

AIRPORT LAND USE COMMISSION

Indio Council Chambers
150 Civic Center Mall
Indio, California

Thursday, May 25, 2006
9:00 A.M.

MINUTES

A special scheduled meeting of the Airport Land Use Commission was held on May 25, 2006 at the Indio Council Chambers.

COMMISSIONERS PRESENT: Simon Housman, Chairman
Rod Ballance
Arthur Butler
Melanie Fesmsire
Jon Goldenbaum
David Bradley (Alternate)

COMMISSIONERS ABSENT: Mark Lightsey
Charles Washington

STAFF PRESENT: Ed Cooper, ALUC
John J. G. Guerin, Senior Planner
Cecilia Lara, Planner
B.T. Miller, Legal Counsel
Barbara Santos, Secretary
Sophia Nolasco, Secretary

OTHERS PRESENT: John Corella, Mirasera
Jeff Dinkin, Kohl Ranch
John Gamlin, Bremer Family Trust
Roy Heimburger
Emily Hemphill – Ealy Hemphill, Attorney for Kohl Ranch
Roy Hofheinz
Frank Kufro – Sunbelt
Barbara Lichman
Victor J. Mahony
Gerard Martorano
Francisco Morales
Andy Pham
John Powell
Mike Taylor – Pardee Homes
Jim Venable
Brian Weber

- 1.1 CALL TO ORDER: The meeting was called to order at 9:15 a.m. by Chairman Housman.
- 1.2 SALUTE TO THE FLAG
- 1.3 ROLL CALL was taken
- 2.0 APPROVAL OF MINUTES FOR: March, April and May 11, 2006

2.1 Chairman Housman informed that the minutes for March 9, 2006 will be continued due to only 3 commissioners present on both that day and today. Mr. Housman requested changes as follows: The votes on Items K (page 38), L (page 41), and M (page 44) should be reflected for each separate item.

Chairman Housman informed that the minutes for April 13, 2006 will be continued due to only 2 Commissioners (himself and Commissioner Butler) being present both that day and today. Chairman Housman requested changes as follows: On page 13 and 14 conditions of approval, the vote on that item was overruled.

Commissioner Melanie Fesmire made a motion to approve the May 11, 2006 minutes. Seconded by Rod Ballance. Carried unanimously.

- 3.0 PUBLIC HEARING:

BERMUDA DUNES AIRPORT

- 3.1 BD-05-118 – Mirasera – Specific Plan 338, EIR, General Plan Amendment No. 776, and Change of Zone Case No. 7263 for a planned community encompassing 1,756 residential units, 538,700 square feet of commercial and office uses, and a 200 room hotel on 189.8 acres located northeasterly of Varner Road, southerly of 38th Avenue, and westerly of Washington Street. Airport Zones C, D, and E County of Riverside unincorporated area. (Continued from April 13, 2006, March 9, 2006, February 9, 2006, January 12, 2006). Project Planner: John Guerin, Ph: (951) 955-1872, or E-mail at jguerin@retilma.org.

PROJECT DESCRIPTION:

The development proposed through Specific Plan No. 338, as amended, includes 1,615 dwelling units on 83.3 acres, a 17.9-acre mixed use area (including 141 live/work dwelling units, a six-acre park, and a 200-room hotel), 17.5 acres of business park/office uses, and 17.2 acres of community retail uses, along with 8 acres of parks and trails (in addition to the six-acre

park in the live/work area), 14.8 acres for a drainage channel, and 31.1 acres of miscellaneous roads and open space on a 189.9-acre site. The estimated square footage of non-residential uses (including retail, business park/office, and hotel buildings) would be 538,700 square feet. General Plan Amendment No. 776 proposes to amend the land use designations on the site (the entirety of which is in the Community Development Foundation Component) from Commercial Retail, Commercial Tourist, Light Industrial, Very High Density Residential, and Medium Density Residential to Highest Density Residential, High Density Residential, Mixed Use Planning Area, Commercial Office, and Commercial Retail within the boundaries of Specific Plan No. 338. Change of Zone Case No. 7263 proposes to change the zoning on the site from W-2, W-2-10, and C-P-S to SP (Specific Plan No. 338 – Mirasera). EIR No. 486 analyzes the impacts of these changes on the environment.

