AIRPORT LAND USE COMMISSION
FOR ORANGE COUNTY
3160 Airway Avenue • Costa Mesa, California 92626 • 949.252.5170 fax: 949.252.6012

AGENDA ITEM 2

September 17, 2020

TO: Commissioners/Alternates

FROM: Lea Choum, Executive Officer

SUBJECT: City of Newport Beach Request for Consistency Review of Shell Service Station Car Wash Addition at 1600 Jamboree Road

Background

The City of Newport Beach requests consistency review of a General Plan Amendment (GPA) to allow for the construction of an automated car wash in conjunction with an existing Shell Service Station. A GPA is required to increase the maximum floor area limit for the site by 1,100 square feet to accommodate the proposed car wash. No change in the land use category is proposed.

The existing service station site is 49,984 square feet in area (1.15 acres) and has a building height of 18 feet, 6 inches. The site is located at the northeast corner of the intersection of Jamboree Road and San Joaquin Hills Road. The parcel is triangular shaped with two sides fronting major roads (Jamboree Road and San Joaquin Hills Road) (see Attachment 1 to view the project location map). The one-story car wash addition is proposed to a height of 16 feet.

The project is being referred to your Commission because of the project's location within the Airport Planning Area for John Wayne Airport and because the project requires a GPA to increase the maximum floor area limit of the site by 1,100 square feet.

The City of Newport Beach has scheduled the following public meetings/hearings on the proposed project:

July 9, 2020	Planning Commission *(recommended approval)*
November 2020	City Council

AELUP Issues

The project has been evaluated for conflicts with respect to aircraft noise, building heights, and safety zones.

Regarding Aircraft Noise Impacts

The proposed project is not located within the JWA 60 or 65 CNEL noise contours (see Attachment 2).

Regarding Height Restrictions

In Section 2.1.3 of the *Airport Environs Land Use Plan for John Wayne Airport (AELUP for JWA)*, the Commission has incorporated the standards for height limits for determining obstructions and has incorporated the definitions of "imaginary surfaces" for airports as defined in Federal Aviation Regulations (FAR) Part 77. The proposed project is located within the FAR Part 77 Obstruction Transitional Surface for JWA as shown on Attachment 3. The transitional surface would be penetrated at 862 feet above mean sea level (AMSL). The proposed project remains below the transitional surface at 133 feet AMSL.

The proposed project is located within the AELUP Notification Area for JWA (see Attachment 4). The proposed maximum height for the project is 133 feet AMSL which does not penetrate the notification surface of 210.8 feet AMSL. The project applicant filed Form 7460-1 with the Federal Aviation Administration (FAA) and has received a Determination of No Hazard to Air Navigation. The FAA Aeronautical Study No. 2020-AWP-9507-OE is included as Attachment 5.

Regarding Safety Zones

Attachment 6 contains the Safety Zones exhibit showing that the proposed project site is not within the safety zone areas for JWA.

Heliports

Heliports are not proposed as part of the project; therefore no analysis of Heliports was conducted. The City of Newport Beach General Plan includes language that states proposed heliport projects must comply with FAA Regulations, Caltrans Division of Aeronautics and the *AELUP for Heliports* in the development of heliports.

Environmental Compliance

This project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 under Class 3 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential to have a significant effect on the environment. The car wash addition is an accessory structure to the service station that does not involve the use of hazardous substances and does not exceed 2,500 square feet in floor area.

Conclusion

Attachment 7 to this report contains excerpts from the project submittal package received from the City of Newport Beach for your reference. The proposed project is not located within the noise contours or safety zones for JWA, does not penetrate the notification or the obstruction imaginary surfaces for JWA, and the proposed project does not include a heliport.

Recommendation:

1. That the Commission find the proposed Shell Service Station Car Wash Addition and related General Plan Amendment consistent with the *Airport Environs Land Use Plan for John Wayne Airport*.

