

PLANNING COMMISSION

AGENDA

REGULAR MEETING OF THE HEMET PLANNING COMMISSION

City Council Chambers

450 East Latham Avenue, Hemet CA 92543

January 18, 2011

6:00 PM

*If you wish to make a statement regarding any item on the agenda, please complete a Speaker Card and hand it to the clerk. When the Chairman calls for comments from the public on the item you wish to address, step forward to the lectern and state your name and address. **Only testimony given from the lectern will be heard by the Planning Commission and included in the record.***

1. CALL TO ORDER:

Roll Call: Vice Chairman John Gifford, and Commissioners Sharon Deuber, David Rogers and Chauncy Thompson.

Invocation and Flag Salute: Commissioner David Rogers

2. APPROVAL OF MINUTES:

A. Minutes for the Planning Commission Meeting of December 7, 2010

3. ELECTION OF CHAIRMAN AND VICE CHAIRMAN OF THE PLANNING COMMISSION

Community Development Director calls for nominations:

A. Nominations and Election for the position of Chairman of the Planning Commission

B. Nominations and Election for the position of Vice Chairman of the Planning Commission

(Brief recess to allow reorganization of the Commission)

4. PUBLIC COMMENTS:

*Anyone who wishes to address the Commission regarding items **not on the agenda** may do so at this time. Please line up at the lectern when the Chairman asks if there are any communications from the public. When you are recognized, please give your name and address. Please complete a Speaker Card and hand it to the Clerk so that we have an accurate recording of your name and address for the minutes.*

□ CITY OF HEMET PLANNING COMMISSION MEETING □
JANUARY 18, 2011

WORK STUDY ITEMS

Work Study items are not public hearings and do not require prior notice to the public, although notice may be given to interested persons depending upon the subject matter. The purpose of the Work Study session is to allow the Planning Commission to engage in an open, preliminary review and discussion of issues, ordinances, procedures, or projects prior to the formal public hearing process. The Planning Commission has the option to receive public comment, and may also provide direction to staff at the conclusion of the work study session.

5. WORK STUDY SESSION REGARDING A CONDITIONAL USE PERMIT TO OPERATE A SKATE PARK AT THE PROMISE CHURCH (northwest corner of Menlo Ave. and Garfield Street)

Applicant: The Promise Church
Location: 2010 West Menlo Avenue
Planner: Soledad Carrisoza, Planning Technician – (951) 765-2375
Description: A work study session to allow the Planning Commission to review and provide input regarding a proposed conditional use permit for the construction and operation of a 25,200 square-foot outdoor skate park at an existing church site located on the northwest corner of Menlo Avenue and Garfield Street

Recommended Action:

Discussion and possible direction to staff regarding the proposed project

PUBLIC HEARING ITEMS

Meeting Procedure for Public Hearing Items:

1. Receive Staff Report Presentation
2. Commissioners Report Regarding Any Site Visit or Applicant Contact
3. Open the Public Hearing and receive comments from the applicant and the public.
4. Close the Public Hearing
5. Planning Commission Discussion and Motion

6. CONDITIONAL USE PERMIT 10-010 (T-MOBILE AT GENESIS CONSTRUCTION) –

Owner: Genesis Construction
Applicant: T-Mobile West Corporation
Agent: Alexis Osborn – Pacific Telecom Services
Location: 170 East Oakland Avenue
Planner: Carole Kendrick, Assistant Planner (951) 765-2375
Description: A request for Planning Commission review and approval of a Conditional Use Permit allowing the construction and operation of a major ground-mounted telecommunication facility and associated equipment consisting of a 55' pole camouflaged as a monopalm, with an environmental exemption pursuant to CEQA Guidelines Section 15332.

Recommended Action:

Adopt Planning Commission Resolution Bill No. 11-003 approving CUP-10-002 and direct staff to file a Notice of Exemption pursuant to Section 15332 of the CEQA Guidelines:

“A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEMET, CALIFORNIA APPROVING CONDITIONAL USE PERMIT NO. 10-002 FOR A MAJOR TELECOMMUNICATIONS FACILITY CONSISTING OF A GROUND MOUNTED FIFTY FIVE (55) FOOT HIGH MONOPALM WITH ACCESSORY EQUIPMENT LOCATED AT 170 EAST OAKLAND AVENUE (APN: 443-060-016).”

DEPARTMENT REPORTS

7. COMMUNITY DEVELOPMENT DIRECTOR REPORTS:

- A. Report on City Council Actions from the December 14, 2010, and January 11, 2011 meetings – *verbal report*
- B. City Council General Plan Work Study

8. CITY ATTORNEY REPORTS:

Verbal reports from Assistant City Attorney Tom Jex on items of interest to the Planning Commission

9. PLANNING COMMISSIONER REPORTS:

- A. Vice Chairman Gifford
- B. Commissioner Deuber
- C. Commissioner Rogers
- D. Commissioner Thompson

10. FUTURE AGENDA ITEMS:

- A. Work Study regarding the 2010 California Green Building Code
- B. Work Study regarding CEQA Overview and CEQA Guidelines Update
- C. Zoning Ordinance Amendment regarding Medical Marijuana Dispensaries
- D. Zoning Ordinance Amendment regarding Downtown development standards
- E. Conditional Use Permit for Shooters Billiards & Restaurant

- 11. ADJOURNMENT:** To the regular meeting of the City of Hemet Planning Commission scheduled for **February 1, 2011 at 6:00 p.m.** to be held at the City of Hemet Council Chambers located at 450 E. Latham Avenue, Hemet, California 92543.

NOTICE TO THE PUBLIC:

Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection at the Planning Department counter of City Hall located at 445 E. Florida Avenue during normal business hours. Agendas for Planning Commission meetings are posted at least 72 hours prior to the meeting.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in the meeting, please contact the Planning Department office at (951) 765-2375. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to insure accessibility to the meeting. (28 CFR 35.102-35.104 ADA Title II).

AGENDA #2

PLANNING COMMISSION

MEETING MINUTES

DATE: December 7, 2010

CALLED TO ORDER: 6:00 P.M.

MEETING LOCATION: City Council Chambers
450 East Latham Avenue, Hemet, CA 92543

1. CALL TO ORDER:

Present: Chairman Larry Smith, Vice Chairman John Gifford, and Commissioners Sharon Deuber, David Rogers and Chauncey Thompson

Invocation and Flag Salute: Commissioner Chauncey Thompson

2. APPROVAL OF MINUTES:

A. Minutes of the Planning Commission Meeting of October 19, 2010

It was **MOVED** by Commissioner Deuber and **SECONDED** by Commissioner Rogers to approve the minutes as presented.

The **MOTION** was carried by the following vote:

AYES: Larry Smith, Vice Chairman Gifford, and Commissioners Deuber, Rogers and Thompson

NOES: None

ABSTAIN: None

ABSENT: None

3. CERTIFICATE OF RECOGNITION FOR CHAIRMAN LARRY SMITH

Presented to Chairman Smith by Vice Chairman Gifford as Chairman Smith leaves the Planning Commission to become a City Councilman: "To Larry Smith for outstanding commitment to the community during your service as Hemet City Planning Commission Chairman."

Vice Chairman Gifford commended Chairman Smith on his professionalism and leadership, and believed that under Chairman Smith's guidance the Commission has accomplished the direction given to them by the City Council to further the Council's vision for the City and treat business and the community with respect and cooperation.

1 4. PUBLIC COMMENTS: (NONE)
2
3

4 **PUBLIC HEARING ITEMS**
5

6 **5. WORK STUDY SESSION REGARDING A PROPOSED ORDINANCE TO**
7 **REGULATE THE CONTAINMENT AND RETRIEVAL OF SHOPPING CARTS**
8

9 **Applicant:** City of Hemet
10 **Location:** Citywide
11 **Planner:** Deanna Elliano
12 **Description:** Proposed Ordinance amending Chapter 30, Article 2, Division 3
13 of the Hemet Municipal Code relating to the regulation of
14 shopping carts and requiring retail businesses to have an
15 approved Cart Containment and Retrieval Plan.
16

17 **Recommended Action:**

18 Discussion and possible direction to staff regarding the proposed ordinance.
19

20
21 CDD Elliano presented the draft ordinance, which requires specifics as follows: (1)
22 Any business with 10 or more shopping carts is required to have a cart containment
23 and retrieval plan; (2) Each business would fill out a form including owner information,
24 general cart inventory, storage provisions such as night lockup; (3) All carts to have
25 identification badges provided on carts; (4) Signs to be posted at business notifying
26 public that cart removal is illegal; (5) Removal prevention measures, such as wheel
27 locks; (6) Cart retrieval requirements involving either employees or contracts with a
28 retrieval service, with response to notification to pick up the carts within 24 hours.
29

30 After Planning Commission review of the draft ordinance, a public hearing and
31 adoption by the City Council would be the next step. Businesses would have 60 days
32 thereafter to submit the containment plan, with payment of a plan review and
33 inspection fee. The Planning Department would have 30 days thereafter to approve,
34 deny, or specify modifications needed. The plan would need to be implemented within
35 30 days of approval, and administrative citations would be issued to businesses that
36 failed to submit or implement a plan.
37

38 The session was opened to commission members' questions, and Chairman Smith
39 asked about the availability of online registration and payment of fees. CDD Elliano
40 responded that they haven't gotten to that point yet, but staff could look into the
41 potential availability of this type of service.
42

43 Chairman Smith also inquired about enforcement of the ordinance, and CDD Elliano
44 outlined that code enforcement would be the primary enforcement mechanism. A city
45 Hotline would be established for the public to notify the city. The retailers would have
46 24 hours to retrieve the carts to avoid a citation or pick-up by the city for impound
47 within the city yard.
48
49
50

1 To Chairman Smith's question concerning buy-in by the retailers, CDD Elliano
2 indicated that letters were sent to 84 retailers, with only two responses. He also asked
3 about retrieval services and training requirements. CDD Elliano responded that the
4 services would need a city business license and would need to be approved as a
5 retrieval service, supplying the city with their contact information, the process they
6 utilize, and safety measures.

7
8 Commissioner Rogers asked if the city would be supplying a sample plan, and CDD
9 Elliano said that they would create a 3- or 4-page form for the retailer to fill out and give
10 them 60 days to put it together.

11
12 Commissioner Deuber asked for clarification on the new development requirement of
13 wheel-lock containment for existing businesses over 5,000 square feet and if this would
14 also apply to existing businesses. In answer, CDD Elliano explained that existing
15 businesses still must file a containment plan, explaining existing prevention measures
16 and/or retrieval service providers, but that wheel-lock containment at this time would
17 not be required because of the expense of putting sensors into existing parking lots.

18
19 Commissioner Thompson asked if a retailer had multiple stores in town, do they
20 register as one company or each store individually, and CDD Elliano explained that
21 each store would vary in inventory of carts and other elements; therefore, there should
22 be a containment plan for each store. She further commented that the containment
23 plans would be tied to the business licenses, which are renewed yearly, so any
24 changes in the containment plan could be updated at that time.

25
26 Addressing out-of-county businesses, Commissioner Thompson questioned the
27 process for dealing with the carts that might be found within the city limits. Since the
28 city has no county enforcement authority, answered CDD Elliano, the city would have
29 to notify the county enforcement officers to inform the retailers.

30
31 Vice Chairman Gifford asked for an explanation of the difference between the existing
32 shopping cart ordinance and the proposed ordinance.

33
34 CDD Elliano explained that the existing ordinance, adopted in the 1980's, puts the
35 burden on the city to collect, store, and notify the retailers, without the ability to impose
36 impound fees or administrative charges unless there are 10 carts in one month from
37 the retailer. The new ordinance shifts that burden back to the retailer as a cost of
38 doing business. A similar ordinance is already in place in San Jacinto and many other
39 cities, so major retailers are already exposed to similar requirements.

40
41 Vice Chairman Gifford suggested the possibility of the city contracting with a retrieval
42 service and having the retailers pay through a city collective so that the city has control
43 over the quality of the service. City Attorney Jex indicated he would have to look into
44 that, but that the city could set criteria to ensure that the retrieval company provides
45 quality service.

46
47
48 Chairman Smith opened the forum for public comment, inviting Bryan Thibodeaux (798
49 Chardonnay Place) to speak. Mr. Thibodeaux asked about carts that had been taken
50 by the homeless to store their belongings in, and CDD Elliano said that would be a

1 police department matter because it is a misdemeanor act to remove the shopping
2 carts without the owners' permission.

3
4 Ginger Stack, 143 Stetson Avenue, a board member of Green Coalition and a lead
5 person on the Neighborhood Pride Project, said that the signs indicating it's unlawful to
6 take carts are important, especially to seniors, who sometimes don't realize it is against
7 the law.

8
9 Wigs Mendoza, 140 East Stetson Avenue, president of the Green Coalition, sees this
10 project not as a beautification program, but as an economic development program,
11 educating the next generation, and making the San Jacinto Valley attractive to potential
12 future residents.

13
14 Both Chairman Smith and Vice Chairman Gifford thanked Mr. Mendoza for his past
15 efforts on the Planning Commission and his continuing efforts through the Green
16 Coalition to encourage business in the area and to make the city a more attractive
17 place to be.

18
19 Bryan Ruben, 1694 Via Simpatico, felt Vice Chairman Gifford's suggestion of using a
20 single retrieval company for the city would be very efficient and possibly the least
21 expensive to the community. He encouraged seeing if that could be added to the
22 ordinance.

23
24 Chairman Smith asked for a consensus vote from the Commissioners and/or further
25 comments, to which Commissioner Deuber stated she would like to see the signs
26 posted in the parking lots to be user-friendly, not just punitive, and that a cost-effective
27 plan for seniors who live close to the shopping areas and depend on the carts to
28 transport their purchases needs to be put in place, such as leasing a cart with a
29 deposit, which is returned when the cart is returned.

30
31 Commissioner Rogers indicated his concern about enforcement issues being fair and
32 equitable.

33
34 Commissioner Thompson suggested that signs on the doors of the stores themselves
35 might be helpful, located in an area that is more visible.

36
37 Vice Chairman Gifford suggested that in the staff report that goes to City Council, some
38 acknowledgement should be given to the Green Coalition for their up-front work on this
39 issue.

40
41 Chairman Smith asked for a voice vote indicating approval of the ordinance as stated,
42 with the comments, and received unanimous approval.

43
44 **6. CONDITIONAL USE PERMIT 10-012 (T-MOBILE AT SEVEN HILLS)**

45 A request for Planning Commission review and approval of the construction and
46 operation of a major ground-mounted telecommunication facility and associated
47 equipment consisting of a 55' pole camouflaged as a monopine at 1537 South Lyon
48 Avenue, with an environmental exemption pursuant to CEQA Guidelines Section
49 15332.
50

1 **Applicant:** T-Mobile West Corporation
2 **Agent:** Alexis Osborn - Pacific Telecom Services
3 **Location:** 1537 South Lyon Avenue
4 **Planner:** Carole Kendrick, Assistant Planner
5

6 **Recommended Action:**

7 **Adopt Planning Commission Resolution Bill No. 10-020 approving**
8 **CUP-10-012 and direct staff to file a Notice of Exemption pursuant to**
9 **Section 15332 of the CEQA Guidelines.**

10 "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
11 HEMET, CALIFORNIA APPROVING CONDITIONAL USE PERMIT NO. 10-012
12 FOR A MAJOR TELECOMMUNICATIONS FACILITY CONSISTING OF A
13 GROUND MOUNTED FIFTY-FIVE (55) FOOT HIGH MONOPINE WITH
14 ACCESSORY EQUIPMENT LOCATED AT 1537 SOUTH LYON AVE. (APN:
15 464-020-004)."

16
17 Planner Kendrick gave the staff report to the Commission, assisted by a Power Point
18 presentation. The only change noted from the staff report provided the Commissioners
19 is Condition 45 regarding the access road, that it be an all-weather road for fire
20 department access. Staff's recommendation is to adopt the Resolution as the project is
21 consistent with the intent of the zoning ordinance, and the applicant has demonstrated
22 that this site is the best alternative.
23

24 No Commissioner had visited the site, with the exception of Chairman Smith, and no
25 Commissioner had contact with the applicant.
26

27 Vice Chairman Gifford inquired if the applicant was aware of Condition 45 and of what
28 material the road would consist of. Planner Kendrick stated the applicant was aware of
29 the condition and was working with the fire department to determine the composition of
30 the roadway.
31

32 Chairman Smith wanted clarification of page 4, alternative site analysis, No. 2, and
33 Planner Kendrick explained that it was the water tank site.
34

35 Commissioner Deuber asked if the monopine at that site would accommodate co-
36 location for other users, and Planner Kendrick indicated that it would depend on other
37 site requirements, but that it is a requirement of the ordinance that the pole be
38 designed to accommodate other carriers. Commissioner Deuber also asked if the
39 residents within 300 feet had been advised of this matter, and CDD Elliano stated
40 notification had been sent to those within 1,000 feet, with no phone calls or public
41 counter visits, but that there were residents in attendance at tonight's meeting that
42 might wish to comment.
43

44 Planner Kendrick responded to Commissioner Thompson's question that the property
45 owner was aware of the fire road conditions.
46

47 Chairman Smith opened the public hearing portion and asked the applicant to
48 approach the lectern.
49
50

1 Alexis Osborn, 3199 Airport Drive, Costa Mesa, representing T-Mobile, said they are in
2 agreement with all conditions, that the pole would be able to accommodate two to three
3 carriers, and that the road, according to the fire department, could be gravel or chip
4 seal, and that T-Mobile is okay with that. She also indicated that the middle school was
5 a preferred location, but for obvious reasons, they did not pursue that. The golf course
6 filled the gap in coverage with less controversy.

7
8 As there were no further speakers on this issue, Chairman Smith closed the public
9 hearing and requested a motion on the application.

10
11 It was **MOVED** by Vice Chairman Gifford and **SECONDED** by Commissioner
12 Thompson to **ADOPT** Planning Commission Resolution Bill No. 10-020, approving
13 Conditional Use Permit No. 10-012 for the T-Mobile cell tower at Seven Hills, including
14 modified conditions and Condition 45 as presented by staff.

15
16 The **MOTION** was carried by the following vote:

17
18 **AYES:** Chairman Smith, Vice Chairman Gifford, and Commissioners Deuber,
19 Rogers, and Thompson
20 **NOES:** None
21 **ABSTAIN:** None
22 **ABSENT:** None
23

24 **7. CONDITIONAL USE PERMIT NO. 10-011 (GAS PLUS CHECK CASHING**
25 **SERVICE)**

26 **Applicant:** Gas Plus, Hemet LLC
27 **Agent:** Barry Stone
28 **Project Location:** 5771 W. Florida Avenue
29 **APN:** 456-010-001
30 **Planner:** Soledad Carrisoza

31 **Description:** A request for Planning Commission review and of a
32 conditional use permit to construct and operate a 105 square foot check cashing
33 facility within a convenience store at an existing service station, located at 5771
34 West Florida Avenue, and adoption of an environmental exemption pursuant to
35 CEQA Guidelines Section 15301, Existing Facilities Class 1.
36

37 **Recommended Action:**

38 **Adopt Planning Commission Resolution Bill No. 10-021 approving CUP 10-**
39 **011 and direct staff to file a Notice of Exemption pursuant to Section 15301**
40 **of the CEQA Guidelines.**
41

42 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
43 HEMET, CALIFORNIA **APPROVING**" CONDITIONAL USE PERMIT NO. 10-
44 011 FOR CONSTRUCTION AND OPERATION OF A CHECK CASHING
45 FACILITY WITHIN A CONVENIENCE STORE AT AN EXISTING SERVICE
46 STATION, LOCATED AT 5771 WEST FLORIDA AVENUE (APN 456-010-001)."
47

48
49 Planner Carrisoza presented the staff report, with Power Point illustrations, noting that
50 the proposed location and operation of the CUP is in accord with the objective of
Chapter 90 of the Hemet Municipal Code; the site is designated to meet all the

1 development standards in the C-2 zone district and has sufficient parking. Planning
2 department recommends approval of the project, with Condition 19 added to make
3 repairs of some damaged concrete sidewalks in the area.

4
5 Site visits and contact were reported as follows: Chairman Smith, site visit; Vice
6 Chairman Gifford, no recent site visit, no contact; Commissioner Thompson, site visit;
7 Commission Rogers, site visit; Commissioner Deuber, site visit.

8
9 Commission Deuber asked a number of questions concerning the location of the
10 banking, bulletproof glass and parking, including handicapped parking and banking
11 access.

12
13 Planner Carrisoza answered that the access to the banking facility would be after
14 entering the convenience store and that the banking enclosure would be constructed of
15 bullet-proof glass windows, with the lower right window handicapped accessible. Since
16 the site had already been approved as a kitchen for restaurant service, which was not
17 going to materialize, the parking allowed for that space would be replaced by the
18 banking parking.

19
20 In a discussion between Commissioners Deuber, Rogers, and Thompson, Planner
21 Carrisoza was asked to report on linear feet for parking, how many check cashing
22 facilities there are in the city, and how many service calls police have taken from the
23 area.

24
25 CDD Elliano stated Sergeant Dickson could address the police calls, but that as part of
26 getting a Certificate of Occupancy or building permit, the applicant will have to verify
27 that they have available parking spaces per City code requirements.

28
29 Chairman Smith opened the public hearing and invited the applicant to approach the
30 lectern.

31
32 Barry Stone, 135 Channel Road, Carlsbad, the applicant, gave a short history of the
33 location, including further explanation of the check-cashing facility, its security
34 provisions, noting that they are the franchisee for the check-cashing business.

35
36 Commissioner Deuber asked about their safety or security guidelines for employees,
37 indicating her concern for the employees and the added attraction of a check cashing
38 facility within the store.

39
40 Mr. Stone stated there will always be two employees in the store during banking hours
41 (7 a.m. to 7 p.m.), one in the convenience store and one in the check-cashing facility;
42 that the cash will be transferred by armored car to a bank at 7 p.m. He also indicated
43 that a convenience store/gas station is always an easy target, but with the added
44 security because of the check cashing, that it is less of a problem.

45
46 Commissioner Deuber voiced concerns about the remoteness of the location and that
47 there's usually only a woman employee in the store from 10 p.m. on.

48
49 Commissioner Thompson recommended a sign noting that the clerk cannot get into the
50 vault because it is on a time lock system, to which Vice Chairman Gifford concurred,

1 suggesting a panic alarm be added behind the counter of the convenience store, as
2 well, adding that possibly to Condition 29.

3
4 Sergeant Dickson of the Hemet Police Department suggested both parts of the
5 business have a panic alarm. He also stated that check-cashing facilities were less
6 likely to be robbed than gas stations because of the added security, citing statistics
7 from 1324 East Florida, also a check cashing station, of seven police responses, five of
8 which were just burglar alarms. He said only one call was a disturbance, and it was
9 cancelled before the police arrived.

10
11 Chairman Smith asked if it was Hemet PD's position that they were not overly
12 concerned about the remoteness of the location based upon the fact that there is so
13 much built-in security.

14
15 Sergeant Dickson answered in the affirmative, also noting that it is always a concern,
16 but he did not believe that adding the check-cashing to the existing business would
17 necessarily increase those problems.

18
19 Other questions from commissioners dealt with extended banking hours, queries about
20 calls to this location, and the benefit of having two employees versus one.

21
22 Sergeant Dickson said that answering many of these question involved speculation on
23 his part, but he did not believe that adding the new business to the existing business
24 would significantly increase the risk of disturbance.

25
26 Chairman Smith recalled Mr. Stone to the podium and addressed the issue of the
27 deteriorating concrete, recommending they do an in-depth analysis of the subgrade
28 because there is something going on underneath.

29
30 Mr. Stone indicated they had hired a concrete consultant and were going to cut a
31 section out and/or do a core sample.

32
33 Chairman Smith closed the public hearing and asked for a motion from the
34 Commission. Vice Chairman Gifford wanted to make sure the locations of two panic
35 buttons, one in the enclosure and one behind the convenience store counter, are
36 added to Condition 29.

37
38 CDD Elliano read into the record the modification to Condition 29 (later identified as 32)
39 as follows: "Applicant shall provide a panic alarm in both the convenience store and
40 the check cashing facility that can be activated by an employee without the need of
41 picking up the phone and dialing 911."

42
43 City Attorney Jex and Commission Deuber both indicated that was a modification to
44 Condition 32.

45
46 Vice Chairman Gifford also requested a Condition 33, which would include language
47 regarding appropriate signage indicating removal of monies.

48
49 CDD Elliano suggested the following, after further discussion with Commissioner
50 Deuber: "Appropriate signage to be located at both the check cashing facility window

1 and the outside of the store regarding the hours of operation and the presence of cash
2 on the premises."

3
4 Chairman Smith requested a clarification of hours of operation for the check-cashing
5 facility and CDD Elliano revised Condition 15 as follows: "The hours of operation for the
6 check cashing service shall be from 7:00 a.m. to 7:00 p.m."

7
8 Mr. Stone agreed to all the changed conditions.

9
10 It was **MOVED** by Vice Chairman Gifford and **SECONDED** by Commissioner Rogers to
11 **APPROVE** Conditional Use Permit No. 10-011 for the Gas Plus Check-Cashing
12 Service, with the addition of Item 33 in the Conditions, and the modification of
13 Conditions 15 and 32 as indicated by CDD Elliano.

14
15 The **MOTION** was carried by the following vote:

16
17 **AYES:** Chairman Smith, Vice Chairman Gifford, and Commissioners Deuber,
18 Rogers and Thompson
19 **NOES:** None
20 **ABSTAIN:** NONE
21 **ABSENT:** NONE

22
23 (FIVE MINUTE RECESS)

24
25 **PUBLIC MEETING NOTICE**

26
27
28 **8. EXTENSION OF TIME NO. 10-008 FOR SITE DEVELOPMENT REVIEW**
29 **NO. 07-009 (GLENWOOD AT MCSWEENEY FARMS)**

30
31 **Applicant:** Woodside McSweeney 05S, LP
32 **Agent:** Trent Heiner
33 **Location:** Southeast corner of South Village Loop and State Street
34 **Planner:** Carole Kendrick, Assistant Planner
35 **Description:** A request for a three (3) year extension of time for an
36 approved site development review application (SDR 07-009) for 40 single family
37 residential homes within Tract No. 32717-3 (Glenwood) of the McSweeney Farms
38 Specific Plan (SP No.10-02).

39
40 **Recommended Action:**

41 **Adopt Planning Commission Resolution Bill No. 10-022 approving EOT 10-008**
42 **and direct staff to file a Notice of Determination in compliance with CEQA.**

43
44 "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEMET,
45 CALIFORNIA APPROVING EXTENSION OF TIME NO. 10-008 FOR A ONE (1)
46 YEAR EXTENSION OF TIME FOR SITE DEVELOPMENT REVIEW NO. 07-009
47 FOR 40 SINGLE FAMILY HOMES WITHIN TENTATIVE TRACT MAP NO. 32717-3
48 LOCATED ON THE SOUTHEAST CORNER OF SOUTH VILLAGE LOOP AND
49 STATE STREET (APN'S: 454-450-001 THRU 016; 454-451-001 THRU 015; AND
50 454-452-001 THRU 009)."

