

**AIRPORT LAND USE COMMISSION
MINUTES
THURSDAY, APRIL 3, 2008
BOARD ROOM**

CALL TO ORDER

Chairperson Bersin called the regular meeting of the Airport Land Use Commission to order at 9:00 a.m., Thursday, April 3, 2008, at the San Diego International Airport, Commuter Terminal, 3225 N. Harbor Drive, San Diego, CA 92101.

PLEDGE OF ALLEGIANCE Board Member O'Connor led the pledge of allegiance.

PRESENT: Board Members: Bersin, Boland, Desmond, Finnila, Miller, O'Conner (Ex-Officio), Orso-Delgado (Ex-Officio), Panknin, Watkins, Young, Zettel

ABSENT: Board Members: Sheehan (Ex-Officio)

ALSO PRESENT: Thella F. Bowens, President/CEO; Breton K. Lobner, General Counsel; Tony R. Russell, Director, Corporate Service/Authority Clerk; Maritza C. Steele, Assistant Authority Clerk II.

Board Member Orso-Delgado arrived during the course of the meeting.

BOARD BUSINESS:

A. ADMINISTER OATH OR AFFIRMATION AND INSTALLATION OF BOARD MEMBER

Chairperson Bersin administered the Oath of Office to Ex-Officio Board Member Col. Christopher E. O'Connor.

PUBLIC COMMENT:

JARVIS ROSS, SAN DIEGO, spoke regarding the EIR for the proposed airport expansion at Lindbergh Field, and regarding development in the Runway Protection Zone (RPZ) at Liberty Station.

CONSENT AGENDA:

ACTION: Moved by Board Member Watkins and seconded by Board Member Zettel to approve the minutes of the March 6, 2008 meeting. Motion carried unanimously by the following vote: YES – Bersin, Boland, Desmond, Finnila, Miller, Panknin, Watkins, Young, Zettel; NO – None; ABSENT – None. (WEIGHTED VOTE POINTS: YES=100, NO=0, ABSTAIN=0)

ACTION: Moved by Board Member Desmond and seconded by Board Member Finnila to approve Items 2 and 3 on the Consent Agenda. Motion carried unanimously by the following vote: YES – Bersin, Boland, Desmond, Finnila, Miller, Panknin, Watkins, Young, Zettel; NO – None; ABSENT – None. (WEIGHTED VOTE POINTS: YES=100, NO=0, ABSTAIN=0)

1. APPROVAL OF MINUTES:

RECOMMENDATION: Approve the minutes of the March 6, 2008 meeting.

2. CONSISTENCY DETERMINATION – SAN DIEGO INTERNATIONAL AIRPORT – AIRPORT LAND USE COMPATIBILITY PLAN – CONSTRUCTION OF EIGHT NEW RESIDENTIAL UNITS, 806 27TH STREET, CITY OF SAN DIEGO:

RECOMMENDATION: Staff recommends that the Board, acting in its capacity as the Airport Land Use Commission for the County of San Diego, adopt Resolution No. 2008-0013 ALUC, making a determination that the proposed project: Construction of Eight New Residential Units, 806 27th Street, City of San Diego, is **consistent** with the adopted San Diego International Airport, Airport Land Use Compatibility Plan.

3. CONSISTENCY DETERMINATION – SAN DIEGO INTERNATIONAL AIRPORT – AIRPORT LAND USE COMPATIBILITY PLAN – CONSTRUCTION OF A NEW GUEST QUARTERS ON PROPERTY WITH AN EXISTING RESIDENTIAL UNIT, 4255 DEL MONTE AVENUE, CITY OF SAN DIEGO:

RECOMMENDATION: Staff recommends that the Board, acting in its capacity as the Airport Land Use Commission for the County of San Diego, adopt Resolution No. 2008-0014 ALUC, making a determination that the proposed project: Construction of a New Guest Quarters on Property with an Existing Residential Unit, 4255 Del Monte Avenue, City of San Diego, is conditionally consistent with the adopted San Diego International Airport, Airport Land Use Compatibility Plan.

