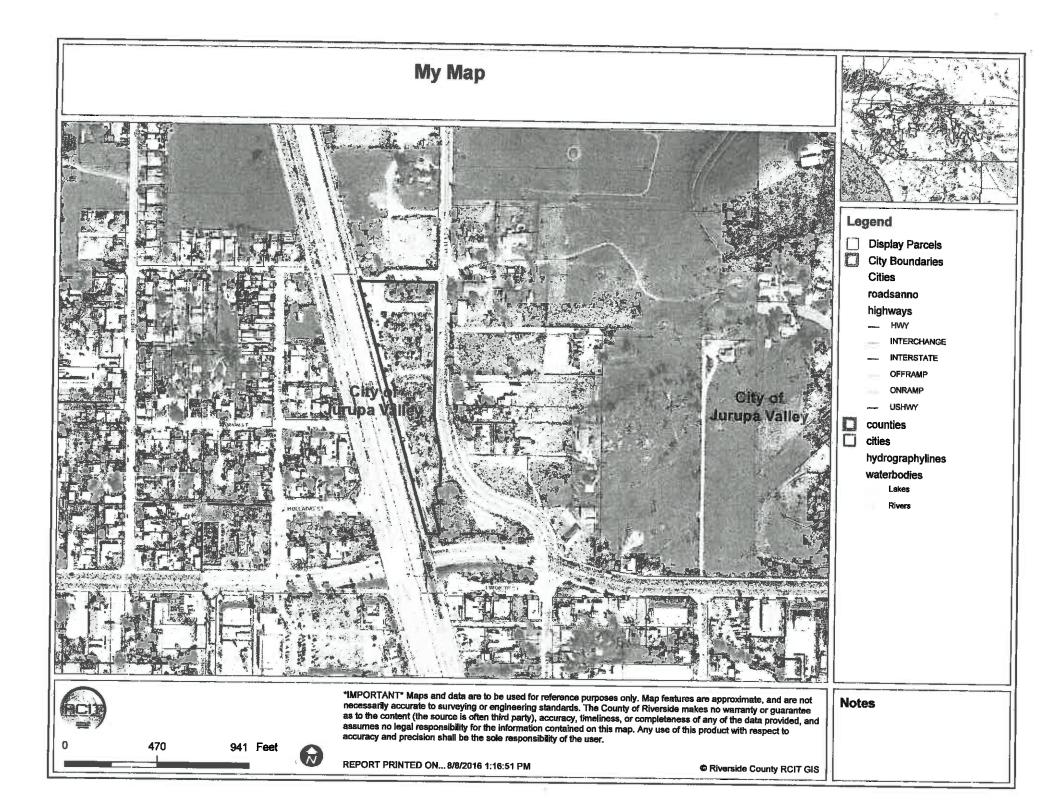


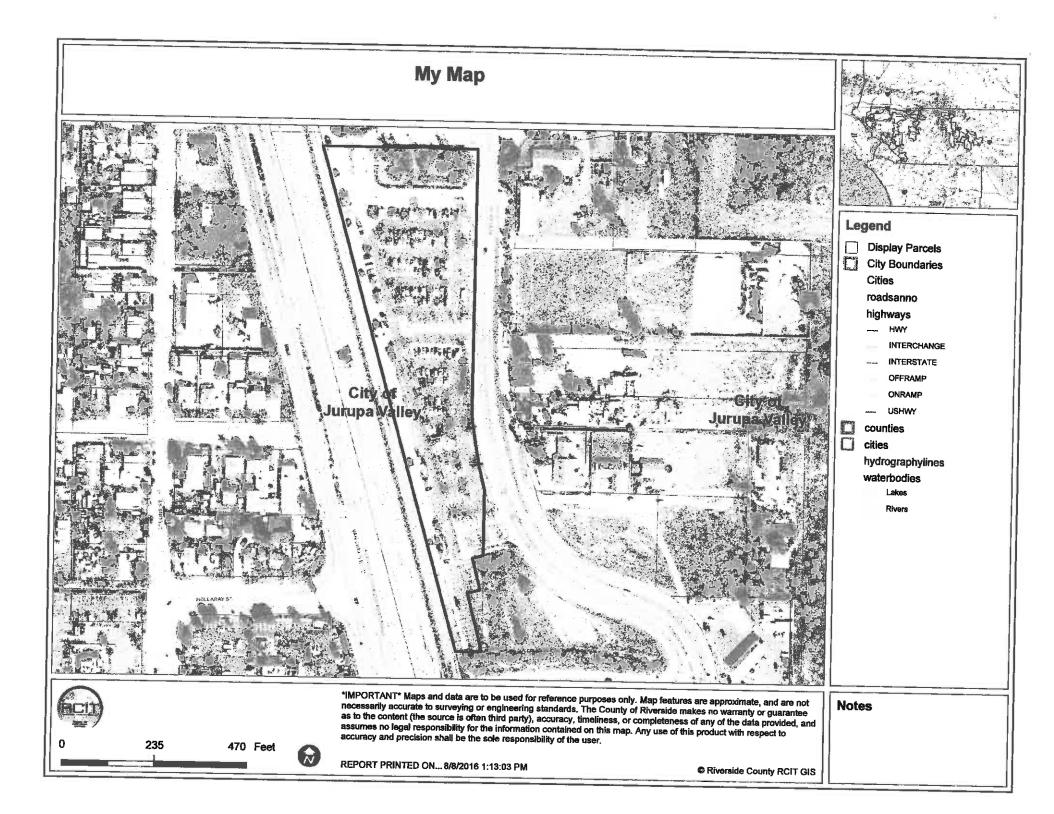


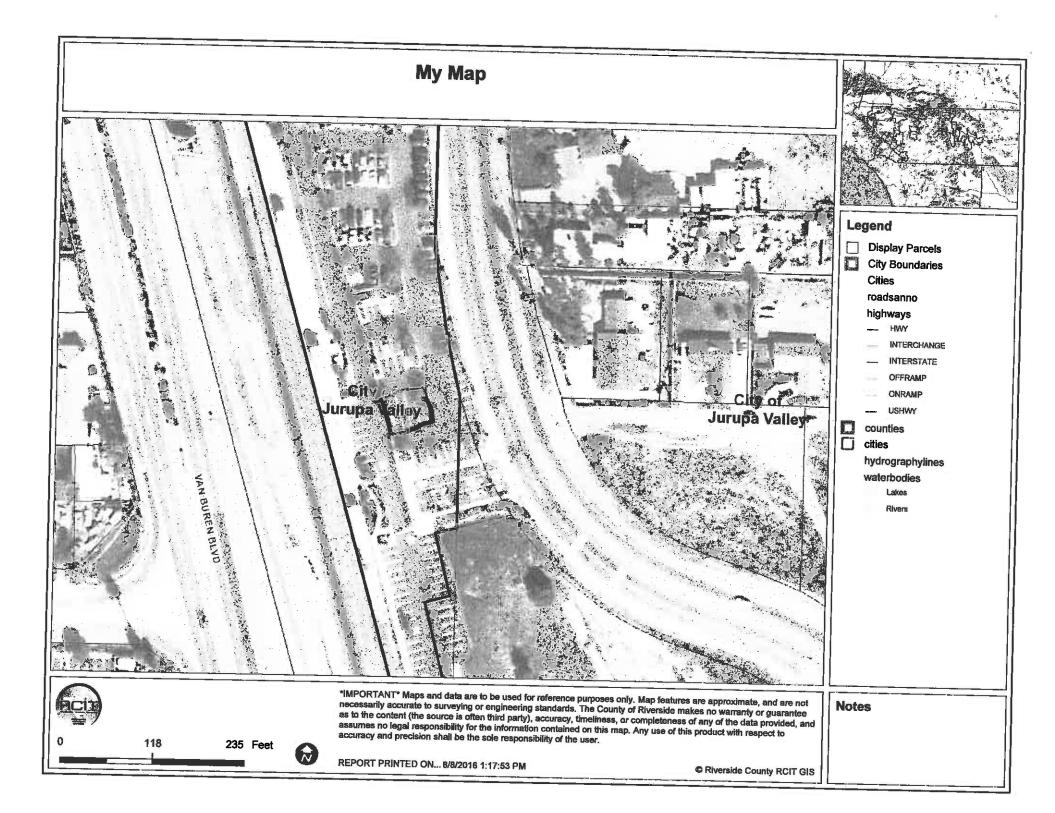


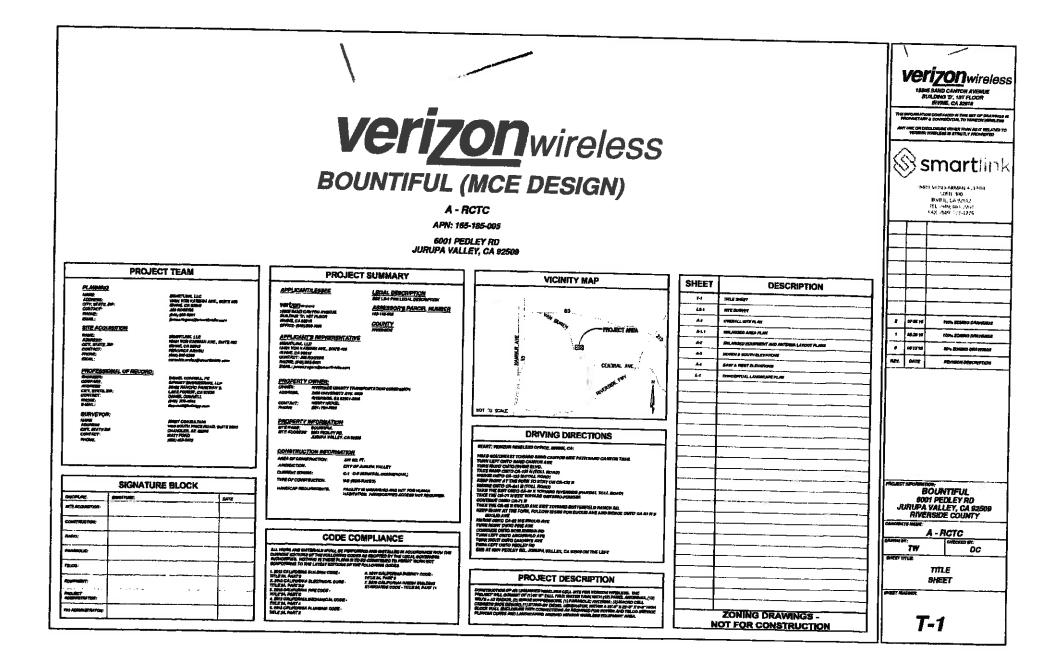


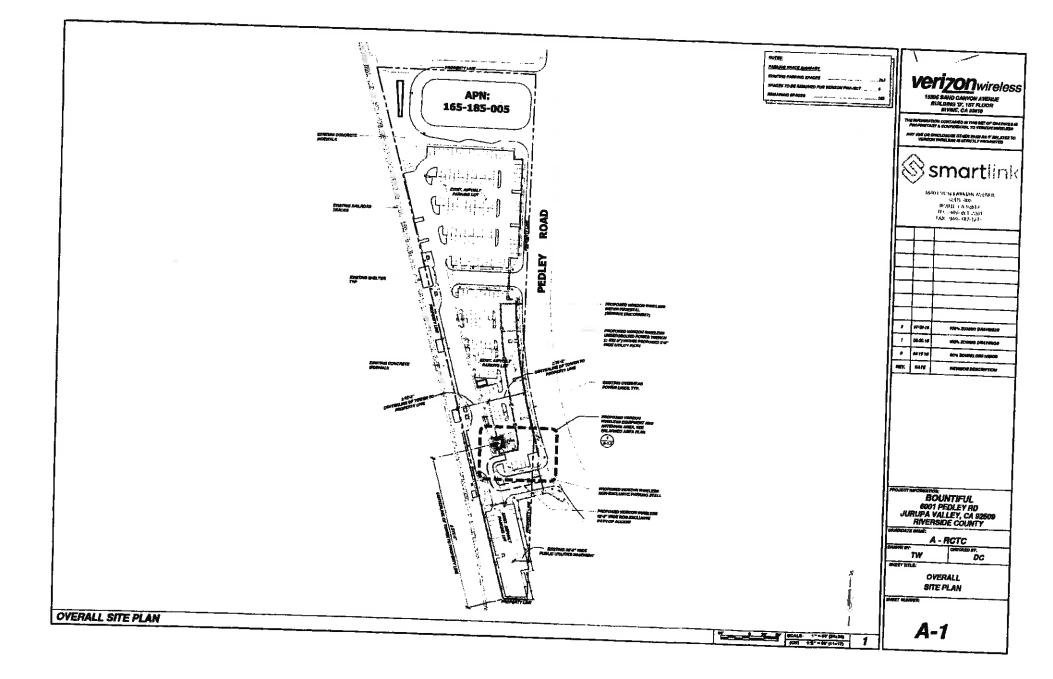




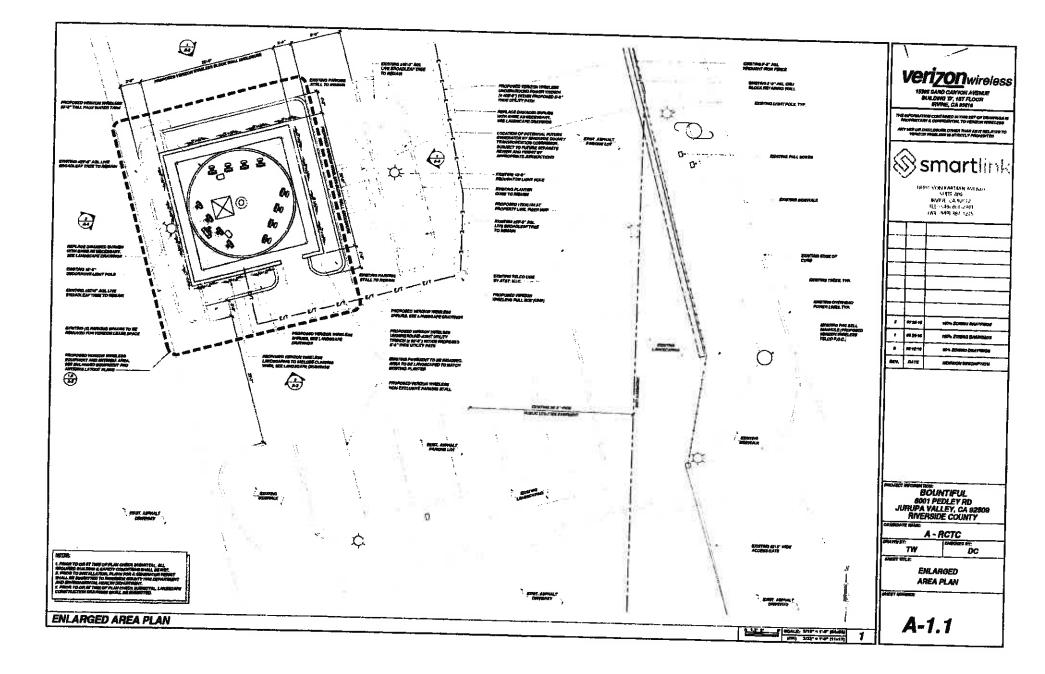






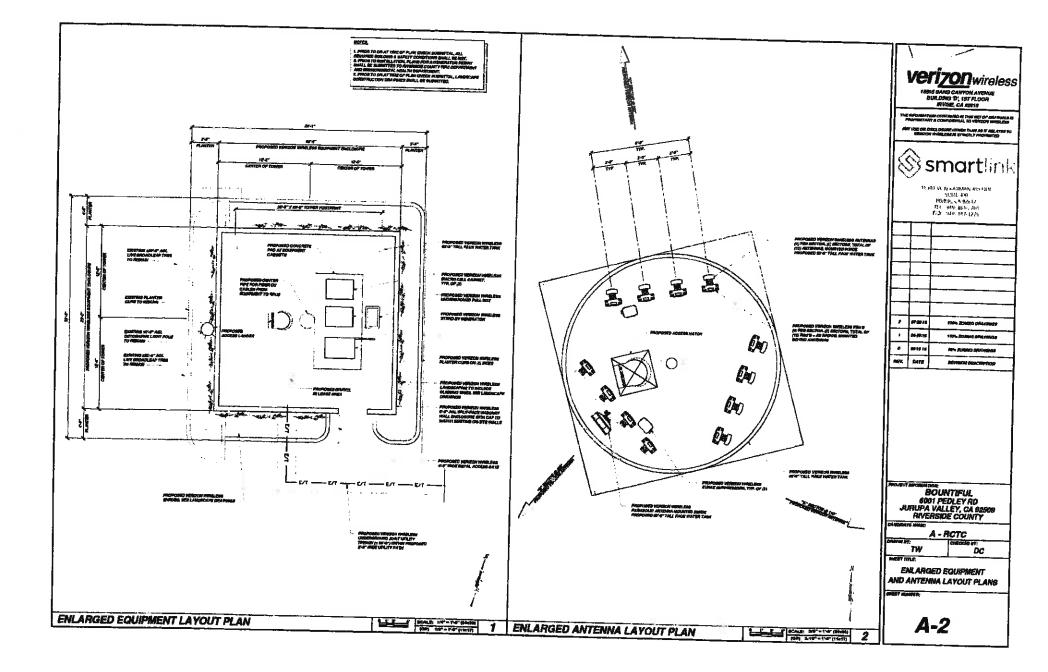


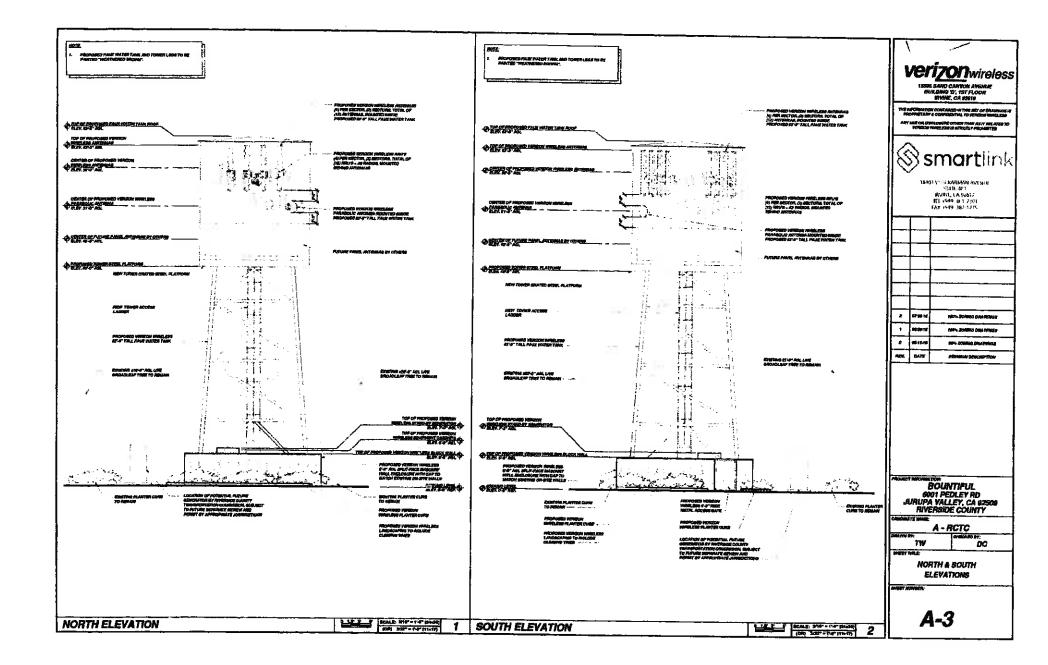
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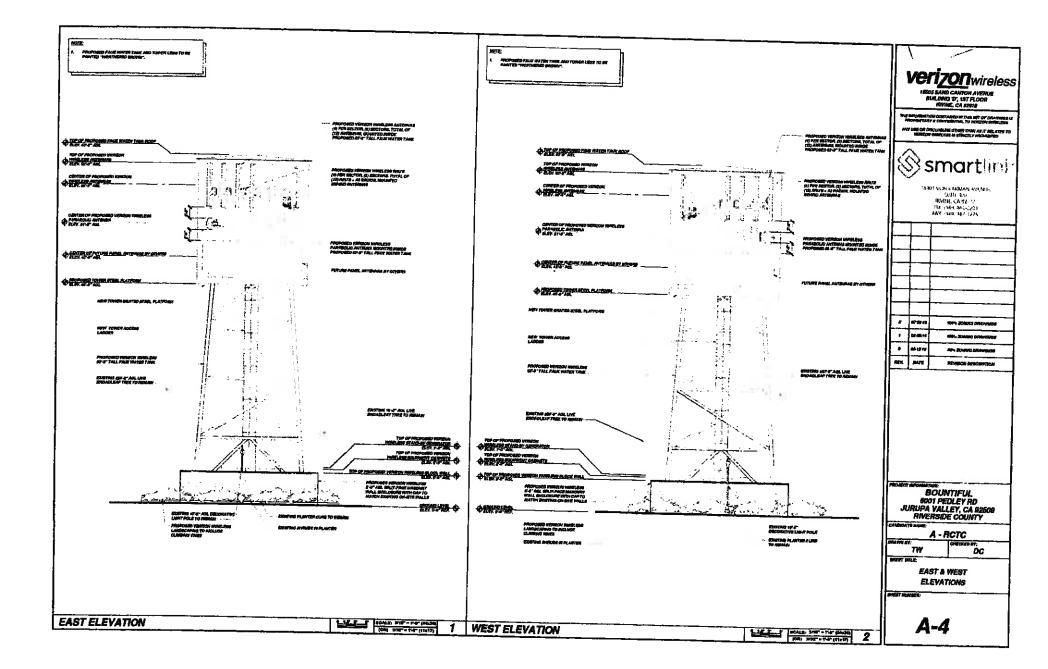


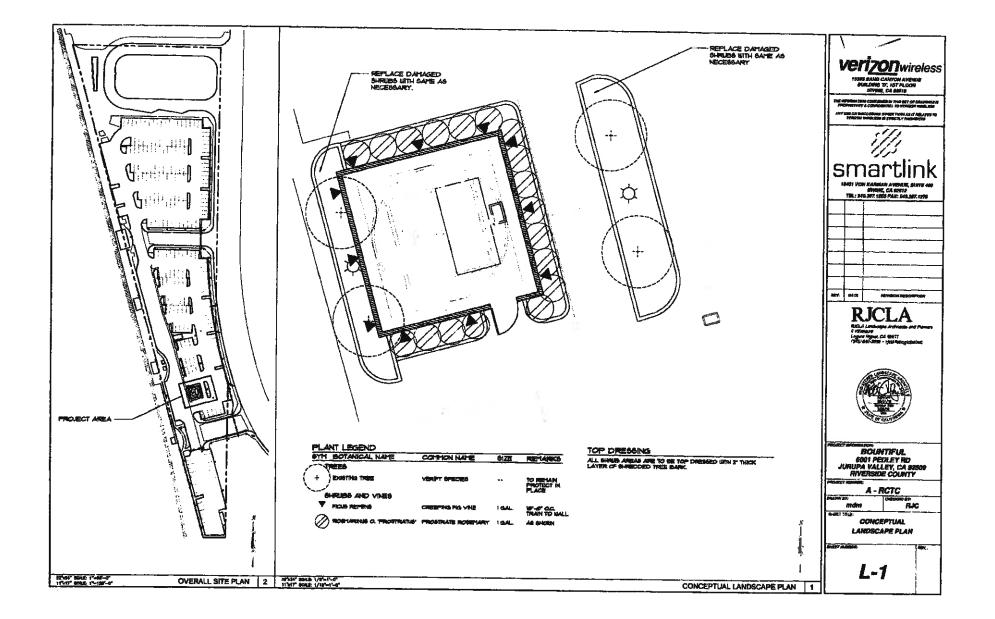
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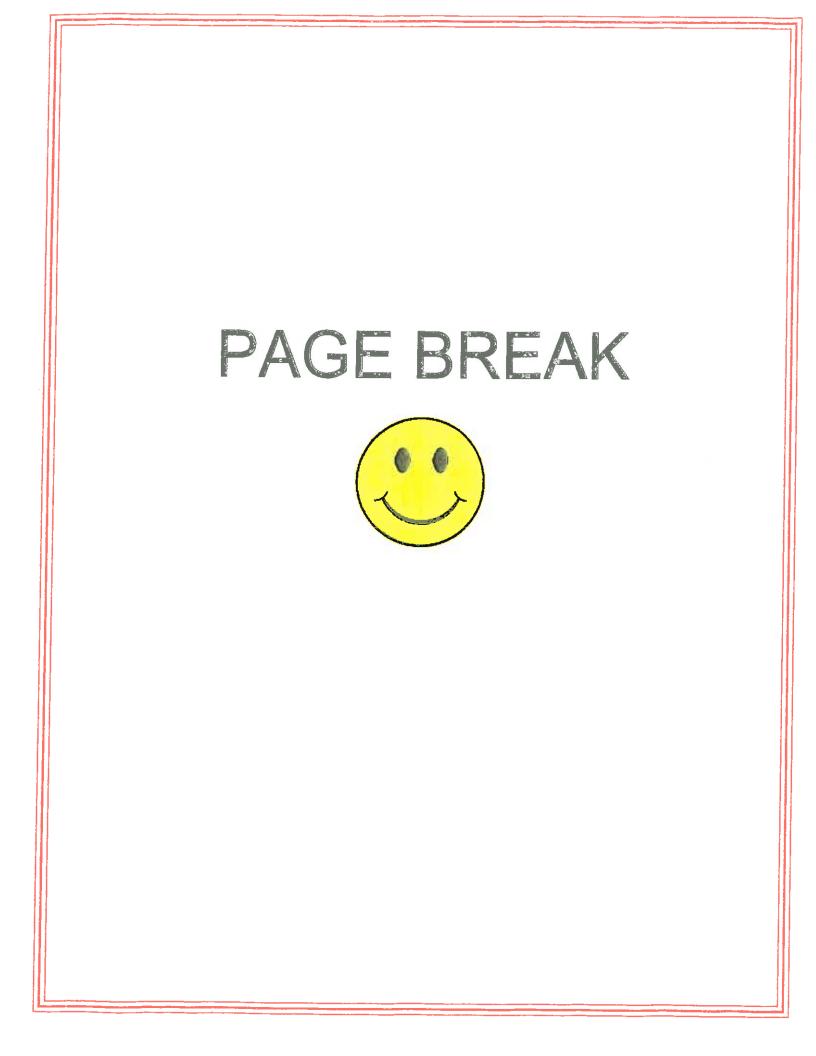
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# AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY

CHAIR Simon Housman Rancho Mirage VICE CHAIRMAN Rod Ballance Riverside COMMISSIONERS	August 26, 2016 Mr. Sean Kelleher, Project Planner City of Riverside Community and Economic Development Department/Planning Division 3900 Main Street, Third Floor Riverside, CA 92522
Arthur Butler Riverside	RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW – DIRECTOR'S DETERMINATION
Gien Holmes Hemet John Lyon Riverside	File No.:ZAP1208MA16Related File Nos.:P14-0225 (Conditional Use Permit), P14-0227 (Design Review)APNs:223-210-019 through 223-210-022
Stave Manos Lake Elsinore Russell Betts	Dear Mr. Kelleher:
Desert Hot Springs	Under the delegation of the Riverside County Airport Land Use Commission (ALUC) pursuant to Policy 1.5.2(d) of the Countywide Policies of the 2004 Riverside County Airport Land Use Compatibility Plan, staff reviewed City of Riverside Case Nos. P14-0225 (Conditional Use Permit) and P14-0227 (Design Review), which propose a 117-unit, three-story senior apartment
STAFF Director Ed Cooper	complex on 3.75 acres, located northerly of Dominion Avenue (which is proposed to be vacated), westerly of Division Street, and easterly of McMahon Street, in the area northerly of Arlington Avenue and easterly of Highway 91.
John Guerin Paul Rull Barbara Santos Courty Administrative Center 4080 Lemon St., 14th Root.	The site is located within Airport Compatibility Zone E of the March Air Reserve Base/Inland Port Airport Influence Area (AIA). Within Compatibility Zone E of the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, residential density is not restricted.
Fivenside, CA 92501 (951) 955-5132	The elevation of the site is more than 500 feet lower than the elevation of March's Runway 14-32 at its northerly terminus (approximately 1,535 feet above mean sea level), but the site is located
<u>www.rczluc.org</u>	less than 20,000 feet from the runways at Riverside Municipal Airport and Flabob Airport. While the site is closer to the easterly terminus of Runway 9-27 at Riverside Municipal Airport (15,580 feet) than to the southerly terminus of Runway 16-34 (19,700 feet), the elevation of Runway 16- 34 (747.5 feet above mean sea level [AMSL]) is considerably lower than the elevation of Runway 9-27 (815.8 feet AMSL). Therefore, Runway 16-34 is the critical runway in this situation. At a distance of 19,700 feet, any structure with a top point elevation exceeding 944 feet AMSL would require Federal Aviation Administration Obstruction Evaluation Service (FAA OES) review through the Form 7460-1 process. The site's finished floor elevation is 901 feet AMSL, and the tallest building height is 42 feet, resulting in a maximum top point elevation of 943 feet AMSL. Therefore, FAA OES review was not required for height/elevation reasons.

As ALUC Director, I hereby find the above-referenced project <u>CONSISTENT</u> with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, subject to the following conditions:

#### **CONDITIONS:**

- 1. Any new outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. 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 area. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris centers, 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.
- 3. The landowner shall provide the attached notice to all potential purchasers of the property and to tenants/lessees of the building(s) thereon.
- 4. The maximum height of the proposed structure shall not exceed 42 feet above ground level and the maximum elevation of the proposed structures shall not exceed 943 feet above mean sea level. If the 943 feet above mean sea level threshold is exceeded, the applicant shall submit an application to the Federal Aviation Administration Obstruction Evaluation Service (FAA OES) for review and approval.

If you have any questions, please contact Paul Rull, ALUC Urban Regional Planner IV, at (951) 955-6893 or John Guerin, ALUC Principal Planner, at (951) 955-0982.

