

**AIRPORT LAND USE COMMISSION
MINUTE ORDER MAY 9, 2013
RIVERSIDE MEETING**

A regular scheduled meeting of the Airport Land Use Commission was held on May 9, 2013 at the Riverside County Administrative Center, Board Chambers.

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

COMMISSIONERS ABSENT: Greg Pettis

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

OTHERS PRESENT: John Capelli, Other Interested Person
Atallah Mahmud, Other Interested Person
Bevis Martinez, Other Interested Person

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I. **AGENDA ITEM 2.1: ZAP1058RI13 – Housing Authority of the City of Riverside (Representative: David Hetherington, Wakeland Housing)** – City of Riverside Case Nos. P13-0198 (General Plan Amendment), P13-0199 (Rezoning), P13-0201 (Site Plan). P13-0201 is a proposal to develop 30 residential units in one and two-story buildings and redevelop the existing officer's club as a community center and rehabilitation center on a 2.14-acre site located easterly of Picker Street, northerly of Philbin Avenue, westerly of Wohlstetter Street, and southerly of Cypress Avenue. Case No. P13-0198 is a proposal to change the General Plan designation of the 2.14-acre site from Medium Density Residential to High Density Residential. Case No. P13-0199 is a proposal to change the zoning of the site from R-1-7,000 (Single Family Residential) to R-3-2500 (Multiple Family Residential), or R-3-2500-AP-D (Multiple Family Residential, Airport Protection Overlay Zone D). (Zone D of Riverside Municipal Airport Influence Area).

II. **MAJOR ISSUES**

The existing officers' club building is 14,249 square feet in floor area and, if used entirely as a place of assembly, could potentially accommodate up to 950 persons. This is not likely, as only 65 parking spaces are provided for the entire development. As this is an existing building, staff proposes to address intensity by limiting its regular use to the residents of the project (likely not more than 90 persons), their guests, and families, and by limiting its use for special events to a maximum of 275 persons.

III. **STAFF RECOMMENDATION**

Staff recommends a finding of CONSISTENCY for the General Plan Amendment, Rezoning, and Site Plan, subject to the conditions included herein and that the new zoning incorporates the Airport Protection Overlay Zone suffix (-AP-D), which refers to the site's location within Compatibility Zone D of the Riverside Municipal Airport Influence Area.

IV. **PROJECT DESCRIPTION**

City of Riverside Case No. P13-0201 is a proposal to develop 30 residential units in one- and two-story buildings and redevelop the existing officer's club as a community center and rehabilitation center. The development will include individual kitchens within each of the units and provide minimal rehabilitation and support services such that State licensing for its rehabilitation and support services will not be required. As such, this project is characterized as a residential use rather than an institutional use. Case No. P13-0198 is a proposal to change the General Plan designation of the 2.14 acre site from Medium Density Residential to High Density Residential. Case No. P13-0199 is a proposal to change the zoning of the site from R-1-7,000 (Single Family Residential) to R-3-2500 (Multiple Family Residential).

CONDITIONS:

1. Any outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky.
2. The following uses 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.

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- (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area, including landscaping utilizing water features, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, and incinerators.
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
3. The attached notice shall be provided to all potential purchasers of the property and all potential tenants of the buildings, and shall be recorded as a deed notice.
 4. Any new retention basins on the site shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the retention basin(s) that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.
 5. The use of the community center/rehabilitation center shall be limited to the residents of this facility, their families, and guests. Any special events shall be limited to a maximum of 275 persons in the building.
 6. An airport-related informational sign shall be posted in the community building. The sign shall clearly depict the proximity of the property to the airport and aircraft traffic patterns
 7. An informational brochure shall be provided to prospective buyers or renters showing the locations of aircraft flight patterns. The frequency of overflights, the typical altitudes of the aircraft, and the range of noise levels that can be expected from individual aircraft overflights shall be described. A large-scale illustration of Exhibit RI-7, Compatibility Factors, included in the Riverside Municipal Airport Land Use Compatibility Plan (Volume 2 Background) will suffice.

V. MEETING SUMMARY

The following staff presented the subject proposal:

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

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

VI. ALUC COMMISSION ACTION

The ALUC Commission by a unanimous vote of 6-0 found the project **CONSISTENT**. Absent: Commissioner Greg Pettis

VII. CD

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 2.1: TIME IS 9:02 A.M.

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I. **AGENDA ITEM 2.2:** ZAP1059RI13 – City of Riverside – City Case Nos. P13-0235 (Rezoning), P13-0111 (Specific Plan Amendment). P13-0235 is a proposal to add the Specific Plan Overlay (and, possibly, Airport Protection Overlay Zone AP-E) to an approximate 6.65-acre area consisting of 11 parcels located southerly of SR-91, westerly of Madison Street, northerly of Casa Blanca Street, and easterly of the extension of Depot Street north. Case No. P13-0111 is a proposal to amend the Riverside Auto Center Specific Plan to add the subject area to the Specific Plan. (Zone E of Riverside Municipal Airport Influence Area).

