

AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY AGENDA

Riverside County Administration Center 4080 Lemon St., 1st Floor Hearing Room Riverside, California

CHAIR Thursday 9:00 a.m., November 14, 2013 Simon Housman Rancho Mirage NOTE: If you wish to speak, please complete a "SPEAKER IDENTIFICATION FORM" and give it to VICE CHAIRMAN the Secretary. The purpose of the public hearing is to allow interested parties to express their **Rod Ballance** Riverside concerns. Comments shall be limited to 5 minutes and to matters relevant to the item under consideration. 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 COMMISSIONERS previous speaker(s). Also please be aware that the indicated staff recommendation shown below may Arthur Butler differ from that presented to the Commission during the public hearing. Riverside Non-exempt materials related to an item on this agenda submitted to the Airport Land Use **Glen Holmes** Hemet Commission or its staff after distribution of the agenda packet are available for public inspection in the Airport Land Use Commission's office located at 4080 Lemon Street, 14th Floor, Riverside, CA 92501 John Lyon during normal business hours. Riverside **Greg Pettis** In compliance with the Americans with Disabilities Act, if any accommodations are needed, please Cathedral City contact Barbara Santos at (951) 955-5132 or E-mail at basantos@rctIma.org. Request should be **Richard Stewart** made at least 48 hours or as soon as possible prior to the scheduled meeting. Moreno Valley 1.0 INTRODUCTIONS

STAFF

Director

Ed Cooper

1.1 CALL TO ORDER

1.2 SALUTE TO FLAG

- John Guerin Russell Brady 1.3 <u>ROLL CALL</u>
- Barbara Santos County Administrative Center 4080 Lemon St, 14⁵ Floor

4080 Lemon St, 14^h Floor Riverside, CA 92501 (951) 955-5132

www.rcaluc.org

2.0 ITEMS THAT STAFF RECOMMENDS BE CONTINUED WITHOUT DISCUSSION: 9:00 A.M. or as soon as possible thereafter.

BANNING AIRPORT

2.1 <u>ZAP1012BA13 – Rancho San Gorgonio LLC (Representative: Pitassi Architects, Peter J. Pitassi)</u> - City Case Nos. Specific Plan 13-2001, Zone Change 13-3501, General Plan Amendment 13-2503, Tentative Tract Map 13-4501, Development Agreement 13-1502. Specific Plan 13-2001 is a proposal to develop 848.6 gross acres generally located southerly of Westward Avenue, easterly of Sunset Avenue, northerly of Coyote Trail, and westerly of San Gorgonio Avenue as a master planned community with 3,753 dwelling units, 10 acres of commercial land, and 188.5 acres of open space. Zone Change 13-3501 proposes to change the existing zoning from Very Low/Rural/Medium Density Residential to a Specific Plan. General Plan Amendment 13-2503 proposes to change existing land use from Very Low/Rural/Medium Density Residential to a Specific Plan. Tentative Tract Map 13-4501 proposes to subdivide 848.56 acres into 38 lots for financing, rough grading, and backbone street dedication purposes. Development Agreement 13-1502 proposes to define the parameters for the orderly development of the property with regard to the developer's obligation to provide infrastructure and public improvements and facilities and to define the City's obligations with regard to

permitting and approvals. Continued from September 12, 2013. (Zone E of Banning Municipal Airport Influence Area). ALUC Staff Planner: Russell Brady at (951) 955-0549, or e-mail at <u>rbrady@rctlma.org.</u>

Staff Recommendation: CONTINUE WITHOUT DISCUSSION to 12-12-13

3.0 PUBLIC HEARING: 9:00 a.m. or as soon as possible thereafter

BANNING AIRPORT

3.1 <u>ZAP1013BA13 – Banning Investment LLC</u> (Representative: Western States Engineering, Inc.) – City of Banning Case Nos. 13-7002 (Design Review) and 13-8004 (Conditional Use Permit). The Design Review proposes the development of an 81-room, three-story hotel, gas station (canopy with 12 available filling locations), convenience store (with take-out prepared food), and quick-service restaurant (without drive-through) on a 3.43 gross acre (2.66 net acre) site located along the west side of Hargrave Avenue, extending northerly from Ramsey Street to Williams Street. The Conditional Use Permit proposes to allow alcohol sales for the convenience store and additional height for the hotel. (Airport Compatibility Zone D of the Banning Municipal Airport Influence Area). ALUC Staff Planner: Russell Brady at (951) 955-0549, or e-mail at rbrady@rctIma.org.

<u>Staff Recommendation</u>: Open public hearing, discuss, and CONTINUE to 12-12-13 pending FAA review

3.2 <u>ZAP1014BA13 – Mark Quental</u> – City of Banning Case No. DR 13-7003 (Design Review). A proposal to develop a two-story, 73,127 square foot mixed-use ("live/work") building comprised of 24 individual spaces ("airport industrial work lofts"), with office, manufacturing, storage, and warehouse uses on the first floor and the option for either residential or office uses on the second floor (potential for up to 22 dwelling units) on a 3.57 net acre (3.74 gross acres) site located southerly of Lincoln Street, northerly of Barbour Street, westerly of Hathaway Street, and easterly of Juarez Street in the City of Banning. (Airport Compatibility Zones B1 and D of the Banning Municipal Airport Influence Area). ALUC Staff Planner: Russell Brady at (951) 955-0549, or e-mail at rbrady@rctlma.org.

Staff Recommendation: INCONSISTENT

MARCH AIR RESERVE BASE

3.3 <u>ZAP1090MA13 – Darrell Butler</u> – City of Riverside Case Nos. P13-0607, P13-0608, P13-0609 and P13-0854. The applicant proposes to construct a 171,616 square foot industrial warehouse building on an 8.06-acre lot located at the southeasterly corner of Sycamore Canyon Boulevard and Box Springs Boulevard. The project also involves a General Plan Amendment amending the site's land use designation from C-Commercial to B/OP-Business/Office Park, a Zoning Code Map Amendment amending the site's zoning classification from CG-SP (Commercial General with Specific Plan Overlay) to BMP-SP (Business and Manufacturing Park with Specific Plan Overlay), and a Specific Plan Amendment removing the property from the Sycamore Highlands Specific Plan and adding it to the Sycamore Canyon Business Park Specific Plan. (Area I of the March Air Reserve Base Airport Influence Area). ALUC Staff Planner: Russell Brady at (951) 955-0549, or e-mail at rbrady@crctlma.org.

Staff Recommendation: CONSISTENT

4.0 ADMINISTRATIVE ITEMS

4.1 Director's Approvals

- 4.2 Wind Turbine Aviation Safety Lighting
- 4.3 Thermal Motorsports Project Ad Hoc Subcommittee
- 4.4 2014 ALUC Commission Meeting Schedule
- 5.0 APPROVAL OF MINUTES September 12, 2013

6.0 ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA

7.0 COMMISSIONER'S COMMENTS

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COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

STAFF REPORT

AGENDA ITEM:	2.1
HEARING DATE:	November 14, 2013 (previously heard September 12, 2013)
CASE NUMBER:	ZAP1012BA13 – Rancho San Gorgonio LLC (Representative: Pitassi Architects, Peter J. Pitassi)
APPROVING JURISDICTION:	City of Banning
JURISDICTION CASE NOS:	Development Agreement 13-1502, General Plan Amendment 13-2503, Specific Plan 13-2001, Tentative Tract Map 13- 4501, Zone Change 13-3501

MAJOR ISSUES: The applicant team has decided to pursue FAA obstruction evaluation review at this time, in lieu of submittal of subsequent subdivisions and structures in the portion of this project in the Airport Influence Area (even though such projects would be evaluated at the staff level).

RECOMMENDATION: At the request of the project representative, who has indicated that the project is being amended to address City concerns, staff recommends that further consideration of this project be <u>CONTINUED</u> to the Commission's December 12 hearing without discussion.

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Guerin, John

From: Sent: To: Cc: Subject: Pitassi <pjpaia@pitassiarchitects.com> Wednesday, October 23, 2013 8:02 PM Brady, Russell Guerin, John; Lou Monville Re: ZAP1012BA13

Russell;

Thank you for the email reminder. John also called me a few days ago. I know the cut-off date for the 11/12 hearing is approaching.

We are now preparing our second submittal to the city of Banning in response to the cities comments on our first submittal and to reflect the revisions we have made to our SP, Tract Maps, and technical studies. This submittal will be made to the city on Oct. 31st.

The revisions have to do with relocating and reducing densities however no revisions are being made to the circulation system or open space. This effort has been time consuming so the FAA application has been delayed.

I would appreciate it if you could continue our item to the December ALUC meeting if possible.

Please let me know if this would be acceptable.

Thanks,



8439 White Oak Ave., Ste. 105 Rancho Cucamonga, Ca. 91730 Tel. (909) 980-1361 Fax. (909) 944-5814 e-mail: pjpala@pitassiarchitects.com

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On 10/23/2013 9:16 AM, Brady, Russell wrote:

Hi Pete. I just wanted to check up on FAA submittal for this project as we approach our deadline for staff reports for the November 12th ALUC hearing. Let me know when you have a chance.

Thanks

Russell Brady

Riverside County Airport Land Use Commission ALUC Planner

COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

STAFF REPORT

AGENDA ITEM:	3.1
HEARING DATE:	November 14, 2013
CASE NUMBER:	ZAP1013BA13 – Banning Investment LLC (Representative: Western States Engineering Inc., Joseph Karaki)
APPROVING JURISDICTION:	City of Banning
JURISDICTION CASE NO.:	Design Review: DR No. 13-7002 Conditional Use Permit: CUP No. 13-8004

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

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

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

PROJECT LOCATION: The site is located northerly of Ramsey Street, westerly of Hargrave Avenue, southerly of Williams Street, in the City of Banning, approximately 2,900 feet northwesterly of Runway 8-26 at Banning Municipal Airport.

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LAND USE PLAN: 2004 Banning Municipal Airport Land Use Compatibility Plan

a. Airport Influence Area:	Banning Municipal Airport
b. Land Use Policy:	Airport Compatibility Zone D
c. Noise Levels:	Below 55 CNEL from aircraft noise

BACKGROUND:

<u>Nonresidential Average Intensity</u>: The site is located in Airport Compatibility Zone D. Nonresidential intensity in Airport Zone D is restricted to an average of 100 persons per acre. The "Building Code Method" for calculating intensity utilizes "minimum floor area per occupant" criteria from the Building Code as a factor in projecting intensity. Pursuant to Appendix C, Table C-1, of the Riverside County Airport Land Use Compatibility Plan, for the hotel building the intensity of office areas has been determined to be one person per 100 square feet, and the intensity of hotels and commercial kitchens has been determined to be one person per 200 square feet. For the convenience store and fast food restaurant building, the intensity of retail sales areas has been determined to be one person per 30 square feet, the intensity of restaurant serving area has been determined to be one person per 15 square feet, the intensity of storage areas has been determined to be one person per 200 square feet, and the intensity of storage areas has been determined to be one person per 30 square feet, and the intensity of storage areas has been determined to be one person per 300 square feet.

Based on the site plan and initial floor plans provided, the hotel would result in a maximum of 436 people and the convenience store and quick service restaurant uses would result in a maximum of 106 people for a total maximum occupancy of 542 people through strict application of the building code method. However, subsequent calculations were provided by the architect for the hotel and convenience store and quick service restaurant uses that more accurately portrays realistic occupancy and number of employees, primarily since certain uses such as the lobby, lounge, dining, and conference rooms would serve the people already counted as part of the hotel rooms for the guests and/or the office or kitchen uses for the employees. These calculations indicate a total occupancy of 191 people for the hotel and 89 for the convenience store and quick service restaurant uses. This would result in a total occupancy of 280 people for the entire site. Even if the included conference room, dining room and lounge area did entirely accommodate people not otherwise already counted in other uses per the building code method (i.e. not hotel room guests or employees), the hotel would accommodate a maximum of 346 people (35 people for the conference room, 90 for the dining room, and 30 for the lounge), which would result in a total occupancy of 435 people.

To determine the average intensity, we divide by the gross acreage, which equals the property area, plus the area included in the half-widths of adjoining streets. The approximate gross acreage of the site is 3.43 acres including the surrounding street half-widths. The average intensity, based on this method is 82 persons per acre, which is consistent with the Compatibility Zone D average acre

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criteria of 100 persons per acre. Based on the potential for non-guest and non-employee occupancy for the conference room, dining area, and lounge area, this would result in an average intensity of 127 persons per acre, which would be inconsistent with the average acre criteria at this maximum use scenario.

An alternative calculation for intensity is based on the number of parking spaces provided for a project. While the requirement for parking as indicated on the site plan is a total of 122 parking spaces, the actual number of parking spaces provided is 90 parking spaces, 60 of which are provided for the hotel and 30 for the convenience store and fast food building. Assuming an occupancy of 3.5 persons per vehicle for all provided parking spaces, this would equate to a total of 315 people for the entire site. Utilizing the gross acreages as previously noted, this would result in an intensity of 92 people per average acre, which is consistent with the Zone D average acre criteria.

Nonresidential Single-Acre Intensity: Nonresidential single-acre intensity is restricted to 300 persons in any given acre within Airport Compatibility Zone D. Staff review indicates that, using the building code method for the convenience store and fast food restaurants and the revised anticipated occupancy for the hotel for evaluation, the most intense single-acre (210' x 210' area) would include nearly the entire hotel building, which would include 191 people. This intensity would be consistent with the Compatibility Zone D single-acre criteria of 300 persons per acre. However, as noted previously, based on the potential for non-guest and non-employee occupancy for the conference room, dining room, and lounge area, this would result in single-acre intensity of 346 persons, which would be inconsistent with the single-acre criteria. An alternative calculation for single-acre intensity utilizing the parking space method and the 60 spaces as noted previously for the hotel use and assuming 4.0 persons per vehicle would indicate a total of 240 persons, which would be consistent with the single-acre criteria.

<u>Noise:</u> The site is located within an area that is projected in the 2004 Banning Municipal Airport Land Use Compatibility Plan to ultimately be subject to average aircraft noise levels less than 55 CNEL. Therefore, no noise mitigation measures will be required.

<u>PART 77:</u> The elevation at the westerly end of the runway at Banning Municipal Airport is 2,219 feet AMSL. At a distance of 2,900 feet from the runway, any building with an elevation at top of roof exceeding 2,248 feet AMSL would require FAA notice and review through the Form 7460-1 process. Existing maximum elevation on the site is approximately 2,328 feet above mean sea level (AMSL). Assuming existing elevation would not substantially change and the proposed hotel height of 48 feet would result in a maximum site elevation of 2,376 feet AMSL and for the 24.5 foot tall convenience store a maximum height of 2352.5 feet AMSL. Therefore, review pursuant to the Federal Aviation Administration Obstruction Evaluation Service Form 7460-1 process is required for both buildings. At the time of writing of this staff report, the applicant team has submitted to FAA and been issued an Aeronautical Study Number of 2013-AWP-6570-OE, but the submittal is not yet recognized as a "Work in Progress".

CONDITIONS:

Staff Report Page 4 of 5

- 1. Prior to issuance of building permits, the applicant shall submit a Notice of Proposed Construction or Alteration (Form 7460-1) to the Federal Aviation Administration (FAA) for each building and shall have received a determination of "Not a Hazard to Air Navigation" from the FAA. Copies of the FAA determination shall be provided to the City of Banning Community Development Department and the Riverside County Airport Land Use Commission.
- 2. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
- 3. The following uses shall be prohibited:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, and incinerators.)
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
 - (e) noise sensitive outdoor nonresidential uses and hazards to flight.
- 4. The attached notice shall be given to all prospective purchasers and/or tenants of the property.
- 5. Any new retention basins on the site shall be designed so as to provide for a maximum 48hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the retention basin(s) that would provide food or cover for bird species that would be

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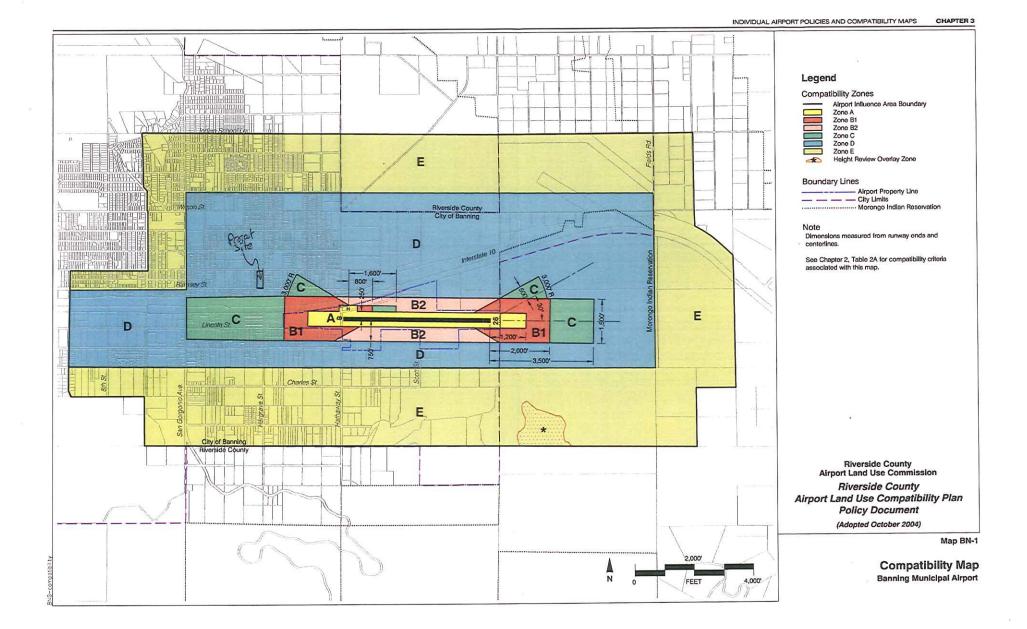
incompatible with airport operations shall not be utilized in project landscaping. Trees shall be spaced so as to prevent large expanses of contiguous canopy, when mature. In the event that a retention or detention basin is established on this site, on-site landscaping shall not include trees that produce seeds, fruits, or berries.

6. The restaurant use included within the hotel building shall be owned and operated by the hotel owner and operator and shall function to primarily serve guests of the hotel.

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NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to vou. Business & Professions Code Section 11010 (b) 13)(A



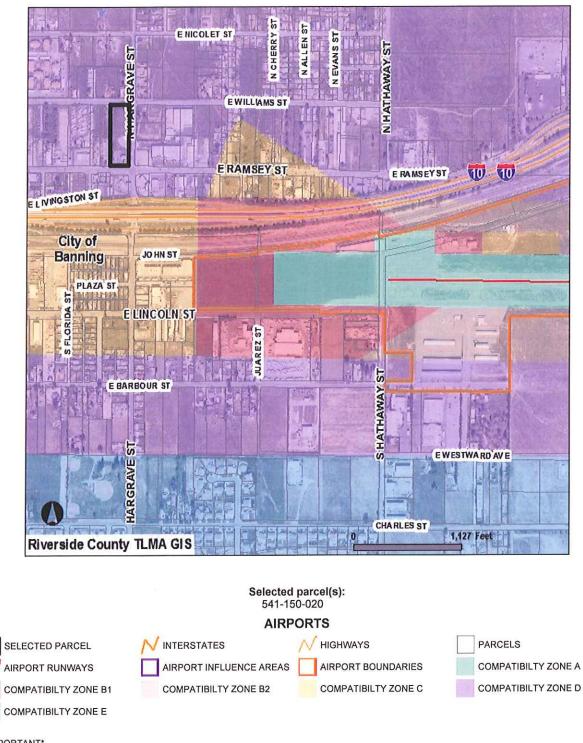
VICINITY MAP

PROPOSED PROJECT: HOTEL AND GAS STATION WITH CONVENIENCE STORE AND QUICK SERVICE RESTAURANT

PROJECT ADDRESS: 775 E. RAMSEY STREET BANNING CA 92220



200 M

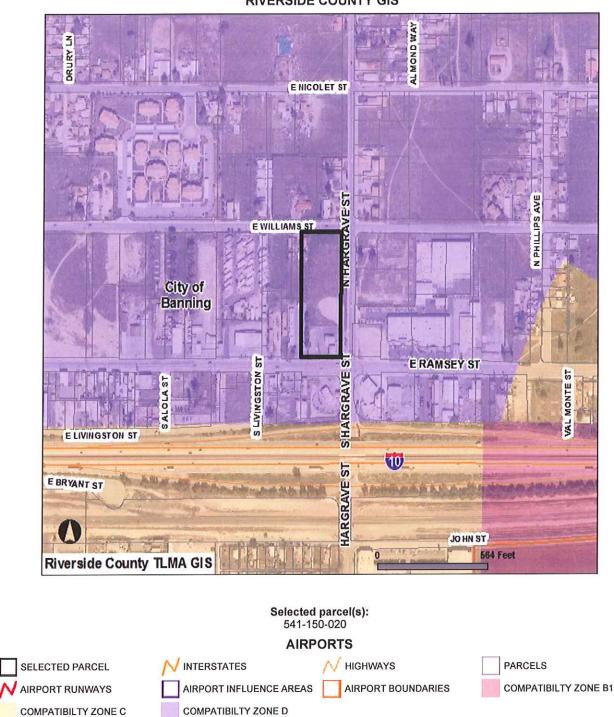


RIVERSIDE COUNTY GIS

IMPORTANT

Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

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RIVERSIDE COUNTY GIS

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RIVERSIDE COUNTY GIS

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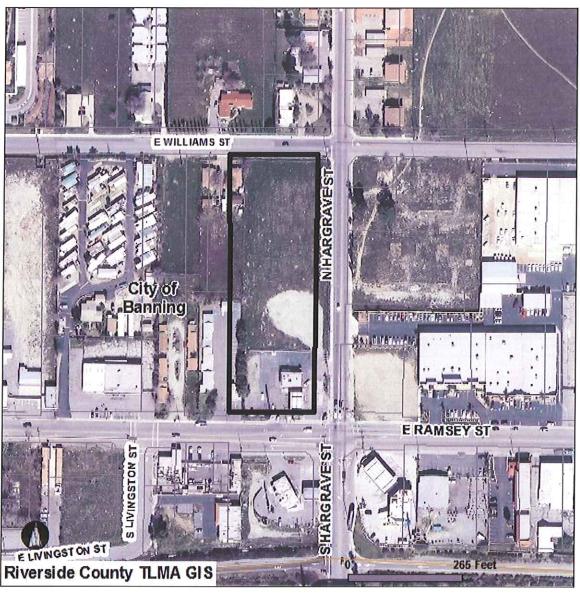
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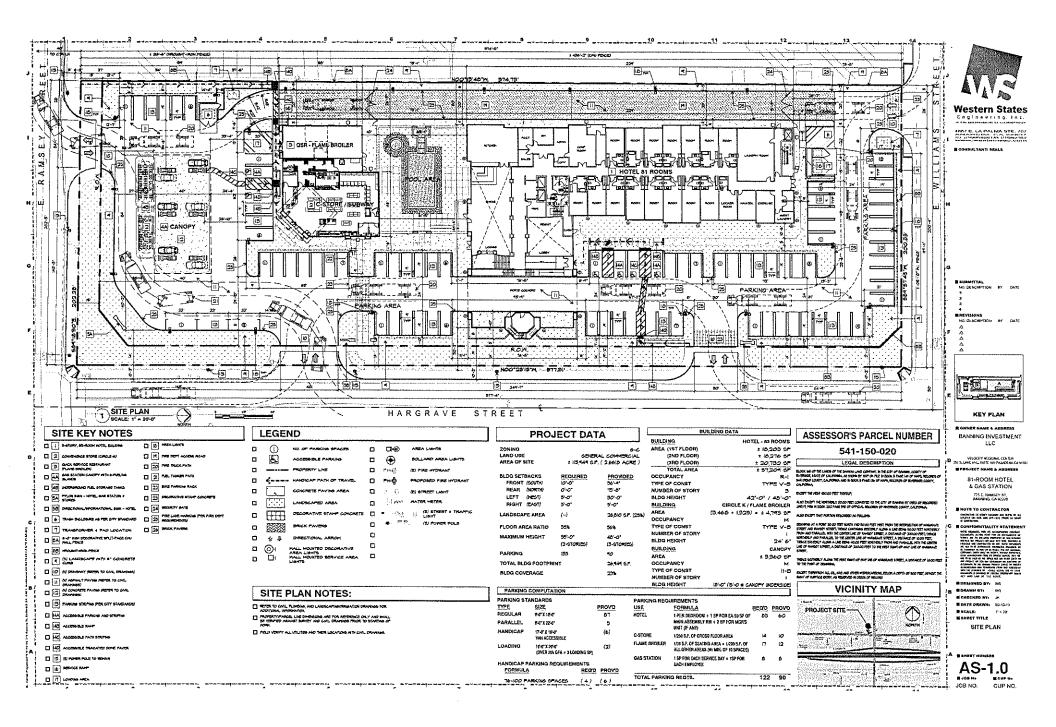
RIVERSIDE COUNTY GIS

