

AIRPORT LAND USE COMMISSION
RIVERSIDE COUNTY ADMINISTRATION CENTER
4080 Lemon St., Board Room (1stFloor)
Riverside, California

THURSDAY, November 21, 2002

9:00 A.M.

MINUTES

A regular scheduled meeting of the Airport Land Use Commission was held on November 21, 2002 at Riverside County Administration Center, Board Room (1ST Floor).

COMMISSIONERS PRESENT: William Cobb, Chairman
Allen Graff, Vice-Chairman
Marge Tandy
B.T. Miller, Legal Counsel
Rick Stephens
Walter Snyder
Charles Chandler, Alternate
Sam Pratt

COMMISSIONERS ABSENT: Paul Bell

OTHERS PRESENT: Patti Nahill
Robert Klotz
Kent Cornwall

STAFF PRESENT: Keith Downs, A.L.U.C. Executive Director
Beverly Coleman, Development Specialist III
Bernadette Cruz, Secretary
Jackeline Gonzalez, Office Assistant II

- I. CALL TO ORDER: The meeting was called to order at 9:00 a.m. by Chairman Cobb.
- II. SALUTE TO THE FLAG.
- III. ROLL CALL was taken.
- IV. APPROVAL OF MINUTES FOR September 19, 2002 and October 17, 2002

Chairman Cobb continued the approval of the minutes for the next schedule meeting of December 19, 2002 due to the September minutes not being received and the October minutes being distributed at the meeting.

- V. ORAL COMMUNICATION FROM THE PUBLIC ON ANY ITEM NOT ON THE AGENDA. Keith Downs indicated that the purpose of this item being moved up on the agenda was because Steve Temple from the City of Hemet had requested to be placed on the agenda to speak with the Commission. Information given by Ms Tandy is that Mr. Temple is out of town and therefore cannot explain his absence. No other comments were heard from the audience.

Chairman Cobb indicated that the first case to be heard would be item VI. B. FV-02-113 Cornwall Associates.

VI. OLD BUSINESS

FRENCH VALLEY AIRPORT

9:00 A.M.

- A. FV-02-103 – Riverside County – Beverly Coleman presented the case by referring to and using exhibits, staff report and recommendations.

CASE NUMBER: FV-02-103 – Riverside County
APPROVING JURISDICTION: County of Riverside
JURISDICTION CASE NO.: PP17666

PROJECT DESCRIPTION:

A request for PP 17666 for construction of a 240,000 sq. ft. Business Park with multiple buildings for offices, restaurants, health and exercise center, mini-warehouse, nursery, trailer, boat storage, blueprinting and duplicating services on approximately 61.75 acres.

PROJECT LOCATION:

The site is located at the northeast corner of Briggs Road and Auld Road, southerly of Benton Road in the County of Riverside, 460 - 2600 ft. north of the north end of Runway 18/36 at the French Valley Airport.

LAND USE PLAN

Adjacent Airport: French Valley
a. Airport Influence Area: Inner Safety Zone (ISZ), Emergency Touchdown Zone (ETZ), Outer Safety Zone (OSZ) and Traffic Pattern Zone (TPZ)
b. Noise Levels: Inside 55 and 60 CNEL for year 2013

MAJOR ISSUES:

Noise: *The current CLUP analysis was based upon flight tracks in the 1992-93 period of time. Newer contours indicate that a portion of the property is currently inside of the 55db CNEL, with a smaller portion inside of the 60 CNEL. The CLUP indicates that noise sensitive commercial uses in the 60 CNEL are compatible with the appropriate mitigation for noise.*

Land Use:

The site is located 460 – 2,600 ft. north of the north end of Runway 18/36, and 1200 ft. north of the north end of a proposed runway, to be located 600 ft. east of Runway 18/36. The proposed land use is commercial, and consists of a 240,000 sq. ft. business park with multiple buildings for offices, restaurants, health and exercise center, mini-

warehouse, nursery, trailer, boat storage, blueprinting and duplicating services on approximately 61.75 acres.

