

**AIRPORT LAND USE COMMISSION
MINUTE ORDER MARCH 10, 2016
RIVERSIDE MEETING**

A regular scheduled meeting of the Airport Land Use Commission was held on March 10, 2016 at the Riverside County Administrative Center, Board Chambers.

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

COMMISSIONERS ABSENT: Glen Holmes
Greg Pettis

STAFF PRESENT: Ed Cooper, ALUC Director
John Guerin, Principal Planner
Paul Rull, Urban Regional Planner IV
Russell Brady, Contract Planner
Barbara Santos, ALUC Commission Secretary
Raymond Mistica, ALUC Counsel

OTHERS PRESENT: Raymond L. Bramel, Other Interested Person
Joel P. Chun, Applicant Representative
Richard Grey, Other Interested Person
Denise Hauser, March Air Reserve Base
Peter Kulmaticki, Perris Group, LLC
Patricia Laurman, Other Interested Person
Clara Miramontes, City of Perris Development Services
Grover Moss, Taco Bell
Richard Nickum, Other Interested Person
Glen Pierce, GK Pierce Architects, Inc.
Jay Pierce, Other Interested Person
Kenneth Phung, City of Perris
Bob Roberts, Developer
Jon Shardlow, Lamb Energy and Stronghold Engineering
James Thomson, Other Interested Person

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I. **AGENDA ITEM 3.1: ZAP1066FV16 – CA Watson Properties (Representative; Owen Wickstrand)** – County Case Nos. CZ 07180 (Change of Zone), PP 20682 (Plot Plan), PM 33750 (Parcel Map). The applicant proposes to develop a mini-warehousing facility and a car wash on 6.84 acres of a 10.38-acre parcel (Assessor's Parcel Number 480-170-014) located along the west side of Winchester Road, northerly of its intersection with Max Gilliss Boulevard, and easterly of the alignment of Leon Road southwesterly of Penny Cress Lane, in the unincorporated Riverside County community of French Valley. The mini-warehouse project includes four self-storage buildings with a combined floor area of 118,912 square feet and a 3,129 square foot office and apartment, along with 38 portable storage pods with a total area of 4,700 square feet and 15 recreational vehicle storage spaces. The car wash tunnel building will be 4,795 square feet in gross floor area. Tentative Parcel Map No. 33750, Amended No. 4, would divide 12.76 acres (the parcel, plus a portion of the right-of-way of Leon Road that would be vacated) into four parcels (plus 0.08 acres that would be right-of-way of Winchester Road). CZ 07180 would change the zoning of the proposed 1.66 acre car wash parcel from I-P (Industrial Park) to M-SC (Manufacturing-Service Commercial). (Airport Compatibility Zones C and D of the French Valley Airport Influence Area).

II. **MAJOR ISSUES**

None

III. **STAFF RECOMMENDATION**

Staff recommends a finding of CONSISTENCY for the Change of Zone and CONSISTENCY for the Plot Plan and Tentative Parcel Map, subject to the conditions included herein.

IV. **PROJECT DESCRIPTION**

The Plot Plan proposes to develop a mini-warehousing facility and a car wash on 6.84 acres of a 10.38-acre parcel. The mini-warehouse project includes four self-storage buildings with a combined floor area of 118,912 square feet and a 3,129 square foot office and apartment, along with 38 portable storage pods with a total area of 4,700 square feet and 15 recreational vehicle storage spaces. The car wash tunnel building will be 4,795 square feet in gross floor area. Tentative Parcel Map No. 33750, would divide 12.76 acres (the parcel, plus a portion of the right-of-way of Leon Road that would be vacated) into four parcels (plus 0.08 acres that would be right-of-way of Winchester Road). CZ 07180 would change the zoning of the proposed 1.66 acre car wash parcel from I-P (Industrial Park) to M-SC (Manufacturing-Service Commercial).

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. Determination of consistency for this Plot Plan is based on the proposed uses and activities noted in the project description. The following uses/activities are not included in the Plot Plan and shall be prohibited at this site, in accordance with Note A on Table 4 of the Southwest Area Plan:
 - (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.
- (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 the on-site caretaker or manager, and shall be recorded as a deed notice.
- 4. The following uses/activities are specifically prohibited at this location: trash transfer stations that are open on one or more sides; recycling centers containing putrescible wastes; construction and demolition debris facilities; wastewater management facilities; incinerators.
- 5. Any proposed water detention basins 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.

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 3.1: TIME 9:08 A.M.

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- I. **AGENDA ITEM 3.2:** ZAP1172MA16 – Kyle Investment Trust – Representative: Robert Furey, Groundwork, Inc. – City of Perris Planning Case Nos. GPA 14-0094 (General Plan Amendment), ZC 14-0095 (Zone Change), PUD 14-0093 (Planned Unit Development), and TTM 14-0091 Tentative Tract Map No. 37038. The applicant proposes to develop 114 detached residential condominium units (“Citrus Court”) on 14.5 gross (13.17 net) acres located westerly of Dunlap Road, northerly of Lemon Avenue and southerly of Orange Avenue, in the City of Perris. In order to attain the requested density, the applicant proposes to amend the General Plan designation and zoning of the project site from R-6,000 (Single-Family Residential, 6,000 square foot minimum lot size) to MFR-14 (Multi-Family Residential, up to 14 dwelling units per acre), with a Planned Unit Development (PUD) Overlay. Tentative Tract Map No. 37038 provides for the subdivision that allows each unit to be purchased, while the Planned Unit Development provides the site layout and allows for variation from the lot size, dimension, coverage, setback and other requirements of the MFR-14 zone. The project would include a recreation area, two water quality management basins, and use of private streets. (Airport Compatibility Zone D of the March Air Reserve Base/Inland Port Airport Influence Area).

II. **MAJOR ISSUES**

None

III. **STAFF RECOMMENDATION**

Staff recommends that the Commission find the proposed General Plan Amendment and Change of Zone CONSISTENT with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, and find the proposed Tentative Tract Map and Planned Unit Development CONSISTENT, subject to the conditions included herein.