PUBLIC HEARINGS: None

OLD BUSINESS:

4. STATUS UPDATE ON THE PREPARATION OF AIRPORT LAND USE COMPATIBILITY PLANS FOR BROWN FIELD, GILLESPIE FIELD, MCCLELLAN-PALOMAR AIRPORT, MONTGOMERY FIELD, OCEANSIDE MUNICIPAL AIRPORT, FOUR MILITARY AIRPORTS, AND SAN DIEGO INTERNATIONAL AIRPORT (SDIA), INCLUDING A REPORT ON LIBERTY STATION REDEVELOPMENT PROJECTS WITHIN THE RUNWAY PROTECTION ZONE OF SDIA:

Sandi Sawa, Interim Manager, Airport Planning, provided a presentation on the status update of the Airport Land Use Compatibility Plans. She stated that the sub-committee for urban airports discussed the infill policy language and criteria for assessing infill development. She also provided information regarding staff's community outreach regarding the plans, the environmental analysis, and the estimated timeline to adopt the plans.

Ms. Sawa also presented a table to demonstrate previous uses of buildings at Liberty Station which included identifying buildings in the RPZ, square footage, when the buildings were built, revised square footage, proposed use, and when the plan was considered by the Commission.

RECOMMENDATION: Receive the report.

ACTION: No Action Taken.

NEW BUSINESS:

8. STATUS UPDATE OF MCAS MIRAMAR AND MCAS CAMP PENDLETON AIRPORT LAND USE COMPATIBILITY PLANS (ALUCPS):

Sandi Sawa, Interim Manager, Airport Planning, provided a presentation regarding the role of the Commission, the compatibility process, compatibility factors, and implementation issues of the plan. She stated that the goal of the plan is to protect the safety and welfare of the public, minimize exposure to noise within airport areas, and protect airports from encroachment by incompatible land uses that would restrict airport operations.

Board Member Desmond requested information regarding the difference between the noise contours over time for all airports to determine if the level of noise is increasing. He stated that noise is one of the biggest problems for people living in the surrounding areas of airports in the county.

RECOMMENDATION: Receive the report.

ACTION: No Action Taken.

9. DISCUSSION OF A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE LOCAL LAND USE JURISDICTIONS IN THE COUNTY OF SAN DIEGO REGARDING EXISTING USE PROJECTS:

Breton Lobner, General Counsel, stated that the MOU is a re-draft of the document that was intended for the City of San Diego when staff determined that they were not receiving all projects for consistency determinations. He stated that the MOU was changed to address the issue of existing use. He stated that Public Utilities Code Section 21674 states that the ALUC does not have jurisdiction over incompatible existing use. He stated that the draft was sent to the Mayor's office and to the City of San Diego. He stated that communication was received from the Mayor's office that a determination is being made on whether the MOU is necessary or not.

Chairperson Bersin urged the Board to direct staff to come to an agreement with the City of San Diego and all jurisdictions regarding existing use.

Board Member Young expressed concern regarding the impact the MOU would have on current projects before the MOU is signed, and questioned if these projects should be deferred until clarification is made.

Angela Shafer-Payne, Vice President, stated that the MOU was developed to clarify existing use and expedite any future projects for SDIA and other jurisdictions. She stated that there would be no gain to deferring the consistency determinations on this agenda.

In response to Board Member Young regarding whether the MOU would change the current process with the City of San Diego, Ms. Shafer- Payne stated that the MOU attempts to clarify what the modifications are for an existing land use that would not require a consistency determination. She stated that the jurisdictional staff would be able to make the determination, however, it does not take away their responsibility to notify the ALUC. She stated that if the ALUC noticed a change from the prior use, the matter would be placed on the agenda for consideration by the ALUC. She stated that the MOU specifies the types of determinations that would not be presented to the ALUC.

Board Member Zettel expressed concern regarding the safety of people in the RPZ. She questioned if there is a mechanism in place to notify the Authority regarding the sale of property within an RPZ within the County of San Diego to allow the Authority an opportunity to acquire the property.

