

SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

726 B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
May 6, 2010

SUBJECT: SPECIFIC PLAN NO. 303, SUBSTANTIAL CONFORMANCE NO. 2 – No New Environmental Documentation Required - Applicant: Kohl Ranch II, LLC – Engineer/ Representative: Webb Associates– Fourth Supervisorial District – Lower Coachella Valley Zoning District – Eastern Coachella Valley Area Plan: Community Development: Commercial Office (CD:CO) (.25 – 1.0 FAR), Commercial Retail (CD:CR) (.20 -.35 FAR), Light Industrial (CD:LI) (.20 - .60 FAR), Heavy Industrial (CD: HI) (.15 - .50 FAR), Open Space Conservation (OS:C), Very High Density Residential (CD:VHDR) (14-20 DU/AC) – Location: Northerly of Avenue 62, southerly of Avenue 60, easterly of Tyler Street, and westerly of Polk Street - 294 Acres - Zoning: Specific Plan Zone (SP Zone) - **REQUEST:** This, the second substantial conformance to adopted Specific Plan No. 303 (Kohl Ranch), is to expand the uses allowed in Planning Area E-2 "Heavy Industrial" and Planning Areas E-1, D-1 "Open Space" to include an automotive race track with ancillary uses and activities plus alternative energy facilities.

RECOMMENDED MOTION:

RECEIVE AND FILE the Notice of Decision for the above referenced case acted on by the Planning Commission in Riverside on April 7, 2010.

The Planning Department recommended Approval; and,
THE PLANNING COMMISSION BY A 4-0 VOTE (Commissioner Roth absent):

APPROVED SPECIFIC PLAN NO. 303, SUBSTANTIAL CONFORMANCE NO. 2, subject to

Ron Goldman
Planning Director

Initials:
RG:jo

(continued on attached page)

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Stone, seconded by Supervisor Benoit and duly carried by unanimous vote, IT WAS ORDERED that the above matter of approval is received and filed as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: May 18, 2010
xc: Planning, Applicant

Kecia Harper-Ihem
Clerk of the Board
By:
Deputy

Prev. Agn. Ref.

District: Fourth

Agenda Number:

REVIEWED BY EXECUTIVE OFFICE

DATE 5/6/2010
Tina Grande
Departmental Concurrence

☐ Policy

☐ Policy

☒ Consent

☒ Consent

Dep't Recomm.:

Per Exec. Ofc.:

The Honorable Board of Supervisors

Re: Specific Plan No. 303, Substantial Conformance No. 2

Page 2 of 2

the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

BACKGROUND:

The Substantial Conformance was filed in November 2009. The main purpose of the Substantial Conformance is to add text to the Specific Plan (SP) to allow a possible future race track within the Heavy Industrial and Open Space portions of the SP since the existing SP does not mention this type of use. Any future race track would require an implementing project such as a plot plan where all environmental and land use impacts would be reviewed. One of the key issues resolved with the Substantial Conformance was review by the Airport Land Use Commission (ALUC). The Airport Land Use Commission found the Substantial Conformance to be consistent with the 2005 Jacqueline Cochran Regional Airport Land Use Plan at a public hearing on March 11, 2010 which included a revised layout which relocated the future race track entirely outside the object free area of the Runway Protection Zone (RPZ). In addition, this Substantial Conformance received nine letters of support which are attached to this report.

COUNTY OF RIVERSIDE

TRANSPORTATION AND LAND MANAGEMENT AGENCY

George A. Johnson · Agency Director

Planning Department

Ron Goldman · Planning Director

726B

DATE: May 3, 2010

TO: Clerk of the Board of Supervisors

FROM: Planning Department - Desert Office

SUBJECT: Specific Plan No. 303, Substantial Conformance No. 2 - No New Environmental Documentation Required.

(Charge your time to these case numbers)

The attached item(s) require the following action(s) by the Board of Supervisors:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Place on Administrative Action (Receive & File; EOT) | <input type="checkbox"/> Set for Hearing (Legislative Action Required; CZ, GPA, SP, SPA) |
| <input checked="" type="checkbox"/> Labels provided If Set For Hearing | <input type="checkbox"/> Publish in Newspaper: |
| <input checked="" type="checkbox"/> 10 Day <input type="checkbox"/> 20 Day <input type="checkbox"/> 30 day | **SELECT Advertisement** |
| <input type="checkbox"/> Place on Consent Calendar | <input type="checkbox"/> **SELECT CEQA Determination** |
| <input type="checkbox"/> Place on Policy Calendar (Resolutions; Ordinances; PNC) | <input type="checkbox"/> 10 Day <input type="checkbox"/> 20 Day <input type="checkbox"/> 30 day |
| <input type="checkbox"/> Place on Section Initiation Proceeding (GPIP) | <input type="checkbox"/> Notify Property Owners (app/agencies/property owner labels provided) |
| | Controversial: <input type="checkbox"/> YES <input type="checkbox"/> NO |

Designate Newspaper used by Planning Department for Notice of Hearing:
(4th Dist) Desert Sun and Press Enterprise

Please schedule on the May 18, 2010 BOS Agenda

Documents to be sent to County Clerk's Office for Posting:

Notice of Determination
Fish & Game Receipt (CFG3815)

MAY 18 2010 1.4

Riverside Office · 4080 Lemon Street, 9th Floor
P.O. Box 1409, Riverside, California 92502-1409
(951) 955-3200 · Fax (951) 955-3157

Desert Office · 38686 El Cerrito Road
Palm Desert, California 92211
(760) 863-8277 · Fax (760) 863-7555

Ron Goldman
5-3-10

COUNTY OF RIVERSIDE
TRANSPORTATION AND LAND MANAGEMENT AGENCY
George A. Johnson · Agency Director
Planning Department
Ron Goldman · Planning Director

Original Negative Declaration/Notice of Determination was routed to County Clerks for posting on.
6/29/10 Date
KP Initial

TO: ☐ Office of Planning and Research (OPR)
P.O. Box 3044
Sacramento, CA 95812-3044
☒ County of Riverside County Clerk

FROM: Riverside County Planning Department
☐ 4080 Lemon Street, 9th Floor
P. O. Box 1409
Riverside, CA 92502-1409

☒ 38686 El Cerrito Road
Palm Desert, California 92211

SUBJECT: Filing of Notice of Determination in compliance with Section 21152 of the California Public Resources Code.

Kohl Ranch Specific Plan No. 303, Substantial Conformance No. 2
Project Title/Case Numbers

Jay Olivas (760) 863-8277
County Contact Person Phone Number

N/A
State Clearinghouse Number (if submitted to the State Clearinghouse)

Kohl Ranch II, LLC 11990 San Vicente Blvd, Ste 200 Los Angeles, CA 90049
Project Applicant Address


Northerly of Avenue 62, southerly of Avenue 60, easterly of Tyler Street, westerly of Polk Street at 60100 Tyler Street, Thermal, California
Project Location

Expand the uses allowed in Planning Area E-2 "Heavy Industrial" and Planning Areas E-1, D-1 "Open Space" to include an automotive race track with ancillary uses and activities plus alternative energy facilities.
Project Description

This is to advise that the Riverside County Planning Commission, as the lead agency, has approved the above-referenced project on April 7, 2010, and has made the following determinations regarding that project:

1. The project WILL NOT have a significant effect on the environment.
2. A finding that nothing further is required was prepared for the project pursuant to the provisions of the California Environmental Quality Act (\$64.00).
3. Mitigation measures WERE NOT made a condition of the approval of the project.
A Mitigation Monitoring and Reporting Plan/Program WAS NOT adopted.
A statement of Overriding Considerations WAS NOT adopted for the project.

This is to certify that the earlier EIR, with comments, responses, and record of project approval is available to the general public at: Riverside County Planning Department, 38686 El Cerrito Road, Palm Desert, CA 92211.

 Project Planner Title
April 21, 2010 Date

Date Received for Filing and Posting at OPR: _____

Revised on 3/15/10 by R. Juarez
Y:\Planning Master Forms\Templates\CEQA Forms\NOD Form.doc

Please charge deposit fee case#: ZEA

ZCFG No. 3815 - County Clerk Posting Fee \$64.00
FOR COUNTY CLERK'S USE ONLY

MAY 18 2010 1:4

COUNTY OF RIVERSIDE
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

* REPRINTED * I0506368

4080 Lemon Street
Second Floor
Riverside, CA 92502
(951) 955-3200

39493 Los Alamos Road
Suite A
Murrieta, CA 92563
(951) 600-6100

38686 El Cerrito Road
Palm Desert, CA 92211
(760) 863-8277

Received from: KOHL RANCH II, LLC \$64.00
paid by: CK 2424633&2422265
paid towards: CFG03815 CALIF FISH & GAME: DOC FEE
CFG FOR SP00303S2
at parcel #: 64520 TYLER ST THER
appl type: CFG3

By _____ Oct 06, 2005 16:27
KHAFLIGE posting date Oct 06, 2005

Account Code	Description	Amount
658353120100208100	CF&G TRUST: RECORD FEES	\$64.00

Overpayments of less than \$5.00 will not be refunded!

Additional info at www.rctlma.org

**PLANNING COMMISSION
MINUTE ORDER APRIL 7, 2010
RIVERSIDE COUNTY ADMINISTRATIVE CENTER**

- I. AGENDA ITEM 7.1: SPECIFIC PLAN NO. 303, SUBSTANTIAL CONFORMANCE NO. 2 - NO NEW ENVIRONMENTAL DOCUMENTATION REQUIRED** - Applicant: Kohl Ranch II, LLC - Engineer/Representative: Matt Webb - Fourth Supervisorial District - Lower Coachella Valley Zoning District - Eastern Coachella Valley Community Area Plan: Community Development: Adopted Specific Plan - Location: Northerly of Avenue 62, southerly of Avenue 60, easterly of Tyler Street, westerly of Polk Street, located at 60100 Tyler Street, Thermal, CA. - 294 Gross Acres - Zoning: Specific Plan (SP) - **APNs: 759-150-001, 759-160-001, 759-170-001 and 759-190-004** - (Legislative)
- II. PROJECT DESCRIPTION**
This, the second substantial conformance to adopted Specific Plan No. 303 (Kohl Ranch), is to expand the uses allowed in Planning Area E-2 Heavy Industrial and Planning Areas E-1, D-1 Open Space to include an automotive race track, with ancillary uses and activities, plus alternative energy facilities.
- III. MEETING SUMMARY**
The following staff presented the subject proposal:
Project Planner: Jay Olivas, Ph: (760) 863-7579 or E-mail jolivas@rctlma.org
- The following spoke in favor of the subject proposal:
Richard Lichtenstein, Applicant's Representative, Los Angeles, CA 90048
Emily Hemphill, Applicant's Representative, 71780 San Jacinto, Suite I-3, Rancho Mirage, CA 92270
- No one spoke in a neutral position or in opposition of the subject proposal.
- IV. CONTROVERSIAL ISSUES**
NONE
- V. PLANNING COMMISSION ACTION**
The Planning Commission, by a vote of 4-0 (Commissioner Roth absent):
- APPROVED SPECIFIC PLAN NO. 303, SUBSTANTIAL CONFORMANCE NO. 2,** subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.
- VI. CD**
The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Chantell Griffin, Planning Commission Secretary, at (951) 955-3251 or E-mail at cgriffin@rctlma.org.

Agenda Item No.: 7.1
Area Plan: Eastern Coachella Valley
Zoning District: Lower Coachella Valley
Supervisory District: Fourth
Project Planner: Jay Olivas
Planning Commission: April 7, 2010

SPECIFIC PLAN NO. 303, SUBSTANTIAL
CONFORMANCE NO. 2
No New Environmental Documentation
Required
Applicant: Kohl Ranch II, LLC
Engineer: Webb Associates

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

RECEIVED
MAR 29 2010

Riverside County
Planning Department
Desert Office

PROJECT DESCRIPTION AND LOCATION:

This the second Specific Plan (SP) Substantial Conformance proposes is to expand uses allowed in Planning Area E-2 "Heavy Industrial" (HI) and Planning Areas E-1, D-1 "Open Space." located at the northeast corner of the SP, to include an automotive race track, with ancillary uses and activities, plus alternative energy facilities within the Kohl Ranch Specific Plan No. 303 (SP00303). The substantial conformance would specifically add language to the SP text such as "motor sports race track", modify several maps within the SP to depict a conceptual alignment of a future race track, and add several other related text changes (see attached exhibits). These text and map modifications are not for an actual race track at this time, but is only to provide text since the current SP document does not have language within the HI Planning Area that specifically mentions any type of race track use. If this SP Substantial Conformance is approved, a future implementing project would be submitted such a CUP or Plot Plan for an actual race track.

The project is located within the Eastern Coachella Valley of Eastern Riverside County as part of the Kohl Ranch Specific Plan 303: more specifically, northerly of Avenue 62, southerly of Avenue 60, easterly of Tyler Street, westerly of Polk Street, located at 60100 Tyler Street, Thermal, California.

ISSUES OF POTENTIAL CONCERN:

The Airport Land Use Commission (ALUC) found the SP Substantial Conformance to be consistent with the Thermal Airport Land Use Plan at the public hearing of March 11, 2010 which included a revised layout plan so as to relocate the race track entirely outside the object free area of the Runway Protection Zone (RPZ) of the Thermal Airport (Jacqueline Cochran Regional Airport).

SUMMARY OF FINDINGS:

1. Existing General Plan Land Use (Ex. #5):
Community Development: Commercial Office (CD:CO) (0.25-1.0 Floor Area Ratio), Commercial Retail (CD: CR) (0.20-0.35 Floor Area Ratio), Light Industrial (CD: LI) (0.25-0.60 Floor Area Ratio), Heavy Industrial (CD: HI) (.15 - .50 Floor Area Ratio), Open Space: Conservation (OS:C)
2. Surrounding General Plan Land Use (Ex. #5):
Community Development: Commercial Retail (CD:CR) (0.20-0.35 Floor Area Ratio), Light Industrial (CD:LI) (0.25-0.60 Floor Area Ratio), Public Facilities (CD: PF) (<0.60 Floor Area Ratio)
Community Development: Public Facilities (CD:PF) (<0.60 Floor Area Ratio), Low Density Residential Density Residential (CD: LDR) (1/2 Acre Minimum), Medium High Density Residential (CD: MHDR) (5-8 Dwelling Units Per Acre), Agriculture (AG) (10 Acre Minimum).

SPECIFIC PLAN NO. 303, SUBSTANTIAL CONFORMANCE NO. 2

Planning Commission Date: April 7, 2010

Page 2 of 5

- | | |
|-----------------------------------|--|
| 3. Existing Zoning (Ex. #2): | Specific Plan Zone (SP Zone) |
| 4. Surrounding Zoning (Ex. #2): | Manufacturing - Heavy (M-H), Heavy Agriculture -
10 Acre Minimum (A-2-10), Specific Plan No.
303A1 (SP Zone) |
| 5. Existing Land Use (Ex. #1): | Vacant, scattered dwellings, salt scrub brush,
tamarisk trees, palm trees |
| 6. Surrounding Land Use (Ex. #1): | Thermal Airport to the north, crops, vacant land,
scattered residences to the east, west, and south |
| 7. Project Data: | Total Acreage: 294 Acres |
| 8. Environmental Concerns: | No New Environmental Documentation Required |

RECOMMENDATIONS:

APPROVAL OF SPECIFIC PLAN NO. 303, SUBSTANTIAL CONFORMANCE NO. 2, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

CONCLUSIONS:

1. The proposed project is in conformance with the Community Development: Commercial Office (CD:CO) (0.25-1.0 Floor Area Ratio), Commercial Retail (CD: CR) (0.20-0.35 Floor Area Ratio), Light Industrial (CD: LI) (0.25-0.60 Floor Area Ratio), Heavy Industrial (CD: HI) (.15 - .50 Floor Area Ratio), Open Space: Conservation (OS:C) land use designations, and with all other elements of the Riverside County General Plan.
2. Upon approval of the Change of Zone required by the conditions of approval (30 PLANNING 03), the proposed project will be consistent with the Specific Plan (SP) zoning classification of Ordinance No. 348, and with all other applicable provisions of Ordinance No. 348.
3. The public's health, safety, and general welfare are protected through project design.
4. The proposed project is conditionally compatible with the present and future logical development of the area.
5. No new environmental documentation is required since environmental impacts were previously addressed in EIR No. 396 which was certified in 1998 for the Kohl Ranch Specific Plan.
6. The proposed project will not preclude reserve design for the Coachella Valley Multi-Species Habitat Conservation Plan (CVMSHCP).

FINDINGS: The following findings are in addition to those incorporated in the summary of findings, which is incorporated herein by reference.

1. The project site is designated Community Development: Commercial Office (CD:CO) (0.25-1.0 Floor Area Ratio), Commercial Retail (CD: CR) (0.20-0.35 Floor Area Ratio), Light Industrial (CD: LI) (0.25-0.60 Floor Area Ratio), Heavy Industrial (CD: HI) (.15 - .50 Floor Area Ratio), Open Space: Conservation (OS:C).

SPECIFIC PLAN NO. 303, SUBSTANTIAL CONFORMANCE NO. 2

Planning Commission Date: April 7, 2010

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2. The proposed modification would be permitted within the Commercial Office (CD:CO) (0.25-1.0 Floor Area Ratio), Commercial Retail (CD: CR) (0.20-0.35 Floor Area Ratio), Light Industrial (CD: LI) (0.25-0.60 Floor Area Ratio), Heavy Industrial (CD: HI) (.15 - .50 Floor Area Ratio), and Open Space: Conservation (OS:C) land use designations.
3. The project site is surrounded by properties which are Community Development: Commercial Retail (CD:CR) (0.20-0.35 Floor Area Ratio), Light Industrial (CD:LI) (0.25-0.60 Floor Area Ratio), Public Facilities (CD: PF) (<0.60 Floor Area Ratio) Community Development: Public Facilities (CD:PF) (<0.60 Floor Area Ratio), Low Density Residential Density Residential (CD: LDR) (1/2 Acre Minimum), Medium High Density Residential (CD: MHDR) (5-8 Dwelling Units Per Acre), and Agriculture (AG) (10 Acre Minimum).
4. The zoning for the subject site is Specific Plan Zone (SP Zone).
5. The proposed modification expands the uses allowed in Planning Area E-2 "Heavy Industrial" (HI) and Planning Areas E-1, D-1 "Open Space" to include a private automotive race track with ancillary uses and alternative energy facilities.
6. The proposed modification to to expand uses allowed in Planning Area E-2 "Heavy Industrial" (HI) and Planning Areas E-1, D-1 "Open Space" are consistent with the development standards set forth in SP zone.
7. The site is surrounded by properties which are zoned Manufacturing – Heavy (M-H), Heavy Agriculture – 10 Acre Minimum (A-2-10), and Specific Plan No. 303 (SP Zone).
8. The project for text and map modifications to the SP to accommodate a potential private race track and related uses would be compatible with the surrounding area since open land would be preserved for aircraft safety, there would be limits on intensity of use due to limits on the number of people in the race track area to less than the number of people on a public road, there would be reduced airport noise concerns due to the nature of a race track use, and there is reduced aircraft over flight concerns due to the majority of flights being over open land.
9. This project is not located within a Conservation Area of the Coachella Valley Multi-Species Habitat Conservation Plan.
10. No new environmental documentation is required since environmental impacts were previously addressed and reviewed under the certified EIR No. 386 for the Kohl Ranch Specific Plan in 1998. This project involves negligible or no expansion of an existing use since the modification primarily affects the Heavy Industrial (HI) planning area which an automotive race track could be no greater than or a less intensive use than other potential uses such as factories that could be allowed within this portion of the Specific Plan.
11. The proposed Substantial Conformance is to add text to the Specific Plan to allow a potential private race track which racing facility would be located at the northeast corner of the Specific Plan and the private race track would be known as the Thermal Motorsports Park (TMP).
12. The TMP would be located within Planning Areas D-1, E-1 (Open Space) and E-2 (Heavy Industrial). The private race track of approximately 3.58 miles in length would be for racing enthusiasts within a private club requiring membership including leasing of private garage space.

SPECIFIC PLAN NO. 303, SUBSTANTIAL CONFORMANCE NO. 2

Planning Commission Date: April 7, 2010

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13. Planning Areas D-1, E-1 (Open Space) include portions of the race track which is anticipated that the intensity of use for the race course would likely be less than that of a golf course in that the clubhouse planned within the TMP facility is directly analogous to the clubhouse for a golf course facility, and like a golf course, the race course has few structures which interrupt the open space nature of the development.
14. Planning Area E-2 (Heavy Industrial) includes the majority portion of the race track which involves the storage of vehicles, fuels, and similar equipment which is not unlike what one would find at a flight school, parcel delivery service, or rental car agency or potential concrete batch plant, all of which are conditionally allowed under the Heavy Industrial (HI) planning area. Therefore, it could be reasonably argued that the proposed race course is substantially similar in use to those permitted uses in the "Heavy Industrial" classification of the SP.
15. The base zone within Planning Area E-2 (Heavy Industrial) is considered to be "Manufacturing – Heavy" (M-H) which a race track is considered to be a conditionally allowable use within the M-H zone.
16. This Substantial Conformance is limited to text and map amendments to the existing Specific Plan as a first step to allow a potential private race track. The actual physical private race track would require approval of an implementing project such as plot plan or conditional use permit which would analyze appropriate environmental and land use impacts.
17. The project conforms with Section 2.11 (b.)(4) of Ordinance No. 348 in that the project as modified by adding text for a potential future private race track meets the intent and purpose of the adopted specific plan since a future race track would be equal to or less intensive than urban type developments such as hotels/motels, convenience stores, and concrete batch plants that would already be conditionally allowed within the Heavy Industrial (HI) planning area of the Specific Plan, and the race track would meet the intent and purpose of the Open Space (OS) planning area in that the majority of designated open space would be maintained since there are limited structures and required buffers.

INFORMATIONAL ITEMS:

1. As of this writing (3/3/10), no letters, in support or opposition have been received.
2. The project site is not located within:
 - a. A Fault Zone.
 - b. A Flood Zone.
 - c. A High Fire Area.
3. The project site is locate within:
 - a. The boundaries of the Coachella Valley Unified School District
 - b. A High Liquefaction Potential Zone.
 - c. An Area of High Paleontological Sensitivity.
 - d. An Area Susceptible to Subsidence.
4. The subject site is currently designated as Assessor's Parcel Numbers 759-150-001, 759-160-001, 759-170-001 & 759-190-004.

SPECIFIC PLAN NO. 303, SUBSTANTIAL CONFORMANCE NO. 2

Planning Commission Date: April 7, 2010

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5. This project was filed with the Planning Department on 11/17/09.
 6. Deposit Based Fees charged for this project, as of the time of staff report preparation, total approximately \$8,000.00.
-

Date Revised: 3/3/10

4/6/10

V:\11_PLANNING Primary Folder\Planning Cases-Desert Office\SP00303S2\Staff Report SP00303S2 Revised.docx

RIVERSIDE COUNTY PLANNING DEPARTMENT

SP00303S2

LAND USE

Supervisor Benoit

District: 4

Date Drawn: 2/22/2010

Exhibit 1



Zoning District: Lower Coachella Valley

Township/Range: T6SR8E

Section: 33



Assessors Bk. Pg. 759-15, 16, 17 & 19
Thomas Bros. Pg. 5591 E1, E2, E3, F1 & F2
Edition 2009

DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 855-3200 (Western County), or in Indio at (760) 863-8277 (Eastern County) or website at <http://www.rmc.co.riverside.ca.us/index.html>

0 600 1,200 2,400 3,600 4,800 Feet

RIVERSIDE COUNTY PLANNING DEPARTMENT

SP00303S2 EXISTING ZONING

Supervisor Benoit
District 4

Date Drawn: 2/22/2010
Exhibit 2



Zoning District: Lower Coachella Valley
Township/Range: T6SR8E
Section: 33

Assessors Bk. Pg. 759-15, 16, 17 & 19
Thomas Bros. Pg. 5591 E1, E2, E3, F1 & F2
Edition 2009



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-3200 (Western County), or in Indio at (760) 863-8277 (Eastern County) or website at <http://www.tlma.co.riverside.ca.us/index.html>

RIVERSIDE COUNTY PLANNING DEPARTMENT

SP00303S2

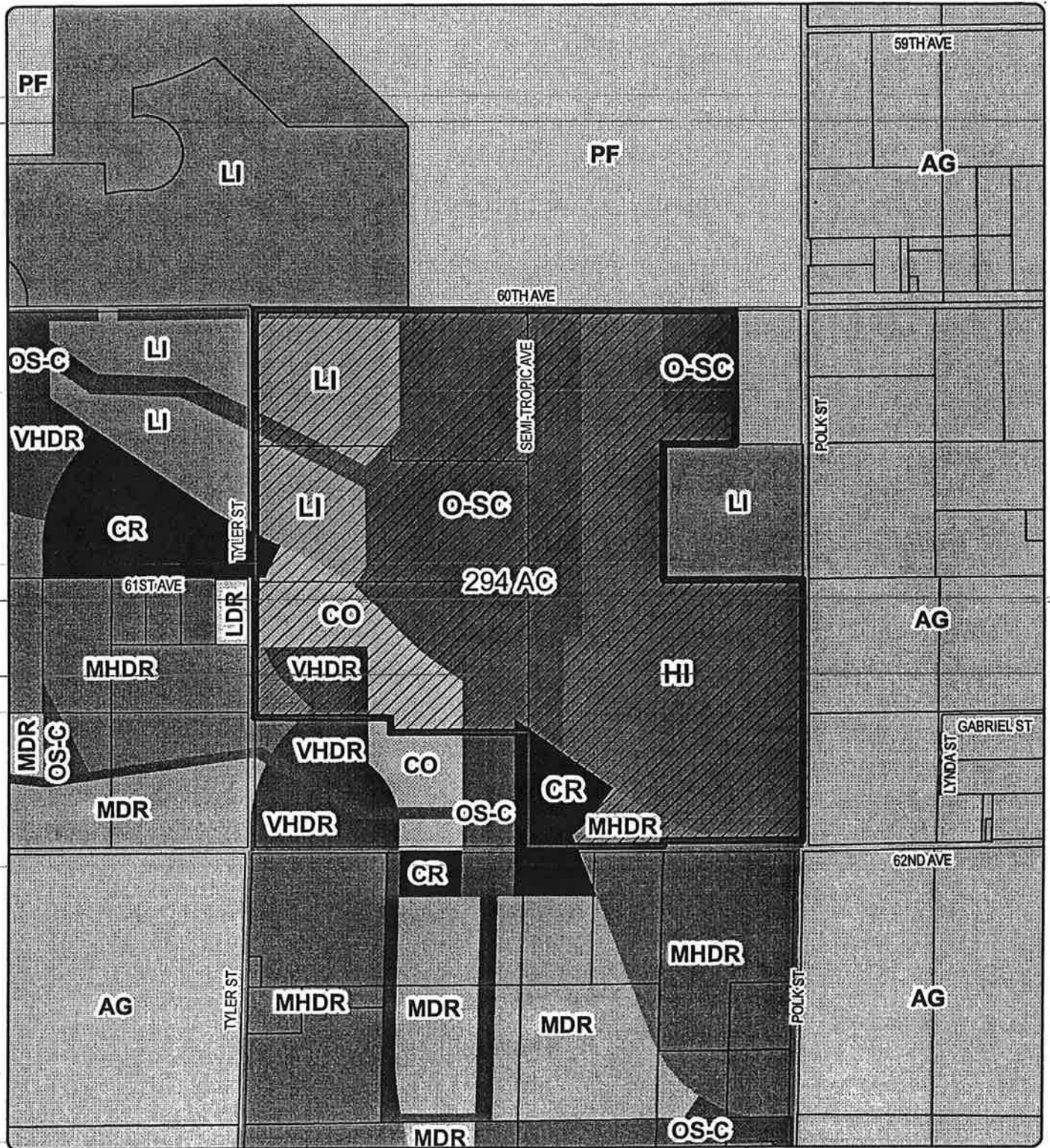
Date Drawn: 2/22/2010

Supervisor Benoit

District: 4

EXISTING GENERAL PLAN

Exhibit 5



Zoning District: Lower Coachella Valley
 Township/Range: T6SR8E
 Section: 33

Assessors Bk. Pg. 759-15, 16, 17 & 19
 Thomas Bros. Pg. 5591 E1, E2, E3, F1 & F2
 Edition 2009



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-3200 (Western County), or in Indio at (760) 863-8277 (Eastern County) or website at <http://www.tima.co.riverside.ca.us/index.html>