IV. **PROJECT DESCRIPTION**

The applicant proposes to develop 114 detached residential condominium units (“Citrus Court”) on 14.5 gross (13.17 net) acres. The General Plan Amendment and Change of Zone are proposals to change the land use designation and zoning classification of the project site from R-6,000 to MFR 14 and apply a Planned Unit Development (PUD) Overlay. The Tentative Tract Map proposes to subdivide the 14.5-acre (gross) site into 114 residential condominium units. The Planned Unit Development proposes the 114 residential buildings and common open space improvements for the residential community.

CONDITIONS (applicable to the proposed Tentative Tract Map and Planned Unit Development):

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

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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 proposed lots and tenants of the homes thereon 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 that does not exceed 48 hours following the conclusion of the storm event for the design storm 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.
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

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 3.2: TIME 9:08 A.M.

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- I. **AGENDA ITEM 3.3:** ZAP1177MA16 – AFG, LLC (Representative: Jim Guthrie) – County Case Nos. CZ 07884 (Change of Zone) and TR 36763 (Tentative Tract Map No. 36763). The applicant proposes to change the zoning of a 24.86-acre lot (Assessor's Parcel Number 245-220-008) located at the westerly end of Roberts Road (also westerly of Samaniego Road, Pauls Lane, and Broaden Lane), northerly of Kross Road, and southerly of a westerly straight-line extension of John F. Kennedy Drive from R-A-2 1/2 (Residential Agricultural, 2 1/2 acre minimum lot size) to R-A-1 (Residential Agricultural, one acre minimum lot size), in order to allow for the subdivision of this parcel into one-acre lots. Tentative Tract Map No. 36763 is a proposal to divide this parcel into 24 single family residential lots with a minimum lot size of 0.51 acre, one common lot that would include an infiltration basin, several private streets, and a westerly extension of Roberts Road. (Airport Compatibility Zone D of the March Air Reserve Base/Inland Port Airport Influence Area).
- II. **MAJOR ISSUES**
None
- III. **STAFF RECOMMENDATION**
Staff recommends that the Commission find the proposed Change of Zone CONSISTENT with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, and find the proposed Tentative Tract Map CONSISTENT, subject to the conditions included herein.
- IV. **PROJECT DESCRIPTION**
Change of Zone No. 7884 is a proposal to change the zoning classification of 24.86 acres from R-A-2½ (Residential Agricultural – 2½-acre minimum) to R-A-1 (Residential Agricultural – 1-acre minimum). Tentative Tract Map No. 36763 is a proposal to subdivide the 24.86 acres into 24 single-family residential lots with a minimum lot size of 1 acre, 1 common area lot for drainage/retention, 5 private street lots, and 1 public street lot.

CONDITIONS (applicable to the proposed Tentative Tract Map):

1. Any outdoor lighting installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
2. This determination of consistency for the proposed Tentative Tract Map is based on the permissible uses within the proposed R-A-1 zone. The following uses/activities are not included in the proposed project and shall be prohibited at this site, in accordance with Note 1 on Table 4 of the Lake Mathews/Woodcrest Area Plan:
 - (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.
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.

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3. The attached disclosure notice shall be provided to all potential purchasers of the proposed lots and to tenants of the homes thereon, and shall be recorded as a deed notice.
4. The proposed water detention and/or infiltration basins 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.
5. The following uses/activities are specifically prohibited: wastewater management facilities; trash transfer stations that are open on one or more sides; recycling centers containing putrescible wastes; incinerators.
6. 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 neither for or against the project, but added information to the decision making process:

Raymond L. Bramel, Other Interested Person, 17815 Roberts Rd., Riverside, CA 92508

Richard Grey, Other Interested Person, 17835 Roberts Rd., Riverside, CA

The following spoke in opposition to the project:

Richard Nickum, Other Interested Person, 17715 Country Manor Lane, Riverside, CA 92508

No one spoke in favor of 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 3.3: TIME 9:09 A.M.

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I. **AGENDA ITEM 3.4:** ZAP1175MA16 – Trammell Crow Company, c/o David Drake – (Representative: Albert A. Webb and Associates) – County of Riverside Case No.: PP25954 (Plot Plan). The applicant proposes to construct a 767,410 square foot industrial warehouse (logistics/distribution center) building (including 15,000 square feet of mezzanine area and 10,000 square feet of office area) on 35.12 net acres located northerly of Harley Knox Boulevard, southerly of Nandina Avenue, easterly of Decker Road, and westerly of Blanding Way and Harvill Avenue in the unincorporated Riverside County community of Mead Valley. The project is associated with Tentative Parcel Map No. 37054, which would consolidate 13 existing Assessor's parcels into one legal lot and vacate the segment of Diablo Drive extending from Nandina Avenue on the north to Harley Knox Boulevard on the south. (Airport Compatibility Zone C2 of the March Air Reserve Base/Inland Port Airport Influence Area).

II. **MAJOR ISSUES**

At the time of writing of this staff report, no proof of submittal to FAA Obstruction Evaluation Service for review of the buildings proposed by the Plot Plan has been provided to staff.

III. **STAFF RECOMMENDATION**

Staff recommends that consideration of the Plot Plan be CONTINUED to ALUC's April 14, 2016 hearing to provide additional time for submittal to the FAA Obstruction Evaluation Service; however, if, prior to the March 10 hearing, proof of FAA submittal is provided and the submittal is in a "Work in Progress" status, staff will recommend that the Plot Plan be found CONDITIONALLY CONSISTENT, subject to the conditions included herein and such additional conditions as may be required by the Federal Aviation Administration Obstruction Evaluation Service.

**STAFF RECOMMENDED AT HEARING
CONSISTENT**

IV. **PROJECT DESCRIPTION**

The Plot Plan is a proposal to develop an industrial (predominantly warehouse) building totaling 767,410 square feet, on 35.12 gross acres. An associated case, Tentative Parcel Map No. 37054, proposes to consolidate the thirteen existing parcels into one parcel to develop the proposed industrial building.

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/activities are not included in the proposed project and shall be prohibited at this site, in accordance with Note 1 on Table 4 of the Mead Valley Area Plan:
 - (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.

