



AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY AGENDA

Eastern Municipal Water District
Boardroom (3rd Gate Entrance)
2270 Trumble Road,
Perris, California 92572

Thursday 10:00 a.m., March 13, 2008

CHAIR
Simon Housman
Rancho Mirage

VICE CHAIRMAN
Rod Ballance
Riverside

COMMISSIONERS

Arthur Butler
Riverside

Robin Lowe
Hemet

John Lyon
Riverside

Glen Holmes
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Melanie Fesmire
Indio

STAFF

Director
Ed Cooper

John Guerin
Cecilia Lara
Brenda Ramirez
Sophia Nolasco
Barbara Santos

County Administrative Center
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Riverside, CA 92501
(951) 955-5132

www.rcaluc.org

NOTE: If you wish to speak, please complete a "SPEAKER IDENTIFICATION FORM" and give it to the Secretary. The purpose of the public hearing is to allow interested parties to express their concerns. Comments shall be limited to 5 minutes and to matters relevant to the Plan. Please do not repeat information already given. If you have no additional information, but wish to be on record, simply give your name and address and state that you agree with the previous speaker(s). Also please be aware that the indicated staff recommendation shown below may differ from that presented to the Commission during the public hearing.

In compliance with the Americans with Disabilities Act, if any accommodations are needed, please contact Barbara Santos at (951) 955-5132 or E-mail at basantos@rctlma.org. Request should be made at least 48 hours or as soon as possible prior to the scheduled meeting.

1.0 INTRODUCTIONS

1.1 CALL TO ORDER

1.2 SALUTE TO FLAG

1.3 ROLL CALL

2.0 PUBLIC HEARING: OLD BUSINESS

BERMUDA DUNES AIRPORT

- 2.1 ZAP1022BD07 – (Representative: Coachella Valley Engineers) – County Case No. PP22915 (Plot Plan) – A proposal to develop a 19,388 square foot industrial/office building for multi-tenant use (7,388 square feet to be basement area, primarily underground parking) on 0.66-0.70 acres located on the south/southwesterly side of Country Club Drive, north/northeasterly of Bermuda Dunes Airport, easterly of Adams Street, and westerly of Jefferson Street in the unincorporated Riverside County community of Bermuda Dunes. Airport Zones A and B2. **Note: The applicant's engineer has agreed to a continuance.** ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: CONTINUE to April 10, 2008

FRENCH VALLEY AIRPORT

- 2.2 ZAP1008FV07 – Wilshire Greeneway I, LLC (Representative: Ebru Ozdil/Advanced Development Solutions) – County Case Nos. SP00284A3 (Specific Plan Amendment), CZ07596 (Change of Zone), PP23146 (Plot Plan), and PM29509 (Parcel Map No. 29509, Amended No. 2). Plot Plan No. 23146 proposes to establish a mixed use commercial/office/industrial project consisting of 13 buildings plus two freestanding pads with a total of 351,975 square feet of floor area on 34.59 net acres (37.73 gross acres) located westerly of Leon Road, southerly of Benton Road, and northerly of Auld Road in the unincorporated Riverside County community of French Valley. SP00284A3 proposes to change the Specific Plan designation of the site from Office/Industrial Park to Commercial/Office/Industrial Park, and from Industrial Park to Commercial/Industrial Park, CZ07596 proposes to amend the zoning ordinance for Specific Plan No. 284 to allow commercial uses in Planning Areas 1 and 2. PM29509 proposes to divide the property into six commercial/industrial parcels and one open space parcel. **Staff's recommendation may change if the applicant submits requested information prior to the hearing.** Airport Zones C, B1, and D. ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: CONTINUE to April 10, 2008

RIVERSIDE MUNICIPAL AIRPORT

- 2.3 ZAP1031RI07 – Riverside Auto Auction/Manheim Auto Auction (Representative: Kimley-Horn Associates, Inc.) – City Case No. P07-1121 (Conditional Use Permit). (Associated with Design Review Case No. P07-1123). A proposal to add 4,740 square feet of additional floor space to an existing building located on an 8-acre parcel with an address of 6446 Fremont Street. The property is on the west side of Fremont Street, northerly of Central Avenue, in the City of Riverside. Airport Zones B2 and D. **Staff requests that the Commission direct staff as to evaluation of intensity for the lobby, vestibule, waiting room, and cafeteria.** ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: CONTINUE to April 10, 2008

3.0 **PUBLIC HEARING:**
NEW BUSINESS

FRENCH VALLEY AIRPORT

- 3.1 ZAP1018FV07 – Excel Engineering for Abbott Vascular (Representative: Matthew Fagan Consulting Services) – County Case No. PP12246 R1 (Plot Plan - Revised Permit). A proposal to add an additional 293 parking spaces, with associated lighting fixtures up to 31 feet in height, on the 17.47-acre property with an address of 30690 Cochise Circle, located easterly of Winchester Road (State Highway Route 79) and Briggs Road, southerly of Benton Road, and northerly of Auld Road, in the unincorporated Riverside County community of French Valley. Airport Zones B1 and A. ALUC Staff Planner: Brenda Ramirez, Ph: (951) 955-0873 or E-mail at brramire@rctlma.org, or John Guerin, Ph: (951) 955-0982 or E-mail at jguerin@rctlma.org.

Staff Recommendation: CONDITIONAL CONSISTENCY

HEMET RYAN AIRPORT

3.2 ZAP1012HR08-Stetson Crossing Partners, LLC/City of Hemet (Representative: David Leonard Associates) – City Case Nos. GPA 07-003 and SP07-004 (“Stetson Crossing”) – Specific Plan for a proposed shopping center with 189,500 square feet of retail and commercial development (including restaurants, bank, convenience store, and service station) on a 19.33-acre site located northerly of Stetson Avenue, southerly of Tanya Avenue and westerly of Sanderson Avenue in the City of Hemet. General Plan Amendment from Industrial to Commercial. Airport Area II (partially in Transition Area). ALUC Staff Planner: Brenda Ramirez, Ph: (951) 955-0873 or E-mail at bramire@rctlma.org.

Staff Recommendation: INCONSISTENT

4.0 **ADMINISTRATIVE ITEMS**

4.1 Director’s Approvals

4.2 Vista Santa Rosa Presentation – Jerry Jolliffe

4.3 Use of Rights of Way Toward Open Space Requirements and Bonuses

4.4 Allowable Non-Structural Uses in Zone A

4.5 Follow-up on Possible ALUC Commission Meetings in the Desert

4.6 BT Miller Model Letter – Continued Discussion

4.7 SB1118

4.8 Clarification of Density in Specific Plan – Reports from Subcommittee

5.0 **APPROVAL OF MINUTES**

February 14, 2008

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

7.0 **COMMISSIONER’S COMMENTS**

**COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION**

STAFF REPORT

AGENDA ITEM: 2.1 3.13.3 6.1

HEARING DATE: MARCH 13, 2008 ~~February 14, 2008~~ ~~January 10, 2008~~
~~December 13, 2007~~ (continued from FEBRUARY 14, 2008,
January 10, 2008, ~~December 13, 2007~~ and November 8,
2007)

CASE SUMMARY

CASE NUMBER: ZAP1022BD07 – Iland Development
APPROVING JURISDICTION: County of Riverside
JURISDICTION CASE NO.: Plot Plan No. 22915

MAJOR ISSUES: Location of a structure that is not an aviation-related use within Airport Zone A and less than 250 feet from the runway centerline. The Airport Permit for Bermuda Dunes Airport includes a variance for structures northerly of the airport allowing structures not greater than 25 feet in height at a setback of 125 feet from the runway centerline. It would be preferable if the project were designed so as to place the building closer to Country Club Drive and the parking in the rear. This property lies at or near the easterly edge of the industrial area; development of the structure as proposed would extend the existing pattern.

