

**AIRPORT LAND USE COMMISSION
MINUTE ORDER SEPTEMBER 10, 2015
RIVERSIDE MEETING**

A regular scheduled meeting of the Airport Land Use Commission was held on September 10, 2015 at the Riverside County Administrative Center, Board Chambers.

COMMISSIONERS PRESENT: Arthur Butler, Acting Chairman
Glen Holmes
John Lyon
Steve Manos
Steven Stewart, Alternate for Simon Housman
Richard Stewart, Alternate for Rod Ballance

COMMISSIONERS ABSENT: Simon Housman
Greg Pettis
Rod Ballance

STAFF PRESENT: John Guerin, Principal Planner
Russell Brady, Contract Planner
Barbara Santos, ALUC Commission Secretary
Raymond Mistica, ALUC Counsel

OTHERS PRESENT: James Broeske, Other Interested Person
Nancy Ferguson, Ross & Sons/Anthony Vineyards
Taylor Gerry, Applicant Representative
George Velourde, Other Interested Person
Walt Wagner, Applicant Representative

**AIRPORT LAND USE COMMISSION
MINUTE ORDER SEPTEMBER 10, 2015
RIVERSIDE MEETING**

- I. **AGENDA ITEM 2.1: ZAP1021CH15 – Moons Family Trust (Representative: Summit Development Corporation, Bryan Bentrott and Taylor Gerry) – City of Eastvale Case No. 15-0783 (Specific Plan Amendment [SPA], Tentative Parcel Map [TPM 36787], and Major Development Plan [MDP].** The SPA proposes an amendment to the Ranch at Eastvale Specific Plan located southerly of the San Bernardino County line, easterly of Hellman Avenue, and westerly of Cucamonga Creek Channel in the City of Eastvale to change the land use designation of Planning Area 2 from Commercial/Retail to Mixed Use, modify the boundaries between, and acreages of, the Planning Areas, and modify the permitted uses within each Planning Area. Limonite Avenue will ultimately be extended through this site to connect to Kimball Avenue in the City of Chino. The TPM proposes to subdivide 82.16 net acres (97.98 gross acres) into 15 parcels. The MDP proposes to develop a total of 940,000 square feet of industrial space within 6 shell buildings on 50.09 net acres (56.03 gross acres) (Lots 1-7 of the TPM). Size of each building ranges between 50,000 square feet to 300,000 square feet with anticipated uses primarily consisting of warehousing with supporting offices. **FURTHER CONSIDERATION: This project is being reconsidered due to changes in locations of required open areas.** (Compatibility Zones B1 and C of Chino Airport Influence Area).

II. **MAJOR ISSUES**

Proposed Buildings 3 and 4 are calculated to have a single-acre intensity of 87, which does not comply with the standard Zone B1 single-acre criterion of 80. However, the project includes four out of the seven risk reduction measures for an adjusted single-acre criterion of 92 with a 15% bonus. At this adjusted single-acre criterion, the calculated single-acre intensities of 87 would comply.

In the past, ALUC staff has allowed land within a project's internal roadways and half-widths of external roadways to be credited toward open area minimum requirements, provided that such areas, either independently or in combination with adjacent areas, met the minimum dimension requirements (75 feet in width and 300 feet in length) for unobstructed open areas. However, the City of Eastvale has recently expressed concerns related to designation of open area within its public rights-of-way and has advised that no open area should be designated within Limonite Avenue or any other publicly dedicated roadways. The applicant had prepared exhibits on the assumption that open area within the roadways would be acceptable, and is in the process of updating exhibits for this project to meet ALUC's open area requirements without use of areas within the public rights-of-way.

The applicant did prepare exhibits meeting ALUC's open area requirements without use of areas within public rights-of-way in time for the Commission to issue a finding of conditional consistency at its July 9 public hearing. However, following the Commission hearing, the applicant team submitted additional open area exhibits that staff had (incorrectly, as it turns out) interpreted to be post-hearing revisions to satisfy the lighting requirements of the City of Eastvale. Consequently, staff required that this project return to the Commission for a review of this most recent open area exhibit, and to provide for a change in ALUC's recommended conditions to reflect the date of the most recent open area exhibit. The most recent open area exhibit is included as an attachment directly behind this staff report.

In the meantime, FAA Obstruction Evaluation Service determinations have been issued for each of the six proposed buildings.