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- (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
3. The attached notice shall be given to all prospective purchasers of the property and tenants of the buildings, and shall be recorded as a deed notice.
 4. The proposed detention basins on the site (including water quality management basins) 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 detention basins 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. The following uses/activities are specifically prohibited: wastewater management facilities; trash transfer stations that are open on one or more sides; recycling centers containing putrescible wastes; and incinerators.
 6. 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.
 7. **The Federal Aviation Administration has conducted an aeronautical study of the proposed structure (Aeronautical Study No. 2016-AWP-1239-OE) and has determined that neither marking nor lighting of the 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 height of the proposed structure shall not exceed 50 feet above ground level, and the maximum elevation of the proposed structure (including all roof-mounted equipment, if any) at top point shall not exceed 1609 feet above mean sea level.**
 9. **The specific coordinates, height, and top point elevation of the proposed structure shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration: provided, however, that reduction in structure height or elevation shall not require further review by the Airport Land Use Commission.**
 10. **Temporary construction equipment used during actual construction of the structure shall not exceed the height of the structure, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.**
 11. **Within five (5) days after construction of the structure 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 or a decision is made not to construct the structure.**
 12. This determination and these conditions of approval are based on the building being used for warehousing, manufacturing, and/or office uses. No authorization for uses designated as mercantile or

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assembly uses pursuant to the Uniform Building Code is granted by this determination.

Conditions Nos. 7 through 11 were added at the Airport Land Use Commission meeting. Previous Draft Condition No. 7 was deleted, and Previous Draft Condition No. 8 became Condition No. 12.

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 3.4: TIME 9:21 A.M.

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- I. **AGENDA ITEM 3.5:** ZAP1179MA16 – Brian Cornell and Amstar-Kaliber, LLC (Representative: Tom Simmons, Black Ridge) – County Case No.: PP25422 (Plot Plan) – The applicant proposes to develop two industrial (predominantly warehousing/distribution) buildings on 54.4 acres (Assessor's Parcel Nos. 297-080-007 through 297-080-010) located southerly of Alessandro Boulevard, easterly of Gem Lane and Camino Del Sol, westerly of a straight-line southerly extension of San Gorgonio Drive, and westerly of Meridian Parkway in an unincorporated area south of the City of Riverside. The northerly building will have a gross floor area of 598,190 square feet and will be separated from the residences to the west by a 200-foot-wide conservation easement. The southerly building will have a gross floor area of 216,440 square feet. (Airport Compatibility Zones B1 and B2 of the March Air Reserve Base/Inland Port Airport Influence Area).

II. **MAJOR ISSUES**

None

III. **RECOMMENDATION:**

Staff recommends that Plot Plan be found **CONDITIONALLY CONSISTENT**, subject to the conditions included herein and such additional conditions as may be required by the Federal Aviation Administration Obstruction Evaluation Service.

**STAFF RECOMMENDED AT HEARING
CONSISTENT**

IV. **PROJECT DESCRIPTION**

The Plot Plan proposes development of two industrial (predominantly warehouse) buildings totaling 814,630 square feet, on 54.4 gross acres. Building 1 proposes a total of 598,190 square feet gross floor area, including 5,720 square feet of office space, on 35.7 gross acres. Building 2 proposes a total of 216,440 square feet gross floor area, including 4,500 square feet of office space, on 18.7 gross acres.

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/activities are not included in the proposed project and shall be prohibited at this site:
 - (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.
 - (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) Wastewater management facilities, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, incinerators, and other hazards to flight.
 - (f) Children's schools, day care centers, libraries, hospitals, skilled nursing and care facilities, congregate care facilities, hotels/motels, places of assembly, restaurants, aboveground storage or manufacturing of hazardous or flammable materials, and noise sensitive outdoor nonresidential uses.
3. Prior to issuance of any building permits, the landowner shall convey and have recorded an avigation easement to 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 of the property and tenants of the buildings. While not required, the applicant and its successors-in-interest are encouraged to provide a copy of said notice to employees who would regularly be working at this location.
 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 detention 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 detention basin(s) shall not include trees that produce seeds, fruits, or berries.
 6. 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.
 7. Office area within Building 1 shall be limited to no more than 15,000 square feet in any single-acre (210'x210') area. Further ALUC review is required if proposed office area through any initial or subsequent tenant improvements result in more than 15,000 square feet. ALUC would review the amount and location of the office area and other use areas within the building to determine whether such future proposals comply with the Compatibility Zone B1 average and single-acre criteria.
 8. Zoned fire sprinkler systems shall be required throughout Building 1 located within Compatibility Zone B1.
 9. Office space must have sound attenuation features sufficient to reduce interior noise levels from exterior aviation-related sources to no more than CNEL 45 dB. The County of Riverside shall require an acoustical study to ensure compliance with this requirement.
 - 10. The Federal Aviation Administration has conducted aeronautical studies of the proposed structures (Aeronautical Study Nos. 2016-AWP-1130-OE and 2016-AWP-1133) and has determined that neither marking nor lighting of the 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.**
 - 11. The maximum height of the proposed northerly Building 1 shall not exceed 47 feet above ground level, and the maximum elevation of the proposed structure (including all roof-mounted equipment, if any) at top point shall not exceed 1678 feet above mean sea level. The maximum height of the proposed southerly Building 2 shall not exceed 42 feet above ground level, and the maximum**

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elevation of the proposed structure (including all roof-mounted equipment, if any) at top point shall not exceed 1684 feet above mean sea level.

12. The specific coordinates, height, and top point elevation of the 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 structure height or elevation shall not require further review by the Airport Land Use Commission.
13. Temporary construction equipment used during actual construction of the structures shall not exceed the height of the structures, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.
14. Within five (5) days after construction of the 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 or a decision is made not to construct the structures.

Condition Nos. 10 through 14 were added at the Airport Land Use Commission meeting.

V. **MEETING SUMMARY**

The following staff presented the subject proposal:

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

The following spoke in opposition to the project:

Patricia Laurman, Other Interested Person, 14212 Camino Del Oro

James Thomson, Other Interested Person, 20735 Camino Del Sol

No one spoke in favor or neutral of the project.

VI. **ALUC COMMISSION ACTION**

The ALUC Commission by a unanimous vote of 6-0 found the project **CONSISTENT**. Absent:
Commissioner 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 3.5: TIME 9:24 A.M.

