

# PLANNING COMMISSION

## AGENDA

### REGULAR MEETING OF THE HEMET PLANNING COMMISSION

City Council Chambers

450 East Latham Avenue, Hemet CA 92543

August 16, 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:** Chairman John Gifford, Vice Chairman Sharon Deuber, and Commissioners Vince Overmyer, David Rogers and Chauncey Thompson.

**Invocation and Flag Salute:** Vice Chairman Deuber

#### 2. APPROVAL OF MINUTES:

A. Minutes for the Planning Commission Meeting of July 19, 2011

#### 3. APPOINTMENT OF COMMISSIONER OVERMYER AS PLANNING COMMISSION LIASION TO THE TRAFFIC & PARKING 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.*

## PUBLIC HEARINGS

### 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

### **5. SPECIFIC PLAN AMENDMENT NO. 06-001 & ENVIRONMENTAL ASSESSMENT NO. 06-019 (Tres Cerritos East) – (Continued from 7/19/11)**

**OWNERS:** Signal Family Hemet, LLC; Omni Financial, LLC; and MJ&M, LLC

**APPLICANT:** David Leonard

**LOCATION:** Northwest corner of Cawston and Devonshire Avenues  
(APN: 448-100-001 thru 018 and 448-110-001 thru 022)

**PLANNER:** Ron Running – (951) 765-2375

**DESCRIPTION:** A request for Planning Commission review and recommendation to the City Council regarding a proposed amendment to the Hemet Valley Country Club Estates Specific Plan (SP 90-009) modifying the eastern 146 acres adding 221 residential units to the existing Specific Plan, for a total of 931 dwelling units, allocating the dwelling units in various density categories, providing for public and private park sites and trails, and the addition of a 16.9 acre site, with readoption as the Tres Cerritos Specific Plan 90-009, along with an Environmental Impact Report for the proposed changes.

### Recommended Actions:

1. **Adopt Planning Commission Resolution Bill No. 11-001**, entitled: “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEMET, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT (SCH NO. 2006071002) AND ADOPT A STATEMENT OF OVERRIDING CONSIDERATIONS, A MITIGATION MONITORING PROGRAM, AND STATEMENT OF FACTS AND FINDINGS FOR THE TRES CERRITOS EAST PROJECT (SPA 06-001).”
2. **Adopt Planning Commission Resolution Bill No. 11-002**, entitled: “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEMET, CALIFORNIA, RECOMMENDING APPROVAL TO THE CITY COUNCIL OF SPECIFIC PLAN AMENDMENT NO. 06-001 AMENDING THE EASTERN 162.8 ACRE PORTION OF THE HEMET VALLEY COUNTRY CLUB ESTATES SPECIFIC PLAN (SP 90-009) LOCATED ON THE NORTHWEST CORNER OF CAWSTON AVENUE AND DEVONSHIRE AVENUE AND CAWSTON AVENUE (APN 448-100-001, et. al.)”

## DEPARTMENT REPORTS

6. **COMMUNITY DEVELOPMENT DIRECTOR REPORTS:**
  - A. Report on City Council actions from the July 26<sup>th</sup> and August 9<sup>th</sup> meetings
  - B. Upcoming events and informational items – MMD Update
  - C. Cancellation of September 6, 2011 meeting
  - D. Planning Commission Workshop – August 19, 2011
  - E. Redevelopment Agency Status
  - F. Community Development Department Update
  
7. **CITY ATTORNEY REPORTS:** *Verbal reports from Assistant City Attorney Tom Jex on items of interest to the Planning Commission*
  
8. **PLANNING COMMISSIONER REPORTS:** *Commissioner reports on meetings attended or other matters of Planning interest*
  - A. Chairman Gifford
  - B. Vice Chairman Deuber
  - C. Commissioner Overmyer
  - D. Commissioner Rogers
  - E. Commissioner Thompson
  
9. **FUTURE AGENDA ITEMS:** *Items to be scheduled for upcoming Planning Commission Meetings*
  - A. Report on “Human Signs” and other temporary signage in the City
  - B. Zoning Ordinance Amendment for Special Housing Classifications
  - C. Comprehensive General Plan Update & Draft EIR
  - D. Status report on Hemet ROCS
  - E. Status report on foreclosure activity
  - F. Downtown Façade Improvements
  - G. Medi-City Project Status Report
  - H. Report on Industrial Development Opportunities
  
10. **ADJOURNMENT:** To the regular meeting of the City of Hemet Planning Commission scheduled for **September 20, 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).

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*PLANNING*  *COMMISSION*

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MEETING MINUTES

DATE: July 19, 2011

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 John Gifford, Vice Chairman Sharon Deuber, and Commissioners Vince Overmyer, David Rogers and Chauncey Thompson

ABSENT: None

Invocation and Flag Salute: Chairman John Gifford

2. APPROVAL OF MINUTES:

A. Minutes for the Planning Commission Meeting of May 17, 2011

Chairman Gifford opened the public hearing for a question from Diane Norberg (4092 Via Barcelona, Hemet), concerning e-mails received before the June meeting being part of the minutes.

City Attorney Jex, Chairman Gifford and CDD Elliano explained that they are automatically part of the record and sent on to the City Council, but not necessarily appended to the minutes.

It was **MOVED** by Vice Chair Deuber and **SECONDED** by Commissioner Thompson to approve the May 17, 2011 minutes, with the following changes:

1. Change spelling on page 1, line 42 from Chancey Thompson to Chauncey
2. Change spelling on page 6 from Isa to Issa
3. Change page 4, line 6, to a site visit but no meeting with applicant for Commissioner Overmyer

AYES: Chairman Gifford, Vice Chairman Deuber and Commissioners Overmyer, Rogers and Thompson

NOES: None

ABSTAIN: None

ABSENT: None

1 B. Minutes for the Planning Commission Meeting of June 21, 2011

2  
3 It was **MOVED** by Commissioner Overmyer and **SECONDED** by Vice Chair Deuber to  
4 approve the June 21, 2011 minutes, with the following changes:

- 5  
6 1. Change street name on page 12, line 21, from Devonshire to Menlo.  
7 2. Change verbiage on page 9, line 20, to read "dropped by 20 to 30 units"

8  
9 **AYES:** Chairman Gifford, Vice Chairman Deuber, and Commissioners overmyer  
10 and Thompson

11 **NOES:** None

12 **ABSTAIN:** Commissioner Rogers

13 **ABSENT:** None

14  
15  
16 **3. PUBLIC COMMENTS:** None

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18  
19 **PUBLIC HEARINGS**

20  
21  
22 **4. SPECIFIC PLAN AMENDMENT NO. 06-001 & ENVIRONMENTAL**  
23 **ASSESSMENT NO. 06-019 (Tres Cerritos East) – Continued from June 21,**  
24 **2011**

25  
26  
27 **OWNERS:** Signal Family Hemet, LLC; Omni Financial, LLC; and MJ&J,  
28 LLC

29 **AGENT:** Mel Mercado

30 **LOCATION:** Northwest corner of Cawston and Devonshire Avenues  
31 (APN: 448-100-001 thru 018 and 448-110-001 thru 022)

32 **PLANNER:** Ron Running – (951) 765-2375

33 **DESCRIPTION:** A request for Planning Commission review and  
34 recommendation to the City Council regarding a proposed amendment to the  
35 Hemet Valley Country Club Estates Specific Plan (SP 90-009) modifying the  
36 eastern 146 acres adding 221 residential units to the existing Specific Plan, for a  
37 total of 931 dwelling units, allocating the dwelling units in various density  
38 categories, providing for public and private park sites and trails, and the addition  
39 of a 16.9 acre site, with readoption as the Tres Cerritos Specific Plan 90-009,  
40 along with an Environmental Impact Report for the proposed changes.

41  
42 Planner Running reported that there had been meetings between staff members, the  
43 Commission and representatives of Tres Cerritos East and the nearby Peppertree  
44 development. All are requesting additional time for modifications and to examine  
45 details of the interface, and were therefore asking for a continuance to the August 16,  
46 2011 meeting. He noted that staff had received a letter, with photographs, dated July  
47 16, 2011 from Diane Norberg, which was also delivered to the Commission, reiterating  
48 her concerns noted previously.

49  
50 Chairman Gifford opened the public hearing, inviting Gene Hikel to the lectern.

1 Gene Hikel (8405 Singh Court, Hemet), chairman of the Four Seasons Community  
2 Awareness Committee, indicated that their committee was in support of the  
3 continuance, but expected a decrease in density, a change in their product types, a  
4 provision of more amenities (such as a larger park, a school site, and a larger  
5 clubhouse), an enlarging of the existing retention basin along Cawston Avenue, and  
6 major infrastructure realignments. He requested that the Commission deny the project  
7 if these changes were not instituted and if the developer could not embrace the vision  
8 of the general plan.

9  
10 Diane Norberg (4092 Via Barcelona, Hemet) suggested a compromise, asking the  
11 developer to build only upscale single-story homes on approximately half-acre lots, add  
12 a 10-acre park, another storm runoff basin and a school. Her first choice, however,  
13 would be the "no project" alternative No. 2.

14  
15 Jim Crase (388 Casper Drive, Hemet), Four Seasons Community Awareness  
16 Committee member, stated that he wished to be proud of living in Hemet and  
17 expressed his support of the comments of Gene Hikel.

18  
19 When Chair Gifford asked for comments from the Commission, Commissioner  
20 Thompson stated that he had met with the applicants. He noted that it was a learning  
21 experience for him, but that he felt the applicants were given good direction. He  
22 agreed with the continuance.

23  
24 Vice Chair Deuber elected to reserve her comments to the date of the continuance.

25  
26 Chairman Gifford stated that he had met individually with the applicant, Martin Boone,  
27 as well as planning staff, to give further direction to the applicant regarding what the  
28 Commission felt they should be doing with the project.

29  
30 Vice Chairman Deuber asked for clarification of the specific plan number and the  
31 environmental assessment numbers, and then made the following motion:

32  
33 It was **MOVED** by Vice Chair Deuber and **SECONDED** by Commissioner Overmyer to  
34 **CONTINUE** the public hearing of Specific Plan 06-001, Tres Cerritos East, and  
35 Environmental Assessment 06-019 to the August 16th, 2011 Planning Commission  
36 meeting.