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Sincerely, RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

Edward C. Cooper, Director

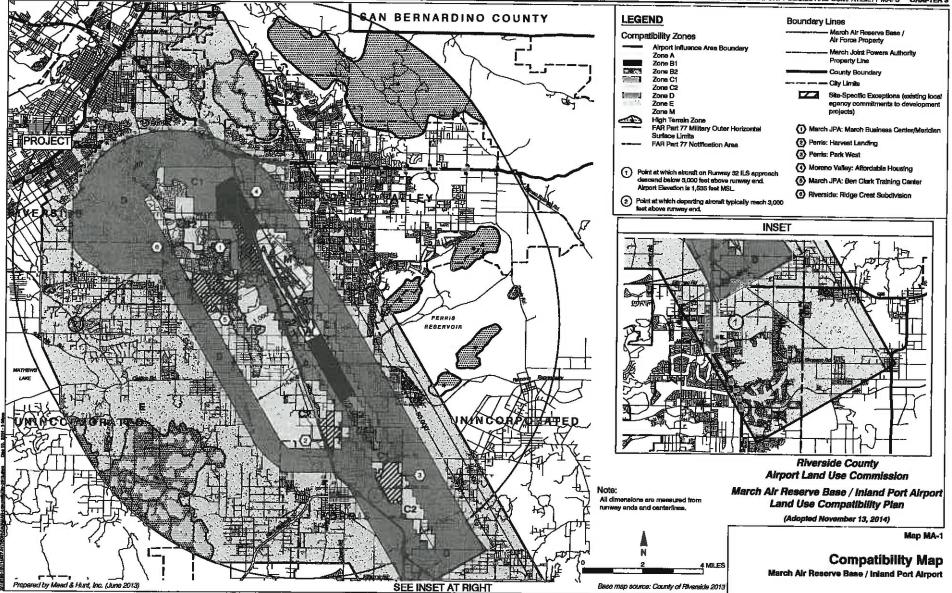
Attachments: Notice of Airport in Vicinity

cc: Rock Pointe Homes, LLC, Alkesh Patel (applicant/property owner/payee) Gary Gosliga, Airport Manager, March Inland Port Airport Authority Denise Hauser, March Air Reserve Base ALUC Case File

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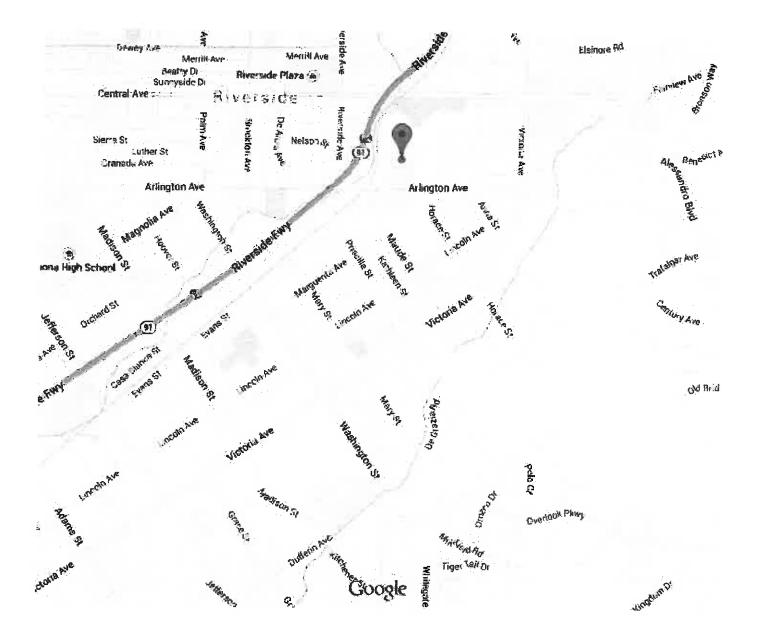
# NOTICE OF AIRPORT IN VICINITY

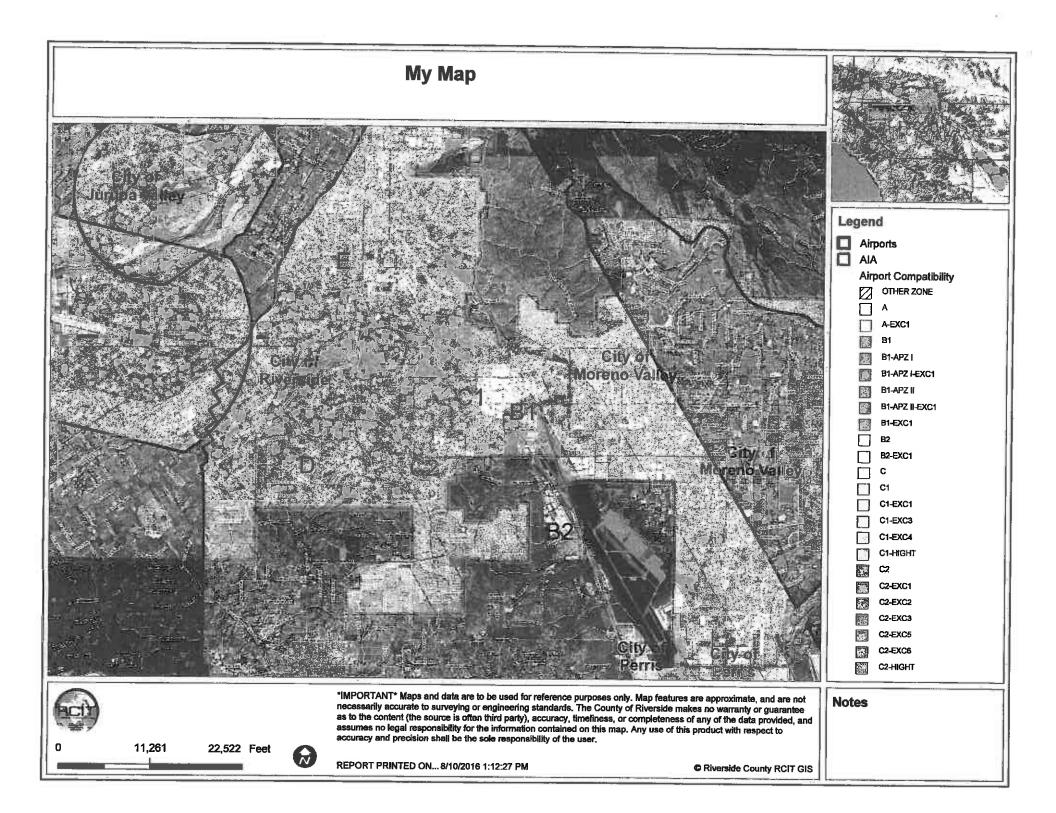
This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances [can vary from person to person. You may wish to consider what airport annoyances], if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b)

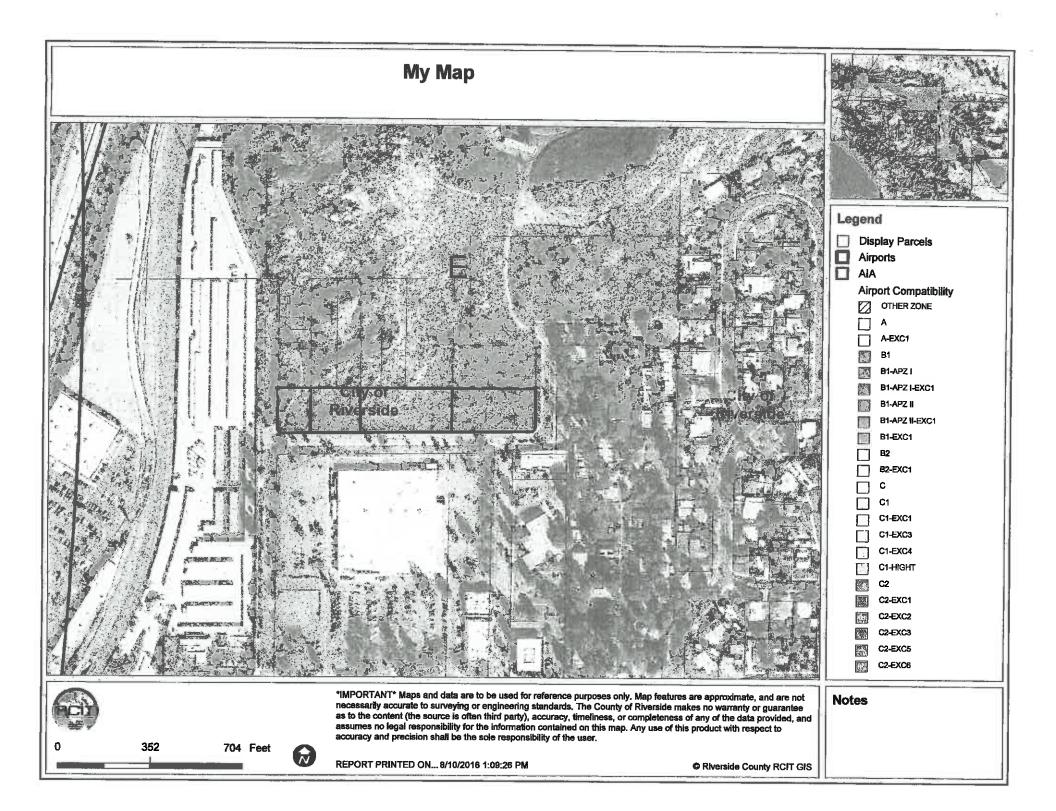


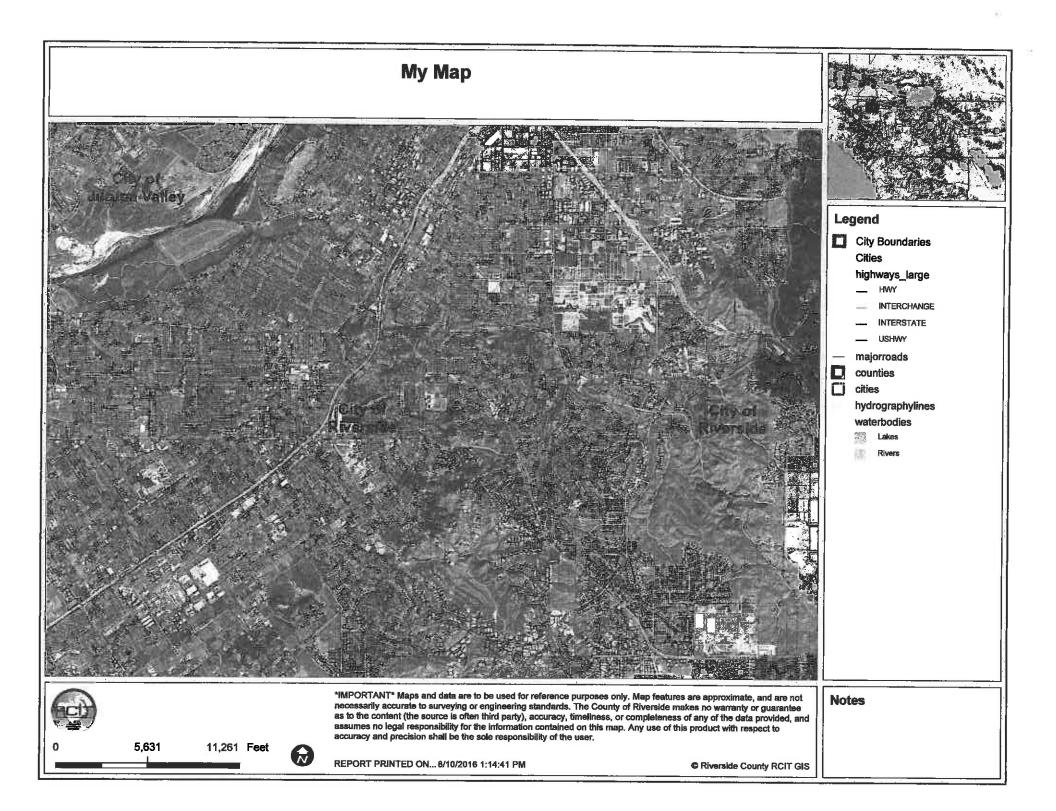
INDIVIDUAL AIRPORT POLICIES AND COMPATIBILITY MAPS CHAPTER 3

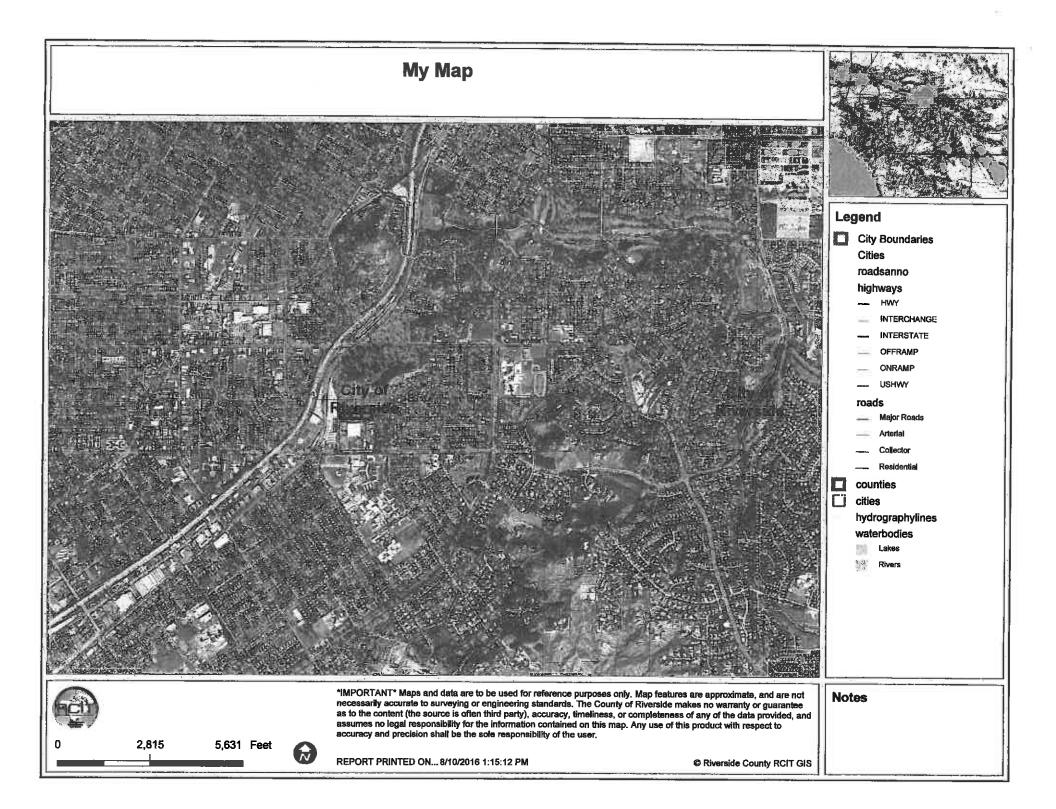
# Vicinity Map

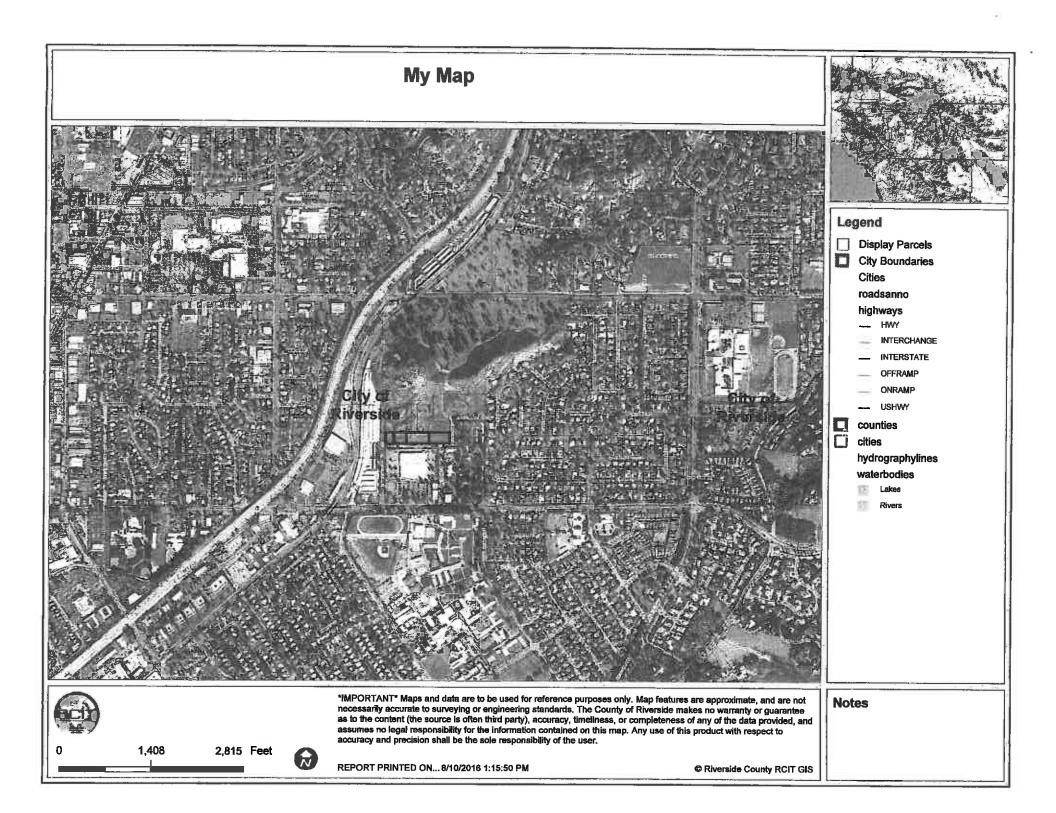


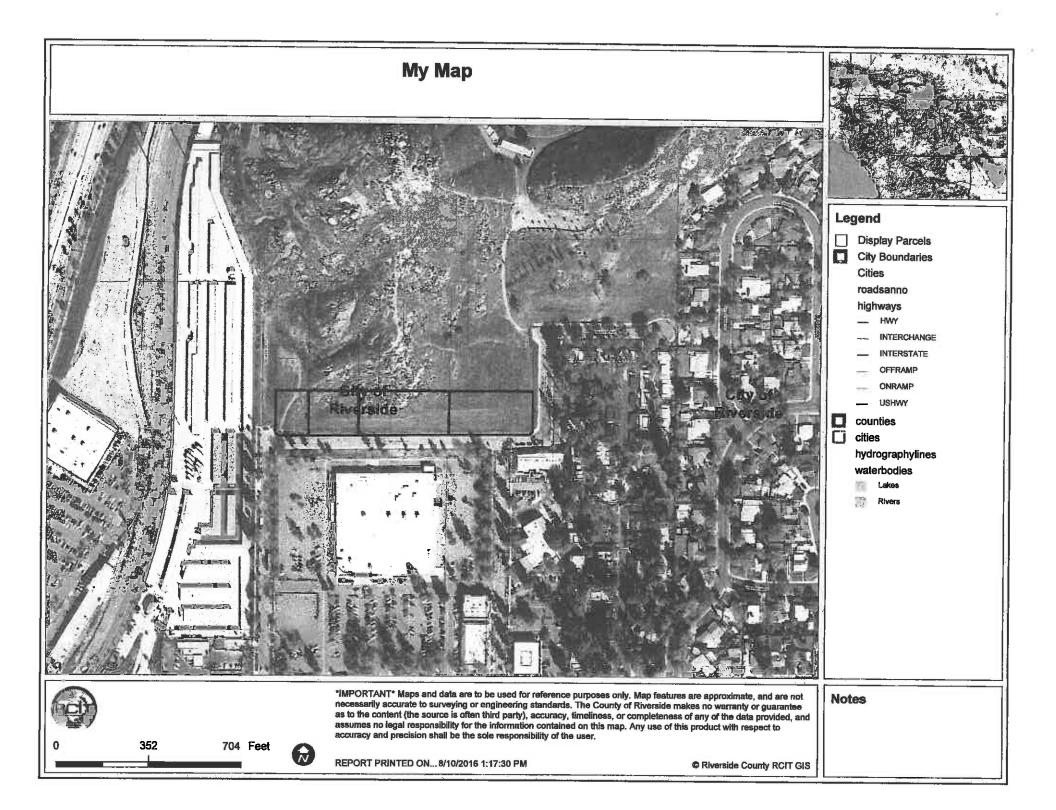


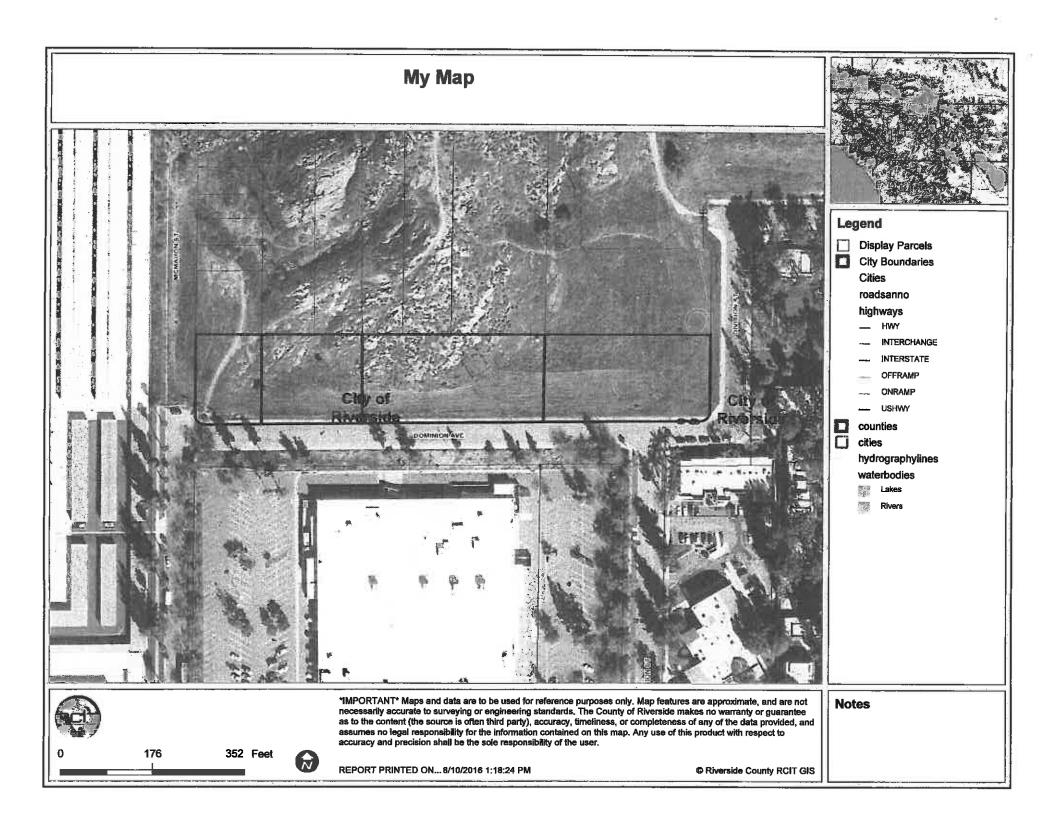


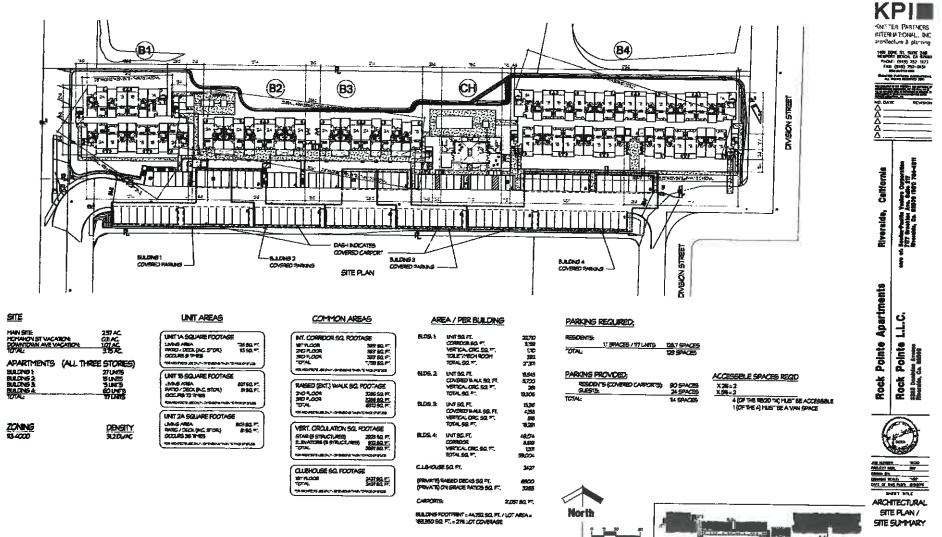






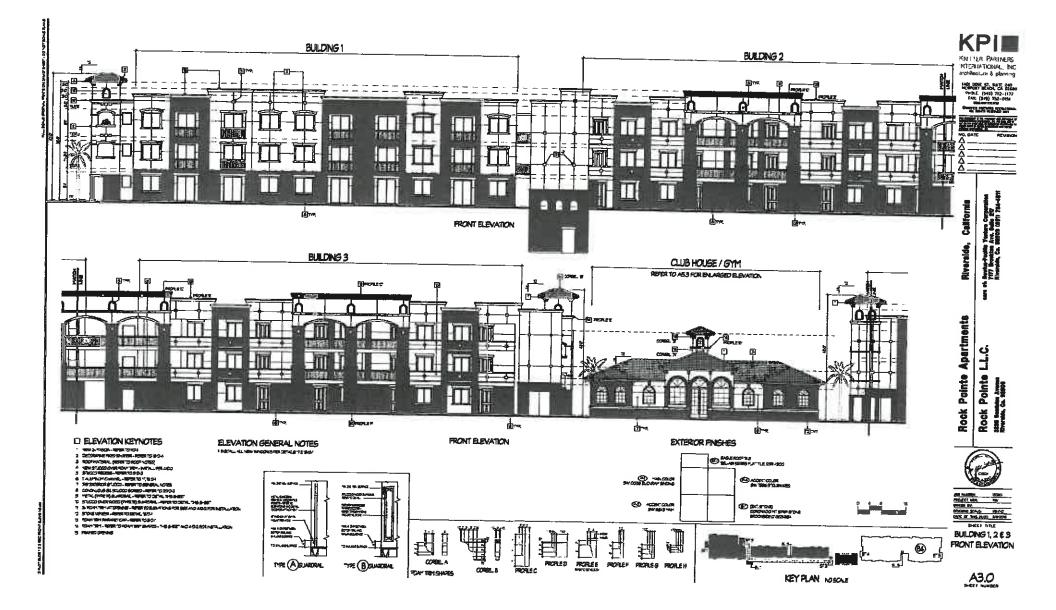


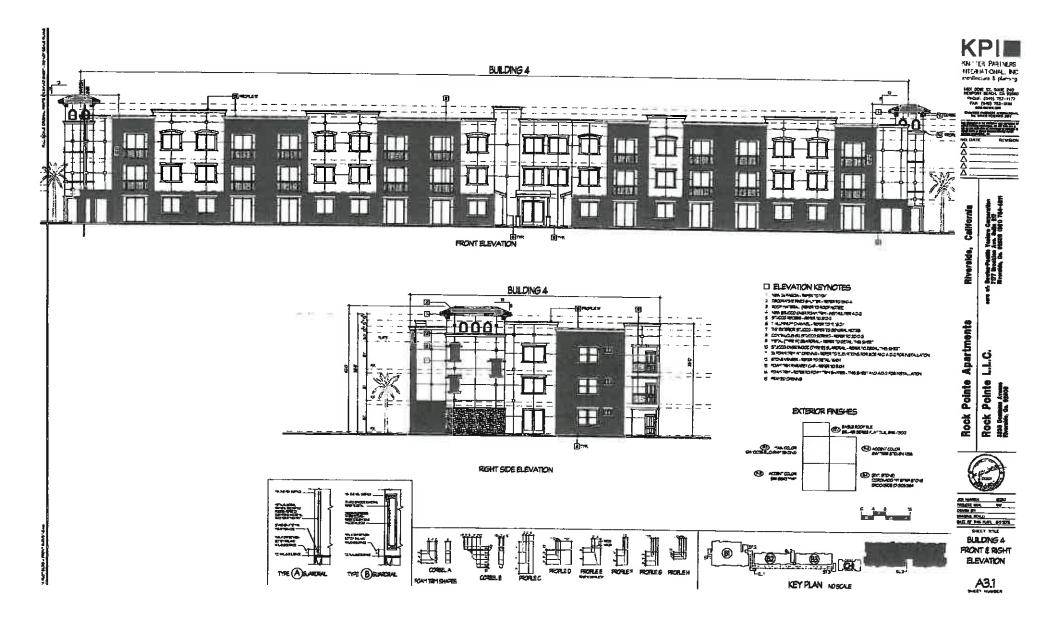


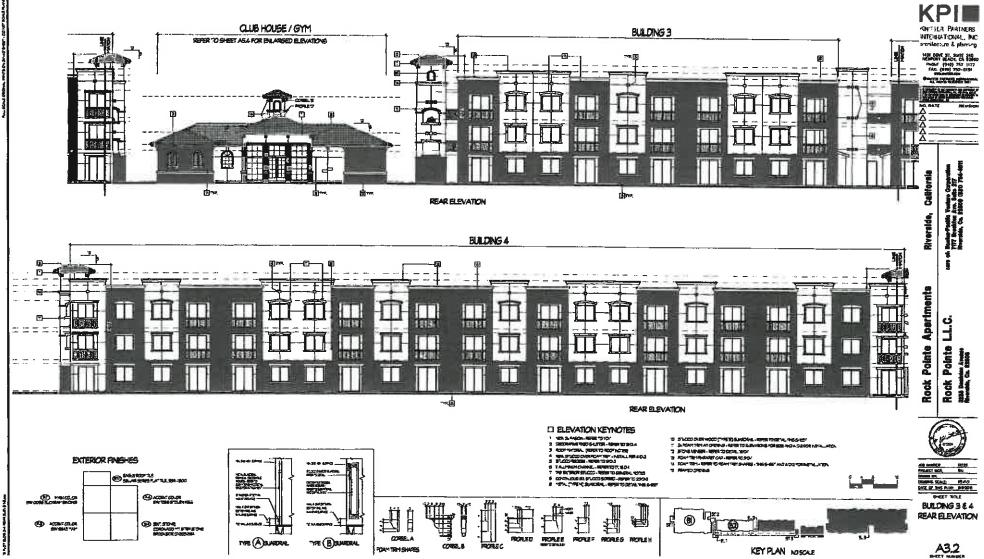


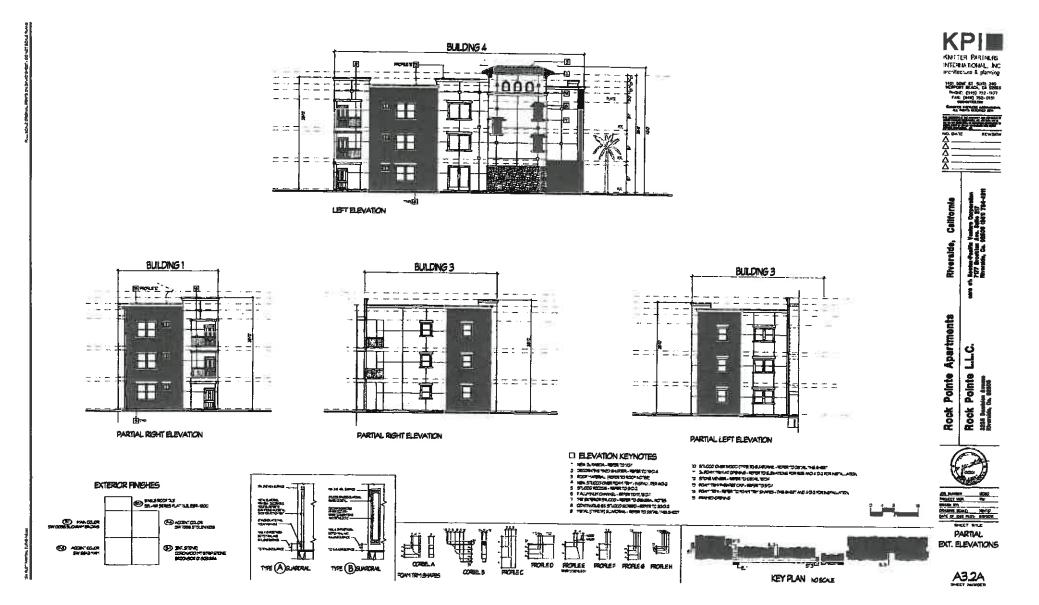
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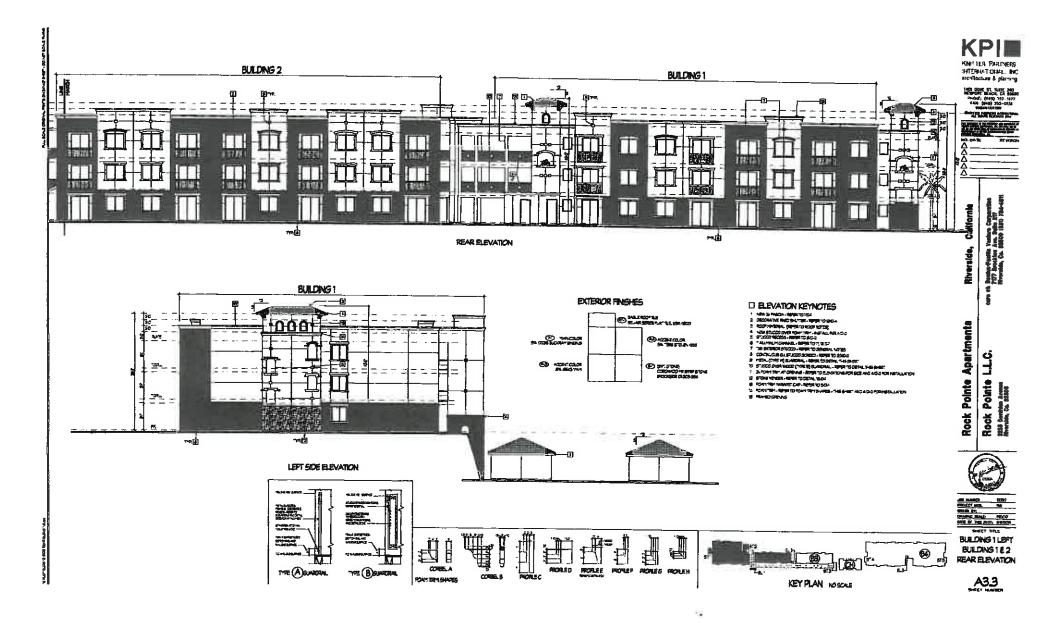
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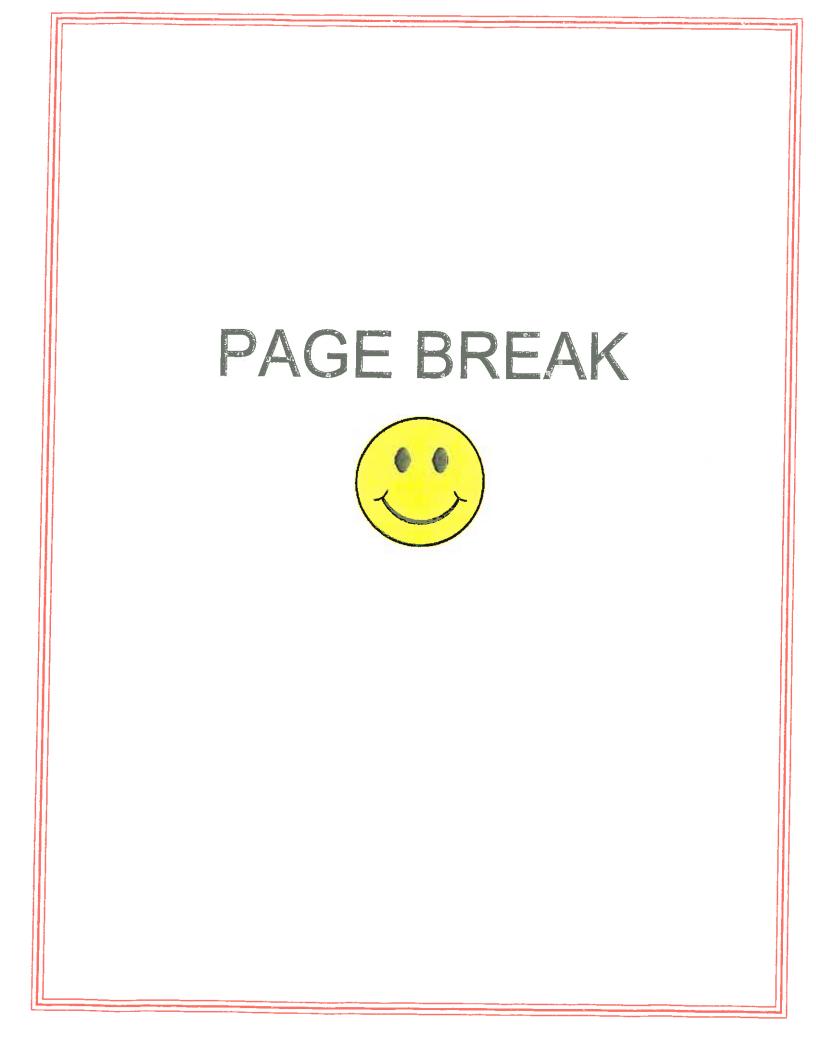














# AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY

CHAIR Simon Housman Rancho Mirage	August 20, 2010
VICE CHAIRMAN Rod Bailance Riverside	City of Riverside Community and Economic Development Department/Planning Division 3900 Main Street, Third Floor
COMMISSIONERS	Riverside, CA 92522
Arthur Butler Riverside	TANKAO TANIN'NY TANÀNA DIA MANAZARA DIA DIA MANAZARA DIA MANAZARA DIA MANAZARA DIA MANAZARA DIA MANAZARA DIA M
<b>Glen Holmes</b> Hemet	File No.: ZAP1209MA16
John Lyon Riverside	Related File Nos.:P16-0207 (Design Review)APN:263-020-079
Steve Manos Lake Elsinore	Dear Mr. Taylor:
	Under the delegation of the Riverside County Airport Land Use Commission (ALUC) pursuant to Policy 1.5.2(d) of the Countywide Policies of the 2004 Riverside County Airport Land Use Compatibility Plan, staff reviewed City of Riverside Case No. P16-0207 (Design Review), a proposal to construct an 84,000 square foot (1.93 acre) auxiliary parking lot with landscaping and site lighting as an extension of the existing 9.32-acre parcel developed with an auto dealership, located at 6030 Sycamore Canyon Boulevard, northerly of Crest Ridge Drive, easterly of Sycamore Canyon Boulevard, westerly of Quail Valley Court, and southerly of Highway 60. The site is located within Airport Compatibility Zone D of the March Air Reserve Base/Inland Port Airport Influence Area (AIA). Within Compatibility Zone D of the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, nonresidential density is not restricted. The elevation of Runway 14-32 at March Air Reserve Base/Inland Port Airport at its northerly terminus is approximately 1,535 feet above mean sea level (1535 feet AMSL). At a distance of approximately 17,900 feet from the runway to the project property line, Federal Aviation Administration Obstruction Evaluation Service (FAA OES) review would be required for any structures with top of roof exceeding 1,714 feet AMSL. The project site elevation is 1,535 feet above mean sea level, and is proposing several parking lot light standards 18 feet in height, resulting in a maximum top point elevation of 1,553 feet AMSL. Therefore, review by the FAA OES was not required. As ALUC Director, I hereby find the above-referenced project <u>CONSISTENT</u> with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, subject to the following conditions:

### **CONDITIONS:**

- 1. Any new outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. 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 area. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris centers, 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.
- 3. The landowner shall provide the attached notice to all potential purchasers of the property and to tenants/lessees of the building(s) thereon.
- 4. The proposed aboveground detention/water quality basin on the site shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the detention/water quality basin that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.

