

**AIRPORT LAND USE COMMISSION  
MINUTE ORDER NOVEMBER 14, 2013  
RIVERSIDE MEETING**

A regular scheduled meeting of the Airport Land Use Commission was held on November 14, 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  
Anna Wang, ALUC Counsel

**OTHERS PRESENT:** Darrell Butler, Applicant  
Robert Eppers, Cal Pilots  
Mark Quental, Applicant

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- I. **AGENDA ITEM 2.1:** ZAP1012BA13 – Rancho San Gorgonio LLC (Representative: Pitassi Architects, Peter J. Pitassi) - City Case Nos. Specific Plan 13-2001, Zone Change 13-3501, General Plan Amendment 13-2503, Tentative Tract Map 13-4501, Development Agreement 13-1502. Specific Plan 13-2001 is a proposal to develop 848.6 gross acres generally located southerly of Westward Avenue, easterly of Sunset Avenue, northerly of Coyote Trail, and westerly of San Gorgonio Avenue as a master planned community with 3,753 dwelling units, 10 acres of commercial land, and 188.5 acres of open space. Zone Change 13-3501 proposes to change the existing zoning from Very Low/Rural/Medium Density Residential to a Specific Plan. General Plan Amendment 13-2503 proposes to change existing land use from Very Low/Rural/Medium Density Residential to a Specific Plan. Tentative Tract Map 13-4501 proposes to subdivide 848.56 acres into 38 lots for financing, rough grading, and backbone street dedication purposes. Development Agreement 13-1502 proposes to define the parameters for the orderly development of the property with regard to the developer's obligation to provide infrastructure and public improvements and facilities and to define the City's obligations with regard to permitting and approvals. Continued from September 12, 2013. (Zone E of Banning Municipal Airport Influence Area).
- II. **MAJOR ISSUES**  
The applicant team has decided to pursue FAA obstruction evaluation review at this time, in lieu of submittal of subsequent subdivisions and structures in the portion of this project in the Airport Influence Area (even though such projects would be evaluated at the staff level).
- III. **STAFF RECOMMENDATION**  
At the request of the project representative, who has indicated that the project is being amended to address City concerns, staff recommends that further consideration of this project be CONTINUED to the Commission's December 12 hearing without discussion.
- IV. **PROJECT DESCRIPTION**
- 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](mailto:rbrady@rctlma.org).
- No one spoke in favor, neutral or opposition to the project
- VI. **ALUC COMMISSION ACTION**  
The ALUC Commission by a vote of 5-0 CONTINUED the project without discussion to December 12, 2013. Absent: Commissioner Pettis; Recused: Chairman Housman
- 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](mailto:basantos@rctlma.org).
- ITEM 2.1: TIME IS 9:02 A.M.

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I. **AGENDA ITEM 3.1:** ZAP1013BA13 – Banning Investment LLC (Representative: Western States Engineering, Inc.) – City of Banning Case Nos. 13-7002 (Design Review) and 13-8004 (Conditional Use Permit). The Design Review proposes the development of an 81-room, three-story hotel, gas station (canopy with 12 available filling locations), convenience store (with take-out prepared food), and quick-service restaurant (without drive-through) on a 3.43 gross acre (2.66 net acre) site located along the west side of Hargrave Avenue, extending northerly from Ramsey Street to Williams Street. The Conditional Use Permit proposes to allow alcohol sales for the convenience store and additional height for the hotel. (Airport Compatibility Zone D of the Banning Municipal Airport Influence Area).

II. **MAJOR ISSUES**

Strict utilization of the building code method would indicate that full occupancy of the hotel building could lead to an exceedence of the average acre and single-acre criteria for Zone D. However, since certain typical high occupancy uses within the hotel (i.e. lobby, dining area, and conference room) will be used primarily or exclusively by hotel guests, application of the Building Code Method overestimates actual use and occupancy of the hotel building. Based on the information provided regarding operation of the hotel and the use of these typically high occupancy areas within the hotel either primarily or exclusively by hotel guests, the proposed project would not exceed the average acre or single-acre criteria for Zone D.

III. **STAFF RECOMMENDATION**

Staff recommends CONTINUANCE to the Commission's December 12 hearing, unless the applicant team submits a valid Form 7460-1 to the Federal Aviation Administration (FAA) and the submittal is recognized as a "Work in Progress" by the FAA prior to the November 14th hearing, in which case staff would recommend a finding of CONDITIONAL CONSISTENCY for the Design Review and Conditional Use Permit, subject to the conditions included herein and such additional conditions as may be required to comply with FAA requirements.

IV. **PROJECT DESCRIPTION**

Design Review No. 13-7002 is a proposal to develop a 57,209 square foot, three-story, 48 foot tall hotel building with 81 rooms, a 4,503 square foot building for convenience store and quick service restaurant, and a gasoline station with 12 fueling locations on 2.66 net acres (3.43 gross acres). Conditional Use Permit No. 13-8004 is a proposal to allow alcohol sales at the convenience store and to allow additional building height for the hotel.