37  
38 The **MOTION** was carried by the following vote:

39  
40 AYES: Chairman Gifford, Vice Chairman Deuber, and Commissioners David  
41 Overmyer, Rogers and Thompson  
42 NOES: None  
43 ABSTAIN: None  
44 ABSENT: None  
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1 **5. AMENDMENT TO DEVELOPMENT AGREEMENT NO. 03-001 FOR STONEY**  
2 **MOUNTAIN RANCH TRACT 29129**  
3

4 **APPLICANT:** Jeffrey MDM Partners VI, LLC  
5 **AGENT:** Jeffrey Holbrook, Jeffrey MDM Partners VI, LLC  
6 **LOCATION:** South side of Esplanade Avenue, 844+/- feet east of Warren  
7 Road  
8 **PLANNER:** Ron Running – (951) 765-2375  
9 **DESCRIPTION:** A proposed amendment to the existing development  
10 agreement extending the time period between the City of Hemet and Jeffrey  
11 MDM Partners VI, LLC for the construction of single-family residential homes in  
12 the Stoney Mountain Ranch Tract 29129.  
13

14 Planner Running presented the staff report, and Chairman Gifford asked for questions  
15 from Commissioners.  
16

17 Commissioner Rogers asked why an eight year extension was being proposed.  
18

19 Planner Running explained that it would give a total of 15 years to the development  
20 agreement, which would hopefully be enough time with the current economy. He noted  
21 that the remaining phases were not recorded and that staff had received several phone  
22 calls from people who had been public-noticed for the amendment.  
23

24 Chairman Gifford asked if this was just an extension of time, with no real changes to  
25 the project, to which Planner Running responded that there were no changes to the  
26 layout of the tract.  
27

28 Vice Chairman Deuber asked about the light signal at Warren Road and Esplanade  
29 Avenue.  
30

31 Planner Running responded that the light would be installed, but it would be part of the  
32 TUMF program. Since it wasn't a required traffic mitigation, he explained, it would be  
33 based possibly on the improvement of Warren Road.  
34

35 CDD Elliano further explained that the developer had already paid over \$500,000, so  
36 the city had those monies in their traffic signal funds for that intersection. The hold-up  
37 has been the design considerations for Highway 79 and Warren Road, which are very  
38 complex. It would be the city working with the RCTC and the City of San Jacinto.  
39

40 Chairman Gifford opened the public hearing and invited the applicant to speak.  
41

42 Jeff Holbrook, Jeffrey MDM Partners (27201 Puerta Real, Ste. 140, Mission Viejo,  
43 92691) approached the lectern as the project applicant and advised the Commission  
44 that he had previously paid \$537,000 eight years ago, which was at that time going to  
45 exempt him from the payment of TUMF fees. Riverside County has since gone back  
46 up to 100 percent mitigation of the TUMF fees, so it is probably a \$10,000 per house  
47 fee that he will now have to pay. Therefore, he wished for the Council to consider a  
48 possible refund, rather than a credit.  
49  
50

1 CDD Elliano instructed the Commission that staff's position from the City Manager's  
2 office has been in favor of the prorated credit versus reimbursement, but the Council  
3 would be the appropriate party to consider the request.  
4

5 Mr. Holbrook commented that he would love to get the 91 homes built as soon as  
6 possible, along with the WinCo shopping center and the 35 acres behind it so he can  
7 start freeing up some of the capital that had been committed a decade ago.  
8

9 Gene Hikel (8405 Singh Court, Hemet) applauded Mr. Holbrook on his project, as did  
10 Chairman Gifford, Vice Chair Deuber and Commissioner Rogers.

11 It was **MOVED** by Commissioner Overmyer and **SECONDED** by Commissioner Rogers  
12 to adopt Planning Commission Resolution No. 11-015, recommending approval to the  
13 City Council of the amendment to Development Agreement No. 03-001 for Tentative  
14 Tract Map No. 29129 – Stoney Mountain Ranch, as presented.  
15

16 AYES: Chairman Gifford, Vice Sharon Deuber, and Commissioners Overmyer,  
17 Rogers and Thompson

18 NOES: None

19 ABSTAIN: None

20 ABSENT: None  
21

22 *(Adopted Planning Commission Resolution No. 11-012.)*  
23  
24

## DEPARTMENT REPORTS

### 6. COMMUNITY DEVELOPMENT DIRECTOR REPORTS:

#### A. Report on City Council actions from the June 28th and July 12th meetings

34 CDD Elliano advised that there were no reportable items of planning interest at the  
35 June 28th meeting.  
36

37 Moving on to the July 12<sup>th</sup> meeting, CDD Elliano reported to the Commission regarding  
38 the proposed adaptive reuse of the Albertson's grocery store within the Palm Plaza  
39 shopping center located on the southeast corner of Palm and Florida Avenues. She  
40 advised the Commission that the Riverside County Mental Health Department wished  
41 to take possession of the 80,000 square-foot building for consolidation of their mental  
42 health offices, which would occupy approximately 60,000 square-feet. She explained  
43 that the property owner wished for the City Council's approval before he invested  
44 additional money for plans and tenant improvements. The Council overwhelmingly felt  
45 that they wanted to retain the space for retail use, and made that recommendation to  
46 the owner. Therefore, the City Council directed City Attorney Jex and staff to work on  
47 an ordinance that would address these larger retail spaces and require a conditional  
48 use permit for the adaptation of them to something other than retail uses since there  
49 are only a few select larger tenant spaces currently existing within Hemet. The  
50 Council's preference, she noted, was to preserve these buildings for retail uses to the  
extent possible, in an effort to attract more regional-level retail uses. She noted that  
currently staff was looking at a threshold of about 30,000 square feet for that interim

1 urgency ordinance, which would give everyone time to study the issue. In the  
2 meantime if anything comes up, it would be considered through the requirement of a  
3 conditional use permit.  
4

5 CDD Elliano advised the Commission that another item on the agenda was a proposal  
6 recommending the planting of three memorial trees at Mary Henley Park along with a  
7 ceremony to commemorate the contributions of the late Jan Wright, who had served  
8 the City as a Parks Commissioner and a member of the GPAC Committee.  
9

10 CDD Elliano noted that two other items of discussion included money coming back to  
11 the city from the Sanderson Avenue construction project, as well as the Salt Creek  
12 Bridge, and the consideration of Hemet as a site for a new Superior Court facility, north  
13 of Latham, between Latham and Oakland Avenues.  
14

15 Chairman Gifford asked where the city was regarding medical marijuana facilities.  
16

17 CDD Elliano responded that the city has been very successful in their prohibition  
18 efforts. Six facilities had sprung up right after the prohibition had been enacted, without  
19 the benefit of permits or approvals. They received cease and desist letters, one  
20 closing in response to the letter. The others were taken through the court process with  
21 injunction notices, which were all successful. Only one, after the injunction, refused to  
22 close and has twice been taken back to court in contempt. That one is supposed to be  
23 evicted and closed by the end of this month. She did warn, however, that if litigation  
24 ensued and appeals were filed, there was no guarantee that the court of appeals would  
25 render the same decision as the trial courts.  
26

27 City Attorney Jex further explained that what was happening was that the appeals court  
28 could allow the facilities to stay open until a decision is made, which could be a year or  
29 more. The appeals are inexpensive to file, and as yet, there has not been a defining  
30 decision from the Riverside Court of Appeals. However, one will at least have a  
31 decision out the door in the next two or three months upon which the cities can rely.  
32 When the Court of Appeals says you can open back up to await a decision, they are  
33 not overriding the ordinance of prohibition at that point, but rather they are preserving  
34 the status quo and allowing continued operation until they decide whether or not the  
35 ordinance is constitutional.  
36

37 **B. Upcoming events and informational items**  
38

39 CDD Elliano advised the Commission that two town hall meetings had been scheduled  
40 with interested community groups – one for August 18<sup>th</sup> at the Del Webb Solara  
41 Community, and the other on September 8<sup>th</sup> at Four Seasons.  
42

43 CDD Elliano and City Attorney Jex outlined the recent developments concerning city  
44 redevelopment agencies and the State of California, where two bills were introduced –  
45 one to abolish redevelopment agencies within the State of California, and the second  
46 for a pay-to-play ransom bill allowing the agency to continue if the State is paid  
47 additional funds. The recent event, as it was explained, is that the League of California  
48 Cities, as well as the California Redevelopment Association and a couple of northern  
49 California cities have sued the state on this issue, primarily on the basis of Proposition  
50 22, which was designed to prohibit the state from raiding local funds and which passed  
by a 61 percent majority. The problem for the cities now is that by October 1st, they

1 must decide if they will cease their redevelopment efforts or embrace the pay-to-play  
2 option. For Hemet, the figure is \$5 million for the first year, with somewhat less in  
3 subsequent years. This lawsuit was filed with the California State Supreme Court,  
4 which could initially require the process of trial court which would take much longer. To  
5 complicate the issue, there are now two bills in the Senate and Assembly – SB-286  
6 and SB-450, which are attempting to re-tool, reform and change redevelopment so that  
7 there is less objection to it by the state. The whole arena of redevelopment and the  
8 impact on Hemet is going to be interesting and challenging for quite some time.

9  
10 C. Announcement of the cancellation of the August 2, 2011 meeting

11  
12 D. Appointment of Planning Commissioner as liaison to the Traffic  
13 Commission which meets at 9 a.m. on the first Tuesday of each month in  
14 the City Council Chambers.  
15

16 Several Commissioners might be interested, but need to check their schedules. A  
17 decision will be made at the next Commission meeting.  
18

19 E. Report on WRCOG Planning Directors Meeting  
20

21 CDD Elliano gave an explanation of the duties of WRCOG to the Commission and the  
22 time being spent on RTPSCSRHNA or Regional Transportation Plan/Sustainable  
23 Community Strategy Plan/Regional Housing Needs Assessment Update. The issue  
24 that Hemet is struggling with is the requirement to do a growth forecast based on the  
25 2010 census, looking at 2020, 2025 and 2035, as well as at future housing, population  
26 and employment levels, but staying within benchmarks.  
27

28 The problem, she noted, is that it must be based on the general plan in place in 2008,  
29 which is the 1992 general plan – outdated and to be replaced with the new general  
30 plan this year. The result of the report determines the housing needs assessment  
31 determined by the State and then SCAG as to how many of the very low, low,  
32 moderate and high income categories of housing we are required to accommodate and  
33 zone for within the city.  
34

35 Hemet's concern is that, without using the new numbers, which are more accurate  
36 numbers based on a very systematic land plan, that Hemet will be saddled with a huge  
37 Regional Housing Needs Assessment requirement.  
38

39 CDD Elliano advised that she would be contacting the regional RHNA subcommittee  
40 representative, Darcy Kuenzi from Menifee, and attending a SCAG workshop to try to  
41 get acceptance of the new general plan numbers.  
42  
43

## 44 7. CITY ATTORNEY REPORT:

45 City Attorney Jex reported on an optional pre-lawsuit mediation procedure now built  
46 into CEQA. Under this provision, if a group or a person wants to sue the city based on  
47 the approval of a project, that group can seek mediation instead of filing a lawsuit,  
48 which must be filed within 30 days, putting the time requirement on hold while the  
49 mediation proceeds. He pointed out several scenarios where this procedure could be  
50 problematic.

