

**AIRPORT LAND USE COMMISSION
MINUTE ORDER DECEMBER 14, 2006
RIVERSIDE MEETING**

A regular scheduled meeting of the Airport Land Use Commission was held on December 14, 2006 at the Riverside County Administration Center, Board Chambers.

COMMISSIONERS PRESENT: Simon Housman, Chairman
 Rod Ballance, Vice Chairman
 Glen Holmes
 Arthur Butler
 John Lyon
 James Downes (Alternate)

COMMISSIONERS ABSENT: Robin Lowe

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

OTHERS PRESENT: Kevin Akin, Other Interested Person
 Amy Alvarez, Other Interested Person
 Kenneth L. Friedman – Fleming Family
 Steve Hathaway – Hillcrest
 Barbara Lichman – Pacific Pointe Partners
 Gary Lupo, Other Interested Person
 Bob Mainiero – Civil Engineer
 Susan Massey, Other Interested Person
 Dave Massey, Other Interested Person
 Patty Nahill – City of Riverside
 Kenneth Nutley, Other Interested Person
 John Stiles, Other Interested Person
 Mel Wagstaff, Other Interested Person
 Wafick Zaky – Property Owner

**AIRPORT LAND USE COMMISSION
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I. **AGENDA ITEM 4.1: ZAP1004BD06 – Robert Mainiero for Wafick Zaky - County Case Nos. GPA 00822 and TR 33994** – A proposal to amend the General Plan designation of 4.51 acres located on the north side of 41st Ave., east of Washington St., in the unincorporated Riverside County community of Bermuda Dunes, from Very Low Density Residential within the Community Development Foundation Component to Medium Density Residential, and to divide the site into eight (8) residential lots with a minimum lot size of 20,000 sq. ft., and one detention/retention lot. Airport Zone C.

II. **MAJOR ISSUES**

The project proposes a density of 1.7 to 1.8 dwelling units per acre in Airport Zone C, which allows a maximum density of 0.2 dwelling units per acre.

III. **STAFF RECOMMENDATION**

Staff recommends a finding of INCONSISTENCY with the Airport Land Use Compatibility Plan. The landowner may wish to consider nonresidential land use options at this location.

IV. **PROJECT DESCRIPTION**

General Plan Amendment No. 00822 proposes to amend the General Plan designation on 4.51 acres from Very Low Density Residential within the Community Development Foundation Component (one dwelling unit per acre) to Medium Density Residential (2 to 5 dwelling units per acre). Tentative Tract Map No. 33994 proposes to divide 4.51 acres into eight (8) residential lots with a minimum lot size of 20,000 square feet and one detention/retention lot.

CONDITIONS:

1. The maximum elevation of any structure at top of roof or top point shall not exceed one hundred thirty-one (131) feet above mean sea level (131 feet AMSL).
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.

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(d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.

3. The attached notice shall be provided to all potential purchasers and tenants.

V. MEETING SUMMARY

The following staff presented the subject proposal:

ALUC Staff Planner, John Guerin, (951) 955-0982, or E-mail at jguerin@rctlma.org

The following spoke in favor of the project:

Bob Mainiero, Civil Engineer, P. O. Box 2410, Palm Springs, CA 92263

John Stiles, Applicant's Representative, 245 S. Palm Canyon Dr., A-4, Palm Springs, CA 92262

Wafick Zaky, Property Owner

Mel Wagstaff, Other Interested Person, 2735 Wardlow Road, Corona, CA 92882

No one spoke in neutral, or opposition to the project.

VI. ALUC COMMISSION ACTION

The ALUC Commission, by a unanimous vote of 6-0, found the project INCONSISTENT.

ABSENT: Commissioner Robin Lowe

VII. CD -

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 4.1: TIME IS 9:03 A.M.

**AIRPORT LAND USE COMMISSION
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I. **AGENDA ITEM 4.2: ZAP1007RI06 – Fern Moss/Citicom Development LP - City Case Nos. P06-1187 (Rezone) and P06-1188 (Design Review)** – Change of Zone from RO to C-2 on 0.54 acre and development of two retail buildings with a total floor area of 7,999 square feet on a 1.33-acre site located northerly of Arlington Avenue and easterly of Phoenix Avenue, directly westerly of the Housing Authority/EDA building in the City of Riverside. Airport Zones B1 and C.

II. **MAJOR ISSUES**

The nonresidential intensity of this site exceeds the allowable nonresidential intensity for Airport Zone C on a site split between Airport Zones C and the even more restrictive Airport Zone B1 when the Uniform Building Code method is used. However, if one takes both of the parcels into consideration, the use of the Parking Space Method would indicate consistency. The site may be eligible for a determination of infill pursuant to Section 3.3.1, which may reduce the need for change in intensity levels, but either a change of use or reduction in floor area would still be required for the project to comply with limits based on UBC criteria.