**CONDITIONS: Final Conditions await FAA approval**

1. Prior to issuance of building permits, the applicant shall submit a Notice of Proposed Construction or Alteration (Form 7460-1) to the Federal Aviation Administration (FAA) for each building and shall have received a determination of "Not a Hazard to Air Navigation" from the FAA. Copies of the FAA determination shall be provided to the City of Banning Community Development Department and the Riverside County Airport Land Use Commission.
2. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
3. The following uses shall be prohibited:
  - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a

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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. (Such uses include 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) Noise sensitive outdoor nonresidential uses and hazards to flight.
- 4. The attached notice shall be given to all prospective purchasers and/or tenants of the property.
  - 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. Trees shall be spaced so as to prevent large expanses of contiguous canopy, when mature. In the event that a retention or detention basin is established on this site, on-site landscaping shall not include trees that produce seeds, fruits, or berries.
  - 6. The restaurant use included within the hotel building shall be owned and operated by the hotel owner and operator and shall function to primarily serve guests of the hotel.

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](mailto:rbrady@rctlma.org).

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

VI. **ALUC COMMISSION ACTION**

The ALUC Commission by a vote of 5-0 found the project **CONDITIONALLY CONSISTENT**.

Absent: Commissioner Pettis; Recused: Chairman Housman

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](mailto:basantos@rctlma.org).

ITEM 3.1: TIME IS 9:11 A.M.

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- I. **AGENDA ITEM 3.2:** ZAP1014BA13 – Mark Quental – City of Banning Case No. DR 13-7003 (Design Review). A proposal to develop a two-story, 73,127 square foot mixed-use (“live/work”) building comprised of 24 individual spaces (“airport industrial work lofts”), with office, manufacturing, storage, and warehouse uses on the first floor and the option for either residential or office uses on the second floor (potential for up to 22 dwelling units) on a 3.57 net acre (3.74 gross acres) site located southerly of Lincoln Street, northerly of Barbour Street, westerly of Hathaway Street, and easterly of Juarez Street in the City of Banning. (Airport Compatibility Zones B1 and D of the Banning Municipal Airport Influence Area).
- II. **MAJOR ISSUES**  
The proposed building would exceed both the average and single-acre intensity criteria and residential density criteria of Compatibility Zone B1.
- III. **STAFF RECOMMENDATION**  
Staff recommends a finding of INCONSISTENCY for the design review, based on the proposed project exceeding both average and single-acre non-residential intensity criteria for Compatibility Zone B1. However, if the Commission is willing to use the Parking Space Method to evaluate average occupancy and accepts the applicant’s position on the anticipated occupancy for the units as a means of dealing with the single-acre intensity in Zone B1, the Commission may CONTINUE this matter to its December 12 hearing, pending FAA review.
- IV. **PROJECT DESCRIPTION**  
DR-13-7003 is a proposal to develop a 64,327 square foot live/work building consisting of 24 total live/work units on 3.74 acres gross that would include 52,463 square feet of 1<sup>st</sup> floor area total for office/industrial use and 11,864 square feet of 2<sup>nd</sup> floor area total for loft/living space.
- 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](mailto:rbrady@rctlma.org).  
  
The following spoke in favor of the project:  
Mark Quental, applicant, 1838 N. Valencia Ave, Placentia, CA 92870  
  
No one spoke in neutral or opposition to the project.
- VI. **ALUC COMMISSION ACTION**  
The ALUC Commission by a vote of 5-0 CONTINUED the project to December 12, 2013 per applicant’s request. Absent: Commissioner Pettis; Recused: Chairman Housman
- 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](mailto:basantos@rctlma.org).
- ITEM 3.2: TIME IS 9:18 A.M.

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I. **AGENDA ITEM 3.3:** ZAP1090MA13 – Darrell Butler – City of Riverside Case Nos. P13-0607, P13-0608, P13-0609 and P13-0854. The applicant proposes to construct a 171,616 square foot industrial warehouse building on an 8.06-acre lot located at the southeasterly corner of Sycamore Canyon Boulevard and Box Springs Boulevard. The project also involves a General Plan Amendment amending the site's land use designation from C-Commercial to B/OP-Business/Office Park, a Zoning Code Map Amendment amending the site's zoning classification from CG-SP (Commercial General with Specific Plan Overlay) to BMP-SP (Business and Manufacturing Park with Specific Plan Overlay), and a Specific Plan Amendment removing the property from the Sycamore Highlands Specific Plan and adding it to the Sycamore Canyon Business Park Specific Plan. (Area I of the March Air Reserve Base Airport Influence Area).

II. **MAJOR ISSUES**

None

III. **STAFF RECOMMENDATION**

Staff recommends that the proposed project be found CONSISTENT with the 1984 Riverside County Airport Land Use Plan, as applied to the March Air Reserve Base Airport Influence Area, subject to the conditions included herein.

