

**AIRPORT LAND USE COMMISSION
MINUTE ORDER JUNE 13, 2013
RIVERSIDE MEETING**

A regular scheduled meeting of the Airport Land Use Commission was held on June 13, 2013 at the Riverside County Administrative Center, Board Chambers.

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

COMMISSIONERS ABSENT:

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

OTHERS PRESENT: Dennis Durfee, Architect
Eric Eckspron, Representing Mary Fitzgerald
James Fagelson, Encore Homes, LLC
Debrah Johnson, Other Interested Person
Chester Ralston, Land Surveyor
Kyle Smith, City of Riverside
Rocky Snider, LDS Church

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I. **AGENDA ITEM 2.1:** ZAP1060RI13 – Andy & Cindy Real Estate Holdings LLC/Andy Management Group (Representative: Debrah E.M. Johnson) - City of Riverside Case Nos. P12-0727 (Design Review) and P12-0729 (Rezoning). These projects relate to properties located southerly of Arlington Avenue and easterly of Madison Street. Case No. P12-0727 is a proposal to expand the parking lot for the existing office building with an address of 4990 Arlington Avenue, adding 23 parking spaces for a new total of 64 parking spaces. The expansion requires a lot line adjustment with the adjoining residential property with an address of 4015 Madison Street, increasing the area of the office property by 0.23 acres. Case No. P12-0729 is a proposal to change the zoning of that 0.23-acre area from R-1-7,000 (Single Family Residential) to O (Office). The Commission may further recommend rezoning the existing parcel from O-S-1 to O-S-1-AP-C and rezoning the expansion area from R-1-7000 to O-S-1-AP-C. (Zone C of Riverside Municipal Airport Influence Area).

II. **MAJOR ISSUES**

Use of the Parking Space Method with an assumption of 1.5 persons per vehicle would indicate an intensity of 96 persons on-site, which would exceed the average intensity criterion for Zone C. The establishment of a new building with a 64-space parking lot on this site would be inconsistent, using the Parking Space Method of estimating intensity. However, the office building exists and is operational. No expansion to the office building, or change of use therein, is proposed through this Design Review.

III. **STAFF RECOMMENDATION**

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

IV. **PROJECT DESCRIPTION**

City of Riverside Case No. P12-0727 is a proposal to expand the parking lot for the existing office building with an address of 4990 Arlington Avenue, adding 23 parking spaces for a new total of 64 parking spaces. The expansion requires a lot line adjustment with the adjoining residential property with an address of 4015 Madison Street, increasing the area of the office property by 0.23 acres. Case No. P12-0729 is a proposal to change the zoning of that 0.23-acre area from R-1-7,000 (Single Family Residential) to O (Office).

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.

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- (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, composting operations, 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.
 - (e) Children's schools, day care centers, libraries, hospitals, nursing homes, highly noise-sensitive outdoor nonresidential uses, and hazards to flight.
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. Prior to final inspection approval of the proposed additional parking spaces, the City of Riverside shall apply zoning incorporating the Airport Protection Overlay Zone (O-S-1-AP-C) to the area included within the boundaries of the expanded parcel.
 6. The City of Riverside shall either prohibit establishment of any new uses of the following types on the property (within or outside the structure with an address of 4990 Arlington Avenue), or shall require Airport Land Use Commission review of such uses:

Alcohol sales, assemblies of people, assisted living/residential care facilities, brewpubs, catering establishments, drive-thru businesses, farmers' markets, florist shops, fuel systems with aboveground storage tanks, group housing, homeless shelters (more than 6 occupants), outdoor dining, restaurants, retail sales, schools, and tutoring centers (11 or more students), and the following temporary uses: fairs, circuses, and concerts.

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:

Debrah Johnson, Other Interested Person, 4990 Arlington Ave, Riverside, CA 92504

Chester Ralston, Land Surveyor, 28346 Roan Ranch Road, Romoland, CA 92585

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

Kyle Smith, City of Riverside, 3900 Main Street, Riverside, CA 92522

The following spoke in opposition to the project:

Eric Eckspron representing Mary Fitzgerald, 6117 Brockton Ave #203, Riverside, CA 92506

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VI. **ALUC COMMISSION ACTION**

The ALUC Commission by a unanimous vote of 7-0 found the project **CONSISTENT**.