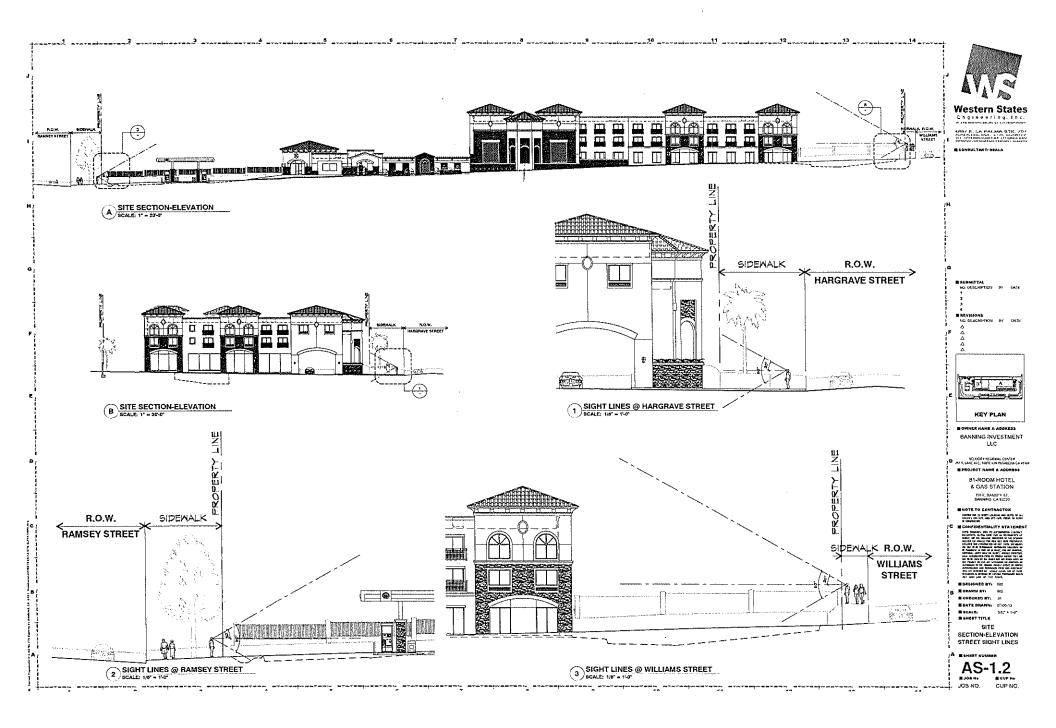
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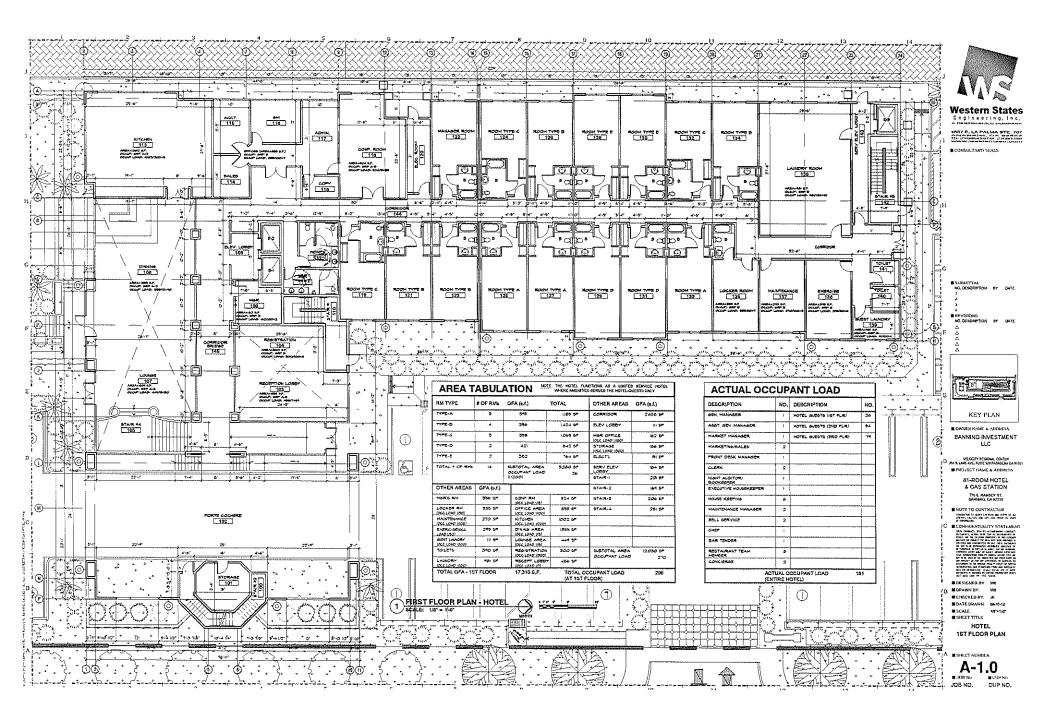
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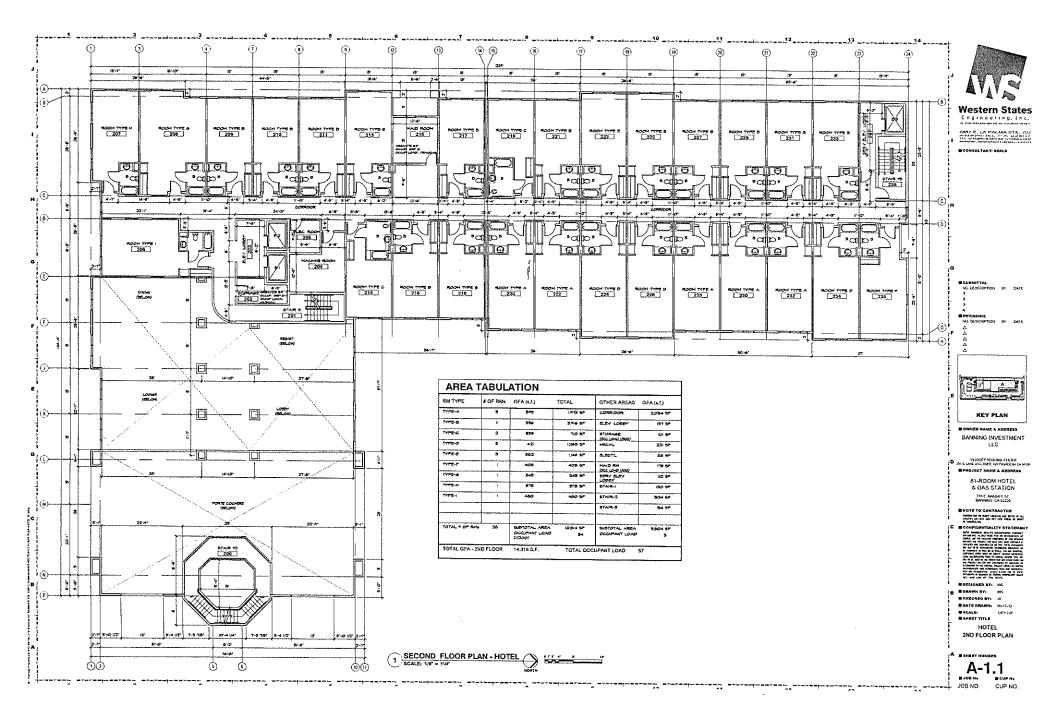
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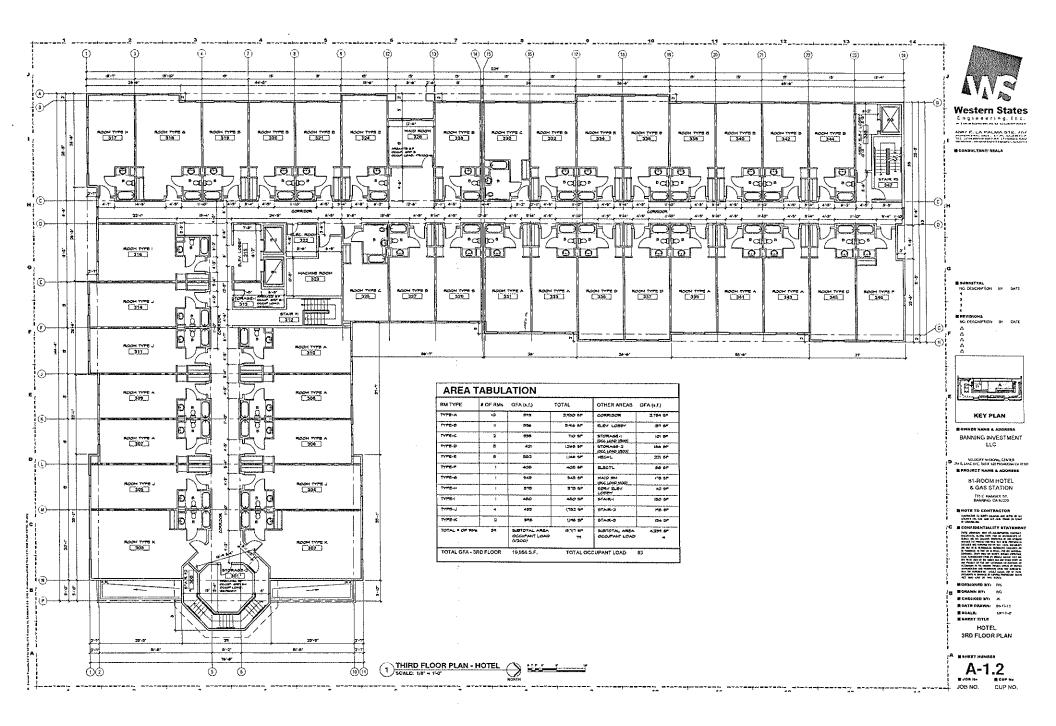
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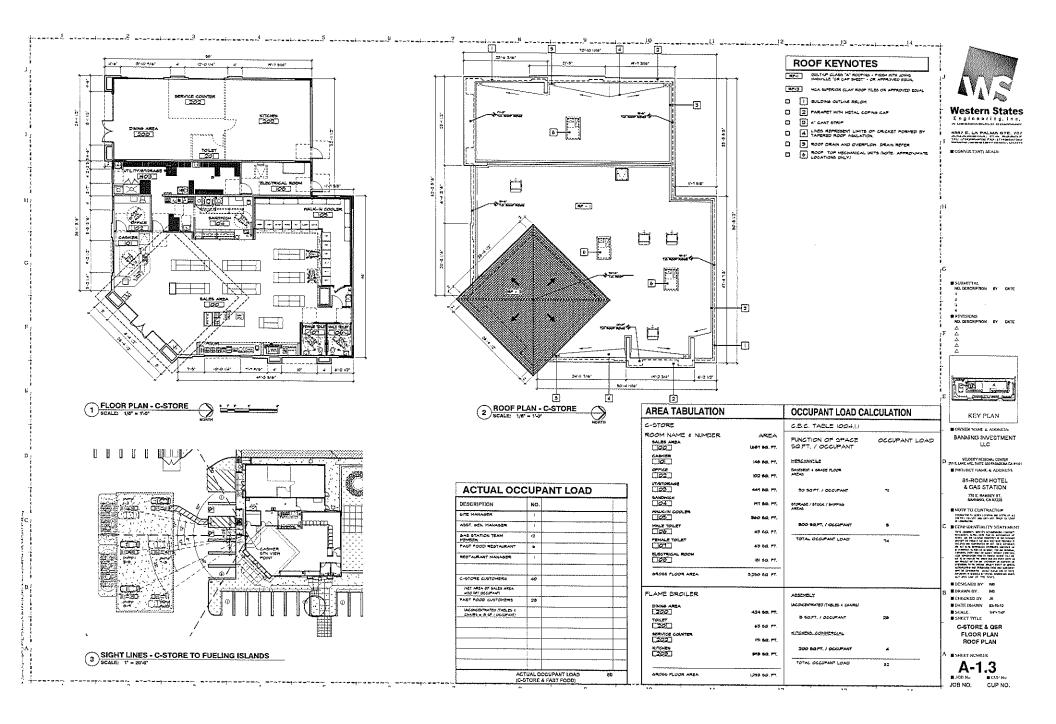


