

**AIRPORT LAND USE COMMISSION HEARING
REPORT OF ACTIONS
AUGUST 13, 2015**

9/24/15

COMMISSIONERS PRESENT: Simon Housman, Rod Ballance, Arthur Butler, Glen Holmes, John Lyon, Steve Manos

COMMISSIONERS ABSENT: Greg Pettis

Chairman Housman thanked ALUC Counsel Anna Wang for her service to the Commission and the Commissioners offered their best wishes for her future career. Chairman Housman introduced Eric Stopher, Deputy County Counsel, serving as ALUC Counsel for this meeting.

2.0 PUBLIC HEARING: CONTINUED ITEM

- 2.1 Staff report recommended: **INCONSISTENT**
- Staff recommended at hearing: **INCONSISTENT**
- ALUC Commission Action: **INCONSISTENT (Vote 5-1, Holmes dissenting; Absent: Pettis)**
- ZAP1062FV15 – DMSD Property, LLC (Representative: Scott Barone, Senergy, Inc.)** - County of Riverside Case No.: PP25793 (Plot Plan). A proposal to establish a 4,565 square foot dine-in restaurant (Denny's) and a 2,975 square foot fast food restaurant (El Pollo Loco) with drive-through on two contiguous properties (Assessor's Parcel Numbers 963-060-070 and 963-060-071) with a combined net area of 2.06 acres (2.11 gross acres) located along the easterly side of Winchester Road (State Highway Route 79), southerly of Benton Road, northerly of Magdas Coloradas Street, and westerly of an existing Farmer Boys restaurant in the unincorporated community of French Valley. (Airport Compatibility Zone B1 of the French Valley Airport Influence Area). Continued from June 11 and July 9, 2015. ALUC Staff Planner: Russell Brady at (951) 955-0549, or e-mail at rbrady@rctlma.org

3.0 PUBLIC HEARING: CONSENT CALENDAR

- 3.1 Staff report recommended: **CONSISTENT**
- Staff recommended at hearing: **CONSISTENT**
- ALUC Commission Action: **CONSISTENT (Vote 6-0, Absent: Pettis)**
- ZAP1126MA15 – Integrated Real Estate Services, LLC/Operating Engineers Trust Fund (Representative: Deirdre McCollister, MIG Hogle-Ireland)** – City of Riverside Case Nos: P13-0956 (General Plan Amendment), P13-0959 (Specific Plan Amendment), P13-0964 (Design Review), P13-0965 (Conditional Use Permit), P13-0966 (Variance), and P13-0963 (Tentative Parcel Map No. 36638). The applicant proposes to construct three industrial warehouse buildings with a total floor area of 1,461,449 square feet on 72.5 acres located southerly of Palmyrite Avenue and easterly of Michigan Avenue. The largest of these buildings would have a floor area of 1,000,620 square feet, requiring a Conditional Use Permit, and a height of 56 feet, requiring a Variance. The other two buildings are proposed through the Design

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Review case. Implementation of this proposal requires amendments to the exhibits in the Hunter Business Park Specific Plan (Figures II-4, II-6, II-9, and II-12 relating to Proposed Circulation, Pedestrian Network, Storm Drain Concept, and Open Space Concept) to reflect deletion of the "Columbia Loop" – the segment of Columbia Avenue extending easterly from Michigan Avenue and northerly to Palmyrita Avenue. The text of the Specific Plan would also be amended to require a striped Class 2 bike lane along the east side of Michigan Avenue. The City of Riverside General Plan would also be amended to reflect these changes. Tentative Parcel Map No. 36638 would divide the 72.5-acre site into three parcels, so that each building would be on a separate lot. (Airport Compatibility Zone E of the March Air Reserve Base/Inland Port Airport Influence Area). ALUC Staff Planner: John Guerin at (951) 955-0982, or e-mail at jguerin@rctlma.org