II. **MAJOR ISSUES**
None.

III. **STAFF RECOMMENDATION**
Staff recommends a finding of CONSISTENCY for the Specific Plan Amendment and Rezoning, subject to the conditions included herein for the Specific Plan Amendment and that the new zoning incorporates the Airport Protection Overlay Zone suffix (-AP-E), which refers to the site's location within Compatibility Zone E of the Riverside Municipal Airport Influence Area.

IV. **PROJECT DESCRIPTION**
City of Riverside Case No. P13-0235 is a proposal to add the Specific Plan Overlay to an approximately 6.65-acre area consisting of 11 parcels. Case No. P13-0111 is a proposal to amend the Riverside Auto Center Specific Plan to add the subject area to the Specific Plan. The addition to the Specific Plan would apply a new set of allowed uses, development standards, and other regulations and guidelines pursuant to the Specific Plan that are generally related to automobile sales and service oriented land uses.

CONDITIONS:

1. Any outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky.
2. The following uses 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, including landscaping utilizing water features, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, and incinerators.
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.

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3. The attached notice shall be provided to all current property owners within the amendment area.
4. Any new retention basins on the site shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the retention basin(s) that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.
5. Prior to issuance of building permits for any new structure within the specific plan amendment area with an elevation at top of roof exceeding 878.9 feet above mean sea level, the permittee shall submit evidence to the City of Riverside Community Development Department that the Federal Aviation Administration (FAA) has issued a determination of "Not a Hazard to Air Navigation" for such structure. Based on the approximate existing site elevations, this would only be potentially applicable to structures exceeding 26.9 feet in height.

V. **MEETING SUMMARY**

The following staff presented the subject proposal:

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

The following spoke in opposition to the project:

Bevis Martinez, Other Interested Person, 10845 Moorpark #A, Toluca Lake, CA

No one spoke in favor or neutral of the project.

VI. **ALUC COMMISSION ACTION**

The ALUC Commission by a unanimous vote of 6-0 found the project **CONSISTENT**. Absent: Commissioner Greg Pettis

VII. **CD**

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 2.2: TIME IS 9:03 A.M.

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- I. **AGENDA ITEM 2.3:** ZAP1050FV13 – Regent Nicolas 73, LLC – City Case Nos. PA12-0131 (General Plan Amendment), PA12-0132 (Zone Change), PA12-0133 (Tentative Map). PA12-0131 is a proposal to amend the City of Temecula General Plan land use designation on 73.3 acres located southerly of Nicolas Road and easterly of Via Lobo Road from Very Low Density Residential (VLDR) to Low Density Residential (LDR). PA12-0132 is a proposal to change the zoning of the site from Very Low Density Residential (VL) to Low Density Residential (L), with Planned Development Overlay (PDO), and to amend the text of the zoning ordinance to include the Arbor Vista PDO. PA12-0133 is a proposal to subdivide 73.3 acres into 83 single family residential lots, 2 open space lots, 1 lot for a public park, and 2 lots for water quality/detention. (Zone E of French Valley Airport Influence Area).
- II. **MAJOR ISSUES**
None
- III. **STAFF RECOMMENDATION**
Staff recommends a finding of CONSISTENCY for the general plan amendment, zone change, and tentative map, subject to the conditions included herein for the tentative map.
- IV. **PROJECT DESCRIPTION**
PA12-0131 (General Plan Amendment) is a proposal to amend the City of Temecula General Plan land use designation on 73.3 acres from Very Low Density Residential (VLDR) to Low Density Residential (LDR). PA12-0132 (Zone Change) is a proposal to change the zoning of the site from Very Low Density Residential (VL) to Low Density Residential (L), with the Planned Development Overlay (PDO), and to amend the text of the zoning ordinance to include the Arbor Vista PDO. PA12-0133 (Tentative Map) is a proposal to subdivide 73.3 acres into 83 single family residential lots, 2 open space lots, 1 lot for a public park, and 2 lots for water quality/detention.

CONDITIONS:

1. Any outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky.
2. The following uses 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 landscaping utilizing water features, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, and incinerators.

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(d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.

3. The attached notice shall be provided to all potential purchasers and/or tenants of the proposed residences.

4. Any new retention basins on the site shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the retention basin(s) that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.

V. **MEETING SUMMARY**

The following staff presented the subject proposal:

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

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

VI. **ALUC COMMISSION ACTION**

The ALUC Commission by a unanimous vote of 6-0, found the project **CONSISTENT**. Absent: Commissioner Greg Pettis

VII. **CD**

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 2.3: TIME IS 9:05 A.M.

