

**AIRPORT LAND USE COMMISSION
MINUTE ORDER AUGUST 15, 2013
RIVERSIDE MEETING**

A special day and time scheduled meeting of the Airport Land Use Commission was held on August 15, 2013 at the Riverside County Administrative Center, Board Chambers.

COMMISSIONERS PRESENT: Simon Housman, Chairman
Dan Olson, alternate for Rod Ballance
Arthur Butler
Glen Holmes
John Lyon
Russell Betts, alternate for Greg Pettis
Richard Stewart

COMMISSIONERS ABSENT: Rod Ballance
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: James Bach, Other Interested Person
Roger Deitos, GAA Architects
Deanna Elliano, City of Hemet

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- I. **AGENDA ITEM 2.1: ZAP1018CH13 – Providence Archibald, LLC (Representative: Albert A. Webb Associates, Sandy Chandler) – City of Eastvale Case Nos. 12-0750 (Development Plan Review) and revised PM35865 (Parcel Map).** PP12-0750 is a proposal to develop a total of 738,970 square feet of industrial/office space within 12 shell buildings on 39.32 net acres located westerly of Archibald Avenue, southerly of Limonite Avenue, and northerly of 65th Street, in the City of Eastvale. Revised PM35865 is a proposal to subdivide the 39.32 net acres into 11 parcels [one for each of the proposed buildings, with buildings 4 and 5 sharing a parcel]. (Zones C and D of Chino Airport Influence Area.) Continued from July 11, 2013.

II. **MAJOR ISSUES**

The square footage of office areas is increased in relation to the previously approved design. Intensities based on the anticipated uses (as specified on the site plan as originally submitted) within certain buildings may have exceeded the single-acre intensity for Compatibility Zone C of 150 persons. Single-acre intensity limits may only be met with reductions in office and manufacturing areas and larger proportions of storage or warehousing areas, in comparison to the numbers proposed on the site plan.

The applicant has provided a revised site plan that notes the office, manufacturing, and warehouse uses within each building. Any tenant that proposes to occupy any building that proposes to exceed these uses will require a revised permit with the City and further review by ALUC. Single-acre intensities within Buildings 1A/1B and 5 may exceed the 150 person threshold at 157 and 167 persons, respectively. The applicant has indicated for each of these buildings that certain risk reduction design measures will be incorporated that would qualify it for potential risk reduction intensity bonus. ALUC staff has requested from City of Eastvale staff to confirm whether such a bonus will be granted. At the time of writing of this staff report, staff has not received confirmation.

In addition, the open area required for Zones C and D (7.06 and 1.63 acres, respectively) will be provided as indicated on the open area exhibit provided by the applicant. Within Zone C, the exact amount of 7.06 acres of open area is provided, while within Zone D 1.87 acres of open area is provided for a total of 8.93 acres across the site. While the designated areas will be kept clear of all structures and other obstructions greater than four feet in height and four inches in diameter, some of the designated open areas will include parking areas and break areas. However, the applicant has indicated that these areas will not include any feature that would conflict with the four foot height and four inch diameter threshold. These requirements are laid out in proposed conditions 7, 8, and 9.

III. **STAFF RECOMMENDATION**

Provided that the City of Eastvale confirms the risk reduction intensity bonus and found acceptable prior to the hearing, staff recommends that the proposed project be found CONSISTENT with the 2008 Chino Airport Land Use Compatibility Plan, subject to the conditions included herein. If the confirmation has not been received and found acceptable, a continuance to September 12 may be necessary.

STAFF RECOMMENDED AT HEARING

CONSISTENT, with amendment to Condition No. 6 and addition of Condition No. 10.

IV. **PROJECT DESCRIPTION**

Development Plan Review Case No. 12-0750 is a proposal to develop a total of 738,970 square feet of industrial/office space within 12 shell buildings on 39.32 net acres. Revised PM35865 is a proposal to subdivide the 39.32 net acres into 11 parcels (one for each of the proposed buildings, with buildings 4 and 5 sharing a parcel). Size of each building ranges between 10,600 square feet

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to 254,810 square feet with anticipated uses primarily consisting of office, manufacturing and warehouse uses, with potential retail use in building 4 and medical office use in building 5.