III. **STAFF RECOMMENDATION**

Staff recommends a finding of INCONSISTENCY, as the level of nonresidential intensity exceeds the Countywide compatibility criteria for Airport Zones B1 and C as determined through the Building Code method; however, staff would not object to a continuance, if the applicant is agreeable, to *January 11, 2007* to allow the project proponent an opportunity to demonstrate that the site qualifies for consideration as an infill-eligible property and to provide data regarding the occupancy and intensity levels of surrounding buildings.

IV. **PROJECT DESCRIPTION**

Change of zone from RO to C-2 on 0.54 net acre and development of two retail buildings with a total floor area of 7,999 square feet on 1.33 acres. There is an existing drive-through restaurant on the westerly property.

V. **MEETING SUMMARY**

The following staff presented the subject proposal:
ALUC Staff Planner, John Guerin, (951) 955-0982, or E-mail at jguerin@rctlma.org

No one spoke in favor, neutral, or opposition to the project.

VI. **ALUC COMMISSION ACTION**

The ALUC Commission, by a unanimous vote of 6-0, continued the project to 60 days. **ABSENT:** Commissioner Robin Lowe.

VII. **CD -**

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 4.2: TIME IS 9:24 A.M.

**AIRPORT LAND USE COMMISSION
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- I. **AGENDA ITEM 4.3: ZAP1001CO06 – Sharon Orit and Ron Benetzhak/RMA-Riverside, Inc. City Case No. CUP 05-006 (Conditional Use Permit)** – A proposal to establish a personal-use heliport on an 8.32-acre site at 1251 Hidden Springs Drive, easterly of Gilbert Avenue, in the City of Corona. Not in an airport influence area.
- II. **MAJOR ISSUES**
As designed, a number of existing residences would be in the flight path and subjected to noise. Staff is awaiting the receipt of an acoustical study.
- III. **STAFF RECOMMENDATION**
Open the public hearing, consider testimony, and CONTINUE consideration of this matter to the *January 11, 2007* public hearing calendar.
- IV. **PROJECT DESCRIPTION**
Establishment of a personal-use heliport on an 8.32-acre site within a city. The helipad will be at an elevation of 1468 feet above mean sea level (AMSL), with the center at 1468.3 and the corners at 1468.2 feet. The design helicopter is the Robinson 44 Raven II, with an overall length of 45 inches, undercarriage length of 51 inches, overall and undercarriage width of 86 inches, rotor diameter of 129 inches (10.75 feet), empty weight of 1,506 pounds, and gross weight of 2,500 pounds. The Touchdown and Liftoff Area (TLOF) will be 10.75 feet by 10.75 feet (115.56 square feet) in area, the Final Approach and Takeoff Area (FATO) will be 57.42 feet by 57.42 feet (3,297 square feet) in area, and the Safety Area will be 79.42 feet by 79.42 feet (6,308 square feet). The closest point of the FATO will be 86 feet from the rear property line. The California Department of Transportation Aeronautics Division requires a new heliport permit application, because the facility is proposed to be located inside city limits, which in turn triggered the requirement for Airport Land Use Commission review.
- V. **MEETING SUMMARY**
The following staff presented the subject proposal:
ALUC Staff Planner, John Guerin, (951) 955-0982, or E-mail at jguerin@rctlma.org
- The following spoke in opposition to the project:
Kenneth and D.C. Nutley, Neighbor, 1331 Hidden Springs Dr., Corona, CA 92881
Dave and Susan Massey, Neighbor, 1440 Hidden Springs Drive, Corona, CA 92881
Amy Alvarez, Neighbor, 1340 Hidden Springs, CA 92881
- VI. **ALUC COMMISSION ACTION**
The ALUC Commission, by a unanimous vote of 6-0, continued the project to January 11, 2007; Provide property owners with notice within 500 feet of project.
- VII. **CD -**
The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.
ITEM 4.3: TIME IS 9:25 A.M.

**AIRPORT LAND USE COMMISSION
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I. **AGENDA ITEM 4.4: ZAPEA01FV06 - Environmental Assessment (E.A.) – Airport Land Use Commission Initiative – PROPOSAL:** Adopt a Land Use Compatibility Plan for French Valley Airport. The project proposal is the adoption of the French Valley Airport Land Use Compatibility Plan as adopted by the Commission in December 2004 and amended in December 2005; however, the Commission will also consider Additional Compatibility Policies (amendments) proposed by ALUC staff, the County of Riverside, and the City of Murrieta. The ALUC will determine whether to adopt a De Minimis Finding and a Negative Declaration.

II. **MAJOR ISSUES**

Whether to approve the 2004 French Valley Airport Land Use Compatibility Plan as originally adopted in 2004 and amended in 2005 or with additional amendments, including all or portions of the amendments proposed jointly by the County of Riverside and City of Murrieta earlier this year.