RIVERSIDE COUNTY PLANNING DEPARTMENT **SP00303S2** **VICINITY/POLICY AREAS**

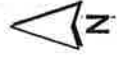
Supervisor Benoit
 District 4

Date Drawn: 2/22/2010
 Vicinity Map

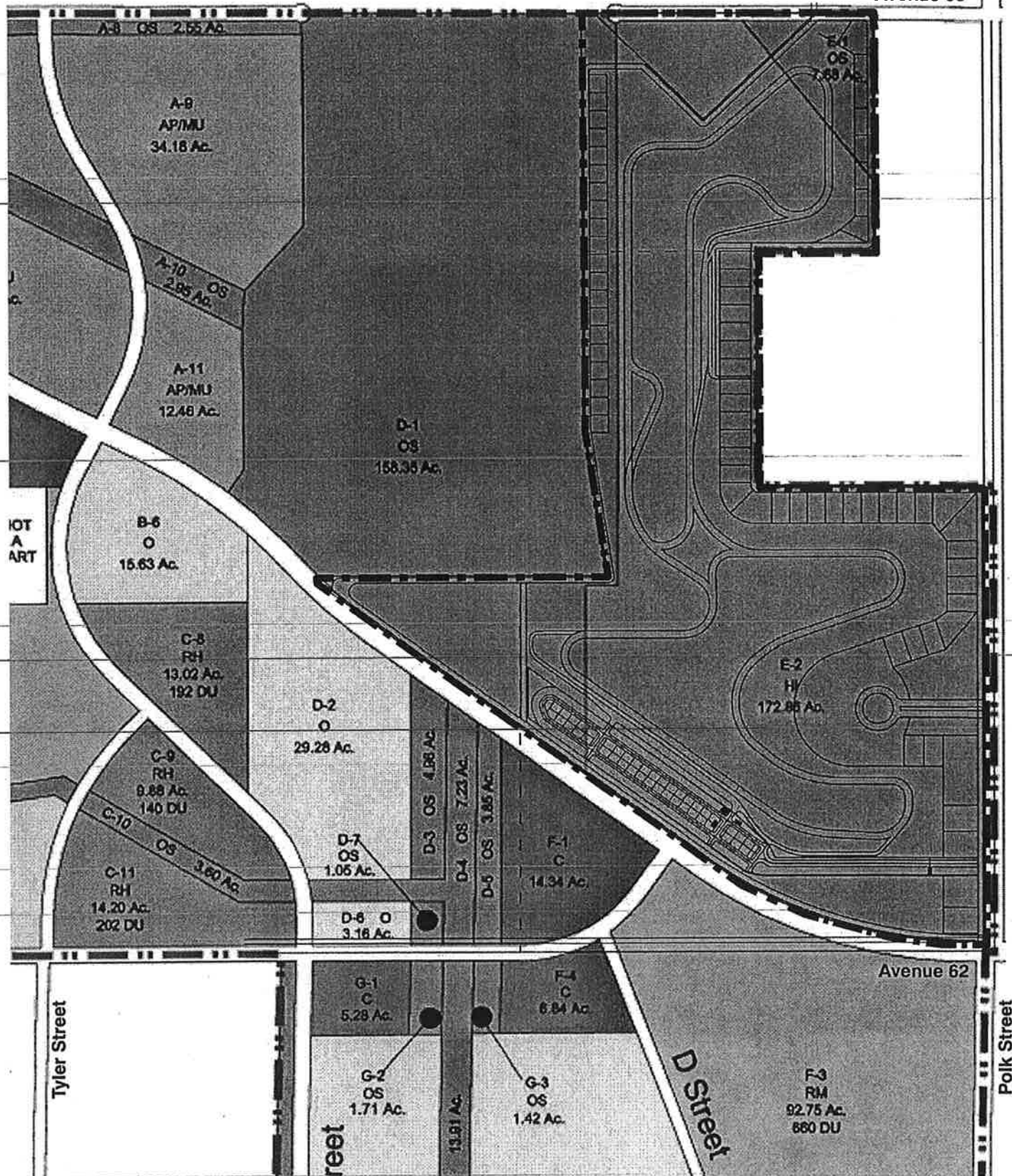


Zoning District: Lower Coachella Valley
 Township/Range: T6SR8E
 Section: 33

Assessors Bk. Pg. 759-15, 16, 17 & 19
 Thomas Bros. Pg. 5591 E1, E2, E3, F1 & F2
 Edition 2009



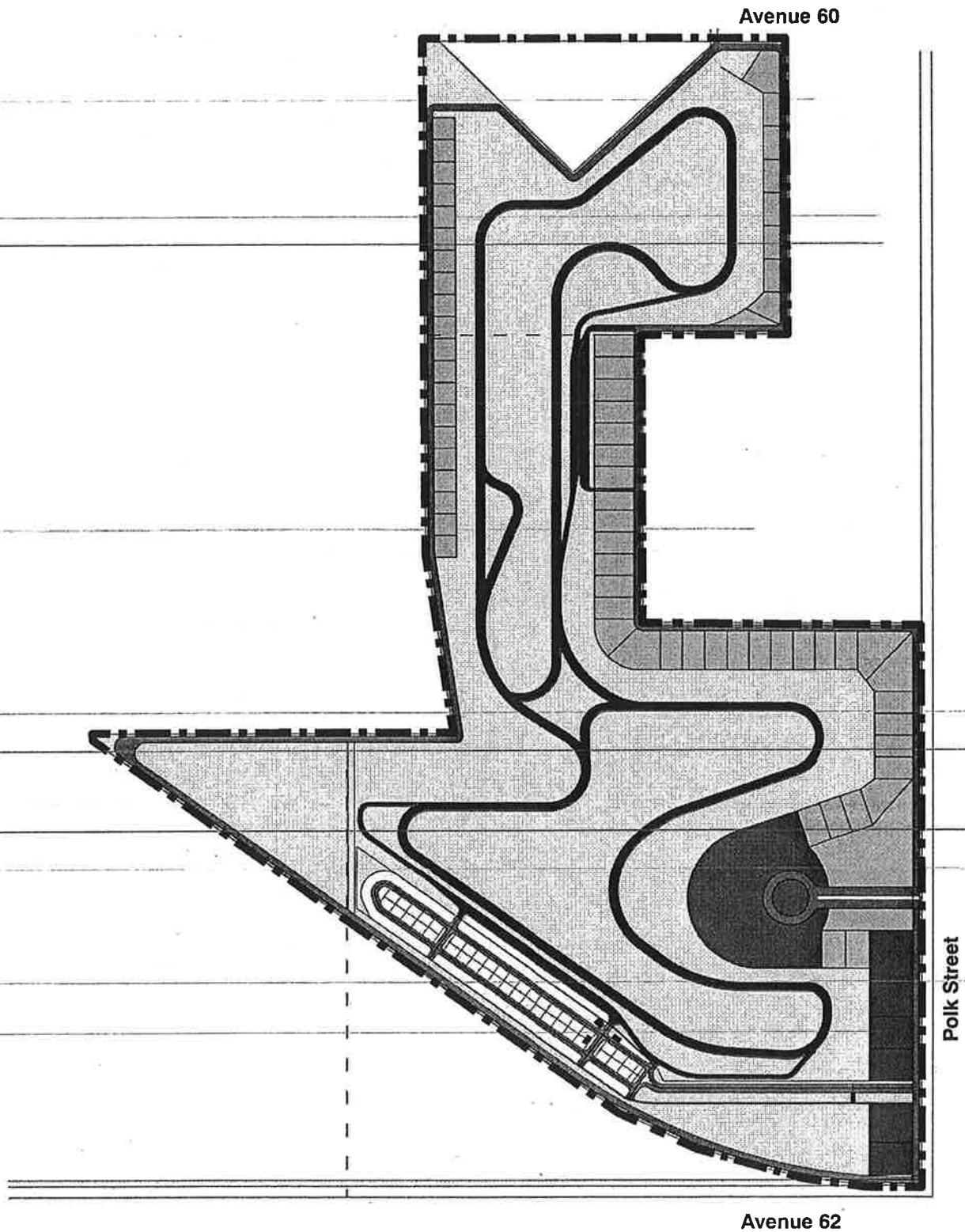
DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-3200 (Western County), or in Indio at (760) 883-8277 (Eastern County) or website at <http://www.lrra.ca.gov/index.html>.



LEGEND

▬▬▬▬▬▬ Racetrack Boundary





LEGEND

- | | |
|--------------------|----------------------|
| Racetrack Boundary | Racetrack |
| Founders Lots | Private Access Roads |
| Corporate Lots | Parking Area |
| Clubhouse | Open Space |



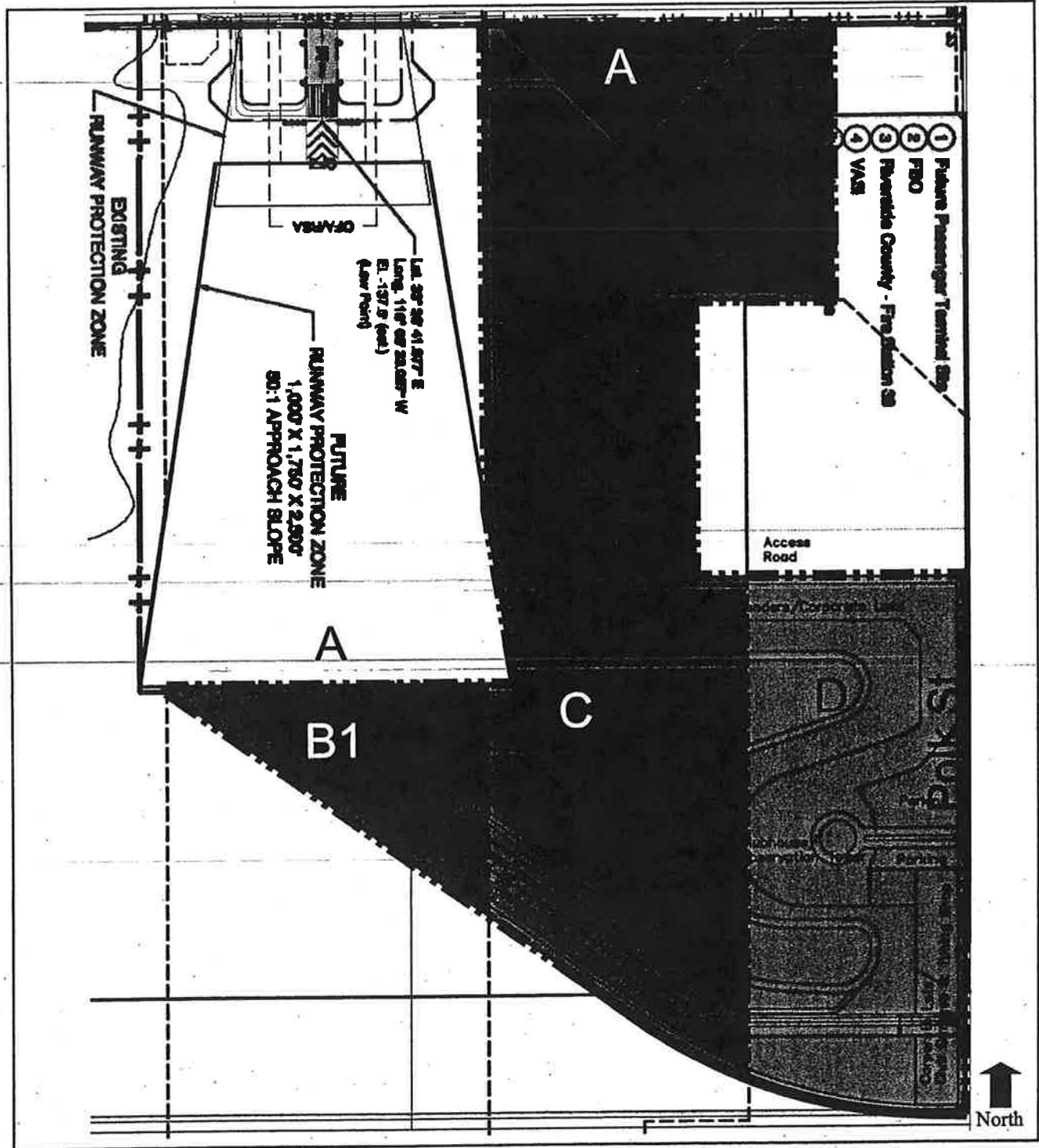
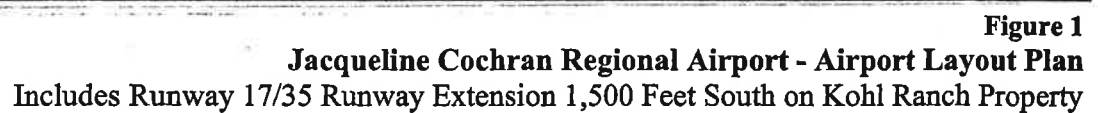


Figure A1
Thermal Motorsports Park Club Track
Overlay of TMP Track on JCRA Airport Layout Plan

Johnson Aviation



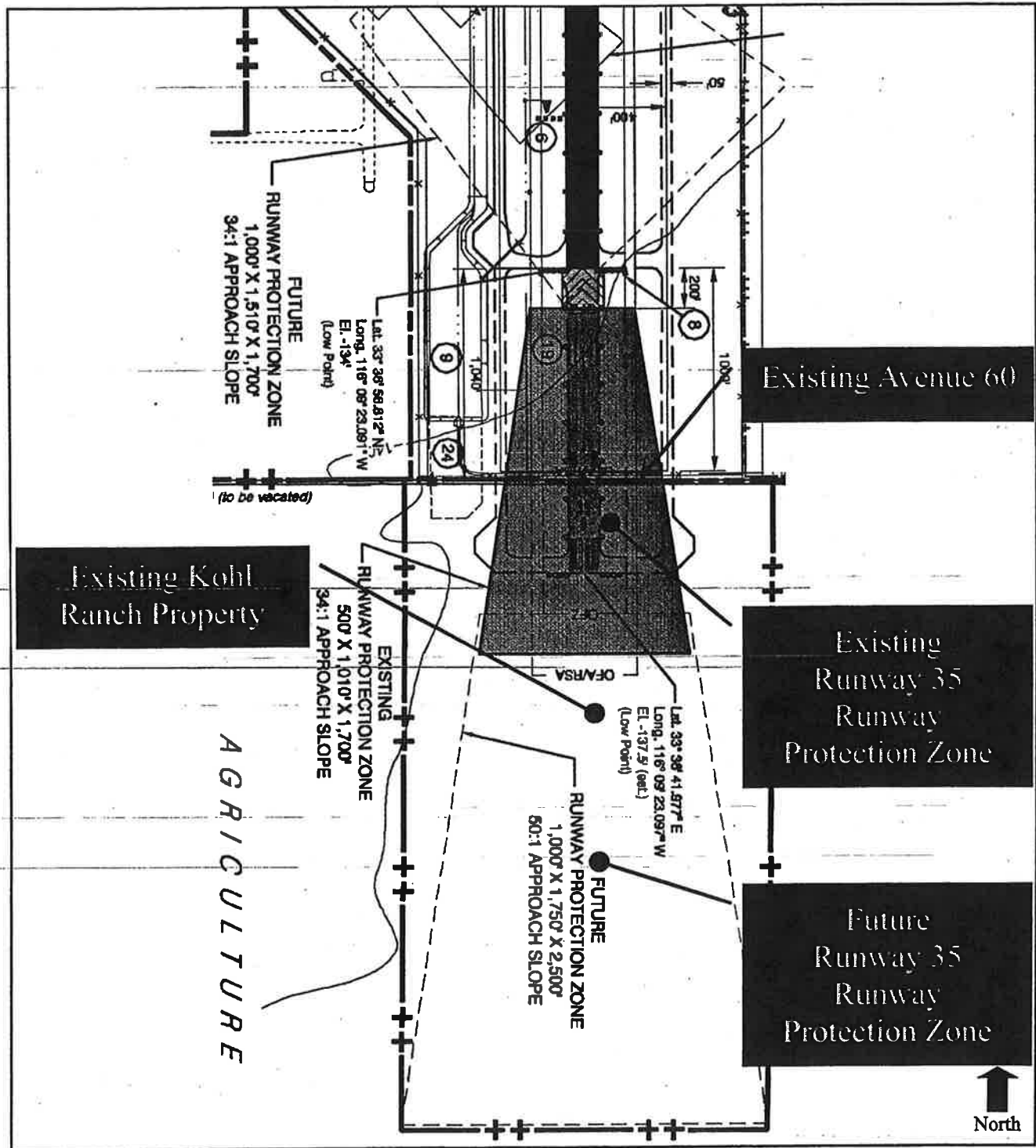


Figure 2
Jacqueline Cochran Regional Airport - Airport Layout Plan
Includes Runway 17/35 Runway Extension 1,500 Feet South on Kohl Ranch Property

Kohl Ranch
Thermal Motorsports Park - Club Race Track Proposal



Johnson Aviation

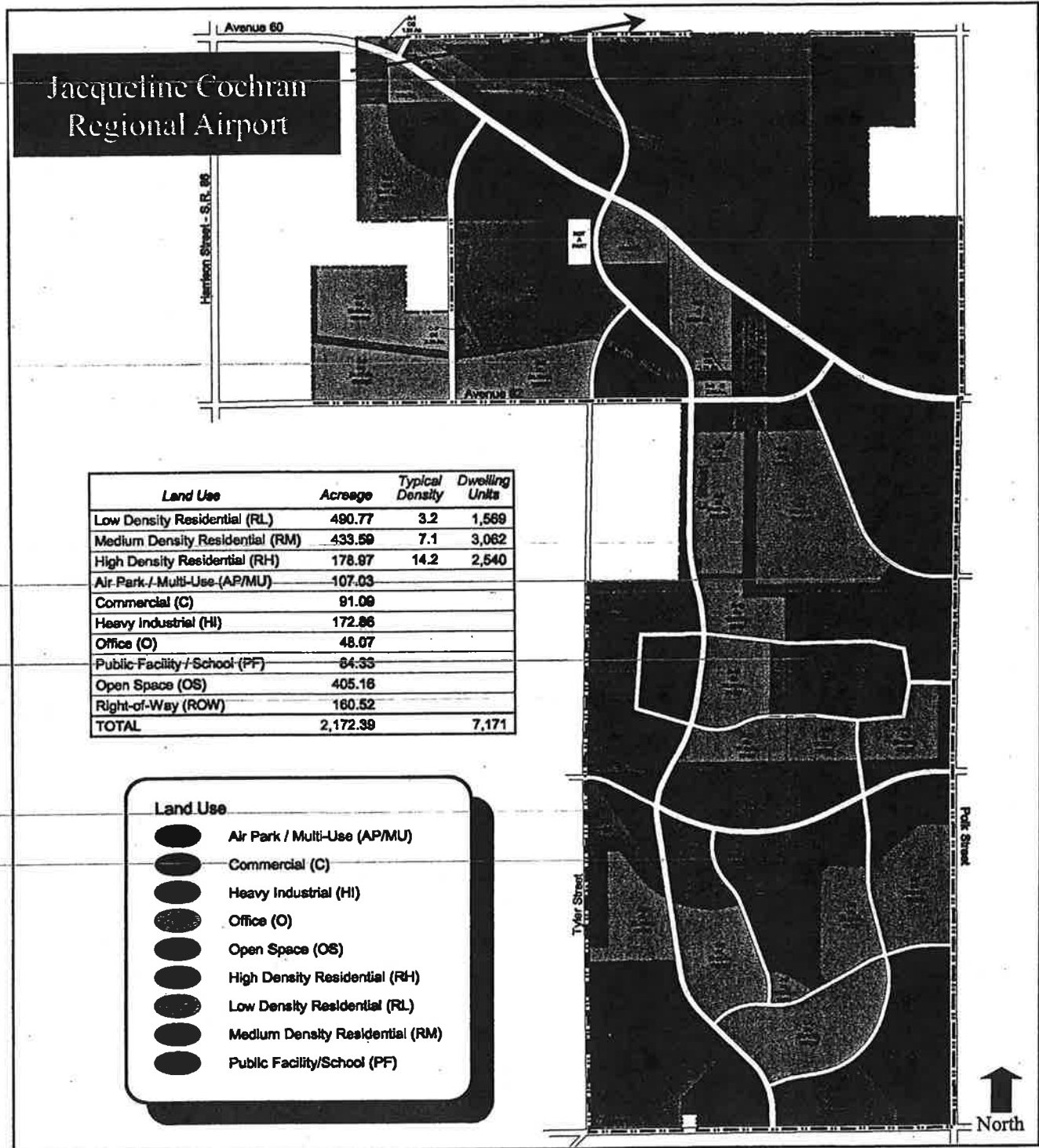


Figure 3
Kohl Ranch Specific Plan
Located South of Jacqueline Cochran Regional Airport

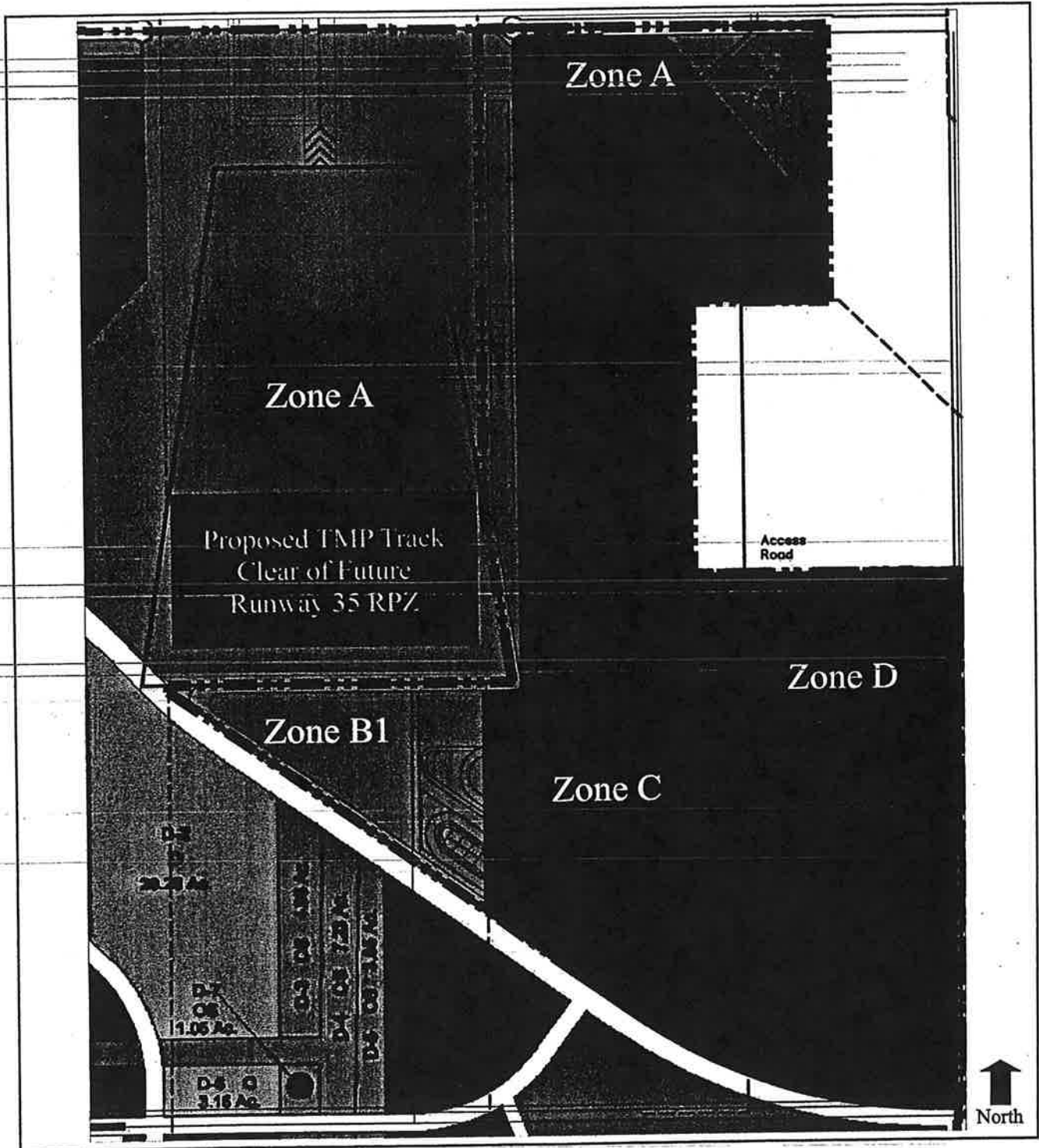
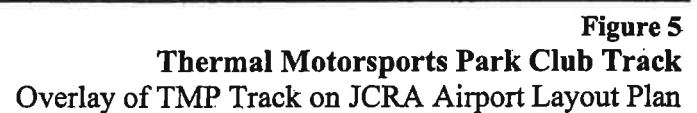


Figure 4
Thermal Motorsports Park Club Track
Overlay of TMP Track on Kohl Ranch Specific Plan



3. Project Overview

The Kohl Ranch Specific Plan consists of a balanced array of land uses including residential, business, commercial, industrial, open space/recreation and public facilities. Both living and working opportunities will be available within the project. The residential portion includes 7,171 dwelling units distributed among three different density classifications on 1,103.33 acres, with a gross residential density of 4.09 dwelling units per acre³. Although the maximum density and the total number of dwelling units within the high density residential designation can be exceeded through the application of density bonuses for affordable housing, as permitted by the provisions of Section 65915 of the California Government Code. Approximately 405 acres of open space provide for passive and active recreation, including trails and parks. The plan also allows for the development of large scale recreational uses such as golf courses and a motor sports race track, which are identified as secondary allowable land uses.

Deleted: two golf courses

Table II-1 LAND USE DIAGRAM STATISTICAL SUMMARY				
Land Use	Acreage	Percent of Total	Percent of Developable Area ¹	Dwelling Units
RESIDENTIAL				
Low Density Residential (RL)	490.77	22.6	32.2	1,569
Medium Density Residential (RM)	433.59	20.0	28.5	3,062
High Density Residential (RH)	178.97	8.2	11.8	2,540
Total Residential	1,103.33	50.8	72.5	7,171
INDUSTRIAL				
Heavy Industrial (HI)	172.86	8.0	11.3	
Total Industrial	172.86	8.0	11.3	
BUSINESS				
Air Park/Mixed Use (AP/MU)	107.03	4.9	7.0	
Office (O)	48.07	2.2	3.2	
Total Business	155.10	7.1	10.2	
COMMERCIAL				
Total Commercial	91.09	4.2	6.0	
OTHER				
Open Space (OS)	405.16	18.7		
Public Facilities/Schools (PF)	84.33	3.9		
Right-of-Way (ROW)	160.52	7.4		
Total Other	650.01	29.9		
TOTAL	2172.39	100%	100%	7,171

³ The overall gross density for residential areas was determined by dividing the total number of dwelling units by the acreage devoted to residential land uses, open space, public facilities and local residential streets. The gross density, if determined by dividing the total number of dwelling units by the residential acreage, is 6.50. This density is reduced to 3.30 if the total site acreage is used.

Deleted: Amendment No. 1

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view; and 5) exclude residential uses from these areas to avoid conflicts within planning areas.

In addition to Manufacturing-Service Commercial development, additional uses within the Light Industrial land use designation include water wells and appurtenant facilities; detention and appurtenant facilities; hospitals; and research and development facilities for biomedical, chemical, electronic, mechanical and other scientific purposes. Additionally, light agricultural uses will be allowed when the gross area of a lot is twenty (20) acres or greater.

b) Heavy Industrial

Heavy Industrial land uses totaling 172.86 acres are located in the northern portion of the project site. The purpose of this designation is to allow for more intense, industrial/manufacturing uses or other uses compatible with the regional airport. The intent is to: 1) encourage land uses which provide relatively greater levels of employment than is typically associated with industrial uses such as warehousing and distribution; 2) allow for uses that require outdoor storage; and 3) maximize use of the regional transportation system, including air, rail and the road network.

In addition to Manufacturing-Heavy development, additional uses within the Heavy Industrial land use designation include water wells and appurtenant facilities; aerial services including advertising, photography and tours; aerospace/aeronautical or automotive museums; aircraft taxiways; catering services/flight kitchens; conference facilities; golf courses and appurtenant facilities; convenience stores; dry cleaners; flight schools; hospitals; hotels and motels; intermodal cargo transfer terminals; research and development facilities for biomedical, chemical, electronic, mechanical and other scientific purposes; paper recycling facilities; parcel delivery services; and rental car agencies including the storage of rental cars; motor sports race track and facilities incidental thereto including, without limitation, a race track, private garages, fuel storage, buildings for vehicle display, tuning shop, and observation tower; cogeneration plants; structures and facilities necessary and incidental to the development, generation and transmission of electric power and gas such as power plants, booster or conversion plants, transmission lines, pipelines and the like; and incarceration and detention facilities. Additionally, light agricultural uses will be allowed when the gross area of a lot is twenty (20) acres or greater.

c) Warehouse/Distribution

The Warehouse/Distribution land use designation is also proposed for the northern portion of the site, near proposed heavy and light industrial land uses, thorough implementation of the Industrial Overlay Designation. The purpose of this designation is to attract larger, regional warehouse/distribution facilities that can take advantage of excellent access to the area's transportation system and regional markets. The intent is to: 1) site warehouse/distribution land uses to link with local/regional transportation network (including Highway 86 to the east), Desert Resorts Regional Airport and potential rail service; 2) expand the regional market for businesses with potential to benefit from increased trade with Mexico resulting from NAFTA; 3) recognize the continued

importance of agriculture in the regional economy by allowing for agriculture-related warehouse, cold storage, packing and distribution facilities; and 4) ensure compatibility with other business uses.

In addition to Manufacturing-Service Commercial development, additional uses within the Warehouse/Distribution land use designation include water wells and appurtenant facilities; flight schools; plumbing supply yards; recreational vehicle sales; and rental car agencies including storage of rental cars; and solid waste transfer stations operated totally within enclosed buildings with no outside storage. Additionally, light agricultural uses will be allowed when the gross area of a lot is twenty (20) acres or greater.

3) Business

a) *Airpark/Mixed Use*

The Airpark/Mixed Use designation is located in the northernmost portion of the project site, just south of the Desert Resorts Regional Airport. Approximately 107.03 acres are devoted to this land use. The purpose of this designation is to accommodate a wide range of land uses including office, service, commercial, airport-related, incubator business and very light industrial. The intent is to: 1) complement expansion plans for the Desert Resorts Regional Airport by providing needed services and commercial uses located near the Tyler Street airport entrance; 2) create a supportive environment for start-up businesses; 3) devise standards that encourage combinations of uses such as office/sales/storage/assembly; and 4) provide support services for business and industrial uses in the project area.