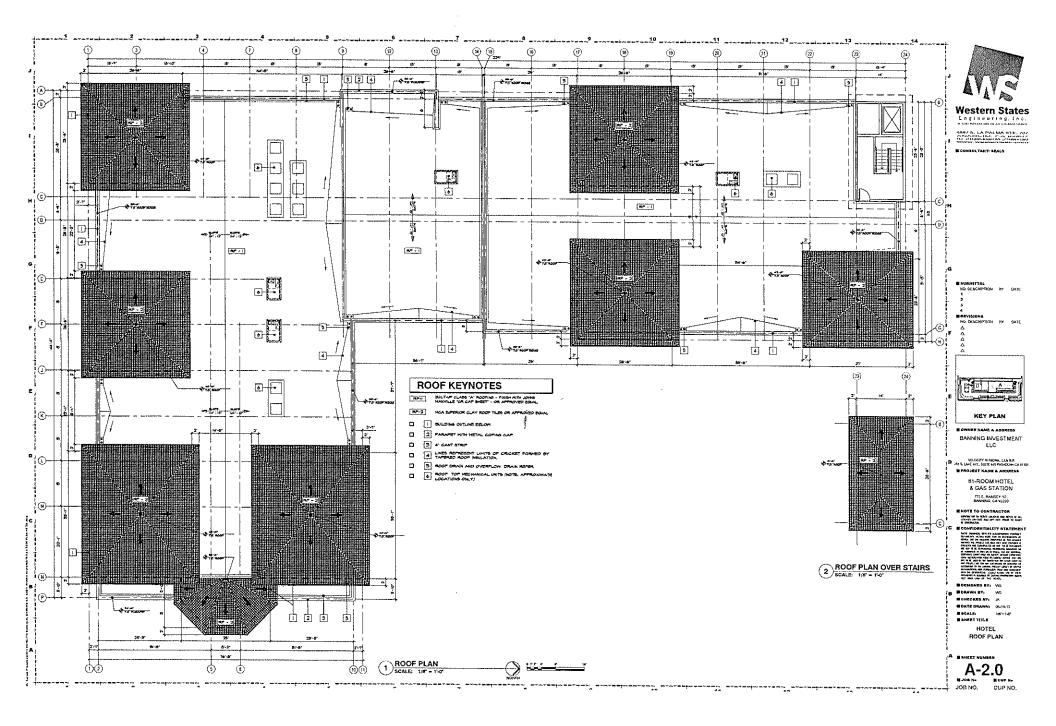


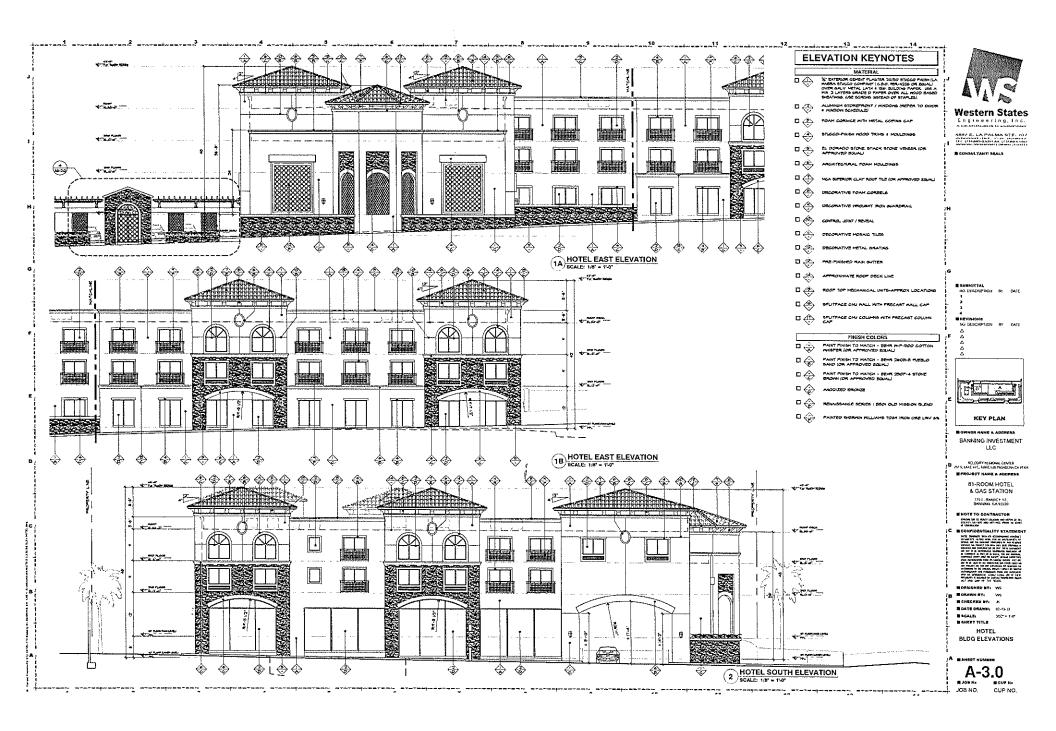


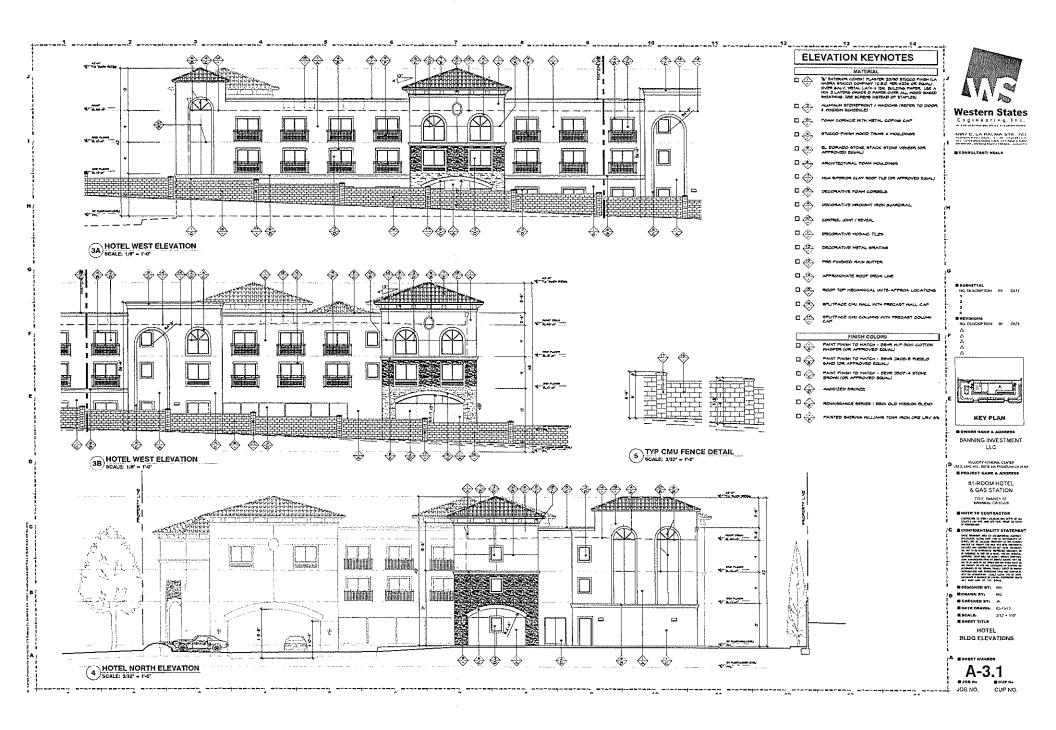


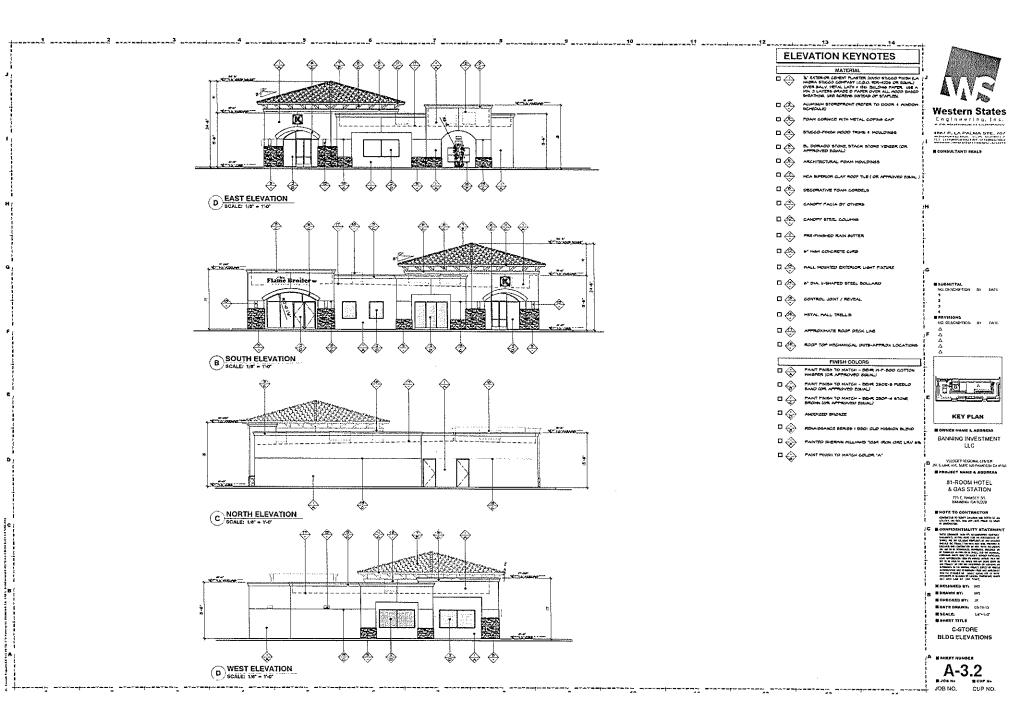


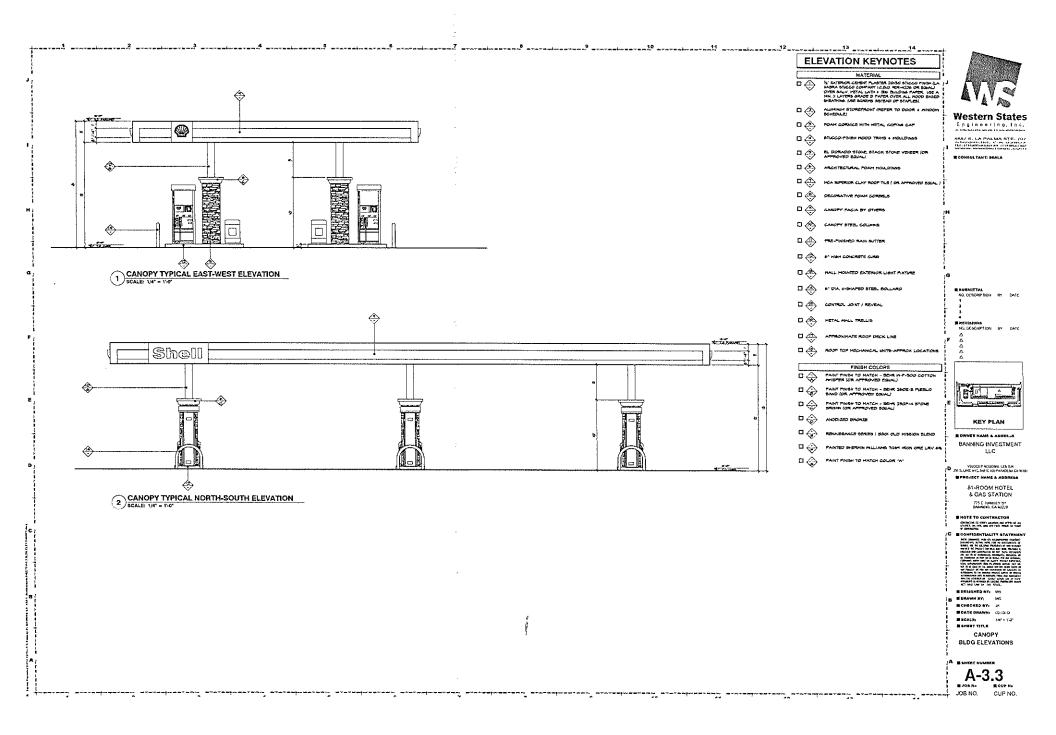












NOTICE OF PUBLIC HEARING RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

A PUBLIC HEARING has been scheduled before the Riverside County Airport Land Use Commission (ALUC) to consider the application described below.

Any person may submit written comments to the ALUC before the hearing or may appear and be heard in support of or opposition to the project at the time of hearing. The proposed project application may be viewed at the Riverside County Administrative Center, 4080 Lemon Street, 14th Floor, Riverside, California 92501, Monday through Thursday from 8:00 a.m. to 5:00 p.m., except Monday, November 11 (Veterans Day), and by appointment on Fridays from 8:30 a.m. to 5:00 p.m.

DATE OF HEARING: November 14, 2013

TIME OF HEARING: 9:00 A.M.

CASE DESCRIPTION:

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

FURTHER INFORMATION: Contact Russell Brady at (951) 955-0549 or John Guerin at (951) 955-0982. The ALUC holds hearings for local discretionary permits within the Airport Influence Areas, reviewing for aeronautical safety, noise and obstructions. All other concerns should be addressed to <u>Mr. Brian Guillot of the City of Banning Community</u> <u>Development Department, at (951) 922-3152.</u>

RIVERSI	TION FOR MAJOR LAND USE ACTION REVIEW ALUC Identification No. DE COUNTY AIRPORT LAND USE COMMISSION ZAP 1013BA13
PROJECT PROPO	NENT (TO BE COMPLETED BY APPLICANT)
Date of Application Property Owner Mailing Address	BANNING INVESTMENT LLC Phone Number 626-696-2257 VELOCITY REGIONAL CENTER 251 S. LAKE AVE. SUITE 920 PASADENA CA 91101
Agent (if any) Mailing Address	JOSEPH KARAKI - WESTERN STATES ENGINEERING INC. Phone Number 714-695-9300 4887 E. LA PALMA AVE. SUITE 707 ANAHEIM CA 92807
	DN (TO BE COMPLETED BY APPLICANT) iled map showing the relationship of the project site to the airport boundary and runways 775 E. RAMSEY STREET BANNING CA 92220
Assessor's Parcel No. Subdivision Name Lot Number	541 150 000
PRO IECT DESCRIP	
If applicable, attach a det	description data as needed
If applicable, attach a det. include additional project Existing Land Use (describe)	ailed site plan showing ground elevations, the location of structures, open spaces and water bodies, and the heights of structures and trees; description data as needed THE SITE IS AN UNDEVELOPED COMMERCIALLY ZONED PROPERTY WITHIN THE CITY OF BANNING AN ABANDONED GAS STATION IS LOCATED AT THE SOUTH-EAST CORNER OF THE PROPERTY. IT IS APPROXIMATELY WITHIN LESS THAN A MILE FROM THE BANNING MUNICIPAL AIRPORT
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If applicable, attach a det include additional project Existing Land Use (describe) Proposed Land Use (describe) For Residential Uses For Other Land Uses See Appendix C)	alled sile plan showing ground elevations, the location of structures, open spaces and water bodies, and the heights of structures and trees; description data as needed THE SITE IS AN UNDEVELOPED COMMERCIALLY ZONED PROPERTY WITHIN THE CITY OF BANNING AN ABANDONED GAS STATION IS LOCATED AT THE SOUTH-EAST CORNER OF THE PROPERTY. IT IS APPROXIMATELY WITHIN LESS THAN A MILE FROM THE BANNING MUNICIPAL AIRPORT JUST SOUTHEAST OF THE PROPERTY. THE PROPOSED PROJECT IS COMPOSED OF A HOTEL BUILDING AND A GAS STATION WITH CONV STORE & QUICK SERVICE RESTAURANT. THE GAS STATION WILL BE LOCATED AT THE SOUTHERN PART OF THE PROPERTY, WHILE THE HOTEL WILL BE LOCATED THE NORTHERN PART. THE HOTEL WILL BE 3-STORIES HIGH (APPROX 42 ET HT. @ NORTH SIDE; 48 ET HT @ SOUTH SIDE)

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REFERRING AGE	NCY (TO BE COMPLETED BY AGENCY	STAFF)										
Date Received	MAY 13, 2013					Тур	e of P	roject				
Agency Name	CITY OF BANNING COMMUNITY DEVELOPMENT DEPT.					eral Plan A ng Amend			nce			
Staff Contact	BRIAN GUILLOT			 		ivision Ap						
Phone Number	951-922-3152					 X		- Permit				
Agency's Project No	CUP # 13-804 / DR # 13-7002							c Facility				
Aganay a riajaatha							Othe	-				
	TO BE COMPLETED BY ALUC EXECUTIV	E DIRE(CTÓR)					. <u> </u>				
Application	Date Received			_	Ву							
Receipt	Is Application Complete?		Yes		No							
	If No, cite reasons											
Airport(s) Nearby												
Primary Criteria	Compatibility Zone(s)		А		B1		B2	□ c		D	Ē	🗌 Ht.
Review	Allowable (not prohibited) Use?		Yes		No							
	Density/Intensity Acceptable?		Yes		No							
	Open Land Requirement Met?		Yes		No							
	Height Acceptable?		Yes		No						····	
	Easement/Deed Notice Provided?		Yes		No							
Special Conditions	Describe:											
Supplemental Criteria Review	Noise											
	Safety											
	Airspace Protection											
	Overflight	,						•				
Actions Taken (1	FO BE COMPLETED BY ALUC EXECUTIV	E DIRE(CTOR)									
ALUC Executive Director's Action	Approve Refer to ALUC					Date	•					
ALUC Action	Consistent Consistent with Conditions (list of	conditio	ons/atta	ach ac	ldition	Date al pag		eded)				
	Inconsistent (list reasons/attach	additio	nal pa	ges if	neede	ed)					<u>, , , , , , , , , , , , , , , , , , , </u>	

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COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

STAFF REPORT

AGENDA ITEM:	3.2
HEARING DATE:	November 14, 2013
CASE NUMBER:	<u>ZAP1014BA13 – Watermark Development Inc., Mark</u> <u>Quental</u>
APPROVING JURISDICTION:	City of Banning
JURISDICTION CASE NO:	DR-13-7003 (Design Review)

MAJOR ISSUES: The proposed building would exceed both the average and single-acre intensity criteria and residential density criteria of Compatibility Zone B1.

RECOMMENDATION: Staff recommends a finding of <u>INCONSISTENCY</u> for the design review, based on the proposed project exceeding both average and single-acre non-residential intensity criteria for Compatibility Zone B1. However, if the Commission is willing to use the Parking Space Method to evaluate average occupancy and accepts the applicant's position on the anticipated occupancy for the units as a means of dealing with the single-acre intensity in Zone B1, the Commission may <u>CONTINUE</u> this matter to its December 12 hearing, pending FAA review.

PROJECT DESCRIPTION: DR-13-7003 is a proposal to develop a 64,327 square foot live/work building consisting of 24 total live/work units on 3.74 acres gross that would include 52,463 square feet of 1st floor area total for office/industrial use and 11,864 square feet of 2nd floor area total for loft/living space.

PROJECT LOCATION: The site is located southerly of Lincoln Street, northerly of Barbour Street, westerly of Hathaway Street, and easterly of Juarez Street, in the City of Banning approximately 570 feet southwesterly of Runway 8-26 at Banning Municipal Airport.

LAND USE PLAN: 2004 Banning Municipal Airport Land Use Compatibility Plan

a. Airport Influence Area:	Banning Municipal Airport
b. Land Use Policy:	Zones B1 and D.
c. Noise Levels:	Aircraft noise levels are approximately 55-60 CNEL

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BACKGROUND:

<u>Non-Residential Average Intensity</u>: The site is located within Airport Compatibility Zones B1 and D, with approximately 16 of the proposed units located within Zone B1 and approximately 8 of the proposed units located within Zone D. Non-residential intensity in Airport Compatibility Zone B1 is restricted to an average intensity of 25 people per acre. Non-residential intensity in Airport Compatibility Zone D is restricted to an average intensity of 100 people per acre. The "Building Code Method" for calculating intensity utilizes "minimum floor area per occupant" criteria from the Building Code as a factor in projecting intensity. Pursuant to Appendix C, Table C-1, of the Riverside County Airport Land Use Compatibility Plan, the following intensities were utilized for the project:

- office areas 1 person/100 square feet with potential for 50% reduction;
- shop/manufacturing areas 1 person/200 square feet;
- storage areas 1 person/300 square feet;
- warehouse areas 1 person/500 square feet;
- dwellings/living area 1 person/300 square feet.

Based on the updated site plan provided, the entire building consists of 9,900 square feet of office area and 26,950 square feet of warehouse area, with the remaining area consisting of 11,864 square feet for residential/living area, 8,360 square feet for interior covered parking, and 7,253 square feet for miscellaneous non-occupiable areas (i.e. utility rooms, stairs, etc.). Based on this, the entire building would accommodate a total of 184 people with the 50% reduction for office uses.

A typical individual unit as indicated on the updated site plan provided would consist of 540 square feet of office area, 1,230 square feet of shop/manufacturing area, 360 square feet for parking/storage, and 546 square feet of residential/living area or storage. These typical unit assumptions are inconsistent with the total building assumptions regarding "warehouse" instead of "shop" uses. The typical unit assumption of "shop" instead of "warehouse" is likely more accurate for how the units would be used. Based on this, a typical unit would accommodate 12 people each with the 50% reduction for office uses with residential or storage use on the 2nd floor. In addition, the updated plans included options for each floor plan. Of these, the most intense option would provide for a maximum of 900 square feet of 2nd floor office space. Considering this as a maximum scenario for a typical unit, each typical unit could accommodate a total of 15 people.

Two non-typical units at approximately 883 square feet each are located on the northern portion of the building that appear to primarily accommodate office area and no residential/living area. Based on this assumption, these non-typical units would accommodate 4 people each with the 50% reduction for office uses.

The total gross acreage of the site including the adjacent half-width streets is estimated at 3.75 acres with approximately 2.50 acres within Zone B1 and 1.25 acres within Zone D. Utilizing the average acre criterion for each zone, this would mean that a total of 63 people could be allowed in Zone B1

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and a total of 125 people could be allowed in Zone D for a total of 188 people allowed across the entire site.

Within Zone B1 there are 14 typical units and 2 non-typical units, which would result in a total occupancy of 176 people based on the typical plan and 218 people based on maximum typical unit. Within Zone D there are 8 typical units, which would result in a total occupancy of 96 people based on the typical plan and 120 people based on maximum typical unit. Based on the gross acreages and the intensity as calculated by the Building Code Method, the average intensity within Zone B1 would be 70 people per average acre based on typical unit and 87 people per average acre for the maximum unit, which are both inconsistent with the average acre criterion of 25. The average intensity within Zone D would be 77 people per average acre for the original plans and 96 people per average acre for the alternative plans, which are both consistent with the average acre criterion of 100.

As discussed with the applicant, if each of the 16 units within Zone B1 were somehow limited to a maximum of 3 people within Zone B1, this would yield a total of 48 people for an intensity of 20 people per average acre, which would be consistent with the Zone B1 average acre criterion. In these discussions, the applicant indicated that 3 people per unit may be an actual realistic occupancy for an individual unit given the small size of the unit and limited nature of any industrial or office oriented use. It was noted that these units are anticipated to be occupied by an owner/tenant that has a small scale business with minimal to no other employees on site and no visiting customers, which would limit the anticipated actual intensity. The design of the building, which would partition each unit with a concrete tilt up wall, would also limit if not eliminate the possibility for combining units for larger, more people intense operations. Three methods for ensuring compliance with any occupancy limits would be for recordation on the deed, incorporation into the CC&Rs, and ALUC review of any tenant improvement. Conditions 6, 7, and 8 have been included to serve this purpose and for the Commission's review and discussion.

An alternative calculation for intensity is based on the number of parking spaces provided for a project. While the requirement for parking as indicated on the site plan is a total of 107 parking spaces, the actual number of parking spaces provided is 125 parking spaces. Assuming an occupancy of 1.5 persons per vehicle, this would equate to a total of 188 people for the entire site. Based on simply the parking required for the units located within each Compatibility Zone, a total of 57 parking spaces is required for the units in Zone B1 and 50 parking spaces is required for the units in Zone B1 and 50 parking spaces is required for the units in a total of 1.5 persons per vehicle, 86 people would be accommodated in Zone B1 and 75 people would be accommodated in Zone D. Utilizing the gross acreages as previously noted, these would result in an intensity of 34 people per average acre in Zone B1 and 60 people in Zone D, which are inconsistent with the Zone B1 acreage acre criterion and consistent with the Zone D average acre criterion.

However, as previously stated, a total of 188 people are allowed on the site per average acre criteria for each Zone. So, the project is consistent with the average acre criterion if the Parking Space Method, which calculated 188 people, is applied across the entire site and not by zones within the site.

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<u>Non-Residential Single-Acre Intensity:</u> The proposed building is located within Airport Compatibility Zones B1 and D. Non-Residential intensity in Airport Compatibility Zone B1 is restricted to 50 people in any given single-acre. Non-Residential intensity in Airport Compatibility Zone D is restricted to 300 people in any given single acre. The most intense single-acre within Zone B1 would consist of 12 typical units, which would accommodate a total of 144 people based on typical unit and 180 people based on maximum unit. These would be inconsistent with the Zone B1 single-acre criterion. The most intense single-acre within Zone D would consist of all 8 typical units, which would accommodate a total of 96 people based on typical unit and 120 people based on maximum unit. These would be consistent with the Zone D maximum unit. These would be consistent with the Zone D would consist of all 8 typical units, which would accommodate a total of 96 people based on typical unit and 120 people based on maximum unit.

As noted in the Average-Acre analysis, if each of the 12 typical units within a single-acre were limited to a maximum 3 people within Zone B1, this would yield a total of 36 people, which would be consistent with the single-acre criterion. Even at 4 people per unit would yield a total of 48 people, which would also be consistent with the single-acre criterion.

<u>Risk-Reduction Design Bonus</u>: A bonus of up to 1.3 times the Zone B1 single-acre criteria of 50 for a maximum allowable intensity of 65 could be granted at the authority of the City of Banning based on the type and amount of risk reduction measures incorporated. Based on the site and building design, the exterior walls and interior unit separating walls of the building would be a tilt-up concrete wall and windows would be limited to the entries and 2^{nd} story living areas. However, the building does propose 2 stories as well as skylights within each unit. No information has been provided regarding the strength of the roof, sprinkler system, or emergency exits to indicate whether these already do or could exceed basic building code standards. Despite this, even at the maximum allowable intensity of 65 with risk-reduction bonus, the project as currently designed accommodates up to 144 people based on typical unit and 180 people based on maximum allowable intensity of 65 with risk-reduction bonus, the wetwer, at the maximum allowable intensity of 65 with risk-reduction bonus, the area on maximum allowable intensity of 65 with risk-reduction bonus, the project as currently designed accommodates up to 144 people based on typical unit and 180 people based on maximum allowable intensity of 65 with risk-reduction bonus, the project as a currently designed accommodates up to 144 people based on typical unit and 180 people based on maximum allowable intensity of 65 with risk-reduction bonus, the project as currently designed accommodates up to 144 people based on typical unit and 180 people based on maximum allowable intensity of 65 with risk-reduction bonus, each unit within B1 could be allowed a maximum of 5 people.

Although risk-reduction is typically applied solely to the single-acre criteria as it is shown in the Riverside County Airport Land Use Compatibility Plan, there is no specific notation that it only is applicable to single-acre or is prohibited from applying to average acre criteria. Assuming the maximum 1.3 times bonus could be applied to average acre, this would result in a maximum allowable intensity of 32.5 people per average acre or a total of 81 people allowed on the B1 2.5 gross acre area. Similar to single acre, as calculated by the Building Code and Parking Space methods, the proposed project would still exceed this maximum criteria. However, at this maximum allowable criteria with bonus, each unit within B1 could be allowed a maximum of 5 people.

<u>Infill Potential</u>: Higher intensity criteria may be considered if the surrounding land uses are similar to or more intense than the proposed project. To qualify for consideration, at least 65% of the project site's perimeter must be surrounded by uses similar to or more intense than the proposed project, and the project site must be less than 20 acres in area. If qualified, a higher average intensity level - the lesser of either the equivalent intensity to surrounding land uses or double the normally allowable

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intensity - may be consistent. The properties immediately surrounding the project site consist of low intensity residential, open storage, and vacant land that would not be similar or more intense as the proposed project. As such, the project would not qualify for consideration of infill higher intensity criteria.

<u>Prohibited and Discouraged Uses:</u> The applicant does not propose any uses prohibited or discouraged in Zone B1 (Children's schools, day care centers, libraries, hospitals, nursing homes, places of worship, buildings with more than 2 aboveground habitable floors, highly noise-sensitive outdoor non-residential uses, aboveground bulk storage of hazardous materials, critical community infrastructure facilities, and hazards to flight) or Zone D (highly noise-sensitive outdoor non-residential uses and hazards to flight). However, as noted above, the proposed building exceeds Zone B1 intensity limitations.

<u>Residential Density</u>: As a live/work development the project is considered a mixed use development and pursuant to Countywide Policy 3.1.3(d) should be treated as non-residential development. Therefore, no consideration of the project's residential intensity and consistency with applicable residential densities is included. Following is Policy 3.1.3 (d).

- (d) Mixed use development in which residential uses are proposed to be located in conjunction with nonresidential uses in the same or adjoining buildings on the same site shall be treated as nonresidential development. The occupancy of the residential portion shall be added to that of the nonresidential portion and evaluated with respect to the nonresidential usage intensity criteria below.
 - (1) This mixed-use development policy is intended for dense, urban-type developments where the resultant ambient noise levels are relatively high. The policy is not intended to apply to projects in which the residential component is isolated from the nonresidential uses of the site.
 - (2) Noise attenuation and other requirements that may be specifically relevant to residential uses shall still apply.

<u>Open Area Requirements:</u> The site is less than ten acres in area and, therefore, is not subject to Zone B1 or D open area requirements.

<u>Noise:</u> The property lies partially within the area that would be subject to average exterior noise levels of 55 CNEL or greater under ultimate airport development conditions. As a potentially noise sensitive mixed use, adequate noise reduction measures should be incorporated into the building design to assure that City of Banning interior noise level standards can be achieved.

<u>PART 77:</u> The elevation at the westerly end of the runway at Banning Municipal Airport is 2,219 feet above mean sea level (AMSL). At a distance of 570 feet from the runway, any building with an elevation at top of roof exceeding 2,224.7 feet AMSL would require FAA notice and review through

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the Form 7460-1 process. Proposed building pad elevation is 2220.26 feet AMSL and proposed maximum building height is 28'6" for a total height of 2248.76. Therefore, review pursuant to the Federal Aviation Administration Obstruction Evaluation Service Form 7460-1 process is required for the building. Submittal to FAA has been made for Obstruction Evaluation and was assigned an Aeronautical Study Number (ASN) of 2013-AWP-6265-OE. At the time of writing of the staff report, the FAA website does not recognize this as a valid number.

<u>Other Special Conditions</u>: Countywide Policy 3.3.6 allows the Commission to find a normally incompatible use to be acceptable "because of terrain, specific location, or other extraordinary factors or circumstances related to the site." In such a situation, the Commission would need to make findings that the land use would not create a safety hazard nor expose people to excessive noise. In some cases, projects that did not quite meet the exacting standards for consideration as infill have been judged consistent through use of Policy 3.3.6. Staff has not identified any such factors as terrain, specific location, or other extraordinary factors that exist to consider the normally incompatible use to be acceptable pursuant to Policy 3.3.6.