The site consists of six Planning Areas, zoned Manufacturing Service Commercial (M-SC), as shown on the attached exhibit. Planning Area 1 (4.93 ac.) is located within the Inner Safety Zone (ISZ) and Traffic Pattern Zone (TPZ). Planning Area 2 (15 ac.) is within the ISZ for Runway 18/36 and is also within the ETZ and Outer Safety Zone (OSZ) for the proposed runway. Planning Area 3 (8.59 ac.) is primarily within the OSZ of the proposed runway, although the southeast corner is within the TPZ. Planning Area 4 (7.86 ac) is within the ISZ of Runway 18/36, and is also within the ETZ and OSZ for the proposed runway. Planning Areas 5 (9.4 ac.) and 6 (13.4 ac.) are within the ISZ and ETZ for Runway 18/36. The proposed buildings on the site or a portion of the proposed buildings are either within the ISZ for Runway 18/36, the ETZ for the proposed runway, or the OSZ for the proposed runway. A portion of the building within Planning Area 1 is in the TPZ, with the remaining portion in the ISZ. **Refer to the attached Exhibit A and Tables A and B, for the locations of the proposed buildings or improvements within the safety zones for Runway 18-36 and the proposed runway.**

Prohibited and Discouraged Uses

Structures and land uses involving petroleum, explosives or above-grade powerlines are prohibited within the ISZ. Structures, land uses involving concentrations of people, and significant obstructions are prohibited within the ETZ. Prohibited land uses within the OSZ include residences, public assembly uses, hotels, restaurants, bars, schools, hospitals, government services, public utility stations, plants, public communication facilities and uses involving, as the primary activity, manufacture, storage or distribution of explosives or flammable materials. Discouraged uses within the TPZ include schools, auditoriums, amphitheaters, stadiums, churches, and uses involving, as the primary activity, manufacture, storage or distribution of explosives or flammable materials.

Building coverage for Planning Areas 2, 3 and 4 is less than 25% (net), which is below the OSZ standard of 25% (net). The maximum population density within the OSZ is 25 persons per acre for uses in structures.

There is a GPS approach over the site (non-precision). A 34:1 approach would typically place an approaching aircraft 200 feet \pm over the proposed site.

Height: The highest elevation on the site is 1354 MSL. The building, signs and lighting at the proposed site are not expected to exceed 35 feet. The proposed site is located within the Part 77 approach surface overlying this area at 1,350 – 1,410MSL. The runway elevation is 1,347 MSL. The distance from Runway 18/36 to the closest building on the proposed site is approximately 950 ft.

Planning Areas 5 and 6, and the western portion of Planning Area 4 lie to the west of the Building Restriction Line (BRL) established in accordance with FAR Part 77 criteria. Buildings to be constructed within Planning Areas 2, 3, 4, 5, and 6 on the proposed site are restricted to those portions of the site east of the BRL. The BRL does not extend into or lie adjacent to Planning Area 1.

Other:

The applicant received the attached Determination of No Hazard to Air Navigation from the FAA with the condition that the structure be marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1K.

The applicant also received the attached comments from Cal Trans Aeronautics. Based on the Cal Trans comments the project is located primarily within the Runway Protection Zone (RPZ) and the Inner Turning Zone (ITZ). According to the 2002 Cal Trans Airport Land Use Planning Handbook, all new structures should be prohibited from the RPZ. The proposed plant nursery and a portion of the parking area are located within the RPZ. Parking facilities may be permitted, however, all objects non-essential for air navigation or aircraft ground maneuvering are not to be placed in the Object Free Area (OFA) portion of the RPZ. According to the Cal Trans Handbook, all non-residential uses having moderate or higher usage intensities are generally considered unacceptable within the ITZ, and above-ground fuel storage should be avoided.

The attached Wetland Delineation map shows the primary drainage and wetland areas on the site. No occupied structures are proposed in these areas.