Respectfully submitted,

Lea U. Choum

Lea U. Choum
Executive Officer

Attachments:

1. Project Location Map
2. JWA CNEL Contours
3. FAR Part 77 JWA Obstruction Imaginary Surfaces
4. FAR Part 77 AELUP Notification Area for JWA
5. FAA Aeronautical Study No. 2020-AWP-9507-OE
6. JWA Airport Safety Zone Reference Map
7. Submittal Package Excerpts from City of Newport Beach

ATTACHMENT 1

NBGIS NEWPORT BEACH

CITY OF NEWPORT BEACH CALIFORNIA

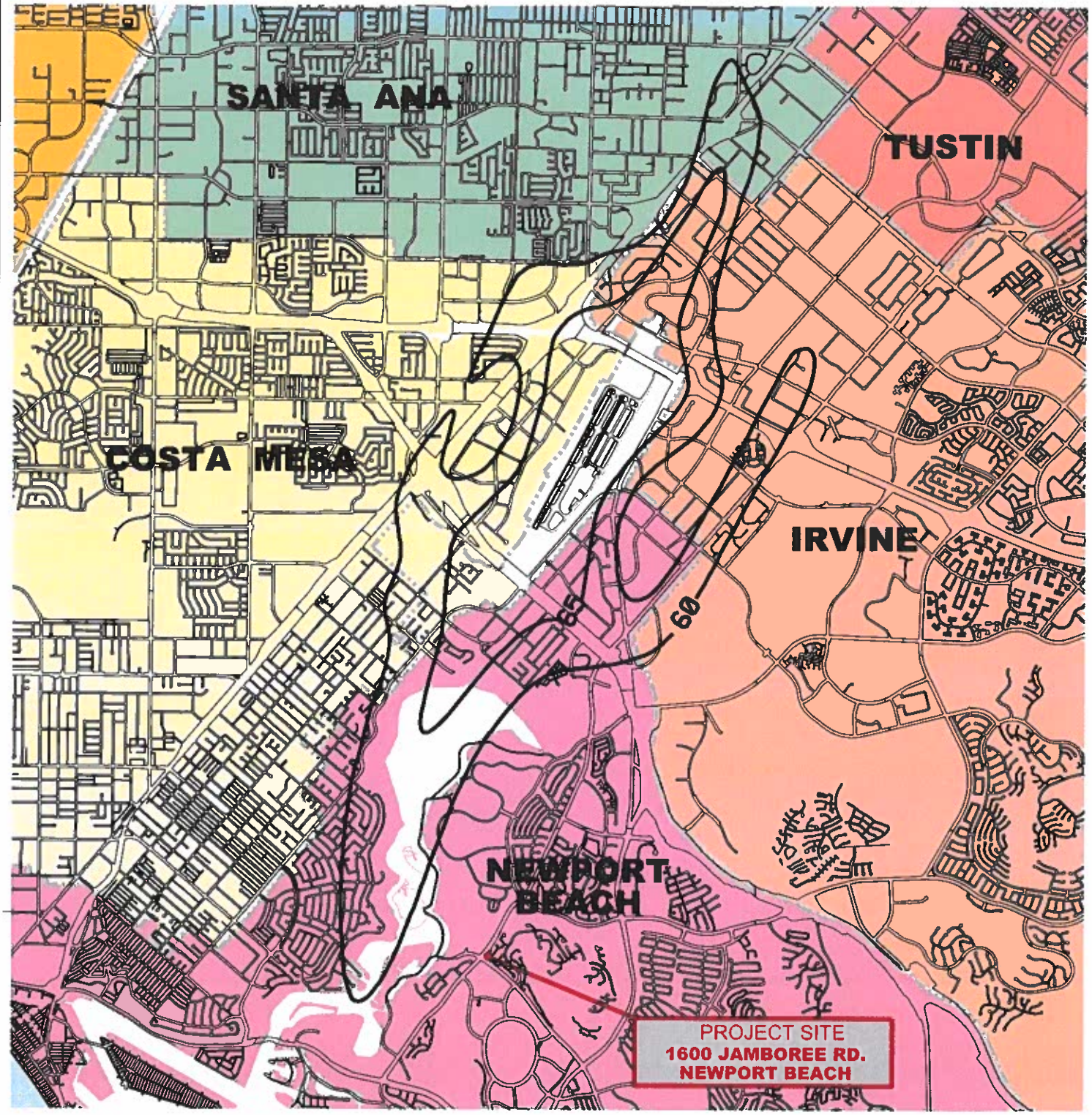
0 417 833

Feet

Disclaimer:
Every reasonable effort has been made to assure the accuracy of the data provided, however, The City of Newport Beach and its employees and agents disclaim any and all responsibility from or relating to any results obtained in its use.