**AIRPORT LAND USE COMMISSION
MINUTE ORDER SEPTEMBER 10, 2015
RIVERSIDE MEETING**

III. STAFF RECOMMENDATION

Staff recommends that the project, as amended to include the open area exhibit dated August 24, 2015, be found CONSISTENT with the 2008 Chino Airport Land Use Compatibility Plan, subject to the conditions included herein.

IV. PROJECT DESCRIPTION

The Specific Plan Amendment proposes to change the land use designation of Planning Area 2 from Commercial/Retail to Mixed Use, modify the boundaries between, and the acreages of, the Planning Areas, and modify the permitted uses within each Planning Area of The Ranch at Eastvale Specific Plan. The Tentative Parcel Map proposes to subdivide 82.16 net acres (97.98 gross acres) into 15 parcels. The Master Development Plan proposes to develop a total of **940,000** square feet of industrial space within ~~7~~ **six (6)** shell buildings on 50.09 net acres (56.03 gross acres) (lots 1-7 of the Tentative Parcel Map). The proposed buildings range in size from 50,000 to 300,000 square feet, with anticipated uses primarily consisting of warehousing, with supporting offices.

CONDITIONS:

For the Specific Plan:

1. All entitlement applications within the Specific Plan shall be submitted to Airport Land Use Commission for review.

For the Master Development Plan:

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

**AIRPORT LAND USE COMMISSION
MINUTE ORDER SEPTEMBER 10, 2015
RIVERSIDE MEETING**

aboveground habitable floors, highly noise-sensitive outdoor non-residential uses, aboveground bulk storage of hazardous materials, and hazards to flight.

- (f) Within Compatibility Zone C: Children's schools, day care centers, libraries, hospitals, nursing homes, buildings with more than 3 aboveground habitable floors, highly noise-sensitive outdoor non-residential uses, and hazards to flight.
3. The City of Eastvale shall either prohibit the following uses, or shall require additional review by the Airport Land Use Commission prior to the establishment of any of the following uses in any of the structures proposed through this Major Development Plan:
- Auction rooms, auditoriums, bowling alleys, churches and chapels, classrooms, conference rooms, restaurant serving area (dining areas and areas open to public use, other than corridors and restrooms), dance floors, drinking establishments, exhibit rooms, gaming, gymnasiums, lodge rooms, lounges, retail sales, reviewing stands, skating rinks, stages, swimming pools, and other uses that would be considered to have an occupancy level greater than one person per 100 square feet (minimum square feet per occupant less than 100) pursuant to California Building Code (1998) Table 10-A.
4. Prior to recordation of a final map, issuance of building permits, or conveyance to an entity exempt from the Subdivision Map Act, the landowner shall convey an avigation easement to the County of San Bernardino as owner-operator of Chino Airport. A copy of the recorded easement shall be provided to ALUC.
5. The attached notice shall be provided to all potential purchasers of the property and all potential tenants of the buildings.
6. Any new detention basins on the site shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the detention basin(s) that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.
7. The project proposes primarily warehouse use with a maximum of 5,000 square feet of office within Buildings 1, 2, 3, 4, and 7 and a maximum of 10,000 square feet of office within Buildings 5 and 6, with no office use located within Compatibility Zone B1. Any proposed tenant/use or combination of proposed and existing tenants/uses within each of the buildings that exceed the office area for each building through any building permit or tenant improvement permit shall require an amended Development Review Plan approval and consultation with ALUC to verify that the building and the overall development continue to comply with the applicable average and single-acre criteria. Proposed uses that do not exceed these maximums (other than those uses previously noted in Condition 3) shall not require further Airport Land Use Commission review.
8. The open areas exhibit submitted to the Airport Land Use Commission by **MacDavid Aubort** dated **8/24/15** and included in this packet depicts **open areas** meeting open area requirements for the Major Development Plan. A minimum of 13.22 acres of open areas as defined by Countywide Policy 4.2.4 of the 2004 Riverside County Airport Land Use Compatibility Plan shall be provided on-site, of which not less than 6.042 acres shall be located within the portion of the site within Compatibility Zone B1. Such open areas shall have a minimum width of 75 feet and a minimum length of 300 feet, and shall not be

**AIRPORT LAND USE COMMISSION
MINUTE ORDER SEPTEMBER 10, 2015
RIVERSIDE MEETING**

obstructed by walls, trash enclosures, large trees or poles (light poles or other) greater than 4 inches in diameter at a height greater than 4 feet, or overhead wires. Trees or plants less than 4 inches in diameter at a height greater than 4 feet would be allowed within the designated open area.