3.2 Staff report recommended:
CONSISTENT

Staff recommended at hearing:
CONSISTENT

ALUC Commission Action:
**CONSISTENT (Vote 6-0,
Absent: Pettis)**

ZAP1132MA15 – Core States Group for McDonald’s USA, LLC and Phelan Development Company/Iowa Spruce SR/JP, LLC (Representatives: Andrew Rappe and Adrienne Cord) – City of Riverside Case Nos. P15-0189 (Specific Plan Amendment), P15-0188 (Conditional Use Permit), and P15-0263 (Tentative Parcel Map No. 35889). The applicant proposes to establish and operate a 4,322 square foot McDonald’s restaurant with drive-thru on 1.21 acres of a 3.11-acre parcel (Assessor’s Parcel Number 249-140-029) partially developed with a building utilized as a Habitat for Humanity office located at the northeast corner of Iowa Avenue and Spruce Street in the City of Riverside. The Specific Plan Amendment is a proposal to amend the list of permissible land uses within the Business Support Retail Overlay District of the Hunter Business Park Specific Plan (Section III. F.) so as to allow for restaurants with drive-thru, with approval of a Conditional Use Permit. The Conditional Use Permit is a proposal to allow the specific drive-thru facility on this site. The Parcel Map is a proposal to divide the 3.11-acre parcel into two lots, so that the existing building and the proposed building will be on separate legal lots. (Compatibility Zone E of the March Air Reserve Base/Inland Port Airport Influence Area). ALUC Staff Planner: John Guerin at (951) 955-0982, or e-mail at jguerin@rctlma.org

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- 3.3 Staff report recommended: **CONSISTENT**
- Staff recommended at hearing: **CONSISTENT**
- ALUC Commission Action: **CONSISTENT with the correction to the portions of the staff report package that had referenced Highway 79 rather than Highway 74. (Vote 6-0, Absent: Pettis)**
- ZAP1134MA15 – Emperor North/Stone Star Riverside, LLC (Representative: Frank Artiga, ACS Consulting, Inc.)** – County Case Nos. SP 00260S1 (Substantial Conformance [Request] No. 1 to Specific Plan No. 260), CZ 07870 (Change of Zone), TR 31500 (Tentative Tract Map). The applicant proposes to adjust the boundaries between Planning Areas (PAs) 32 and 33B of Specific Plan No. 260 (Menifee North). The total number of dwelling units in the two Planning Areas would remain at 206, with the number in PA32 increasing from 98 to 152 and the number in PA33B decreasing from 108 to 54. The total acreage would increase from 42.5 to 45.7 acres, with overall density remaining within the 2-5 dwelling unit per acre range, as a result of a reduction of 3.2 acres in areas reserved for major community roadways. Additionally, the titles of the land use designations of the portions of the Specific Plan still within the unincorporated area would be amended to reflect County General Plan land use designations, and the curved roadway segment extending southerly and westerly from the intersection of State Highway Route 74 with Sultanas Road to the intersection of Emperor Road with McLaughlin Road would be renamed Norma Jean Road. Tentative Tract Map No. 31500 would subdivide 46.5 net acres located easterly of Emperor Road, northerly and westerly of Norma Jean Road, into 206 single-family residential lots, plus 13 other lots for drainage, water quality and inlet basins, trail, open space, and landscape features. CZ 07870 would amend the site’s Specific Plan zoning maps to reflect the proposed adjustment in Planning Area boundaries. (Airport Compatibility Zone E of the March Air Reserve Base/Inland Port Airport Influence Area). ALUC Staff Planner: Russell Brady at (951) 955-0549, or e-mail at rbrady@rctlma.org

4.0 PUBLIC HEARING: NEW ITEMS

- 4.1 Staff report recommended: **CONSISTENT (Change of Zone); CONDITIONAL CONSISTENCY (Conditional Use Permit)**
- Staff recommended at hearing: **CONSISTENT (Change of Zone); CONDITIONAL CONSISTENCY (Conditional Use Permit)**
- ZAP1127MA15 – Level 3 Communications/VYVX, LLC, c/o Robert DiOrio/Allen Holdings (Representative: Nicole Torstvet, Albert A. Webb and Associates)** – County of Riverside Case Nos. CZ07868 (Change of Zone) and CUP 03726 (Conditional Use Permit). CUP03726 is a proposal to construct and operate eleven (11) additional satellite communications antennae and all other necessary and related supporting equipment within an existing satellite communications center on 4.7 acres of a 31.3-acre site located westerly of a southerly extension of Gilmer Road, southerly of a westerly extension of Olympia Avenue, easterly of a southerly extension of Reiss Road, and northerly of the City of Lake Elsinore boundaries, on