~~In the event that documentation of submittal to the Federal Aviation Administration is available by the time of the hearing, the~~

The Commission may wish to consider the facts of the case in order to determine whether the granting of a special conditions exception pursuant to Section 3.3.6 is appropriate in this situation. The granting of a special conditions exception in the case of a structure in Zone A should only occur following the completion of the FAA review.

RECOMMENDATION: Staff recommends that the Airport Land Use Commission CONTINUE this matter to APRIL 10, 2008 ~~MARCH 13, February 14, 2008, January 10, 2008,~~ pending completion of review by the Federal Aviation Administration pursuant to Aeronautical Study No. 2007-AWP-5943-OE.

~~open the public hearing, consider public testimony, provide direction to staff as to whether it would be willing to consider the granting of a special conditions exception given the current project design, and CONTINUE this matter to December 13, 2007, pending submittal to, and review by, the Federal Aviation Administration.~~

(Alternatively, if the Commission finds that the granting of a special conditions exception would not be appropriate in this case, staff would recommend a finding of INCONSISTENCY, based on the encroachment of the structure into Airport Zone A.)

In the event that the Commission chooses to find this proposal consistent with the ALUCP pursuant to Policy 3.3.6, or in the event that the Commission finds the proposal inconsistent with the Bermuda Dunes ALUCP but is overruled by the Riverside County Board of Supervisors or its successor-in-interest, staff would recommend that the conditions included in this staff report be applied.

UPDATE: The applicant has submitted Form 7460-1 to the Federal Aviation Administration on September 25, 2007, and review is in progress. AS OF FEBRUARY 28, 2008, THIS IS STILL INDICATED TO BE A WORK IN PROGRESS ON THE FAA OBSTRUCTION EVALUATION WEBSITE. AMONG PROPOSED STRUCTURES LESS THAN 50 FEET IN HEIGHT, THIS IS THE OLDEST UNRESOLVED CASE IN CALIFORNIA IN THE PROPOSED CATEGORY.

PROJECT DESCRIPTION:

The project is a Plot Plan for the development of a 19,388 square foot industrial/office building for multi-tenant use (7,388 square feet to be basement area, primarily underground parking) on a 0.66-acre site. The floor plan indicates that the project would include 5,890 square feet of office space and 6,110 square feet of manufacturing/fabrication area. The basement would include the parking garage, elevator, elevator lobby, staircases, and a machine room.

PROJECT LOCATION:

The site is located southwesterly of Country Club Drive, northeasterly of Bermuda Dunes Airport, easterly of Adams Street, and westerly of Jefferson Street in the community of Bermuda Dunes in the County of Riverside, approximately 132 feet northeasterly of Runway 10-28 at the Bermuda Dunes Airport.

LAND USE PLAN : 2004 Bermuda Dunes Airport Land Use Compatibility Plan

- a. Airport Influence Area: Bermuda Dunes Airport
- b. Land Use Policy: Airport Zones A and B2
- c. Noise Levels: Greater than 65 dB CNEL at ultimate traffic level

BACKGROUND:

Land Use Intensity: The proposal is a Plot Plan for a 19,388 square foot office and industrial building on a 0.66-acre site. The site is split by the boundary between Airport Zone A and Airport Zone B2. Airport Zone A prohibits all structures except those with location set by aeronautical function. Airport Zone B2 allows an average non-residential intensity of 100 persons per acre with clustering on a single acre of up to 200 persons. In this case, the site is less than one acre in area, so the single-acre clustering allowance is not applicable. With a total site area of 0.66 acre, the maximum number of persons that would be allowed on the site if the site were entirely in Airport Zone B2 is 66 persons. However, most of the site (0.40 acre) is in Airport Zone A, with only 0.26 acre of net area in Airport Zone B2. This would allow a total of 26 persons. However, the intent of the intensity standards is to consider the site's gross acreage in reviewing nonresidential intensity. The adjacent part-width of Country Club Drive provides an additional 0.21 acre, allowing an

intensity of 47 persons.

The project proposes 36 parking spaces (21 surface and 15 underground), which would translate as 54 persons using the standard parking space methodology of 1.5 occupants per parking space. However, information from ALUC consultant Mead & Hunt indicates that, for work trips, vehicle occupancy is closer to 1.1 or 1.2 persons per vehicle, which would translate as 40 to 43 persons.

Based on the information included in the floor plan, the project includes 5,890 square feet of office uses and 6,110 square feet of fabrication uses, with the 7,388 square feet of remaining area constituting a parking garage, with a machine room, elevator, elevator lobby, and staircases. Pursuant to Appendix C, maximum capacity of office areas is one person per 100 square feet, and maximum capacity of manufacturing areas and parking garages is one person per 200 square feet. Utilizing the UBC method, with the 50% reduction, the office areas would accommodate 29 persons, and the manufacturing area and parking garage would accommodate 34 persons, for a total intensity of 63 persons. However, provided that the underground parking is restricted to employees' vehicles, it may be argued that the garage would not be fully occupied at the same time as the office and fabrication areas. If the basement area is discounted, total occupancy is reduced to 45 persons, which would be consistent with the overall allowable intensity when one considers the gross acreage in Airport Zone B2.

Airport Zone A: The major issue for this project is that Airport Zone A, as mapped on the Bermuda Dunes Airport Land Use Compatibility Plan (BDALUCP) extends onto this property to a depth of 118 feet. The project as designed is inconsistent with the provisions of the BDALUCP and the Countywide Policies, which prohibit new occupiable buildings in Airport Zone A. The building is entirely within Airport Zone A, with the outdoor parking in Airport Zone B2. The project should be designed so as to place the building along Country Club Drive, with parking in the rear. The proposed building encroaches approximately 102 feet into Airport Zone A. While it may not be possible to eliminate encroachment into Zone A, a redesign that places the building at the front of the property would reduce the proportion of the building extending into Airport Zone A.

While Kenneth Brody of Mead & Hunt has previously verified that Airport Zone A at this location extends a distance of 250 feet from the centerline of the runway, it should be noted that Airport Manager Mike Smith has previously advised that the boundary of Airport Zone A should have reflected the variance in the State Airport Permit whereby the primary surface extends to a distance of 125 feet from the runway centerline, and objects beyond this limit may be up to 25 feet in height. The variance in the permit is for "existing...imaginary surface penetrations", but has been interpreted as applicable to all lots in the industrial park, including vacant lots.

Noise: The site is subject to extremely high noise levels from aircraft operations due to its proximity to the runway. Noise levels are projected to exceed 65 CNEL at ultimate traffic levels; consequently, the site would not be suitable for residential or other noise-sensitive uses. In accordance with criteria for Airport Zone B2, the structure will be required to be designed to provide a minimum noise level reduction of 25dB for the office portions of the building construction.

PART 77: The ground level elevation of the site is 52 feet above sea level. The height of the

structure is 24 feet, so the height at top of structure may be as high as 76 feet. The runway elevation at its easterly end is 45.1 feet above sea level. At a distance of 147 to 148 feet from the runway, any structure with an elevation greater than 46 feet above sea level is subject to aeronautical review by the Federal Aviation Administration. FAA review is required in this case.

In past studies, the FAA has determined that buildings in this area exceed obstruction standards, but that such buildings (provided that they are red obstruction lighted) may not have a substantial adverse effect on the safe and efficient utilization of airspace due to location in an area of previously studied structures of similar height. These reviews have referenced the variance in the State Airport Permit “for existing penetrations 125 feet or more to the north of the runway centerline, with the additional conditions that no object subject to the variance shall exceed 25 feet in height above the nearest point of the runway elevation, and that all objects subject to the variance shall be red obstruction lighted.”