9. Buildings 3 and 4 located primarily within Compatibility Zone B1 shall be designed and constructed with the following risk reduction design measures. Based on these specifications, the Airport Land Use Commission recommends that the City of Eastvale adopt a 15 percent risk-reduction bonus for these structures.
- (a) Using concrete walls for building exterior
 - (b) Enhanced fire sprinkler system that exceeds minimum building/fire code requirements – Early Suppression Fast Response (ESFR) system proposed
 - (c) Limit buildings to single-story
 - (d) Increased number of emergency exits – Building 3: 15 required, 19 proposed; Building 4: 24 required, 30 proposed

The following conditions have been added subsequent to the July 9, 2015 ALUC hearing pursuant to the terms of the FAA Obstruction Evaluation Service letter issued on June 12, 2015 for Aeronautical Study Nos. 2015-AWP-6281-OE and 2015-AWP-6286-OE and on July 31, 2015 for Aeronautical Study Nos 2015-AWP-6280-OE, 2015-AWP-6282-OE, 2015-AWP-6285-OE, and 2015-AWP-7109-OE.

10. **The Federal Aviation Administration has conducted aeronautical studies of the proposed buildings (Aeronautical Study Nos. 2015-AWP-6280-OE through 2015-AWP-6282-OE, 2015-AWP-6285-OE, 2015-AWP-6286-OE, 2015-AWP-7109-OE) and has determined that neither marking nor lighting of the 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.**
11. **The maximum height of the proposed buildings shall not exceed 43 feet above ground level, and the maximum elevation of the proposed buildings shall not exceed 683 feet above mean sea level, except that the maximum elevation of Building 4 may be up to 686 feet above mean sea level. Such maximum heights and elevations shall include any roof-mounted equipment.**
12. **The specific coordinates, height, and top point elevation of the proposed buildings 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.**
13. **Temporary construction equipment used during actual construction of the buildings shall not exceed 43 feet in height, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.**

**AIRPORT LAND USE COMMISSION
MINUTE ORDER SEPTEMBER 10, 2015
RIVERSIDE MEETING**

14. **Within five (5) days after construction of each of the buildings 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 or a decision is made not to construct the applicable building.**

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

The following spoke in favor of the project:

Taylor Gerry, Applicant Representative, 2033 Shipway Lane, Newport Beach, CA

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**. Absent: Commissioner Pettis

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 9:06 A.M.

**AIRPORT LAND USE COMMISSION
MINUTE ORDER SEPTEMBER 10, 2015
RIVERSIDE MEETING**

I. **AGENDA ITEM 3.1:** ZAP1138MA15 – R.C. Jenson, Inc., dba Jenson USA (Representative: Jim Broeske, Broeske Architects & Associates, Inc.) - City of Riverside Building Department. The applicant proposes to add 2,500 square feet of first floor office area and 2,730 square feet of second floor office area within an existing industrial warehouse building with an address of 1615 Eastridge Avenue, located at the southeasterly corner of Eastridge Avenue and Lance Drive. These improvements would increase the net building area to 73,652 square feet. (Airport Compatibility Zone C1 of the March Air Reserve Base/Inland Port Airport Influence Area).

II. **MAJOR ISSUES**
None

III. **STAFF RECOMMENDATION**
Staff recommends a finding of CONSISTENCY, subject to the conditions included herein.

IV. **PROJECT DESCRIPTION**
The applicant proposes to add 2,500 square feet of first floor office space and 2,730 square feet of second floor office space within an existing industrial warehouse building on a 3.44-acre parcel, increasing the net building area to 73,652 square feet.

CONDITIONS:

1. Any new outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
2. The following uses shall be prohibited:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, and incinerators.)
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
 - (e) Children's schools, day care centers, libraries, hospitals, skilled nursing and care facilities, congregate care facilities, hotels/motels, places of assembly, noise sensitive outdoor nonresidential uses and hazards to flight.

**AIRPORT LAND USE COMMISSION
MINUTE ORDER SEPTEMBER 10, 2015
RIVERSIDE MEETING**

3. The attached notice shall be given to all prospective purchasers of the property and tenants of the building, and shall be recorded as a deed notice.
4. March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result. Sources of electromagnetic radiation include radio wave transmission in conjunction with remote equipment inclusive of irrigation controllers, access gates, etc.
5. Office space must have sound attenuation features sufficient to reduce interior noise levels from exterior aviation-related sources to no more than CNEL 45 dB. The City of Riverside shall require an acoustical study to ensure compliance with this requirement.