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ALUC Commission Action:
CONSISTENT (Change of Zone); CONDITIONAL CONSISTENCY (Conditional Use Permit)
(Vote 5-0, Absent: Pettis and Holmes)

Assessor's Parcel Numbers 343-040-012 and 343-040-013. The site has an address of 19993 Santa Rosa Mine Road, Perris, CA 92570. One antenna will have a height of 53 feet, seven will have heights of 30 feet, and 3 will have heights of 16 feet. CZ07868 is a proposal to change the zoning on those properties from R-A-5 (Residential Agricultural, 5 acre minimum lot size) to A-1-5 (Light Agriculture, 5 acre minimum lot size). (Airport Compatibility Zone E/High Terrain Zone of the March Air Reserve Base/Inland Port Airport Influence Area). ALUC Staff Planner: Russell Brady at (951) 955-0549, or e-mail at rbrady@rctlma.org

4.2 Staff report recommended:
CONSISTENT

Staff recommended at hearing:
CONSISTENT

ALUC Commission Action:
CONSISTENT (Vote 5-0, Absent: Pettis and Holmes)

ZAP1129MA15 – JM Realty/LNR Riverside LLC (Representative: Adam Corral, Kimley-Horn and Associates) – March Joint Powers Authority Case Nos.: PP15-01 (Plot Plan) and VAR 15-01 (Variance). The applicant proposes to construct two industrial warehouse buildings with a total floor area of 192,468 square feet on 9.9 acres located along the easterly side of Opportunity Way, northerly of Van Buren Boulevard and westerly of Interstate 215 within the land use jurisdiction of the March Joint Powers Authority. The southerly building will have a floor area of 99,743 square feet, and the northerly building will have a floor area of 92,725 square feet. Each building will include 6,000 square feet of first floor office space and 3,600 square feet of second floor office space. The Variance is required in that the building heights at 38 feet above ground level exceed both the Specific Plan standard of 35 feet (Table III-2 of Specific Plan No. 5) and the rear yard setback. (A Variance would not have been required had all setbacks been at least 38 feet.) (Airport Compatibility Zone B2 of the March Air Reserve Base/Inland Port Airport Influence Area, within the March Business Center/Meridian Exception Site 1). ALUC Staff Planner: Russell Brady at (951) 955-0549, or e-mail at rbrady@rctlma.org

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- 4.3 Staff report recommended: **CONSISTENT**
- Staff recommended at hearing: **CONSISTENT**
- ALUC Commission Action: **CONSISTENT (Vote 5-0, Absent: Pettis, Holmes)**
- ZAP1130MA15 – Investment Building Group/56 Sycamore Partnership, L.P. (Representative: Brian Bargemann)** – City of Riverside Case No. P14-0517 (Design Review). The applicant proposes to construct a 311,977 square foot industrial high-cube warehouse building (including 10,400 square feet of first floor office space and 10,400 square feet of second floor office space) on 30.21 acres located along the westerly side of Sycamore Canyon Boulevard, northerly of its intersection with Cottonwood Avenue (to wit, on Assessor’s Parcel Number 263-050-074), in the City of Riverside. (Airport Compatibility Zone B1-APZ II of the March Air Reserve Base/Inland Port Airport Influence Area). ALUC Staff Planner: Russell Brady at (951) 955-0549, or e-mail at rbrady@rctlma.org
- 4.4 Staff report recommended: **CONSISTENT**
- Staff recommended at hearing: **CONSISTENT**
- ALUC Commission Action: **CONSISTENT with amendment to condition 3 and addition of condition 6. (see minutes)**
- (Vote 5-0, Absent: Pettis and Holmes)**
- ZAP1133MA15 – Nuevo Meadows Land Company, LLC (Representative: Beau Cooper, United Engineering Group, Inc.)** – County of Riverside Case Nos. CZ 07804 (Change of Zone), TR 36635 (Tentative Tract Map), and PM 36895 (Tentative Parcel Map). CZ 07804 is a proposal to change the zoning of 78.95 acres located northerly of San Jacinto Avenue, westerly of Pico Avenue, southeasterly of Ski Land Lake, and southwesterly of the intersection of Pico Avenue and Central Avenue from R-R (Rural Residential) to R-4 (Planned Residential). The change of zone would apply to Assessor’s Parcel Numbers 309-020-005 and 309-020-036, -037, -038, and -039. TR 36635 is a proposal to subdivide the site into 283 single-family residential lots with a minimum lot size of 4,000 square feet (plus 4 lots for water quality basins, 9 for landscape features, a community playground, and trail, and a 15.75-acre area to be maintained by the Regional Conservation Authority as permanent open space.) PM 36895 is a proposal to divide the same site into three parcels (each at least 20 acres in size) for phasing and/or financing purposes. (Airport Compatibility Zones D and E of the March Air Reserve Base/Inland Port Airport Influence Area). ALUC Staff Planner: John Guerin at (951) 955-0982, or e-mail at jguerin@rctlma.org