III. **STAFF RECOMMENDATION**

Staff recommends that the ALUC consider additional testimony in open public hearing, discuss, provide direction to staff as appropriate, and continue its consideration of this matter to the January 11 public hearing agenda, with realization that recirculation of the Environmental Assessment Initial Study will be required and that a tentative action on the Plan will not be possible until a later date, possibly February 8, 2007. Staff continues to support Alternative Four as amended.

IV. **PROJECT DESCRIPTION**

Adoption of a Land Use Compatibility Plan for French Valley Airport establishing criteria for the determination of consistency of development projects with the objectives of the State Aeronautics Act regarding the protection of public health, safety, and welfare in Airport Influence Areas.

V. **MEETING SUMMARY**

The following staff presented the subject proposal:

ALUC Staff Planner, John Guerin, (951) 955-0982, or E-mail at jguerin@rctlma.org

The following spoke in favor of the project:

Barbara Lichman, Pacific Pointe Partners, 695 Town Center Drive, Suite 700, Costa Mesa, CA 92626.

No one spoke in neutral or opposition to the project.

VI. **ALUC COMMISSION ACTION**

The ALUC Commission, by a unanimous vote of 6-0, continued the project to January 11, 2007.

VII. **CD -**

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 4.4: TIME IS 9:52 A.M.

**AIRPORT LAND USE COMMISSION
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- I. **AGENDA ITEM 5.1: ZAP1018MA06 - City of Riverside and City of Moreno Valley – Riverside Case Nos. ANX104, P06-1019 and Moreno Valley Case No. ANX PA06-0148 - Annexation of 46.2 acres - The old Highway 215 and railroad rights-of-way and roadway areas northerly of Alessandro Boulevard and southerly of Eucalyptus/Eastridge Avenues - Annexation of 31 acres into the City of Riverside, and pre-zoning of MP-SP (Manufacturing Park and Specific Plan Combining Zones). Annexation of 15.2 acres into the City of Moreno Valley. Airport Area I.**
- II. **MAJOR ISSUES**
None
- III. **STAFF RECOMMENDATION**
Staff recommends a finding of consistency for the above referenced project, subject to the specific conditions specified herein.
- IV. **PROJECT DESCRIPTION**
The proposed project involves the annexation of 31 acres into the City of Riverside, with pre-zoning of MP-SP (Manufacturing Park and Specific Plan Combining Zone), and the annexation of 15.2 acres into the City of Moreno Valley. Presently the land is vacant.

CONDITIONS:

1. The following conditions specified herein are applicable to future new development within the annexation area:
2. Prior to recordation of a final map, issuance of new building permits, or conveyance to an entity exempt from the Subdivision Map Act, whichever occurs first, the landowner shall convey an avigation easement to the MARB/MIP Airport. (Contact March Joint Powers Authority at (951) 656-7000 for additional information.)
3. Any outdoor lighting shall be hooded or shielded to assure that no lights are above the horizontal plane.
4. The following uses shall be prohibited:
 - a. Any use which would direct a steady light or flashing light of red, white, green or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.

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- c. Any use which would generate smoke or water vapor, or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
- d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
- e. High Risk Land Uses (See attached Appendix B)

4. The attached notice shall be given to all prospective buyers and/or tenants.

V. MEETING SUMMARY

The following staff presented the subject proposal:

ALUC Staff Planner: Cecilia Lara, Ph: (951) 955-0549, or E-mail at clara@rctlma.org.

No one spoke in favor, neutral or opposition to the project.

VI. ALUC COMMISSION ACTION

The ALUC Commission, by a unanimous vote of 6-0, found the project CONSISTENT based on staff recommendations.

VII. CD -

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 5.1: TIME IS 10:04 A.M.

**AIRPORT LAND USE COMMISSION
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I. **AGENDA ITEM 5.2: ZAP1015MA06 - City of Riverside - City Case Nos. ANX107 and P06-0453-** Annexation of 324 acres, including properties located northerly of Mariposa Avenue, southerly of Van Buren Boulevard, easterly of Wood Road, and westerly of Barton Street into the City of Riverside, and establishment of pre-zoning of R-1-8500-RL, R-1-13,000, R-1-13,000-RL, R-1-1/2 Acre-RL, and RE-RL. The land is presently in unincorporated Riverside County and is zoned SP (Specific Plan), W-2-M (Controlled Development Area with mobile homes), R-A (Residential Agricultural 20,000 acre minimum), and R-A-1 (Residential Agricultural 1 acre minimum). Airport Area III.

II. **MAJOR ISSUES**
None

III. **STAFF RECOMMENDATION**
Staff recommends a finding of consistency for the above referenced project, subject to the specific conditions specified herein.

IV. **PROJECT DESCRIPTION**
The proposed project involves the annexation of 324 acres into the City of Riverside and establishment of pre-zoning of R-1-8,500-RL, R-1-13,000, R-1-13,000-RL, R-1-1/2 Acre-RL, and RE-RL. Presently the land is in unincorporated Riverside County and is zoned SP (Specific Plan), R-A (Residential Agricultural 20,000 acre minimum), and R-A-1 (Residential Agricultural 1 acre minimum).