8/24/2020

ATTACHMENT 2



Note: County Unincorporated areas are shown in white.

John Wayne Airport Impact Zones

Composite contour from John Wayne Airport Project Case–1990 and 2005 (see section 2.2.1)

LEGEND

- 65 CNEL CONTOUR
- RUNWAY PROTECTION ZONE
- CITY BOUNDARIES
- AIRPORT BOUNDARIES

Scale in Feet

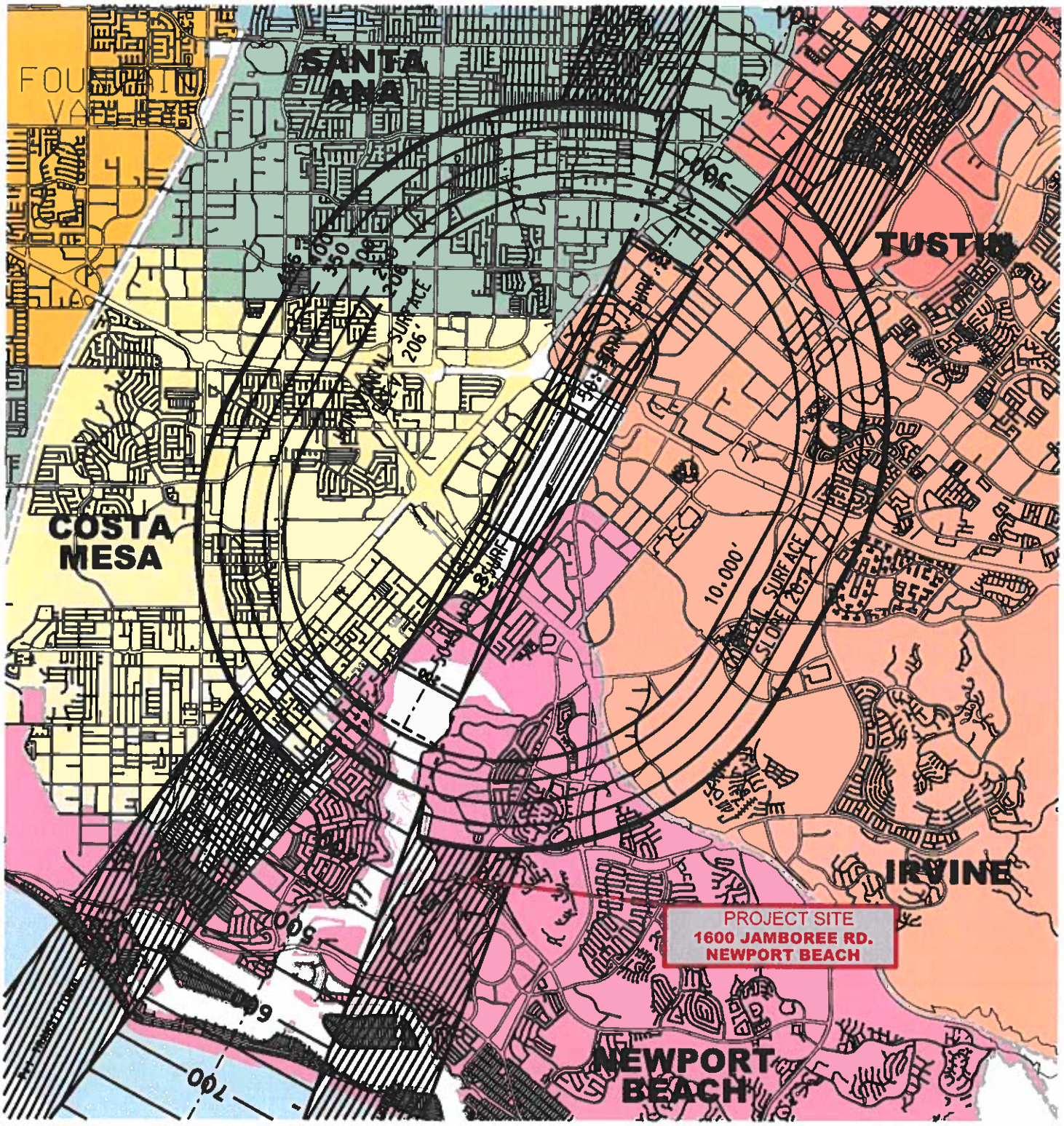
CERTIFICATION

Adopted by the Airport Land Use Commission for Orange County

Lea Choum, Executive Officer Date

AELUP-2007/1600Jamboree_NewportBeach.dgn

ATTACHMENT 3



Note: County Unincorporated areas are shown in white.