1 Planner Carole Kendrick gave a history of the project noting that this is a public
2 meeting, not a public hearing, since the Planning Commission has jurisdiction over site
3 development review and design for architecture as a result of a condition placed on the
4 tentative tract map.

5
6 She concluded that the previous EIR submitted is adequate for this project, that no new
7 regulations of standards have been adopted that would be in conflict with this approval,
8 and that staff is recommending adoption of Resolution No. 10-022, approving
9 extension of time 10-008 for a period of one year rather than three, as requested, with
10 new fire conditions 25, 26, and 27, and revised Condition No. 1, removing the ability to
11 apply for any additional extension of time.

12
13 Chairman Smith has not made a site visit in a long time; Commissioner Rogers has not
14 made a site visit or made contact. There was no reporting from the other Commission
15 members.

16
17 Chairman Smith asked about only a one-year extension instead of three, and Planner
18 Kendrick explained that trends in the housing market change rapidly, and although the
19 design of the 40 houses was modified in 2008, four years of extension had already
20 been granted, and staff wanted to review it after the fifth year to be consistent with the
21 current practice for application time frames.

22
23 CDD Elliano further explained that Hemet does not have in the code a specific
24 maximum time frame for site development reviews, but staff felt that a one-year time
25 period would be beneficial to the applicant to allow them additional time to see if they're
26 going to move forward with the project or not.

27
28 Commissioner Deuber asked if the resolution was to approve the 40 sites or to approve
29 the existing architecture, and if the one year goes by and because of the economy,
30 nothing is done, if they have to start all over.

31
32 CDD Elliano explained that all that's being considered in this extension of time is
33 whether to allow them another year to submit building plans and to get started on it, or
34 to deny the application. In terms of the applicant's ability to build 40 units, that's an
35 essential vesting that's part of the specific plan. They still have development rights.
36 She further indicated that usually a site development review is a staff-level review, but
37 the Planning Commission had concerns and wanted to see the architecture, so made it
38 a Commission-level review by a condition as opposed to changing the ordinance.

39
40 Commissioner Deuber asked if language could be added that they do not lose their
41 development rights, should they go past November 12 of 2011. City Attorney Jex
42 indicated that it's automatic. That language already exists within their underlying
43 tentative tract map approval, and that this application has only to do with the
44 architecture.

45
46 Chairman Smith indicated a need to "right the ship" and get back to normal processes.
47 He then opened the public meeting and invited Trent Heiner to respond, representing
48 the applicant.

1 Mr. Trent Heiner, 29076 Overboard Drive, Menifee, explained some of the issues,
2 including the fact that they are not building the old product, but one that was revised
3 last July, and they have approved building plans on that with permits in process. The
4 40 lots were conditioned as all single-story products, which is a little bit different than
5 the architecture to the north. As they are guest builders, they do not control the
6 infrastructure improvements, facilities that are not yet complete, even for the current
7 homeowners, so they are working with the city to resolve some of those; thence, the
8 request for three years.

9
10 Commissioner Deuber mentioned she felt in the middle because the applicant is
11 indicating a blip between 2006 and 2008, making the clock tick from 2008 for his five
12 years; yet she agrees with Chairman Smith that this Planning Commission is coming in
13 at the 11th inning.

14
15 Planner Kendrick explained the city's position is that the original SDR, 06-13,
16 encompassed both planning areas 10 and 20, so the 40 lots have been approved since
17 2006 with the same architectural guidelines; however, it was modified under SDR 07-
18 009. They are requesting an extension of the modification, but staff feels concern
19 since there's been approved architecture on the site since 2006 and they haven't built.

20
21 Commissioner Deuber noted the homeowners in the area were unhappy because they
22 are paying HOA fees for facilities not yet constructed, and Mr. Heiner explained that is
23 why they were asking for three years to work with the city and the master developer to
24 get the five-acre park opened.

25
26 CDD Elliano agreed with Chairman Smith that the "ship needed to be righted," and
27 clarified that procedurally, the best remedy to do that would be to grant them an
28 additional one year, because otherwise, their approval would be null and void already,
29 as of November, and that didn't seem to be fair. So the city wanted to grant them
30 another year's time. At the end of that year, if they have not yet developed, they can
31 submit a new site development review application, even if it's the same plans and the
32 same architecture, so that the city can set the time frames correctly and do it right.

33
34 Commissioner Deuber requested that language be included in the revised conditions of
35 approval, page 1, Item 1, to include that a notice would be given for them to submit
36 additional plans.

37
38 CDD Elliano said that the present verbiage is typical with land use development
39 projects, and that it is the applicant's responsibility to monitor their own entitlement
40 process and approvals, so that really needs to stay in their domain as opposed to a
41 burden on the city to provide notification.

42
43 Chairman Smith noted that this situation is neither the applicant's fault nor the city's
44 fault, but the city cannot continue to carry the burden of these elongated projects
45 because of the time it takes to process all of the appeals.

46
47 Vice Chairman Gifford wanted to know the application fee, and was told by Planner
48 Kendrick that it's \$1,510.

1 Chairman Smith closed the public meeting and called for a motion.

2
3 It was **MOVED** by Commissioner Deuber and **SECONDED** by Commissioner
4 Thompson to **APPROVE** the Extension of Time No. 10-008 for the Site Development
5 Review No. 07-009, Glenwood at McSweeny Farms, with modified Condition No. 1,
6 and the additional Fire Conditions 25, 26, and 27.

7
8 The **MOTION** was carried by the following vote:

9
10 **AYES:** Chairman Smith, Vice Chairman Gifford, and Commissioners Deuber,
11 Rogers and Thompson

12 **NOES:** None

13 **ABSTAIN:** None

14 **ABSENT:** None
15

16 DEPARTMENT REPORTS

17 18 **9. COMMUNITY DEVELOPMENT DIRECTOR REPORTS:**

19
20 **A. Report on City Council Actions from October 26 (no reportable items for the**
21 **PC) and November 9, 2010 meetings — verbal report**

22
23 CDD Elliano stated that at the November 9th meeting, the development agreement
24 amendment for the Stetson Crossing Project was approved, as was an extension on
25 the Interim Urgency Ordinance, moratorium on tobacco stores and hookah lounges,
26 which will now expire in September of 2011.
27

28
29 **B. General Plan Update status — verbal report**

30
31 CDD Elliano outlined timelines for the Draft General Plan as follows:

32
33 1. Staff has completed a complete rewrite of the ten General plan elements,
34 necessitated by G-PAC, staff and community input, resulting in a much more Hemet-
35 oriented document than the boilerplate language originally presented by the
36 consultants.

37
38 2. Seven elements are required by State law, and staff added a Historic Resources
39 Element, a Recreation, Arts and Culture Element, and a Community Design Element.

40
41 3. Staff is meeting informally with stakeholders who have participated in the process,
42 letting them review a preliminary draft before finalization.

43
44 4. The draft GP will be sent back to the consultant for final edit and format, which will
45 occur in January.

46
47 5. The traffic study and fiscal analysis have been completed, but some changes will
48 occur within January, with a City Council workshop on those elements of the GP in late
49 January or early February.
50

1 6. As this is a layered process, noise impact analysis and air quality analysis have to
2 follow the traffic study, so the draft GP and draft EIR are anticipated in March of 2011,
3 with a 45-day public review period.
4

5 7. Planning Commission and City Council workshops and hearings are anticipated for
6 April/May. This is followed by comments on the GP and the EIR, from various
7 agencies and the public, with corrections to follow. Final adoption of the GP and
8 certification of the EIR is anticipated for July. Much of the work on the GP has been
9 done in-house to stay within budgetary limitations.
10

11 **C. Hemet ROCS "Restoring Our Community Strategy"**

12 **Status — verbal report**

13
14
15 CDD Elliano indicated that the program has grown from five new or modified
16 ordinances to ten, dealing with updating maintenance ordinances, property
17 maintenance ordinances, nuisance ordinances, and administrative citations. It has
18 been delayed somewhat due to lack of staff resources. There are two components to
19 the program: one is ordinances and getting those in place; the other is an
20 implementation program.
21

22 The City Council directed staff to make sure the program is cost neutral, so staff is
23 looking at that in the implementation program, making sure that there is cost recovery
24 or that staff resources are phased, targeting geographic areas.
25

26 Grouping the ordinances into zoning issues, which would come to the Planning
27 Commission first, and municipal code ordinances, which would be taken directly to the
28 City Council, makes processing smoother, because with limited staff and budgetary
29 constraints, staff is trying to prioritize for efficiency.
30

31 **D. WRCOG Inland Empire City Profile Report — Oct. 2010 — handout**

32
33 CDD Elliano explained the tables in the handout, noting that the comparisons being
34 made are with the subregion cities of Beaumont, Hemet, Menifee, Moreno Valley,
35 Murrieta, Perris, San Jacinto and Temecula. She noted that Hemet is the lowest on
36 median existing home prices, in part due to the large mobile home communities and
37 senior residential. New home prices are more comparable, but as with all communities
38 within the region, new home sales are down.
39

40 Hemet is also low in median income, ranking 47 out of 50 cities, again due in part to
41 the large senior population. However, in financial deposits, Hemet ranks 11 out of 50
42 cities, also indicative of a senior population who has deposits in the bank. Overall, all
43 inland cities are down in all categories, but Hemet ranked 17 in taxable sales and 25 in
44 assessed valuation, which are both fairly good numbers in comparison with the region.
45

46 **E. Cancellation of January 4, 2001 Planning Commission Meeting with**
47 **recommended new date of January 18, 2011.**
48
49
50

1 **10. CITY ATTORNEY REPORTS: (NONE)**
2
3

4 **11. PLANNING COMMISSIONER REPORTS:**
5

6 A. Chairman Smith thanked his fellow Commissioners for their great support
7 and enthusiasm, and admonished them to be true to their convictions and make
8 practical decisions, not political ones. He challenged them to continue the practices of
9 the past two years, in that none of their decisions had been kicked back from the City
10 Council. He also thanked CDD Elliano and her professional staff for their work and
11 effort and for educating him.
12

13 B. Vice Chairman Gifford thanked Chairman Smith for his service and looked
14 forward to hearing good things coming from the City Council.
15

16 C. Commissioner Deuber congratulated Chairman Smith on his great Council
17 race and also acknowledged Ms. Linda Krupa, the other newest Council member, who
18 was in the audience. She said the Commission's 2011 charter was to continue the
19 track record of no Council appeals of decisions reached by the Planning Commission.
20

21 D. Commissioner Rogers also congratulated Chairman Smith and Linda Krupa
22 and looked forward to their future success at City Council. He also expressed
23 appreciation for Chairman Smith's leadership.
24

25 E. Commissioner Thompson noted that Chairman Smith had been a great
26 friend and a man of wisdom on the board, and would continue with that record on the
27 City Council.
28

29 **12. FUTURE AGENDA ITEMS:**
30

31 A. Work Study regarding Skate Park at Promise Church
32

33 CDD Elliano noted that there was much community interest in this item.
34

35 B. Work Study regarding the 2010 California Green Building Code
36

37 CDD Elliano stated that as of January 1, there will be new building codes in place
38 called the California Green Building Code. Because there are some very unusual and
39 distinct provisions, staff wanted to give the Commission an overview so they would
40 understand questions posed by applicants and have the background to answer those
41 questions.
42

43 C. CEQA Overview and CEQA Guidelines Update
44

45 City Attorney Jex will be presenting a CEQA 101 to update the Commission on new
46 climate change guidelines, among others.
47
48
49
50

1 **12. ADJOURNMENT:** To the regular meeting of the City of Hemet Planning
2 Commission scheduled for **January 18, 2011 at 6:00 p.m.** to be held at the City of
3 Hemet Council Chambers located at 450 E. Latham Avenue, Hemet, California 92543.
4
5
6
7

8 _____
9 John Gifford, Vice Chairman
10 Hemet Planning Commissioner
11

12 **ATTEST:**
13

14
15 _____
16 Nancie Shaw, Records Secretary
17 Hemet Planning Commission
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AGENDA #5



Staff Report

TO: City of Hemet Planning Commission

FROM: Deanna Elliano, Community Development Director 
Soledad Carrisoza, Planning Technician

DATE: January 18, 2011

RE: **CONDITIONAL USE PERMIT NO.10-001 (BROTHER'S SKATE PARK AT THE PROMISE CHURCH)** - A work study session to allow the Planning Commission to review and provide input regarding a proposed conditional use permit for the construction and operation of a 25,200 square foot outdoor skate park at an existing Church site located on the northwest corner of Menlo Avenue and Garfield Street.

PROJECT APPLICANT INFORMATION

Owner: Hemet Valley Reformed Church
Applicant: Calvary Community Church DBA The Promise.
Project Location: Northwest corner of Menlo Avenue and Garfield Street
APN: 444-340-005

RECOMMENDED ACTION:

1. ***Take public comments on the proposed project***
2. ***Provide preliminary comments and possible direction to staff and applicant***

PROJECT DESCRIPTION

Conditional Use Permit No. 10-001 is for the installation and operation of an outdoor skate park proposed by the Promise Church on a 7.3 acre property located at the northwest corner of Menlo Ave and Garfield Street. The area of the proposed skate park is 25,200 square feet (140' x 180') consisting of a six inch thick concrete slab, 8 foot high wrought iron perimeter fencing and on-site lighting. The ramps are proposed to be constructed of plywood by the church members and the maximum height of the ramps will be 5 feet. The skate park is proposed on the southwest corner of the property which is vacant at this time.

The purpose of the skate park is to provide recreation to the youth in the Valley. Specifically, The Promise Church's goal is to help keep at-risk youth off the street and to provide a "youth ministry" through the skate park.

The proposed hours of operation during the school year are Wednesday and Friday from 3:00 p.m. to 6:00 p.m. and during the summer months, Wednesday and Friday from 9:00 a.m. to 6:00 p.m. The hours of operation on Saturday and during school holidays will be 11 a.m. to 5 p.m. There will be no charge to use the skate park. The age group allowed is from 8 to 18 years of age. The Church is also proposing fund-raiser tournaments on a quarterly basis on Saturday from 9:00 a.m. to 6:00 p.m., with a nominal fee to participants to cover expenses.

PURPOSE OF THE WORK STUDY

A work study session was scheduled for the proposed project due to the level of interest expressed by the surrounding neighborhood and its apparent controversy. The study session is designed to provide an introduction of the project to the Planning Commission, and to allow the Church and the surrounding neighbors to explain their viewpoints, questions, and concerns prior to the formal public hearing. The session also gives the Commission an opportunity to determine if additional information is needed to assist in making a decision on the project. In essence, the primary and approved use of the site is that of a Church. The proposed project is a modification to the Church's existing use to allow a skate park facility that would be owned and operated by the Church.

BACKGROUND

On or about May 27, 2009, the applicant commenced operating the skate park within a portion of the Church's parking lot. Code Enforcement notified the applicant to cease the use of the skate park and to contact the City of Hemet Planning Department regarding the operation. Planning staff informed the applicant that a skate park required approval of a Conditional Use Permit. While the applicant prepared the submittal requirements for the CUP, the Planning Department issued a Temporary Use Permit at the request of the applicant for a "pilot program" during the summer as an outreach ministry program. The TUP was issued with input and signed approval from the Police, Fire, Building and, Engineering departments.

The Temporary Use Permit was issued for a two month period from July 18 to September 26, 2009. Planning staff issued the TUP with the intent of testing the operation, not only for the benefit of the City, but also the applicant. During the two month period, Planning staff required the applicant to install a wrought iron fence around the ramp area because surrounding area neighbors had complained that the skate park was being used at all hours without supervision. After the wrought iron fence was installed, neighbors complained kids were climbing the fence after hours and using the ramps. Bars were installed on the ramps with locks to keep kids from using them. There were also occasional complaints specifically from the residents who live on Garfield Street regarding littering and loitering. The installation of the wrought iron fence and the bars helped lessen the trespassing issues. The applicant held a neighborhood forum to address the residents' concerns.

Project Setting

The Promise Church is located on the northwest corner of Menlo Avenue and Garfield Way the property is zoned S-1 (Church zone). The Church property is approximately 7.33 acres. Garfield Way is located north of Menlo Avenue and runs north and south. Garfield Way is approximately 500 feet in length, with the Church property on the west side of the street and single family homes (zoned R-1-6) on the east side of the street as shown in Attachment #1. South of the Church site, across Menlo Avenue, is Valle Hermosa Homes, a 55+ duplex community (zoned PUD 79-81). West of the site is a vacant lot belonging to the City of Hemet (zoned C-1), north of this site is a single family development (zoned R-1-6).

There are three buildings on the site, the primary building is the main Church, the second structure is a modular building and is used as the youth Church and the third is a storage shed. At this time, there are two parking lots on the site, the one closest to Menlo Avenue has 32 stalls and the second one further north has 30 stalls. Sixteen of the stalls in the second (northerly) parking lot are still occupied by the ramps and fencing, which have not been used since the temporary use permit expired, and the Church filed the application for the permanent CUP.

As indicated on the plans (Attachment 2) as "future development" the Church plans to build a softball and soccer field, a mud bowl, an outdoor amphitheater, a Youth building, and restrooms along with additional parking. These are future plans and there are no set dates for this development or approvals from the city. These future facilities would also require a modification to the CUP prior to construction.

A Design Review Committee meeting was held on February 25, 2010. The various department representatives reviewed the project for design. As a result of the DRC, the applicant was asked to revise the site plan to include dimensions, to identify the areas that were not a part of this project and to address the items discussed during this meeting as well as provide required application materials. The Church submitted the majority of the required materials on December 14, 2010. A few items are still to be submitted to complete the application. Following are the items that were discussed at the DRC meeting.

1. Safety and Supervision

Planning and Police staff had concerns regarding safety and supervision while the skate park is in use and during the time the skate park is closed. The applicant has agreed to provide full time volunteer supervision, however nothing would be available during the night and off time hours. Planning staff recommended the on-site supervisor carry a cell phone in case of emergency and that a small shed equipped with a first aid kit, a fire extinguisher and other emergency equipment be installed near the skate park.

Individual safety equipment will not be supplied by the applicant, although it will be required of all skate park users, including knee pads, arms pads and helmets. Every skate park user will be required to sign a liability waiver (see Attachment No. 3).

Staff also recommended surveillance monitoring equipment and motion sensor lighting for after-hours security. The applicant at the time of this report mentioned that cost would be a factor in complying with this requirement.

The applicant has agreed to post the following signs:

- No Trespassing
- Right to Refuse Admittance
- Helmet and Protective Gear Required
- The Hours of Operation

In an effort to monitor and keep track of the skate park users, the applicant is proposing to provide identification cards and to keep a log.

2. Parking

During the initial Development Review Committee process, planning staff recommended the Church install a parking lot on the west end of the site near the skate park area. Planning staff felt keeping the skate park related traffic, parking and skate park activity on the west side of the property would lessen activity on the east side of the property near the residential area. The applicant's responded that at this time they could not afford to install a parking lot on the west end of the site.

3. Neighborhood Concerns

Planning staff informed the Church of the complaints received from the surrounding neighbors during the summer pilot program under the Temporary Use Permit. Neighbors complained of people using the park after hours, loitering at the site, noise, loud music, trash, and an overall increase in cars and activity in the neighborhood as a result of the skate park

4. Fire Safety

Fire staff made the following recommendations:

- **A self imposed occupancy load** - The occupancy load set by the applicant is 150 participants at any one given time.
- **Red curb in front of the skate park at Menlo** – The applicant has agreed to this request.
- **Knox box on the wrought iron gate** – The applicant has agreed to this request.

5. WQMP

Pursuant to state law, Engineering required a WQMP (Water Quality Management Plan). As the project will have over 25,000 sq feet of impervious coverage, a water run-off plan is required. The applicant agreed to provide a WQMP, once the CUP is approved and the construction is ready to begin.

PUBLIC NOTIFICATION AND COMMENT

Understanding that the proposed application is potentially controversial, staff noticed the work study to properties within 1,000 feet of the proposed project. To date, Staff has received two letters (see Attachment 5) and a number of phone calls expressing opposition. One resident indicated that they would be presenting a petition from the neighborhood at the work study session. Representatives from the Church also indicated that they expect to have a number of people in support of the skate park attend the work study.

OVERALL CONSIDERATIONS

The Church's desire to have a ministry outreach for the community's youth, particularly those who may be at-risk, is a commendable effort. Recreation or music based youth ministries have been very popular and effective for some churches. However, the essence of the Conditional Use Permit application and the primary issues before the commission are to determine:

- 1. Is the proposed site the right location for the proposed use, and in keeping with the purposes of the zoning for the site?*
- 2. Will the proposed use be located, operated and maintained in such a way that it will not be detrimental to the public health, safety or welfare, or materially impact properties in the surrounding area?*
- 3. Will the use be constructed, operated and maintained in compliance with all relevant city regulations, policies and guidelines?*

The purpose of the S-1 zone in which the Church is located is to "provide appropriately located areas for Churches". Since skate parks are not usually part of a Church facility, a Conditional Use Permit is required to allow consideration of ancillary use. The Zoning Code does not specifically address skate parks as a permitted use within any zone.

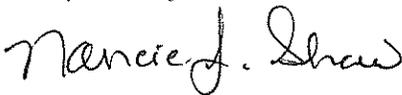
The Conditional Use Permit process is designed to allow the City to more closely review individual projects that may have an adverse affect on neighboring land uses. Conditions of Approval are prepared that are designed to minimize or alleviate any impacts resulting from the construction or operation of the use. It is very important for the Commission and staff to be confident that the Conditions of Approval are workable, will be implemented, and are effective.

Once the permit is granted and an occupancy issued for the property, it stays in effect, even if the ownership changes. However, a CUP may be revoked for noncompliance or other reasons as stated in the permit, subject to a public hearing.

In staff's opinion, because the proposed project is an outdoor facility that is not staffed or supervised during the evening or off-hours, the control of access, loitering, noise, and security will be an-going issue. The proximity of residential uses to the property makes this more of an issue than in other potential locations within the City. Ideally, the best way to effectively control these concerns is when a skate park is located at an indoor venue that can be secured at night and during off-hours. Operators also have a better means of controlling access, behavior, safety requirements and security in an indoor space.

Notwithstanding the concerns stated in this report, the purpose of the work study is to allow the applicant to express their views and ideas regarding how the facility might be constructed and operated to alleviate the surrounding residents' and the City's concerns.

Respectfully submitted,



for Soledad Carrisoza
Planning Technician
SC



Deanna Elliano
Community Development Director

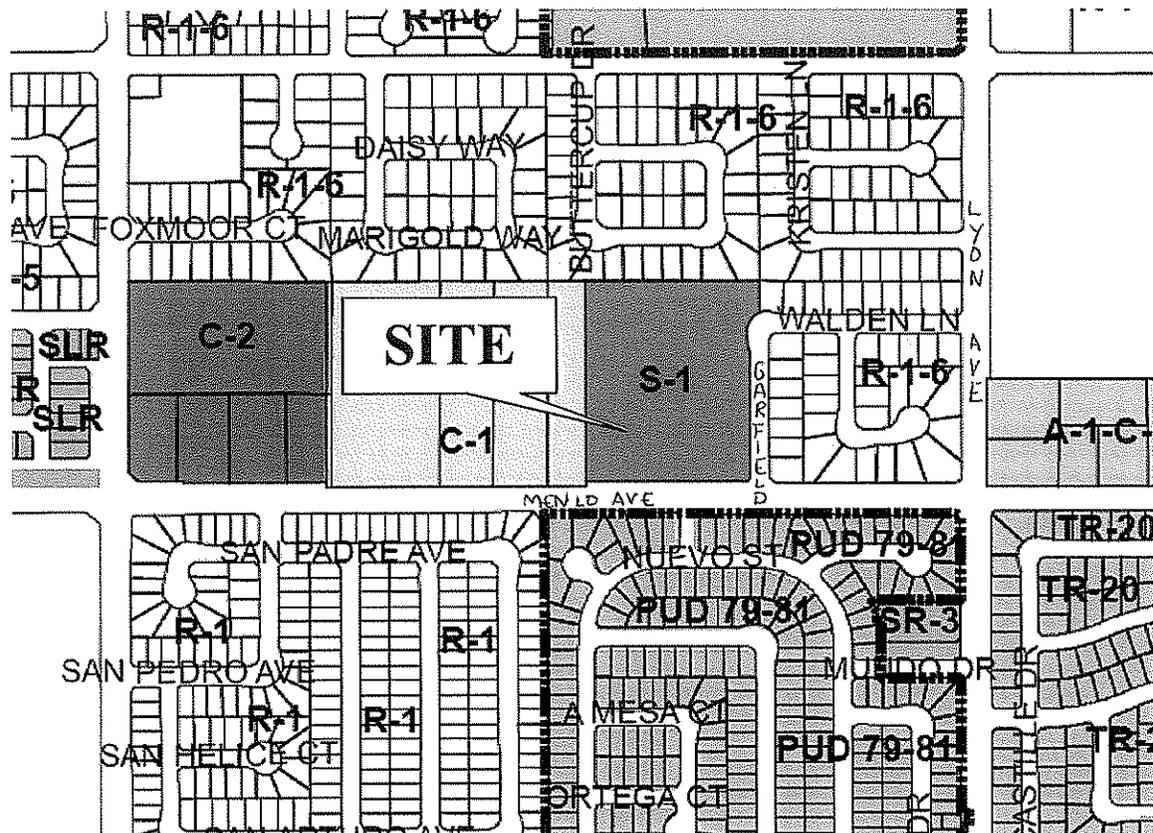
ATTACHMENTS

- 1) Surrounding Zoning Map
- 2) Exhibit 1 - Development Plan
- 3) Exhibit 2 - Liability Waiver
- 4) Photographs of Site
- 5) Public Comment Letters
- 6) Aerial Photo of Site and Surrounding area

**Attachment
No. 1
Surrounding Zoning
Map**

**Planning Commission
Meeting of
January 18, 2011**

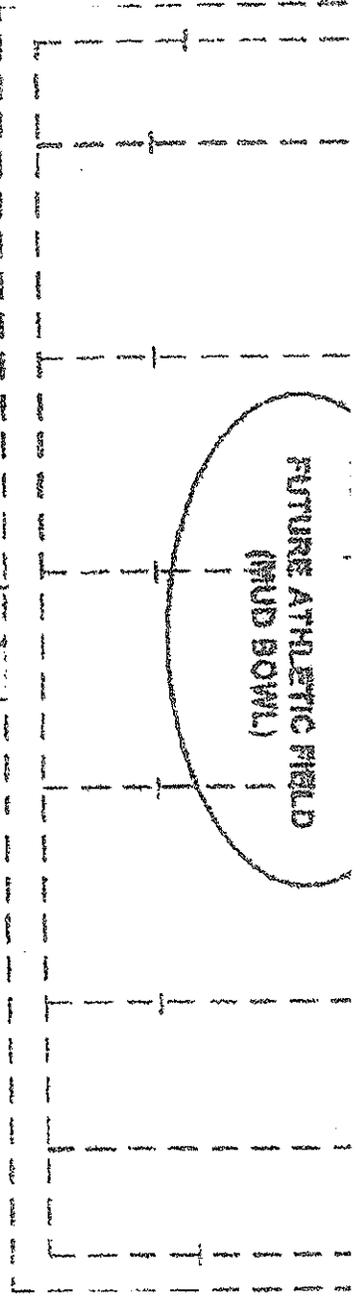
CONDITIONAL USE PERMIT NO. 10-001 ZONING MAP



**The Promise
Brothers Skate Park
2010 W. Menlo Avenue**

Attachment No. 2 Development Plans

Planning Commission
Meeting of
January 18, 2011



FUTURE ATHLETIC FIELD
(MUD BOWL)

10' x 8' utility shed to
store electrical
supply and sanitaria
and emergency
medical supplies

fuel tank
50 gal

Knox box

Gate 1, 36"
wide 8' tall
1" BC subing in 1" J' panels
spacing of 6"



1" BC subing in 1" J' panels
spacing of 6"

light pole



Gate 2, 36"
wide 8' tall
1" BC subing in 1" J' panels
spacing of 6"

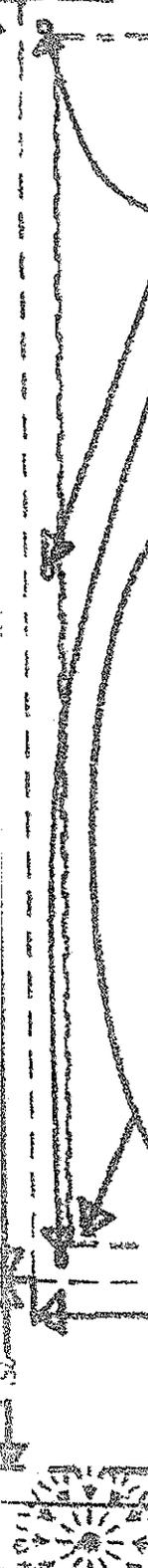
lighting illumination of 70'
diameter - height 20' with 240
degrees halogen light
with two ball wast blubs
Six typical one at each corner and two
in the center of slab
New image of light to right

Proposed Skate Park
Miss wood skate ramps through out.