CONDITIONS:

The following conditions specified herein are applicable to future new development within the proposed annexation area:

1. Prior to recordation of a final map, issuance of new building permits, or conveyance to an entity exempt from the Subdivision Map Act, whichever occurs first, the landowner shall convey an aviation easement to the MARB/MIP Airport. (Contact March Joint Powers Authority at (951) 656-7000 for additional information.)
2. Any outdoor lighting shall be hooded or shielded to assure that no lights are above the horizontal plane.
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.

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- b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
- c. Any use which would generate smoke or water vapor, or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
- d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.

4. The attached notice shall be given to all prospective buyers and tenants.

V. MEETING SUMMARY

The following staff presented the subject proposal:

ALUC Staff Planner: Cecilia Lara, Ph: (951) 955-0549, or E-mail at clara@rctlma.org.

No one spoke in favor, neutral or opposition to the project.

VI. ALUC COMMISSION ACTION

The ALUC Commission, by a unanimous vote of 6-0, found the project CONSISTENT based on staff recommendations.

VII. CD -

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 5.2: TIME IS 10:04 A.M.

**AIRPORT LAND USE COMMISSION
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I. **AGENDA ITEM 6.1: ZAP1004FV06 – KCT Consultants, Inc. for French Valley Development PRT, LLC and Fred Fleming** – Commercial Parcel Map No. 35212 – Divide 56.95 acres into 23 parcels for future commercial development, plus a “not a part” area for biological mitigation. The site is located easterly of Winchester Road, westerly of Sky Canyon Drive and the French Valley Airport, and northerly of Hunter Road/Borel Road, in unincorporated Riverside County.

II. **MAJOR ISSUES**

Property owners within the 300-foot radius did not receive a ten-day notice pursuant to law due to mailings being rejected by the County’s Central Mail Processing Service. Therefore, this matter will need to be continued to a subsequent hearing date.

Additionally, the use of the 2004 French Valley Airport Land Use Compatibility Plan has been suspended pursuant to Court action; as a result, there is no Plan against which projects may be evaluated for consistency. There is a possibility of reinstatement in February once an environmental document is adopted. Until such time as such a document is adopted, the Commission is legally unable to make a determination of consistency or inconsistency.

III. **STAFF RECOMMENDATION**

CONTINUANCE FOR READVERTISEMENT. The project may be brought forward at the January 11 hearing, but the Commission may be unable to take action on this matter at that time because of the ruling of the Riverside Superior Court in *Silverhawk Land and Acquisitions LLC v. Riverside County Airport Land Use Commission* suspending any and all land use review activity under the 2004 French Valley Airport Land Use Compatibility Plan until the ALUC has taken necessary action to bring its approval of the 2004 Airport Land Use Compatibility Plan into compliance with the California Environmental Quality Act. If the applicant prefers a continuance to allow for the reinstatement of the Plan, staff would recommend a continuance to February 8, 2007.

IV. **PROJECT DESCRIPTION**

Division of 56.95 acres into 23 parcels for future commercial development, plus a “not a part” area for biological mitigation.

V. **MEETING SUMMARY**

The following staff presented the subject proposal:
ALUC Staff Planner, John Guerin, (951) 955-0982, or E-mail at jguerin@rctlma.org

The following spoke in favor of the project:
Kenneth L. Friedman, Attorney representing property owners, 16255 Ventura Blvd., STE 1200, Encino, CA 91436

No one spoke in neutral or opposition to the project.

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VI. ALUC COMMISSION ACTION

The ALUC Commission, by a unanimous vote of 6-0, continued the project to January 11, 2007 and readvertise.

VII. CD -

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 6.1: TIME IS 10:05 A.M.

**AIRPORT LAND USE COMMISSION
MINUTE ORDER DECEMBER 14, 2006
RIVERSIDE MEETING**

I. **AGENDA ITEM 6.2: ZAP1006FV06 – Development Companies, LLC/Silverhawk Investments, LLC – County Case No. PP22352** – Development of 17 office buildings with a total floor area of 162,000 square feet on a 12.08-acre site (10.02 net acres) located easterly of Winchester Road, westerly of Sky Canyon Drive, and southerly of Technology Drive in the community of French Valley in unincorporated Riverside County.

II. **MAJOR ISSUES**

The use of the 2004 French Valley Airport Land Use Compatibility Plan has been suspended pursuant to Court action; as a result, there is no Plan against which projects may be evaluated for consistency. There is a possibility of reinstatement in February once an environmental document is adopted. Until such time as such a document is adopted, the Commission is legally unable to make a determination of consistency or inconsistency.