RECOMMENDATION: Staff recommends that the Commission find this project Conditionally Consistent, pursuant to Policy 3.3.6 of the Countywide Policies section of the Riverside County Airport Land Use Compatibility Plan, subject to the conditions listed herein and based on the findings listed in the attached document.

CONDITIONS:

1. Prior to the sale of any property within this project boundary or prior to the recordation of a final map, whichever occurs first, an aviation easement containing the provisions indicated in Countywide Policy 4.3.5 shall be dedicated to Bermuda Dunes Airport. Said easement shall remain in effect for as long as the airport remains in operation.
2. An FAA 7460 review shall be completed for any structure, building, sign, or tree of a height that would exceed a 100:1 slope from the end of the runway. Documentation that the FAA has issued a Final Determination of No Hazard (a finding of “not a hazard to air navigation”) shall be submitted to Riverside County Airport Land Use Commission staff for its records. In the event that such a finding is not issued, such project shall be redesigned so as to meet the criteria for such a finding.
3. Incorporate noise attenuation measures into the building construction to ensure interior noise levels are at or below 45-decibel levels.
4. Install hooded or shielded outdoor lighting to prevent either the spillage of lumens or reflection into the sky. All lighting plans should be reviewed and approved by the airport manager prior to approval.
5. The following uses shall be prohibited throughout the project:
 - 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. Power generation, and any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
 - d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
 - e. Significant hazardous materials storage
6. The following uses shall be prohibited in those portions of the project within Airport Zones C and D: schools, hospitals, nursing homes, and other uses where the occupants are predominantly children, the elderly, and/or the handicapped and uses that create dust (except construction operations).
7. During initial sales of properties, large airport related informational signs shall be installed and maintained by the developer. These signs shall be installed in conspicuous locations and shall clearly depict the proximity of the property to the airport and aircraft traffic patterns.
8. An informational brochure shall be provided to prospective buyers or renters showing the locations of aircraft flight patterns. The frequency of overflights, the typical altitudes of the aircraft, and the range of noise levels that can be expected from individual aircraft overflights shall be described.
9. The attached notice shall be given to all prospective buyers and tenants.

FOR FINDINGS ON BD-05-118 SEE LIST BELOW:

FINDINGS FOR BD-05-118
March 9, 2006 Draft

After due consideration of the proposed Mirasera project as modified dated February 24, 2006, the ALUC has determined that special conditions exist which make the project compatible with aircraft operations at Bermuda Dunes Airport. The project is therefore found consistent with the Riverside County Airport Land Use Compatibility Plan (RCALUCP) for Bermuda Dunes Airport in accordance with Policy 3.3.6 of the plan. As required by this policy, the following findings are cited in support of this action:

1. *Location:* The project site lies with Compatibility Zones C, D, and E at a distance of 10,000 to 14,000 feet from the approach (northwest) end of Runway 10. In general, locations with Zone C are exposed to moderate airport-related noise impacts and risk levels. Zone D is subject to moderate noise impacts and low risk levels and Zone E has low noise and risk exposure.
2. *Overflight Altitudes:* The most common overflights of the site are by aircraft taking off on Runway 28. These aircraft will normally be at or above the traffic pattern altitude (1,000 feet AGL) when crossing over the site. Aircraft on a straight-in visual approach to Runway 10 would typically be at 500 to 700 feet above the site. When using the RNAV approach, they could be somewhat lower.
3. *Noise Impacts:* The project as modified will not expose occupants to excessive aircraft-related noise impacts. The portion of the site expected to be most often impacted by aircraft noise is the southern (Zone C) portion facing Interstate 10 and the Union Pacific Railroad line. The noise of traffic on these routes will obscure the noise of most individual aircraft operations. Also, the cumulative noise impact from these sources exceeds the projected airport noise exposure of approximately 55 dB CNEL. Structural sound attenuation measures planned to address the highway and railroad noise will also mitigate noise from aircraft overflights. Moreover, the residential areas of the site are planned for high densities that better lend themselves to sound attenuation measures than is practical for single-family development.
4. *Safety Concerns:* The project as modified will not create an undue safety hazard for people on the site. ALUC staff calculates that the retail area of the site could have an intensity close to 400 and people per single acre if large box uses are part of the development and the hotel area could approach 300 people per acre. Although these intensities exceed the RCALUCP limit of 150 people per single acre,

the location of the site 2+ miles from the runway end significantly reduces the risk of an aircraft accident on the site. The southern portion of the site is included in Zone C largely because of the projected 55 dB CNEL noise impact. Office functions are unlikely to significantly exceed the single-acre criterion. Also, the overall average intensity of the nonresidential uses within the Zone C portion of the site calculate to less than 70 people per acre, thus complying with the 75 people per acre maximum for Zone C.