In addition to General Commercial development, additional uses within the Airport/Mixed Use land use designation include aviation equipment assembly; communication equipment and microwave sales and installation; computer and office equipment sales, service, repair and assembly; conference facilities; country clubs; manufacture of dairy products, not including dairies; emergency and urgent care medical facilities; libraries; manufacture of grain and bakery products; health and exercise centers; hospitals; ice houses; jewelry manufacture and repair; manufacture of wearing apparel and accessories; manufacture and repair of measuring devices, watches, clocks and related items; manufacture and repair of optical goods, medical instruments, supplies and equipment; engineering, survey and drafting instruments and photography equipment; manufacture of handbags, luggage, footwear, and other personal leather goods; manufacture of cutlery, tableware, hand tools and hardware; manufacture of plumbing and heating items; vehicle storage and impoundment; manufacture of office and computing machines; manufacture, assembly, testing and repair of components, devices, equipment and systems of an electrical, electronic, or electro-mechanical nature; manufacture of non-alcoholic beverages; manufacture of confectionery products; manufacture and repair of refrigeration and heating equipment; printing of periodicals, books, forms, cards and similar items; public parks and public playgrounds; golf courses; religious institutions; facilities for research and development of precision components and products; facilities related to alternative energy development; and water wells and appurtenant facilities; aerial service businesses including advertising, photography and tours; aerospace/aeronautical museums; aircraft equipment sales, service and repair; contractor storage yards; flight schools; intermodal cargo transfer facilities; manufacture

In addition to General Commercial development, additional uses within the Commercial land use designation include public parks and public playgrounds; golf courses; country clubs; animal hospitals with all kennels entirely indoors; health clubs; computer sales and repair stores; parcel delivery services; libraries; religious institutions; community centers; schools; and water wells and appurtenant facilities; and electric vehicle charging stations. Additionally, light agricultural uses will be allowed when the gross area of a lot is twenty (20) acres or greater.

5) Public Facilities/Schools

This land use designation totals 84.33 acres and consists of property owned by the Coachella Valley Unified School District as a site for multiple schools. This land use designation is located in the southwestern portion of the site, which is unconstrained by the Desert Resorts Regional Airport Traffic Pattern Zone (TPZ) where places of public assembly are discouraged.

The purpose of this designation is to recognize the existing Coachella Valley Unified School District ownership of the site and its planned use for public schools.

~~In addition to One-Family Dwelling development, additional uses within the Public Facilities/Schools land use designation include government offices, courthouses, police stations, fire stations, libraries, museums, public schools, water wells and appurtenant facilities; day care centers; religious institutions; community centers; private schools and communication facilities. Additionally, light agricultural uses will be allowed when the gross area of a lot is twenty (20) acres or greater.~~

6) Open Space

~~The purpose of this designation is to provide open space and recreational amenities to serve populations in the project neighborhoods. A total of 405.16 acres of open space is provided. The intent is to: 1) allow for a variety of passive and active recreational experiences for neighborhood residents and visitors, ranging in scale from community parks to more intimate neighborhood parks; 2) incorporate walking and bicycle trails and linkages between residential neighborhoods and commercial/employment centers, where appropriate; 3) comply with land use restrictions for Desert Resorts Regional Airport safety zones which require the maintenance of open space clear of obstructions; 4) accommodate stormwater runoff originating both on and off-site which must be controlled and conveyed through the property; and 5) provide a variety of landscape settings ranging from highly landscaped to native communities for visual interest as well as buffering between adjoining land uses.~~

~~The Specific Plan allows for large scale recreational uses such as golf courses in the northern and southern portions of the site and a motor sports race track in the northern portion of the site. Any such large scale recreation use, if developed, would be sited around the designated drainage corridors. The Specific Plan also allows golf clubhouses and their associated shopping and dining facilities. The purpose of the large scale recreation uses would be to provide additional recreational amenities and to create a community focal point. Additionally, lakes, including those used for aesthetics, detention, recreation, water skiing, and non-potable irrigation water will be permitted as a secondary use in the southern portion of the site. The intent is to: 1) diversify the recreational opportunities available to area~~

Deleted: two

Deleted: as secondary land uses

Deleted: . Golf courses

Deleted: golf courses and clubhouse complexes

residents and visitors; 2) create an attractive village core around the clubhouses that is enhanced through landscaping and design treatments; and 3) develop a central meeting place that offers ~~uses incidental to the primary recreation use~~.

Additionally, light agricultural uses will be allowed when the gross area of a lot is twenty (20) acres or greater.

7) Roads

Major road rights-of-way totaling 160.52 acres within the project site will be implemented in conjunction with the project.

b. Industrial Overlay Designation

In addition to the industrial land use designations described above, the Industrial Overlay Designation (IOD) is included for neighborhoods or groups of neighborhoods within the project site (refer to Figure IV-13 for the neighborhood boundaries). The purpose of this designation is to permit development of the entire site, or a large portion of the site, for heavy industrial uses. The intent is to: 1) allow a major manufacturing use in all planning areas, provided certain conditions are met; 2) facilitate a preliminary level of entitlement for a large manufacturer; 3) ensure that a significant industrial use developing only a portion of the site would not create conflicts with adjacent land uses; and 4) prevent the bisecting or partial use of any of the project neighborhoods. A detailed description of the IOD is provided below in Section IV.A.9.

Deleted: golf-related uses such as dining, shops or driving range.¹

1
In addition to Open Area Combining Zone-Residential Development development, additional uses within the Open Space land use designation include public parks and community centers

Deleted:

- 4) Drainage plans shall be submitted to CVWD for review and approval. This is to ensure that all proposed facilities are compatible with existing CVWD and U.S. Bureau of Reclamation (USBR) facilities.
- 5) The capital cost of all on-site facilities will be the responsibility of the applicant. Such facilities will be dedicated to Riverside County and a homeowners or County Service Area for maintenance and operations.
- 6) All areas within the Specific Plan area will be required to prepare a Storm Water Pollutant Prevention Plan (SWPPP) in accordance with the requirements of the National Pollutant Discharge Elimination System (NPDES) standards. Industrial developments will require an additional SWPPP to operate.
- 7) All projects proposing construction activities including: cleaning, grading, or excavation that results in the disturbance of at least five acres total land area, or activity which is part of a larger common plan of development of five acres or greater shall obtain the appropriate NPDES construction permit and pay the appropriate fees. All development within the specific plan boundaries shall be subject to future requirements adopted by the County to implement the NPDES program. Mitigation measures may include, but not be limited to: on-site retention; covered storage of all outside storage facilities; vegetated swales; monitoring programs; etc.
- 8) The drainage plan for Kohl Ranch shall take into account the existing agricultural drainage facilities in this area. Possible conflicts with these facilities shall be evaluated by the developer's engineer and CVWD.

4. Conceptual Community Structure Plan

a. Community Structure Plan Description

The Community Structure Plan identifies the major project open space and recreation areas which define the project neighborhoods, and the landscape treatments for project roadways and entries.

1) Open Space and Recreation

The open space areas are an integral part of the Kohl Ranch Specific Plan. They provide recreational amenities to residents and workers, and are used to screen development edges from potential noise and visual impacts associated with surrounding arterials. The open space system also provides aesthetically pleasing views both from within the project and from surrounding roadways and adjacent properties.

The open space and recreation system for the Kohl Ranch Specific Plan includes neighborhood and community parks, large scale recreational uses, passive open space and a project-wide trail system. The open space system is organized around, and if necessary, will be adjusted to accommodate any changes in the project drainage network and the Desert Resorts Regional Airport safety zones which limit the land uses and densities which can be located on certain portions of the site. Approximately 405.16 acres are devoted to the open space land use category. Under a golf course scenario, this would increase to approximately 588.6 acres.

Deleted: golf courses

a) *Large Scale Recreational Uses*

Deleted: Golf Courses/Recreational
Lakes

The two golf courses run throughout the northern and southern portions of the site, paralleling the drainage system, and serve as a central view focus and buffer between land uses for the majority of residential units (Figure IV-6). The southern golf course, which could alternatively be developed for recreational lakes (lakes, including those used for aesthetics, detention, recreation, water skiing, and non-potable irrigation water), also serves as a view window into the project from the surrounding road network. Each golf course would be equipped with a driving range and clubhouse facility. The golf courses are secondary uses which are allowable under the provisions of the Specific Plan Zoning (see Section III). They are sited to maximize the golf course frontage and views for residential units. While both golf courses would be privately owned, it is envisioned that the 162.2-acre northern course would be open to the public and provide a regional recreational amenity, while the 193.5-acre southern golf course (or in the alternative, recreational lakes) would serve neighborhood residents.

A private motor sports race track, and uses incidental thereto, would also be allowed uses within the open space designation on the northern portion of the site. The facilities allowed within the open space zone would include a race track, private garages and uses incidental thereto such as a tuning shop and observation tower.

b) *Local Parks*

Four local parks are planned to serve residents of the project. Two additional parks are planned if the golf courses are not built. The parks are located throughout the site, and are connected by the project-wide trail system. Under the golf course alternative, an enhanced amenity package is planned which would supplement the recreation opportunities provided by the local parks. Three of the parks are located within the area that could be dedicated to the golf course use. Table IV-3 on the following page describes potential park uses for the project, with and without the golf course scenario and assuming the Industrial Overlay Designation (IOD) is implemented (see Section IV.9. below for a complete description of the IOD).

- The local park in the northwestern corner of the site (Park 1) is located on either side of "A" Street and serves the residential uses to the south of "A" Street, as well as the mix of non-residential uses to the north. Under the golf course scenario, the park would be 7.78 acres; without the golf course, the size of the park would increase to approximately 15.6 acres. This park is connected to the large area of contiguous natural open space just south of the airport via a trail along the south side of Avenue 60.
- The local park in the northeastern corner of the site (Park 2) is 7.68 acres and provides a recreational amenity to employees of the industrial development immediately to its south. This acreage may also be incorporated into a large scale recreational use.

**Table IV-3
POTENTIAL PARK USES¹**

Park	Description	Size	Potential Park Uses
4	<ul style="list-style-type: none"> Park is located in Neighborhood C If Neighborhood C is developed for industrial use, park acreage would remain undeveloped for drainage use, but uses would change to serve employees rather than residents 	4.4 acres	<ul style="list-style-type: none"> Ballfields Picnic area
5	<ul style="list-style-type: none"> Park is located in Neighborhoods G and H If Neighborhoods G and H are developed for industrial use (they must be developed together under the requirements of the IOD), the park would most likely be eliminated 	0.0 acres	<ul style="list-style-type: none"> Not applicable
6	<ul style="list-style-type: none"> Park is located in Neighborhoods J and K If Overlay District consisting of Neighborhoods J, K, L and M is developed for industrial use, park acreage would remain undeveloped for drainage use, but park uses would most likely be eliminated 	20.0 acres	<ul style="list-style-type: none"> Not applicable

NOTES:

¹ Potential park uses identified in the table are provided as examples of the types of uses that would be appropriate in each park under the three scenarios. Actual park uses and facilities may differ from those listed.

² Parks generally serve the neighborhoods in which they are located. Consequently, development of a neighborhood as an Industrial Overlay District would not deprive any adjacent residential neighborhoods of a local park.

c) Trail System

The proposed development is planned with an off-street trail system that parallels the drainageways throughout the site. ~~(Figure IV-10 shows proposed trail locations, however the final location of the off-street trail system may be adjusted to accommodate final engineering of the drainage system and development plan.)~~ The off-street system is supplemented by the on-street sidewalk system located in road rights-of-way. In addition to providing access to the local parks, the trail system also provides a pedestrian linkage to the public facilities located in the central portion of the site, just south of the Avenue 64 drainage channel, and to key commercial sites.

Deleted: (see Figure IV-10)

d) Naturalized Open Space

The system of drainage channels throughout the project site will offer a scenic amenity to residents of the Kohl Ranch Specific Plan site. The channels will be graded and will contain native desert vegetation that will also provide a buffer between land uses. The acreage of this natural open space will vary depending upon whether the golf courses or other recreational uses are built. With the golf courses or recreational and other lakes, natural open space will total 183.0 acres. Without the golf courses, large scale recreational uses or lakes, natural open space will increase to 350.8 acres.

Deleted: Natural

2) Landscape Concept

The landscape concept for the Kohl Ranch Specific Plan provides criteria for the treatment of areas within roads and easements, medians, land use transitions, development edges and project entries. The landscape concept has been conceived to organize the development and

recommended for public and private rights-of-way. The general landscape concept combines the use of palms trees with citrus understory, massed in selected locations, interchanged with formal and informal canopy plantings and use of other desert plant material. The streetscapes are broken down into three major categories with special features and plant forms as indicated (see Section IV.C., Design Guidelines for details). The proposed plantings along major project roadways are based upon the roadway significance and strategic location within the project site. Because of its importance as an east-west connection, "A" Street is proposed to employ the palm tree planting concept, with breaks in the plantings where tall trees are prohibited through the airport safety zones.

Formal canopy streetscape plantings are planned along "B" Street, "C" Street and several local roadways that provide internal circulation between neighborhoods. These streets provide definition to the project neighborhoods. Informal canopy streetscape plantings are recommended for local roads that are more interior to the site.

c) Buffers and Land Use Transitions

Windrow plantings are recommended to serve as buffers between land use types, along drainage channels and project edges, and within residential neighborhoods to mitigate against high desert winds. Windrows also can be used to provide structure to project neighborhoods and can be integrated with the project trail system, but must be sited to take into consideration airport safety zones.

b. Community Structure Development Standards

- 1) All detailed landscaping programs for planning areas and roadways will be prepared by a qualified landscape architect for review by the County.
- 2) Common open space areas within each planning area may be devoted to passive or active uses, and will, to the extent feasible, be coordinated with any open space in adjoining planning areas to create a continuous network. The exact design and layout of facilities will be accomplished in conjunction with detailed future tract layouts.
- 3) Prior to recordation of any final subdivision map, improvement plans for the respective landscaped common areas shall be submitted to the Riverside County Planning Department for approval. The improvement plans shall include, but not be limited to, the following:
 - Final grading plan;
 - Irrigation plans prepared by a landscape architect;
 - A landscaping plan with specifications for mulching and staking methods; locations, type, size and quantity of plantings;
 - Fence treatment plans; and
 - Special treatment/buffer area treatment plans.

4. Neighborhood D (See Figure IV-24 on page IV-151)

a. Neighborhood D Description

Neighborhood D is located in the northern portion of the project site, between Avenue 60 and Avenue 62 (Figure IV-24). This neighborhood is intended to function as a buffer between the business, commercial and residential uses to the west, and the heavy industrial uses to the east. The neighborhood is 215.58 acres in size and consists of 175.44 acres of open space and 31.44 acres of office uses. Much of the open space is within airport influenced areas and is designed to handle storm drainage. This open space also provides a local park and incorporates a portion of the project-wide trail system. The office uses are in close proximity to residential uses in neighborhoods B, C and G, and are intended to provide employment to neighborhood residents. Primary access to the office uses in the neighborhood is provided via "A" Street, "C" Street, and Avenue 62.

If developed with a golf course, a permitted use under provisions of the Specific Plan Zoning (see Section III), Neighborhood D would be equipped with a clubhouse and driving range, which would provide meeting, dining and recreational opportunities to neighborhood residents.

b. Neighborhood D Planning Standards

- 1) The open space in the neighborhood is constrained by the OSZ, Inner Safety Zone (ISZ) and ETZ airport zones. The entire neighborhood is within the TPZ. The development restrictions which apply to these zones are described in Section IV.A.10. of this Specific Plan.
- 2) As described in Section IV.A.9. of this document, an overlay designation can be applied to all of the planning areas within Neighborhood D. The overlay designation would allow all of the planning areas within Neighborhood D to be developed for an industrial use, consistent with airport safety, height and noise impact requirements, provided that all of the planning areas within Neighborhood B and C are also designated for an industrial use.
- 3) If the neighborhood is developed for industrial use through the application of the Industrial Overlay Designation (IOD), the landscape features, open space and roadways identified in the Specific Plan will serve to buffer the industrial uses from adjacent land uses. In addition, as indicated in the Specific Plan Zoning Ordinance, a 25 foot setback would apply where the development is adjacent to a residence or a street.
- 4) A secondary, golf course use is permitted in two of the six planning areas and a motor sports race track is permitted in one of the planning areas (See Section III).
- 5) "A" Street provides access to Planning Area D-2 (See Figure IV-24).
- 6) "C" Street provides access to Planning Areas D-2, D-4 and D-6 (See Figure IV-24).
- 7) Avenue 62 provides access to Planning Areas D-3, D-4, D-5 and D-6 (See Figure IV-24).
- 8) "A" Street will be developed with Arterial Streetscape 2 as illustrated in Figures IV-24 and IV-43.
- 9) "C" Street will be developed with the North/South Streetscape 1 - Secondary, as illustrated in Figures IV-24 and IV-47.

- 10) Avenue 62 will be developed with the Avenue 62 Streetscape - Secondary (See Figures IV-24 and IV-49).
- 11) Planning Areas D-3 and D5, and portions of Planning Area D-4 will be developed as a local park.

c. Neighborhood D Planning Areas

1) Planning Area D-1: Open Space

a) *Descriptive Summary*

Planning Area D-1, as depicted in Figure IV-24, provides for the development of 158.35 acres of open space. A portion of this area will be used to handle storm flows. Much of the planning area is described in the Desert Resorts Regional Airport Master Plan as proposed for acquisition for the runway clear zone. This planning area shall remain in open space uses, regardless of whether the IOD is applied.

Deleted: permanent

b) *Land Use and Development Standards*

Please refer to Ordinance No. 348 (See Section III, Specific Plan Zoning).

c) *Planning Standards*

- (1) Planning Area D-1 is located within the Desert Resorts Regional Airport ETZ, OSZ, ISZ and TPZ. Development within these zones will comply with all applicable restrictions and requirements.
- (2) As described in Section IV.A.9. of this document, an overlay designation can be applied to all of the planning areas within Neighborhood D. The overlay designation would allow all of the planning areas within Neighborhood D to be developed for an industrial use, consistent with airport safety, height and noise impact requirements, provided that all of the planning areas within Neighborhood B and C are also designated for an industrial use.
- (3) Large scale recreational uses such as a Golf course and a motor sports race track are permitted secondary uses in this planning area.
- (4) This planning area will include provisions for a pedestrian trail that links the trail along Avenue 60 with the trail through open space and drainage areas to the south.
- (5) Planning Area D-1 is accessed from Avenue 60 (See Figure IV-24).
- (6) The Buffer Condition between Planning Area D-1 and adjacent airpark/mixed use and industrial development will be as illustrated in Figure IV-63.
- (7) Please refer to Section IV.C., for specific Design Guidelines and other related design criteria.
- (8) Please refer to Section IV.A. for Development Plans and Standards that apply site-wide.

Deleted: Golf course is a secondary use

2) Planning Area D-2: Office

c. Neighborhood E Planning Areas

1) Planning Area E-1: Open Space

a) Descriptive Summary

Planning Area E-1, as depicted in Figure IV-25, provides for the development of 7.68 acres of open space which will be developed as a local park to serve employees of the adjacent industrial uses.

b) Land Use and Development Standards

Please refer to Ordinance No. 348 (See Section III, Specific Plan Zoning).

c) Planning Standards

- (1) Planning Area E-1 is located within the Desert Resorts Regional Airport ETZ and TPZ. Development within these zones will comply with all applicable restrictions and requirements.
- (2) This planning area will be developed as a local park, or incorporated into a large scale recreational use.
- (3) Planning Area E-1 is accessed from Avenue 60 (See Figure IV-25).
- (4) Please refer to Section IV.C., for specific Design Guidelines and other related design criteria.
- (5) Please refer to Section IV.A., for Development Plans and Standards that apply site-wide.

2) Planning Area E-2: Heavy Industrial

a) Descriptive Summary

Planning Area E-2, as depicted in Figure IV-25, provides for the development of 172.86 acres of heavy industrial land uses.

In addition to Manufacturing-Heavy development, additional uses within the Heavy Industrial land use designation include water wells and appurtenant facilities; aerial services including advertising, photography and tours; aerospace/aeronautical or automotive museums; aircraft taxiways; catering services/flight kitchens; conference facilities; golf courses and appurtenant facilities; convenience stores; dry cleaners; flight schools; hospitals; hotels and motels; intermodal cargo transfer terminals; research and development facilities for biomedical, chemical, electronic, mechanical and other scientific purposes; paper recycling facilities; parcel-delivery services; and rental car agencies including the storage of rental cars; motor sports race track and facilities incidental thereto; cogeneration plants; structures and facilities necessary and incidental to the development, generation and transmission of electric power and gas such as power plants, booster or conversion plants, transmission lines, pipelines and the like; and incarceration and detention facilities. Additionally, light agricultural uses will be allowed when the gross area of a lot is twenty (20) acres or greater.

3) Regional Trail

A Regional Trail shall be located along the northern boundary of The Kohl Ranch, as shown on Figure IV-10, subject to adjustment for final engineering of drainage and development plans. It will consist of a maximum 8 foot improved section within a maximum 14 foot right-of-way. Please refer to Figure IV-68a for a typical cross-section of the regional trail.

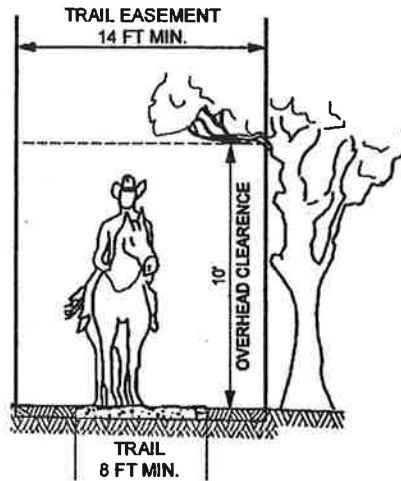
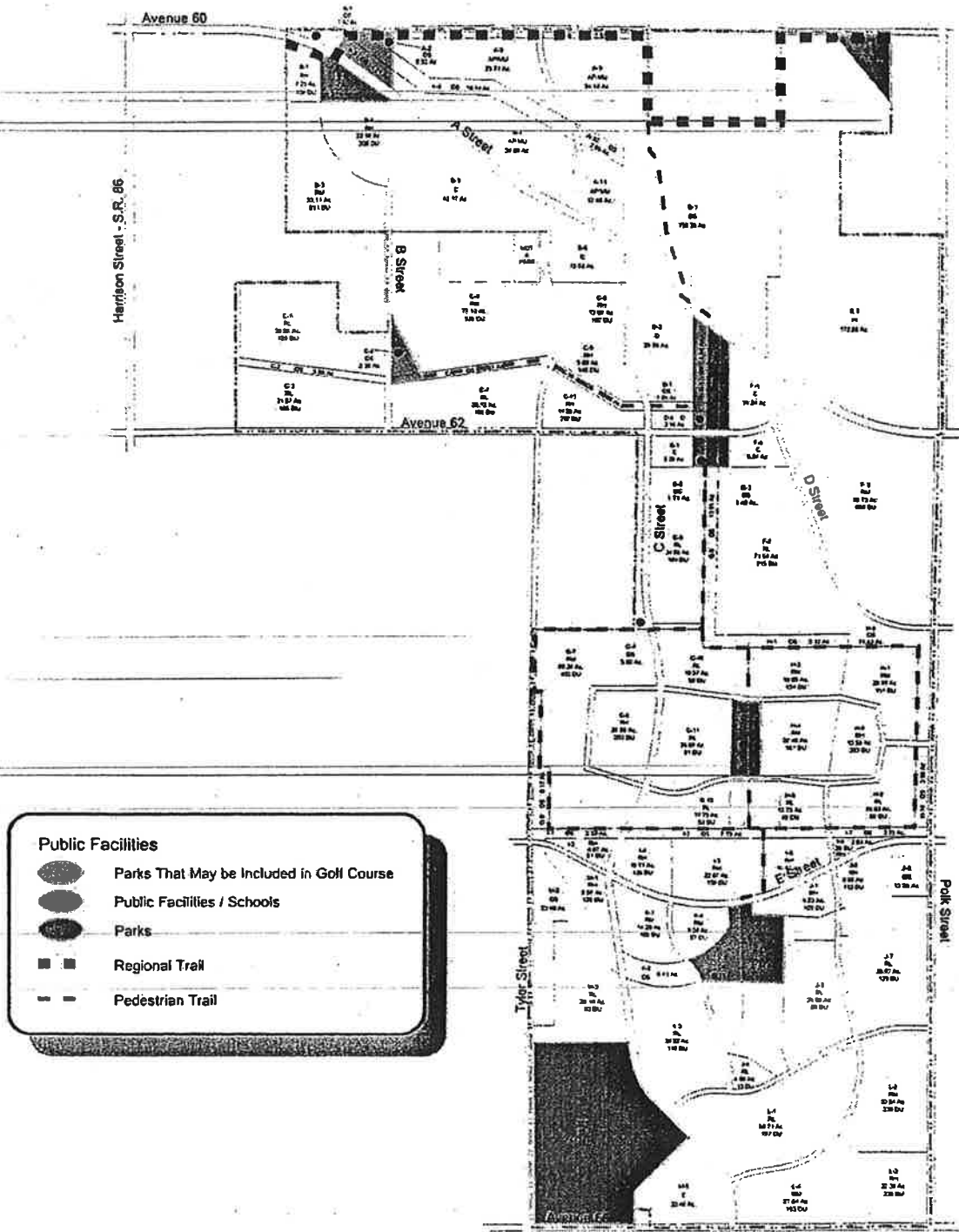


Figure IV-68 • Regional Trail

i. Walls and Fences

Walls and fences are of particular functional importance for the Kohl Ranch (See Figure IV-68). Two plans have been developed, one without the golf course (Figure IV-69) and one with the golf course (Figure IV-70). The plans shown in figures IV-68, 69 and 70 apply to Concept One only. Other allowed uses in open space that are in the vicinity of the airport safety zones will also be appropriately fenced or walled as shown in Figure IV-68a. If the Industrial Overlay or motor sports race track is implemented, an individual fencing plan for those uses will be prepared.

Public Facility Sites



04/21/10
10:49

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 1

ST CONFORMANCE - SP Case #: SP00303S2

Parcel: 759-190-004

10. GENERAL CONDITIONS

EVERY DEPARTMENT

10. EVERY. 1 SPSC - Definitions

RECOMMND

The words identified in the following list that appear in all capitals in the attached conditions of Specific Plan No. 303, Substantial Conformance No. 2 shall be henceforth defined as follows:

SPECIFIC PLAN SUBSTANTIAL CONFORMANCE = Substantial Conformance No. 1 to Specific Plan No. 303.

Exhibit A-1 -- Project Location within Specific Plan
Exhibit A-2 -- Proposed Conceptual Land Use Plan
Exhibit A-3 -- ALUC Zones
Exhibit A-4 -- Estimated Noise Countours

Exhibit A-5 -- Thermal Motorsports Park Club Track
Exhibit A-6 -- Airport Layout Plan 1
Exhibit A-7 -- Airport Layout Plan 2
Exhibit A-8 -- Kohl Ranch Specific Plan
Exhibit A-9 -- Overlay of TMP Track

Exhibit A-10 (14 Sheets) -- Text changes within Specific Plan document.

10. EVERY. 2 SPSC - SPSC description

RECOMMND

This SPECIFIC PLAN SUBSTANTIAL CONFORMANCE proposes to make the following minor alterations to the SPECIFIC PLAN:

The specific plan substantial conformance proposes to expand uses allowed in Planning Area E-2 "Heavy Industrial" and Planning Areas E-1, D-1 "Open Space" to include an automotive race track, with ancillary uses and facilites, plus alternative energy facilites.

10. EVERY. 3 SPSC - Hold Harmless

RECOMMND

The applicant or any successor-in-interest shall defend, indemnify, and hold harmless the County of Riverside (COUNTY), its agents, officers, or employees from any claim, action, or proceeding against the COUNTY, its agents, officers, or employees to attack, set aside, void or annul an approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning the SPECIFIC PLAN SUBSTANTIAL CONFORMANCE. The COUNTY will promptly notify the subdivider of any such claim, action, or

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10. GENERAL CONDITIONS

10. EVERY. 3 SPSC - Hold Harmless (cont.)

RECOMMND

proceeding against the COUNTY and will cooperate fully in the defense. If the COUNTY fails to promptly notify the subdivider of any such claim, action, or proceeding or fails to cooperate fully in the defense, the subdivider shall not, thereafter, be responsible to defend, indemnify, or hold harmless the COUNTY.

BS GRADE DEPARTMENT

10.BS GRADE. 2 SP*GSP-1 ORD. NOT SUPERSEDED

RECOMMND

Anything to the contrary, proposed by this Specific Plan, shall not supersede the following: All grading shall conform to the California Building code, County General Plan, Ordinance 457 and all other relevant laws, rules and regulations governing grading in Riverside County.

10.BS GRADE. 3 SP*GSP-2 GEO/SOIL TO BE OBEYED

RECOMMND

All grading shall be performed in accordance with the recommendations of the included -County approved- geotechnical/soils reports for this Specific Plan.

10.BS GRADE. 4 SP-ALL CLEARNC'S REQ'D B-4 PMT

RECOMMND

Prior to issuance of a grading permit, all certifications affecting grading shall have written clearances. This includes, but is not limited to, additional environmental assessments, erosion control plans, geotechnical/soils reports, and departmental clearances.

10.BS GRADE. 5 SP*-NO GRADING & SUBDIVIDING

RECOMMND

If grading of the entire - or any portion there of - Specific Plan site is proposed, UNDER A SUBDIVISION OR LAND USE CASE ALREADY APPROVED FOR THIS SPECIFIC PLAN, at the same time that application for further subdivision of any of its parcels is being applied for, an exception to Ordinance 460, Section 4.5.B, shall be obtained from the Planning Director, prior to issuance of the grading permit (Ord. 460 Section 3.1). THIS EXCEPTION WILL NOT APPLY TO ANY CASE HAVING ONLY AN APPROVED SPECIFIC PLAN.

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10. GENERAL CONDITIONS

E HEALTH DEPARTMENT

10.E HEALTH. 1 DEH GENERAL COMMENTS RECOMMND

All previous conditions associated with SP 303 still apply.

10.E HEALTH. 2 CONTACT WATER ENGINEERING RECOMMND

Contact the Department of Environmental Health (DEH) Water Engineering Section at (760) 393-3390 to obtain most current information regaring water well requirements.

FIRE DEPARTMENT

10.FIRE. 1 SP-#71-ADVERSE IMPACTS RECOMMND

The proposed project will have a cumulative adverse impact on the Fire Department's ability to provide an acceptable level of service. These impacts include an increased number of emergency and public service calls due to the increased presence of structures and population. The project proponents/develpers shall participate in the development Impact fee program as adopted by the Riverside County Board of Supervisors to mitigate a portion of these impacts. This will provide funding for capitol improvements such as land/equipment purchases and fire station construction. The Fire Department reserves the right to negotiate developer agreements associated with the development of land and/or construction of fire facilities to meet service demands through the regional integrated fire protection response system.