III. **STAFF RECOMMENDATION**

Staff recommends that the Commission authorize staff to send the attached letter to the applicant stating that it will TAKE NO ACTION on this matter at this time because of the ruling of the Riverside Superior Court in *Silverhawk Land and Acquisitions LLC v. Riverside County Airport Land Use Commission* suspending any and all land use review activity under the 2004 French Valley Airport Land Use Compatibility Plan until the ALUC has taken necessary action to bring its approval of the 2004 Airport Land Use Compatibility Plan into compliance with the California Environmental Quality Act. The project is reported back to the County of Riverside for appropriate action. Alternatively, if the applicant prefers a continuance to allow for the reinstatement of the Plan, staff would recommend a continuance to February 8, 2007.

IV. **PROJECT DESCRIPTION**

Development of 17 office buildings with a total floor area of 162,000 square feet on a 12.08-acre site (10.02 net acres).

V. **MEETING SUMMARY**

The following staff presented the subject proposal:

ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at jguerin@rctlma.org.

No one spoke in favor, neutral or opposition to the project.

VI. **ALUC COMMISSION ACTION**

The ALUC Commission, by a unanimous vote of 6-0, took NO ACTION. **ABSENT:** Commissioner Robin Lowe.

VII. **CD -**

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 6.2: TIME IS 10:10 A.M.

**AIRPORT LAND USE COMMISSION
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I. **AGENDA ITEM 6.3: ZAP1002CH06 – Steve Hathaway/Hillcrest Nexus 2LLC/Stelzer Family – County Case Nos. GPA00834, CZ07445, PP22277** – Development of a 282,770 square foot commercial and industrial center, including a shopping center with major retail tenant, market, drug store, bank, restaurant, car wash, retail shops, fast food, offices, and mini-storage on 37.9 – 38.1 acres located at the southeast corner of Archibald Avenue and Limonite Avenue in Eastvale, unincorporated Riverside County. General Plan Amendment from LI, OS-REC, and MDR to CR and LI. Change of zoning from A-2-10 to C-1/C-P and M-SC. Airport Areas II and III on 1991 Plan; Zones C and D on Draft Plan.

II. **MAJOR ISSUES**

The single-acre land use intensities are inconsistent with the Draft Chino Airport Land Use Compatibility Plan, as they exceed 150 persons per acre in most of the portion of the property within Airport Zone C. The proposed project is also inconsistent with the 1991 San Bernardino County Chino Airport Land Use Compatibility Plan, in that it provides for structures that would hold more than 15 persons within Safety Zone II. However, the project is not inconsistent with the 1984 Riverside County Airport Land Use Plan, which does not restrict commercial or industrial land use intensities within Area II. If risk reduction features are utilized, the project could be consistent with State Handbook criteria for the Outer Approach/Departure Zone if the State's more generous multipliers were utilized.

III. **STAFF RECOMMENDATION**

Staff recommends that the Commission open the public hearing, consider testimony, discuss, and provide direction to staff as to whether, given these circumstances, a finding of consistency with the 1984 Riverside County Airport Land Use Plan, subject to the conditions included herein, is appropriate in this situation. Staff does not recommend use of the special findings for situations where Plans are in process, in that the proposed project design is not consistent with the Draft Chino Airport Land Use Compatibility Plan, given the single-acre land use intensities of this project. However, the applicant has been advised that he may suggest amendments to the Draft Plan during the public hearing process for the Plan's environmental document.

IV. **PROJECT DESCRIPTION**

General Plan Amendment No. 00834 proposes to change the designation of the property on the Eastvale Area Plan Land Use Map of the Riverside County General Plan from Light Industrial, Open Space – Recreation, and Medium Density Residential (2 to 5 dwelling units per acre) to Commercial Retail and Light Industrial. Change of Zone Case No. 07445 proposes to change the zoning of the property from A-2-10 (Heavy Agriculture, 10 acre minimum lot size) to C-1/C-P (General Commercial) and M-SC (Manufacturing – Service Commercial). Plot Plan No. 22277 proposes the development of a 282,770 square foot commercial and industrial center, including a shopping center with major retail tenant, market, drug store, bank, restaurant, car wash, retail shops, fast food, offices, and mini-storage on the property.

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.

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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 instruments: 1:100 slope from the end of the runway.
3. Additional Airport Land Use Commission staff review shall be required at the tentative map, plot plan, or use permit stage for any structure greater than 70 feet in height.
4. The attached notice shall be provided to all potential purchasers and tenants.
5. Prior to recordation of a final map, issuance of building permits, or conveyance to an entity exempt from the Subdivision Map Act, whichever occurs first, the landowner shall convey an aviation easement to Chino Airport. (Contact San Bernardino County Department of Airports at (909) 387-7801 for additional information.)
6. The square footage of the retail sales area in the structure labeled as “drug store” on the site plan shall not exceed 13,447 square feet.
7. The square footage of the dining area in the structures labeled as “fast food” shall not exceed 60 percent of the gross floor area of the structure.
8. The square footage of the retail area in the structures labeled as “market” and “shops” shall not exceed 80 percent of the gross floor area of the structure.
9. The structure labeled as “Major A” may be utilized as a fitness center or exercise room, but the following uses shall not be permitted: retail sales, auction rooms, auditoriums, churches and chapels, dance floors, lodge rooms, dining rooms, drinking establishments, exhibit rooms, lounges, stages, spectator sporting events, bowling alleys, classrooms, courtrooms, and day care nurseries.