IV. **PROJECT DESCRIPTION:**

City of Riverside Design Review Case No. P13-0607 is a proposal to develop a 171,616 square foot industrial warehouse building on an 8.06-acre site. General Plan Amendment P13-0608 is a proposal to change the site's City of Riverside General Plan land use designation from Commercial to Business/Office Park. Zone Change P13-0609 is a proposal to change the site's zoning classification from General Commercial with Specific Plan Overlay to Business Manufacturing Park with Specific Plan Overlay. Specific Plan Amendment P13-0854 is a proposal to remove the property from the Sycamore Highlands Specific Plan and add it to the Sycamore Canyon Business Park Specific Plan.

**CONDITIONS:**

1. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
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. (Such uses include 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

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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, residential care and congregate care facilities, hotels/motels, places of assembly (including churches, places of worship, meeting halls, clubs, and theaters), ambulance companies (with or without vehicle storage), auction houses, breweries and distilleries, group housing, medical services, transit stations, commercial recreational facilities, restaurants, homeless shelters, student housing, tutoring centers, service stations, noise sensitive outdoor nonresidential uses, and hazards to flight.

- 3. Prior to issuance of any building permits, the landowner shall convey and have recorded an avigation easement to the March Inland Port Airport Authority. Contact March Joint Powers Authority at (951) 656-7000 for additional information.
- 4. The attached notice shall be given to all prospective purchasers and/or tenants of the property.
- 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. Trees shall be spaced so as to prevent large expanses of contiguous canopy, when mature. In the event that a retention or detention basin is established on this site, on-site landscaping shall not include trees that produce seeds, fruits, or berries.

**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](mailto:rbrady@rctlma.org).

The following spoke in favor of the project:

Darell Butler, applicant, 3241 Alta Laguna, Laguna Beach, CA 92651

No one spoke in 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 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](mailto:basantos@rctlma.org).

ITEM 3.3: TIME IS 9:19 A.M.

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**I. 4.0 ADMINISTRATIVE ITEMS**

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

**4.2 Wind Turbine Aviation Safety Lighting**

Staff proposed to continue studying this matter and welcomed the Commissioners' input on the issue. Commissioner Holmes asked Chairman Housman if he understood the study undertaken in Kern County. Chairman Housman's understanding was that the study concluded that it was not necessary to have a light on each turbine. It would be sufficient to light either the ends of the rows or some turbines just to create the visual knowledge that there was a field of turbines there. Commissioner Lyon commented that the lighting can be very annoying, and would like it better if they would not all flash simultaneously. Chairman Housman prefers the simultaneous flashing. Commissioner Holmes suggested shielding from the bottom.

**4.3 Thermal Motorsports Project Ad Hoc Subcommittee**

The Commission agreed to form a subcommittee, the specific members to be appointed by the Chair. Chairman Simon Housman and Commissioner Glen Holmes offered to serve.

Chairman Housman reminded the Commission that its December meeting will be in La Quinta and suggested a side trip to the Thermal Motorsports facility after the meeting. The Commission agreed to try to arrange for such a visit.

**4.4 2014 ALUC Commission Meeting Schedule**

The ALUC Commission by a unanimous vote of 6-0 agreed to be DARK on August 14, 2014 and to select an alternate site to be determined for another month during the year. Absent: Greg Pettis

**II. 5.0 APPROVAL OF MINUTES**

The ALUC Commission by a unanimous vote of 6-0 approved the September 12, 2013 minutes. Absent: Greg Pettis

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

Robert Eppers, representing Cal Pilots, was present to follow-up on September's agenda item affecting the Blythe Airport, inquiring as to markings on the proposed transmission line. Russell Brady, ALUC staff, advised that the information Mr. Eppers was seeking was included in the minutes.

**IV. 7.0 COMMISSIONER'S COMMENTS**

Commissioner Stewart advised that there was a change of command occurring at the March Air Reserve Base. Vice Chairman Rod Ballance commented that the future looks bright for the Base and great for economic development. Both Commissioners Stewart and Ballance attended the ground breaking for the new general aviation building at March Air Reserve Base.

Chairman Housman indicated he was informed about a case involving a wind energy project in Arizona where the Colorado River Indian Tribes have intervened on an appeal from a District Court case. The arguments being made are that the Bureau of Land Management (BLM) has failed to abide by the California Desert Conservation Area Plan (examples include the Blythe Solar Project), that the interpretation the BLM is applying is inconsistent with the plan, and that as such, all of the BLM approvals of the major alternative energy projects in the desert area are illegal, including many projects that have been considered by this Commission.



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The amendment to the Blythe Solar Power Project (proposed conversion from parabolic mirror troughs to photovoltaics) is set for hearing before the California Energy Commission. The current project proponent is concerned that the California Energy Commission staff will consider the amendment proposal as an opportunity to review the entire project from scratch, so there are contentions over the procedures, findings, aviation environmental impact studies and also items that have been uncovered in the course of the grading process.

Commissioner Ballance announced that the prior weekend was the 238th birthday of the United States Marine Corps. On Saturday, he participated in a community effort to place flags on over 200,000 graves at the Riverside National Cemetery.

V. **8.0 ADJOURNMENT**

Chairman Housman adjourned the meeting at 10:00 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](mailto:basantos@rctlma.org).

ITEM 4.0: TIME IS 9:22 A.M.