

**AIRPORT LAND USE COMMISSION  
MINUTES  
THURSDAY, JULY 7, 2011  
SAN DIEGO INTERNATIONAL AIRPORT  
BOARD ROOM**

**CALL TO ORDER:** Chair Gleason called the meeting of the Airport Land Use Commission to order at 9:10 a.m. on Thursday, July 7, 2011 in the Board Room at the San Diego International Airport, Commuter Terminal, 3225 North Harbor Drive, San Diego, CA 92101.

**ROLL CALL:**

PRESENT: Commissioners: Berman (Ex-Officio), Boland, Cox, Desmond, Gleason, Hubbs, Panknin, Richie (Ex-Officio), Robinson, Smisek

ABSENT: Commissioners: Reyes (Ex-Officio), Young

ALSO PRESENT: Thella F. Bowens, President/CEO; Breton K. Lobner, General Counsel; Tony R. Russell, Director, Corporate Services/Authority Clerk, Lisa Wolfson, Assistant Authority Clerk II

**NON-AGENDA PUBLIC COMMENT:**

**CONSENT AGENDA (Items 1-4):**

Thella F. Bowens, President/CEO, requested that Item 4 be pulled from the agenda.

**ACTION: Moved by Commissioner Cox and seconded by Commissioner Smisek to approve the Consent Agenda as amended. Motion carried by the following vote: YES – Boland, Cox, Desmond, Gleason, Hubbs, Panknin, Robinson, Smisek; NO – None; ABSENT –Young. (Weighted Vote Points: YES – 87; NO – 0; ABSENT – 13)**

1. **APPROVAL OF MINUTES:**  
RECOMMENDATION: Approve the minutes of the June 2, 2011 regular meeting.

***CONSISTENCY DETERMINATIONS***

2. **CONSISTENCY DETERMINATION – REPORT OF LAND USE ACTIONS DETERMINED TO BE CONSISTENT WITH AIRPORT LAND USE COMPATIBILITY PLANS:**  
RECOMMENDATION: Receive the report.

3. **CONSISTENCY DETERMINATION – MARINE CORPS AIR STATION MIRAMAR AIRPORT LAND USE COMPATIBILITY PLAN – CONSTRUCTION OF RESEARCH & DEVELOPMENT BUILDING AT 11099 NORTH TORREY PINES ROAD, CITY OF SAN DIEGO:**  
RECOMMENDATION: Adopt Resolution No. 2011-0010 ALUC, making the determination that the project is conditionally consistent with the Marine Corps Air Station Miramar Airport Land Use Compatibility Plan.
  
4. **CONSISTENCY DETERMINATION – BROWN FIELD MUNICIPAL AIRPORT, GILLESPIE FIELD, MARINE CORPS AIR STATION MIRAMAR, AND MONTGOMERY FIELD AIRPORT LAND USE COMPATIBILITY PLANS – ADOPTION OF LAND DEVELOPMENT CODE AND COMMUNITY PLAN AMENDMENTS, ZONE RE-CLASSIFICATION, AND INFILL IDENTIFICATION MAP TO IMPLEMENT AIRPORT LAND USE COMPATIBILITY PLANS, CITY OF SAN DIEGO:**  
ACTION: This item was pulled from the agenda.

**PUBLIC HEARINGS:**

**NEW BUSINESS:**

5. **CONSISTENCY DETERMINATION – MARINE CORPS AIR STATION MIRAMAR AIRPORT LAND USE COMPATIBILITY PLAN – CONSTRUCTION OF RESTAURANT AT 9210 SCRANTON ROAD, CITY OF SAN DIEGO:**  
Keith Wilschetz, Director, Airport Planning, provided a presentation, which included Project Location Noise Contours and Safety Zones, ALUCP Safety Zone Compatibility Matrix, and findings for a Recommendation of Not Consistent.

EVAN MALCOLM, SAN DIEGO, Applicant, requested that the Commission find the project consistent.

HEATHER RILEY, SAN DIEGO, Applicant, requested that the Commission find the project consistent, and stated that the restaurant is a practical use in this area.