5. *Open Land Requirements:* A proposed 6.0-acre park area in the center of the site is capable of meeting open land criteria. Additionally, the highway to the south and permanent open space and drainage on the north provide open land suitable for emergency landings by light aircraft. Most of the usage of Bermuda Dunes Airport is by faster/heavier aircraft that obtain less benefit from open land areas than light aircraft do.
6. *Hazards to Airspace:* The project will not create hazards to aircraft in flight. The tallest proposed structure or other feature will be 55 feet above ground level, well below the FAR Part 77 surfaces overlying the site. No features anticipated to attract significant numbers of birds are proposed.
7. *Buyer Awareness:* Expanded buyer awareness measures have been included in the conditions of approval for the project to help ensure that prospective buyers or renters are informed about the presence of aircraft overflights. A document will be supplied to prospective residents and tenants that will accurately describe the relationships of the project to the ALUCP and the airport. Also, an aviation easement will be dedicated to the owners of the airport in conjunction with local jurisdiction approval of the project.
8. *Adjacent Land Uses:* The proposed residential subdivisions to the east (RV Park) and south of the site are similar in density to much of the proposal. Approximately 30% to 40% of property adjacent to or near the site contains residential development.
9. *Airport Manager Comments:* Written comments from the airport manager do not indicate opposition to the project.

John Corella (Mirasera) came forward thanking staff and concurs with staff recommendations. Mr. Corella requests a favorable approval from Commission.

ACTION TAKEN: Commissioner Rod Ballance made a motion based on staff recommendation of consistency. Seconded by Arthur Butler.
Abstained: Melanie Fesmire. Vote of 4-0.

FRENCH VALLEY AIRPORT

- 3.2 FV-06-105 – Benton Road LLC – SP00106AG (Amend Dutch Village SP), CZ 07214 (R-A-1 and R-A-5 to R-1), TR 32323 (38 residential lots and a 6.2 acre open space lot) on 20.03 acres south of Benton Road and west of Pourroy Road, within the County of Riverside unincorporated area. Airport Zone D. Project Planner: John Guerin, Ph: (951) 955-1872, or E-mail at jguerin@rctlma.org.

PROJECT DESCRIPTION:

Amendment to Dutch Village Specific Plan, change of zone from R-A-1 (Residential Agricultural, one acre minimum lot size) and R-A-5 (Residential Agricultural, five acre minimum lot size) to R-1 (One-family Dwellings), and tentative tract map to divide 20.03 acres into 38 residential lots and a 6.2-acre open space lot.

RECOMMENDATION: Staff recommends that the Airport Land Use Commission open the public hearing, consider public testimony, and provide direction to staff as to whether this project should be considered pursuant to Policy 3.3.6 of the Riverside County Airport Land Use Compatibility Plan, in that strict conformance with the high density option for Zone D is constrained by the provisions of the adopted Highway 79 Policy Area and by the character of surrounding land uses. Additional factors for consideration include average pad sizes only slightly greater than 0.2 acres and topographic constraints. Otherwise, staff must recommend a finding of **inconsistency** for this project as presently designed. However, the project would be consistent if the Commission were to amend its Plan in the future in accordance with the request from the Riverside County Planning Department. Therefore, staff would be amenable to a continuance to allow consideration following consideration of the County's proposal for amendments to the allowable residential densities in those portions of Airport Zone D lying outside the 55 CNEL contour. In the event that the Commission chooses to find this proposal consistent with the ALUCP pursuant to Policy 3.3.6, or in the event that the Commission finds the proposal inconsistent with the French Valley ALUCP but is overruled by the Riverside County Board of Supervisors or its successor-in-interest, staff would recommend that the conditions included in this staff report be applied.