CONDITIONS (in the event that the Commission chooses to determine the project Consistent):

- 1. Any outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky.
- 2. The following uses shall be prohibited:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area, including landscaping utilizing water features, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, and incinerators.
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
 - (e) In Zone B1: Children's schools, day care centers, libraries, hospitals, nursing homes, places of worship, highly noise-sensitive outdoor non-residential uses, aboveground

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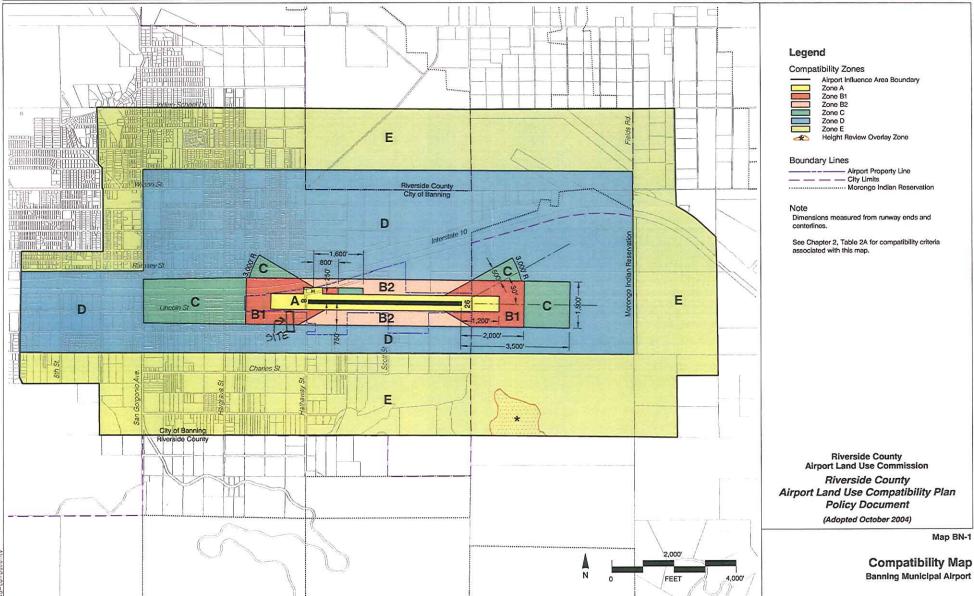
bulk storage of hazardous materials, critical infrastructure facilities, or hazards to flight.

- (f) In Zone D: Highly noise-sensitive outdoor non-residential uses or hazards to flight
- 3. The attached notice shall be provided to all potential purchasers of the property, and shall be recorded as a deed notice.
- 4. Any new retention basins on the site shall be designed so as to provide for a maximum 48hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the retention basin(s) that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.
- 5. Incorporate noise attenuation measures into the building construction to ensure interior noise levels are at or below 45 CNEL for the included residential uses.
- 6. The deed notice for the property and any properties created by subdivision of the site shall record that occupancy for units 1 through 16 as identified on the site plan dated October 17, 2013, shall be limited to a maximum of three (3) people per unit to limit building occupant intensity near the Banning Municipal Airport and reduce potential hazards.
- 7. Covenants, Conditions, and Restrictions (CC&Rs) shall be recorded prior to occupancy of the proposed units that notes that occupancy for units 1 through 16 as identified on the site plan dated October 17, 2013, shall be limited to a maximum of three (3) people per unit to limit building occupant intensity near the Banning Municipal Airport and reduce potential hazards.
- 8. Prior to any tenant improvement for units 1 through 16 as identified on the site plan dated October 17, 2013, the plans for the tenant improvement and any pertinent business plan or other document indicating planned use and occupancy shall be transmitted to ALUC for evaluation of occupancy levels to confirm whether any individual unit would exceed three (3) people.
- 9. Individual units shall not be further subdivided so as to allow separate ownership and use of residential and commercial/industrial uses within the same unit.

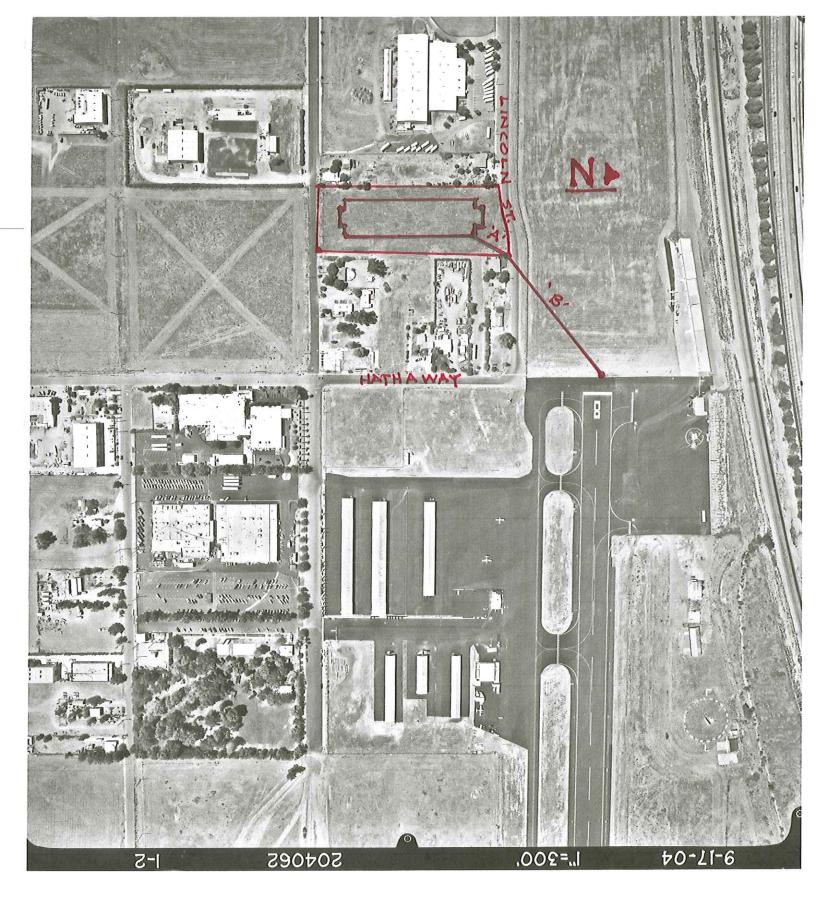
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NOTICE OF AIRPORT IN VICINITY

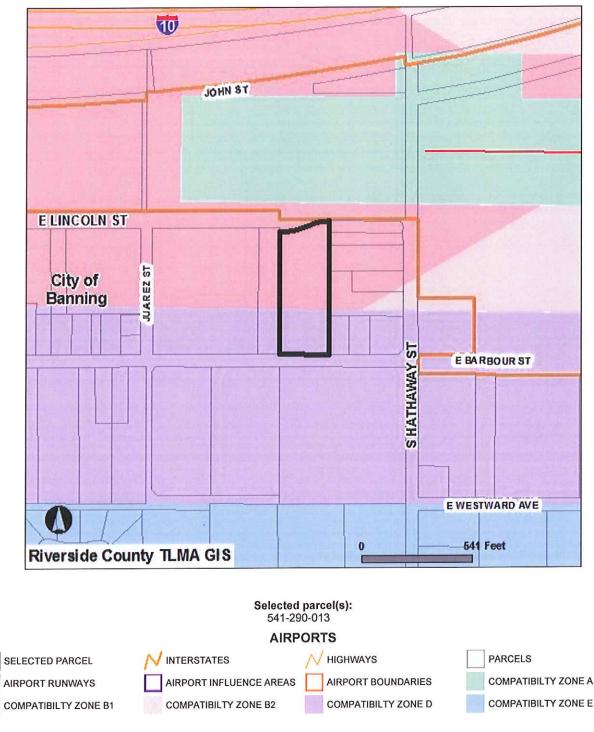
This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b) 13)(A



INDIVIDUAL AIRPORT POLICIES AND COMPATIBILITY MAPS CHAPTER 3



Banning Airport Elevation:	2219'	Project Distance to Ai	Project Distance to Airport	
		Measurement 'A'	157'	
Proposed Project Site Elevation	2220'	Measurement 'B'	545'	
Proposed Building Height	25'	Total Distance	702'	
Overall Height	2245'			



IMPORTANT

Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

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RIVERSIDE COUNTY GIS

Selected parcel(s): 541-290-013

IMPORTANT

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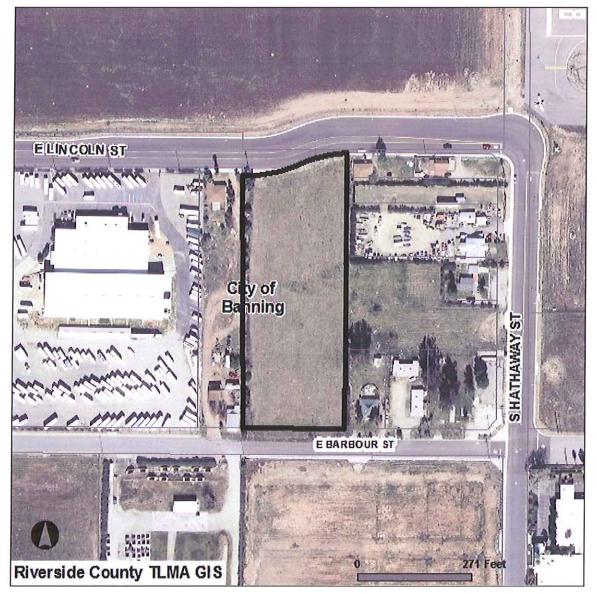
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Selected parcel(s): 541-290-013

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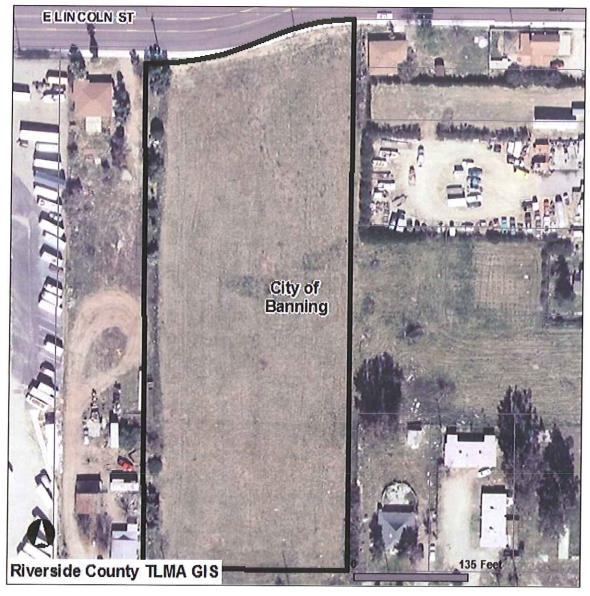


Selected parcel(s): 541-290-013

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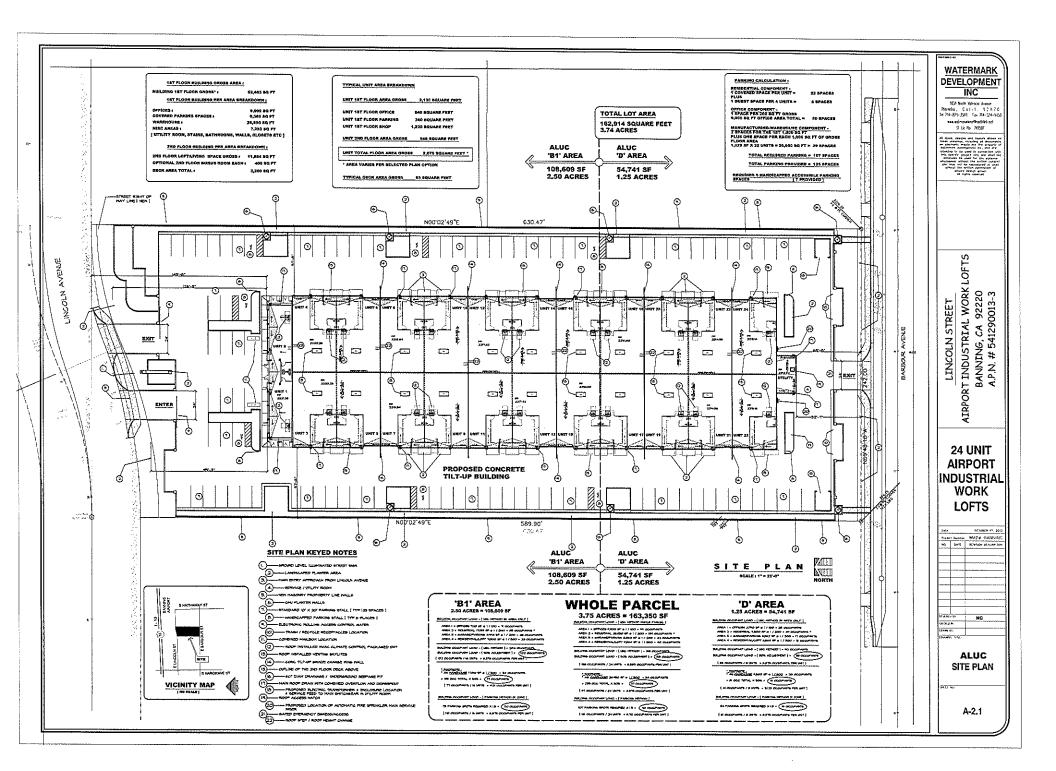
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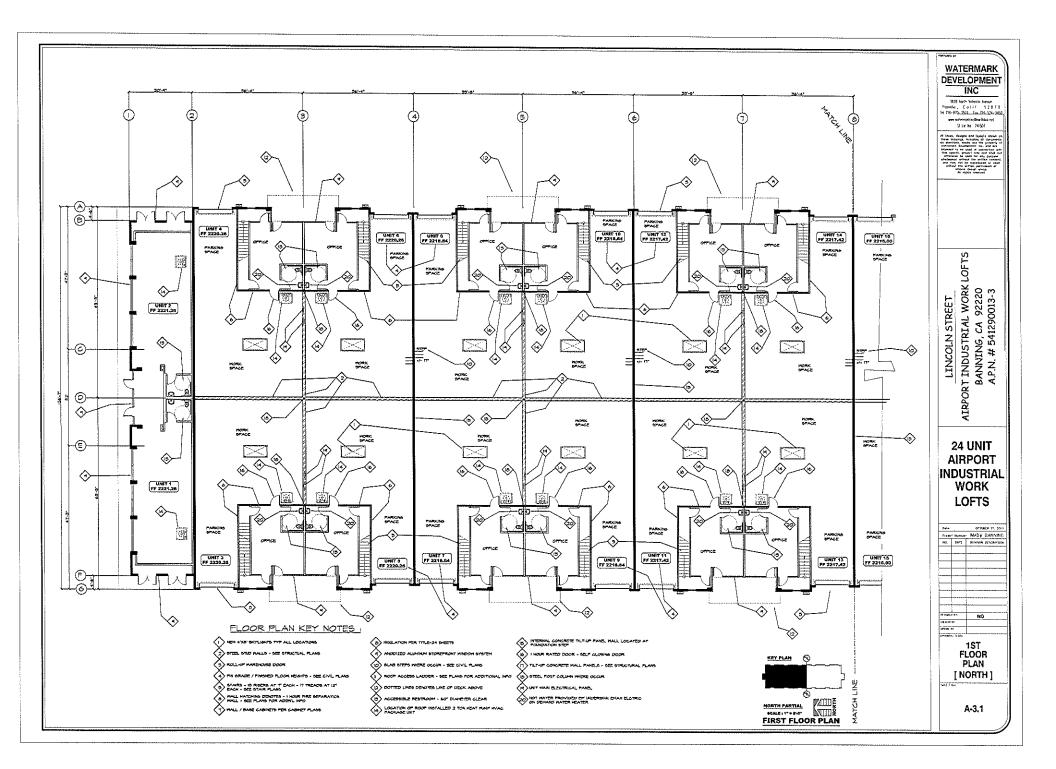
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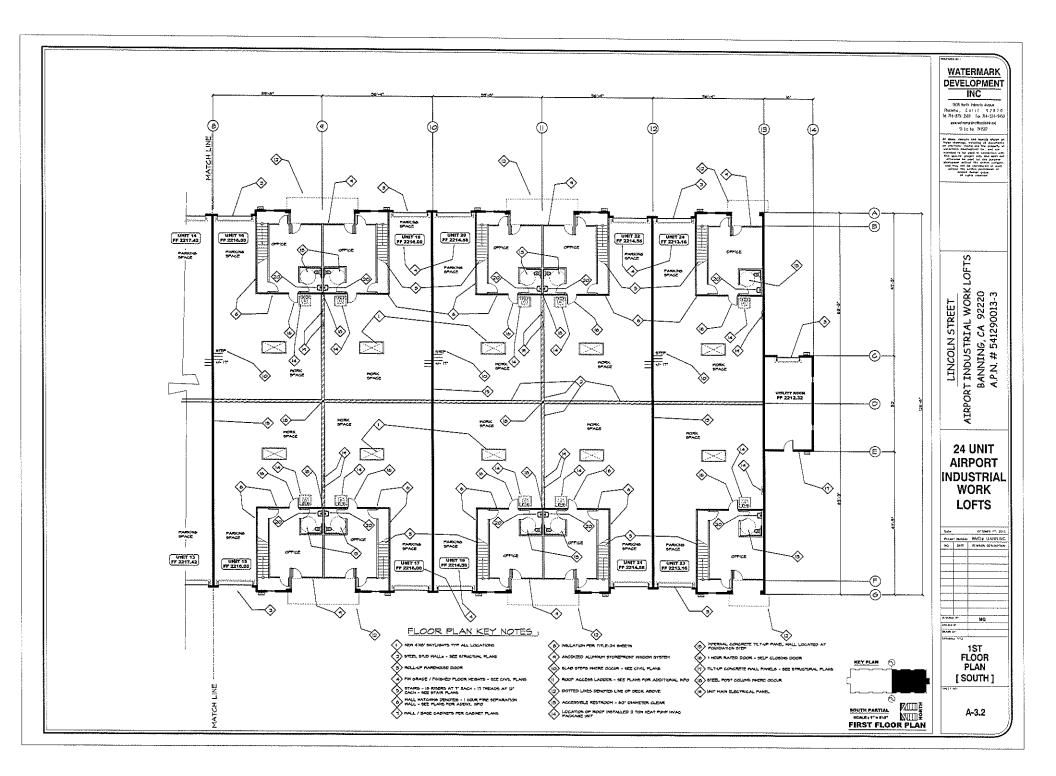
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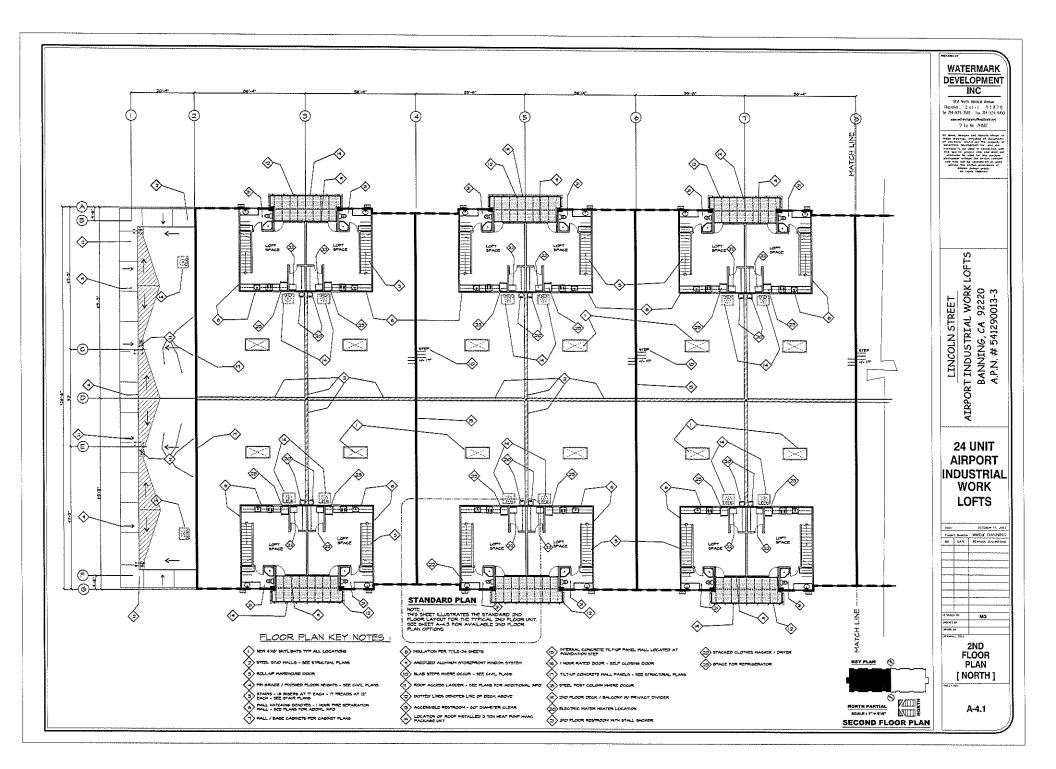
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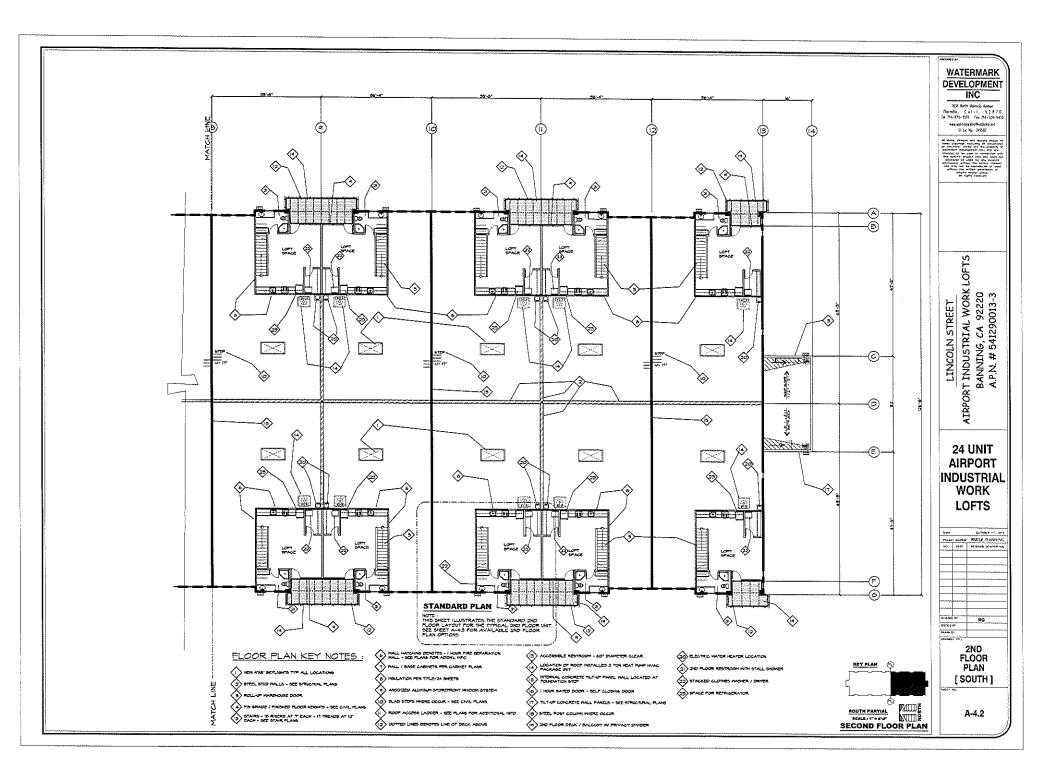


