

**AIRPORT LAND USE COMMISSION
MINUTE ORDER DECEMBER 11, 2014
RIVERSIDE MEETING**

A regular scheduled meeting of the Airport Land Use Commission was held on December 11, 2014 at the Riverside County Administrative Center, Board Chambers.

COMMISSIONERS PRESENT: Simon Housman, Chairman
Arthur Butler
John Lyon
Steve Manos
Russell Betts, alternate for Greg Pettis
Dan Olson, alternate for Rod Ballance

COMMISSIONERS ABSENT: Glen Holmes

STAFF PRESENT: Ed Cooper, ALUC Director
John Guerin, Principal Planner
Russell Brady, Contract Planner
Barbara Santos, ALUC Secretary
Anna Wang, ALUC Counsel

OTHERS PRESENT: Hector Correa, HLC Civil Engineering
Crystal Cranor, Other Interested Person
John Fitzpatrick, Ridge Crest Cardinal – Riverside
Denise Hauser, March Air Reserve Base
Nick Johnson, Thermal Operating Company
Greg Malindo/Rob Carian, Duggins Construction
Mike Naggar, applicant
Hyun Park, Other Interested Person
Tim Rogen, Thermal Operating Company

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- I. **AGENDA ITEM 2.1: ZAP1017BA14 - City of Banning (Representative: Brian Guillot)** – City Case Nos. 14-2501 (General Plan Amendment) and 14-3501 (Zone Change). The City of Banning proposes to amend the General Plan land use designation and zoning classification on 18.62 acres. Specifically, the City proposes to change the land use designation and zoning of 1.45 acres consisting of nine existing developed lots located on the easterly side of Hargrave Avenue, southerly of Barbour Street (Assessor's Parcel Numbers 541-320-001 through -009), from Industrial to Low Density Residential (LDR), (0-5 dwelling units per acre), and to change the land use designation and zoning of an additional nine lots (17.17 acres) located along the southerly side of Barbour Street, easterly of Hargrave Avenue and westerly of the intersection of Barbour Street with Juarez Street (Assessor's Parcel Numbers 541-320-010 through -015, and -018 through -020), from Industrial to Very Low Density Residential (VLDR) (0-2 dwelling units per acre). (Zone D of the Banning Municipal Airport Influence Area.). Continued from September 11 and November 13, 2014.

II. **MAJOR ISSUES**

The project proposes intermediate densities greater than 0.2 dwelling units per acre but below 5.0 dwelling units per acre. The project is intended primarily to reflect existing land uses and allow for existing residences to make needed improvements that are restricted under the current Industrial designation. The areas proposed as Low Density Residential along Hargrave Street and 2 of the parcels proposed as Very Low Density Residential would reflect the existing development and based on the existing lot sizes would not allow for future subdivision and would thus be considered nonconforming existing uses pursuant to Countywide Policy 3.3.2 and would be consistent. However, 7 of the 9 parcels proposed as Very Low Density Residential would allow for further subdivision based on the existing parcel sizes and the minimum lot size of ½-acre allowed by the designation and would thus not be similarly strictly considered nonconforming existing uses.

The City of Banning has updated this proposal to include an overlay with a minimum lot size of 80,000 square feet on the proposed Very Low Density Residential properties that would restrict further subdivision, thus allowing the updated proposed General Plan Amendment and Zone Change to be found consistent.

III. **STAFF RECOMMENDATION**

Staff recommends that this General Plan Amendment and Zone Change, as amended to require a minimum lot size of 80,000 square feet for new parcels within the Very Low Density Residential designation on this project site, be found CONSISTENT.

IV. **PROJECT DESCRIPTION**

General Plan Amendment 14-2501 and Zone Change 14-3501 are proposals by the City of Banning to change the existing General Plan land use designation and zoning classification of 1.45 acres from Industrial to Low Density Residential (LDR) (0-5 dwelling units per acre) and 17.17 acres from Industrial to Very Low Density Residential (VLDR) (0-2 dwelling units per acre). The Zone Change now includes a zoning overlay that would limit parcel size to a minimum of 80,000 square feet on those parcels proposed as VLDR.

No conditions are proposed or required, as general plan amendments and changes of zone are not subject to conditions.

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.

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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 Glen Holmes.