1  
2 He also reported on a California Supreme Court decision regarding the City of  
3 Manhattan Beach and their ordinance prohibiting the use of plastic bags. An  
4 opposition group demanded that the city do an EIR to investigate the environmental  
5 effects of such an ordinance, and the Court of Appeals upheld their demand. However,  
6 the decision was appealed to the California Supreme Court, and their decision was  
7 announced last week, stating that the increased environmental harm from paper bags  
8 doesn't rise to a level of significance. The last paragraph of the court opinion, a rare  
9 unanimous opinion, said basically, that you still have to use common sense in the  
10 CEQA analysis. Attorney Jex found that refreshing.  
11  
12

13 **8. PLANNING COMMISSIONER REPORTS:**

- 14  
15 A. Chairman Gifford – Nothing to report  
16  
17 B. Vice Chairman Deuber requested updated information on foreclosed  
18 homes, particularly those valued at \$100,000 or less, and whether those  
19 homes were being purchased by investment owners versus owner  
20 occupant buyers. Her main geographical area of concern was the four-  
21 block radius from State Street to Palm Avenue and from roughly Acacia  
22 Avenue to Central Avenue, more on the south side of Florida. She  
23 suggested getting information out to present owners of these properties  
24 via newspaper articles, etc., addressing their legal options, as some  
25 investors from outside the city were dominating the market.  
26  
27 C. Commissioner Overmyer made note of the enterprise zone that San  
28 Jacinto was trying to get, to which CDD Elliano responded that Hemet  
29 was working with San Jacinto on the endeavor, but there were many  
30 stipulations as to what area it could be in, which tended to limit how  
31 much area could be utilized.  
32  
33 D. Commissioner Rogers commented on the increase in shopping cart  
34 abandonment and asked for information on the progress of the  
35 containment plan, to which CDD Elliano reported that the City was still  
36 having to do a lot of enforcement, such as code enforcement citations,  
37 as opposed to getting compliance from the shopping centers. She noted  
38 having received new brochures on wheel lock systems that the City was  
39 trying to get the stores to utilize.  
40  
41 E. Commissioner Thompson – Nothing to report  
42  
43 F.  
44  
45

46 **9. FUTURE AGENDA ITEMS:**

47  
48 CDD Elliano reported that staff was concentrating their efforts on Tres Cerritos East  
49 and the General Plan, but that future agenda items would include: (A) Report on  
50 "Human Signs" and other temporary signage in the City; (B) General Plan Update and  
Draft EIR; (C) Ordinance Amendments; (D) Report on Medi-City project status; and (E)  
Overview of industrial development opportunities.

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Chairman Gifford also requested an update on Hemet ROCS.

**10. ADJOURNMENT:** It was the consensus of the Planning Commission that the meeting be adjourned at 7:41 p.m. to the regular meeting of the City of Hemet Planning Commission scheduled for **Tuesday, August 16, 2011 at 6:00 p.m.** to be held at the City of Hemet Council Chambers located at 450 East Latham Avenue, Hemet, CA 92543.

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John Gifford, Chairman  
Hemet Planning Commission

ATTEST:

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Nancie Shaw, Records Secretary  
Hemet Planning Commission

# AGENDA #5



## *Staff Report*

TO: City of Hemet Planning Commission

FROM: Deanna Elliano, Community Development Director   
Ronald Running, City Planner 

DATE: August 16, 2011

RE: **SPECIFIC PLAN AMENDMENT NO. 06-01 (TRES CERRITOS EAST) AND ENVIRONMENTAL ASSESSMENT NO. 06-019** - A proposed amendment to the Hemet Valley Country Club Estates Specific Plan (SP 90-009) modifying the eastern 146 acres adding 221 residential units to the existing Specific Plan, for a total of 931 dwelling units, allocating the dwelling units in various density categories, providing for public and private park sites and trails, and the addition of 16.9 acre site, with re-adoption as the Tres Cerritos Specific Plan 90-009, along with an Environmental Impact Report for the proposed changes.

### **PROJECT APPLICANT INFORMATION**

Owners: Signal Family Hemet, LLC  
Omni Financial, LLC  
MJ&M, LLC

Applicant: David Leonard

Project Location: Northwest corner of Cawston Avenue and Devonshire Avenue

Lot Area: 162.8 ± Acres

APNs: 448-100-001 thru 018; and 448-110-001 thru 022.

### **STAFF RECOMMENDATION**

The Planning Department recommends that the Planning Commission:

1. Adopt the attached Planning Commission Resolution Bill No. 11-001 (Attachment No. 1), entitled:

**“A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEMET, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT (SCH NO. 2006071002) AND ADOPT A STATEMENT OF**

---

**OVERRIDING CONSIDERATIONS, A MITIGATION MONITORING PROGRAM, AND STATEMENT OF FACTS AND FINDINGS FOR THE TRES CERRITOS EAST PROJECT”**

2. Adopt the attached Planning Commission Resolution Bill No. 11-002 (Attachment No. 2), entitled:

**“A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEMET, CALIFORNIA RECOMMENDING TO THE CITY COUNCIL APPROVAL OF SPECIFIC PLAN AMENDMENT NO. 06-001 AMENDING THE EASTERN 162.8 ACRE PORTION OF THE HEMET VALLEY COUNTRY CLUB ESTATES SPECIFIC PLAN (SP 90-009) LOCATED ON THE NORTHWEST CORNER OF CAWSTON AVENUE AND DEVONSHIRE AVENUE (APN: 448-100-001, et. al.)”**

**BACKGROUND**

The proposed amendment to the Hemet Valley Country Club Estates (HVCCE) Specific Plan was continued at the June 21, 2011 Planning Commission meeting to give the applicants time to address several issues raised by the Planning Commission and members of the public. In particular the issues raised included the following:

- Residential density
- Residential product types
- Building heights of three stories and views
- Storm water drainage plans
- Concerns from the Peppertree project to the north regarding access, drainage and utility easements
- Air quality impacts
- Housing value and project amenities
- Additional time needed to view the DEIR and the EIR alternatives

**PROJECT REVISIONS**

Following the Planning Commission hearing on June 21, 2011, the applicants met with staff, members of the Planning Commission, representatives of Peppertree, and consulted with several area residents to gain a better understanding of the issues and concerns related to the project. As a result, the following revisions to the Specific Plan Amendment are proposed (see Exhibit 4a and 4b):

- Deletion of the provision for three (3) story buildings throughout the plan
- Deletion of the Courtyard product with six (6) dwellings on a shared driveway

- Introduction of a new product allowing for a mixture of single family detached and twin (paired) homes in Planning Areas 6 through 11
- Modification of the land plan simplifying the Planning Area designations
- Reduction in the residential densities in the Planning Areas
- Introduction of density ranges within the Planning Areas
- Modification of the plan concerning the interface with the Peppertree project
- Provision of more photo representations of the proposed residential product types

### **Product Type Modifications**

The provision allowing for three-story buildings or building elements in the plan is being removed entirely for all products throughout the Specific Plan. The Courtyard product type which featured up to six (6) units on a shared driveway is also being removed from the plan. The Quad home product with four (4) units sharing a driveway is still being proposed. (Refer to Exhibits 5.16 and 5.17 on pages 109 and 110 in the Specific Plan document). The applicant will provide additional photographs illustrating the proposed architecture in all the product types at the Planning Commission meeting.

### **Twin/Paired Homes**

The applicants are proposing to allow a mixture of single family detached and twin or paired homes in Planning Areas 6 through 11. Paired homes have a party or common wall but are designed to look like a large single family residence.

### **Land Plan Modifications**

Several modifications to the land plan are proposed both in configuration and density. (See Exhibit 4a). In response to Commission and staff concerns the applicants have proposed density ranges in each of the Planning Areas to clarify the actual density range being allowed and to accommodate flexibility in allowable product types in each Planning Area. Planning Area 2 has been reduced in density from 2.1 to 5.0 du/ac to a maximum of 3.0 du/ac. Planning Areas 8 and 9 have been combined and the upper range of 8.0 du/ac from 18 du/ac.

Planning Areas 11, 12, 13, and 14 have been combined into one Planning Area No. 11. The top end density has been reduced from 18 du/ac to 8.0 du/ac. The proposed density range in these Planning Areas is 6.0 to 8.0 du/ac. The density allowed in Planning Area 11 has been reduced from 18 du/ac to 10 du/ac which will allow for a two story townhome product type.

The paseo proposed in PA9B along Street B will be allowed as an option to be set within the Planning Area or remain where it is shown along the right-of-way of Street B.

The maximum allowable dwelling units have been reduced to 750. The allowable density range proposed in TCE is now between 4.0 and 4.52 du/ac. The lower end of the density range would provide a total of 670 units. The following table summarizes the proposed product types for the project:

**Proposed TCE Product Types**

<b>Product Types</b>	<b>Density Range</b>	<b>Max. No. of Units</b>	<b>%</b>
Rural SFD	0.17 du/ac	1	0.1
SFD 8000	2-3 du/ac	26	3.5
SFD 7000	4 du/ac	25	3.3
SFD 6000	5 du/ac	114	15.2
SFD 5000	6-8 du/ac	96	12.8
Quad/SFD4000	6-8 du/ac	318	42.4
Quad only	6-8 du/ac	66	8.8
Townhomes	8-10 du/ac	104	13.9
<b>Total</b>	<b>4-4.5 du/ac</b>	<b>750</b>	<b>100.0</b>

Sixty-five percent (65%) of the proposed units will be on lots that are 4000 sq. ft. lots or townhomes. The total number of units in the 6-10 du/ac density ranges will be 584 units or approximately 80%.

**Interface with the Peppertree Project**

The applicants have agreed with the representatives of the Peppertree project on a plan to revise the interface between the two projects. The attorney representing the Peppertree project has submitted a memorandum outlining the necessary elements required for their agreement with the proposed amendment. (Refer to Exhibit 4d). The proposal would leave the utilities, landscaping and sidewalk on the north side of Menlo Avenue in place, except for modifications needed to address the drainage.

It is also agreed to increase the street width on the north side of PA 5 to Menlo Avenue to 66 feet, and to provide traffic controls and left-turning movements as approved by the City Engineer. The traffic flow improvements would create an additional intersection on Menlo Avenue allowing left turn movements. The agreement also would require that this additional intersection have stop signs to facilitate the left turn movements onto Menlo Avenue.

The Tres Cerritos East project will accept the storm runoff from the Peppertree development as altered by new construction within the TCE project area. Exhibit 4c shows how the drainage system that will be used to accommodate the drainage runoff from the Peppertree project.

**PROJECT HISTORY**

The original Tres Cerritos Country Club (TCCC) Specific Plan No. 90-009 encompassing 336 acres allowing 641 dwelling units and a golf course was adopted on November 12, 1991. The TCCC Specific Plan was subsequently amended August 10, 1999, renamed as the Hemet Valley Country Club Estates (HVCCE) and increased the number of allowable residential units to 710 units. A second amendment (Tres Cerritos West Specific Plan Amendment No. 03-002) was adopted on January 11, 2005 which created a development plan on the western 190.1 acres for

177 single family lots over 53.1 acres, 59.1 acres of nature reserve open space, and 5.6 acres of landscaped areas that include 4.26 acres of active park, pedestrian paseos and landscaped entry areas, and a 3.5 acre vernal pool preserve. The total number of units within the HVCCE Specific Plan project area remained at 710 dwelling units.

The applicants are requesting approval of SPA No. 06-001 to change the development plan on the eastern 162.8 acres of the project area (Tres Cerritos East) with the addition of a 16.9 acre parcel located at the northeast corner of Devonshire Avenue and Myers Street. The subject amendment deletes the remaining golf course fairways and allows for development of a mixture of 750 dwelling units for a total of 927 units on 352.9 acres creating an overall density of 2.6 units per acre. The residential density for the Tres Cerritos East portion of the project is maximum of 4.5 d.u./ac. The maximum density allowed under the General Plan for the site is 5.0 d.u./ac.