If you have any questions, please contact Paul Rull, ALUC Urban Regional Planner IV, at (951) 955-6893 or John Guerin, ALUC Principal Planner, at (951) 955-0982.

Sincerely, RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

Edward C. Cooper, Director

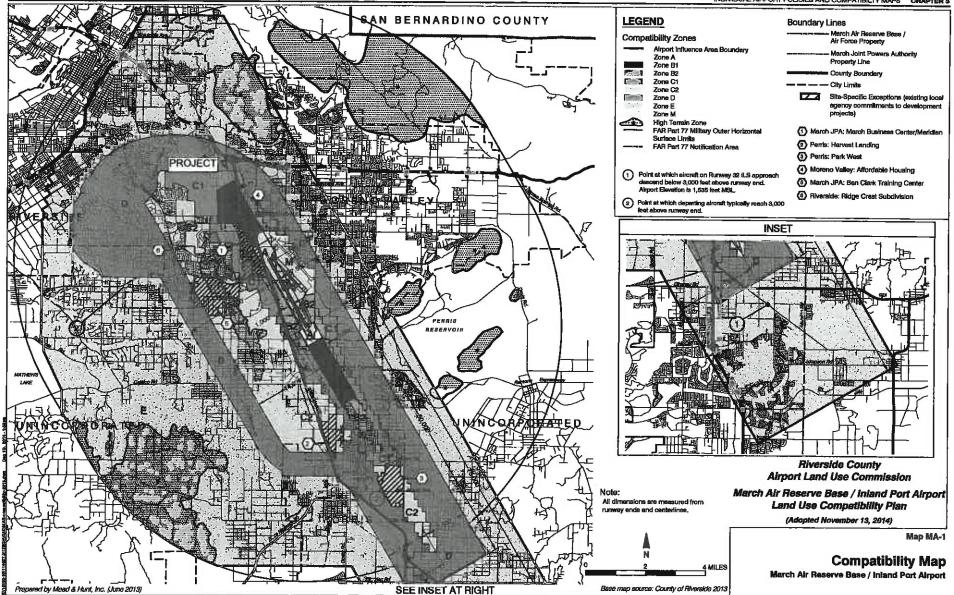
Attachments: Notice of Airport in Vicinity

cc: 6030 SC Holdings, LLC (applicant/property owner) Prophet Solutions, Inc. (representative/payee) Gary Gosliga, Airport Manager, March Inland Port Airport Authority Denise Hauser, March Air Reserve Base ALUC Case File

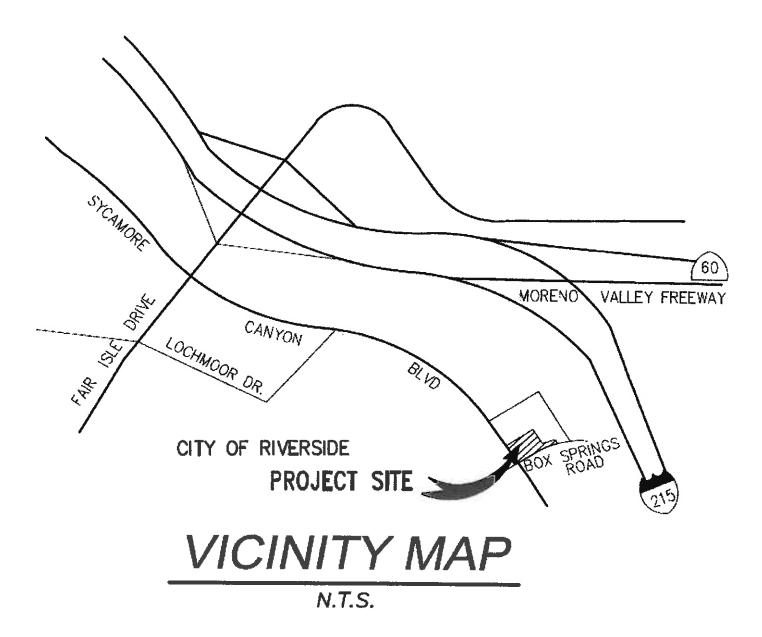
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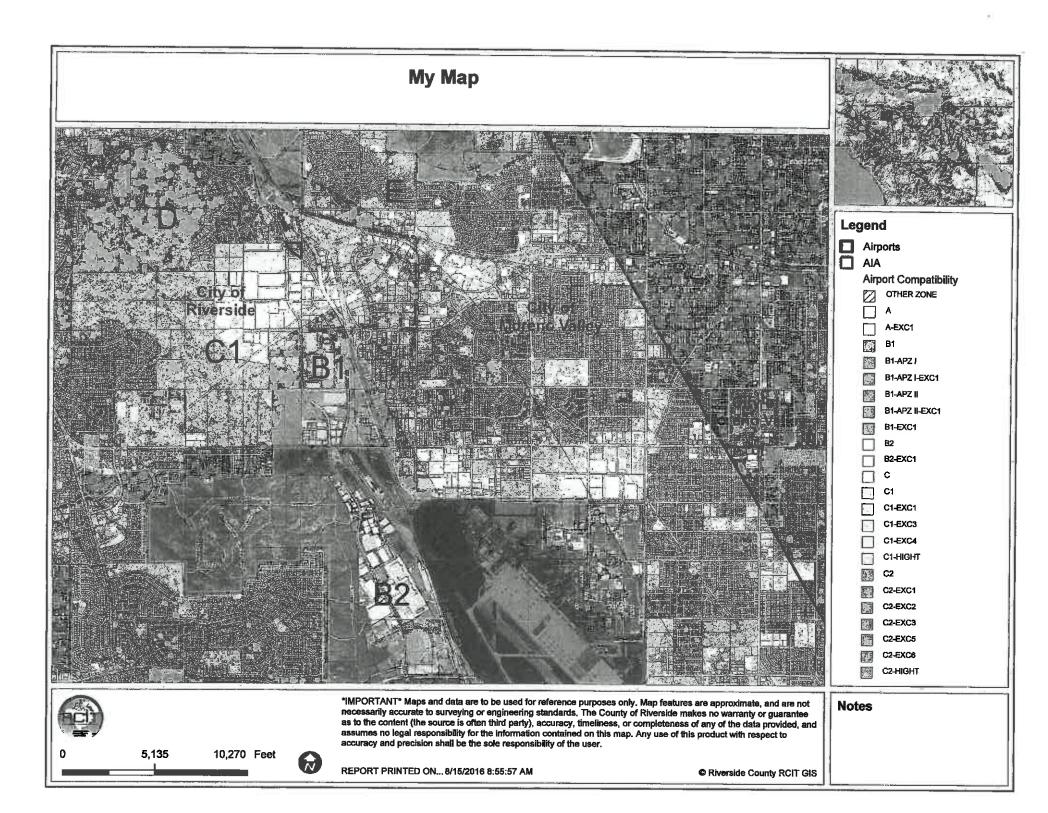
# NOTICE OF AIRPORT IN VICINITY

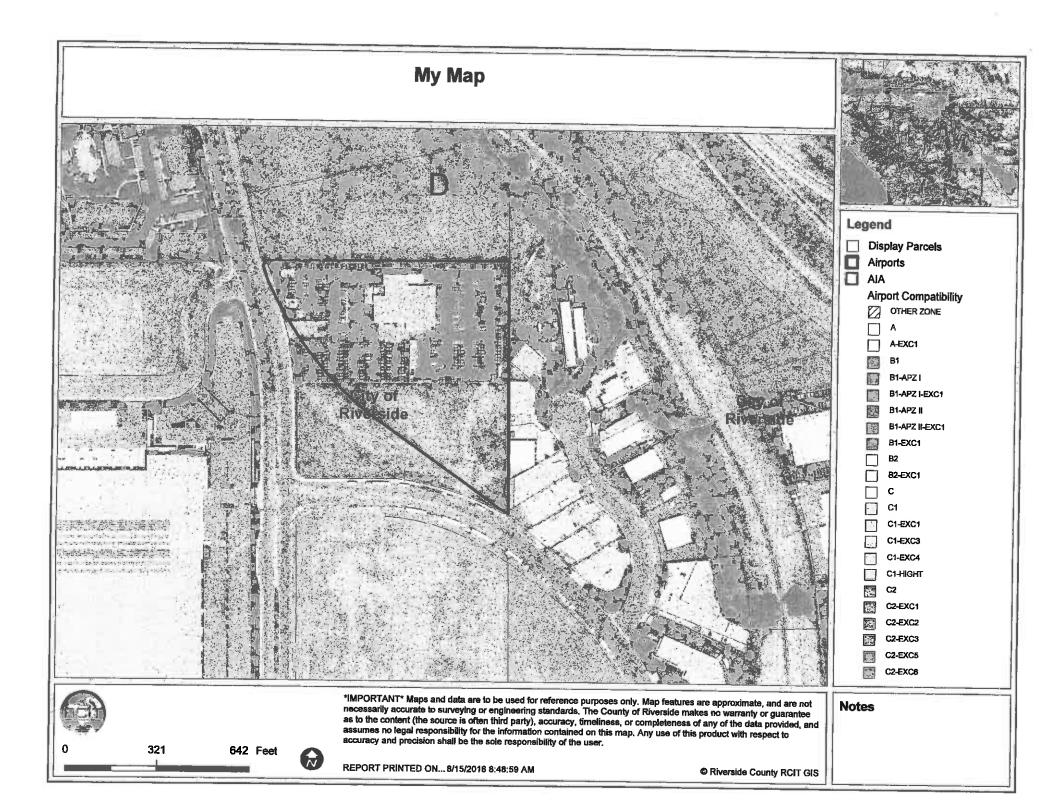
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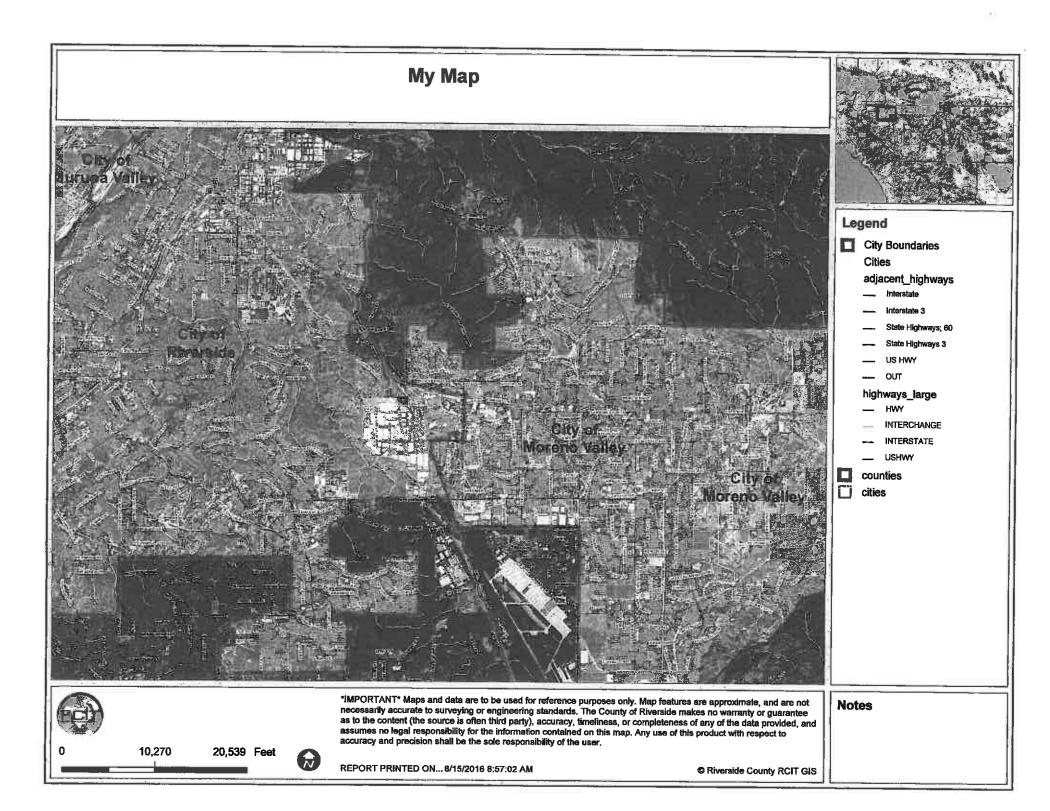


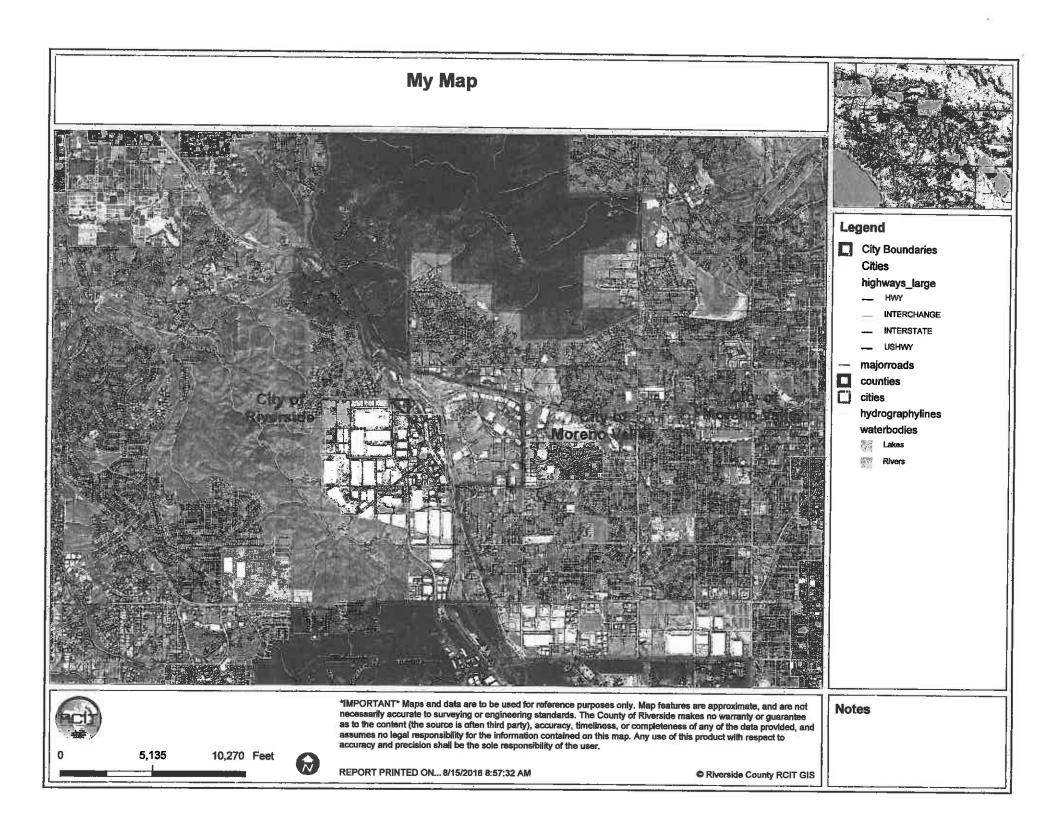
INDIVIDUAL AIRPORT POLICIES AND COMPATIBILITY MAPS CHAPTER S

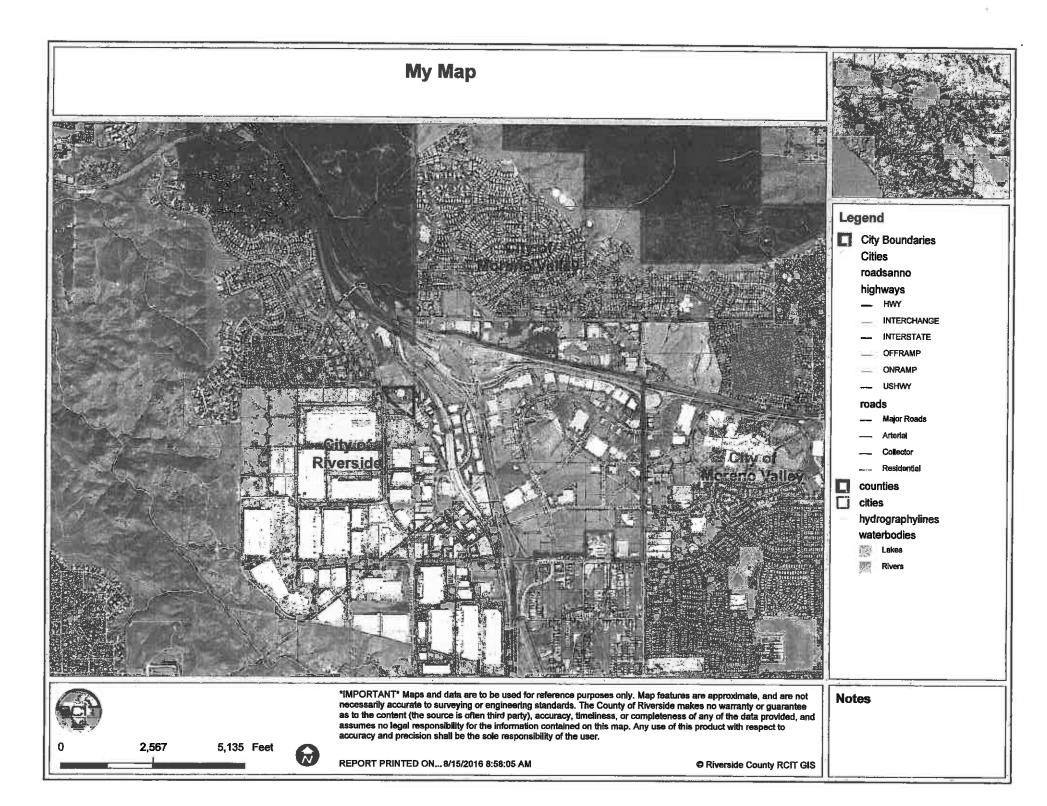


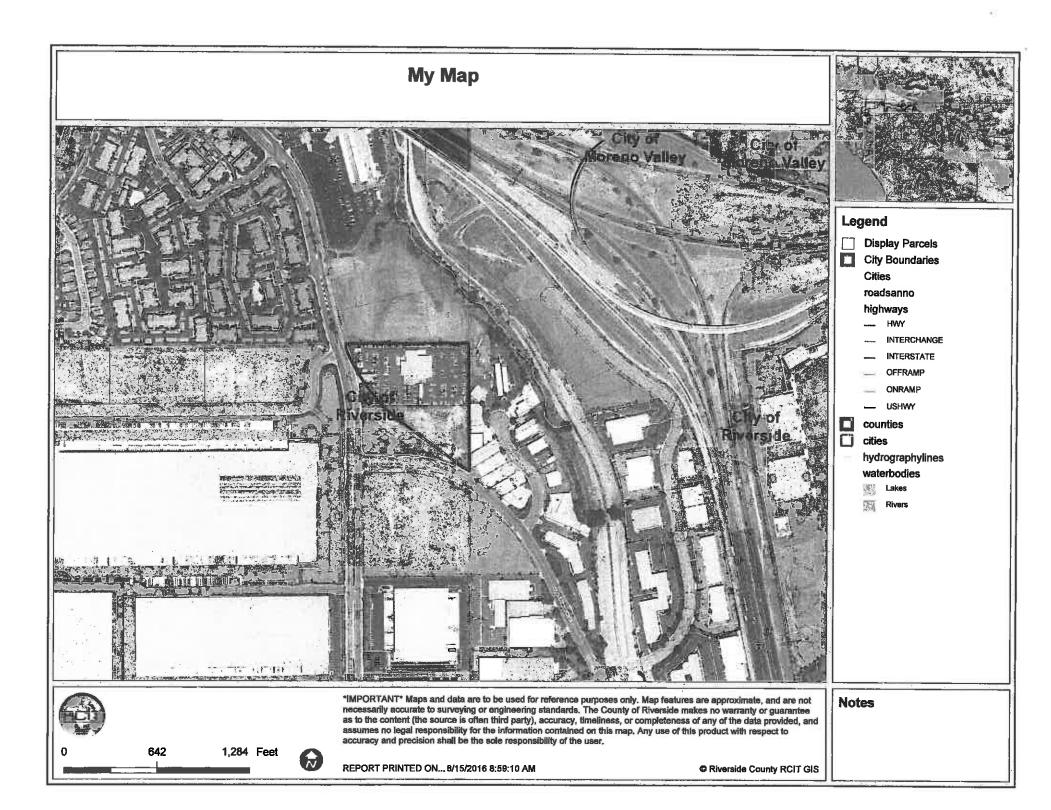


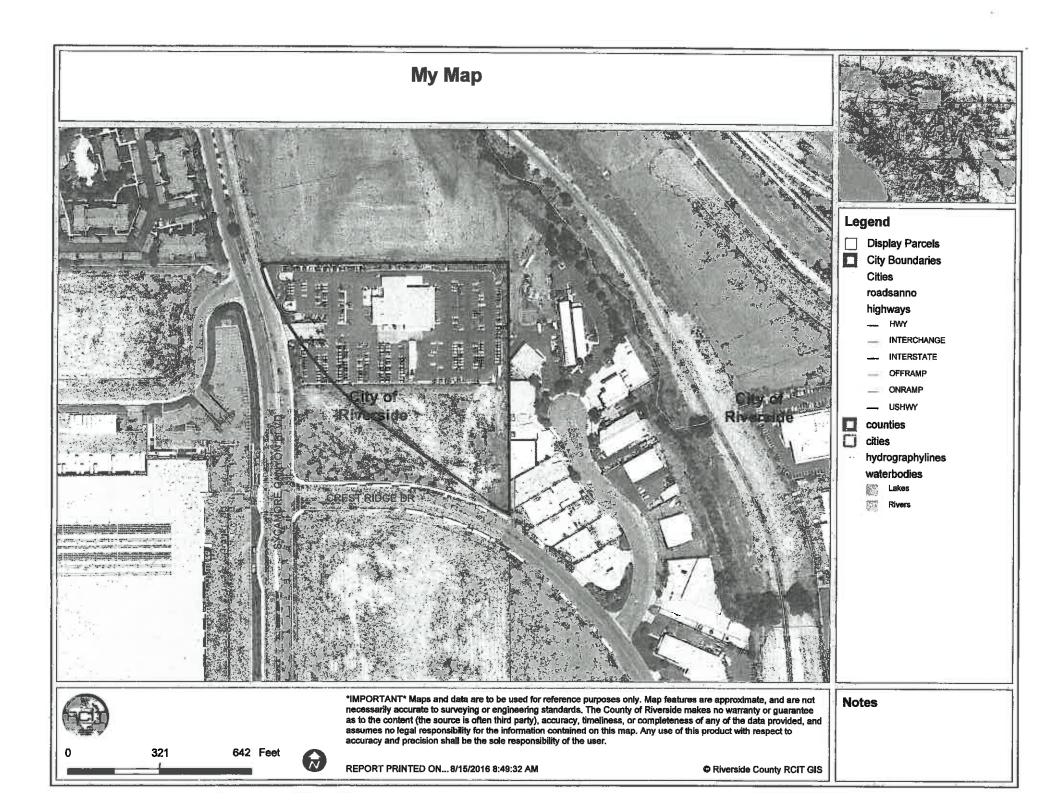


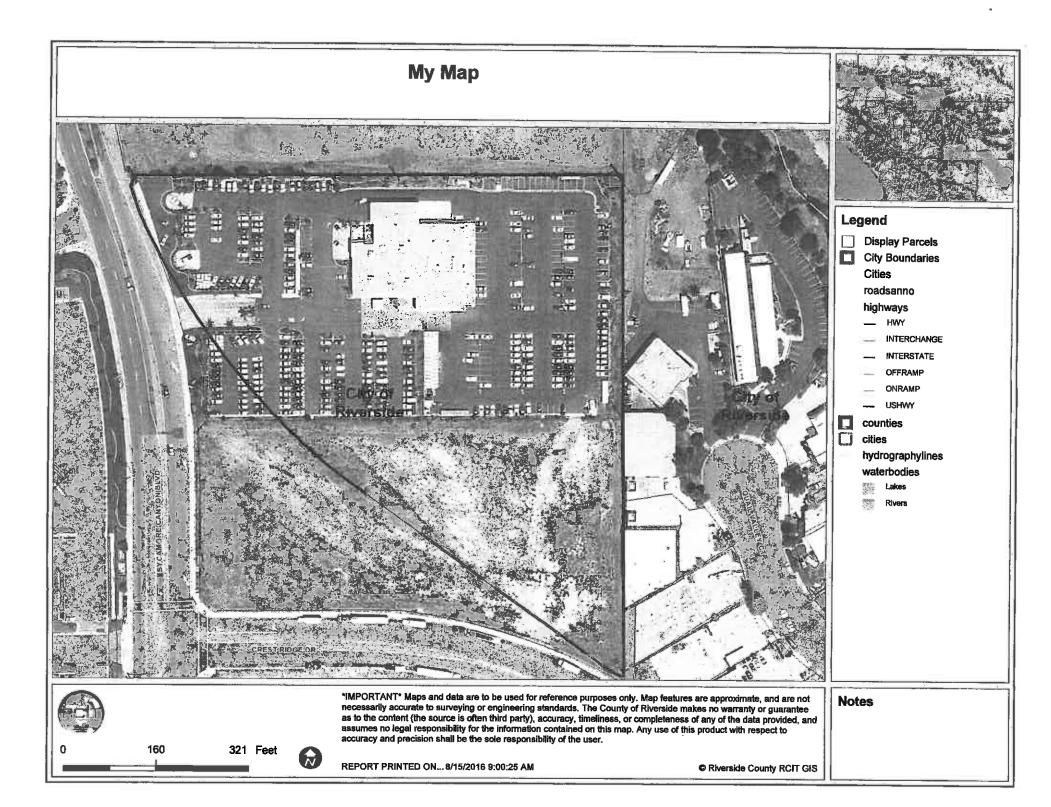


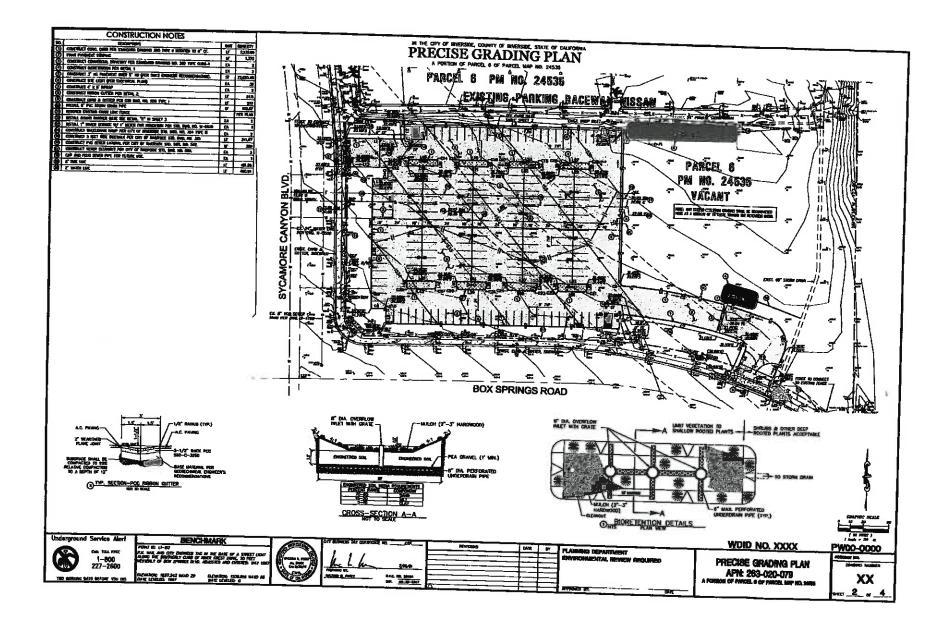


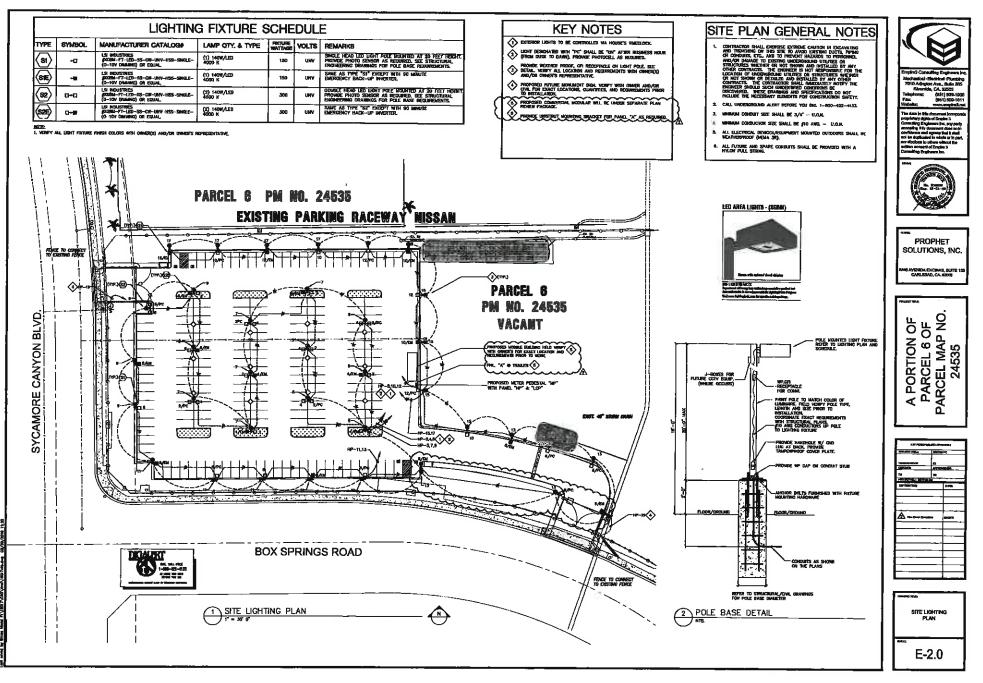


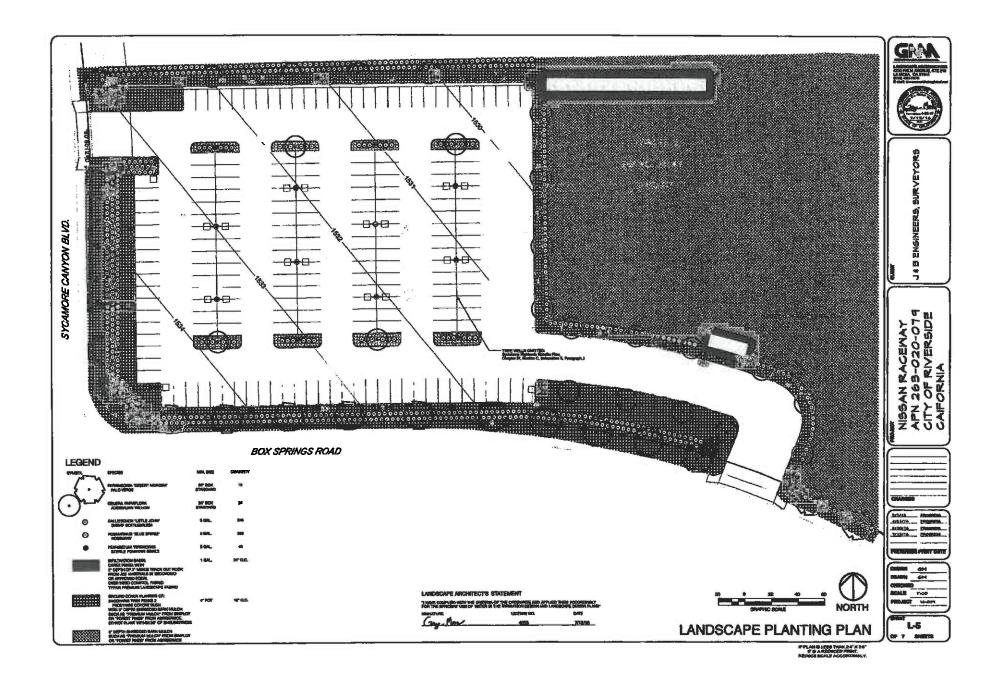


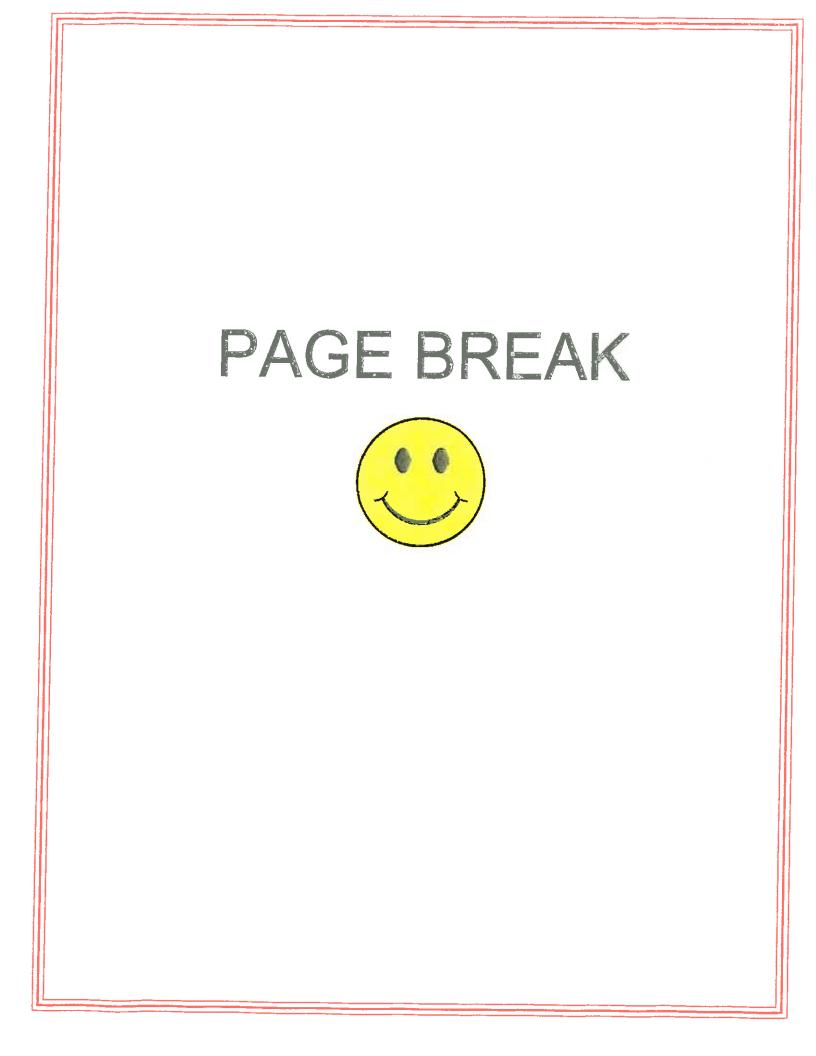














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### AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY

	August 31, 2016						
CHAIR Simon Housman Rancho Mirage VICE CHAIRMAN Rod Ballance Riverside	Ms. Gaby Adame, Project Planner City of Riverside Planning Division 3900 Main Street, Third Floor						
COMMISSIONERS Arthur Butler Riverside	RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW – DIRECTOR'S DETERMINATION						
John Lyon Riverside Glen Holmes	File No.:ZAP1080RI16Related File Nos.:P15-0958 (Conditional Use Permit), P15-0959 (Design Review), P15-1105 (Tentative Parcel Map)						
Hernet Steve Manos	APN: 155-290-061						
Lake Elsinore Russell Betts Desert Hot Springs	Dear Ms. Adame:						
STAFF	Under the delegation of the Riverside County Airport Land Use Commission (ALUC) pursuant to ALUC's general delegation as per Policy 1.5.2(d) of the Countywide Policies of the 2004 Riverside County Airport Land Use Compatibility Plan, staff reviewed City of Riverside Case Nos.						
Director	P15-0958 (Conditional Use Permit), P15-0959 (Design Review), P15-1105 (Tentative Parcel Map); a proposal to construct a 6,029 square foot express carwash with a 1,081 square foot detail station and 7,221 square foot vacuum station, and two commercial retail buildings totaling 16,607 square feet located on a 4.0 acre parcel, located northerly of Arlington Avenue, westerly of Van Buren Boulevard, and southerly of Doolittle Avenue. The project also proposes a tentative parcel map to subdivide the parcel into two commercial lots.						
Ed Cooper John Guerin Paul Rull Barbara Santos							
County Administrative Center 4080 Lemon SL, 14tin Floor. Riverside, CA 302501 (351) 955-5132	The site is located within Airport Compatibility Zone D of the 2005 Riverside Municipal Airport Compatibility Plan. Compatibility Zone D limits nonresidential intensity to 100 people per average acre, and 300 people per single acre. The applicant proposes to subdivide the 4.0 acre parcel into a 2.2 acre parcel (northern portion) and 1.8 acre parcel (southern portion). The northern						
	portion of the project proposes to construct a 6,029 square foot express carwash with a 1,081 square foot detail station and 7,221 square foot vacuum station, resulting in an occupancy of 50 people and an average intensity of 23 people per acre, and a single acre intensity of 35 people. This is consistent with Compatibility Zone D criteria of 100 people per average acre and 300 people per single acre. The southern portion of the project proposes to construct a 2,572 square foot and 14,035 square foot commercial retail buildings, resulting in an occupancy of 277 people using the building code method, which results in an average intensity of 154, and a single acre intensity of 234 people. This is consistent with Compatibility Zone D single acre criteria of 300 people, but inconsistent with the average intensity criteria of 100 people per acre. However, if the parking code method is used to determine occupancy (1.5 persons for every parking spaces required/provided), it results in 53 parking spaces and an occupancy of 80 people, and an average intensity of 44 people per acre, which would be consistent with Compatibility Zone D average criteria of 100 people per acre.						
	The project site is approximately 1,600 feet from the westerly terminus of Runway 9-27 and 2,000 feet from the southerly terminus of Runway 16-34 at Riverside Municipal Airport. However,						

#### AIRPORT LAND USE COMMISSION

the elevation of Runway 16-34 at its southerly terminus (771.8 feet AMSL) is 14.2 feet higher than the elevation of Runway 9-27 at its westerly terminus (757.6 feet AMSL). At the distances cited above, structures with a top point elevation exceeding 773.6 feet and 791.8 feet AMSL, respectively, would require notification to the Federal Aviation Administration Obstruction Evaluation Service (FAA OES) through the online Form 7460-1 review process (<u>https://oeaaa.faa.gov</u>). The site has an elevation of 738 feet AMSL, and the top point of the proposed 35 foot high building would be 773 feet AMSL. Therefore, ALUC staff did not require review by the FAA OES for height/elevation reasons.

The project site was previously heard by ALUC on January 13, 2011, for a proposed rezone where the applicant was proposing to change the property's zoning from Business Manufacturing Park to Commercial Retail (ZAP1051RI10). The Commission found the proposed rezone consistent with the 2005 Riverside Municipal Airport Land Use Compatibility Plan. There were no land uses being proposed at that time, and the staff report noted that the applicant would have to come back to ALUC for review if any land uses were to be proposed on this site. It was also noted that any future land use would have to be consistent with the compatibility criteria and nonresidential intensity requirements of Compatibility Zone D. Based on these facts, the applicant submitted ZAP1080RI16 for a consistency finding for their proposed project of a carwash and retail buildings.

As ALUC Director, I hereby find the above-referenced projects <u>CONSISTENT</u> with the 2005 Riverside Municipal Airport Land Use Compatibility Plan, subject to the following conditions.

#### **CONDITIONS:**

- 1. Any new outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky.
- 2. The following uses are 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. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris centers, 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 and hazards to flight.
- 3. The attached notice shall be provided to all prospective purchasers of the property and tenants and/or lessees of the building(s) and structures on-site.

#### AIRPORT LAND USE COMMISSION

- 4. No new detention basins are proposed through this application. Any new aboveground detention basins on the site shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around such detention basin(s) that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.
- 5. The maximum height of the proposed structures shall not exceed 35 feet above ground level and the maximum elevation of the proposed structures, including all roof mounted appurtenances (if any) shall not exceed 773 feet above mean sea level.

If you have any questions, please contact Paul Rull, ALUC Urban Regional Planner IV, at (951) 955-6893, or John Guerin, ALUC Principal Planner, at (951) 955-0982.

Sincerely, RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

Edward C. Cooper, ALUC Director

Attachments: Notice of Airport in Vicinity

cc: Arthur Dermirchyan (applicant/property owner) John Kaliski Architects (representative/payee) Kim Ellis, Airport Manager, Riverside Municipal Airport ALUC Case File

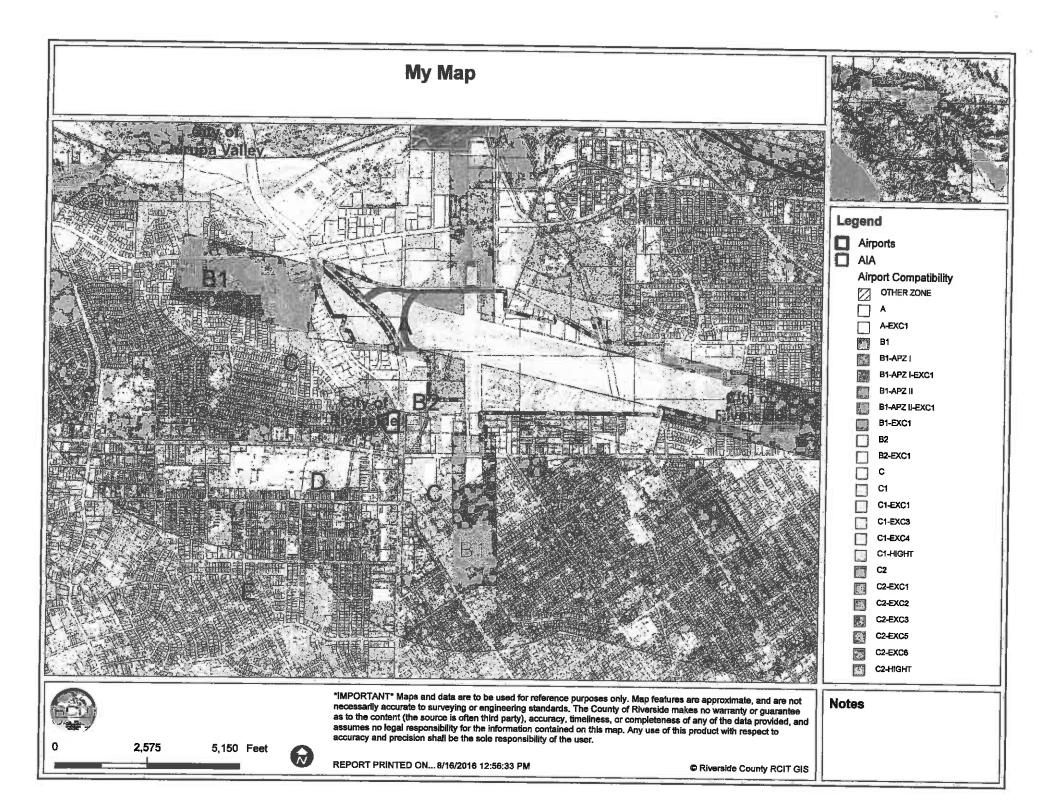
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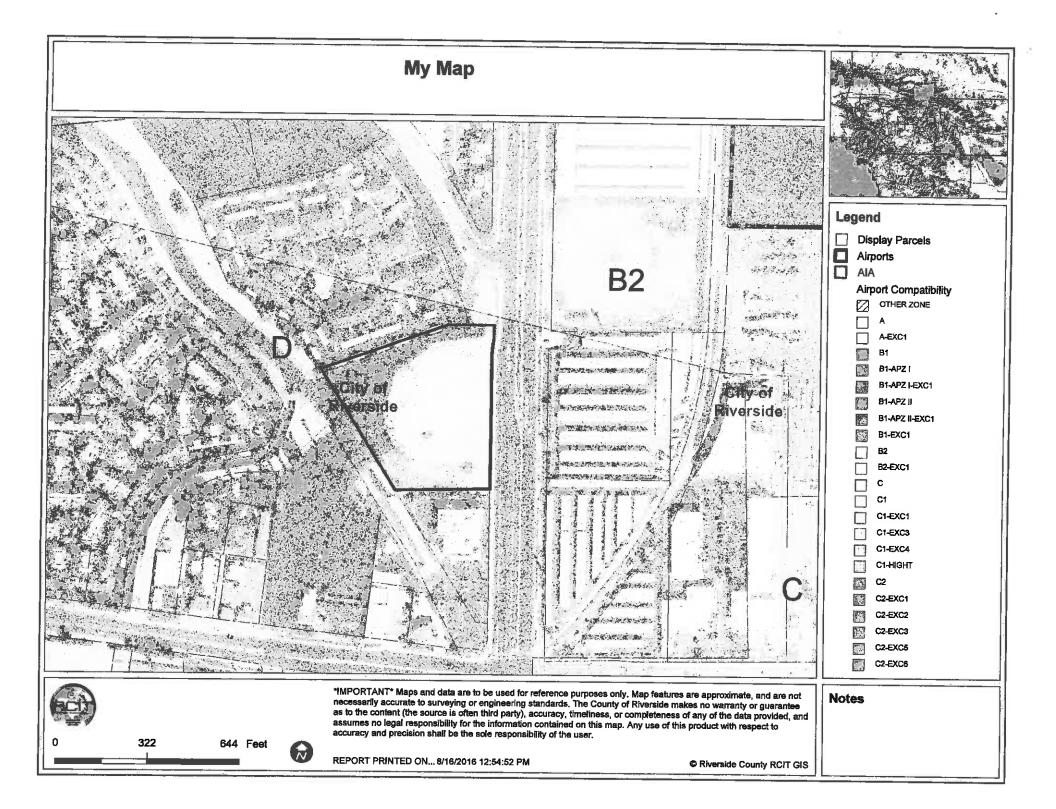
# NOTICE OF AIRPORT IN VICINITY

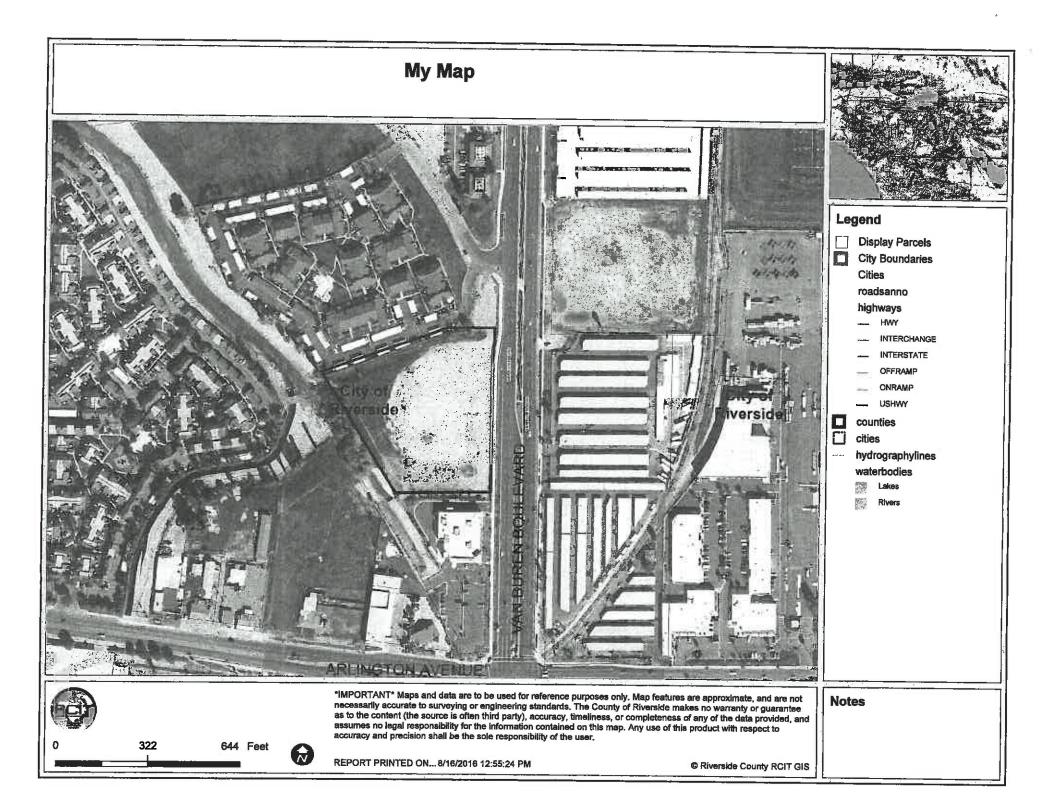
This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances [can vary from person to person. You may wish to consider what airport annoyances], if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b)

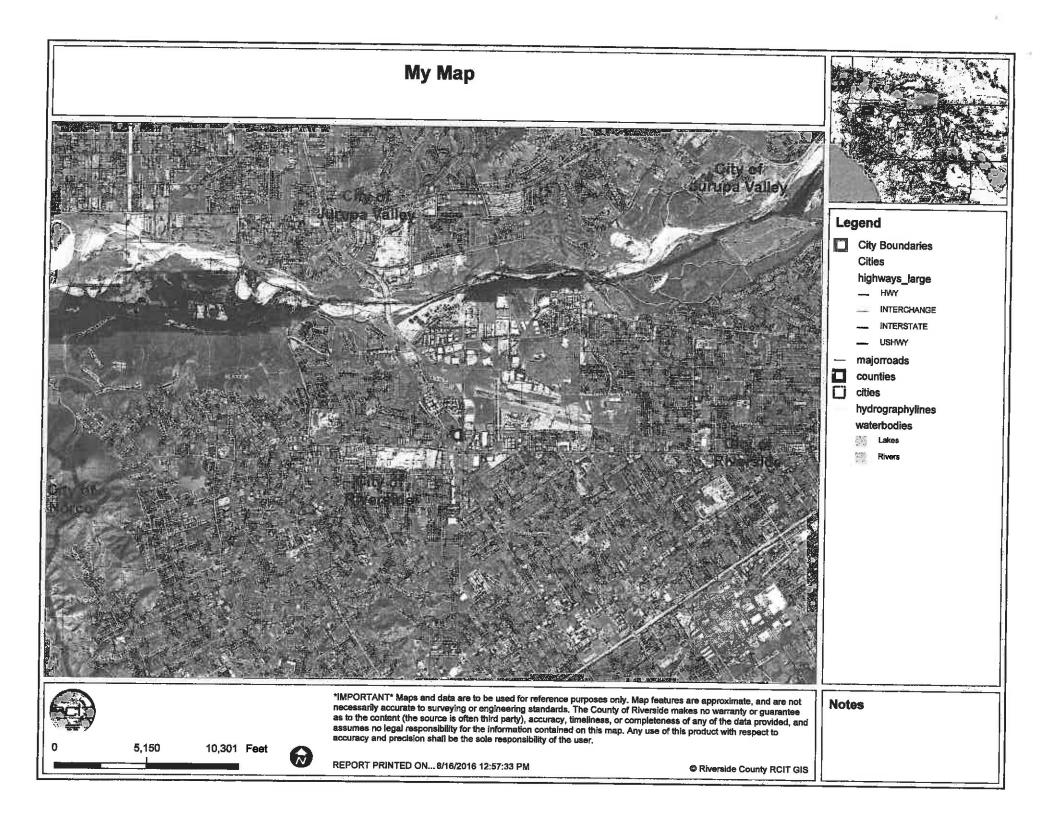


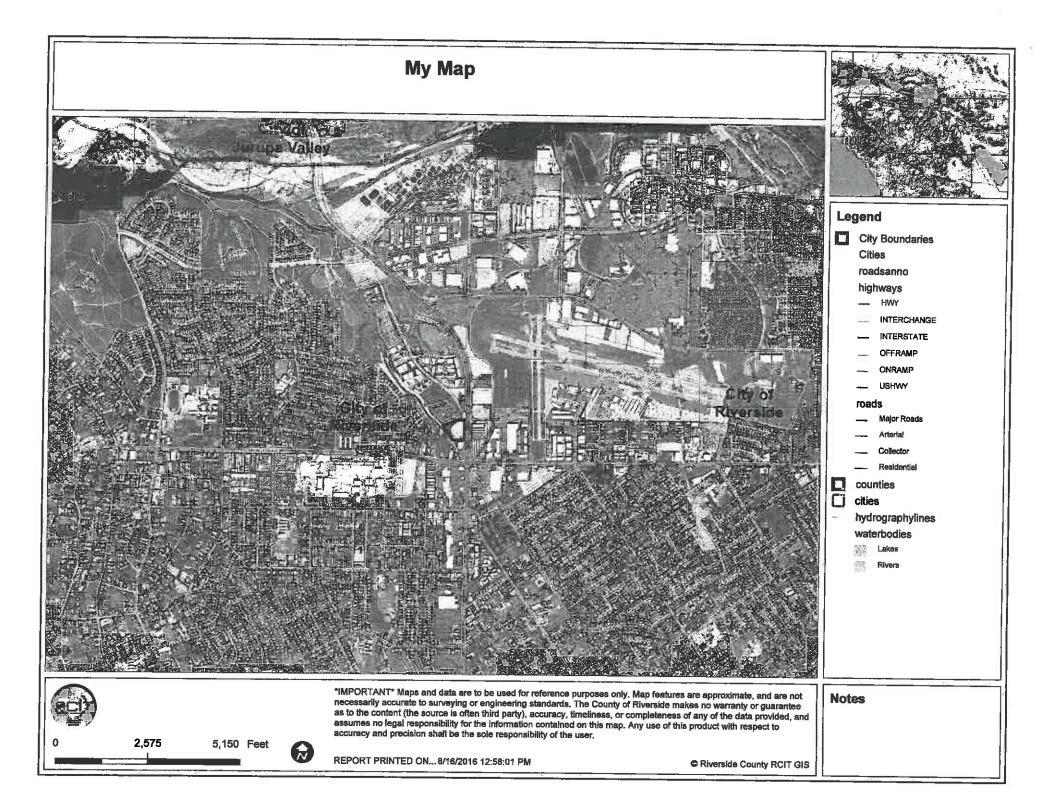
#### INDIVIDUAL AIRPORT POLICIES AND COMPATIBILITY MAPS CHAPTER 3

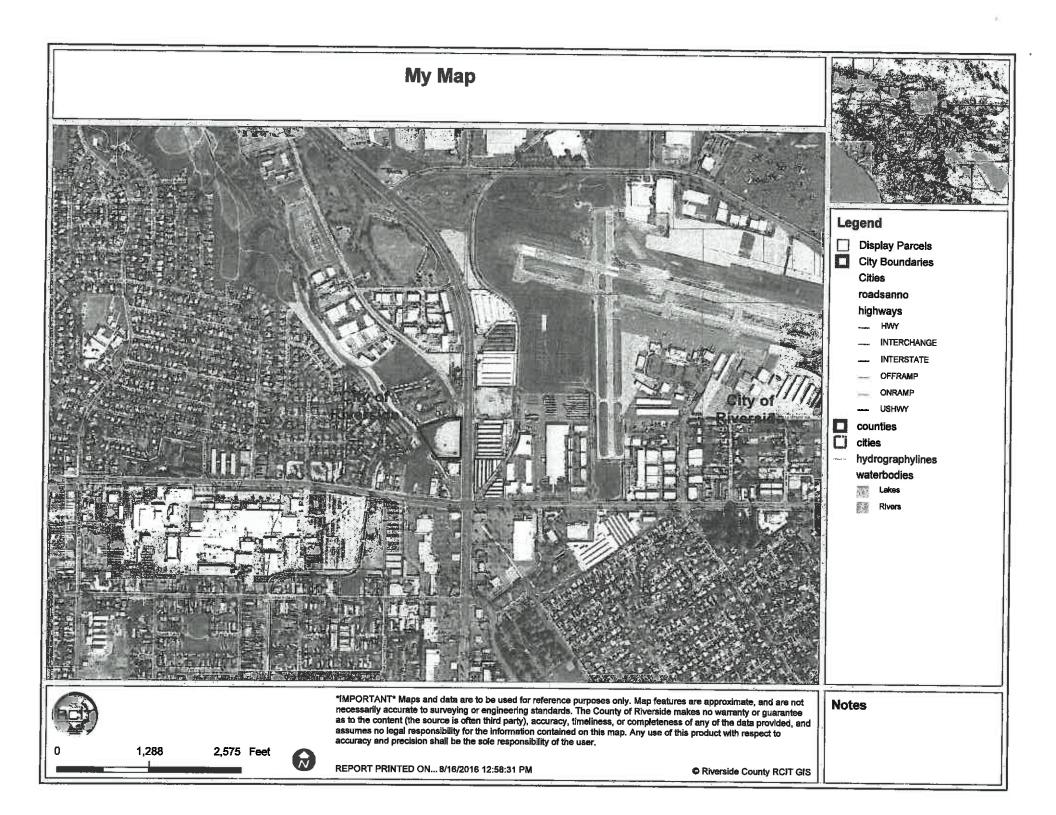


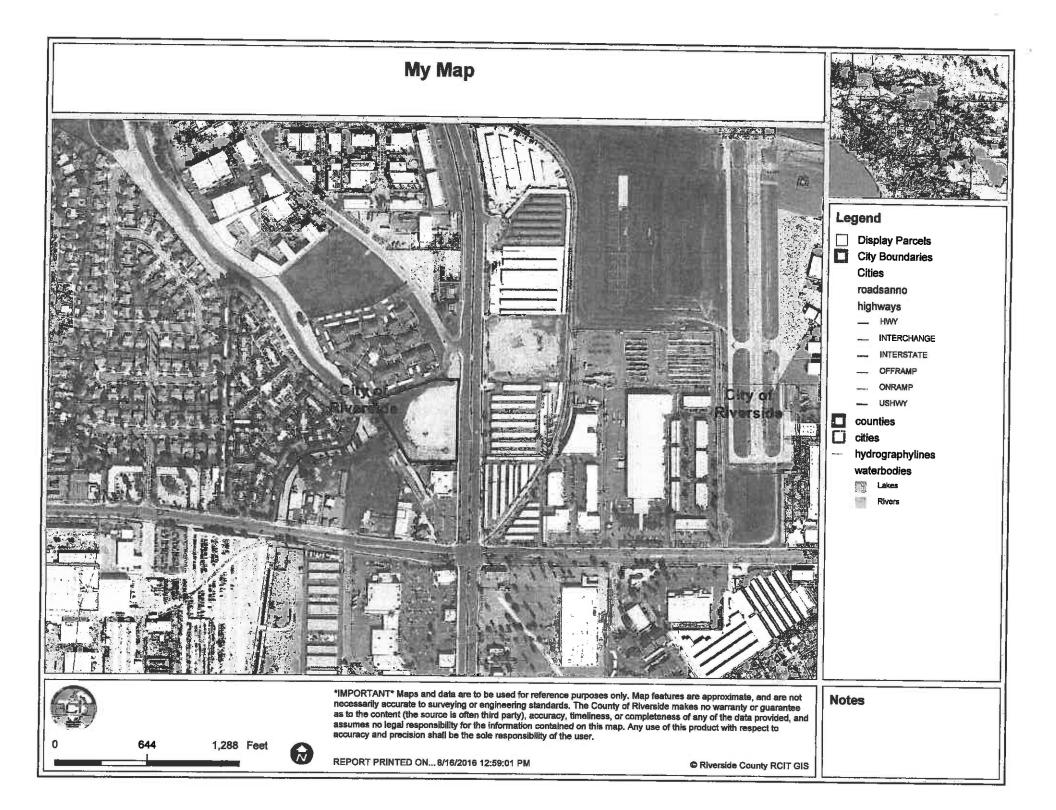


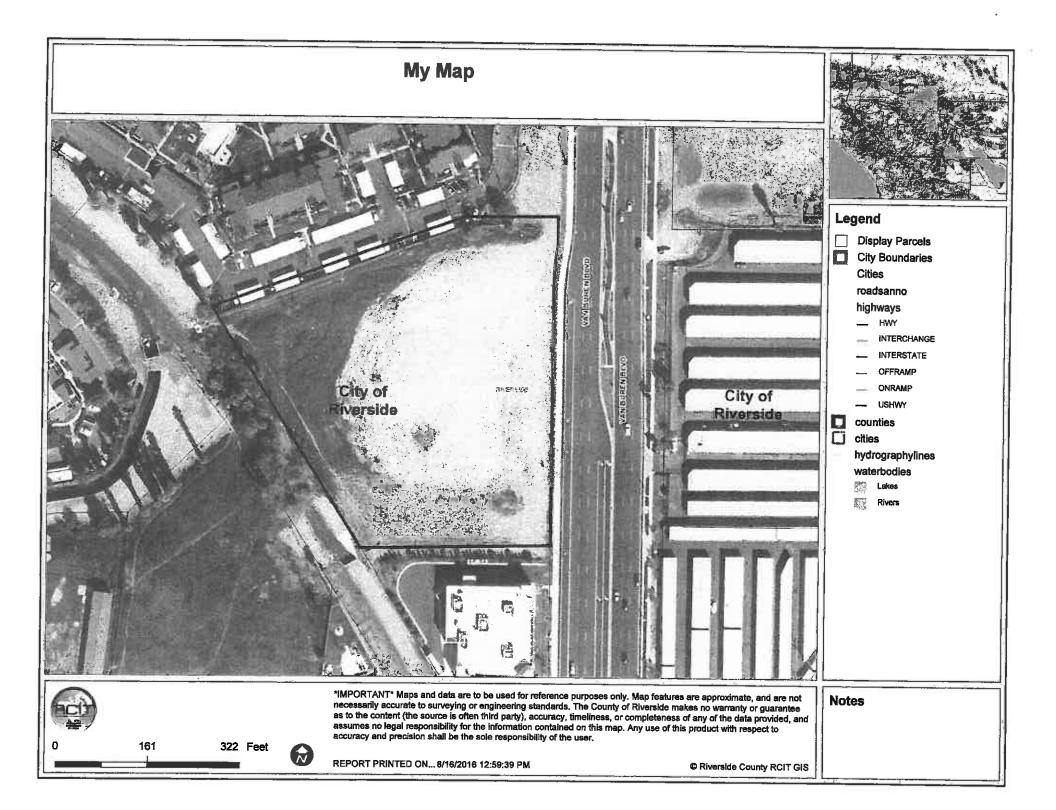












3780 WILSHIRE BOULEVARD, SUITE 300 LOS ANGELES CALIFORNIA 90010 www.johnkaliski.com

(213) 383.7980 ph (213) 383.7981 fax

> John Kaliskiala G17.945 URBAN STUDIO John Kaliski Architects

#### **MEMORANDUM**

Date:	August 11 <sup>th</sup> , 2016
Re:	Project Description
	Community Development Department – Planning Division
Project Address:	6458 Van Buren Boulevard, Riverside, CA 92503
	Proposed Express Car Wash, and Retail
APN:	155-290-061
Submitted By:	Javier Vázquez, John Kaliski Architects
	3780 Wilshire Boulevard, Suite 300, Los Angeles, CA 90010

#### **Project Description**

6458 Van Buren Boulevard is a vacant lot located in the City of Riverside to the north of Arlington Avenue and on the west side of Van Buren Boulevard. The Riverside Municipal Airport is located across the street to the northeast. Two-minutes and 1.4 miles north along Van Buren Boulevard, a City-designated parkway, this street crosses the Santa Ana River and the northern city limit.