10.FIRE. 2 SP-#86-WATER MAINS RECOMMND

All water mains and fire hydrants providing required fire flows shall be constructed in accordance with the appropriate sections of Riverside County Ordinance 460 and/or No.787, subject to the approval by the Riverside County Fire Department.

10.FIRE. 3 SP-#85-FINAL FIRE REQUIRE RECOMMND

Final fire protection requirements and impact mitigation measures will be determined when specific project plans are submitted.

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10. GENERAL CONDITIONS

10.FIRE. 4

SP-#97-OPEN SPACE

RECOMMND

Prior to approval of any development for lands adjacent to open space areas, a fire protection/vegetaion management (fuel modificatin) plan shall be submitted to the Riverside County Fire Department for reveiw and approval. The Homeowner's Association or appropriate management entity shall be responsible for maintaining the elements to the plan.

10.FIRE. 6

SP-#96-ROOFING MATERIAL

RECOMMND

All buildings shall be constructed with fire retardant roofing material as described in section 1503 of the Uniform Building Code. Any wood shingles or shakes shall have a Class B rating and shall be approved by the Fire Department prior to installation.

10.FIRE. 7

SP-#100-FIRE STATION

RECOMMND

Based on the adopted Riverside County Fire Protection Master Plan, one new fire station and/or engine company could be required for every 2,000 new dwelling units, and/or 3.5 million square feet of commercial/industrial occupancy. Given the project's proposed development plan, up to 2 fire station(s) MAY be needed to meet anticipated service demands. The Fire Department reserves the right to negotiate developer agreements associated with the development of land and/or construction of fire facilities to meet service demands through the rgional intergrated fire protection response system.

10.FIRE. 8

SP-#101-DISCL/FLAG LOT

RECOMMND

- 1) FLAG LOTS WILL NOT BE PERMITTED BY THE FIRE DEPARTMENT.
-) This project lies within the VERY HIGH FIRE HAZARD SEVERITY ZONE.
- 3) A fire fuel analysis of the open space/wildlands within and outside the project area may be required prior to submitting a fuel modification plan.

NOTICE:

The transferor of real property shall disclose to the transferee that this project lies within a VERY HIGH FIRE HAZARD area.

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10. GENERAL CONDITIONS

10.FIRE. 9

SP-#47 SECONDARY ACCESS

RECOMMND

In the interest of Public Safety, the project shall provide an Alternate or Secondary Access(s) as stated in the Transportation Department Conditions. Said Alternate or Secondary Access(s) shall have concurrence and approval of both the Transportation and Fire Departments and shall be maintained through out any phasing.

PARKS DEPARTMENT

10.PARKS. 1

SP - Design Guidelines Trails

RECOMMND

The SP and all associated projects will comply with the approved Thermal Design Guidelines -- Trails element.

PLANNING DEPARTMENT

10.PLANNING. 1

GEN - IF HUMAN REMAINS FOUND

RECOMMND

The developer/permit holder or any successor in interest shall comply with the following codes for the life of this project:

If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Further, pursuant to Public Resources Code Section 5097.98 (b), remains shall be left in place and free from disturbance until a final decision as to the treatment and their disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within the period specified by law. Subsequently, the Native American Heritage Commission shall identify the "Most Likely Descendant." The Most Likely Descendant shall then make recommendations and engage in consultation with the County and the property owner concerning the treatment of the remains as provided in Public Resources Code Section 5097.98. Human remains from other ethnic/cultural groups with recognized historical associations to the project area shall also be subject to consultation between appropriate representatives from that group and the County Planning /Director.

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10. GENERAL CONDITIONS

10.PLANNING. 2

GEN - INADVERTANT ARCHAEO FIND

RECOMMND

The developer/permit holder or any successor in interest shall comply with the following for the life of this project:

If during ground disturbance activities, cultural resources are discovered that were not assessed by the archaeological reports and/or environmental assessment conducted prior to project approval, the following procedures shall be followed. A cultural resources site is defined, for this condition, as being three or more artifacts in close association with each other, but may include fewer artifacts if the area of the find is determined to be of significance due to its sacred or cultural importance.

1.All ground disturbance activities within 100 feet of the discovered cultural resource shall be halted until a meeting is convened between the developer, the project archaeologist, the Native American tribal representative (or other appropriate ethnic/cultural group representative), and the Planning Director to discuss the significance of the find.

2.At the meeting, the significance of the discoveries shall be discussed and after consultation with the Native American tribal (or other appropriate ethnic/cultural group representative) and the archaeologist, a decision is made, with the concurrence of the Planning Director, as to the appropriate mitigation (documentation, recovery, avoidance, etc) for the cultural resource.

3.Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate preservation or mitigation measures.

20. PRIOR TO A CERTAIN DATE

PLANNING DEPARTMENT

20.PLANNING. 1

SP - SC DOCUMENT TO BE PREPAR

RECOMMND

Within ninety (90) days of the approval of the SPECIFIC PLAN SUBSTANTIAL CONFORMANCE, the applicant shall provide to the Planning Department fifteen (15) copies of the final SPECIFIC PLAN SUBSTANTIAL CONFORMANCE document. The document shall illustrate the differences between the

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20. PRIOR TO A CERTAIN DATE

20.PLANNING. 1 SP - SC DOCUMENT TO BE PREPAR (cont.) RECOMMND

current proposal and the SPECIFIC PLAN. The final documents shall provide substitution pages for SPECIFIC PLAN.

20.PLANNING. 2 SC - CONDITION ADDED TO CASE RECOMMND

Within thirty (30) days after the approval of the SUBSTANTIAL CONFORMANCE, the Planning Department shall add the following condition to SP00303A1:

"Coordinate with SP00303S2"

30. PRIOR TO ANY PROJECT APPROVAL

PLANNING DEPARTMENT

30.PLANNING. 1 SP - PRIMP & MONITOR RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"This site is mapped in the County's General Plan as having a High potential for paleontological resources (fossils). Proposed project site grading/earthmoving activities could potentially impact this resource. HENCE:

PRIOR TO ISSUANCE OF GRADING PERMITS:

1.The applicant shall retain a qualified paleontologist approved by the County of Riverside to create and implement a project-specific plan for monitoring site grading/earthmoving activities (project paleontologist).

2.The project paleontologist retained shall review the approved development plan and grading plan and shall conduct any pre-construction work necessary to render appropriate monitoring and mitigation requirements as appropriate. These requirements shall be documented by the project paleontologist in a Paleontological Resource Impact Mitigation Program (PRIMP). This PRIMP shall be submitted to the County Geologist for review and approval prior to issuance of a Grading Permit.

Information to be contained in the PRIMP, at a minimum and

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30. PRIOR TO ANY PROJECT APPROVAL

30. PLANNING. 1

SP - PRIMP & MONITOR (cont.)

RECOMMEND

in addition to other industry standard and Society of Vertebrate Paleontology standards, are as follows:

1. Description of the proposed site and planned grading operations.

2. Description of the level of monitoring required for all earth-moving activities in the project area.

3. Identification and qualifications of the qualified paleontological monitor to be employed for grading operations monitoring.

4. Identification of personnel with authority and responsibility to temporarily halt or divert grading equipment to allow for recovery of large specimens.

5. Direction for any fossil discoveries to be immediately reported to the property owner who in turn will immediately notify the County Geologist of the discovery.

6. Means and methods to be employed by the paleontological monitor to quickly salvage fossils as they are unearthed to avoid construction delays.

7. Sampling of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates.

8. Procedures and protocol for collecting and processing of samples and specimens.

9. Fossil identification and curation procedures to be employed.

10. Identification of the permanent repository to receive any recovered fossil material. * The County of Riverside must be consulted on the repository/museum to receive the fossil material and a written agreement between the property owner/developer and the repository must be in place prior to site grading.

11. All pertinent exhibits, maps and references.

12. Procedures for reporting of findings.

13. Identification and acknowledgement of the developer for

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 1

SP - PRIMP & MONITOR (cont.) (cont.)

RECOMMND

the content of the PRIMP as well as acceptance of financial responsibility for monitoring, reporting and curation fees.

All reports shall be signed by the project paleontologist and all other professionals responsible for the report's content (eg. Professional Geologist), as appropriate. Two wet-signed original copies of the report(s) shall be submitted to the office of the County Geologist along with a copy of this condition and the grading plan for appropriate case processing and tracking. These documents should not be submitted to the project Planner, the Plan Check staff, the Land Use Counter or any other County office. In addition, the applicant shall submit proof of hiring (i.e. copy of executed contract, retainer agreement, etc.) a project paleontologist for the in-grading implementation of the PRIMP."

30.PLANNING. 2

SP - GEOLOGIC STUDY

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

PRIOR TO SCHEDULING THIS PROJECT FOR A PUBLIC HEARING/ACTION, THE FOLLOWING SPECIAL GEOLOGIC STUDIES SHALL BE SUBMITTED TO AND APPROVED BY THE COUNTY GEOLOGIST:

A geologic/geotechnical investigation report. The investigation shall address geologic hazards including, but not necessarily limited to, slope stability, rock fall hazards, landslide hazards, surface fault rupture, fissures, liquefaction potential, collapsible and/or expansive soils, subsidence, wind and water erosion, debris flows, and groundshaking potential. For completeness and direct correlation to the proposed project, the consultant shall be provided the most recent copy of the project case exhibit (tract map, parcel map, plot plan, CUP, etc.) for incorporation into the consultant's report. Furthermore, the consultant shall plot all appropriate geologic and geotechnical data on this case exhibit and include it as an appendix/figure/plate in their report. The geologic/geotechnical investigation report shall be reviewed and approved by the County Engineering Geologist prior to scheduling this case for a public hearing.

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 2 SP - GEOLOGIC STUDY (cont.)

RECOMMND

Note: acquisition of a County geologic report (GEO) number and submittal of review fees is required (DBF estimate TBD based on project acreage). All reports (2 wet-signed original copies), Planning Geologic Report application (case sub-type GEO3) and deposit base fee payment should be submitted, in person by the applicant or his/her representative, at one of the County's two main offices (Riverside, Palm Desert). These items should be submitted at the Land Use counter. Reports and payment should not be given to the Planner or County Geologist directly.

The applicant and their consultant should also be aware that County Ordinance 457.98 requires a grading permit for any exploratory excavations consisting of 1000 cubic yards or greater in any one location of one acre or more. This applies to all trenching, borings and any access road clearing/construction that may be necessary.

30.PLANNING. 3 SP - SP CHANGE OF ZONE

RECOMMND

Prior to the approval of any implementing project within Planning Areas D-1, E-1 & E-2 of the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), a Change of Zone Application, accompanied by required fees per County ordinance, shall be submitted and must be approved to modify the existing Zoning Ordinance for Specific Plan 303 in order to add a motor sports race track as a permitted use consistent with the revised Specific Plan text resulting from Substantial Conformance No. 2. No implementing project may be approved within the aftermentioned Planning Areas until such time as the Change of Zone is in effect.

TRANS DEPARTMENT

30.TRANS. 1 SP - SP303S2/TS REQUIRED

RECOMMND

Site specific traffic studies will be required for all subsequent development proposals with the boundaries of Specific Plan No. SP00303S2 as approved by the Transportation Department. These subsequent traffic studies shall identify specific project impacts and needed roadway improvements to be constructed prior to each development phase.

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30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 2

SP - SP303S2/CIRCULATION PLAN

RECOMMND

Any subsequent implementing map of SP 00303 (Kohl Ranch) or amendments shall demonstrate conformance with the County's Draft General Plan Circulation Element.

60. PRIOR TO GRADING PRMT ISSUANCE

PLANNING DEPARTMENT

60.PLANNING. 1

GEN*- CULTURAL RESOURCES PROFE

RECOMMND

As a result of [ADD STATEMENT OF FINDING AND DELETE THIS TEXT]

Prior to the issuance of grading permits, the developer/permit holder shall retain and enter into a monitoring and mitigation service contract with a qualified [Archaeologist, Historic Archaeologist, Architectural Historian, Historian, and/or Prehistoric Archaeologist SELECT APPROPRIATE AND DELETE THIS TEXT] for services. This professional shall be known as the "Project Monitor." The Project Monitor shall be included in the pre-grade meetings to provide cultural/historical sensitivity training including the establishment of set guidelines for ground disturbance in sensitive areas with the grading contractors and special interest monitors. The Project Monitor shall manage and oversee monitoring for all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, grading, trenching, stockpiling of materials, rock crushing, structure demolition and etc. The Project Monitor shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources in coordination with the special interest monitors.

The developer/permit holder shall submit a fully executed copy of the contract to the Riverside County Planning Department to ensure compliance with this condition of approval. Upon verification, the Planning Department shall clear this condition.

NOTE:

1)The Project Monitor is responsible for implementing mitigation using standard professional practices for cultural resources. The Professional shall consult with

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60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 1 GEN*- CULTURAL RESOURCES PROFE (cont.) RECOMMND

the County, developer/permit holder and special interest group monitor throughout the process.

2)This agreement shall not modify any condition of approval or mitigation measure.

60.PLANNING. 2 GEN*- SPECIAL INTEREST MONITOR RECOMMND

As a result of [ADD STATEMENT OF FINDING AND DELETE THIS TEXT]

Prior to the issuance of grading permits, the developer/permit holder shall enter into contract and retain a monitor(s) designated by the [PROVIDE THE NAME OF THE SPECIAL INTEREST GROUP(S) WHO WILL BE MONITORING AND DELETE THIS TEXT]. This group shall be known as the Special Interest Monitor (SI Monitor) for this project. The contract shall address the treatment and ultimate disposition of cultural resources which may include repatriation and/or curation in a Riverside County approved curation facility.

The SI Monitors shall be on-site during all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, grading, trenching, stockpiling of materials, rock crushing, structure demolition and etc. The SI Monitors shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources in coordination with the appropriate Cultural Resources Professional such as an Archaeologist, Historic Archaeologist, Architectural Historian and/or Historian.

The developer/permit holder shall submit a fully executed copy of the contract to the Riverside County Planning Department to ensure compliance with this condition of approval. Upon verification, the Planning Department shall clear this condition.

NOTE:

1)The Cultural Resources Professional is responsible for implementing mitigation and standard professional practices for cultural resources. The Professional shall consult with the County, developer/permit holder and special

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60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 2

GEN*- SPECIAL INTEREST MONITOR (cont.)

RECOMMND

interest group monitor throughout the process.

2)Special interest monitoring does not replace any required Cultural Resources monitoring, but rather serves as a supplement for consultation and advisory purposes for all groups interests only.

3)This agreement shall not modify any condition of approval or mitigation measure.

4)The developer/permit holder shall contact the Planning Director for consideration of this condition after forty-five (45) days, if an agreement with the special interest groups has not been met.

5)Should repatriation be preferred, it shall not occur until after the Phase IV monitoring report has been submitted to the Riverside County Planning Department. Should curation be preferred, the developer/permit holder is responsible for all costs.

90. PRIOR TO BLDG FINAL INSPECTION

E HEALTH DEPARTMENT

90.E HEALTH. 1

USE - HAZMAT BUS PLAN

RECOMMND

The facility will require a business emergency plan for the storage of hazardous materials greater than 55 gallons, 200 cubic feet or 500 pounds, or any acutely hazardous materials or extremely hazardous substances.

90.E HEALTH. 2

USE - HAZMAT REVIEW

RECOMMND

If further review of the site indicates additional environmental health issues, the Hazardous Materials Management Division reserves the right to regulate the business in accordance with applicable County Ordinances.

90.E HEALTH. 3

USE - HAZMAT CONTACT

RECOMMND

Contact a Hazardous Materials Specialist, Hazardous Materials Management Division, at (951) 358-5055 for any additional requirements.

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90. PRIOR TO BLDG FINAL INSPECTION

~~PLANNING DEPARTMENT~~

RECOMMND

Prior to final inspection of the first building permit, the developer/permit holder shall prompt the Cultural Resources Professional to submit two (2) copies of a Phase IV Cultural Resources Monitoring Report that complies with the Riverside County Planning Department's requirements for such reports. The report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting. The Planning Department shall review the report to determine adequate mitigation compliance. Provided the report is adequate, the Planning Department shall clear this condition.

AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY



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Riverside County
Planning Department
Desert Office

April 7, 2010

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Simon Housman
Rancho Mirage

VICE CHAIRMAN
Rod Ballance
Riverside

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Russell Brady
Barbara Santos

County Administrative Center
4080 Lemon St., 9th Floor.
Riverside, CA 92501
(951) 955-5132

www.rcaluc.org

Jay Olivas, Urban Regional Planner IV
Riverside County Planning Department, Palm Desert
Mail Stop #4035

**RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW
– REVISED LETTER**

File No.: ZAP1014TH09
Related File No.: SP00303S2 (Specific Plan No. 303, Substantial Conformance
No. 2)
APN: 759-170-001, 759-190-004

Dear Mr. Olivas:

On March 11, 2010, the Riverside County Airport Land Use Commission (ALUC) found the above-referenced Substantial Conformance Request **CONSISTENT** with the 2005 Jacqueline Cochran Regional Airport Land Use Compatibility Plan, subject to the following conditions, as amended:

This finding of consistency refers to the Substantial Conformance request for the proposed race track layout. Approval of a finding of Substantial Conformance does not authorize the construction of any structures. It is acknowledged by all parties that subsequent plot plans proposing structures and /or land uses shall be subject to further ALUC review.

CONDITIONS:

1. Prior to the issuance of building permits, the landowner shall convey an avigation easement to Jacqueline Cochran Regional Airport, which shall be recorded, or shall provide evidence that such an easement covering the property has already been recorded. Copies of the avigation easement, upon recordation, shall be forwarded to the Riverside County Planning Department (Desert office) and to the Riverside County Airport Land Use Commission.
2. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky, and shall comply with Riverside County Ordinance No. 655, as applicable. Outdoor lighting plans, if any, shall be transmitted to Riverside County Economic Development Agency – Aviation Division personnel and to the Jacqueline Cochran Regional Airport for review and comment. (Failure to comment within thirty days shall be considered to constitute acceptability on the part of the airport manager.)
3. The following uses shall be prohibited:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight

final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.


- (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features, aquaculture, livestock operations, production of cereal grains, sunflower, and row crops, artificial marshes, wastewater management facilities, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, incinerators, and landfills.)
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
 - (e) Children's schools, day care centers, libraries, hospitals, nursing homes, places of worship, highly noise-sensitive outdoor nonresidential uses, and aboveground bulk storage of 6,000 gallons or more of hazardous or flammable materials.
4. The attached notice shall be provided to all potential purchasers and tenants.
 5. Any detention or retention basin shall be designed so as to provide a maximum 48-hour detention period for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the retention basin that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.
 6. Noise attenuation measures shall be incorporated into the design of office areas of structures, as necessary to ensure interior noise levels from aircraft operations are at or below 45 CNEL.
 7. No portion of any roadway or track shall be located within the Runway Protection Zone.
 8. This consistency finding for Specific Plan No. 303, Substantial Conformance No. 2 is based on the representation by the landowner and the representatives of the landowner that the proposed automobile race track would be for the use of a club with limited membership. No use of the racetrack for the purpose of spectator sports, in which guests pay for admission to an event or a series of events, or to which the general public is invited, is included in this determination of consistency.
 9. Development of the area addressed through Specific Plan No. 303, Substantial Conformance No. 2 shall comply with all nonresidential intensity criteria and open area requirements of the applicable airport compatibility zones.
 10. All structures shall maintain a minimum **perpendicular** distance of 750 feet from any point **along the centerline of** Runway 17-35 of Jacqueline Cochran Regional Airport, as the runway is depicted on the Airport's Master Plan (including any point **along the centerline of the runway as extended to the southerly boundary of Zone A**).

Airport Land Use Commission
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If you have any questions, please contact John Guerin, ALUC staff at (951) 955-0982.

Sincerely,

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION


Edward C. Cooper, Director

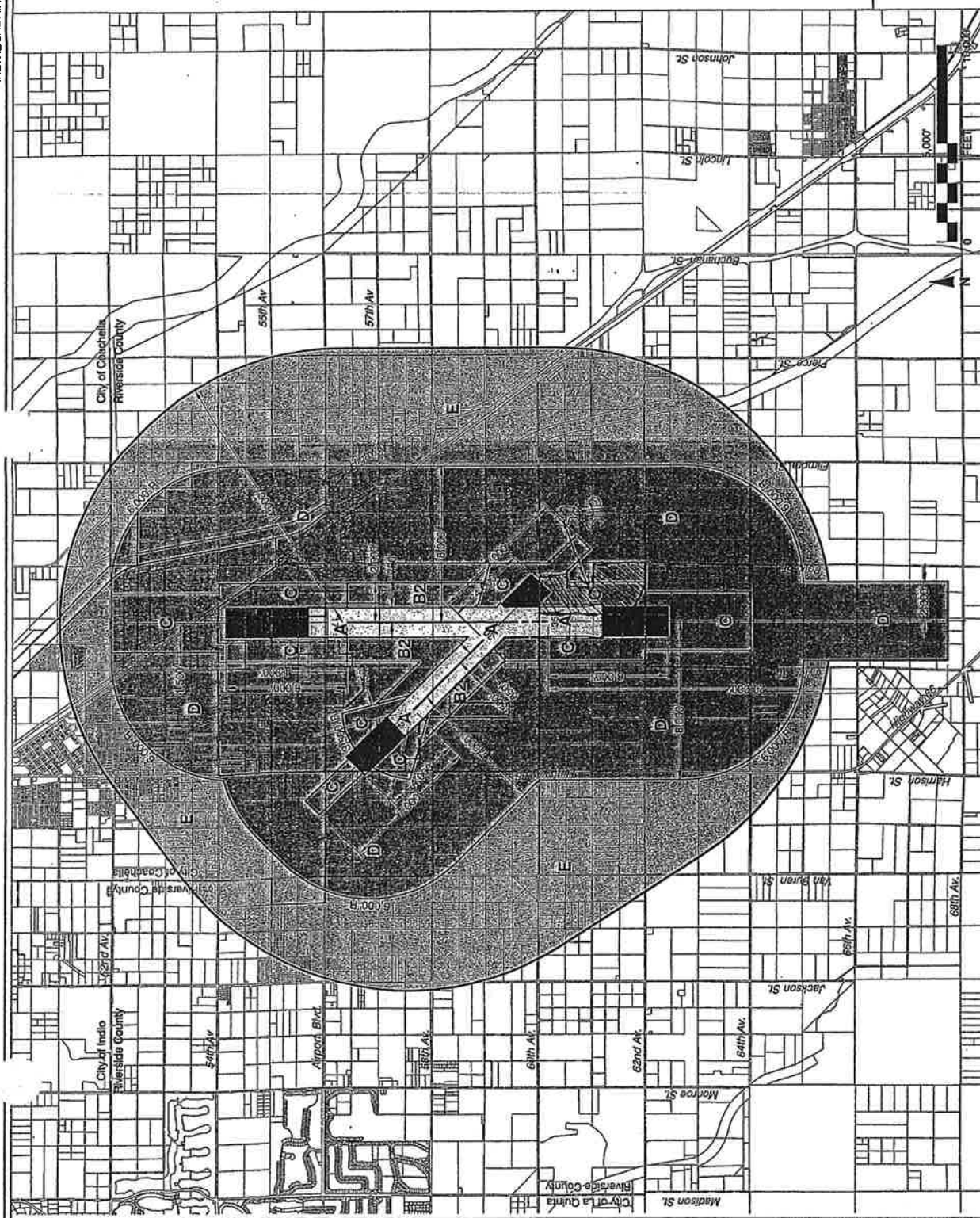
Attachments: Notice of Airport in Vicinity

cc: ALUC Staff
Emily Hemphill
Kohl Ranch, LLC - Attn.: Jeff Dinkin
Marathon Communications Inc. – Attn.: Rich Lichtenstein
Johnson Aviation – Attn.: Nick Johnson
Riverside County Economic Development Agency – Attn.: Chad Davies
Riverside County Economic Development Agency – Attn.: Colby Cataldi
Tony Griffin

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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)



See Chapter 2, Table 2A for compatibility criteria associated with this map.

**Riverside County
Airport Land Use Commission**
***Riverside County
Airport Land Use Compatibility Plan
Policy Document***
(Adopted June 2005)

Map JC-1

Compatibility Map
Jacqueline Cochran Regional Airport

RIVERSIDE COUNTY GIS



Selected parcel(s):

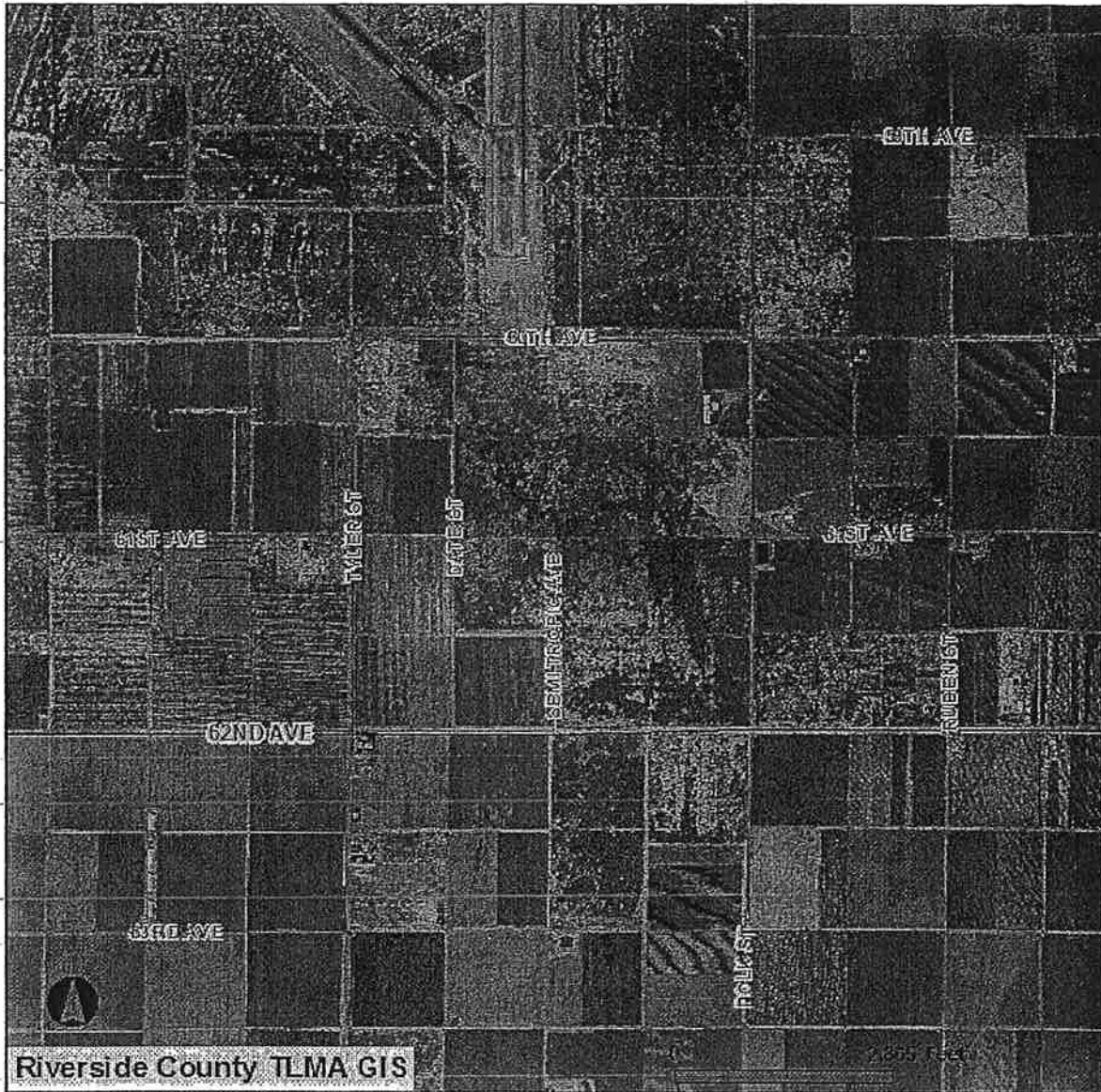
759-150-001 759-160-001 759-170-001 759-190-004