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. **3.0 ADMINISTRATIVE ITEMS**

3.1 Director's Approvals – Information Only

3.2 Final Adoption Documents. Resolutions Certifying and Adopting March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan

Chairman Housman advised the Commission that he had executed the Resolutions adopted last month by the Commission and reported we now have a new March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan. Chairman Housman thanked staff, Commissioners and everyone who worked on the project for their hard work and accomplishments.

3.3 Strategic Plan: Moving Forward

John Guerin, ALUC staff, presented the revised Strategic Vision Plan Chart for the Commissioners' review. Commissioner Lyon expressed gratitude to staff for its work on the plan.

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- I. **AGENDA ITEM 4.1:** ZAP1100MA14 – Strata Crest LLC (Attn: Eric Flodine) (Representative: Jennifer Gillen, Rick Engineering) – City of Riverside Case Nos. P14-0246 (Annexation) and P14-0901 (Pre-Zoning). This is a proposal to pre-zone a 9.77-acre (net area) site located northerly of Central Avenue, westerly of Sycamore Canyon Boulevard, and southerly of Interstate 215/Highway 60 (to wit, Assessor’s Parcel Number 250-050-012) as Commercial General (CG), and to annex the property into the City of Riverside. (At present, the site is designated Commercial Retail on the Highgrove Area Plan and zoned C-P-S (Scenic Highway Commercial) by the County of Riverside.) (Compatibility Zone E within the March Air Reserve Base/Inland Port Airport Influence Area).
- II. **MAJOR ISSUES**
None
- III. **STAFF RECOMMENDATION**
Staff recommends that the proposed project be found CONSISTENT with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan.
- IV. **PROJECT DESCRIPTION**
The applicant proposes an Annexation into the City of Riverside and Pre-Zoning to Commercial General (CG) on 9.77 net acres.

Annexations and Pre-Zoning actions are not subject to conditions.
- 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 Holmes
- 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 4.1: TIME IS 9:14 A.M.

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I. **AGENDA ITEM 4.2:** ZAP1102MA14 – Optimus Building Corporation (Representative: Southwest Land Consultants, Sean Harrison) – Perris City Case Nos.: SPA14-04-0001 (Specific Plan Amendment), DPR 14-01-0015 (Development Plan Review), and Parcel Map No. 36678. DPR 14-01-0015 is a proposal to develop two industrial warehouse buildings with a combined floor area of 1,037,811 square feet on 48.4 net acres located northerly of Markham Street, easterly of Patterson Avenue, and westerly of Webster Avenue in the City of Perris. The larger building will be a high-cube logistics warehouse with 912,338 square feet of floor area (including 15,000 square feet of office space), while the smaller building will have 125,473 square feet of floor area (including 10,000 square feet of office space). The project will provide 305 automobile parking spaces and 321 stalls for truck trailers. SPA 14-04-0001 is a proposal to change the land use designation of the easterly portion of the site (22.34 net acres) within the Perris Valley Commerce Center (PVCC) Specific Plan from “General Industrial” to “Light Industrial.” Parcel Map No. 36678 is a proposal to consolidate the 55 existing lots on this site into two industrial lots. (Compatibility Zones B1-APZI, B2 and C1 of the March Air Reserve Base/Inland Port Airport Influence Area).

II. **MAJOR ISSUES**

The proposed Development Plan Review Building B does not comply with the average acre criterion of 25 people for Compatibility Zone B1 APZ I based on the building code method. However, based on the parking space method, Building B would comply with the criterion.

III. **STAFF RECOMMENDATION**

Staff recommends a finding of CONSISTENCY for the Tentative Parcel Map and Specific Plan Amendment, subject to the conditions included herein. Staff must recommend a finding of INCONSISTENCY for the Development Plan Review based on the proposed Building B not complying with the Compatibility Zone B1 APZ I average acre criterion of 25 people based on the building code method. However, if the Commission is willing to consider and accept the parking space method, it may CONTINUE the Development Plan Review, pending FAA Obstruction Evaluation submittal and acceptance.