Ms. Shafer-Payne stated that the acquisition of property within the RPZ would be a matter for all jurisdictions, and staff has not had that discussion.

Chairperson Bersin stated that cases involving property in the RPZ should be presented to the ALUC for consideration.

Mr. Lobner stated that the MOU includes a provision to present all property within the RPZ to the ALUC.

In response to Board Member Miller regarding existing uses not being acceptable today, Ms. Shafer-Payne stated that she does not believe that there are any existing uses before the ALUC today that would be considered as an illegal use. She stated that guidance is provided regarding acceptable uses within the RPZ and there is a broad listing of what is allowed within the noise contours or outside the RPZ.

Board Member Finnilla stated that it would be useful for staff to consider parking lots in MOAs and MOUs because of their impact to existing or future use.

Ms. Shafer-Payne stated that staff will be including parking in the matrixes for all of the new Airport Land Use Compatibility Plans.

RECOMMENDATION: Provide direction to staff.

ACTION: No Action Taken.

5. CONSISTENCY DETERMINATION – SAN DIEGO INTERNATIONAL AIRPORT – AIRPORT LAND USE COMPATIBILITY PLAN – LIBERTY STATION BUILDINGS 34 & 179, DEVELOPMENT OF A LIGHT INDUSTRIAL USE IN EXISTING BUILDINGS, 2837 HISTORIC DECATUR ROAD, CITY OF SAN DIEGO:

Sandi Sawa, Interim Manager, Airport Planning, provided a presentation on the staff report.

ALLEN HANIEY, ESCONDIDO, spoke in support of staff's recommendation. He stated that they are comfortable with the conditions recommended by staff.

ROBERT SPRIGGS, LA MESA, provided an overview of the project.

Board Member Panknin expressed concern regarding properties located in the RPZ and the safety of people in the area. He stated that safety should trump all other issues. He stated that he is uncertain whether the Authority's current RPZ was in accordance with the current FAA guidelines.

Ms. Shafer-Payne stated that the Authority's RPZ is consistent with the FAA's guidelines. She stated that airports have the ability to modify the size and location of those RPZs with approval from the FAA.

Board Member Finnila stated that airports should have flexibility with RPZs to ensure ground safety. She stated that staff is working through existing land use issues with the City of San Diego and sees no need to move forward until the Authority has signed an MOA with the City.

Thella F. Bowens, President/CEO, stated that staff is governed by federal and state law and does not look for loopholes to extend courtesies beyond what the law requires. She stated that staff looks for ways to protect the people and the airport, and at the same time, operate within the parameters of the law. She stated that the Authority is required to respond to projects within 60 days from the time they are submitted.

In response to Board Member Zettel regarding whether projects are in conformance with the requirements of state law and the FAA, Breton Lobner, General Counsel, stated yes.

RECOMMENDATION: Staff recommends that the Board, acting in its capacity as the Airport Land Use Commission for the County of San Diego, adopt Resolution No. 2008-0015 ALUC, making a determination that the proposed project: Liberty Station Buildings 34 & 179, Development of a Light Industrial Use in Existing Buildings, 2837 Historic Decatur Road, City of San Diego, is conditionally consistent with the adopted San Diego International Airport, Airport Land Use Compatibility Plan.

ACTION: Moved by Board Member Desmond and seconded by Board Member Zettel to approve staff's recommendation. Motion carried by the following vote: YES – Bersin, Boland, Desmond, Miller, Watkins, Young, Zettel; NO – Finnila, Panknin; ABSENT – None. (WEIGHTED VOTE POINTS: YES=79, NO=21, ABSTAIN=0)

6. CONSISTENCY DETERMINATION – SAN DIEGO INTERNATIONAL AIRPORT – AIRPORT LAND USE COMPATIBILITY PLAN – LIBERTY STATION BUILDINGS 1 AND 193, DEVELOPMENT OF NEW RETAIL, RESTAURANT AND OFFICE USES WITHIN TWO EXISTING BUILDINGS, 2816 HISTORIC DECATUR ROAD AND 2750 DEWEY ROAD, CITY OF SAN DIEGO:

Sandi Sawa, Interim Manager, Airport Planning, provided an overview of the staff report.