No subdivision of the site is proposed at this time. Future development would be reviewed under tentative tract map(s) applications and site development reviews. An environmental impact report (EIR) analyzing this type and intensity of build-out has been prepared for the project. [Refer to Exhibit 1A.] The Draft EIR has been circulated and responses to their comments have been prepared. The Draft EIR includes a mitigation monitoring plan (MMP) found in Exhibit 1C. Air Quality impacts have been identified as significant and will require the City to adopt a Statement of Overriding Considerations for those impacts which is contained in Exhibit 1B.

The Planning Commission is charged with making recommendations to the City Council regarding specific plan amendments (zone changes), along with the accompanying environmental documents. The Council then takes final action on the environmental document and specific plan amendment.

### **PLANNING COMMISSION REVIEW**

The proposed project has been reviewed by the Planning Commission at several workstudy sessions and at the June 21, 2011 and July 19, 2011 public hearings. The staff reports and minutes these meetings have been distributed previously. The staff report and minutes of these meetings are shown in Exhibits 3a, 3b and 3c.

### **PROJECT SETTING**

#### **Surrounding Land Uses and Setting**

The project area is located adjacent to the Tres Cerritos foothills (to the west). The site itself has been vacant for many years. The site had been preliminarily graded in anticipation of developing the site with a golf course. The adjacent area to the north is zoned for the Peppertree Specific Plan (SP 01-03). To the east and south is single family development and vacant land. To the west is the Tres Cerritos West portion of SP 90-009 which is vacant. To the southwest of the project area is vacant land for Garrett Ranch. The following table summarizes the surrounding land uses, zoning, and general plan designations:

	LAND USE	ZONING	GENERAL PLAN
<b>SUBJECT SITE</b>	Vacant	SP 90-009 (Hemet Valley Country Club Estates)	SP (Specific Plan)
<b>NORTH</b>	Senior Residential	SP 01-03 (Peppertree)	RI (Residential 7 du/ac)
<b>SOUTH</b>	Single Family Residential Vacant Detention Basin	R-1-C, R-1-7.2 A-5 OS (Open Space)	RI (Residential 7 du/ac)
<b>EAST</b>	Single Family Residential	SP 85-001 (Art Hofer)	SP (Specific Plan)
<b>WEST</b>	Vacant	SP 90-009 (Hemet Valley Country Club Estates) A-5	SP (Specific Plan)

### Land Use Compatibility

The project site has been designated for Specific Plan residential uses in the General Plan and is located within the Northwest Hemet Neighborhood Planning Area. This planning area is characterized by agricultural and residential land uses with varying densities and building types. The Tres Cerritos foothills are a significant aesthetic resource in this planning area. The gated Peppertree Senior Community (SP 01-03) is located to the north. Single residential homes are located to the east directly fronting on Cawston Avenue.

To the south of the project are two single family developments, a large 10 acre detention facility and a 35 acre vacant parcel that has a mixture of medium density residential units proposed in the form of small lot conventional single family and senior residential.

To the west of the project site is 190 acres of vacant land known as Tres Cerritos West portion of SP 90-009. The area south of Tres Cerritos West is part of the Garrett Ranch project. The area has been master planned to include a regional storm drainage detention area. The project proposes to develop some of the area as a 20 acre community park and elementary school use. The remainder of the property has been proposed for a large mixed use commercial and residential development. The Garrett Ranch project has not been adopted, and project activity has ceased due to the economic conditions in the region.

### PROJECT ANALYSIS

Specific plans take the place of zoning for various properties. The Specific Plan contains a land use plan, infrastructure and phasing plans, as well as, development standards for the property. The Tres Cerritos project is a residential specific plan that also includes parkland, recreational and other landscape amenities for the project area. The proposed specific plan amendment does not include a subdivision proposal or specific residential development at this time. The following discusses the various aspects of the project that should be considered.

### Land Use Plan

The total allowable residential units for the Tres Cerritos East area of the specific plan, proposed by the applicants, have been reduced from 754 to 750 units yielding a project density range of

4.04 to 4.52 units/acre. (See Exhibit 4a). The consolidation of several of the planning areas will allow for more flexibility in product layout and diversity. The land use table has been modified to show a range of densities for each planning area. Staff is recommending that all the planning areas show a product density range and include all the allowable product types for each planning area. (See Exhibit 2D - Condition No. 33). As indicated previously, 65.1% of the units will be on 4,000 sq.ft. lots or lower. The street layout for the project remains the same.

### **Drainage**

The storm water drainage plan has been altered to accommodate the needs of the Peppertree project to the north. The existing storm drain in Menlo Avenue will connect to a backbone system to be constructed in the new Menlo Avenue. The new storm drains will terminate in the proposed interim drainage basin located at the northeast corner of Devonshire Avenue and new Menlo Avenue. The plans shown in Exhibit 4c will need to be modified to show the outflow path of this basin in both the interim and ultimate condition. Staff is recommending that the exhibits be modified to show the required infrastructure. (See Exhibit 2D - Condition No. 34).

### **Peppertree Development Interface**

The attorney representing the Peppertree development has submitted a memorandum citing suggested conditions necessary for the re-alignment of Menlo Avenue along the project's northern border. The applicants have agreed to these requirements which concern developing a 1) mutually agreed construction plan, 2) preservation and/or enhancement of utilities and landscaping along the affected portion of Menlo Avenue, 3) traffic flow improvements, 4) drainage improvements. All of the costs of such improvements will be born by the developers of the Tres Cerritos East project. Staff has included Conditions 34-37 in Exhibit 2D which relate to modifying the Specific Plan text concerning these issues. The applicants are working with the representatives on the details of the traffic flow improvements in particular with respect to the suggested requirements for the new intersection proposed on Menlo Avenue. An update will be provided at the Planning Commission meeting.

### **Parks and Recreational Facilities**

The proposed park and recreational facilities for the project remain the same. Quimby parkland dedication and/or fees will be established for the project with the processing of future tentative tracts maps. The City Council will determine whether parkland dedication or in-lieu fees will be appropriate for the project. The Quimby parkland requirement for 750 units would be approximately 11 acres.

The various landscape design elements proposed in the plan are shown in Section VII(D) starting on page 162. Project entries are shown for the Tres Cerritos West subarea. The Tres Cerritos East subarea only shows the location of project entries on the land plan. Staff is recommending that specific entry monumentation for the project subarea be designed and reviewed by the Director in the future. [Refer to Exhibit 2D – Condition No. 6.]

## Residential Development Types

All of the various residential product types are defined and explained in Section V (Permitted Uses & Development Regulations) starting on page 87 of the Specific Plan text. The applicants are eliminating the three story units and the six-pack courtyard product. Additionally, the applicants have provided photos of the architectural style for the proposed unit types. The photos will be incorporated into the Specific Plan document. However, the photos will need to be annotated so that other elements shown in the photos, such as, lack of parkways and sidewalks will be shown as not a part of the plan. [Refer to Exhibit 2D – Condition No. 31.]

## Specific Plan Modification Review Procedures

The Specific Plan has been updated and expanded concerning the review and implementation procedures for future development. The proposed amendment includes an expanded Section VI showing the allowable percentage of change the Director can approve administratively as 10%. Additionally, approval findings are included for future amendments to the Specific Plan.

## Phasing

The proposed phasing of the project is shown in Section VI.G of the Specific Plan. The core area of the Tres Cerritos East development area will be developed first. The first phase will also include improvement of the perimeter drainage system along both Cawston Avenue and Devonshire Avenue. The proposed recreation center is also proposed for the first phase and must be constructed prior to the issuance of the 200<sup>th</sup> building permit. The applicant is proposing that only half of Menlo Avenue be constructed in the first phase to allow for construction traffic along the western portion of the street right-of-way. Staff is recommending that the extension of Menlo Avenue further to the east to Cawston Avenue be contained in Phase 1. [Refer to Exhibit 2D – Conditions 17, 18 & 19.]

## CEQA REVIEW

Pursuant to the California Environmental Quality Act (CEQA), an Environmental Impact Report (EIR) has been prepared for the project identifying the project's potentially significant environmental impacts, proposed mitigation, and analyzing project alternatives. The Draft EIR was circulated for its 45 day public review on April 11, 2008. Recirculation of the DEIR was not necessary as the project design and layout has stayed basically the same. The total number of allowable units has decreased so that no new and additional impacts were required.

The project's environmental impact report identified impacts that could reasonably be anticipated with the project, and identified mitigation measures for those impacts. While most of the project's impacts can be mitigated to a less-than-significant level, air quality impacts are significant and unavoidable. A copy of the draft Statement of Facts and Statement of Overriding Considerations is found in Exhibit 1B. The project would exceed daily emissions thresholds, and would exacerbate nonattainment of air quality standards within the air quality basin and contribute to

adverse cumulative air quality impacts impact. This is discussed in greater detail in Section 3.3 of the environmental impact report and in the Statement of Overriding Considerations which is attached as Exhibit 1B.

Traffic impacts and mitigation are described in detail in Section 3.14 of the EIR. Recommended improvements include the installation of traffic signals at the intersection of Cawston Avenue and Menlo Avenue, Devonshire Avenue and Menlo Avenue. Additionally the project is required to pay its fair share for a variety of traffic improvements throughout the area. [See Attachment 1C for the draft Mitigation and Monitoring and Reporting Program.]

Seven (7) letters of comment of the Draft EIR were received. The responses to the comments are included in the Draft EIR. Most of the comments from the various agencies are standard. However, the Hemet Unified School District requested that an option of a 12 acre elementary school site be looked at. The Tres Cerritos East site is too close to the existing elementary school presently located at the northeast corner of Cawston Avenue and Menlo Avenue. A preferred site is located next to the future 20 acre sports park envisioned to the west of the site.

The Riverside County Airport Land Use Commission requested that a consistency review be conducted for the project as it lies within Area III of the 1992 Hemet-Ryan Airport Land Use Plan. The Commission reviewed the project on July 10, 2008 and found the project consistent with the guidelines and standards of the plan.

A Mitigation Monitoring Program (MMP) has also been prepared for those mitigation measures proposed in the EIR, and is included as an attachment to the EIR. [Refer to Exhibit 1C.] The mitigation measures have been modified somewhat since the circulation of the DEIR due to additional biological studies and a revised traffic analysis for the final land use plan. The MMP notes the completion of some of the original study requirements. Finally, as part of the resolution recommending certification of the EIR, a statement of facts and findings has been included, in accordance with findings required under CEQA. [Refer to Exhibit 1B.]

### **POLICIES, REQUIREMENTS AND GUIDELINES REVIEW**

The proposed Tres Cerritos East Project would amend the Hemet Valley Country Club Estates Specific Plan (SP 90-009) to change the name of the specific plan and add 16.9 acres to the land use plan. The proposal is consistent with several General Plan strategies, including increasing the City's housing stock in master planned communities. The proposed amendments are also internally consistent, as the proposed specific plan amendment would allow for residential uses consistent with the General Plan. The project, subject to the mitigation measures provided within the project's Mitigation Monitoring Program, can be found consistent with the City's General Plan.

Development is not proposed in conjunction with this application. The City's Residential Design Guidelines were utilized in developing the standards and guidelines contained in the amendment.

### **PUBLIC COMMUNICATIONS RECEIVED**

The public comment provided in the public hearing is provided in the minutes of the June 21,

2001 and July 19, 2011 meetings (Exhibits 3b and c). Additionally the comments from the attorney representing the Peppertree project is included in Exhibit 4d. Additional letters from the community are also provided in Exhibit 3. The applicants have provided their responses to these comments in Exhibit 4b.