The Project site is four (4) acres in size and located within the Airport Business Park with a designated commercial land use. The property to the north of the site is designated with a residential land use with existing two-story multi-family residential buildings. Along the west side of the property, opposite Van Buren Boulevard, is an approximate 55' to 80' wide drainage easement that connects to the Santa Ana River. To the south of the site is another commercial property incorporating an existing one-story Walgreens drug store. Adjoining the site to the east is Van Buren Boulevard, a nine-lane street with a designated Class 2 City Bikeway.

The proposed development envisions a high quality built environment with an express carwash on the north half of the property and multi-tenant retail and a stand-alone retail on the south. The architectural forms of the buildings reference the performance shapes of airplanes and cars. The color of primary accent panels and architectural features such as the metal panels of the carwash roof, the corrugated metal panels on walls and roof of the retail buildings - azure blue - is used to unify all of the Project's built forms. The carwash is placed at the center of the site as a whole, establishes the architectural character of the project and features 360° architectural expression. The roof forms a butterfly shape formed by metal panels that wrap over the parapets and overlay the smooth stucco and glass walls of the carwash tunnel. The stucco and glass portions, follow the shape of the roof and glass walls extend to the ground and provide transparency to the car wash function at select portions of the tunnel. To further accent the architecture, stainless steel metal louvers accent the transition between the roof and adjacent materials. At night the roof form as well as the spaces behind the glass feature decorative accent lighting. The site as a whole is designed to ensure that all activities, day and night, are visible from the street, enhancing safety for users and passers-by. Other buildings on the site feature similar forms, details, and colors, but are simpler in

concept and geometry so as to draw the eye to the center of the site where the architectural expression is concentrated.

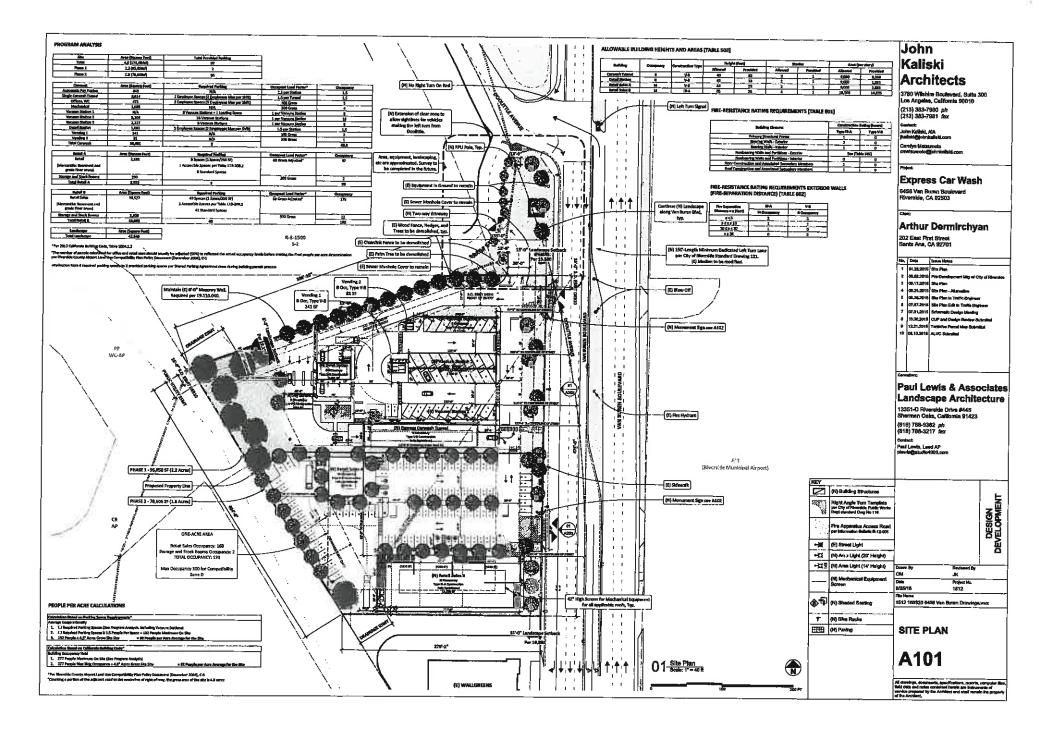
The landscape design features two courtyard spaces that organize the site and built-form program. The north courtyard is bordered on the east, north, and west sides by stands of trees and on the south side by the primary façade of the car wash. To the north of the courtyard, Palo Verde trees screen the commercial use from adjacent residential uses. To the west of the courtyard a stand indian Rosewood trees form a crescent about stormwater retention and infiltration swale. Along Van Buren Boulevard groupings of flowering Palo Verdes and Chitalpas are organized to allow directed views into and out of the site. This courtyard also incorporates in its center the carwash vacuum stations, canopies, and a detailing building. The south courtyard is populated with rows of olive trees, shading the retail parking area and recalling Riverside's agricultural past. A three-foot high berm along Van Buren runs the length of the site from south to north and provides a visual buffer between this street and Project.

Two vehicular ingress and egress access drives are provided to allow entry and exit to both the north and south portions of the site. Northbound access to the project from Van Buren is via a dedicated and signalized left-turn and U-turn lane located opposite the Project's north vehicular entry. A new property line and proposed tentative parcel map to separate the carwash from the retail is designed so that both lots may operate independently from each other while at the same time providing access between the two lots.

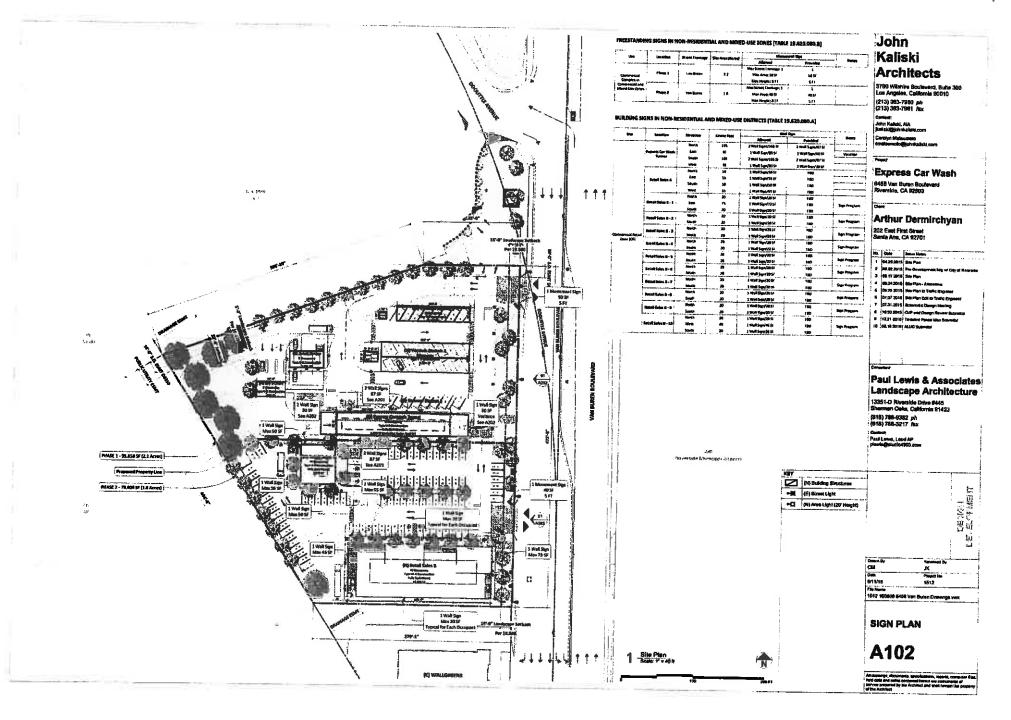
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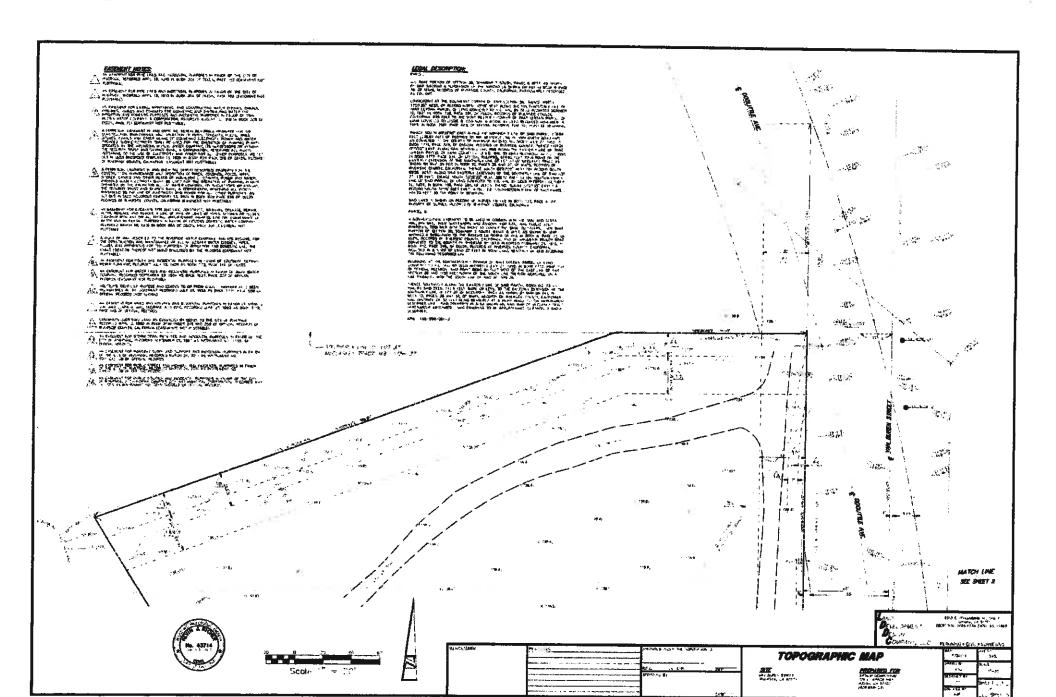
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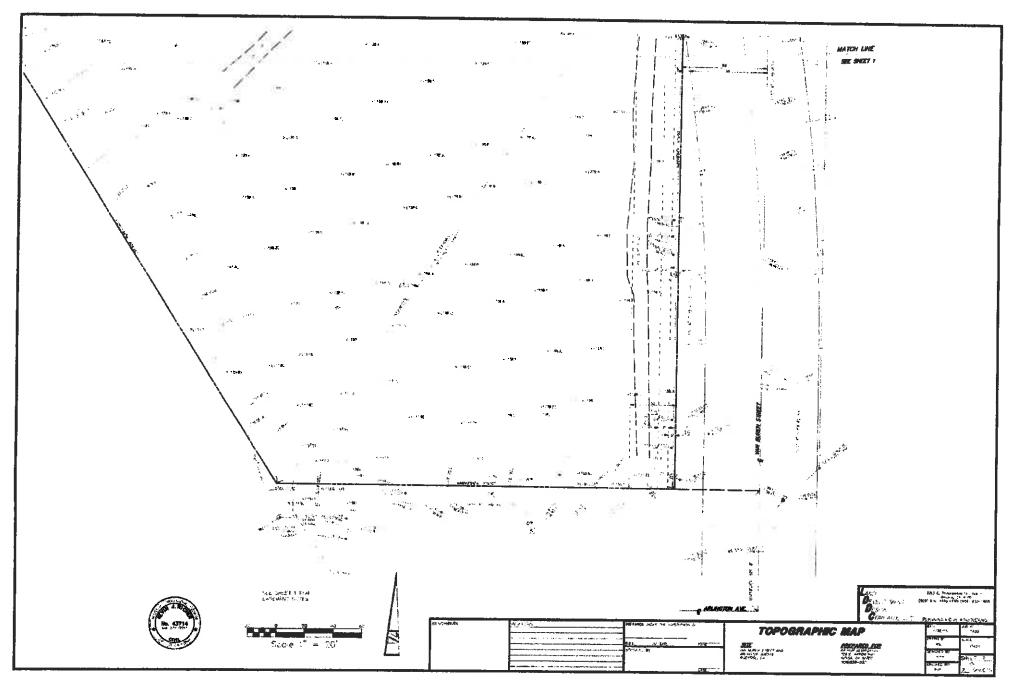


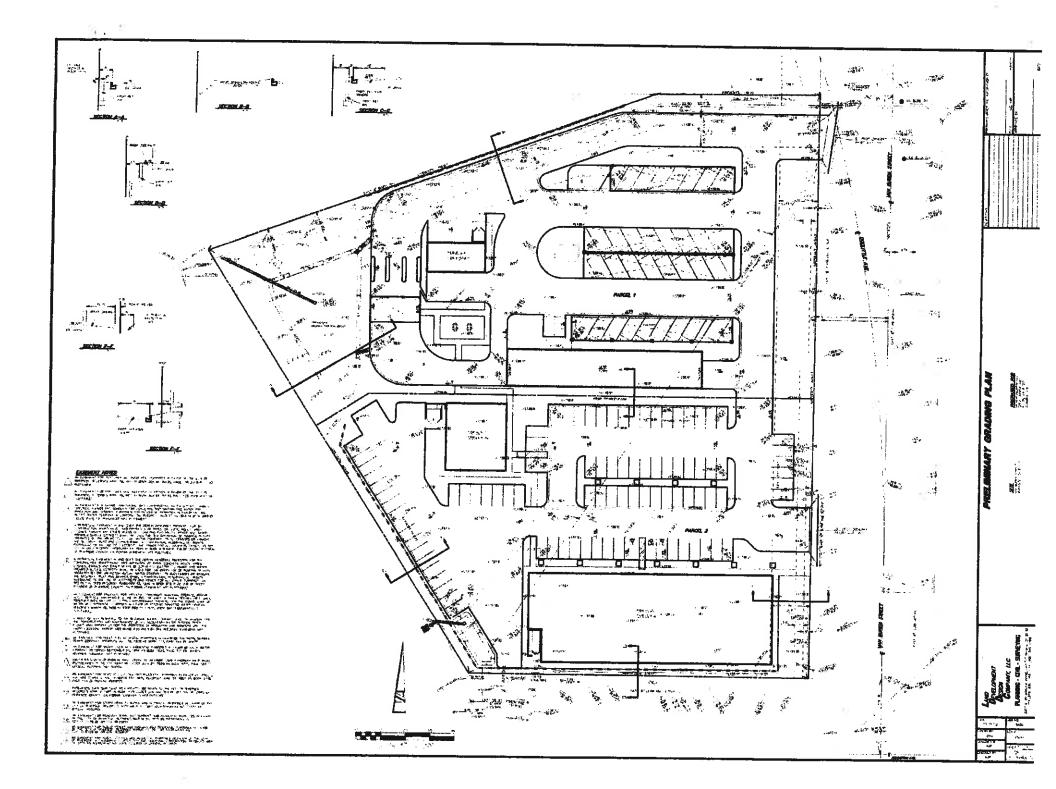


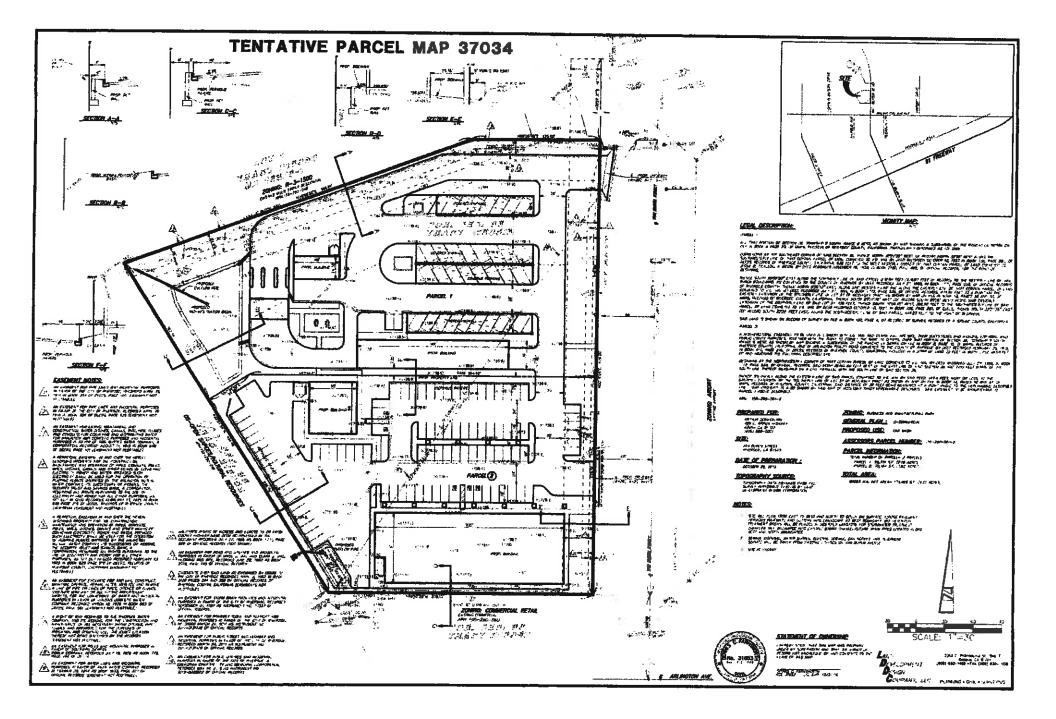


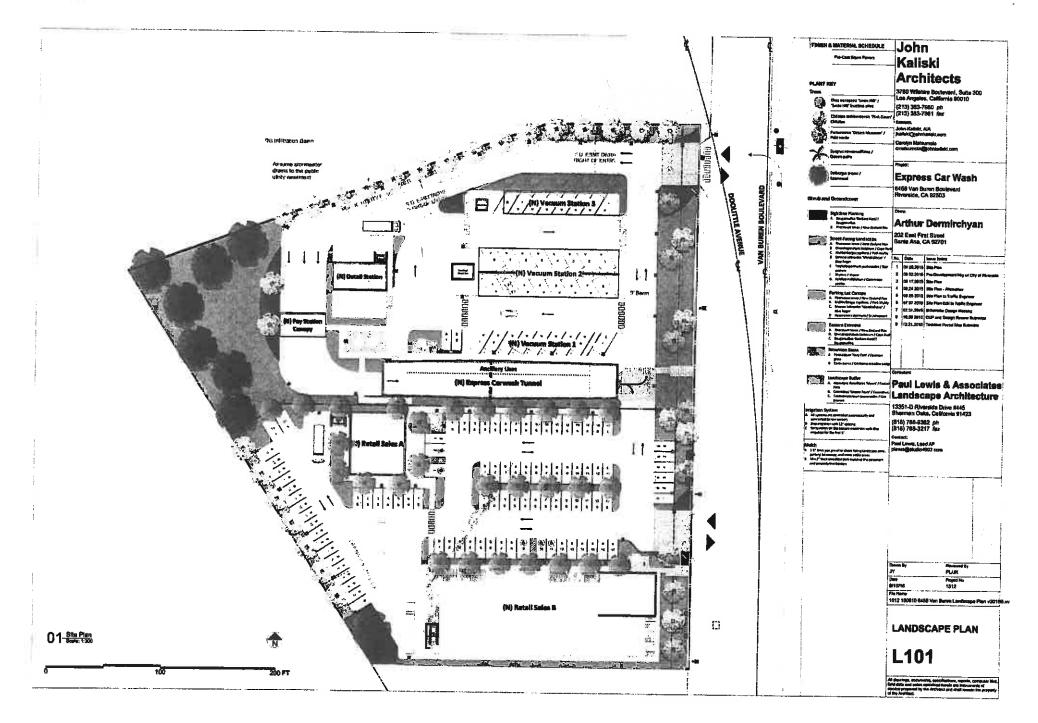
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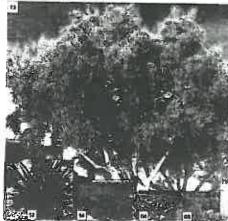


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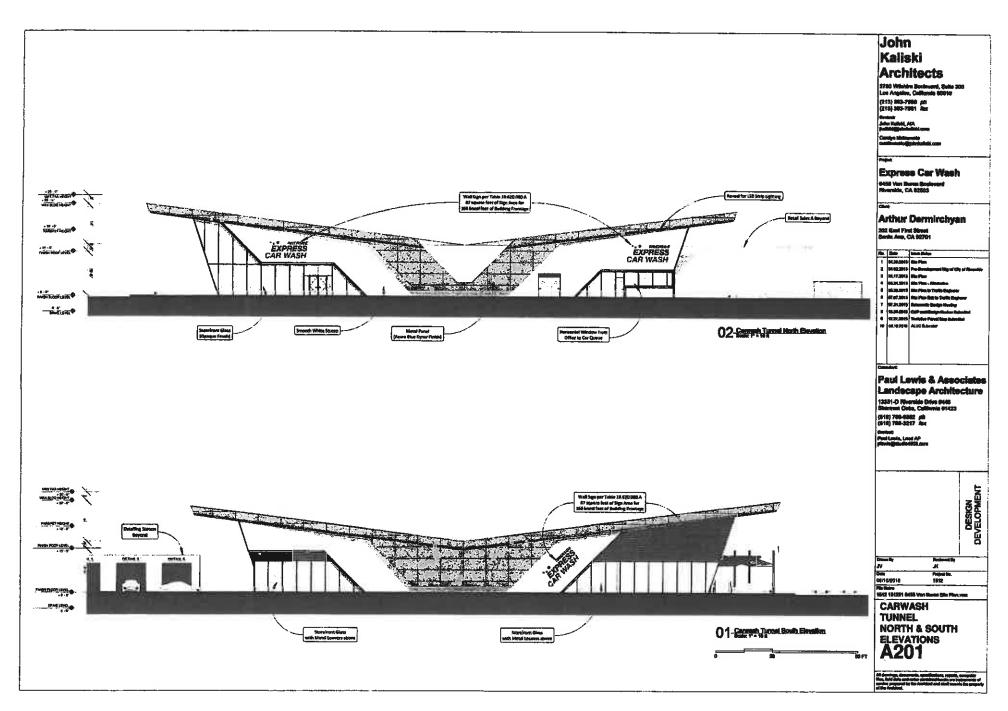
Paul Lewis & Associates Landacape Architecture 13361-D Filmentide Drive (1445 Bivermen Oaks, Celifornia \$1423

(819) 788-8882 ph (818) 788-3217 Au

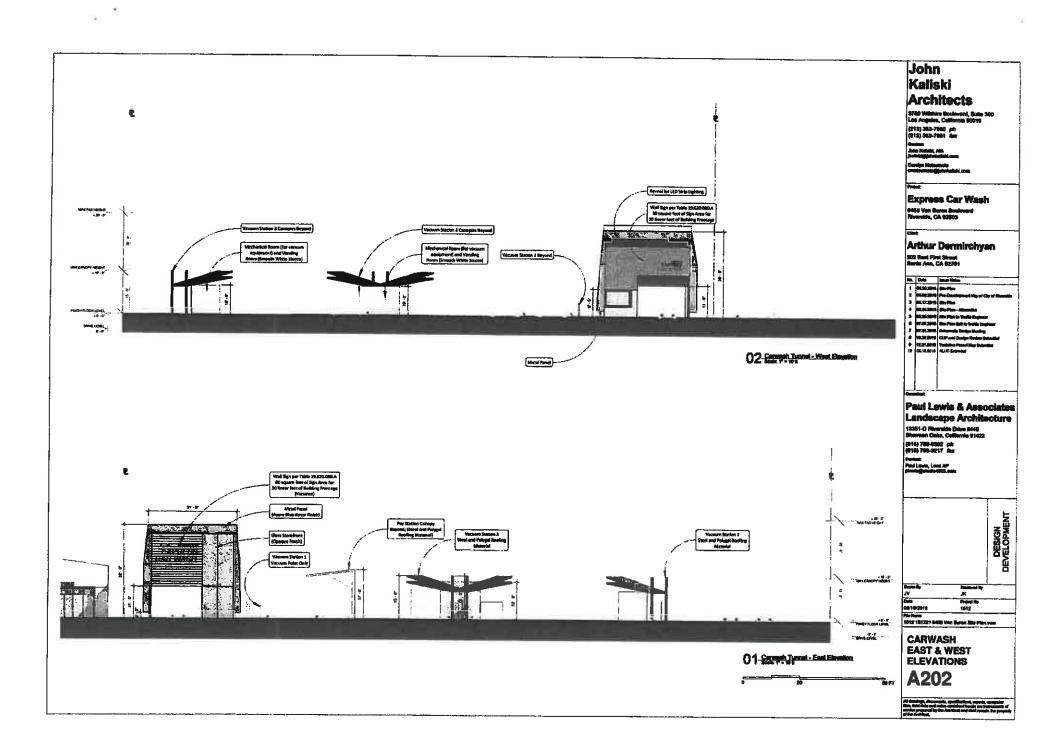
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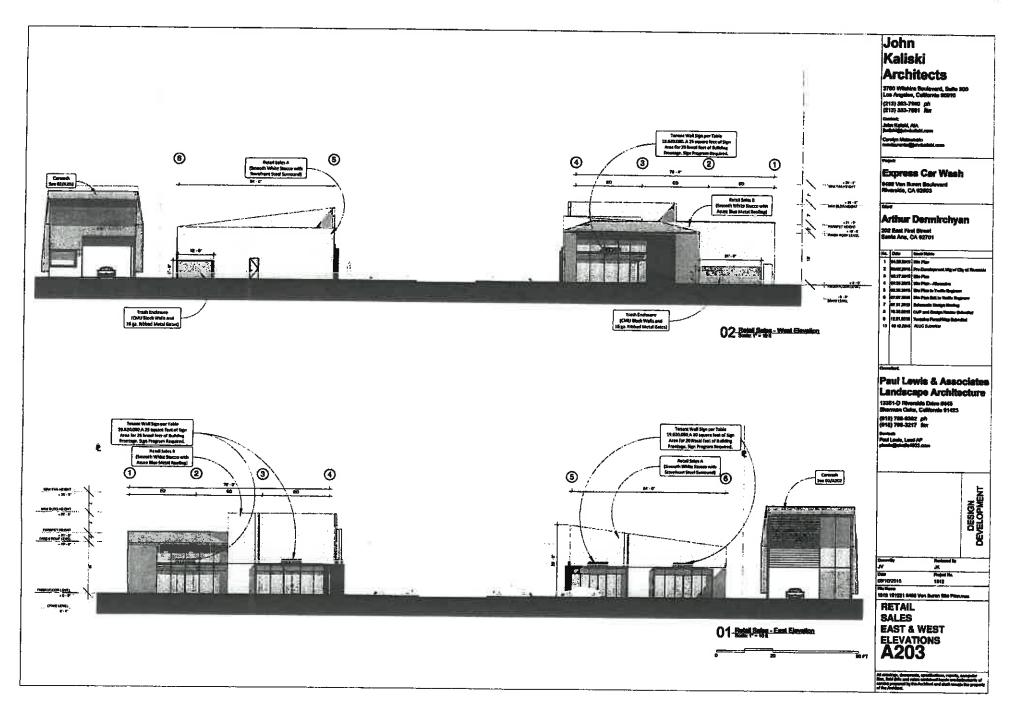


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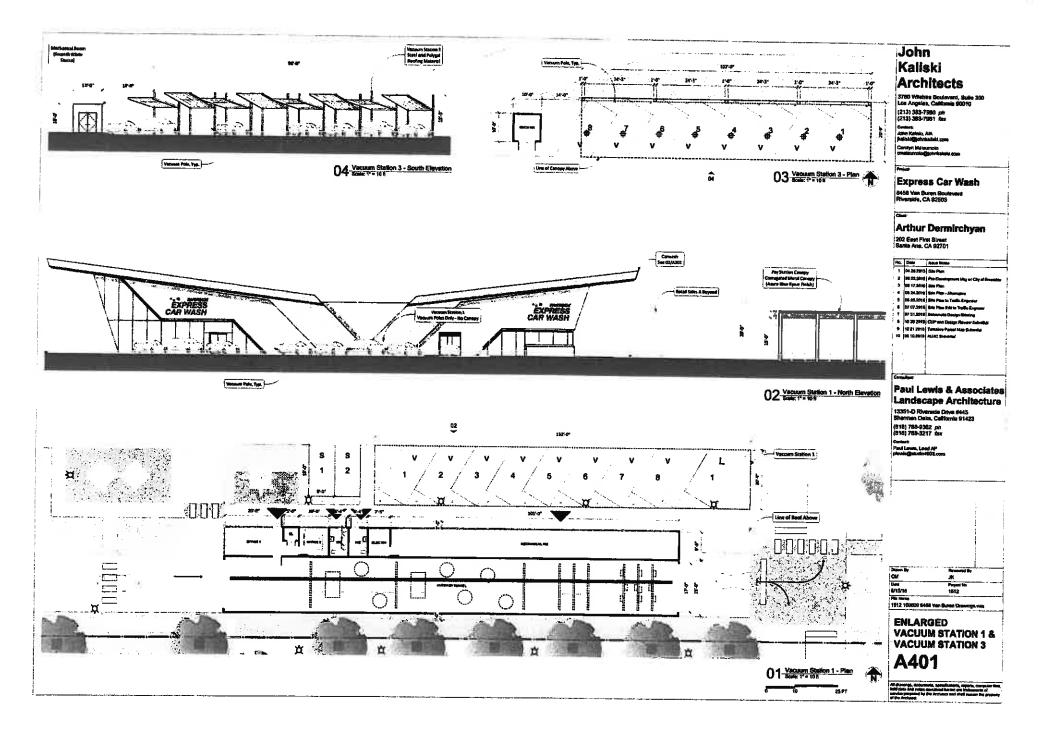


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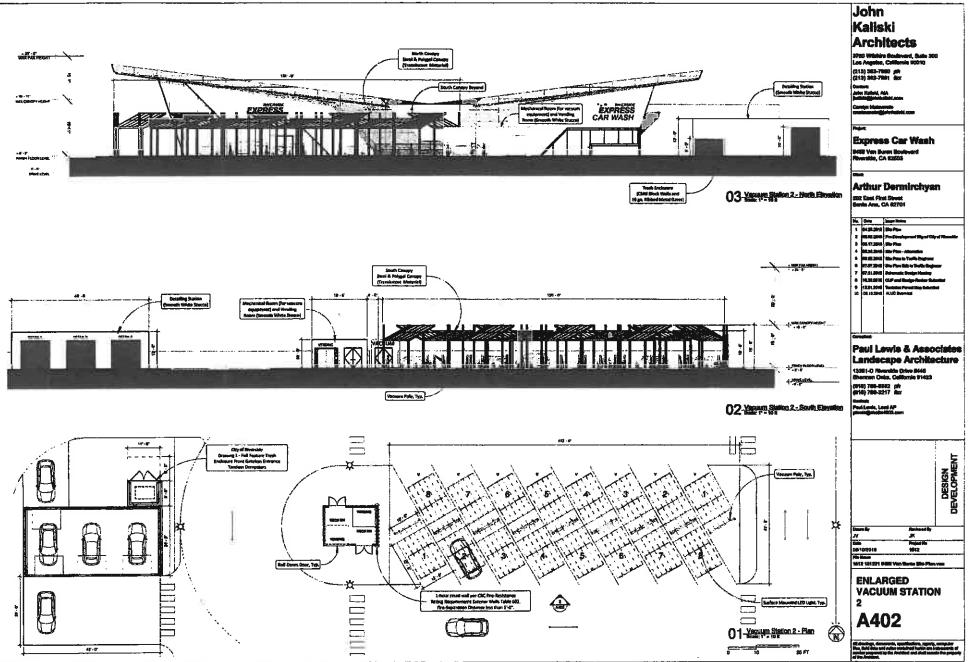