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

CONDITIONS:

1. Incorporate noise attenuation measures where necessary to ensure interior noise levels **from aircraft operations** are at or below 45-decibel levels **CNEL**.
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.
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
3. The attached notice shall be provided to all potential purchasers and tenants.

Commissioner Jon Goldenbaum arrives to meeting at 9:20 a.m.

Victor Mahony agent for Cameo Homes came forward and provided additional information to Commission to support a conclusion of project being consistent with ALUC.

Commissioner Rod Ballance thanked Mr. Mahony for working with the County Planning Department and ALUC staff.

John Guerin came forward requesting commission make a special finding based on the noise level and have the FAA reviewed at the

discretion of the Commission.

Chairman Housman questions 1) Shifting densities 2) Reducing southern parcel 3) Increasing net density and 4) additional open space.

Mr. Mahony request to leave densities as is or have special circumstances based on high traffic.

BT Miller commented on the need to have special findings made.

Commissioner Jon Goldenbaum comments French Valley Airport is a dead duck and predicts that the airport will eventually be closed as infill continues to threaten. Mr. Goldenbaum supports special conditions.

ACTION TAKEN: Chairman Housman made a motion that the project be found conditionally consistent under the special exceptions rule: 1) Due to terrain of the project, 2) Surrounding development which but for the terrain would meet our infill policies, 3) Due to the tremendous existing similar use, 4) Due to the fact that this particular parcel is outside the CNEL limit, 5) Particular development because of its size and location is not going to have a significant impact on the airport itself, 5) 45 CNEL condition remains, 6) Accept the proponents in reference to reducing density on the parcel to the south, 7) Part 77 - ALUC regulations 4.3.6 requires we get a copy of the notice to the FAA and a copy of the findings that is available. If findings are not yet available, our approval is conditioned upon the proponent obtaining the FAA approval and findings prior to the board of supervisors approving the Tract Map. Seconded by Commissioner Melanie Fesmire. Carried unanimously.

- 3.3 FV-06-107 – Justice Center Plaza LLC/Sunbelt Properties Mgmt. – GPA 00758 (CR to CO), CZ 06969 (A-1-5 to C-P-S), Plot Plan 19414 to develop 78,000 square ft. 3-story office building with retail use on first floor on 4.17 acres at the southeast corner of Auld Road/Leon Road, within the County of Riverside unincorporated area. Zone D. Project Planner: John Guerin, Ph: (951) 955-1872, or E-mail at jguerin@rctlma.org.

PROJECT DESCRIPTION:

General Plan Amendment from Commercial Retail to Commercial Office (to allow an increased floor area ratio), Change of Zone from A-1-5 (Light Agriculture, five acre minimum lot size) to C-P-S (Scenic Highway Commercial), and Plot Plan for development of a 78,410 square foot three-story office building (with retail use on the first floor) on 4.17 acres (previously reviewed without general plan amendment).

RECOMMENDATION: Staff recommends that the Airport Land Use

Commission open the public hearing, consider public testimony, and provide direction to staff as to whether this project should be considered pursuant to Policy 3.3.6 of the Riverside County Airport Land Use Compatibility Plan, based on the fact that the boundary between Zones C and D in this area is based on a runway that EDA no longer intends to construct. Otherwise, staff must recommend that the previous ALUC determination of **inconsistency** be upheld, based on the proposed land use intensity. In the event that the Commission finds that the status of the secondary runway is a special condition, staff would recommend a continuance to allow for redesign to reduce the retail square footage of the proposed building and to allow for FAA review.

Brian Weber (Sunbelt Properties) came forward informing commission that staff had mentioned that applicant had filed a report by Aviation Systems Inc., of Torrance California, concluding that report stated, project would not have any adverse effect on airspace and the operations of the airport. Mr. Weber is also prepared to make adjustments without redesigning facility and would like a special finding to the 3.3.6 policy.

Jim Venable is in favor of project and requested review under the 3.3.6 condition.

Gerard Martorano is in favor of project.

Commissioner Rod Ballance feels project is a safe project and would move to approve project under special policy 3.3.6. Commissioner Jon Goldenbaum and Alternate David Bradley do not view project as a special finding under the 3.3.6 policy. Mr. Goldenbaum commented we do not approve or disapprove projects, it is the Commissioners job to find the project consistent or inconsistent with our plan and up to the Board of Supervisors to override.