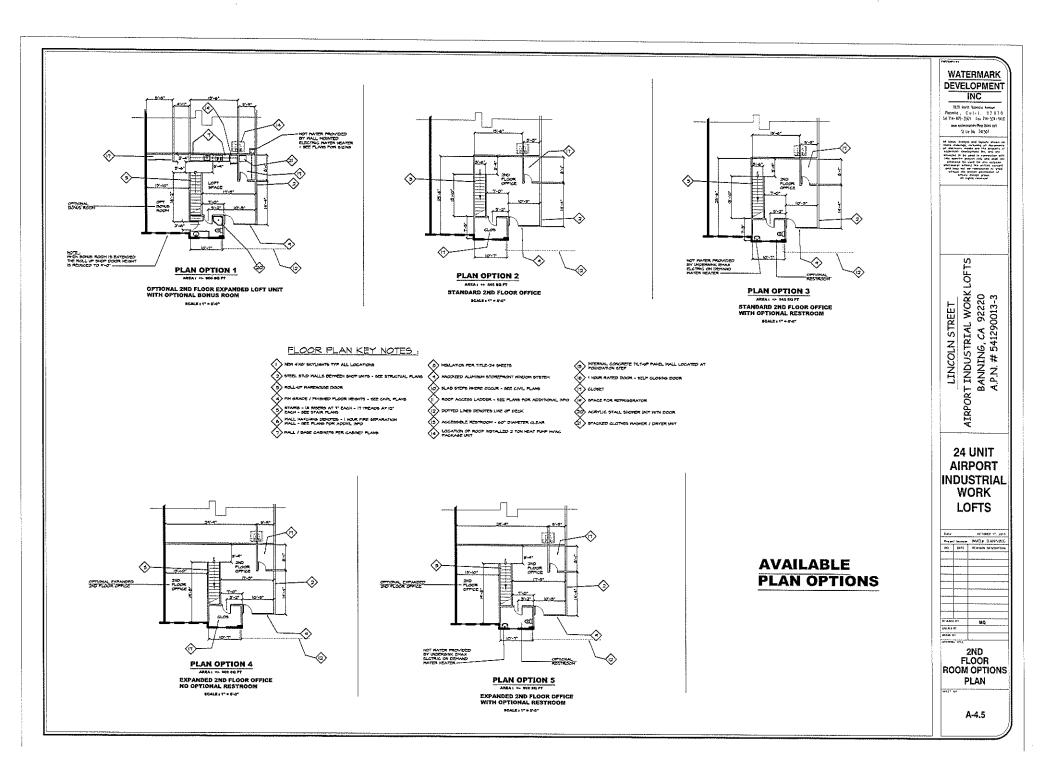


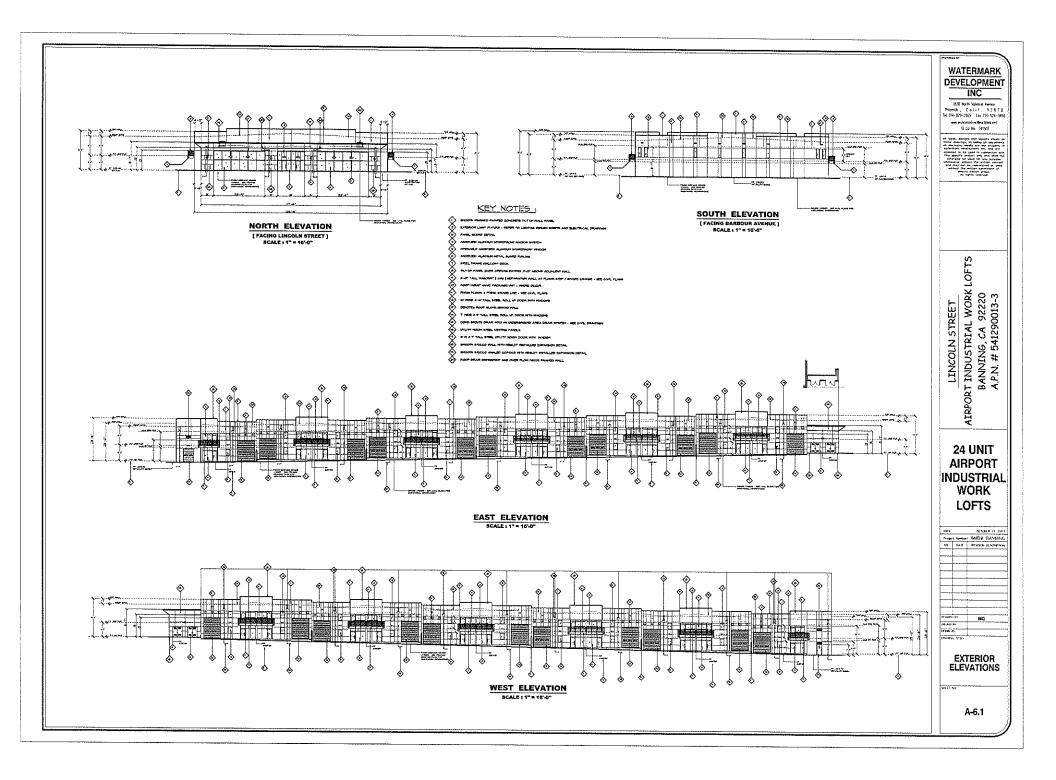












NOTICE OF PUBLIC HEARING RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

A PUBLIC HEARING has been scheduled before the Riverside County Airport Land Use Commission (ALUC) to consider the application described below.

Any person may submit written comments to the ALUC before the hearing or may appear and be heard in support of or opposition to the project at the time of hearing. The proposed project application may be viewed at the Riverside County Administrative Center, 4080 Lemon Street, 14th Floor, Riverside, California 92501, Monday through Thursday from 8:00 a.m. to 5:00 p.m., except Monday, November 11 (Veterans Day), and by appointment on Fridays from 8:30 a.m. to 5:00 p.m.

PLACE OF HEARING: Riverside County Administration Center 4080 Lemon St., 1st Floor Hearing Room Riverside, California

DATE OF HEARING: November 14, 2013

TIME OF HEARING: 9:00 A.M.

CASE DESCRIPTION:

ZAP1014BA13 – Mark Quental – City of Banning Case No. DR 13-7003 (Design Review). A proposal to develop a two-story, 73,127 square foot mixed-use ("live/work") building comprised of 24 individual spaces ("airport industrial work lofts"), with office, manufacturing, storage, and warehouse uses on the first floor and the option for either residential or office uses on the second floor (potential for up to 22 dwelling units) on a 3.57 net acre (3.74 gross acres) site located southerly of Lincoln Street, northerly of Barbour Street, westerly of Hathaway Street, and easterly of Juarez Street in the City of Banning. (Airport Compatibility Zones B1 and D of the Banning Municipal Airport Influence Area).

FURTHER INFORMATION: Contact Russell Brady at (951) 955-0549 or John Guerin at (951) 955-0982. The ALUC holds hearings for local discretionary permits within the Airport Influence Areas, reviewing for aeronautical safety, noise and obstructions. All other concerns should be addressed to <u>Mr. Brian Guillot of the City of Banning Community</u> <u>Development Department, at (951) 922-3152.</u>

PROJECT PROPON	ENT (TO BE COMPLETED BY APPLICANT)		
Date of Application	9-26-13		
Property Owner	MARK QUENTAL	Phone Number	310-261-124
Mailing Address	1838 N. VALENCIA AVE.	email	
-	PLACENTIA, CA 92870	watermarkinc	e earth!
Agent (if any)		Phone Number	
Mailing Address			
	N (TO BE COMPLETED BY APPLICANT) led map showing the relationship of the project site to the airport bour		
Street Address	VACANT LAND; E. LINCOLN AND S. HATHAV	VAY ST., BANNING, CA	
Assessor's Parcel No.	541-290-0 03 -4	Parcel Size	3.74 ACRES
Subdivision Name		70ming	
Lot Number		Zoning Classification	Al
fr applicable, attach a dei include additional project Existing Land Use (describe)	ailed site plan showing ground elevations, the location of structures, or description data as needed VACANT_LAND	pen spaces and water bodies, and the	
Proposed Land Use (describe)	NEW INDUSTRIAL BUILDING TO BE SUBDIV WAREHOUSE LOFTS AND 2 OFFICE UNITS,		
For Residential Uses	Number of Parcels or Units on Site (exclude secondary uni	ts) <u>22</u>	
For Other Land Uses	Hours of Use 7AM-8PM		
(See Appendix C)		FFICE/WHSE 153; RESIDE ECTION 1004, TABLE 1004	
Height Data	Height above Ground or Tallest Object (including antennas	00.15	
	Highest Elevation (above sea level) of Any Object or Terrai	n on Site 2245	

REFERRING AGENCY (APPLICANT OR JURISDICTION TO COMPLETE)		
Date Received	7-8-13	Type of Project
Agency Name	City of Banning	General Plan Amendment
•		Zoning Amendment or Variance
Staff Contact	Brian Guilliot	Subdivision Approval
Phone Number	951-922-3152	Use Permit
Agency's Project No.	DR-13-7003	Public Facility
	-	Other DESIGN REVIEW

A. NOTICE: Failure of an applicant to submit complete or adequate information pursuant to Sections 65940 to 65948 inclusive, of the California Government Code, MAY constitute grounds for disapproval of actions, regulations, or permits.

B. SUBMISSION PACKAGE:

ALUC REVIEW

- 1..... Completed Application Form
- 1..... Project Site Plan Folded (8-1/2 x 14 max.)
- 1..... Elevations of Buildings Folded
- 1 Each . 8 ½ x 11 reduced copy of the above
- 1...... 8 ½ x 11 reduced copy showing project in relationship to airport.
- 1 Set Floor plans for non-residential projects
- 4 Sets. . Gummed address labels of the Owner and representative (See Proponent).
- 1 Set. Gummed address labels of all property owners within a 300' radius of the project site. If more than 100 property owners are involved, please provide prestamped envelopes (size #10), with ALUC return address.
- 4 Sets. . Gummed address labels of the referring agency (City or County).
- 1..... Check for Fee (See Item "C" below)

STAFF REVIEW (Consult with ALUC staff planner as to whether project qualifies)

- 1.... Completed Application Form
- 1..... Project Site Plans Folded (8-1/2 x 14 max.)
- 1 Elevations of Buildings Folded
- 1..... 8 ½ x-11 Vicinity Map
- 1 Set . Gummed address labels of the Owner and representative (See Proponent).
- 1 Set . Gummed address labels of the referring agency.
- 1 Check for review-See Below

COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

STAFF REPORT

AGENDA ITEM:	3.3
HEARING DATE:	November 14, 2013
CASE NUMBER:	ZAP1090MA13 – Darrell Butler
APPROVING JURISDICTION:	City of Riverside
JURISDICTION CASE NO:	P13-0607 (Design Review), P13-0608 (General Plan Amendment), P13-0609 (Zone Change), P13-0854 (Specific Plan Amendment)

MAJOR ISSUES: None

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

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

PROJECT LOCATION: The site is located easterly of Sycamore Canyon Boulevard and southerly of Box Springs Boulevard, within the City of Riverside, approximately 17,000 feet northwesterly of Runway 14-32 at March Air Reserve Base.

LAND USE PLAN: 1984 Riverside County Airport Land Use Plan, as applied to the March Air Reserve Base Airport Influence Area.

a. Airport Influence Area:	March Air Reserve Base
b. Land Use Policy:	Area I
c. Noise Levels:	Below 60 CNEL, according to the Draft F-15 Aircraft Conversion

Environmental Impact Statement, 144th Fighter Wing, California Air National Guard (May 2012)

BACKGROUND:

<u>Non-Residential Land Use Intensity</u>: The affected area is located within Airport Area I. The 1984 Riverside County Airport Land Use Plan (1984 RCALUP) states that Airport Area I shall be kept free of all "high risk land uses" (Chapter III, Policy 1). For facilities serving large aircraft like March Air Reserve Base, these zones "carry the highest volume of air traffic due to the fact that all aircraft have to align with these areas to land or take-off on the runways."

High risk land uses are conceptually defined in Appendix B of the 1984 RCALUP titled <u>HIGH RISK</u> <u>LAND USE EXAMPLES</u>. These are uses that are either critical facilities, are characterized by high concentrations of people, and/or involve the use or storage of flammable or explosive materials. Some uses, such as schools and hospitals, qualify as both critical facilities and uses characterized by high concentrations of people. Places of assembly such as churches, restaurants, theaters, and auditoriums, large retail outlets such as department and discount department stores, supermarkets, drug stores, and dollar stores, and other high patronage facilities fit into the second category. Facilities that either serve an important purpose in emergency situations or are characterized by vulnerable populations fit into the first category, while the third category includes the types of facilities that could exacerbate the direct impact of an aircraft accident, such as service stations, bulk fuel storage, manufacturing of plastics, and breweries. Since the project does not include any of these components, it is not characterized as a "high risk land use" and is thus a consistent land use within Area I.

Although located within Airport Area I, the project site is not located within either the Clear Zone, Accident Potential Zone I, or Accident Potential Zone II, as defined by the United States Air Force and as mapped in the 2005 March Air Reserve Base Air Installation Compatible Use Zone (AICUZ) study (2005 AICUZ). As such, the area is not subject to additional regulations or guidance from the AICUZ or the more recent Department of Defense Instruction 4165.57 on prohibited or discouraged land uses or land use intensity.

Furthermore, pursuant to the Draft Airport Land Use Compatibility Plan for the March Air Reserve Base/Inland Port Airport, the site would be located within Compatibility Zone D. No intensity limits are provided for Draft Compatibility Zone D.

<u>Prohibited and Discouraged Uses:</u> The applicant does not propose any uses prohibited or discouraged in Area I or draft Compatibility Zone D within the project. Since the ultimate user is not specified, staff has included a recommended condition indicating the uses allowable in the City's Commercial General and Manufacturing Business Park zones that would not be permissible at this location.

Noise: Both the March Air Reserve Base/Inland Port Airport Joint Land Use Study (which relied on

Staff Report Page 3 of 4

the noise contours included in the 2005 AICUZ study) and the F-15 Aircraft Conversion Environmental Impact Study prepared for the 144th Fighter Wing of the California Air National Guard depict the site as being beyond the 60 CNEL contour. In addition, as warehousing is not a noise sensitive use, no special measures to mitigate aircraft-generated noise are required for the building.

<u>Part 77</u>: The elevation of Runway 14-32 at its northerly terminus is approximately 1535.1 feet above mean sea level (1535.1 feet AMSL). At a distance of approximately 17,000 feet from the runway, Federal Aviation Administration (FAA) review would be required for any structures with top of roof exceeding 1705.1 feet AMSL. Existing maximum grade on the site is approximately 1544 feet AMSL according to the Riverside County Land Information System (RCLIS). Maximum height of the proposed building is 41 feet above the finished floor. Assuming proposed grading would not drastically increase the height of the site from the existing maximum grade, the proposed building has a total maximum elevation of 1585 feet AMSL. Therefore, review by the FAA Obstruction Evaluation Service is not required.

<u>Avigation Easement:</u> Pursuant to Policy 3 of the 1984 Riverside County Airport Land Use Plan, an avigation easement is required for land uses located within Area I.

<u>Open Area:</u> Area I of the 1984 Riverside County Airport Land Use Plan and Draft Compatibility Zone D do not have any requirements for provision of open space.

CONDITIONS:

- 1. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
- 2. The following uses shall be prohibited:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, composting operations, trash

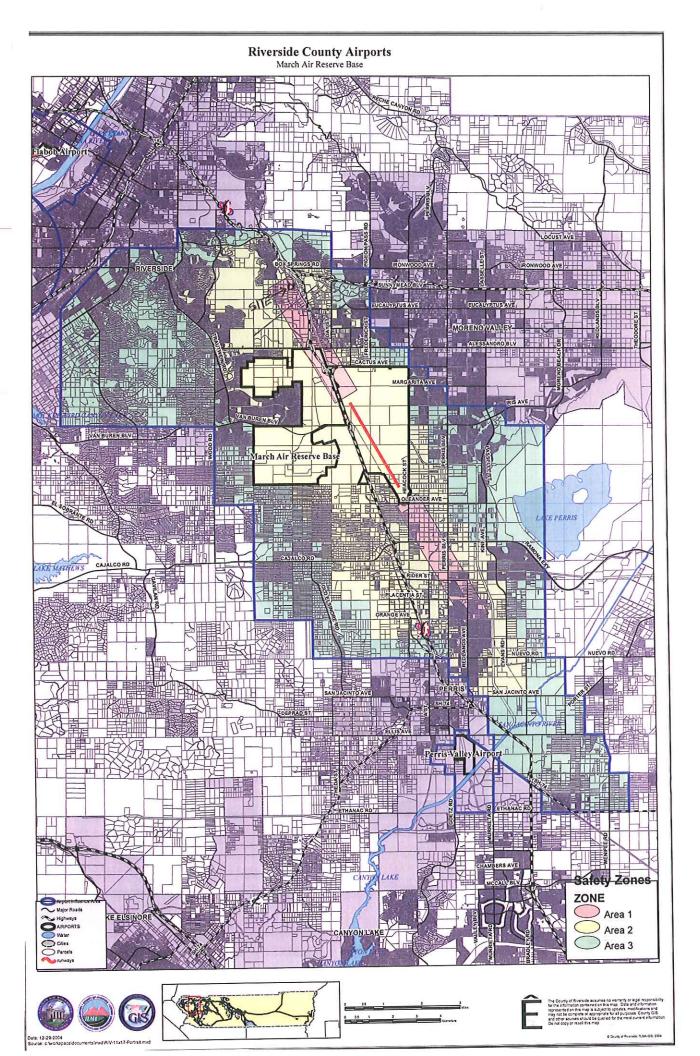
transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, and incinerators.)

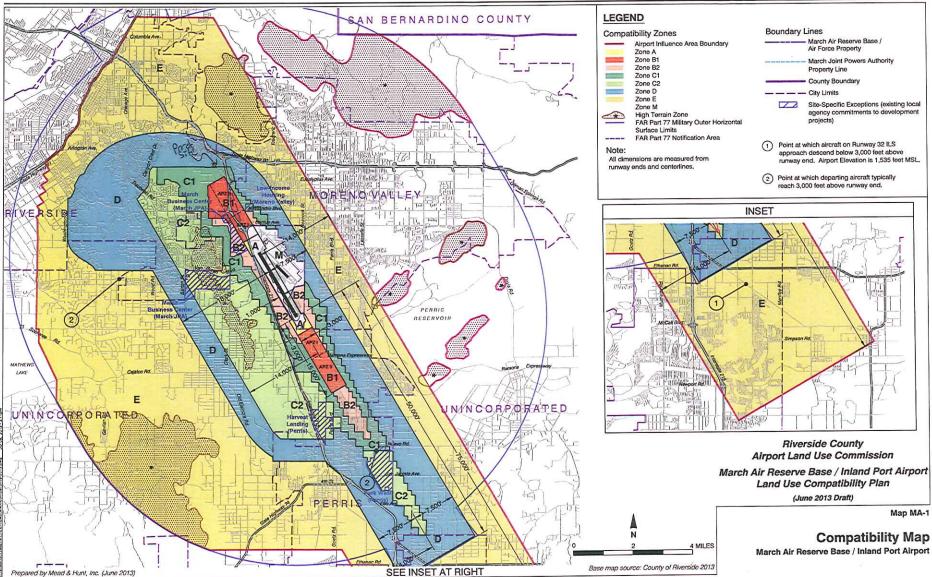
- (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
- (e) Children's schools, day care centers, libraries, hospitals, residential care and congregate care facilities, hotels/motels, places of assembly (including churches, places of worship, meeting halls, clubs, and theaters), ambulance companies (with or without vehicle storage), auction houses, breweries and distilleries, group housing, medical services, transit stations, commercial recreational facilities, restaurants, homeless shelters, student housing, tutoring centers, service stations, noise sensitive outdoor nonresidential uses, and hazards to flight.
- 3. Prior to issuance of any building permits, the landowner shall convey and have recorded an avigation easement to the March Inland Port Airport Authority. Contact March Joint Powers Authority at (951) 656-7000 for additional information.
- 4. The attached notice shall be given to all prospective purchasers and/or tenants of the property.
- 5. Any new retention basins on the site shall be designed so as to provide for a maximum 48hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the retention basin(s) that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping. Trees shall be spaced so as to prevent large expanses of contiguous canopy, when mature. In the event that a retention or detention basin is established on this site, on-site landscaping shall not include trees that produce seeds, fruits, or berries.