In past studies, the FAA has also commented that this airport is “not listed in the National Plan of Integrated Airports (NPIAS), because it can never meet FAA Airport Design Standards contained in FAA Advisory Circular 150/5300-13, Change 8” and that the inability to meet these design standards is partially due to “the existing tree line and existing buildings which have previously been located in the FAA Part 77 Primary Surface and the Obstacle-Free Area (OFA).”

Additional Design/Layout Considerations: From an airport land use compatibility planning perspective, the layout is not the most preferable. The Compatibility Plan recommends that structures be located a maximum distance from the runway, which would be better accomplished by siting the structure at the front of the property (along Country Club Drive), with parking in the rear.

CONDITIONS:

1. Prior to issuance of building permits, the landowner shall ~~convey record the conveyance of~~ an aviation easement to Bermuda Dunes Airport, **which shall be recorded. Copies of the aviation easement, upon recordation, shall be forwarded to the Riverside County Planning Department (Desert office) and to the Riverside County Airport Land Use Commission.**
2. Noise attenuation measures shall be incorporated into the office areas of the building construction to ensure a minimum noise level reduction of 25dB, so as to reduce interior noise levels from aircraft operations to 45 CNEL or below.
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, visual approach slope indicator, or red light obstruction marking in accordance with the conditions specified

herein.

- 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 a 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 any operation of aircraft and/or aircraft instrumentation.
 - e. **Children's schools, day care centers, libraries, hospitals, nursing homes, places of worship, highly noise-sensitive outdoor nonresidential uses, and aboveground bulk storage of 6,000 gallons or more of hazardous or flammable materials.**
- 4. The attached notation regarding proximity to the airport shall be given to each potential property purchaser or tenant.
 - 5. The maximum floor area utilized for office space shall not exceed 5,980 square feet, with the remaining aboveground areas used for manufacturing, fabrication, storage, or warehousing. Basement areas shall not be rented or leased separately, and no person shall maintain an office in the basement.
 - 6. The maximum height of the proposed building shall not exceed 24 feet above ground level, and the maximum elevation at the top of structure shall not exceed 76 feet above mean sea level, unless a greater top point elevation is approved by the Federal Aviation Administration through the Form 7460-1 process.
 - 7. Prior to the issuance of building permits, the permittee shall submit documentation demonstrating that the Federal Aviation Administration has issued a finding that the proposed building will not be a hazard to air navigation.

COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

STAFF REPORT

AGENDA ITEM: 2.2 ~~3.4~~ ~~3.3~~ 4.3

HEARING DATE: March 13, 2008 ~~February 14, 2008~~ ~~January 10, 2008~~
(continued from February 14, 2008, January 10, 2008 and
December 13, 2007)

CASE SUMMARY:

CASE NUMBER:

ZAP1008FV07 – Wilshire Greenway I, LLC

APPROVING JURISDICTION:

County of Riverside

JURISDICTION CASE NO:

SP00284A3 (Specific Plan Amendment), CZ07596 (Change of Zone), PP23146 (Plot Plan), PM29509 (Parcel Map)

MAJOR ISSUES: Single-acre intensities exceed Zone C criteria in portions of the site, most notably in the area of the two-story office buildings K and L. These intensities are up to 224 persons per acre. The problems appear to be surmountable through redesign or reallocation of land uses and structures and/or demonstration of eligibility for risk-reduction and/or open land bonuses. The project does meet the average intensity standard. FAA review is required for at least some of the structures at this location.

RECOMMENDATION: Staff recommends CONTINUANCE to APRIL 10, 2008 ~~March 13, 2008~~ ~~February 14, 2008~~ ~~January 10, 2008~~ to allow for submittal to the Federal Aviation Administration and to allow for further design modifications and submittal of additional information from the applicant. ~~study and possible redesign or reallocation of land use in portions of the site.~~

Staff's recommendation may change in the event that the necessary information is submitted prior to the hearing.

UPDATE: This item was continued without discussion from the December 13 agenda in order to allow for redesign or reallocation of uses or structures in the vicinity of Buildings K and L, and to allow for FAA review. Staff met with two project representatives on December 18 to discuss these concerns. Staff is awaiting further information from the applicant as of January 2, 2008. Staff has recommended the preparation of a site plan that depicts airport zone boundaries on the site.

UPDATE II: On January 24, 2008, staff met again with the two project representatives, the project architect, the applicant, and representatives of the County Planning Department and Economic Development Agency. It was indicated at that meeting that ALUC staff would be provided with (1) documentation regarding each building corner's maximum elevation and distance of from runway (or, alternatively, verification of FAA submittal); (2) more precise

information regarding building square footage within the single-acre areas of greatest concern; and (3) a request for use of the risk-reduction design bonus with appropriate documentation. As of January 30, this information has not been received.

UPDATE III: The additional information has not been received as of February 28, 2008. The applicant's representative is attempting to satisfy County Planning staff concerns, as well as ALUC staff concerns regarding single-acre intensities, and has indicated that these changes may affect the locations of Buildings K and L, as well as building heights. Both the site plan and elevations may be modified as a result..

PROJECT DESCRIPTION: Plot Plan No. 23146 proposes to establish a mixed use commercial, office, and industrial project consisting of 13 buildings plus two freestanding pads with a total of 351,975 square feet of floor area on 34.59 net acres (37.73 gross acres). SP00284A3 proposes to change the Specific Plan designation of the site from Office/Industrial Park to Commercial/Office/Industrial Park, and from Industrial Park to Commercial/Industrial Park. CZ07596 proposes to amend the zoning ordinance for Specific Plan No. 284 to allow commercial uses in Planning Areas 1 and 2. PM29509 proposes to divide the property into six commercial/industrial parcels and one open space parcel.

PROJECT LOCATION: The site is located westerly of Leon Road, southerly of Benton Road, and northerly of Auld Road in the unincorporated Riverside County community of French Valley, approximately 1,762 feet northeasterly of Runway 18-36 at French Valley Airport.

LAND USE PLAN: 2007 French Valley Airport Land Use Compatibility Plan

Adjacent Airport:

- a. Airport Influence Area: French Valley Airport
- b. Land Use Policy: Airport Zones C, B1, and D (predominantly in Airport Zone C)
- c. Noise Levels: From below 55 CNEL to 60 CNEL (The site is crossed by the 55 CNEL contour.)

BACKGROUND:

Nonresidential Average Intensity: The site is located predominantly in Airport Zone C, but includes small areas in Airport Zones B1 and D. In net acreage, the site includes 32.84 acres in Airport Zone C, 0.93 acre in Airport Zone D, and 0.21 acre in Airport Zone B1. Nonresidential intensity in Airport Zone C is restricted to an average of 80 persons per acre and a maximum of 160 persons in any given acre. (A risk-reduction design bonus may be applied, which, if granted, would allow a single-acre intensity up to 208 persons.) The total allowable intensity for this site, based on net acreage, would be 2,774 persons.

The applicant is proposing 102,200 square feet of office space, 73,500 square feet of retail space, two additional retail or restaurant pads totaling 5,700 square feet, and 146,300 square feet of

industrial space. Using this information, and assuming for this calculation only that all of the industrial space could be used as offices, a total site occupancy of 2,072 persons is projected, for an average intensity of 63 persons per net acre.

The applicant proposes to provide 1,241 parking spaces. Application of the standard 1.5 persons per vehicle factor results in a total occupancy of 1,862 persons and an average intensity of 57 persons per net acre, which is consistent with Airport Zone C.

