

May 18, 2016

Honorable Mayor and City Council,

I would like to file an appeal of the decision of the Riverside County Airport Land Use Commission (RCALUC) on May 12, 2016 regarding ZAP1076RI16 for the following reasons:

- 1) The major issues as listed in the RCALUC staff report state that the building suite that we are proposing to open a resource center for an independent study charter high school is split by the boundary between Compatibility Zones C and D. Section 3 of the Countywide Policies describes the compatibility criteria for land use actions in a chart, as shown below. Per this chart, Zone C of the compatibility criteria lists "children's schools" as a prohibited use. Zone D lists "children's schools" as a discouraged use.

CHAPTER 2 COUNTYWIDE POLICIES

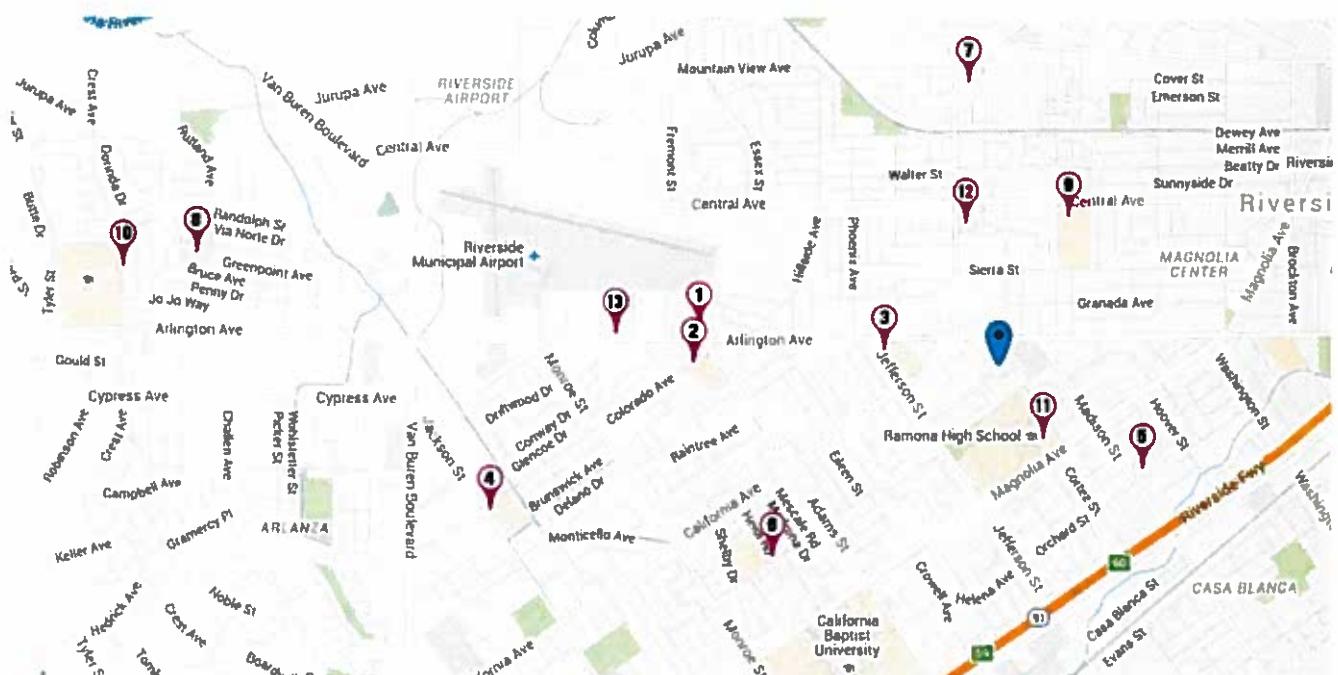
Zone	Locations	Maximum Densities / Intensities					Additional Criteria	
		Residential (d.u./ac.) <sup>1</sup>	Other Uses (people/ac.) <sup>2</sup>	Aver. Single with age <sup>3</sup>	Acre <sup>4</sup>	Bonus <sup>5</sup>	Req'd Open Land <sup>6</sup>	Prohibited Uses <sup>7</sup>
<b>A Runway Protection Zone and within Building Restriction Line</b>		0	0	0	0		All Remaining	<ul style="list-style-type: none"> <li>• All structures except ones with location set by aeronautical function</li> <li>• Assemblages of people</li> <li>• Objects exceeding FAR Part 77 height limits</li> <li>• Storage of hazardous materials</li> <li>• Hazards to flight<sup>9</sup></li> </ul>
<b>B1 Inner Approach/Departure Zone</b>		0.05 (average parcel size $\geq 20.0$ ac.)	25	50	65	30%		<ul style="list-style-type: none"> <li>• Children's schools, day care centers, libraries</li> <li>• Hospitals, nursing homes</li> <li>• Places of worship</li> <li>• Bldgs with <math>&gt; 2</math> aboveground habitable floors</li> <li>• Highly noise-sensitive outdoor nonresidential uses<sup>10</sup></li> <li>• Aboveground bulk storage of hazardous materials<sup>11</sup></li> <li>• Critical community infrastructure facilities<sup>12</sup></li> <li>• Hazards to flight<sup>9</sup></li> </ul>
<b>B2 Adjacent to Runway</b>		0.1 (average parcel size $\geq 10.0$ ac.)	100	200	260	No Req't	Same as Zone B1	<ul style="list-style-type: none"> <li>• Locate structures maximum distance from runway centerline</li> <li>• Minimum NLR of 25 dB in residences (including mobile homes) and office buildings<sup>13</sup></li> <li>• Airspace review required for objects <math>&gt; 35</math> feet tall<sup>14</sup></li> <li>• Aviation easement dedication</li> </ul>
<b>C Extended Approach/Departure Zone</b>		0.2 (average parcel size $\geq 5.0$ ac.)	75	150	195	20%		<ul style="list-style-type: none"> <li>• Children's schools, day care centers, libraries</li> <li>• Hospitals, nursing homes</li> <li>• Bldgs with <math>&gt; 3</math> aboveground habitable floors</li> <li>• Highly noise-sensitive outdoor nonresidential uses<sup>10</sup></li> <li>• Hazards to flight<sup>9</sup></li> </ul>
<b>D Primary Traffic Patterns and Runway Buffer Area</b>		(1) $\leq 0.2$ (average parcel size $\geq 5.0$ ac.) or <sup>15</sup> (2) $\geq 5.0$ (average parcel size $\leq 0.2$ ac.)	100	300	390	10%		<ul style="list-style-type: none"> <li>• Highly noise-sensitive outdoor nonresidential uses<sup>10</sup></li> <li>• Hazards to flight<sup>9</sup></li> </ul>
								<ul style="list-style-type: none"> <li>• Airspace review required for objects <math>&gt; 70</math> feet tall<sup>16</sup></li> <li>• Children's schools, hospitals, nursing homes discouraged<sup>17</sup></li> <li>• Deed notice required</li> </ul>

<http://www.rcaluc.org/Portals/0/PDFGeneral/plan/newplan/04-%20Vol.%20201%20County%20wide%20Policies.pdf>

ATTACHMENT 1

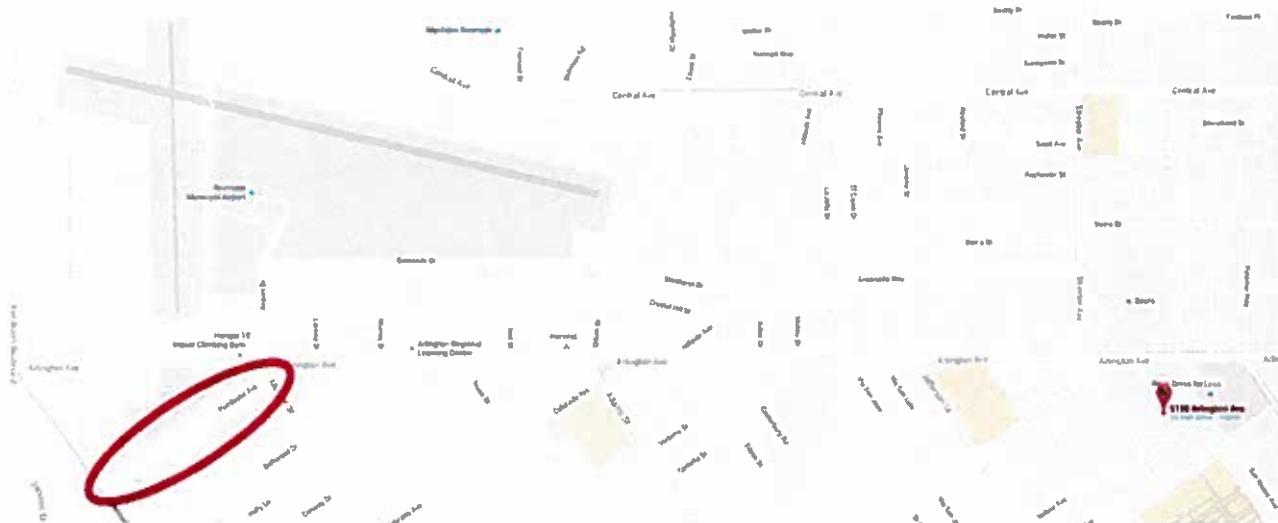
During the public hearing, the commissioners expressed their concern for how they would feel after voting to allow our proposed use in the prohibited zone in the event of an airplane crashing into the building and injuring children. While this is understandable, we found thirteen (13) other children's schools within Zone B2, C, and D.

Zone B2 (prohibited use)	Zone C (prohibited use)	Zone D (discouraged use)
Harvest Christian School (1)	Adams Elementary (2) Jefferson Elementary (3)	Jackson Elementary (4) Madison Elementary (5) Monroe Elementary (6) Mountain View Elementary (7) Terrace Elementary (8) Sierra Middle School (9) Norte Vista High School (10) Ramona High School (11) Our Lady of Perpetual Help (Pre-8) (12) Arlington Regional Learning Center (K-12) (13)



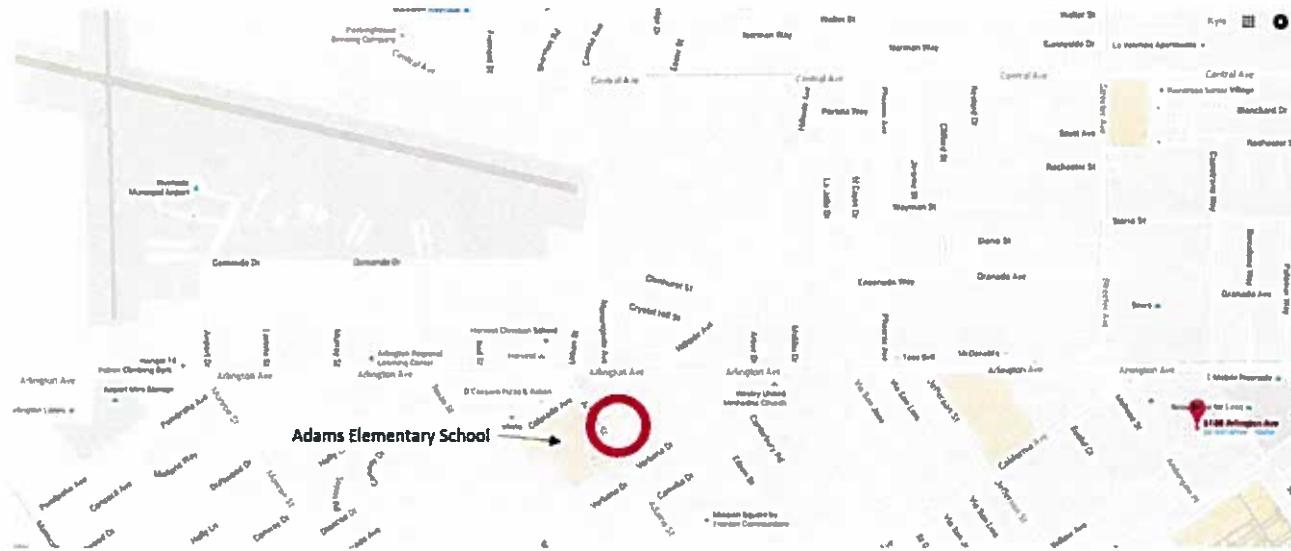
In the map above, the blue flag marks the location for our proposed resource center at 5188 Arlington Ave. If the RCALUC members are worried about an aircraft crashing into the property we are proposing our use, we do not understand the determination for allowing so many other schools sites in the same discouraged and prohibited zones.