RECOMMENDATION: Staff recommends the findings outlined in Columns 3 and 4 of the attached Table A-Consistency of Proposed Uses Based on Runway 18-36 Safety Zones, and the findings described in Columns 3 and 4 of the attached Table B- Consistency of Proposed Uses Based Safety Zones for the Proposed Runway, subject to the conditions of approval listed below:

CLUP CONSISTENCY CONDITIONS: For County Utilization

1. *Provide Avigation Easements to the French Valley Airport prior to sale of any property to any entity exempt from the Subdivision Map Act, prior to recordation of any map, or issuance of any permit, whichever is first for the entire map including the remainder.*
2. *Any subsequent use proposed shall be reviewed by the ALUC unless a subsequent action of the County and the ALUC determines that unnecessary.*
3. *No obstruction of any "FAR Part 77 Surface" shall be permitted. Structures shall be marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1K.*
4. *Install hooded or shielded outdoor lighting to prevent either the spillage of lumens or reflection into the sky (lights must be downward facing).*
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 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 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.*
6. *The above ground storage of explosives or flammable materials shall be prohibited.*
7. *The uses listed shall not be allowed within the OSZ: hotels, motels, restaurants, bars, schools, auditoriums, stadiums, amphitheatres, public assembly uses, hospitals, government services plants public utility stations and public communication facilities.*
8. *All parking lot lighting shall be installed with frangible bases.*
9. *Objects non-essential for air navigation or aircraft ground maneuvering are not to be placed within the Object Free Area portion of the ETZ.*
10. *The attached notation regarding proximity to the airport must be given to each potential tenant.*

Chairman Cobb called for questions from the Commissioners. Commissioner Pratt inquired that if the proposed runway is built would the building in that area be inconsistent. Beverly responded positively. Commissioner Pratt inquired Chairman Cobb's approval to share with the Commission a resolution draft that will be presented to the City Council of Temecula. The draft is the joining of the school district with the City stating that no further incursion is wanted into the area that might restrict the used of the French Valley Airport and its expansion. Chairman Cobb indicated that the commission is interested in hearing Mr. Pratt's personal opinion at this time. Commissioner Pratt then expressed his concerned regarding encroachment of the airport and that the few existing airports are becoming more and more important.

Alternate Chandler inquired if there is a timetable for the construction of the proposed runway. Keith Downs indicated that he's in a unique position working for both the applicant and the ALUC. Mr. Downs stated he is not representing the Airports County, but can provide background information on the project. Mr. Downs then indicated that there are fourteen land use plans and fourteen airports in Riverside County and three of those airports have an additional runway with the plans approved. At Riverside Municipal is a parallel runway, which was eliminated in the last master plan. Now it will be dealing with extension and existing facilities. Desert Resorts has a proposed runway and the County is proposing to delete the third runway finding it unneeded. French Valley also has a parallel runway leaving it to be the only airport with an additional runway represented on any of the master plans in the County. There is some doubt that it will be needed or that it will ever be built and since it's in the master plan and CLUP it needs to be recognized until it is eliminated. The time frame on the master plan was out on the twentieth year, which was twenty thirteen or twenty fourteen and therefore there is no timetable.

A Discussion then ensued between the Commissioners regarding Tables A and B where the buildings 1,3,5,7 and 8 in table A are within the existing runway and are inconsistent. Table B is for the proposed runway and should it be built the

buildings within this table will also be considered inconsistent. Commissioner Snyder indicated in conclusion that the Commission is to protect the airports and the people around it and that this is an inconsistent project.

Keith Downs indicated that there is not an urgency for a decision since the applicant is the County and can be continued to be able to provide a revised exhibit to better simplify it and move the buildings where it is believe they should belong.

Hearing no further comments Chairman Cobb asked for a motion to be set.

ACTION TAKEN: Commissioner Snyder made a motion to continue the project to the next schedule meeting of December 19th in order for staff to determine where the commission stands on this matter. Commissioner Pratt seconded the motion. Motion carried unanimously.