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

The following spoke in favor of the project:

James Broeske, Applicant Representative, 4344 Latham Street. #100

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**. Absent: Commissioner Pettis

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 3.1: TIME: 9:07 A.M.

**AIRPORT LAND USE COMMISSION
MINUTE ORDER SEPTEMBER 10, 2015
RIVERSIDE MEETING**

- I. **AGENDA ITEM 3.2:** ZAP1135MA15 – Jack Kofdarali and Ino Cruz/French Valley Benton Rd., LP – City of Moreno Valley Case No.: PA15-0032 (Conditional Use Permit). The applicant proposes to develop and operate a 48,833 square foot industrial warehouse (including 5,446 square feet of office space), a gasoline and diesel service station with 14 pumps, a 3,800 square foot convenience store, three fast-food restaurants with a combined gross floor area of 9,200 square feet, and a car wash on 6.31 acres located northerly of Cactus Avenue, easterly of Commerce Center Drive, and southerly of Goldencrest Drive in the City of Moreno Valley. (Assessor’s Parcel Numbers 297-130-052, -053, and -054) (Airport Compatibility Zone B2 of the March Air Reserve Base/Inland Port Airport Influence Area).
- II. **MAJOR ISSUES**
The square footage of dining and serving areas within the two freestanding restaurants will have to be limited to 1,500 square feet each in order to ensure compliance with Airport Compatibility Zone B2 single-acre intensity limits. The project has been designed to comply with these limits, and conditioned accordingly. The warehouse/industrial building requires FAA Obstruction Evaluation review at the proposed height and top point elevation.
- III. **STAFF RECOMMENDATION**
Staff recommends that the Commission CONTINUE this matter to October 8, 2015, pending FAA Obstruction Evaluation submittal as requested by staff. However, if submittal is made to FAA as requested by staff and is acknowledged as a “Work in Progress” prior to the hearing, staff would recommend a finding of CONDITIONAL CONSISTENCY for the Conditional Use Permit, subject to the conditions included herein.
- IV. **PROJECT DESCRIPTION**
The applicant proposes to develop and operate a 48,833 square foot industrial warehouse (including 5,446 square feet of office space), a gasoline and diesel service station with 14 pumps, a 3,800 square foot convenience store, three fast-food restaurants with a combined gross floor area of 9,200 square feet, and a car wash on 6.31 acres.
- 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 CONTINUED the project to October 8, 2015.
Absent: Commissioner Pettis
- 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 3.2: TIME: 9:10 A.M.

**AIRPORT LAND USE COMMISSION
MINUTE ORDER SEPTEMBER 10, 2015
RIVERSIDE MEETING**

I. **AGENDA ITEM 3.3:** ZAP1033TH15 – Ross & Sons Refrigeration & Construction, for Anthony Vineyards, Inc. (Representative: Audrey Nickerson, The Altum Group) – City of Coachella Architectural Review Case No. 15-05. The landowner proposes to construct a new 33,560 square foot freezer (cold storage) building and a 14,816 square foot open canopy to supplement the existing cold storage building and canopy at the Anthony Vineyards facility located on 8.48 acres at the northwest corner of Enterprise Way and Industrial Way. (Airport Compatibility Zone C of the Jacqueline Cochran Regional Airport Influence Area).

II. **MAJOR ISSUES**
None.

III. **STAFF RECOMMENDATION**
Staff recommends that the proposed project be found CONSISTENT with the 2005 Jacqueline Cochran Regional Airport Land Use Compatibility Plan, as amended in 2006, subject to the conditions included herein.

IV. **PROJECT DESCRIPTION**
The landowner proposes to construct a new 33,560 square foot freezer (cold storage) building and a 14,816 square foot open canopy to supplement the existing cold storage building and canopy at the Anthony Vineyards facility located on 8.48 acres.

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 plans, if any, shall be transmitted to Riverside County Economic Development Agency – Aviation Division personnel and to the Jacqueline Cochran Regional Airport for review and comment. (Failure to comment within thirty days shall be considered to constitute acceptability on the part of the airport manager.)
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, livestock operations, production of cereal grains, sunflower, and row crops, artificial marshes, wastewater management facilities, 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

**AIRPORT LAND USE COMMISSION
MINUTE ORDER SEPTEMBER 10, 2015
RIVERSIDE MEETING**

operation of aircraft and/or aircraft instrumentation.