**AIRPORT LAND USE COMMISSION
MINUTE ORDER MARCH 10, 2016
RIVERSIDE MEETING**

- I. **AGENDA ITEM 3.6:** ZAP1178MA16 – Broncs, Inc., dba WesCoast Textiles (Representative: Joel Chun) – City of Perris Planning Case No. PLN16-00001 (Development Plan Review). The applicant proposes to construct a 185,500 square foot industrial building and establish a textile manufacturing facility therein. The 9.11 (net) acre project site (Assessor's Parcel Number 302-030-001) is located at 24455 Nance Street, at the southwesterly corner of Nance Street and Indian Avenue in the City of Perris. The applicant is the project end user and has indicated that the majority of the interior floor area would be for warehousing. The project includes 15,200 square feet of office space, of which 5,800 square feet would be on a second story level. The ground floor would include 5,000 square feet of knitting machinery, 5,000 square feet of dyeing tanks, 9,400 square feet of office areas, a recreation room for employees, 63,500 square feet of materials storage and almost 100,000 square feet of warehouse area. (Airport Compatibility Zones B1-APZ I and B2 of the March Air Reserve Base/Inland Port Airport Influence Area).

II. **MAJOR ISSUES**

The applicant is proposing to construct and operate a textile manufacturing facility on a site located predominantly within the portion of Airport Compatibility Zone B1 that lies within Accident Potential Zone I, as delineated by the United States Air Force in the 2005 Air Installation Compatible Use Zone (AICUZ) study. The manufacturing of textiles is a generally incompatible use within Accident Potential Zone I, pursuant to the 2005 AICUZ and an incompatible use pursuant to subsequent (2011) Department of Defense Instruction (DODI) No. 4165.57. The 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan (March ALUCP) further specifies in Table MA-2 that uses listed in the AICUZ as not compatible in APZ I or APZ II are prohibited uses within those zones.

The proposed building design provides for a 150-foot separation between areas for dyeing tanks and areas for knitting machinery. However, the information provided is not sufficient to distinguish manufacturing/fabrication areas from storage areas. The building could conceivably include a single-acre area that would be entirely in use for manufacturing/fabrication activity. Such a single-acre area would have a potential occupancy of 218 persons using the Building Code method. If manufacturing is limited to the areas not depicted as warehouse or shipping warehouse, the single-acre intensity drops to 132, but this would still exceed allowable levels in Compatibility Zone B1, where single-acre intensity is limited to a maximum of 100 persons. The applicant is the proposed end user and advises that the maximum number of occupants would be 65 persons or less at any given time.

Although staff understands and appreciates the Air Force's input and findings regarding the proposed project being generally prohibited per the AICUZ and DODI 4165.57, the rationale underlying the prohibition of this use is not clear to ALUC staff. Certain manufacturing sectors are listed as acceptable, but others are not. Textile manufacturing generally does not involve activities that would pose a hazard to flight, so the logical assumption is that the determination of incompatibility is based on intensity. However, nationwide averages of employees per establishment (in 2013 County Business Patterns) indicate that textile manufacturing plants are among the lowest in employment numbers per establishment. Is it possible that intensity assumptions regarding textile manufacturing based on outdated images of sweatshops and labor union commercials form the basis of the incompatible use determination in the DODI? The applicant anticipates that the largest shift would have not more than 65 employees and that three shifts would be used for round-the-clock production. There is some breathing room in this situation, as a maximum single-acre occupancy of 100 is permitted pursuant to the March ALUCP.

The applicant has further indicated a willingness to accept a maximum occupancy level as a project condition that would be applicable to successors-in-interest or the inclusion of a requirement that future changes in tenancy be subject to ALUC review.

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There do not appear to be any hazards present such as explosives, chemicals, glare, emissions, electronic interference, tall structures or other apparent features that could result in a hazard to flight, and the largely automated nature of the operations planned by the applicant indicate that both average and single-acre intensity limits will be observed. However, it should be noted that a future occupant could potentially employ a larger number of persons in the structure.

The project does include a second floor office area. In order to comply, the second floor area must be limited to the portion of the property in Airport Compatibility Zone B2.

III. STAFF RECOMMENDATION

Staff must recommend a finding of INCONSISTENCY based on the project proposing a textile manufacturing facility which is prohibited within APZ I pursuant to the Airport Installation Compatible Use Zone (AICUZ) and Department of Defense Instruction (DODI) 4165.57 and the project exceeding the Compatibility Zone B1 APZ I average and single-acre criteria based on the Building Code Method. However, provided that second floor area is limited to the portion of the property in Compatibility Zone B2 and that an occupancy cap is included as a condition of approval, the only remaining rationale for an inconsistency determination is the inconsistency with DODI 4165.57. If the Commission is willing to accept the applicant's anticipated maximum occupancy for the building as not exceeding a total of 100 at any given time and the Commission determines that the specific proposed project would not present a substantial hazard to flight, the Commission may make a finding of CONSISTENCY pursuant to Policy 3.3.6 of the Countywide Policies, based on the applicant's need to locate this facility at a site with availability of reclaimed water, subject to the attached conditions, if it accepts the concept that the "incompatible use" classification was based on intensity assumptions that do not apply to this particular facility – a concept that is allowable pursuant to the superscript and note included in the 2005 AICUZ.

IV. PROJECT DESCRIPTION

The applicant proposes to construct a 185,500 square foot industrial building on a 9.11-acre (net area) site and establish a textile manufacturing facility therein. The majority of the floor area would be for warehousing and storage of materials to be used in the manufacturing process and of the manufactured product in preparation for shipping. The building would include 15,200 square feet of office space, of which 5,800 square feet would be on a second story level. The ground floor would include 5,000 square feet of knitting machinery, 5,000 square feet of dyeing tanks, 9,400 square feet of office areas, and a recreation room for employees, 63,500 square feet of materials storage, and almost 100,000 square feet of warehouse space. The applicant is the projected end user, and the building design has been customized for the specific use.

FINDINGS FOR A DETERMINATION OF CONSISTENCY PURSUANT TO POLICY 3.3.6 OF THE COUNTYWIDE POLICIES OF THE 2004 RIVERSIDE COUNTY AIRPORT LAND USE COMPATIBILITY PLAN:

1. The applicant is the anticipated end user of this facility and requires a location with access to reclaimed/recycled water, which constrains the potential number of locations where the business may be operated. A reclaimed water line is located along Nance Street adjacent to the project site.
2. There do not appear to be any hazards inherent in the proposed operation of this facility that could result in a hazard to flight.
3. While the size of the proposed building is sufficiently large to potentially accommodate a larger number of persons than would be permitted pursuant to the March ALUCP, the applicant is anticipating a total of 150 employees working in three shifts, with no more than 65 employees on-site in any one shift. A

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condition has been applied limiting the total building occupancy to a maximum of 100 persons. The applicant has agreed to abide by this condition, and the City of Perris has agreed to include this condition in any approval for the proposed project.