Nonresidential Single-Acre Intensity: Nonresidential single-acre intensity is restricted to 160 persons in any given acre within Airport Zone C. This level may be increased to up to 208 with use of risk-reduction design features, including, but not limited to, the following possible mitigation measures: limiting buildings to a single story; enhancing the fire sprinkler system; increasing the number of emergency exits; upgrading the strength of the building roof; avoiding skylights; limiting the number and size of windows; and using concrete walls. ***The project architect has advised that he will prepare a letter requesting a risk-reduction design bonus and specifying the design features warranting the bonus.***

~~Staff review indicates~~ ***Staff's initial review indicated*** that single-acre intensity exceeds 220 persons (using the Building Code method, as modified by the French Valley Additional Compatibility Policies) in the southerly portion of the property, which features two two-story office buildings and a retail building. Additionally, single-acre intensities could exceed 180 persons in the retail areas in the northerly portion of the property.

A square acre that includes portions of Buildings K and L (both two-story buildings) includes up to 44,730 square feet of office space, which would have a projected occupancy of 224 persons. Additionally, a square acre that includes a portion of Buildings L and M includes up to 33,600 square feet of office space and 4,000 square feet of retail space, for a projected occupancy of 203 persons. ***The project representatives have indicated that their AUTOCAD program indicates that there will be less office square footage within the single-acre area than staff had assumed, and that this documentation will be provided.***

Noise: The site is located entirely outside the area subject to average aircraft noise levels greater than 60 dB(A) CNEL, but is crossed by the 55 CNEL contour. A minimum 20 dB exterior-to-interior noise level reduction will be required for office buildings at this location.

PART 77: Proposed finished floor elevations on the site range from 1,346 to 1,354.5 feet above mean sea level. Structures may be as high as forty-five (45) feet. This would appear to indicate a top elevation as high as 1,399.5 feet AMSL. The elevation at the northerly end of the runway is 1,347 feet AMSL. At a distance of 1,762 feet from the runway, any building with an elevation at top of roof exceeding 1,364 feet AMSL would require FAA review. ***The site extends 2,586 feet from north to south, so some of the structures may not require FAA review. The applicant's representative has been asked to either (a) submit Form 7460-1 for each building or (b) provide a table demonstrating why specific structures would not require such a review.***

In the event that the County of Riverside chooses to overrule a determination of inconsistency, the County should require the following as conditions of its approval. Implementation of these conditions does NOT render the project consistent with the French Valley Airport Land Use Compatibility Plan and may not be sufficient to mitigate potential safety hazards to below a level of significance pursuant to the California Environmental Quality Act.

CONDITIONS:

1. Prior to issuance of building permits, the applicant shall submit a Notice of Proposed Construction or Alteration (Form 7460-1) to the Federal Aviation Administration (FAA) for each building with an elevation at top point exceeding 1,364 feet above mean sea level and shall have received a determination of “Not a Hazard to Air Navigation” from the FAA. Copies of the FAA determination shall be provided to the County of Riverside Planning Department and the Riverside County Airport Land Use Commission.
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.
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, visual approach slope indicator, or such red light obstruction marking as may be permitted by the Federal Aviation Administration.
 - (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.
4. The County of Riverside shall require additional review by the Airport Land Use Commission prior to the establishment of any of the following uses in any of the structures proposed through this conditional use permit, except for the two freestanding pads:

Auction rooms, auditoriums, churches and chapels, dance floors, lodge rooms, reviewing stands, dining rooms, exhibit rooms, restaurants, drinking establishments, gymnasiums, lounges, stages, gaming, bowling alleys, classrooms, swimming pools, skating rinks, and other uses that would be considered to have an occupancy level greater than one person per 30 square feet (minimum square feet per occupant less than 30) pursuant to California Building Code (1998) Table 10-A.

5. The attached notice shall be provided to all potential purchasers and tenants *of the real property and the proposed buildings.*

Y:\ALUC\FrenchValley\ZAP1008FV07mar08sr

**COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION**

STAFF REPORT

AGENDA ITEM: 2.3 ~~3.3~~ ~~3.5~~ 4.8

HEARING DATE: March 13, 2008 ~~February 14, 2008~~ ~~January 10, 2008~~
(continued from February 14, 2008, January 10, 2008 and
December 13, 2007)

CASE SUMMARY:

CASE NUMBER: ZAP1031RI07 – Riverside Auto Auction/Manheim Auto Auction

APPROVING JURISDICTION: City of Riverside

JURISDICTION CASE NO: Conditional Use Permit: P07-1121

MAJOR ISSUES: ~~Insufficient information regarding uses within the existing building was provided to enable a~~

~~A determination of consistency with the Airport Zone B2 single-acre intensity standard limiting intensity to 200 persons depends upon intensity assumptions for the lobby, vestibule, waiting area, and cafeteria within the building.~~

RECOMMENDATION: ~~Staff recommends CONTINUANCE to February 14, 2008 January 10, 2008, pending receipt of additional information regarding floor plans for the existing building and the building as modified.~~

~~The floor plans submitted do not appear to coincide with the presumed configuration of the building, as judged by the aerial photo. Additionally, staff has been provided with differing information regarding the square footage of the building. It is not clear that sufficient information can be provided without a tour of the existing building, floor plans in hand. Staff recommends CONTINUANCE to APRIL 10, ~~March 13, 2008~~ unless these discrepancies can be resolved prior to the MARCH 13 ~~February 14~~ public hearing.~~

~~Staff recommends that the Commission open the public hearing, consider testimony, and determine how to treat the lobby, vestibule, waiting room, and cafeteria relative to intensity assumptions for this land use. If these areas are considered as having the intensity attributed by Uniform Building Code (with a 50% reduction), staff would have to recommend a finding of inconsistency based on these areas. Without these areas and uses, the intensity would be consistent.~~

PROJECT DESCRIPTION: Conditional Use Permit No. P07-1121 (associated with Design Review Case No. P07-1123) proposes to add 4,740 square feet of additional floor space to an existing building with ~~51,120 square feet of building area~~ on an 8-acre site. ~~Staff was initially~~

advised that the existing building included 51,120 square feet of floor area. However, the floor plans provided to staff indicate an initial floor area of 19,826 square feet, with an existing addition of 3,552 square feet. A separate sheet depicts an area of 13,873 square feet, including 2,410 square feet of office area and 11,463 square feet of auction area, but the latter area may not be in an enclosed building.

PROJECT LOCATION: The site has an address of 6446 Fremont Street and is located on the west side of Fremont Street, northerly of Central Avenue, in the City of Riverside, approximately 1,122 feet northerly of Runway 9/27 at Riverside Municipal Airport.

LAND USE PLAN: 2005 Riverside Municipal Airport Land Use Compatibility Plan

Adjacent Airport:

- a. Airport Influence Area: Riverside Municipal Airport
- b. Land Use Policy: Airport Zones B2 and D
- c. Noise Levels: 55-65 CNEL (The 60 CNEL contour crosses the site.)

BACKGROUND:

Nonresidential Single-Acre Intensity: The site is located in Airport Zones B2 and D; however, the proposed building addition would be located in Airport Zone B2. Nonresidential intensity in Airport Zone B2 is restricted to an average of 100 persons per acre and a maximum of 200 persons in any given acre.

(A risk-reduction design bonus is available, which would allow a single-acre intensity up to 260 persons with use of risk-reduction design features, including, but not limited to, the following possible mitigation measures: limiting buildings to a single story; enhancing the fire sprinkler system; increasing the number of emergency exits; upgrading the strength of the building roof; avoiding skylights; limiting the number and size of windows; and using concrete walls.)