Comments received on the scope of the EIR have been addressed in the Draft EIR. Comments received on the EIR, including comments concerning potentially adverse environmental effects of the project, are included, along with responses, in the Final EIR. Any comments received prior to the time of the scheduled Planning Commission meeting will be provided to the Commission at the time of the meeting.

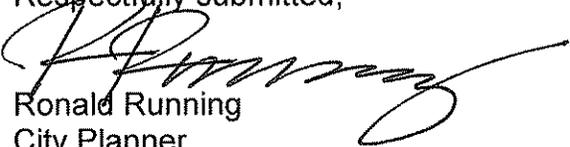
### REPORT SUMMARY

This project involves a Specific Plan amendment for the eastern portion of the Hemet Valley Country Club Estates Specific Plan (SP 90-009). The amendment will change the name of the Specific Plan back to the Tres Cerritos Specific Plan. Additionally the amendment will add 16.9 acres to the overall specific plan and reconfigure the development plan for the Tres Cerritos East Principal Planning Area. The applicants have revised the land plan to provide more flexibility for future development allowing for a variety of product types throughout the development.

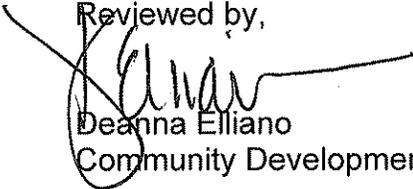
No specific development has been proposed for the project site or as part of the project application. Future development will include subdivision maps, site development reviews for the precise development proposals. An EIR has been prepared, which identifies mitigation measures that will reduce the project's impacts to a less-than-significant level, with the exception of air quality impacts. For those impacts a Statement of Overriding Considerations has been prepared. A Mitigation Monitoring Program is also included for the mitigation measures proposed in the EIR.

The project has been reviewed by the Planning Commission previously at several workstudies. The workstudies have included discussions on density and product unit mix. The proposal is consistent with current General Plan policies regarding providing diverse residential and recreational amenities for the northwest Hemet community. For the reasons stated, the Planning Department recommends that the Planning Commission adopt the attached resolutions, recommending approval of the project to the City Council.

Respectfully submitted,

  
Ronald Running  
City Planner

Reviewed by,

  
Deanna Elliano  
Community Development Director

RR/ns

**ATTACHMENTS**

- A) Locational Exhibit
  - 1) Planning Commission Resolution Bill No. 11-001 for EIR
    - Exhibit 1A - Draft Environmental Impact Report [Provided under separate cover to PC only, available for review at the Planning Department]
    - Exhibit 1B - Statement of Facts and Statement of Overriding Considerations
    - Exhibit 1C - Draft Mitigation Monitoring and Reporting Program
    - Exhibit 1D - DEIR Public Review Comments & Responses
    - Exhibit 1E - Revised Traffic Evaluation dated December 14, 2010
  - 2) Planning Commission Resolution Bill No. 11-002 for SPA 06-001
    - Exhibit 2A - Draft City Council Ordinance Bill No. 11-001
    - Exhibit 2B - Legal Description
    - Exhibit 2C - Specific Plan Text [Provided under separate cover to PC only, available for review at the Planning Department.]
    - Exhibit 2D - Conditions of Approval
  - 3) Planning Commission meeting of June 21, 2011.
    - a. Staff report for the meeting of June 21, 2011
    - b. Minutes of the meeting of June 21, 2011
    - c. Minutes of the meeting of July 19, 2011
  - 4) Letters
    - a. Letter dated August 8, 2011 from David Leonard Associates regarding modifications to the Specific Plan Amendment proposal.
    - b. Applicant responses to June 21, 2011 Planning Commission hearing comments.
    - c. Revised Specific Plan Amendment text regarding drainage.
    - d. Memorandum dated August 8, 2011 from William B. Tate, attorney for the Peppertree project concerning Tres Cerritos East development issues.
    - e. Letter dated July 19, 2011 from Gene Hikel (to be provided at the 8/16 PC meeting)
    - f. Letter dated July 19, 2011 from Gary and Delores Wiles.
    - g. Letter and photos dated July 16, 2011 from Diane Norberg
    - h. Letter dated June 20, 2011 from Ryan Meeker
    - i. Letter dated June 20, 2011 from Diane Norberg
    - j. Email dated June 20, 2011 from Leonard Salabao
    - k. Email dated June 20, 2011 from Sophia Salabao
    - l. Email dated June 20, 2011 from C. Harfouch.
    - m. Email dated June 21, 2011 from Josh Meeker
    - n. Email dated June 21, 2011 from Kywana Hooks
    - o. Letter dated June 19, 2011 from Kathy Smigun
    - p. Letter dated August 31, 2009 from Douglas Wilson Companies.
    - q. Letter dated July 20, 2009 from Valley-Wide Recreation & Park District.
  - 5) Staff reports and minutes from previous Planning Commission meetings. [Provided previously, available for review at the Planning Department.]
    - a. April 20, 2010 staff report and minutes
    - b. March 2, 2010 staff report and minutes.
    - c. September 15, 2009 minutes.

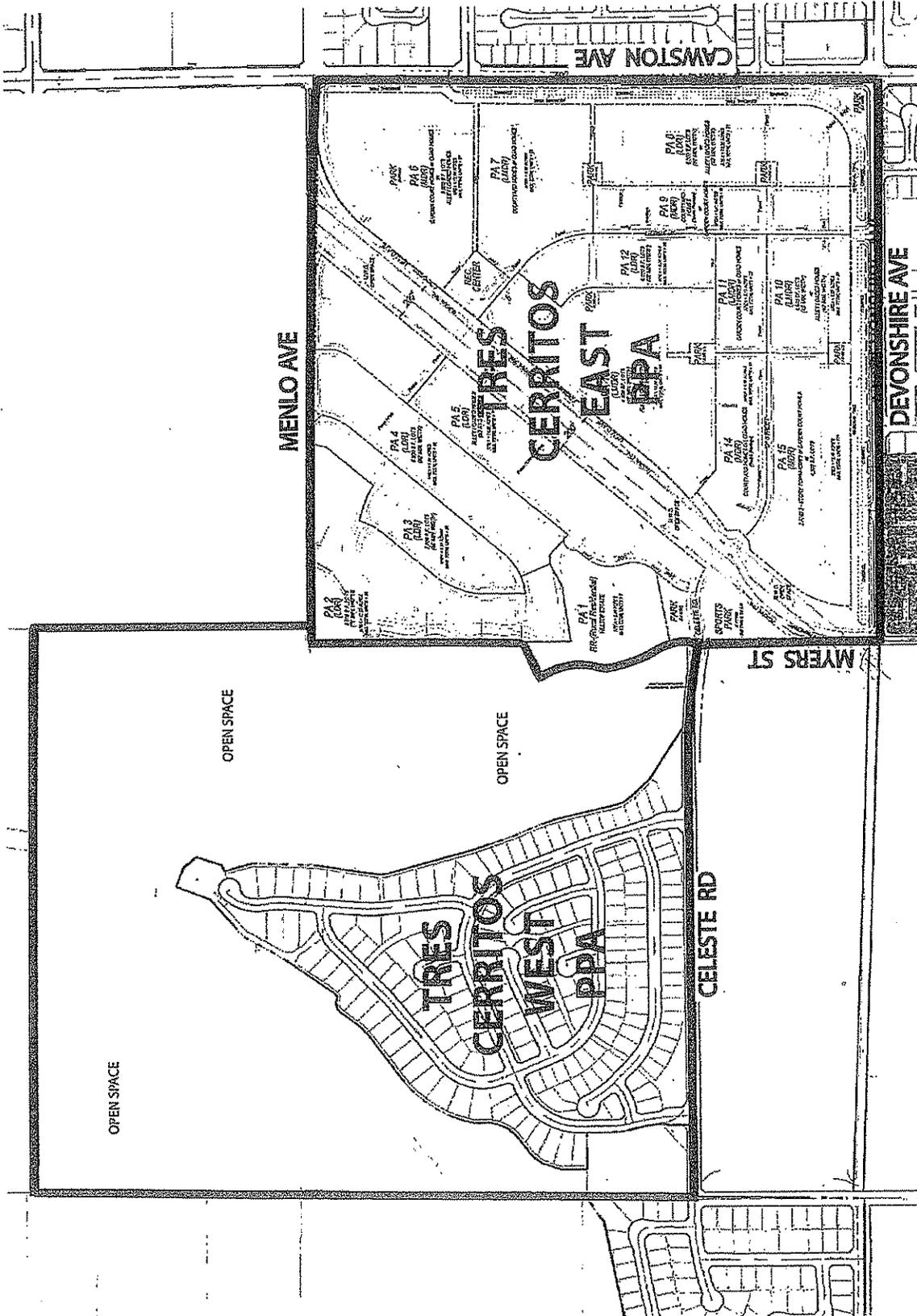
- d. July 21, 2009 staff report and minutes.
- e. July 17, 2007 minutes.

**INCORPORATED HEREIN BY REFERENCE**

- City of Hemet General Plan
- City of Hemet General Plan EIR
- City of Hemet Zoning Ordinance
- Hemet Valley Country Club Estates SP 90-9
- Project Site's Riverside County Integrated Plan Multi-Species Habitat Conservation Plan Summary Report
- Contents of City of Hemet Planning Department Project Files SPA 06-001, EIR

# Attachment No. A

Locational Exhibit



**PRIMARY PLANNING AREAS - PPA  
EXHIBIT 1.7**

# Attachment No. 1

Planning Commission  
Resolution Bill No. 11-001



CITY OF HEMET  
Hemet, California  
RESOLUTION BILL NO. 11-001

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEMET, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT (SCH NO. 2006071002) AND ADOPT A STATEMENT OF OVERRIDING CONSIDERATIONS, A MITIGATION MONITORING PROGRAM, AND STATEMENT OF FACTS AND FINDINGS FOR THE TRES CERRITOS EAST PROJECT (SPA 06-001)

**WHEREAS**, applications for Specific Plan Amendment No. 06-001 adding 16.9 acres, changing the land use plan and development standards for the eastern 162.8 acres, and changing the name of the Hemet Valley Country Club Estates Specific Plan (SP 90-009) have been duly filed by:

Applicants/Owners: Signal Family Hemet, LLC  
Omni Financial, LLC  
MJ&M, LLC  
Project Location: Undeveloped area located on the northwest corner of Devonshire Avenue and Cawston Avenue  
APN Numbers: 448-100-001 thru 018; and 448-110-001 thru 022  
Lot Area: Approximately 162.8 +/- acres; and

**WHEREAS**, the proposed Tres Cerritos East Specific Plan Amendment (SPA 06-001) is considered a "project" as defined by the California Environmental Quality Act, Public Resources Code § 21000 et seq. ("CEQA"); and

**WHEREAS**, the City of Hemet, California, has reviewed SPA 06-001 in accordance with the authority granted by the California Government Code Section 21080(d) and § 21082.2(d) and Hemet Municipal Code § 90-41; and

**WHEREAS**, after completion of an Initial Study, the Community Development Director determined that there was substantial evidence that SPA 06-001 may have one or more significant effects on the environment and that preparation of an Environmental Impact Report ("EIR") was therefore warranted under Public Resources Code § 21080(d) and § 21082.2(d); and