(e) Children's schools, day care centers, libraries, hospitals, nursing homes, highly noise-sensitive outdoor non-residential uses, and hazards to flight.

3. The attached notice shall be provided to all prospective purchasers of the property and tenants of the buildings thereon, and shall be recorded as a deed notice.

4. Any new detention basin(s) shall be designed so as to provide a maximum 48-hour detention period for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the detention basin that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.

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

The following came forward to answer any questions:

Nancy Ferguson, Ross & Sons/Anthony Vineyards, 73710 Fred Waring Drive #219, Palm Desert

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**. Absent: Commissioner Pettis

VII. CD

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ITEM 3.3: TIME: 9:11 A.M.

**AIRPORT LAND USE COMMISSION
MINUTE ORDER SEPTEMBER 10, 2015
RIVERSIDE MEETING**

- I. **AGENDA ITEM 3.4:** ZAP1032TH15 – Fullerton Architects PC (Nick Fullerton), for Allen Russak – County Case No. BRS 150586 (Building Permit). The applicant proposes to install and operate roof mounted photovoltaic solar panels on a private member's seasonal residence/garage located at 61776 Fullerton Drive (Lot 202 of Thermal Club – Assessor's Parcel Number 759-220-028) within the motorsports facility located northerly of 62nd Avenue, easterly of Tyler Street, westerly of Polk Street, and southerly of 60th Avenue in the unincorporated community of Thermal (Zone D of the Jacqueline Cochran Regional Airport Influence Area).
- II. **MAJOR ISSUES**
Peripheral glare potential.
- III. **STAFF RECOMMENDATION**
Staff recommends that the Commission make a finding of CONSISTENCY, subject to the conditions included herein.
- IV. **PROJECT DESCRIPTION**
The applicant proposes to install and operate roof mounted photovoltaic solar panels on a private member's seasonal residence/garage on Lot 202 (Assessor's Parcel Number 759-220-028) within the portion of the Thermal Club facility where overnight stays are allowed. This review is limited to the acceptability of roof mounted photovoltaic solar panels at this location.

CONDITIONS:

These conditions are applicable to the current proposed Lot 202 building photovoltaic solar panels. All other prior recommended conditions from prior ALUC reviews are still applicable to the larger Thermal Motorsports Park project. Certain prior recommended conditions from prior ALUC reviews are also applicable to this project and new conditions are applicable as well. Each condition is noted as such.

1. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky, and shall comply with Riverside County Ordinance No. 655, as applicable. Outdoor lighting plans, if any, shall be transmitted to Riverside County Economic Development Agency – Aviation Division personnel and to the Jacqueline Cochran Regional Airport for review and comment. (Failure to comment within thirty days shall be considered to constitute acceptability on the part of the airport manager.) [from prior review]
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, or any type of strobe light, 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

**AIRPORT LAND USE COMMISSION
MINUTE ORDER SEPTEMBER 10, 2015
RIVERSIDE MEETING**

area. (Such uses include landscaping utilizing water features, aquaculture, livestock operations, production of cereal grains, sunflower, and row crops, artificial marshes, wastewater management facilities, 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, incinerators, and landfills.)

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

[from prior review]

3. In the event that any incidence of glint, glare, or flash affecting the safety of air navigation occurs as a result of project operation, upon notification to the airport operator of an incidence, the airport operator shall notify the property owner in writing. Within 30 days of written notice, the property owner shall be required to promptly take all measures necessary to eliminate such glint, glare, or flash. An "incidence" includes any situation that results in an accident, incident, "near-miss," or specific safety complaint regarding an in-flight experience to the airport operator or to federal, state, or county authorities responsible for the safety of air navigation. The property owner shall work with the airport operator to prevent recurrence of the incidence. Suggested measures may include, but are not limited to, seasonally covering the panels at the time of year and/or day when incidences of glare occur to diminish or eliminate the source of the glint, glare, or flash. For each such incidence made known to the property owner, the necessary remediation shall only be considered to have been fulfilled when the airport operator states in writing that the situation has been remediated to the airport operator's satisfaction.
[condition added]

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 project **CONSISTENT**. Absent: Commissioner Pettis

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 3.4: TIME: 9:17 A.M.

