

**AIRPORT LAND USE COMMISSION
MINUTE ORDER FEBRUARY 14, 2013
RIVERSIDE MEETING**

A regular scheduled meeting of the Airport Land Use Commission was held on February 14, 2013 at the Riverside County Administrative Center, Board Chambers.

COMMISSIONERS PRESENT: Simon Housman, Chairman
Rod Ballance, Vice Chairman
Arthur Butler
John Lyon
Aaron Hepler, alternate for Glen Holmes
Michael Geller, alternate for Richard Stewart

COMMISSIONERS ABSENT: Glen Holmes
Greg Pettis
Richard Stewart

STAFF PRESENT: Ed Cooper, ALUC Director
John Guerin, Principal Planner
Russell Brady, Contract Planner
Barbara Santos, ALUC Secretary
B. T. Miller, ALUC Counsel

OTHERS PRESENT: None

**AIRPORT LAND USE COMMISSION
MINUTE ORDER FEBRUARY 14, 2013
RIVERSIDE MEETING**

I. **AGENDA ITEM 2.1: ZAP1086MA12 – Stater Bros. Markets (Representative: Scott Limbacher, V.P. Const.)** – City Case Nos.: P12-0442 (General Plan Amendment), P12-0443 (Rezone), P12-0444 (Design Review), and P12-0761 (Conditional Use Permit). These cases relate to the expansion and redevelopment of an existing 5.43-acre Stater Bros. commercial center located at the southeast corner of Mary Street and Lincoln Avenue. P12-0444 proposes to expand the center to 6.3 acres, with a new 44,636 square foot Stater Bros. grocery store, an 11,465 square foot CVS drug store with pharmacy, and an 8,760 square foot pad for future commercial development. P12-0442 proposes to amend the Land Use Designation of the expansion area (0.86 acres) located southerly of the existing center from P-Park to C-Commercial, and to amend the Land Use Designation of up to 1.34 acres located at the northeast corner of Mary Street and Victoria Avenue from LDR-Low Density Residential to P-Park. P12-0443 proposes to rezone the expansion area (0.86 acres) from R-1-13,000-Single Family Residential to CR-NC (Commercial Retail-Neighborhood Commercial Overlay). P12-0761 is a request for a Conditional Use Permit to allow (1) the operation of a drive-thru pharmacy and (2) alcohol sales for off-site consumption. (Area III of the March Air Reserve Base Airport Influence Area).

II. **MAJOR ISSUES**

The proposed buildings will require obstruction evaluation review by the Federal Aviation Administration relative to Riverside Municipal Airport.

III. **STAFF RECOMMENDATION**

Staff recommends that the proposed General Plan Amendment and Rezone be found CONSISTENT with the 1984 Riverside County Airport Land Use Plan, as applied to the March Air Reserve Base Airport Influence Area. At this time, staff recommends that ALUC consideration of the Design Review and Conditional Use Permit be CONTINUED to the Commission's March 14 hearing; however, in the event that Form 7460-1 is submitted to the Federal Aviation Administration (FAA) and is recognized as a "Work in Progress" prior to February 14, staff would then recommend a finding of CONDITIONAL CONSISTENCY for those cases, subject to the conditions included herein and such additional or modified conditions as may be necessary to comply with FAA requirements.

STAFF RECOMMENDED AT HEARING

The proposed General Plan Amendment and Rezone be found CONSISTENT with the 1984 Riverside County Airport Land Use Plan, as applied to the March Air Reserve Base Airport Influence Area, and that the Design Review and Conditional Use Permit be found CONDITIONALLY CONSISTENT, subject to the conditions included in the staff report and such additional conditions as may be necessary to comply with the requirements of the Federal Aviation Administration.

IV. **PROJECT DESCRIPTION**

The cases cited above relate to the expansion and redevelopment of an existing 5.43-acre commercial center in the City of Riverside currently developed with a grocery store, drug store, and vacant retail shops. P12-0444 is a proposal to expand the center to 6.3 acres, with a new 44,636 square foot Stater Brothers grocery store, an 11,465 square foot drugstore, and an 8,760 square foot pad for future commercial development. P12-0442 is a proposal to amend the City of Riverside General Plan land use designation of the expansion area (0.86 acres) from P-Park to C-Commercial, and to amend the land use designation of a separate area of up to 1.34 acres from LDR-Low Density Residential to P-Park. P12-0443 proposes to rezone the expansion area (0.86 acres) from R-1-13,000 (Single Family Residential) to CR-NC (Commercial Retail – Neighborhood Center). P12-0761 is a request for a Conditional Use Permit to allow (1) the operation of a drive-thru pharmacy and (2) alcohol sales for off-site consumption.

**AIRPORT LAND USE COMMISSION
MINUTE ORDER FEBRUARY 14, 2013
RIVERSIDE MEETING**

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.
3. Prior to issuance of any building permits, the landowner shall convey and have recorded an aviation easement to the MARB/MIP Airport. Contact March Joint Powers Authority at (951) 656-7000 for additional information.
4. Prior to issuance of any 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 Riverside Planning Department and the Riverside County Airport Land Use Commission. **[This condition shall be considered to have been MET with regard to the grocery store and drug store, but shall remain in effect and applicable relative to future building(s) on the commercial pad.]**
5. The attached notice shall be provided to all prospective purchasers and/or tenants of the property.