1       **WHEREAS**, the City has consulted with, and requested comments from,  
2 members of the public and the agencies and persons referenced in CEQA Guidelines §  
3 15083 and § 15086; and  
4

5       **WHEREAS**, upon completion of the Draft EIR, the City provided notice of  
6 completion to OPR on July 3, 2006 as required under CEQA Guidelines § 15085 and  
7 provided notice of availability on April 11, 2008 as required under CEQA Guidelines §  
8 15087; and  
9

10       **WHEREAS**, the Draft EIR was circulated to the public, responsible agencies and  
11 other interested parties as required by CEQA Guidelines § 15087 for a period of 45  
12 days commencing on April 11, 2008 and closing on May 26, 2008 in accordance with  
13 CEQA Guidelines § 15105(a); and  
14

15       **WHEREAS**, before the close of the public comment period the City received five  
16 (5) written comments; and  
17

18       **WHEREAS**, the Final EIR consists of the following documents: the Draft EIR,  
19 the Initial Study, Technical Appendices, Written Comments and Responses regarding  
20 the Draft EIR, and the Mitigation Monitoring Program, the Statement of Facts and  
21 Findings, and Statement of Overriding Considerations; and  
22

23       **WHEREAS**, this EIR, as authorized under CEQA Guidelines §15150,  
24 incorporates by reference the City of Hemet General Plan, Zoning Ordinance, the Final  
25 EIR prepared for the General Plan; and,  
26

27       **WHEREAS**, the Hemet Planning Commission conducted duly noticed public  
28 hearings on June 21, 2011, at which it received public testimony concerning the project  
29 and the Final EIR and considered the Final EIR.  
30

31       **NOW, THEREFORE**, the Planning Commission of the City of Hemet does hereby  
32 resolve, determine, find and order as follows:  
33

34       **SECTION 1. FINDINGS**  
35

36       The Planning Commission, in light of the whole record before it, including but not limited  
37 to, the Final EIR, all documents incorporated by reference therein, any comments  
38 received and responses provided, the Mitigation Monitoring Program, the Statement of  
39 Facts and Findings, and other substantial evidence (within the meaning of Public  
40 Resources Code § 21080(e) and § 21082.2) within the record and/or provided at the  
41 public hearing, hereby finds and determines that:  
42

- 43       1.       **Preparation of EIR:** An Environmental Impact Report was prepared for the Tres  
44 Cerritos East Specific Plan Amendment No. 06-001 after completion of an Initial  
45 Study in accordance with Public Resources Code § 21080(d) and § 21082.2 and  
46 the EIR was prepared and processed in accordance with the California

1 Environmental Quality Act (Public Resources Code § 21000 et seq.), the CEQA  
2 Guidelines (14 California Code of Regulations § 15000 et seq.), and the local  
3 CEQA Guidelines and Thresholds of Significance adopted by the City of Hemet.  
4

5 2. **Notice:** The City has complied with CEQA Guidelines § 15085 and §15087 by  
6 providing a Notice of Completion of the Draft EIR to OPR and a Notice of  
7 Availability to responsible and trustee agencies and other persons and agencies  
8 as required.  
9

10 3. **Review Period:** The City has complied with CEQA Guidelines §§ 15087 and  
11 15105 by making the Draft EIR available to the public for review for the required  
12 period of time.  
13

14 4. **Response to Comments:** The City has responded to all written comments  
15 received during the public review period and included both comments and  
16 responses as part of the Final EIR. In response to these comments, the City has  
17 made minor revisions to the Final EIR. These revisions are identified in the  
18 responses and in the text of the EIR, and do not constitute significant additional  
19 information and do not require recirculation of the EIR.  
20

21 5. **Avoidance / Reduction Significant Effects:** The Final EIR identifies potentially  
22 significant effects on the environment that could result if the project were adopted  
23 without changes or alterations in the project and imposition of mitigation  
24 measures. Based thereon, the Planning Commission further finds that:  
25

26 a. Changes, alterations, and mitigation measures have been incorporated  
27 into, or imposed as conditions of approval on, the project.  
28

29 b. These changes, alterations, and mitigation measures will avoid the  
30 significant environment effects identified in the Final EIR or lessen their  
31 impact below the threshold of significance, except to the extent discussed  
32 in the Findings attached hereto as Exhibit B, and the Statement of  
33 Overriding Considerations, attached hereto as Exhibit B.  
34

35 c. These changes, alterations, and mitigation measures are fully enforceable  
36 because they have either resulted in an actual change to the project as  
37 proposed or they have been imposed as conditions of approval on the  
38 project.  
39

40 d. The City has prepared a Mitigation Monitoring Program to track  
41 compliance with these changes, alterations, and mitigation measures.  
42

43 6. **Environmental Findings and Statement of Overriding Considerations:** Even  
44 though most potentially significant effects identified in the Final EIR will be  
45 mitigated through changes, alterations and mitigation measures, pursuant to  
46 Section 15092 of the CEQA Guidelines, approval of the project will result in

1 significant and unmitigatable effects on the environment relating to air quality.  
2 However, the project alternatives identified in the Draft EIR are infeasible in  
3 accordance with Public Resources Code Section 21081 and CEQA Guidelines  
4 Section 15091 as discussed in the Statement of Overriding Considerations,  
5 attached hereto as Exhibit B. The City has balanced the economic, legal, social,  
6 technological, and other benefits of the proposed project which outweigh the  
7 identified unavoidable environmental risks and impacts when determining  
8 whether to approve the project as analyzed in detail in the Findings of Fact  
9 attached hereto as Exhibit B, and that the project will provide specific economic,  
10 social, and public safety benefits which outweigh the unavoidable adverse  
11 environmental impacts of the project, such that those impacts are considered  
12 acceptable under CEQA Guidelines Sections 15093 (a) and (b) as discussed in  
13 the Statement of Overriding Considerations.

- 14  
15 7. **Independent Judgment:** The Final EIR reflects the independent judgment and  
16 analysis of the City.  
17

## 18 **SECTION 2. PLANNING COMMISSION ACTIONS**

19  
20 Based on the foregoing findings, and on substantial evidence in the whole of the record,  
21 the Planning Commission hereby takes the following actions:  
22

- 23 1. **Certify EIR:** The Planning Commission recommends that the City Council  
24 approve and certify the Final Environmental Impact Report (SCH No.  
25 2006071002) for the Tres Cerritos East Project, attached as Exhibit A, and  
26 incorporated herein by reference.  
27
- 28 2. **Adopt Statement of Facts and Findings:** The Planning Commission  
29 recommends that the City Council approve and adopt the Statement of Facts and  
30 Findings for the EIR attached hereto as Exhibit B.  
31
- 32 3. **Adopt Statement of Overriding Considerations:** The Planning Commission  
33 recommends that the City Council approve and adopt the Statement of  
34 Overriding Considerations, attached as Exhibit B and incorporated herein by  
35 reference, identifying reasons for approval of the Project despite significant and  
36 unavoidable impacts described in the Final EIR.  
37
- 38 4. **Adopt MMP:** The Planning Commission recommends that the City Council  
39 approve and adopt the Mitigation Monitoring Program for the Final EIR, attached  
40 as Exhibit C  
41
- 42 5. **Notice of Determination:** The Planning Commission recommends that, in  
43 compliance with Public Resources Code § 21152 and CEQA Guidelines § 15094,  
44 the City Council direct the Community Development Director to prepare a Notice  
45 of Determination concerning certification of the Final EIR, and within five (5) days  
46 of project approval, file the Notice with the Riverside County Clerk for posting.

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6. **Location:** The Planning Commission recommends that the Final Environmental Impact Report (SCH No. 2006071002) and all documents incorporated therein and forming the record of decision therefore, be filed with the Hemet Planning Department at the Hemet City Hall, 445 E. Florida Avenue, Hemet, California, 92543 and be made available for public review upon request

**PASSED, APPROVED AND ADOPTED** this 21st day of June, 2011, by the following vote, to wit:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

\_\_\_\_\_  
John Gifford, Chairman  
Hemet Planning Commission

ATTEST:  
  
\_\_\_\_\_  
Nancie Shaw, Minutes Secretary  
Hemet Planning Commission

# Exhibit No. 1A

## DRAFT EIR

[Provided under separate cover to P.C. only.  
Available for review at the Planning Department.]

# Exhibit No. 1B

Findings of Fact  
&  
Statement of Overriding  
Considerations

**ENVIRONMENTAL FINDINGS OF FACT  
AND  
STATEMENT OF OVERRIDING CONSIDERATIONS  
ON THE  
ENVIRONMENTAL IMPACT REPORT  
  
FOR THE  
  
TRES CERRITOS EAST SPECIFIC PLAN  
AMENDMENT (06-001)**

**Prepared for:  
City of Hemet  
Planning Department  
445 E. Florida Avenue  
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(951) 765-2375**

**Contact: Ronald Running, Project Planner**

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## **SECTION 1**

### **INTRODUCTION**

The findings and determinations contained herein are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the Project and the EIR. The findings and determinations constitute the independent findings and determinations by this City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.

Although the findings below identify specific sections within the Draft and Final EIRs in support of various conclusions reached below, the City Council incorporates by reference and adopts as its own, the reasoning and analysis set forth in both the Draft and Final EIR and thus relies on that reasoning, even where not specifically mentioned or cited below, in reaching the conclusions set forth below, except where additional evidence is specifically mentioned. This is especially true with respect to the Council's approval of all mitigation measures recommended in the Final EIR, and the reasoning set forth in responses to comments in the Final EIR. The City Council further intends that if these findings fail to cross-reference or incorporate by reference any other part of these findings, any finding required or permitted to be made by this City Council with respect to any particular subject matter of the Project must be deemed made if it appears in any portion of these findings or findings elsewhere in the record. The Final EIR, comments and responses to comments and all appendices are hereby fully incorporated herein by this reference.

The custodian of the documents and other materials that constitute the administrative record of proceedings upon which the Council's decision is based are located at the City of Hemet Planning Department 445. E. Florida Avenue, Hemet, CA 92543. The custodian of records is the City Clerk.

## **SECTION 2**

### **THE PROJECT**

#### **A. Project Description**

The Tres Cerritos East Specific Plan Amendment No. 06-001 is located in northwest Hemet at the southwesterly base of the Tres Cerritos Hills. The site is bound by Devonshire Avenue along the south, Cawston Avenue along the east, Menlo Avenue along the north, and the Tres Cerritos Hills complex along the west. The project area has been the subject of a number of specific plan actions that are summarized under B. Background.

#### **B. Background**

The original Tres Cerritos Country Club (TCCC) Specific Plan No. 90-009 encompassed 336 acres with 641 dwelling units. The TCCC Specific Plan was amended in 1999 under Ordinance 1608 and renamed the Hemet Valley Country Club Estates, (HVCCE). That amendment modified residential product types resulting in an increase in the number of residential units from 641 to 710.

The Tres Cerritos West Specific Plan Amendment No. 03-002 was adopted in 2004 encompassing the westerly 121.3 acres of the original 190-acre HVCCE plan. This

amendment established 177 lots over 53.1 acres, 59.1 acres of natural open space, 5.6 acres of parks and pedestrian paseos, and a 3.5 acre vernal pool conservation area.