- B. FV-02-113 – Cornwall Associates – (Continued from October 17, 2002). Beverly Coleman presented the case by referring to and using exhibits, staff report and recommendations.

CASE NUMBER: FV-02-113 – Cornwall Associates.
APPROVING JURISDICTION: County of Riverside
JURISDICTION CASE NO.: PP 18149

PROJECT DESCRIPTION:

A plot plan for a 16,885 sq. ft. church on 3.4 acres.

PROJECT LOCATION:

The site is located north of Murrieta Hot Springs Road and east of Sky Canyon Drive within the County of Riverside, from approximately 4,300 to 4,900 ft. south west of the ultimate Runway 18-36 at the French Valley Airport.

LAND USE PLAN:

*Adjacent Airport: French Valley
a. Airport Influence Area: Traffic Pattern Zone and Outer Safety Zone (OSZ)
b. Noise Levels: Within the 55CNEL for 2013 from the Master Plan*

MAJOR ISSUES:

Land Use : *The proposal is for a plot plan for a 16,885 sq. ft. church on 3.4 acres. The proposed development area is a portion of a 7.37 (net) acre vacant site. Subsequent permits for development of the vacant portions of the site will require further review when they are submitted. Based on the site plan submitted by the applicant, and the current plan data for the French Valley Airport, **the church building is located within the TPZ.** The lot coverage for the proposed development area is 11% (net). The lot coverage standard for the TPZ is 65% of the net or 50% of the gross. The TPZ only has restrictions for ‘discouraged’ uses. Discouraged uses within the TPZ include public assembly land uses involving large concentrations of people, such as auditoriums and amphitheatres.*

For proposed developments that include discouraged uses the CLUP requires that the applicant show alternative locations have been considered and are not feasible. **Based on the information submitted by the applicant, five other sites were found by the applicant to be infeasible because they didn't meet the applicant's own criteria, although some fell within the Traffic Pattern Zone. These sites were determined to be infeasible before the subject site was identified and selected.** Specific information on the five properties considered by the applicant was not submitted.

The remaining portion of the proposed site is located within the OSZ. Prohibited uses in the OSZ include petroleum, explosives, or above grade power lines, public utility or communication stations, residential uses, as well as uses involving large concentrations of people, such as hotels, restaurants, schools, and auditoriums. The maximum structural coverage and density permitted within the OSZ is 25% of the net area and 25 persons per acre for use in structures.

The proposed site is located within adopted Specific Plan 213. Policies described in Section 7.4 of the French Valley Airport Comprehensive Land Use Plan (CLUP), included as Exhibit B to this staff report, provide for the exemption of projects located within adopted specific plans from all requirements of the CLUP pertaining to land use, development density and development intensity. The existing and proposed zoning for the site is C-1/C-P (SP Commercial - Planning Area 10). At the time SP 213 was adopted, the Zoning Ordinance did not identify institutional uses such as churches as a permitted use for a C-1/C-P zoning designation on this property. **The county made a textural change to the zoning ordinance identifying churches as a permitted use within the designated C-1/C-P zoning after SP213 was adopted. However, the change was not submitted to the ALUC for review, and the change is inconsistent with the CLUP as it applies to the safety zones for the French Valley Airport.**

Part 77: The highest elevation on the property to be developed is 1,167 MSL and the height of the tallest structure currently proposed is 66.5 ft. The site is within the horizontal surface at 1,500 MSL and the runway elevation is 1,338 MSL. The distance from the ultimate end of Runway 18/36 to the northeast corner of the proposed site is approximately 4,300 ft. Any future structures over the height of 1381 MSL proposed on the site may require FAA review.

Noise: The noise contours for 2013 indicate the site is outside 55 CNEL, however, more recent projections would likely include the site within the 60 to 65 CNEL and at ultimate buildout.

Other: Staff expected to receive comments on the proposal from Cal Trans Aeronautics. However, as of the date of this staff report writing (11/12/02), no comments have been received.