IV. **PROJECT DESCRIPTION**

The Development Plan Review proposes to construct two industrial warehouse buildings totaling 1,037,811 square feet (Building A – 912,338 square feet, Building B – 125,473 square feet) on 53.56 gross acres. The Tentative Parcel Map proposes to consolidate the 55 existing lots into two parcels with lot sizes of 41.72 net acres and 6.66 net acres. The Specific Plan Amendment proposes to change the land use designation within the Perris Valley Commerce Center Specific Plan from General Industrial to Light Industrial on the easterly approximately 24-acres, so that the entire 53.56-acre gross project site would be designated as Light Industrial.

CONDITIONS: Final conditions await FAA approval

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.

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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. (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) Children's schools, day care centers, libraries, hospitals, skilled nursing and care facilities, congregate care facilities, hotels/motels, places of assembly, hazardous materials manufacture/storage, 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. The proposed detention basin(s) 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. Landscaping in and around the retention basin(s) shall not include trees that produce seeds, fruits, or berries.
6. This project has been evaluated as a proposal for the establishment of a warehouse with ancillary office use. The City of Perris shall require additional review by the Airport Land Use Commission prior to the establishment of any of the following uses in these structures:
- Commercial/service uses; civic uses; churches, chapels, and other places of worship; classrooms; gymnasiums; theaters; conference or convention halls; auditoriums; fraternal lodges; bowling alleys; gaming; and auction rooms.
7. Overall office area within Building A shall be limited to a total maximum of 15,000 square feet and within Building B shall be limited to a total maximum of 10,000 square feet. Office area shall be dispersed to each corner of Building B and shall not be consolidated to any individual corner that would exceed 5,000 square feet of office area within any individual corner of Building B so as to not exceed the single-acre criteria for Compatibility Zone B1. Building A located within Compatibility Zones B2 and C1 does not require any restriction on

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consolidation of the maximum 15,000 square feet of office area within any single-acre area. If any development of the warehouse building proposes to exceed the maximum office area per building or maximum within any individual building corner, it shall require further ALUC review to determine its consistency with the applicable criteria in place at that time.

8. Building B shall be designed with zoned fire sprinkler systems and shall not exceed one aboveground habitable floor.

9. The following additional uses shall be prohibited in Building B:

Manufacturing of food and kindred products, textile mill products, apparel, chemicals and allied products, rubber and plastic products, fabricated metal products, professional, scientific, and controlling instruments, photographic and optical goods, watches and clocks.

Retail trade, eating and drinking establishments; personal services; professional services; educational services; governmental services; medical facilities; cultural activities; any other uses providing on-site services to the public.

10. March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result. Sources of electromagnetic radiation include radio wave transmission in conjunction with remote equipment inclusive of irrigation controllers, access gates, etc.

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:

Hector Correa, HLC Civil Engineering, 39281 Via Cadiz, Murrieta, CA 92563

Mike Naggar, applicant, 445 S. D Street, Perris, CA

The following spoke in opposition to the project:

Denise Hauser, March Air Reserve Base

No one spoke in neutral of the project.

VI. **ALUC COMMISSION ACTION**

The ALUC Commission by a unanimous vote of 6-0 found the project **CONSISTENT** (Parcel Map and Specific Plan Amendment); **CONDITIONALLY CONSISTENT** (Development Plan Review) with amended conditions and pending FAA review. Absent: Commissioner Holmes

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 4.2: TIME IS 9:15 A.M.

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- I. **AGENDA ITEM 4.3:** ZAP1103MA14 – Ridge Crest Real Estate (Representative: Alicen Wong, Gresham Savage Nolan & Tilden, PC) – City of Riverside Case Nos. P14-0472 (Planned Residential Development Permit) and Tentative Tract Map No. 39534. Tentative Tract Map No. 39534 is a proposal to divide 13.53 acres located northerly of Grove Community Drive, easterly of Trautwein Road, and southerly of John F. Kennedy Drive into 85 residential lots, 4 common area lots, and 3 private street lots. The project is being proposed as a Planned Residential Development (PRD), with residential lot sizes ranging from 3,600 to 5,396 square feet. (Compatibility Zone C2 of the March Air Reserve Base/Inland Port Airport Influence Area).

II. **MAJOR ISSUES**

None

III. **STAFF RECOMMENDATION**

Staff recommends that the Commission CONTINUE this matter to the January 8th ALUC hearing, pending FAA Obstruction Evaluation submittal as requested by staff. However, if submittal and acceptance is made to FAA as requested by staff, staff would recommend a finding of CONDITIONAL CONSISTENCY for the Planned Residential Development and Tentative Tract Map, subject to the conditions included herein.