- 2) At these other school facilities, the programs offered are classroom-based and their entire student body attends classes Monday through Friday. In comparison, our program is independent study-based and the students are on-site for only 1-3 hours per week while completing the bulk of their studies at home. This would mean that an aircraft that crashes into our facility has the potential to injure far fewer minor children as compared to any of these other school facilities.
- 3) Due to the commissioners concern with potential crashes, we researched recent accidents on and near Riverside Municipal Airport. We were able to find four accidents on and near the airport over the last nine years.
  - a. On February 7, 2007 a Lancair Turbo single-engine plane crashed at the airport after overshooting the runway approximately 50 feet. There were no reported injuries in this crash.  
<https://www.riversideca.gov/rpd/press/2007releases/feb07b07.htm>
  - b. On February 27, 2008 a Mooney M-20 single-engine plane crashed near the airport. The pilot and two passengers died in this crash and no other injuries were reported.  
<https://www.riversideca.gov/rpd/press/2008releases/feb28b08.pdf>



- c. On July 26, 2015 a Beechcraft F35 single-engine plane crashed near the airport. The pilot died in this crash and no other injuries were reported.

<http://www.pe.com/articles/riverside-774820-municipal-plane.html>



- d. On March 17, 2016 a Robinson R-2 helicopter crashed at the airport while practicing take-offs and landings. There were no reported injuries in this crash.

- 4) Another item that was brought up during the RCALUC hearing was the occupancy load for the building suite where we are proposing our resource center. The occupancy load suggested for approval by RCALUC staff is a maximum of 24 people, including staff and students. This count would be much lower than the occupancy load of 171 persons for the previous tenant of the space, which was a craft and hobby retail store.
- 5) We are not proposing to complete any exterior construction, to include changing the height of the roof line. We are not proposing to install any new signage which would change the height of the roof line. The construction related to the setup of our program would occur entirely within the building suite.
- 6) We are not proposing to install any lighting, either interior or exterior, that would affect any 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.
- 7) Our use would not cause sunlight to be reflected into the sky.
- 8) Our use would not generate any smoke or water vapor or attract large concentrations of birds. Our use would also not affect safe air navigation within the area.
- 9) Our use would not generate any electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.

I believe that because our program will not impede in the ability for pilots to take off from, land at, or operate around Riverside Municipal Airport, there are thirteen other educational facilities within the same zones, and the small number of recent accidents outside of the airport property indicate that our use should be deemed consistent with the land use plan pending approval of a Conditional Use Permit. Additionally, any minor students in the space we are applying to operate in would be just as safe as if

they were in any of the other retail stores or restaurants within the same center. I look forward to discussing the issues above, as well as any others you may have. Thank you for your time and consideration.



Kyle Knowland  
42455 10<sup>th</sup> Street West, Suite 105  
Lancaster, CA 93534  
(661) 618-0237

# COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

## STAFF REPORT

**AGENDA ITEM:** 3.8

**HEARING DATE:** May 12, 2016

**CASE NUMBER:** ZAP1076RI16 – WPI-Arcal, LLC (Representative: Kyle Knowland)

**APPROVING JURISDICTION:** City of Riverside

**JURISDICTION CASE NO:** P16-0161 (Conditional Use Permit)

**MAJOR ISSUES:** The suite is split by the boundary between Compatibility Zones C and D. The proposed Conditional Use Permit would result in an establishment of a children's school, which is a prohibited use within Compatibility Zone C. Also, pursuant to the Building Code Method, the proposed project would result in an occupancy and an average intensity that would exceed the average acre criteria of 75 people per acre for Compatibility Zone C and 100 people per acre for Compatibility Zone D. The proposed project would also result in an occupancy and intensity that would exceed the single acre criteria of 150 people for Compatibility Zone C and 300 for Compatibility Zone D.

**RECOMMENDATION:** Staff recommends that the proposed Conditional Use Permit be found INCONSISTENT, based on the proposed project exceeding the average and single-acre criteria of Compatibility Zones C and D (using the Building Code method), and being a prohibited use in Zone C, unless the Commission is willing to accept the applicant's estimates for occupancy (limiting maximum occupancy to 24 persons as a condition of the permit) and makes a finding pursuant to Countywide Policy 3.3.2(b).

**PROJECT DESCRIPTION:** The applicant proposes to utilize an existing 10,250 square foot tenant suite on a 5.0 acre commercial parcel within the existing Heritage Plaza shopping center as a resource center for Alta Vista Public Charter School. The center would serve adolescents of a high school age (14-19) pursuing an independent study program. The applicant states that students would come to the resource center once a week for a one-hour session with their teachers.

**PROJECT LOCATION:** The site is located at 5188 Arlington Avenue, on the south side of Arlington Avenue, easterly of its intersection with California Avenue/Streeter Avenue, and westerly of its intersection with Madison Street, approximately 6,200 feet southeasterly of the southeasterly terminus of Runway 9-27 at Riverside Municipal Airport.

**LAND USE PLAN:** 2005 Riverside Municipal Airport Land Use Compatibility Plan

- a. Airport Influence Area: Riverside Municipal Airport
- b. Land Use Policy: Airport Compatibility Zones C and D
- c. Noise Levels: Between 55-60 CNEL contour

#### **BACKGROUND:**

Non-Residential Average Intensity: The project is located within Airport Compatibility Zones C and D. Non-residential intensity in Airport Compatibility Zone C is restricted to 75 people per average acre and in Airport Compatibility Zone D is restricted to 100 people per average acre. The commercial parcel the project site is located on is 5.0 acres. The 10,250 square foot project suite is split between Zones C and D, with approximately 0.07 acres in Zone C and 0.16 acres in Zone D. Based on the Zone C and D acreage and allowable average intensity, a maximum Zone C occupancy of 5 people could be allowed, and a maximum Zone D occupancy of 16 people could be allowed, for a total site occupancy of 21 people.

Utilizing the Building Code Method for calculating occupancy, and assuming use as classrooms with an occupancy of one person per 20 square feet, use as a school would result in a total potential building suite occupancy of 296 people (289 people for the classroom areas and 7 for office areas). While this does not reflect the applicant's business model, the total enrollment could be over 300 persons. Based on this occupancy, the project would result in an average intensity of 1,287 people per acre, which would be inconsistent with the Compatibility Zone C and D average acre criteria.

An alternative calculation for intensity is based on the number of parking spaces for a project. While the project will increase the demand for parking, it will also share parking with the adjacent existing commercial businesses in the center. The required parking spaces for the proposed school are 28 spaces. Assuming an occupancy of 1.5 persons per vehicle for all required parking spaces, this would equate to a total of 42 people. Given the area within the suite of 0.23 acres, this translates as an average intensity of 183 persons per acre, which would be inconsistent with the average intensity criteria specified above.

Looking at the required amount of parking for the commercial parcel on which the project is located, the City of Riverside requires 285 parking spaces. Assuming an occupancy of 1.5 persons per vehicle for all required spaces, this would equate to a total of 428 people on 5 acres, for an average intensity of 86 people per acre, which would be near the average of the Zone C and Zone D criteria. However, this method cannot provide a distinction between zones.

The applicant claims that not more than 24 people would be on-site at any one time because of the 1:1 appointment method. However, this would indicate that the use could be accommodated in a smaller suite.

**Non-Residential Single-Acre Intensity:** Non-residential intensity in Airport Compatibility Zone C is restricted to 150 people per single-acre, and Zone D is restricted to 300 people per single-acre.

Based on the plans and occupancies as previously noted, the maximum single-acre area including the proposed school in the existing commercial shopping center would consist of 5,776 square feet of school area and 1,324 square feet of office area as part of the proposed project, and a variety of different commercial uses (see Exhibit A). This would result in a single-acre occupancy of 671, which would be inconsistent with the Zone C and D single-acre criteria. The single-acre area that includes the proposed charter school site accommodates an additional 14,375 square feet in other suites. If they were all in retail use, those suites would accommodate 240 persons. However, 2700 square feet of these suites are in restaurant use. If the restaurants consisted entirely of dining area, they would accommodate a total of 180 persons. The remaining 11,675 square feet of retail space would accommodate 195 persons, for a total of 375 persons, not counting the proposed charter school.

The previous business in the proposed 10,250 square foot suite was a craft and hobby retail store. A retail store of this size would accommodate 171 persons, based on 50 percent of maximum Building Code occupancy. The applicant asserts that the proposed use would result in a much lower occupancy.

**Prohibited and Discouraged Uses:** A portion of the suite is located in Compatibility Zone C. The project proposes a children's school, which is a prohibited use within Compatibility Zone C.

**Countywide Policy 3.3.2(b):** Pursuant to Countywide Policy 3.3.2(b), "a nonconforming nonresidential development may be continued, leased, or sold and the facilities may be maintained or altered (including potentially enlarged), provided that the portion of the site devoted to the nonconforming use is not expanded and the usage intensity (the number of people per acre) is not increased above the levels existing at the time of adoption of this Compatibility Plan." In this situation, the suite in question was not in use for the currently intended purpose, but, if the Commission is willing to accept the applicant's analysis of projected occupancy based on the proposed business model for the resource center, the number of persons on-site may be lower than the number of persons on-site when the suite was in use as a retail store. However, this would not be true if the suite were to be converted to traditional classroom use. Additionally, this does not address the prohibition of children's schools in Compatibility Zone C.

**Noise:** The site is located within the 55-60 dB(A) CNEL contour from Riverside Municipal Airport. Pursuant to Countywide Policy 4.1.4 and Table 2B, school uses are marginally acceptable within the 55-60 dB(A) CNEL range. The land use is acceptable on the conditions that outdoor activities are minimal and construction features provide sufficient noise attenuation. The proposed school is entirely indoors and does not have any outdoor area. The existing building was constructed under

state building code which provides for a level of acceptable noise attenuation. Therefore, no special measures to mitigate aircraft noise are required for this project.

Part 77: No new structures are proposed.

Open Area: Compatibility Zones C and D require that 20% and 10% respectively of area within major projects (10 acres or larger) be set aside as open area that could potentially serve as emergency landing areas. Since the overall project size is less than 10 acres, the open area requirement is not applicable to this project.