Conclusion: 1) The proposal is inconsistent with the land use standards of the CLUP; 2) Although the project is located within SP 213, it is not subject to exemption under Section 7.4 of the CLUP, since the textural change to the zoning ordinance allowing churches as a permitted use: a) occurred after SP 213 was adopted, b) was not submitted to ALUC for review and c) is inconsistent with the CLUP as it applies to the safety zones for the French Valley Airport.

RECOMMENDATION: Staff recommends a finding of inconsistency for the proposal.

CONDITIONS OF OVERRIDE: For County Utilization

1. *Provide Avigation Easements to the French Valley Airport prior to sale of any property to any entity exempt from the Subdivision Map Act, prior to recordation of any map, or issuance of any permit, whichever is first for the entire map including the remainder.*
2. *Any subsequent use proposed shall be reviewed by the ALUC unless a subsequent action of the County and the ALUC determines that unnecessary.*
3. *No obstruction of any "FAR Part 77 Surface" shall be permitted.*
4. *Install hooded or shielded outdoor lighting to prevent either the spillage of lumens or reflection into the sky (lights must be downward facing).*
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 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 any operation of aircraft and/or aircraft instrumentation.*
6. *The above ground storage of explosives or flammable materials shall be prohibited.*

Chairman Cobb called for questions from the Commissioners. Alternate Chandler inquired if County Counsel has had time to review the letter from a law firm that is before the Commission. Counsel Miller responded that he received the letter from Mr. Klotz, Attorney this morning briefly reviewed the letter and distributed it to the Commission and Staff, but has no comment regarding the letter at this time. Hearing no further comments from the Commissioners Chairman Cobb asked for the applicant to come forward and present the case.

Robert Klotz, Attorney came forward in response to Chairman Cobb's invitation and indicated that he represents the property owner Pulte Home Corporation and are concerned with the Commission's decision. The roll of the Commission is to simply look at whether the proposal is consistent with the CLUP. Since there is an applicable and comprehensive exemption from all land use density and intensive of development standards of the CLUP the determination is that the

exemption should apply. Staff has suggested an argument that somehow it's not within the scope of that exemption. He then indicated that on the bottom of the second page of his letter is an attachment of the Riverside County Zoning Ordinance change that staff is relying on. It had a blanket permission for churches in all zones including every zone within the specific plan at the time of adoption. The structure was changed in a way permission could be granted. In 1999 the applicable procedures were changed, some zones utilize a plot plan procedure instead of a public use procedures this change was in the hearing body. The generalized amendment to the zoning ordinance requires submission to the Commission; this assertion will greatly expand beyond the statutory authorization of this Commission. The County of Riverside and varies cities that have property within the Airport Land Use Plan change procedures often and that is what this is a procedural change. This type of change is nowhere in the public utilities code that would justify requirement for a submittal to the Commission. The specific language of the exemption, zoning ordinances are exempt the only time it does not apply is if the allowable density or intensity uses are being increased.

Chairman Cobb called for question from the Commissioners. Commissioner Stephens inquired what was the capacity of the church. Patti Nahill, representing Cornwall Associates and L.D.S. Church came forward and responded that the current capacity would be two hundred thirty at the most in terms of there services on Sundays. The weekly facilities will be used for meeting rooms. She then indicated that the project is located outside the pattern zone and is consistent with the exemption. An exhibit of the Plot Plan of the safety zones generated by the GIS was presented to show that the building is being located in a north south direction oppose to a east west in order to be in line with the run way. The parking area has been located within the outer safety zone and the building more to the westerly property boundary to avoid a conflict with the CLUP. She indicated the architect for this project was present should the Commission have questions regarding the elevations or floor plans.

Chairman Cobb called for question from the Commissioners for the applicant. Commissioner Stephens indicated that whether the project is exempt or not the Commission would need the advise of County Counsel for guidance. He then expressed his disagreement with the project being consistent with the CLUP, since there will be a large concentration of people on weekends and that is the busiest time for airports. Believes the exemption may apply and would need direction from County Counsel for that. Commissioner Pratt commented on his absence from the last meeting where the Presbyterian Church was found inconsistent and it was in a less restricted area. The location of the L.D.S. Church is a far more risk.