Pursuant to Appendix C, Table C-1 of the Riverside County Airport Land Use Compatibility Plan, the intensity of retail areas has been determined to be one person per 30 square feet, the intensity of offices has been determined to be one person per 100 square feet, and the intensity of storage areas has been determined to be one person per 300 square feet. Application of the 50% factor converts these intensity numbers to one person per 60, 200, and 600 square feet, respectively.

~~Based on the information presented, approximately 3,510 square feet of the addition is office area, with the remainder of the addition (1,230 square feet) being an “expanded sales area”. The total intensity of the addition, then, would be $(3,510 \text{ divided by } 100, \text{ divided by } 2) + (1,230 \text{ square feet divided by } 30, \text{ divided by } 2) = 17.55 + 20.5 = 38.05 \text{ persons.}$~~

~~We also know that the building is one story in height. On that basis, if the existing building, were entirely comprised of office space, the maximum existing single-acre intensity would be 43560~~

~~divided by 100, divided by 2), or approximately 218 persons. However, staff does not have sufficient information to verify all of the uses in the existing building, or the locations of these uses relative to the area of the building where the addition is proposed.~~

Based on the floor plans submitted, it appears that the original building included 12,664 square feet of office area, 2,650 square feet of retail area, 1,864 square feet of waiting and lobby areas, and a 2,618 square foot cafeteria (including 855 square feet of commercial kitchen area). The previous addition consisted of 2,030 square feet of retail area and 1,522 square feet of office area. The current proposal would add 3,126 square feet of new office space, while eliminating or converting 1,433 square feet of office space, for a net increase of 1,693 square feet of office space. Additional areas to be added would include a 667 square foot conference room, a 480 square foot vestibule, 279 square feet of storage rooms, and a 160 square foot mechanical room. The sales area would be expanded by 529 square feet, the cafeteria would be expanded by 476 square feet, and the lobby would be expanded by 159 square feet.

Based on the configuration of the building, a portion of the office area in the previous addition would not be located in the same single-acre area as the current proposal. Based on the information presented, if the waiting, lobby, and cafeteria areas are excluded from the calculation, the single-acre intensity is 197 persons, which is consistent.

However, if one assumes that the waiting area, lobby, and vestibule are occupied on the basis of one person per 14 square feet (after the 50% reduction), the 2,533 square foot combined area would have an occupancy of 181 persons, and the 2,239 square feet of cafeteria serving area (after the 50% reduction) would have an occupancy of 75 persons. This would raise the single-acre occupancy to 453 persons, which would not be consistent. Much depends on the regular usage of waiting area, lobby, and vestibule. If these areas are the site of queues during auction days, the higher intensity assumption may be appropriate. Additionally, it is not known whether cafeteria use is restricted to employees stationed at the building.

An additional option that could be explored is the question of whether the applicant would be willing to abide by, and whether the City might be willing to enforce, a capacity limit of 200 within the expanded building. In that event, a finding of Conditional Consistency could be made.

Nonresidential Average Intensity: Nonresidential average intensity is restricted to 100 persons per acre within Airport Zones B2 and D. Since the site is 8 acres in area, average intensity is in compliance provided that the total number of people on-site does not exceed 800 persons. This project easily complies with this standard.

The applicant did submit additional information indicating that there is an additional existing building in the northerly portion of the site, but the additional existing building is well removed from the proposed building and would not impact single-acre intensity calculations. Upon further review, it was determined that the additional building is located on contiguously owned property, not within the 8-acre parcel that includes this building.

Noise: The site is located within the area subject to average aircraft noise levels of 55-65 CNEL; therefore, a 25 dB noise reduction shall be required for office areas of the building.

PART 77: No grading plans indicating finished floor elevations were submitted with the ALUC application. Elevations on the 8-acre site range as high as 860 feet above mean sea level (AMSL). The structure height is 16 feet, 4 inches, but a flagpole may extend to a height of 25 feet. This would appear to indicate a top elevation as high as 885 feet AMSL. The elevation at the easterly end of the runway is 815 feet AMSL. At a distance of 1,122 feet from the runway, any building with an elevation at top of roof exceeding 826 feet AMSL would require FAA review. Therefore, staff has asked the applicant to submit Form 7460-1 to the FAA for review.

In the event that the City of Riverside chooses to overrule a determination of inconsistency, the City should require the following as conditions of its approval. Implementation of these conditions does NOT render the project consistent with the Riverside Municipal Airport Land Use Compatibility Plan and may not be sufficient to mitigate potential safety hazards to below a level of significance pursuant to the California Environmental Quality Act.

CONDITIONS:

1. Prior to issuance of building permits, the landowner shall convey an avigation easement to the City of Riverside as owner-operator of Riverside Municipal Airport. Copies of the recorded avigation easement shall be forwarded to the Airport Land Use Commission and the City Planning Department.
2. Prior to issuance of building permits, the applicant shall submit a Notice of Proposed Construction or Alteration (Form 7460-1) to the Federal Aviation Administration (FAA) for the proposed building addition and shall have received a determination of “Not a Hazard to Air Navigation” from the FAA. Copies of the FAA determination shall be provided to the City of Riverside Planning Department and the Riverside County Airport Land Use Commission.
3. Noise attenuation measures shall be incorporated into the office areas of the building to ensure a minimum noise level reduction of 25 dB, so as to reduce interior noise levels from aircraft operations to 45 CNEL or below.
4. 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.
5. The following uses shall be prohibited:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight

final approach toward a landing at an airport, other than an FAA-approved navigational signal light, visual approach slope indicator, or such red light obstruction marking as may be permitted by the Federal Aviation Administration.

- (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 landfills, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, incinerators, fly ash disposal, composting operations, wastewater management facilities, artificial marshes, production of cereal grains, sunflower, and row crops, livestock operations, aquaculture, and landscaping utilizing water features.)
 - (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, highly noise-sensitive outdoor uses, and aboveground bulk storage of 6,000 gallons or more of hazardous or flammable materials.
6. The City of Riverside shall require additional review by the Airport Land Use Commission prior to the establishment of any of the following uses on the site or in the structure proposed through this conditional use permit and design review:
- Auction rooms *within an enclosed structure*, auditoriums, dance floors, lodge rooms, reviewing stands, dining rooms, exhibit rooms, restaurants, drinking establishments, gymnasiums, lounges, stages, gaming, bowling alleys, classrooms, swimming pools, skating rinks, and other uses that would be considered to have an occupancy level greater than one person per 30 square feet (minimum square feet per occupant less than 30) pursuant to California Building Code (1998) Table 10-A.
7. The attached notice shall be provided to all potential purchasers of the property and tenants of the building.
8. Any new detention basins or retention basins shall be designed so as to provide for a detention period for the design storm that does not exceed 48 hours (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the retention basins that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.

COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION
STAFF REPORT

AGENDA ITEM: 3.1

HEARING DATE: March 13, 2008

CASE NUMBER: ZAP1018FV07 – Excel Engineering for Abbott Vascular

APPROVING JURISDICTION: County of Riverside

JURISDICTION CASE NO.: PP12246R1 (Revised Plot Plan)

MAJOR ISSUES: A portion of the project site is located within Zone A, including 34 existing parking spaces and 30 proposed parking spaces. Special restrictions on structures, including light fixtures, are required in Zone A. Staff is concerned about the occupancy level in the existing building, but the building qualifies as an existing land use, and ALUC has no jurisdiction unless an expansion is proposed. Light fixtures elsewhere within the parking area may be subject to FAA review, depending on location and elevation at highest point, although, if heights are limited to 20 feet, FAA review may not be required.

RECOMMENDATION: Staff recommends a finding of Conditional Consistency, pending FAA approval, if applicable, subject to the conditions included in this staff report and such additional conditions as may be required pursuant to the terms of the FAA determination, if needed.