STAFF RECOMMENDED AT HEARING

CONDITIONALLY CONSISTENT

IV. **PROJECT DESCRIPTION**

The Planned Residential Development and Tentative Tract Map propose to divide and develop the 13.53-acre net (14.67-acre gross) property into 85 residential lots, 4 common area lots, and 3 private street lots.

CONDITIONS: Subject to the following conditions (as modified to incorporate the provisions of the FAA's Determination of No Hazard to Air Navigation letter issued on December 22, 2014):

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, artificial marshes, wastewater management facilities, composting operations, trash transfer stations that are open on one or more sides,

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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.

3. The attached notice shall be provided to all potential purchasers of the property, and shall be recorded as a deed notice.
4. Any ground-level or aboveground water retention or detention basin or facilities shall be designed so as to provide for a detention period for the design storm that does not exceed 48 hours and to remain totally dry between rainfalls. Vegetation in and around such facilities 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.
5. March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result. Sources of electromagnetic radiation include radio wave transmission in conjunction with remote equipment inclusive of irrigation controllers, access gates, etc.
6. Prior to the issuance of any building permits for any structures within the Tentative Tract Map, the applicant shall have received a determination of "Not a Hazard to Air Navigation" from the Federal Aviation Administration Obstruction Evaluation Service for each such structure with a top point elevation exceeding 1,684 feet above mean sea level. Copies of such FAA determinations shall be provided to the City of Riverside Planning and Building and Safety Departments, and to the Riverside County Airport Land Use Commission, with sufficient identification of case numbers as to enable prompt filing.

The following conditions have been added subsequent to the ALUC hearing pursuant to the terms of the FAA Obstruction Evaluation Service letter issued on December 22, 2014 for Aeronautical Study No. 2014-AWP-9163-OE:

7. **The Federal Aviation Administration has conducted an aeronautical study of a structure with a height of 30 feet and a maximum elevation at top point of 1,698 feet above mean sea level on Lot 1 (Aeronautical Study Nos. 2014-AWP-9163-OE) and has determined that neither marking nor lighting of such a structure is necessary for aviation safety. However, if marking and/or lighting for aviation safety are accomplished on a voluntary basis, such marking and/or lighting (if any) shall be installed in accordance with FAA Advisory Circular 70/7460-1 K Change 2 and shall be maintained in accordance therewith for the life of the project.**
8. **The maximum elevation of any proposed structure at top point, including all roof-mounted appurtenances (if any), shall not exceed 1,698 feet above mean sea level.**
9. **The specific coordinates, height, and top point elevation of proposed structures shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in building height or elevation shall not require further review by the Airport Land Use Commission.**
10. **Temporary construction equipment used during actual construction of the structures**

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shall not exceed a top point elevation of 1,698 feet above mean sea level, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.

11. Within five (5) days after construction of structures reaches its greatest height, FAA Form 7460-2 (Part II), Notice of Actual Construction or Alteration, shall be completed by the project proponent or his/her designee and e-filed with the Federal Aviation Administration. (Go to <https://oeaaa.faa.gov> for instructions.) This requirement is also applicable in the event the project is abandoned.

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 Fitzpatrick, Ridge Crest Cardinal, 353 E. Angeleno #4, Burbank, CA 91502

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 **CONDITIONALLY CONSISTENT**. Absent: Commissioner Holmes

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 4.3: TIME IS 9:30 A.M.

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I. **AGENDA ITEM 4.4:** ZAP1104MA14 – Standard Portfolio-Riverside, LLC (Representative: Keith Gardner, Keefer Consulting) – County Case No. SP00250A1 (Amendment No. 1 to Specific Plan No. 250 [Gateway Center]) and CZ07815 (Change of Zone). The amended Specific Plan would provide for up to 2,146 dwelling units, a 30.2-acre mixed use area with a Metrolink rail station, 1.9 acres of commercial uses, 15.5 acres of parks, 96.3 acres of open space, and 22.6 acres of roads on 317.4 acres located easterly of Interstate 215/Highway 60 and Watkins Drive, westerly of Morton Road, and northerly of Box Springs Road, on the opposite side of the freeway from the unincorporated community of University City. (The existing Specific Plan proposes up to 553 dwelling units, 92.8 acres of commercial, office, and business park uses, 19.5 acres for public and religious uses, 75.7 acres of open space and parks, and 26.3 acres of roads.) CZ07815 is a proposal to modify the existing Specific Plan zoning ordinance for SP00250 to reflect the proposed designations and boundaries of the Planning Areas, as amended, and to establish the list of permissible land uses and design standards for each of the Planning Areas. (Compatibility Zones D and E of the March Air Reserve Base/Inland Port Airport Influence Area).