Hearing no further comments from the Commissioners, Chairman Cobb inquired if the applicant is in agreement with the letter presented by Mr. Klotz. Mrs Nahill answered positively. Counsel Miller indicated that in order to provide further information to the Commission regarding Mr. Klotz's letter it would require sometime and would recommend for a continuance and would like to know if the applicant or the property owner have an objection to a continuance. Mrs. Nahill came forward and expressed her disagreement with a continuance. Counsel Miller reiterated that he is not ready to provide guidance to the Commission at

this time. Chairman Cobb inquired that what was the time limitation for the item. Keith Downs indicated that the item falls under the sixty-day limit unless the applicant agrees for a continuance. Chairman Cobb indicated that the Commission has not had time to review the information presented by Mr. Klotz and set a motion for continuance.

ACTION TAKEN: Chairman Cobb made a motion to continue the project subject to give staff and Counsel time to review the information presented in behave of the property owner to the next schedule meeting of December 19th. Commissioner Pratt seconded the motion. Motion carried unanimously.

Commissioner Graff interjected that the property owner is the one with no problem for the extension not the applicant. Chairman Cobb indicated that if the applicant disagrees with the continuance they could appeal the Commissions' decision. Mrs. Nahill came forward and expressed her agreement with the continuance.

Keith Downs indicated that the last following items RI-02-154 reconstruction of a building for a care facility and RI-02-156 construction for a Burger King are being considered for a finding of consistency.

Vice Chairman Graff inquired that if case number RI-02-154 was an existing facility. Keith Downs approached Mr. Graff and handed him pictures of the facility and indicated that the existing building is being transformed into a care facility. Vice Chairman Graff then inquired that what was the number of residence at the facility. Mr. Downs responded that it was unknown and it would be irrelevant since it's in the TPZ any density is permitted.

Chairman Cobb verified the consent items. Chairman Cobb called for questions from the Commissioners. Hearing no response, Chairman Cobb opened the floor for comments from the audience, hearing no response or reply, Chairman Cobb asked for a motion to be set.

ACTION TAKEN: Commissioner Snyder made a motion to approve the consent items subject to staff's conditions of approval and recommendations. Commissioner Stephens seconded the motion. Motion carried unanimously.

VII. NEW BUSINESS

RIVERSIDE MUNICIPAL AIRPORT

9:00 A.M.

A. RI-02-154 – Ray Strebe – Consent item for approval see p.10

CASE NUMBER:

RI-02-154 – Ray Strebe Architects

APPROVING JURISDICTION:

City of Riverside

JURISDICTION CASE NO.:

Conditional Use Permit 022-023

PROJECT DESCRIPTION:

A Conditional Use Permit for a care facility for the elderly of approximately 3,532 sq. ft. at an existing structure.

PROJECT LOCATION:

The proposed site is located at the southeast corner of Van Buren Blvd and Audrey St. within the City of Riverside, approximately 4,000 ft. southwest of Runway 16/34 at the Riverside Municipal Airport.

Adjacent Airport: Riverside Municipal Airport

- a. Airport Influence Area: TPZ*
- b. Noise Levels: Outside 60 CNEL*

MAJOR ISSUES:

Land Use: *The site is located approximately 4,000 ft. southwest of Runway 16/34 and is within the TRAFFIC PATTERN ZONE (TPZ) of the Riverside Municipal Airport Influence Area. The proposal is for an elder care facility consisting of approximately 3,532 sq. ft. at an existing structure. The present proposal would be consistent with the land use provisions outlined in the CLUP.*

Part 77: *The elevation at this site is approximately 739 MSL feet and the maximum height of the existing structure is approximately 24 feet. The site is within the horizontal surface at this location, and is well below the horizontal surface elevation of 966 MSL.*

Noise: *The project is a noise sensitive use, but is outside of the 60 CNEL contour for the airport. This is acceptable for the usage proposed.*

CONDITIONS OF APPROVAL:

- 1. Provide Avigation Easements to Riverside Municipal Airport. (Survey Division 826-5341)*
- 2. The following uses shall be prohibited:*
 - a. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.*
 - b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.*
 - c. Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.*
 - d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.*
- 3. The attached notation regarding proximity to the airport must be given to each potential tenant.*

RECOMMENDATION: Staff would recommend a finding of consistency for the project, subject to the Conditions of Approval outlined in this staff report.