8" concrete slab with wrought iron fence
Typical wrought iron fencing

cut 1A

Future basketball
typical



MENLO AVENUE

1 inch = 5 feet

Attachment No. 3

Liability Waiver and Statement of Operations

Planning Commission
Meeting of
January 18, 2011



2010 W. Menlo Avenue Hemet, CA 92545
Ph. 951-658-2402 Fax 951-658-6532
Thepromise1@verizon.net

RELEASE AND WAIVER OF LIABILITY AGREEMENT

I, _____ ("Participant"), acknowledge that I have voluntarily applied to participate in skateboarding at 'The Promise'.

I AM AWARE THAT THESE ACTIVITIES ARE HAZARDOUS ACTIVITES AND THAT I COULD BE SERIOUSLY INJURED OR EVEN KILLED. I AM VOLUNTARILY PARTICIPATING IN THESE ACTIVITIES WITH KNOWLEDGE OF THE DANGER INVOLVED, AND AGREE TO ASSUME ANY AND ALL RISKS OF BODILY INJURY, DEATH OR PROPERTY DAMAGE, WHETHER THOSE RISKS ARE KNOWN OR UNKNOWN.

I verify this statement by placing my initials here: _____

Parent or Guardian's initials (if under 18): _____

As consideration for being permitted by 'The Promise' to participate in these activities and use 'The Promise' premises and facilities, I forever release 'The Promise', 'The City of Hemet', any 'Promise', City of Hemet' affiliated organization, and their perspective directors, officers, employees, volunteers, agents, contractors, and representatives (collectively "Releasees") from any and all actions, claims, or demands that I, my assignees, heirs, distributees, guardians, next of kin, spouse and legal representatives now have, or may have in the future, for injury, death, or property damage, related to (i) my participation in these activities, (ii) the negligence or other acts, whether directly connected to these activities or not, and however caused, by any Releasee, or (iii) the condition of the premises where these activities occur, whether or not I am then participating in the activities. I also agree that I, my assignees, heirs, distributees, guardians, next of kin, spouse and legal representatives will not make a claim against, sue, or attach the property of any Releasee in connection with any of the matters covered by the foregoing release.

I HAVE CAREFULLY READ THIS AGREEMENT AND FULLY UNDERSTAND ITS CONTENTS. I AM AWARE THAT THIS IS A RELEASE OF LIABILITY AND A CONTRACT BETWEEN MYSELF AND 'THE PROMISE' AND SIGN IT OF MY OWN FREE WILL.

If Signed by Parent or Guardian: I verify that the dangers of the activities and the significance of this Release and Waiver were explained to the Participant and that the Participant understood them.

Executed at 2010 W. Menlo Ave., Hemet, California on _____, 2009.

PARTICIPANT/RELEASOR

PARENT OR GUARDIAN

Signature _____

Print Name _____

Address: _____

Signature _____

Birth date: _____ Age: _____

Cell: _____

IF YOU ARE UNDER 18 YEARS OF AGE, YOU AND YOUR PARENT OR GUARDIAN MUST SIGN AND INITIAL THIS FORM WHERE INDICATED.

OFFICE USE		
Picture taken _____	Parent phone call made _____	Notes _____



2010 W. Menlo Avenue Hemet, CA 92545
Ph. 951-658-2402 Fax 951-658-6532
thepromise1@verizon.net

STATEMENT OF OPERATION & SAFETY GUIDELINES BROTHERS SKATE PARK

We are dedicated to providing a supervised facility, focusing on a positive environment for the skating community of our church and valley.

Initial each item below to indicate you have read and agree to guidelines.

- Skaters will be required to sign, or have a parent sign (if under 18), a waiver and have a photograph taken before entering the park.
- Helmets are required if you are under 18 years of age (according to State Law).
- No foul language, smoking, littering, fighting or loud music will be permitted.
- 10 to 1 ratio, skaters to adult supervision.
- All skaters on property will respect each other and adult supervisors.
- Skating session will run 15-30 minutes depending on number of skaters waiting.
- This is an alcohol, weapon and drug free zone.
- Loitering & trespassing are strictly prohibited.
- Rule violators may be ejected or have their skate park privileges revoked.

**You are responsible for the park's future –
help keep it safe & clean!**

STANDARD HOURS OF OPERATION

Tues. & Thurs.	3:00 pm-7:00 pm
Saturdays	10:00 am-7:00 pm

Directors

Mike DeVries	951-634-3992
Josh Lomas	951-306-7833

**Attachment
No. 4
Photographs of
Site**

**Planning Commission
Meeting of
January 18, 2011**



The Promise Church



Corner of Menlo Avenue and Garfield Way



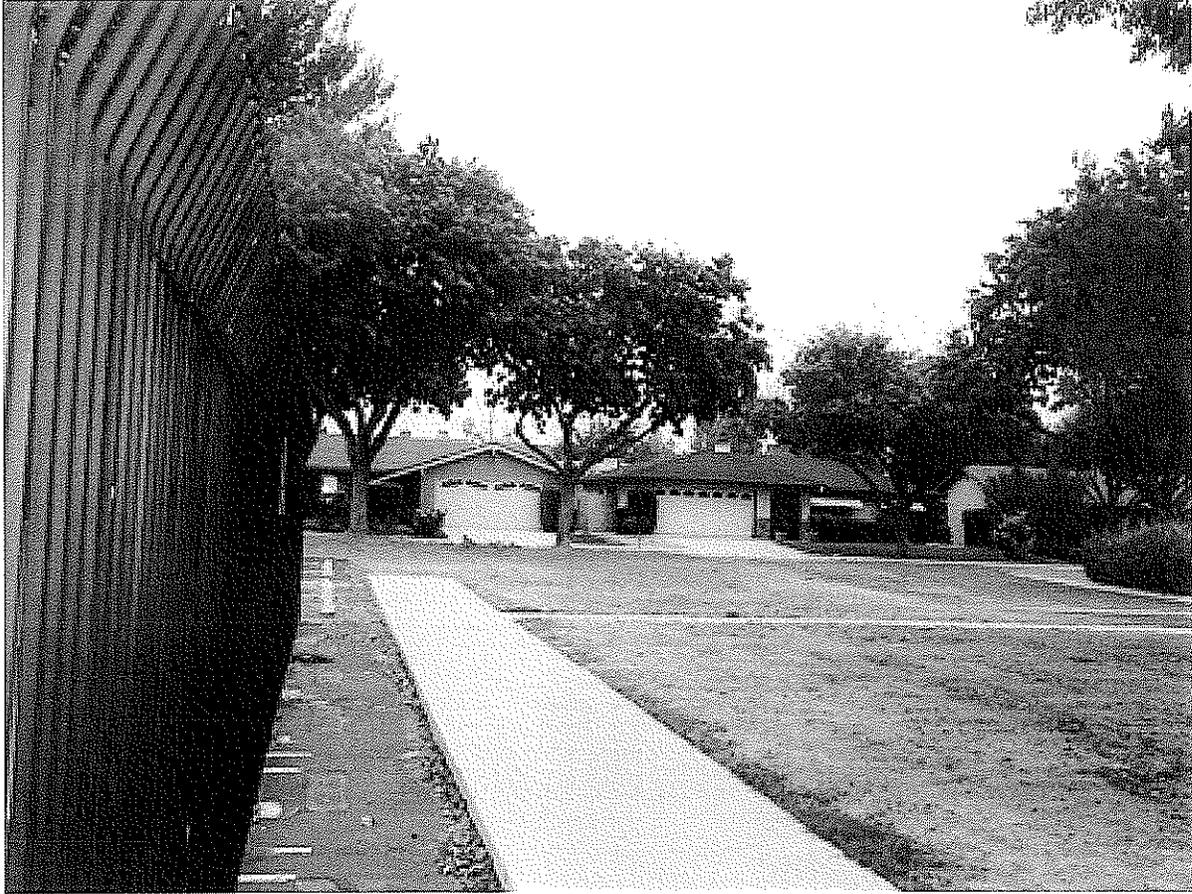
Facing West from Garfield Way

Temporary Skate Park

In use from July 18 thru September 25, 2009

With Temporary Use Permit 09-064

Taking up 16 parking stalls



**Facing East
Homes on Garfield Way**



Ramps



Proposed Skate Park Location

Attachment

No. 5

**Public Comments
Letters and Phone
Calls**

**Planning Commission
Meeting of
January 18, 2011**

9006 Old Castle Road
Valley Center, Ca. 92082
January 6, 2011

City of Hemet Planning Department
445 E. Florida Avenue
Hemet, California 92543

Re: Brother Skate Park

Attention: Soledad Carrisoza

We are writing this letter to voice our PROTEST of this Skate Park being proposed at The Promise Church on W. Menlo Avenue, Hemet, Ca. Its location will be directly behind our property at 2034 Nuevo St. which is only about 100 feet from our house. WE ARE DEFINITELY AGAINST THIS PARK. This is a quiet 55+ community of residents and this Skate Park would destroy the tranquility of the area not to mention cause occupants to feel UNSAFE. We work in Vista, Ca. and the Skate Park that was located there had to be closed down several times in the few years it was open and finally was torn down due to noise, fighting, drug use etc.

We ask that you PLEASE locate this park on the outskirts of the city and not close to a housing development or private homes. These parks create problems with noise, drugs and brawls. They require powerful lights for evening skateboarding thus creating more problems due to bedrooms being located on that side of the houses. This park would drive down home values in the area more that what they already are which would cause the property tax base to drop as well. That wouldn't be beneficial for the city when the economy is bad all over. I'm sure , with the size of Hemet, that this park can be located elsewhere preferably in a more URBAN district so to not disturb anyone or lower house values.

We write this letter as we will be unable to attend your meeting on this proposed park and wanted our opinion heard.

Thank you,

Patrick R. Hubbard
Cannie McCloud, owner

RECEIVED
JAN - 1 2011
PLANNING DEPT

January 10, 2011

City of Hemet
Planning Department

re: Proposed Skate Park-- permit no. 10-001

We oppose the proposed skate park for these reasons:

1. NOISE
2. Disruption to residents who walk in this area
3. Menlo Avenue is already a busy street--the added traffic and safety issues due to such.

Thank you.

Sincerely,

John & Vicki Meyer
1951 Fruitvale Avenue
Hemet, CA 92545

(951) 766-1694

Calls Received in opposition to the Skate Park

- 1/10/11 Pamela Mc Clenathan Temporary skate park is taking up 16 of the parking stalls, the church members park on Garfield
- Noise and dogs barking from skaters coming to park
- Loudspeakers used during tournaments
- Noise is constant – not a good fit for neighborhood area
- 1/12/11 Ted Rooney Garfield primarily senior neighborhood, the park brings noise and crowds.
- Mr. Rooney has picked up beer cans left in his yard after a skate park event
- Skaters ride their skateboards up and down the street.

Attachment No. 6

Aerial View

Planning Commission
Meeting of
January 18, 2011

**CONDITIONAL USE PERMIT NO. 10-001
SURROUNDING AREA MAP
AERIAL VIEW**



**The Promise
Brothers Skate Park
2010 W. Menlo Avenue**

AGENDA #6



Staff Report

TO: City of Hemet Planning Commission

FROM: Deanna Elliano, Community Development Director 
Carole L. Kendrick, Assistant Planner

DATE: January 18, 2011

RE: **CONDITIONAL USE PERMIT NO. 10-010 (T-MOBILE @ GENESIS CONSTRUCTION)** - A request for Planning Commission review and approval of the construction and operation of a major ground mounted telecommunication facility and associated equipment consisting of a 55' pole camouflaged as a monopalm located at 170 East Oakland Avenue, with an environmental exemption pursuant to CEQA Guidelines Section 15332.

PROJECT APPLICANT INFORMATION

Owner: BBT Enterprises - Genesis Construction
Applicant: T-Mobile West Corporation
Authorized Agent: Alexis Osborn – Pacific Telecom Services
Project Location: 170 East Oakland Avenue
Lot Area: 700 Square Feet of Leased Area

STAFF RECOMMENDATION

The Planning Department recommends that the Planning Commission:

1. Adopt Planning Commission Resolution Bill No. 11-003 approving CUP 10-002 and direct staff to file a Notice of Exemption pursuant to Section 15332 of the CEQA Guidelines.

“A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEMET, CALIFORNIA APPROVING CONDITIONAL USE PERMIT NO. 10-002 FOR A MAJOR TELECOMMUNICATIONS FACILITY CONSISTING OF A GROUND-MOUNTED FIFTY FIVE (55) FOOT HIGH MONOPALM WITH ACCESSORY EQUIPMENT LOCATED AT 170 EAST OAKLAND AVENUE (APN: 443-060-016).”

City of Hemet - Planning Department
Planning Commission Meeting of January 18, 2011

PROJECT DESCRIPTION AND BACKGROUND

The applicant is requesting approval of **CONDITIONAL USE PERMIT NO. 10-010** for the construction and operation of a camouflaged, major, telecommunications facility project consisting of a ground mounted 55 foot high monopalm. Antennas would be installed at the top of the pole with appurtenant accessory equipment cabinets. The site is comprised of a 700 square foot leased area, surrounded by a nine (9) foot high chain link fence enclosure located on the north side of Oakland Avenue, east of State Street (APN 443-060-016). The project site is currently occupied by the Genesis Construction Company. The location of the proposed cell tower, architectural elevations and details are contained in the attached Exhibit 1A (Development Plan).

The site for the proposed wireless tower is zoned M-2 (Heavy Manufacturing) and is currently used as a contractor's storage yard that encompasses two (2) parcels and a leased portion of a third parcel. The parcel that fronts onto State Street is zoned C-2 (General Commercial), in addition to the leased area to the south. The existing use includes a 14,000 square foot shop, a 2,880 square foot office, several modular structures and covered staging areas. The topography of the site and surrounding area is relatively flat and utilized as a contractor's storage yard (Please refer to the Adjacent Zoning Map – Attachment 2 and Aerial Map – Attachment 4). The project site is accessed from Oakland Avenue and State Street.

The proposed telecommunications facility tower will be up to 55 feet in height with one array of up to twelve panel antennas, vertically centered at a height of 48 feet. The tower is a maximum of 52 feet in height with an additional three (3) feet to accommodate the palm branches. The antenna's configuration will contain three (3) sectors with four (4) antennas each. On the ground, equipment cabinets will be stored within a radio equipment shelter, and smaller related power and telephone cabinets and small global positioning antennas will be located inside the fenced 700 square foot facility. T-Mobile will have access from a secondary drive on Oakland Avenue. The proposed facility is proposed along the eastern edge of the property adjacent to the existing railroad to the east, approximately 250 feet North of Oakland Avenue. The site layout and access can be referenced on Exhibit 1A, Sheet Number A-0.

The facility will be placed on a cell block foundation system that can be relocated at a future time. The applicant has provided information regarding cell block foundation systems that is included as Attachment No. 11. Staff originally had concerns with the proposed location of the facility due to the proposed General Plan land use designation of mixed use for the area and the future Metrolink station. The applicant indicated that the site could be placed on a foundation that can be easily relocated to an alternative location on the Genesis property when the need arises. The project has been conditioned for Planning Department approval, prior to any relocation of the facility.

The surrounding area includes the existing Bridges Day Care Center to the southwest, B&W Pipe and Supply to the south, a small shopping center to the west, the existing railroad and industrial

uses to the east and vacant property to the north. The nearest residence is located approximately 900 feet from the proposed telecommunication facility.

The existing General Plan land use designation for the site location is Specific Plan. The nature of the proposed uses on the project site involves public utilities to serve the local community, and thus is consistent with the General Plan land uses and policies.

The following table indicates land uses immediately surrounding the project site.

	LAND USE	ZONING	GENERAL PLAN
PROJECT SITE	Contractor's Storage Yard	C-2 (General Commercial) & M-2 (Heavy Manufacturing)	SP (Specific Plan)
NORTH	Vacant	C-2 (General Commercial) & M-2 (Heavy Manufacturing)	SP (Specific Plan)
EAST	Towing Facility	M-1 (Limited Manufacturing)	I (Industrial)
SOUTH	Child Care Facility (Bridges Child Development Center)	C-2 (General Commercial) & M-2 (Heavy Manufacturing)	C (Commercial)
WEST	Vacant	C-2 (General Commercial)	SP (Specific Plan)

The project setting is illustrated and described in more detail by the attached items:

- Adjacent Zoning Map (Attachment No. 2)
- Neighborhood Context Worksheet (Attachment No. 3)
- Surrounding Area Map (Attachment No. 4)
- Photographs of Site (Attachment No. 5)

Project Need:

The applicant has provided a letter of justification (Attachment No. 8) demonstrating the need for the proposed cell tower in this area in order to provide adequate coverage for cellular service.

The following information is summarized from her letter:

Customer demand drives the need for new cell site. Data relating to incomplete and dropped calls is gathered, drive-tests are conducted, and scientific modeling using sophisticated software is evaluated. Once the area requiring a new site is identified, a target ring on a map is provided to a real estate professional to begin a search for a suitable location.

During an initial reconnaissance, properties for consideration for the installation of a cell site must be located in a general vicinity of the ring, with an appropriate zoning designation, and appear to have enough space to accommodate an antenna structure and the supporting radio equipment. The size of this space will vary depending on the objective of the site. The owners of each prospective location are notified to assess their interest in partnering with T-Mobile.

Four key elements are considered in the selection process: Leasing – the property must have an owner who is willing to enter into a long-term lease agreement under very specific terms and conditions. Zoning – It must be suitably zoned in accordance with the local land-use codes to allow for a successful permitting process. Construction – Construction constraints and costs must be reasonable from a business perspective, and the proposed project must be capable of being constructed in accordance with the local building codes and safety standards. RF – It must be strategically located to be able to achieve the RF engineer's objective to close the significant gap with antennas at a height to clear nearby obstructions.

In this specific case, this location was selected by the applicant, because T-Mobile's radio-frequency engineers (RF) have identified a significant gap in coverage in the vicinity of Oakland Avenue between State Street and North Santa Fe Drive and the surrounding community as demonstrated on the enclosed radio-signal propagation maps (Attachment #7).

The facility will require a minimum height of 55 feet to the top of the monopalm to ensure the RF signals emitting from the antennas propagate for a distance that will connect to adjacent cell sites and serve cell phone users in the area. There are no existing buildings or structures in the area of the search ring that will allow for a 55 foot top of branch height. For this reason, a new ground-mounted facility is proposed.

The monopalm will have antennas mounted at a height of 50 feet (top of antennas) and faux palm fronds will extend up to 55 feet. The monopalm design was selected to match other tree species in the area. Based on the RF Engineer's recommendation, lowering the height of the proposed facility will not allow for adequate RF signal propagation and adequate wireless phone coverage for the area. The applicant has also stated that a lower facility may not provide sufficient height for a future carrier's co-located antennas below the T-Mobile antennas, and may compromise the co-locatability of the proposed site.

The information provided by the applicant (see Attachments #7 and #8) provides a reasonable justification for the proposed facility height of 55 feet and evidences that this height will not be detrimental to the public health, safety and welfare.

The new facility will accommodate additional wireless carrier's antennas. Whether this height is adequate for a future carrier depends on the location of the carrier's existing nearby sites and the area to be provided coverage. The foundation and footing for the proposed monopalm will be designed so that the facility can be relocated in the future, when the proposed Metrolink is constructed. In addition, a second set of antennas can be accommodated, as well as relocation of the tower. T-Mobile has been conditioned to allow co-location opportunities for future carrier's antennas on the monopine.

There are no existing co-locatable facilities within 1,500 feet of the proposed facility. There is an existing AT&T (slimline pole) facility located approximately 830 feet south of the project site. However, this site is not suitable for co-location, as it is not a disguised facility and does not facilitate the needed height for additional carriers, and has not been structurally engineered for co-location. Staff suggested that the applicant approach AT&T regarding swapping out the existing pole for a disguised facility that can accommodate additional carriers. However, the applicant indicated that AT&T would not be amenable to taking their facility offline temporarily, to accommodate T-Mobile.

ALTERNATIVE SITE ANALYSIS

The applicant evaluated the following locations for potential pole locations within their search ring, and provided explanations why they were not selected for this project site. An aerial photo of the proposed site and the alternative location's is provided as Attachment #10.

1. T-Mobile considered a new pole facility at the B&W site at 490 North State Street. This location was perfectly adequate for the T-Mobile network, but as the Genesis Construction site is commercially zoned as well and was the preferred location for the radio frequency engineers, the current proposal is being submitted for approval. There were no additional benefits to selecting the B&W site.
2. T-Mobile also considered a new facility at FM Lock and Safe located at 410 North State Street but it was determined that this new facility would be too close to the existing AT&T

cell tower based on the property owner's preferred location, and T-Mobile did not want to risk interference with the existing AT&T site.

3. T-Mobile also considered a new facility at the Rent Smart building located at 450 North State Street but it was determined that this new cell tower would be too close to the existing AT&T facility based on the property owner's preferred location and T-Mobile did not want to risk interference with the existing AT&T site.
4. T-Mobile also considered a new facility at the office building located at 736 North State Street. It was determined that the roofline of this building was too low to fulfill the coverage gap and not enough ground space was available for a new stealth facility.
5. T-Mobile also considered a collocated facility on the lattice tower at the County of Riverside Superior Court. The Superior Court did not return any voice messages or e-mails regarding leasing space to T-Mobile for a facility.
6. T-Mobile also considered a new facility at the Rancho Vet Tack and Feed located at 340 East Menlo Avenue. The owners of the property were not interested in leasing space to T-Mobile for a facility.
7. T-Mobile also considered a new facility at the U-Haul site located at 380 North State Street. It was determined by T-Mobile Radio Frequency engineers that the Genesis Construction location would be a significantly better location to fill the gap in coverage than this alternative.

ZONING CONSISTENCY

The project is subject to, and consistent with, the Development Standards for the Wireless Telecommunications Facilities Section of Chapter 90 of the Hemet Municipal Code. The property is currently zoned M-2 (Heavy Manufacturing), and requires a Conditional Use Permit for public facilities and utilities including but not limited to, electrical substations, city facilities, libraries and public offices. In addition, the Wireless Telecommunications Facility Article XLVI, Section 90-17(a) does allow major telecommunications facilities in all zones, except R-1, R-2, R-3, R-A and R-P.

The height limit is 60 feet in the M-2 (Heavy Manufacturing) zone. The proposed facility is proposing a height limit of 55 feet and is consistent with the height requirements of the zone.

As required by Hemet Municipal Code Section 90-1618 of Article XLVI Wireless Telecommunication Facilities, the applicant provided a letter of justification (Attachment No. 8) which provides a reasonable explanation for the proposed location and height requirements.

Additionally, the Hemet Municipal Code, Section 90-1619 states that if a wireless telecommunication facility is located within 200 feet of a residential zone, then it shall comply with the setback requirements for such zone. The proposed wireless telecommunication facility is completely surrounded by commercial and manufacturing zoned property and is located approximately 900 feet from the nearest residential zone.

The City's Wireless Telecommunication Facilities Code (Section 90-1621) requires that if a cellular facility cannot be co-located on an existing pole, it needs to be located at least 1,500 feet from any other cell tower, unless the city finds that a shorter distance is necessary due to technical or visual considerations. In this event, the cell tower should be located at least 500 feet from the existing facility. The closest facility is the AT&T slimline pole which is located approximately 830 feet south of the subject site.

In regard to the distance separation requirement, a recent FCC Declaratory Ruling issued in 2009 stated that a city may not deny an application for wireless service facilities solely on the basis that there exist one or more carriers serving the geographic area in which the new facility is attempting to be located. Based upon the facts presented for this application and the locational criteria within the city's code and the FCC ruling, Staff recommends that the distance separation of 830 feet from an existing facility is acceptable for this project.

DESIGN GUIDELINES CONSISTENCY

Wireless Design Guidelines

The project has been reviewed in accordance with the design requirements of Article XLVI Wireless Telecommunications Facilities. Article XLVI intends that:

“...the protection of property values and the enhancement of the city's aesthetic appearance can be achieved by maintaining the architectural and structural integrity of wireless telecommunication facilities and the protection of views from obtrusive and unsightly accessory structures.”

The wireless design guidelines require that facilities will not bear any signs or advertising devices other than certification, public safety, warning or other required seals or required signage. The applicant is not proposing any signage except for required signage. The applicant is also proposing to screen all accessory equipment associated with the operation of the facility within a chain link enclosure within an existing contractor's storage yard. The site is located approximately 250 feet from the nearest street and the equipment will be screened by the existing use and materials that are stored on site and adjacent to the proposed tower location. The proposed antennas will be painted and camouflaged to blend into the surrounding land to minimize any potential visual impact. The project is proposing a monopalm facility that staff feels is the best disguise for the site as there are several mature palm trees in the vicinity, as seen in Attachment #6.