PROJECT DESCRIPTION:

The project proposes to add 293 additional permanent parking spaces, with associated lighting fixtures up to 31 feet in height, on the Abbott Vascular (formerly Guidant) property, a 17.47-acre property with one existing industrial building and two additional approved, but as yet unbuilt, structures. The Revised Permit does not propose to add any additional buildings or to add structural square footage to the existing or approved buildings; therefore, staff has confined its analysis to the proposed additional site improvements (parking and lighting).

PROJECT LOCATION:

The project site is located easterly of Winchester Road (State Highway Route 79) and Briggs Road, northerly of Auld Road, and southerly of Benton Road and Magdas Coloradas Road, at 30690 Cochise Circle, in the unincorporated Riverside County

community of French Valley, approximately 1,761 feet from the northerly terminus of Runway 18-36 at French Valley Airport.

LAND USE PLAN: 2007 French Valley Airport Land Use Compatibility Plan

- a. Airport Influence Area: French Valley Airport
- b. Land Use Policy: Airport Zones A and B1
- c. Noise Levels: 60-65 CNEL (The site is crossed by the 60 CNEL contour, but the parking area would be within the area subject to noise exceeding 60 CNEL.)

BACKGROUND:

Land Use/Intensity: The site is located within Airport Zones A and B1 of the 2007 French Valley Airport Land Use Compatibility Plan (2007 FVALUCP). The site is 17.47 acres in area, with 35,359 square feet in Zone A, and the remaining 16.66 acres in Zone B1. Zone A prohibits all structures except those with location set by aeronautical function, assemblages of people, objects exceeding FAR Part 77 height limits, and storage of hazardous materials.

The applicant is currently proposing to add 293 parking spaces to an existing industrial plot plan that was previously approved by ALUC on June 28, 1990 pursuant to ALUC Case No. FV-90-103 (Plot Plan No. 12246). The original approval provided for three industrial buildings with a total of 320,000 square feet of floor area and a minimum of 625 parking spaces. Both the building construction and the parking could be phased. It was projected that the facility would employ 750 people.

The existing building was approved as a 120,000 square foot building, and the other two buildings would provide for 120,000 square feet and 80,000 square feet, respectively. Subsequent “substantial conformance” approvals provided for the addition of: (1) a 1,260 kW backup generator; (2) a 339 square foot atrium and water garden; (3) an 841 square foot scrubber and compressor room; (4) a 7,000 square foot centralized service yard and a 1,600 square foot trash and recycling enclosure; and (5) 390 temporary parking spaces, limited to a two-year life from date of approval.

At present, there are 355 permanent parking spaces on the site. With this proposal, there would be 648 parking spaces, which would satisfy the minimum parking space requirement for the entire project. Use of the Parking Space Method (based on 1.5 persons per vehicle) would suggest that this would equate to an occupancy of 972 persons on-site, or 56 persons per net acre. However, this is not a retail facility drawing customers from the general public. Vehicle occupancy for work trips is likely to be lower – perhaps 1.1 to 1.2 persons per vehicle. At 1.15 persons per vehicle, a total of 648 parking spaces would translate as 745 people, or 43 persons per net acre. (The applicant has indicated a maximum of 677 persons on-site, or an average of 39 persons per net acre.)

There would be up to 133 parking spaces in a single acre. The single-acre intensity standard in Airport Zone B1 is 80 persons. However, it is highly unlikely that the vehicles in these spaces would all be occupied at the same time. The majority of the additional proposed parking spaces would be in Zone B1. Thirty of the new parking spaces, in addition to approximately 34 existing parking spaces, would be within Zone A.

Part 77: The project site's elevation is 1,340 feet above mean sea level (AMSL). The elevation increases gently as one moves from south to north, so that the elevation at the northerly end of the site is approximately 1,350 feet AMSL. No additional buildings are proposed through this application, but the applicant has indicated that light poles could be up to approximately 31 feet in height.

The elevation of the runway is 1,347 feet AMSL at its northerly terminus. At a distance of 1,761 feet from the southerly property line to the nearest runway point, FAA review would be required for any structure with a top elevation exceeding 1,364 feet AMSL. The northerly edge of the new parking area is approximately 600 feet farther from the runway. FAA review is required for light fixtures whose elevation at top point would exceed "X" feet, where "X" = $1347 + (\text{distance in feet from fixture location to runway, divided by } 100)$, and for all light fixtures in Zone A, the Runway Protection Zone.

It should be noted that, except in Zone A, if the applicant is willing to limit the height of the light fixtures to twenty (20) feet, it is likely that their elevation at top point will not exceed "X" and that they would not require FAA review.

Light fixtures in Zone A, if any, must be frangible, and the poles must not exceed a diameter of four inches at heights equal to or greater than four feet above ground level

Noise: The proposed parking area is located within an area subject to noise exceeding 60 CNEL. However, parking lots are not considered noise-sensitive uses.

CONDITIONS:

1. The following uses shall be prohibited:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - (c) Any use which would generate smoke or water vapor or which would

attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.

- (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, hospitals, nursing homes, churches and chapels, day care centers, libraries, highly noise-sensitive outdoor uses, aboveground bulk storage of hazardous materials, and aboveground bulk storage of 6,000 gallons or more of flammable materials.
2. The attached notice shall be provided to all potential purchasers of real property interests and tenants.
 3. Any outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky.
 4. Prior to the issuance of building permits, the landowner shall convey an aviation easement to the County of Riverside as owner-operator of French Valley Airport, which shall be recorded upon approval by the County of Riverside Economic Development Agency – Aviation Division, or shall provide evidence to the parties cited below that such easement has already been conveyed. Copies of the recorded aviation easement shall be forwarded to the Airport Land Use Commission and to the County of Riverside Planning Department.
 5. Prior to the issuance of building permits or other authorization to construct the light fixtures, the applicant shall submit a Notice of Proposed Construction of Alteration (Form 7460-1) to the Federal Aviation Administration (FAA) for each structure or fixture within the portion of the property in Airport Zone A as mapped in the Riverside County Geographic Information System, and for each structure or fixture with an elevation at top point exceeding "X" feet AMSL, where "X" = 1,347 + (distance from the structure or fixture to the runway, in feet, divided by 100), and shall have received a determination of "No Hazard to Air Navigation" from the FAA. Copies of the FAA determination shall be provided to the County of Riverside Planning Department and the Riverside County Airport Land Use Commission.
 6. In the event that any structure or fixture in Airport Zone A receives a determination of "No Hazard to Air Navigation", it may be constructed, but it must be frangible, and poles may not exceed a diameter of four inches at heights equal to or greater than four feet above ground level.
 7. Parking spaces 1 through 20 and 37 through 48 shall be restricted to vehicles not requiring vertical clearance exceeding twenty (20) feet.

COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION
STAFF REPORT

AGENDA ITEM: 3.2

HEARING DATE: March 13, 2008

CASE NUMBER: ZAP1012HR08 – Stetson Crossing, LLC/City of Hemet

APPROVING JURISDICTION: City of Hemet

JURISDICTION CASE NO.: SP 07-004 (Specific Plan) and GPA 07-003 (General Plan Amendment)

MAJOR ISSUES: Places of assembly as defined in the Hemet-Ryan Airport Comprehensive Airport Land Use Plan of 1992 include “any structure with a capacity for occupancy of over 50 persons”, and they are prohibited in Area II. Therefore, pursuant to that Plan, most commercial uses would be found inconsistent. Places of assembly may be approved in the Transition Area; any structures in that area are limited to two stories and cannot exceed 35 feet in height. Less than half of the property is in the Transition Area.