Chairman Housman agrees with Commissioner Jon Goldenbaum and finds project inconsistent.

ACTION TAKEN: Commissioner Melanie Fesmire made a motion of Inconsistency. Seconded by Arthur Butler. **Opposed:** David Bradley, Vote of 5-1.

JACQUELINE COCHRAN REGIONAL AIRPORT

3.4 TH-06-105 Riverside County Planning Dept. – Amendment to the Jacqueline Cochran Airport Land Use Compatibility Policies regarding residential densities in Airport Zones C and D. Presently, Airport Zone C limits residential densities to a maximum of 1 DU/5AC. Airport Zone D allows

densities of 5 DU/AC or greater and densities not greater than 1 DU/5AC, but does not allow densities greater than 1 DU/5AC and less than 5 DU/AC. Proposal would allow densities of 3 to 15 DU/AC in portions of Airport Zone C and eliminate or relax restrictions on residential densities in portions of Airport Zone D. County of Riverside unincorporated area and City of Coachella. Airport Zones C and D, with one provision affecting Zones B1 and B2. Project Planner: John Guerin, Ph: (951) 955-1872, or E-mail at jguerin@rctlma.org.

PROJECT DESCRIPTION: Amend the Jacqueline Cochran Airport Land Use Compatibility Plan by adding Additional Compatibility Policies that would: (1) allow residential densities in the range of three to fifteen (3-15) dwelling units per acre in the portion of Airport Zone C located southerly of 60th Avenue outside the 60 CNEL corridor, but only within those areas designated for residential uses at densities greater than one dwelling unit per five acres as of October 7, 2003; (2) allow residential densities in the range of 0.2 to 5 dwelling units per acre in the portions of Airport Zone D located outside the boundaries of the ultimate 55 CNEL noise contour (essentially eliminating all density restrictions in the portion of Airport Zone D outside the 55 CNEL contour); (3) allow residential densities in the range of three to five (3-5) dwelling units per acre in the portion of Airport Zone D located within the 55 CNEL contour, but outside the 60 CNEL contour, but only within those areas designated for such residential densities as of October 7, 2003; (4) Require calculation of residential densities in Airport Zone D on a “net” rather than a “gross” basis. (Net acreage equals the overall developable area of a project site exclusive of permanently dedicated open lands [as defined in ALUCP Policy 4.2.4] or other open space required for environmental purposes.); and (5) require expanded buyer awareness measures for residential development in all Airport Zones except Airport Zone E.

RECOMMENDATION: Continue the public hearing, consider additional testimony, discuss, provide direction to staff as to the Commission’s intent, and **CONTINUE** this matter to July 13, 2006 to allow time for the preparation of an initial study and the advertising of the availability of an environmental document for public review.

Chairman Housman called the public to speak in regards to Jacqueline Cochran Airport.

All in favor of Amendment

Emily Hemphill, Attorney representing Kohl Ranch

Jim Venable

Mike Taylor – Pardee Homes

John Powell – Peter Rabbit Farms

Jeff Dinkin – Principal of Kohl Ranch

John Gamlin – Bremer Family Trust

All in opposition of Amendment

Francisco Morales – Private Citizen

Roy Heimburger – Private Citizen

Roy Hofheinz – Private Citizen

In response to Mr. Morales (private citizen) concerns, Chairman Housman requested to have public notices in Spanish. Melanie Fesmire suggested the Desert Sun Newspaper for Spanish advertisements.

Melanie Fesmire voiced we need to look at the differing opinions that were expressed in the meeting regarding whether or not this increased density would be consistent with the overall master plan for the airport, and also to look in terms of what future purposes of the airports are going to be.

Rod Ballance and BT Miller would like CEQA information reviewed at the next meeting. Melanie Fesmire would also like documents to the Santa Rosa Plan by the next meeting

ACTION TAKEN: Chairman Housman made a motion for staff recommendation of continuance on Item 3.4 and 3.5. Seconded by Commissioner Melanie Fesmire. Carried Unanimously

- 3.5 TH-05-103 - ALUC Staff - An amendment to the ALUCP – The proposed change would utilize net acreage rather than gross acreage as the basis on which compliance with the high density option in Zone “D” is measured in the vicinity of Jacqueline Cochran Regional Airport, within the County of Riverside unincorporated area and City of Coachella. Airport Zone D (Continued from April 13, 2006, March 9, 2006, February 9, 2006, January 12, 2006, and December 2005). Project Planner: John Guerin, Ph: (951) 955-1872, or E-mail at jguerin@rctlma.org.