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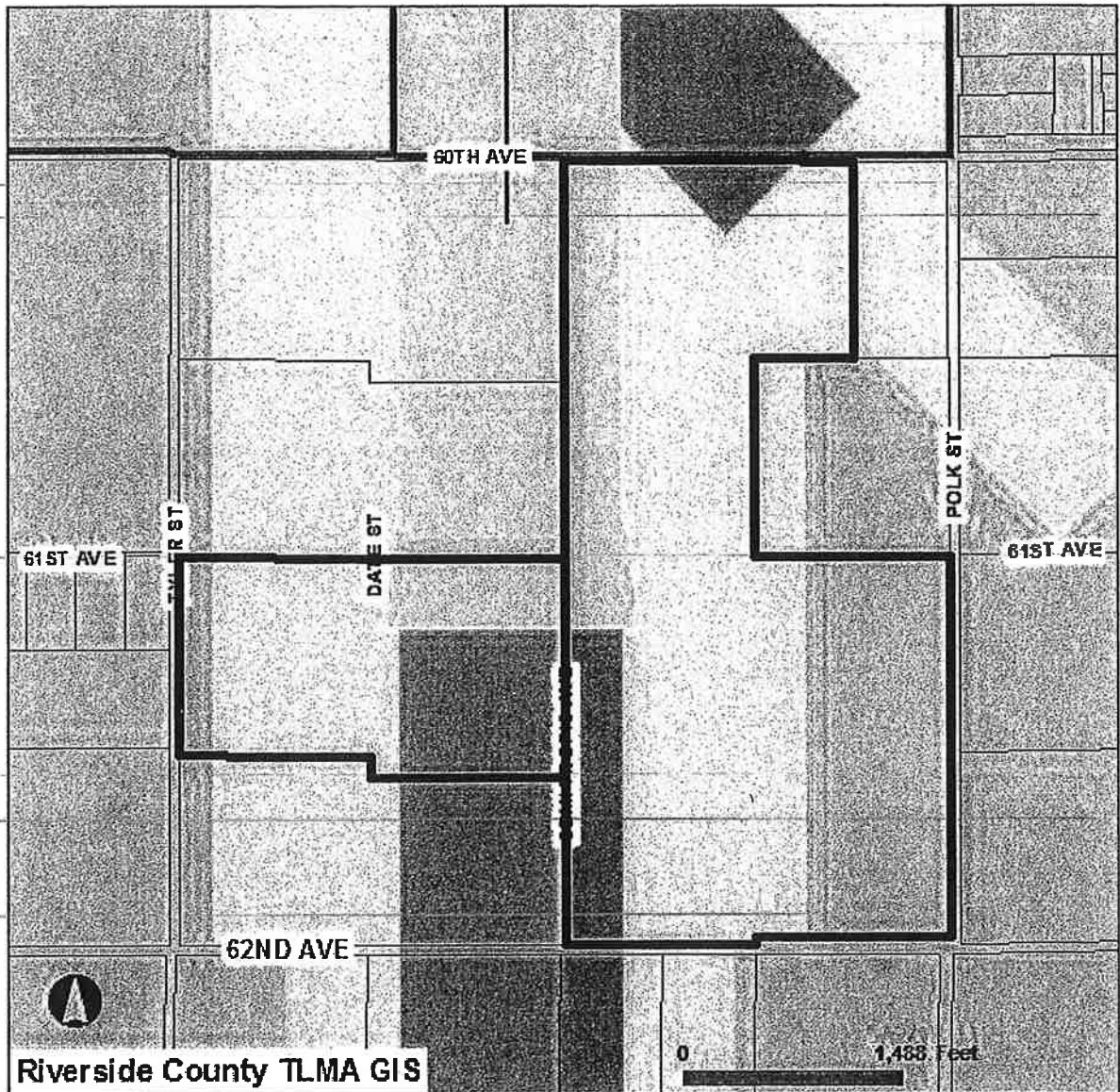
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Selected parcel(s):
759-170-001 759-190-004

AIRPORTS

- | | | | |
|-----------------------|-------------------------|----------------------|----------------------|
| SELECTED PARCEL | INTERSTATES | HIGHWAYS | PARCELS |
| AIRPORT RUNWAYS | AIRPORT INFLUENCE AREAS | AIRPORT BOUNDARIES | COMPATIBILITY ZONE A |
| COMPATIBILITY ZONE B1 | COMPATIBILITY ZONE C | COMPATIBILITY ZONE D | |

IMPORTANT

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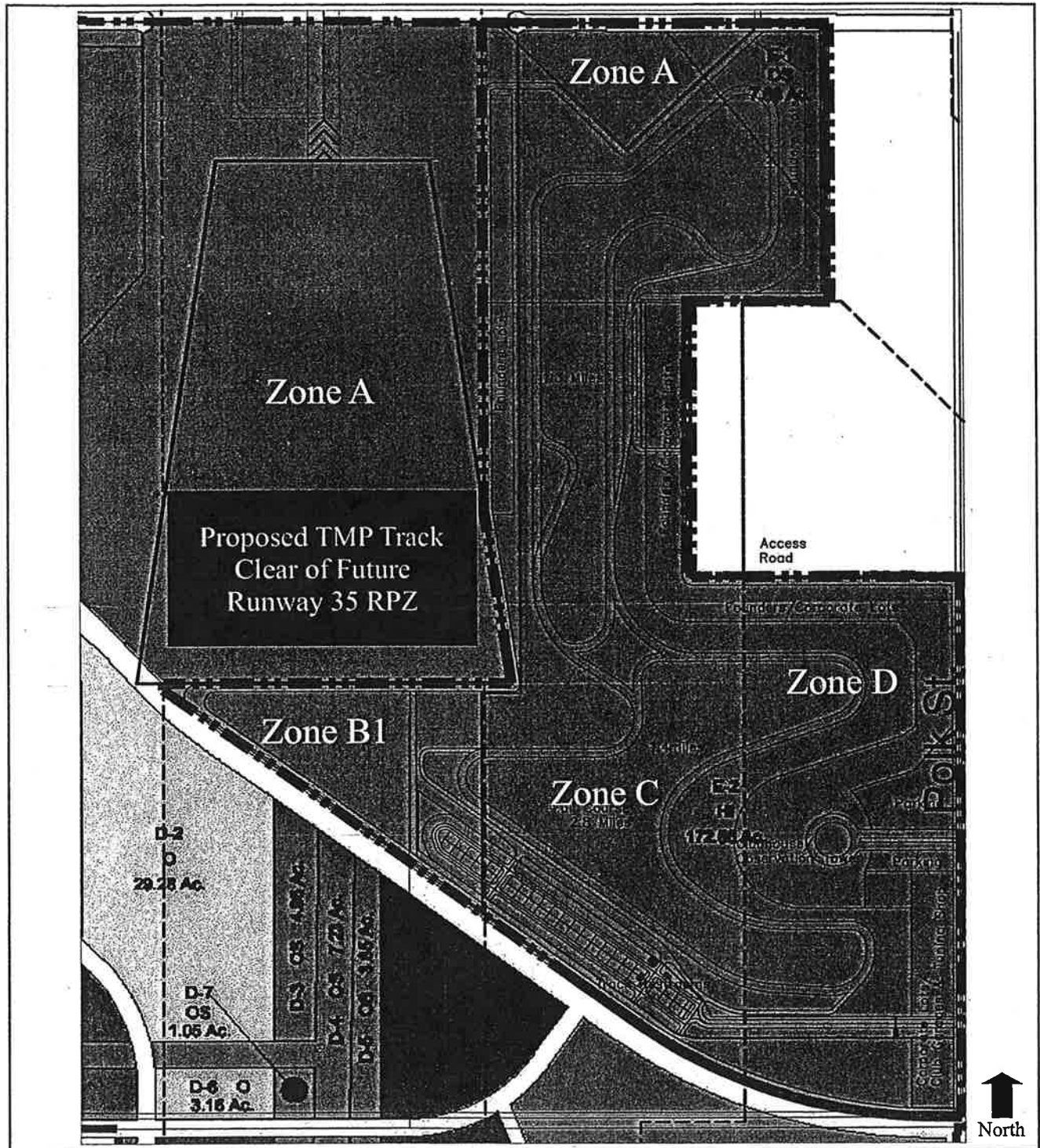


Figure 4
Thermal Motorsports Park Club Track
Overlay of TMP Track on Kohl Ranch Specific Plan

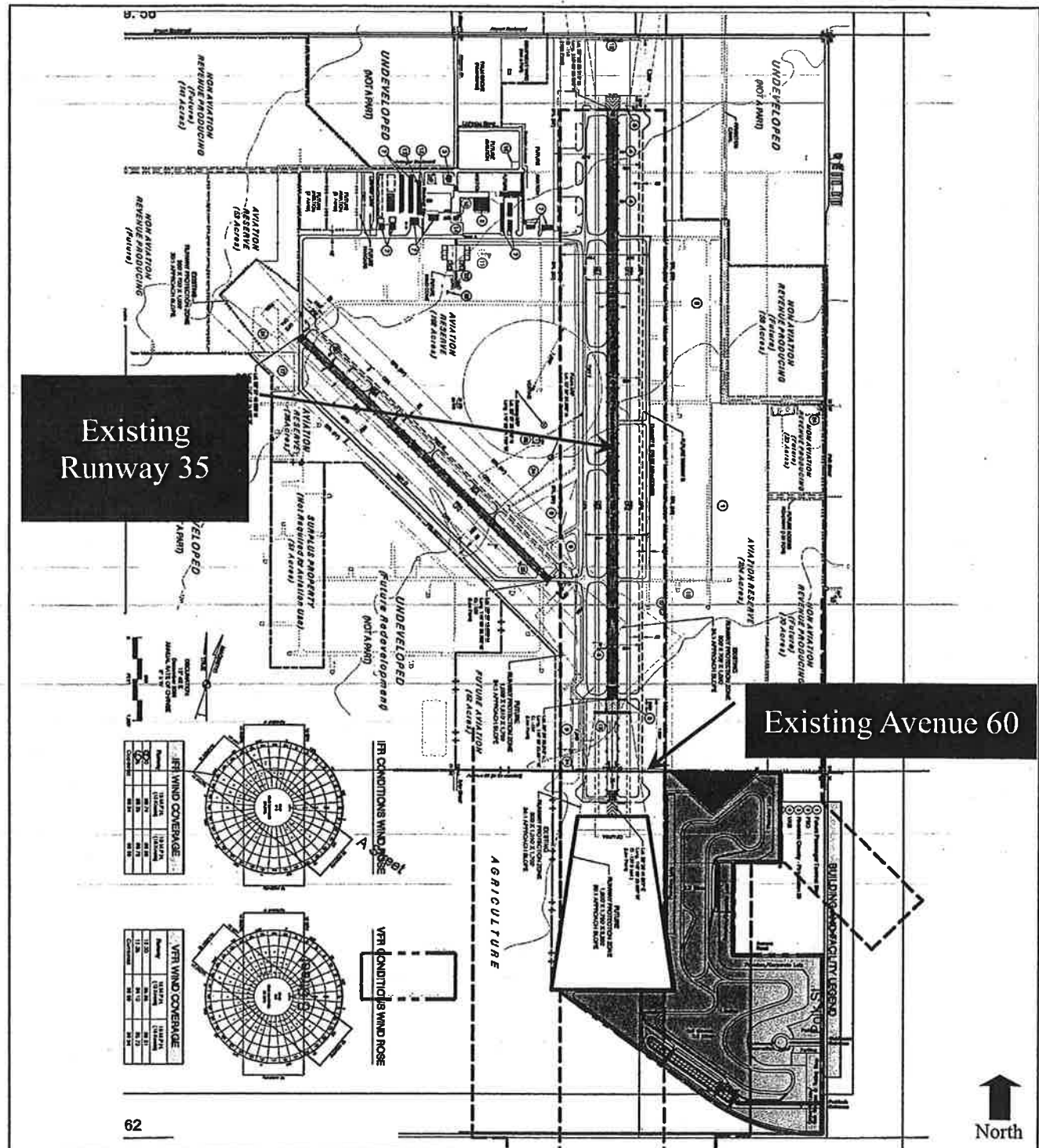


Figure 5
Thermal Motorsports Park Club Track
Overlay of TMP Track on JCRA Airport Layout Plan

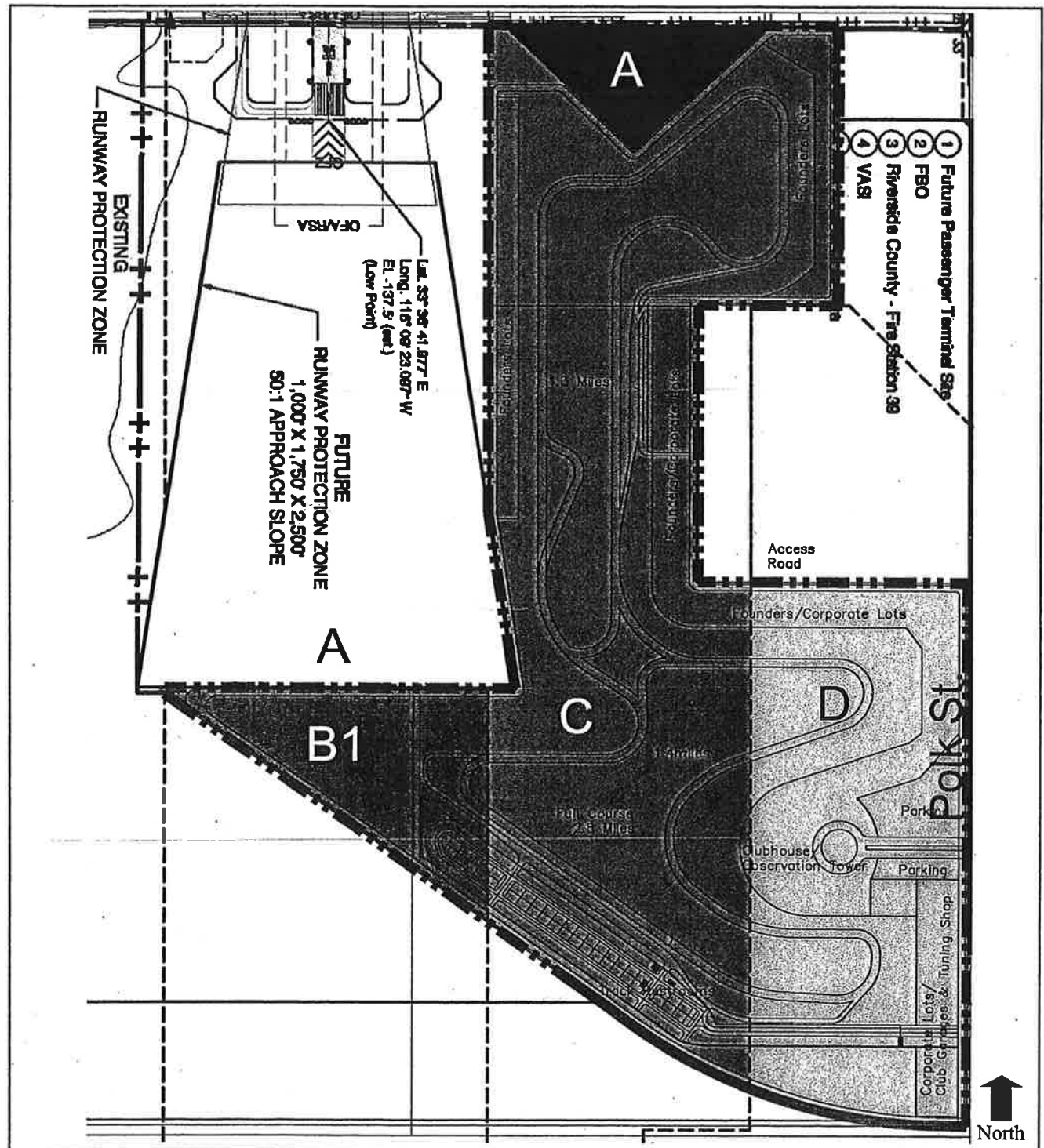


Figure A1
Thermal Motorsports Park Club Track
Overlay of TMR Track on JCRA Airport Layout Plan

Attachment A: Key Issues and Track Planning Criteria (prepared for Airport Land Use Commission Review)

The following is a summary of key issues and track planning criteria that have guided the track design team as they developed their concept for the track and all of its associated facilities. Following these land use constraints, the designers have a track plan that is a compatible use with the JCRA and that allows substantial flexibility and opportunity for a first class racing facility. This information has been developed to aid the review of the proposed project by the Riverside County Airport Land Use Commission. It is provided here as additional background for the FAA staff in their review of the proposed project.

Key Issues and Track Planning Criteria

1. **Preserve Open Land for Aircraft Safety** – The TMP track would provide a large open paved track area with a series of turns upon which drivers can practice and race. This large-area layout also provides the opportunity for a substantial open land component, particularly in the western portion of the property along the existing Runway 35 centerline extended south across the property. The TMP track concept clusters buildings and amenities in a way that allows for these new uses while also meeting the open land requirements of the ALUCP. To maintain the full open land component of this area, the track designer has proposed turn safety barriers made up of energy absorbing rubber and plastic materials in place of fixed steel guard rails for turn safety on the track. The purpose of the open land area is to provide substantial safety benefits for pilots and aircraft passengers in case of an emergency landing off of the JCRA. As such, the track would support this purpose.
2. **Limit Intensity of Use** – The TMP track would limit the number of people in the track area to less than the number of people on a public road, a public parking lot or a golf course at any one point in time. The proposed project would remain clear of the planned Runway 35 RPZ area. Section 5 of this summary provides additional detail on each of these areas.
3. **Reduce Airport Noise Concerns** – People participating in auto racing would not be impacted by aircraft noise given their acceptance of noise associated with auto racing.
4. **Reduce Aircraft Overflight Concerns** – The approach/departure area to the JCRA would be over open land and portions of the proposed track. The majority of aircraft overflights in this vicinity will be south to north over the western portion of the property by aircraft arriving to JCRA Runway 17/35. There will also be some small aircraft operations over the property associated with Runway 12/30.
5. **Comply with ALUC Zones A, B1, C and D** – The proposed track area and associated facilities would meet all of the land use restrictions in the JCRA ALUCP. The following are the key planning criteria associated with ALUC Zones A, B1, C and D (See Figure A1). The TMP intensity of use is significantly lower than the criteria allowed by the JCRA ALUCP and the proposed project would maintain an open land component that

greatly exceeds the ALUC requirements. **Table 1** provides a comparison between the criteria and the proposed TMP intensity.

- a. **Zone A** would be clear of all uses and would qualify as "open land" under the ALUC designation. ALUC Zone A encompasses the FAA's Runway Protection Zone and has similar restrictions on land use. This area is closest to the runway and would be kept clear of structures, people and hazards to air navigation. The track and associated infield areas would be completely clear of the RPZ and the small portion of Zone A associated with the crosswind Runway 12/30.
- b. **Zone B1** allows for the paved track area within the zone and other buildings and uses that would not exceed the intensity of 25 to 50 people per acre. The intensity of use can be increased to 65 people per acre when special building precautions are taken to protect occupants from aircraft accidents. ALUC policy allows development of up to 70 percent of the property in this zone. The remaining open land would be clustered in large tracts and generally aligned with the approach area to Runway 35. Non-residential buildings with up to two aboveground habitable floors are allowed in this area as long as they meet the intensity limitations. Belowground fuel storage tanks would also be allowable in this zone. Track, garages, shops and special facilities would be allowable as compatible uses in this zone. The existing proposed plan depicts a small portion of track and a small portion of "paddock" area that is used as a large open parking lot for loading and unloading of member vehicles from their transportation vehicles.
- c. **Zone C** would allow for the track area, pit area, viewing stands, parking and garage areas while remaining within the intensity of 75 to 150 people per acre. The intensity of use can be increased to 195 people per acre in this zone if special building precautions are taken to protect occupants from aircraft accidents. ALUC policy allows up to 80 percent of the land in this zone to be developed. Similar to Zones A and B1, the TMP plan clusters buildings and facilities in order to keep the open land area in larger tracts that are aligned with the approach/departure area of Runway 17/35. Buildings in this area would have up to 3 aboveground habitable floors and would meet the maximum height limitations of FAA's Federal Aviation Regulation (FAR) Part 77¹. Belowground fuel storage tanks would also be allowable in this zone. Track, parking, garages, shops, pit areas, stands and other uses are proposed as compatible uses in this zone. Founder's lots and garages along the edge of the Future Runway 35 RPZ area are planned outside of the RPZ, the airport's Building Restriction Line (BRL) for facilities up to 35 feet in height (as depicted on the FAA-approved Airport Layout Plan) and meet all FAA Part 77 restrictions. The closest planned garage would be approximately 800 feet from the Future Runway 35 End. The Airport's BRL for buildings up to 35 feet high is 750 feet from runway centerline.

¹ FAA requires that all construction and alteration of facilities near public use airports like JCRA require review and approval under FAR Part 77. The TMP Track will follow FAA's procedures for this review as required. Design of the Track facilities has taken the requirements under FAR Part 77 into consideration as a design constraint from the beginning.

- d. **Zone D** overlies a sub-parcel of the property in the southeast quadrant of approximately 60 acres. This area has very few restrictions for development under the ALUC land use standards. This zone allows 100 to 300 people per acre with an intensity bonus of up to 390 people per acre if special building precautions are taken to protect occupants from aircraft accidents. ALUC policy allows up to 90 percent of this property to be developed with very few restrictions on the types of use. Building heights in this area could be as high as 70 feet without additional study. Belowground fuel storage tanks would also be allowable in this zone. This area of the property would allow for development that would attract large numbers of people while being compatible with the race track and the airport.

Table 1
Thermal Motorsports Park
Comparison to ALUC Compatibility Criteria

ALUC Zone	ALUC Maximum Intensity (people/acre)			TMP Proposed Intensity (people/acre)			TMP Area (acres)	ALUC Required Open Land	TMP Proposed Open Land
	Avg	Single	Bonus	Avg	Single	Bonus			
A	0	0	0	0	0	n/a	8.4	All remaining	100%
B1	25	50	65	25	50	n/a	19.7	30%	94%
C	75	150	195	25	100	n/a	127.3	20%	86%
D	100	300	390	100	300	n/a	59.3	10%	77%
Total							214.7		81%

Source: Table 2A – Basic Compatibility Criteria, Riverside County Airport Land Use Compatibility Plan Policy Document (Adopted October 2004)
Prepared by: Johnson Aviation, February 2010

12/09

3. Project Overview

The Kohl Ranch Specific Plan consists of a balanced array of land uses including residential, business, commercial, industrial, open space/recreation and public facilities. Both living and working opportunities will be available within the project. The residential portion includes 7,171 dwelling units distributed among three different density classifications on 1,103.33 acres, with a gross residential density of 4.09 dwelling units per acre³. Although the maximum density and the total number of dwelling units within the high density residential designation can be exceeded through the application of density bonuses for affordable housing, as permitted by the provisions of Section 65915 of the California Government Code. Approximately 405 acres of open space provide for passive and active recreation, including trails and parks. The plan also allows for the development of large scale recreational uses such as golf courses and a motor sports race track, which are identified as secondary allowable land uses.

Deleted: two golf courses

Table II-1 LAND USE DIAGRAM STATISTICAL SUMMARY				
Land Use	Acreage	Percent of Total	Percent of Developable Area ¹	Dwelling Units
RESIDENTIAL				
Low Density Residential (RL)	490.77	22.6	32.2	1,569
Medium Density Residential (RM)	433.59	20.0	28.5	3,062
High Density Residential (RH)	178.97	8.2	11.8	2,540
Total Residential	1,103.33	50.8	72.5	7,171
INDUSTRIAL				
Heavy Industrial (HI)	172.86	8.0	11.3	
Total Industrial	172.86	8.0	11.3	
BUSINESS				
Air Park/Mixed Use (AP/MU)	107.03	4.9	7.0	
Office (O)	48.07	2.2	3.2	
Total Business	155.10	7.1	10.2	
COMMERCIAL				
Total Commercial	91.09	4.2	6.0	
OTHER				
Open Space (OS)	405.16	18.7		
Public Facilities/Schools (PF)	84.33	3.9		
Right-of-Way (ROW)	160.52	7.4		
Total Other	650.01	29.9		
TOTAL	2172.39	100%	100%	7,171

³ The overall gross density for residential areas was determined by dividing the total number of dwelling units by the acreage devoted to residential land uses, open space, public facilities and local residential streets. The gross density, if determined by dividing the total number of dwelling units by the residential acreage, is 6.50. This density is reduced to 3.30 if the total site acreage is used.

view; and 5) exclude residential uses from these areas to avoid conflicts within planning areas.

In addition to Manufacturing-Service Commercial development, additional uses within the Light Industrial land use designation include water wells and appurtenant facilities; detention and appurtenant facilities; hospitals; and research and development facilities for biomedical, chemical, electronic, mechanical and other scientific purposes. Additionally, light agricultural uses will be allowed when the gross area of a lot is twenty (20) acres or greater.

b) Heavy Industrial

Heavy Industrial land uses totaling 172.86 acres are located in the northern portion of the project site. The purpose of this designation is to allow for more intense, industrial/manufacturing uses or other uses compatible with the regional airport. The intent is to: 1) encourage land uses which provide relatively greater levels of employment than is typically associated with industrial uses such as warehousing and distribution; 2) allow for uses that require outdoor storage; and 3) maximize use of the regional transportation system, including air, rail and the road network.

In addition to Manufacturing-Heavy development, additional uses within the Heavy Industrial land use designation include water wells and appurtenant facilities; aerial services including advertising, photography and tours; aerospace/aeronautical or automotive museums; aircraft taxiways; catering services/flight kitchens; conference facilities; golf courses and appurtenant facilities; convenience stores; dry cleaners; flight schools; hospitals; hotels and motels; intermodal cargo transfer terminals; research and development facilities for biomedical, chemical, electronic, mechanical and other scientific purposes; paper recycling facilities; parcel delivery services; and rental car agencies including the storage of rental cars; motor sports race track and facilities incidental thereto including, without limitation, a race track, private garages, fuel storage, buildings for vehicle display, tuning shop, and observation tower; cogeneration plants; structures and facilities necessary and incidental to the development, generation and transmission of electric power and gas such as power plants, booster or conversion plants, transmission lines, pipelines and the like; and incarceration and detention facilities. Additionally, light agricultural uses will be allowed when the gross area of a lot is twenty (20) acres or greater.

c) Warehouse/Distribution

The Warehouse/Distribution land use designation is also proposed for the northern portion of the site, near proposed heavy and light industrial land uses, thorough implementation of the Industrial Overlay Designation. The purpose of this designation is to attract larger, regional warehouse/distribution facilities that can take advantage of excellent access to the area's transportation system and regional markets. The intent is to: 1) site warehouse/distribution land uses to link with local/regional transportation network (including Highway 86 to the east), Desert Resorts Regional Airport and potential rail service; 2) expand the regional market for businesses with potential to benefit from increased trade with Mexico resulting from NAFTA; 3) recognize the continued

importance of agriculture in the regional economy by allowing for agriculture-related warehouse, cold storage, packing and distribution facilities; and 4) ensure compatibility with other business uses.

In addition to Manufacturing-Service Commercial development, additional uses within the Warehouse/Distribution land use designation include water wells and appurtenant facilities; flight schools; plumbing supply yards; recreational vehicle sales; and rental car agencies including storage of rental cars; and solid waste transfer stations operated totally within enclosed buildings with no outside storage. Additionally, light agricultural uses will be allowed when the gross area of a lot is twenty (20) acres or greater.

3) Business

a) *Airpark/Mixed Use*

The Airpark/Mixed Use designation is located in the northernmost portion of the project site, just south of the Desert Resorts Regional Airport. Approximately 107.03 acres are devoted to this land use. The purpose of this designation is to accommodate a wide range of land uses including office, service, commercial, airport-related, incubator business and very light industrial. The intent is to: 1) complement expansion plans for the Desert Resorts Regional Airport by providing needed services and commercial uses located near the Tyler Street airport entrance; 2) create a supportive environment for start-up businesses; 3) devise standards that encourage combinations of uses such as office/sales/storage/assembly; and 4) provide support services for business and industrial uses in the project area.

In addition to General Commercial development, additional uses within the Airpark/Mixed Use land use designation include aviation equipment assembly; communication equipment and microwave sales and installation; computer and office equipment sales, service, repair and assembly; conference facilities; country clubs; manufacture of dairy products, not including dairies; emergency and urgent care medical facilities; libraries; manufacture of grain and bakery products; health and exercise centers; hospitals; ice houses; jewelry manufacture and repair; manufacture of wearing apparel and accessories; manufacture and repair of measuring devices, watches, clocks and related items; manufacture and repair of optical goods, medical instruments, supplies and equipment; engineering, survey and drafting instruments and photography equipment; manufacture of handbags, luggage, footwear, and other personal leather goods; manufacture of cutlery, tableware, hand tools and hardware; manufacture of plumbing and heating items; vehicle storage and impoundment; manufacture of office and computing machines; manufacture, assembly, testing and repair of components, devices, equipment and systems of an electrical, electronic, or electro-mechanical nature; manufacture of non-alcoholic beverages; manufacture of confectionery products; manufacture and repair of refrigeration and heating equipment; printing of periodicals, books, forms, cards and similar items; public parks and public playgrounds; golf courses; religious institutions; facilities for research and development of precision components and products; facilities related to alternative energy development; and water wells and appurtenant facilities; aerial service businesses including advertising, photography and tours; aerospace/aeronautical museums; aircraft equipment sales, service and repair; contractor storage yards; flight schools; intermodal cargo transfer facilities; manufacture

In addition to General Commercial development, additional uses within the Commercial land use designation include public parks and public playgrounds; golf courses; country clubs; animal hospitals with all kennels entirely indoors; health clubs; computer sales and repair stores; parcel delivery services; libraries; religious institutions; community centers; schools; and water wells and appurtenant facilities; and electric vehicle charging stations. Additionally, light agricultural uses will be allowed when the gross area of a lot is twenty (20) acres or greater.

5) Public Facilities/Schools

This land use designation totals 84.33 acres and consists of property owned by the Coachella Valley Unified School District as a site for multiple schools. This land use designation is located in the southwestern portion of the site, which is unconstrained by the Desert Resorts Regional Airport Traffic Pattern Zone (TPZ) where places of public assembly are discouraged.

The purpose of this designation is to recognize the existing Coachella Valley Unified School District ownership of the site and its planned use for public schools.

In addition to One-Family Dwelling development, additional uses within the Public Facilities/Schools land use designation include government offices, courthouses, police stations, fire stations, libraries, museums, public schools, water wells and appurtenant facilities; day care centers; religious institutions; community centers; private schools and communication facilities. Additionally, light agricultural uses will be allowed when the gross area of a lot is twenty (20) acres or greater.

6) Open Space

The purpose of this designation is to provide open space and recreational amenities to serve populations in the project neighborhoods. A total of 405.16 acres of open space is provided. The intent is to: 1) allow for a variety of passive and active recreational experiences for neighborhood residents and visitors, ranging in scale from community parks to more intimate neighborhood parks; 2) incorporate walking and bicycle trails and linkages between residential neighborhoods and commercial/employment centers, where appropriate; 3) comply with land use restrictions for Desert Resorts Regional Airport safety zones which require the maintenance of open space clear of obstructions; 4) accommodate stormwater runoff originating both on and off-site which must be controlled and conveyed through the property; and 5) provide a variety of landscape settings ranging from highly landscaped to native communities for visual interest as well as buffering between adjoining land uses.