TRANSPORTATION UNIFORM MITIGATION FEE (TUMF)

At the time of building permit issuance, the proposed project is subject to payment of the required

fees relative to the Western Riverside County Transportation Uniform Mitigation Fee Program (TUMF) pursuant to Chapter 58, Article III, Section 58-70.2 (f)(4) of the Hemet Municipal Code.

MULTI-SPECIES HABITAT CONSERVATION PLAN (MSHCP)

Pursuant to Chapter 31, Section 31-16 (3) of the Hemet Municipal Code, development within a project area that is currently or has been previously improved, are exempt from provisions of the MSHCP Fee Ordinance. Therefore, pursuant to Hemet Municipal Code Section 31.16(3), this project is not subject to the payment of MSHCP fees.

AIRPORT LAND USE COMPATIBILITY

The project is located north of Oakland Avenue and east of State Street, is not within the Hemet Ryan Airport Influence area, and is outside the area that may be subject to Airport Land Use Commission review. Therefore, the project can be considered compatible.

DEVELOPMENT REVIEW COMMITTEE (DRC) RECOMMENDATION

On September 16, 2010, the project was reviewed for design. Staff from the various City departments provided written conditions that have been incorporated into the proposed conditions of approval (Exhibit 1B).

CEQA REVIEW

The project is exempt from CEQA under CEQA Guidelines Section 15332 in that the staff report submitted by Planning Staff and other findings made in the attached Resolution demonstrate that: Conditional Use Permit No. 10-010 is consistent with the Specific Plan land use designation and all applicable General Plan policies as well as with the applicable zoning designation; Conditional Use Permit No. 10-010 is located within the boundaries of the City of Hemet; the area within Conditional Use Permit No. 10-010 comprises less than five acres and has no value as habitat for endangered, rare or threatened species; there is no substantial evidence in the record that Conditional Use Permit No. 10-010 will result in significant effects related to traffic, noise, air quality or water quality; and, the site is or can be adequately served by all required utilities and public services. As such, the project meets the criteria for application of a Class 32 (In-fill Development) Categorical Exemption under the CEQA Guidelines.

The proposed development occurs within City limits on a project site of no more than 5 acres substantially surrounded by residential and open space recreational uses. The project site comprises a 700 square foot portion of a 6.41 acre site (APN: 443-060-013, -014 and -016).

The project site has no value as habitat for endangered, rare or threatened species. Based on the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) database, the site is not a part of an identified cell. The entire project site is developed. Therefore, no sensitive species or other protected biological resources were observed or are likely to be present.

Approval of the project would not result in any significant effects relative to traffic, noise, air quality or water quality. There is no indication that the project would materially affect traffic, noise, air quality or water quality, or result in any significant effects.

This property lies north of Oakland Avenue and east of State Street, and is not within the Hemet-Ryan Airport Influence Area, and is outside the area that may be subject to Airport Land Use Commission review. Therefore, the project can be considered compatible.

Finally, the site can be adequately served by all required utilities and public services. All utilities and services are present at the streets fronting the site.

PUBLIC COMMUNICATIONS RECEIVED

At the time of report preparation, the Planning Department has not received any letters of comment from the public. Any comments received prior to the time of the scheduled Planning Commission meeting will be provided to the Commission at the time of the public hearing.

Property owners located within 1,000 feet radius of the project site were notified of the public hearing on January 18, 2011 with a 10-day hearing notice in addition to a public notice in the Press Enterprise.

REPORT SUMMARY

Conditional Use Permit No. 10-010 is for the review and approval of a 55 foot high camouflaged major telecommunications facility project within the M-2 (Heavy Manufacturing) zone. The project is for the design, construction, and operation of the telecommunications facility located north of Oakland Avenue and east of State Street.

In addition, the project provides benefits to the community by improving communications for local, state, and federal emergency service providers, such as police, fire, paramedics, and other first responders.

For the reasons in this report, the Planning Department believes that the project can be found exempt from the California Environmental Quality Act as an in-fill project, and that a Notice of

Exemption can be filed for Conditional Use Permit No. 10-010. Additionally, the design proposed by Conditional Use Permit No. 10-010 conforms to and is consistent with development standards provided for the M-2 zone as reviewed under Hemet Municipal Code Article XLVI Wireless Telecommunications Facilities. For these reasons, and as more fully discussed in this Staff Report and accompanying attachments, the Planning Department recommends approval of the project. The Planning Commission's actions are final unless appealed to the City Council within ten working days.

The proposed application is required to make findings for both the Conditional Use Permit and Wireless Telecommunications Facility. Findings are reasons, along with supporting evidence for a land use decision. The Conditional Use Permit requires that the location and use comply with the zone and other city regulations, policies and guidelines, that the site and use will not be detrimental to the public, health, safety or welfare, and that the use will comply with applicable code, regulations, policies and guidelines.

The Wireless Telecommunications Facilities code requires that a ground mounted facility shall not be permitted unless the approving authority finds that based on evidence submitted by the applicant, that no existing building or support structure can reasonably accommodate the proposed facility. No ground mounted facility shall exceed the maximum building height for the applicable zone in which it is located. If the approving authority finds that colocation is not a feasible option and that a new facility may be located less than 1,500 feet from an existing major facility, the new facility should be located at least 500 feet from the existing facility. The required findings for approval of CUP 10-010 are located in Resolution No. 11-003, which is Attachment No. 1.

Respectfully submitted,



for Carole L. Kendrick
Assistant Planner

Reviewed by,



Deanna Elliano
Community Development Director

CK

ATTACHMENTS

- 1) Planning Commission Resolution No. 11-003
 Exhibit 1A - Development Plan
 Exhibit 1B - Conditions of Approval
- 2) Adjacent Zoning Map
- 3) Neighborhood Context Worksheet
- 4) Aerial Map
- 5) Photographs of Site
- 6) Before and After Visual Appearances
- 7) Existing/Proposed Area Service (RF Coverage Maps)
- 8) Justification Letter
- 9) Existing Telecommunications Facilities Map
- 10) Alternative Site Location Map
- 11) Cell Block Information

INCORPORATED HEREIN BY REFERENCE

City of Hemet General Plan
City of Hemet General Plan EIR
City of Hemet Zoning Ordinance
City of Hemet Subdivision Ordinance
Contents of City of Hemet Planning Department Project File CUP 10-010 and SDR 07-012

Attachment

No. 1

Resolution No. 11-003

Planning Commission

Meeting of

January 18, 2011



CITY OF HEMET
PLANNING COMMISSION

RESOLUTION BILL NO. 11-003

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEMET, CALIFORNIA APPROVING CONDITIONAL USE PERMIT NO. 10-002 FOR A MAJOR TELECOMMUNICATIONS FACILITY CONSISTING OF A GROUND-MOUNTED FIFTY FIVE (55) FOOT HIGH MONOPALM WITH ACCESSORY EQUIPMENT LOCATED AT 170 EAST OAKLAND AVENUE (APN: 443-060-016).

WHEREAS, an application for Conditional Use Permit No. 10-010, for the construction and operation of a 55 foot high camouflaged major telecommunications facility project located at 170 East Oakland Avenue has been duly filed by:

Applicant: T-Mobile West Corporation
Owner: BBT Enterprises
Authorized Agent: Alexis Osborn – Pacific Telecom Services LLC
Project Location: 170 East Oakland Avenue
APN Number: 443-060-016
Lot Area: 700 square feet; and

WHEREAS, the Planning Commission has the authority per section 90-1531 et seq. of the Hemet Municipal Code to take action on Conditional Use Permit No. 10-010 to allow a 55 foot high camouflaged major telecommunications facility project; and

WHEREAS, on January 6, 2011, the City gave public notice by advertising in the Press Enterprise and by mailing to property owners within 1,000 feet, of the holding of a public hearing at which the project would be considered by the Planning Commission; and

WHEREAS, on January 18, 2011, the Planning Commission held the noticed public hearing at which interested persons had an opportunity to testify in support of, or opposition to, the Conditional Use Permit and at which the Planning Commission considered the Conditional Use Permit; and

WHEREAS, the Planning Director has reviewed the project's potential effects on the environment and has recommended that the project is categorically exempt from the California Environmental Quality Act ("CEQA") under CEQA Guidelines Section 15332

Planning Commission Resolution Bill No. 11-003
CONDITIONAL USE PERMIT NO. 10-010
T-MOBILE @ GENESIS CONSTRUCTION

1 "In-Fill Development", and that the exceptions to the categorical exemptions contained
2 in CEQA Guidelines section 15300.2 are not applicable to this project; and
3

4 **NOW, THEREFORE**, the Planning Commission of the City of Hemet does
5 Resolve, Determine, Find and Order as follows:
6

7
8 **SECTION 1: ENVIRONMENTAL FINDINGS**

9
10 The Planning Commission, in light of the whole record before it, including but not limited
11 to, the City's Local CEQA Guidelines and Thresholds of Significance, the direction of
12 the Planning Commission at its meeting on January 18, 2011 and documents
13 incorporated therein by reference, and any other evidence (within the meaning of Public
14 Resources Code Sections 21080(e) and 21082.2) within the record or provided at the
15 public hearing of this matter, hereby finds and determines as follows:
16

17 **1. CEQA:**

18
19 (a) The project is exempt from CEQA under CEQA Guidelines Section 15332
20 in that the staff report submitted by the Planning Department and other
21 findings made in this Resolution demonstrate that: Conditional Use Permit
22 No. 10-010 is consistent with the Specific Plan designation and all
23 applicable General Plan policies as well as the applicable zoning
24 designation; the proposed project site is located within the boundaries of
25 the City of Hemet; the area within Conditional Use Permit No. 10-010
26 comprises approximately 700 square feet, which is less than five acres,
27 and has no value as habitat for endangered, rare or threatened species;
28 there is no substantial evidence in the record that Conditional Use Permit
29 No. 10-010 will result in significant effects related to traffic, noise, air
30 quality or water quality in that the proposed design incorporates and
31 otherwise is subject to air and water quality resource agency design
32 requirements to avoid any harmful effects; and the site is or can be
33 adequately served by all required utilities and public services. As such,
34 the project meets the criteria for application of a Class 32 (In-fill
35 Development) Categorical Exemption under the CEQA Guidelines.
36

37 (b) None of the exceptions to the categorical exemptions contained in CEQA
38 Guidelines Section 15300.2 prevent CEQA Guidelines Section 15332 from
39 exempting the project for the following reasons:
40

41 (i) The project is not a Class 3, 4, 5, 6, or 11 project, and therefore is
42 not subject to the exception pertaining to projects located in
43 particularly sensitive environments.
44

- 1 (ii) The nature of the project is such that significant cumulative impacts
2 will not occur from successive projects of this type occurring in the
3 same location over time. No information has been presented that
4 this project would have impacts that would contribute to a level of
5 cumulative impacts that would be considered significant.
6
7 (iii) There is no reasonable possibility that unusual circumstances will
8 cause the project to have a significant effect on the environment.
9 No information is known or has been presented to indicate that
10 there are unusual circumstances related to this project that would
11 cause a significant effect.
12
13 (iv) The project will not result in damage to scenic resources within a
14 designated state scenic highway. The project is not located in
15 proximity to such a highway.
16
17 (v) The project site has not been listed as a hazardous waste and
18 substance facility or site by the Department of Toxic Substances
19 Control pursuant to California Government Code Section 659625.
20
21 (vi) The project will not cause a substantial adverse change to the
22 significance of a historical resource. There are no historical
23 resources on the project site.
24

25 The Community Development Director has reviewed the project's potential
26 effects on the environment and has recommended that the project is
27 categorically exempt from the California Environmental Quality Act ("CEQA")
28 under CEQA Guidelines Section 15332 "In-Fill Development", and that the
29 exceptions to the categorical exemptions contained in CEQA Guidelines section
30 15300.2 are not applicable to this project.
31

- 32 2. **Multi-Species Habitat Conservation Plan (MSHCP):** The project is found to be
33 consistent with the MSHCP. The project is located outside of any MSHCP
34 criteria area and mitigation is provided through payment of the MSHCP Mitigation
35 Fee.
36
37

38 **SECTION 2: REQUIRED CONDITIONAL USE PERMIT FINDINGS**

39
40 Pursuant to Hemet Municipal Code Section 90-1537(c) and in light of the record before
41 it including the staff report dated January 18, 2011 and all evidence and testimony
42 heard at the public hearing of this item, the Planning Commission hereby finds as
43 follows:
44

1 1. That the proposed location, use and operation of the conditional use is in accord
2 with the objectives of Chapter 90 of the Hemet Municipal Code, the purposes of
3 the zone in which the site is located, is consistent with the General Plan and
4 complies with other relevant city regulations, policies and guidelines.
5

6 The proposed major telecommunications facility and appurtenant accessory
7 equipment cabinets and small global positioning antennas inside a chain link
8 fenced, 700 square foot area is allowed under the Wireless Telecommunications
9 Facilities Article XLVI subject to the approval of the conditional use permit.
10 Conditional Use Permit No. 10-010 is consistent with the intent of the Zoning
11 Ordinance since it meets and/or exceeds the minimum development standards of
12 the M-2 (Heavy Manufacturing) zone relative to setbacks, lot coverage, and
13 parking, as discussed in the zoning consistency section of the staff report.
14

15 The height limit is 60 feet in M-2 (Heavy Manufacturing) zone. The proposed
16 facility is proposing a height limit of 55 feet and is consistent with the height
17 requirements of the zone.
18

19 The applicant has provided a letter of justification demonstrating that the
20 proposed height is necessary for coverage to the surrounding area. The 55 foot
21 height is necessary to maximize coverage to the north and west of the location.
22 A reduced height may facilitate a future need for another site.
23

24 The facility therefore contains adequate space suitable for future co-location, and
25 the height in excess of zoning requirements is necessary to the proposed shared
26 use in that each carrier requires its own rad center height, i.e., 40 feet for an
27 additional wireless carrier and 50 feet for T-Mobile.
28

29 Additionally, conditions of approval have been added to the project to ensure that
30 all of the minimum requirements of Chapter 90 of the Hemet Municipal Code are
31 met. Furthermore, the applicant will be required to comply with these conditions
32 prior to obtaining building or grading permits. Condition of Approval No. 5
33 requires that the project comply with all sections of the Zoning Ordinance as well
34 as all other applicable local regulations in effect at the time of the building permit
35 application. Condition of Approval No. 17 requires the applicant to provide a
36 letter of consent agreeing to future co-location of other facilities.
37

38 The General Plan land use designation for the site is Specific Plan. The nature
39 of proposed uses on the project site involves public utilities and thus is
40 complementary to the Community Development Element Goals A and B
41 recommended by the General Plan.
42

1 2. That the proposed location of the conditional use and the conditions under which
2 it would be operated or maintained will not be detrimental to the public health,
3 safety or welfare, nor materially injurious to properties or improvements in the
4 vicinity.

5
6 The height limit is 60 feet in M-2 (Heavy Manufacturing) zone. The proposed
7 facility is proposing a height limit of 55 feet and is consistent with the height
8 requirements of the zone.

9
10 The applicant has provided a letter of justification demonstrating that the
11 proposed height is necessary for coverage to the surrounding area. The 55 foot
12 height is necessary to maximize coverage to the north and west of the location.
13 A reduced height may facilitate a future need for another site.

14
15 Additionally, conditions of approval have been added to the project to ensure that
16 all of the minimum requirements of Chapter 90 of the Hemet Municipal Code are
17 met. Furthermore, the applicant will be required to comply with these conditions
18 prior to obtaining building or grading permits. Condition of Approval No. 5
19 requires that the project comply with all sections of the Zoning Ordinance as well
20 as all other applicable local regulations in effect at the time of the building permit
21 application. Condition of Approval No. 17 requires the applicant to provide a
22 letter of consent agreeing to future co-location of other facilities.

23
24 This project meets the intent of the Wireless Telecommunication Facilities Article
25 XLVI of the Hemet Municipal Code in that the project proposes a monopalm to
26 mitigate impacts upon views. Staff believes that the proposed monopalm
27 telecommunication facility will be appropriate and compatible with the materials
28 and colors of surrounding structures and the surrounding environment.

29
30 3. That the proposed conditional use will comply with each of the applicable
31 provisions of Chapter 90 of the Hemet Municipal Code and with other relevant
32 city regulations, policies and guidelines.

33
34 *The project complies with the development standards and guidelines for major*
35 *facilities:*

36
37 The facility will not bear any signs or advertising devices other than certification,
38 public safety, warning or other required seals or required signage. The applicant
39 is also proposing to screen all accessory equipment associated with the
40 operation of the facility within a chain link enclosure within an existing
41 maintenance yard. The proposed antennas will be painted and camouflaged to
42 blend into the surrounding land to minimize any potential visual impact.

1 *The project complies with the Commercial Design Guidelines in terms of building*
2 *height and materials, landscaping, and required walls and fences:*

3
4 First, the Guidelines require that the height of structures relate to adjacent open
5 space and that building products imitating natural materials be durable and avoid
6 the impression of being artificial. The height of the proposed camouflaged
7 monopalm is relative to nearby existing trees located in the area and will act as a
8 natural backdrop, and ensure that the monopalm blends into the surroundings
9 when viewed from residential properties.

10
11 The monopalm construction materials consist of a galvanized steel pole with
12 simulated bark and palm fronds. The bark is molded, flexible and durable
13 polyurethane. The tree is designed with materials to withstand any adverse
14 weather conditions.

15
16 Lastly, the Commercial Design Guidelines require the use of walls for screening
17 or security functions that are compatible with the architectural character of the
18 primary structures and the surrounding area. The project's chain link fence is
19 necessary for security functions. A nine (9) foot chain link fence, encloses the
20 base of the facility, will provide security and screening, as well as the associated
21 equipment cabinets, several power and telephone cabinets.

22
23
24 **SECTION 3: REQUIRED WIRELESS TELECOMMUNICATION FACILITIES**
25 **FINDINGS**

26
27 1. A ground mounted facility shall not be permitted unless the approving authority
28 finds that based upon evidence submitted by the applicant, no existing building or
29 support structure can reasonably accommodate the proposed facility. Evidence
30 supporting this finding may consist of any of the following:

31
32 a. No ground mounted facility shall exceed the maximum building height for
33 the applicable zone in which it is located unless both of the following
34 findings are made by the approving authority:

35
36 i. The applicant has satisfactorily demonstrated that exceeding the
37 height limitation is necessary for operation of the facility;

38
39 The height limit is 60 feet in M-2 (Heavy Manufacturing) zone. The
40 proposed facility is proposing a height limit of 55 feet and is consistent
41 with the height requirements of the zone.

42
43 The T-Mobile RF Engineer has indicated that a minimum 50 foot top of
44 antenna height is needed to ensure adequate RF signal propagation to
45 the surrounding area. The requested height will ensure that the signal

1 reaches the surrounding community and that the signal reaches the
2 surrounding T-Mobile sites, as is required for comprehensive,
3 consistent wireless phone coverage.
4

5 A monopalm with antennas mounted at a height of 50 feet (top of
6 antennas) and faux palm fronds will extend up to 55 feet. Based on
7 the RF Engineer's recommendation, lowering the height of the
8 proposed facility will not allow for adequate RF signal propagation and
9 adequate wireless phone coverage for the area. The applicant has
10 also stated that a lower facility may not provide sufficient height for a
11 future carrier's co-located antennas below the T-Mobiles antennas,
12 and may compromise the co-locatability of the proposed site.
13

14 The information provided by the applicant provides a reasonable
15 justification for the proposed facility height of 55 feet and evidences
16 that this height will not be detrimental to the health, safety and welfare
17 of the public.
18

- 19 ii. The facility is co-located, or contains adequate space suitable for
20 future co-location, and the height in excess of zoning requirements is
21 necessary to the proposed shared use.
22

23 The new facility will accommodate the antennas of additional wireless
24 carriers. Whether this height is adequate for a future carrier depends
25 on the location of the carrier's existing nearby sites and the area to be
26 provided coverage. The foundation and footing for the proposed
27 monopalm will be designed so that a second set of antennas can be
28 accommodated. T-Mobile is amenable to allowing a future carrier's
29 antennas on the monopalm.
30

31 The facility will require a minimum height of 50 feet top of antennas
32 (and pole) to ensure the RF signals emitting from the antennas
33 propagate for a distance that will connect to adjacent cell sites and
34 serve cell phone users in the area. There are no buildings in the area
35 of the search ring that will allow for a 50 foot top of antenna height.
36 For this reason, a new ground-mounted facility is proposed.
37

38 The facility, therefore, contains adequate space suitable for future co-
39 location, and the height in excess of zoning requirements is necessary
40 to the proposed shared use in that each carrier requires its own rad
41 center height, i.e., 40 feet for an additional wireless carrier and 50 feet
42 for T-Mobile.
43

- 1 2. If the approving authority finds that co-location is not a feasible option and that a
2 new facility may be located less than 1,500 feet from an existing major facility,
3 the new facility should be located at least 500 feet from the existing facility.
4

5 There are no co-locatable facilities within 1,500 feet of the proposed facility.
6 There is an existing AT&T (slimline pole) facility located approximately 830 feet
7 south of the project site. However, this site is not suitable for co-location, as it is
8 not a disguised facility and does not facilitate the needed height for additional
9 carriers. Staff suggested that the applicant approach AT&T regarding swapping
10 out the existing pole for a disguised facility that can accommodate additional
11 carriers. However, the applicant indicated that AT&T would not be amenable to
12 taking their facility offline temporarily, to accommodate T-Mobile.
13

14 **SECTION 4: PLANNING COMMISSION ACTIONS**

15
16
17 The Planning Commission hereby takes the following actions:
18

- 19 1. **Notice of Exemption.** In accordance with Public Resources Code Section
20 21152(b) and CEQA Guidelines Section 15062, the Planning Commission hereby
21 approves a categorical exemption for the project under CEQA Guidelines Section
22 15332 and directs the Planning Director to prepare and file with the Clerk for the
23 County of Riverside a notice of exemption as provided under Public Resources
24 Code Section 21152(b) and CEQA Guidelines Section 15062.
25
- 26 2. **Approves Conditional Use Permit.** Conditional Use Permit No. 10-010 is
27 hereby approved as shown in Exhibit A which is attached hereto and
28 incorporated herein by reference, and subject to the Conditions of Approval in
29 Exhibit B which are attached hereto and incorporated herein by reference.
30

31
32 **PASSED, APPROVED, AND ADOPTED** this 18th day of January, 2011, by the
33 following vote:
34

35 AYES:

36 NOES:

37 ABSTAIN:

38 ABSENT:
39

Planning Commission Resolution Bill No. 11-003
CONDITIONAL USE PERMIT NO. 10-010
T-MOBILE @ GENESIS CONSTRUCTION

1
2
3
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5
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7
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9
10
11
12

_____, Chairman
Hemet Planning Commission

ATTEST:

Nancie Shaw, Secretary
Hemet Planning Commission

**Planning Commission Resolution Bill No. 11-003
CONDITIONAL USE PERMIT NO. 10-010
T-MOBILE @ GENESIS CONSTRUCTION**

**Exhibit
No. 1A
Development Plan**

**Planning Commission
Meeting of
January 18, 2011**

T-Mobile

Mobile

GENESIS IE24296A

170 E. OAKLAND AVE
HEMET, CA 92543

T-Mobile
3227 E. OAKLAND AVE
HEMET, CA 92543
PHONE (951) 885-2257

PTC
PACIFIC TELECOM FACILITY
170 E. OAKLAND AVE
HEMET, CA 92543
PHONE (951) 885-2257

GENESIS
IE24296A

REVISIONS	
NO.	DATE
1	08/08/07
2	08/08/07
3	08/08/07
4	08/08/07
5	08/08/07
6	08/08/07
7	08/08/07
8	08/08/07
9	08/08/07
10	08/08/07

NOT FOR CONSTRUCTION
UNLESS AS NOTED

SHEET TITLE
TITLE SHEET

SHEET NUMBER
T-1

PROPRIETARY INFORMATION
THE INFORMATION CONTAINED IN THIS SET OF CONSTRUCTION DOCUMENTS IS PROPRIETARY OF T-MOBILE. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. ANY REUSE OR REPRODUCTION OF THIS INFORMATION WITHOUT THE WRITTEN PERMISSION OF T-MOBILE IS STRICTLY PROHIBITED.

LEGAL DESCRIPTION
CITY OF HEMET, CA
COUNTY OF SHERIDAN
PARCEL #442-080-013, 442-080-014,
442-080-016
PARCELS 5, 6 AND 8 OF MAP NO. 2826, IN THE CITY
OF HEMET, SHERIDAN COUNTY, CALIFORNIA, AND
ALL 5% OF PARCEL MAPS, RECORDS OF SHERIDAN
COUNTY, CALIFORNIA.