PROJECT DESCRIPTION:

An amendment to Countywide compatibility policies addressing calculation of acreage for residential projects in Airport Zone D for purposes of determining density so as to allow density to be calculated based on net acreage, rather than gross acreage. Case No. TH-05-103 would adopt this amendment for the Jacqueline Cochran Regional Airport, but would essentially result in further amendments to the Jacqueline Cochran Regional Airport Land Use Plan being foreclosed for the remainder of calendar year 2006. Case No. TH-05-103 would affect the City of Coachella, the County of Riverside, and any special district within the Jacqueline Cochran Regional Airport Influence Area.

RECOMMENDATION: The proposed text of this amendment has been integrated into the proposed text of the Riverside County amendment proposal. Staff recommends that Case No. TH-05-103 be **Continued Off-Calendar** until such time as the Riverside County amendment proposal has received final action. If the County amendment proposal is adopted, there would be no need for this additional amendment. If the County amendment proposal is rejected, this amendment should be readvertised for consideration at the following meeting.

John Guerin noted staff recommended Item 3.5 be continued off-calendar but has now change to a continuance to July 13, 2006, which is consistent with Item 3.4, so they both can be heard at the same time.

ACTION TAKEN: Chairman Housman made a motion for staff recommendation of continuance on Item 3.4 and 3.5. Seconded by Commissioner Melanie Fesmire. Carried Unanimously

- 3.6 TH-06-102 – Kohl Ranch – TH-06-102 addresses SP No. 303, Amendment No. 2, and Change of Zone Case No. 7216 which propose to amend the allowable land uses and densities in the portion of this specific plan located southerly of 64th Avenue. (The full Specific Plan comprises 2,172 acres extending southerly from 60th Avenue, easterly from Harrison Street, and westerly from Polk Street). County of Riverside unincorporated area. Overall Specific Plan in Airport Zones A, B1, B2, C, D, and E. Amendment Area in Zones D and E. Project Planner: John Guerin, Ph: (951) 955-1872, or E-mail at jguerin@rctlma.org.

PROJECT DESCRIPTION: A Specific Plan Amendment for various changes to the Kohl Ranch Specific Plan (see attached description). On an overall basis, the Specific Plan as proposed to be amended would include 7,167 dwelling units (including 1,925 at a density of 3.5 dwelling units per acre, 3,780 at a density of 7.8 dwelling units per acre, and 1,462 at a density of 14.5 dwelling units per acre), 172.86 acres of heavy industrial uses, 107.03 acres of air park business uses, 84.3 acres of schools and other public facilities, 68.63 acres of commercial uses, 48.07 acres of office uses, 400.82 acres of open space, and 160.34 acres of rights-of-way. The proposed amendment proposes changes within the southerly portion of the project only (the area southerly of 64th Avenue).

RECOMMENDATION: Staff recommends **CONTINUANCE** to July 13, 2006 to allow preparation and public review of an initial study pursuant to CEQA so as to allow for an appropriate environmental finding regarding the proposed amendment to the Jacqueline Cochran Airport Land Use Compatibility Plan.

In the event that the Airport Land Use Commission determines that CEQA analysis of the proposed amendment to the Jacqueline Cochran Airport Land Use Compatibility Plan is not required and approves the Riverside County Planning Department amendment proposal as submitted, staff recommends a finding of Consistency with the Jacqueline Cochran Regional Airport Land Use Compatibility Plan, as amended.

In the event that the Airport Land Use Commission determines that CEQA analysis of the proposed amendment to the Jacqueline Cochran Airport Land Use Compatibility Plan is not required and approves Section 2.2 (but not Section 2.1) of the Riverside County Planning Department amendment proposal as submitted, staff recommends a finding of Consistency with the Jacqueline Cochran Regional Airport Land Use Compatibility Plan, as amended, for that portion of the Specific Plan within the amended area.

In the event that the Airport Land Use Commission denies or rejects both Sections 2.1 and 2.2 of the amendment proposal, staff must recommend a finding of Inconsistency.