4. While the 2005 Air Installation Compatible Use Zone Study indicates that textile manufacturing in Accident Potential Zone I is normally not compatible, this provision includes a superscript referring the reader to Note 2, which includes the following text: "Within each land use category, uses exist where further deliberating by local authorities might be needed due to the variation of densities in people and structures...."
5. The largely automated nature of the operations planned by the applicant further support the assertion that the facility can be operated with an employment level not exceeding 100 persons at any given time, and no on-site sales to the general public shall be permitted from this location.
6. A special condition is included herein to minimize potential for wildlife attraction/bird strike.
7. The proposed manufacturing and warehousing uses are not noise-sensitive, and sound attenuation features sufficient to reduce interior noise levels from exterior aviation-related sources to not more than CNEL 45 dB will be required for office space.
8. Therefore, the proposed development and operation of this facility will not create a safety hazard to people on the ground or aircraft in flight nor result in excessive noise exposure for the proposed use.

CONDITIONS:

1. This determination and these conditions of approval are predicated on the representation made by the applicant that no more than 100 persons will ever be in this structure at any one time.
2. 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. 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 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.

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- (e) Children's schools, day care centers, libraries, hospitals, skilled nursing and care facilities, congregate care facilities, hotels/motels, places of assembly, restaurants, aboveground storage or manufacturing of hazardous or flammable materials, noise sensitive outdoor nonresidential uses and hazards to flight.
 - (f) Medical services, child development centers, nurseries, and educational services.
 - (g) Commercial/service uses; civic uses; churches, chapels, and other places of worship or religious activities; classrooms; gymnasiums; eating and drinking establishments; theaters; auditoriums; bowling alleys; conference or convention halls; fraternal lodges; auction rooms; gaming.
 - (h) Manufacturing of: apparel; products made from fabrics or leather; chemicals and allied products; rubber and plastic products; professional, scientific, and controlling instruments; photographic and optical goods; watches and clocks.
4. 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.
 5. The attached notice shall be given to all prospective purchasers of the property and tenants of the building. While not required, the applicant and any successors-in-interest are encouraged to provide a copy of said notice to employees who would regularly be working at this location.
 6. Any new detention basin(s) on the site (including aboveground infiltration areas) 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 infiltration areas 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 infiltration areas shall not include trees that produce seeds, fruits, or berries.
 7. 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.
 8. The proposed project shall comply with the Compatibility Zone B1 Accident Potential Zone I single-acre criterion of 100 people (i.e., no more than 100 people in any single-acre [210' x 210'] area). Pursuant to the currently proposed building design and uses, to comply with this criterion, the manufacturing/warehouse building occupancy should not exceed 100 people. The applicant shall comply with this maximum occupancy restriction through such means as applicant may select, which may include hiring practices, hours of operation, and work schedules. Any successor to or future tenant of the applicant desiring to change the proposed land use or convert the building to more occupant-intensive uses than 100 persons in total shall be subject to subsequent ALUC review of the specific tenant improvements/floor plans to determine consistency with the applicable intensity criterion.
 9. Zoned fire sprinkler systems shall be required throughout the building.
 10. No on-site sales to the general public are permitted from this location.

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11. Second-story floor area shall be limited to those portions of the site located in Compatibility Zone B2.
12. Office space must have sound attenuation features sufficient to reduce interior noise levels from exterior aviation-related sources to no more than CNEL 45 dB. The City of Perris shall require an acoustical study to ensure compliance with this requirement.
13. In order to ensure proper functioning of the project drain system to avoid potential hazards to March Air Reserve Base flights, an additional Best Management Practice (BMP) shall be added to the project Water Quality Management Plan (WQMP). The applicant shall enter into a covenant and agreement with the City of Perris similar to the Water Quality Management Plan and Urban Runoff BMP Transfer, Access and Maintenance Agreement between March Joint Powers Authority and Sun Life Assurance Company of Canada (Document No. 2014-0030862), which shall be recorded prior to issuance of a certificate of occupancy. A copy of the recorded agreement and BMP shall be provided to the Riverside County Airport Land Use Commission. The BMP shall include the following program:
 - a. The property owner (PSG Perris or its successor(s)-in-interest, hereinafter "Owner") or its designated representative shall monitor the conditions of the infiltration areas and promptly inspect such areas following the completion of each "significant" rain event and the 48-hour period thereafter.
 - b. If any standing water remains in an infiltration area that is not beneath a rock, gravel, or other layer following the completion of the "significant" rain event and the 48 hour period thereafter, Owner or its designated representative shall arrange to have such standing water either removed or covered within the next two business days following the conclusion of the 48 hour period.
 - c. In the event that that the standing water situation recurs on a regular basis following the 48-hour detention period, the infiltration area may no longer be draining as originally designed to prevent standing water from rising above a rock, gravel or other layer (for example, due to a rise in groundwater levels or other circumstance beyond Owner's ability to control). In that situation, Owner or its designated representative shall promptly engage a licensed civil engineer to prepare a design plan to assure that such condition does not persist for more than 48 hours following the conclusion of a "significant" rain event. The required engineering design solution shall be implemented promptly, but no later than 180 days following its approval by all applicable authorities, providing that, until such time as the engineered design solution is implemented, Owner or its designated representative will maintain water levels below the rock, gravel, or other layer.

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:

Joel P. Chun, Applicant Representative, 41693 Camino Lorado Dr. Temecula, CA 92592

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

Kenneth Phung, City of Perris, 135 N. "D" Street, Perris, CA

Denise Hauser, March Air Reserve Base spoke in support of staff recommendation of inconsistency.

No one spoke in opposition to the project.

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VI. **ALUC COMMISSION ACTION**

The ALUC Commission by a vote of 5-1 found the project **CONSISTENT**, pursuant to Countywide Policy 3.3.6, subject to the conditions included in the staff report. Chairman Housman dissenting; 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 3.6: TIME 9:36 A.M.