RECOMMENDATION: Staff recommends a finding of Inconsistency, as the site is located in Area II, with less than 50 percent of the site in the Transition Area, and the applicant intends to develop a major complex consisting predominantly of structures with capacities for occupancy of more than 50 persons. However, staff would not object to a continuance in conjunction with a proposal to modify the definition of “places of assembly” and/or to make other changes to update the 1992 Plan so as to reflect the recommendations of the 2002 State of California Airport Land Use Planning Handbook.

Additionally, staff notes that FAA notice and approval will be required prior to construction.

PROJECT DESCRIPTION:

A proposal to develop a shopping center with approximately 189,500 square feet of commercial development (including retail stores, restaurants, bank, convenience store, and service station) and approximately 1,055 parking stalls, on 19.33 acres consisting of two contiguously owned parcels, and to amend the City General Plan designation of the property from Industrial to Commercial.

PROJECT LOCATION:

The project site is located northerly of Stetson Avenue, westerly of Sanderson Avenue, and southerly of Tanya Avenue, in the City of Hemet, approximately 2,483 feet southeasterly of the northeasterly end of the runway at Hemet-Ryan Airport.

LAND USE PLAN: 1992 Hemet-Ryan Airport Comprehensive Airport Land Use Plan

Adjacent Airport:

- a. Airport Influence Area: Hemet Ryan Airport
- b. Land Use Policy: Area II
- c. Noise Levels: Outside the 55 CNEL contour

BACKGROUND:

Land Use/Intensity: The 1992 Hemet-Ryan Airport Comprehensive Airport Land Use Plan (HRACALUP) defines areas of extreme risk (Area I), high risk (Area II), and moderate risk (Area III), as well as a Transition Area between areas of high and moderate risk. The site is located in Airport Area II. Areas I and II together consist of the area of “greatest safety concerns ... due to aircraft ascending, descending, turning, and changing power settings when landing at or taking off from the airport” (HRACALUP, page 17). “The boundaries of [Area II] were established to coincide as much as possible to areas where aircraft would be in the landing-takeoff generalized pattern and would be turning and applying or reducing power....” (Ibid.)

Policies for Area II on page 27 of the HRACALUP permit industrial uses, indicate that commercial uses are “discretionary”, and prohibit schools, institutional uses, places of assembly, and hazardous material facilities, while residential development is limited to a maximum density of one dwelling unit per 2½ acres.

However, it should be noted that the HRACALUP defines “places of assembly” as “any structure, public or private, or premise, or portion thereof with a capacity for occupancy of over 50 persons which is designed or used for entertainment, amusement, instruction, education, worship, deliberation, display, meeting, awaiting transportation or for the consumption of food and drink.” The examples given include: auditorium, theatre, recreation/entertainment facility, shopping mall, restaurant, church, clubhouse, arena, stadium, circus, major retail outlet, motel, bank, and professional office building. The project’s site plan depicts one bank, four restaurants, two drive-thru pads, one convenience store with a gas station, and three major stores, including a 101,000 square foot anchor tenant.

The HRACALUP is unique among Riverside County’s compatibility plans in its inclusion of a Transition Area, consisting of the outer 330 feet of Area II, couples with the inner 660 feet of Area III. The Transition Area policies are less restrictive than Area II policies, but more restrictive than Area III policies. Projects which have 50% or more of their land area in the Transition Area are considered part of the Transition Area.

Transition Area policies permit commercial and industrial uses, indicate that schools, institutional uses, places of assembly, residential uses at densities not exceeding 20 dwelling units per acre, and activities involving hazardous materials are subject to discretionary review, and limit structure height to 35 feet.

The property lies partially within the Transition Area (the outer 330 feet of Area II), but less than 50 percent of the site is within this area. Staff estimates that 7.71 gross acres are in the Transition Area, encompassing 31,300 square feet of retail area, including the bank, convenience store, service station, two restaurants, shops, and one of the drive-thru facilities (basically the structures along Stetson Avenue). However, this area consists of less than 40 percent of site area and less than one-sixth of project building area.

Staff has analyzed the proposed project, with the use of the California Building Code calculation, and has determined that the total occupancy of the project, with the incorporation of the 50 percent reduction, is 3,425 persons. Staff determined that the average intensity is 177 people per acre, and approximately 726 persons per single acre. Use of the Parking Space Method indicates a total occupancy of 1,583 people – 83 people per average acre.

Recent research by Mead and Hunt indicates an average occupancy of one person per 110 to 115 square feet for retail stores in buildings that include food service establishments and an average occupancy of one person per 170 square feet for retail stores in buildings where no edibles are sold (e.g., furniture and hardware stores). If the 165,600 square feet of retail area is evaluated on the basis of one person per 115 square feet and the 23,800 square feet of restaurants are evaluated on the basis of one person per 30 square feet, the total occupancy would be 2,233 persons, and the average intensity would be 116 persons per acre. The single-acre intensity of the single-story anchor store utilizing this method would be 378 persons (256 if no edibles were sold therein).

Commentary:

The general plan amendment and specific plan continue the trend of moving the direction of development in this area in a direction that is not advisable from an airport land use planning perspective. From the point of view of minimizing risk to the public health, safety, and welfare, it would be preferable to maintain the Industrial designation and zoning on the property. However, if the City wishes to provide for additional commercial uses, applying a Commercial designation to the portions of the site within 330 feet of Stetson Avenue could be found consistent with the HRACALUP, due to the location of that portion of the site in the Transition Area.

The bottom line here is that the project is clearly inconsistent with the 1992 HRACALUP, as all of the commercial buildings other than the convenience store would have occupancy levels greater than 50 pursuant to the Building Code method and would, therefore, qualify as “places of assembly”, which are prohibited in Area II.

While it would appear that a consistency finding is not possible given the text of the 1992 HRACALUP, staff has included an analysis based on the provisions of the State Handbook to determine whether the project could be found consistent if the “places of assembly” definition did not apply.

AIRPORT LAND USE PLANNING HANDBOOK ANALYSIS

Since the adoption of the HRACALUP, the State of California Department of Transportation, Division of Aeronautics has issued the 2002 California Airport Land Use Planning Handbook. Staff analysis indicates that if the ultimate primary runway length of 5,300 feet (as projected in the existing Hemet-Ryan Airport Master Plan) is utilized as the critical factor, the standard safety compatibility zone example would be that of a Medium General Aviation Runway. Use of this standard example would place the project site within Zone 6 (Traffic Pattern Zone). Criteria guidelines for this zone are the least restrictive, allowing an average intensity of 150 persons per acre and a maximum single-acre intensity of 450. If the standard Building Code method is used, the project would still be found inconsistent in the absence of risk-reduction building design, given the single-acre intensity of 726 for a one-story anchor tenant occupying a square acre of retail floor area. However, if the project were to be analyzed using the Mead and Hunt occupancy information, which was recently adopted for use in French Valley, the project intensity (average of 115 persons per acre and single-acre maximum intensity of 378) would be consistent with the State intensity standards for Zone 6 in the vicinity of rural or suburban airports.

Part 77: The highest elevation on site is 1,525 feet above mean sea level (AMSL). Proposed elevations indicate a building height up to 46 feet, 8 inches; the application requests allowance for heights up to 50 feet. Therefore, the elevation at top of roof is projected at 1,575 feet AMSL. The elevation of the runway at its northeasterly terminus is 1,517 feet AMSL. At a distance of 2,483 feet from the runway, all structures with an elevation at top point exceeding 1,541 feet AMSL will require FAA review. However, no structures are proposed at this time.