The Specific Plan allows for large scale recreational uses such as golf courses in the northern and southern portions of the site and a motor sports race track in the northern portion of the site. Any such large scale recreation use, if developed, would be sited around the designated drainage corridors. The Specific Plan also allows golf clubhouses and their associated shopping and dining facilities. The purpose of the large scale recreation uses would be to provide additional recreational amenities and to create a community focal point. Additionally, lakes, including those used for aesthetics, detention, recreation, water skiing, and non-potable irrigation water will be permitted as a secondary use in the southern portion of the site. The intent is to: 1) diversify the recreational opportunities available to area

Deleted: two

Deleted: as secondary land uses

Deleted: Golf courses

Deleted: golf courses and clubhouse complexes

residents and visitors; 2) create an attractive village core around the clubhouses that is enhanced through landscaping and design treatments; and 3) develop a central meeting place that offers uses incidental to the primary recreation use.

Additionally, light agricultural uses will be allowed when the gross area of a lot is twenty (20) acres or greater.

7) Roads

Major road rights-of-way totaling 160.52 acres within the project site will be implemented in conjunction with the project.

b. Industrial Overlay Designation

In addition to the industrial land use designations described above, the Industrial Overlay Designation (IOD) is included for neighborhoods or groups of neighborhoods within the project site (refer to Figure IV-13 for the neighborhood boundaries). The purpose of this designation is to permit development of the entire site, or a large portion of the site, for heavy industrial uses. The intent is to: 1) allow a major manufacturing use in all planning areas, provided certain conditions are met; 2) facilitate a preliminary level of entitlement for a large manufacturer; 3) ensure that a significant industrial use developing only a portion of the site would not create conflicts with adjacent land uses; and 4) prevent the bisecting or partial use of any of the project neighborhoods. A detailed description of the IOD is provided below in Section IV.A.9.

Deleted: golf-related uses such as dining, shops or driving range.¶

¶ In addition to Open Area Combining Zone-Residential Development development, additional uses within the Open Space land use designation include public parks and community centers

Deleted:

- 4) Drainage plans shall be submitted to CVWD for review and approval. This is to ensure that all proposed facilities are compatible with existing CVWD and U.S. Bureau of Reclamation (USBR) facilities.
- 5) The capital cost of all on-site facilities will be the responsibility of the applicant. Such facilities will be dedicated to Riverside County and a homeowners or County Service Area for maintenance and operations.
- 6) All areas within the Specific Plan area will be required to prepare a Storm Water Pollutant Prevention Plan (SWPPP) in accordance with the requirements of the National Pollutant Discharge Elimination System (NPDES) standards. Industrial developments will require an additional SWPPP to operate.
- 7) All projects proposing construction activities including: cleaning, grading, or excavation that results in the disturbance of at least five acres total land area, or activity which is part of a larger common plan of development of five acres or greater shall obtain the appropriate NPDES construction permit and pay the appropriate fees. All development within the specific plan boundaries shall be subject to future requirements adopted by the County to implement the NPDES program. Mitigation measures may include, but not be limited to: on-site retention; covered storage of all outside storage facilities; vegetated swales; monitoring programs; etc.
- 8) The drainage plan for Kohl Ranch shall take into account the existing agricultural drainage facilities in this area. Possible conflicts with these facilities shall be evaluated by the developer's engineer and CVWD.

4. Conceptual Community Structure Plan

a. Community Structure Plan Description

The Community Structure Plan identifies the major project open space and recreation areas which define the project neighborhoods, and the landscape treatments for project roadways and entries.

1) Open Space and Recreation

The open space areas are an integral part of the Kohl Ranch Specific Plan. They provide recreational amenities to residents and workers, and are used to screen development edges from potential noise and visual impacts associated with surrounding arterials. The open space system also provides aesthetically pleasing views both from within the project and from surrounding roadways and adjacent properties.

The open space and recreation system for the Kohl Ranch Specific Plan includes neighborhood and community parks, ~~large scale recreational uses, passive open space and a project-wide trail system.~~ The open space system is organized around, ~~and if necessary, will be adjusted to accommodate any changes in~~ the project drainage network and the Desert Resorts Regional Airport safety zones which limit the land uses and densities which can be located on certain portions of the site. Approximately 405.16 acres are devoted to the open space land use category. Under a golf course scenario, this would increase to approximately 588.6 acres.

Deleted: golf courses

a) Large Scale Recreational Uses

Deleted: Golf Courses/Recreational
Lakes

The two golf courses run throughout the northern and southern portions of the site, paralleling the drainage system, and serve as a central view focus and buffer between land uses for the majority of residential units (Figure IV-6). The southern golf course, which could alternatively be developed for recreational lakes (lakes, including those used for aesthetics, detention, recreation, water skiing, and non-potable irrigation water), also serves as a view window into the project from the surrounding road network. Each golf course would be equipped with a driving range and clubhouse facility. The golf courses are secondary uses which are allowable under the provisions of the Specific Plan Zoning (see Section III). They are sited to maximize the golf course frontage and views for residential units. While both golf courses would be privately owned, it is envisioned that the 162.2-acre northern course would be open to the public and provide a regional recreational amenity, while the 193.5-acre southern golf course (or in the alternative, recreational lakes) would serve neighborhood residents.

A private motor sports race track, and uses incidental thereto, would also be allowed uses within the open space designation on the northern portion of the site. The facilities allowed within the open space zone would include a race track, private garages and uses incidental thereto such as a tuning shop and observation tower.

could
potentially

b) Local Parks

Four local parks are planned to serve residents of the project. Two additional parks are planned if the golf courses are not built. The parks are located throughout the site, and are connected by the project-wide trail system. Under the golf course alternative, an enhanced amenity package is planned which would supplement the recreation opportunities provided by the local parks. Three of the parks are located within the area that could be dedicated to the golf course use. Table IV-3 on the following page describes potential park uses for the project, with and without the golf course scenario and assuming the Industrial Overlay Designation (IOD) is implemented (see Section IV.9. below for a complete description of the IOD).

- The local park in the northwestern corner of the site (Park 1) is located on either side of "A" Street and serves the residential uses to the south of "A" Street, as well as the mix of non-residential uses to the north. Under the golf course scenario, the park would be 7.78 acres; without the golf course, the size of the park would increase to approximately 15.6 acres. This park is connected to the large area of contiguous natural open space just south of the airport via a trail along the south side of Avenue 60.
- The local park in the northeastern corner of the site (Park 2) is 7.68 acres and provides a recreational amenity to employees of the industrial development immediately to its south. This acreage may also be incorporated into a large scale recreational use.

**Table IV-3
POTENTIAL PARK USES¹**

Park	Description	Size	Potential Park Uses
4	<ul style="list-style-type: none"> Park is located in Neighborhood C If Neighborhood C is developed for industrial use, park acreage would remain undeveloped for drainage use, but uses would change to serve employees rather than residents 	4.4 acres	<ul style="list-style-type: none"> Ballfields Picnic area
5	<ul style="list-style-type: none"> Park is located in Neighborhoods G and H If Neighborhoods G and H are developed for industrial use (they must be developed together under the requirements of the IOD), the park would most likely be eliminated 	0.0 acres	<ul style="list-style-type: none"> Not applicable
6	<ul style="list-style-type: none"> Park is located in Neighborhoods J and K If Overlay District consisting of Neighborhoods J, K, L and M is developed for industrial use, park acreage would remain undeveloped for drainage use, but park uses would most likely be eliminated 	20.0 acres	<ul style="list-style-type: none"> Not applicable

NOTES:

¹ Potential park uses identified in the table are provided as examples of the types of uses that would be appropriate in each park under the three scenarios. Actual park uses and facilities may differ from those listed.

² Parks generally serve the neighborhoods in which they are located. Consequently, development of a neighborhood as an Industrial Overlay District would not deprive any adjacent residential neighborhoods of a local park.

c) Trail System

The proposed development is planned with an off-street trail system that parallels the drainageways throughout the site. (Figure IV-10 shows proposed trail locations, however the final location of the off-street trail system may be adjusted to accommodate final engineering of the drainage system and development plan.) The off-street system is supplemented by the on-street sidewalk system located in road rights-of-way. In addition to providing access to the local parks, the trail system also provides a pedestrian linkage to the public facilities located in the central portion of the site, just south of the Avenue 64 drainage channel, and to key commercial sites.

Deleted: (see Figure IV-10)

d) Naturalized Open Space

The system of drainage channels throughout the project site will offer a scenic amenity to residents of the Kohl Ranch Specific Plan site. The channels will be graded and will contain native desert vegetation that will also provide a buffer between land uses. The acreage of this natural open space will vary depending upon whether the golf courses or other recreational uses are built. With the golf courses or recreational and other lakes, natural open space will total 183.0 acres. Without the golf courses, large scale recreational uses or lakes, natural open space will increase to 350.8 acres.

Deleted: Natural

2) Landscape Concept

The landscape concept for the Kohl Ranch Specific Plan provides criteria for the treatment of areas within roads and easements, medians, land use transitions, development edges and project entries. The landscape concept has been conceived to organize the development and

recommended for public and private rights-of-way. The general landscape concept combines the use of palms trees with citrus understory, massed in selected locations, interchanged with formal and informal canopy plantings and use of other desert plant material. The streetscapes are broken down into three major categories with special features and plant forms as indicated (see Section IV.C., Design Guidelines for details). The proposed plantings along major project roadways are based upon the roadway significance and strategic location within the project site. Because of its importance as an east-west connection, "A" Street is proposed to employ the palm tree planting concept, with breaks in the plantings where tall trees are prohibited through the airport safety zones.

Formal canopy streetscape plantings are planned along "B" Street, "C" Street and several local roadways that provide internal circulation between neighborhoods. These streets provide definition to the project neighborhoods. Informal canopy streetscape plantings are recommended for local roads that are more interior to the site.

c) Buffers and Land Use Transitions

Windrow plantings are recommended to serve as buffers between land use types, along drainage channels and project edges, and within residential neighborhoods to mitigate against high desert winds. Windrows also can be used to provide structure to project neighborhoods and can be integrated with the project trail system, but must be sited to take into consideration airport safety zones.

b. Community Structure Development Standards

- 1) All detailed landscaping programs for planning areas and roadways will be prepared by a qualified landscape architect for review by the County.
- 2) Common open space areas within each planning area may be devoted to passive or active uses, and will, to the extent feasible, be coordinated with any open space in adjoining planning areas to create a continuous network. The exact design and layout of facilities will be accomplished in conjunction with detailed future tract layouts.
- 3) Prior to recordation of any final subdivision map, improvement plans for the respective landscaped common areas shall be submitted to the Riverside County Planning Department for approval. The improvement plans shall include, but not be limited to, the following:
 - Final grading plan;
 - Irrigation plans prepared by a landscape architect;
 - A landscaping plan with specifications for mulching and staking methods; locations, type, size and quantity of plantings;
 - Fence treatment plans; and
 - Special treatment/buffer area treatment plans.

4. Neighborhood D (See Figure IV-24 on page IV-151)

a. Neighborhood D Description

Neighborhood D is located in the northern portion of the project site, between Avenue 60 and Avenue 62 (Figure IV-24). This neighborhood is intended to function as a buffer between the business, commercial and residential uses to the west, and the heavy industrial uses to the east. The neighborhood is 215.58 acres in size and consists of 175.44 acres of open space and 31.44 acres of office uses. Much of the open space is within airport influenced areas and is designed to handle storm drainage. This open space also provides a local park and incorporates a portion of the project-wide trail system. The office uses are in close proximity to residential uses in neighborhoods B, C and G, and are intended to provide employment to neighborhood residents. Primary access to the office uses in the neighborhood is provided via "A" Street, "C" Street, and Avenue 62.

If developed with a golf course, a permitted use under provisions of the Specific Plan Zoning (see Section III), Neighborhood D would be equipped with a clubhouse and driving range, which would provide meeting, dining and recreational opportunities to neighborhood residents.

b. Neighborhood D Planning Standards

- 1) The open space in the neighborhood is constrained by the OSZ, Inner Safety Zone (ISZ) and ETZ airport zones. The entire neighborhood is within the TPZ. The development restrictions which apply to these zones are described in Section IV.A.10. of this Specific Plan.
- 2) As described in Section IV.A.9. of this document, an overlay designation can be applied to all of the planning areas within Neighborhood D. The overlay designation would allow all of the planning areas within Neighborhood D to be developed for an industrial use, consistent with airport safety, height and noise impact requirements, provided that all of the planning areas within Neighborhood B and C are also designated for an industrial use.
- 3) If the neighborhood is developed for industrial use through the application of the Industrial Overlay Designation (IOD), the landscape features, open space and roadways identified in the Specific Plan will serve to buffer the industrial uses from adjacent land uses. In addition, as indicated in the Specific Plan Zoning Ordinance, a 25 foot setback would apply where the development is adjacent to a residence or a street.
- 4) A secondary, golf course use is permitted in two of the six planning areas and a motor sports race track is permitted in one of the planning areas (See Section III).
- 5) "A" Street provides access to Planning Area D-2 (See Figure IV-24).
- 6) "C" Street provides access to Planning Areas D-2, D-4 and D-6 (See Figure IV-24).
- 7) Avenue 62 provides access to Planning Areas D-3, D-4, D-5 and D-6 (See Figure IV-24).
- 8) "A" Street will be developed with Arterial Streetscape 2 as illustrated in Figures IV-24 and IV-43.
- 9) "C" Street will be developed with the North/South Streetscape 1 - Secondary, as illustrated in Figures IV-24 and IV-47.

- 10) Avenue 62 will be developed with the Avenue 62 Streetscape - Secondary (See Figures IV-24 and IV-49).
- 11) Planning Areas D-3 and D5, and portions of Planning Area D-4 will be developed as a local park.

c. Neighborhood D Planning Areas

1) Planning Area D-1: Open Space

a) Descriptive Summary

Planning Area D-1, as depicted in Figure IV-24, provides for the development of 158.35 acres of open space. A portion of this area will be used to handle storm flows. Much of the planning area is described in the Desert Resorts Regional Airport Master Plan as proposed for acquisition for the runway clear zone. This planning area shall remain in open space uses, regardless of whether the IOD is applied.

Deleted: permanent

b) Land Use and Development Standards

Please refer to Ordinance No. 348 (See Section III, Specific Plan Zoning).

c) Planning Standards

- (1) Planning Area D-1 is located within the Desert Resorts Regional Airport ETZ, OSZ, ISZ and TPZ. Development within these zones will comply with all applicable restrictions and requirements.
- (2) As described in Section IV.A.9. of this document, an overlay designation can be applied to all of the planning areas within Neighborhood D. The overlay designation would allow all of the planning areas within Neighborhood D to be developed for an industrial use, consistent with airport safety, height and noise impact requirements, provided that all of the planning areas within Neighborhood B and C are also designated for an industrial use.
- (3) Large scale recreational uses such as a Golf course and a motor sports race track are permitted secondary uses in this planning area.
- (4) This planning area will include provisions for a pedestrian trail that links the trail along Avenue 60 with the trail through open space and drainage areas to the south.
- (5) Planning Area D-1 is accessed from Avenue 60 (See Figure IV-24).
- (6) The Buffer Condition between Planning Area D-1 and adjacent airport/mixed use and industrial development will be as illustrated in Figure IV-63.
- (7) Please refer to Section IV.C., for specific Design Guidelines and other related design criteria.
- (8) Please refer to Section IV.A. for Development Plans and Standards that apply site-wide.

Deleted: Golf course is a secondary use

2) Planning Area D-2: Office

c. Neighborhood E Planning Areas

1) Planning Area E-1: Open Space

a) Descriptive Summary

Planning Area E-1, as depicted in Figure IV-25, provides for the development of 7.68 acres of open space which will be developed as a local park to serve employees of the adjacent industrial uses.

b) Land Use and Development Standards

Please refer to Ordinance No. 348 (See Section III, Specific Plan Zoning).

c) Planning Standards

- (1) Planning Area E-1 is located within the Desert Resorts Regional Airport ETZ and TPZ. Development within these zones will comply with all applicable restrictions and requirements.
- (2) This planning area will be developed as a local park, or incorporated into a large scale recreational use.
- (3) Planning Area E-1 is accessed from Avenue 60 (See Figure IV-25).
- (4) Please refer to Section IV.C., for specific Design Guidelines and other related design criteria.
- (5) Please refer to Section IV.A., for Development Plans and Standards that apply site-wide.

2) Planning Area E-2: Heavy Industrial

a) Descriptive Summary

Planning Area E-2, as depicted in Figure IV-25, provides for the development of 172.86 acres of heavy industrial land uses.

In addition to Manufacturing-Heavy development, additional uses within the Heavy Industrial land use designation include water wells and appurtenant facilities; aerial services including advertising, photography and tours; aerospace/aeronautical or automotive museums; aircraft taxiways; catering services/flight kitchens; conference facilities; golf courses and appurtenant facilities; convenience stores; dry cleaners; flight schools; hospitals; hotels and motels; intermodal cargo transfer terminals; research and development facilities for biomedical, chemical, electronic, mechanical and other scientific purposes; paper recycling facilities; parcel delivery services; and rental car agencies including the storage of rental cars; motor sports race track and facilities incidental thereto; cogeneration plants; structures and facilities necessary and incidental to the development, generation and transmission of electric power and gas such as power plants, booster or conversion plants, transmission lines, pipelines and the like; and incarceration and detention facilities. Additionally, light agricultural uses will be allowed when the gross area of a lot is twenty (20) acres or greater.

3) Regional Trail

A Regional Trail shall be located along the northern boundary of The Kohl Ranch, as shown on Figure IV-10, subject to adjustment for final engineering of drainage and development plans. It will consist of a maximum 8 foot improved section within a maximum 14 foot right-of-way. Please refer to Figure IV-68a for a typical cross-section of the regional trail.

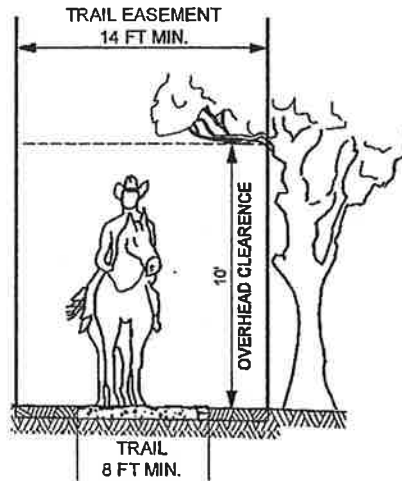


Figure IV-68 • Regional Trail

i. Walls and Fences

Walls and fences are of particular functional importance for the Kohl Ranch (See Figure IV-68). Two plans have been developed, one without the golf course (Figure IV-69) and one with the golf course (Figure IV-70). The plans shown in figures IV-68, 69 and 70 apply to Concept One only. Other allowed uses in open space that are in the vicinity of the airport safety zones will also be appropriately fenced or walled as shown in Figure IV-68a. If the Industrial Overlay or motor sports race track is implemented, an individual fencing plan for those uses will be prepared.



AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY

March 25, 2010

CHAIR
Simon Housman
Rancho Mirage

VICE CHAIRMAN
Rod Ballance
Riverside

COMMISSIONERS

Arthur Butler
Riverside

Robin Lowe
Hemet

John Lyon
Riverside

Glen Holmes
Hemet

Melanie Fesmire
Indio

STAFF

Director
Ed Cooper

John Guerin
Russell Brady
Barbara Santos

County Administrative Center
4080 Lemon St., 9th Floor.
Riverside, CA 92501
(951) 955-5132

www.rcaluc.org

Jay Olivas, Urban Regional Planner IV
Riverside County Planning Department, Palm Desert
Mail Stop #4035

RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW

File No.: ZAP1014TH09

Related File No.: SP00303S2 (Specific Plan No. 303, Substantial Conformance No. 2)

APN: 759-150-001, 759-160-001, 759-170-001, 759-190-004

Dear Mr. Olivas:

On March 11, 2010, the Riverside County Airport Land Use Commission (ALUC) found the above-referenced Substantial Conformance Request **CONSISTENT** with the 2005 Jacqueline Cochran Regional Airport Land Use Compatibility Plan, subject to the following conditions:

CONDITIONS:

1. Prior to the issuance of building permits, the landowner shall convey an avigation easement to Jacqueline Cochran Regional Airport, which shall be recorded, or shall provide evidence that such an easement covering the property has already been recorded. Copies of the avigation easement, upon recordation, shall be forwarded to the Riverside County Planning Department (Desert office) and to the Riverside County Airport Land Use Commission.
2. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky, and shall comply with Riverside County Ordinance No. 655, as applicable. Outdoor lighting plans, if any, shall be transmitted to Riverside County Economic Development Agency – Aviation Division personnel and to the Jacqueline Cochran Regional Airport for review and comment. (Failure to comment within thirty days shall be considered to constitute acceptability on the part of the airport manager.)
3. 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.

Airport Land Use Commission
Page 2

- (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features, aquaculture, livestock operations, production of cereal grains, sunflower, and row crops, ~~artificial marshes, wastewater management facilities,~~ composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, incinerators, and landfills.)
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
 - (e) Children's schools, day care centers, libraries, hospitals, nursing homes, places of worship, highly noise-sensitive outdoor nonresidential uses, and aboveground bulk storage of 6,000 gallons or more of hazardous or flammable materials.
- 4. The attached notice shall be provided to all potential purchasers and tenants.
 - 5. Any detention or retention basin shall be designed so as to provide a maximum 48-hour detention period for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the retention basin that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.
 - 6. Noise attenuation measures shall be incorporated into the design of office areas of structures, as necessary to ensure interior noise levels from aircraft operations are at or below 45 CNEL.
 - 7. No portion of any roadway or track shall be located within the Runway Protection Zone.
 - 8. This consistency finding for Specific Plan No. 303, Substantial Conformance No. 2 is based on the representation by the landowner and the representatives of the landowner that the proposed automobile race track would be for the use of a club with limited membership. No use of the racetrack for the purpose of spectator sports, in which guests pay for admission to an event or a series of events, or to which the general public is invited, is included in this determination of consistency.
 - 9. Development of the area addressed through Specific Plan No. 303, Substantial Conformance No. 2 shall comply with all nonresidential intensity criteria and open area requirements of the applicable airport compatibility zones.
 - 10. All structures shall maintain a minimum distance of 750 feet from any point on Runway 17-35 of Jacqueline Cochran Regional Airport, as the runway is depicted on the Airport's Master Plan (including any point on planned extensions of the runway).

If you have any questions, please contact John Guerin, ALUC staff at (951) 955-0982.

Airport Land Use Commission
Page 3

Sincerely,

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION



Edward C. Cooper, Director

Attachments: Notice of Airport in Vicinity

cc: ALUC Staff
Emily Hemphill
Kohl Ranch, LLC

Y:\ALUC\JCRA\ZAP1014TH09.LTR.doc

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)

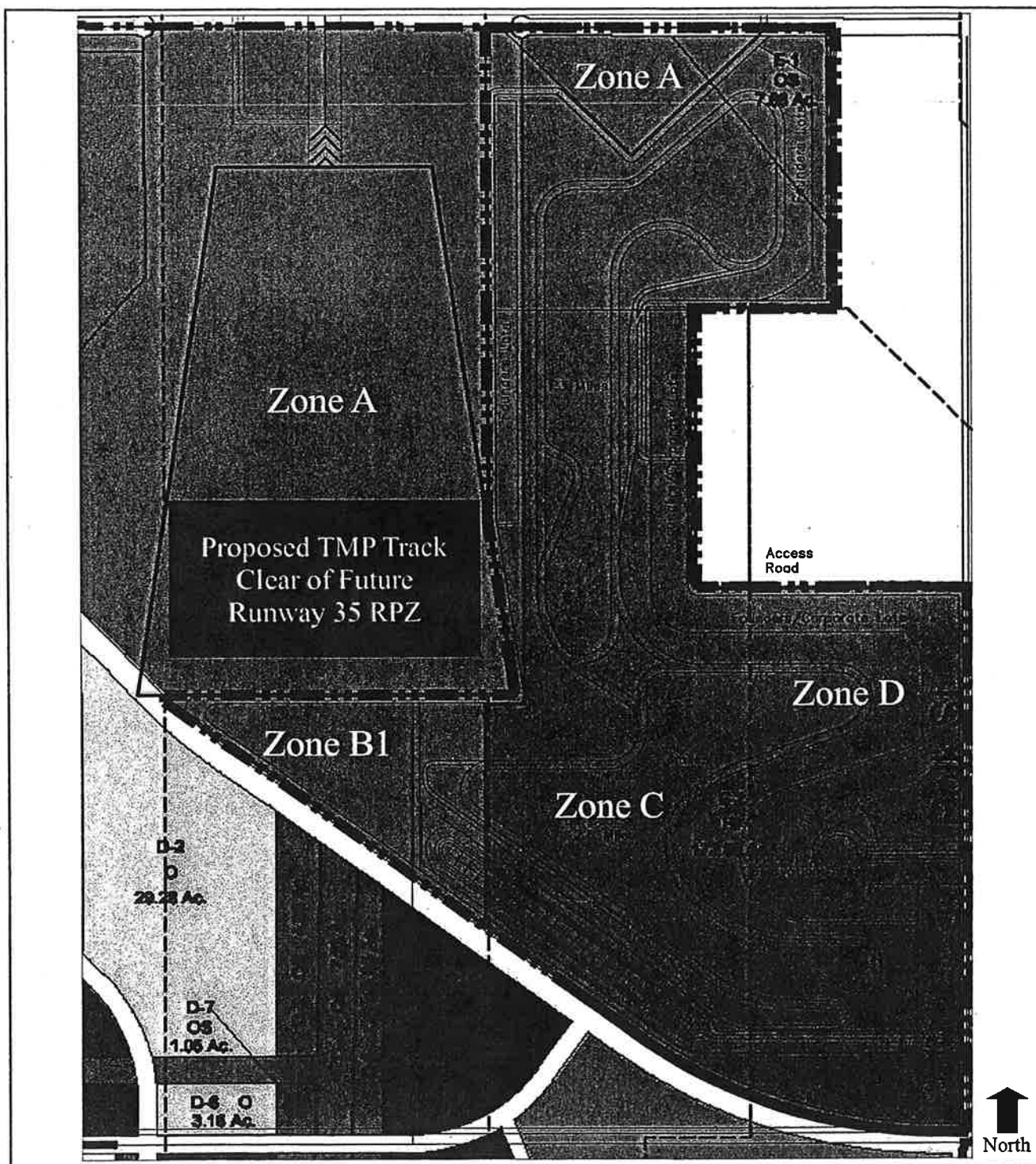
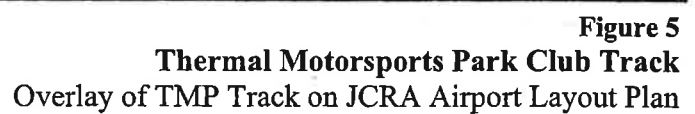


Figure 4
Thermal Motorsports Park Club Track
Overlay of TMP Track on Kohl Ranch Specific Plan



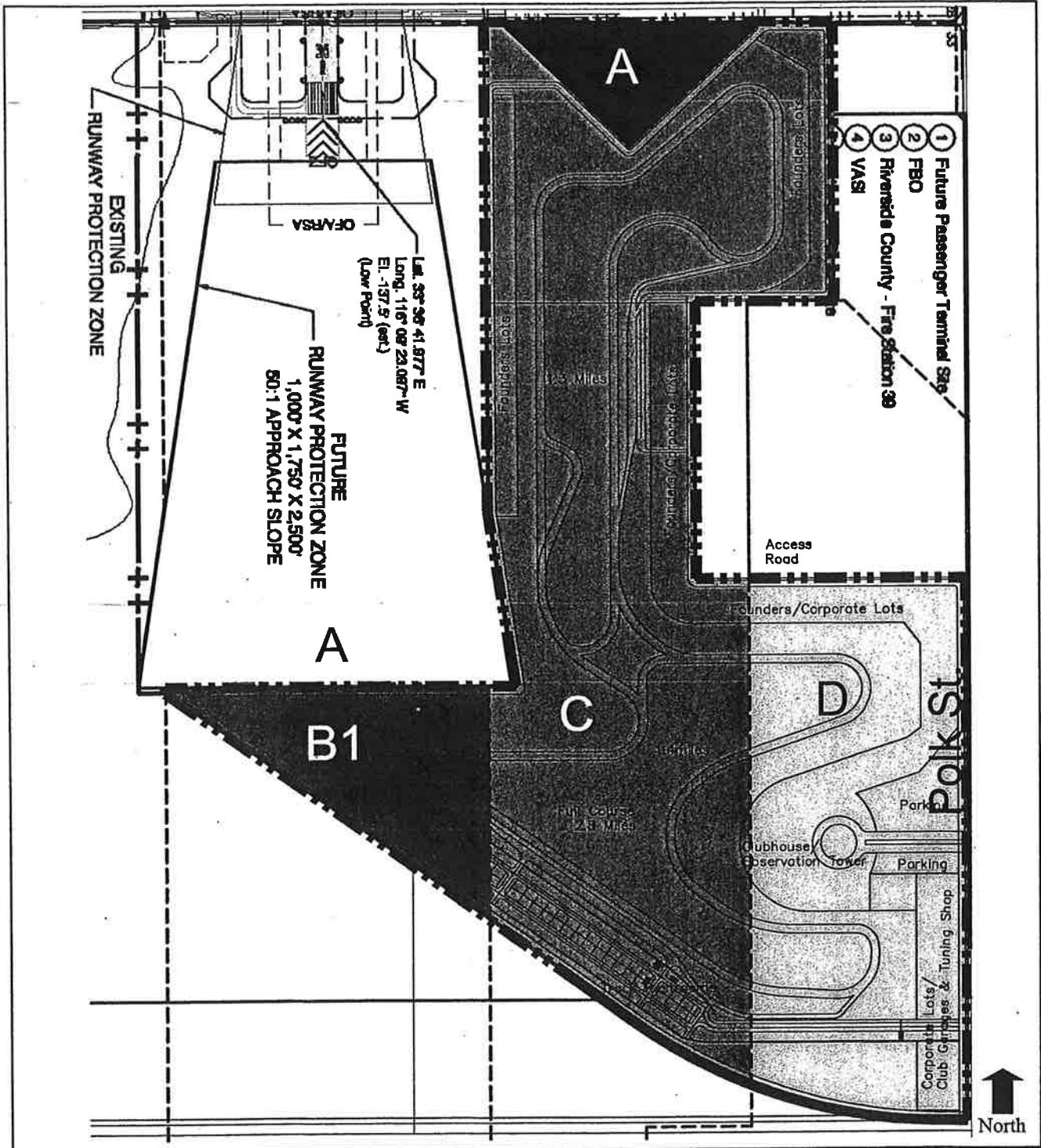


Figure A1
Thermal Motorsports Park Club Track
Overlay of TMP Track on JCRA Airport Layout Plan

Olivas, Jay

From: Guerin, John
Sent: Wednesday, March 17, 2010 12:20 PM
To: Olivas, Jay
Cc: Cooper, Ed; Santos, Barbara
Subject: RE: SP00303S2 Kohl Ranch

Project was found consistent with revised exhibits as provided by applicant's aviation consultant, Mr. Johnson, and change to wording of Condition No. 10. We will get you the approval letter upon its completion, which may not occur this week. Please refer to staff report online at ALUC website.