**CONDITIONS (to be applied to the Conditional Use Permit in the event of a 3.3.2(b) finding):**

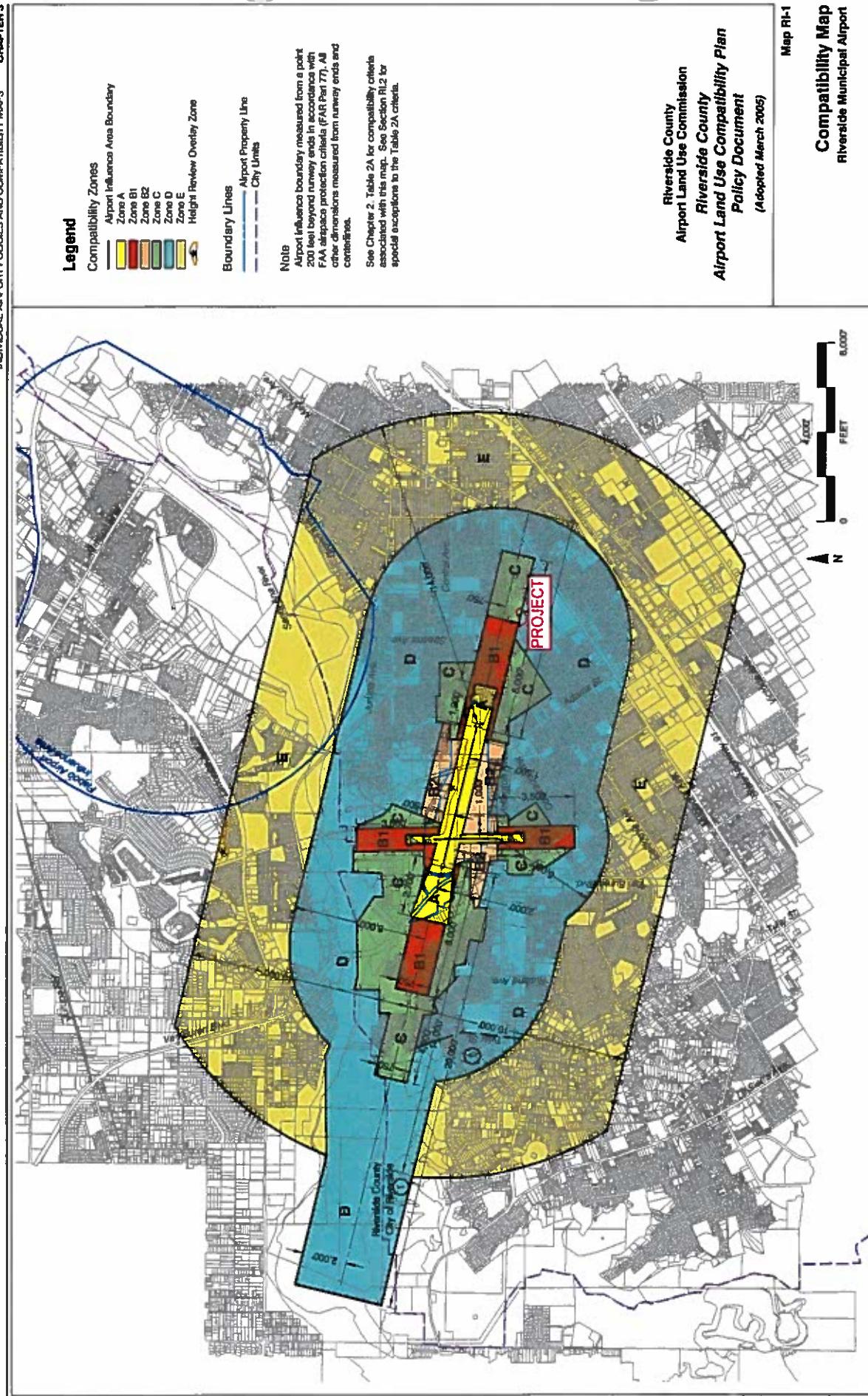
1. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky.
2. The following uses shall be prohibited:
  - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport 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. (Such uses include landscaping utilizing water features, composting operations, recycling centers containing putrescible wastes, and incinerators.)
  - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
  - (e) Day care centers, libraries, hospitals, nursing homes, highly noise-sensitive outdoor nonresidential uses, and hazards to flight.
3. The attached notice shall be given to all prospective purchasers of the property and tenants of the buildings thereon, and shall be recorded as a deed notice.
4. This determination and these conditions of approval are predicated on the representation made by the applicant that no more than 24 persons will ever be in this suite at any one time.

5. Any subsequent Design Review, Conditional Use Permit, Tenant Improvement, or other permitting that would increase the potential occupancy of the existing building shall be transmitted to ALUC for a determination as to potential need for official review.

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# NOTICE OF AIRPORT IN VICINITY

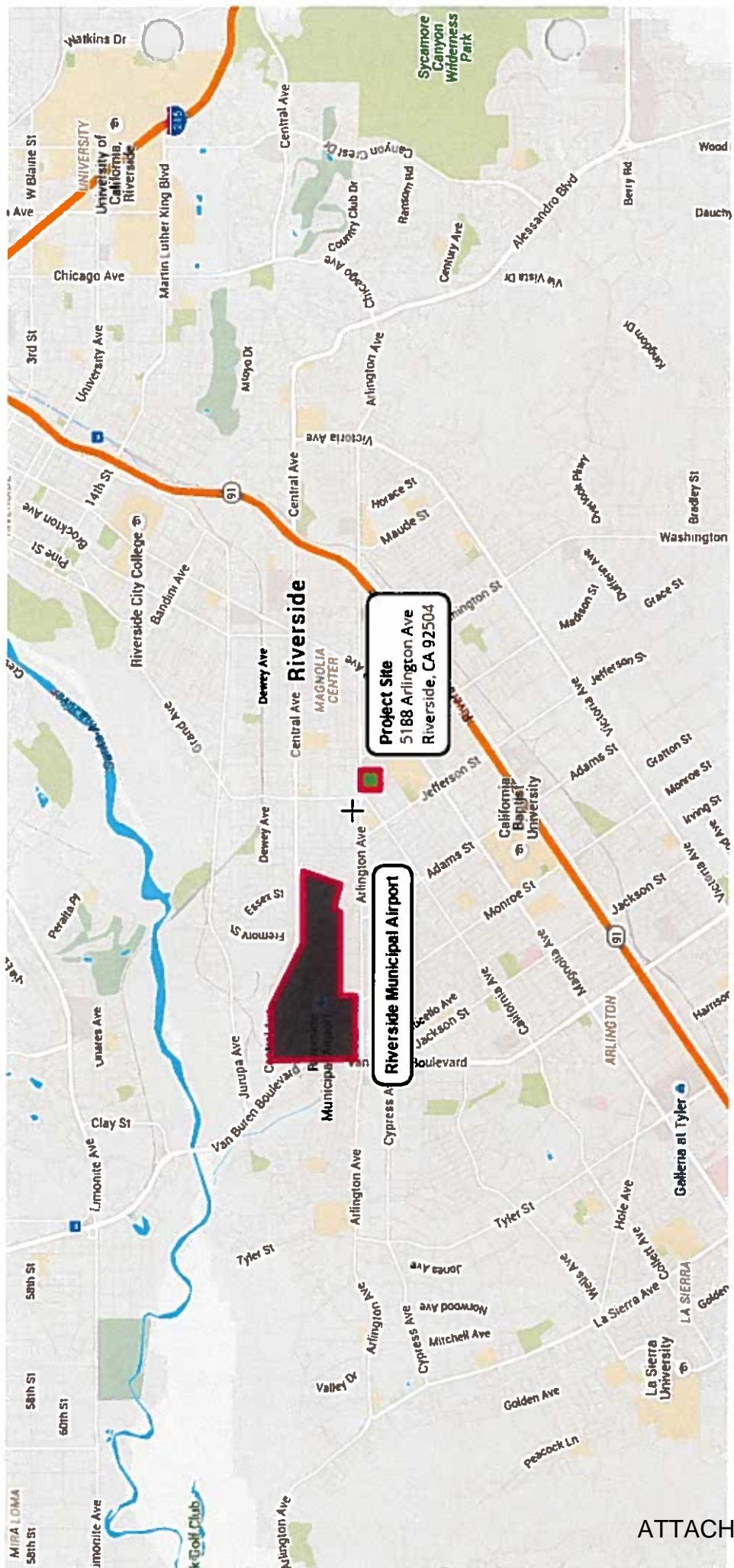
This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances [can vary from person to person. You may wish to consider what airport annoyances], if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b) (13)(A)