The Tres Cerritos East Specific Plan Amendment area includes the remaining original project area, plus an additional 17.0 gross acres located at the northeast corner of Myers Street and Devonshire Avenue, for a total project area of 162.8 acres. The project area is now divided among three ownerships. The plan converts 50.89 acres of the original golf course uses to residential uses. With the inclusion or conversion of additional acreage for residential use, the plan now has a total of 754 dwelling units supported by parks, open space, and drainage facilities. The total area now comprised of Tres Cerritos West and Tres Cerritos East is 352.9 acres.

## B. Objectives

The primary Project objectives are as follows:

- Develop 754 residential homes that include single-family detached units on lots ranging from 4000 to 10,000 square feet, and multiple family units.
- Develop improved community recreation areas, as either public facilities, to be maintained through and Landscape, Lighting, and Maintenance District; or as private facilities to be owned and operated by a homeowner's association.
- Improve east to west circulation patterns between Menlo Road and Cawston Avenue
- Eliminate the previously approved golf course and club house
- Revise the approved drainage configuration to accommodate hillside ephemeral flows, in-tract urban runoff, and an on-site detention basin with "first-flush" functions.
- Revise the grading plan to reflect the currently development proposal.
- Amend approved development, architectural, and landscape standards to reflect current plans and development schemes.

## SECTION 3

### **FINDINGS**

Public Resources Code section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]" The same statute states that the procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects." Section 21002 goes on to state that "in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof."

The mandate and principles announced in Public Resources Code section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. (See Pub. Resources Code, § 21081, subd. (a); CEQA Guidelines, § 15091, subd. (a).) For each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three permissible conclusions. The first such finding is that "[c]hanges or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(1).) The second permissible finding is that "[s]uch changes or alterations are within the

responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency." (CEQA Guidelines, § 15091, subd. (a)(2).) The third potential conclusion is that "[s]pecific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(3).) Public Resources Code section 21061.1 defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors." CEQA Guidelines section 15364 adds another factor: "legal" considerations. (See also *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 565 (*Goleta II*)).

The concept of "feasibility" also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417.) "[F]easibility' under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors." (*Ibid.*; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.)

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project modification or alternatives are not required, however, where such changes are infeasible or where the responsibility for modifying the Project lies with some other agency. (CEQA Guidelines, § 15091, subd. (a), (b).)

With respect to a project for which significant impacts are not avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's "benefits" rendered "acceptable" its "unavoidable adverse environmental effects." (CEQA Guidelines, §§ 15093, 15043, subd. (b); see also Pub. Resources Code, § 21081, subd. (b).) The California Supreme Court has stated, "[t]he wisdom of approving . . . any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced." (*Goleta II, supra*, 52 Cal.3d at p. 576.)

These findings constitute the City Council members' best efforts to set forth the evidentiary and policy bases for its decision to approve the Project in a manner consistent with the requirements of CEQA. To the extent that these findings conclude that various proposed mitigation measures outlined in the Final EIR are feasible and have not been modified, superseded or withdrawn, the City hereby binds itself to implement these measures. These findings, in other words, are not merely informational, but rather constitute a binding set of obligations that will come into effect when the Council adopts a resolution approving the Project.

These findings do not repeat the full discussions of environmental impacts contained in the EIR. The Council ratifies, adopts and incorporates the analysis, explanation, findings, responses to comments and conclusions of the EIR. The Council adopts the reasoning of the EIR, of City staff reports, and of City staff and the presentations provided by the Project Sponsor.

At a meeting assembled on \_\_\_\_\_, 2011, the Planning Commission of the City of Hemet recommended to the City Council that, based upon all the evidence presented, including but not limited to the Final EIR, written and oral testimony given at the meetings and hearings, and submission of testimony from the public, organizations, and regulatory agencies,

the following impacts associated with the Project are: (1) less than significant and do not require mitigation; or (2) potentially significant and each of these impacts will be avoided or reduced to a level of insignificance through the identified mitigation measures and/or implementation of an environmentally superior alternative to the Project; or (3) significant and cannot be fully mitigated to a level of less than significant, but will be substantially lessened to the extent feasible by the identified mitigation measures.

#### SECTION 4

### **ENVIRONMENTAL IMPACTS NOT REQUIRING MITIGATION**

The City Council of the City of Hemet hereby finds that the following potential environmental impacts of the Project are less than significant and therefore do not require the imposition of mitigation measures. The Council again ratifies, adopts and incorporates the full analysis, explanation, findings, responses to comments and conclusions of the EIR.

#### **A. Agricultural Resources**

1. **Termination of Williamson Act Contracts:** The proposed project is not within an area identified as being part of a Williamson Act contract. Therefore, no impact to the termination of a Williamson Act contract would occur.
2. **Conflict with Existing Zoning for Agricultural Use:** The proposed project is zoned as Specific Plan (SP) and is not currently use.
3. **Involve changes in the existing environment, which due to their location or nature, could individually or cumulatively result in substantial loss of farmland for non-agricultural use:** The proposed project is not located in an area, nor by its nature, would result in substantial loss of farmland for non-agricultural use.
4. **Conversion of State Designated Farmland:** The proposed project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use, as lands within the proposed project are not located within any of these mapped designations.
5. **Substantially impair the productivity of adjoining agricultural areas:** There are no agricultural uses on lands that adjoin the proposed project.
6. **Result in introduction of, or a substantial increase pests and/or disease in, nearby agricultural areas:** The nature of the proposed project would not result in increased pests and/or disease in nearby agricultural areas.

#### **B. Land Use**

1. **Physically divide an established community:** The proposed project, as urban infill, will introduce drainage facilities, circulation links, recreation facilities, and residential development that will resolve existing problems in the area.

2. **Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the proposed project.:** The proposed project has been prepared in accordance with the Government Code and General Plan, and is consistent with the policies of the General Plan. The proposed project results in an increase in recreation facilities and decrease in the average density of development as compared to the adopted specific plan.
3. **Conflict with any adopted environmental plans and goals of the community where it is located, or Conflict with any applicable habitat conservation plan or NCCP:** The proposed project will not conflict with any adopted environmental plans and goals of the community because it would not impact sensitive habitat, nor would it conflict with the Multi-Species Habitat Conservation Plan (MSHCP).

## SECTION 5

### ENVIRONMENTAL IMPACTS MITIGATED TO A LEVEL OF LESS THAN SIGNIFICANT

The City Council of the City of Hemet hereby finds that the following environmental impacts identified in the Final EIR and potentially significant, but can be mitigated to less than significant levels through the implement imposition of mitigation measures and or conditions identified in the Final EIR and summarized below. The Council again ratifies, adopts and incorporates the full analysis, explanation, findings, responses to comments and conclusions of the EIR.

#### A. Aesthetics/Visual Resources

1. **Substantially degrade the existing visual character or quality of the site and its surroundings.**

**Finding:** The proposed project would change the visual character of the site and its surroundings by replacing vacant undeveloped land with residential uses, roadways, and parks. Development of the site would partially block the view of the San Jacinto Mountains to the north/northeast and the Lakeview Mountains to the west. The effect of blocking views of these resources would be significant without mitigation. However, the design and construction of the development would be consistent with the existing and planned developments in the area, but visual impacts would still occur given that the site is currently vacant and undeveloped. Implementation of Mitigation Measures VR-1 – VR-3 will reduce impacts to a level that is less than significant.

**Mitigation Measure VR-1:** Hillside development shall be limited to slopes of less than 25 percent. Public access to hillside areas shall be restricted and the rocky uplands of the Tres Cerritos Hills shall be preserved as dedicated open space for habitat preservation purposes and for visual purposes. (Note: the rocky uplands of the Tres Cerritos Hills has been dedicated to the City of Hemet as natural open space).

**Mitigation Measure VR-2:** At the time a discretionary permit is filed, the applicant shall provide a rough grading plan to the satisfaction of the city engineer. Landscape plans shall be prepared by a licensed landscape architect or a contractor to the satisfaction of the planning director and city engineer. A tree preservation plan shall be prepared, if feasible, and a map of rock

outcroppings on and within 100 feet of the project shall be prepared in an attempt to preserve these on-site resources.

**Mitigation Measure VR-3:** Landscape and revegetation of graded slopes shall occur as soon as possible after grading to minimize the potential erosion as well as to reduce the potential for visual and aesthetic impacts.

- 2. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.**

**Finding:** The proposed project would include exterior lighting for public safety and security. While the proposed development would increase the lighting in the vicinity of the proposed project, the impacts would be less than significant with adherence to the City's lighting policies and implementation of Mitigation Measure VR-4

**Mitigation Measure VR-4:** The applicant shall adhere to the City's exterior lighting policies and shall incorporate shielding of fixtures to minimize ambient lighting in and adjacent to natural open space areas. Street and parking lot lighting shall be designed with internal baffles to direct lighting toward the ground and have a zero side angle cutoff to the horizon. The applicant shall incorporate a prohibition on floodlights and other ambient lighting by homeowners in or adjacent to the natural open space areas.

## **B. Biological Resources**

- 1. Have a substantial adverse affect, either directly or through habitat, modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plan. Policies, or regulations by the CDFG or the USFWS**

**Finding:** The burrowing owl and its habitat would be directly impacted by the proposed project. Potential impacts could consist of destruction of habitat within the home range and possible disturbance or destruction of up to two breeding owl pairs and their young. The Smooth Tarplant would be directly impacted by the proposed project. Implementation of Mitigation Measures BIO-1 through BIO-2 will reduce impacts to a level that is less than significant.

**Mitigation Measure BIO-1:** The proposed project shall participate in the Western Riverside County MSHCP through payment of fees in compliance with MSHCP Volume 1 of 4, Part 2 of 2, Appendix C, Best Management Practices.

**Mitigation Measure BIO-2:** Rare plant surveys shall be conducted during the spring blooming period on the western 80-acre portion of the site.

- 2. Have a substantial adverse affect on federally-protected wetlands as defined by Section 404 of the CWA, (including, but not limited to, marsh, vernal pool, coastal), through direct removal, filling, hydrological interruption, or other means.**

**Finding:** The project site has the potential to support the federally listed and endangered Riverside Fairy Shrimp and the federally listed threatened vernal pool fairy shrimp. On the eastern portion of the 80-acre site 0.1 acre of non-wetlands water of the United States and 0.2 acre of CDFG streambed would be

directly impacted by the proposed project. Implementation of Mitigation Measures BIO-3 through BIO-4 will reduce impacts to a level that is less than significant.

**Mitigation Measure BIO-3:** An additional assessment shall be conducted during the wet season and spring blooming season to determine the presence/absence of vernal pool habitat on the western 80-acre portion of the site.

A vernal pool habitat assessment on the western 80-acre portion of the site is unnecessary. The wet season fairy shrimp survey encompassed 11 surveys that began in late December 2007 and extended through mid-April 2008, and remain within the five-year window of report acceptability. The entire property was inspected for this series of surveys. No vernal pool plant species were observed. If indicator plant species for vernal pools were present, they would have been noted during these wet season fairy shrimp surveys. The findings of these studies can be found in the Biological Assessment dated 3/20/09.

