



AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY AGENDA

Riverside County Administration Center
4080 Lemon St., Hearing Room (1st Floor)
Riverside, California

Thursday 9:00 a.m., January 8, 2009

CHAIR
Simon Housman
Rancho Mirage

VICE CHAIRMAN
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Riverside

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Riverside

Robin Lowe
Hemet

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Director
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John Guerin
Brenda Ramirez
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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, but wish to be on record, simply give your name and address and state that you agree with the previous speaker(s). Also please be aware that the indicated staff recommendation shown below may differ from that presented to the Commission during the public hearing.

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 Airport Land Use Commission's office located at 4080 Lemon Street, 9th Floor, Riverside, CA 92501 during normal business hours.

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 basantos@rctlma.org. Request should be made at least 48 hours or as soon as possible prior to the scheduled meeting.

1.0 INTRODUCTIONS

1.1 CALL TO ORDER

1.2 SALUTE TO FLAG

1.3 ROLL CALL

2.0 PUBLIC HEARING: OLD BUSINESS CONTINUED CASES

FRENCH VALLEY AIRPORT

- 2.1 ZAP1030FV08 - FV Crossings, LP – City Case No. DPO-004-249 (Development Plan). A proposal to develop a nine-building, 69,730 square foot retail commercial center on 11.05 net acres (13.74 gross acres) of land located northwesterly of Winchester Road, westerly of the new alignment of Clinton Keith Road at its intersection with Winchester Road, and southerly of Porth Road in the City of Murrieta. Airport Compatibility Zones B1 and C. (Continued from 12-11-08). ALUC Staff Planner: Brenda Ramirez at (951) 955-0549, or E-mail at brramire@rctlma.org.

Staff Recommendation: CONSISTENT

3.0 PUBLIC HEARING: NEW BUSINESS

ITEMS FOR WHICH STAFF RECOMMENDS **CONSISTENCY** UNDER ONE MOTION UNLESS A COMMISSION MEMBER OR MEMBER OF THE PUBLIC DESIRES TO DISCUSS THE MATTER.

MARCH AIR RESERVE BASE

3.1 ZAP1054MA08 – Coudures Family Limited Partnership (Representative: Kelly Buffa) – City of Perris Change of Zone 08110002. A proposal to change the zone from A-1 (Light Agriculture) to BP (Business Park) on three contiguous parcels totaling approximately 8.34 acres, located easterly of Frontage Road, southerly of Placentia Street, northerly of Orange Avenue, and westerly of Indian Avenue, in the City of Perris, within Area II of the March Air Reserve Base. ALUC Staff Planner: Brenda Ramirez at (951) 955-0549, or E-mail at brramire@rctlma.org.

Staff Recommendation: CONSISTENT

4.0 PUBLIC HEARING: NEW BUSINESS

CHINO AIRPORT

4.1 ZAP1012CH08 – Jack & Beatrice Moons, Jaime Carlos and Maricela Rodriguez (Representatives: Master Development Corporation and Albert A. Webb Associates) – County Case Nos. SP00358 (Specific Plan), CZ07345 (Change of Zone), GPA00827 (General Plan Amendment), and PM35786 (Tentative Parcel Map). The Specific Plan No. 358 “The Ranch at Eastvale,” proposes 47.7 acres of business park uses, 42.9 acres of light industrial uses, 17.5 of commercial retail uses, and 11.8 acres of major road way on 119.9 acres located southerly and easterly of the San Bernardino County/Riverside County line, northerly of a westerly straight extension of 65th Street, and westerly of Cucamonga Creek Storm Drain, (easterly of the terminus Kimball Road) in unincorporated Riverside County community of Eastvale. GPA 827 proposes to amend the Eastvale plan designation of this area from LI (Light Industrial) and MDR (Medium Density Residential) to LI (Light Industrial), CR (Commercial Retail), and BP (Business Park). CZ07345 proposes to change the zoning of the property from A-2-10 (Heavy Agriculture minimum 10 acre lot size) to SP (Specific Plan). PM35786 proposes to divide the westerly 97 acres into 6 lots for development (the remaining 22 acres along the westerly boundary are not proposed for division at this time). Project site is within Compatibility Airport Zone B1, C, and D of the Chino Airport. ALUC Staff Planner: Brenda Ramirez, Ph: (951) 955-0549, or E-mail at brramire@rctlma.org.

Staff Recommendation: CONTINUE TO FEBRUARY 18, 2009

5.0 ADMINISTRATIVE ITEMS

5.1 PRESENTATION by Ed Cooper: Fiscal Year 2010 Budget and ALUC Strategic Plan

6.0 APPROVAL OF MINUTES

December 11, 2008

7.0 ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA

8.0 COMMISSIONER’S COMMENTS

COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

STAFF REPORT

AGENDA ITEM: 2.1

HEARING DATE: January 10, 2008

CASE NUMBER: ZAP1020FV07 - City of Temecula

APPROVING JURISDICTION: City of Temecula

JURISDICTION CASE NO: PA06-0340 (Citywide General Plan Amendment)

MAJOR ISSUES: None.

RECOMMENDATIONS: Staff recommends a finding of CONSISTENCY with the 2007 French Valley Airport Land Use Compatibility Plan and the policies of the 2004 Riverside County Airport Land Use Compatibility Plan.

PROJECT DESCRIPTION AND LOCATION:

The City of Temecula proposes a Citywide General Plan Amendment to accurately reflect the built environment and preserve open space. This amendment essentially corrects erroneous designations on the City's General Plan. Within the French Valley Airport Influence Area, the City of Temecula proposes the following amendments to its General Plan Land Use Map: (1) an amendment to the designation of 50.84 acres (including Chaparral High School and some adjoining land) from Industrial Park to Public/Institutional; (2) an amendment to the designation of 13.66 acres (largely a senior apartment project) from Industrial Park to Professional Office; (3) an amendment to the designation of 22.96 acres from Very Low Density Residential to Open Space; and (4) an amendment to the designation of 30.57 acres of land owned by public agencies (City, County, and Water District) from Low Medium Residential (16.94 acres), Community Commercial (4.52 acres), Medium Density Residential (3.78 acres), Industrial Park (3.19 acres), and Neighborhood Commercial (2.14 acres) to Open Space.

The properties within the French Valley Airport Influence Area affected by this amendment are located in the City of Temecula, southerly of French Valley Airport, easterly of Interstate 15, and westerly of Butterfield Stage Road.

The general plan amendment areas within the French Valley Airport Influence Area are referred to as the Chaparral High School GPA, the Enfield/Riverton GPA, the Meadowview GPA, the Nicolas Road Park GPA, the Voorburg Park GPA, and the Winchester Creek Park GPA.

The Chaparral High School GPA includes amendments from Industrial Park to Public/Institutional, Professional Office, and Open Space, from Business Park to Open Space, and from Community

Commercial to Open Space. Except for the small area changing from Business Park to Open Space, this site is entirely westerly of Winchester Road. Except for the small area changing from Community Commercial to Open Space, the site is northerly and easterly of Margarita Road.

The Enfield/Riverton GPA is an amendment from Low Medium Residential to Open Space on property owned by the City of Temecula Community Services District located southerly and westerly of Calle Girasol and westerly of Riverton Lane.

The Meadowview GPA includes two separate site locations. One parcel owned by the Meadowview Community Association located northerly of Via Norte, easterly of Paseo Sereno, and westerly of Calle Torcida is proposed for an amendment from Very Low Density Residential to Open Space. The second site consists of three contiguous County-owned parcels located northerly of Nicolas Road, southerly of Sierra Madre Drive, easterly of Nada Lane, and westerly of Joseph Road. This site is proposed for an amendment from Low Medium Density Residential to Open Space. To the west of Nada Road, additional County owned land is proposed for a change from Low Medium Residential and Medium Density Residential to Open Space.

The Nicolas Road Park GPA includes land owned by the City of Temecula and the County located northerly of Nicolas Road, westerly of North General Kearny Road, and southerly of Sierra Madre Drive. This area is proposed for an amendment from Medium Density Residential and Low Medium Density Residential to Open Space.

The Voorburg Park GPA includes land owned by the City of Temecula and the County located northerly of Nicolas Road, easterly of North General Kearny Road, and southerly of Sierra Madre Drive. This area is proposed for an amendment from Low Medium Density Residential to Open Space.

Finally, the Winchester Creek Park GPA includes land owned by the City of Temecula located northeasterly of Margarita Road, westerly of Oak Cliff Drive, and southeasterly of Greenstone Street. This property is proposed for an amendment from Low Medium Density Residential to Open Space.

BACKGROUND:

Among the amendment sites, the Chaparral High School, Meadowview, Nicolas Road Park, and Voorburg Park GPAs are located partially within Airport Zone D and partially within Airport Zone E. The Enfield/Riverton and Winchester Creek Park GPAs are located entirely within Airport Zone E. None of the sites is within the area that is projected to ultimately be subject to average noise levels exceeding 55 dB(A) CNEL from aircraft operations associated with French Valley Airport air traffic.

The Enfield/Riverton, Meadowview, Nicolas Road Park, Voorburg Park, and Winchester Creek Park GPAs are all clearly consistent with the 2007 French Valley Airport Land Use Compatibility Plan, in that each of these amendments changes the land designation of property within the Airport Influence

Area from a residential designation to Open Space.

The Chaparral High School GPA merits further study. This amendment involves amending the designation of 64.5 acres currently depicted as Industrial Park to 50.84 acres of Public/Institutional and 13.66 acres of Professional Office. However, only 4.27 acres within this amendment are in Airport Zone D, with the remainder of the area, including the entire existing high school site, in Airport Zone E. 1.24 acres of land within Airport Zone D on County-owned property would be amended from Industrial Park to Open Space. Of the remaining 3.03 acres, 1.21 acres of County-owned property would be redesignated from Industrial Park to Professional Office, 0.42 acres of privately owned land would be redesignated from Industrial Park to Professional Office, and 1.4 acres would be redesignated from Industrial Park to Professional Office and Public/Institutional.

The City of Temecula General Plan utilizes an expected floor-area ratio of 0.35 for professional office uses. The expected build-out of 3.03 acres of land designated Professional Office would be 46,195 square feet of office space. If one assumes the standard office intensity of one person per 100 square feet, with a 50 percent reduction, this level of development would translate as 231 occupants, or 76 persons per acre. This land use designation is, therefore, clearly consistent within Zone D.

As to the Public/Institutional designation, it is proposed to be applied to a portion of a 1.4-acre area owned by Winchester Meadows. Criteria for Airport Zone D discourage children's schools, hospitals, and nursing homes, and prohibit "highly noise-sensitive outdoor nonresidential uses" and "hazards to flight." However, other types of public and institutional uses would be permitted.

Noise: Each of the sites is located entirely outside the area subject to average aircraft noise levels greater than 55 dB(A) CNEL. No special noise attenuation measures are required.

PART 77: No structures are being proposed through this City-initiated amendment, so FAA review is not required.

General plan amendments are not subject to conditions.

**COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION
STAFF REPORT**

AGENDA ITEM: 2.2

HEARING DATE: January 10, 2008

CASE NUMBER: ZAP1008TH07-David Gough/Pacific Real Estate Investment Group, Inc.