Noise: The site lies outside the ultimate 55 CNEL contour except on “worst-case fire” days, and the proposed uses are not noise-sensitive; consequently, no special mitigation for aircraft noise is required.

Prohibited Uses: In Section C of Chapter VII of the Specific Plan (on pages 58 and 59), it is stated that “Schools, amphitheatres, auditoriums, churches.....and stadiums are prohibited in this area.” This sentence should also be included in Section D of Chapter V (on page 32) listing Prohibited Uses.

In the event that the City of Hemet chooses to overrule a determination of inconsistency, the City should require the following as conditions of its approval. Implementation of these conditions assists in mitigating impacts of the project on the airport, but would NOT render the project consistent with the Hemet-Ryan Airport Comprehensive Airport Land Use Plan and may not be sufficient to

mitigate potential safety hazards to below a level of significance pursuant to the California Environmental Quality Act.

CONDITIONS:

1. The following uses shall be prohibited:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
2. Prior to final adoption of the specific plan, the landowner shall convey an aviation easement covering the entire area proposed for development to the County of Riverside as owner-operator of Hemet-Ryan Airport, which shall be recorded upon approval by the County of Riverside Economic Development Agency – Aviation Division. Copies of the recorded aviation easement shall be forwarded to the City of Hemet Planning Department and to the Airport Land Use Commission.
3. Any outdoor lighting installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. It is recommended that airport management be provided an opportunity to review outdoor lighting plans prior to approval.
4. All structures at this location with an elevation above 1,541 feet above mean sea level at top of structure shall require FAA aeronautical review through the Form 7460-1 FAA notice process.
5. The attached notice shall be given to potential purchasers of real property interests and/or tenants.
6. The maximum height of structures shall not exceed thirty-five (35) feet.

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RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

STAFF REPORT

ADMINISTRATIVE ITEMS

- 4.1** Director's Approvals. As authorized pursuant to Section 1.5.2(d), ALUC Director Ed Cooper has approved two non-legislative cases determined to be consistent with Airport Land Use Compatibility Plans. Staff is attaching copies, for your Commission's information.
- 4.2** Vista Santa Rosa Presentation – Jerry Jolliffe, Deputy Planning Director, Riverside County Planning Department, will make a presentation to the Airport Land Use Commission regarding the Vista Santa Rosa Land Use Concept Plan. The ultimate development pattern in this area will impact, and be impacted by, Jacqueline Cochran Regional Airport. An information packet (including a land use map and text) is attached. A number of changes have been made to the Concept Plan since the first time that the Plan was presented to the Commission as an informational item, including the elimination of residential designations in Airport Zones B1 and C and the upgrading of residential densities in a portion of Airport Zone D. These changes increase the compatibility of the proposed project with the 2005 Jacqueline Cochran Regional Airport Land Use Compatibility Plan. The Vista Santa Rosa Concept Plan proposes densities in the remainder of Airport Zone D that do not conform with ALUC compatibility criteria in Table 2A of the Countywide Policies; however, the Plan provides for substantial open space areas in an effort to maintain the community character. The Planning Department proposes to ultimately integrate this Plan into the 2008-09 General Plan Update.
- 4.3** Use of Rights of Way Toward Open Space Requirements and Bonuses. Table 2A of the Countywide Policies section of the 2004 Riverside County Airport Land Use Compatibility Plan requires minimum proportions of site area (within projects 10 acres or larger in size) consisting of qualified open land (in accordance with Countywide Policy 4.2.4) in Airport Zones B1 (30 percent), C (20 percent) and D (10 percent). Additionally, the 2007 French Valley and 2005 Palm Springs International Airport Land Use Compatibility Plans allow for (nonresidential) intensity bonuses in Airport Zones B1 and C if the proportion of qualified open land equals or exceeds specified higher levels (25 percent and 30 percent in Zone C and 35 percent and 40 percent in Zone B1).

Staff is unclear as to the intent of the Commission as to whether existing road rights-of-way (or half-widths, as applicable) may be counted toward calculating the proportion of qualified open land required to meet (1) basic open area requirements and (2) intensity bonus criteria. Policies 4.2.4(a) and 4.2.4(b), taken together, indicate that roads qualify as open land areas (and, presumably, portions thereof) provided that they are “free of...obstacles such as walls, large trees or poles (greater than 4 inches in diameter, measured 4 feet above the ground) and overhead wires,” and that the open area has “minimum dimensions of approximately 75 feet by 300 feet.” Staff has traditionally calculated open area based on the existing parcel area, not including adjacent roadways, but the text does not specifically mandate this approach. Direction on this matter can have a major impact on allowable commercial and industrial intensities for projects adjacent to major rights-of-way such as Winchester Road.

4.4 Allowable Non-Structural Uses in Zone A. Table 2A on page 2-14 of the 2004 Airport Land Use Compatibility Plan Countywide Policies states that, in Zone A, all structures are prohibited “except ones with location set by aeronautical function.” Objects exceeding FAR Part 77 height limits are also prohibited. Mr. Kassen Klein has inquired as to allowable non-structural uses in Zone A – roads, parking lots, landscaping, water quality retention/detention basins, and site improvements that do not require issuance of building permits. Staff would appreciate further direction from the Commission in this regard. Additionally, staff is not clear as to the acceptability of light fixtures and other features associated with parking lots. FAA criteria prohibit automobile parking facilities in the central portion of the Runway Protection Zone (RPZ), where the RPZ is controlled by the airport owner.

In 2006, a City of Riverside roadway improvement plan for Van Buren Boulevard that included light fixtures in Zone A of Riverside Municipal Airport was initially found inconsistent. Subsequently, the City deleted the new light fixtures from the proposal, and the revised plan was found consistent. In that case, the City was both the entity proposing the improvements and the airport owner. This is not the usual situation.

4.5 Follow-Up on Possible ALUC Commission Meetings in the Desert. At its February meeting, the Commission discussed possible meeting locations in the desert. Possible locations identified by Commission members included Coachella Valley Water District, Jacqueline Cochran Regional Airport, and the Indian Wells, La Quinta, and Palm Desert Council Chambers. Staff advised that locations for meetings are considered partially based on the location of projects being reviewed at the meeting. No dates were set for future Commission meetings in the desert at this time, but staff suggested keeping this matter on the agenda for further study. (Staff has no additional information to report at this time.)

4.6 BT Miller Model Letter – Continued Discussion. B.T. Miller, ALUC Counsel, submitted a proposed model format for letters advising a jurisdiction that ALUC had issued a determination of inconsistency. The Commission expressed comments and recommendations for modifications to the letter and its attachments. This matter has been retained on the agenda to allow Counsel to present a revised model format, if available. Staff would note that the most recent letter advising of an inconsistency determination (to the City of Hemet regarding Sanderson Square) incorporated the two specific changes in the first paragraph recommended by Commissioner Lyon at the February meeting.

4.7 SB 1118. Senate Bill 1118, introduced in the California Legislature by State Senator Gloria Negrete McLeod, proposes amendments to the State Aeronautics Act that would eliminate the option for counties other than those specifically identified to assign airport land use compatibility planning to entities other than an Airport Land Use Commission constituted in the standard manner (as with the Riverside County ALUC) and making various associated changes. This matter has been placed on the agenda to allow ALUC Counsel to provide additional information to the Commission regarding this matter.

4.8 Clarification of Densities in Specific Plans – Report from Subcommittee. The Residential Density Subcommittee is scheduled to meet on Wednesday, March 5 to discuss the issue of densities in Specific Plans – specifically whether a consistency finding for a Specific Plan may be based on the overall density of the residential areas within the Specific Plan, or whether each residential Planning Area must meet the density criteria of the applicable Airport Zone. This has been a major issue, especially for projects in Airport Zone D.