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MEETING SUMMARY

- V. The following staff presented the subject proposal:
ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at jguerin@rctlma.org.

The following spoke in favor of the project:
Steve Hathaway, Hillcrest, 333 El Camino Real #201, Tustin, CA 92780

No one spoke in neutral or opposition to the project.

VI. **ALUC COMMISSION ACTION**

The ALUC Commission, by a unanimous vote of 6-0, found the project CONSISTENT with the 1984 plan. **ABSENT:** Commissioner Robin Lowe

VII. **CD -**

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 6.3: TIME IS 10:14 A.M.

**AIRPORT LAND USE COMMISSION
MINUTE ORDER DECEMBER 14, 2006
RIVERSIDE MEETING**

I. **AGENDA ITEM 6.4: ZAP1003CH06 – SC Eastvale Dev. Corp./Bootsma Family/Albert Webb Associates - County Case Nos. CZ07430 and PM35173** – Change zoning of 19.16 – 20.97 acres located at 14560 Schleisman Road (south side of Schleisman, opposite Gypsum Creek Drive), westerly of Archibald Avenue, in Eastvale, unincorporated Riverside County, from A-2-10 (Heavy Agriculture, 10 acre minimum lot size) to A-1 (Light Agriculture). Divide property into two parcels, including one parcel that is one acre in size. Airport Area III on 1991 Plan; Zone D on Draft Plan.

II. **MAJOR ISSUES**

The proposed zoning of A-1 is inconsistent with the Draft Chino Airport Land Use Compatibility Plan, as it would allow for residential development at an intermediate density. The proposed parcel map is arguably inconsistent with the criteria of the Draft Chino Airport Land Use Compatibility Plan due to its establishment of a one-acre lot. (The overall density of the parcel map at one dwelling unit per ten acres is consistent, but it is likely that the larger parcel would subsequently be developed, leaving the one-acre lot as the remaining end result attributable to this parcel map.)

III. **STAFF RECOMMENDATION**

Staff recommends a finding of CONSISTENCY with the 1984 Riverside County Airport Land Use Plan, subject to the conditions included herein. Staff does not recommend use of the special findings for situations where Plans are in process, in that the proposed project design is not consistent with the Draft Chino Airport Land Use Compatibility Plan, given the lot size allowed by the proposed zoning and the size of the smaller lot that would be established through the parcel map.

IV. **PROJECT DESCRIPTION**

Change of Zone Case No. 07430 proposes to change the zoning of 21.07 acres from A-2-10 (Heavy Agriculture, 10 acre minimum lot size) to A-1 (Light Agriculture). Parcel Map No. 35173 proposes to divide the 21.07-acre site into two lots, including one lot one acre in size.

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.

**AIRPORT LAND USE COMMISSION
MINUTE ORDER DECEMBER 14, 2006
RIVERSIDE MEETING**

- (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. Additional Airport Land Use Commission staff review shall be required at the tentative map, plot plan, or use permit stage for any structure greater than 70 feet in height.
 - 4. The attached notice shall be provided to all potential purchasers and tenants.
 - 5. Prior to recordation of a final map, issuance of building permits, or conveyance to an entity exempt from the Subdivision Map Act, whichever occurs first, the landowner shall convey an avigation easement to Chino Airport. (Contact San Bernardino County Department of Airports at (909) 387-7801 for additional information.)

V. MEETING SUMMARY

The following staff presented the subject proposal:

ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at jguerin@rctlma.org.

No one spoke in favor, neutral or opposition to the project.

VI. ALUC COMMISSION ACTION

The ALUC Commission, by a unanimous vote of 6-0, found the project CONSISTENT with staff recommendations.

VII. CD -

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 6.4: TIME IS 10:31 A.M.

**AIRPORT LAND USE COMMISSION
MINUTE ORDER DECEMBER 14, 2006
RIVERSIDE MEETING**

I. **AGENDA ITEM 6.5: ZAP1016MA06 - City of Riverside - ANX111 and P06-0742 - Annexation of 106 acres** - the existing University City neighborhood located westerly of Interstate 215 and southerly of Central Avenue - into the City of Riverside, and establishment of pre-zoning of R-1-100 (Single Family Residential), RC (Residential Conservation), and WC (Water Course). The land is presently in unincorporated Riverside County and is zoned R-1, R-1-80, W-1-9, and C-P-S. Airport Area II.