CONDITIONS: Revised conditions as of 8/15/13

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.
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
 - (e) Within Compatibility Zone C: Children's schools, day care centers, libraries, hospitals, nursing homes, buildings with more than 3 aboveground habitable floors, highly noise-sensitive outdoor non-residential uses, and hazards to flight.
 - (f) Within Compatibility Zone D: highly noise-sensitive outdoor non-residential uses, and hazards to flight.
3. The City of Eastvale 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 any of the structures proposed through this Development Plan Review:

Auction rooms, auditoriums, bowling alleys, churches and chapels, classrooms, conference rooms, restaurant serving area (dining areas and areas open to public use, other than corridors and restrooms), dance floors, drinking establishments, exhibit rooms, gaming, gymnasiums, lodge rooms, lounges, reviewing stands, skating rinks, 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.
4. 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.

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5. 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 site plan (Sheet A1.1) revisions dated July 30, 2013 indicates maximum square footages of office and manufacturing uses and office locations within each building. Any proposed tenant/use or combination of proposed and existing tenants/uses within each of the buildings that exceed the area for each specific use or substantially alters the location of office areas through any building permit or tenant improvement permit shall require an amended Development Review Plan approval and consultation with ALUC to verify that the building and the overall development continue to comply with the applicable single-acre criteria. Proposed uses that do not exceed these maximums (other than those uses previously noted in Condition 3) shall not require further Airport Land Use Commission review.
7. A minimum of 8.69 acres of open areas as defined by Countywide Policy 4.2.4 of the 2004 Riverside County Airport Land Use Compatibility Plan shall be provided on-site (inclusive of the 78-foot industrial collector roadways), of which not less than 7.06 acres shall be located within the portion of the site within Compatibility Zone C. Such open areas, including the 78-foot private roadway, shall have a minimum width of 75 feet and a minimum length of 300 feet, and shall not be obstructed by walls, trash enclosures, large trees or poles (light poles or other) greater than 4 inches in diameter at a height greater than 4 feet, or overhead wires. Trees or poles less than 4 inches in diameter at a height greater than 4 feet would be allowed within the designated open area.
8. A minimum width of 75 feet by a minimum length of 300 feet, within the 78-foot roadway, shall not permit parking on these roadways or trees or poles greater than 4 inches in diameter at a height greater than 4 feet.
9. The open areas exhibit submitted to the Airport Land Use Commission by Albert A. Webb and Associates and included in this packet depicts area within parking, building frontage, and loading areas as meeting open area requirements. All uses within these areas, such as landscaped planters, bike racks, focal points, and break areas, shall comply with the requirements of Policy 4.2.4 as referenced above. Walls, trash enclosures, and trees and light fixtures greater than 4 inches in diameter at a height greater than 4 feet shall not be permitted in these areas.
10. The proposed final building plans for buildings 1A/1B, 4, and 5 shall incorporate the risk reduction measures as noted on the site plan dated July 30, 2013.

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:

James Bach, Other Interested Person, 41635 Enterprise Circle N, Temecula, CA 92540
Roger Deitos, GAA Architects, 8811 Research Drive, Ste 200, Irvine, CA 92618

No one spoke in neutral or opposition to the project.

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VI. ALUC COMMISSION ACTION

The ALUC Commission by a unanimous vote of 7-0 found the project **CONSISTENT** with amendment to Condition No. 6 and addition of Condition No. 10.

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 9:31 A.M.