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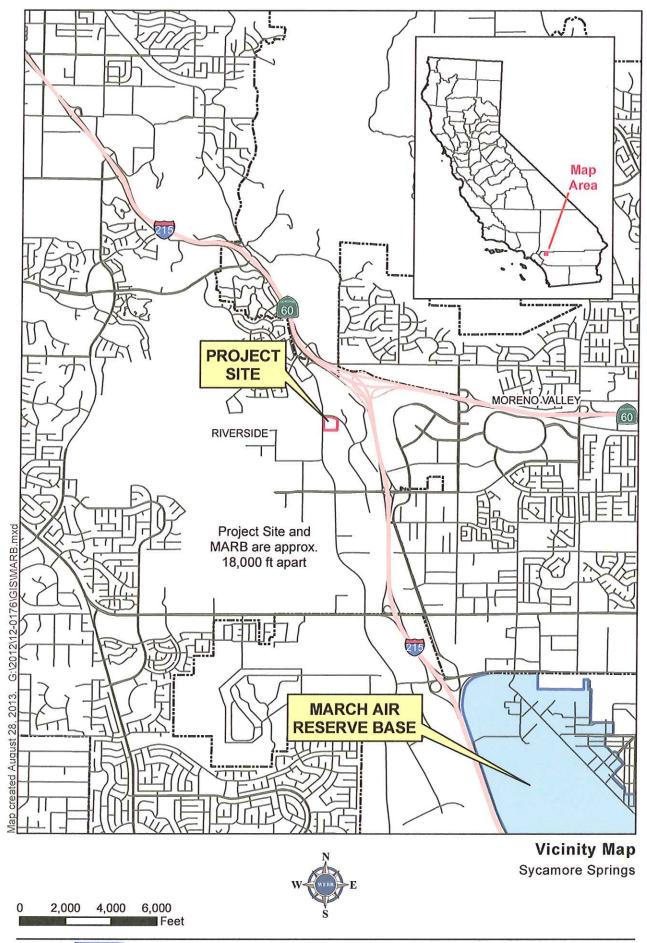
NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to vou. Business & Professions Code Section 11010 (b) (13)(A)

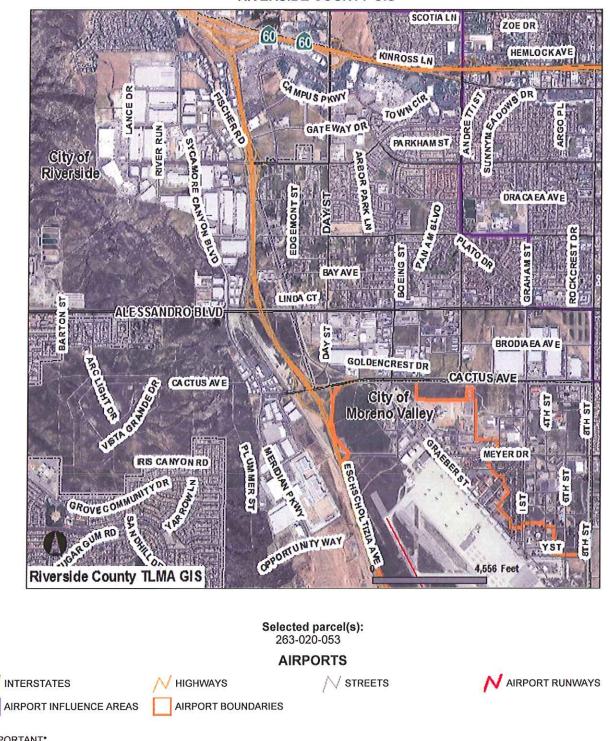




INDIVIDUAL AIRPORT POLICIES AND COMPATIBILTY MAPS CHAPTER 3



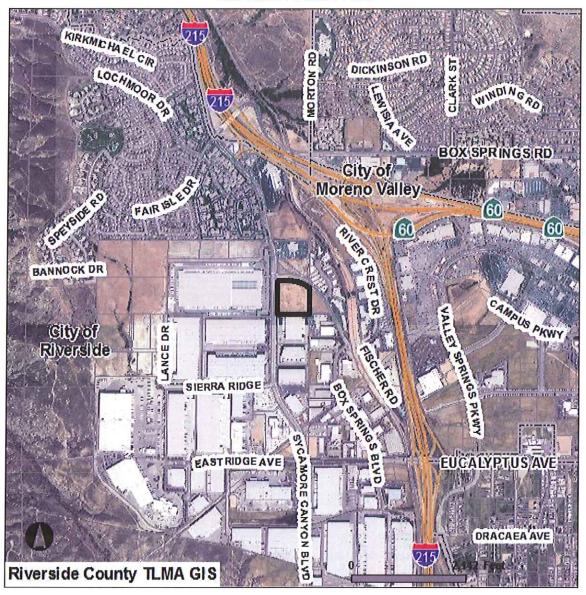
Albert A. WEBB Associates



IMPORTANT

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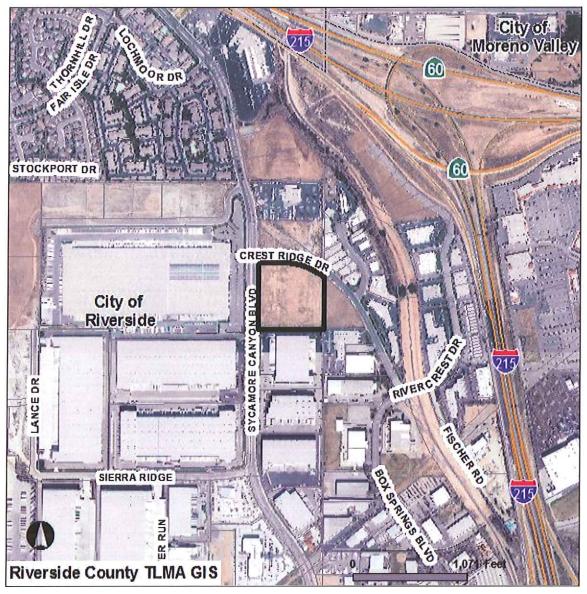


Selected parcel(s): 263-020-053

IMPORTANT

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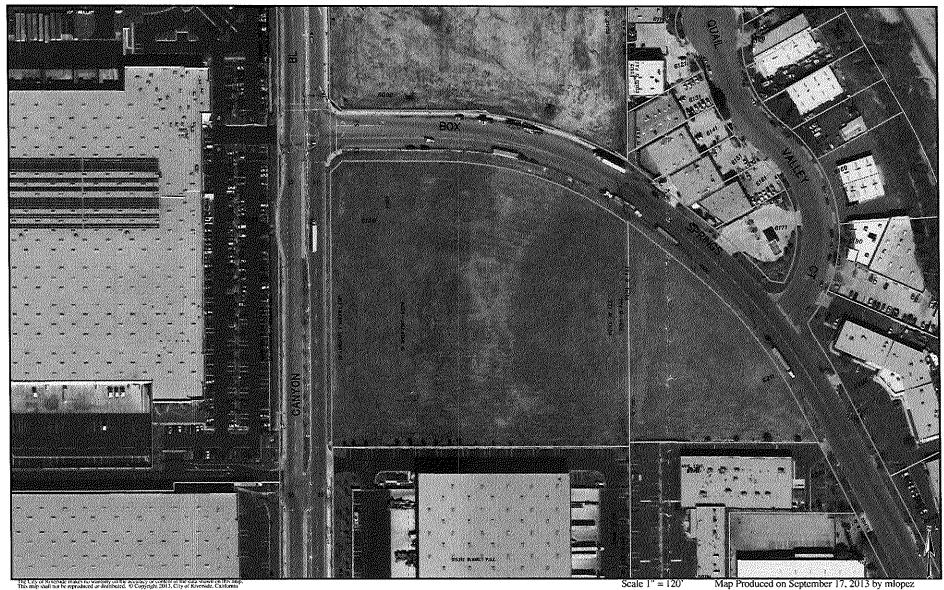


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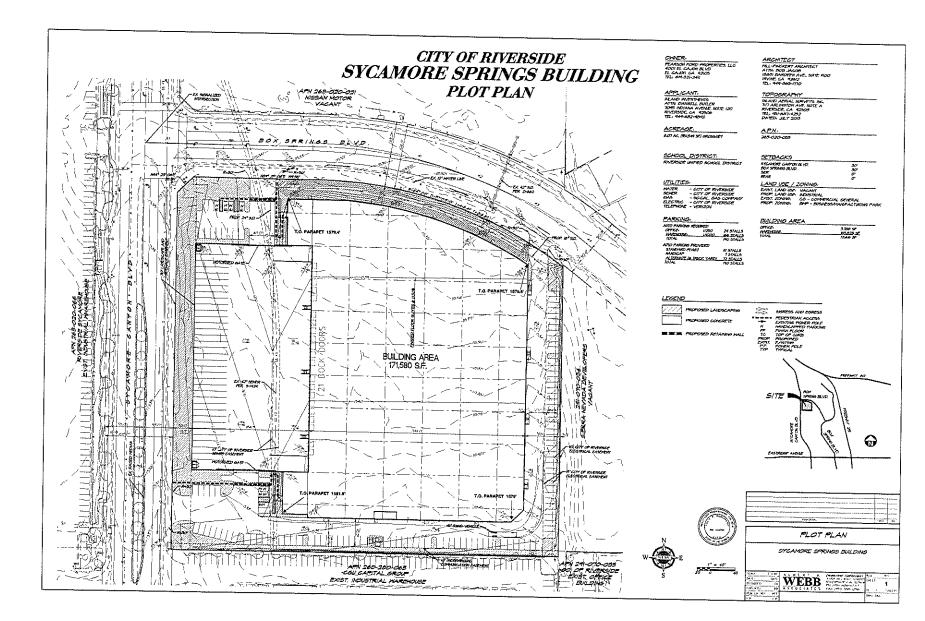
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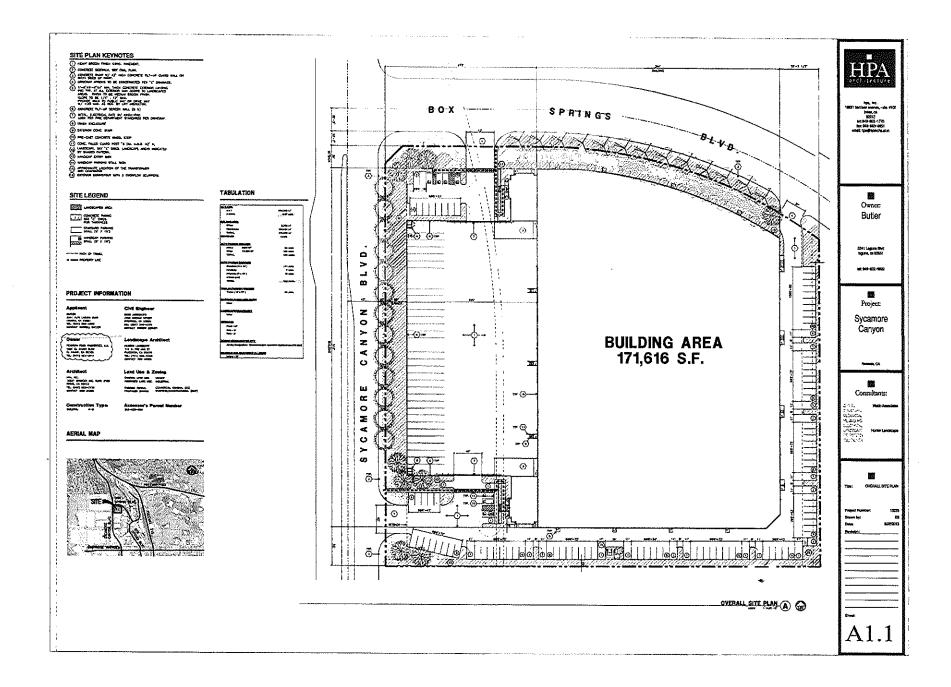


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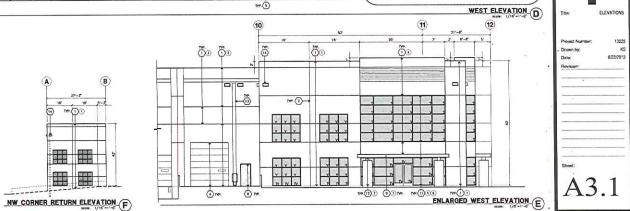
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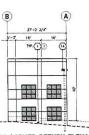
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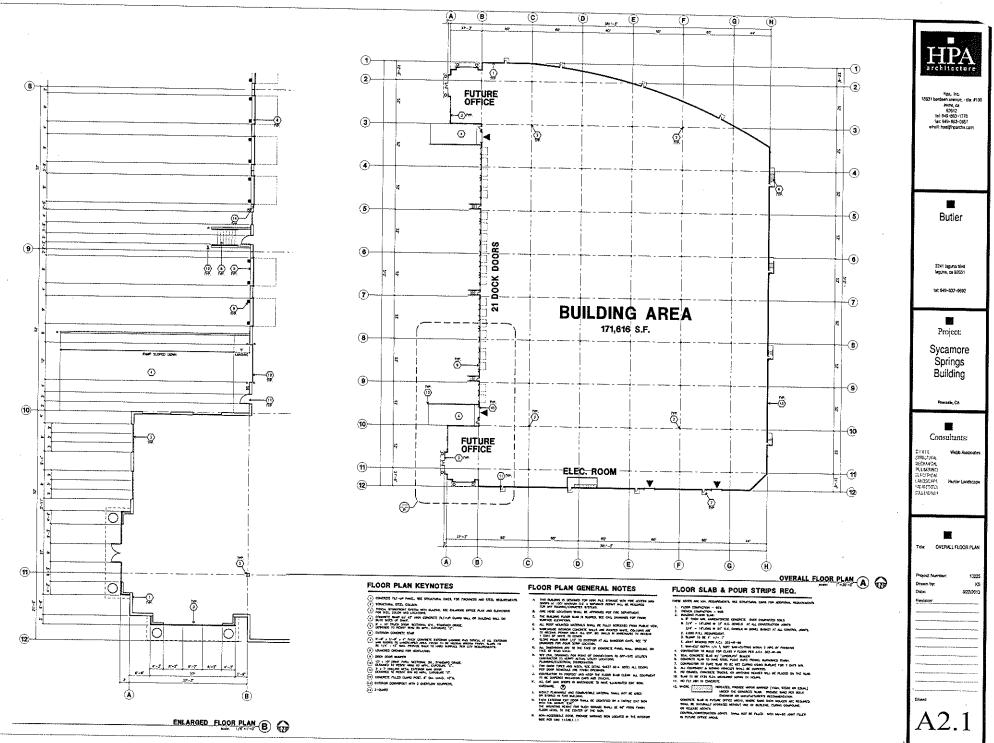
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Project:

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Springs

SW CORNER RETURN ELEVATION



94. 1 EXCERPTS, 1984 RIVERSIDE COUNTY AIRPORT LAND USE PLAN

CHAPTER III

Airport Land Use Commission Policies and Rationale

- . A. Safety Considerations
 - Policy 1: Area I shall be kept free of all high risk land uses.
 (See Appendix B). Residential development (2½ acre lot size and larger) will be permitted only within areas designated by the ALUC to be so far removed from the actual flight paths or to be in areas where aircraft will have gained sufficient altitude that they no longer pose a relative safety threat, should inflight problems occur.
 - 2. Rationale for Policy 1: The approach surfaces are specifically defined by Federal Aviation Regulations. These areas carry the highest volume of air traffic due to the fact that all aircraft have to align with these areas to land or take-off on the runways. Air-craft have a higher tendency to have problems within these zones due to changing power settings to take-off or land. The convergence of all aircraft landing and taking-off within these narrow zones also means that the noise levels are highest in these zones. Due to these factors and the accepted Federal definition of the boundary of these surfaces, the area was deemed inappropriate for housing and high risk uses. Certain areas of approach zones may be deemed appropriate for large lot (dispersed) residential use because over this area aircraft have achieved higher altitude and may be turning out of the approach zone away from the area in question. Therefore, the relative risk is not as great as in other areas of the approach zone.
 - Policy 2: Area II shall have a minimum residential lot size of 25 acres. Agricultural, industrial and commercial uses are acceptable in this area.
 - 4. Rationale for Policy 2: Area II illustrates the general flight paths of the various types of aircraft using the airport. The hazards in



1.5 5 - 10

this area are similar to those in Area I, the approach zones, but the influence of the same factors of landing, take-off and noise are not as severe and the aircraft are higher in altitude. Therefore, the proposed policy is not as severe. The boundaries of the area will be established to coincide as much as possible to areas where aircraft would be in the landing - take-off pattern and would be turning and applying or reducing power (again, higher risk of something happening.)

- B. Noise Considerations
 - Policy 3 Within Area III, avigation easements will be required for all land uses. The height of the avigation easements will be from runway ground elevation within Area I, the defined approach surfaces, and from 150 feet above runway ground level elevation throughout the remainder of Areas II and III.
 - Rationale for Policy 3. Activity directly related to the airports does 2. not extend much beyond the area defined as the airport-influenced This is the area influenced by airport operations area. and aircraft noise. Prospective buyers of land within the area should be notified that aircraft will be in the area and that some may be noisy or produce other ancillary effects such as glare or vibration. Avigation easements are a legal basis wherein the landowner basically acknowledges that aircraft and ancillary effects are present in the airspace overhead, and gives up any future right to sue regarding the acknowledge effects and their impact upon the enjoyment of his property or change in property value. Avigation easements are permitted and defined by the Public Utilities Code, Section 21652. The requirement for avigation easements allows property to be developed in the airport-influenced area for residential and other land uses, but offers constructive notice to future buyers; and protection to the airport that people

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Appendix B

HIGH RISK LAND USE EXAMPLES

The following is a list of examples of high risk land uses. In general, high risk land uses have one or more of the following characteristics:

- (1) high concentration of people,
- (2) critical facilities, and
- (3) flammable or explosive materials.

The following are examples of uses which have these higher risk characteristics. This list is not complete and each land use application shall be evaluated for its appropriateness given airport flight activities:

Places of Assembly:

auditoriums, churches, schools, carnivals, drive-in theaters, etc.

High Patronage Services:

bowling alleys, restaurants, theaters, motels, banks, etc.

Lorge Retail Outlets:

department stores, supermarkets, drug stores, etc.

Residential:

smaller than 2-1/2 more lot sizes.

Critical Facilities:

telephone exchanges, radio/t.v. studies, hospitals, etc.

Flammables:

bulk fuel storage, gasoline and liquid petroleum service stations, manufacture of plastics, brewerles, feed and flour mills, etc.

Source: Hemet Ryan Airport Land Use Plan

NOTICE OF PUBLIC HEARING RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

A PUBLIC HEARING has been scheduled before the Riverside County Airport Land Use Commission (ALUC) to consider the application described below.

Any person may submit written comments to the ALUC before the hearing or may appear and be heard in support of or opposition to the project at the time of hearing. The proposed project application may be viewed at the Riverside County Administrative Center, 4080 Lemon Street, 14th Floor, Riverside, California 92501, Monday through Thursday from 8:00 a.m. to 5:00 p.m., except Monday, November 11 (Veterans Day), and by appointment on Fridays from 8:30 a.m. to 5:00 p.m.

Riverside County Administration Center 4080 Lemon St., 1 st Floor Hearing Room Riverside, California
Riverside, California

DATE OF HEARING: November 14, 2013

TIME OF HEARING: 9:00 A.M.

CASE DESCRIPTION:

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

FURTHER INFORMATION: Contact Russell Brady at (951) 955-0549 or John Guerin at (951) 955-0982. The ALUC holds hearings for local discretionary permits within the Airport Influence Areas, reviewing for aeronautical safety, noise and obstructions. All other concerns should be addressed to <u>Mr. Gus Gonzalez of the City of Riverside</u> <u>Planning Department, at (951) 826-5277.</u>

	DE COUNTY AIRPORT LAND USE COMMISSION ZAPIO9DMAR
PROJECT PROPO	NENT (TO BE COMPLETED BY APPLICANT)
Date of Application Property Owner Mailing Address	9/2/13 PEARSON FOLD PROPERTIES, LLC Phone Number 951.784.100 5900 SYCAMORE CADYON BLVD. RIVERSIDS, CA 92507
Agent (if any) Mailing Address	DARRELL BUTLER Phone Number 949-632-989 3241 ALTA LAGUNA BLVD. LAGUNA BEACH, CA 92651
	ION (TO BE COMPLETED BY APPLICANT) saled map showing the relationship of the project site to the airport boundary and runways
Street Address	SEC SYCAMORE CANYON BLUD AND BOX SPRIDGS BLUD DIVER BLOFF CA
Assessor's Parcel N	0. 263 - 020 - 053 - 1 Parcel Size 8,06 Ac.
Subdivision Name	
Lot Number	V/A Zoning EXISTING COMMUNIC
	letailed site plan showing ground elevations, the location of structures, open spaces and water bodies, and the heights of structures and trees, of description data as needed
 Proposed Land Use (describe) 	171,580 SF INDUSTRIAL/WARENOUSE BUILDING
For Residential Use	s Number of Parcels or Units on Site (exclude secondary, units)
For Other Land Use	C D L
(See Appendix C)	Number of People on Site Maximum Number _ESTIMATUE_2003
	Method of Calculation <u>PARKING</u> ALLOWID
1	Height above Ground or Tallest Object (including antennas and trees) <u>41 FG57</u> ft Highest Elevation (above sea level) of Any Object or Terrain on Site <u>158</u> 2 ft
Height Data	Biologist Clevation (200Ve Sea level) of Adv Uniect of Febraid OB Still 1 N A 7
Height Data Flight Hazards	Does the project involve any characteristics which could create electrical interference, Yes confusing lights, glare, smoke, or other electrical or visual hazards to aircraft flight?

Date Received	A			Type of Project		
Agency Name	City of Kinns,	de		General Plan Amendment		
	(Zoning Amendment or Variance		
Staff Conlact	Steve Hayes/1	noses		Subdivision Approval		
Phone Number	 			Use Permit		
Agency's Project No.		,		Public Facility		
· · · ·	Design Review/	6P/Zon	2	Other		
	O BE COMPLETED BY ALUC EXECUTIV	E DIRECTOR)				
Application	Dale Received	· · · · · · · · · · · · · · · · · · ·	Ву			
Receipt	Is Application Complete?	🗌 Yes 🗌	No			
	If No, cite reasons					
Airport(s) Nearby		······				
Primary	Compatibility Zone(s)		81			
Criteria Review	Allowable (not prohibited) Use?	🗌 Yes 🔲	No			
	Density/Intensity Acceptable?	🗌 Yes 🗌	No	• • • • • • • • • • • • • • • • • • •		
	Open Land Requirement Met?	🗌 Yes 🔲	No			
	Height Acceptable?	🗋 Yes 🗋	No			
	Easement/Deed Notice Provided?	🗌 Yes 🗌	No			
Special Conditions	Describe:					
Supplemental Criteria Review	Noise					
	Safety	• - <u>-</u>		°≁+		
	Airspace Protection					
	Overflight					
Actions Taken (TO BE COMPLETED BY ALUC EXECUT	VE DIRECTOR)	4			
ALUC Executive				Date		
Director's Action	Refer to ALUC					
ALUC	Consistent			Date		
Action	Consistent with Conditions (list conditions/attach additional pages if needed)					
	Inconsistent (list reasons/attach additional pages if needed)					

• :

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

STAFF REPORT

ADMINISTRATIVE ITEMS

- 4.1 <u>Director's Approvals.</u> During the months of September and October, as authorized pursuant to Section 1.5.2(d) of the 2004 Riverside County Airport Land Use Compatibility Plan, ALUC Director Ed Cooper or his designee reviewed three non-legislative cases in Airport Compatibility Zone E and issued determinations of consistency. All of the projects are in the Coachella Valley. They included a fitness center building on the grounds of the stroke recovery center located northerly of Alejo Road and easterly of Commercial Road in Palm Springs and two projects in the Bermuda Dunes Airport Influence Area: a service station (replacing a video store) in the shopping center located on the east side of Washington Street, southerly of 42nd Avenue, and a 25-lot subdivision located easterly of Jefferson Street and southerly of Miles Avenue in the City of Indio. Copies of the approval letters and background information are attached, for the Commission's information.
- 4.2 Wind Turbine Aviation Safety Lighting. A copy of FAA Advisory Circular 70/7460-1 K was provided to the Commission prior to the September 12 meeting, but, due to the length of the meeting, staff recommended, and the Commission agreed to, deferral of further discussion of this matter to the November ALUC meeting. At the August 15 Commission meeting, the Commission had directed staff to investigate whether ALUC may select, or participate in the selection of, FAA-approved hazard lighting systems for wind turbines. Commissioner Betts had raised the question of whether it would be possible for the red navigation lights to be shielded from the bottom, so that they do not result in an annoyance to area residents or a distraction to motorists traveling along Interstate 10. At the September meeting, Commissioner Lyon referred staff to a subsection 66 of the Advisory Circular, which states as follows:

"Where lighting systems are installed on structures located near highways, waterways, airport approach areas, etc., caution should be exercised to ensure that the lights do not distract or otherwise cause a hazard to motorists, vessel operators, or pilots on an approach to an airport. In these cases, shielding may be necessary. This shielding should not derogate the intended purpose of the lighting system."