VII. **CD**

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

ITEM 2.1: TIME IS 9:01 A.M.

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- I. **AGENDA ITEM 2.2:** ZAP1047BD13 – La Quinta Brewing Company (Representative: Scott Stokes) - County Case No. CUP03694 (Conditional Use Permit). CUP03694 is a proposal to establish a brewery within an existing industrial building on a 0.28 acre parcel (0.52 acres gross) located at the southwest corner of Wildcat Drive and Racoon Street in the industrial/business park area westerly of Washington Street and northerly of Interstate 10. The brewery (primarily involving the brewing and distribution of beer) would include a tasting/retail area as well as brewing/manufacturing area, offices, and storage. (Zone C of Bermuda Dunes Airport Influence Area).
- II. **MAJOR ISSUES**
None
- III. **STAFF RECOMMENDATION**
Staff recommends that the Commission find the proposed project CONSISTENT, subject to the attached conditions.
- IV. **PROJECT DESCRIPTION**
CUP03694 is a proposal to establish a brewery within an existing industrial building on a 0.28-acre parcel (0.52 acres gross). The brewery (primarily involving the brewing and distribution of beer) would include a tasting/retail area, as well as brewing/manufacturing area, offices, and storage.

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, including landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, and incinerators.
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
 - (e) Children's schools, day care centers, libraries, hospitals, nursing homes, highly noise-sensitive outdoor nonresidential uses, and hazards to flight.
2. The attached notice shall be provided to all potential purchasers of the property and tenants of the building, and shall be recorded as a deed notice.

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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. All outdoor lighting shall be downward facing.
4. Total building area dedicated to tasting or retail uses shall be limited to no more than 250 square feet as is indicated in the floor plan dated 5/3/13. Any additional expansion of tasting or retail use shall be subject to further Airport Land Use Commission review.
5. No aboveground retention basins are depicted on the site plan. 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.
6. The County of Riverside shall require additional review by the Airport Land Use Commission prior to the establishment of any other use within this building, other than offices, manufacturing, and warehousing/storage uses.

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 7-0 found the project **CONSISTENT**.

VII. **CD**

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ITEM 2.2: TIME IS 9:01 A.M.

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- I. **AGENDA ITEM 2.3:** ZAP1048BD13 – Passco Washington Square LLC (Representative: Little/DaMarlon Carter) - County Case No. PP25328 (Plot Plan). PP25328 is a proposal to construct a bank on a 0.7 acre parcel located on the westerly side of Washington Street, northerly of Interstate 10, Varner Road, and Marketplace Street, and southerly of Wildcat Drive. (Zones C and D of Bermuda Dunes Airport Influence Area).
- II. **MAJOR ISSUES**
None
- III. **STAFF RECOMMENDATION**
Staff recommends that the Commission find the proposed project CONSISTENT, subject to the attached conditions.
- IV. **PROJECT DESCRIPTION**
PP25328 is a proposal to construct a bank on a 0.7-acre parcel. The bank building would include public area (lobby and queuing area), offices, storage, and a break room.

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, including landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, and incinerators.
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
 - (e) Children's schools, day care centers, libraries, hospitals, nursing homes, highly noise-sensitive outdoor nonresidential uses, and hazards to flight.
2. The attached notice shall be provided to all potential purchasers of the property and tenants of the building, and shall be recorded as a deed notice.
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.

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4. No flag pole, light pole, or other structures shall exceed a height of 35 feet above ground level or an elevation threshold at top point of 144 feet above mean sea level.
5. No retention basins are depicted on the site plan. 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.
6. This project has been evaluated as a proposal for the establishment of a 3,515 square foot bank. 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 this structure:

Auction rooms, auditoriums, bowling alleys, churches, chapels, and other places of worship, conference rooms with capacities of 12 or more persons, classrooms, dance floors, dining facilities, drinking establishments, exhibit rooms, gaming, gymnasiums, lodge rooms, lounges, restaurants (other than carry-out/take-home facilities with less than 12 seats), reviewing stands, stages, swimming pools, 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.