DRAWING INDEX

SHEET	DESCRIPTION
T-1	TITLE SHEET
G-1	GENERAL NOTES & RF SERVICE
G-2	FIRE DEPT. / BATTERY NOTES
LS-1	TOPOGRAPHIC SURVEY
A-0	SITE PLAN
A-1	DIMENSIONS, AREA, PERIMETER LAYOUT
A-2	DIMENSIONS, AREA, PERIMETER LAYOUT
A-3	SOUTH & EAST ELEVATIONS

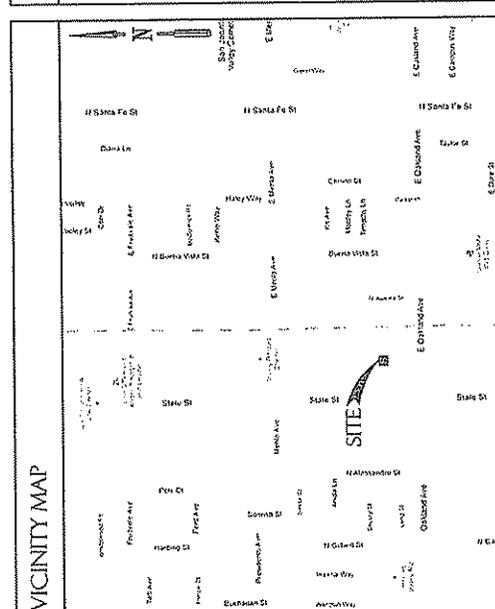
RF INFORMATION

NOTE: DIMENSIONS ARE FOR REFERENCE ONLY

SECTOR	ANTENNA	RF CURVE	# OF ANTENNAS	ANTENNA MODEL	# OF COAX LINES	COAX DIAMETER	COAX LENGTH
X	30'	45'	4	3000-431E-200	6	7/8"	57' ±
Y	30'	45'	4	3000-431E-200	6	7/8"	57' ±
Z	30'	45'	4	3000-431E-200	6	7/8"	57' ±
OPS	-	-	2	3000-431E-200	2	7/8"	14' ±

DRAWING INDEX

DESCRIPTION
TITLE SHEET
GENERAL NOTES & RF SERVICE
FIRE DEPT. / BATTERY NOTES
TOPOGRAPHIC SURVEY
SITE PLAN
DIMENSIONS, AREA, PERIMETER LAYOUT
DIMENSIONS, AREA, PERIMETER LAYOUT
SOUTH & EAST ELEVATIONS



DRIVING DIRECTIONS

3227 E. OAKLAND AVE, HEMET, CA 92543

- HEAD EAST ON E. OAKLAND AVE/OLD BROWNSIDE RD TOWARD N CENTRE LAKE DR
- TAKE THE RAMP ONTO I-10 E
- TAKE EXIT 598 TO HEMET ON I-10 E
- CONTINUE ON I-10 E TO I-215 S
- CONTINUE ON I-215 S TO I-85 N
- EXIT I-85 N ON I-215 S
- TURN RIGHT AT HEMET
- CONTINUE ON I-215 S TO I-85 N
- CONTINUE ON I-85 N TO I-215 S
- TURN LEFT AT STATE ST
- TURN RIGHT AT E OAKLAND AVE
- DESTINATION WILL BE ON THE LEFT

170 E OAKLAND AVE HEMET, CA 92543

APPROVAL	DATE	SIGNATURE

PROJECT INFORMATION

PROJECT DESCRIPTION:
T-MOBILE PROPOSES TO CONSTRUCT AN UNSTAFFED TELECOMMUNICATIONS FACILITY BY ADJOINING A 3-SECTOR ANTENNA ARRAY MOUNTED ON A STRUCTURE 50' TO 60' HIGH WITH (4) PANEL ANTENNAS AND (4) PARALLEL AND (4) SERIAL COAXIAL CABLES TO THE FACILITY. THE FACILITY WILL BE LOCATED ON PARCELS 5, 6 AND 8 OF MAP NO. 2826, IN THE CITY OF HEMET, SHERIDAN COUNTY, CALIFORNIA, AND ALL 5% OF PARCEL MAPS, RECORDS OF SHERIDAN COUNTY, CALIFORNIA.

APPLICANT:
T-MOBILE WEST CORPORATION
170 E. OAKLAND AVE
HEMET, CA 92543
CONTACT: LUKE TURNER
PHONE: (951) 885-2257

PROPERTY OWNER:
170 E. OAKLAND AVE
HEMET, CA 92543
CONTACT: LUKE TURNER
PHONE: (951) 885-2257

PROJECT LEAD:
CONTACT: LUKE TURNER
PHONE: (951) 885-2257

SITE ACQUISITION:
CONTACT: JOSH HAZLEY
PHONE: (951) 885-2257

ZONING:
PACIFIC TELECOM SERVICES, LLC
PHONE: (951) 885-2257

ENGINEER:
PACIFIC TELECOM SERVICES, LLC
PHONE: (951) 885-2257

UTILITY PROVIDERS:
PACIFIC SOUTHERN CALIFORNIA Edison
PHONE: (951) 885-2257

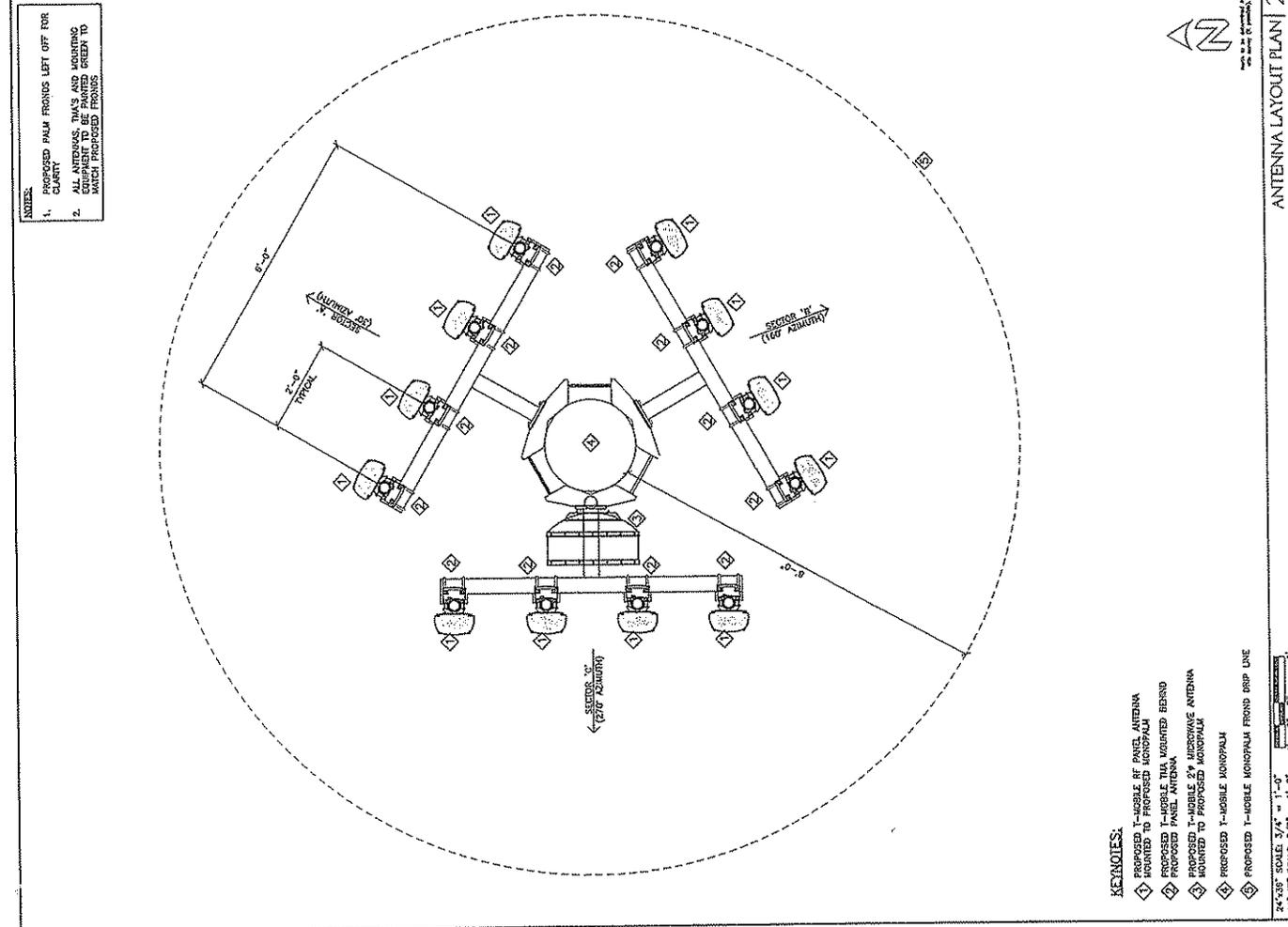
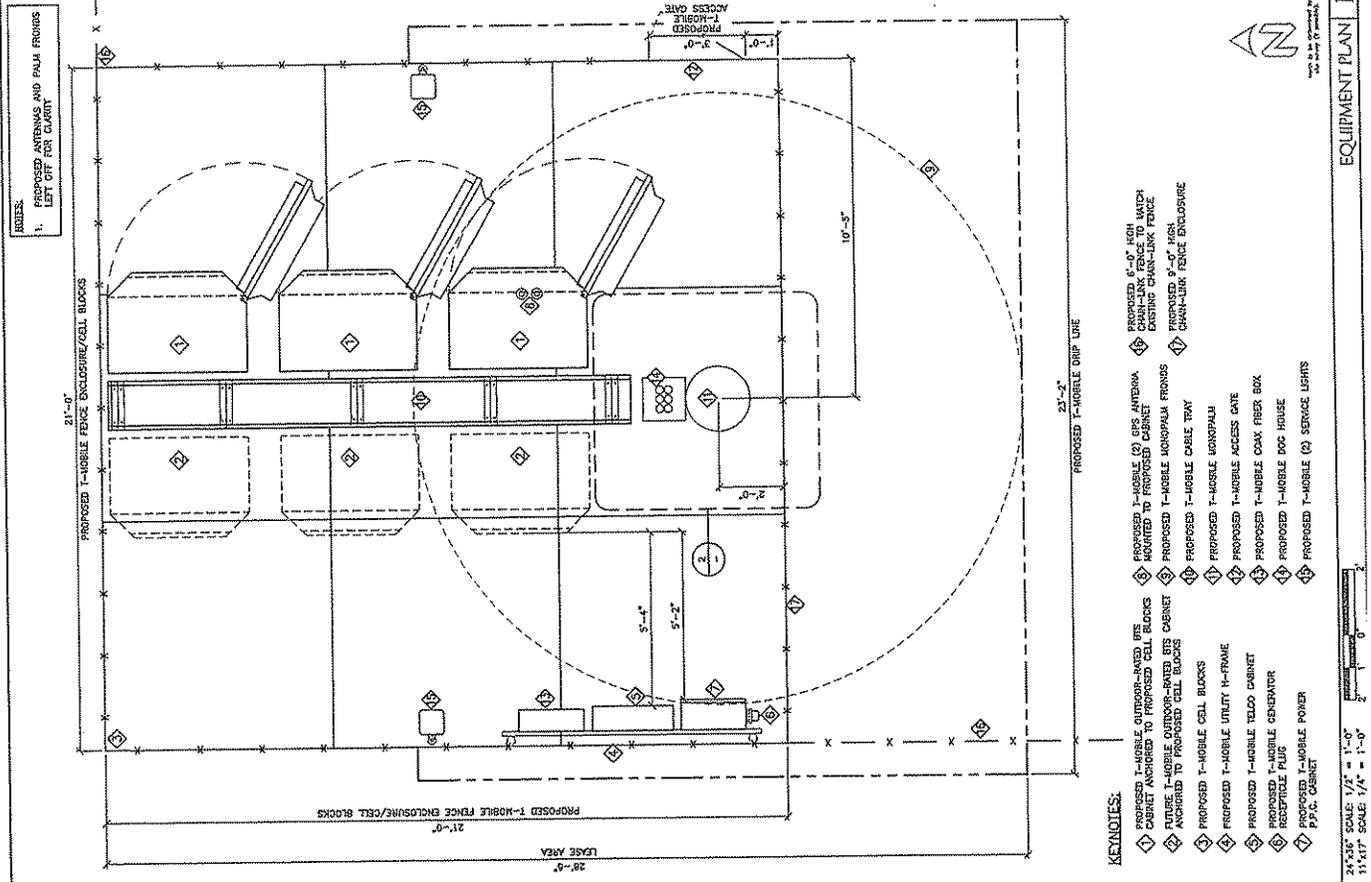
CONSTRUCTION:
PACIFIC SOUTHERN CALIFORNIA Edison
PHONE: (951) 885-2257

PROJECT TEAM

PROJECT ARCHITECT:
THOMAS HOLLAND, ARCH
31550 AIRPORT LOOP, DRIVE
HEMET, CA 92543
CONTACT: LUKE TURNER
PHONE: (951) 885-2257

PROJECT CONSULTANT:
PACIFIC TELECOM SERVICES, LLC
31550 AIRPORT LOOP, DRIVE
HEMET, CA 92543
CONTACT: LUKE TURNER
PHONE: (951) 885-2257

NO.	DATE	REVISIONS
1		ISSUE FOR PERMIT
2		REVISED PER COMMENTS
3		REVISED PER COMMENTS
4		REVISED PER COMMENTS
5		REVISED PER COMMENTS
6		REVISED PER COMMENTS
7		REVISED PER COMMENTS
8		REVISED PER COMMENTS
9		REVISED PER COMMENTS
10		REVISED PER COMMENTS



NOTES:
1. PROPOSED PALM FRONTS LEFT OFF FOR CLARITY.
2. ALL ANTENNAS SHALL BE AS MANUFACTURED EQUIPMENT TO BE PROVIDED ORDER TO MATCH PROPOSED FRONTS.

NOTES:
1. PROPOSED ANTENNAS AND PALM FRONTS LEFT OFF FOR CLARITY.

- KEYNOTES:**
- 1. PROPOSED T-MOBILE OUTDOOR-RATED BIS CABINET ANCHORED TO PROPOSED CELL BLOCKS
 - 2. PROPOSED T-MOBILE OUTDOOR-RATED BIS CABINET ANCHORED TO PROPOSED CELL BLOCKS
 - 3. PROPOSED T-MOBILE CELL BLOCKS
 - 4. PROPOSED T-MOBILE UNITY 14-FRAME
 - 5. PROPOSED T-MOBILE TELCO CABINET
 - 6. PROPOSED T-MOBILE COAX FIBER BOX
 - 7. PROPOSED T-MOBILE CONDENSATOR
 - 8. PROPOSED T-MOBILE POWER P.P.C. CABINET
 - 9. PROPOSED T-MOBILE (2) EPS ANTENNA CHAIN-LINK FENCE TO MATCH EXISTING CHAIN-LINK FENCE
 - 10. PROPOSED T-MOBILE MONOPOLM FRONTS
 - 11. PROPOSED T-MOBILE CABLE TRAY
 - 12. PROPOSED T-MOBILE MONOPOLM
 - 13. PROPOSED T-MOBILE ACCESS GATE
 - 14. PROPOSED T-MOBILE COAX FIBER BOX
 - 15. PROPOSED T-MOBILE DOG HOUSE
 - 16. PROPOSED T-MOBILE (2) SERVICE LIGHTS
 - 17. PROPOSED 4'-0" HIGH CHAIN-LINK FENCE TO MATCH EXISTING CHAIN-LINK FENCE
 - 18. PROPOSED 9'-0" HIGH CHAIN-LINK FENCE ENCLOSURE

NO.	DATE	REVISIONS
1	1/27/10	ISSUE FOR PERMITS
2	2/10/10	REVISED PER COMMENTS
3	2/10/10	REVISED PER COMMENTS
4	2/10/10	REVISED PER COMMENTS

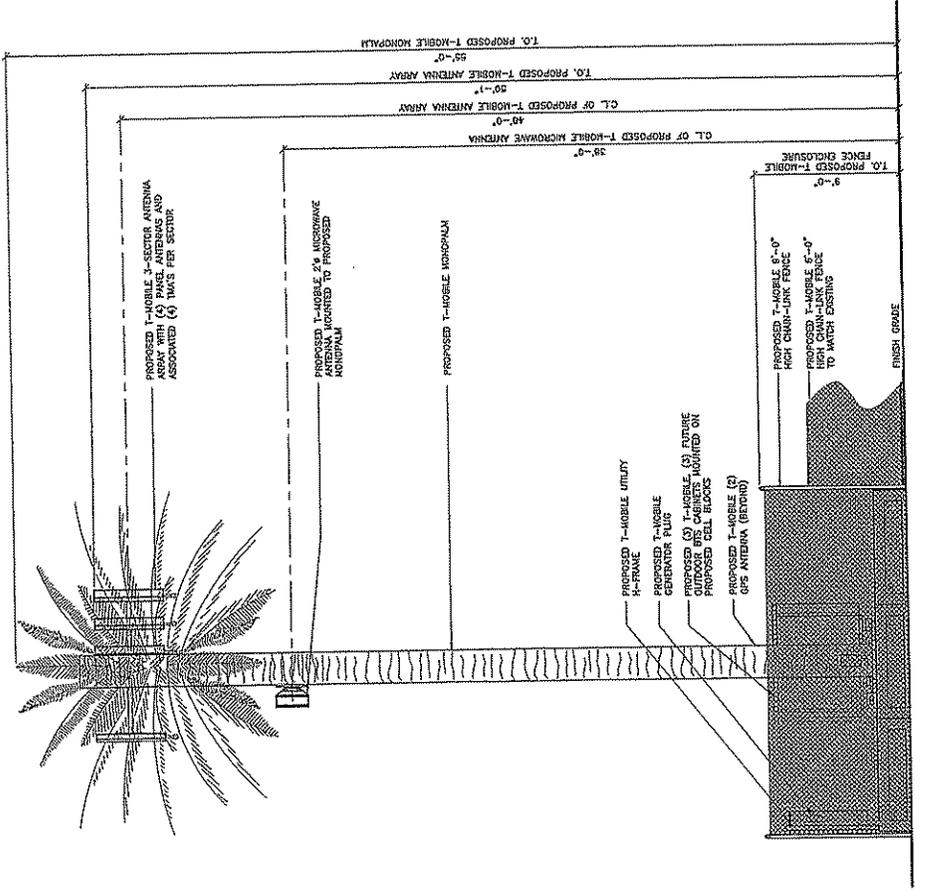
NOT FOR CONSTRUCTION
 UNLESS SHOWN OTHERWISE

SHEET
 SOUTH & EAST

SHEET 1
 A

NOTES:

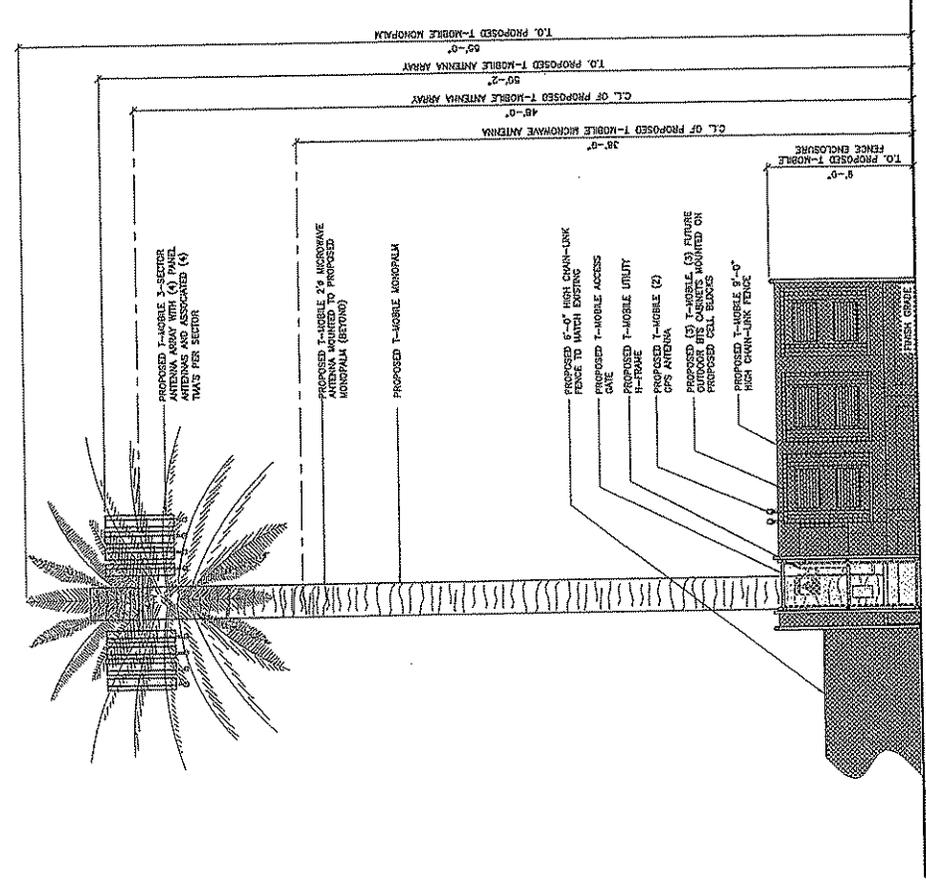
- ALL ANTENNAS, TOWERS AND MOUNTING EQUIPMENT TO BE PAINTED GREEN TO MATCH PROPOSED FRONTS.
- THE PROPOSED INSTALLATION IS AN ARTISTIC RENDERING TO BE AN EXACT REPRODUCTION OF ALL ANTENNAS, TOWERS, CABLES, PORTS, AND VARIOUS ATTACHMENTS, SUCH AS BRACKETS, AND THE LIKE. THESE COMPONENTS, THEY WILL NOT BE IDENTICAL TO THE ORIGINAL. HOWEVER, UPON CLOSE SCRUTINY, THE TRUE NATURE OF THE INSTALLATION WILL BE APPARENT.



SOUTH ELEVATION | 1
 1/4" = 1'-0"
 1/8" = 1'-0"

NOTES:

- ALL ANTENNAS, TOWERS AND MOUNTING EQUIPMENT TO BE PAINTED GREEN TO MATCH PROPOSED FRONTS.
- THE PROPOSED INSTALLATION IS AN ARTISTIC RENDERING TO BE AN EXACT REPRODUCTION OF ALL ANTENNAS, TOWERS, CABLES, PORTS, AND VARIOUS ATTACHMENTS, SUCH AS BRACKETS, AND THE LIKE. THESE COMPONENTS, THEY WILL NOT BE IDENTICAL TO THE ORIGINAL. HOWEVER, UPON CLOSE SCRUTINY, THE TRUE NATURE OF THE INSTALLATION WILL BE APPARENT.



EAST ELEVATION | 2
 1/4" = 1'-0"
 1/8" = 1'-0"

**Exhibit
No. 1B
Conditions of Approval**

**Planning Commission
Meeting of
January 18, 2011**



CITY OF HEMET

DRAFT CONDITIONS OF APPROVAL

PLANNING COMMISSION DATE: January 18, 2011

PROJECT NO.: Conditional Use Permit No. 10-010
APPLICANT: T-Mobile West Corporation
AGENT: Alexis Osborn – Pacific Telecom Services, LLC
LOCATION: 170 East Oakland Avenue
DESCRIPTION: A proposed ground mounted telecommunication facility and associated equipment consisting of a 55' pole camouflaged as a monopalm and a 700 square foot leased area, equipment area.
OCCUPANCY: This project has been reviewed as a U Occupancy; any other use will require further review.

Note: Any conditions revised at a hearing will be noted by strikeout (for deletions) and/or underline (for additions), and any newly added conditions will be added at the end of all conditions regardless of the Department originating the condition.

STANDARD CONDITIONS

The following conditions of approval were approved by the City Council as standard conditions of approval for all projects. Questions regarding compliance with these conditions should be directed to the Planning Department at (951) 765-2375.

General Requirements

1. Conditional Use Permit No. 10-010 shall become null and void on **January 18, 2013** (two calendar years from the date of approval), unless use in reliance on the approved Conditional Use Permit is established prior to the expiration date. A time extension may be granted by the Planning Commission in accordance with Hemet Municipal Code, provided a written request for a time extension is submitted the Planning Department prior to the expiration date. No formal notice of expiration will be given by the City.

City of Hemet - Conditions of Approval
Conditional Use Permit No. 10-010 – T-Mobile (Genesis Construction)

2. Approval of Conditional Use Permit No. 10-010 shall become effective on **January 29, 2011** unless appealed to the City Council by **January 28, 2011** (10 calendar days after action by the Planning Commission). The appeal shall be in writing and shall be accompanied by the required fee.
3. The conditions of approval of this project shall supersede all conflicting notations, specifications, dimensions, typical sections, and the like, which may be shown on the tentative project plans.
4. This project site shall be developed in accordance with the approved plan(s) and the conditions contained herein.
5. This project shall comply with all sections of the Zoning and Subdivision Ordinances and all other applicable Local regulations in effect at the time of the building permit application and/or time of recordation, including the I.C.B.O. California Building Code, California Fire Code, and City and State Handicapped Accessibility Requirements (California Code of Regulations, Title 24).
6. Prior to the issuance of building permits, the applicant shall be subject to all applicable development fees at the rate in effect at the time of building permit application. Such fees may include, but not be limited to: Park Fees, School Fees, Master Plan Storm Drainage Fees, Permit and Plan Checking Fees, Water and Sewer Service Fees, and Capital Facility Fees.
7. Prior to or concurrent with the submittal of building plans for plan check review on this Project, the conditions of approval contained herein shall be photocopied onto the first sheet of the building plans. A copy of the building plans shall be submitted to the Planning Department prior to the issuance of building permits to verify compliance with the conditions of approval and the approved plans.
8. Construction activity shall meet the requirements of Hemet Municipal Code Chapter 30, Article II.
9. Prior to any grading or drainage activity, a grading and/or drainage plan shall be prepared and submitted to the City Engineer and Planning Department for review and approval. No grading or drainage work shall occur without a grading permit and/or the permission of the City Engineer.
10. The applicant shall indemnify, protect, defend, and hold harmless, the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolutions procedures (including, but not limited to arbitrations, mediations, and other such procedures), (collectively "Actions"), brought against the City, and/or

City of Hemet - Conditions of Approval
Conditional Use Permit No. 10-010 – T-Mobile (Genesis Construction)

any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, the any action of, or any permit or approval issued by, the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City), for or concerning the project, whether such Actions are brought under the California Environmental Quality Act, the Planning and Zoning Law, the Subdivisions Map Act, Code of Civil Procedure Section 1085 or 1094.5, or any other state, federal, or local statute, law, ordinance, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that applicant shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the applicant of any Action brought and City shall cooperate with applicant in the defense of the Action.

Site Development

11. Prior to the issuance of a Certificate of Occupancy for the project site or activity being commenced thereon, pursuant to Conditional Use Permit No. 10-010, all conditions of approval contained herein shall be completed to the satisfaction of the Planning Department.
12. All electrical and mechanical equipment, including but not limited to air conditioning units, electrical boxes, transformers, backflow preventers, and any roof mounted equipment shall be visually screened from public view. Screening shall be to the satisfaction of the Planning Department and in compliance with the Hemet Building Code.
13. An anti-graffiti coating shall be provided on all block walls, and written verification from the developer shall be provided to the City of Hemet Planning Department.

Landscaping

14. The premises of the facility shall be kept free from weeds, trash, disease, vermin, and debris, during the term of this Project.

Environmental

15. During construction, should any archaeological artifacts be discovered, the Planning Department shall be notified immediately, and all work shall cease until a qualified archaeologist has examined the artifacts and the site and submitted findings and recommendations to the Planning Department. Recommencement of construction shall be upon the approval of the Planning Department.

PLANNING CONDITIONS

The following conditions of approval are project specific and were recommended by the Planning Department. Questions regarding compliance with these conditions should be directed to the City of Hemet Planning Department at (951) 765-2375.

Planning – General

16. Any uses not specifically permitted as part of, or not determined to be in substantial conformance by the Planning Director, to this Conditional Use Permit No. 10-010, shall require submittal and approval of an application for the modification of Conditional Use Permit No. 10-010.
17. Prior to the issuance of a building permit, the applicant and the property owner, if different from the applicant, shall provide a letter of consent agreeing to future colocation of other facilities on or with the applicant's facility, unless technological or structural requirements preclude that colocation and that co-location must be on commercially reasonable terms. Colocation means the location of multiple antennas, which are either owned or operated by more than one service provider at a single location and mounted to a common supporting structure, wall, or building. The Planning Director shall determine any future cases where technological or structural requirements preclude collocation attempts.
18. A co-location shall be permitted, unless a modification of the Conditional Use Permit No. 10-010 is approved.
19. Prior to any future relocation of the site, plans shall be submitted to the Planning Department for review and approval.