More recently, Palm Springs City Councilman Paul Lewin, who initiated this discussion during his tenure as an alternate to Commissioner Pettis, advised County officials of a study undertaken in Kern County that resulted in a report indicating that wind turbine lighting could be substantially reduced while still complying with FAA requirements. (A Word copy of Kern County Planning Department's power point presentation regarding this matter is attached, for the Commission's information.) Mr. Lewin suggested that Riverside County could possibly take similar action.

In considering the available evidence, staff's preliminary opinion is that there is nothing in County ordinances that requires each individual wind turbine to be lighted or otherwise specifies that lighting exceed FAA requirements. It is most likely that project applicants simply proposed the lighting of each turbine, and FAA agreed to the proposal. For projects that have not yet received final action, now that staff has been sensitized to this matter, staff will work with the applicants to provide for a level of lighting that will meet

the FAA requirements, but not provide for an overabundance of lighting. As to existing projects, the modifications of lighting systems will in some cases require additional review by the FAA. In the Kern County example, FAA officials took an active role via site visits and nighttime overflights. However, staff is aware of at least one case where the consultants for a wind energy firm developing an array in Riverside County's wind energy heartland worked with FAA officials to generate a lighting plan that did not require each turbine to be lighted. Staff proposes to continue studying this matter.

- **4.3** <u>Thermal Motorsports Project Ad Hoc Subcommittee.</u> In the last couple of weeks, staff has received requests for review of temporary facilities at the Thermal Club, as well as review of proposed floor plans for the members' private garages. An issue arises in that these facilities are proposed in Airport Compatibility Zone C (and Zone B1 in the case of some of the temporary facilities). Staff's longstanding policy has been that any development in Compatibility Zones B1, B2, and C within jurisdictions whose General Plans have not received consistency determinations relative to the applicable Airport Land Use Compatibility Plan is subject to review by the Commission, rather than by staff. However, this project is sufficiently unique that it is staff's opinion that it may be appropriate for an ad hoc subcommittee of the Commission to be established that would review incoming proposals and make a determination as to whether the proposal should be reviewed by the full Commission or be acted on by the Director.
- 4.4 <u>2014 ALUC Commission Meeting Schedule.</u> Staff has prepared the attached agenda, which provides for monthly meetings on the second Thursday of each month during the new year. Staff is prepared to support the Commission with monthly meetings as needed to accommodate the workload. Given the funding for the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan Environmental Impact Report and the Hemet-Ryan Airport Land Use Compatibility Plan, there are no budgetary constraints that would prohibit monthly meetings during the upcoming calendar year. However, staff recognizes that the Commission has often elected to not schedule meetings during one summer month and one autumn month, so we have included this item on the agenda in order to enable the Commission to determine whether to meet every month or to schedule months when the Commission will not be meeting.

Y:\ALUC\ALUC Administrative Item&Admin. 2013\ADmin Item 11-14-13.doc



AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY

4.

RCALUC						
CHAIR Simon Housman	September 23, 2013					
Rancho Mirage VICE CHAIRMAN Rod Ballance Riverside	Mr. Paul Rull, Contract Planner County of Riverside Planning Department 4080 Lemon Street, 12 th Floor Riverside, CA 92501					
COMMISSIONERS	VIA HAND DELIVERY					
Arthur Butler Riverside	RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW File No.: ZAP1050BD13					
John Lyon Riverside	Related File No.: Plot Plan 25376 APN: 609-020-044					
Glen Holmes Hemet	Dear Mr. Rull:					
Greg Pettis Cathedral City Richard Stewart	Under the delegation of the Riverside County Airport Land Use Commission (ALUC), staff reviewed the above- referenced proposal to develop a gas station with 7 dispensers, 178					
Moreno Valley STAFF	square foot kiosk, 2 underground storage tanks, and associated fueling system components on 0.67 acres located easterly of Washington Street, southerly of 42 nd Avenue, and northerly of					
Director Ed Cooper	Hidden River Road, in the unincorporated community of Bermuda Dunes.					
	The site is located in Airport Compatibility Zone E of the 2004 Bermuda Dunes Airport Land Use Compatibility Plan. The existing and proposed maximum grade is approximately 120 feet above mean sea level (AMSL), with the gas station canopy at a height of 22.25 feet for a total height of 142.25 feet AMSL. Based on the distance of the parcel to the end of the runway at 7,130 feet and the elevation of the end of the runway at 73.4 feet AMSL, FAA Obstruction Evaluation review would be required for any structure exceeding 144.7 feet AMSL. However, since the proposed canopy would not exceed this elevation, FAA					
4080 Lenton St., 14 th Floor. Riverside, CA 92501 (951) 955-5132						
www.rcaluc.org	Obstruction Evaluation review is not required.					
	As ALUC Director, I hereby find the above-referenced project <u>CONSISTENT</u> with the 2004 Bermuda Dunes Airport Land Use Compatibility Plan, subject to the following conditions:					
	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.					
Ì	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					

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION September 23, 2013

final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.

- (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
- (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, artificial marshes, recycling centers containing putrescible wastes, and construction and demolition debris facilities.)
- (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 of Airport in Vicinity" shall be provided to all potential tenants and purchasers.
- 4. Any new retention basins on the site shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the retention basin(s) that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.
- 5. The maximum elevation of the proposed gas station canopy shall not exceed 144.7 feet above mean sea level.

If the above provision cannot be met, the building shall not be constructed until the Federal Aviation Administration Obstruction Evaluation Service has issued a "Determination of No Hazard to Air Navigation" for the building pursuant to the Form 7460-1 process.

If you have any questions, please contact Russell Brady, Contract Planner, at (951) 955-0549, or John Guerin, Principal Planner, at (951) 955-0982.

Sincerely, RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

ج مراج محموً شکومی

Edward C. Cooper, Director

RB:bks

Attachment: Notice of Airport in Vicinity

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION September 23, 2013

 cc: Greg Lukosky, Ralphs Grocery Company Ken Barton, Fiedler Group Ohno Properties, c/o Bernstein Rein Advertising, Inc. Mike Smith, Manager, Bermuda Dunes Executive Airport ALUC Staff

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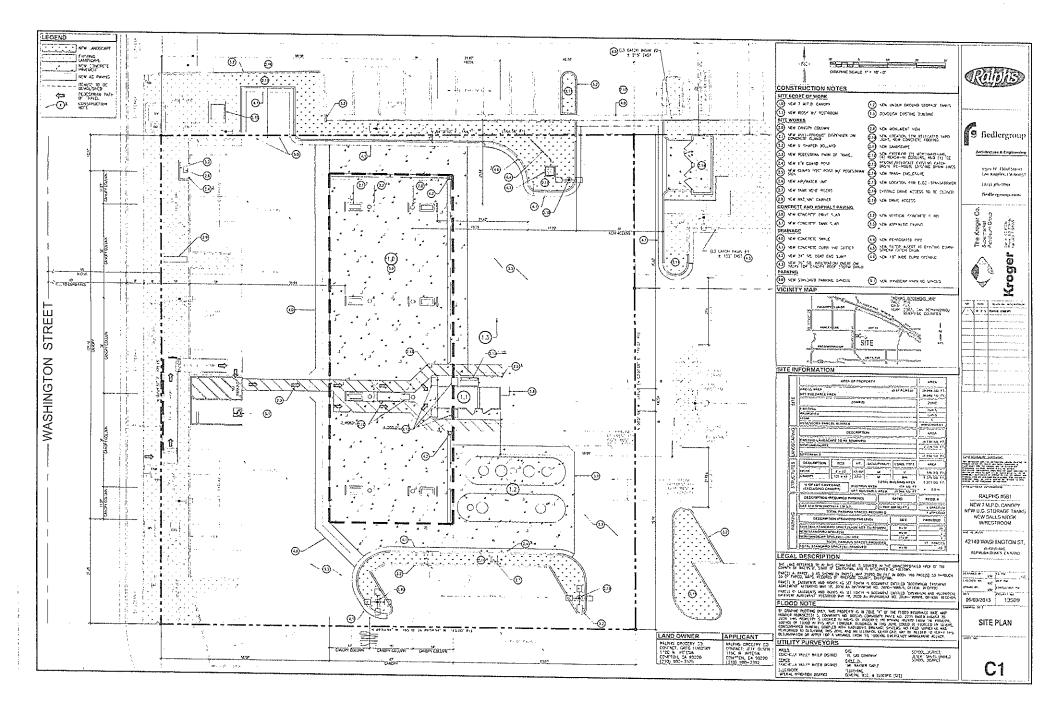
NOTICE OF AIRPORT IN VICINITY

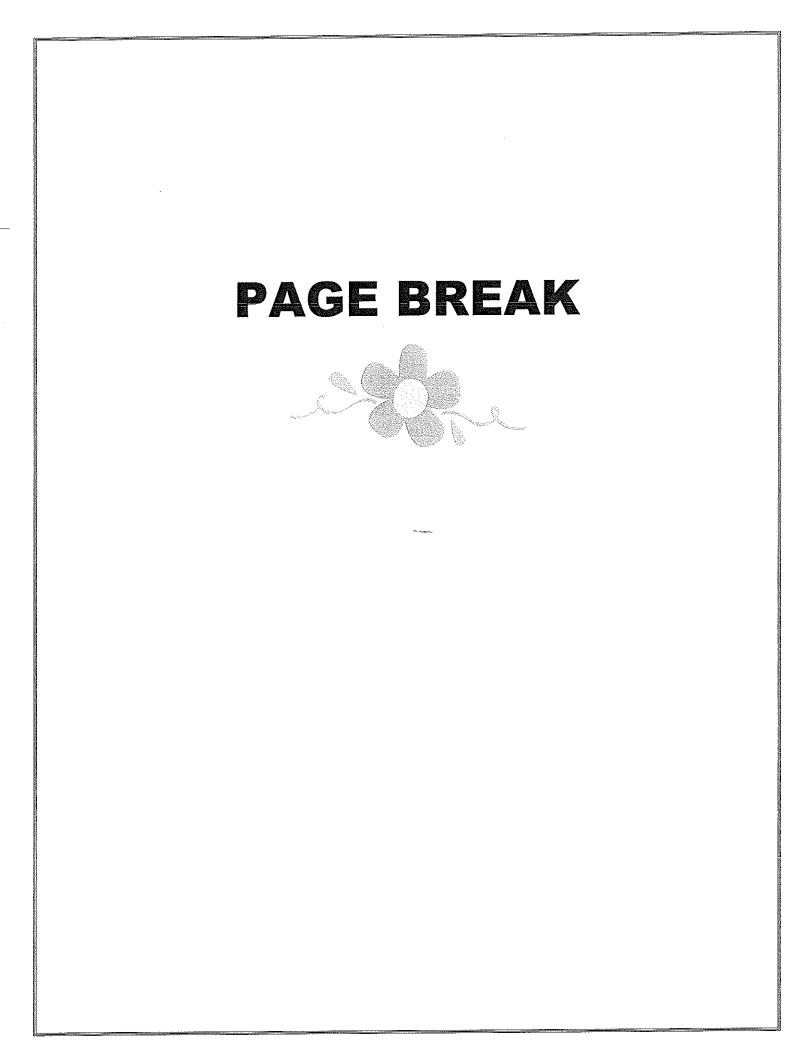
This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b) 13)(A

Exhibit A

PROJECT DESCRIPTION

Site is currently a vacant Blockbuster Video store. The vacant Blockbuster Video store will be demolished. Proposed is a new Ralphs gasoline station to include: (1) 43 ft. x 126 ft. (5,418 sq. ft.) fueling canopy, (1) 178 sq. ft. kiosk, 7 dispensers, 2 underground storage tanks and associated fueling system components. Station is proposed within the existing Ralphs shopping center. A net reduction of 30 parking spaces will occur with the Blockbuster demolition and construction of the new fuel center. Modifications to the on-site landscape planters are included in the proposed project. Alcohol sales, and a convenience store are NOT proposed with the subject project. The fuel station's proposed hours of operation are 24 hours a day / 7 days a week, and is attended 5am to 11pm.







AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY



RCALUC				
CHAIR Simon Housman Rancho Mirage VICE CHAIRMAN Rod Ballance Riverside	October 16, 2013 Ms. Leila Namvar, Assistant Planner City of Indio Planning Department 100 Civic Center Mall Indio, CA 92201			
COMMISSIONERS Arthur Butler Riverside John Lyon Riverside	RE:AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEWFile No.:ZAP1051BD13Related File No.:TM 33165 (TM 13-04-463)APN:606-210-057			
Glen Holmes Hemet Greg Pettis Cathedral City Richard Stewart Moreno Valley	Dear Ms. Namvar: Under the delegation of the Riverside County Airport Land Use Commission (ALUC), staff reviewed the above- referenced proposal to subdivide 6.92 acres for 25 single-family residential lots located easterly of Jefferson Street, northerly of Westward Ho Drive, and southerly of Miles Avenue, in the City of Indio.			
STAFF Director Ed Cooper John Guerin Russell Brady Barbara Santos Courty Administrative Certer 4060 Lerron St., 14* Floor. Riverside, CA 92501 (951) 955-5132	The site is located in Airport Compatibility Zone E of the 2004 Bermuda Dunes Airport Land Use Compatibility Plan. The proposed maximum grade is approximately 57.8 feet above mean sea level (AMSL), with an assumed maximum single-family residential building height of 40 feet for a total height of 97.8 feet AMSL. Based on the distance of the parcel to the end of the runway at 10,700 feet and the elevation of the easterly end of the runway at 49.1 feet AMSL, FAA Obstruction Evaluation review would be required for any structure exceeding 156.1 feet AMSL. However, since the proposed structures would not exceed this elevation, FAA Obstruction Evaluation review is not required.			
www.rcaluc.org	I hereby find the above-referenced project <u>CONSISTENT</u> with the 2004 Bermuda Dunes Airport Land Use Compatibility Plan, subject to the following conditions:			
	 CONDITIONS: 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. The following uses shall be prohibited: 			
	(a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.			

- (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
- (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, artificial marshes, recycling centers containing putrescible wastes, and construction and demolition debris facilities.)
- (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 of Airport in Vicinity" shall be provided to all potential tenants and purchasers.
- 4. Any new retention basins on the site shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the retention basin(s) that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.

If you have any questions, please contact Russell Brady, Contract Planner, at (951) 955-0549, or John Guerin, Principal Planner, at (951) 955-0982.

Sincerely, RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

John J. H. Luerin, for Edward C. Cooper, Director

RB:bks

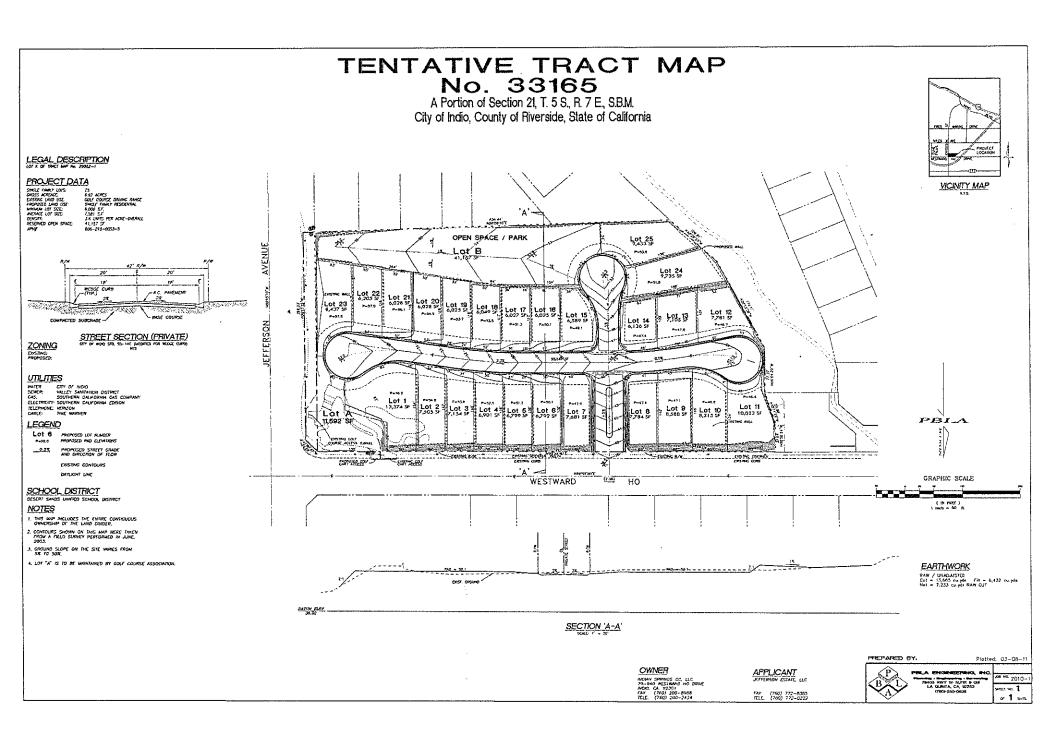
Attachment: Notice of Airport in Vicinity

cc: Indian Springs GC, LLC – Attn.: Neil Finch
 PBLA Engineering, Inc. – Attn.: Hayward Pardue
 Roger Snellenberger Industries, Inc. (payee)
 Mike Smith, Manager, Bermuda Dunes Executive Airport
 ALUC Staff

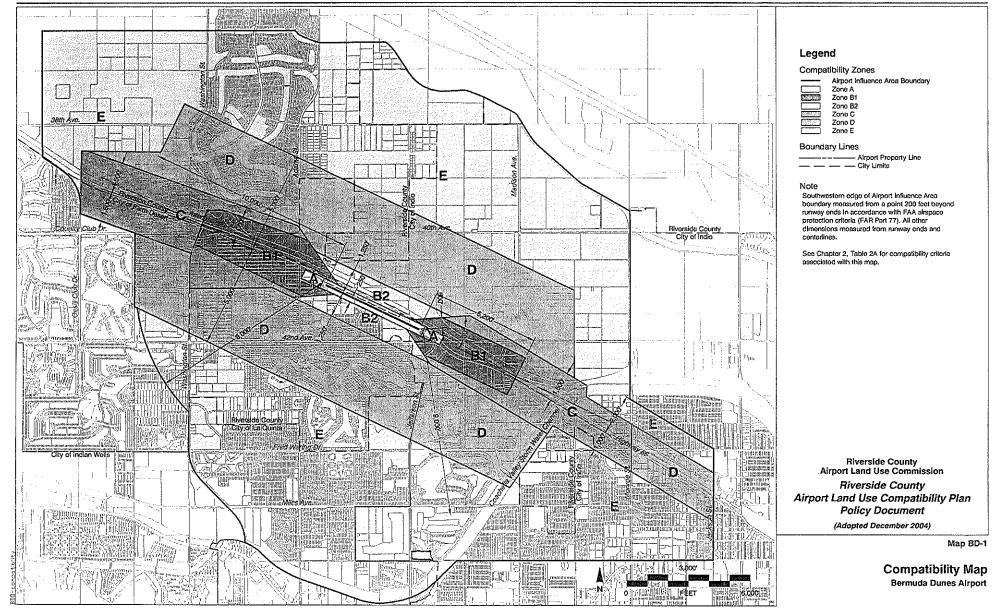
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NOTICE OF AIRPORT IN VICINITY

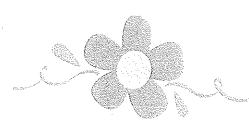
This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b) 13)(A`













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AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY

CHAIR Simon Housman Rancho Mirage VICE CHAIRMAN Rod Ballance Riverside	September 25, 2013 Mr. David Newell, Associate Planner City of Palm Springs Department of Planning Services 3200 E. Tahquitz Canyon Way Palm Springs, CA 92262
COMMISSIONERS	RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW
Arthur Butler Riverside	File No.: ZAP1015PS13 Related File No.: Design Review 3.2853
John Lyon Riverside	APN: 507-380-026, 507-380-027
Glen Holmes Hemet	Dear Mr. Newell:
Greg Pettis Cathedral City	Under the delegation of the Riverside County Airport Land Use Commission (ALUC), staff reviewed the above- referenced proposal to develop a fitness center associated with the
Richard Stewart Moreno Valley	existing stroke recovery center located on the 4.74 acres located northerly of Alejo Road, easterly of Commercial Road, in the City of Palm Springs. Although other future project
STAFF	components are noted on the site plan, the City's current permit and ALUC's review is solely
Director Ed Cooper	for the current proposed fitness center. Other future project components as shown would require ALUC review once formal application for these structures is submitted to the City.
John Guerin Russell Brady Barbara Santos	Specifically, development within the portion of the property located within Compatibility Zone B2 would be subject to review by the Commission.
County Administrative Center 4080 Lemon St., 14 th Floor. Riverside, CA 92501 (951) 955-5132	The proposed specific site of the fitness center is located in Airport Compatibility Zone E of the 2005 Palm Springs Airport Land Use Compatibility Plan. The existing and proposed maximum grade is approximately 447 feet above mean sea level (AMSL), with the proposed building at a height of 11 feet 2 inches for a total height of 458.16 feet AMSL. Based on the
	distance from the parcel property line to the nearest point of the runway (1,050 feet) and the elevation of the runway at the displaced threshold (448.6 feet AMSL), FAA Obstruction Evaluation review would be required for any structure at the property line exceeding 459.1 feet AMSL. (The distance from the centerline of the runway to the actual building location has been given as 1,554 feet.) However, since the proposed building would not exceed an elevation of 459.1 feet at its uppermost point, FAA Obstruction Evaluation review is not required.
	As ALUC Director, I hereby find the above-referenced project <u>CONSISTENT</u> with the 2005 Palm Springs Airport Land Use Compatibility Plan, subject to the following conditions:
	CONDITIONS:
	1. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.

- 2. The following uses shall be prohibited:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, artificial marshes, recycling centers containing putrescible wastes, and construction and demolition debris facilities.)
 - (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 of Airport in Vicinity" shall be provided to all potential tenants and purchasers.
- 4. Any new retention basins on the site shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the retention basin(s) that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.
- 5. The maximum elevation of the proposed fitness center building shall not exceed 459.1 feet above mean sea level. If the above provision cannot be met, the building shall not be constructed until the Federal Aviation Administration Obstruction Evaluation Service has issued a "Determination of No Hazard to Air Navigation" for the building pursuant to the Form 7460-1 process.