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- I. **AGENDA ITEM 2.2:** ZAP1028HR13 – City of Hemet – City Case No. ZC 13-001. A proposal to establish R-4 zoning on a number of parcels in the City of Hemet. Within the Hemet-Ryan Airport Influence Area (the area of concern for this Commission), this would include: (1) a change of zone from A-5 (Agriculture, 5 acre minimum lot size) to R-4 (Very High Density) on a 12.29-acre site (APN 448-120-010) located on the east side of Myers Street, southerly of Devonshire Avenue and northerly of Florida Avenue (State Highway Route 74); (2) a change of zone from C-1 (Neighborhood Commercial) to R-4 (Very High Density) on a 5.32-acre site (APN 464-270-002) located on the south side of Stetson Avenue, westerly of Elk Street and easterly of Lyon Avenue; (3) a change of zone from R-3 (Multiple-Family/Medium-High Density) to R-4 (Very High Density) on 10.07 acres (APN 464-270-005 and 464-270-006) located on the south side of Stetson Avenue, easterly of Elk Street and westerly of Palm Avenue; and (4) a change of zone from SR-3 (Senior Apartment) to R-4 (Very High Density) on 3.31 acres (APN 442-060-046) located on the south side of Latham Avenue, easterly of Lyon Avenue and westerly of Elk Street, Valley View Drive, and Palm Avenue. (Area III of the Hemet-Ryan Airport Influence Area). Continued from July 11, 2013.

II. **MAJOR ISSUES**

This proposal initially included two ordinance amendments and a zone change. The one-eighth page newspaper advertisement, which was sufficient public notice for the Citywide ordinance amendments, was correct, but the notification to property owners within 300 feet of the proposed site-specific zone changes in the Airport Influence Area had incorrectly identified the hearing date as “June 11,” rather than “July 11.” Therefore, it was necessary to re-advertise and continue ZC 13-001 to the Commission’s August 15 hearing. The ordinance amendments were found consistent on July 11, 2013.

One of the sites proposed for R-4 zoning through ZC 13-001 is located in the vicinity of a straight-line extension of the runway centerline, but high densities at that location are not prohibited pursuant to the existing HRACALUP. Discretionary review would be required.

III. **STAFF RECOMMENDATION**

Staff recommends that the proposed site-specific zone changes included in City of Hemet Case No. ZC 13-001 be found CONSISTENT with the 1992 Hemet-Ryan Airport Comprehensive Airport Land Use Plan (HRACALUP).

IV. **PROJECT DESCRIPTION**

City of Hemet Case No. ZC 13-001 is a proposal to bring the City’s zoning map into consistency with the City’s new Housing Element.

ZC 13-001 establishes R-4 zoning on 18 parcels in the City of Hemet, including parcels within the boundaries of the Hemet-Ryan Airport Influence Area.

V. **MEETING SUMMARY**

The following staff presented the subject proposal:

ALUC Staff Planner: John Guerin at (951) 955-0982, or e-mail at jguerin@rctlma.org.

The following spoke in favor of the project:

Deanna Elliano, City of Hemet, 445 E. Florida, Hemet, CA

No one spoke in neutral or opposition to the project.

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VI. **ALUC COMMISSION ACTION**

The ALUC Commission by a vote of 6-1 found the project **CONSISTENT**. Commissioner Glen Holmes dissenting.

VII. **CD**

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

ITEM 2.2: TIME IS 9:55 A.M.

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I. **AGENDA ITEM 3.1:** ZAP1061R113 – Tavaaglione Construction and Development, Inc./Joe Tavaaglione (Representative: Rick Engineering/Robert Stockton) - City of Riverside Case Nos. P13-0038 (Rezoning) and P13-0441 (Design Review). Case No. P13-0038 is a proposal to change the zoning of a 0.32-acre (net area) parcel located on the east side of Adams Street, southerly of Magnolia Avenue, and northerly of Briarwood Drive from R-1-7,000-SP – Single Family Residential and Specific Plan (Magnolia Avenue) Overlay Zones to the MU-N-SP – Mixed Use-Neighborhood and Specific Plan (Magnolia Avenue) Overlay Zones to allow for the conversion of an existing single-family residence into a live/work unit. The Commission may further recommend rezoning the parcel from R-1-7,000-SP to MU-N-SP-AP-D or a split designation of MU-N-SP-AP-D and MU-N-SP-AP-E. Case No. P13-0441 is a proposal to convert the existing single family residence on this property to a live/work unit, also involving removal of an existing garage and construction of outdoor parking on the same 0.32-acre area. A live/work unit is a residential occupancy that includes cooking space and sanitary facilities in conformance with City building standards and adequate working space accessible from the living area that is reserved for, and regularly used by, one or more persons residing therein. The business activity occupying the live/work unit may utilize employees who do not reside in the unit, provided that at least one of the full-time workers resides therein. (Zones D and E of Riverside Municipal Airport Influence Area).