## ATTACHMENT 1

# Vicinity Map

## Not To Scale



## ATTACHMENT 1



### Legend



#### Airport Compatibility

##### OTHER ZONE

##### A

##### A-EXC1

##### B1

##### B1-APZ1

##### B1-APZ1-EXC1

##### B1-APZ2

##### B1-APZ2-II

##### B1-APZ2-II-EXC1

##### B1-EXC1

##### B2

##### B2-EXC1

##### C1

##### C1-EXC1

##### C1-EXC3

##### C1-EXC4

##### C1-HIGHT

##### C2

##### C2-EXC1

##### C2-EXC2

##### C2-EXC3

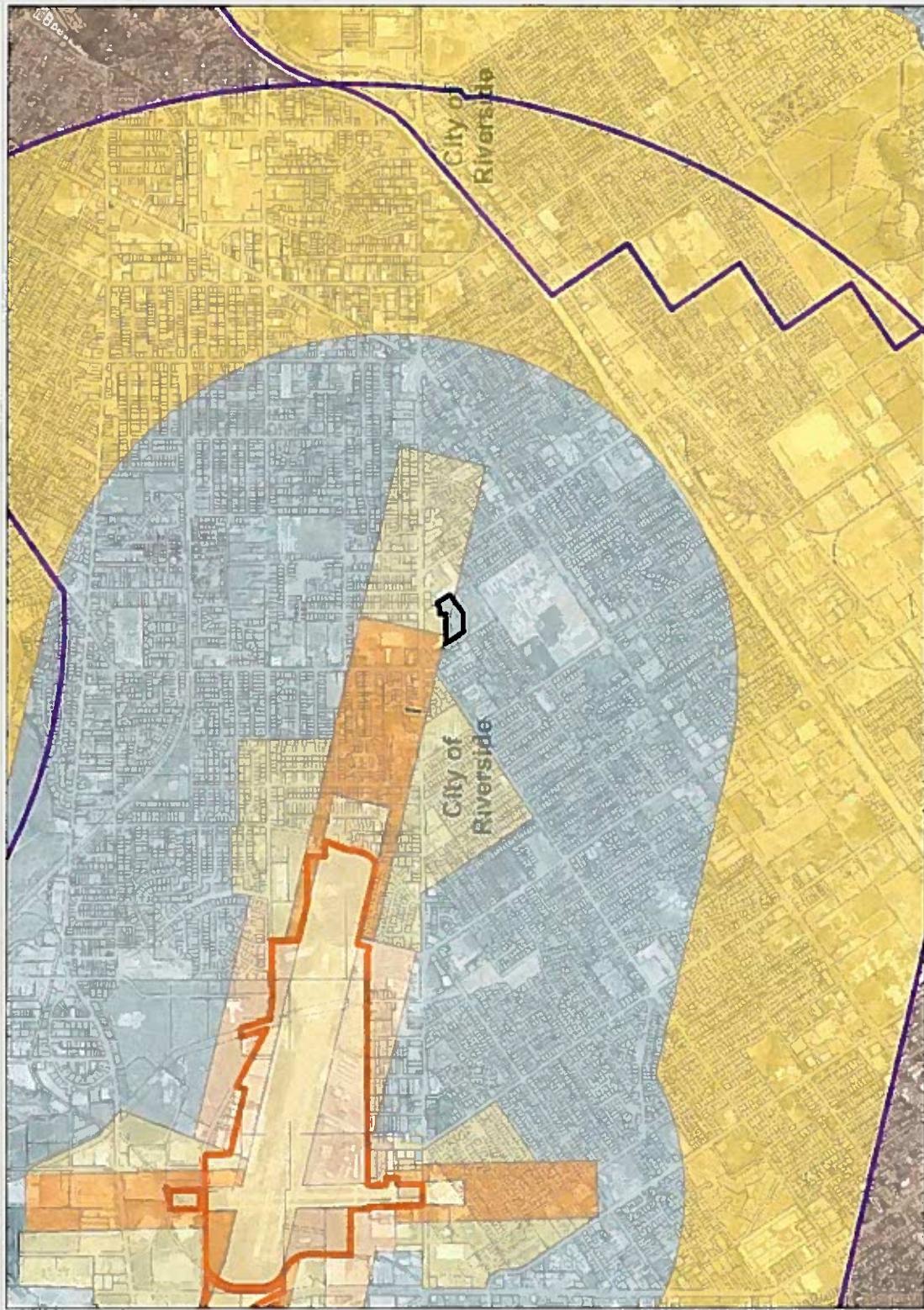
##### C2-EXC5

##### C2-EXC8

##### C2-HIGHT

### Notes

## My Map



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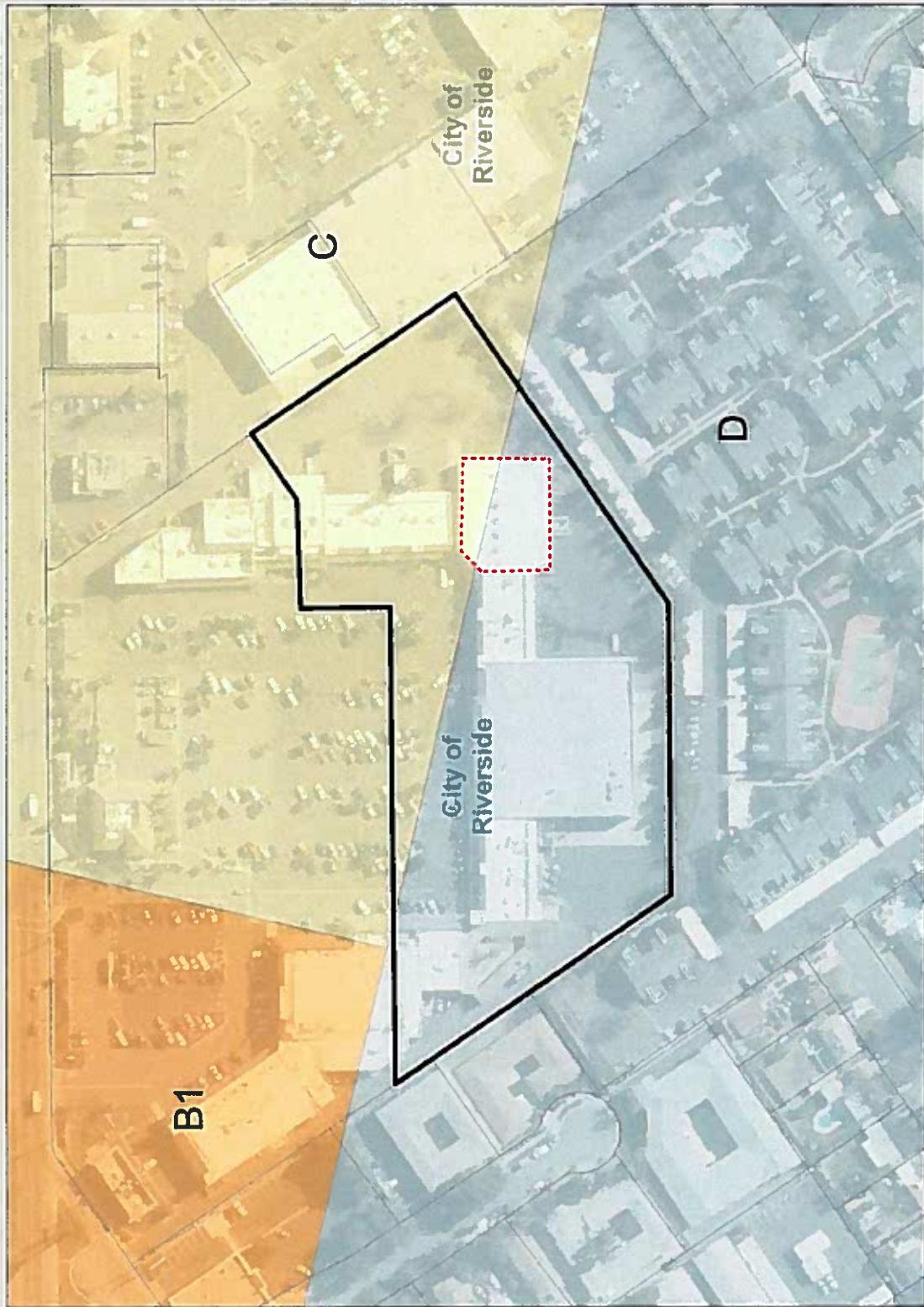




### Legend

Display Parcels	□
Airports	■
AIA	□
Airport Compatibility	
OTHER ZONE	□
A	□
A-EXC1	□
B1	□
B1-APZ I	□
B1-APZ I-EXC1	□
B1-APZ II	□
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### My Map



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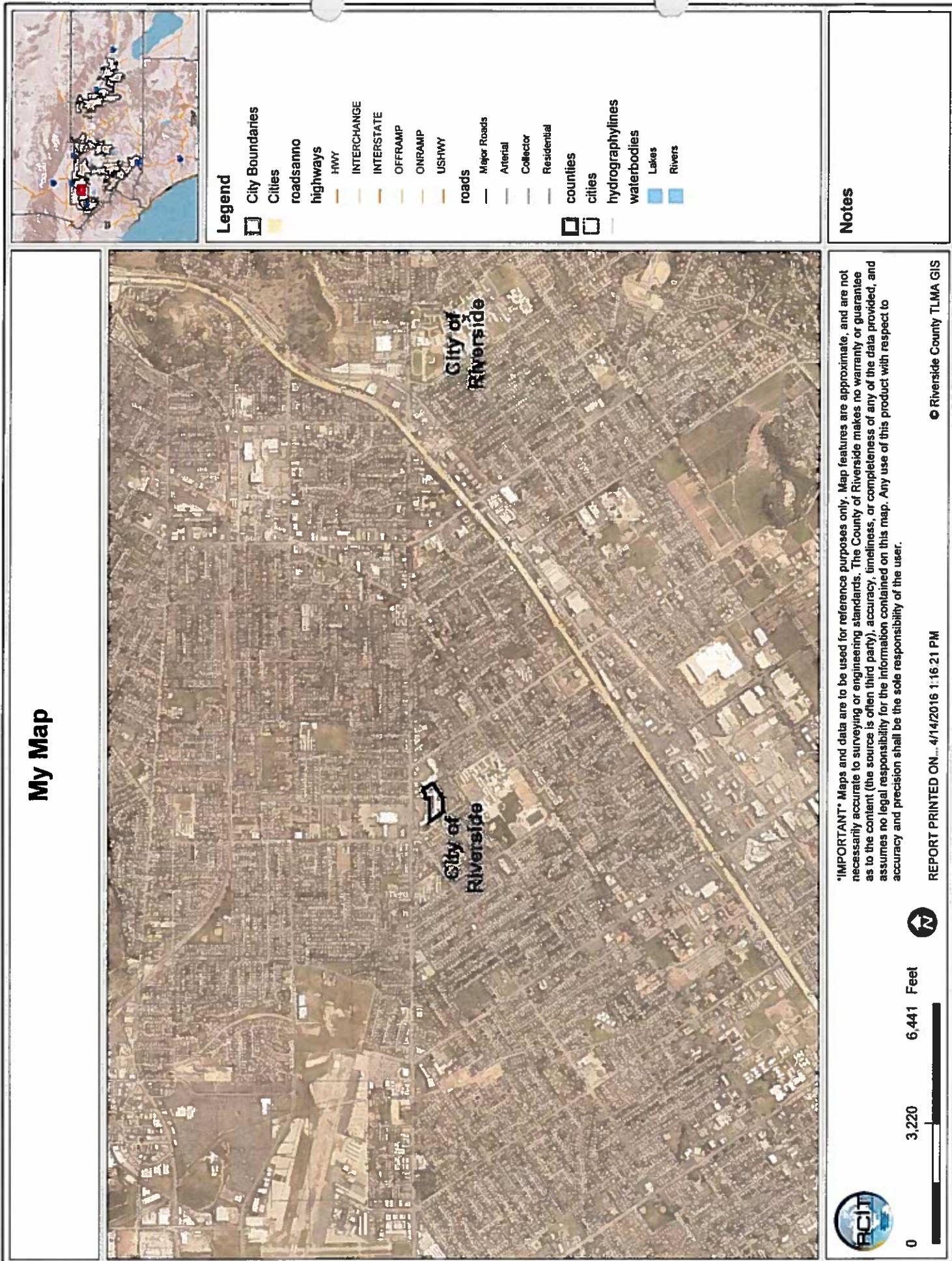
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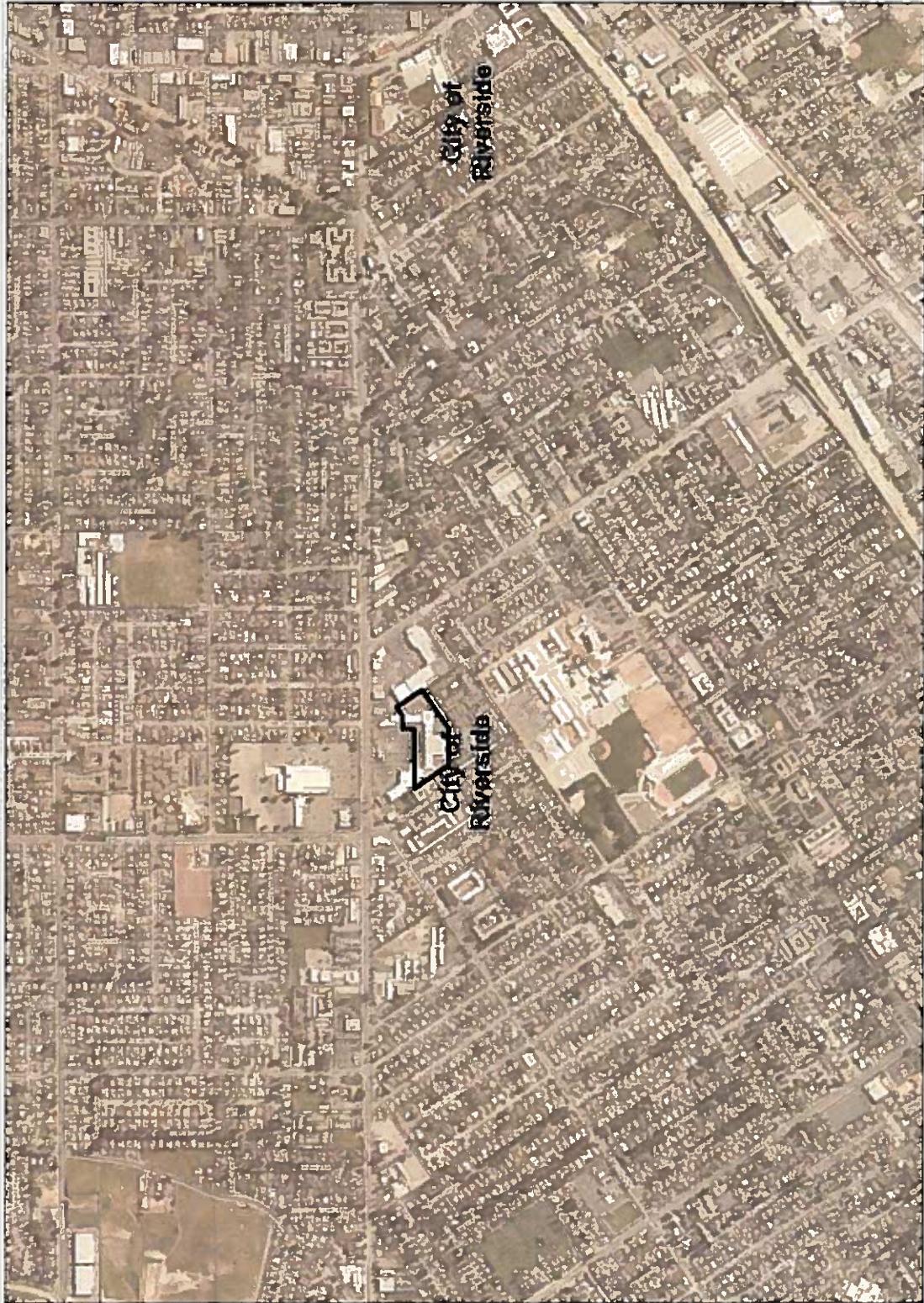