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- 4.5 Staff report recommended: **ZAP1022CH15 – SC Limonite, LLC/Stratham Homes (Representative: Pat Potts)** - City of Eastvale Case No. 14-1398 (Portion): Tentative Tract Map (TTM) No. 36775 (Revised) and Master Development Plan (Amended). This project, known as the Sendero Planned Residential Development, provides for development of 312 detached condominium dwellings. ALUC found the design consistent, but Southern California Edison (SCE) and the City of Eastvale objected to utilization of the SCE easement bisecting the property and the use of perimeter public roadways, respectively, toward meeting ALUC's open area requirements. Therefore, the applicant has prepared a revised open area exhibit not relying on either the easement or public roads to meet the minimum requirements. ALUC Staff Planner: Russell Brady at (951) 955-0549, or e-mail at rbrady@rctlma.org
- Staff report recommended: **CONSISTENT**
- Staff recommended at hearing: **CONSISTENT**
- ALUC Commission Action: **CONSISTENT as amended, deleting Condition 6. (Vote 5-0, Absent: Pettis, Holmes)**
- 4.6 Staff report recommended: **ZAP1064FV15 – Murrieta KLC Holdings 130, LLC – (Representative: Larry Markham/MDMG, Inc.)** – City of Murrieta Case Nos.: General Plan Amendment (GPA) 2014-290; Zone Change (ZC) 2014-289; Specific Plan (SP) 2015-615; Development Plan (DP) 2015-616; Tentative Tract Map 36779/TTM 2015-518; Tentative Parcel Map 36733/TPM 2014-410. The applicant proposes to develop a 287-unit planned residential development within 36.77 acres of a 122.31-acre parcel (to wit, Assessor's Parcel No. 963-070-051) located westerly of Winchester Road, northerly of its intersection with Auld Road/Via Mira Mosa and southerly of its intersection with Benton Road, and easterly of a straight-line southerly extension of Liberty Road, in the City of Murrieta. Tentative Parcel Map No. 36733 is a proposal to divide the entire 122.31-acre parcel into four parcels, plus two lettered lots and a remainder. Pursuant to Zone Change ZC 2014-289, Parcel 1 (36.51 acres) would be zoned SFR-2, Parcels 2-4 along Winchester Road (16.61 acres) would be zoned Business Park, and the remainder parcel (64.82 acres) would be zoned Parks/Open Space. GPA 2014-290 would amend the site's land use designation from Large Lot Residential and Business Park to Parks/Open Space, Single Family Residential, and Business Park. Specific Plan No. 2015-615 ("Adobe Springs") proposes development of 287 detached single-family residences on small lots within a 36.2-acre area, 16.4 acres of Business Park uses, and 64.8 acres of open space for conservation. (Airport Compatibility Zones B2, C, and D of the French Valley Airport Influence Area). ALUC Staff Planner: John Guerin at (951) 955-0982, or e-mail at jguerin@rctlma.org
- Staff report recommended: **CONTINUE to 9-10-15**
- Staff recommended at hearing: **CONSISTENT with amendment to land use tables**
- ALUC Commission Action: **CONSISTENT with amendment to land use tables (see minutes)**
- (Vote 5-0, Absent: Pettis and Holmes)**

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5.0 ADMINISTRATIVE ITEMS

5.1 Director's Approvals – Information Only

5.2 Resolution No. 2015-01 Authorizing the ALUC Director to Take Action on Legislative Items in Zone E of the March Air Reserve Base/Inland Port Airport Influence Area