**AIRPORT LAND USE COMMISSION
MINUTE ORDER MARCH 10, 2016
RIVERSIDE MEETING**

I. **AGENDA ITEM 3.7: ZAP1176MA16 – Perris Group LLC – Representative: Peter Kulmaticki, J. D. Pierce Co.** – City of Perris Planning Case Nos. 15-05207 (General Plan Amendment), 15-05206 (Zone Change), 15-00014 (Development Plan Review), and 15-05205 PM 37014 (Tentative Parcel Map). The applicant proposes development of a 228-unit apartment project on 15.95-16.9 acres located on the easterly side of Barrett Street, westerly of Perris Boulevard, southerly of Placentia Street, and northerly of Orange Avenue in the City of Perris. The apartments will be in 38 buildings, each with six units. The project will also include a 4,813 square foot recreation building, maintenance building, automobile garages, swimming pool, soccer field, playground, and detention basin. PLN Case Nos. 15-05207 and 15-05206 propose to change the General Plan land use designation and zoning on 0.92 acres within the project site from CC (Community Commercial) to MFR-14 (Multi-Family Residential 14) so as to match the existing General Plan designation and zoning of the majority of the site. The associated Tentative Parcel Map No. 37014 would consolidate the existing parcels into a single lot. (Airport Compatibility Zone C2 of the March Air Reserve Base/Inland Port Airport Influence Area).

II. **MAJOR ISSUES**

The site is located within Compatibility Zone C2, where residential densities are limited to a maximum of six dwelling units per acre. However, it is adjacent on one side to land within the Heritage Landing Specific Plan designated for high density and acknowledged as an Exception Area in the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan and on two other sides by commercial and industrial designated land. Pursuant to the 1984 Riverside County Airport Land Use Plan, residential development in this area was restricted to one dwelling unit per 2 ½ acres, and the Harvest Landing Specific Plan was adopted by the City through an overrule process. This new project proposes a density of almost fourteen dwelling units per acre. The applicant proposes consideration pursuant to Section 3.3.1 (Infill). If the Commission agrees that this site meets the infill standard, a density of up to 12 dwelling units per acre could be determined to be consistent. The location of commercial and industrial uses to the north and south makes this situation different from the “textbook example,” but the densities of the surrounding residential areas (if approved vested projects are included) are sufficient to allow the 12 dwelling units per acre (192 units). The applicant also is requesting that the Commission consider allowance for the full density proposed via Section 3.3.6 (Other Special Conditions).

Additionally, clustering of dwelling units is limited to four times the allowable average density. Staff interprets this provision as limiting the maximum number of dwelling units in any given acre of this site to 24 units. Some individual acres include all of three buildings and portions of three other buildings.

III. **STAFF RECOMMENDATION**

Unless the Commission grants a Section 3.3.6 finding, staff must recommend a finding of INCONSISTENCY with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, based on the proposed density exceeding double the allowable density of six dwelling units per acre in Compatibility Zone C2.

IV. **PROJECT DESCRIPTION**

The project applicant proposes development of a 228-unit apartment complex (consisting of 38 residential buildings, each with six units, along with a 4,813 square foot recreation building, maintenance building, automobile garages, swimming pool, soccer field, playground, and detention basin) on a 15.95-16.9-acre site. Additional City of Perris approvals that would be required to implement the project include an amendment to the General Plan designation and zoning on 0.92 acres within the project site from CC (Community Commercial) to MFR-14 (Multi-Family Residential 14, up to 14 dwelling units per acre), so as to match the existing General Plan designation and zoning of the remainder of this site. The associated Tentative Parcel Map No. 37014 would consolidate the existing parcels comprising the site into one lot.

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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:

Clara Miramontes, City of Perris Development Services, Perris, CA

Peter Kulmaticki, Perris Group LLC, 2222 Martin Street, STE 100, Irvine, CA 92612

Jay Pierce, Other Interested Person, 2222 Martin Street, STE 100, Irvine, CA 92612

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 **INCONSISTENT**. 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 3.7: TIME: 10:33 A.M.

**AIRPORT LAND USE COMMISSION
MINUTE ORDER MARCH 10, 2016
RIVERSIDE MEETING**

- I. **AGENDA ITEM 3.8: ZAP1073RI16 – Arlington PDRC LP (Representative: Glen Pierce, G.K. Pierce Architects, Inc.)** – City of Riverside Case Nos. P15-0979 (Rezoning), P15-0980 (Conditional Use Permit), and P15-0981 (Design Review). The applicant proposes to establish a 2,200 square foot restaurant (“Cowboy, Jr.”) with drive-thru (including 585 square feet of interior dining area) on a 0.54 (net) acre (0.61 gross) parcel (Assessor’s Parcel Number 190-322-015) located at 5573 Arlington Avenue, on the northerly side of Arlington Avenue, easterly of Phoenix Avenue (easterly of the Taco Bell and westerly of the Housing Authority offices). In order to allow for the “restaurant with drive-thru” use, the applicant proposes that the site be rezoned from O-Office to GC-General Commercial. The Commission may further recommend that the project site be rezoned to GC-AP-B1 and GC-AP-C, as the site is split between Airport Compatibility Zones B1 and C, or to O-AP-B1 and O-AP-C, in the event that the change to General Commercial is not supported. (Airport Compatibility Zones B1 and C of the Riverside Municipal Airport Influence Area).

II. **MAJOR ISSUES**

Pursuant to the Building Code Method, the proposed Design Review would result in an occupancy and an average intensity that would exceed the average acre criterion of 75 people per acre for Compatibility Zone C. Staff did analyze the applicability of Countywide Policy 3.3.1 for Infill, but the existing surrounding land uses (fast food and office) result in a lower average intensity. The surrounding land uses do have higher occupancies, but due to their larger lot sizes result in lower average intensity; therefore, the infill provisions for the proposed project would not apply since the surrounding uses would not strictly be defined as similar to or more intense than the proposed project.

The proposed Rezoning to General Commercial (CG) could allow for a variety of land uses that are prohibited uses within either Compatibility Zones B1 or C. However, these are all already permitted or conditionally permitted in the current Office zone, so if the Rezoning were not proposed these would continue to be conditionally permitted. The recommended Airport Protection Overlay Zone to apply to the Rezoning would assist in identifying the site’s location within Compatibility Zone B1 and C and that these are not allowed uses within these Compatibility Zones. Without the Rezoning the Airport Protection Overlay Zone would not apply. Therefore, the Rezoning with the overlay would be better than the zoning remaining as is without the overlay.