Board Member Finnila questioned the location of the parking lot for Building 193.

ALLAN HAYNIE, SAN DIEGO, stated that the parking lot for this project is the dirt lot behind the building.

RECOMMENDATION: Staff recommends that the Board, acting in its capacity as the Airport Land Use Commission for the County of San Diego, adopt Resolution No. 2008-0016 ALUC, making a determination that the proposed project: Liberty Station Buildings 1 and 193, Development of New Retail, Restaurant and Office Uses within Two Existing Buildings, 2816 Historic Decatur Road and 2750 Dewey Road, City of San Diego, is consistent with the adopted San Diego International Airport, Airport Land Use Compatibility Plan.

ACTION: Moved by Board Member Watkins and seconded by Board Member Zettel to approve staff's recommendation. Motion carried by the following vote: YES – Bersin, Boland, Desmond, Miller, Watkins, Young, Zettel; NO – Finnila, Panknin; ABSENT – None. (WEIGHTED VOTE POINTS: YES=79, NO=21, ABSTAIN=0)

7. CONSISTENCY DETERMINATION – SAN DIEGO INTERNATIONAL AIRPORT – AIRPORT LAND USE COMPATIBILITY PLAN – LIBERTY STATION BUILDINGS 12, 14, 15, 16, AND 19, DEVELOPMENT OF NEW MUSEUM, GALLERY, CLASSROOM, RETAIL, AND FOOD AND BEVERAGE SERVICE USES WITHIN FIVE EXISTING BUILDINGS, 2690, 2730, 2750, 2770, AND 2780 HISTORIC DECATUR ROAD, CITY OF SAN DIEGO:

Sandi Sawa, Acting Manager, Airport Systems Planning, provided an overview of the staff report.

Chairperson Bersin requested clarification regarding the use of Building 12.

NEAL SINGER, SAN DIEGO, stated that the restaurant will be for people working in the area, and will be available to people visiting the museum. He stated that it is a sit down restaurant.

Board Member Finnila stated that it would be better to address issues such as parking lots, prior to moving forward.

RECOMMENDATION: Staff recommends that the Board, acting in its capacity as the Airport Land Use Commission for the County of San Diego, adopt Resolution No. 2008-0017 ALUC, making a determination that the proposed project: Liberty Station Buildings 12, 14, 15, 16, and 19, Development of New Museum, Gallery, Classroom, Retail, and Food and Beverage Service Uses within Five Existing Buildings, 2690, 2730, 2750, 2770, and 2780 Historic Decatur Road, City of San Diego, is consistent with the adopted San Diego International Airport, Airport Land Use Compatibility Plan.


ACTION: Moved by Board Member Desmond and seconded by Board Member Watkins to approve staff's recommendation. Motion carried by the following vote: YES – Bersin, Boland, Desmond, Miller, Watkins, Young, Zettel; NO – Finnila, Panknin; ABSENT - None. (WEIGHTED VOTE POINTS: YES=79, NO=21, ABSTAIN=0)

COMMISSION COMMENT

ADJOURNMENT

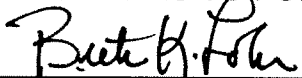
The meeting adjourned at 10:45 a.m. The next regular meeting will be held on Thursday, May 1, 2008 at 9:00 a.m. in the Board Room at the San Diego International Airport, Commuter Terminal, 3225 N. Harbor Drive, San Diego, CA 92101.

APPROVED BY A MOTION OF THE AIRPORT LAND USE COMMISSION THIS 1st DAY OF MAY, 2008.



TONY R. RUSSELL
DIRECTOR, CORPORATE SERVICES/
AUTHORITY CLERK

APPROVED AS TO FORM:



BRETON K. LOBNER
GENERAL COUNSEL