FAR PART 77
John Wayne Airport Obstruction Imaginary Surfaces

0 1000 2000 3000 4000 5000 7500
500 Scale in Feet

LEGEND

CITY BOUNDARIES

AIRPORT BOUNDARIES

CERTIFICATION

Adopted by the Airport Land Use Commission for Orange County

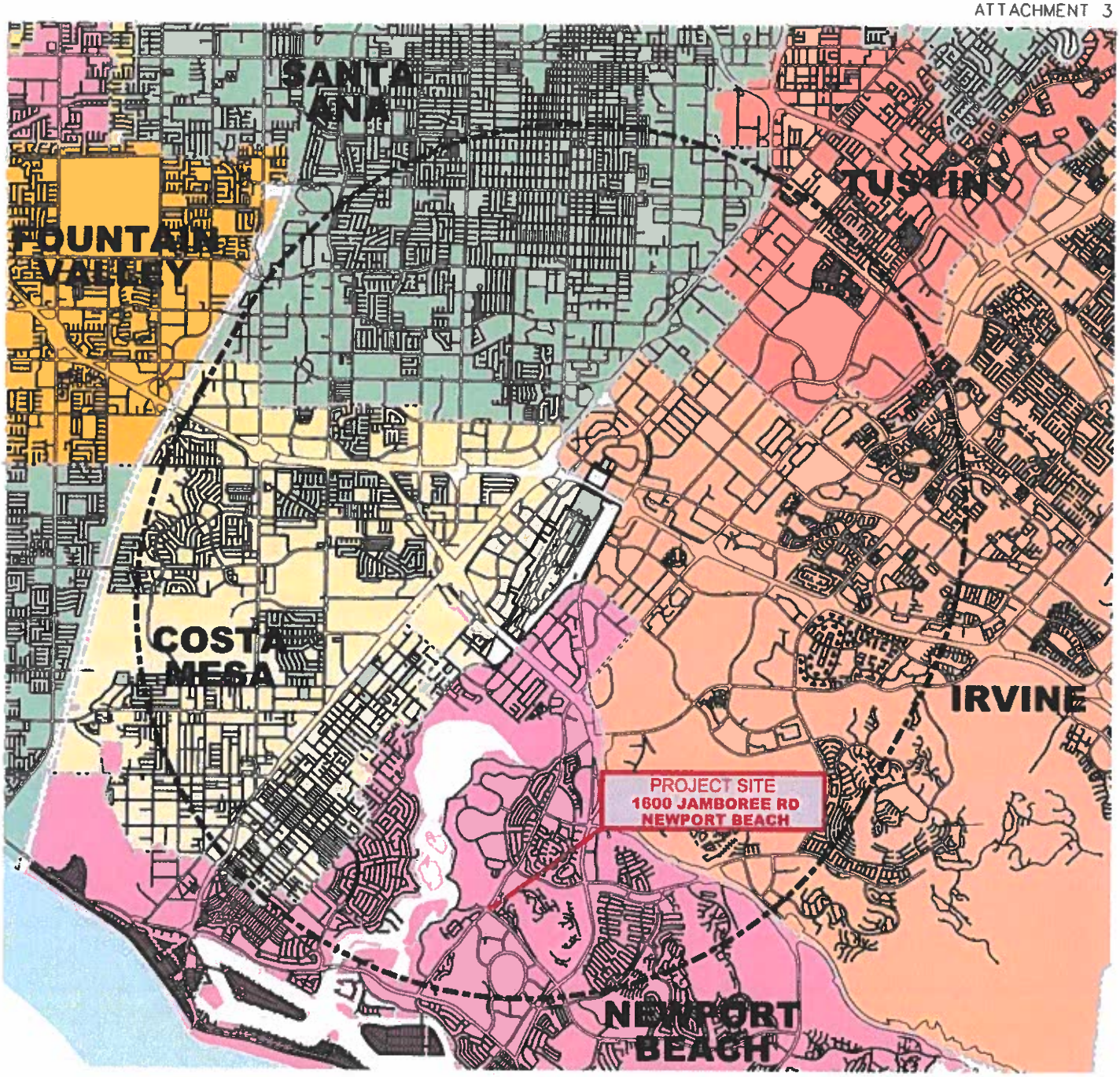
Lea Choum, Executive Officer Date

AELUP-2007/(1600Jamboree_NewportBeach).dgn

ATTACHMENT 4

AELUP Notification Area for JWA

ATTACHMENT 3



Note: County Unincorporated areas are shown in white.

FAR PART 77

Notification Area for John Wayne Airport: 20,000' Radius at 100:1 Slope

LEGEND

- 20,000 Radius
- CITY BOUNDARIES
- AIRPORT BOUNDARIES

Scale in Feet

CERTIFICATION

Adopted by the Airport Land Use Commission for Orange County

Lea Choum, Executive Officer Date

AELUP-2007/Jwanotf-1600Jamboree_NewportBeach.dgn

ATTACHMENT 5

Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2020-AWP-9507-OE

Issued Date: 08/24/2020

Steve Rosansky
Steve Rosansky
4343 Von Karman Avenue
Suite 150-W
Newpor Beach, CA 92660

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Building car wash
Location:	Newport Beach, CA
Latitude:	33-37-31.41N NAD 83
Longitude:	117-52-41.45W
Heights:	117 feet site elevation (SE)
	19 feet above ground level (AGL)
	136 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/ lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 L Change 2.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

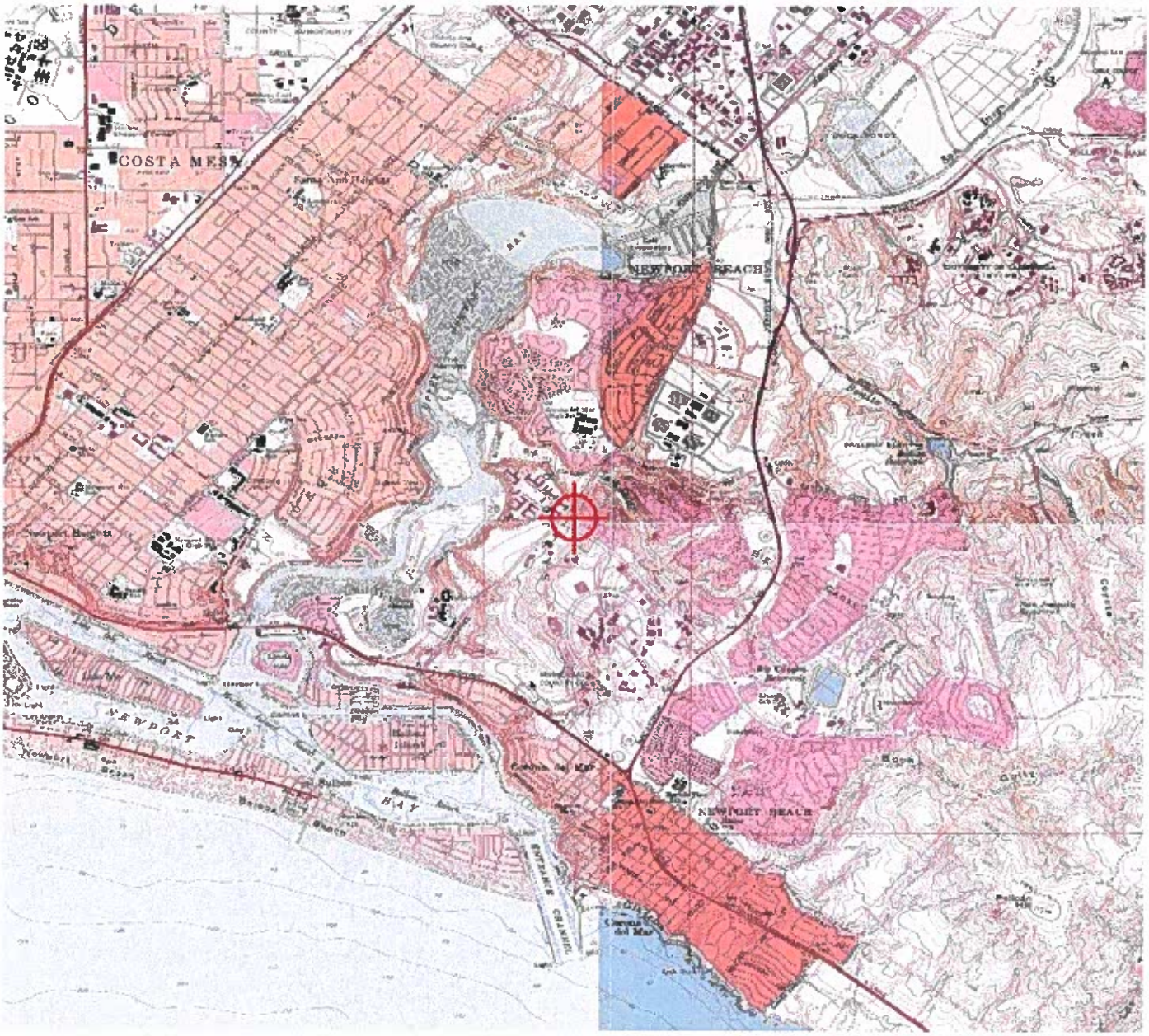
This aeronautical study included evaluation of a structure that exists at this time. Action will be taken to ensure aeronautical charts are updated to reflect the most current coordinates, elevation and height as indicated in the case description.