Planning – Site Development

20. As part of the submittal of plans for plan check and prior to issuance of any permits, the project proponent shall indicate on the plans and demonstrate that a re-locatable precast foundation or similar product is utilized as part of the foundation system.
21. Any structures, fences, walls, equipment cabinets with a volume of greater than five cubic feet, antennas or antenna mounting apparatus, or uses not specifically permitted as part of this Conditional Use Permit No. 10-010, shall require review and approval of an application for the modification of Conditional Use Permit No. 10-010.
22. Utility lines shall be underground.

23. The proposed facility shall not bear any signs or advertising devices other than certification, public safety, warning, or other required seals or required signage.
24. The proposed equipment shelter shall be surrounded by a nine (9) foot high chain link fence enclosure.
25. The structure shall consist of a 55 foot ground mounted telecommunication tower camouflaged as a monopalm and a 700 square foot leased equipment area, per approved Conditional Use Permit No. 10-010.

Planning - Operational

26. Lighting shall be turned off except when maintenance personnel are present, except as may be required by the Federal Aviation Administration, and except for any security lighting activated by motion sensors.
27. All outdoor lighting shall be shielded or designed to direct the lighting downward. All lighting shall be adjusted so that all lighting is contained within the boundaries of the site. Lighting shall be turned off unless except when maintenance personnel are present.
28. In the event that the operator of the facility is changed from the applicant, including changes in corporate name, or if additional carriers' antennas are included with the project, the project proponent shall provide written notice, including contact information, for inclusion in the CUP 10-010 case file.
29. In the event that the facility is to be no longer used, the entirety of the facility shall be removed within 30 days. Proper permits shall be required.
30. Prior to the issuance of a building permit, all application requirements, pursuant to Article XLVI - Wireless Telecommunication Facility of the Hemet Municipal Code, shall be submitted to satisfaction of the Planning Department Director, i.e., Maintenance, Security, and Anti-Graffiti Plan, and Evidence of Required License and Approvals.
31. The Applicant/Developer shall maintain the subject property after the start of construction and during the lifetime of the project, free of weeds, debris and trash. If after five (5) days' notice by certified mail, the Applicant/developer does not comply with the before mentioned criterion, the City Council may either cancel building or grading permits and/or take administrative action.

ENGINEERING CONDITIONS

The following conditions of approval are project specific and were recommended by the Engineering Department. Questions regarding compliance with these conditions should be directed to the City of Hemet Public Works - Engineering Division at (951) 765-2360.

The Engineering Department has no conditions.

BUILDING CONDITIONS

The following conditions of approval are project specific and were recommended by the Planning Department. Questions regarding compliance with these conditions should be directed to the City of Hemet Building Department at (951) 765-2475.

Building – Building Code Requirements

32. This project is reviewed under the current California Building Codes at the time of Building Permit submittal.
33. As part of the plans for plan check, a detailed structural analysis, in compliance with Chapter 16 of the Uniform Building Code for the building's intended use, shall be provided.
34. The electrical, plumbing and mechanical systems shall be installed in accordance with applicable adopted codes.

General

35. Utilities shall be underground.

FIRE PREVENTION CONDITIONS

The following conditions of approval are project specific and were recommended by the Planning Department. Questions regarding compliance with these conditions should be directed to the City of Hemet Fire Department, FIRE PREVENTION DIVISION at (951) 765-2450.

Unless specifically stated herein, these conditions shall not be construed to permit or allow deviation from any Federal or State laws nor any of the local codes and ordinances adopted by this jurisdiction.

Agency Approvals

36. Facilities and equipment used for the storage and handling of flammable or combustible liquids and other hazardous materials (which meet or exceed reportable quantities) as defined by Federal, State and Local laws shall be approved by the County of Riverside Environmental Health.

General

37. The final Conditions of Approval for this project shall be included in any site plan or construction plans submitted for permit issuance. Plans will not be approved without reference to these "conditions".
38. This project is subject to review and approval in accordance with the California Code of Regulations, Title 19 for Fire and Life Safety. This project is subject to an annual inspection and permit from the Hemet Fire Department for this type of occupancy (use).
39. Provision for the storage or handling of hazardous materials, as defined by Federal, State, and Local Law, shall be in accordance with CFC, Chapter 27.
40. Storage and handling of flammable and combustible liquids shall be in accordance with the 2007 California Fire Code, Chapter 34 and NFPA 30 (2003), Flammable and Combustible Liquids Code.

Hydrants and Fire Protection Systems

41. Portable fire extinguishers shall be installed and maintained in accordance with 2007 CFC section 906 and Chapter 3, Title 19 CCR. The type and spacing shall be approved by the City of Hemet Fire Marshal prior to installation.

Fire Department Access

42. Prior to the delivery of combustible materials on site, provide and maintain a surfaced all weather access roadway 20 feet wide with a 13 foot, 6 inch vertical clearance designed to support the imposed loads of fire apparatus in accordance with the 2007 CFC Section 503.1 (dirt or native soil does not meet the minimum standard). Minimum turning radius for fire apparatus is 52 feet (outside) and 32 feet (inside). Fire access is required within 150 feet of all portions of every building unless otherwise approved by the Fire Marshal.
43. In accordance with the 2007 CFC Section 503.2.5, approved turnarounds are required on any access road in excess of 150 feet in length, per City of Hemet Fire Department standards.

City of Hemet - Conditions of Approval
Conditional Use Permit No. 10-010 – T-Mobile (Genesis Construction)

44. Prior to final inspection, addresses shall be provided on all new and existing buildings in accordance with the 2007 CFC Section 505.
45. Install Knox key boxes and/or Knox locks for Fire and/or Police Department access in accordance with 2007 CFC Section 506 and the Hemet Municipal Code.

Miscellaneous

46. An annual permit and a "Hazardous Materials Management Plan" (HMMP) will be required pursuant to 2007 CFC Section 2701. This facility shall be subject to the standards of NFPA 704 or some other means of identifying hazardous materials for emergency responders as approved by the Fire Marshal.
47. Equipment room and building signage containing stationary battery systems shall be provided with approved signs. The signs shall state that: 1) the room contains energized battery systems. 2) The room contains energized electrical circuits. 3) The battery electrolyte solutions, where present, are corrosive liquids.
48. Cabinet shall have exterior labels that identify the manufacturer and model number of the system and electrical rating (voltage and current) of the contained battery system. There shall be signs with the cabinet that indicated the relevant electrical, chemical and fire hazard.

POLICE DEPARTMENT CONDITIONS

The following conditions of approval are project specific and were recommended by the Police Department. Questions regarding compliance with these conditions should be directed to the City of Hemet Police Department at (951) 765-2400.

The Police Department has no conditions.

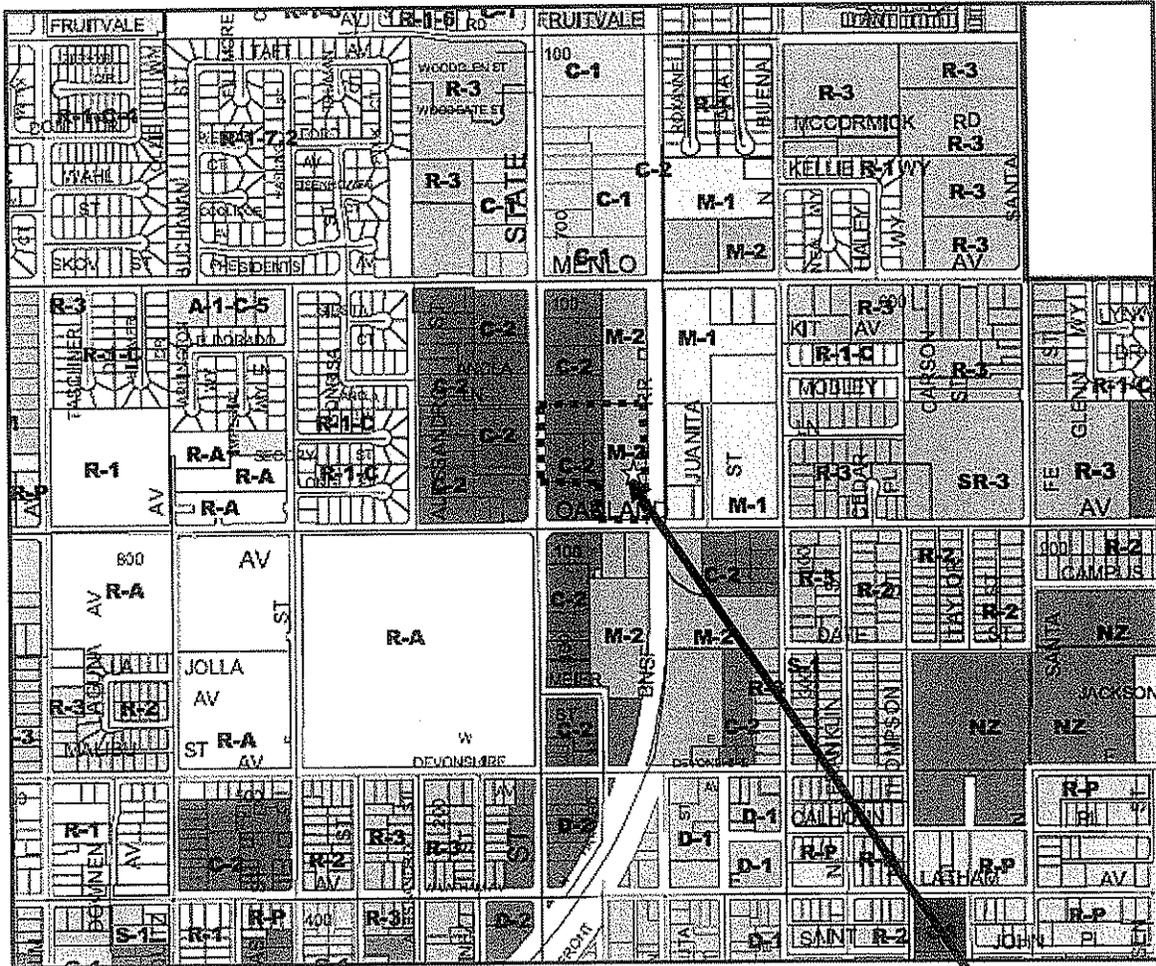
END

Attachment No. 2 Zoning Map

Planning Commission
Meeting of
January 18, 2011

SURROUNDING ZONING

CONDITIONAL USE PERMIT NO. 10-010



SITE

Attachment

No. 3

Neighborhood Context
Worksheet

Planning Commission
Meeting of
January 18, 2011

City of Hemet Planning Department Neighborhood Context Review Worksheet

Project Information

Project Name: T-Mobile at Genesis Construction

Case #: Conditional Use Permit No. 10-010

Location: 170 East Oakland Avenue

Lot Characteristics

Average Building Height: 14 Feet + Average Setback: 79 Feet

Lot: 6.41 Acres Total, 700 Square Foot Leased Area

Lot Width: 627 Feet Lot Depth: 552 Feet

Neighborhood Characteristics

Age of Homes: NA Style of Homes: NA

Neighborhood Type (e.g. rural, urban, suburban): Suburban

Sidewalk Type (e.g. monolithic or parkway): Non-landscaped parkway

Street width: 30 Feet to C/L (State Street) 21 Feet to C/L (Oakland Avenue) Curb Type: Standard

Mature trees on site: N/A

Street trees: N/A

Other (describe distinguishing characteristics such as condition of neighborhood):

The project site has several existing buildings (permitted and non-permitted), outdoor storage of construction materials. The subject property currently does not have site or street trees on the site. The site utilizes leased areas to the north and south for employee parking, as well as employee parking on-site.

Other Info:

Distance to nearest park: 0.8 miles (Weston Park)

Distance to nearest school: 1.1 miles (Santa Fe Middle School)

Staff Info:

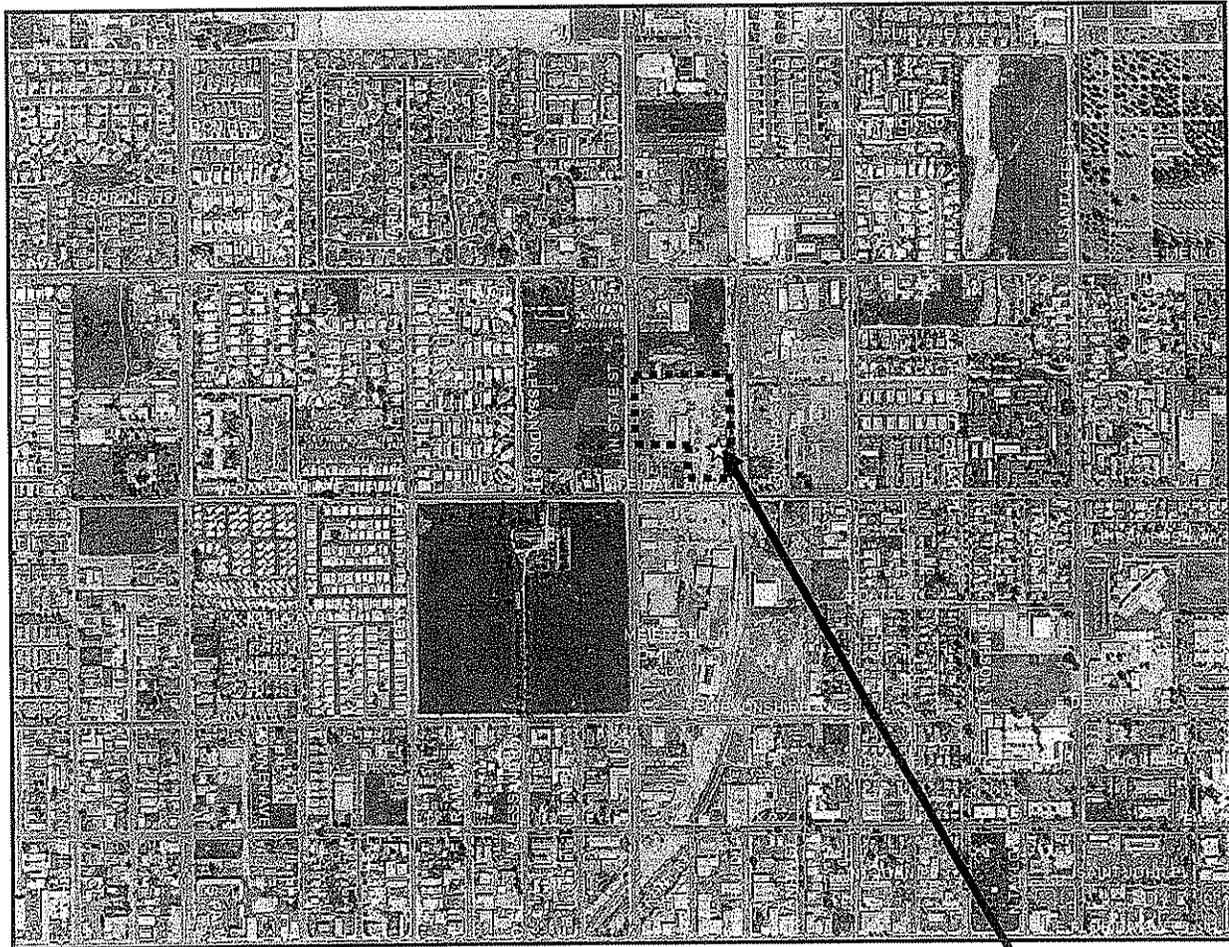
Planner: Carole Kendrick

Date of Neighborhood Visit: September 2010

**Attachment
No. 4
Aerial Map**

**Planning Commission
Meeting of
January 18, 2011**

AERIAL AND SURROUNDING AREA
CONDITIONAL USE PERMIT NO. 10-010

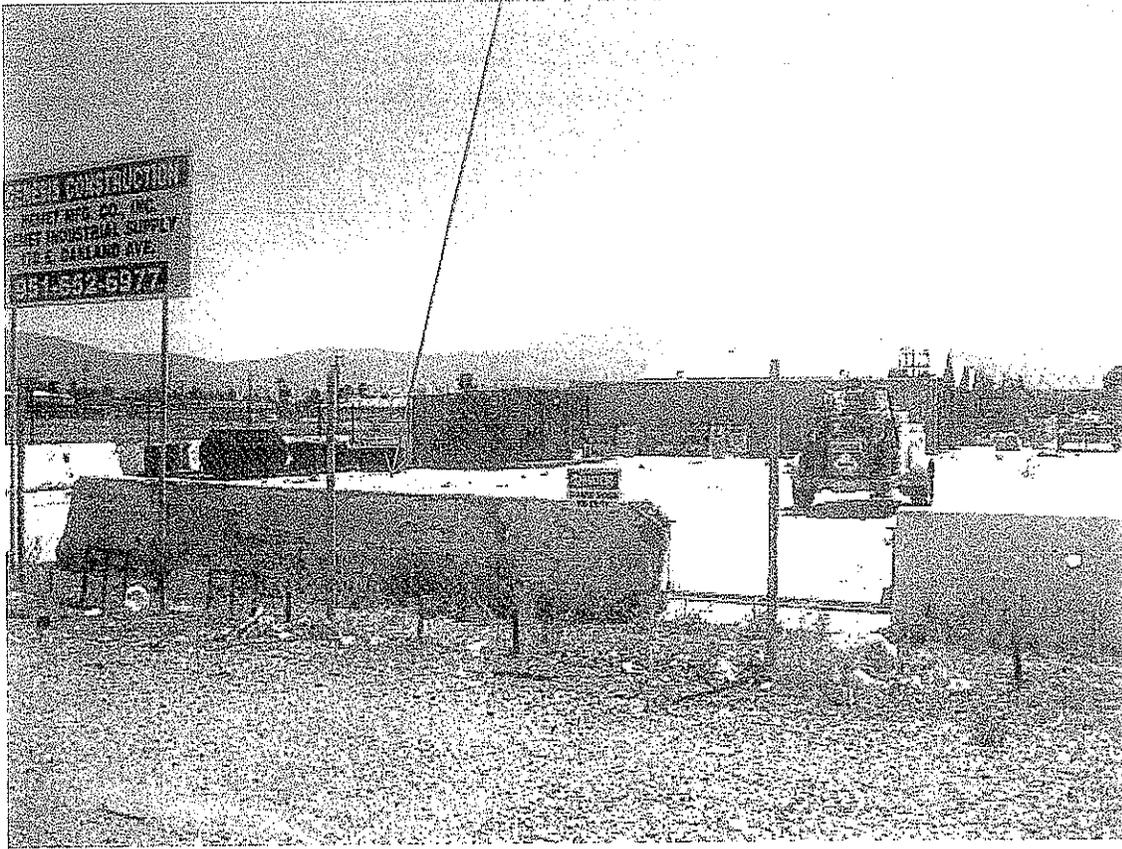


SITE

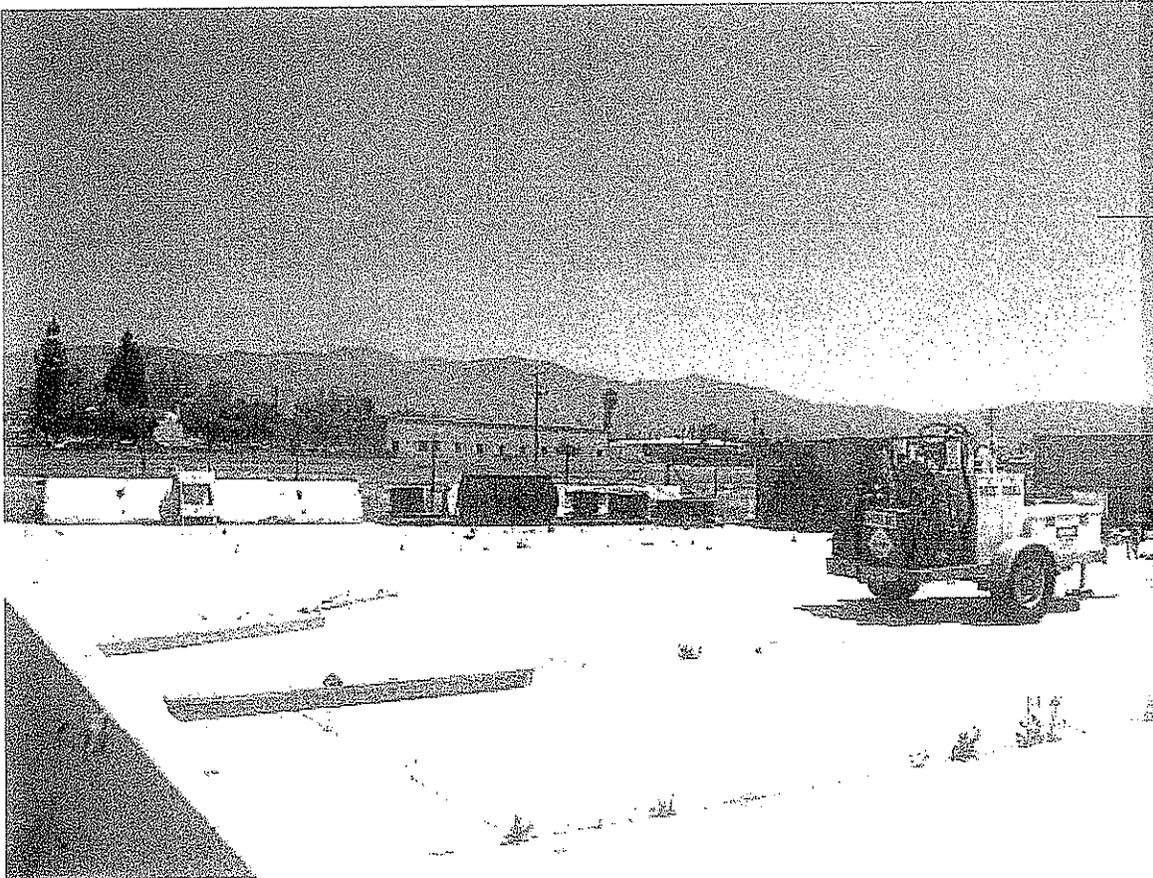
**Attachment
No. 5
Photographs of Site**

**Planning Commission
Meeting of
January 18, 2011**

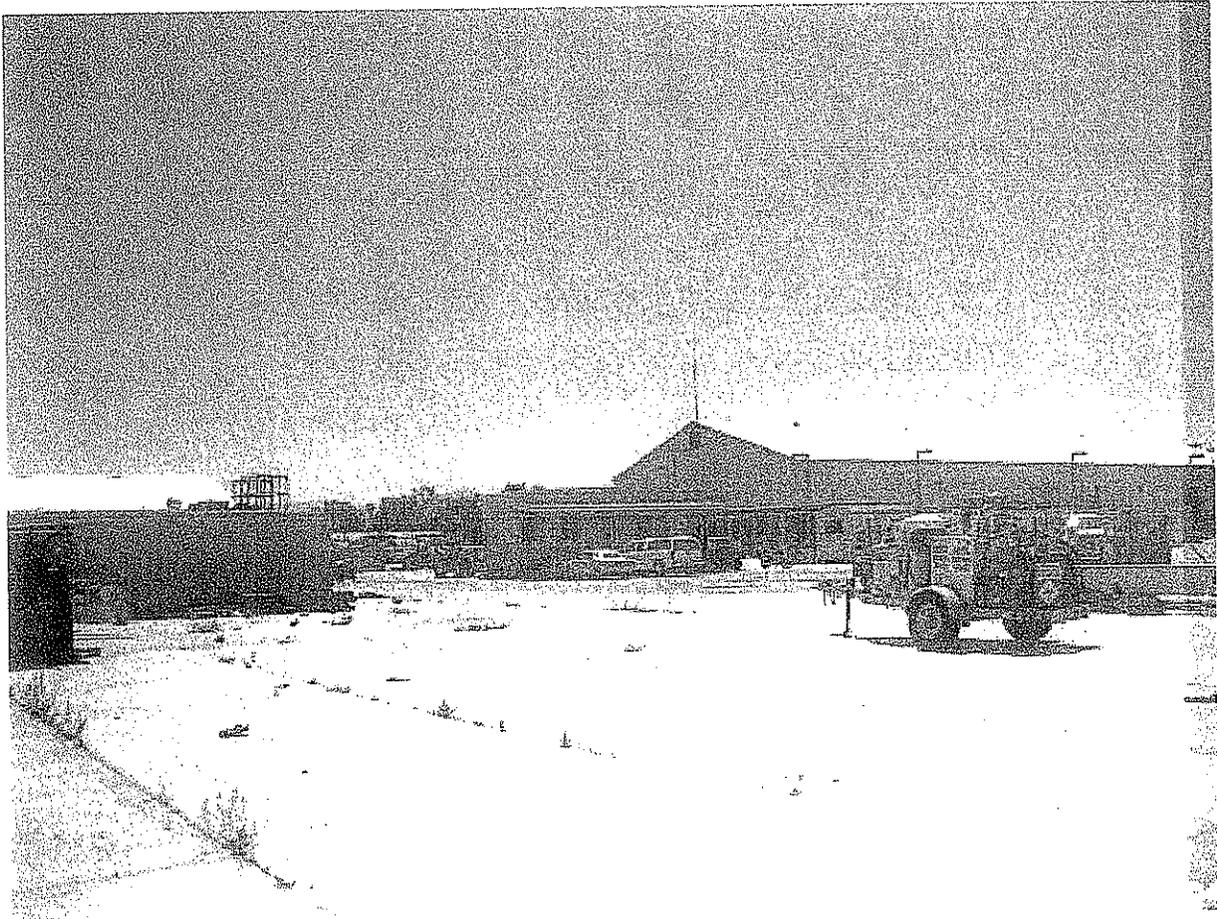
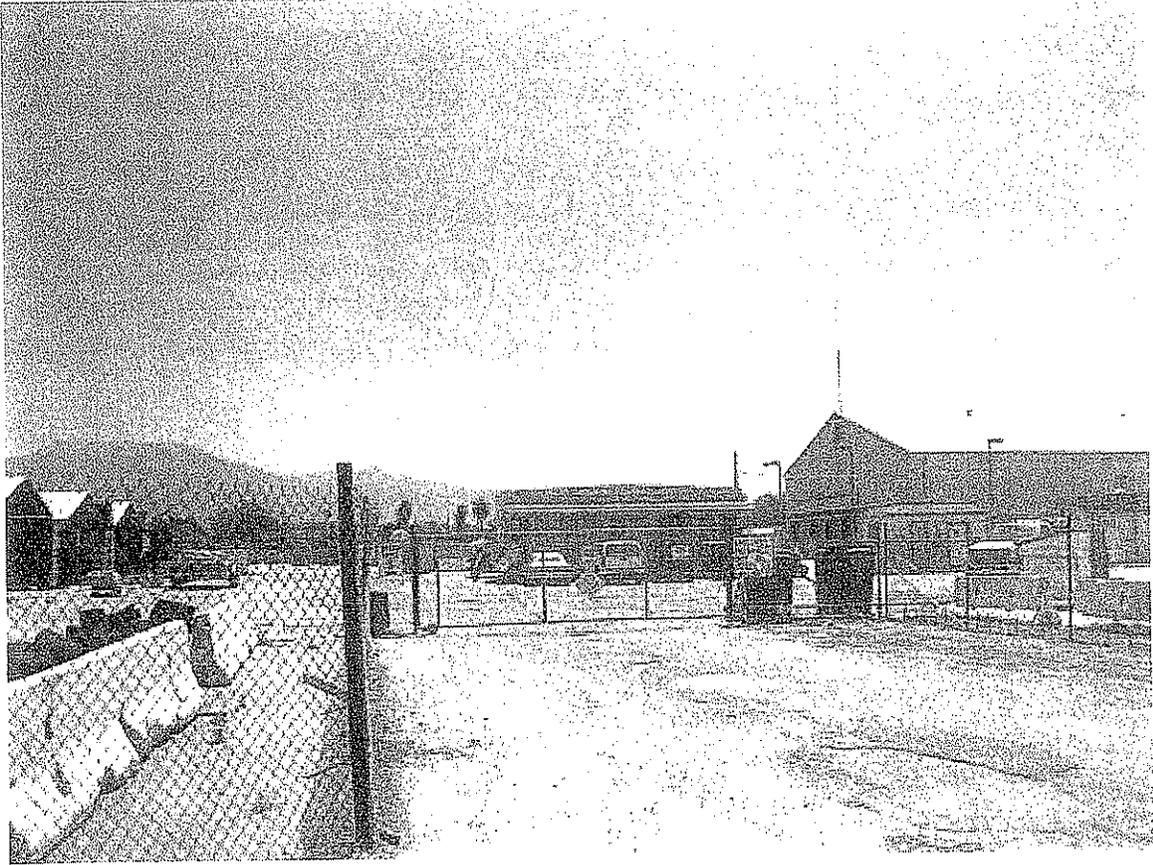
Potential Equipment Location