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 7-0 found the project **CONSISTENT**.

VII. **CD**

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

ITEM 2.3: TIME IS 9:01 A.M.

**AIRPORT LAND USE COMMISSION
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I. **AGENDA ITEM 2.4:** ZAP1014PS13 – Andrew Wooster – City of Palm Springs Case No. CUP 5.1298 (Conditional Use Permit). A proposal to operate a kennel (dog day care, boarding, and grooming) for up to fifteen dogs within a 3,552 square foot suite (Unit C-6) in an existing multi-tenant industrial park building located at 5000 Calle San Raphael in the City of Palm Springs (at the northeast corner of Gene Autry Trail and Calle San Raphael, north of Dinah Shore Drive and south of Sunny Dunes Road). (Airport Compatibility Zone B1 of the Palm Springs International Airport Influence Area).

II. **MAJOR ISSUES**

The building in which the proposed facility would be located is in Airport Compatibility Zone B1. An evaluation of the building as a whole indicates that average and single-acre criteria may be exceeded at this location, especially if Suite C-5 (apparently leased to a church organization) is used for weekend church services. Although the proposed dog boarding facility in Suite C-6 would increase existing intensity (in comparison to the suite's continued vacancy), this use would be less intense than office or manufacturing uses, and definitely less intense than the previous use of this suite (retail sales of cleaning products). The applicant has noted that the proposed facility would likely accommodate a maximum of 5 employees and customers at a given time, compared to an office use which would potentially accommodate 17 or 18 people in the same area.

III. **STAFF RECOMMENDATION**

Staff recommends that the Commission find the proposed project CONSISTENT, subject to the attached conditions.

IV. **PROJECT DESCRIPTION**

The applicant proposes to establish a 3,552 square foot dog boarding and dog day care business within an existing industrial building (developed prior to 2005) on a 1.58 acre parcel. The facility would include dog kennel and play areas, as well as a reception area and office.

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, visual approach slope indicator, or FAA-approved obstruction lighting.
- (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.

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(e) Children's schools, day care centers, libraries, hospitals, nursing homes, places of worship, aboveground bulk storage of hazardous materials, highly noise-sensitive outdoor nonresidential uses, critical community infrastructure facilities, and hazards to flight.

2. The attached notice shall be provided to all tenants of the building, and shall be recorded as a deed notice.
3. Any new outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. All new outdoor lighting shall be downward facing.
4. Prior to the issuance of building permits, the landowner shall convey an avigation easement to Palm Springs Airport, which shall be recorded, or shall provide evidence that such an easement covering the property has already been recorded, unless such easement is prohibited by law or waived by the Airport. Copies of the avigation easement, upon recordation, shall be forwarded to the City of Palm Springs Planning Department and to the Riverside County Airport Land Use Commission.
5. The City of Palm Springs shall either prohibit the following uses or shall require additional review by the Airport Land Use Commission prior to the establishment of any of the following uses in this structure:

Auction rooms, assemblies of people, auditoriums, classrooms, conference rooms with a capacity of 20 or more persons, community care facilities, court rooms, dance floors, exhibit rooms, gaming (including bingo), restaurants, drinking establishments, gymnasiums, homeless shelters, lounges, retail sales facilities, reviewing stands, skating rinks, stages, swimming pools, vocational and technical schools, 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.

This prohibition or requirement for review does not apply to uses that were established in this building prior to 2005 and have been in continuous operation since their establishment.

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 7-0 found the project **CONSISTENT**.

VII. **CD**

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

ITEM 2.4: TIME IS 9:01 A.M.