II. **MAJOR ISSUES**

None

III. **STAFF RECOMMENDATION**

Staff recommends that the proposed Specific Plan Amendment and Change of Zone be found **CONSISTENT** with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, subject to the conditions included herein for the Specific Plan Amendment.

IV. **PROJECT DESCRIPTION**

The proposed Specific Plan Amendment would provide for up to 2,146 dwelling units, a 30.2-acre mixed use area with a Metrolink rail station, 1.9 acres of commercial uses, 15.5 acres of parks, 96.3 acres of open space, and 22.6 acres of roads on 317.4 acres. The 2,146 dwelling units would be within Medium (2-5 dwelling units per acre), Medium-High, High (5-8 dwelling units per acre), Very High (14-20 dwelling units per acre), Highest (20+ dwelling units per acre), and Mixed Use land use designations on 143.4 acres. Commercial, Mixed Use/Metrolink Station, Parks, and Open Space land use designations are also proposed on the remaining 174.0 acres. The Change of Zone proposes to modify the existing Specific Plan zoning ordinance text consistent with the proposed land use changes, with associated changes to allowed uses and development standards.

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.

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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. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, artificial marshes, wastewater management facilities, 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.
- 3. The attached notice shall be provided to all potential purchasers of the property, and shall be recorded as a deed notice.
 - 4. Any ground-level or aboveground water retention or detention basin or facilities shall be designed so as to provide for a detention period for the design storm that does not exceed 48 hours and to remain totally dry between rainfalls. Vegetation in and around such facilities 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.
 - 5. March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result. Sources of electromagnetic radiation include radio wave transmission in conjunction with remote equipment inclusive of irrigation controllers, access gates, etc.

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:

Crystal Cranor, Other Interested Person, 20682 Hill Top Drive

Hyun Park, Other Interested Person

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 Holmes

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 4.4: TIME IS 9:34 A.M.

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I. **AGENDA ITEM 4.5:** ZAP1025TH14 – Thermal Operating Company, LLC (Representative: Melissa Perez, Albert A. Webb and Associates) – County Case Nos.: PP25677 (Plot Plan) and PM 36735 (Tentative Parcel Map). PP25677 would establish a BMW Performance Driving School on 34.05 acres of a 51.18-acre site located easterly of Tyler Street, northerly of 62nd Avenue, and southerly of 60th Avenue in the unincorporated community of Thermal. The facility will include a one-mile (approximate) driver training track, a 49,087 square foot skid pad (for accident avoidance and steering control training), an 8,850 square foot visitor/conference building, a 2,800 square foot maintenance building, garage and car wash structures, two shade structures with a total floor area of 4,400 square feet, a 740 square foot sales trailer, and an 800 square foot guard house. PM36735 is a proposal to divide the site (excluding the on-site Coachella Valley Water District drainage easements) into nine numbered lots (the 34.05-acre facility, plus eight additional lots ranging from 15,951 to 25,263 square feet in size), plus three lettered lots for a private street (Jasper Lane), detention basin, and roadway frontage. (Compatibility Zones C and D of the Jacqueline Cochran Regional Airport Influence Area).

II. **MAJOR ISSUES**

The proposed BMW operations building does not comply with the Compatibility Zone D single-acre criterion of 300 people based on the building code method. However, based on the information provided by the applicant, the operations building would be anticipated to regularly accommodate 54 people during regular driver training activities and up to 126 people for special events. Based on the applicant's provided information, the operations building would be consistent with the Compatibility Zone D single-acre criterion.

III. **STAFF RECOMMENDATION**

Staff recommends a finding of CONSISTENCY for the Tentative Parcel Map, subject to the conditions included herein. Staff must recommend a finding of INCONSISTENCY for the Plot Plan based on the proposed BMW operations building not complying with the Compatibility Zone D single-acre criterion of 300 people based on the building code method. However, if the Commission is willing to consider and accept the applicant's proposed occupancy for the BMW operations building, it may find the Plot Plan CONSISTENT, subject to the conditions included herein.