From: Olivas, Jay
Sent: Wednesday, March 17, 2010 12:16 PM
To: Guerin, John
Subject: SP00303S2 Kohl Ranch
Importance: High

Can you email the approval letter from ALUC? I am trying to complete the PC staff report. If not, please indicate in this email that the project was found consistent. Thanks.

Jay T. Olivas, Planner IV
Riverside County Planning Dept.
38686 El Cerrito Road
Palm Desert, CA 92201
Ph: (760) 863-8277
ax: (760) 863-7555
e-mail: jolivas@rctlma.org
website: www.rctlma.org/planning

Please be aware that as of August 13, 2009, as a cost saving measure, the Riverside County Planning Department will be shifting to a 4-day workweek and our offices will be closed every Friday. Our service hours will be from 8:00 A.M. through 5:00 P.M., Monday through Thursday.



RIVERSIDE COUNTY FIRE DEPARTMENT
IN COOPERATION WITH
THE CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION

1210 West San Jacinto Avenue ~ Perris, CA 92570
(951) 940-6900 ~ www.rvcfire.org

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MENIFEE
MORENO VALLEY
DESERT
PERRIS
RANCHO MIRAGE
RUBIDOUX CSD
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MARION ASHLEY
DISTRICT 5

January 28, 2010

Riverside County Planning Department
Jay Olivas, Planner
38-686 El Cerrito Road
Palm Desert, CA 92211

RE: Specific Plan 303, Substantial Conformance Number 2, The Kohl Ranch

Dear Mr. Olivas,

Thank you for providing the Riverside County Fire Department the opportunity to review the Specific Plan for the Kohl Ranch project located in the Coachella Valley.

With respect to the referenced project (Specific Plan 303), the Riverside County Fire Department has the following comments:

The proposed project will have a cumulative adverse impact on the Fire Department's ability to provide an acceptable level of service. These impacts include an increased number of emergency and public service calls due to the increased presence of structures, traffic and population. The proponents/developers shall participate in the Development Impact Fee Program as adopted by the Riverside County Board of Supervisors to mitigate a portion of these impacts. This will provide funding for capital improvements such as land, equipment purchases and fire station construction. The Fire Department reserves the right to negotiate developer agreements associated with the development of land and/or construction of fire facilities to meet service demands through the regional integrated fire protection response system.

Mitigation measures, as defined by the County of Riverside, should be considered in order to help reduce these impacts to a level below significance. Examples of mitigation measures might include:

- Developer participation in land acquisition and fire facility construction;
- Equipment upgrade and/or purchase; (*i.e. "Type 1" Fire Engine and a 100' Aerial Ladder Truck*).
- Participation in a fire mitigation fee program which would allow one-time capital improvements such as land and equipment purchases, and construction development.
- Participation in the cost of adding additional personnel.

Costs necessary to maintain the increased level of service may be at least partially offset by taxes acquired by the new construction; however additional funding sources may have to be identified to cover any shortfalls.

It is expected that costs will change over time and therefore each funding mechanism employed shall include a method for adjusting the amount of funding to reflect current costs at the time of construction.

Based on the adopted Riverside County Fire Protection Master Plan, one new fire station and/or engine company is recommended for every 2,000 new dwelling units and/or 3.5 million square feet of commercial/industrial occupancy. Given the project's proposed development plan, up to TWO fire station **MAY** be needed to meet anticipated service demands. The Fire Department reserves the right to negotiate developer agreements associated with the development of land and/or construction of fire facilities to meet service demands through the regional integrated fire protection response system.

FLAG LOTS WILL NOT BE PERMITTED BY THE FIRE DEPARTMENT.

In the interest of Public Safety, the project shall provide an Alternate or Secondary Access(s) as stated in the Transportation Department Conditions. Said Alternate or Secondary Access(s) shall have concurrence and approval of both the Transportation and Fire Departments, and shall be maintained through out any phasing.

The California Fire Code outlines fire protection standards for the safety, health, and welfare of the public. These standards will be enforced by the Fire Chief.

If I can be of further assistance, please feel free to contact me at (951) 940-6349 or e-mail at jason.neumann@fire.ca.gov

Sincerely,

Jason Neuman

Jason Neuman

Fire Captain

Strategic Planning Bureau



Established in 1918 as a public agency

Coachella Valley Water District

Directors:

Patricia A. Larson, President
Peter Nelson, Vice President
Tellis Codekas
Franz W. De Klotz
Russell Kitahara

Officers:

Steven B. Robbins, General Manager-Chief Engineer
Julia Fernandez, Board Secretary

January 29, 2010

Redwine and Sherrill, Attorneys

RECEIVED

FEB 10 2010

File: 0163.1
0421.1
0721.1

Jay Olivas
Riverside County Planning Department
38-686 El Cerrito Road
Palm Desert, CA 92211

Riverside County
Planning Department
Desert Office

Dear Mr. Olivas:

Subject: Specific Plan No. 303, Substantial Conformance No. 2
Related Cases: CZ06237, CZ06605 and PP16066

This project lies within the area of the Eastern Coachella Valley Master Stormwater Planning Project, which will provide flood protection to the communities of Thermal, Vista Santa Rosa, Oasis, Mecca and North Shore. The District, in cooperation with Riverside County and the Torres Martinez Desert Cahuilla Indian Tribe, are in the early stages of this planning effort.

Upon completion of the design phase, developers and property owners within the area may be required to dedicate right-of-way for flood control facilities and/or participate in the financing of a portion of these facilities.

This area is designated Zone X on Federal Flood Insurance rate maps, which are in effect at this time by the Federal Emergency Management Agency (FEMA).

Valley floor drainage tributary to Specific Plan No. 303 shall be received onto and discharged from the Specific Plan area in a manner that is reasonably compatible with predevelopment conditions. Future development plans will require engineering, design and construction of these drainage facilities.

The county shall require mitigation measures to be incorporated into the development to prevent flooding of the site or downstream properties. These measures shall require on-site retention of the incremental increase of runoff from the 100-year storm.

Design for retention basins for this area must consider high groundwater levels and clay soils.

This project lies within the Study Area Boundary of the Coachella Valley Water Management Plan (September 2002).

The District will provide domestic water and sanitation service to this area and such service will be subject to the satisfaction of terms and conditions established by the District and exercised from time to time, including but not limited to fees and charges, water conservation measures, etc.

The District may need additional facilities to provide for the orderly expansion of its domestic water and sanitation systems. These facilities may include pipelines, wells, reservoirs, booster pumping stations, lift stations and other facilities. The developer may be required to install these facilities and provide land and/or easements on which some of these facilities will be located. These sites shall be shown on the tract map as lots and/or easements to be deeded to the District for such purpose.

This notice of domestic water and sanitation service availability can only be used and relied upon for the specific property for which it was issued and shall expire three (3) years from date of issuance.

Domestic water and sanitation service remains at all times subject to changes in regulations adopted by the District's Board of Directors including reductions in or suspensions of service.

The District requires restaurants to install a grease interceptor, including a sample box, sanitary tee and running trap with cleanout, prior to any discharge to its sanitation facilities. The size of the grease interceptor will be determined and approved by the District. Installation of the interceptor will be inspected by the District.

The District requires detail, repair and lube auto shops and car washes to install an oil and sand separator, including a sample box, sanitary tee and running trap with cleanout, prior to any discharge to its sanitation facilities. The size of the oil and sand separator will be determined and approved by the District. Installation of the oil and sand separator will be inspected by the District.

There are existing U.S. Bureau of Reclamation (USBR) facilities not shown on the Specific Plan. There may be conflicts with these facilities. We request the appropriate public agency to withhold the approval of development plans until utility clearances have been made with the District regarding these facilities. USBR conflicts include but are not limited to Irrigation Lateral 123.45-1.3-3.9LT, 2.2, 2.5/123.45-1.3-4.6LT, 1.5, 1.7 and 2.0.

This area is underlain with agricultural drainage lines. There are District and Private facilities not shown on the Specific Plan. There may be conflicts with these facilities. We request the appropriate public agency to withhold the approval of development plans until utility clearances have been made with the District regarding these facilities. The District and Private conflicts include but are not limited to District Agricultural Drain lines, Avenue 61 and 62 drains and Private subsurface tile lines #85 and #85A.

Surface and subsurface drainage facilities in the vicinity of this project were designed and constructed for agricultural drainage. The District will consider use of these drainage facilities for urban drainage if (1) the surface and subsurface drainage facilities can physically handle the new urban drainage, (2) the area is incorporated into the National Pollutant Discharge Elimination System permit and Waste Discharge Requirements for the discharge of stormwater in the Whitewater River Watershed, which is known as the MS4 Permit and (3) the project is annexed into a future district(s) for recovery of capital and operation/maintenance costs associated with the new urban drainage system.

January 29, 2010

The District may need replacement or additional drainage facilities to provide for the orderly expansion of the drainage system. These facilities may include pipelines, channels, pump stations and other facilities. The developer may be required to install these facilities and provide land and/or easements on which some of these facilities will be located. These sites shall be shown on the tract map as lots and/or easements to be deeded to the District for such purpose.

Plans for grading, landscaping and irrigation systems shall be submitted to the District for review. This review is for ensuring efficient water management.

The project lies within the Lower Whitewater River Subbasin Area of Benefit. Groundwater production within the area of benefit is subject to a replenishment assessment in accordance with the State Water Code.

All water wells owned or operated by an entity producing more than 25 acre-feet of water during any year must be equipped with a water-measuring device. A District Water Production Metering Agreement is required to ensure District staff regularly read and maintain this water-measuring device.

If you have any questions please call Tesfaye Demissie, Stormwater Engineer, extension 2605.

Yours very truly,



Mark L. Johnson
Director of Engineering

cc: Mark Abbott
Riverside County Department of Public Health
38-686 El Cerrito Road, Palm Desert, CA 92211

Monte Bowers, PE (if a Riverside County letter – not a City)
11590 W. Bernardo Court, Suite 100
San Diego, CA 92127-1624

Majeed Farshad (only if a Riverside County letter – not a City)
Riverside County Department of Transportation
38-686 El Cerrito Road, Palm Desert, CA 92211

TD:pr\eng\sw\10\jan\Development Review-Conditions of Service – Spec Plan 303

Geo: 060833-2
060833-3
060833-4

Olivas, Jay

From: Mares, David
Sent: Tuesday, March 23, 2010 9:39 AM
To: Olivas, Jay; Deertrack, Judith
Subject: FW: Thermal Council March 22 votes

FYI....

Jay, it looks like the Council accepted the SP Substantial Conformance and the SP Amendment (with its concurrent Tract).

Judy, Mike didn't make any indication as to what happened to Bernabe Aceves' CZ (7732) and TR (36278.) When you have a change, please contact him to find out what happened (it was item 8.C. on the 3/22/10 agenda. Note that the agenda, for some reason, only referenced the CZ and not the TR. Depending on what actually happened, last night, this project might need to go back to the Council to get an action on the TR. See what Mike thinks.

From: Gialdini, Michael [mailto:mgialdini@rcbos.org]
Sent: Tuesday, March 23, 2010 8:26 AM
To: Mares, David; Lyman, Bob; Salama, Mojahed; DeLara, Leticia
Subject: Thermal Council March 22 votes

Thermal Council voted as follows last night:

- FOR Thermal Motorsports Park Track 4-0-0 with one absent
- FOR Quintana SP 4-0-0 with one absent
- FOR Quintana Track map 4-0-0 with one absent

Thank you,

Mike Gialdini, Legislative Assistant
4th District Supervisor John J. Benoit
Riverside County Board of Supervisors
www.RivCo4.org
760.863.8211

Note: Through June 30, 2010, the 4th District office will be closed Fridays due to employee furloughs.





CITY OF COACHELLA

1515 SIXTH STREET, COACHELLA, CALIFORNIA 92236

Phone: (760) 398-3502 • Fax: (760) 398-8117 • www.coachella.org

March 10, 2010

Mr. Paul Clayton
Thermal MotorSports Park
74-245 Hwy. 111
Palm Desert, CA 92260

Dear Mr. Clayton:

On behalf of the City of Coachella, I am writing to lend our support to the proposed Thermal MotorSports Park. This project, a gentlemen's race club in it's new design and location on the Kohl Ranch property, will provide much needed economic benefits, not only to the eastern region of the Coachella Valley, but to the entire Coachella Valley and the Inland Empire.

I have had an opportunity to review the report prepared in 2009 by Dr. John Husing regarding the MotorSports Park and specifically the sections related to a MotorSports Racing Club. The report demonstrates the tremendous impact that this facility could have both in the near term and in the future. There are no projects that I am aware of that have the potential positive impact of this project.

With the current state of the economy, this project's approval and development are more crucial than ever. The Thermal MotorSports Park project will bring in private capital, it will create jobs, it will create excitement, it will help the tourism industry in our valley and it will bring a new high profile component to the desert.

If you have any questions, you may contact me at (760)398-3502.

Sincerely,

Eduardo García
Mayor



Subject: Kohl Ranch Thermal Motorsports Park application for Substantial Conformance

Dear Chairman Housman:

After carefully reviewing the plans for Thermal Motorsports Park on the Kohl Ranch property, I would like to voice my support for this project. I believe that a race track would be a highly compatible use with the existing and planned Jacqueline Cochran Regional Airport and offers many benefits to the local community, greater Riverside County and beyond.

The proposed race track will generate new jobs and stimulate economic activity, which will be a major benefit to the region during these challenging economic times. Moreover, the track will become a destination for the motorsports and car collector community who have few other options in the area now.

Most importantly, the race track appears to be in compliance with all of the Airport Land Use Commission's safety and noise restrictions as well as all land use standards in relation to density, intensity, and height.

Please take this letter of support into consideration when the project's application for Substantial Conformance is before your Commission.

Best Regards,

A handwritten signature in black ink, appearing to read "Sean Cullen", is written over a horizontal line.

Sean Cullen

Owner, Turbo Flight Professionals



**Coachella Valley
Economic Partnership**

March 5, 2010

Mr. Paul Clayton
Thermal MotorSports Park
74-245 Hwy. 111
Palm Desert, CA 92260

Dear Mr. Clayton,

On behalf of the Coachella Valley Economic Partnership, I am writing to lend our support to the proposed Thermal MotorSports Park. This project, a gentlemen's race club in it's new design and location on the Kohl Ranch property, will provide much needed economic benefits, not only to the eastern region of the Coachella Valley, but to the entire Coachella Valley and Inland Empire.

As you know the Coachella Valley Economic Partnership is a regional public and private economic partnership comprised of private developers, hospitals, professional firms, major businesses, the County of Riverside and the nine cities of the Coachella Valley, California. CVEP promotes and facilitates economic development in the Coachella Valley in part by supporting projects that bring important economic benefits to the region while protecting the environmental resources and quality of life that have made the region world famous as a recreational and life-style center.

CVEP recently launched the Coachella Valley Economic Blueprint that includes a broad range of regional goal areas as well as some very specific targets.

CVEP supports the Thermal MotorSports Park project as it meets several of the goal areas of the blueprint. Specifically; the Thermal MotorSports Park will bring in private capital, create jobs, and adds to regional sustainability and economic diversification. We are also encouraged by the potential for partnerships with our colleges and universities with regards to alternative fuels research.

If you have any questions you may contact me directly at 760.340.1575.

Best regards,

Wesley Ahlgren
Director



March 15, 2010

Honorable John J. Benoit
County of Riverside, Supervisor, 4th District
73-710 Fred Waring Drive, Suite 222
Palm Desert, CA 92260

Dear Supervisor Benoit,

The purpose of this letter is to request your support for the development of the proposed Thermal MotorSports Park.

As you know, this project has gained significant momentum from many community leaders and organizations. The economic impact in tourism is undeniable. At a recent meeting of the CVA's Hospitality Industry and Business Council (HIBC) a unanimous vote of support was cast for this project and many of the Council's Board Members commented that this project could be a game changer for the Valley, offering positive impacts to our region as was experienced by the development of the University of California Riverside, Palm Desert Campus, and the Indian Wells Tennis Garden.

With the state of the economy, this project's approval and development are more crucial than ever. The Thermal MotorSports Park will bring in private capital, create jobs, and build excitement and interest in our destination.

Please feel free to contact me at any time to discuss this project and we appreciate your support of Thermal MotorSports Park.

Best regards,

Ralph Vick
Managing Director
LA QUINTA RESORT & CLUB® AND PGA WEST™
THE WALDORF-ASTORIA COLLECTION®



HITS, Inc.

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845.246.8833 fax 845.246.6371

www.HitsShows.com

March 31, 2009

Mr. Roy Wilson, Supervisor
Riverside County
73710 Fred Waring Drive
Palm Desert, CA 92260

Dear Roy,

While I was in Thermal for the horse shows, Paul Clayton met with me and informed me of his plans for a motorsports park on the southern boundary of our facility. It appears that Paul and his team have been quite thoughtful and creative in their design of the project elements. Some of the most interesting items include the research park for alternative fuels, space for educational institutions to conduct research on cars using solar and green technologies, and research on agriculture runoff/Salton Sea reclamation that will focus on bio fuels using algae that will be harvested from the sea, potentially returning the Salton Sea to a healthy clean body of water again.

I believe that the project as envisioned will have a lot of synergies with our facility and clientele. The demographics of the patrons of both facilities will be extraordinarily similar. And largely due to that fact, there's an excellent chance that we can develop some joint sponsorships with luxury automobile companies and others.

We understand that the noise levels will actually be less than those produced by air traffic at the airport. So the affect on the horses will be negligible. We are very supportive of the project and look forward to monitoring its progress towards fruition. There are several things we look forward to studying further in partnership with Paul's team particularly at times when our horse shows are not in full swing.

If there is anything that we can provide that would be helpful to the process, please let us know.

Best regards,

John A. Eickman

cc: Paul Clayton

PENTA

The PENTA Building Group, Inc.

March 17, 2010

Mr. Paul Clayton
Thermal MotorSports Park
74-245 Hwy. 111
Palm Desert, CA 92260

Dear Mr. Clayton,

On behalf of the PENTA Building Group, I am writing to lend our support to the proposed Thermal MotorSports Park. This project, in its configuration as a gentlemen's race club on the Kohl Ranch property, will provide much needed economic benefits to the entire Coachella Valley and Inland Empire.

As you know, the unemployment rate in the eastern region of the Coachella Valley is among the highest in the United States. This project will create a substantial number of jobs in this area and bring important economic benefits to the region.

The Thermal MotorSports Park project meets several of the goals outlined in the recently adopted Coachella Valley Economic Blueprint, a roadmap for regional economic diversification. We are also encouraged by the potential for partnerships with our local colleges and universities with regards to alternative fuels research.

We applaud your efforts to bring economic development, through motor sports, to the Coachella Valley. Please let me know if there is anything we can do to help make this project a reality.

Best regards,

Joel Wallis
The PENTA Building Group



Paul R. Ryan
General Manager
East Valley Tourist Development Authority

February 25, 2010

Honorable John Benoit
County of Riverside Supervisor, 4th District
23-710 Fred Waring Drive, Suite 222
Palm Desert, CA 92260

Re: Letter of Support - Thermal MotorSports Park

Dear Supervisor Benoit:

The purpose of this letter is to encourage you to support the development of the proposed Thermal MotorSports Park. This project will provide enormous economic benefits, not only to the eastern region of the Coachella Valley but to the entire Coachella Valley and the Inland Empire.

The principals of this project were requested by County staff last year to produce an economic impact analysis on the racetrack. Subsequently, they retained the services of Dr. John Husing, a noted economist with an impeccable reputation. His study provides in exhaustive detail an understanding of why this project should be considered of the highest priority for the County.

- Range of Annual Gross Revenue for the Track - \$13 million to \$54 million (dependent on scope of track use)
- Job Creation - 477 to 5,080 full time positions (dependent on scope of track use)
- Overall Annual Economic Impact to the Region - \$70 million to \$513 million (dependent on scope of track use)

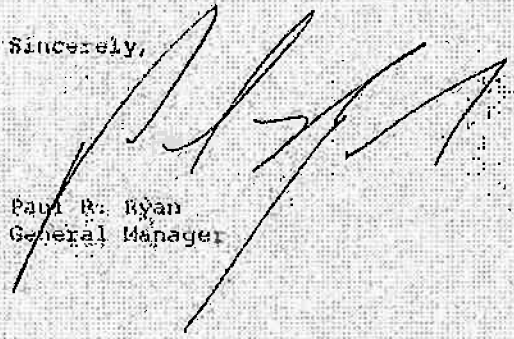
These statistics are just highlights of the enormous economic benefit this project will bring to the greater Coachella Valley. I am not aware of any other projects planned in this area that have a similar potential positive impact on this region.

EAST VALLEY TOURIST DEVELOPMENT AUTHORITY
84215 INDIO SPRINGS PARKWAY
INDIO, CALIFORNIA 92303-3479
(760) 238-5608 FAX (760) 238-5606

With the state of the economy, this project's approval and development are more crucial than ever. The Thermal Motorsports Park project will bring in private capital, it will create jobs and it will create excitement. It will also help stimulate the tourism industry in our Valley by bringing a new high-profile component to the desert.

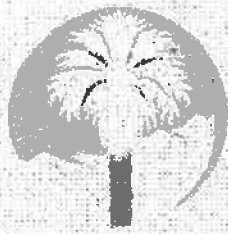
Please feel free to contact me to discuss this project further. Thank you in advance for your support of the Thermal Motorsports Park.

Sincerely,



Paul R. Ryan
General Manager

EAST VALLEY TOURIST DEVELOPMENT AUTHORITY
84-246 INDIO SPRINGS PARKWAY
INDIO, CALIFORNIA 92233-3429
(760) 238-5608 FAX (760) 238-5666



Palm Springs Desert Resorts

CONVENTION AND VISITORS AUTHORITY

February 26, 2010

Honorable John J. Benoit
County of Riverside, Supervisor, 4th District
73-710 Fred Waring Drive, Suite 222
Palm Desert, CA 92260

Dear Supervisor Benoit:

The purpose of this letter is to request your support for the development of the proposed Thermal MotorSports Park. This project will provide much needed economic benefits, not only to the eastern region of the Coachella Valley, but to the entire Coachella Valley and Inland Empire.

At a recent meeting of the CVA's Hospitality Industry and Business Council (HIBC) a unanimous vote of support was cast for this project and many of the Council's Board Members commented that this project could be a "game changer" for the Valley, offering positive impacts to our region as was experienced by the development of the University of California Riverside, Palm Desert Campus, and the Indian Wells Tennis Garden.

With the state of the economy, this project's approval and development are more crucial than ever. The Thermal MotorSports Park will bring in private capital, create jobs, and build excitement and interest in our destination.

Please feel free to contact me at any time to discuss this project. Thank you for your support of the Thermal MotorSports Park and the Coachella Valley hospitality industry. Best regards.

Sincerely,

Lee Morcus
Chairman
Hospitality Industry and Business Council

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(760) 342-8047
FAX (760) 347-8704

Assembly
California Legislature



V. MANUEL PEREZ
ASSEMBLY MEMBER, EIGHTIETH DISTRICT

COMMITTEES
CHAIR, ECONOMIC DEVELOPMENT,
AND THE ECONOMY
ACCOUNTABILITY AND
ADMINISTRATIVE REVIEW
HEALTH
VETERANS AFFAIRS

March 10, 2010

Mr. Paul Clayton
Thermal MotorSports Park
74-245 Hwy. 111
Palm Desert, California 92260

Dear Mr. Clayton:

As Chairman for the California State Assembly on Jobs, Economic Development and the Economy, I am writing to issue my complete support to the proposed Thermal MotorSports Park project located in Thermal, California. Said project is scheduled to be developed on the Kohl Ranch property.

This important project will ensure hundreds of immediate high quality jobs to residents of the Coachella Valley. My colleagues and I in the State Legislature believe that the local business community is the catalyst for the state's economic recovery. We must support and provide every available incentive to our local business developments. This project will benefit the entire Southern California region of our state.

It is also important to note, that my district staff and I participated in numerous meetings with our late County Supervisor Roy S. Wilson in relation to the Coachella Valley Economic Partnership Economic Blueprint Plan. This economic plan highlights the need for this type of diversified development throughout the Coachella Valley.

In closing, I endorse and wish to lend my name to the Thermal MotorSports Park. The Thermal MotorSports Park will be the anchor for new private capital, create jobs, and adds to regional sustainability and economic diversification.

Should you have any questions regarding this important project, please feel free to contact me at my district offices or at our Capitol offices. Thank you.

Sincerely,

V. Manuel, Assemblymember
80th District
VMP: gc



80.

COUNTY OF RIVERSIDE

TRANSPORTATION AND LAND MANAGEMENT AGENCY

Planning Department

Ron Goldman · Planning Director

REQUEST FOR DETERMINATION OF SUBSTANTIAL CONFORMANCE WITH A SPECIFIC PLAN

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

CASE NUMBER: SP0030352 (UPROJ) DATE SUBMITTED: November 16, 2009

APPLICATION INFORMATION

Applicant's Name: Kohl Ranch II, LLC E-Mail: kohl.david@gmail.com

Mailing Address: 11990 San Vicente Blvd., Suite 200
Los Angeles, CA 90049 Street

City State ZIP
Daytime Phone No: (310) 276-7300 Fax No: (310) 276-8035

Engineer/Representative's Name: Matt Webb E-Mail: matt.webb@

Mailing Address: 3788 McCray Street webbassociates.com
Riverside, CA 92506 Street

City State ZIP
Daytime Phone No: (951) 248-4212 Fax No: (951) 788-1256

Property Owner's Name: Kohl Ranch II, LLC E-Mail: _____

Mailing Address: 11990 San Vicente Blvd., Suite 200
Los Angeles, CA 90049 Street

City State ZIP
Daytime Phone No: (310) 276-7300 Fax No: (310) 276-8035

If the property is owned by more than one person, attach a separate page that reference the application case number and lists the names, mailing addresses, and phone numbers of all persons having an interest in the real property or properties involved in this application.

The Planning Department will primarily direct communications regarding this application to the person identified above as the Applicant. The Applicant may be the property owner, representative, or other assigned agent.

AUTHORIZATION FOR CONCURRENT FEE TRANSFER

The signature below authorizes the Planning Department and TLMA to expedite the refund and billing process by transferring monies among concurrent applications to cover processing costs as necessary.

Riverside Office: 4080 Lemon Street, 9th Floor
P.O. Box 1409, Riverside, California 92502-1409
(951) 955-3200 Fax (951) 955-3157
Form 295-1058 (02/27/08)

Desert Office: 38686 El Cerrito Road
Palm Desert, California 92211
(760) 863-8277 Fax (760) 863-7555

Murrieta Office: 39493 Los Alamos Road.
Murrieta, California 92563
Fax (951) 600-6145

REQUEST FOR DETERMINATION OF SUBSTANTIAL CONFORMANCE WITH A SPECIFIC PLAN

Fees collected in excess of the actual cost of providing specific services will be refunded. If additional funds are needed to complete the processing of your application, you will be billed, and processing of the application will cease until the outstanding balance is paid and sufficient funds are available to continue the processing of the application. The applicant understands the deposit fee process as described above, and that there will be NO refund of fees which have been expended as part of the application review or other related activities or services, even if the application is withdrawn or the application is ultimately denied.

All signatures must be originals ("wet-signed"). Photocopies of signatures are **not** acceptable.

KOHL RANCH II, LLC,
A California limited liability company



Allen Kohl
Member

AUTHORITY FOR THIS APPLICATION IS HEREBY GIVEN:

I certify that I am/we are the record owner(s) or authorized agent and that the information filed is true and correct to the best of my knowledge. An authorized agent must submit a letter from the owner(s) indicating authority to sign the application on the owner's behalf.

All signatures must be originals ("wet-signed"). Photocopies of signatures are **not** acceptable.

KOHL RANCH II, LLC,
A California limited liability company



Allen Kohl
Member

If the subject property is owned by persons who have not signed as owners above, attach a separate sheet that references the application case number and lists the printed names and signatures of all persons having an interest in the property.

PROJECT INFORMATION:

Description of Substantial Conformance Request (Reference the existing Planning Area(s), and/or Policies, and/or Conditions that are proposed to be modified, and clearly state the proposed modifications) (if lengthy, extra pages may be attached):

See attached project description and exhibits.

REQUEST FOR DETERMINATION OF SUBSTANTIAL CONFORMANCE WITH A SPECIFIC PLAN

Related cases filed in advance of, or concurrently with, this request:

None

PROPERTY INFORMATION:

Assessor's Parcel Number(s): 759150001, 759160001, 759170001, 759190004

Section: 33 Township: 6 South Range: 8E (Valerie Quad)

Approximate Gross-Acreage: 294 acres

General location (nearby or cross streets): North of Avenue 62, South of Avenue 60, East of Tyler, West of Polk

Thomas Brothers map, edition year, page number, and coordinates: _____

Have there been any prior requests for substantial conformance? Yes ☐ No ☒

If yes, of what nature? _____

REQUEST FOR DETERMINATION OF SUBSTANTIAL CONFORMANCE WITH KOHL RANCH SPECIFIC PLAN

Introduction

Kohl Ranch, LLC is proposing to have a portion of the Kohl Ranch Specific Plan—Planning Areas E-1, E-2, D-1 and a portion of A-9—located in the northeast corner of the Specific Plan area—developed as a private auto racing track, which would be known as Thermal Motorsports Park (TMP). (See Exhibit 1, *Project Location within Existing Specific Plan*.) Planning Areas E-1 and D-1 have a land use designation of Open Space (OS), E-2 is designated for Heavy Industrial (HI) and A-9 is Air Port/Mixed Use.