**AIRPORT LAND USE COMMISSION
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I. **AGENDA ITEM 2.4:** ZAP1051FV13 – Golden Eagle Multi-Family Properties, LLC (Representative: John Capelli) – City of Murrieta Case Nos. GPA 2012-3266 (General Plan Amendment), ZC 2012-3265 (Zone Change), DP 2012-3267 (Development Plan). DP 2012-3267 is a proposal for the development of 112 apartment units in six buildings up to three stories in height, along with tennis court, club house, gym, and pool on 7.51 acres located northerly of Murrieta Hot Springs Road, southeasterly of Clearbrook Drive, and southerly of Branwin Street in the City of Murrieta. GPA 2012-3266 is a proposal to amend the land use designation on a 1.06-acre portion of the site from Parks and Open Space to Multiple-Family Residential. ZC 2012-3265 is a proposal to change the zoning on that same 1.06-acre portion of the site from Private Recreation (PR) to Multi-Family 1 Residential (MF-1). (Zone D of French Valley Airport Influence Area).

II. **MAJOR ISSUES**

None

III. **STAFF RECOMMENDATION**

Staff recommends a finding of CONSISTENCY for the general plan amendment, zone change, and development plan, subject to the conditions included herein for the development plan.

IV. **PROJECT DESCRIPTION**

DP2012-3267 is a proposal to develop 112 apartment units in six buildings up to three stories in height, along with tennis court, clubhouse, gym, and pool on 7.51 acres. GPA 2012-3266 is a proposal to amend the land use designation on a 1.06-acre portion of the site from Parks and Open Space to Multiple-Family Residential. ZC 2012-3265 is a proposal to change the zoning on that same 1.06-acre portion of the site from Private Recreation (PR) to Multiple-Family 1 Residential (MF-1).

CONDITIONS:

1. Any outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky.
2. The following uses 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 landscaping utilizing water features, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, and incinerators.

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(d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.

3. The attached notice shall be provided to all potential purchasers of the property and all potential tenants of the apartments, and shall be recorded as a deed notice.

4. Any new retention basins on the site shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the retention basin(s) that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.

V. MEETING SUMMARY

The following staff presented the subject proposal:

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

The following spoke in favor of the project:

John Capelli, Other Interested Person, Menifee, CA

The following spoke in opposition to the project:

Atallah Mahmud, 29173 Branwin Street, Murrieta, CA 92563

No one spoke in neutral of the project.

VI. ALUC COMMISSION ACTION

The ALUC Commission by a vote of 5-1, found the project **CONSISTENT**. Commissioner Glen Holmes dissenting; Absent: Commissioner Greg Pettis;

VII. CD

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 2.4: TIME IS 9:08 A.M.

**AIRPORT LAND USE COMMISSION
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I. **3.0 ADMINISTRATIVE ITEMS**

3.1 Director's Approvals – Information only

3.2 Proposed Overrule: Desert Community College District

Ed Cooper, ALUC Director, indicated that staff prepared a draft letter to the Desert Community College District in response to the District's proposed Findings of Fact to overrule ALUC's determination that the proposed West Valley Campus is inconsistent, for the Commissioners' review and comments. Chairman Housman indicated that he had a significant amount of input on the draft letter. Vice Chairman Rod Ballance recommended that the Chair or designee attend the District overrule meeting to represent ALUC to address any questions and relay our safety concerns. Commissioner Holmes inquired as to whether the section of the Public Utilities Code addressing the effects of an overrule on liability in the event of an aircraft accident should be included in the letter, but Chairman Housman advised that such reference could be construed as a legal opinion and probably should not be included in the letter. Per Mr. Ballance's recommendation, Chairman Housman advised that he will try to attend the meeting scheduled for May 17, but that he had a potential conflict. He requested that staff contact one of the other ALUC Commissioners to take his place if he cannot attend the meeting.

II. **4.0 APPROVAL OF MINUTES**

The ALUC Commission by a unanimous vote of 6-0 approved the April 11, 2013 minutes. Absent: Greg Pettis

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

Ed Cooper, ALUC Director, informed the Commission that the Notice to Proceed was formally issued to Mead and Hunt allowing commencement of work on the Hemet Ryan Airport Land Use Compatibility Plan. He advised that he will keep the Commission posted in regard to any subcommittee meetings that may be necessary in the near future. Commissioner Holmes asked when the subcommittee would meet. Mr. Cooper noted that the first step would be the preparation of a production schedule. At some point in the near future, the subcommittee will need to tackle the issue of whether to use composite zones or individual noise and safety layers. In response to a series of questions from Commissioner Holmes, Mr. Cooper advised that the State of California was financing 90 percent of the cost. The remaining 10 percent would be from the ALUC budget, plus any overages. The grant agreement has been signed and executed with the State. The contract for services with Mead & Hunt has also been signed and executed. The total project cost is estimated at \$130,000, with the State grant covering \$117,000. The projected time to completion is eight to twelve months. The first step is to produce a time line, which will be provided to the Commission upon its receipt.

IV. **6.0 COMMISSIONER'S COMMENTS**

None

V. **7.0 ADJOURNMENT**

Chairman Housman adjourned the meeting at 9:47 a.m.

VI. **CD**

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org. ITEM 3.0: TIME IS 9:35 A.M.