**AIRPORT LAND USE COMMISSION
MINUTE ORDER SEPTEMBER 10, 2015
RIVERSIDE MEETING**

I. **AGENDA ITEM 3.5:** ZAP1059BD15 – Wagner Architecture Group, Inc., for GEOVEL, Inc. (Representative: Jessica Peat or Walt Wagner) – City of Indio Case Nos. CUP 15-6-009 (Conditional Use Permit) and DR 15-5-387 (Design Review). A proposal to establish an automobile dealership (Chrysler Dodge Jeep Ram) within a 4-acre portion of a 17.94-acre parcel located on the northerly side of Varner Road, easterly of its intersection with Adams Street. (The parcel - Assessor's Parcel Number 607-230-002 – extends northerly to 40th Avenue.) The applicant proposes a 41,413 square foot main building (36,921 square feet excluding canopy) and a 1,300 square foot car wash. An additional 12,115 square foot building and outdoor parking spaces are proposed on an adjacent 4.95 acres of the same parcel. (Airport Compatibility Zones B1, B2 and D of the Bermuda Dunes Airport Influence Area).

II. **MAJOR ISSUES**

While the property is split between Airport Compatibility Zones B1, B2, and D, the primary building is split between Airport Compatibility Zones B1 and B2, with much of the most intensely occupied area as evaluated through the Building Code within Airport Compatibility Zone B1, where non-residential intensity is limited to an average of 25 persons per acre and a single-acre maximum of 50 persons (prior to application of density bonuses). The applicant team has not provided a breakdown of building occupancy in a manner that separates occupancy between the portions of the building in Compatibility Zone B1 and the portion in Compatibility Zone B2. The project would not qualify for consideration as Infill pursuant to Countywide Policy 3.3.1 since this Policy is not applicable to Compatibility Zone B1. Even if it were, less than 65% of the project's perimeter is bordered by projects of similar intensity. There are similar projects farther to the west in Compatibility Zone B1 (westerly of Adams Street). Staff contacted the applicant, who, at this time, is unwilling to alter the proposed building location.

III. **STAFF RECOMMENDATION**

Staff must recommend a finding of INCONSISTENCY for the Conditional Use Permit/Design Review as proposed due to the single-acre intensity, but would encourage a continuance if the applicant changes his mind and agrees to consider locating the proposed facility elsewhere on the project site (specifically outside the boundaries of Airport Compatibility Zone B1).

IV. **PROJECT DESCRIPTION**

The applicant proposes to establish an automobile dealership (Chrysler Dodge Jeep Ram) within a 4-acre portion of a 17.94-acre parcel. The dealership would include a 41,413 square foot main building (36,921 square feet excluding canopy) and a 1,300 square foot car wash. An additional 12,115 square foot building and outdoor parking spaces are proposed on an adjacent 4.95 acres of the same parcel.

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

The following spoke in favor of the project:

Walt Wagner, Applicant Representative, 815 Civic Center Drive, Oceanside, CA

The following spoke neither for or against the project, but added information to the decision making process:

George Velourde, 13 Collegiate Circle

No one spoke in opposition to the project

**AIRPORT LAND USE COMMISSION
MINUTE ORDER SEPTEMBER 10, 2015
RIVERSIDE MEETING**

VI. **ALUC COMMISSION ACTION**

The ALUC Commission by a unanimous vote of 6-0 found the project **INCONSISTENT**. Absent:
Commissioner Pettis

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 3.5: TIME: 9:26 A.M.

**AIRPORT LAND USE COMMISSION
MINUTE ORDER SEPTEMBER 10, 2015
RIVERSIDE MEETING**

I. **4.0 ADMINISTRATIVE ITEMS**

4.1 Director's Approvals – Information Only

4.2 Video/Live Streaming of Meetings Held in the County Administrative Center Board Room

The ALUC Commission by a vote of 6-0 agreed to support the Video/Live Streaming of ALUC meetings held in the County Administrative Center Board Room. Absent: Commissioner Pettis

II. **5.0 ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA**

None

III. **6.0 COMMISSIONER'S COMMENTS**

Commissioners asked about minutes of the August meeting. Staff advised that they would be ready for Commission action at the October meeting.

IV. **7.0 ADJOURNMENT**

Arthur Butler, Acting Chairman adjourned the meeting at 10:04 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 4.0: TIME IS 10:00 A.M.