If we can be of further assistance, please contact our office at (206) 231-2877, or Nicholas.Sanders@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2020-AWP-9507-OE.

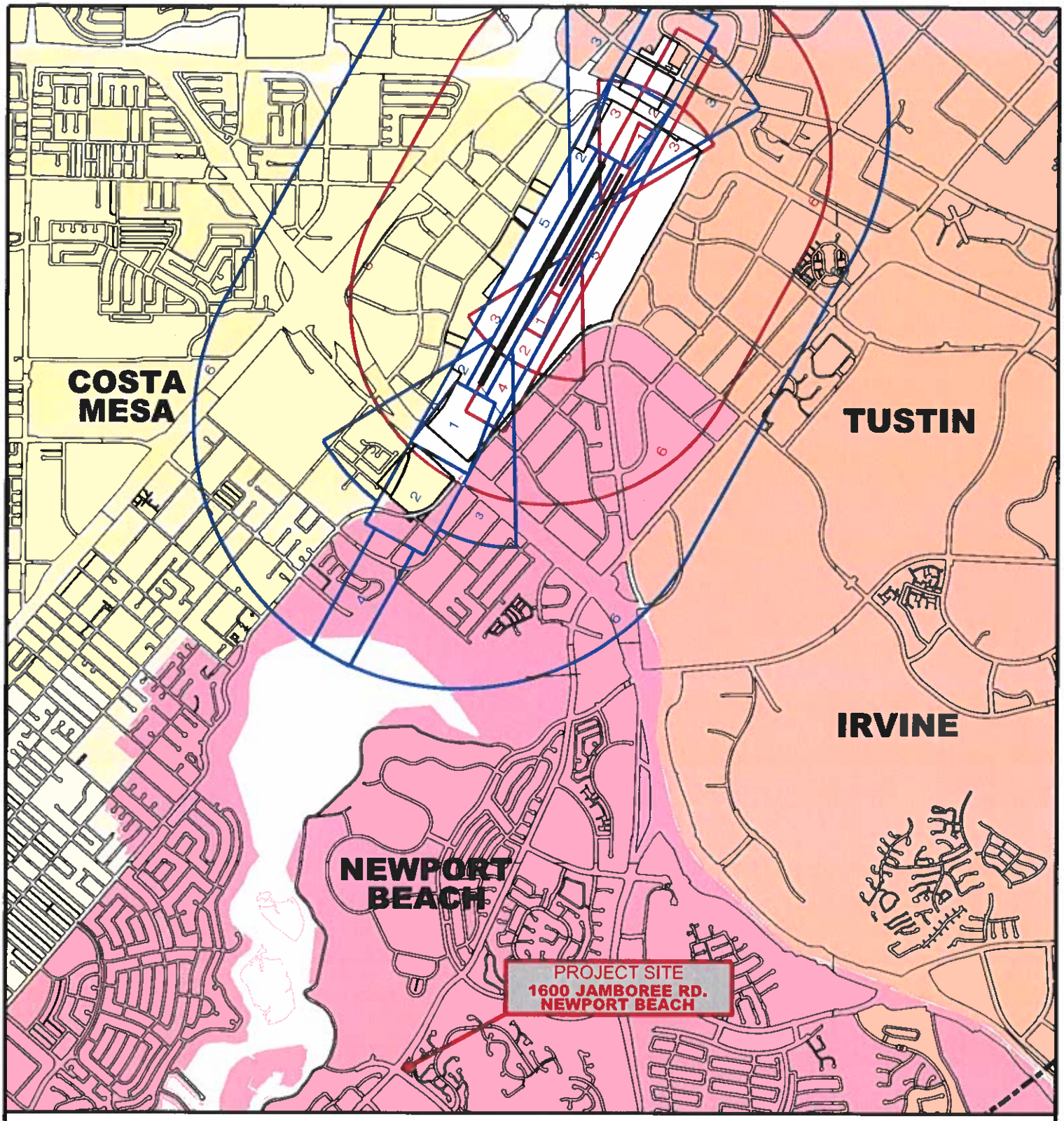
Signature Control No: 448429061-449108722 (DNE)
Nicholas Sanders
Technician