North



East



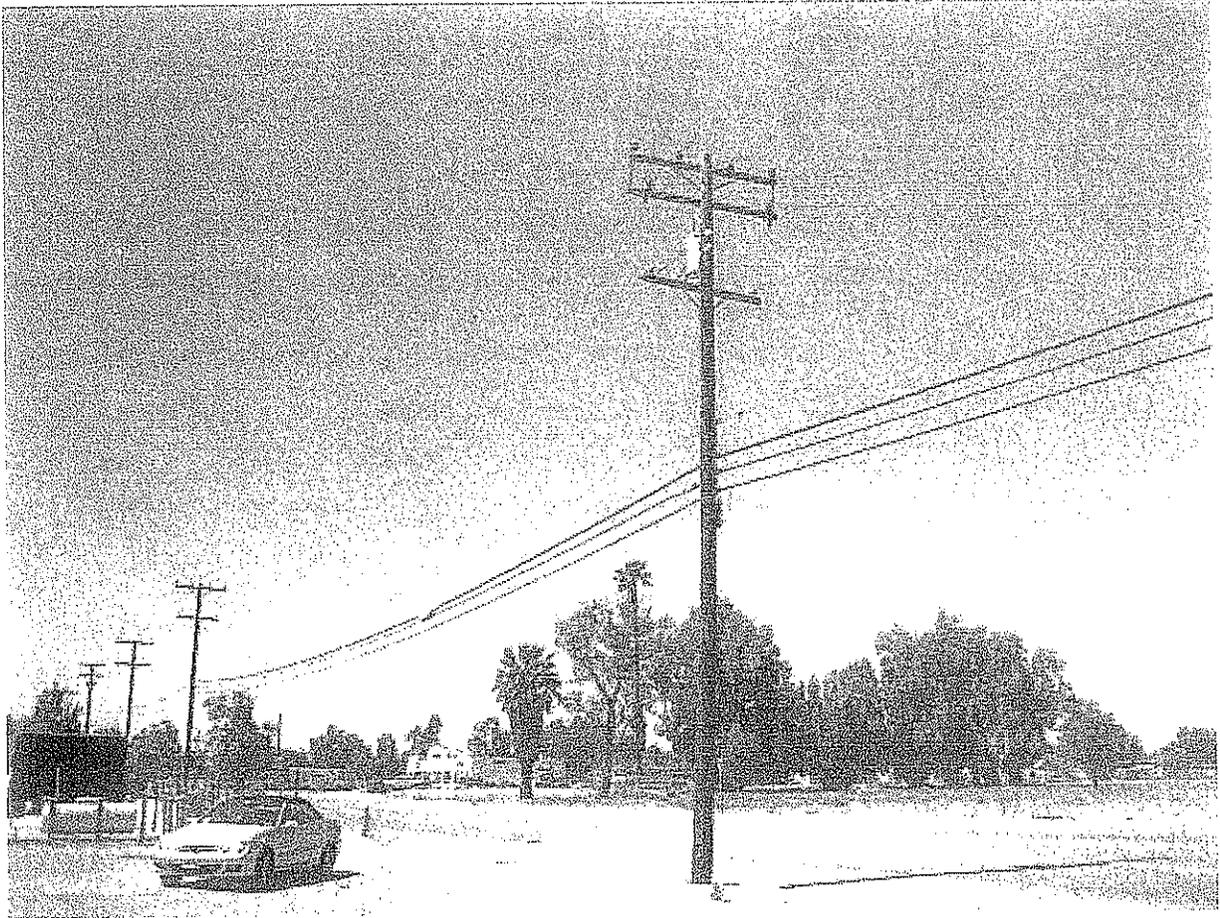
South

South East



West

Access



Power & Telco

Attachment

No. 6

Before and After Visual
Appearances

Planning Commission
Meeting of
January 18, 2011

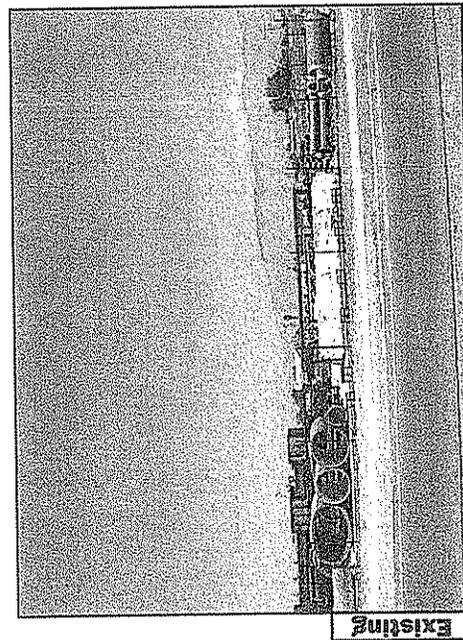
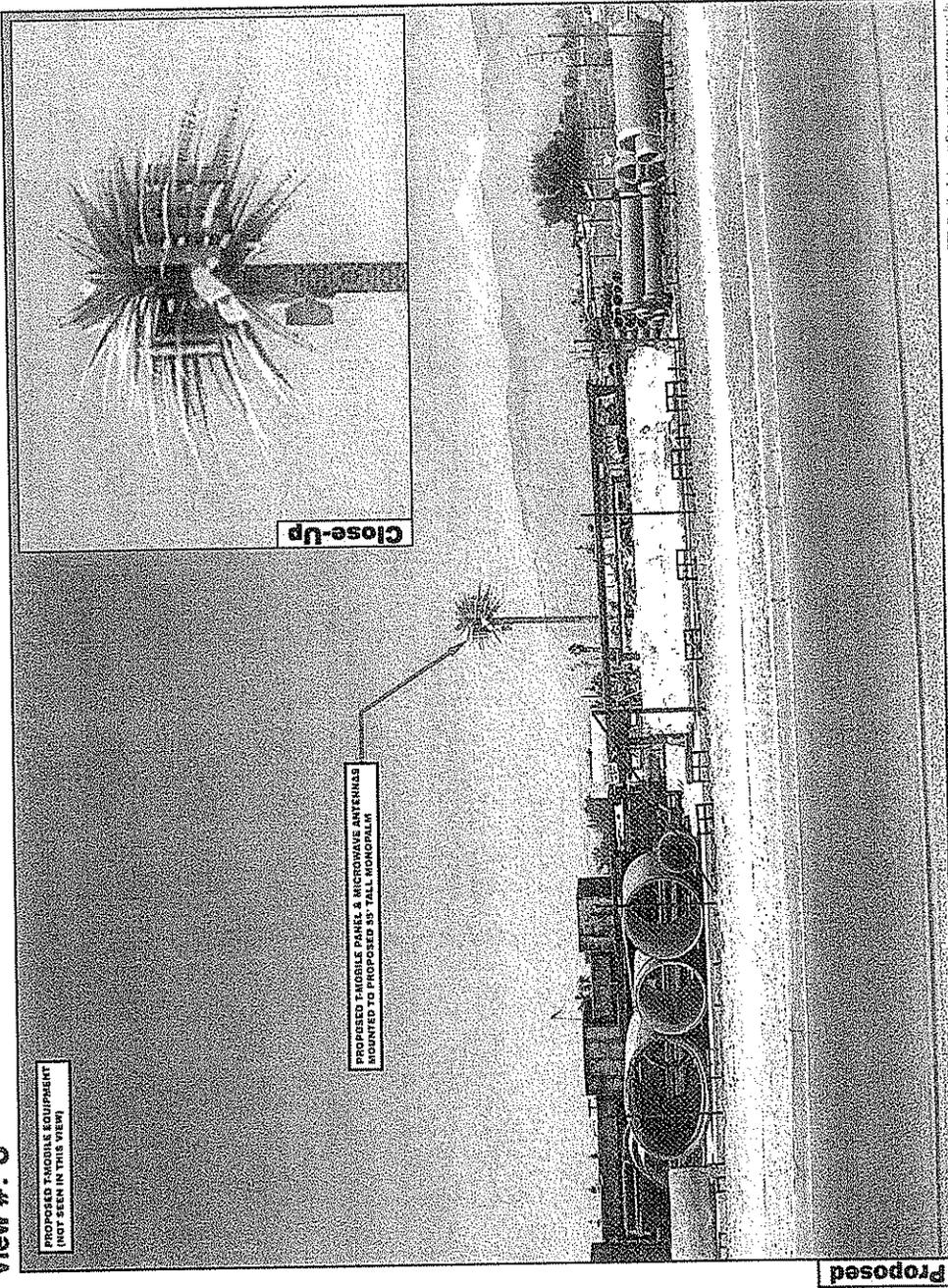
IE24296A

GENESIS
170 E. OAKLAND AVE.
HEMET, CA 92543

T-Mobile

September 10, 2010

View #: 3



The information above is a representation of the proposed project based on information provided by the client. Actual construction may vary depending on site conditions, construction methods, and other factors. The information is provided for informational purposes only and does not constitute a contract. The information is provided for informational purposes only and does not constitute a contract. The information is provided for informational purposes only and does not constitute a contract.

Prepared by: RLT
Approved by: RLT

RLT
Pacific Telecom Services, LLC
3100 E. Airport Blvd. Suite 200
Ontario, CA 91764

RLT: 2

T-Mobile IE
3257 E Guasti Rd, Suite 200
Ontario, CA 91761
Alexis Osborn - Phone: (949) 838-7313

Attachment

No. 7

Existing/Proposed Area of
Service

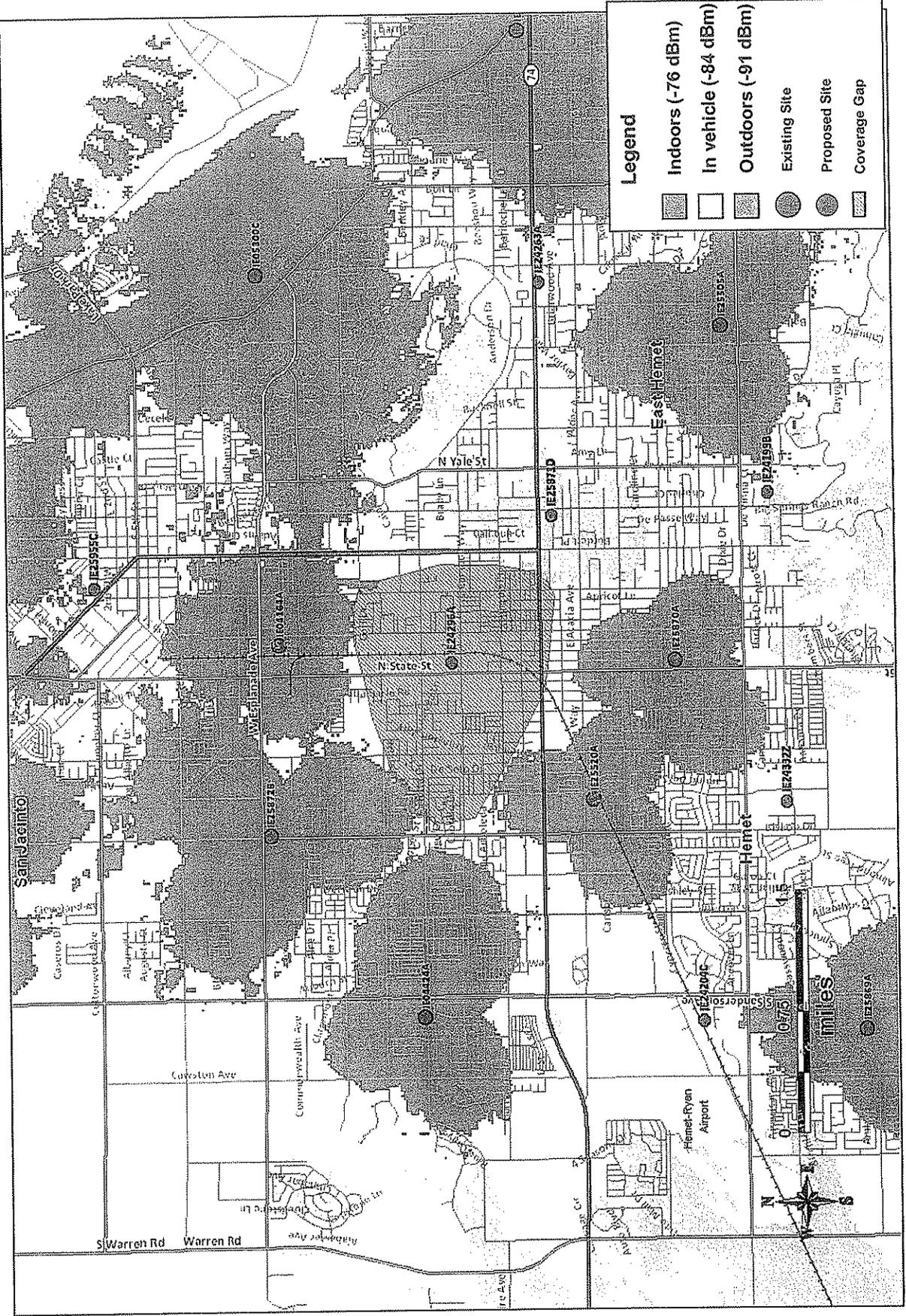
Planning Commission
Meeting of
January 18, 2011

Zoning RF Map Summary

IE24296A

Predicted Coverage without the Proposed Site

T-Mobile Site IE24296A

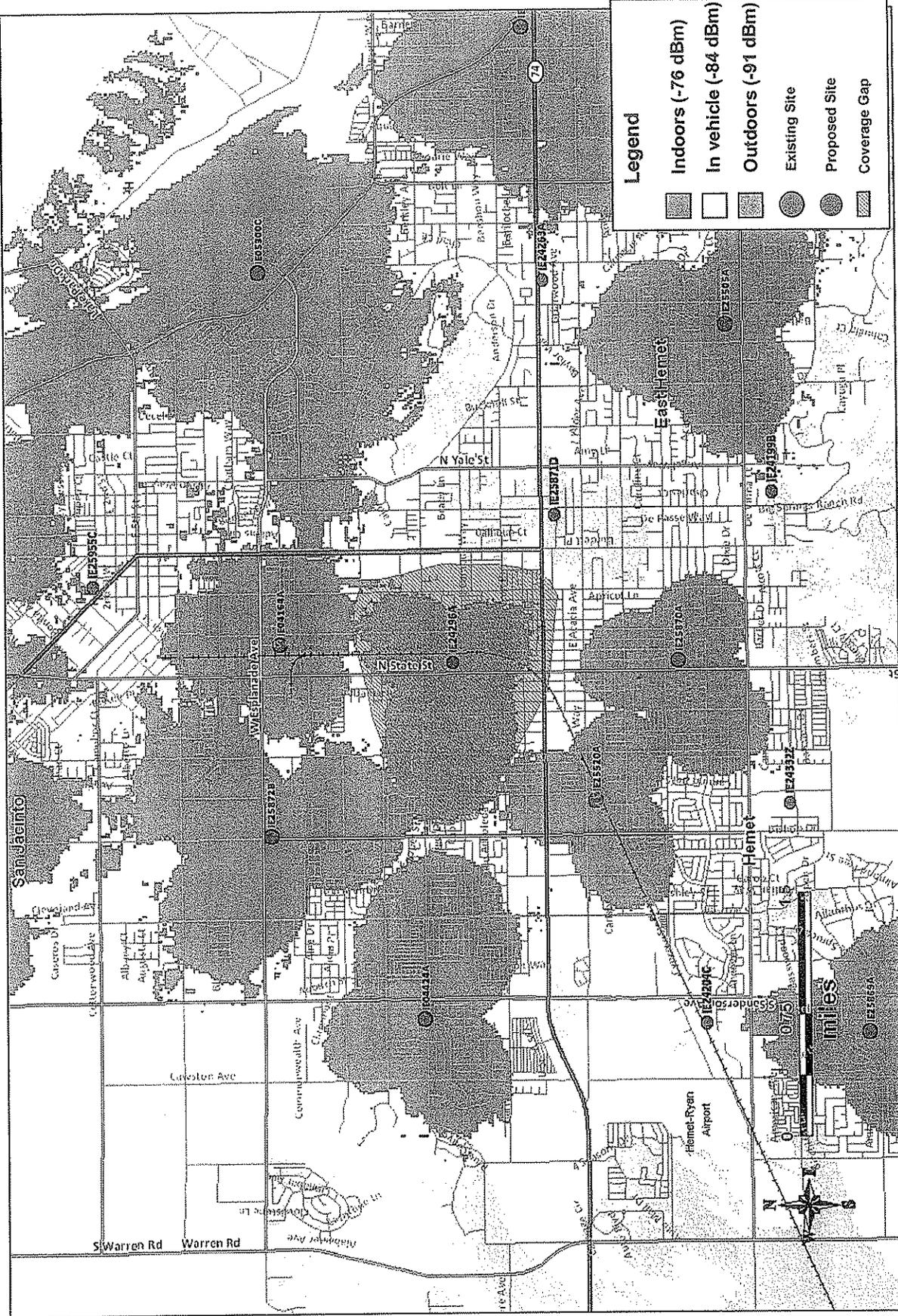


T-Mobile stick together™

Confidential and Proprietary Information of T-Mobile USA

Predicted Coverage with the Proposed Site

T-Mobile Site IE24296A

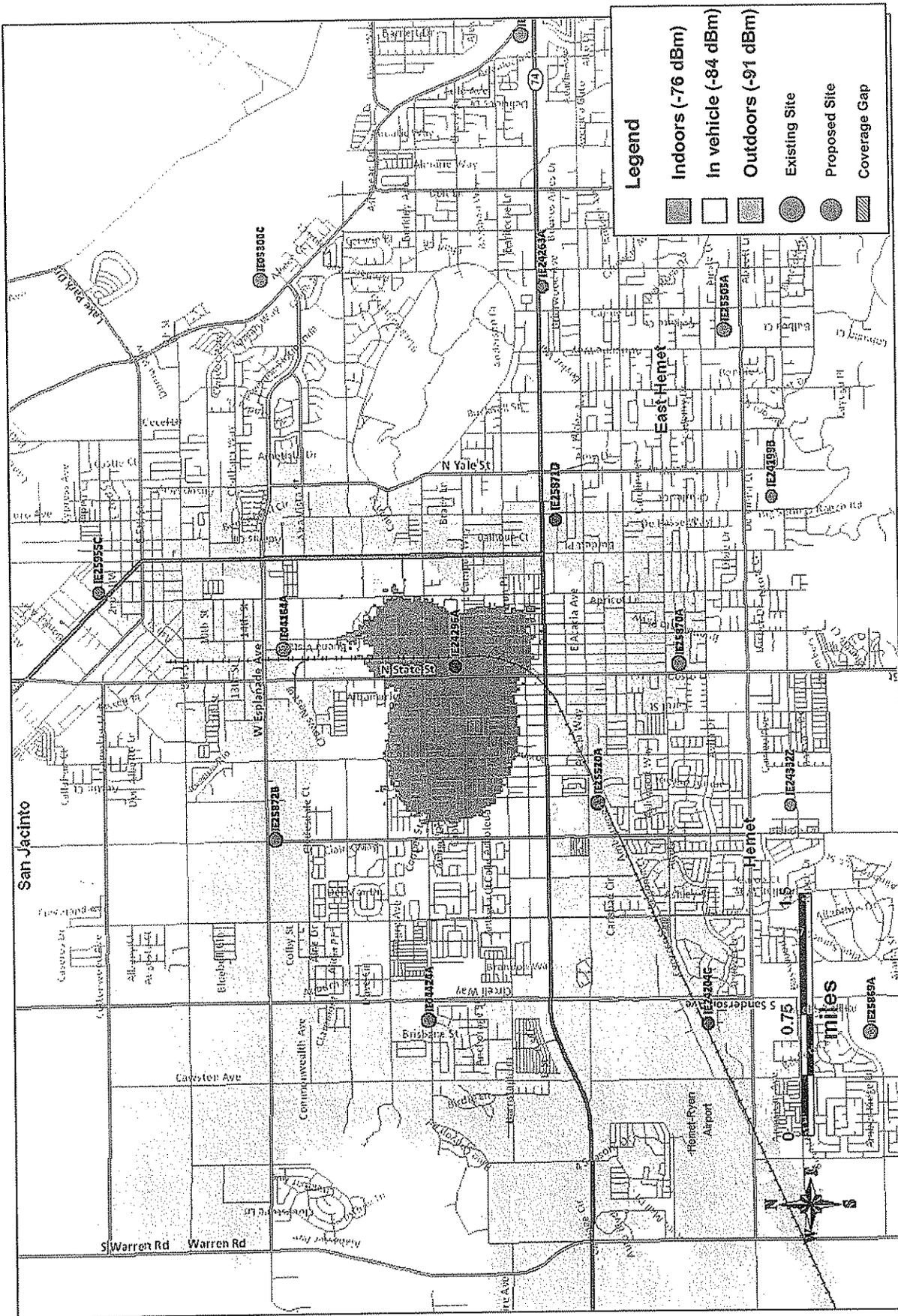


T-Mobile stick together™

Confidential and Proprietary Information of T-Mobile USA

Predicted Coverage with the Proposed Site Only

T-Mobile Site IE24296A



T-Mobile stick together™

Confidential and Proprietary Information of T-Mobile USA

**Attachment
No. 8
Letter of Justification**

**Planning Commission
Meeting of
January 18, 2011**

PACIFIC TELECOM SERVICES, LLC

Authorized Representative for:



Alexis Osborn
Wireless Development Specialist
3199 C Airport Loop Dr
Costa Mesa, CA 92626
949-838-7313 cellular
801-407-1634 fax
alex.imagine@gmail.com

T-Mobile Project Number: IE24296A
T-Mobile Project Name: Genesis Construction

City of Hemet
Application for a Conditional Use Permit

Project Information and Justification

T-Mobile West Corporation (T-Mobile) is requesting approval of a Conditional Use Permit application for the construction and operation of an unmanned wireless telecommunications facility (cell site), and presents the following project information for your consideration:

Project Location

Address: 170 East Oakland Ave
APN: 443-060-013, 014, 016
Zoning: C-2 Commercial

Project Representative

Alexis Osborn
Pacific Telecom Services, LLC
3199 C Airport Loop Dr
Costa Mesa, CA 92626
949-838-7313 cellular
801-407-1634 fax
alex.imagine@gmail.com

T-Mobile Contact

Linda Paul, Real Estate and Zoning Manager
3257 E. Guasti Rd. #200
Ontario, CA 91761
909-975-3698

City of Hemet - Planning
RECEIVED

SEP 01 2010

PROJECT NO.(S)
.....

Project Description

T-Mobile proposes to construct an unmanned wireless telecommunications facility consisting of a three (3) sector array with four (4) panel antennas per sector and a one (1) 2' diameter microwave dish to be mounted to a new 55' monopalm tree. The antennas will be disguised within the branches of the palm tree which will blend nicely with the many other palm trees in the near vicinity. The associated six (6) equipment cabinets will be installed on a concrete pad within a fenced area for security. Connections for power and telco will be determined at a later date. T-Mobile will work with the City and the community to install a state of the art stealth faux tree which will provide a benefit to the residents and visitors of the City of Hemet.

Project Objectives

There are several reasons why a wireless carrier requires the installation of a cell site within a specified area to close a "significant gap in coverage:"

- The radio signal must be of sufficient strength to achieve consistent, sustainable, and reliable service to customers at a *level sufficient for outdoor, in-vehicle, and in-building penetration with good voice quality* (Threshold, -76db).
- When nearby other sites become overloaded, and more enhanced voice and data services are used (3G and other high-speed data services) signal contracts and a gap is created. With heavy use it is intensified due to the unique properties of digital radio transmissions.

In this specific case, this location was selected because T-Mobile's radio-frequency engineers (RF) have identified a significant gap in coverage in the vicinity of Oakland Ave between State Street and North Santa Fe Drive and the surrounding community as demonstrated on the enclosed radio-signal propagation maps.

Alternative Site Analysis

The following locations were evaluated and the reasons why they were not selected for this project are addressed:

1. T-Mobile considered a new facility at the B & W building at 490 N State. This location was perfectly adequate for the T-Mobile network, but as the Genesis construction site is commercially zoned as well and was the preferred location for the radio frequency engineers, the current proposal is being submitted for approval.
2. T-Mobile also considered a new facility at the Lock and Safe located at 410 N State but it was determined that this new facility would be too close the existing AT&T facility based on the property owner's preferred location and T-Mobile did not want to risk interference with the existing AT&T site.

Findings/Burden of Proof

The site for the proposed use is adequate in size and shape.

T-Mobile is proposing a monopalm design for this project which is considered a stealth design in accordance with the City of Hemet municipal code. The requested height of the monopalm design is the minimum height needed in order to fill the significant gap in coverage for this project. T-Mobile uses the most advanced technology and design when constructing the monopalm so as to blend the facility with the surrounding community and landscaping and thereby minimizing the visual impact of the site.

The proposed location has sufficient access to streets and highways that are adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use.