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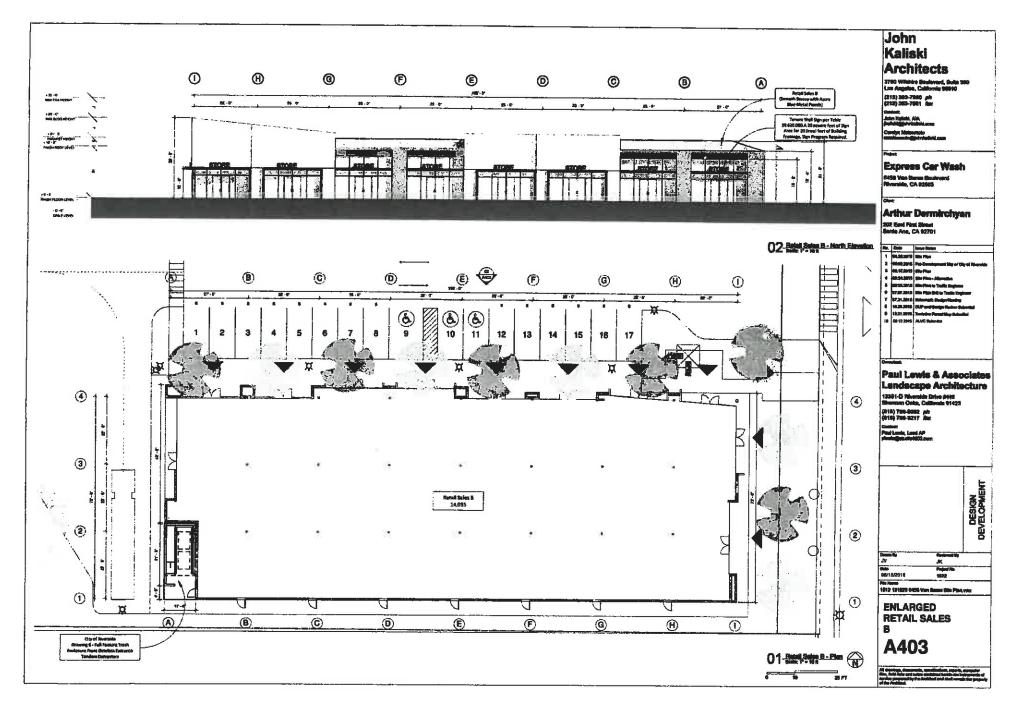
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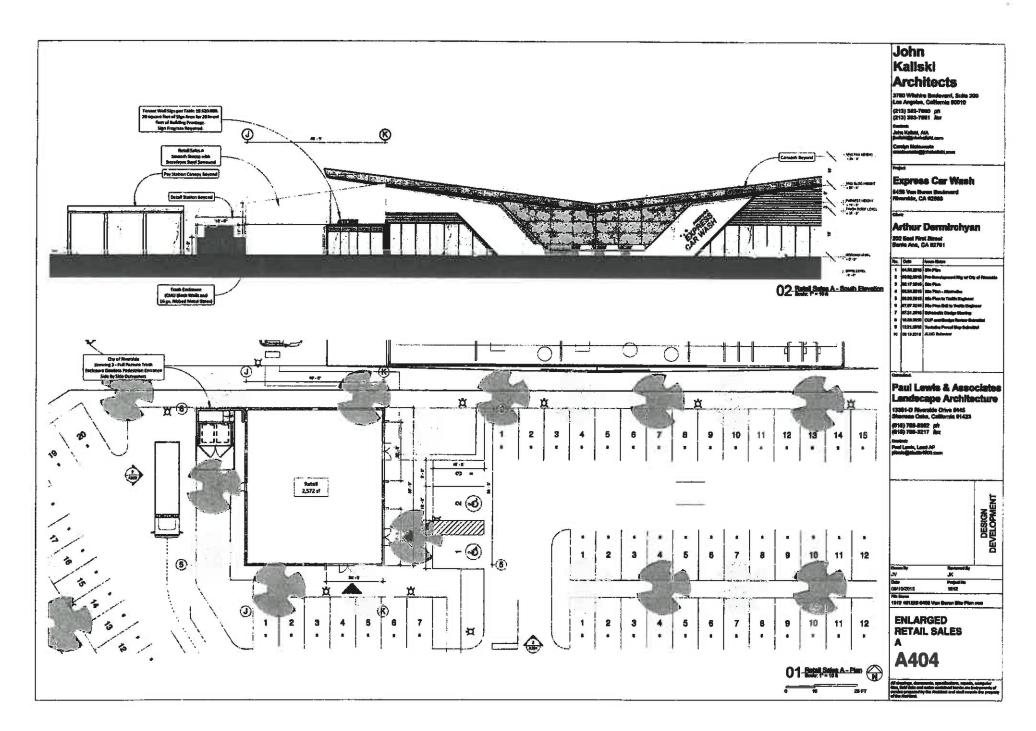


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Mr. Arthur Demirchyan c/o Santa Ana Express Carwash 202 E. 1<sup>st</sup> St. Santa Ana, CA 92701

Mr. Arthur Demirchyan c/o Santa Ana Express Carwash 202 E. 1<sup>st</sup> St. Santa Ana, CA 92701

Mr. Arthur Demirchyan c/o Santa Ana Express Carwash 202 E. 1<sup>st</sup> St. Santa Ana, CA 92701

Mr. Arthur Demirchyan c/o Santa Ana Express Carwash 202 E. 1<sup>st</sup> St. Santa Ana, CA 92701 John Kaliski Architects Attn: Javier Vazquez 3780 Wilshire Blvd., Ste. 300 Los Angeles, CA 90010

John Kaliski Architects Attn: Javier Vazquez 3780 Wilshire Blvd., Ste. 300 Los Angeles, CA 90010

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www.avery.com

	TION FOR MAJOR LAND USE ACTION REVIEW ALUC Identification No.
	DNENT (TO BE COMPLETED BY APPLICANT)
Date of Application Property Owner	ACTHUR DERMIRCHVAN BRODO Number 676-522-73
Mailing Address	ACTHUR DERMIRCHYAN Phone Number 626-523-3
maning / just out	SANTA ANA , CA 92701
Agent (if any)	JOHN KALISKI ARCHITECTS Phone Number 213-383-
Mailing Address	3780 WILSHIRE BLVD, SUITE 300
	Los Angeles (A 90010
PROJECT LOCATE	ON (TO BE COMPLETED BY APPLICANT) aled map showing the relationship of the project site to the airport boundary and runways
Street Address	6458 VAN BUREN BUD.
	PINERSIDE CA 92503
Assessor's Parcel No	
Subdivision Name	
Lot Number	N/A Zoning Classification CR RETAIL
PROJECT DESCRI	PTION (TO BE COMPLETED BY APPLICANT)
lf applicable, attach a de	failed site plan showing ground elevations, the location of structures, open spaces and water bodies, and the heights of structures and I description data as needed
Existing Land Use	
(describe)	VACANT LOT LOCATED IN THE CITY OF BIVERSIDE TO THE NORTH OF ARLIN
	AVE, AND ON THE WEST SIDE OF VAN BUREN BUREN BUND. SEE PROJECT DESCRIPTION ATTACHED.
Proposed Land Use	
(describe)	THE PROMSED DEVELORMENT ENVISIONS A HIGH QUALITY BUILT ENVIRONME
	WHITH AN EXPRESS CARWASH ON MORTH HALF OF THE PROPERTY AND MULTI-T RETAIL AND A STAND-ALONE RETAIL ON THE COUTH CEE DROVERTY
	PETAIL AND A STAND-AUDNE RETAIL ON THE GOUTH. SEE PROJECT DESCRIPTION ATTACHED.
For Residential Uses	
For Other Land Uses	Number of Parcels or Units on Site (exclude secondary units) Hours of Use
(See Appendix C)	Number of People on Site Maximum Number
	Method of Calculation
	Height above Ground or Tallest Object (including antennas and trees)
Height Data	Highest Elevation (above sea level) of Any Object or Terrain on Site
Height Data	
Height Data Flight Hazards	Does the project involve any characteristics which could create electrical interference, Confusing lights, glare, smoke, or other electrical or visual hazards to aircraft flight?

REFERRING AGENCY (APPLICANT OR JURISDICTION TO COMPLETE)	8
Date Received (11/02/2015 (511/02/2015 (312/30/205	Type of Project
Agency Name CITY OF PINERSIDE	General Plan Amendment
	Zoning Amendment or Variance
Staff Contact GABY ADAME	🔀 Subdivision Approval
Phone Number (951) 826-5933	S Use Permit
Agency's Project NOU P15 -0998 CONDITIONAL USE PERMIT	Public Facility
@P15-0959 DESIGN DEVIEW	Other
(3) PIS-1105 TENTATIVE PARLEL MAP	

A. NOTICE: Failure of an applicant to submit complete or adequate information pursuant to Sections 65940 to 65948 inclusive, of the California Government Code, MAY constitute grounds for disapproval of actions, regulations, or permits.

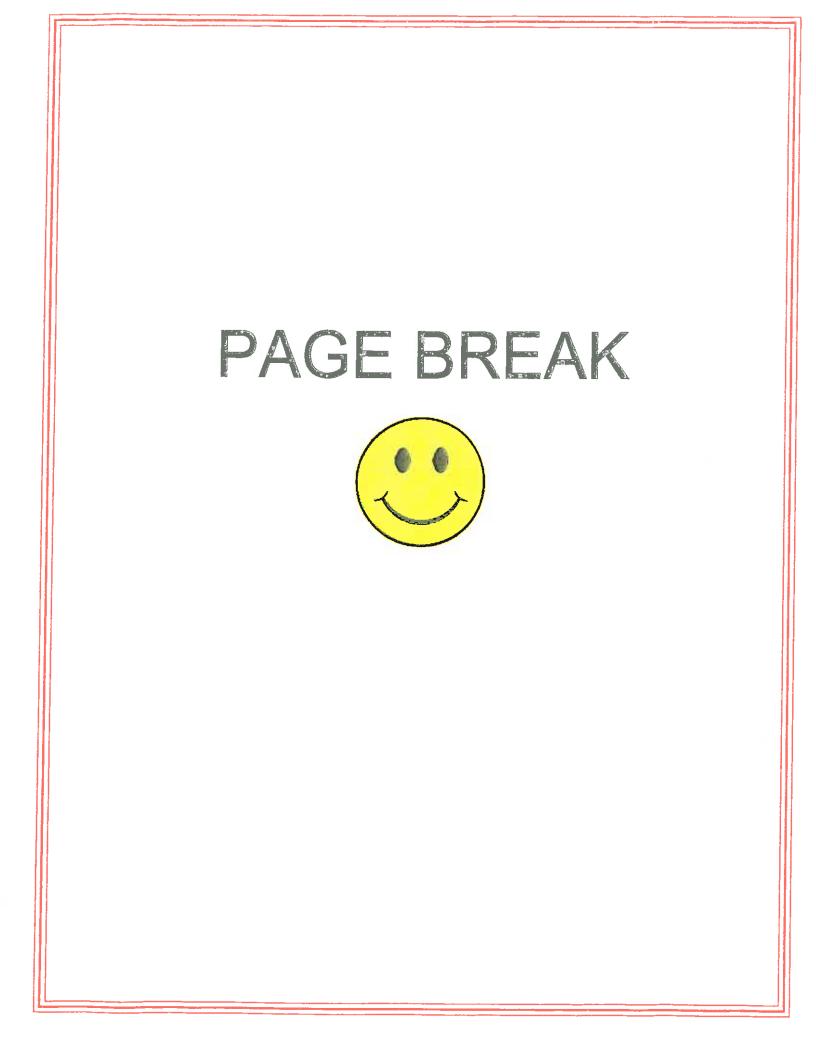
#### B. SUBMISSION PACKAGE:

#### ALUC REVIEW

- 1..... Completed Application Form
- 1..... Project Site Plan Folded (8-1/2 x 14 max.)
- 1..... Elevations of Buildings Folded
- 1 Each . 8 ½ x 11 reduced copy of the above
- 1...... 8 ½ x 11 reduced copy showing project in relationship to airport.
- 1 Set Floor plans for non-residential projects
- 4 Sets. . Gummed address labels of the Owner and representative (See Proponent).
- 1 Set. Gummed address labels of all property owners within a 300' radius of the project site. If more than 100 property owners are involved, please provide prestamped envelopes (size #10), with ALUC return address.
- 4 Sets. Gummed address labels of the referring agency (City or County).
- 1..... Check for Fee (See Item "C" below)

## STAFF REVIEW (Consult with ALUC staff planner as to whether project qualifies)

- 1 . . . . Completed Application Form
- 1 . . . . Project Site Plans Folded (8-1/2 x 14 max.)
- 1 . . . . Elevations of Buildings Folded
- 1..... 8 ½ x 11 Vicinity Map
- 1 Set . Gummed address labels of the Owner and representative (See Proponent).
- 1 Set . Gummed address labels of the referring agency.
- 1.....Check for review-See Below





# AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY

CHAIR September 19, 2016 Simon Housman Rancho Mirage Ms. Ilene Paik, Project Planner **VICE CHAIRMAN** City of Perris Planning Department Rod Ballance Riverside 101 N. D Street Perris CA 92570 COMMISSIONERS **RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW – Arthur Butler** Riverside **DIRECTOR'S DETERMINATION Gien Holmes** Hernet File No.: ZAP1211MA16 Related File No.: PLN16-00013 (Development Review Plan) John Lyon Riverside APN: 302-130-042 **Steve Manos** Lake Eisinore Dear Ms. Paik: **Russell Betts Desert Hot Springs** Under the delegation of the Riverside County Airport Land Use Commission (ALUC) pursuant to Policy 1.5.2(d) of the Countywide Policies of the 2004 Riverside County Airport Land Use Compatibility Plan, staff reviewed City of Perris Case No. PLN16-00013 (Development Review Plan), a proposal to construct a 240,911 square foot industrial building (with 7,145 square feet of office space and 233,766 square feet of warehouse area) on an 11.12 net acre parcel located STAFF southerly of Perry Street, westerly of Redlands Avenue, northerly of Ramona Expressway, and Director Ed Cooper easterly of Perris Boulevard. John Guerin Paul Rull The site is located within Airport Compatibility Zone D of the March Air Reserve Base/Inland Barbara Santos Port Airport Influence Area (AIA). Within Compatibility Zone D of the March Air Reserve Courty Administrative Center Base/Inland Port Airport Land Use Compatibility Plan, nonresidential intensity is not restricted. 4080 Lemon St., 14th Floor. Riverside, CA92501 (951) 955-5132 The elevation of Runway 14-32 at March Air Reserve Base/Inland Port Airport at its southerly terminus is approximately 1,488 feet above mean sea level (1488 feet AMSL). At a distance of approximately 10,400 feet from the runway to the project property line, Federal Aviation WWW.ICaluc.org Administration Obstruction Evaluation Service (FAA OES) review would be required for any structures with top of roof exceeding 1,592 feet AMSL. The project site elevation is 1,456 feet above mean sea level, and the proposed building height is 42.6 feet, resulting in a maximum top point elevation of 1,498.6 feet AMSL. Therefore, review by the FAA OES was not required. As ALUC Director, I hereby find the above-referenced project CONSISTENT with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, subject to the following conditions:

# **CONDITIONS:**

- 1. Any new outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. 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 area. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris centers, 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.
- 3. The landowner shall provide the attached notice to all potential purchasers of the property and to tenants/lessees of the proposed building thereon. Additionally, this notice shall be recorded as a deed notice.
- 4. The proposed aboveground detention/water quality basin on the site shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the detention/water quality basin that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.
- 5. March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result. Sources of electromagnetic radiation include radio wave transmission in conjunction with remote equipment of irrigation controllers, access gates, etc.

If you have any questions, please contact Paul Rull, ALUC Urban Regional Planner IV, at (951) 955-6893 or John Guerin, ALUC Principal Planner, at (951) 955-0982.

Sincerely, RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

Edward C. Cooper, Director

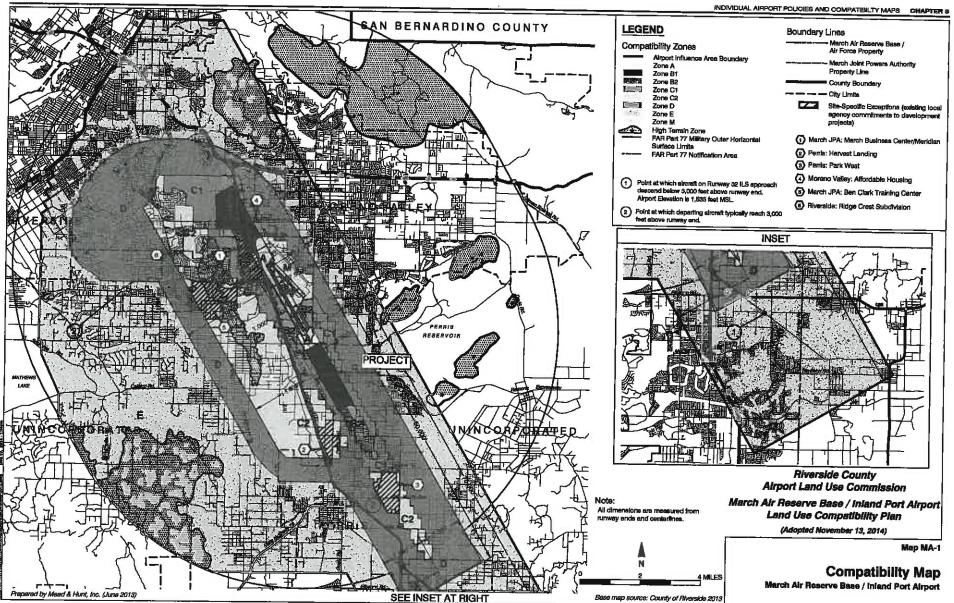
Attachments: Notice of Airport in Vicinity

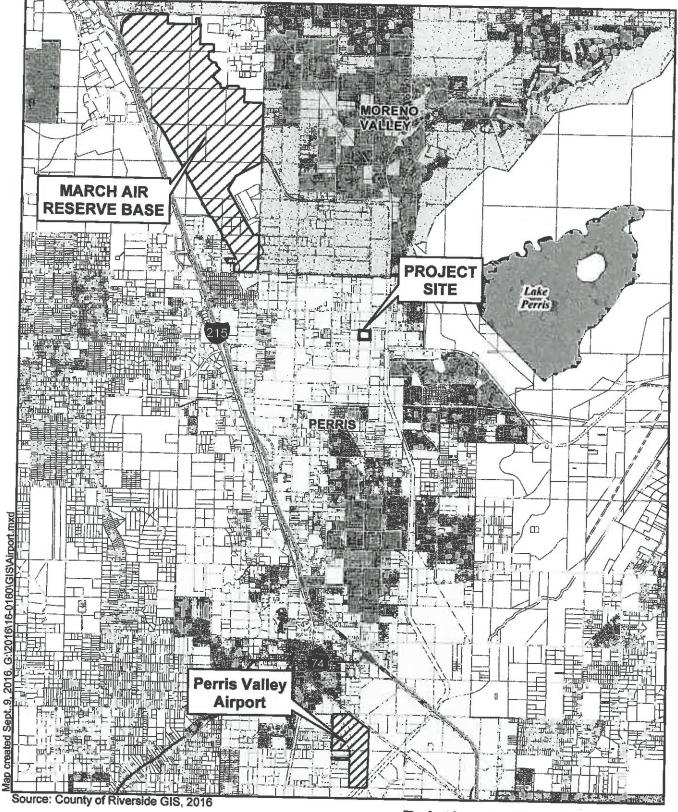
cc: First Industrial Realty Trust – Attn.: Michael Goodwin (El Segundo office) (applicant)
 First Industrial (Chicago office) (property owner/payee)
 Albert A. Webb Associates – Attn.: Robert Berndt (representative)
 Gary Gosliga, Airport Manager, March Inland Port Airport Authority
 Denise Hauser, March Air Reserve Base
 ALUC Case File

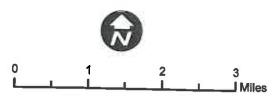
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# NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances [can vary from person to person. You may wish to consider what airport annoyances], if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b)

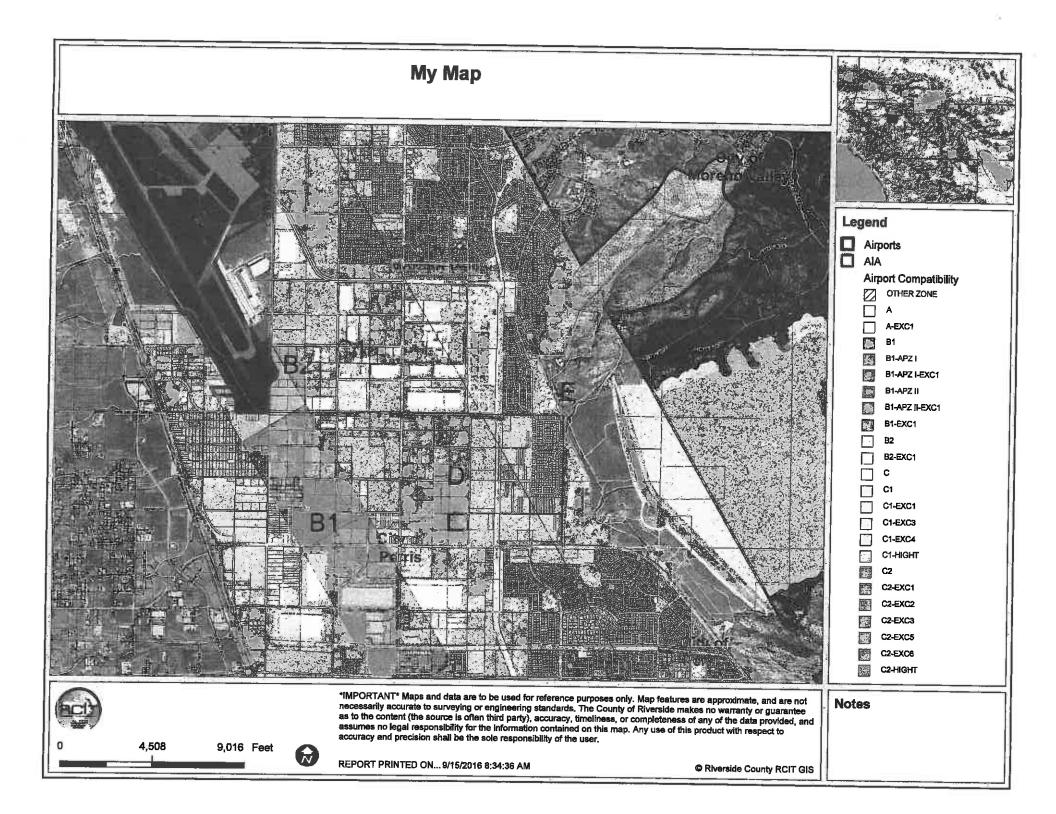


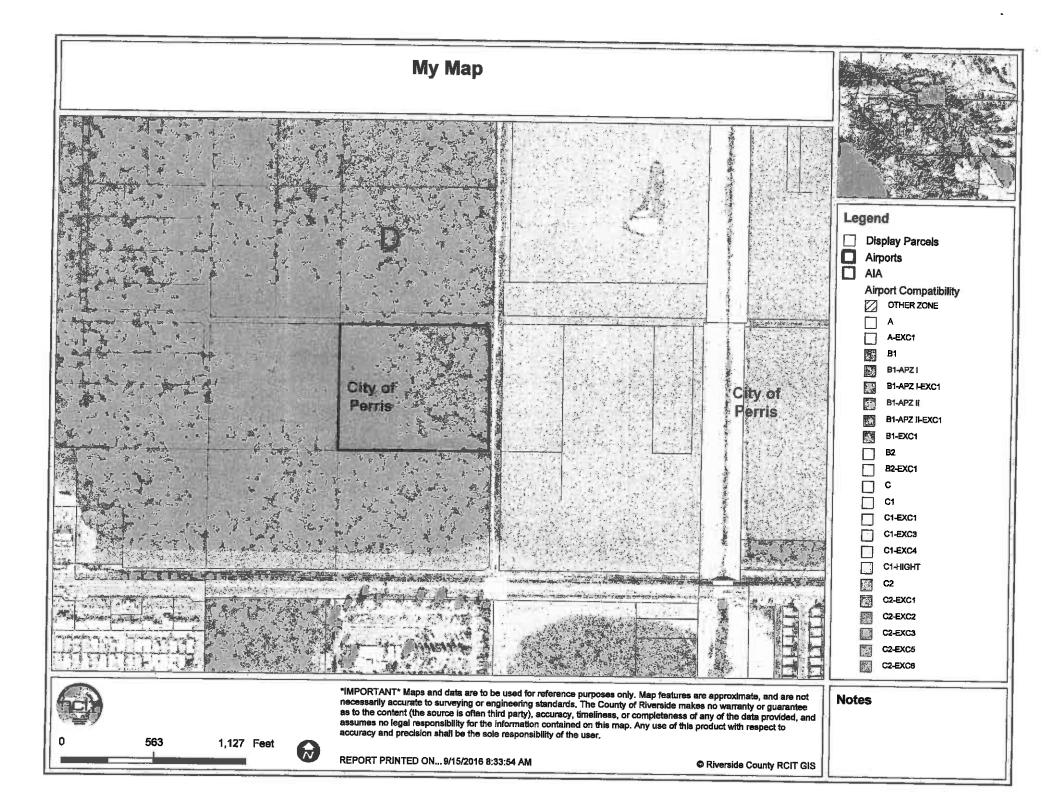


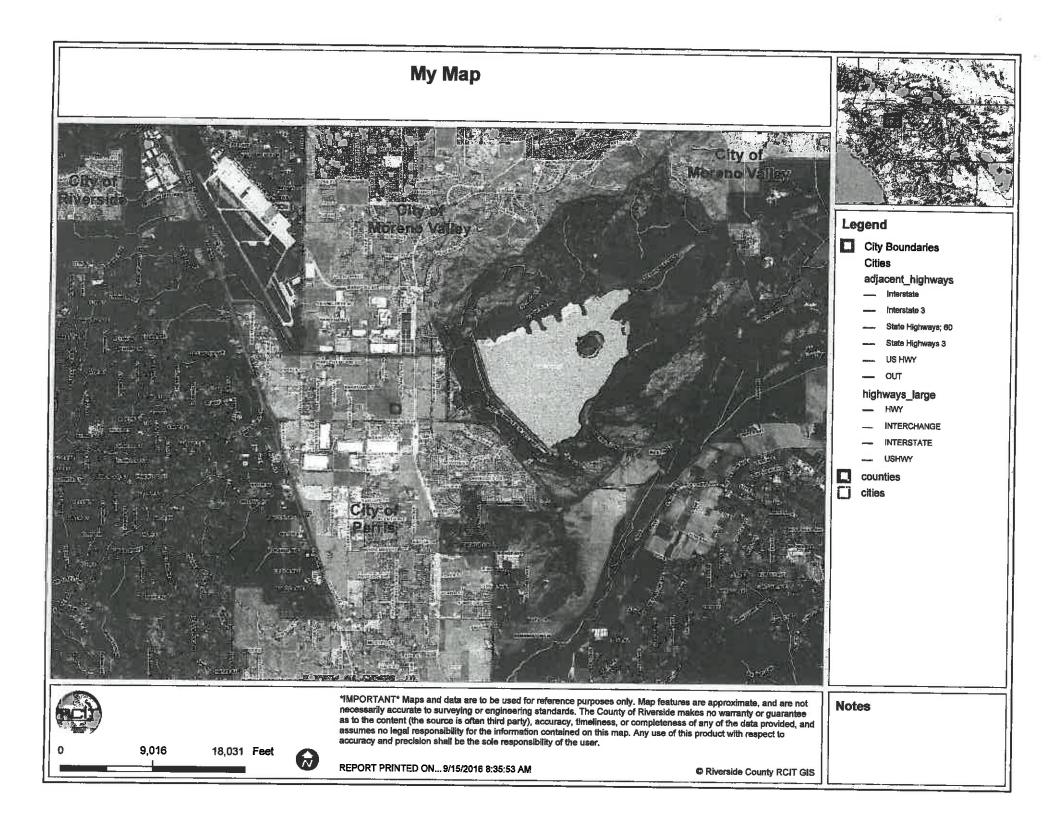


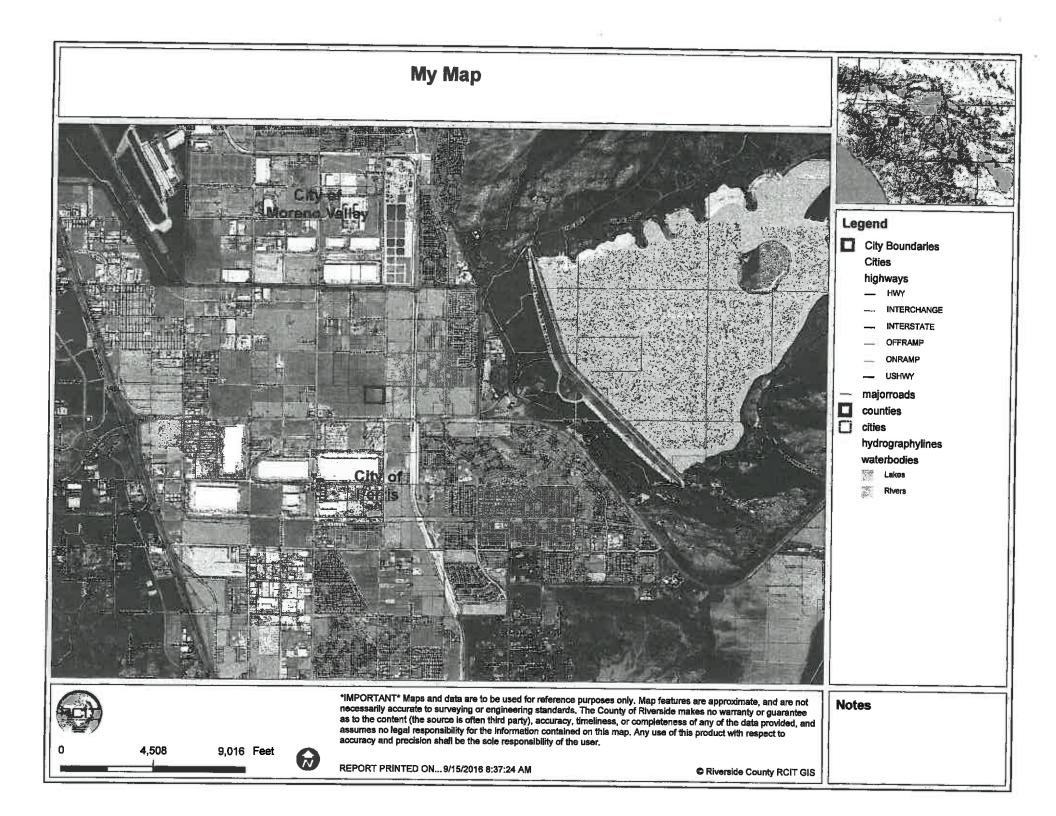
Relation to Nearby Airports Redlands/Perry Building