JURISDICTION CASE NO.: GPA 00860 (General Plan Amendment), CZ 07519 (Change of Zone), CUP 03148R1 (Revised Conditional Use Permit)

MAJOR ISSUES: The proposed actions convert industrially designated and zoned land to residential use; however, the extent of land conversion is limited.

RECOMMENDATION: Staff recommends a finding of Consistency, subject to the conditions specified herein for the revised conditional use permit.

PROJECT DESCRIPTION:

A proposal to amend the Eastern Coachella Valley Area Plan designation of a 15-acre area of a 30-acre contiguous ownership from Light Industrial to Medium High Density Residential (5-8 dwelling units per acre), to change the zoning from M-SC (Manufacturing-Service Commercial) to R-3 (General Residential), and to redesign and expand the mobile home park. The existing 10-acre mobile home park would be expanded to 15 acres, increasing the size of mobile home spaces. The redesigned mobile home park would include 110 mobile home spaces, along with a club house, tot lot, and swimming pool.

PROJECT LOCATION:

The project site is located easterly of Shady Lane, westerly of Rulon Lane, southerly of 54th Avenue, and northerly of 55th Avenue in the unincorporated Riverside County community of Thermal, approximately 5,750 feet northwesterly of the northerly terminus of Runway 17-35 at Jacqueline Cochran Regional Airport.

LAND USE PLAN: 2005 Jacqueline Cochran Regional Airport Land Use Compatibility Plan

Adjacent Airport:

- a. Airport Influence Area: Jacqueline Cochran Regional Airport
- b. Land Use Plan: Airport Zone D
- c. Noise Levels: Outside the 55 CNEL contour

BACKGROUND:

Land Use/Intensity: The existing mobile home park is located in Airport Zone D of the Jacqueline Cochran Regional Airport. Zone D allows for densities less than or equal to 0.2 dwelling units per acre and densities of 5 or more dwelling units per acre. The Conditional Use Permit proposes to provide for 110 mobile home spaces within a 15-acre area. The resulting density of 7.33 dwelling units per acre is consistent with Zone D policies.

Countywide Policy 4.4.4 states that:

“The compatibility of uses in the airport influence area shall be preserved to the maximum feasible extent. Particular emphasis should be placed on preservation of existing agricultural and open space uses.”

The policy proceeds to state:

“...In Compatibility Zone D, general plan amendments (as well as other discretionary actions such as rezoning, subdivision approvals, use permits, etc.) that would convert land to residential use or increase the density of residential uses should be subject to careful consideration of overflight impacts.”

Open Land: Countywide policies require projects with 10 acres or more of land area in Airport Zone D to maintain 10% of site area as open land. The 15-acre mobile home park would not provide for such open land; however, almost all of the remainder of the contiguous ownership is open land at this time. A 3-acre area of the 30-acre contiguous ownership should be set aside as open land in the future.

Noise: The site is outside the 55 CNEL Contour. Noise mitigation is not required.

PART 77: The highest elevation on site is -98 feet (98 feet below mean sea level). The elevation of Runway 17-35 is -114 feet (114 feet below mean sea level). At a distance of 5,750 feet from Runway 17-35, any structure at an elevation greater than -57 feet (57 feet below mean sea level) would require review. Mobile homes generally do not exceed a height of 25 feet, and the clubhouse will not exceed a height of 25 feet. FAA review is not required.

General plan amendments and changes of zone are not subject to conditions.

CONDITIONS (for the conditional use permit):

1. The following uses shall be prohibited:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an

aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.

- (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area, including landfills, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, incinerators, fly ash disposal, wastewater management facilities, and livestock operations..
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation
2. Any outdoor lighting installed should be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing and shall comply with Ordinance No. 655.
 3. The attached notice shall be provided to all potential purchasers and tenants, including tenants of individual mobile home spaces.
 4. Any structure or mobile home that would exceed an elevation of -57 feet (i.e., have an elevation that is not at least 57 feet BELOW mean sea level) at top point shall be subject to the requirement for an aeronautical study by the Federal Aviation Administration through the Form 7460-1 process

COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

STAFF REPORT

AGENDA ITEM: 3.1 ~~3.3~~ 6.1

HEARING DATE: *January 10, 2008* ~~December 13, 2007~~ (continued from
December 13, 2007 and November 8, 2007)

CASE SUMMARY

CASE NUMBER: ZAP1022BD07 – Iland Development

APPROVING JURISDICTION: County of Riverside

JURISDICTION CASE NO.: Plot Plan No. 22915

MAJOR ISSUES: Location of a structure that is not an aviation-related use within Airport Zone A and less than 250 feet from the runway centerline. The Airport Permit for Bermuda Dunes Airport includes a variance for structures northerly of the airport allowing structures not greater than 25 feet in height at a setback of 125 feet from the runway centerline. It would be preferable if the project were designed so as to place the building closer to Country Club Drive and the parking in the rear. This property lies at or near the easterly edge of the industrial area; development of the structure as proposed would extend the existing pattern.

~~In the event that documentation of submittal to the Federal Aviation Administration is available by the time of the hearing, the~~

The Commission may wish to consider the facts of the case in order to determine whether the granting of a special conditions exception pursuant to Section 3.3.6 is appropriate in this situation. The granting of a special conditions exception in the case of a structure in Zone A should only occur following the completion of the FAA review.

RECOMMENDATION: Staff recommends that the Airport Land Use Commission CONTINUE this matter to February 14, 2008, January 10, 2008, pending completion of review by the Federal Aviation Administration pursuant to Aeronautical Study No. 2007-AWP-5943-OE.

~~open the public hearing, consider public testimony, provide direction to staff as to whether it would be willing to consider the granting of a special conditions exception given the current project design, and CONTINUE this matter to December 13, 2007, pending submittal to, and review by, the Federal Aviation Administration.~~

(Alternatively, if the Commission finds that the granting of a special conditions exception would not be appropriate in this case, staff would recommend a finding of INCONSISTENCY, based on the encroachment of the structure into Airport Zone A.)

In the event that the Commission chooses to find this proposal consistent with the ALUCP pursuant to Policy 3.3.6, or in the event that the Commission finds the proposal inconsistent

with the Bermuda Dunes ALUCP but is overruled by the Riverside County Board of Supervisors or its successor-in-interest, staff would recommend that the conditions included in this staff report be applied.

UPDATE: The applicant has submitted Form 7460-1 to the Federal Aviation Administration and review is in progress.

PROJECT DESCRIPTION:

The project is a Plot Plan for the development of a 19,388 square foot industrial/office building for multi-tenant use (7,388 square feet to be basement area, primarily underground parking) on a 0.66-acre site. The floor plan indicates that the project would include 5,890 square feet of office space and 6,110 square feet of manufacturing/fabrication area. The basement would include the parking garage, elevator, elevator lobby, staircases, and a machine room.

PROJECT LOCATION:

The site is located southwesterly of Country Club Drive, northeasterly of Bermuda Dunes Airport, easterly of Adams Street, and westerly of Jefferson Street in the community of Bermuda Dunes in the County of Riverside, approximately 132 feet northeasterly of Runway 10-28 at the 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: Airport Zones A and B2
- c. Noise Levels: Greater than 65 dB CNEL at ultimate traffic level

BACKGROUND:

Land Use Intensity: The proposal is a Plot Plan for a 19,388 square foot office and industrial building on a 0.66-acre site. The site is split by the boundary between Airport Zone A and Airport Zone B2. Airport Zone A prohibits all structures except those with location set by aeronautical function. Airport Zone B2 allows an average non-residential intensity of 100 persons per acre with clustering on a single acre of up to 200 persons. In this case, the site is less than one acre in area, so the single-acre clustering allowance is not applicable. With a total site area of 0.66 acre, the maximum number of persons that would be allowed on the site if the site were entirely in Airport Zone B2 is 66 persons. However, most of the site (0.40 acre) is in Airport Zone A, with only 0.26 acre of net area in Airport Zone B2. This would allow a total of 26 persons. However, the intent of the intensity standards is to consider the site's gross acreage in reviewing nonresidential intensity. The adjacent part-width of Country Club Drive provides an additional 0.21 acre, allowing an intensity of 47 persons.

The project proposes 36 parking spaces (21 surface and 15 underground), which would translate as 54 persons using the standard parking space methodology of 1.5 occupants per parking space. However, information from ALUC consultant Mead & Hunt indicates that, for work trips, vehicle

occupancy is closer to 1.1 or 1.2 persons per vehicle, which would translate as 40 to 43 persons.

Based on the information included in the floor plan, the project includes 5,890 square feet of office uses and 6,110 square feet of fabrication uses, with the 7,388 square feet of remaining area constituting a parking garage, with a machine room, elevator, elevator lobby, and staircases. Pursuant to Appendix C, maximum capacity of office areas is one person per 100 square feet, and maximum capacity of manufacturing areas and parking garages is one person per 200 square feet. Utilizing the UBC method, with the 50% reduction, the office areas would accommodate 29 persons, and the manufacturing area and parking garage would accommodate 34 persons, for a total intensity of 63 persons. However, provided that the underground parking is restricted to employees' vehicles, it may be argued that the garage would not be fully occupied at the same time as the office and fabrication areas. If the basement area is discounted, total occupancy is reduced to 45 persons, which would be consistent with the overall allowable intensity when one considers the gross acreage in Airport Zone B2.

Airport Zone A: The major issue for this project is that Airport Zone A, as mapped on the Bermuda Dunes Airport Land Use Compatibility Plan (BDALUCP) extends onto this property to a depth of 118 feet. The project as designed is inconsistent with the provisions of the BDALUCP and the Countywide Policies, which prohibit new occupiable buildings in Airport Zone A. The building is entirely within Airport Zone A, with the outdoor parking in Airport Zone B2. The project should be designed so as to place the building along Country Club Drive, with parking in the rear. The proposed building encroaches approximately 102 feet into Airport Zone A. While it may not be possible to eliminate encroachment into Zone A, a redesign that places the building at the front of the property would reduce the proportion of the building extending into Airport Zone A.

While Kenneth Brody of Mead & Hunt has previously verified that Airport Zone A at this location extends a distance of 250 feet from the centerline of the runway, it should be noted that Airport Manager Mike Smith has previously advised that the boundary of Airport Zone A should have reflected the variance in the State Airport Permit whereby the primary surface extends to a distance of 125 feet from the runway centerline, and objects beyond this limit may be up to 25 feet in height. The variance in the permit is for "existing...imaginary surface penetrations", but has been interpreted as applicable to all lots in the industrial park, including vacant lots.

Noise: The site is subject to extremely high noise levels from aircraft operations due to its proximity to the runway. Noise levels are projected to exceed 65 CNEL at ultimate traffic levels; consequently, the site would not be suitable for residential or other noise-sensitive uses. In accordance with criteria for Airport Zone B2, the structure will be required to be designed to provide a minimum noise level reduction of 25dB for the office portions of the building construction.

PART 77: The ground level elevation of the site is 52 feet above sea level. The height of the structure is 24 feet, so the height at top of structure may be as high as 76 feet. The runway elevation at its easterly end is 45.1 feet above sea level. At a distance of 147 to 148 feet from the runway, any structure with an elevation greater than 46 feet above sea level is subject to aeronautical review by the Federal Aviation Administration. FAA review is required in this case.