III. **STAFF RECOMMENDATION**

Staff recommends that the proposed Rezoning be found CONSISTENT with the Riverside Municipal Airport Land Use Compatibility Plan provided that the new zoning incorporates the appropriate Airport Protection Overlay Zone suffix (-AP-B1 and -AP-C), which refers to the site’s location within the Riverside Municipal Airport Influence Area. Staff must recommend that the Design Review be found INCONSISTENT, based on the proposed project exceeding the average acre criterion of Compatibility Zone C; however, based on the relatively small size of the project site, the split Compatibility Zones, and other findings included in the staff report, the Commission may consider making special circumstance findings pursuant to Countywide Policy 3.3.6 and determine the Design Review CONSISTENT subject to the conditions included herein.

IV. **PROJECT DESCRIPTION**

The Rezoning proposes to change the zoning of the 0.55-net acre site from Office (O) to General Commercial (CG). The Conditional Use Permit proposes to allow a drive-thru restaurant use. The Design Review proposes to develop a 2,200 square foot drive-thru restaurant.

FINDINGS FOR A DETERMINATION OF CONSISTENCY PURSUANT TO POLICY 3.3.6 OF THE COUNTYWIDE POLICIES OF THE 2004 RIVERSIDE COUNTY AIRPORT LAND USE COMPATIBILITY PLAN:

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1. Surrounding uses: The total occupancy of the proposed restaurant and drive-thru is less than the total occupancy of the surrounding uses with frontage on the northerly side of Arlington Avenue, specifically the existing adjacent fast food restaurant to the west and the County office building to the east.
2. The following special circumstances exist:
 - (a) The parcel is less than 1 acre in size and is split by the Compatibility Zone boundary between Zones B1 and C;
 - (b) The City is considering allowing for shared parking with the fast food restaurant to the west. Using the Parking Space method, the average intensity of the two lots combined would be consistent if the two lots were entirely in Compatibility Zone C;
 - (c) The proposed restaurant building would be located in the portion of the property within Compatibility Zone C;
 - (d) The noise level of 55-60 CNEL from aircraft noise is listed as clearly acceptable for service commercial uses in Table 2B; therefore, the project would not expose people to excessive noise.
3. The proposed project would not create a safety hazard to people on the ground or aircraft in flight nor result in excessive aircraft noise exposure for employees or customers of the restaurant.

CONDITIONS:

1. Any outdoor lighting installed shall be hooded or shielded 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. (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, nursing homes, highly noise-sensitive outdoor nonresidential uses, places of worship, aboveground bulk storage of hazardous materials, and hazards to flight.

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3. The attached notice shall be given to all prospective purchasers and tenants of the property.
4. Prior to issuance of a building permit, the property owner shall convey an avigation easement to the City of Riverside as owner-operator of Riverside Municipal Airport.
5. Any new detention 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 detention 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. Prior to issuance of a building permit, the City of Riverside shall apply zoning incorporating the Airport Protection Overlay Zone (CG-AP-B1 and CG-AP-C) to the site.
7. Any subsequent Design Review, Conditional Use Permit, Tenant Improvement, or other permitting that would alter the use and occupancy of the currently proposed building shall require ALUC review.

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:

Grover Moss, Taco Bell, 1150 Ranson Rd, Riverside, CA 92506

Glenn Pierce, GK Pierce Architects, Inc., Aliso Viejo, CA 92656

Bob Roberts, Developer, 5 ½ E. State Street, Redlands, CA 92373

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** pursuant to Countywide Policy 3.3.6, the special circumstances being the fact that it is a very small parcel, that it is split between two zones and the character of the surrounding uses, and that the finding of consistency be made subject to the conditions proposed in the staff report. 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 3.8: TIME 11:23 A.M.

**AIRPORT LAND USE COMMISSION
MINUTE ORDER MARCH 10, 2016
RIVERSIDE MEETING**

- I. **AGENDA ITEM 3.9:** ZAP1026FL16 – Lamb Energy WRL, LLC and Stronghold Engineering (Representative: Jonathan Shardlow, Gresham Savage Nolan & Tilden) – City of Jurupa Valley Case Nos. MA 15148 (Major Application) and SDP 31534 (Site Development Permit). A proposal to construct and operate an 8.1685 to 9.67 megawatt solar photovoltaic energy generation facility on 74 acres located on the site of the former West Riverside Landfill, northerly of State Highway Route 60, easterly of Hall Avenue, and westerly of the Santa Ana River in the City of Jurupa Valley. (Airport Compatibility Zone E of the Flabob Airport Influence Area).

II. **MAJOR ISSUES**

The proposed photovoltaic solar facility could present potential glare hazards for pilots using the curved approach to runway 24 from the north and within the northeasterly traffic pattern north of the airport. The Solar Glare Hazard Analysis Tool (SGHAT) based analyses concluded that potential for temporary after image could occur in certain times of the year generally in the morning for these flight paths. This is the “yellow” level that exceeds the “low potential for temporary after-image” that Federal Aviation Administration (FAA) Interim Policy deems an acceptable level of glare on final approach (within 2 miles from end of runway) for solar facilities located on airport property. Therefore, the potential for temporary after-image engendered by the project potentially represents a hazard to flight.

Staff has discussed these results with the applicant and suggested additional analysis be provided to indicate whether alternative angles to the solar panels and/or removal of certain panel areas from the project could reduce the potential for temporary after image to the low “green” level. Additionally, a more comprehensive glare analysis beyond the basic SGHAT could be justified to provide more detail in terms of where glare is experienced and at what intensity. Although staff is recommending continuance, the applicant would like to present and discuss the project and the glare analysis and receive feedback from the Commission and whether a determination of Consistency could be made at this time with additional conditions applied to the project.

III. **STAFF RECOMMENDATION**

Staff recommends that consideration of the project be CONTINUED to ALUC’s April 14, 2016 hearing to provide additional time for additional analysis to be provided regarding potential glare experienced in the pattern and curved approaches; however, if, prior to the March 10 hearing, such additional analysis is provided to staff and deemed adequate, staff may recommend that the project be found CONSISTENT, subject to the conditions included herein.