Attachment(s)
Map(s)

TOPO Map for ASN 2020-AWP-9507-OE



ATTACHMENT 6



John Wayne Airport Safety Zone Reference Map

LEGEND

1. RUNWAY PROTECTION ZONE
2. INNER APPROACH /DEPARTURE ZONE
3. INNER TURNING ZONE
4. OUTER APPROACH /DEPARTURE ZONE
5. SIDELINE ZONE
6. TRAFFIC PATTERN ZONE

1-6 SAFETY COMPATIBILITY ZONES FOR RUNWAY 2L & 20R (A MEDIUM GENERAL AVIATION RUNWAY AS DESCRIBED IN THE CALIFORNIA AIRPORT LAND USE PLANNING HANDBOOK, JANUARY 2002 EDITION)

1-6 SAFETY COMPATIBILITY ZONES FOR RUNWAY 2R & 20L (A SHORT GENERAL AVIATION RUNWAY AS DESCRIBED IN THE CALIFORNIA AIRPORT LAND USE PLANNING HANDBOOK, JANUARY 2002 EDITION)

Scale in Feet

CERTIFICATION

Adopted by the Airport Land Use Commission for Orange County

Lea Choum, Executive Officer Date

AELUP-2007/jwastzonerf-1600Jamboree_NewportBeach.dgn

ATTACHMENT 7

CITY OF NEWPORT BEACH
100 Civic Center Drive
Newport Beach, California 92660
949 644-3200
newportbeachca.gov/communitydevelopment

August 26, 2020

Lea Choum, Executive Officer
Airport Land Use Commission for Orange County
John Wayne Airport
3160 Airway Avenue
Costa Mesa, CA 92626

RE: Shell Service Station Car Wash Addition (PA2016-093)
1600 Jamboree Road

Dear Ms. Choum:

Pursuant to Section 4.7 of the Airport Environs Land Use Plan (AELUP) for John Wayne Airport, the City of Newport Beach ("City") requests that the Airport Land Use Commission (ALUC) review the proposed Shell Service Station Car Wash Addition project for consistency with the AELUP at its September 17, 2020 meeting.

Project Summary

The applicant requests a legislative approval consisting of a General Plan Amendment (GPA) to approve the Shell Service Station Car Addition to construct an automated car wash in conjunction with an existing service station. A general plan amendment is requested to increase the maximum floor area limit for the site by 1,100 square feet to accommodate the proposed car wash. A conditional use permit is requested to allow the addition of the proposed car wash.