B. RI-02-156 – Burger King – Consent item for approval see p.10

CASE NUMBER: RI-02-156 – Burger King
APPROVING JURISDICTION: City of Riverside
JURISDICTION CASE NO.: Conditional Use Permit 005-023

PROJECT DESCRIPTION:

A Conditional Use Permit for a fast food restaurant of approximately 2,395 sq. ft.

PROJECT LOCATION:

The proposed site is located near the southwest corner of Van Buren Blvd and Cypress Ave. within the City of Riverside, approximately 2,400 ft. southwest of Runway 16/34 at the Riverside Municipal Airport.

Adjacent Airport: Riverside Municipal Airport

- a. Airport Influence Area: TPZ
- b. Noise Levels: Outside 60 CNEL

MAJOR ISSUES:

Land Use: The site is located approximately 2,400 ft. southwest of Runway 16/34 and is within the TRAFFIC PATTERN ZONE (TPZ) of the Riverside Municipal Airport Influence Area. The proposal is for a fast food restaurant consisting of approximately 2,395 sq. ft. at 5800 Van Buren Blvd. The present proposal would be consistent with the land use provisions outlined in the CLUP.

Part 77: The elevation at this site is approximately 739 MSL feet and the maximum height of the existing structure is approximately 24 feet. The site is within the horizontal surface at this location, and is well below the horizontal surface elevation of 966 MSL.

Noise: The site is outside of the 60 CNEL contour for the airport and is not a noise sensitive use. This is acceptable for the usage proposed.

CONDITIONS OF APPROVAL:

1. Provide Avigation Easements to Riverside Municipal Airport. (Survey Division 826-5341)
2. The following uses shall be prohibited:
 - a. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.

- b. *Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.*
- c. *Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.*
- d. *Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.*

RECOMMENDATION: Staff would recommend a finding of consistency for the project, subject to the Conditions of Approval outlined in this staff report.

VIII. ADMINISTRATIVE ITEMS

A. County of Riverside RCIP

Keith Downs indicated that the large scale planning for the entire County is changing the General Plan, an item that the Commission needs to review. In April of this year the County put a draft out. In December the County is proposing to approve of it. At a staff and County Counsel level the County has been reminded that it needs to go to the Commission for review. A letter was sent under Chairman Cobb's signature to Bob Buster, Board of Supervisor and as of now no comments have been received. The plan has technical errors that need corrections. Mr. Downs then suggested that Chairman Cobb, Counsel Miller and himself have a meeting with Richard Lashbrook, the primary person at the County.

Chairman Cobb called for a motion to be set.

ACTION TAKEN: Commissioner Stephens made a motion authorizing staff to move forward with this matter. Commissioner Snyder seconded the motion. Motion carried unanimously.

B. CLUP Update: Status and Report

Keith Downs briefed the Commission on the work being done to complete the maps in reference to the old maps

C. 2003 Calendar of Meetings

The adopted Calendar was included with the agendas.

IX. COMMISSIONER'S COMMENTS. Chairman Cobb indicated that Commissioner Bell had suffered some medical problems, but is recovering and hope to have him back soon. Chairman Cobb then thanked Mr. Chandler Alternate for Mr. Bell for joining the Commission.

X. Adjournment: Chairman Cobb adjourned the meeting at 10:30 A.M.
 NEXT REGULARLY SCHEDULED MEETING: December 19, 2002 at 9:00 a.m., Riverside.