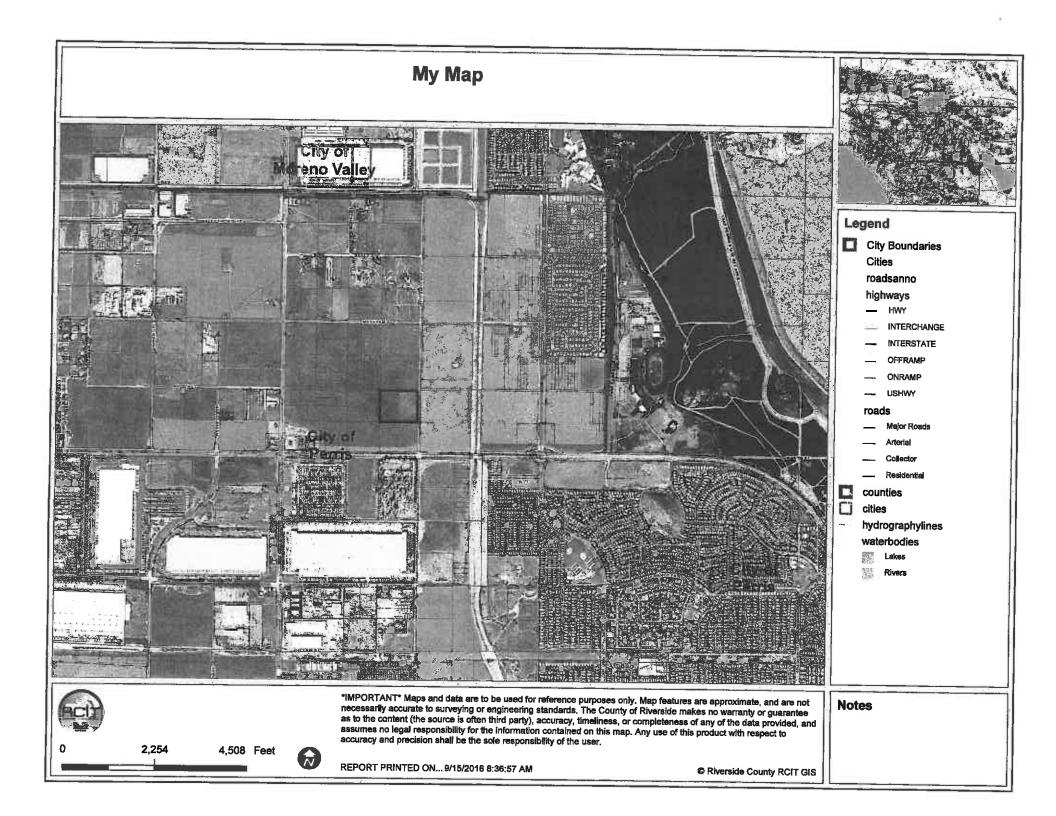


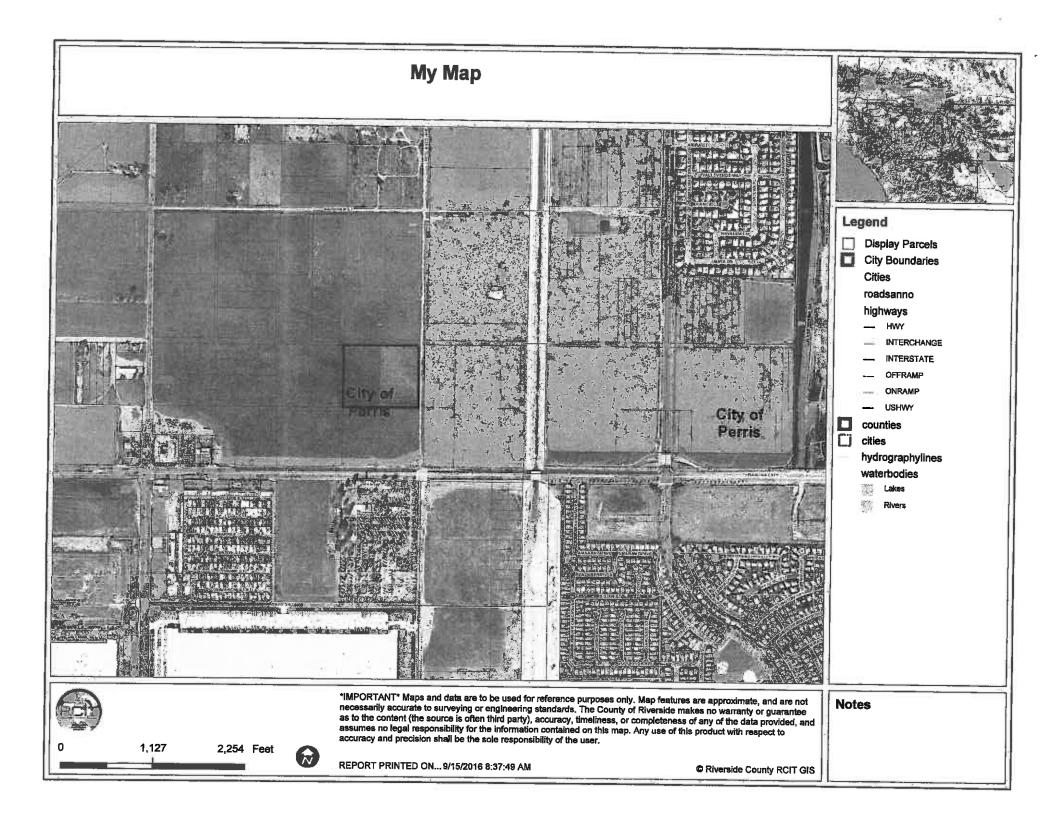


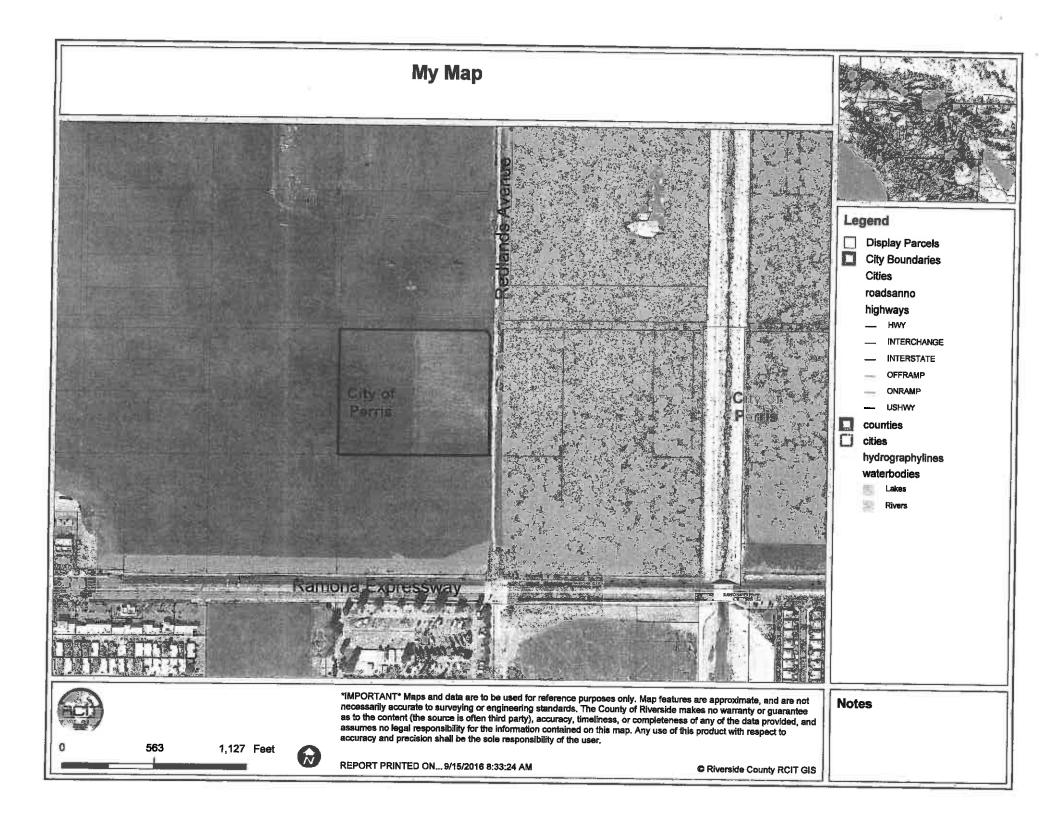


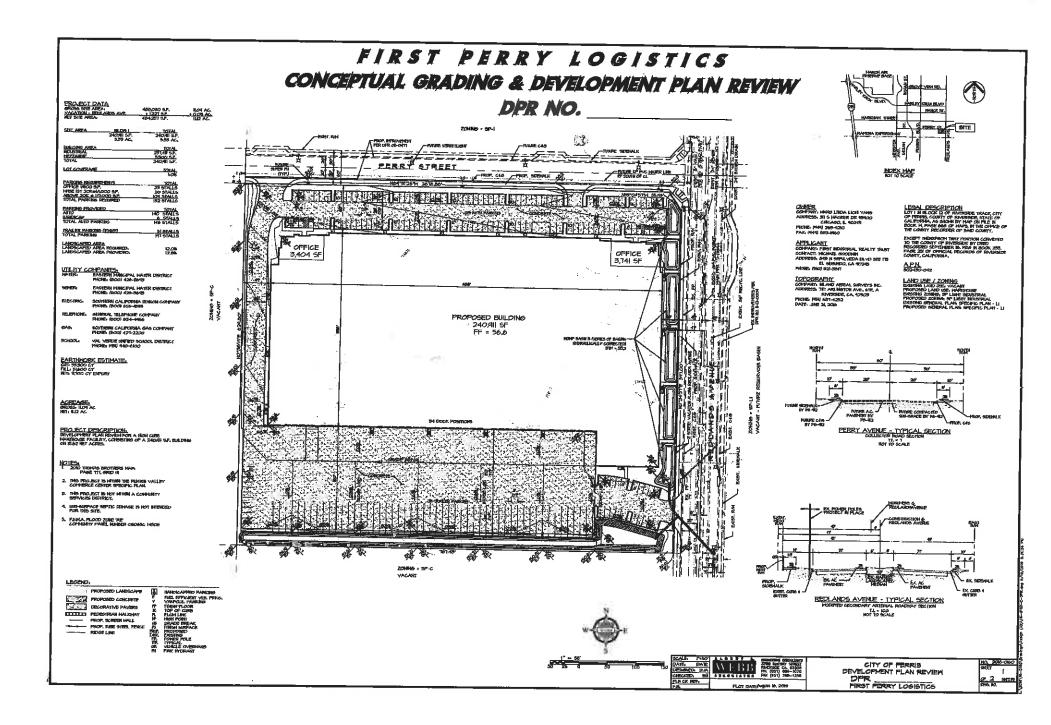


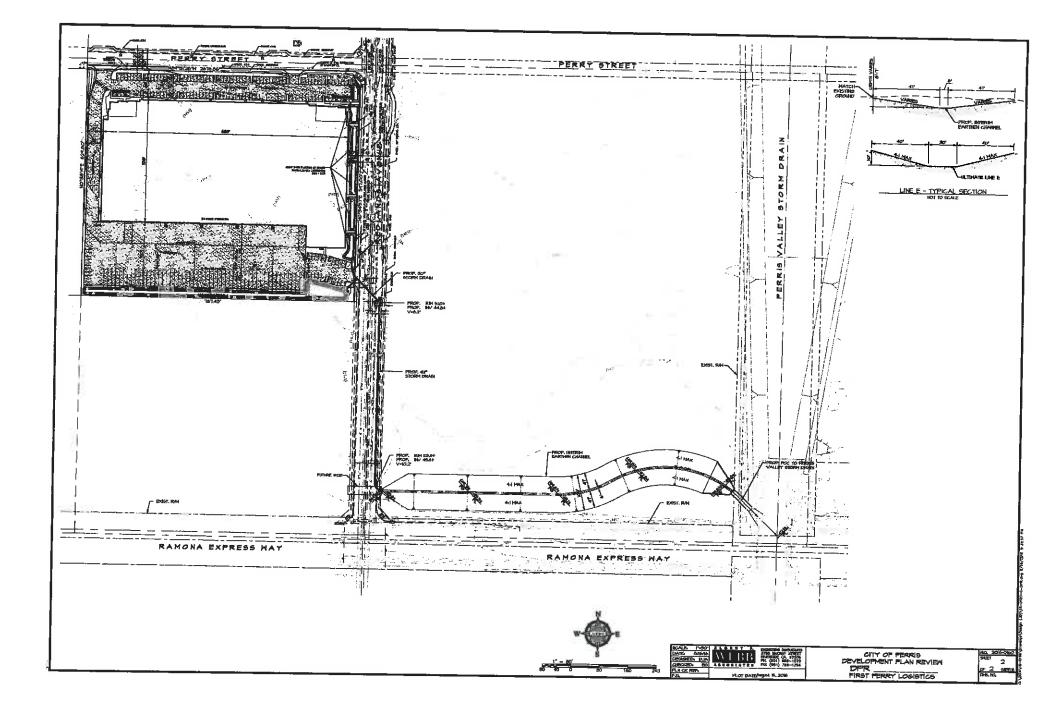


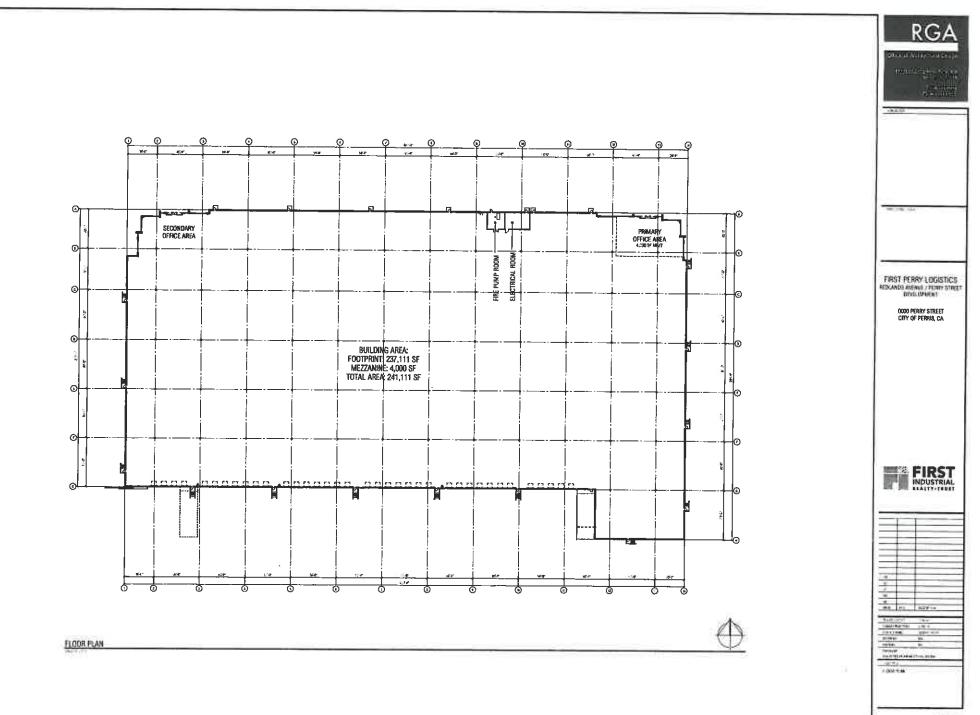


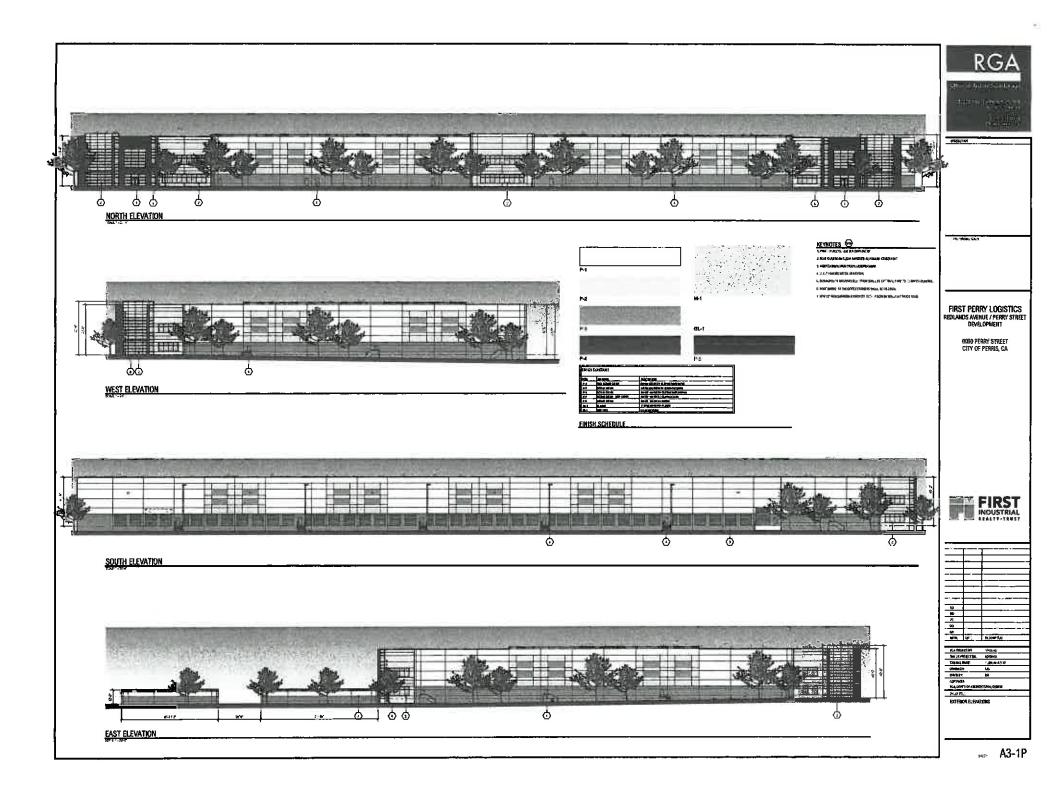


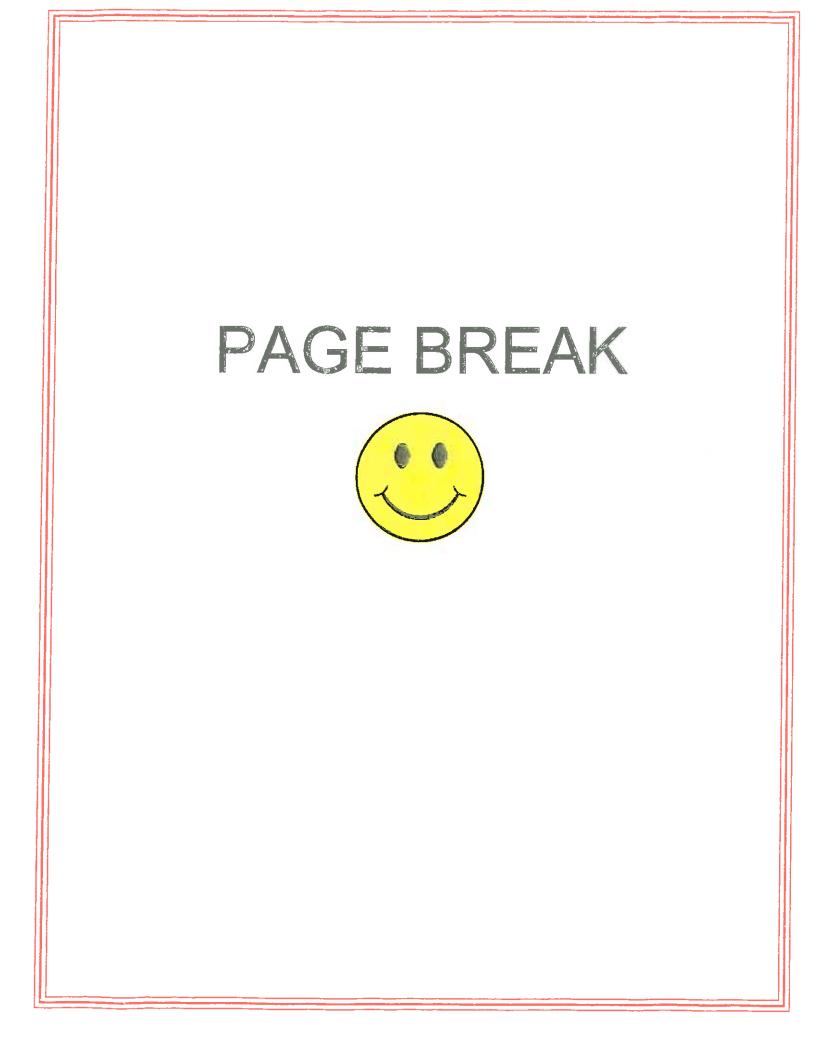














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# AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY

	September 23, 2016		
CHAIR Simon Housman Rancho Mirage	Mr. Chris Ormsby, Project Planner		
VICE CHAIRMAN Rod Ballance Riverside	City of Moreno Valley Planning Department 14177 Frederick Street P.O. Box 88005		
COMMISSIONERS	Moreno Valley CA 92552		
Arthur Butler Riverside	RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW – DIRECTOR'S DETERMINATION		
Glen Holmes Hemet	File No.: ZAP1213MA16		
<b>John Lyon</b> Riverside	Related File Nos.:PA16-0052 (Plot Plan)APN:291-590-038		
Steve Manos Lake Elsinore	Dear Mr. Ormsby:		
Russell Betts Desert Hot Springs STAFF Director	Under the delegation of the Riverside County Airport Land Use Commission (ALUC) pursuant to Policy 1.5.2(d) of the Countywide Policies of the 2004 Riverside County Airport Land Use Compatibility Plan, staff reviewed City of Moreno Valley Case No. PA16-0052 (Plot Plan), a proposal to construct an 8,992 square foot mattress and bedding retail store ("Sit n Sleep") on a one-acre parcel located at 12540 Campus Parkway (on the northerly side of Campus Parkway, easterly of Day Street and westerly of Town Circle, in an existing shopping center.		
Ed Cooper John Guerin Paul Rull Barbara Santos County Administrative Center	The site is located within Airport Compatibility Zone D of the March Air Reserve Base/Inland Port Airport Influence Area (AIA). Within Compatibility Zone D of the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, nonresidential intensity is not restricted.		
4080 Leman St., 14th Filcor, Riverside, CA 92501 (951) 955-5132 <u>www.rcaluc.org</u>	The elevation of Runway 14-32 at March Air Reserve Base/Inland Port Airport at its northerly terminus is approximately 1,535 feet above mean sea level (1535 feet AMSL). At a distance of approximately 14,400 feet from the runway to the project property line, Federal Aviation Administration Obstruction Evaluation Service (FAA OES) review would be required for any structures with top of roof exceeding 1,679 feet AMSL. The project site finished floor elevation is 1,606 feet AMSL, and the proposed building height is 33 feet, resulting in a maximum top point elevation of 1,639 feet AMSL. Therefore, review by the FAA OES was not required.		
	As ALUC Director, I hereby find the above-referenced project <u>CONSISTENT</u> with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, subject to the following conditions:		

# **CONDITIONS:**

- 1. Any new outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. 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 area. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris centers, 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.
- 3. The landowner shall provide the attached notice to all potential purchasers of the property and to tenants/lessees of the building(s) thereon.
- 4. March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result. Sources of electromagnetic radiation include radio wave transmission in conjunction with remote equipment of irrigation controllers, access gates, etc.

If you have any questions, please contact Paul Rull, ALUC Urban Regional Planner IV, at (951) 955-6893 or John Guerin, ALUC Principal Planner, at (951) 955-0982.

Sincerely, RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

Edward C. Cooper, Director

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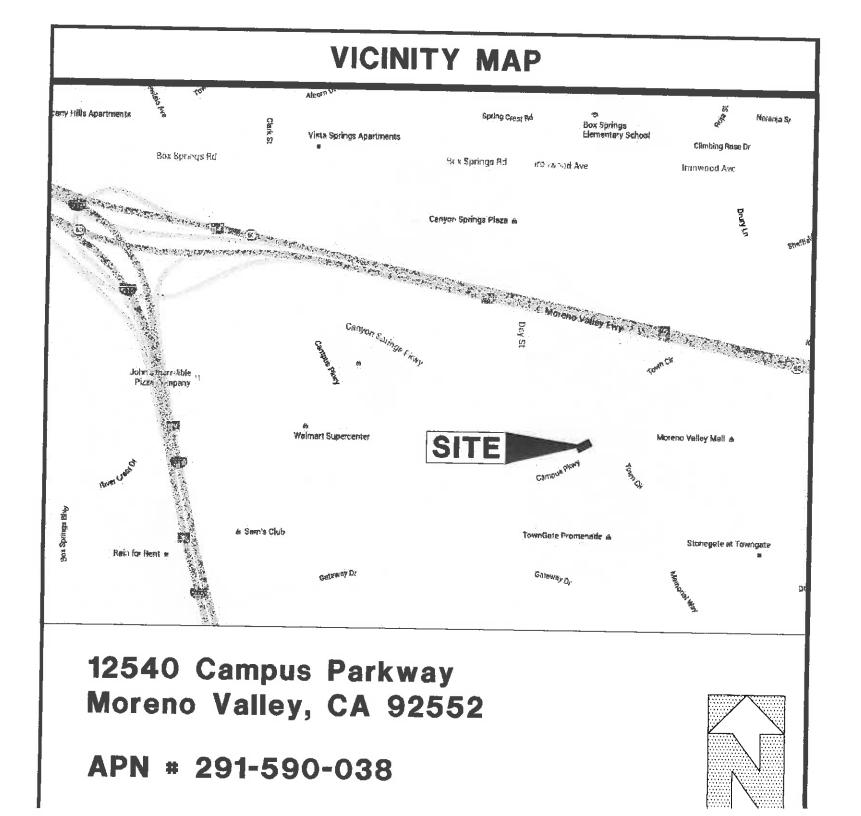
Attachments: Notice of Airport in Vicinity

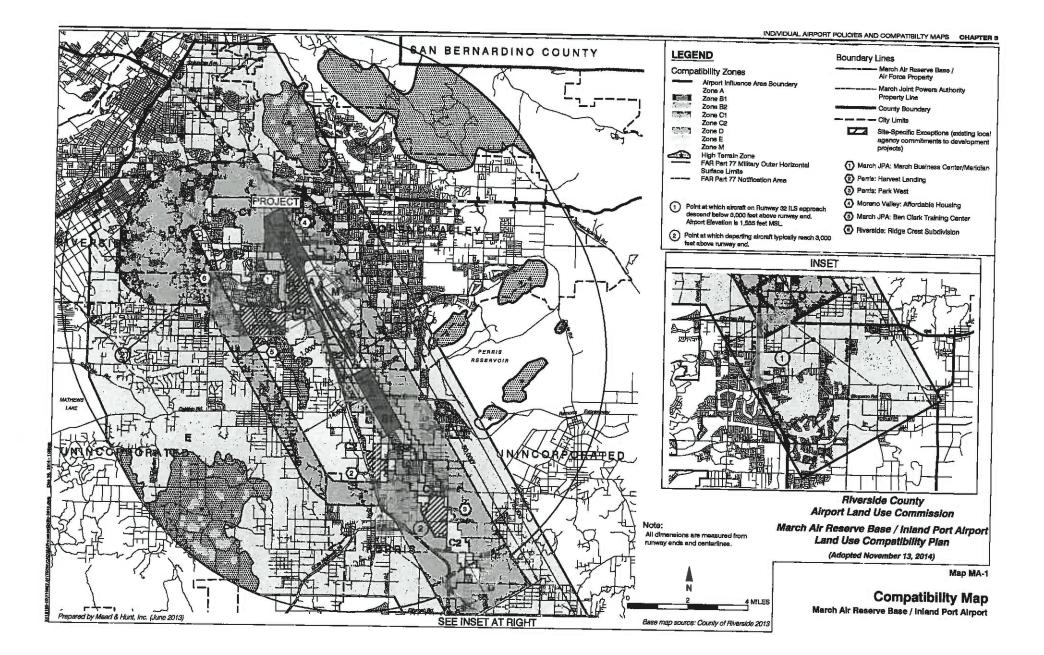
cc: Moreno Valley Sleep One, LLC (applicant/payee/property owner) Calvert Architectural Group (representative) Gary Gosliga, Airport Manager, March Inland Port Airport Authority Denise Hauser, March Air Reserve Base ALUC Case File

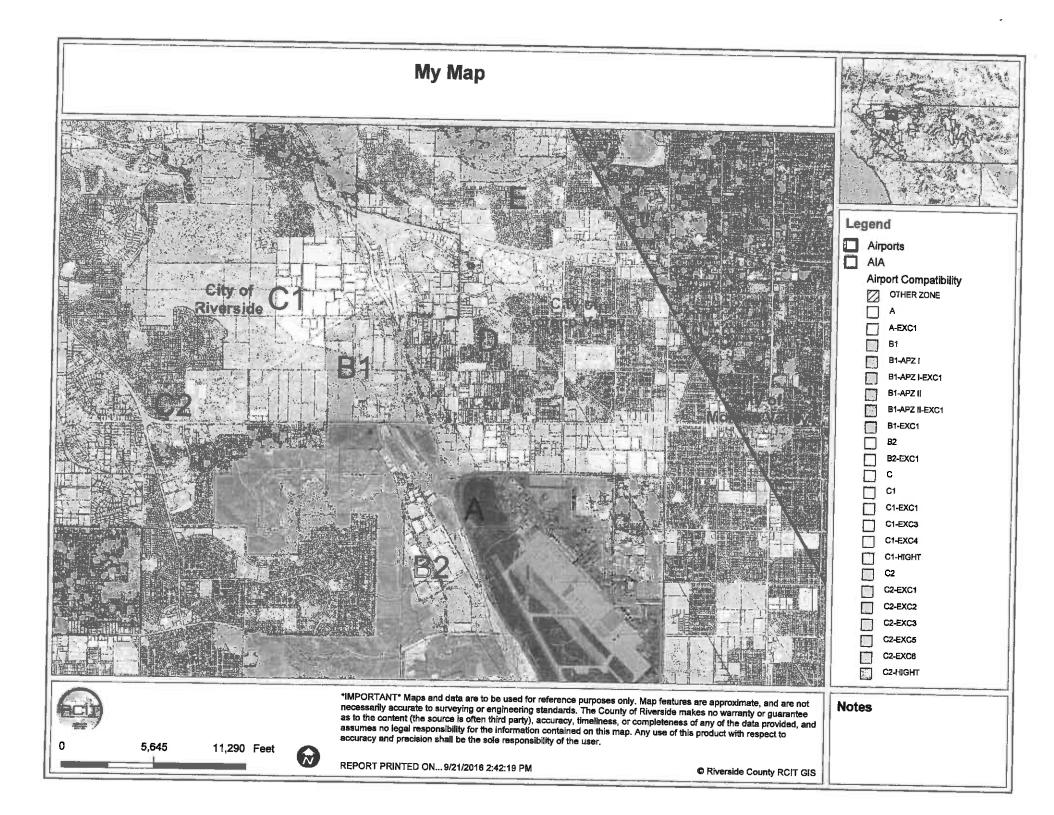
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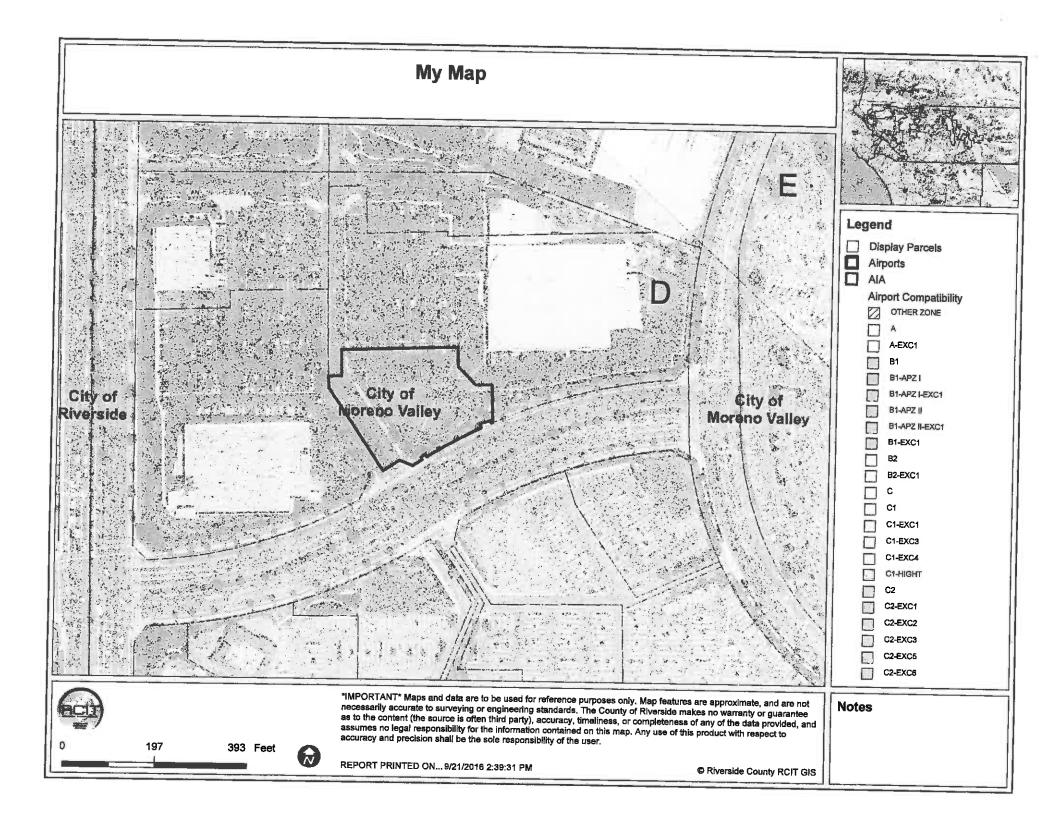
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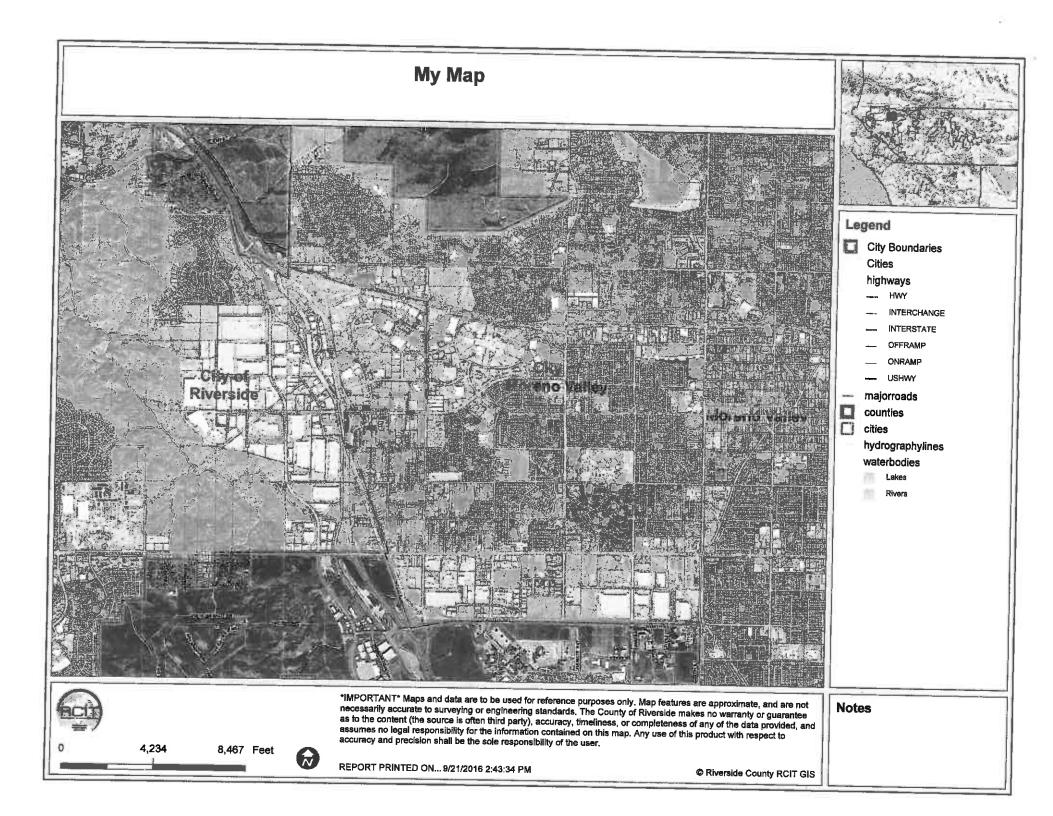
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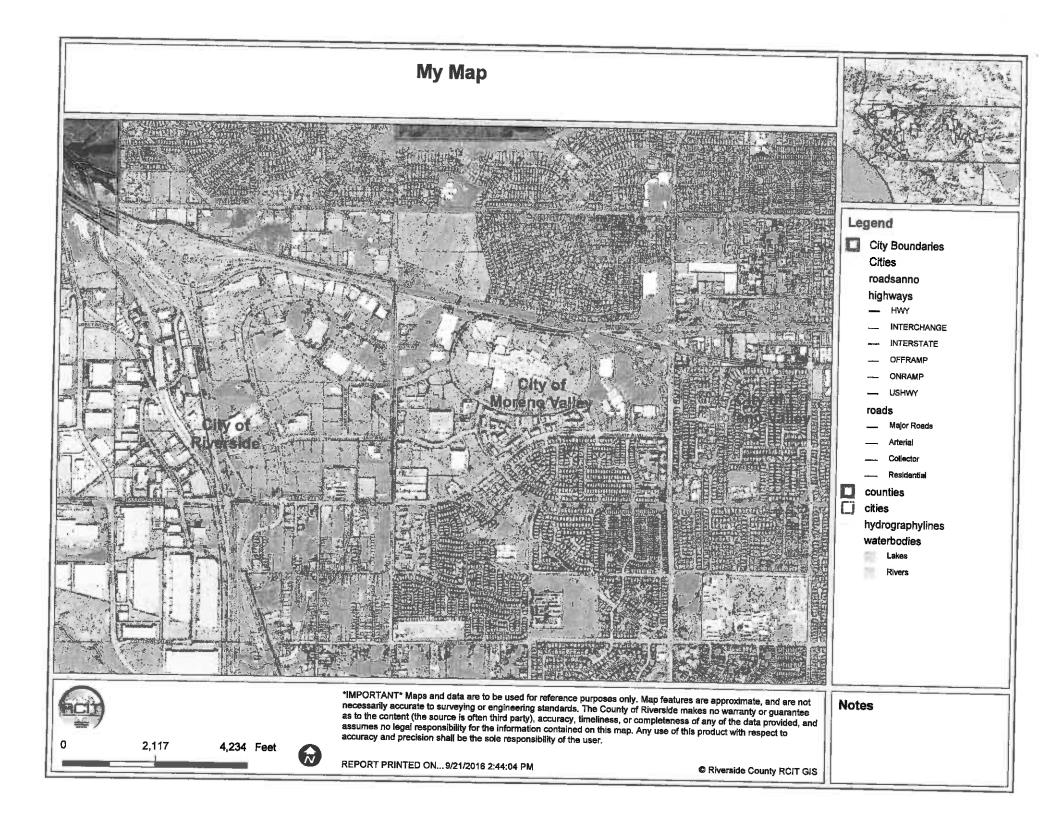