The project is proposed within a construction site. There are adequate access routes directly to the proposed facility. All the roadways and access ways within the facility are in compliance with local, state and federal regulations concerning width and pavement.

The proposed use will not have an adverse effect upon adjacent or abutting properties.

The project is proposed within a commercial zone and will not have an adverse effect upon adjacent or abutting properties as it is a stealth design that will blend naturally with the subject property and the surrounding community. The project will provide a public benefit of better wireless telecommunications and data services to the surrounding neighborhoods and community.

The proposed use is deemed essential and desirable to the public convenience or welfare.

The new wireless telecommunications facility is in high demand to the residents and visitors of the City of Hemet. Wireless communications are vastly used in this area and the need for this site was established entirely from increased usage of T-Mobile services in the vicinity of the requested project.

GENERAL INFORMATION

Site Selection

Customer demand drives the need for new cell sites. Data relating to incomplete and dropped calls is gathered, drive-tests are conducted, and scientific modeling using sophisticated software is evaluated. Once the area requiring a new site is identified, a target ring on a map is provided to a real estate professional to begin a search for a suitable location.

During an initial reconnaissance, properties for consideration for the installation of a cell site must be located in the general vicinity of the ring, with an appropriate zoning designation, and appear to have enough space to accommodate an antenna structure and the supporting radio equipment. The size of this space will vary depending on the objective of the site. The owners of each prospective location are notified to assess their interest in partnering with T-Mobile.

Four key elements are considered in the selection process:

- Leasing: The property must have an owner who is willing to enter into a long-term lease agreement under very specific terms and conditions.
- Zoning: It must be suitably zoned in accordance with local land-use codes to allow for a successful permitting process.
- Construction: Construction constraints and costs must be reasonable from a business perspective, and the proposed project must be capable of being constructed in accordance with local building codes and safety standards.
- RF: It must be strategically located to be able to achieve the RF engineer's objective to close the significant gap with antennas at a height to clear nearby obstructions.

The Benefits to the Community

Approximately 90-percent of American adults subscribe to cell phone service. People of all ages rely increasingly on their cell phones to talk, text, send media, and search the Internet for both personal and business reasons. More and more, they are doing these things in their homes, therefore, becoming reliant on adequate service within residential neighborhoods. In fact, 50-percent of people relocating are not signing up for landline service at their new location and are using their cell phone as their primary communication method.

The installation and operation of the proposed facility will offer improved:

- Communications for local, state, and federal emergency services providers, such as police, fire, paramedics, and other first-responders.
- Personal safety and security for community members in an emergency, or when there is an urgent need to reach family members or friends. Safety is the primary reason parents provide cell phones to their children. Currently 25% of all preteens, ages 9 to 12, and 75% of all teens, aged 13 to 19, have cell phones.
- Capability of local businesses to better serve their customers.
- Opportunity for a city or county to attract businesses to their community for greater economic development.
- Enhanced 911 Services (E911) – The FCC mandates that all cell sites have location capability. Effective site geometry within the overall network is needed to achieve accurate location information for mobile users through triangulation with active cell sites. (Over half of all 911 calls are made using mobile phones.)

Safety – RF is Radio

The FCC regulates RF emissions to ensure public safety. Standards have been set based on peer-reviewed scientific studies and recommendations from a variety of oversight organizations, including the National Council on Radiation Protection and Measurements (NCRP), American National Standards Institute (ANSI), Institute of Electrical and Electronics Engineers (IEEE), Environmental Protection Agency (EPA), Federal Drug Administration (FDA), Occupational Safety and Health Administration (OSHA), and National Institute for Occupational Safety and Health (NIOSH).

Although the purview of the public safety of RF emissions by the FCC was established by the Telecommunications Act of 1996, these standards remain under constant scrutiny. All T-Mobile cell sites operate well below these standards, and the typical urban cell site operates hundreds or even thousands of times below the FCC's limits for safe exposure.

T-Mobile Company Information

T-Mobile is one of the fastest growing nationwide service providers offering all digital voice, messaging and high-speed data services to nearly 30 million customers in the United States.

T-Mobile is a "telephone corporation", licensed by the Federal Communications Commission (FCC) to operate in the 1950.2-1964.8, 1965.2-1969.8 MHz and 1870.2-1884.8-1889.8 MHz frequencies, and a state-regulated Public Utility subject to the California Public Utilities Commission (CPUC). The CPUC has established that the term "telephone corporation" can be extended to wireless carriers, even though they transmit signals without the use of telephone lines.

T-Mobile will operate this facility in full compliance with the regulations and licensing requirements of the FCC, Federal Aviation Administration (FAA) and the CPUC, as governed by the Telecommunications Act of 1996, and other applicable laws.

The enclosed application is presented for your consideration. T-Mobile requests a favorable determination and approval of this Conditional Use Permit application to build the proposed facility. Please contact me at 949-838-7313 or alex.imagine@gmail.com for any questions or requests for additional information.

Respectfully submitted,

Alexis Osborn, Pacific Telecom Services, LLC
Authorized Agent for T-Mobile

Authorized Representative for:



Alexis Osborn
Wireless Development Specialist
3199 C Airport Loop Dr
Costa Mesa, CA 92626
949-838-7313 cellular
801-407-1634 fax
alex.imagine@gmail.com

T-Mobile Project Number: IE24296A
T-Mobile Project Name: Genesis Construction
Project Location: 170 E Oakland Ave

City of Hemet
Conditional Use Permit No. 10-010

Alternative Site Analysis

1. T-Mobile considered a new facility at the B & W building at 490 N State. This location was perfectly adequate for the T-Mobile network, but as the Genesis construction site is commercially zoned as well and was the preferred location for the radio frequency engineers, the current proposal is being submitted for approval.
2. T-Mobile also considered a new facility at the Lock and Safe located at 410 N State but it was determined that this new facility would be too close the existing AT&T facility based on the property owner's preferred location and T-Mobile did not want to risk interference with the existing AT&T site.
3. T-Mobile also considered a new facility at the Rent Smart Building located at 450 N State but it was determined that this new facility would be too close the existing AT&T facility based on the property owner's preferred location and T-Mobile did not want to risk interference with the existing AT&T site.
4. T-Mobile also considered a new facility at the Office building located at 736 N State. It was determined that the roofline of this building was too low to fulfill the coverage gap and not enough ground space was available for a new stealth facility.
5. T-Mobile also considered a collocated facility on the lattice tower at the County of Riverside Superior Court. The Superior Court did not return any voice messages or e-mails regarding leasing space to T-Mobile for a facility.
6. T-Mobile also considered a new facility at the Rancho Vet Track and Feed located at 340 E Menlo Ave. The owners of the property were not interested in leasing space to T-Mobile for a facility.
7. T-Mobile also considered a new facility and the U-Haul located at 380 North State. It was determined by T-Mobile Radio Frequency engineers that the Genesis Construction location would be a significantly better location to fill the gap in coverage it was attempting to fill.

Attachment

No. 9

Existing Telecommunications Facilities Map

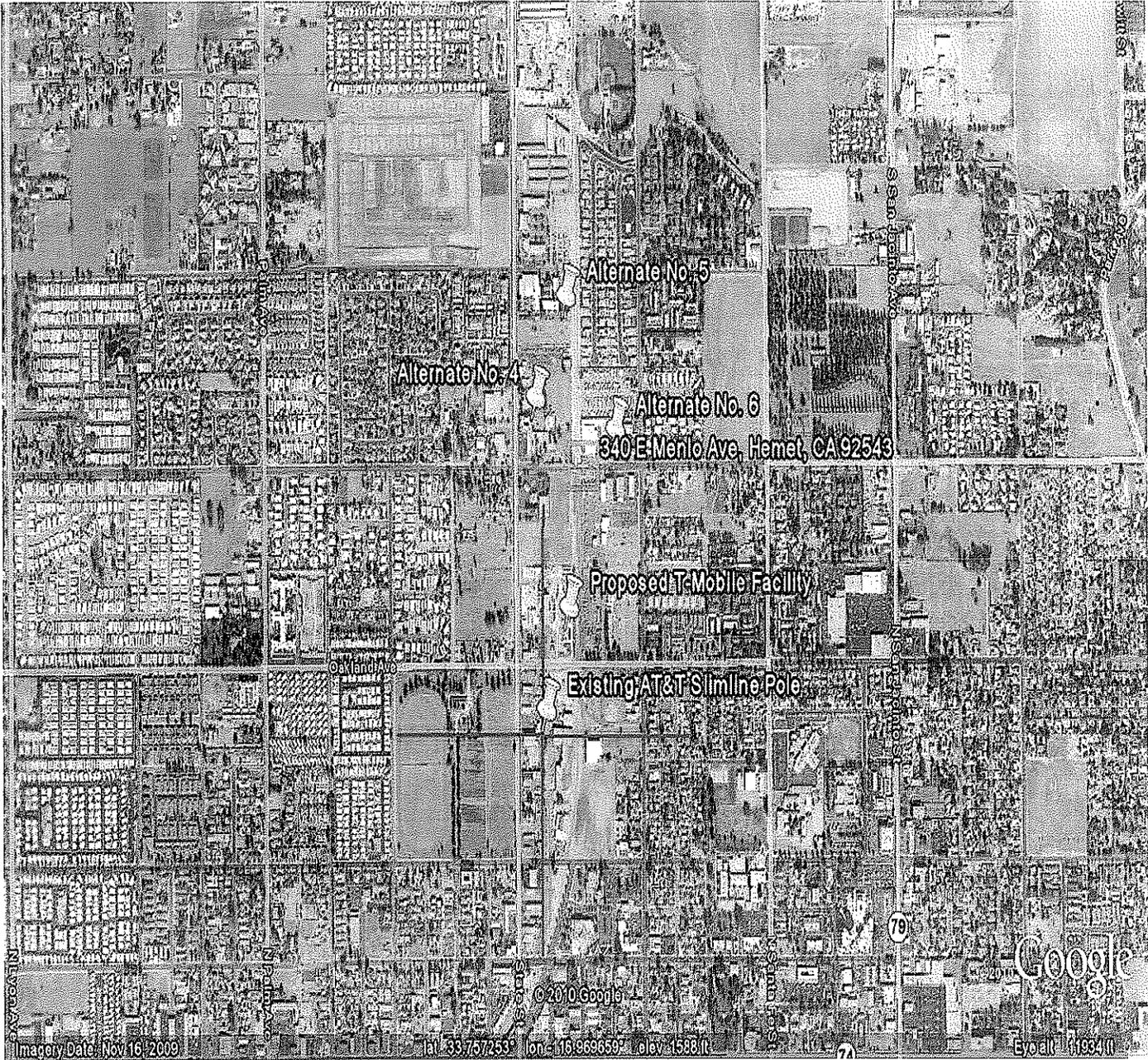
Planning Commission
Meeting of
January 18, 2011

Attachment

No. 10

**Alternative Site Location
Map**

**Planning Commission
Meeting of
January 18, 2011**



Alternate No. 4

Alternate No. 5

Alternate No. 6
340 E Main Ave, Hemet, CA 92543

Proposed T-Mobile Facility

Existing AT&T Slimline Pole

Imagery Date: Nov 16, 2009

lat: 33.757253 lon: -116.969659 elev: 1588 ft

© 2010 Google

Google

79

Evpat 11964 (1)

Attachment

No. 11

Cell Block Information

Planning Commission

Meeting of

January 18, 2011

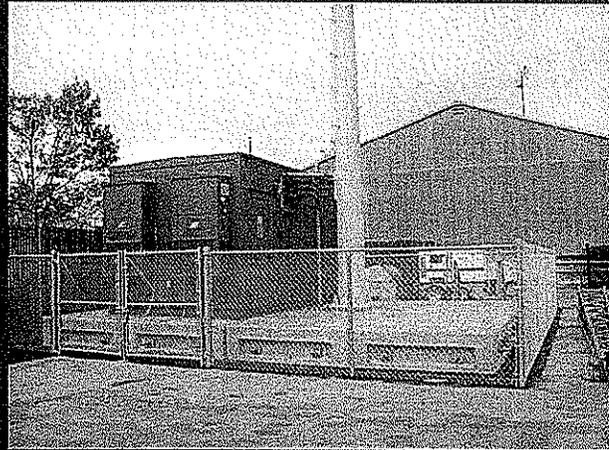
INTRODUCTION

Cell Blocks[®] are a precast foundation system originally designed specifically for the wireless communications industry.

Cell Blocks[®] foundations are *not* a design concept.

Nearly 100 sites have been constructed

Cell Block customers include ALLTEL, Air Cell, Cricket, MetroPCS, Verizon, Sprint /Nextel, T—Mobile and the U.S. Military.



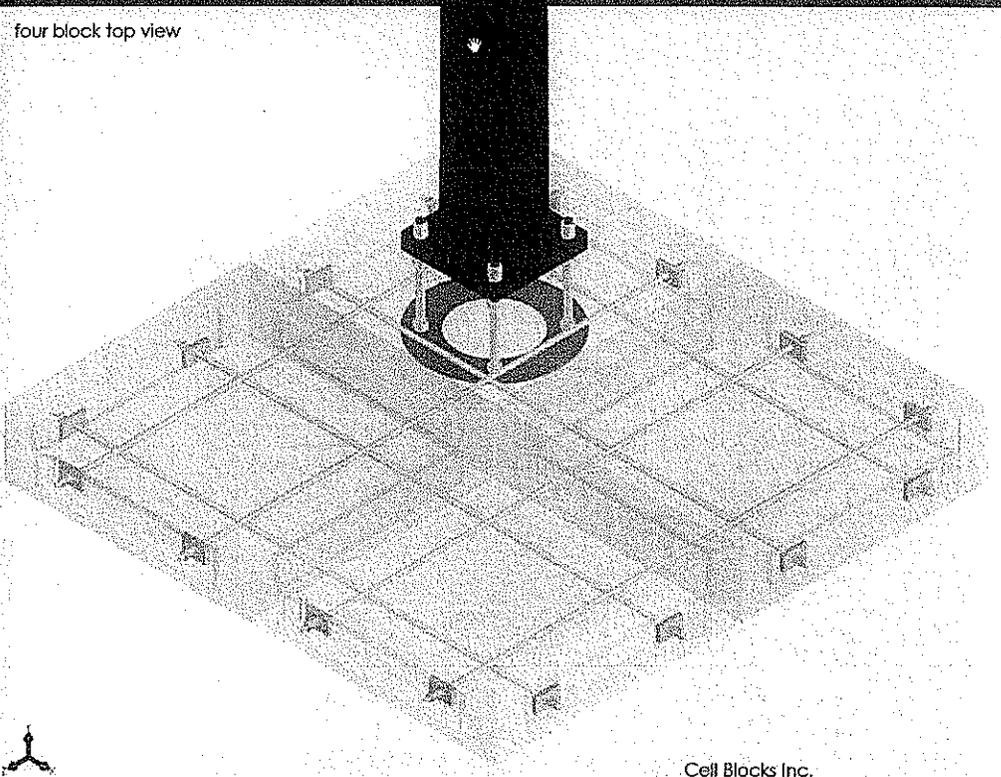
What are Cell Blocks?

Cell Blocks are an engineered foundation made from individual precast concrete blocks. The Blocks are assembled in various configurations and post-tensioned providing a foundation for a monopole, lattice and equipment or shelter.

The precast concrete Blocks have interlocking keys cast into their vertical faces. Conduits are cast into the Blocks allowing post tensioning bars to be inserted horizontally in both directions.

Anchor bolts are cast into a "pole" Block to support a monopole or lattice tower

four block top view



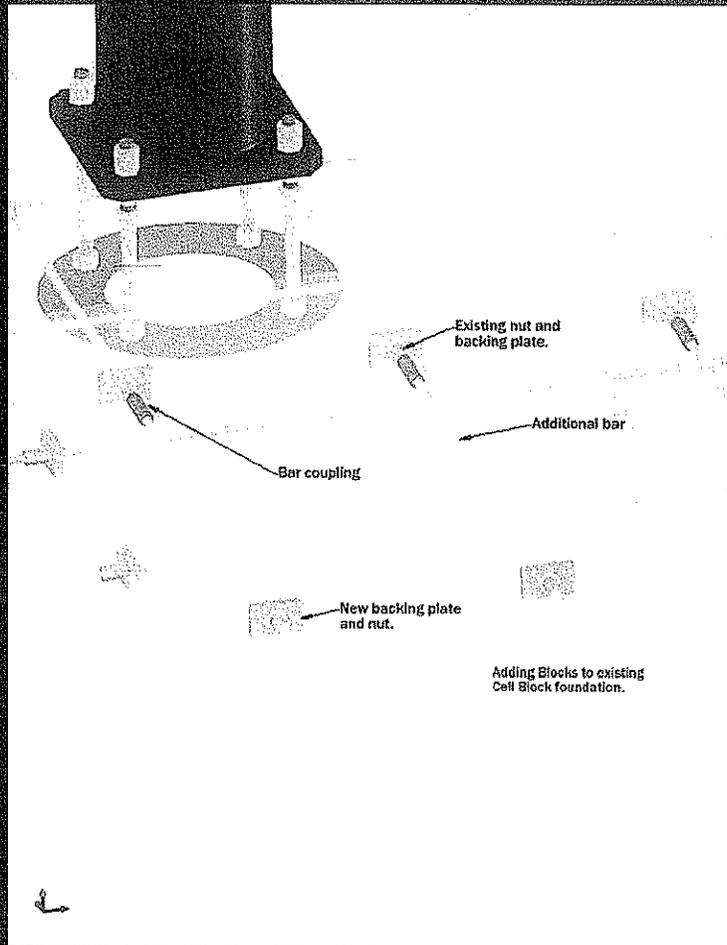
Cell Blocks Inc.

Cell Block foundations are expandable and easily remove and reused

Cell Block sites are expandable!!
Additional Blocks can be added to an existing Cell Block foundation increasing load capacity and footprint.

No matter what future requirements are, an existing Cell Block foundation can be increased in size and capacity to support additional equipment or pole capacity. Typically modification of the existing foundation takes one or two days with minimal disruption to the surrounding community.

Cell Block foundations are easily de-tensioned and reused on a different site.



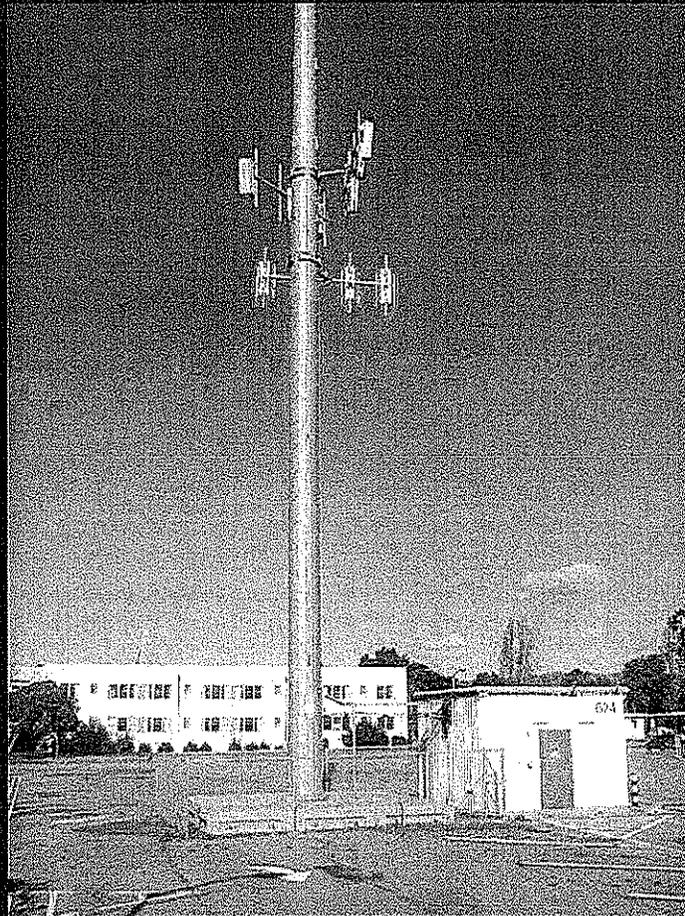
Cell Blocks are commonly used as a Non- penetrating foundation

Cell Blocks can be used as a non-penetrating foundation.

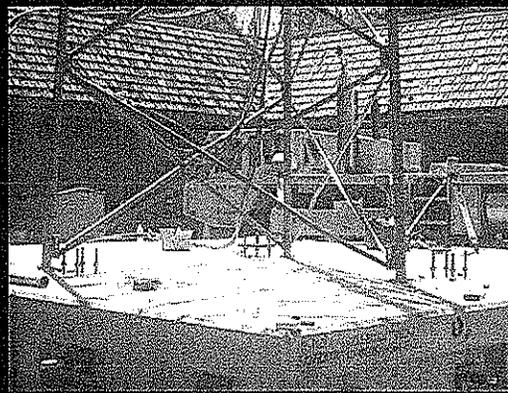
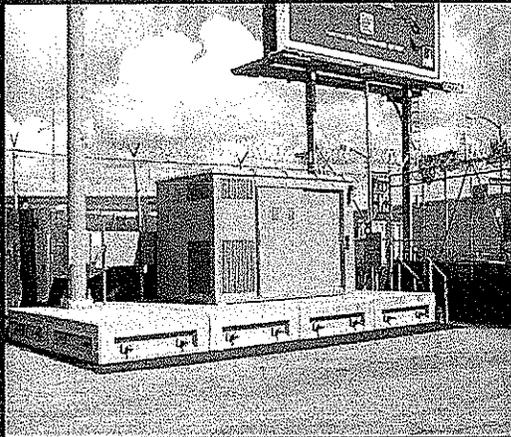
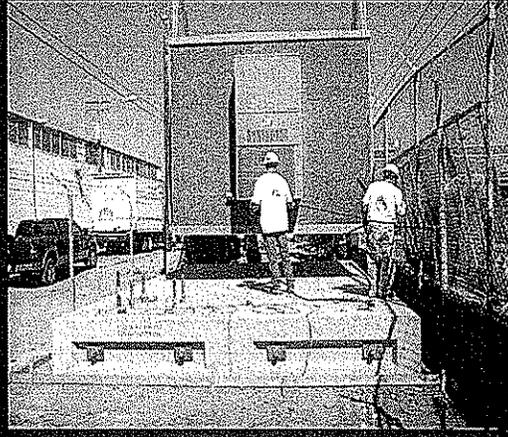
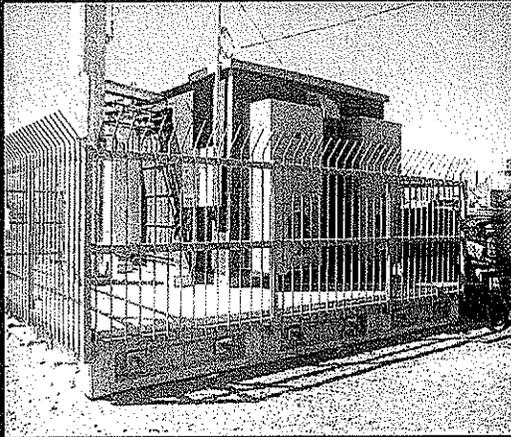
Our blocks can be used on contaminated / industrial sites increasing potential zoning opportunities.

Cell Blocks currently has sites on auto wrecking yards, landfills, areas with methane gas even an former navel base.

Cell Block foundations can be installed in areas where rock, difficult access or other constraints prevent the use of a conventional foundation.



Typical Deployments – Contaminated sensitive sites



© 2005

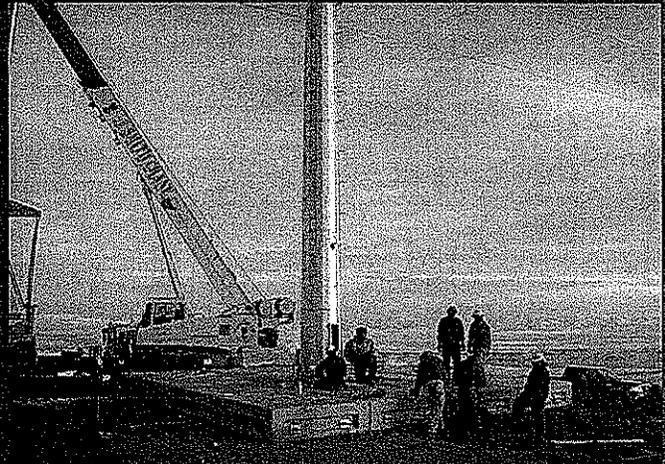
www.oldcastlecomm.com

Cell Blocks® are a rapid-deployment alternative for site-built foundations.

Cell Blocks® are ideal for use on environmentally sensitive, contaminated and archeologically important sites.

Cell Blocks® have rapidly become the preferred solution for development of problematic sites.

At remote/rugged sites Cell Blocks® not only offer a preferred logistical solution, they are virtually without exception the most cost-effective construction methodology.

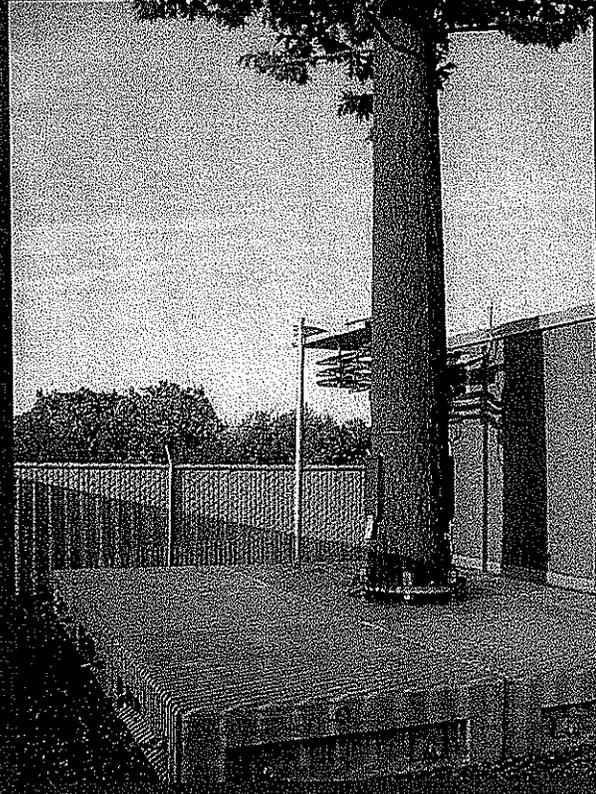


SITE DEVELOPMENT

Cell Blocks® precast foundations expedite site development and allow acquisition of sites once thought not viable:

- Minimal excavation requirements allow deployment at contaminated or environmentally/archaeologically sensitive sites
- Ideal for remote sites with limited access for concrete trucks and drilling rigs
- Rapid deployment minimizes inconvenience to landlord and neighbors
- Designed for permanent installation, but can be permitted as a temporary site for future disassembly and redeployment
- The green solution for site remediation

Typical Deployments – Monopalm/Monopine



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www.oldcastlecomm.com