In past studies, the FAA has determined that buildings in this area exceed obstruction standards, but that such buildings (provided that they are red obstruction lighted) may not have a substantial adverse effect on the safe and efficient utilization of airspace due to location in an area of previously studied structures of similar height. These reviews have referenced the variance in the State Airport Permit “for existing penetrations 125 feet or more to the north of the runway centerline, with the additional conditions that no object subject to the variance shall exceed 25 feet in height above the nearest point of the runway elevation, and that all objects subject to the variance shall be red obstruction lighted.”

In past studies, the FAA has also commented that this airport is “not listed in the National Plan of Integrated Airports (NPIAS), because it can never meet FAA Airport Design Standards contained in FAA Advisory Circular 150/5300-13, Change 8” and that the inability to meet these design standards is partially due to “the existing tree line and existing buildings which have previously been located in the FAA Part 77 Primary Surface and the Obstacle-Free Area (OFA).”

Additional Design/Layout Considerations: From an airport land use compatibility planning perspective, the layout is not the most preferable. The Compatibility Plan recommends that structures be located a maximum distance from the runway, which would be better accomplished by siting the structure at the front of the property (along Country Club Drive), with parking in the rear.

CONDITIONS:

1. Prior to issuance of building permits, the landowner shall ~~convey record the conveyance of~~ an aviation easement to Bermuda Dunes Airport, **which shall be recorded. Copies of the aviation easement, upon recordation, shall be forwarded to the Riverside County Planning Department (Desert office) and to the Riverside County Airport Land Use Commission.**
2. Noise attenuation measures shall be incorporated into the office areas of the building construction to ensure a minimum noise level reduction of 25dB, so as to reduce interior noise levels from aircraft operations to 45 CNEL or below.
3. The following uses shall be prohibited:
 - a. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light, visual approach slope indicator, or red light obstruction marking in accordance with the conditions specified herein.
 - b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.

- c. Any use which would generate smoke or water vapor or which would attract a large concentrations of birds, or which may otherwise affect safe air navigation within the area.
 - d. Any use which would generate electrical interference that may be detrimental to any operation of aircraft and/or aircraft instrumentation.
 - e. **Children's schools, day care centers, libraries, hospitals, nursing homes, places of worship, highly noise-sensitive outdoor nonresidential uses, and aboveground bulk storage of 6,000 gallons or more of hazardous or flammable materials.**
4. The attached notation regarding proximity to the airport shall be given to each potential property purchaser or tenant.
 5. The maximum floor area utilized for office space shall not exceed 5,980 square feet, with the remaining aboveground areas used for manufacturing, fabrication, storage, or warehousing. Basement areas shall not be rented or leased separately, and no person shall maintain an office in the basement.
 6. The maximum height of the proposed building shall not exceed 24 feet above ground level, and the maximum elevation at the top of structure shall not exceed 76 feet above mean sea level, unless a greater top point elevation is approved by the Federal Aviation Administration through the Form 7460-1 process.
 7. Prior to the issuance of building permits, the permittee shall submit documentation demonstrating that the Federal Aviation Administration has issued a finding that the proposed building will not be a hazard to air navigation.

**COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION**

STAFF REPORT

AGENDA ITEM: 3.2 4.1

HEARING DATE: January 10, 2008 (continued from December 13, 2007, with re-advertisement)

CASE SUMMARY

CASE NUMBER: ZAP1024BD07 – Rob, Tom, and Jill Rosztoczy

APPROVING JURISDICTION: County of Riverside

JURISDICTION CASE NO.: CZ07530 (Change of Zone) and PP22846 (Plot Plan)

MAJOR ISSUES: Single-acre intensity is an issue in relation to the plot plan, utilizing the standard Uniform Building Code Method, due to the retail sales component of the project. ~~Additionally, the change of zone, which would have been found consistent, is being amended, with the applicant and County Planning staff determining that the desired zoning is Manufacturing-Service Commercial, rather than Industrial Park.~~ In addition to the intensity issue, the *building plot plan* requires FAA review. The building is proposed to be located directly below the extended runway centerline.

RECOMMENDATION: ~~Staff recommends that this project be CONTINUED to January 10, 2008, for re-advertising to reflect the revised change of zone request.~~

Staff recommends a finding of CONSISTENCY for the change of zone to either I-P or M-SC, but recommends CONTINUANCE of the plot plan to February 14, 2008, unless (a) the Commission is willing to accept the applicant's offer to agree to a limit on building occupancy and (b) the applicant submits documentation of submittal to the FAA, in which case staff would recommend a finding of CONDITIONAL CONSISTENCY for the plot plan, pending FAA approval, subject to the conditions included in this staff report and such additional conditions as may be required pursuant to the terms of the FAA determination.

PROJECT DESCRIPTION:

As submitted to ALUC, ZAP1024BD07 is a proposal to change the zoning of this 4.03-4.08 acre property from R-1-12,000 (One-family Dwellings, 12,000 square foot minimum lot size) to I-P (Industrial Park), and to develop an 18,000 square foot building for the sales and service of lawn mowers and turf equipment (John Deere dealership). **The proposal has since been amended to propose M-SC (Manufacturing-Service Commercial) zoning, and it has been clarified that the dealership would predominantly sell turf maintenance equipment (such as fairway mowers, riding greens mowers, and tractors) to golf courses.**

PROJECT LOCATION:

The site is located southerly of Country Club Drive and westerly of Carter Lane, in the unincorporated Riverside County community of Bermuda Dunes, approximately 2,904 feet northwesterly of the northwesterly 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: Airport Zone B1
- c. Noise Levels: 60-65 dB CNEL

BACKGROUND:

Land Use Intensity – Single-Acre Intensity: The maximum single-acre intensity permitted in Airport Zone B1 pursuant to the Countywide Policies section of the 2004 Riverside County Airport Land Use Compatibility Plan is 50 persons. The use of risk-reduction design measures may allow for a bonus of up to 30%, resulting in a total allowance of 65 persons. The entire building is located within a single acre of the property. The building is comprised of a 3,797 square foot showroom, a 1,327 square foot parts area, 1,515 square feet of offices, administration, and library space, a 354 square foot break room, a 143 square foot locker room, 3,236 square feet of service area, 6,459 square feet of storage area, and miscellaneous areas including restrooms, hall, and janitorial rooms. **In a letter dated December 6, 2007, Mr. Doug Jacobs, AA Equipment General Manager, advised that the “size of the showroom was determined not by the amount of people that would be occupying it at any one time, but by the size of equipment that would be displayed in this area.”**

Based on the Uniform Building Code method **and Appendix C**, the full intensity of this building is 106 persons, counting the showroom as a retail area, the service area as a fabrication area, the parts and storage areas as storage areas, and the break room as a conference area. This single-acre intensity is acceptable in Airport Zone C, but is not allowed in Airport Zone B1.

The project could potentially be found consistent in the future if the Bermuda Dunes Airport Land Use Compatibility Plan were amended to allow a single-acre intensity of 80 persons in Airport Zone B1, and if the showroom were evaluated on the basis of one person per 170 square feet. Based on the existing standard of one person per 30 square feet, with a 50% reduction, the retail portion of the building accounts for 63 of the 106 occupants. Using a revised standard of one person per 170 square feet, the retail portion would account for 22 persons, thereby reducing overall occupancy to 65 occupants. If one makes the added assumption that the break room and the offices would not be utilized at maximum capacity at the same time, this would further reduce total occupancy to 53 persons.

(It should also be noted that the Commission may grant a risk-reduction design bonus of up to 30% [15 persons, so as to allow a single-acre intensity of 65 persons] for use of risk-reduction design features, including, but not limited to, the following possible mitigation measures: limiting buildings to a single story; enhancing the fire sprinkler system; increasing the number of emergency exits; upgrading the strength of the building roof; avoiding skylights; limiting the number and size of

windows; and using concrete walls. Thus, if the project qualified for a full 30% intensity bonus and if the retail area is evaluated at one person per 170 square feet, the project intensity could be found consistent with the Zone B1 single-acre intensity standard.)

The applicant noted on page 1 of the application that the number of employees on-site is not expected to exceed fifteen (15), and that it would be rare for there to be more than a handful of customers in the building, since the equipment is marketed to golf courses rather than homeowners. If, in fact, the number of employees at any one time does not exceed fifteen and the number of customers does not exceed thirty-five (35), the project would, in fact, be consistent. However, staff cannot confirm that the project would meet the single-acre intensity criteria in the absence of the imposition of conditions that the County would have to enforce or documentation of these limits from the applicant.

In his letter dated December 6, 2007, Mr. Jacobs indicated that he would have no objection to “posting a sign on the front entrance door, which would state that the maximum occupancy of the building is 50 people....” In the event that the Commission is willing to accept the applicant’s offer to agree to a limit on building occupancy, staff has included special conditions limiting the maximum number of persons in the structure at any given time to not more than 50 persons and limiting the size of the retail sales display area or showroom to 3,797 square feet.

Land Use Intensity – Average Intensity: The applicant proposes an 18,000 square foot building on a property in Airport Zone B1. Airport Zone B1 allows an average non-residential intensity of 25 persons per acre with clustering on a single acre of up to 50 persons. With a total site area of 4.03 acres, the maximum number of persons that would be allowed on the site is 101. The intent of the nonresidential intensity standards is to consider the site’s gross acreage in reviewing nonresidential intensity. The adjacent street half-widths provide an additional 0.75 acre, resulting in a gross acreage in Zone B1 of 4.78 acres, and an allowable total intensity of 119 persons.

The applicant originally proposed 44 parking spaces, which would translate as 66 persons using the standard parking space methodology of 1.5 occupants per parking space. Therefore, the project initially met average intensity standards using the parking space method. However, the applicant ~~has recently~~ **subsequently** amended the plot plan to provide for 65 parking spaces at the request of the County Planning Department, which would indicate a total intensity of 98 persons. (ALUC staff ~~would question~~ **questioned** the need for 65 parking spaces if only 50 people will be in the building.) **More recently, the Planning Department agreed to reduce the required number of parking spaces, and the applicant’s architect is now designing a site plan providing for 35 parking spaces.**

As stated above, use of the Uniform Building Code method results in a total occupancy calculation of 106 persons (**22 persons per acre**), which is still consistent with the average intensity limitations **when gross acreage is considered.** .

Noise: The site is subject to high noise levels from aircraft operations due to its proximity to the runway. Noise levels are projected to exceed 60 CNEL on the property. However, the sales and

service of lawn mowers and turf equipment are not noise-sensitive uses. Therefore, noise attenuation is not required for this specific land use.

Extended Runway Centerline: The extended runway centerline of Bermuda Dunes Airport crosses the southwesterly portion of the property, such that it may be expected that aircraft would fly directly over the proposed structure. The project design does not meet the criterion that buildings be sited a maximum distance from the extended runway centerline.

In his letter of December 7, Mr. Jacobs advised that the placement of the building on the property was affected by the County's requirement for "enough room for emergency vehicles to move around the perimeter of the building" and by the recommendation of the Bermuda Dunes Community Council that the building be set back from the street so as to minimize noise and lighting impacts on neighboring properties.