II. **MAJOR ISSUES**

None

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 appropriate Airport Protection Overlay Zone suffix (-AP-D), which refers to the site's location within the Riverside Municipal Airport Influence Area.

IV. **PROJECT DESCRIPTION**

City of Riverside Case No. P13-0038 is a proposal to change the zoning of a 0.32-acre (net area) parcel from R-1-7,000-SP – Single Family Residential and Specific Plan (Magnolia Avenue) Overlay Zones to the MU-N-SP – Mixed Use-Neighborhood and Specific Plan (Magnolia Avenue) Overlay Zones to allow for the conversion of an existing single-family residence into a live/work unit. Case No. P13-0441 is a proposal to convert the existing single family residence on this property to a live/work unit, also involving removal of an existing garage and construction of outdoor parking on the same 0.32-acre area. A live/work unit is a residential occupancy that includes cooking space and sanitary facilities in conformance with City building standards and adequate working space accessible from the living area that is reserved for, and regularly used by, one or more persons residing therein. The business activity occupying the live/work unit may utilize employees who do not reside in the unit, provided that at least one of the full-time workers resides therein.

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

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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, 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) 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 building, 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 (MU-N-SP-AP-D) to the entire 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 3683 Adams Street), or shall require Airport Land Use Commission review of such uses:

Arcades, assemblies of people, bars, bed and breakfast inns, brewpubs, day care centers, restaurants, schools, and the following temporary uses: car shows and vapor recovery operations.
 7. The City of Riverside shall require Airport Land Use Commission review of any new nonresidential structures on the site.

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.

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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 3.1: TIME IS 9:30 A.M.

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I. **4.0 ADMINISTRATIVE ITEMS**

4.1 Ken Brody with Mead and Hunt provided an update on the progress of the March Air Reserve Base Airport Land Use Compatibility Plan.

II. **5.0 APPROVAL OF MINUTES**

The ALUC Commission by a vote of 5-0 approved the July 11, 2013 minutes. Abstain: Glen Holmes and Dan Olson, alternate for Rod Ballance

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

Russell Betts, alternate for Greg Pettis, inquired as to whether it would be possible to shield the bottom red navigation lights on the wind turbines in the Coachella Valley from the bottom so that they would be of less annoyance to the people on the ground and in their homes. Chairman Housman indicated the lighting requirements are determined by the FAA, but asked staff to investigate whether ALUC could have input as to selection of an FAA-approved lighting system. John Guerin, ALUC staff, advised that the normal situation is for the applicant to propose a particular type of lighting, which FAA usually accepts. ALUC's letters simply echo the FAA's determination. Chairman Housman noted that, due to the unique terrain and the elevation of Interstate 10 at its high point east of Whitewater, eastbound motorists may interpret the aviation safety lighting on wind turbines in the Valley as red lights at road level. Commissioner Lyon suggested that staff review the applicable FAA advisory circulars and speak to FAA officials. John Guerin, ALUC staff, indicated that they can review the FAA advisory circular and provide copies to the Commissioners at the next Commission meeting in September. Commissioner Lyon noted that the applicable FAA advisory circular is AC 70/7460-1K, Obstruction Marking and Lighting.

John Guerin reminded the Commission that the Hemet Ryan Ad Hoc Subcommittee will meet following lunch.

IV. **7.0 COMMISSIONER'S COMMENTS**

None

V. **8.0 ADJOURNMENT**

Chairman Housman adjourned the meeting at 11:06 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 4.0: TIME IS 10:06 A.M.