STAFF RECOMMENDED AT HEARING
CONSISTENT

IV. **PROJECT DESCRIPTION**

The project proposes to construct an 8.1685 megawatt solar photovoltaic electric generating facility and associated facilities on 74 acres.

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 in focused view towards an aircraft engaged in an

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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.
2. Any outdoor lighting installed shall be hooded and shielded to prevent either the spillage of lumens or reflection into the sky.
 3. If the panels are mounted on a framework, said framework shall have a flat or matte finish so as to minimize reflection of sunlight.
 4. The landowner shall provide the attached notice to all purchasers of the property.
 5. All photovoltaic panels installed on the project site shall have received an anti-reflective coating to minimize the potential for hazardous glare to occur to aircraft.
 6. In the event that any incidence of glint, glare, or flash affecting the safety of air navigation occurs as a result of project operation, upon notification to the airport operator of an incidence, the airport operator shall notify the project operator in writing. Within 30 days of written notice, the project operator shall be required to promptly take all measures necessary to eliminate such glint, glare, or flash. An "incidence" includes any situation that results in an accident, incident, "near-miss," or specific safety complaint regarding an in-flight experience to the airport operator or to federal, state, or county authorities responsible for the safety of air navigation. The project operator shall work with the airport operator to prevent recurrence of the incidence. Suggested measures may include, but are not limited to, reprogramming the alignment of the panels, covering them at the time of day when incidences of glare occur, or wholly removing panels to diminish or eliminate the source of the glint, glare, or flash. For each such incidence made known to the project operator, the necessary remediation shall only be considered to have been fulfilled when the airport operator states in writing that the situation has been remediated to the airport operator's satisfaction.
 7. In the event that any incidence of electrical interference affecting the safety of air navigation occurs as a result of project operation, upon notification to the airport operator of an incidence, the airport operator shall notify the project operator in writing. Within 30 days of written notice, the project operator shall be required to promptly take all measures necessary to eliminate such interference. An "incidence" includes any situation that results in an accident, incident, "near-miss," report by airport personnel, or specific safety complaint to the airport operator or to federal, state, or county authorities responsible for the safety of air navigation. The project operator shall work with the airport operator to prevent recurrence of the incidence. For each such incidence made known to the project operator, the necessary remediation shall only be considered to have been fulfilled when the airport operator states in writing that the situation has been remediated to the airport operator's satisfaction.
 8. Structures' location and height shall comply with those as noted in the site plan as prepared by Stronghold Engineering Inc. and dated 7/31/15. If location and height shall change, this table shall be updated to confirm whether review by the FAA Obstruction Evaluation Service is required.
 9. No detention basins are shown on the site plan, but if any detention basins are constructed, such basins shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of

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the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the retention basin(s) that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.

V. **MEETING SUMMARY**

The following staff presented the subject proposal:

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

The following spoke in favor of the project:

Jon Shardlow, Lamb Energy & Stronghold Engineering, 550 E. Hospitality, Suite 300, San Bernardino, CA 92408

No one spoke in neutral or opposition to the project.

VI. **ALUC COMMISSION ACTION**

The ALUC Commission by a vote of 5-0 found the project **CONSISTENT**. Recused: Commissioner Lyon; 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 3.9: TIME 11:45 A.M.

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- I. **AGENDA ITEM 3.10:** ZAP1038PS16 – Palm Springs Unified School District (Representative: John Vega) - Environmental Impact Report State Clearinghouse No. 2015031105. Palm Springs Unified School District proposes to replace existing buildings at Agua Caliente Elementary School located at 30-800 San Luis Rey Drive inside San Gabriel Drive Circle in Cathedral City with five new buildings at different areas within the school's existing campus. The project would facilitate an increase in the capacity of the school so as to allow for an enrollment of up to 850 students, specifically including the addition of 120 pre-kindergarten students. (Airport Compatibility Zone D of the Palm Springs International Airport Influence Area).

II. **MAJOR ISSUES**

The capacity of the proposed elementary school exceeds the maximum allowable average acre criterion of 100 and single-acre criterion of 300 people for Compatibility Zone D based on the Building Code Method. Additionally, children's school uses are a discouraged use within Compatibility Zone D. The proposed elementary school would replace the existing elementary school on the site, but is anticipated to increase enrollment from 599 to an enrollment capacity of 828 and so would not be subject to the provisions for continuing to operate an existing nonconforming use pursuant to Countywide Policy 3.3.2.(b).

The applicant has stated that based on School District and State requirements, total occupancy for the site would comply with the average acre criterion of 100, but Building B occupancy would exceed the single-acre criterion on its own and other single-acre areas exceed the single-acre criterion as well. Additionally, the maximum occupancy of Building E, which is primarily for assembly purposes and does not increase the permissible total enrollment, would substantially exceed the single-acre criterion.

III. **STAFF RECOMMENDATION**

At the request of the applicant, staff recommends that consideration of the project be CONTINUED to ALUC's April 14, 2016 hearing to provide staff and the applicant additional time to review site design, including measures to mitigate potential hazards from aircraft.

IV. **PROJECT DESCRIPTION**

Palm Springs Unified School District proposes to replace existing buildings at Agua Caliente Elementary School with five new buildings at different areas within the school's existing campus. Outdoor recreation areas would also be provided. The project would facilitate an increase in the capacity of the school to allow for the enrollment of up to 828 students (originally estimated at 850-875). The project description in the Draft EIR referenced the addition of up to 120 students and associated faculty at the pre-kindergarten level (included among the 875).

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 CONTINUED the project to April 14, 2016.

Absent: Commissioner Holmes

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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 3.10: TIME 11:57 A.M.

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I. **4.0 ADMINISTRATIVE ITEMS**

4.1 Director's Approvals – Information Only

II. **5.0 APPROVAL OF MINUTES**

The ALUC Commission by a unanimous vote of 6-0 approved the February 11, 2016 minutes.
Absent: Holmes

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

None

IV. **7.0 COMMISSIONER'S COMMENTS**

7.1 March Joint Powers Authority TAC Report Update by Commissioner Ballance
Nothing to report

V. **8.0 ADJOURNMENT**

Chairman Housman adjourned the meeting at 11:59 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@rcilma.org.

ITEM 4.0: TIME IS 11:57 A.M.