Mike Taylor, Pardee Homes requested approval under the 3.3.6 policy and would like the commission to make a decision today. Mr. Taylor would like to find ways around the technicalities and have Commission approve the Tract Map and find it consistent.

Emily Hemphill attorney for Kohl Ranch came forward requesting Commission to focus on the D and E Zones. Ms. Hemphill requested Specific Plan and Tract Map be approved under special circumstances: 1) Detrimental Reliance Cost, 2) Noise Issue, 3) Buyer Awareness and 4) EIR.

Chairman Housman questioned if Tract Map is consistent, can we vote on that today and deal with the Amendment and Specific Plan another day? BT Miller comments we are looking for Special Conditions on the Tract Map.

Commissioner Jon Goldenbaum is undecided on the issue and would like a compromise.

Barbara Lichman representing Pardee Homes comments on findings outlined by BT Miller.

ACTION TAKEN: Commissioner Rod Ballance made a motion to continue both items 3.6 and 3.7 to the next meeting of June 8, with direction for staff to review the proposed findings with counsel and make amendments and adjustments that are appropriate, and bring

back a resolution with findings for the commission to vote on at the next meeting, so the commission can look for exceptions to the criteria, so as to find the Tract Map consistent pursuant to Policy 3.3.6. Also to allow the actions on the Specific Plan to be complete. Seconded by David Bradley (alternate). **Abstained:** Melanie Fesmire. Vote of 5.0.

- 3.7 TH-06-103 – Kohl Ranch - TH-06-103 addresses Tentative Tract Map No. 33487, which proposes to divide 279 acres into 883 residential lots, within the County of Riverside unincorporated area. Airport Zones D and E (Continued from March 9, 2006 and April 13, 2006). Project Planner: John Guerin, Ph: (951) 955-1872, or E-mail at jguerin@rctlma.org.

PROJECT DESCRIPTION: A tract map for 883 lots with a 22 acre man made lake with open space and, a recreation center on a 279 acre site. The recreation center is being handled as a separate plot plan, as it is not a major land use action.

RECOMMENDATION:

Staff recommends **CONTINUANCE** to July 13, 2006 to allow preparation and public review of an initial study pursuant to CEQA so as to allow for an appropriate environmental finding regarding the proposed amendment to the Jacqueline Cochran Airport Land Use Compatibility Plan.

In the event that the Airport Land Use Commission determines that CEQA analysis of the proposed amendment to the Jacqueline Cochran Airport Land Use Compatibility Plan is not required and approves Section 2.2 of the Riverside County Planning Department amendment proposal as submitted, staff recommends a finding of Consistency with the Jacqueline Cochran Regional Airport Land Use Compatibility Plan, as amended.

In the event that the Commission denies or rejects both Section 2.2 and Section 2.3 of the amendment proposal, staff must recommend a finding of Inconsistency.

ACTION TAKEN: Commissioner Rod Ballance made a motion to continue both items 3.6 and 3.7 to the next meeting of June 8, with direction to staff to review the proposed findings with counsel and make amendments and adjustments that are appropriate, and bring back a resolution with findings for the commission to vote on at the next meeting, so the commissions can look for exceptions to the criteria, so as to find the Tract Map consistent pursuant to Policy 3.3.6. Also to allow the actions on the Specific Plan to be complete. Seconded by David Bradley (alternate). **Abstained:** Melanie Fesmire. Vote of 5-0.

4.0 ADMINISTRATIVE ITEMS

John Guerin informed the Commission that we need to appoint an interim Executive Director to ALUC and have an amendment to the ALUC By-Laws.

ACTION TAKEN: Chairman Housman made a motion to bring forward a proposal to amend the By-Laws transferring staffing from the Economic Development Agency (EDA) to the Planning Department. Seconded by Rod Ballance. Carried unanimously.

5.0 ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA

None

6.0 COMMISSIONER'S COMMENTS

Chairman Housman informed commission that he would like to know in advance whether Commissioners or their alternates will be attending ALUC meetings, so we do not have to mail out the entire agenda package to everyone.

Mr. Housman is also interested on any ideas for new Logos for the ALUC agenda.

7.0 ADJOURNMENT

Commissioner Arthur Butler adjourned the meeting at 1:10 p.m. Commissioner Jon Goldenbaum seconded the motion. Carried unanimously.