The GPA would change the maximum development limit of Anomaly No. 62 to 3,400 square feet to accommodate the addition of a car wash to an existing service station site in Statistical Area L2. There is no change in land use category proposed.

Required Approvals

Development of the proposed project requires the following approvals from the City:

Approval	Why is it required?
General Plan Amendment (GPA)	To change the maximum development limit of Anomaly No. 62 to 3,400 square feet to accommodate the addition of a car wash to an existing service station site in Statistical Area L2. There is no change in land use category proposed.
Use Permit	A new Conditional Use Permit is required to expand the existing service station with a new car wash.

It should be noted that the City's Planning Commission voted (5 – 0) at its July 9, 2020 meeting to recommend the City Council approve the project.

Project Location

The existing service station site is 49,984 square feet in area (1.15 acres) and is located at the northeast corner of the intersection of Jamboree Road and San Joaquin Hills Road. The parcel is triangular shaped with two sides fronting major roads (Jamboree Road and San Joaquin Hills Road). The third side at the rear abuts a free-right-turn lane that merges traffic directly onto Jamboree Road from San Joaquin Hills Road.

Latitude and Longitude

The table below includes approximate latitude and longitude for the three corners of the property (triangular-shaped lot).

Corner	Latitude	Longitude
North Corner	33.62596° N	117.87827° W
South Corner	33.62479° N	117.87803° W
West Corner	33.62530° N	117.878864° W

Surrounding Building Heights

Please refer to Attachment No. ALUC 3 to view the heights of buildings within a 1,000-foot radius of the subject property.

Surrounding Land Uses

Please refer to Attachment No. ALUC 4 for land use exhibit and a table listing existing land uses on the subject properties.

FAA Filing

Please refer to Attachment No. ALUC 5 for FAA determination of no hazard to air navigation.

JWA Related Information (Noise and Safety)

Noise Contours – The proposed project is not located within Noise Impact Zone "1" – High Noise Impact (65-dB CNEL and above) or Noise Impact Zone "2" – Moderate Noise Impact (60-dB CNEL or greater, less than 65-dB CNEL).

Runway Protection Zone (RPZ) – The proposed project is not located in the RPZ.

Safety Zones – The proposed project is not located in John Wayne Airport Safety Zones.

Hearing/Meeting Schedule (Tentative)

- Newport Beach Planning Commission – July 9, 2020 - Voted 5-1 to recommend City Council approval
- Airport Land Use Commission (ALUC) – September 17, 2020
- Newport Beach City Council – November 2020

Should you have any questions concerning the preceding information, I can be reached at mwhelan@newportbeachca.gov or 949-644-3221.

Sincerely,

Melinda Whelan
Assistant Planner

Attachments:

ALUC 1.	Vicinity Map
ALUC 2.	General Plan Amendment Exhibit
ALUC 3.	Building Heights of Surrounding Structures Map
ALUC 4.	Adjacent Land Uses Map
ALUC 5.	FAA Determination

Attachment ALUC 2

General Plan Amendment Exhibit

EXHIBIT A

GENERAL PLAN AMENDMENT NO GP2018-001

Consists of:

1. Amending Table LU2 of the Land Use Element of the General Plan to change the development limit for Anomaly 62:

Table LU2 Anomaly Locations

Anomaly Number	Statistical Area	Land Use Designation	Development Limit (sf)	Development Limit (Other)	Additional Information
62	L2	CG	~~2,300~~ 3,400		

Attachment ALUC 3

Building Heights of Surrounding Structures
Map

Shell Station Carwash (PA2016-093)
Building Height within 1000 ft Radius

NBGIS NEWPORT BEACH

City of Newport Beach
GIS Division
August 20, 2020

PA2916-093_Shell_Carwash.mxd

Attachment ALUC 4

Adjacent Land Uses Map

NBGIS NEWPORT BEACH

CITY OF NEWPORT BEACH CALIFORNIA

0 417 833

Feet

Disclaimer:
Every reasonable effort has been made to assure the accuracy of the data provided, however, The City of Newport Beach and its employees and agents disclaim any and all responsibility from or relating to any results obtained in its use.

8/20/2020