PART 77: The applicant has indicated that the pad elevation would not exceed 95.5 feet above mean sea level, and that the structure would not exceed a height of 26 feet, for a height at top of structure not exceeding 121.5 feet above mean sea level. The runway elevation is 73.4 feet above mean sea level at its northwesterly terminus. At a distance of 2,904 feet from the runway, any structure exceeding an elevation of 102.4 feet above sea level at top point requires FAA review. FAA notice and review is required for this project. **As of December 27, 2007, the applicant has not submitted for FAA review.**

CONDITIONS:

1. Prior to issuance of building permits, the landowner shall convey an avigation easement to Bermuda Dunes Airport, which shall be recorded. Copies of the avigation easement, upon recordation, shall be forwarded to the Riverside County Planning Department (Desert office) and to the Riverside County Airport Land Use Commission.
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, visual approach slope indicator, or red light obstruction marking in accordance with the conditions specified herein.
 - b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - c. Any use which would generate smoke or water vapor or which would attract a large concentrations of birds, or which may otherwise affect safe air

navigation within the area, including landfills, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, incinerators, composting operations, fly ash disposal, wastewater management facilities, artificial marshes, production of cereal grains, sunflower, and row crops, livestock operations, aquaculture, and landscaping utilizing water features.

- d. Any use which would generate electrical interference that may be detrimental to any operation of aircraft and/or aircraft instrumentation.
 - e. Children's schools, day care centers, libraries, hospitals, nursing homes, places of worship, highly noise-sensitive outdoor nonresidential uses, **aboveground bulk storage of hazardous materials**, and aboveground bulk storage of 6,000 gallons or more of ~~hazardous~~ or flammable materials.
3. Any outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky, and shall comply with Riverside County Ordinance No. 655, as applicable. Outdoor lighting plans shall be transmitted to the airport manager for review and comment. (Failure to comment within thirty days shall be considered to constitute acceptability on the part of the airport manager.)
 4. The attached notation regarding proximity to the airport shall be given to each potential tenant.
 5. The Riverside County Planning Department shall require additional review by the Airport Land Use Commission prior to the establishment of any of the following uses in the proposed structure:

Retail sales other than sales of lawn mowers and turf equipment, auction rooms, auditoriums, dance floors, lodge rooms, reviewing stands, conference rooms with capacities of 25 or more persons, dining rooms, exhibit rooms (other than for retail sales), restaurants, drinking establishments, gymnasiums, lounges, gaming, bowling alleys, classrooms, courtrooms, dormitories, swimming pools, skating rinks, locker rooms, and other uses that would be considered to have an occupancy level greater than one person per 100 square feet (minimum square feet per occupant less than 100) pursuant to California Building Code (1998) Table 10-A.
 6. The maximum number of persons permitted in the structure at any given time shall not exceed fifty (50) persons.
 7. The size of the retail sales display area or showroom shall not exceed 3,797 square feet.
 8. Prior to issuance of building permits, the applicant shall submit a Notice of Proposed Construction or Alteration (Form 7460-1) to the Federal Aviation Administration (FAA) for the proposed building and shall have received a determination of "Not a Hazard to Air

Navigation” from the FAA. Copies of the FAA determination shall be provided to the Riverside County Planning Department (Desert office) and to the Riverside County Airport Land Use Commission.

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COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

STAFF REPORT

AGENDA ITEM: 3.3 4-3

HEARING DATE: January 10, 2008 (continued from December 13, 2007)

CASE SUMMARY:

CASE NUMBER: ZAP1008FV07 – Wilshire Greeneway I, LLC

APPROVING JURISDICTION: County of Riverside

JURISDICTION CASE NO: SP00284A3 (Specific Plan Amendment), CZ07596 (Change of Zone), PP23146 (Plot Plan), PM29509 (Parcel Map)

MAJOR ISSUES: Single-acre intensities exceed Zone C criteria in portions of the site, most notably in the area of the two-story office buildings K and L. These intensities are up to 224 persons per acre. The problems appear to be surmountable through redesign or reallocation of land uses and structures and/or demonstration of eligibility for risk-reduction and/or open land bonuses. The project does meet the average intensity standard. FAA review is required for at least some of the structures at this location.

RECOMMENDATION: Staff recommends CONTINUANCE to February 14, 2008 ~~January 10, 2008~~ to allow for submittal to the Federal Aviation Administration and to allow for further study and possible redesign or reallocation of land use in portions of the site.

UPDATE: This item was continued without discussion from the December 13 agenda in order to allow for redesign or reallocation of uses or structures in the vicinity of Buildings K and L, and to allow for FAA review. Staff met with two project representatives on December 18 to discuss these concerns. Staff is awaiting further information from the applicant as of January 2, 2008. Staff has recommended the preparation of a site plan that depicts airport zone boundaries on the site.

PROJECT DESCRIPTION: Plot Plan No. 23146 proposes to establish a mixed use commercial, office, and industrial project consisting of 13 buildings plus two freestanding pads with a total of 351,975 square feet of floor area on 34.59 net acres (37.73 gross acres). SP00284A3 proposes to change the Specific Plan designation of the site from Office/Industrial Park to Commercial/Office/Industrial Park, and from Industrial Park to Commercial/Industrial Park. CZ07596 proposes to amend the zoning ordinance for Specific Plan No. 284 to allow commercial uses in Planning Areas 1 and 2. PM29509 proposes to divide the property into six commercial/industrial parcels and one open space parcel.

PROJECT LOCATION: The site is located westerly of Leon Road, southerly of Benton Road, and northerly of Auld Road in the unincorporated Riverside County community of French Valley, approximately 1,762 feet northeasterly of Runway 18-36 at French Valley Airport.

LAND USE PLAN: 2007 French Valley Airport Land Use Compatibility Plan

Adjacent Airport:

- a. Airport Influence Area: French Valley Airport
- b. Land Use Policy: Airport Zones C, B1, and D (predominantly in Airport Zone C)
- c. Noise Levels: From below 55 CNEL to 60 CNEL (The site is crossed by the 55 CNEL contour.)

BACKGROUND:

Nonresidential Average Intensity: The site is located predominantly in Airport Zone C, but includes small areas in Airport Zones B1 and D. In net acreage, the site includes 32.84 acres in Airport Zone C, 0.93 acre in Airport Zone D, and 0.21 acre in Airport Zone B1. Nonresidential intensity in Airport Zone C is restricted to an average of 80 persons per acre and a maximum of 160 persons in any given acre. (A risk-reduction design bonus may be applied, which, if granted, would allow a single-acre intensity up to 208 persons.) The total allowable intensity for this site, based on net acreage, would be 2,774 persons.

The applicant is proposing 102,200 square feet of office space, 73,500 square feet of retail space, two additional retail or restaurant pads totaling 5,700 square feet, and 146,300 square feet of industrial space. Using this information, and assuming for this calculation only that all of the industrial space could be used as offices, a total site occupancy of 2,072 persons is projected, for an average intensity of 63 persons per net acre.

The applicant proposes to provide 1,241 parking spaces. Application of the standard 1.5 persons per vehicle factor results in a total occupancy of 1,862 persons and an average intensity of 57 persons per net acre, which is consistent with Airport Zone C.

Nonresidential Single-Acre Intensity: Nonresidential single-acre intensity is restricted to 160 persons in any given acre within Airport Zone C. This level may be increased to up to 208 with use of risk-reduction design features, including, but not limited to, the following possible mitigation measures: limiting buildings to a single story; enhancing the fire sprinkler system; increasing the number of emergency exits; upgrading the strength of the building roof; avoiding skylights; limiting the number and size of windows; and using concrete walls.

Staff review indicates that single-acre intensity exceeds 220 persons (using the Building Code method, as modified by the French Valley Additional Compatibility Policies) in the southerly portion of the property, which features two two-story office buildings and a retail building. Additionally, single-acre intensities could exceed 180 persons in the retail areas in the northerly portion of the property.

A square acre that includes portions of Buildings K and L (both two-story buildings) includes up to

44,730 square feet of office space, which would have a projected occupancy of 224 persons. Additionally, a square acre that includes a portion of Buildings L and M includes up to 33,600 square feet of office space and 4,000 square feet of retail space, for a projected occupancy of 203 persons.

Noise: The site is located entirely outside the area subject to average aircraft noise levels greater than 60 dB(A) CNEL, but is crossed by the 55 CNEL contour. A minimum 20 dB exterior-to-interior noise level reduction will be required for office buildings at this location.

PART 77: Proposed finished floor elevations on the site range from 1,346 to 1,354.5 feet above mean sea level. Structures may be as high as forty-five (45) feet. This would appear to indicate a top elevation as high as 1,399.5 feet AMSL. The elevation at the northerly end of the runway is 1,347 feet AMSL. At a distance of 1,762 feet from the runway, any building with an elevation at top of roof exceeding 1,364 feet AMSL would require FAA review. **The site extends 2,586 feet from north to south, so some of the structures may not require FAA review. The applicant's representative has been asked to either (a) submit Form 7460-1 for each building or (b) provide a table demonstrating why specific structures would not require such a review.**

In the event that the County of Riverside chooses to overrule a determination of inconsistency, the County should require the following as conditions of its approval. Implementation of these conditions does NOT render the project consistent with the French Valley Airport Land Use Compatibility Plan and may not be sufficient to mitigate potential safety hazards to below a level of significance pursuant to the California Environmental Quality Act.

CONDITIONS:

1. Prior to issuance of building permits, the applicant shall submit a Notice of Proposed Construction or Alteration (Form 7460-1) to the Federal Aviation Administration (FAA) for each building with an elevation at top point exceeding 1,364 feet above mean sea level and shall have received a determination of "Not a Hazard to Air Navigation" from the FAA. Copies of the FAA determination shall be provided to the County of Riverside Planning Department and the Riverside County Airport Land Use Commission.
2. Any outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky.
3. The following uses shall be prohibited:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light, visual approach slope indicator, or such red light

obstruction marking as may be permitted by the Federal Aviation Administration.

- (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
4. The County of Riverside shall require additional review by the Airport Land Use Commission prior to the establishment of any of the following uses in any of the structures proposed through this conditional use permit, except for the two freestanding pads:
- Auction rooms, auditoriums, churches and chapels, dance floors, lodge rooms, reviewing stands, dining rooms, exhibit rooms, restaurants, drinking establishments, gymnasiums, lounges, stages, gaming, bowling alleys, classrooms, swimming pools, skating rinks, and other uses that would be considered to have an occupancy level greater than one person per 30 square feet (minimum square feet per occupant less than 30) pursuant to California Building Code (1998) Table 10-A.
5. The attached notice shall be provided to all potential purchasers and tenants.

**COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION**

STAFF REPORT

AGENDA ITEM: 3.4 4.7

HEARING DATE: January 10, 2008 (continued from
December 13, 2007)

CASE NUMBER: ZAP1029RI07-California Square
Partners/TR Design Group Architects

APPROVING JURISDICTION: City of Riverside

JURISDICTION CASE NO.: Design Review No. P07-1124
(DR P07-1124) and Conditional Use Permit
No. P07-1125 (CUP P07-1125)

MAJOR ISSUES: The intensity of use on-site is slightly above the maximum allowable intensity in Airport Zone D, using the standard Uniform Building Code methodology and calculating retail intensity pursuant to Appendix C. The average intensity is approximately 117 persons per acre. However, average intensity is consistent using the Parking Space Method or the Modified Building Code Method with an assumption of one person per 115 square feet of gross floor area for the retail stores. The single acre intensity exceeds 300 persons *using the standard method, but falls below 300, provided that a reasonable assumption regarding the proportion of restaurant space that is commercial kitchen is utilized.* ~~risk-reduction design has not yet been considered.~~

RECOMMENDATION: Staff recommends that the Commission open the public hearing, consider testimony, and determine whether it is willing to consider the average intensity of this project pursuant to the Parking Space Method or pursuant to an alternative calculation methodology. If it is willing to consider the average intensity pursuant to *either of these methods, the Parking Space Method,* staff recommends a finding of CONSISTENCY with the 2005 Riverside Municipal Airport Land Use Compatibility Plan.

~~**CONTINUANCE** to January 10, 2008 to evaluate potential use of the risk-reduction design bonus to allow single-acre intensities exceeding 300, but not exceeding 390. If the Commission is willing to consider average intensity pursuant to the alternative calculation methodology, staff recommends continuance to allow single-acre intensity to be calculated based on the alternative methodology. Otherwise, staff must recommend a finding of INCONSISTENCY based on the standard Uniform Building Code methodology.~~

PROJECT DESCRIPTION:

A proposal for redesign of a shopping center. The redesigned center would include an expanded Maxi Foods supermarket (35,924 square feet), 5,385 square feet of retail/fast food area, a 17,369 square foot Rite-Aid Pharmacy, and 20,006 square feet of new retail, with 21 apartment units on the second floor of the new retail building. **The pre-existing shopping center on this property (a portion of which has been demolished) provided for 69,902 square feet of retail area and one 1,087 square foot Dairy Queen restaurant.**

PROJECT LOCATION:

The site is 7.87 acres in net area and is located at the southeasterly corner of Monroe Street and California Avenue, in the City of Riverside, approximately 5,280 feet (one mile) southerly of Runway 9-27 at Riverside Municipal Airport.

LAND USE PLAN: 2005 Riverside Municipal Airport Land Use Compatibility Plan

Adjacent Airport:

- a. Airport Influence Area: Riverside Municipal Airport
- b. Land Use Plan: Airport Zone D
- c. Noise Levels: Outside the 55 CNEL Contour

BACKGROUND:

Land Use/Intensity: The site is located in Airport Zone D of the Riverside Municipal Airport. Land use compatibility criteria for Airport Zone D permit an average of 100 people per acre and a maximum of 300 people per single-acre. (A risk-reduction design bonus is available, which would allow a single-acre intensity up to 390 persons.) Pursuant to Appendix C, Table C-1 of the Riverside County Airport Land Use Compatibility Plan, the intensity of retail stores (sale and display areas) has been determined to be one person per 30 square feet, and the intensity of restaurants has been determined to be one person per 15 square feet. Application of the 50% factor converts these intensity numbers to one person per 60 square feet and one person per 30 square feet, respectively.

The applicant is proposing retail buildings with a total floor area of 73,299 square feet (including 26,300 square feet of the existing Maxi Food Super Market), a restaurant building with a floor area of 5,385 square feet, and 21 condominium units on 7.87 net acres. If the retail buildings were entirely display area and the restaurants were entirely serving area, the total intensity would be 1,402 persons (not counting the 50-65 condominium residents). However, the architect has advised of the proportions of the retail buildings that would be stock (storage) **and shelving** areas and the proportions of the restaurant buildings that would be commercial kitchens. With these revisions, the **architect has estimated that the** total occupancy of the commercial portions of the project, with incorporation of the 50% reduction, is approximately **791** ~~1,030~~ persons,

and the full intensity is approximately ~~854~~ ~~1,093~~ persons, if we assume three persons per dwelling unit in the condominiums.

To determine average intensity, we divide the total intensity by the gross acreage, which equals the property area, plus the area included in the half-widths of adjoining streets. Based on the dimensions of the property lines as depicted on the site plan, the acreage of the property is 7.87 acres. The adjacent half-widths of California Avenue and Monroe Street provide an additional 1.44 acres in gross area, for a total gross area of 9.31 acres. **If the total intensity is 1,402 persons, Therefore, the average intensity would be is 117 persons per acre, which would This is not be consistent with the Zone D standard.**

However, the average intensity is consistent if one were to use the Parking Space Method to calculate intensity for the ~~retail~~ **nonresidential** portion of the project. This method assumes an intensity of 1.5 persons per parking space. The applicant is proposing 386 parking spaces, including 347 for the retail areas of the project. Based on this method, the retail areas would have an intensity of 521 persons. Adding the 63 condominium residents would give us a total intensity of 584 persons, which would be clearly consistent.

This dichotomy between intensities using the Building Code Method and the Parking Space Method is quite common and has led to consideration of an alternative approach for retail uses. If one were to consider the retail buildings to have an overall intensity of one person per 115 gross square feet, the total intensity of these buildings (**72,271 square feet**) would be estimated at 628 persons. **If we further provide for a split of 3,385 square feet of serving area and 2,000 square feet of kitchen area in the restaurants, these areas would accommodate 123 persons.** Adding the ~~149 restaurant occupants~~ **and** the 63 condominium occupants would result in a total intensity of ~~814~~ **840** persons, for an average intensity of ~~87~~ **90** persons per gross acre, **which is also clearly consistent.**

~~Staff estimates the maximum number of people within a single acre to be 320, exceeding the single acre standard for Zone D, but within the range where risk reduction design could potentially provide for a bonus. However, this calculation is based on proportional square footage information for the market. A detailed floor plan for the revised market layout would assist in the calculation.~~

The most intensely utilized acre within the project site is the single acre that includes the restaurants and the 92 linear feet of the Maxi Foods store that is closest to California Avenue. Initially, it was thought that this single acre might accommodate as many as 418 persons. However, a considerable portion of the Maxi Foods building is used as a stock area, such that 4,471 square feet within the 14,283 square feet of the grocery store is presently in use in this manner. Based on the standard Building Code Method, the 92 feet closest to California Avenue would accommodate 171 persons. (If the entire 14,283 square feet were display area, this area would accommodate 238 people.) Adding the restaurants and assuming 2,000 square feet of commercial kitchen space as noted above, the total intensity within the most intensely utilized acre would be 294 persons.

Alternatively, if the retail supermarket is evaluated on the basis of one person per 115 square feet, the 14,283 square feet within the 92 feet of the store closest to California Avenue would accommodate 124 persons, and the total intensity would be 247 persons. Using this method is preferable to the applicant, as it would not require maintenance of a particular square footage of stock area in the portion of the Maxi Foods building closest to California Avenue.

Noise: The site is outside the 55 CNEL Contour; therefore noise mitigation is not required.

PART 77: The maximum elevation at this site is 758 feet above mean sea level (AMSL), and the proposed maximum structure height is 65 feet. The project as proposed shows the expected highest point of the building to be 823 feet AMSL. The runway elevation at its easterly end is 815 feet AMSL. At a distance of 5,280 feet from the runway, any structure over 868 feet top elevation would require FAA review. FAA review is not required for this project.

Additional Information: The project site is the subject of a Land Exchange Agreement between the landowner and the City of Riverside Redevelopment Agency.

~~The following conditions are necessary to prevent the establishment of uses that are hazards to flight and to provide notification in accordance with State law. Implementation of these conditions does NOT render the project consistent with the Riverside Municipal Airport Land Use Compatibility Plan and may not be sufficient to mitigate potential safety hazards (as they would affect the persons working, shopping, and dining on this property) to below a level of significance pursuant to the California Environmental Quality Act.~~

CONDITIONS:

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

- (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
 - (e) Use of any of these structures as a children's school, hospital, or nursing home.
2. Any outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky.
 3. The attached notice shall be provided to all potential property purchasers and tenants, and shall be recorded as a deed notice.
 4. The City of Riverside shall require additional review by the Airport Land Use Commission prior to the establishment of any of the following uses on the site: Auction rooms, auditoriums, churches and chapels, dance floors, day care centers, dining rooms and drinking establishments (except in designated restaurant building), lounges, stages, lodge rooms, reviewing stands, exhibit rooms, bowling alleys, classrooms, skating rinks, and other uses that would be considered to have an occupancy level greater than one person per 30 square feet (minimum square feet per occupant less than 30) pursuant to California Building Code (1998) Table 10-A.
 5. **Within the restaurant building, total serving area (excluding kitchen areas not accessible to the public) shall not exceed 3,385 square feet.**
 6. **The following condition is only applicable if the Commission does not wish to utilize the Modified Building Code method:**

Not less than 4,471 square feet within the 92 linear feet of the Maxi Foods store closest to California Avenue shall be utilized as stock or storage areas not normally accessible to the public.

**COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION**

STAFF REPORT

AGENDA ITEM: 3.5 4.8

HEARING DATE: January 10, 2008 (continued from December 13, 2007)

CASE SUMMARY:

CASE NUMBER: ZAP1031RI07 – Riverside Auto Auction/Manheim Auto Auction

APPROVING JURISDICTION: City of Riverside

JURISDICTION CASE NO: Conditional Use Permit: P07-1121

MAJOR ISSUES: Insufficient information regarding uses within the existing building was provided to enable a determination of consistency with the Airport Zone B2 single-acre intensity standard limiting intensity to 200 persons.

RECOMMENDATION: Staff recommends CONTINUANCE to *February 14, 2008* ~~January 10, 2008~~, pending receipt of ~~additional information regarding floor plans for the existing building and the building as modified.~~

PROJECT DESCRIPTION: Conditional Use Permit No. P07-1121 (associated with Design Review Case No. P07-1123) proposes to add 4,740 square feet of additional floor space to an existing building with 51,120 square feet of building area on an 8-acre site.

PROJECT LOCATION: The site has an address of 6446 Fremont Street and is located on the west side of Fremont Street, northerly of Central Avenue, in the City of Riverside, approximately 1,122 feet northerly of Runway 9/27 at Riverside Municipal Airport.

LAND USE PLAN: 2005 Riverside Municipal Airport Land Use Compatibility Plan

Adjacent Airport:

- a. Airport Influence Area: Riverside Municipal Airport
- b. Land Use Policy: Airport Zones B2 and D
- c. Noise Levels: 55-65 CNEL (The 60 CNEL contour crosses the site.)

BACKGROUND:

Nonresidential Single-Acre Intensity: The site is located in Airport Zones B2 and D; however, the proposed building addition would be located in Airport Zone B2. Nonresidential intensity in Airport Zone B2 is restricted to an average of 100 persons per acre and a maximum of 200 persons in any given acre.

(A risk-reduction design bonus is available, which would allow a single-acre intensity up to 260 persons with use of risk-reduction design features, including, but not limited to, the following possible mitigation measures: limiting buildings to a single story; enhancing the fire sprinkler system; increasing the number of emergency exits; upgrading the strength of the building roof; avoiding skylights; limiting the number and size of windows; and using concrete walls.)