II. **MAJOR ISSUES**

To the extent that the proposed zoning would allow lots to be divided for residential use, the proposed pre-zoning is INCONSISTENT with the adopted March Plan, unless the City is willing to zone the lots that are divisible in such a way that would not allow future subdivision for residential purposes. However, given that the proposed zoning would be consistent with the land use intensity criteria included within the Draft March Land Use Study, it would appear that the inclusion of this site within the area subject to the one dwelling unit per 2 ½ acre density restriction was based on a previous level of aircraft activity that is not projected to return in the future.

III. **STAFF RECOMMENDATION**

As applied to most of the area within the proposed annexation, the proposed pre-zoning is consistent with the 1984 Riverside County Airport Land Use Plan, However, for those properties that are 21,000 square feet or larger in area, the proposed pre-zoning is inconsistent, so staff cannot recommend a finding of consistency for the project in its entirety. However, given the above information, it does not appear that the proposed pre-zoning and future subdivision potential would create a safety hazard to people on the ground or aircraft in flight or result in excessive noise exposure. Therefore, the Commission may wish to consider declining to act, thereby avoiding the need for the City to pursue a formal overrule action.

IV. **PROJECT DESCRIPTION**

The proposed project involves the annexation of 106 acres to the City of Riverside and establishment of pre-zoning of R-1-100 (Single Family Residential with a minimum lot size of 10,500 square feet), RC (Residential Conservation), and WC (Water Course). Presently the land is in unincorporated Riverside County and is zoned R-1 (One family dwelling with a minimum lot size of 7,200 square feet), R-1-80 (Residential One family dwelling with a minimum frontage of 80 feet), and W-1-9 (Watercourse, Watershed, and Conservation Areas, 9 acre minimum lot size).

CONDITIONS:

The following conditions specified herein are applicable to future new development within the proposed annexation area:

1. Install hooded or shielded outdoor lighting 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 of red, white, green, or amber colors associated

**AIRPORT LAND USE COMMISSION
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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. Prior to recordation of a final map, issuance of building permits, or conveyance to an entity exempt from the Subdivision Map Act, whichever occurs first, the landowner shall convey an avigation easement to the MARB/MIP Airport. (Contact March Joint Powers Authority at (951) 656-7000 for additional information.)

4. The attached notice shall be given to all prospective buyers and tenants.

V. MEETING SUMMARY

The following staff presented the subject proposal:

ALUC Staff Planner: Cecilia Lara, Ph: (951) 955-0549, or E-mail at clara@rctlma.org.

The following spoke in favor of the project:

Patty Nahill, City of Riverside, Community Development Department

The following spoke in opposition to the project:

Kevin Akin, Resident of Area, 20212 Harward Way, Riverside, CA 92807

Gary Lupo, Other Interested Person, 11460 Lehigh In, Riverside, CA 92507

VI. ALUC COMMISSION ACTION

The ALUC Commission, by a unanimous vote of 6-0, found the project INCONSISTENT with the existing March Plan unless staff, in further consultation with the City/applicant, concludes that the remaining 8-9 lots cannot be subdivided due to their existing size and shape.

VII. CD -

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 6.5: TIME IS 10:37 A.M.

**AIRPORT LAND USE COMMISSION
MINUTE ORDER DECEMBER 14, 2006
RIVERSIDE MEETING**

I. **AGENDA ITEM 6.6: ZAP1017MA06 – City of Riverside – City Case Nos. ANX103 with P05-0607 and ANX112 with P06-1154** – Annexation of 151 acres located southerly of Alessandro Boulevard, easterly of Barton Street, and westerly of San Gorgonio Drive into the City of Riverside, and establishment of pre-zoning of Industrial Business Park for ANX112 and R-1-125, R-1-65, and R-1-130 for ANX103. This land is presently in unincorporated Riverside County and is zoned R-A and R-A-1. Airport Area II.

II. **MAJOR ISSUES**

Property owners within the 300-foot radius did not receive a ten-day notice pursuant to law due to mailings being rejected by the County’s Central Mail Service. Therefore, this matter will need to be continued to a subsequent hearing date.

III. **STAFF RECOMMENDATION**

CONTINUANCE FOR READVERTISEMENT. Place on the January 11 Agenda.

IV. **PROJECT DESCRIPTION**

Proposed Annexation 103 consists of 92 acres which constitutes the residential portion of the Alessandro Annexation and establishment of pre-zoning of R-1-125(Single Family Residential with a minimum lot size of 13,000 square feet), R-1-65 (Single Family Residential with a minimum lot size of 7,000 square feet), & R-1-130 (Single Family Residential with a minimum lot size of a 1/2 acre). Annexation 112 is the 59 acre industrial portion of the Alessandro Annexation and establishment of pre-zoning of IBP (Industrial Business Park).