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## My Map



## My Map



## Notes

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Riverside County TLMA GIS

## My Map



### Legend

- Display Parcels
- City Boundaries
- Cities
- roads/anno
- highways
- HWY
- INTERCHANGE
- INTERSTATE
- OFFRAMP
- ONRAMP
- USHWY
- counties
- cities
- hydrographylines
- waterbodies
- Lakes
- Rivers

### Notes

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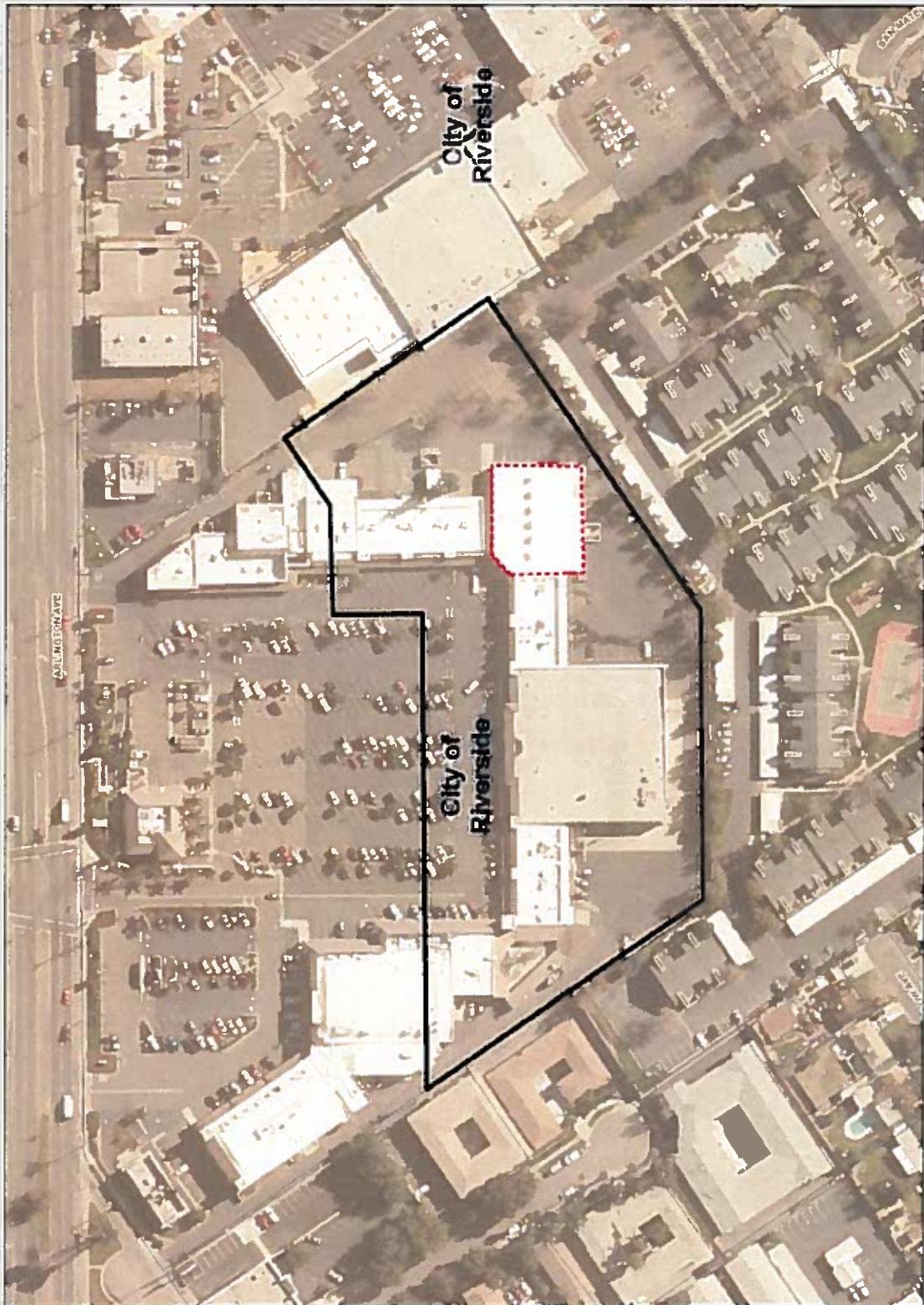
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## My Map



### Legend

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<input type="checkbox"/>	counties
<input type="checkbox"/>	cities
<input type="checkbox"/>	hydrography
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<input type="checkbox"/>	waterbodies
<input type="checkbox"/>	Lakes
<input type="checkbox"/>	Rivers

### Notes

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ATTACHMENT 1



To Whom It May Concern,

Our unique charter concept is a not for profit organization that offers a personalized education program for students who need an independent studies approach in meeting their academic needs. Our program offers the flexibility demanded by students who are seeking an alternative to the traditional school structure. We provide students with a non-traditional setting which includes teachers accredited by the State of California, curriculum mandated by the State of California, appropriate material to accompany curriculum, and a facility referred to as a "Resource Center" which students attend to fulfill their educational responsibilities. Because the Resource Center does not provide classroom instruction for 80% or more of the student's instructional time, it cannot be classified as a school site as per Educational Code 47605. Please note we are chartered through Helendale School District located in Helendale, CA. Our business license allows our use via the municipality and our operations are allowed by the California Department of Education and its respective by-laws. CDE guidelines provided upon request.

The student base is on average at-risk or low income adolescents between the ages of 14-19, of which 80% are expected to use public transportation. All school activities will occur within the enclosed building and no recreation activities or facilities are needed. Therefore, the use of the property will be similar to the activity of an office or light commercial use, and will not compromise the pedestrian retail corridor. Our independent study program is in the best interest of public convenience and necessity because it offers an opportunity for youths who otherwise would not attend a traditional high school due to economic or medical hardship, the opportunity to achieve a general education and diploma recognized by the state of California, while drawing more pedestrians to the area throughout the day.

Our program takes great pride in providing students a Resource Center that has the look and feel of a friendly business office. Students are treated with the same professionalism they notice in the appearance of the facility they attend. It is in the Resource Center that students have a predetermined appointment, every week, with their designated teacher to submit and discuss previous assignment, have assignments evaluated, receive new assignments and participate in assessments. These weekly meetings between teacher and student are designed to last approximately one hour. The assignments themselves (and therefore a large majority of the student's work) are completed at the student's home.

- We design our Resource Centers with a 25 to 1 student/teacher ratio and we have two separate shifts of teachers each day.
- If we were to have a student enrollment of 400 we would then have 16 teachers broken up into two (2) shifts (8 AM – 1 PM and 1 PM – 6 PM) of eight (8) teachers per shift. Each teacher is scheduled to see one student per hour, as explained above.
- 16 teachers, 8 per shift, 8 students per hour (operating 10 hours a day would equal 80 students a day, 400 per week *if* every teacher saw a student every hour).

We also employ a support staff of approximately 3 employees for every 150 students enrolled. At any given time, you could therefore expect to see 8 teachers, 12 students, and 4 support staff inside the Resource Center once our peak projected enrollment is reached.



SCHALL  
ARCHITECTS

October 21, 2013

**HERITAGE PLAZA**  
ALTA VISTA  
5168 ARLINGTON AVENUE  
VERBSIDE, CALIFORNIA 92504

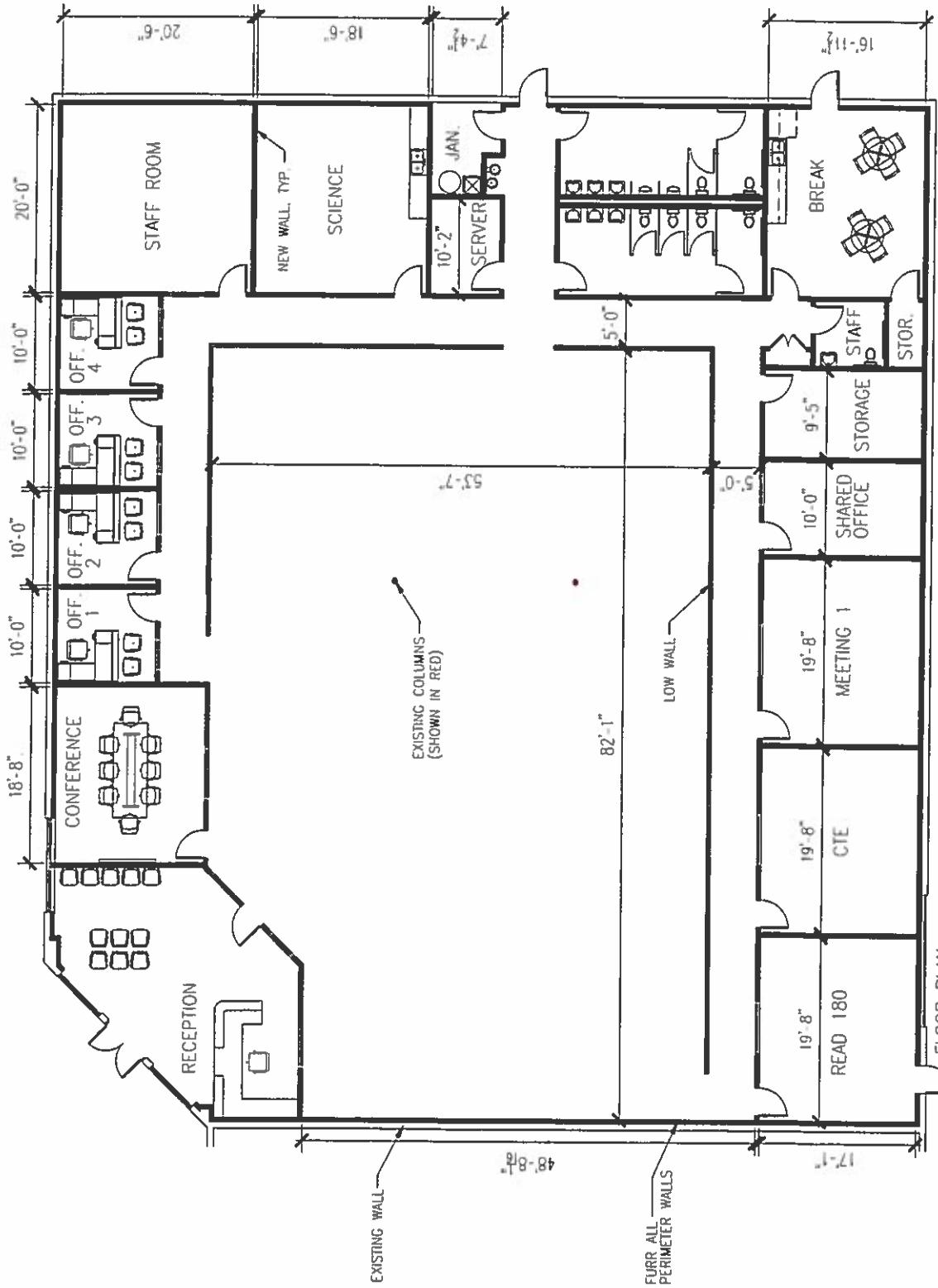
Project No. 2015099  
Sheet No. 1  
SITE PLAN

三

SITE PLAN

ARLINGTON AVENUE

## ATTACHMENT 1



FLOOR PLAN  
10,043 SQ.FT. (USABLE)

PRINT ON 11x17 PAPER  
DRAWING: A  
DATE: 01-03-16  
SCALE: 5/32 = 1'-0"  
2015099

**5188 ARLINGTON AVENUE  
RIVERSIDE, CALIFORNIA**

THIS CONCEPTUAL DESIGN IS BASED UPON A  
PRELIMINARY REVIEW OF EXISTING A  
COMPLETE SITE AND/OR BUILDING INFORMATION.  
IS INTENDED MERELY TO ASSIST IN EVALUATING  
HOW THE PRODUCT MIGHT BE DEVELOPED  
ALL IDEAS, DESIGNS, PLANS & SPECIFICATIONS & OTHER PROJECT DOCUMENTS, INCLUDING ALL DOCUMENTS ON ELECTRONIC MEDIA ARE THE PROPERTY OF TREVON SCHALL, ARCHITECT INC. & MAY NOT BE REPRODUCED OR USED WITHOUT WRITTEN PERMISSION FROM TREVON SCHALL, ARCHITECT INC. © COPYRIGHT TREVON SCHALL, ARCHITECT INC. ALL RIGHTS RESERVED

Rull, Paul

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**From:** Kyle Knowland <kknowland@learn4life.org>  
**Sent:** Friday, April 22, 2016 11:32 AM  
**To:** Rull, Paul  
**Subject:** RE: Alta Vista Public Charter School - Resource Center Application

Total leased square footage = 10,250  
Total square footage after build-out = 10,043

**Classrooms**

Read 180 = 19'8" x 17'1" =	336'
CTE = 19'8" x 17'1" =	336'
Meeting 1 = 19'8" x 17'1" =	336'
Science = 18'6" x 20'0" =	370'
Open Area = 82'1" x 53'7" =	4,398'
Total Area =	5,776'

**Non-Classrooms**

10,043' - 5,776' = 4,267'

I can try to break this down further on Monday when I'm in my office if you need me to.