Pursuant to Appendix C, Table C-1 of the Riverside County Airport Land Use Compatibility Plan, the intensity of retail areas has been determined to be one person per 30 square feet, the intensity of offices has been determined to be one person per 100 square feet, and the intensity of storage areas has been determined to be one person per 300 square feet. Application of the 50% factor converts these intensity numbers to one person per 60, 200, and 600 square feet, respectively.

Based on the information presented, approximately 3,510 square feet of the addition is office area, with the remainder of the addition (1,230 square feet) being an “expanded sales area”. The total intensity of the addition, then, would be $(3,510 \text{ divided by } 100, \text{ divided by } 2) + (1,230 \text{ square feet divided by } 30, \text{ divided by } 2) = 17.55 + 20.5 = 38.05 \text{ persons}$.

We also know that the building is one story in height. On that basis, if the existing building, were entirely comprised of office space, the maximum existing single-acre intensity would be $(43560 \text{ divided by } 100, \text{ divided by } 2)$, or approximately 218 persons. However, staff does not have sufficient information to verify all of the uses in the existing building, or the locations of these uses relative to the area of the building where the addition is proposed.

Nonresidential Average Intensity: Nonresidential average intensity is restricted to 100 persons per acre within Airport Zones B2 and D. Since the site is 8 acres in area, average intensity is in compliance provided that the total number of people on-site does not exceed 800 persons. This project easily complies with this standard.

The applicant did submit additional information indicating that there is an additional existing building in the northerly portion of the site, but the additional existing building is well removed from the proposed building and would not impact single-acre intensity calculations.

Noise: The site is located within the area subject to average aircraft noise levels of 55-65 CNEL; therefore, a 25 dB noise reduction shall be required for office areas of the building.

PART 77: No grading plans indicating finished floor elevations were submitted with the ALUC application. Elevations on the 8-acre site range as high as 860 feet above mean sea level (AMSL). The structure height is 16 feet, 4 inches, but a flagpole may extend to a height of 25 feet. This would appear to indicate a top elevation as high as 885 feet AMSL. The elevation at the easterly end of the runway is 815 feet AMSL. At a distance of 1,122 feet from the runway, any building with an elevation at top of roof exceeding 826 feet AMSL would require FAA review. Therefore, staff has asked the applicant to submit Form 7460-1 to the FAA for review.

CONDITIONS:

1. Prior to issuance of building permits, the landowner shall convey an avigation easement to the City of Riverside as owner-operator of Riverside Municipal Airport. Copies of the recorded avigation easement shall be forwarded to the Airport Land Use Commission and the City Planning Department.
2. Prior to issuance of building permits, the applicant shall submit a Notice of Proposed Construction or Alteration (Form 7460-1) to the Federal Aviation Administration (FAA) for the proposed building addition and shall have received a determination of “Not a Hazard to Air Navigation” from the FAA. Copies of the FAA determination shall be provided to the City of Riverside Planning Department and the Riverside County Airport Land Use Commission.
3. Noise attenuation measures shall be incorporated into the office areas of the building to ensure a minimum noise level reduction of 25 dB, so as to reduce interior noise levels from aircraft operations to 45 CNEL or below.
4. 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.
5. The following uses shall be prohibited:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light, visual approach slope indicator, or such red light obstruction marking as may be permitted by the Federal Aviation Administration.
 - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (Such uses include landfills, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, incinerators, fly ash disposal, composting operations, wastewater management facilities, artificial marshes, production of cereal grains, sunflower, and row crops, livestock operations, aquaculture, and landscaping utilizing water features.)
 - (d) Any use which would generate electrical interference that may be detrimental to the

operation of aircraft and/or aircraft instrumentation.

- (e) Children's schools, day care centers, libraries, hospitals, nursing homes, places of worship, highly noise-sensitive outdoor uses, and aboveground bulk storage of 6,000 gallons or more of hazardous or flammable materials.
6. The City of Riverside shall require additional review by the Airport Land Use Commission prior to the establishment of any of the following uses on the site or in the structure proposed through this conditional use permit and design review:
- Auction rooms, auditoriums, dance floors, lodge rooms, reviewing stands, dining rooms, exhibit rooms, restaurants, drinking establishments, gymnasiums, lounges, stages, gaming, bowling alleys, classrooms, swimming pools, skating rinks, and other uses that would be considered to have an occupancy level greater than one person per 30 square feet (minimum square feet per occupant less than 30) pursuant to California Building Code (1998) Table 10-A.
7. The attached notice shall be provided to all potential purchasers of the property and tenants of the building.
8. Any new detention basins or retention basins shall be designed so as to provide for a detention period for the design storm that does not exceed 48 hours (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the retention basins that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.

**COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION**

STAFF REPORT

AGENDA ITEM: 3.6 ~~3.4~~ ~~6.5~~

HEARING DATE: *January 10, 2008* ~~December 13, 2007~~ (continued from *December 13 and* November 8, 2007)

CASE SUMMARY

CASE NUMBER: ZAP1007TH07 – Riverside County Economic Development Agency and Riverside County Sheriff (Representative: Mead & Hunt)

APPROVING JURISDICTION: State of California Department of Transportation Division of Aeronautics (State Airport Permit); County of Riverside (County Facility exempt from Zoning Ordinance/Planning Review)

JURISDICTION CASE NO.: No Case Number (Project Title is “Thermal Sheriff’s Station and Aviation Facilities”)

MAJOR ISSUES: ~~As of October 26, December 4, 2007, no noise study had been submitted to ALUC staff for review, so staff has no evidence to verify that operations at the proposed helipad would not result in a significant increase in cumulative noise exposure at any sensitive receptor locations.~~

The single acres including the EDA education building and the easterly 210 feet of the sheriff station would appear to provide for occupancies exceeding the Airport Zone C intensity limit of 150 persons, and the exceedance is beyond the level that may be addressed through the use of a risk-reduction design bonus.

RECOMMENDATION: ~~CONTINUANCE to December 13, 2007 January 10, 2008, to allow the project representative sufficient time to prepare a noise study in order to evaluate existing ambient noise levels and the increase in noise levels that would result from the operation of the helipad.~~

Staff recommends that a finding of CONSISTENCY be issued for the helipad, so as to allow for the processing of a State Heliport Permit by the State Division of Aeronautics.

In the event that the proposed structures have not yet received their final discretionary review, staff recommends that consideration of the proposed structures be CONTINUED to February 14, 2008, unless (a) the County is willing to limit occupancy of the Sheriff station and the EDA educational facility building to 150 people each and (b) documentation of submittal to the FAA for each proposed building is provided, in which case staff would recommend a finding of

CONDITIONAL CONSISTENCY for the proposed structures, pending FAA approval, subject to the conditions included in this staff report and such additional conditions as may be required pursuant to the terms of the FAA determination.

~~UPDATE: This item was continued from the November 8 hearing to allow for preparation of a noise study. This study has not been submitted, and the project representative, Mead and Hunt, is requesting that consideration be deferred until the January meeting. See attached communication from Maranda Thompson of Mead and Hunt.~~

PROJECT DESCRIPTION:

Development of a restricted-use heliport for use by the Riverside County Sheriff Department, a Sheriff aviation facility including hangar, an aviation-related education center and hangars (under EDA management), and a Sheriff station with warehouse and utility building on 20 acres of County-owned land.

The Touchdown and Lifftoff Area (TLOF) will be a circular area with a 48-foot diameter. The Final Approach and Takeoff Area (FATO) will be 86 feet by 86 feet (7,396 square feet) in area centered on the TLOF, and will be surrounded by a safety area with a width of 16 feet.

The California Department of Transportation Aeronautics Division requires a new heliport permit application for special-use heliports, which in turn triggered the requirement for Airport Land Use Commission review.

PROJECT LOCATION:

The site is located southerly of Airport Boulevard, westerly of Polk Street, and easterly of the primary runway of Jacqueline Cochran Regional Airport in the unincorporated Riverside County community of Thermal. The property is owned by the County and is within the Jacqueline Cochran Regional Airport Influence Area.

LAND USE PLAN: 2005 Jacqueline Cochran Regional Airport Land Use Compatibility Plan

- a. Airport Influence Area: Jacqueline Cochran Regional Airport
- b. Land Use Policy: Airport Zones C and B2
- c. Noise Levels: 55-60 CNEL (ultimate operations)

HELIPORT PROPOSAL

INTRODUCTION – BASIS FOR REVIEW

As stated in Section 1.5.1 of the Countywide Policies of the Riverside County Airport Land Use Compatibility Plan, any “proposal for a new airport or heliport whether for public use or private use (Public Utilities Code Section 21661.5)” requires referral to the Airport Land Use Commission for a determination of consistency with the Commission’s Plan prior to approval by the local jurisdiction “if the facility requires a state airport permit.” The Riverside County Airport Land Use Compatibility Plan (RCALUCP) Policy Document, adopted on October 14, 2004, articulates

“procedures and criteria” that the Airport Land Use Commission (ALUC) “shall utilize when evaluating certain types of airport development proposals that...are subject to ALUC review and are addressed by the Compatibility Plan.” In the case of a new airport or heliport, the proposal may be approved if it is consistent with the specific review policies listed in Section 5.2 of the Countywide Policies.

The ALUCP further states that, in its review of an Airport Master Plan or Airport Layout Plan, the Commission shall focus on the noise, safety, airspace protection, and overflight impacts on the surrounding land uses and must base its review on the proposed airfield design. In this regard, one of the critical issues is whether existing and/or approved land uses in the surrounding area would be considered incompatible with the heliport if the heliport were already in existence. Another critical issue is whether the proposal includes measures to mitigate the noise, safety, airspace protection, and overflight impacts on surrounding land uses. (Such measures could potentially include the siting of flight tracks so as to minimize impacts, selection of operational procedures to minimize impacts, installation of noise barriers or structural noise insulation, and/or acquisition of property interests on the impacted land.) With regard to noise, any proposed construction or alteration “that would result in a significant increase in cumulative noise exposure (measured in terms of CNEL) shall include measures to reduce the exposure to a less-than-significant level.” “In locations having an existing ambient noise level of less than 55 dB CNEL, a project that would increase the noise level by 5.0 dB or more” would be considered to result in a significant noise increase. However, in areas with existing ambient noise levels of 55-60 CNEL, a project that would increase the noise level by 3.0 dB or more would be considered to result in a significant noise increase. In areas with existing ambient noise levels greater than 60 CNEL, a project that would increase the noise level by 1.5 dB or more would be considered to result in a significant noise increase.

~~At this point, a noise study has not been prepared; therefore, staff has no information that would enable a determination as to whether or not the project would result in a significant increase in noise.~~

Mead & Hunt prepared a review of the noise impacts of the proposed heliport and submitted it on December 21, 2007. The review “compared the adopted ALUCP noise contours representing ultimate operations of 220,000 annual operations for Jacqueline Cochran Regional Airport with a composite set of noise contours reflecting an additional 7,560 annual future helicopter operations” at the site. The study assumed 20 daily operations by the A-Star 350 helicopter and 5 operations per week by the larger Bell 212 helicopter, with 60% of operations between 7 A.M. and 7 P.M., 20% between 7 P.M. and 10 P.M., and 20% between 10 P.M. and 7 A.M.