If you have any questions, please contact Russell Brady, Contract Planner, at (951) 955-0549, or John Guerin, Principal Planner, at (951) 955-0982.

Sincerely, RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

Edward C. Cooper, Director

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION September 25, 2013

RB:bks

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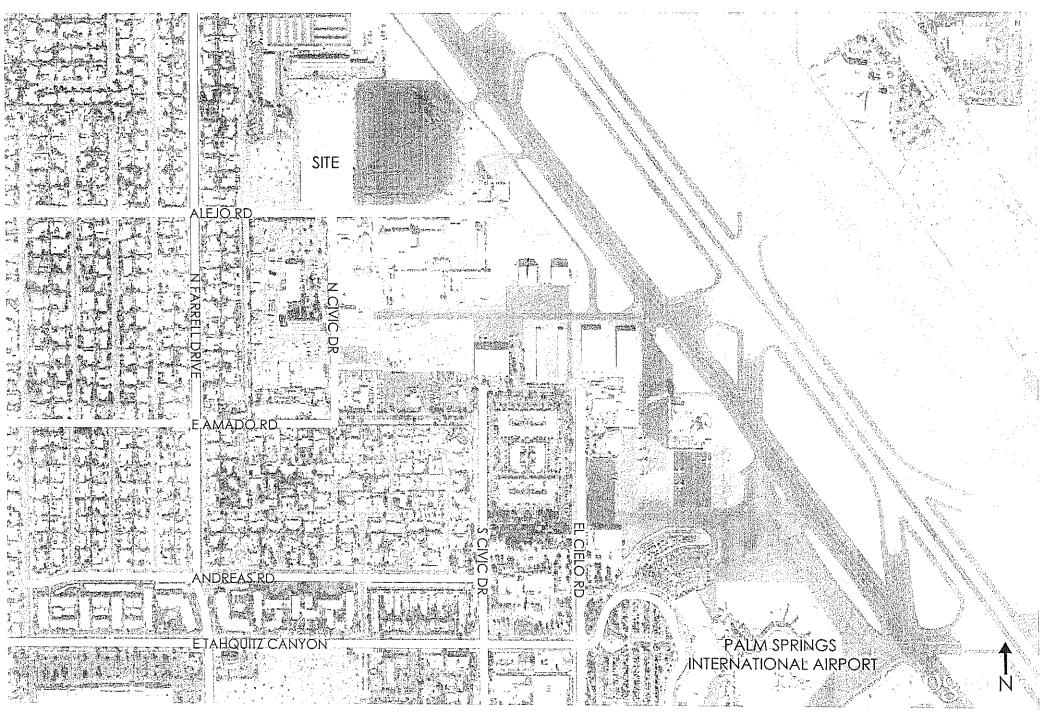
Attachment: Notice of Airport in Vicinity

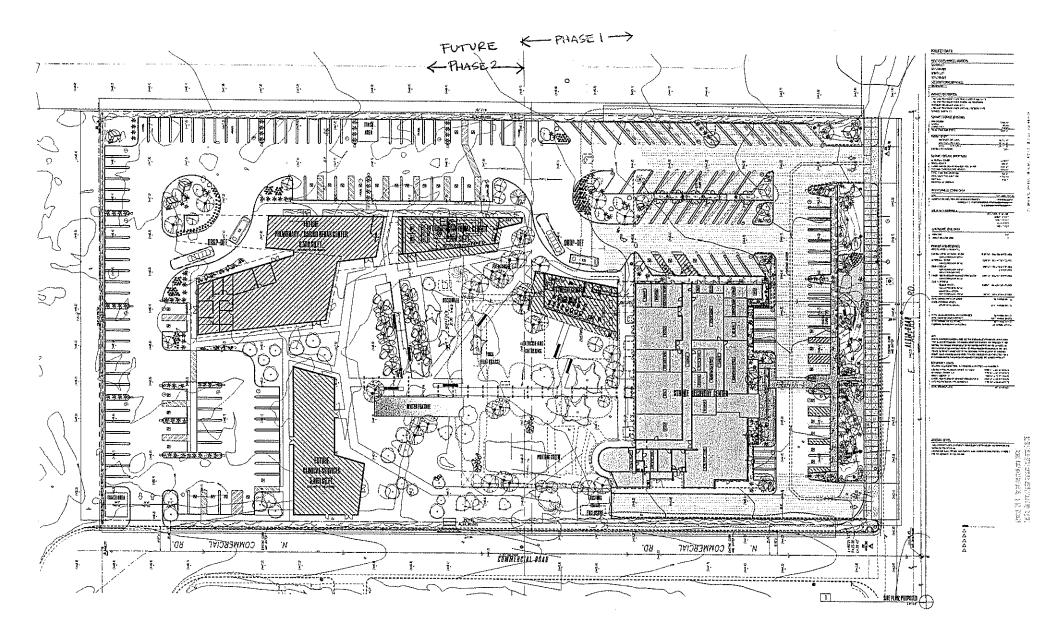
cc: Stroke Recovery Center – Attn.: Beverly Greer
 Sean Lockyer, AR+D
 Thomas Nolan, Executive Director, Palm Springs International Airport
 ALUC Staff

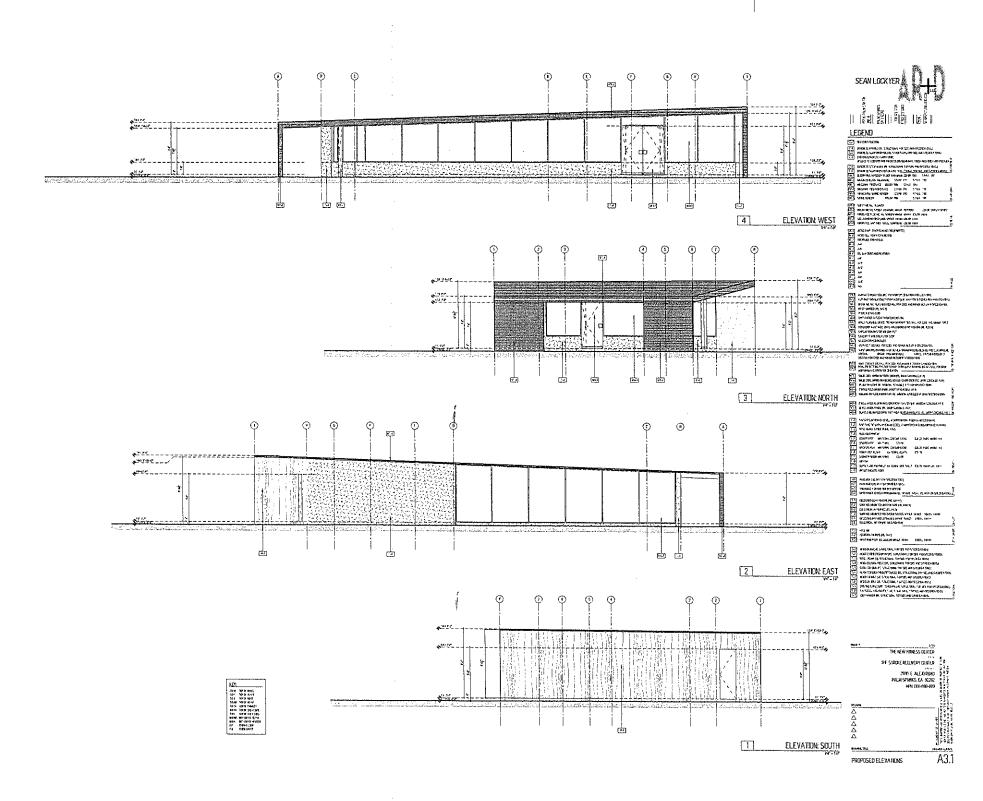
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NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b)









A CARD

DEVELOPMENT SERVICES AGENCY

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

Lorelei H. Oviatt, AICP, Director 2700 "M" STREET, SUITE 100 BAKERSFIELD, CA 93301-2323 Phone: (661) 862-8600 FAX: (661) 862-8601 TTY Relay 1-800-735-2929 E-Mail: planning@co.kern.ca.us Web Address: www.co.kern.ca.us/planning



Administrative Operations Engineering, Surveying and Permit Services Planning and Community Development Roads

October 15, 2013

Board of Supervisors Kern County Administrative Center 1115 Truxtun Avenue Bakersfield, CA 93301

Mojave and Tehachapi Wind Turbine Obstruction Light Reduction Project Final Report and Implementation (Fiscal Impact: None) S.D.2

On April 13, 2013, Kern County entered into a Professional Services Agreement with aviation expert, Clancy JG International to work with the Federal Aviation Administration (FAA) regarding development of a plan that would result in the reduction of safety lighting on wind turbines in eastern Kern County.

Attached is a copy of the Mojave and Tehachapi Wind Turbine Obstruction Light Reduction Project Final Report. As a result of these efforts, the FAA has agreed to the plan proposal which will result in 227 lights being turned off, which is the equivalent to a 64 percent lighting reduction on wind turbines for the region. In addition to the lighting reduction, the plan will ensure that all lights are properly synchronized. Future development will be coordinated with this effort to ensure minimal light increases.

It should be noted for your Board however, this project would not have been possible without the financial backing and ongoing communication with the FAA from Stuart Witt of the Mojave Air and Space Port. Additionally, Linda Parker with the Kern Wind Energy Association (KWEA) along with various wind energy companies including Terra-Gen Power, EDF Renewable Energy, Brookfield, Everpower, Mid-American and Iberdrola Renewables, have fully supported these efforts and have worked diligently with Clancy JG International and the FAA to ensure the successful implementation of this lighting reduction program while maintaining the highest safety standards for pilots.

Implementation of this plan will result in a significant change in the night sky impacts experienced by Eastern Kern County residents, and further strengthen the commitment of the local wind energy industry to the residents of Kern County.

October 15, 2013 Page 2

Therefore, IT IS RECOMMENDED, that your Board; Receive and file this report.

Sincerely,

Ender H. Omit

LORELEI H OVIATT, AICP, Director Kern County Planning and Community Development Department

LHO:am

I:\ADM\Allison\Board Letters\10-15-13 FAA Board Letter.docx

cc County Administrative Officer County Counsel Congressman McCarthy Federal Aviation Administration, Michael Huerta East Kern Airport District Clancy JG International Development Services Agency Grand Jury



Mojave and Tehachapi Wind Turbine Obstruction Light Reduction Project

42529 8th Street East Lancaster, CA 93535 * Phone (661) 339-3120 * Fax (661) 339-3126 www.clancyjg.com / www.sdb-sdvosb-8a.com



Wind Turbine Lighting

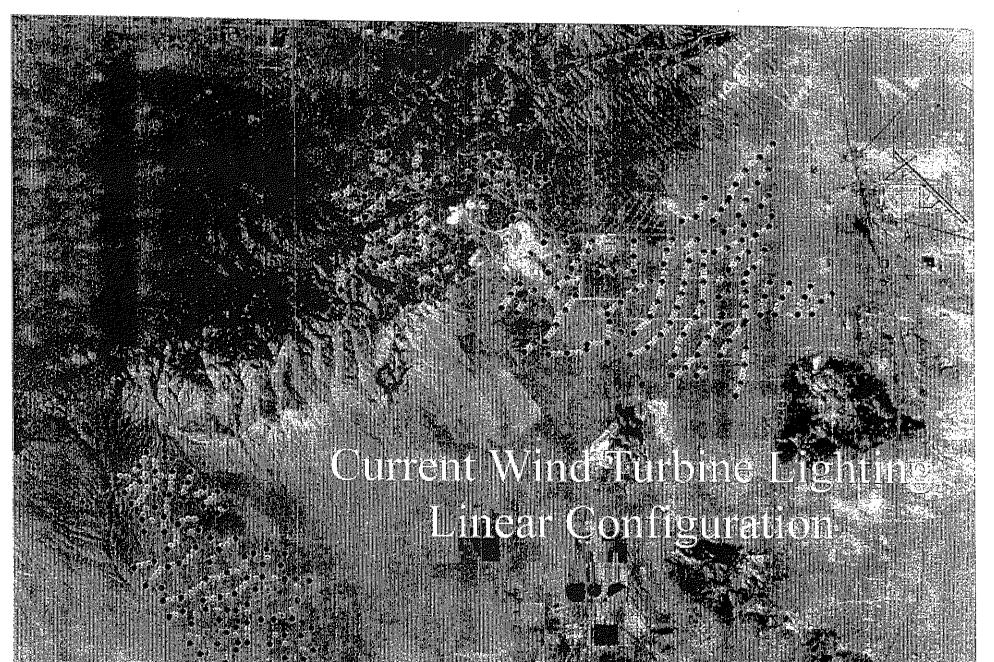
- Objectives
- Analysis
- Initial Proposal
- Subsequent Proposal
- Final Configuration
- Summary



Objectives

Develop Recommendations

- That would result in a reduction of lights around the community of Mojave, to the west of Rosamond, and to the east of Tehachapi
- That would address the current implementation of a linear configuration that is defined by placing a light on each turbine positioned at each end of the line or string of turbines ensuring that lights are no more than ¹/₂ statute mile, or 2640 feet from the last lit turbine and avoiding high concentrations of lights (See Next Slide)
- Address pilots complaints that the intense lights are more of a distraction than aid to identifying turbine location
- That would maintain the safety of the navigable airspace around Mojave and the Tehachapi Mountains





Analysis

Investigate Alternative Configurations

- A Cluster Configuration as defined by selecting a starting point among the outer perimeter of the cluster. Light should be placed on the next turbine so that no more than a ½ statute mile gap exists
- A Grid Configuration as defined arranging the lights in a geographical shape such as a square or a rectangle, where each turbine is set a consistent distance from each other in rows, giving the appearance that they are part of a square like pattern
- Investigate the ¹/₂ Statute Mile Constraint
 - Would result in a more clearly defined boundary and a further reduction in lighting if we exceed the ½ statute mile constraint

Initial Proposal



Reviewed over 300 Aeronautical Studies

From the Analysis Developed Two Proposals

- Standard cluster configuration with ½ statute mile separation between turbines
- A modified cluster configuration exceeding the ½ statue mile separation between turbines

Presented Both Configurations to the FAA

- Met with the key FAA Managers and technical staff in Washington DC, to obtain feedback on their potential support of each proposal
- > FAA supported the standard configuration (See Next Slide)
- > FAA was open to further consideration of the modified configuration

Initial Chuster Configuration : 2 Status Mills Spacing

Subsequent Proposal



FAA Agreed to Site Visit in August

- ClancyJG International coordinated meetings that included Stakeholders, Local Aviators, and Airport Officials
- Selected different locations for day light evaluation including a night flight for airborne evaluation
- FAA agreed that the modified configuration maintained conspicuity
- The FAA expressed a desire for a single point of contact for submission of the proposed changes

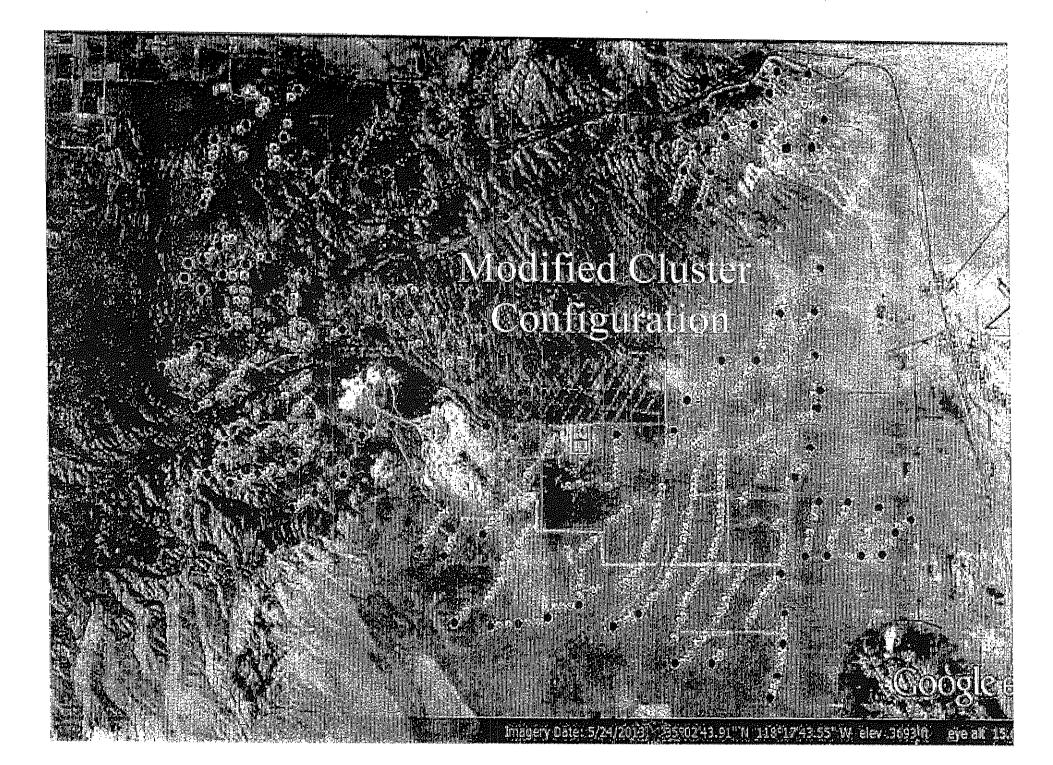
Final Configuration

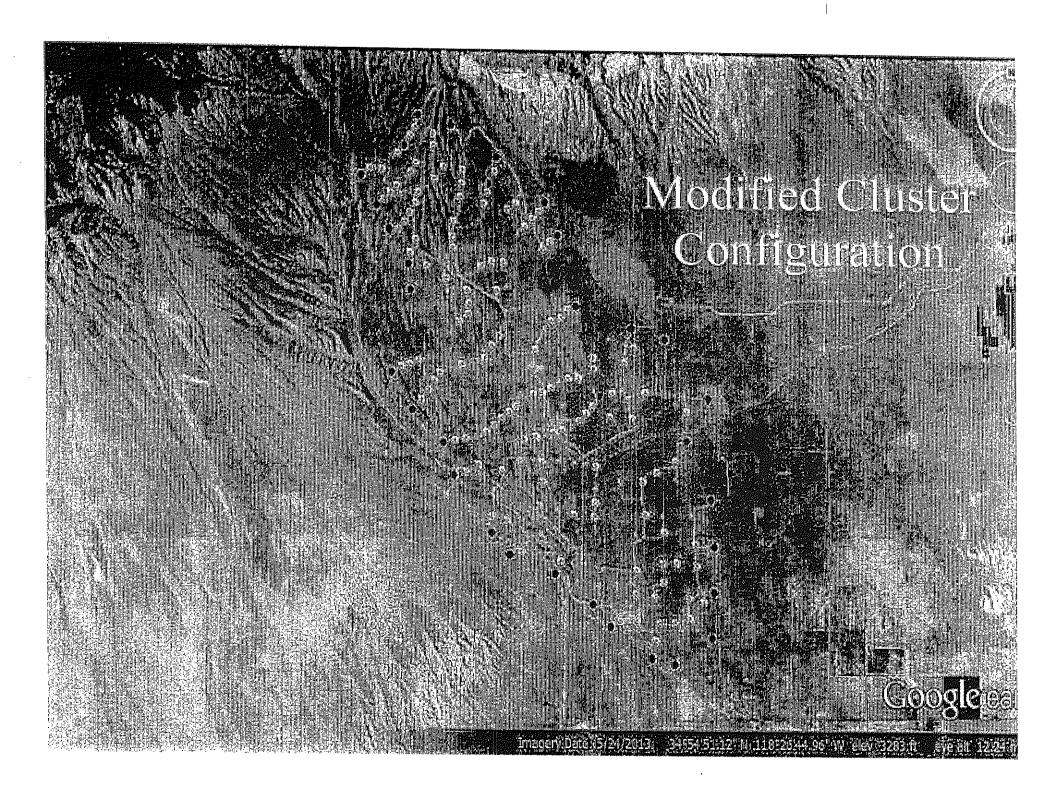


Modified configuration submitted in FAA obstruction evaluation system (see next slides)

- Configuration included the request by the owners to add ALTA X and XI currently under construction
 - Total reduction of 227 lights, a 64% decrease
 - 15 from prior FAA determinations
 - 212 submitted per our proposal

Included 6 light reduction in ALTA X and XI Updated Owner data in FAA system



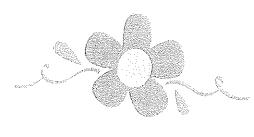


Summary



- Owners will receive new Aeronautical Study Numbers for each turbine
- Expect final documentation within 45 days
- Owners must ensure synchronization of the remaining lights
- Future development should be coordinated to ensure minimal light increase
- Note the ALTA X and XI light reconfiguration





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RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION (ALUC) PROJECT SUBMISSION SCHEDULE FOR 2014



MEETING (THURSDAY) DATE & TIME*	LOCATION *	PROJECT SUBMITTAL DEADLINE	PUBLIC NOTICE MAILED	STAFF REPORT MAILED*
JANUARY 9, 2014 @ 9:00 a.m.	RIVERSIDE BOARD ROOM - 1 ST FLOOR	11-27-13		01-02-14
FEBRUARY 13, 2014 @ 9:00 a.m.	RIVERSIDE BOARD ROOM – 1 ST FLOOR	01-02-14		02-05-14
MARCH 13, 2014 @ 9:00 a.m.	RIVERSIDE BOARD ROOM – 1 st FLOOR	01-29-14		03-05-14
APRIL 10, 2014 @ 9:00 a.m.	RIVERSIDE BOARD ROOM – 1 ST FLOOR	02-26-14		04-02-14
MAY 8, 2014 @9:00 a.m.	RIVERSIDE BOARD ROOM – 1 ST FLOOR	03-26-14		04-30-14
JUNE 12, 2014 @ 9:00 a.m.	RIVERSIDE BOARD ROOM – 1 ST FLOOR	04-30-14		06-04-14
JULY 10, 2014 @ 9:00 a.m.	RIVERSIDE BOARD ROOM – 1 st FLOOR	05-28-14		07-02-14
AUGUST 14, 2014 @ 9:00 a.m.	RIVERSIDE BOARD ROOM – 1 st FLOOR	07-02-14		08-06-14
SEPTEMBER 11, 2014 @9:00 a.m.	RIVERSIDE BOARD ROOM – 1 st FLOOR	07-30-14		09-03-14
OCTOBER 9, 2014 @9:00 a.m.	RIVERSIDE BOARD ROOM – 1 ST FLOOR	08-27-14		10-01-14
NOVEMBER 13, 2014 @9:00 a.m.	RIVERSIDE BOARD ROOM – 1 ST FLOOR	10-01-14		11-05-14
DECEMBER 11, 2014 @ 9:00 a.m.	RIVERSIDE BOARD ROOM – 1 st FLOOR	10-29-14		12-03-14

<u>NOTE</u>:

Administrative items are reviewed within thirty (30) days. * Subject to change Dates and locations may change, some meetings may be eliminated or added