Please let me know if you have any questions. Thank you.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: "Rull, Paul" <PRull@rctlma.org>  
Date: 4/21/16 8:30 AM (GMT-08:00)  
To: Kyle Knowland <kknowland@learn4life.org>  
Subject: RE: Alta Vista Public Charter School - Resource Center Application

Kyle,

Can you take a look at your floor plan and indicate how much sq.ft. area are designated for classrooms. Can you clarify what the empty non labelled central area of the suite is going to be used for. And then provide me the non classroom areas for the other use categories in the suite such as storage, office etc.

If you have any questions please feel free to contact me.

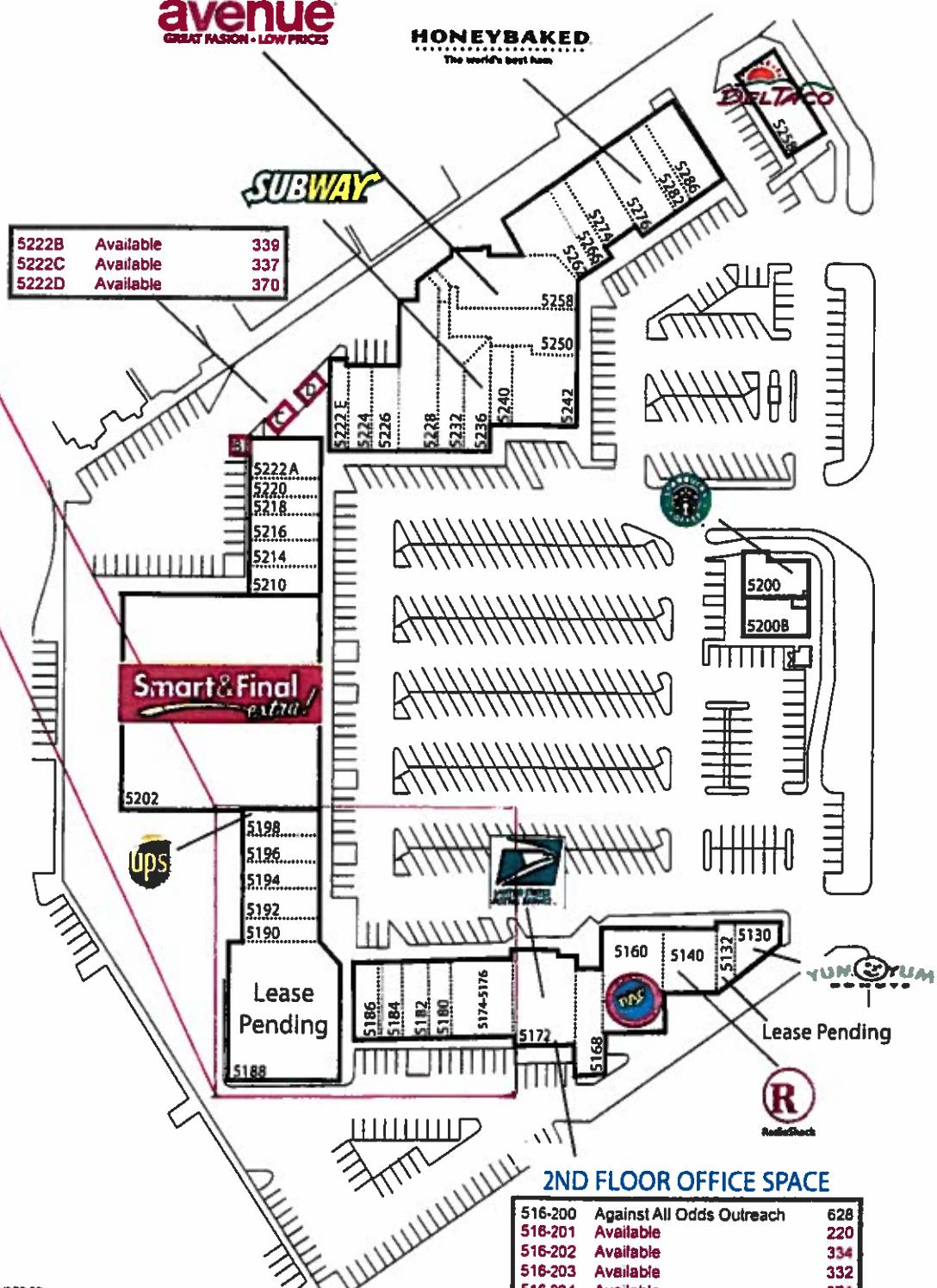
**Paul Rull**  
ALUC Urban Regional Planner IV



5130-5290 ARLINGTON AVENUE,  
RIVERSIDE, CALIFORNIA 92504

## TENANT ROSTER

Unit	Name	Size SF
5130	Yum Yum Donut	1,311
5132	Lease Pending	656
5140	RadioShack	2,240
5160	Rent A Center	4,000
5168	Laundroma	1,865
5172	US Post Office	3,757
5174/76	Available	3,000
5180	Pho Vinam	1,500
5182	LV Nails & Spa	1,200
5184	Plaza Hair Salon	900
5186	Available	1,500
5188	Lease Pending	10,250
5190	Crown Cleaners	1,175
5192	Threading & Waxing	1,200
5194	Advance America	1,200
5196	Dalia's Pizza	1,200
5198	UPS Store	1,500
5200	Starbucks	1,747
5200B	Available	1,737
5202	Smart & Final Extra	28,202
5210	Jackson Hewitt Tax	1,500
5214	Peking Express	1,235
5216	The Water Source	1,184
5218	Barber Shop	840
5220	Smoke Shop	840
5222A	Maly's Beauty Supply	2,311
5222E	Doggle Spa	1,100
5224	Jos. DDS	1,680
5226	Available	1,470
5228	Tokyo Restaurant	4,026
5232	Available	2,880
5236	Subway	1,320
5240	Just Auto Insurance	750
5242	Guaranty Federal	2,500
5250	Faralla's Cucina	3,620
5254	Tobacco Kisok	300
5258	Avenue	4,400
5262	Available	2,227
5266	Available	1,200
5274	Built-Out Restaurant	2,400
5278	HoneyBaked	2,626
5282	Susie's Hair Salon	820
5286	Video Plus	2,521
5290	Del Taco	1,856



For Information, Please Contact  
Darren Bovard (BRE#01362187)  
Jaryd Meenach(BRE#01936557)  
NewMark Merrill Companies  
Tel: 818.710.6100 Fax: 818.710.6116

Landlord makes no representation that any of the above tenants or building configurations will exist now or in the future. Tenants depicted may be proposed and may not actually occupy the proposed buildings. The AIA household and square footages shown are estimates only and not guaranteed.

## 2ND FLOOR OFFICE SPACE

<b>516-200</b>	<b>Against All Odds Outreach</b>	<b>628</b>
<b>516-201</b>	<b>Available</b>	<b>220</b>
<b>516-202</b>	<b>Available</b>	<b>334</b>
<b>516-203</b>	<b>Available</b>	<b>332</b>
<b>516-204</b>	<b>Available</b>	<b>674</b>

# EXHIBIT A - Occupancy Analysis - highlight are uses on the same parcel as project

Address	Tenant	Area	Use	Parking Ratio	Spaces	Occupants	Total	Zone
5130	Yum Yum Donuts	1,311	Restaurant	1/100		14		
5132	Geneva Jewelry and Watch Repair	656	Retail/Service	1/250		3		
5140	Sprint/RadioShack	2,240	Retail/Service	1/250		9		
5160	Rent-A-Center	4,000	Retail/Service	1/250		16		
5164-200	Against All Odds Outreach	628	Office	1/250		3		
5164-201	VACANT	220	N/A	1/250		1		
5164-202	VACANT	334	N/A	1/250		2		
5164-203	VACANT	342	N/A	1/250		2		
5164-204	VACANT	674	N/A	1/250		3		
5168	Quick Wash	1,865	Retail/Service	1/250		8		
5172	United States Postal Service	3,757	Retail/Service	1/250		16		
5174	VACANT	3,000	N/A	1/250	12	50		C
5180	Pho Vinam	1,500	Restaurant	1/100	15	100		C
5182	LV Nails & Spa	1,200	Retail/Service	1/250	5	20		C
5184	Plaza Hair Styling	900	Retail/Service	1/250	4	15		C
5186	VACANT	1,500	N/A	1/250	6	25		C
5188	Proposed Alta Vista Charter School	10,250	Education	.75 staff/stud	28	296		C/D
5190	Crown Cleaners	1,175	Retail/Service	1/250	5	20		D
5192	Threading & Waxing Salon	1,200	Retail/Service	1/250	5	20		D
5194	Advance America	1,200	Retail/Service	1/250	5	20		D
5196	Bella's Pizza	1,200	Restaurant	1/100	12	80		D
5198	UPS Store	1,500	Retail/Service	1/250	6	25	671	D
5200A	Starbucks	1,747	Restaurant	1/100	18			
5200B	VACANT	1,737	N/A	1/250	7			
5202	Smart & Final	28,200	Grocery Store	1/250	113	470		D
5210	Jackson Hewitt	1,500	Retail/Service	1/250	6	25		D
5214	Peking Express	1,235	Restaurant	1/100	13	82		D
5216	The Water Store	1,184	Retail/Service	1/250	5	20		D
5218	Barber Shop	840	Retail/Service	1/250	4	14		D
5220	Arnett's Smoke Shop	840	Retail/Service	1/250	4	14		D
5222A	Maly's Beauty Supply	2,311	Retail/Service	1/250	10	39		D
5222B	VACANT	339	N/A	1/250	2	6		D
5222C	VACANT	377	N/A	1/250	2	6		D
5222D	VACANT	370	N/A	1/250	2	6		D
5222E	Ooh La La Doggie Spa	1,100	Retail/Service	1/250	5	18		D
5224	New Smiles Dental	1,680	Medical/Dental	1/180	10	21		D
5226	VACANT	1,470	N/A	1/250	6	25	746	D
5228	Sushi OK	4,026	Restaurant	1/100	41			
5232	VACANT	2,880	N/A	1/250	12			
5236	Subway	1,320	Restaurant	1/100	14			
5240	Just Auto Insurance	750	Retail/Service	1/250	3			
5242	Guaranty Bank	2,500	Banking/Financ	1/180	14			
5250	Farfalla's Cucina Italiana	3,620	Restaurant	1/100	37			
5254	Chase Bank ATM	900	Banking/Financ	1/180	5			
5258	Avenue	4,400	Retail/Service	1/250	18			
5262	VACANT	2,227	N/A	1/250	9			
5266	VACANT	1,200	N/A	1/250	5			
5274	Alberto's Mexican Food	2,400	Restaurant	1/100	24			
5276	Honeybaked Ham	2,646	Restaurant	1/100	27			
5282	Susie's Beauty Salon	820	Retail/Service	1/250	4			
5286	Video Plus	2,521	Retail/Service	1/250	11			
5290	Del Taco	1,856	Restaurant	1/100	19			
Pkg	Recycling Center	0	Recycling Center		1			