V. **MEETING SUMMARY**

The following staff presented the subject proposal:

ALUC Staff Planner: Cecilia Lara, Ph: (951) 955-0549, or E-mail at clara@rctlma.org.

No one spoke in favor, neutral or opposition to the project.

VI. **ALUC COMMISSION ACTION**

The ALUC Commission, by a unanimous vote of 6-0, continued the project to January 11, 2007 and readvertise.

VII. **CD -**

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 6.6: TIME IS 11:11 A.M.

**AIRPORT LAND USE COMMISSION
MINUTE ORDER DECEMBER 14, 2006
RIVERSIDE MEETING**

- I. **AGENDA ITEM 6.7: ZAP1014MA06 – Michael Lansing etal. – County of Riverside Case Nos. CZ07089 and TR32965** - Change the zoning of 19.75 – 23.95 acres southerly of San Jacinto Avenue and westerly of Pico Avenue, in the Nuevo area of unincorporated Riverside County, from R-R (Rural Residential) to R-1 (One-family Dwelling), and to divide the site into 81 residential lots and one lot for a water detention basin.
- II. **MAJOR ISSUES**
Property owners within 300-foot radius did not receive a ten-day notice pursuant to law due to mailings being rejected by the County’s Central Mail Service. Therefore, this matter will need to be continued to a subsequent hearing date.
- III. **STAFF RECOMMENDATION**
CONTINUANCE FOR READVERTISEMENT. Place on the January 11 Agenda.
- IV. **PROJECT DESCRIPTION**
The proposed project involves a change of zone of approximately 23.3 acres from R-R (Rural Residential) to R-1 (Residential One-family Dwelling) and the subdivision of 23.3 acres into 81 residential lots for development of detached single-family homes one water detention basin lot.
- V. **MEETING SUMMARY**
The following staff presented the subject proposal:
ALUC Staff Planner: Cecilia Lara, Ph: (951) 955-0549, or E-mail at clara@rctlma.org.
- No one spoke in favor, neutral or opposition to the project.
- VI. **ALUC COMMISSION ACTION**
The ALUC Commission, by a unanimous vote of 6-0, continued the project to January 11, 2007 and readvertise.
- VII. **CD -**
The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 6.7: TIME IS 11:13 A.M.

**AIRPORT LAND USE COMMISSION
MINUTE ORDER DECEMBER 14, 2006
RIVERSIDE MEETING**

I. AGENDA ITEM 2.0: ADMINISTRATIVE ITEMS

John Guerin ALUC planner announced to Commission the appointment of a new Commissioner Melanie Fesmire of the City of Indio. Executive Director Robert Johnson has left the County of Riverside and Ed Cooper will be serving as Interim ALUC Executive Director. Jayson Ward from the Planning Department issued lap top computers to all Commissioners. MA-05-138 – City of Perris: Commissioner John Lyon motioned that staff send a letter maintaining that the project remains inconsistent with the plan and specifying findings that would be required for an overrule. Specific Plan Amendment – City of Perris: Commissioner John Lyon motioned that staff proceed with a letter regarding the override by the City of Perris.

II. AGENDA ITEM 7.0: APPROVAL OF MINUTES

None

III. AGENDA ITEM 8.0: COMMUNICATION ON ANY MATTER NOT ON THE AGENDA

Ed Cooper Interim ALUC Executive Director informed Commission that Vice Chairman Rod Ballance expressed an interest in having business cards printed for the Commissioners. Chairman Housman and Commissioners were all interested in business cards and would like to add ALUC staff phone number on cards. Ed Cooper is also continuing to work on getting badges for the Commissioners.

IV. AGENDA ITEM 9.0: COMMISSIONER COMMENTS

Chairman Housman referred back to Commissioner Rod Ballance's comments about a letter to March JPA and requested that staff prepare a letter from Chairman Housman to March JPA urging that March JPA officials move forward with the development of a Plan and appropriate CEQA process.

Commissioner John Lyon moved that the Commission express its gratitude to former Executive Director Robert Johnson for his service to the Commission and especially his efforts in bringing the work of the Commission into a greater visibility. Commissioner John Lyon requested that a resolution with letter be prepared for transmittal to Robert Johnson.

Commissioner Glen Holmes commented on possible need for staff to write a letter to the Planning Department to make sure they notify all the prospective developers and property owners about ALUC requirements, so that inquiring property owners get the total picture from them. Ed Cooper, Interim ALUC Executive Director, noted concern and will address the issue in meeting with the Planning Director Ron Goldman.

V. ADJOURNMENT

Chairman Simon Housman adjourned the meeting at 11:40 a.m.

Next regularly scheduled meeting: January 11, 2007 at 9:00 a.m., in Riverside.

**AIRPORT LAND USE COMMISSION
MINUTE ORDER DECEMBER 14, 2006
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VI. CD -

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 2.0: TIME IS 8:35 A.M.

ITEM 8.0 TIME IS 11:13 A.M.