Chairman Housman reminded the Commission that he had previously expressed concern regarding unrestricted future delegation of its duty to act on legislative items as specified pursuant to the California Public Utilities Code and was pleased that the proposed resolution authorizing the ALUC Director to act on legislative items in Zone E of the March Air Reserve Base/Inland Port Airport Influence Area includes a one-year sunset provision with renewability. This will allow the Commission an opportunity to evaluate the impact and effectiveness of the authorized delegation next year in order to make an informed decision as to whether to renew such authorization. With that, the Chairman moved to approve Resolution No. 2015-01.

The ALUC Commission by a vote of 5-0 approved Resolution No. 2015-01. Absent: Pettis and Holmes

5.3 Specific Delegation of Authority: Change of Zone Case No. 7843

Chairman Housman indicated that the requested specific delegation is moot, since it is now authorized pursuant to Resolution No. 2015-01.

5.4 December 2015 ALUC Meeting Location

The ALUC Commission by a vote of 5-0 formally acknowledged that its December 10, 2015 meeting will be held at Cathedral City's Council Chambers and authorized staff to amend its online submission schedule accordingly.

6.0 APPROVAL OF MINUTES

The ALUC Commission by a vote of 4-0 approved the July 9, 2015 minutes. Abstain: Manos; Absent: Pettis and Holmes

7.0 ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA

Mr. Atman Kadakia, Greens Group, came forward to request that the Commission delegate to the ALUC Director the ability to render a consistency determination for his project, a proposal to reopen a service station and convert a fast food restaurant to a convenience store on a property in Compatibility Zone C2 of the March Air Reserve Base/Inland Port Airport Influence Area, in the Mission Grove area of the City of Riverside. He was accompanied by Mr. Dennis Morgan of IPA Commercial Real Estate, representing the ownership of the shopping center within which the property is located. Vice Chairman Ballance inquired as to the reasons why the service station was closed for an extended period of time. Mr. Morgan advised that there were a number of violations that had to be corrected after the previous station owner closed business. Chairman Housman noted that it would not be appropriate for the Commission to take action on a non-agendized item. John Guerin, ALUC staff, clarified that the ALUC Director is authorized to act on such projects in Zone D and Zone E, but that staff was seeking guidance from the Commission, since this project is in Zone C2. He reminded the Commission of a similar situation recently where an applicant requested delegation for the establishment of a liquor store in an existing commercial building in Zone C of the Bermuda Dunes Airport Influence Area. Commissioner Manos expressed concerns regarding providing direction on any matter not on the agenda. Director Ed Cooper advised that the Countywide Policies give the Director authority to render

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consistency determinations for projects that clearly have no impact, but that he normally makes such determinations only for projects in Zone D or E, or Area III for Hemet-Ryan. Commissioner Lyon noted that Policy 1.5.2(d) authorizes the Director to approve proposed projects having no apparent compatibility issues of significance. Vice Chairman Ballance stated that he concurred with Commissioner Lyon's comments. Chairman Housman noted that members of the public should be able to rely on written policies and believes that it is reasonable for the Director to act on projects where there are no apparent compatibility issues of significance. Mr. Cooper advised that he will instruct staff to avoid suggesting that applicants make direct requests for delegation to the Commission in the future. Staff may continue to consult with the Commission via the agendaized Administrative Items calendar in similar situations in the future.

8.0 COMMISSIONER'S COMMENTS

Chairman Housman indicated that the Board of Supervisors has established a policy that any group including Board appointees that wishes to meet in the Board Room must agree that its meetings held therein will be live-streamed for the public. This constitutes a change in the public record. The Commission will vote on this at the next ALUC Commission meeting on September 10th. Live-streaming may begin with the October meeting. In response to a question from Vice-Chairman Ballance, Director Ed Cooper advised that Board of Supervisors meetings are live-streamed. This allows persons who are not able to attend the meeting the opportunity to view the proceedings in real time. Vice-Chairman Ballance asked if there are any special guidelines for live-streamed meetings. Director Cooper noted that ALUC meetings are already recorded on audio CDs. The difference is that a visual record will be available live.

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