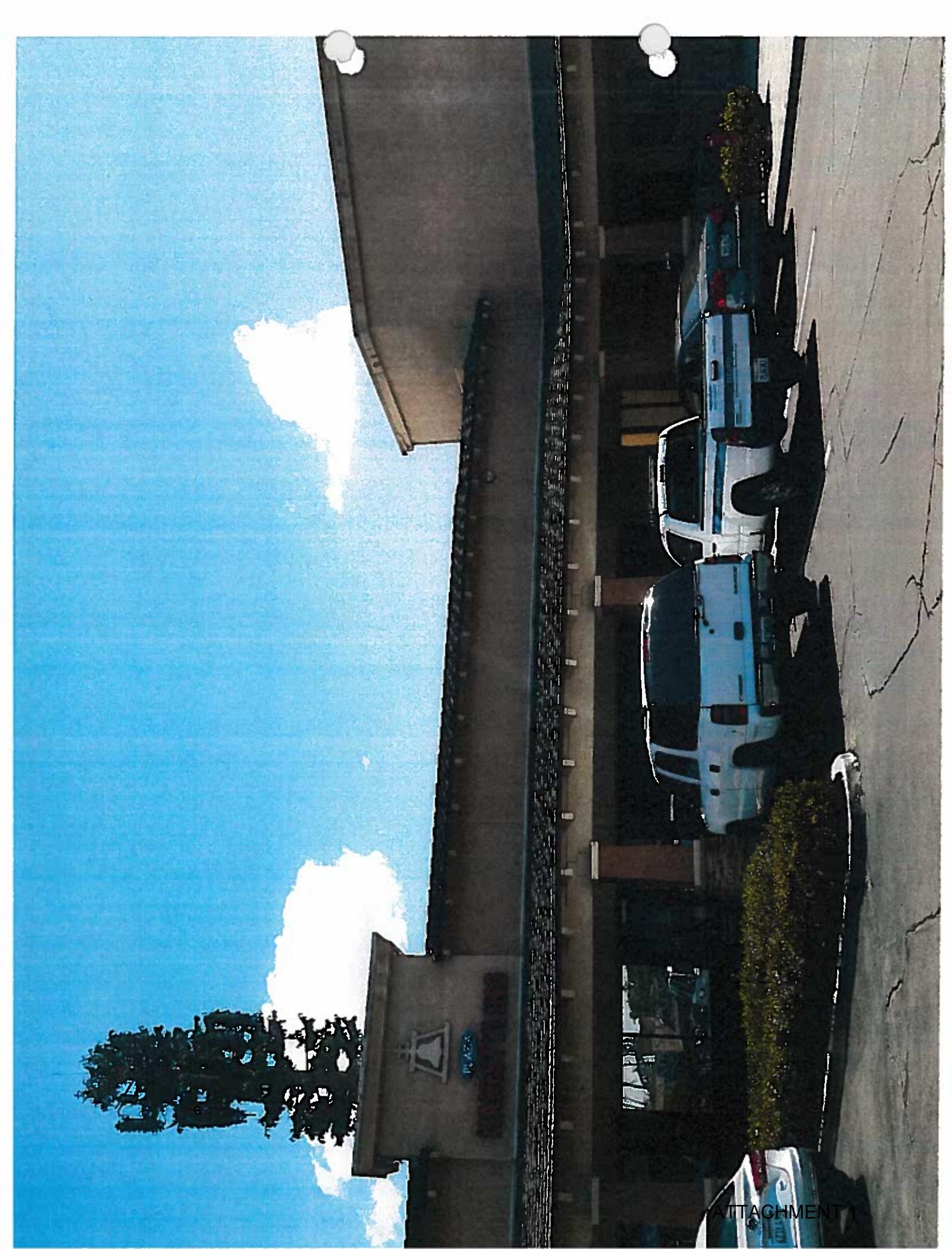
**Total Square Footage:** 119,648

**Total Required** 631  
**Total at Site:\*\*** 536

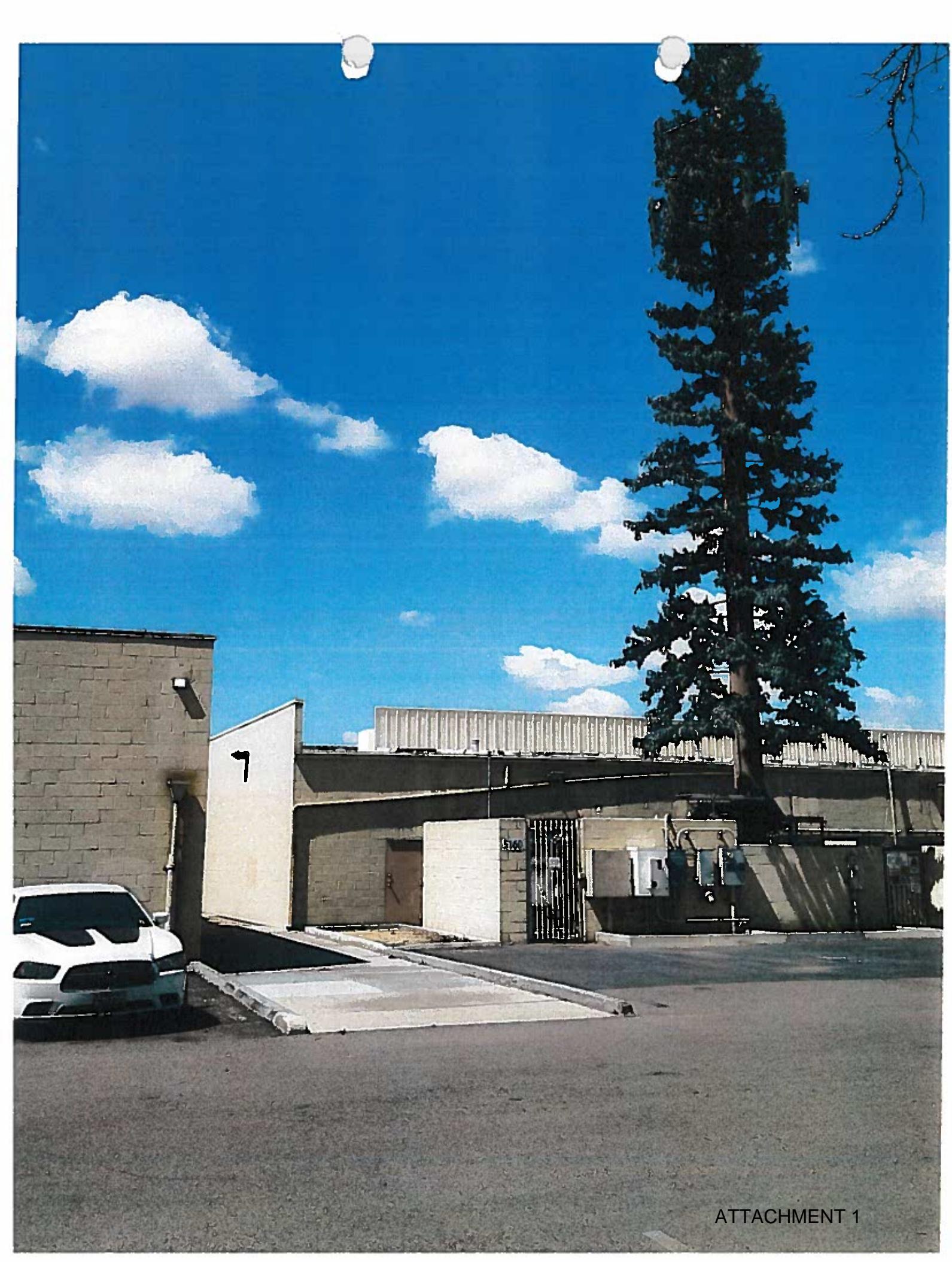
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ATTACHMENT 1



ATTACHMENT 1



ATTACHMENT 1

- (1) The average density represented by all existing lots that lie fully or partially within a distance of 300 feet from the boundary of the parcel to be divided; or
- (2) Double the density permitted in accordance with the criteria for that location as indicated in the Compatibility Criteria matrix, Table 2A.
- (c) For nonresidential development, the average usage intensity (the number of people per gross acre) of the site's proposed use shall not exceed the lesser of:
  - (1) The average intensity of all existing uses that lie fully or partially within a distance of 300 feet from the boundary of the proposed development; or
  - (2) Double the intensity permitted in accordance with the criteria for that location as indicated in the Compatibility Criteria matrix, Table 2A.
- (d) The single-acre and risk-reduction design density and intensity multipliers described in Policies 4.2.5 and 4.2.6 and listed in Table 2A are applicable to infill development.
- (e) Infill development on some parcels should not enable additional parcels to then meet the qualifications for infill. The ALUC's intent is that parcels eligible for infill be determined just once. Thus, in order for the ALUC to consider proposed development under these infill criteria, the entity having land use authority (Riverside County or affected cities) must first identify the qualifying locations in its general plan or other adopted planning document approved by the ALUC. This action may take place in conjunction with the process of amending a general plan for consistency with the ALUC plan or may be submitted by the local agency for consideration by the ALUC at the time of initial adoption of this *Compatibility Plan*. In either case, the burden for demonstrating that a proposed development qualifies as infill rests with the affected land use jurisdiction and/or project proponent.

3.3.2. *Nonconforming Uses:* Existing uses (including a parcel or building) not in conformance with this *Compatibility Plan* may only be expanded as follows:

- (a) Nonconforming residential uses may be expanded in building size provided that the expansion does not result in more dwelling units than currently exist on the parcel (a bedroom could be added, for example, but a separate dwelling unit could not be built). No ALUC review of such improvements is required.
- (b) A nonconforming nonresidential development may be continued, leased, or sold and the facilities may be maintained or altered (including potentially enlarged), provided that the portion of the site devoted to the nonconforming use is not expanded and the usage intensity (the number of people per acre) is not increased above the levels existing at the time of adoption of this *Compatibility Plan*. No ALUC review of such changes is required.
- (c) ALUC review is required for any proposed expansion of a nonconforming use (in terms of the site size or the number of dwelling units or people on the site). Factors to be considered in such reviews include whether the development qualifies as infill (Policy 3.3.1) or warrants approval because of other special conditions (Policy 3.3.6).

## NOTICE OF PUBLIC HEARING

### RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

A PUBLIC HEARING has been scheduled before the Riverside County Airport Land Use Commission (ALUC) to consider the application described below.

Any person may submit written comments to the ALUC before the hearing or may appear and be heard in support of or opposition to the project at the time of hearing. The proposed project application may be viewed at the Riverside County Administrative Center, 4080 Lemon Street, 14<sup>th</sup> Floor, Riverside, California 92501, Monday through Thursday from 8:00 a.m. to 5:00 p.m., and by prescheduled appointment on Fridays, from 9:00 a.m. to 5:00 p.m.

**ATTENTION:** ALUC reviews a proposed plan or project solely to determine whether it is consistent with the applicable Airport Land Use Compatibility Plan. The City of Riverside may hold hearings on this project and should be contacted on non-ALUC issues.