The following conditions have been added subsequent to the ALUC hearing pursuant to the terms of the FAA Obstruction Evaluation Service letters issued on February 15, 2013 for Aeronautical Study No. 2013-AWP-779-OE and on February 20, 2013 for Aeronautical Study No. 2013-AWP-852-OE:

**AIRPORT LAND USE COMMISSION
MINUTE ORDER FEBRUARY 14, 2013
RIVERSIDE MEETING**

6. The Federal Aviation Administration has conducted aeronautical studies of the proposed grocery store building (Aeronautical Study No. 2013-AWP-779-OE) and the proposed drug store building (Aeronautical Study No. 2013-AWP-852-OE) and has determined that neither marking nor lighting of these structures is necessary for aviation safety. However, if marking and/or lighting for aviation safety are accomplished on a voluntary basis, such marking and/or lighting (if any) shall be installed in accordance with FAA Advisory Circular 70/7460-1 K Change 2 and shall be maintained in accordance therewith for the life of the project.
7. The maximum height of the grocery store structure, including all roof-mounted appurtenances (if any), shall not exceed 45 feet above ground level, and the maximum elevation at the top of the structure shall not exceed 990 feet above mean sea level.
8. The maximum height of the drug store structure, including all roof-mounted appurtenances (if any), shall not exceed 25 feet above ground level, and the maximum elevation at the top of the structure shall not exceed 963 feet above mean sea level.
9. The specific coordinates, height, and top point elevation of the grocery store and drug store structures shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in building height or elevation shall not require further review by the Airport Land Use Commission.
10. Temporary construction equipment used during actual construction of the structures shall not exceed the height of the applicable structure, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.
11. Within five (5) days after construction of each building reaches its greatest height, FAA Form 7460-2 (Part II), Notice of Actual Construction or Alteration, shall be completed by the project proponent or his/her designee and e-filed with the Federal Aviation Administration. (Go to <https://oeaaa.faa.gov> for instructions.) This requirement is also applicable in the event the project is abandoned.

V. **MEETING SUMMARY**

The following staff presented the subject proposal:

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

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 General Plan Amendment and Rezone CONSISTENT. The Design Review and Conditional Use Permit CONDITIONALLY CONSISTENT, subject to the conditions included in the staff report and such additional conditions as may be necessary to comply with the requirements of the Federal Aviation Administration.

Absent: Commissioner Greg Pettis

**AIRPORT LAND USE COMMISSION
MINUTE ORDER FEBRUARY 14, 2013
RIVERSIDE MEETING**

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 2.1: TIME IS 9:02 A.M.

**AIRPORT LAND USE COMMISSION
MINUTE ORDER FEBRUARY 14, 2013
RIVERSIDE MEETING**

I. **3.0 APPROVAL OF MINUTES**

The ALUC Commission by a vote of 4-0 approved the January 10, 2013 minutes. Abstain: Michael Geller and Aaron Hepler; Absent: Greg Pettis

II. **4.0 ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA**

John Guerin, ALUC staff, indicated that staff had just received from C & S Companies a draft revised Airport Layout Plan for the March Air Reserve Base. The March Air Reserve Base does not have a Master Plan, but a Layout Plan would be necessary to serve as a basis for the Compatibility Plan. Mr. Guerin advised that the drawings were available if any of the Commissioners wished to view them. Chairman Housman expressed concern regarding the timing of this Airport Layout Plan revision relative to the ALUCP environmental review process. Staff advised that they expected that there are no major changes other than reflecting the general aviation facilities that the March Joint Powers Authority had previously brought forward to the Commission.

III. **5.0 COMMISSIONER'S COMMENTS**

Chairman Housman advised that the Commission would be establishing subcommittees at next month's meeting to participate in the process of formulating the March and Hemet-Ryan ALUCPs, and asked the Commissioners to consider on which subcommittee they would like to serve.

Vice Chairman Rod Ballance thanked staff for their diligence in advising the owners of the Fab School that the location that they had chosen was not appropriate for their proposed use, an educational facility, as it is in the Accident Potential Zone, and for handling the situation in a professional manner. Fab School had bought a building on Sycamore Canyon, near the Alessandro/I-215 interchange, investing a lot of money, but had not been advised that the property was in an Accident Potential Zone. He plans to work with the owners and the March Joint Powers Authority officials to find a safer location.

He noted that the Fab School has a contract with the Veterans Administration to teach welding to veterans, especially the disabled, and that there is a strong demand for persons with these skills in many industries.

IV. **6.0 ADJOURNMENT**

Chairman Simon Housman adjourned the meeting at 9:17 a.m.

V. **CD**

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

ITEM 3.0: TIME IS 9:12 A.M.