SEAN TABOR, SAN DIEGO, Applicant, provided an overview of the project.

JOHN LY, SAN DIEGO, read a letter from San Diego Councilmember Carl DeMaio expressing opposition to the not consistent finding.

In response to Commissioner Cox in regards to the Military's position on this project, Juan Lias, MCAS Miramar, stated that the Marine Corps has

determined restaurants are not acceptable uses in this area, and the developer is welcome to request administrative relief from the Marine Corps for a determination of that issue. He added that restaurant uses were deemed incompatible uses under the previous and the current Airport Compatible Land Use Plans (CLUP).

Breton Lobner, General Counsel, clarified that restaurant uses are not consistent with safety compatibility recommendations for land uses in Accident Potential Zone I or II as outlined in the CLUPs from 1990 and 1992. He added that when the ALUC adopted the 2008 Airport Land Use Compatibility Plan (ALUCP), the same restrictions applied.

In response to Commissioner Robinson regarding whether the Authority has the discretion to find this project consistent, Mr. Lobner stated that the ALUC does not have discretion to ignore its plan; however, the City of San Diego, as the land use jurisdiction agency, can override the Commission's consistency determination.

**RECOMMENDATION:** Adopt Resolution No. 2011-0012 ALUC, making the determination that the project is not consistent with the Marine Corps Air Station Miramar Airport Land Use Compatibility Plan.

**ACTION:** Moved by Commissioner Panknin and seconded by Commissioner Robinson to accept staff's recommendation. Motion carried by the following vote: YES – Boland, Cox, Desmond, Gleason, Hubbs, Panknin, Robinson, Smisek; NO – None; ABSENT –Young. (Weighted Vote Points: YES – 87; NO – 0; ABSENT – 13)

**6. PRESENTATION AND REQUEST FOR POLICY DIRECTION ON NOISE FACTOR – SAN DIEGO INTERNATIONAL AIRPORT - AIRPORT LAND USE COMPATIBILITY PLAN:**

Angela Jamison, Manager, Airport Planning, provided a presentation, which included Compatibility Factors, Noise Compatibility Purpose, Steering Committee Meeting, Coordination Efforts, Background and Guidance, SDIA Noise Contour Maps, SDIA Noise Contours Inventory, Community Noise Equivalent Level (CNEL) Noise Metric, Noise Policy – Current ALUCP, Noise Contours – Current ALUCP and Updated ALUCP, 2030 Noise Exposure, Considerations, 2030 Noise Exposure and Existing Land Use – West and East, Draft Noise Matrix (Table 3), and Draft Noise Compatibility Policies.

In response to Commissioner Panknin, Mark Johnson, Project Manager, Ricondo & Associates, stated that the 2030 noise contours do reflect the phasing out of MD-80s.

Commissioner Panknin suggested that full disclosure be given with regard to current versus projected noise levels, and that noise levels will go down over time.

Chair Gleason stressed the importance that the public understand the difference between the 5-year and 20-year noise contours.

Commissioner Desmond expressed concern that a future use may be incompatible when it is surrounded by the same use.


**RECOMMENDATION:** Receive the report and provide policy guidance on the noise compatibility factor.

**ACTION:** Moved by Commissioner Panknin and seconded by Commissioner Desmond to accept staff's recommended policy direction on noise factor as outlined within the staff report. Motion carried by the following vote: YES – Boland, Cox, Desmond, Gleason, Hubbs, Panknin, Robinson, Smisek; NO – None; ABSENT –Young. (Weighted Vote Points: YES – 87; NO – 0; ABSENT – 13)

**COMMISSION COMMENT:**

**ADJOURNMENT:** The meeting was adjourned at 10:10 a.m.

APPROVED BY A MOTION OF THE AIRPORT LAND USE COMMISSION THIS 4TH DAY OF AUGUST, 2011.

  
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TONY R. RUSSELL  
DIRECTOR, CORPORATE SERVICES/  
AUTHORITY CLERK

APPROVED AS TO FORM:

  
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BRETON K. LOBNER  
GENERAL COUNSEL