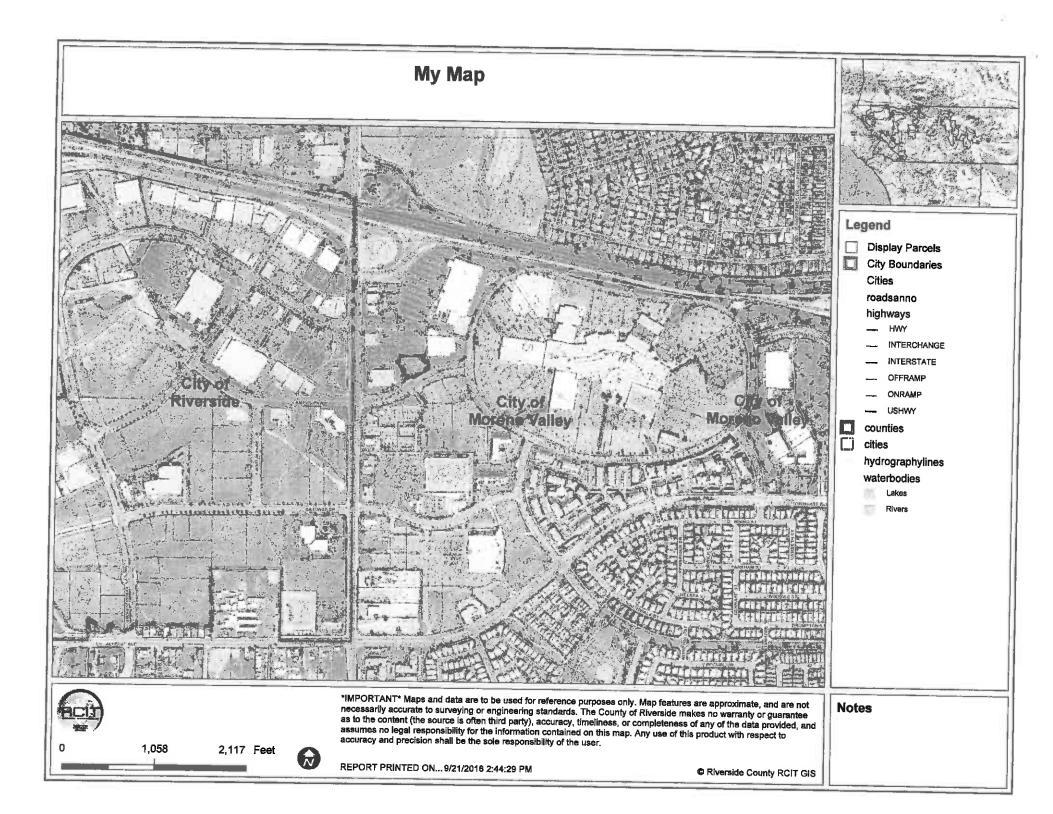


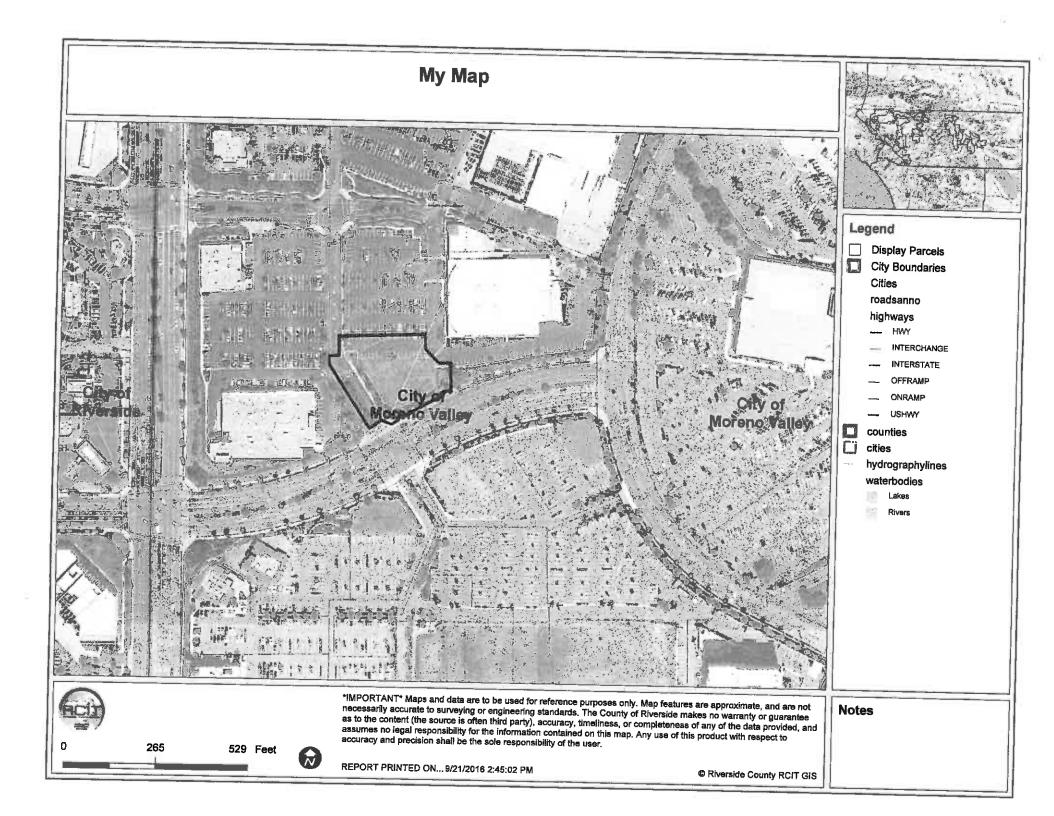


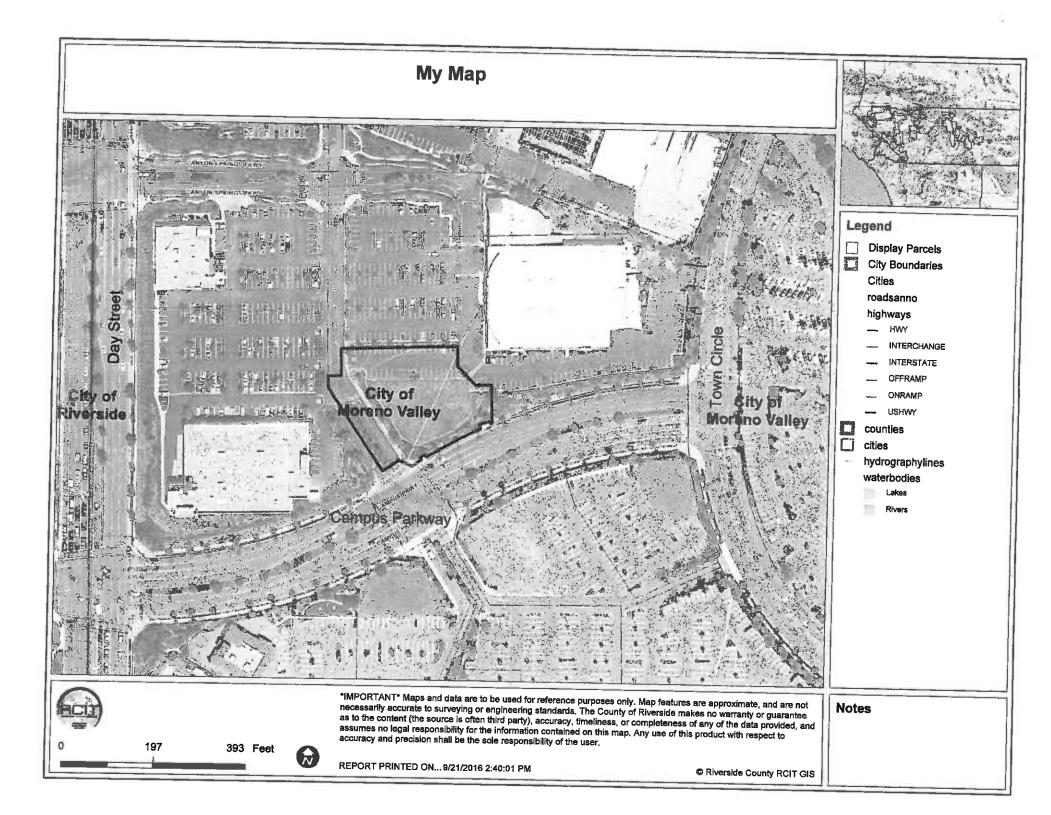


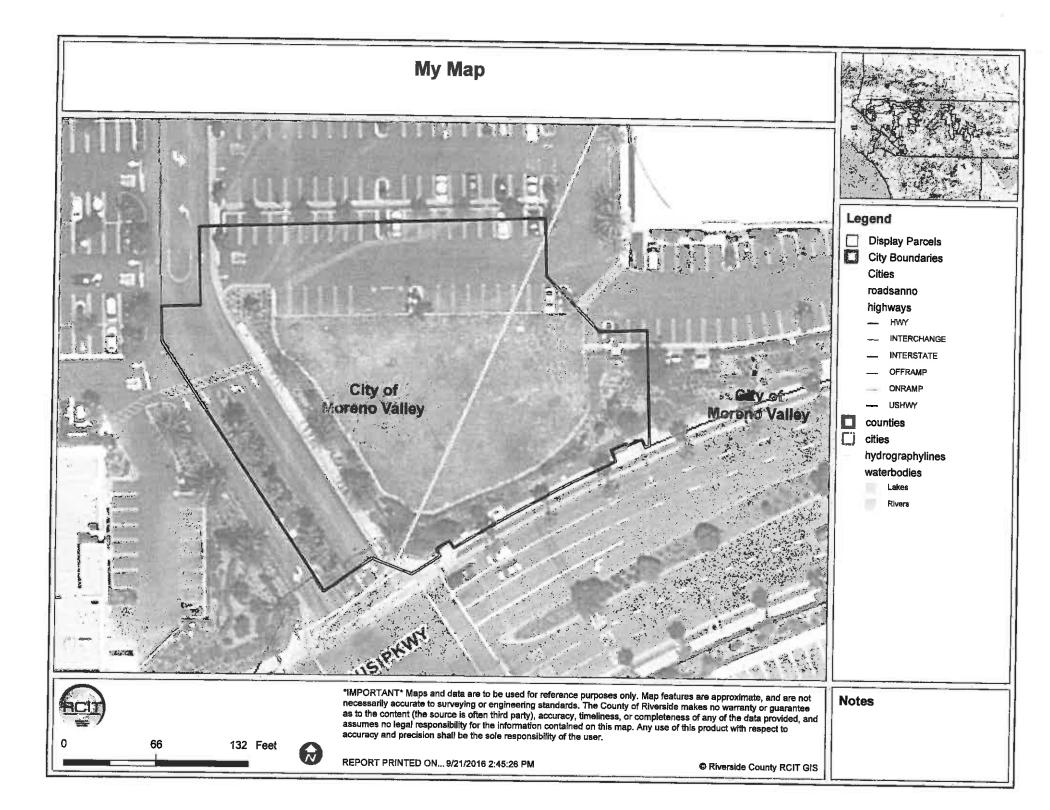


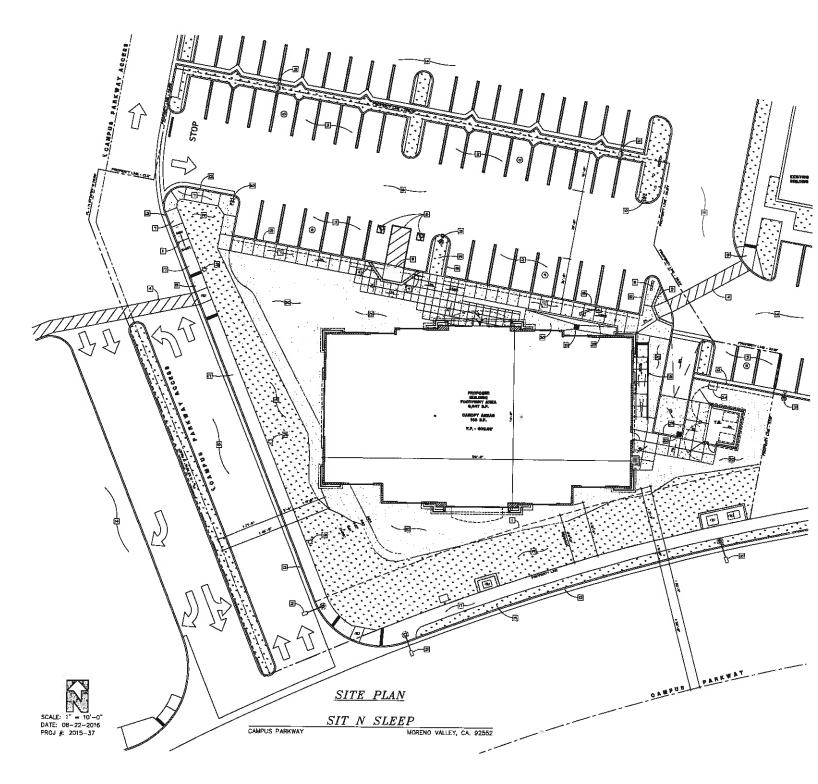












#### PROJECT INFORMATION



#### PARKING TABULATION

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#### VICINITY MAP

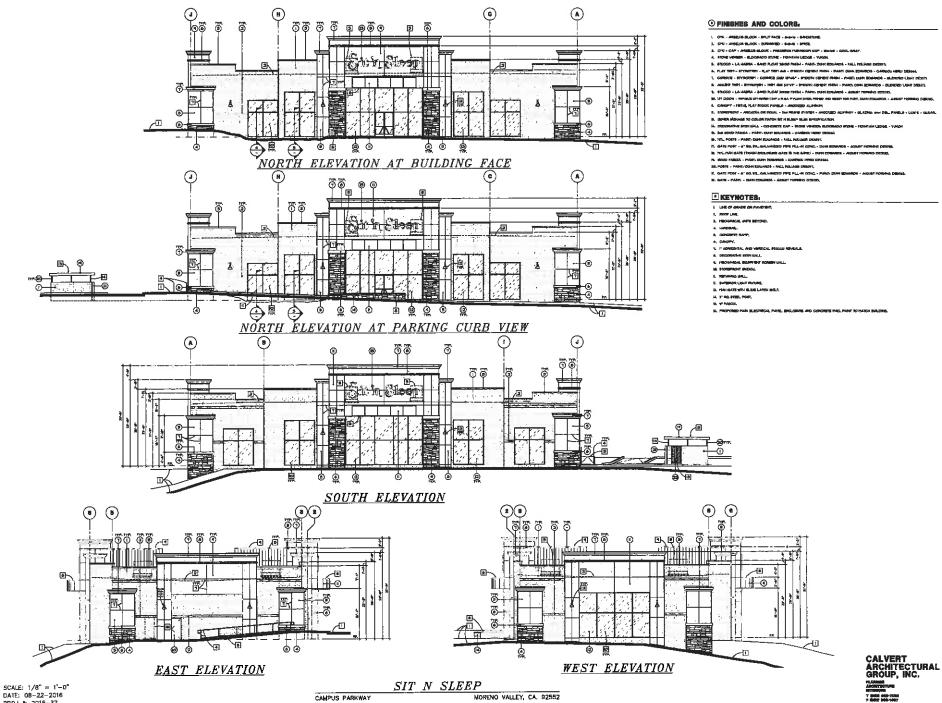


#### E KEYNOTES

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CALVERT ARCHITECTURAL GROUP, INC.



DATE: 08-22-2016 PROJ #: 2015-37

A regular scheduled meeting of the Airport Land Use Commission was held on September 8, 2016 at the Riverside County Administrative Center, Board Chambers.

#### COMMISSIONERS PRESENT:

Simon Housman, Chairman Rod Ballance, Vice Chairman Arthur Butler Glen Holmes John Lyon Steve Manos Russell Betts

COMMISSIONERS ABSENT:

STAFF PRESENT:

Paul Rull, Urban Regional Planner IV Barbara Santos, ALUC Commission Secretary Raymond Mistica, ALUC Counsel

OTHERS PRESENT:

Beth Keeler, Whitfield Associates Inc.

 AGENDA ITEM 2.1: <u>ZAP1206MA16 – Optimus Building Corporation (Representative: Gary Hamro)</u> – City of Perris Case No. DPR 14-01-0015 (Development Plan Review). The applicant is proposing a revision to plans for a two-building warehousing project previously determined to be consistent pursuant to ALUC Case No. ZAP1102MA14, specifically to increase the office area in Building A (which is not located in an Accident Potential Zone) from 15,000 square feet to 45,000 square feet. As amended, Building A would provide 45,000 square feet of office area and 867,338 square feet of warehouse area. No changes are proposed for Building B. The overall floor areas of Buildings A (912,338 square feet) and B (125,437 square feet) would remain the same as originally proposed. The 53.56-acre (gross) project site is located easterly of Patterson Avenue, northerly of Markham Street, westerly of Webster Avenue, and southerly of Nance Street (Airport Compatibility Zones B1-APZ I, B2, and C1 of the March Air Reserve Base/Inland Port Airport Influence Area).

#### II. MAJOR ISSUES

The United States Air Force submitted a comment letter dated August 8, 2016, outlining their concerns with the project, specifically regarding Building B in the Accident Potential Zone I (APZ I). This project was previously reviewed by ALUC and found consistent, and no changes to Building B are proposed in this ALUC application, but the project has not yet received City approval. The ALUC staff report for the original project, ZAP1102MA14, determined that 86 or 93 people would be present in the most intense single-acre portion of Building B in Zone APZ I. The Airport Land Use Commission reduced the office area in Building B from 10,000 square feet to 2,500 square feet in Zone APZ I, reducing the single-acre intensity to approximately 74 people. This is consistent with the March Air Reserve Base/Inland Port Airport Compatibility Plan adopted in November 2014. However, since the adoption of the plan, there has been an evolution in the Air Force's position regarding the intent of the APZ I standard of 25 people per acre, as specified in Department of Defense Instruction (DoDI) 4165.57 dated March 12, 2015 and Air Force Instruction (AFI) 32-7063 dated December 18, 2015. These issues will ultimately need to be addressed through an amendment to the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan.

#### III. STAFF RECOMMENDATION

At this time per the applicant's request, staff recommends that the Commission <u>CONTINUE</u> consideration of this matter to its October 13, 2016 public hearing agenda.

#### IV. PROJECT DESCRIPTION

The applicant is proposing a revision to plans for a two-building warehousing project previously determined to be consistent pursuant to ALUC Case No. ZAP1102MA14, specifically to increase the office area in Building A (which is not located in an Accident Potential Zone) from 15,000 square feet to 45,000 square feet. As amended, Building A would provide 45,000 square feet of office area and 867,338 square feet of warehouse area. No changes are proposed for Building B. The overall floor areas of Buildings A (912,338 square feet) and B (125,437 square feet) would remain the same as originally proposed.

#### V. MEETING SUMMARY

The following staff presented the subject proposal: ALUC Staff Planner: Paul Rull at (951) 955-6893, or e-mail at prull@rctima.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 October 13, 2016.

#### 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 <u>basantos@rctIma.org</u>.

ITEM 2.1: TIME 9:06 A.M.

I. AGENDA ITEM 2.2: <u>ZAP1204MA16 – Duke Realty, Adam Schmid (Representative: Albert A. Webb Associates, Nicole Torstvet)</u> – City of Perris Case No. PLN 16-00008 (Development Plan Review). The applicant is proposing to develop a 668,381 square foot warehouse/distribution center on 30.7 acres. The building floor plan consists of 649,481 square feet of warehouse area and 19,200 square feet of office area. The project site is located southerly of Markham Street, westerly of Indian Avenue, easterly of Barrett Avenue and northerly of Perry Street. (Airport Compatibility Zones B1-APZ I, B2, and C1 of the March Air Reserve Base/Inland Port Airport Influence Area).

#### II. MAJOR ISSUES

The applicant is proposing to construct a warehouse/distribution center on a site located predominately within the portion of Airport Compatibility Zone B1 that lies within Accident Potential Zone I (APZ I), as delineated by the United States Air Force in the 2005 Air Installation Compatible Use Zone (AICUZ) study. March Air Reserve Base/Inland Port Airport Compatibility Plan adopted in November 2014. However, since the adoption of the plan, there has been an evolution in the Air Force's position regarding the intent of the APZ I standard of 25 people per acre, as specified in Department of Defense Instruction (DoDI) No. 4165.57 dated March 12, 2015 and Air Force Instruction (AFI) 32-7063 dated December 18, 2015. These new documents will ultimately need to be addressed through an amendment to the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan.

# III. STAFF RECOMMENDATION

The applicant is requesting additional time to address issues raised by the Air Force with City staff, therefore staff recommends that the Commission <u>CONTINUE</u> consideration of the matter to its *October 13, 2016* public hearing agenda.

#### IV. PROJECT DESCRIPTION

The Development Plan Review is a proposal to develop a 668,681 square foot warehouse/distribution center on 30.7 net acres. The building floor plan consists of 649,481 square feet of warehouse area and 19,200 square feet of office area. (The applicant is also proposing a tentative parcel map [PLN 16-05150] to merge the six existing parcels comprising the site into one lot. The parcel map does not require ALUC review – no new lots created.)

#### V. MEETING SUMMARY

The following staff presented the subject proposal: ALUC Staff Planner: Paul Rull at (951) 955-6893, or e-mail at prull@rctima.org

No one spoke in favor, neutral or opposition to the project

#### VI. ALUC COMMISSION ACTION

The ALUC Commission by a vote of 6-1 <u>CONTINUED</u> the project to October 13, 2016. Commissioner Holmes dissenting.

#### 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 <u>basantos@rctlma.org</u>.

ITEM 2.2: TIME: 9:09 A.M.

AGENDA ITEM 3.1: <u>ZAP1078RI16 – Walter's Automotive Group (Representative: Whitfield Associates, Inc.)</u> – City of Riverside Planning Case Nos. P16-0546 (Rezone), P16-0404 (Design Review) and P16-0545 (Conditional Use Permit). The applicant proposes to construct and establish a 41,311 square foot two story auto dealership building including 19,403 square foot indoor repair facility, 1,683 square foot parts area, 17,623 square foot showroom and office areas (1<sup>st</sup> floor), and 2,317 square foot showroom area (2<sup>nd</sup> floor), and outdoor display lot on a 2.17 acre site, located at 8505-8543 Indiana Avenue, easterly of Bernard Street, westerly of Vance Street, and southerly of SR-91 Freeway. The applicant also proposes to change the zoning of 1.62 acres of the property from Office (O) to Commercial General (CG). The Commission may further recommend that the 1.62-acre area or the entire site be rezoned to CG-AP-E (Airport Compatibility Zone E of the Riverside Municipal Airport Influence Area).

# II. MAJOR ISSUES

None

## III. STAFF RECOMMENDATION

Staff recommends that the Rezoning be found <u>CONSISTENT</u> with the 2005 Riverside Municipal Airport Land Use Compatibility Plan, provided that the new zoning incorporates the appropriate Airport Protection Overlay Zone suffix (-AP-E), which refers to the site's location within Airport Compatibility Zone E of the Riverside Municipal Airport Influence Area, and that the Conditional Use Permit be found <u>CONDITIONALLY CONSISTENT</u>, subject to the conditions included herein, and such additional conditions as may be required by the Federal Aviation Administration Obstruction Evaluation Service.

## IV. PROJECT DESCRIPTION

The applicant proposes to construct a 41,311 square foot two story auto dealership building including 19,403 square foot indoor repair facility, 1,683 square foot parts area, 17,623 square foot showroom and office areas (1<sup>st</sup> floor), and 2,317 square foot showroom area (2<sup>nd</sup> floor), and outdoor display lot on a 2.17 acre site consisting of two parcels. The applicant also proposes to change the zoning of the westerly 1.62 acre parcel from Office to Commercial General.

# **CONDITIONS: Final conditions await FAA approval**

- 1. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky.
- 2. The following uses shall be prohibited:
  - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
  - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in 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, production

of cereal grains, sunflower, and row crops, 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.
- 3. The attached notice shall be given to all prospective purchasers and/or tenants of the property.
- 4. No new detention basins are depicted on the site plan. Any new detention basins on the site shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the detention basin(s) that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.
- 5. Prior to issuance of a building permit, the City of Riverside shall apply zoning incorporating the Airport Protection Overlay Zone (CG-AP-E) to the site.

#### V. MEETING SUMMARY

The following staff presented the subject proposal: ALUC Staff Planner: Paul Rull at (951) 955-6893, or e-mail at prull@rctima.org

The following spoke in favor of the project: Beth Keeler, Whitfield Associates, Inc., 24691 Del Prado, Suite 201, Dana Point, CA 92629

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 <u>CONSISTENT</u> (Rezoning); <u>CONDITIONALLY CONSISTENT</u> (CUP).

#### 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 <u>basantos@rctIma.org</u>.

ITEM 3.1: TIME: 9:09 A.M.

Ι. AGENDA ITEM 3.2: ZAP1007CO16 - Harrington Village, LLC (Representative: KWC Engineers) -City of Corona Planning Case Nos.: GPA 15-003 (General Plan Amendment); SPA 15-005 [DPR 15-019] (Specific Plan Amendment); TTM36427 [DPR 15-018] (Tentative Tract Map); PP 06-009M2 [DPR 15-020] (Modification to Precise Plan). The applicant proposes to develop a residential condominium project consisting of 36 buildings accommodating 148 dwelling units (townhomes) on 8.48 acres (Assessor's Parcel Numbers 119-190-022, 119-190-025, and 119-190-029) located along the southerly side of Harrington Street, easterly of Lincoln Avenue (PP 06-009M2). Tentative Tract Map No. 36427 proposes to include the 8.48-acre site in one lot for residential condominium purposes. The General Plan designation of the easterly 1.1 acres (Assessor's Parcel No. 119-190-029) located approximately 1,000 feet easterly of Lincoln Avenue is proposed to be amended from Light Industrial (LI) to High Density Residential (HDR) (GPA 15-003). Additionally, this area is proposed to be annexed into the Township in Corona Specific Plan within Planning Area 9, with a Specific Plan designation of HDR (a change from its present zoning of M-1 (Light Manufacturing)), and the allowable number of dwelling units in Planning Area 9 would be reduced to 148. (SPA 15-005). (Airport Compatibility Zone D of the Corona Municipal Airport Influence Area).

# II. MAJOR ISSUES

None

#### III. STAFF RECOMMENDATION

Staff recommends that the Commission find the proposed General Plan Amendment and Specific Plan Amendment <u>CONSISTENT</u> with the 2004 Corona Municipal Airport Land Use Compatibility Plan, and find the Tentative Tract Map and Modification to Precise Plan <u>CONDITIONALLY CONSISTENT</u>, subject to the conditions included herein, and such additional conditions as may be required by the Federal Aviation Administration Obstruction Evaluation Service.

#### IV. PROJECT DESCRIPTION

The applicant proposes to develop a residential condominium project consisting of 36 buildings accommodating 148 dwelling units (townhomes) on 8.48 acres (Assessor's Parcel Numbers 119-190-022, 119-190-025, and 119-190-029) located along the southerly side of Harrington Street, easterly of Lincoln Avenue (PP 06-009M2). Tentative Tract Map No. 36427 proposes to include the 8.48-acre site in one lot for residential condominium purposes. The General Plan designation of the easterly 1.1 acres (Assessor's Parcel No. 119-190-029) located approximately 1,000 feet easterly of Lincoln Avenue is proposed to be amended from Light Industrial (LI) to High Density Residential (HDR) (GPA 15-003). Additionally, this area is proposed to be annexed into the Township in Corona Specific Plan within Planning Area 9, with a Specific Plan designation of HDR (a change from its present zoning of M-1 (Light Manufacturing)), and the allowable number of dwelling units in Planning Area 9 would be reduced to 148. (SPA 15-005).

#### **CONDITIONS:** Final conditions await FAA approval

- 1. 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.
- 2. The following uses/activities are not included in the proposed project and shall be prohibited at this site:
  - (a) Any activity 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 activity which would cause sunlight to be reflected toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach towards a landing at an airport.
- (c) Any activity 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, composting operations, production of cereal grains, sunflower, and row crops, 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 activity 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.
- 3. The attached disclosure notice shall be provided to all potential purchasers of the proposed lots and to tenants of the homes thereon, and shall be recorded as a deed notice.
- 4. Any ground-level or aboveground water 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.
- 5. Prior to issuance of building permits for any structure within the residential subdivision with an elevation at top of roof exceeding 596.5 feet above mean sea level, the permittee (or its successor-in-interest) shall submit evidence to the City of Corona Development Services Department that the Federal Aviation Administration (FAA) has issued a determination of "Not a Hazard to Air Navigation" for such structure.

## V. MEETING SUMMARY

The following staff presented the subject proposal: ALUC Staff Planner: Paul Rull at (951) 955-6893, or e-mail at prull@rctima.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 <u>CONSISTENT</u> (GPA, SPA); <u>CONDITIONALLY CONSISTENT</u> (Tentative Tract Map, Plot Plan)

#### 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 <u>basantos@rctlma.org</u>.

ITEM 3.2: TIME: 9:17 A.M.

#### i. <u>4.0 ADMINISTRATIVE ITEMS</u>

- 4.1 Director's Approval Information Only
- 4.2 <u>Resolution No. 2016-02 extending the authorization of the ALUC Director to take action on</u> <u>Legislative Items in Airport Compatibility Zone E of the March Air Reserve Base/Inland Port</u> <u>Airport Influence Area</u>

The ALUC Commission by a vote of 7-0 adopted Resolution No. 2016-02.

#### II. 5.0 APPROVAL OF MINUTES

The ALUC Commission by a vote of 7-0 approved the August 11, 2016 minutes.

#### III. 6.0 ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA None

#### IV. 7.0 COMMISSIONER'S COMMENTS

Rod Ballance, Vice Chairman advised that he will be attending a \$10 workshop put on by the Riverside Society of Parliamentarians on the Roberts Rules of Order at the Riverside Main Library. He also commented that he ran into David Slauson a member of the Eastern Municipal Water District (EMWD) in Perris who was very pleased to host our last Commission meeting in August, and extended an invitation to use their facility in the future. Commissioner Holmes expressed his concerns regarding the dollars spent on the new equipment upgrades in the Board Chambers. Chairman Housman replied that the County of Riverside has been advancing their technological capabilities in order to make the activities of the County Government more transparent digitally and to reach out to more people. In conclusion, Chairman Housman thanked the RCIT staff for their time and efforts in helping assist with the new County voting system.

#### V. 8.0 ADJOURNMENT

Chairman Housman adjourned the meeting at 9:35 A.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 <u>basantos@rctlma.org</u>.

ITEM 4.0: TIME: 9:21 A.M.