The results of the study indicate that helicopters utilizing this helipad would increase aircraft-generated noise by 5 or more decibels only within County-owned land (the airport and the 20-acre project site) and within a 4.1-acre area directly southerly of the project site. This 4.1-acre area is designated and zoned for industrial uses. As depicted on Figures 1 and 2, ultimate average noise contours on residentially designated areas easterly of Polk Street would remain below 55 dB CNEL.

Based on the above noise information, staff recommends a finding of consistency for the heliport portion of the proposed project.

PROPOSED STRUCTURES

Land Use – Average and Single-Acre Intensity: The project includes a sheriff's station with a forensic services and evidence warehouse facility on the northerly half of the 20-acre property and an aviation-related educational facility, sheriff's aviation facility, and hangars in the southerly half of the property. ***According to the project description included in the initial study prepared by the Riverside County Economic Development Agency, the sheriff's station would have a floor area of 45,950 square feet, while the forensic services and evidence warehouse facility would have a floor area of 31,760 square feet.*** All of the buildings on the northerly half of the property are within Airport Zone C. Average intensity in the northerly half of the property would be well within ALUCP compatibility criteria, in that, even if both the sheriff's station and warehouse were entirely office space, the projected occupancy would be 388 persons – less than 40 persons per acre on average. As floor plans were not provided for these facilities, compliance with the single-acre intensity limit is not known at this time. ***However, if it is assumed that both the sheriff station and the forensic services and evidence warehouse are single-story structures, and that the sheriff station is entirely offices and the other building is entirely a warehouse, the most intense acre would include the easterly 210 feet of the sheriff station (35,070 square feet) and a portion of the northerly 44 feet of the warehouse (3,212 square feet), indicating a single-acre intensity of 182 persons. This would exceed the single-acre intensity limit for Airport Zone C.***

The project description states that the proposed EDA aviation-related education and community center will have a floor area of 20,000 square feet. Additionally, the sheriff's aviation facility will include 4,477 square feet, plus a 12,000 square foot hangar designed to house four helicopters, including a King Air 200. Two additional 12,000 square foot hangars would be developed southerly of the educational center. Based on the floor plans submitted, we project a total occupancy not exceeding 580 persons – less than 60 persons per acre on average.

There is a single-acre intensity issue with the EDA educational facility. Based on standard methodology and calculating on a room-by-room basis, this building would have a potential occupancy of 457 persons. The maximum single-acre intensity allowable in Airport Zone C is 150 persons in the absence of a risk-reduction design bonus. An occupancy of 457 persons would exceed the single-acre intensity limit for Airport Zone C. However, it should be noted that it is unlikely that each room would be occupied to its maximum intensity at the same time. Only 91 public parking spaces are proposed to be provided at this facility. However, a bus drop-off area is also featured in the design, and the room that would have the greatest occupancy is a 2,784 square foot auditorium with 155 seats.

Noise: ***The sites of the proposed buildings are within an area that is projected to be subject to average noise levels of 55 to 60 dB CNEL, based on ultimate operations at Jacqueline Cochran Regional Airport. With the addition of the helipad, the proposed Sheriff's aviation facility would be located partially within the 70 CNEL contour and almost entirely within the 65 CNEL contour, the proposed EDA education facility and hangars and Sheriff's utility building would be entirely within the 60 CNEL contour, and the Sheriff's station and warehouse would be located within the 55 CNEL contour.***

Part 77 (relative to airport runway): ***The elevation of Runway 17-35 is -114 feet (114 feet below***

mean sea level) at its northerly terminus. Proposed buildings range from 1,070 to 1,410 feet from the northerly terminus of the runway. Based on the top point elevations indicated on Figure 2, the Project Site Plan, FAA notice should be provided for all buildings pursuant to the Form 7460-1 process.

CONDITIONS:

- 1. *The landowner is the owner-operator of Jacqueline Cochran Regional Airport; therefore, an avigation easement would be superfluous at this time; however, prior to sale of land and/or buildings to any other entity, the landowner shall convey an avigation easement to the Riverside County Economic Development Agency as airport owner-operator, which shall be recorded.***
- 2. *Noise attenuation measures shall be incorporated into the office areas of the building construction to ensure a minimum noise level reduction of 25dB, so as to reduce interior noise levels from aircraft operations to 45 CNELE or below.***
- 3. *The following uses shall be prohibited:***
 - a. *Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light, visual approach slope indicator, or red light obstruction marking in accordance with the conditions specified herein.***
 - b. *Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.***
 - c. *Any use which would generate smoke or water vapor or which would attract a large concentrations of birds, or which may otherwise affect safe air navigation within the area, including landfills, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, incinerators, composting operations, fly ash disposal, wastewater management facilities, artificial marshes, production of cereal grains, sunflower, and row crops, livestock operations, aquaculture, and landscaping utilizing water features.***
 - d. *Any use which would generate electrical interference that may be detrimental to any operation of aircraft and/or aircraft instrumentation.***
 - e. *Children's schools, day care centers, libraries, hospitals, nursing homes, places of worship, highly noise-sensitive outdoor nonresidential uses, and***

aboveground bulk storage of 6,000 gallons or more of hazardous or flammable materials.

4. *The attached notice regarding proximity to the airport shall be given to each potential tenant.*
5. *Any outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky, and shall comply with Riverside County Ordinance No. 655, if applicable.*
6. *The maximum occupancy of the Sheriff station shall be limited to 150 persons.*
7. *The maximum occupancy of the EDA education building shall be limited to 150 persons.*
8. *Prior to issuance of building permits or authorization to construct, the applicant shall submit a Notice of Proposed Construction or Alteration (Form 7460-1) to the Federal Aviation Administration (FAA) for each proposed building and shall have received a determination of "No Hazard to Air Navigation" from the FAA. Copies of the FAA determination shall be provided to the Riverside County Airport Land Use Commission.*

COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION
STAFF REPORT

AGENDA ITEM: 4.1
HEARING DATE: January 10, 2008
CASE NUMBER: ZAP1045MA07 – Christian E. Singletary
APPROVING JURISDICTION: City of Riverside
JURISDICTION CASE NO.: P06-1620 (Design Review)

MAJOR ISSUES: None pursuant to 1984 Plan, but the site would be subject to intensity limits if the Draft March JLUS were in effect.

RECOMMENDATION: Staff recommends a finding of Consistency with the 1984 Riverside County Airport Land Use Plan, subject to the conditions specified herein.

PROJECT DESCRIPTION:

A proposal to develop a one-story, retail commercial building with a gross floor area of 11,505 square feet, with approximately 125 parking spaces, on 3.4 acres consisting of two contiguously owned parcels.

PROJECT LOCATION:

The project site is located northerly of Alessandro Boulevard, easterly of San Gorgonio Drive, westerly of Sycamore Canyon Boulevard, and southerly of Mount Baldy Drive, in the City of Riverside, approximately 10,080 feet northwesterly of the northerly end of the runway at March Air Reserve Base.

LAND USE PLAN: 1984 Riverside County Airport Land Use Plan, as applied to March Air Reserve Base

Adjacent Airport:

- a. Airport Influence Area: March Air Reserve Base/March Inland Port
- b. Land Use Policy: Area II
- c. Noise Levels: 60-65 CNEL

BACKGROUND:

Land Use/Intensity: The site is located in Airport Area II. Policy II in chapter II of the 1984 RCALUCP states that Area II is an acceptable area for such uses as agriculture, industrial, and commercial.

The 2005 Airport Installation Compatibility Use Zone report for March Air Reserve Base, a U. S. Air Force publication, identifies Accident Potential Zones (APZ) in the airport vicinity. This property is not located within an APZ. It is located slightly westerly of APZ II.

The Draft March Land Use Study (Draft JLUS) prepared by Mead and Hunt depicts this property as being within Airport Zone B1, which is an incompatible zone for retail stores and office buildings. If the City of Riverside were to utilize Exhibit 3-7 of the Draft JLUS to evaluate this project, the site would be found incompatible for retail use. Airport Zone B1 would limit nonresidential intensity to 50 persons per acre average, with a maximum of 100 persons in any given acre.

Staff has analyzed the proposed project, using the California Building Code, and has determined that the total occupancy of the project, with incorporation of the 50% reduction, is 192 persons. Therefore, the average intensity is 56 persons per acre, and the single-acre intensity is 192. The applicant is proposing to provide 125 parking spaces, so use of the Parking Space Method would indicate a total occupancy of 188 persons.

The applicant is proposing to add an additional building in the future. It should be noted that if the Draft JLUS is adopted as ALUC's Compatibility Plan before such building is considered, the additional building would be found inconsistent.

Part 77: The finished floor elevation on site will be 1,551 feet above mean sea level (AMSL). The proposed height for the retail building is 35 feet at the highest point of roof. Therefore, the elevation at top of roof is projected at 1,586 feet AMSL. The elevation of the runway at its northerly end is 1,539 feet AMSL. At a distance of approximately 10,080 feet from the runway, any structure exceeding 1,640 feet at top of roof will require FAA review. FAA review is not required.

Noise: The site is within the 60 to 65dB CNEL noise contour; however, retail uses are not considered to be noise-sensitive.

CONDITIONS:

1. The following uses shall be prohibited:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than

an FAA-approved navigational signal light or visual approach slope indicator.

- (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
2. Prior to issuance of building permits, the landowner shall convey an avigation easement to the MARB/MIP Airport. (Contact March Joint Powers Authority at (951) 656-7000 for additional information.)
 3. Any outdoor lighting shall be hooded or shielded to assure that no lights are above the horizontal plane. (It is recommended that airport management be provided an opportunity to review outdoor lighting plans prior to approval.)
 4. The attached notice shall be given to all prospective purchasers and/or tenants of the property.
 5. If any portion of the proposed building will be used as offices, noise attenuation measures shall be incorporated into such office areas as necessary to ensure interior noise levels from aircraft operations are at or below 45 CNEL.

**COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION**

STAFF REPORT

AGENDA ITEM: 4.2

HEARING DATE: January 10, 2008

CASE SUMMARY:

CASE NUMBER: ZAP1019FV07 – FV Commons, LLC/Regency Centers LP

APPROVING JURISDICTION: City of Murrieta

JURISDICTION CASE NO: 004-057 (General Plan Amendment), 005-057 (Zone Change), 004-062 (Conditional Use Permit), 004-058 (Parcel Map No. 32123)

MAJOR ISSUES: This proposed project would work well in Airport Zone D, but the site is located in Airport Zones B1 and C. Single-acre intensities exceed Zone B1 and Zone C criteria in portions of the site and may be as high as 379 persons in portions of the site, evaluated pursuant to the Modified Building Code (2007 French Valley retail intensity calculation). Average intensity for the portion of the property in Airport Zone C is consistent using this method, but average intensity for the portion of the property in Airport Zone B1 is inconsistent. FAA review may be required for structures at this location, depending on finished floor elevation.

RECOMMENDATION: At this time, staff must recommend a finding of INCONSISTENCY, given the single-acre intensities of the proposed structures, unless the applicant is amenable to a continuance to allow for possible redesign or reallocation of land use in portions of the site.