The development plan for TMP places the majority of facilities described below (other than the race track) in Planning Area (PA) E-2 or A-9. The Specific Plan and/or the development code for Riverside County (Ordinance #348, Article XII), allows many similar uses in HI, such as aircraft taxiways, aerospace/aeronautical museums, conference facilities, research and development facilities, transportation related industries, mini-warehouses, gas stations, parking lots, vehicle and body repairs shops and an associated one family dwelling if occupied by the owner or caretaker.

Although the uses mentioned are similar to the ones proposed for the project, a race track is not specifically mentioned in the allowed uses in HI. The Specific Plan and County development code (Article IX, Section 9.1a) permit research and testing laboratories and offices in the AP/MU designation of Planning Area A-9, where an alternative energy park is planned. The alternative energy park would be compatible with the permitted uses in the Specific Plan. Additionally, the development plan for the TMP would primarily leave the OS of Planning Area (PA) E-1 without development and place a section of track and a few development lots in the OS of D-1. Although some recreational facilities, such as a golf course with a club house and parking, are permitted by the Specific Plan in the OS designation, the uses being proposed in the OS areas are not uses specifically mentioned in the Specific Plan or in Ordinance #348).

The applicant is requesting a review of the project for substantial conformance with the Kohl Ranch Specific Plan. A detailed project description follows along with pertinent information about compatibility with the Jacqueline Cochran Regional Airport.

Project Description

The project would be developed on approximately 294 acres with primary access from Polk Street and secondarily from Avenue 60. Internal access would be provided by private roads. The track would be 3.58 miles in length with two configuration alternatives (Exhibit 2, *Proposed Conceptual Land Use Plan*). Water and sewer would be available to on-site facilities through a connection to those services at the corner of Polk Street and Avenue 62. The area inside the track would primarily be left as undisturbed and natural OS and may function as storm water retention, which was also the intended use of the same OS area in the Specific Plan. The facilities described below are shown in Figure 2.

REQUEST FOR DETERMINATION OF SUBSTANTIAL CONFORMANCE WITH
KOHL RANCH SPECIFIC PLAN

Phase I - Expected Opening: 2011

1. Founders Lots

- a. Number: 131
- b. Lot Size: 50 feet wide and 140 feet deep (away from the track) resulting in 7,000 to 10,000 square feet each.
- c. Structures: Private Garage for members. Garages would range from 2,000 to 6,000+ square feet.
- d. Amenities: Garages would contain automobile storage on the ground floor and a lounge area and view deck on the 2nd floor. Some garages may feature an additional view deck on the roof.
- e. ALUCP Safety: 111 lots in Zone C and 20 lots in Zone D
- f. Building Density: 3 to 4 lots per acre
- g. Intensity of Use: 8 to 16 people per acre
- h. Other Terms: Founder's Lots would be ground leased to members for 99 years on terms and conditions that require the Ground Lessee to maintain a membership to TMP in good standing. Covenant would be recorded on the property that prohibits overnight occupancy.

2. Corporate Lots

- a. Number: 30
- b. Lot Size: 10,000 to 30,000 square feet each
- c. Structures: Garages and retreats for corporate members. Sizes would be from 5,000 square feet and up depending on lot size.
- d. Amenities: Retreats would contain kitchen, conference rooms, and recreational areas.
- e. ALUCP Safety: 10 lots in Zones C and 20 lots in Zone D
- f. Building Density: Two lots per acre (average).
- g. Intensity of Use: 10 to 20 people per acre.
- h. Other Terms: Corporate Retreats would be subject to a Ground Lease and would require the Corporation to keep a membership with TMP in good standing. Covenant would be recorded on the property that prohibits overnight occupancy.

3. Clubhouse and Pool Area

- a. Size: 6,000 square feet
- b. Features: Would contain locker room, bar and grill room, fitness area and pool. Clubhouse would be adjacent to amphitheater next to track, open areas and parking.
- c. ALUCP Safety: Zone C
- d. Intensity of Use: Clubhouse occupancy would be capped at 150 persons.

4. Tuning Shop

- a. Size: 18,000 square feet
- b. Features: Merchandising and display areas in front and service bays in rear.
- c. ALUCP Safety: Zone C

REQUEST FOR DETERMINATION OF SUBSTANTIAL CONFORMANCE WITH KOHL RANCH SPECIFIC PLAN

- d. Intensity of Use: Occupancy would be approximately 40 persons or approximately 35 per gross acre.

5. Club Garages

- a. Size: Two at 20,000 square feet each.
- b. Features: Secure car, tire and tool storage.
- c. ALUCP Safety: Zone D
- d. Intensity of Use: 10 people per garage, or approximately 15 people per gross acre.

6. Observation Tower

- a. Size: 2 to 3 stories with a total of 4,000 square feet
- b. Purpose: Control Tower for track safety
- c. ALUCP Safety: Zone C
- d. Intensity of Use: 20 people total or approximately 15 people per gross acre.

~~Phase II – Estimated Opening: 2014~~

Pavilions – Three buildings approximately 15,000 to 25,000 square feet each. Each building would consist of a two to three-story structure for automobile manufacturer's auto showrooms. Such showrooms will be used for indoor display of current, future and historic model vehicles. There will be no display vehicle storage exterior to the Pavilions. The average population density per pavilion would be 75 people, resulting in a planned population density of 60 people per acre. The pavilions would be located in ALUCP Zone C.

Alternative Energy Park – Proposed industrial uses related to alternative energy to be located on seven lots of 1 to 1.5 acres each with 20,000 to 30,000 square foot structures on each lot. Average population density per building is planned at 50 people, resulting in a planned population density of 35 people per gross acre. The Alternative Energy Park would be located in ALUCP Zone C on the west side of Zone A and the approach/departure area to Runway 17/35.

Vintage Car Showroom – Anticipated to be 30,000 square feet on 1.5 acres located next to the Tuning Shop. The Vintage Car Showroom will be used for display of vintage and high performance vehicles, and will provide a location where members can place such vehicles for sale on consignment. All vehicles displayed at this location will be displayed inside the Showroom to assure proper care and security for said vehicles. There will be no vehicle storage exterior to the Vintage Car Showroom. Occupancy is anticipated to be a maximum of 100 people and located in the ALUCP Zone C.

Jacqueline Cochran Regional Airport Compatibility

The TMP would be located on the open land area south of Jacqueline Cochran Regional Airport (JCRA). This proposed use would be compatible with the safety, noise, overflight and land use restrictions of the Riverside County Airport Land Use Commission (ALUC) as adopted in the Airport Land Use Compatibility Plan (ALUCP) for JCRA (see Exhibit 3, *Airport Land Use Compatibility Zones*). The proposed layout of the track and the clustering of its amenities would maintain a significant open space area in the approach area to Runway 35 that supports the goals of ALUCP. This concept is also consistent with the FAA airport planning criteria for the area

REQUEST FOR DETERMINATION OF SUBSTANTIAL CONFORMANCE WITH KOHL RANCH SPECIFIC PLAN

beyond the ends of runways. As such, this use would also be consistent with the intent of the JCRA long-term Airport Layout Plan. There are several added benefits of the TMP Plan beyond meeting the minimum requirements that make it an ideal use to consider for the Kohl Ranch property:

- Creates a buffer zone of non-noise-sensitive land use in the approach area to JCRA;
- Produces revenue and economic benefit for the community and the County;
- Preserves land for the ultimate extension of Runway 35; and
- Reduces the fee-simple land acquisition requirements for the Runway 35 extension.

The following is a summary of key issues and track planning criteria that have guided the track design team as they developed their concept for the track and all of its associated facilities. Following these land use constraints, the designers have created a track plan that is a compatible use with the JCRA and that allows substantial flexibility and opportunity for a first class racing facility.

Key Issues and Track Planning Criteria:

1. **Preserve Open Land for Aircraft Safety** – The TMP track would provide a large open paved track area with a series of turns upon which drivers can practice and race. This large-area layout also provides the opportunity for a substantial open land component, particularly in the western portion of the property along the Runway 35 centerline extended south across the property. The TMP track concept clusters buildings and amenities in a way that allows for these new uses while also meeting the open land requirements of the ALUCP. The purpose of the open land area is to provide substantial safety benefits for pilots and aircraft passengers in case of an emergency landing off of the JCRA.
2. **Limit Intensity of Use** – The TMP track would limit the number of people in the track area to less than the number of people on a public road, a public parking lot or a golf course at any one point in time. FAA criteria for a Runway Protection Zone (RPZ) allow these types of uses within the RPZ area. As required by the FAA, no fuel storage, public assembly or tall structures would be allowed within the RPZ area. The ALUCP also provides criteria for limiting the number of people in certain areas around the airport. Item #5 of this section provides additional detail on each of these areas.
3. **Reduce Airport Noise Concerns** – People participating in auto racing would not be impacted by aircraft noise given their acceptance of noise associated with auto racing. A preliminary analysis of the potential noise from the race track has been conducted and is shown on Exhibit 4, Estimated Noise Contours.
4. **Reduce Aircraft Overflight Concerns** – The approach/departure area to the JCRA would be over open land and portions of the proposed track. The majority of aircraft overflights in this vicinity will be south to north over the western portion of the property by aircraft arriving to JCRA Runway 17/35. There will also be some small aircraft operations over the property associated with Runway 12/30.

REQUEST FOR DETERMINATION OF SUBSTANTIAL CONFORMANCE WITH
KOHL RANCH SPECIFIC PLAN

5. **Comply with ALUC Zones A, B1, C and D** – The proposed track area and associated facilities would meet all of the land use restrictions in the JCRA ALUCP. The following are the key planning criteria associated with ALUC Zones A, B1, C and D. The TMP intensity of use is significantly lower than the criteria allowed by the JCRA ALUCP.

~~Table 1, *TMP Comparison to ALUC Compatibility Criteria* provides a comparison between the criteria and the proposed TMP intensity.~~

- a. **Zone A** would be limited to the paved track area to qualify as “open land” under the ALUC designation. ALUC Zone A encompasses the FAA’s Runway Protection Zone and has similar restrictions on land use. This area is closest to the runway and would be kept clear of structures, people and hazards to air navigation. The track and associated infield areas are proposed as an ideal use in this zone.
- b. **Zone B1** allows for the paved track area within the zone and other buildings and ~~uses that would not exceed the intensity of 25 to 50 people per acre.~~ The intensity of use can be increased to 65 people per acre when special building precautions are taken to protect occupants from aircraft accidents. ALUC policy allows development of up to 70 percent of the property in this zone. The remaining open land would be clustered in large tracts and generally aligned with the approach area to Runway 35. Non-residential buildings with up to two aboveground habitable floors are allowed in this area as long as they meet the intensity limitations. Belowground fuel storage tanks would also be allowable in this zone. ~~Track, garages, shops and special facilities are proposed as compatible uses in this zone.~~
- c. **Zone C** would allow for the track area, pit area, viewing stands, parking and garage areas while remaining within the intensity of 75 to 150 people per acre. The intensity of use can be increased to 195 people per acre in this zone if special building precautions are taken to protect occupants from aircraft accidents. ALUC policy allows up to 80 percent of the land in this zone to be developed. Similar to Zones A and B1, the TMP plan clusters buildings and facilities in order to keep the open land area in larger tracts that are aligned with the approach/departure area of Runway 17/35. Buildings in this area would have up to 3 aboveground habitable floors. Belowground fuel storage tanks would also be allowable in this zone. Track, parking, garages, shops, pit areas, stands and other uses are proposed as compatible uses in this zone.
- d. **Zone D** overlies a sub-parcel of the property in the southeast quadrant of approximately 60 acres. This area has very few restrictions for development under the ALUC land use standards. This zone allows 100 to 300 people per acre intensity with a bonus of up to 390 people per acre if special building precautions are taken to protect occupants from aircraft accidents. ALUC policy allows up to 90 percent of this property to be developed with very few restrictions on the types of use. Building heights in this area could be as high as 70 feet without additional study. Belowground fuel storage tanks would also be allowable in this zone. This

REQUEST FOR DETERMINATION OF SUBSTANTIAL CONFORMANCE WITH KOHLE RANCH SPECIFIC PLAN

area of the property would allow for development that would attract large numbers of people while being compatible with the race track and the airport.

Table 1, TMP Comparison to ALUC Compatibility Criteria

ALUC Zone	ALUC Maximum Intensity (people/acre)			TMP Proposed Intensity (people/acre)			TMP Area (acres)	ALUC Required Open Land	TMP Proposed Open Land
	Avg.	Single	Bonus	Avg.	Single	Bonus			
A	0	0	0	0	0	n/a	67.6	All remaining	100%
B1	25	50	65	0	0	n/a	18.7	30%	100%
C	75	150	195	11	100	n/a	149.8	20%	72%
D	100	300	390	6	20	n/a	57.9	10%	67%
Total							294.0		79%

Source: Table 2A - Basic Compatibility Criteria, Riverside County Airport Land Use Compatibility Plan Policy Document (Adopted October 2004)

Prepared by: Johnson Aviation, October 2009

Using the above listed Key Issues and Track Planning Criteria, the project team developed the proposed building program. The layout of the track is the primary design element and central feature on the property. The concept makes full use of the non-buildable areas in ALUCP Zone A for open portions of the track. The remaining portions of the track are located within ALUCP Zones B1, C and D where the various TMP facilities and amenities are planned. Community noise buffers have been notionally considered within the design and more detailed study of these issues will take place as part of the final design to ensure compatibility with the planned land uses.

Determination of Substantial Conformance

Under Section 2.11 of the Riverside County Zoning Ordinance, a project which varies from, but is in substantial conformance with an adopted specific plan is entitled to a determination of substantial conformance prior to implementation if the project, as modified, meets the intent and purpose of the adopted specific plan and is consistent with the findings and conclusions contained in the resolution adopting the specific plan. For purposes of applying this section of the code, "substantial conformance" means a non-substantial modification of a condition of approval, diagram or text of the specific plan that does not change the basic design or improvements required and is consistent with the original resolution adopting the specific plan.

Under the terms of the Kohl Ranch Specific Plan, Amendment No. 1 (the "SP"), the land proposed for the race track is partially designated "Heavy Industrial" (approximately 172.86 acres) and the balance is zoned "Open Space" and "Air Park/Mixed Use".

REQUEST FOR DETERMINATION OF SUBSTANTIAL CONFORMANCE WITH KOHL RANCH SPECIFIC PLAN

The Open Space designation is intended, in part, to provide a diverse range of recreational opportunities for area residents [SP, page IV-13-14]. The zone specifically provides that golf courses and golf course clubhouses are permitted. Just as a golf course is a large scale recreational amenity subject to fluctuation in intensity of use ranging from the daily golfers to tournament play, the race course would be a large scale recreational amenity, generally used at a low intensity level by individual members who come to race their private vehicles. It is anticipated that the intensity of use for the race course would be less than that of a golf course. The clubhouse planned within the TMP facility is directly analogous to the clubhouse for a golf course facility, which is a specifically permitted use in the Open Space area. Like a golf course, the race course has few structures which interrupt the open space nature of the development. As noted above, the TMP race course has been designed to eliminate structures from the Open Space area directly south of the runway for the JCRA, and instead, use this area only for portions of the track itself. The design therefore preserves the Open Space while introducing facilities which provide increased aircraft safety to the JCRA users.

The "Heavy Industrial" designation within the SP was intended to provide areas which could serve as an employment base, require outdoor storage and maximize use of the regional transportation system, including the airport. The types of uses specifically allowed in the Heavy Industrial zone include, among others, golf courses, flight schools, parcel delivery services, rental car agencies and rental car storage. As noted above, the intensity of use for the property is unlikely to exceed that of a golf course, and the Project serves the same type of purposes, that being a large scale recreational amenity. The race track facility, to the extent that it involves the storage of vehicles, fuels and similar equipment is not unlike what one would find at a flight school, parcel delivery service or rental car agency, all of which are allowed under the "Heavy Industrial" zone. Therefore, it can be reasonably argued that the proposed race course is substantially similar in use to those permitted uses set out in the "heavy industrial" classification of the SP.

With respect to the "Heavy Industrial" zone, in interpreting the SP's allowable uses, the County will look to the text of the County zoning ordinance, as the SP specifically provides that use and development standards within each zone are governed by County Ordinance No. 348 [SP page IV-15]. The County ordinance for the heavy industrial zone provides for a variety of specific agricultural, manufacturing, commercial, research and industrial uses as permitted uses. To the extent that a use is not specifically listed in the ordinance, it may be considered a permitted use providing that the Planning Director finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. [Section 12.2(g) of Ordinance 348.]

Permitted uses which may be considered the same in character and intensity which are permitted uses within the Heavy Industrial zone include transportation and related industries such as draying, freighting, and trucking operations, railroad yards and stations, vehicle storage and impoundment, trailer and boat storage and parking lots and parking structures. The proposed Project is clearly less intense than the examples cited above, and introduces the same types of equipment or material onto the property.

Specific uses within the TMP project are clearly authorized under the Heavy Industrial zone. The clubhouse use proposed is analogous to a golf course clubhouse, which is a part of a specifically allowed use in this zone. The specific allowance for rental car agencies and storage of rental cars is similar to the proposed use of the garages on the project site, wherein owners

REQUEST FOR DETERMINATION OF SUBSTANTIAL CONFORMANCE WITH
KOHL RANCH SPECIFIC PLAN

will be storing their vehicles when not in use. "Parking lots and parking structures" are also permitted uses within the Heavy Industrial zone, and approximate the proposed uses for garages, parking areas, the Pavilion and the Vintage Car Showroom.

The proposed Tuning Shop on the TMP site is a specifically allowed use within the Heavy Industrial zone as the County's ordinance includes among the allowed uses "vehicle and motorcycle repair" and "body and fender shops, and spray painting." Proposed fuel storage on the site for use by members falls within the allowed uses under the County's ordinance which permits "gasoline and diesel service stations, not including the concurrent sale of beer and wine for off-premises consumption" under the Heavy Industrial zone.

There is also precedent within Riverside County for location of race track facilities within the Heavy Industrial Zone. Just within the last few months, the County has approved a race track facility in a Heavy Industrial zone in the Desert Center area. Such use makes clear that the proposed race track is in substantial conformance with the Heavy Industrial zone, and as this zone provides the basis for the heavy industrial area within the Specific Plan, the race track is similarly in substantial conformance with the Specific Plan.

The final zoning classification within the Specific Plan which is relevant to the proposed project is the AP/MU zone. Under the terms of the Specific Plan, this zone is "designated to accommodate a wide range of land uses including office, service, commercial, airport-related, incubator business and very light industrial." (SP, page IV-11). Some of the objectives of this zone are to create a supportive environment for start-up businesses and to provide support services for business and industrial uses in the project area. Uses permitted in this zone include General Commercial as well as a variety of manufacturing facilities and research and development facilities. Under the proposed project, the AP/MU zone would be used as the site of the proposed alternative energy park which constitutes a research and development facility for alternative fuels. Such a land use appears to fit within the research and development objectives of the zone, and meets the Specific Plan's goals of creating a start up business which supports the primary use in the project area, that being the TMP facilities.

NOTICE OF PUBLIC HEARING

A PUBLIC HEARING has been scheduled, pursuant to Riverside County Land Use Ordinance No. 348, before the RIVERSIDE COUNTY PLANNING COMMISSION to consider the project shown below:

SPECIFIC PLAN NO. 303, SUBSTANTIAL CONFORMANCE NO. 2 – NO NEW ENVIRONMENTAL DOCUMENTATION REQUIRED – Applicant: Kohl Ranch II, LLC – Engineer/Representative: Matt Webb – Fourth Supervisorial District – Lower Coachella Valley Zoning District – Eastern Coachella Valley Community Area Plan: Community Development: Adopted Specific Plan – Location: Northerly of Avenue 62, southerly of Avenue 60, easterly of Tyler Street, westerly of Polk Street, located at 60100 Tyler Street, Thermal, CA. – 294 Gross Acres – Zoning: Specific Plan (SP) – **REQUEST:** This, the second substantial conformance to adopted Specific Plan No. 303 (Kohl Ranch), is to expand the uses allowed in Planning Area E-2 “Heavy Industrial” and Planning Areas E-1, D-1 “Open Space” to include an automotive race track, with ancillary uses and activities, plus alternative energy facilities. – APN(s): 759-150-001, 759-160-001, 759-170-001 & 759-190-004 – Concurrent Cases: SP00303A2 – Related Cases: SP00303, SP00303A1, SP00303S1, EA36750, CZ06237, CZ06605, PP16066

TIME OF HEARING: 9:00 a.m. or as soon as possible thereafter.
DATE OF HEARING: April 7, 2010
PLACE OF HEARING: RIVERSIDE COUNTY ADMINISTRATIVE CENTER
BOARD CHAMBERS, 1ST FLOOR
4080 LEMON STREET
RIVERSIDE, CA 92501

For further information regarding this project, please contact Jay Olivas, Project Planner at 760-863-8277 or e-mail jolivas@rctlma.org, or go to the County Planning Department's Planning Commission agenda web page at www.tlma.co.riverside.ca.us/planning/pc.html

The Riverside County Planning Department has determined that No New Environmental Documentation is Required based on the previous certified Environmental Impact Report for Adopted Specific Plan No. 303. The Planning Commission will consider the proposed application at the public hearing.

The case file for the proposed project may be viewed Monday through Thursday, from 8:00 A.M. to 5:00 P.M. at the Planning Department office, located at 38686 El Cerrito Road, Palm Desert, CA 92211.

Any person wishing to comment on the proposed project may do so in writing between the date of this notice and the public hearing; or, may appear and be heard at the time and place noted above. All comments received prior to the public hearing will be submitted to the Planning Commission, and the Planning Commission will consider such comments, in addition to any oral testimony, before making a decision on the proposed project.

If this project is challenged in court, the issues may be limited to those raised at the public hearing, described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing. Be advised that as a result of public hearings and comment, the Planning Commission may amend, in whole or in part, the proposed project. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the proposed project, may be changed in a way other than specifically proposed.

Please send all written correspondence to:
RIVERSIDE COUNTY PLANNING DEPARTMENT
Attn: Jay Olivas
9686 El Cerrito Road, Palm Desert, CA 92211

PROPERTY OWNERS CERTIFICATION FORM

I, Carlos Muñoz certify that on March 17, 2010,

The attached property owners list was prepared by Riverside County GIS,

APN(s) or case numbers 751-030-003, 751-030-004, 751-030-005, 751-030-010, 751-030-011,
751-030-013, 751-030-015, 751-030-016, 751-030-017, 751-040-001, 751-040-002, 751-040-003,
751-040-004, 751-040-005, 751-040-006, 751-040-009, 751-040-010, 751-040-011, 751-070-004,
751-070-009, 751-070-021, 751-070-023, 751-070-025, 751-070-029, 751-070-031, 759-130-003,
759-140-005, 759-140-007, 759-140-011, 759-140-012, 759-140-013, 759-150-001, 759-160-001,
759-170-001, 759-180-001, & 759-190-004. For Company or Individual's Name Riverside

County Planning Department, Distance buffered 600'. Pursuant to application requirements

furnished by the Riverside County Planning Department. Said list is a complete and true compilation of

the owners of the subject property and all other property owners within 600 feet of the property involved,

or if that area yields less than 25 different owners, all property owners within a notification area expanded

to yield a minimum of 25 different owners, to a maximum notification area of 2,400 feet from the project

boundaries, based upon the latest equalized assessment rolls. If the project is a subdivision with

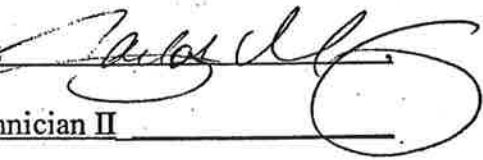
identified off-site access/improvements, said list includes a complete and true compilation of the names

and mailing addresses of the owners of all property that is adjacent to the proposed off-site

improvement/alignment. I further certify that the information filed is true and correct to the best of my

knowledge. I understand that incorrect or incomplete information may be grounds for rejection or denial

of the application.

NAME: Carlos Muñoz 

TITLE Planning Technician II

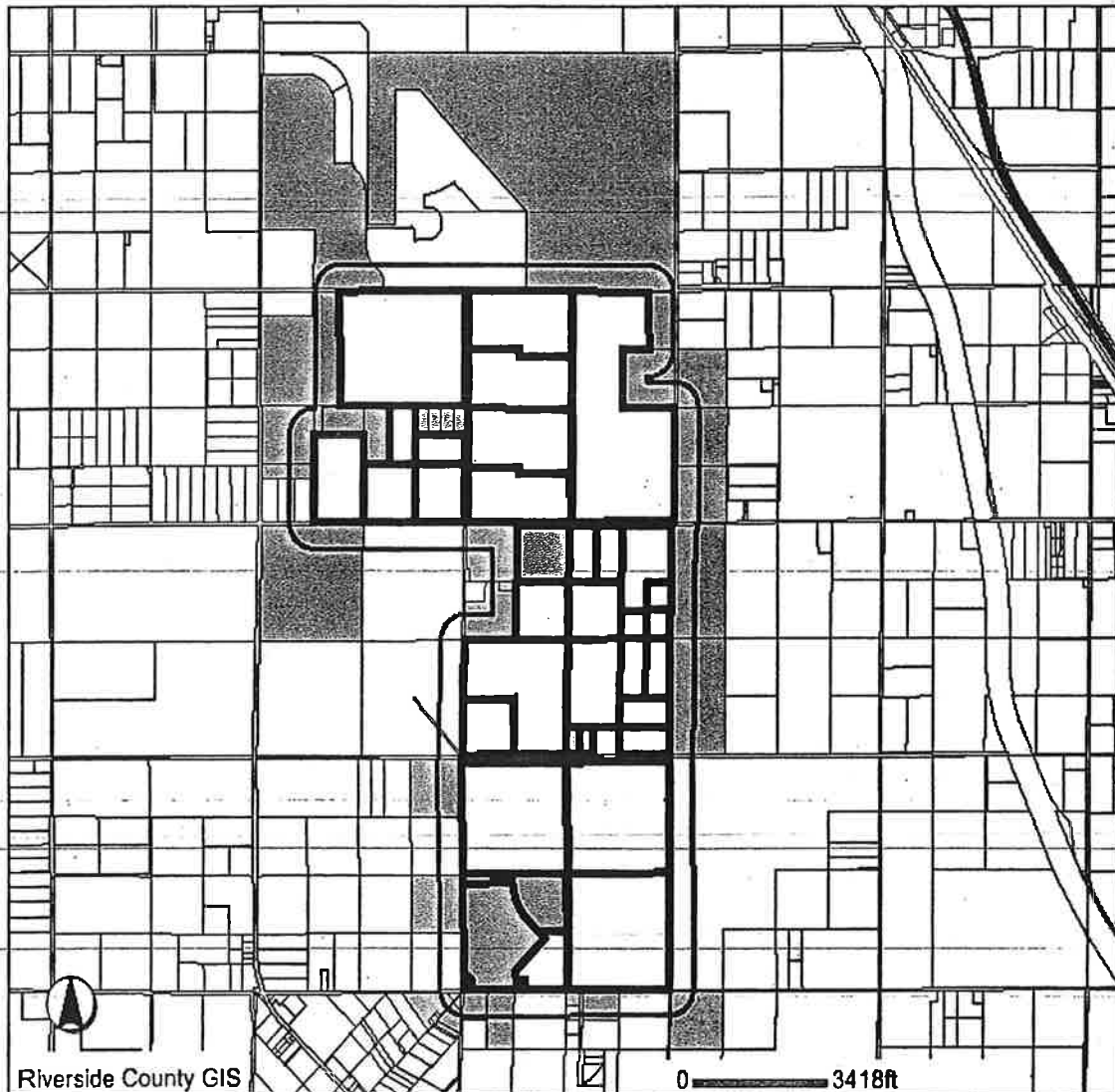
ADDRESS: 38686 El Cerrito Road

Palm Desert, CA 92211

TELEPHONE NUMBER (8 a.m. – 5 p.m.): (760) 863-8277

CASE # SP00303S2

SP00303S2

**Selected parcel(s):**

749-090-036	749-310-001	749-310-007	751-020-002	751-020-009	751-030-001	751-030-003
751-030-007	751-030-009	751-040-006	751-070-008	751-070-016	751-070-023	751-070-030
751-070-031	751-080-014	751-160-009	751-180-006	751-180-007	751-200-001	751-200-011
751-200-013	751-200-018	757-260-007	757-270-001	757-270-003	759-100-006	759-100-012
759-130-006	759-140-001	759-140-002	759-140-003	759-140-006	759-140-009	759-140-010
	759-140-014	759-140-015	759-140-016	759-190-002	759-190-003	

IMPORTANT

This information is made available through the Riverside County Geographic Information System. The information is for reference purposes only. It is intended to be used as base level information only and is not intended to replace any recorded documents or other public records. Contact appropriate County Department or Agency if necessary. Reference to recorded documents and public records may be necessary and is advisable.

MAP PRINTED ON...03/17/2010

APN: 749090036 ASMT: 749090036
USA 749
BUREAU OF INDIAN AFFAIRS
P O BOX 2245
PALM SPRINGS CA 92262

APN: 749310001 ASMT: 749310001
K & S RANCH
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P O BOX 371
THERMAL CA 92274

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APN: 751070016 ASMT: 751070016
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600 FT. RADIUS
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Thermal Community Council
Attn: Sergio Duran, Chairman
P.O. Box 1243
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Palm Desert, CA 92260

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