**AIRPORT LAND USE COMMISSION
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- I. **AGENDA ITEM 2.5:** ZAP1052FV13 – Ishii-Durfee Architects, Inc. (Representative: Dennis Durfee), - for the Church of Jesus Christ of Latter-Day Saints – County Case No.: Plot Plan No. 25309 (PP25309). A proposal to develop a 20,000 square foot church building (along with 2,700 square feet of church offices and a 180 square foot storage building) on 4.04 acres located on the easterly side of Sky Canyon Drive, northerly of Murrieta Hot Springs Road (and northerly of the existing church at the northeasterly corner of the intersection of those streets). (Zones C and B1 of the French Valley Airport Influence Area).
- II. **MAJOR ISSUES**
The proposed church at maximum occupancy would exceed both the average and single-acre intensity criteria of Compatibility Zone C.
- III. **STAFF RECOMMENDATION**
Staff recommends a finding of INCONSISTENCY for the plot plan, based on the proposed project exceeding both average and single-acre non-residential intensity criteria for Compatibility Zone C, unless the Commission is willing to make special circumstance findings pursuant to Countywide Policy 3.3.6 based on the project's location, proximity to high-intensity uses and permanent open space, and the intermittent nature of the project's high intensity use.
- IV. **PROJECT DESCRIPTION**
PP25309 is a proposal to develop a 20,000 square foot church building (along with 2,700 square feet of church offices and a 180 square foot storage building) on 4.04 acres. The church building includes a 2,984 square foot Chapel and 2,754 square foot Cultural Center, which can both be utilized for assembly purposes. Also included in the proposed church building are classrooms, offices, stage/platform, kitchen, and other auxiliary rooms and uses.
- 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:
Dennis Durfee, Architect, 2312 Via Clavel, San Clemente, CA 92673
Rocky Snider, LDS Church, 31756 Canyon Estates Drive, Lake Elsinore, CA 92532
- No one spoke in neutral or opposition to the project.
- VI. **ALUC COMMISSION ACTION**
The ALUC Commission by a vote of 4-3 found the project INCONSISTENT. Commissioners Richard Stewart, Glen Holmes and Simon Housman dissenting.
- VII. **CD**
The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.
- ITEM 2.5: TIME IS 9:03 A.M.

**AIRPORT LAND USE COMMISSION
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I. **3.0 PRESENTATION/INQUIRY: Tract 30966R1 – James Fagelson**
Information Only

II. **4.0 ADMINISTRATIVE ITEMS**

4.1 Director's Approvals – Information Only Director's Approvals – Information Only

4.2 Reappointment to Commission by Airport Managers

John Guerin, ALUC staff, reported that nine ballots were returned in favor of Mr. Housman's reappointment. This constitutes a quorum; therefore, Mr. Housman has been officially reappointed as a member of the Riverside County Airport Land Use Commission.

4.3 Election of Officers

The ALUC Commission nominated Simon Housman and Rod Ballance for additional terms as Chairman and Vice Chairman, respectively, and elected each by a unanimous vote of 6-0, with the nominees abstaining on balloting for their respective offices.

4.4 December 12, 2013 ALUC Commission Meeting: Reschedule

The Board Hearing room is unavailable on December 12. Commissioner Pettis invited the Commission to hold its December 12th meeting at the City of Cathedral City. The ALUC Commission by a unanimous vote of 7-0 accepted the invitation to hold the meeting there. (Note: This item is being brought back to the Commission at its July 11 hearing, due to a scheduling conflict).

III. **5.0 APPROVAL OF MINUTES**

The ALUC Commission, by a unanimous vote of 6-0, approved the May 9, 2013 minutes. Abstain: Commissioner Greg Pettis

IV. **6.0 ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA**

Ed Cooper, ALUC Director, informed the Commission of a possible special meeting in August that was requested by the Thermal Motor Sports applicant. Chairman Housman indicated that the Commission can decide whether to hold a special August meeting at its next meeting in July.

V. **7.0 COMMISSIONER'S COMMENTS**

Commissioner Stewart addressed the Commission regarding the Federal investigation into possible political corruption that resulted in search warrants at the homes of each City Council member in Moreno Valley.

VI. **8.0 ADJOURNMENT**

Chairman Housman adjourned the meeting at 11:13 a.m.

VII. **CD**

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ITEM 4.0: TIME IS 11:02 A.M.