**PLACE OF HEARING:** Riverside County Administration Center  
4080 Lemon St., 1<sup>st</sup> Floor Board Chambers  
Riverside, California

**DATE OF HEARING:** May 12, 2016

**TIME OF HEARING:** 9:00 A.M.

#### CASE DESCRIPTION:

ZAP1076RI16 – Atta Vista Public Charter, Inc. (Representative: Kyle Knowland) – City of Riverside Planning Case No. P16-0161 (Conditional Use Permit). The applicant proposes to utilize a 10,250 square foot suite of an existing building located at 5188 Arlington Avenue in the Heritage Plaza shopping center on the south side of Arlington Avenue, easterly of its intersection with California Avenue/Streeter Avenue and westerly of its intersection with Madison Street, as a resource center for Alta Vista Public Charter School. The center would serve adolescents of high school age (14-19) pursuing an independent study program. Students would come to the resource center once a week for a one-hour individual session with their teachers. The number of persons in the suite at any given time is not expected to exceed the number that would be present if the suite were used as an office or a counseling center. A resource center is identified in California Education Code 47605.1 (c) (1) as a “facility [that] is used exclusively for the educational support of pupils who are enrolled in non classroom-based independent study.” (Airport Compatibility Zones C and D of the Riverside Municipal Airport Influence Area)

**FURTHER INFORMATION:** Contact Paul Rull at (951) 955-6893. The ALUC holds hearings for local discretionary permits within the Airport Influence Areas, reviewing for aeronautical safety, noise and obstructions. All other concerns should be addressed to Ms. Vanessa Norwood of the City of Riverside Planning Division at (951) 826-2393.



227-140-023,024 WPI ARCAL c/o NEWMARK MERRILL CO 5850 CANOGA AVE #650 WOODLAND HILLS CA 91367	226-171-003 ERIC R & CASSANDRA SILVA 6975 CAPISTRANO WAY RIVERSIDE CA 92504	226-171-004 DAVID E & JONEL N QUALLS 6965 CAPISTRANO WAY RIVERSIDE CA 92504
226-171-023 JAMES MARTIN & KATHERINE MARIE SLEPSKI 5171 ARLINGTON AVE RIVERSIDE CA 92504	226-173-013,017 H CHANNING WILLIAMS 4787 BEVERLY CT RIVERSIDE CA 92506	226-173-014 JAMES R JOHNSON 6925 PALOMAR WAY RIVERSIDE CA 92504
226-173-015 PALMER RUSSELL O ESTATE OF 30 LONG HILL RD LONG VALLEY NJ 7853	226-173-016 HELEN O KNAUER 8888 DUFFERIN AVE RIVERSIDE CA 92504	226-173-018 MAGDA C PARRA 5131 ARLINGTON AVE RIVERSIDE CA 92504
226-173-019 LEONEL & AIDA MEDINA 830 S QUIGLEY LN SANTA ANA CA 92704	226-173-020 ALFREDO TORCHIA 5111 ARLINGTON AVE RIVERSIDE CA 92504	226-180-015,016 SERITAGE SRC FINANCE 3333 BEVERLY RD HOFFMAN ESTATES IL 60179
227-100-036 ROBERT & CARLOS P MAY 8521 NORWALK BLV NO C WHITTIER CA 90606	227-140-001 TRIPLE PLAY BUILDING PARTNERS 12980 FREDERICK STE NO I MORENO VALLEY CA 92553	227-140-002 AMIT M & NOGA PELES 1701 PATRICIA PL CORONA CA 92880
227-140-003,004 MELROSE RIVERSIDE APARTMENTS 151 KALMUS DR #M4 COSTA MESA CA 92626	227-140-005,027 ROBERT F & IDA A SEWELL 6726 DOOLITTLE AVE RIVERSIDE CA 92503	227-140-006 JACQUELINE & WILLIAM DIETERLE 3763 ARLINGTON AVE #202 RIVERSIDE CA 92506
227-140-014 JACK IN THE BOX DEV CORP 9330 BALBOA AVE SAN DIEGO CA 92123	227-140-025 FRED J & CHERYL J JARAMILLO 7123 ARLINGTON AVENO D RIVERSIDE CA 92503	227-171-020 UMBERTO J & MARIE SUFFI 9321 BIGBY ST DOWNEY CA 90241
227-171-021 RAYMOND B & PEGGY SUE FISHER 7715 WILLOW AVE RIVERSIDE CA 92504	227-171-022 JANE MARGARET BEAMER 7705 WILLOW AVE RIVERSIDE CA 92504	227-173-025 RHONDA CASTLEMAN 4051 MELROSE ST RIVERSIDE CA 92504
227-173-026 SHARON DUBOIS 4059 MELROSE ST RIVERSIDE CA 92504	227-173-027 FRANCISCO BRAVO & ALBITA BRAVO DERUEDA 4069 MELROSE ST RIVERSIDE CA 92504	227-180-014 M DAVID YODER 33102 JAN CIR MENIFEE CA 92584
227-180-025 FAOF ARTESSA 4685 MACARTHUR CT #400 NEWPORT BEACH CA 92660	227-180-028 ARLINGTON SQUARE 5850 CANOGA AVE #650 WOODLAND HILLS CA 91367	227-180-030 FRESH & EASY NEIGHBORHOOD MARKET INC 444 S FLOWER ST LOS ANGELES CA 90071

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ATTACHMENT 1  
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CITY OF RIVERSIDE PLANNING DEPT  
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RIVERSIDE, CA 92522

VANESSA NORWOOD  
CITY OF RIVERSIDE PLANNING DEPT  
3900 MAIN ST#3<sup>RD</sup> FLOOR  
RIVERSIDE, CA 92522

VANESSA NORWOOD  
CITY OF RIVERSIDE PLANNING DEP  
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RIVERSIDE, CA 92522

VANESSA NORWOOD  
CITY OF RIVERSIDE PLANNING DEPT  
3900 MAIN ST#3<sup>RD</sup> FLOOR  
RIVERSIDE, CA 92522

WPI ARCAL C/O NEWMARK MERRILL  
CO  
5850 CANOGA AVE #650  
WOODLAND HILLS CA 91367

WPI ARCAL C/O NEWMARK MERRILL  
CO  
5850 CANOGA AVE #650  
WOODLAND HILLS CA 91367

WPI ARCAL C/O NEWMARK MERRIL  
CO  
5850 CANOGA AVE #650  
WOODLAND HILLS CA 91367

WPI ARCAL C/O NEWMARK MERRILL  
CO  
5850 CANOGA AVE #650  
WOODLAND HILLS CA 91367

KYLE KNOWLAND  
ALTA VISTA PUBLIC CHARTER  
42455 10<sup>TH</sup> ST W, #105  
LANCASTER CA 93534

KYLE KNOWLAND  
ALTA VISTA PUBLIC CHARTER  
42455 10<sup>TH</sup> ST W, #105  
LANCASTER CA 93534

KYLE KNOWLAND  
ALTA VISTA PUBLIC CHARTER  
42455 10<sup>TH</sup> ST W, #105  
LANCASTER CA 93534

KYLE KNOWLAND  
ALTA VISTA PUBLIC CHARTER  
42455 10<sup>TH</sup> ST W, #105  
LANCASTER CA 93534

**APPLICATION FOR MAJOR LAND USE ACTION REVIEW**  
**RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION**

ALUC Identification No.

ZAP 1076 RI16

**PROJECT PROPOSANT (TO BE COMPLETED BY APPLICANT)**

Date of Application	<u>March 28th, 2016</u>	Phone Number	<u>(818) 710-6100</u>
Property Owner	<u>WPI-Arcal, LLC c/o NewMark Merrill Companies</u>	Phone Number	<u>(818) 710-6100</u>
Mailing Address	<u>5850 Canoga Ave, Suite 650</u> <u>Woodland Hills, CA 91367</u>		
Agent (if any)	<u>Kyle Knowland</u>	Phone Number	<u>(661) 618-0237</u>
Mailing Address	<u>42455 10th Street West, Suite 105</u> <u>Lancaster, CA 93534</u>		

**PROJECT LOCATION (TO BE COMPLETED BY APPLICANT)**

*Attach an accurately scaled map showing the relationship of the project site to the airport boundary and runways*

Street Address	<u>5188 Arlington Ave</u> <u>Riverside, CA 92504</u>	<u>S. o ALCE - 5176</u>	
Assessor's Parcel No.	<u>227-140-024</u>	Parcel Size	<u>10.81 acres - shopping</u>
Subdivision Name	<u>None</u>	Zoning	<u>CG - Commercial</u>
Lot Number	<u>Parcel 2</u>	Classification	<u>General</u>

**PROJECT DESCRIPTION (TO BE COMPLETED BY APPLICANT)**

*If applicable, attach a detailed site plan showing ground elevations, the location of structures, open spaces and water bodies, and the heights of structures and trees; include additional project description data as needed*

Existing Land Use (describe)	<u>Commercial retail strip mall</u>		
Proposed Land Use (describe)	<u>A resource center for a charter school (Alta Vista Public Charter) would utilize 10,250 sq ft of the existing buildings to operate an independent study program for high school students who would come in once per week to meet with their teacher, turn in completed work, and test on completed work. Tutoring would be available if needed as well.</u>		
For Residential Uses	<u>Number of Parcels or Units on Site (exclude secondary units)</u> <u>N/A</u>		
For Other Land Uses (See Appendix C)	<u>Hours of Use</u>	<u>8:00am to 6:00pm on Monday through Friday</u>	
	<u>Number of People on Site</u>	<u>Maximum Number</u>	<u>30</u>
	<u>Method of Calculation</u>	<u>Staff: 12, Students: 12, General public: 6</u>	
Height Data	<u>Height above Ground or Tallest Object (including antennas and trees)</u> <u>65 ft.</u>		
	<u>Highest Elevation (above sea level) of Any Object or Terrain on Site</u> <u>859 ft.</u>		
Flight Hazards	<u>Does the project involve any characteristics which could create electrical interference, confusing lights, glare, smoke, or other electrical or visual hazards to aircraft flight?</u> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
	<u>If yes, describe</u>		

**REFERRING AGENCY (APPLICANT OR JURISDICTION TO COMPLETE)**

Date Received	March 28th, 2016	Type of Project
Agency Name	Planning Department, City of Riverside	<input type="checkbox"/> General Plan Amendment
Staff Contact	Vanessa Norwood, Contract Senior Planner	<input type="checkbox"/> Zoning Amendment or Variance
Phone Number	(951) 826-2393 Office, (951) 826-5981 Fax	<input type="checkbox"/> Subdivision Approval
Agency's Project No.	CUP # P16-0161	<input checked="" type="checkbox"/> Use Permit
		<input type="checkbox"/> Public Facility
		<input type="checkbox"/> Other

**A.** **NOTICE:** Failure of an applicant to submit complete or adequate information pursuant to Sections 65940 to 65948 inclusive, of the California Government Code, MAY constitute grounds for disapproval of actions, regulations, or permits.

**B. SUBMISSION PACKAGE:**

**ALUC REVIEW**

- 1..... Completed Application Form
- 1..... Project Site Plan – Folded (8-1/2 x 14 max.)
- 1..... Elevations of Buildings - Folded
- 1 Each . 8 1/2 x 11 reduced copy of the above
- 1..... 8 1/2 x 11 reduced copy showing project in relationship to airport.
- 1 Set Floor plans for non-residential projects
- 4 Sets. . Gummed address labels of the Owner and representative (See Proponent).
- 1 Set. . Gummed address labels of all property owners within a 300' radius of the project site. If more than 100 property owners are involved, please provide pre-stamped envelopes (size #10), with ALUC return address.
- 4 Sets. . Gummed address labels of the referring agency (City or County).
- 1..... Check for Fee (See Item "C" below)

**STAFF REVIEW (Consult with ALUC staff planner as to whether project qualifies)**

- 1..... Completed Application Form
- 1..... Project Site Plans – Folded (8-1/2 x 14 max.)
- 1..... Elevations of Buildings - Folded
- 1..... 8 1/2 x 11 Vicinity Map
- 1 Set . Gummed address labels of the Owner and representative (See Proponent).
- 1 Set . Gummed address labels of the referring agency.
- 1..... Check for review—See Below