PROJECT DESCRIPTION: A proposal to amend the City of Murrieta General Plan Land Use Map designations and zoning of approximately 80.5 acres from Business Park and Rural Residential (up to 0.4 dwelling units per acre) to Regional Commercial and Open Space, to establish a regional commercial center (“Murrieta Marketplace”) with multiple buildings (including Target, Lowe’s, retail stores, and eight freestanding restaurants) and a cumulative gross floor area of up to 572,105 square feet, and to divide the property into 15 commercial lots and one remainder lot for open space.

PROJECT LOCATION: The site is located northwesterly of Winchester Road, easterly of Briggs Road extended southerly, and southwesterly of Max Gilliss Boulevard (the northwesterly extension of Thompson Road) in the City of Murrieta, approximately 3,102 feet north/northwesterly of Runway 18-36 at French Valley Airport.

LAND USE PLAN: 2007 French Valley Airport Land Use Compatibility Plan

Adjacent Airport:

- a. Airport Influence Area: French Valley Airport
- b. Land Use Policy: Airport Zones C and B1
- c. Noise Levels: From below 55 CNEL to 60 CNEL (The site is crossed by the 55 CNEL contour.)

BACKGROUND:

Nonresidential Average Intensity: The site is located in Airport Zones B1 and C. In net acreage, the site includes 51.20 acres in Airport Zone C and 31.07 acres in Airport Zone B1. Nonresidential intensity in Airport Zone C is restricted to an average of 80 persons per acre and a maximum of 160 persons in any given acre. Nonresidential intensity in Airport Zone B1 is restricted to an average of 40 persons per acre and a maximum of 80 persons in any given acre. Pursuant to 2004 Riverside County Airport Land Use Compatibility Plan Countywide Policy 3.3.5, “[for] the purposes of evaluating consistency with the compatibility criteria set forth herein, any parcel that is split by compatibility zone boundaries shall be considered as if it were multiple parcels divided at the compatibility zone boundary line.” Based on the above information, the area within Airport Zone B1 could potentially accommodate 1,242 persons (31.07 x 40), and the area within Airport Zone C could potentially accommodate 4,096 persons (51.2 x 80).

Within Airport Zone B1, the applicant is proposing the development of 228,800 square feet of retail floor area and 26,890 square feet of restaurants. This translates into an occupancy of 1,990 persons in the retail stores (at an intensity of one person per 115 square feet) and 896 persons in the restaurants (at an intensity of one person per 30 square feet), for a total of 2,886 persons, or an average of 93 persons per acre of land in Airport Zone B1. Under a “best case” scenario, where none of the retail stores sold edible products and half of the restaurant square footage was kitchen area, these square footage totals would translate into an occupancy of $[(228800 \text{ divided by } 170) + (13445 \text{ divided by } 15, \text{ divided by } 2) + (13445 \text{ divided by } 200, \text{ divided by } 2)] = 1,346 + 448 + 34 = 1,828$ persons, or an average of 59 persons per acre.

Within Airport Zone C, the applicant is proposing the development of 298,875 square feet of retail floor area and 17,500 square feet of restaurants. This translates into an occupancy of 2,599 persons in the retail stores (at an intensity of one person per 115 square feet) and 583 persons in the restaurants (at an intensity of one person per 30 square feet), for a total of 3,182 persons, or an average of 62 persons per acre.

Thus, pursuant to the Modified Building Code method in accordance with the 2007 French Valley Airport Land Use Compatibility Plan, the portion of the project in Airport Zone C is consistent with average intensity criteria, but the portion of the project in Airport Zone B1 is inconsistent.

The applicant proposes to provide 2,695 parking spaces. Application of the standard 1.5 persons per

vehicle factor results in a total occupancy of 4,043 persons, which is consistent with the allowable total occupancy of the site in its entirety.

Nonresidential Single-Acre Intensity: Nonresidential single-acre intensity is restricted to 160 persons in any given acre within Airport Zone C. This level may be increased to up to 208 with use of risk-reduction design features, including, but not limited to, the following possible mitigation measures: limiting buildings to a single story; enhancing the fire sprinkler system; increasing the number of emergency exits; upgrading the strength of the building roof; avoiding skylights; limiting the number and size of windows; and using concrete walls. Nonresidential single-acre intensity is restricted to 80 persons in any given acre within Airport Zone B1. This level may be increased to up to 104 with use of the above risk-reduction design features.

Both Target and Lowe's are large retail outlets including more than one contiguous acre within the store boundaries. Pursuant to the Additional Compatibility Policies in the French Valley Airport Land Use Compatibility Plan, retail stores in this area can be evaluated using a Modified Building Code method. Retail stores that require health inspections because they sell or handle food (such as Target) would be evaluated on the basis of one person per 115 square feet of gross floor area. Retail stores that do not require such inspections (such as Lowe's) would be evaluated on the basis of one person per 170 square feet of floor area, provided that no other store in the same building requires such an inspection. Unfortunately, in this situation, the applicant has proposed siting the majority of the Target store in Airport Zone B1, while the majority of the Lowe's store would be in Airport Zone C. An acre of floor area within Target, Wal-Mart, or a supermarket would be considered to accommodate 379 persons, whereas an acre of floor area within a Lowe's or Home Depot would be considered to accommodate 256 persons. Such large retail facilities would not be considered consistent in either Airport Zone B1 or Airport Zone C, although they would be considered consistent in Airport Zone D pursuant to Mitigation Measure 5 as incorporated into the 2007 FVALUCP. Interestingly, the acre including all of Major Store 7 and most of Major Store 6 would be the most intensely occupied acre in Airport Zone C if these stores sell or handle food, with an intensity of 302 persons.

The project is inconsistent with the single-acre intensity limitations of both Airport Zone B1 and Airport Zone C.

Noise: The site is located entirely outside the area subject to average aircraft noise levels greater than 60 dB(A) CNEL, but is crossed by the 55 CNEL contour. Retail and restaurant uses are not considered noise-sensitive, so no special noise attenuation measures are required.

PART 77: Existing topographic elevations on the site range from 1,296 to 1,352 feet above mean sea level. (Projected finished floor elevations have not been provided.) Structures may be as high as thirty-nine (39) feet. This would appear to indicate a top elevation as high as 1,391 feet AMSL. The elevation at the northerly end of the runway is 1,347 feet AMSL. At a distance of 3,102 feet from the runway, any building with an elevation at top of roof exceeding 1,378 feet AMSL would require FAA review.

In the event that the City of Murrieta chooses to overrule a determination of inconsistency, the City should require the following as conditions of its approval. Implementation of these conditions does NOT render the project consistent with the French Valley Airport Land Use Compatibility Plan and may not be sufficient to mitigate potential safety hazards to below a level of significance pursuant to the California Environmental Quality Act.

CONDITIONS:

1. Prior to issuance of building permits, the landowner shall convey an aviation easement to the County of Riverside as owner-operator of French Valley Airport, which shall be recorded upon approval by the County of Riverside Economic Development Agency – Aviation Division. Copies of the recorded aviation easement shall be forwarded to the Airport Land Use Commission and to the City of Murrieta Planning Department.
2. Prior to issuance of building permits, the applicant shall submit a Notice of Proposed Construction or Alteration (Form 7460-1) to the Federal Aviation Administration (FAA) for each building with an elevation at top point exceeding 1,378 feet above mean sea level and shall have received a determination of “No Hazard to Air Navigation” from the FAA. Copies of the FAA determination shall be provided to the City of Murrieta Planning Department and the Riverside County Airport Land Use Commission.
3. Any outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky.
4. The following uses shall be prohibited:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light, visual approach slope indicator, or such red light obstruction marking as may be permitted by the Federal Aviation Administration.
 - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.

- (e) Children's schools, hospitals, nursing homes, day care centers, libraries, highly noise-sensitive outdoor uses, aboveground bulk storage of hazardous materials, aboveground bulk storage of 6,000 gallons or more of flammable materials, and (within Airport Zone B1) churches and chapels.
5. The City of Murrieta shall require additional review by the Airport Land Use Commission prior to the establishment of any of the following uses in any of the structures proposed through this conditional use permit:
- Auction rooms, auditoriums, churches and chapels (within Airport Zone C), dance floors, lodge rooms, reviewing stands, exhibit rooms, gymnasiums, lounges, stages, gaming, bowling alleys, classrooms, courtrooms, dormitories, locker rooms, exercising rooms, swimming pools, skating rinks, and other uses that would be considered to have an occupancy level greater than one person per 60 square feet (minimum square feet per occupant less than 60) pursuant to California Building Code (1998) Table 10-A, other than restaurants, dining establishments, and drinking establishments within those structures identified as restaurants on the project site plan, and retail sales.
6. The attached notice shall be provided to all potential purchasers of real property interests and tenants.

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

STAFF REPORT

ADMINISTRATIVE ITEMS

- 5.1** Copies of administrative approvals issued by the ALUC Director for cases determined to be consistent with applicable Airport Land Use Compatibility Plans are attached, for your Commission's information.
- 5.2** At its August 2007 meeting, the Riverside County Airport Land Use Commission created a committee to study the conditions which it requires or recommends (1) in the event of an overrule of a determination of inconsistency and (2) in conjunction with a finding of consistency or conditional consistency. Part One of the Committee's report addressing the inclusion of recommended conditions in notification of ALUC determinations of inconsistency is attached. The Committee's report recommends that staff prepare a document explaining the steps necessary to overrule an ALUC determination, which upon adoption by ALUC, would be sent to referring agencies with each letter advising of an inconsistency determination. The Committee also recommends the development of a second deed notice relating to the immunization from liability resulting from the overrule action. A third recommendation is consideration for the possibility of requiring the grant of an avigation easement in the event of an overrule of an inconsistency determination for projects in airport zones where such an avigation easement would not normally be required (e.g., Airport Zones C and D). A copy of the Committee's report is attached, along with a copy of a recent notification of an inconsistency determination. (Staff is now attaching copies of the relevant sections of the Public Utilities Code to such letters.)
- 5.3** The City of Riverside has sent ALUC a Notice of Proposed Overrule of its finding of inconsistency relative to the Magnolia Avenue Baptist Church project (ZAP1023RI07). On December 18, 2007, the City Council expressed its intent to override the ALUC determination. The overrule hearing will be held on Tuesday, February 19, 2008. Staff will be preparing a response to the Notice of Proposed Overrule within the next three weeks. A copy of the documentation submitted by the City of Riverside is attached.
- 5.4** The Densities and Intensities Subcommittee will conduct a workshop on Monday, January 28, 2008 at 10:00 A.M. in Conference Room 8A on the Eighth Floor of the Riverside County Administrative Center to discuss issues relative to the restrictions on residential densities in Airport Zone D surrounding French Valley Airport. Representatives from the City of Murrieta, City of Temecula, and the Riverside County Planning Department have been invited to attend.
- 5.5** Minutes of the December 13, 2007 meeting are not yet available. They will be provided with the February 14, 2008 Commission packets.
- 5.6** ALUC held an extensive discussion of the proposed Strategic Vision Plan for prioritization of new and amended Airport Land Use Compatibility Plans at its December 13 meeting. Staff will present an update at the January 10 meeting, including a revised chart based on the prioritization established by the Commission.