IV. **PROJECT DESCRIPTION**

The Tentative Parcel Map proposes to subdivide the 41.64-acre site into 12 parcels. The Plot Plan proposes the construction and operation of a BMW Performance Driving School facility within a 37.3-acre portion of the larger Thermal Motorsports Park and on one of the parcels created by the Tentative Parcel Map. The facility would include an 8,850 square foot operations building, a 2,800 square foot maintenance/garage building, a 740 square foot sales trailer, approximately 1 mile driver training track, 49,087 square foot skid pad, two shade structures, and retention basins.

CONDITIONS:

These conditions are applicable to the current proposed BMW facility. All other prior recommended conditions from prior ALUC reviews are still applicable to the larger Thermal Motorsports Park project.

1. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky, and shall comply with Riverside County Ordinance No. 655, as applicable. Outdoor lighting plans, if any, shall be transmitted to Riverside County Economic Development Agency – Aviation Division personnel and to the Jacqueline Cochran Regional Airport for review and comment. (Failure to comment within thirty days shall be

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considered to constitute acceptability on the part of the airport manager.)

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, or any type of strobe light, 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, livestock operations, production of cereal grains, sunflower, and row crops, artificial marshes, wastewater management facilities, 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, incinerators, and landfills.)
 - (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, places of worship, and highly noise-sensitive outdoor nonresidential uses.
3. The attached notice shall be provided to all potential purchasers and tenants and the contents of such notice language shall also be contained in a legally recordable instrument to be recorded at time of map recordation or building permit issuance.
4. Any detention or retention basin shall be designed so as to provide a maximum 48-hour detention period for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the retention basin that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.
5. Development of the area addressed through Plot Plan No. 25677 shall comply with all nonresidential intensity criteria and open area requirements of the applicable airport compatibility zones.
6. The property owner or property/building lessee shall provide a signed affidavit that occupancy shall be limited to a maximum of 300 persons for the operations building as identified on the Exhibits for Plot Plan No. 25677 dated 10/16/14 or prior.
7. No pole affixed lighting, landscaping above four (4) feet in height, or any other structures greater than four (4) feet in height and thicker than four (4) inches shall be allowed within the driver training track or skid pad to ensure the area is preserved as open area free of obstructions for potential emergency landings.

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8. Any future revisions to the BMW facility as identified on the Exhibits for Plot Plan No. 25677 dated 10/16/14 or prior shall be transmitted to ALUC staff for review to determine whether submittal to ALUC is required. This review is intended to confirm any changes in intensities proposed and to determine whether FAA review for Obstruction Evaluation may be required.

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:

Nick Johnson, Thermal Operating Co.

Tim Rogens, Thermal Operating Co.

No one spoke in neutral or opposition to the project.

VI. **ALUC COMMISSION ACTION**

The ALUC Commission by a vote of 5-1 found the project **CONSISTENT** for the Parcel Map and Plot Plan. Simon Housman dissenting; Absent: Glen Holmes

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 4.5: TIME IS 9:43 A.M.

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I. **5.0 APPROVAL OF MINUTES**

The ALUC Commission by a vote of 5-0 approved the November 5, 2014 minutes. Abstain: Manos; Absent: Holmes

Consideration of the November 13, 2014 minutes was continued to the January 8, 2015 Commission Meeting, as only three of the Commissioners present on November 13 were present on December 11.

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

Greg Malinao and Rob Carian, Duggins Construction & Double Date Facility came forward to discuss timing concerns regarding a proposed agricultural processing facility in Zone C in Coachella. Chairman Housman directed staff to process the project pursuant to staff review/Director's approval procedures.

III. **7.0 COMMISSIONER'S COMMENTS**

Commissioners Lyon and Betts thanked staff for its work during 2014. Chairman Housman also thanked his fellow Commissioners and welcomed new Commissioner Steve Manos to the Airport Land Use Commission.

IV. **8.0 ADJOURNMENT**

Chairman Housman adjourned the meeting at 10:25 a.m.

V. **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 5.0: TIME IS 10:17 A.M.