**Mitigation Measure BIO-4:** Wet season fairy shrimp surveys shall be conducted during the wet season.

Wet season fairy shrimp surveys shall be conducted during the wet season. The survey protocol for fairy shrimp requires two seasons of surveys and such a survey was only performed for the eastern half of the 160 acres of the site. Two wet season surveys or one wet season survey and one dry season survey will be required. Due to the one- to two-year shelf life for protocol fairy shrimp surveys, the site must be surveyed again in its entirety prior to the approval of an implementing Tentative Tract Map to create buildable lots. These surveys must begin with the first fall rains and last until the pools dry out or until 10 or 12 surveys have been done. A dry season survey may also suffice after the pools dry out in late spring or early summer. The findings of these studies can be found in the Biological Assessment dated 3/20/09.

- 3. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.**

**Finding:** The burrowing owl and its habitat would be directly impacted by the proposed project. Potential impacts could consist of destruction of habitat within the home range and possible disturbance or destruction of up to two breeding owl pairs and their young. Implementation of Mitigation Measures BIO-5 will reduce impacts to a level that is less than significant.

**Mitigation Measure BIO-5:** A burrowing owl survey shall be conducted during the spring burrowing owl nesting season on the western 80-acre portion of the site.

**Finding:** If vegetation clearing activities are scheduled to occur between January 1 and August 31 of any given year, surveys must be conducted to determine the presence of any nesting birds prior to construction. If nests are found for bird species that are protected under the Migratory Bird Treaty Act, (MBTA), then vegetation clearing shall either be deferred until after the breeding season, or avoidance of impacts to the nests. Two burrowing owls were found and reported in the Biological Assessment dated 3/20/09. Further burrowing owl surveys will be conducted prior to issuance of grading permits.

4. **Conflict with local policies protecting biological resources, such as tree preservation, policies or ordinances; or with the provisions of an adopted HCP, NCCP, or other approved local, state, or regional HCP.**

**Finding:** The presence and potential limits of areas under jurisdiction of the CDFG, and the RWQCB will be identified and quantified under a jurisdictional delineation. Implementation of Mitigation Measures BIO-6 through BIO-15 will reduce impacts to a level that is less than significant.

**Mitigation Measure BIO-6:** A jurisdictional delineation shall be conducted to identify the presence of US Army USACE and CDFG jurisdictional wetlands as well as non-wetlands Waters of the United States and CDFG streambeds on the western 80-acre portion of the site

A jurisdictional field survey of the entire 160-acres was done in September 2008 and final report issued and delivered to the City on 17 February 2009, which remains within the five-year window of acceptability. The survey identified 0.64 acres of Army Corps jurisdictional waters and 1.03 acres of Waters of the State. In the interim, the Army Corps of Engineers determined that an adjoining downstream project, (Florida Promenade Specific Plan Amendment, File No. SPL-2009-00750-JPL), was not subject to their jurisdiction under Section 404 of the Clean Water Act. This renders TCE property as isolated and therefore non-jurisdictional.

**Mitigation Measure BIO-7:** If proposed, fuel modification shall be assessed as a portion of the project's biological impacts once detailed engineering plans are complete.

**Mitigation Measure BIO-8:** The applicant shall provide MSHCP Local Development Mitigation Fees in accordance with the MSHCP requirements. These fees currently range from \$937 to \$1,801 per residential dwelling unit depending upon density per acre.

**Mitigation Measure BIO-9:** The application shall provide fee for mitigation of impacts to the Stephens Kangaroo Rat (SKR). The SKR fee established by Riverside County Ordinance 663.10 is currently \$500 per gross acre.

**Mitigation Measure BIO-10:** The applicant shall pay fees for loss of Riversidean sage scrub, southern willow, and non-native grassland in accordance with MSHCP requirements.

**Mitigation Measure BIO-11:** For the eastern 80-acre portion of the site, impacts to the 0.1 acre of non-native wetland waters of the US would require issuance of a Department of the Army permit, (likely a Nationwide permit), and 401 Certification from the RWQCB. Impacts to the 0.2 acre of CDFG streambed would require a Streambed Alteration Agreement.

**Mitigation Measure BIO-12:** The federally listed Riverside fairy shrimp and the federally listed vernal pool fairy shrimp have the potential to occur on site. If either of these species is found to occur on-site, consistency with Section 6.1.2 of the MSHCP would be required. Avoidance of impacts is preferred; however, if avoidance is not feasible, minimization of impacts shall occur, or compensatory mitigation, at a minimum 1:1 ratio, would be required. If compensatory mitigation

is the mechanism used, a Determination of Biologically Equivalent or Superior Preservation would be required.

Wet season surveys for fairy shrimp were conducted in 59 basins. Dry sampling was done in 42 basins. Fairy shrimp were detected in 38 basins with the wet season sampling and 26 basins with the dry season sampling. The fairy shrimp detected by dry sampling can only be identified to genus (i.e., *Branchinecta*) and there are listed and non-listed species in this region in this genus. There were also fairy shrimp in the *Branchinecta* genus detected in 7 basins during the wet season surveys that never matured. The *Branchinecta* individuals that were identified were a non-listed species (i.e., *Branchinecta lindahli*). No mitigation is necessary for impacts to this species.

Mitigation for fairy shrimp could occur at 1:1 as negotiated with the City and resource agencies. Due to the one- to two-year shelf life for protocol fairy shrimp surveys, the site must be surveyed again in its entirety prior to the approval of an implementing Tentative Tract Map to create buildable lots. These surveys must begin with the first fall rains and last until the pools dry out or until 10 or 12 surveys have been done. A dry season survey could be done after the pools dry out in late spring or early summer. The findings of the studies can be found in the Biological Assessment dated 3/20/09.

**Mitigation Measure BIO-13:** Loss of burrowing owl habitat would be mitigated by payment of the MSHCP fees. This shall include pre-construction surveys within 30 days prior to the onset of vegetation removal activities onsite.

If less than three burrowing owl pairs are detected, impacts to individual owls would be compensated by passive or active relocation. Any relocation shall be conducted outside of the nesting season (March 1 through August 31) to be consistent with the MSHCP and MBTA. Owl relocation shall adhere to the California Burrowing Owl Consortium's *Burrowing Owl Survey Protocol and Mitigation Guidelines (April 1993)*. If three or more pairs are detected, on-site preservation may be necessary, as the project site could be considered to have long-term habitat conservation value under the MSHCP.

**Mitigation Measure BIO-14:** Vegetation clearing, if conducted during the bird nesting season, pre-construction surveys for nesting birds shall be conducted to identify active nests and monitor construction activities to avoid impacts. If active nests can not be avoided during the nesting/breeding season, authorization to take any nests would be required through issuance of a Migratory Bird Permit from USFWS.

**Mitigation Measure BIO-15:** Potential offsite indirect impacts to the Hemet Vernal Pool Complex MSHCP Conservation Area would be mitigated through the implementation of an on-site Storm Water Pollution Prevention Permit (SWPPP) and standard erosion control and water quality Best Management Practices (BMPs).

### C. Cultural Resources

1. One isolated bedrock milling site exists in a slight state of decomposition within the project site. The site is not considered a 'historic resource' pursuant to CEQA Guidelines Section 15064.5 and no mitigation measures are required. However, during the Native

**American consultation pursuant to SB 18, the Morongo Band of Mission Indians requested that the rock containing the milling feature be relocated from the site to a location on the Morongo Indian Reservation.**

**Finding:** The project site has the potential to yield subsurface historic resources. In the event that buried subsurface cultural materials are encountered during project grading or construction that could not be identified on the surface survey, mitigation measures have been identified below that would alleviate this impact to less than significant.

**Mitigation Measure CR-1:** In the event that any archaeological or historical resources or remains are uncovered during the course or project construction, ground-disturbing activities in the vicinity of the resources shall be redirected until the nature and extent can be evaluated by a qualified archaeologist and the Soboba, Morongo, and Pechenga Tribes. The archaeologist shall examine the area and determine the actions that may be needed to mitigate potential impacts. The City shall consult with the Tribes regarding the archaeologist's recommendations and then shall approve the recommended actions, as appropriate.

Work in the area of the previously unknown finds shall halt until impacts to the resources are addressed as directed by the City. Earth-moving shall be allowed to proceed through the site when the archaeological supervisor and the City, in consultation with Soboba, Morongo, and Pechenga Tribes, determine that the artifacts have been mitigated to the extent necessary.

**Mitigation Measure CR-2:** If human remains are encountered during any earth-moving activities, all work in the area shall stop, and the Riverside County Coroner shall be notified. State law dictates that the NAHC shall be notified in the event that the remains are determined to be human and of Native American descent. The City shall notify and consult with members of the Soboba and Pechanga Tribes in the event that the remains are of Native American descent to determine proper disposition of the remains.

#### **D. Geology and Soils**

- 1. The proposed project would cause exposure of people to potential substantial adverse effects caused by strong seismic ground-shaking, including liquefaction.**

**Finding:** The project lies within a region of active faulting and seismicity in southern California. Potential regional sources for ground-shaking hazards include the San Andreas, San Jacinto, and Elsinore fault zones. There is a 10 percent probability that the design ground motion could be exceeded in 50 years and could produce a peak horizontal ground surface acceleration at the project site of 0.69g.

The proposed project would ultimately increase the number of people in the area, and therefore an increased number of people would be exposed to seismic hazards. Compliance with the UBC building construction hazards and federal and state Occupational Safety and Health Administration (OSHA) standards is expected to reduce onsite ground shaking hazards to acceptable levels, and would therefore result in a less than significant impact with mitigation

incorporated. Implementation of Mitigation Measures GM-1, GM-2, GM-3, GM-4, GM-5, GM-6, GM-7, GM-8, and GM-16 would reduce this impact to a level of insignificance.

- 2. The proposed project would expose people or structures to substantial adverse effects caused by landslides.**

**Finding:** The potential for adverse risk associated with landslides for the majority of the proposed project is low. The project site is located primarily on an alluvial fan that is not prone to landslides, specifically the central and eastern portions of the proposed project site. On the western side of the proposed project site, construction of fill slopes less than 10 feet in height at a 2:1 slope ratio would mitigate potential liquefaction impacts in this area. Implementation of Mitigation Measures GM-10 and GM -11 would reduce this impact to a level less than significant for slope stability on the western side of the project site.

- 3. The proposed project would potentially be located on a geological unit or soil that is unstable, or that would become unstable as a result of the proposed project.**

**Finding:** The near surface soils consisting of top soil, artificial fills and shallow alluvial soils are not suitable for the support of structural improvements or additional fills. The existing on-site near-surface alluvial soils and undocumented artificial soils are suitable for re-use as fill during proposed grading, from a geotechnical standpoint, provided that they are free of organic material. Implementation of Mitigation Measures GM-1, GM-2, GM-3, GM-4, GM-5, GM-6, GM-7, GM-8, GM-9, GM-12, GM-13, GM-14, GM-15, and GM-16 should reduce this impact to a level of insignificance.

- 4. The proposed project would potentially be located on expansive or reactive soils that would create a substantial risk of life and property.**

**Finding:** On-site near surface soils are anticipated to generally be low to very high expansive. Clay layers with high plasticity index and expansive index (medium to high expansive) were encountered within the upper 10 feet of the soil borings. The alluvial soils in the central and eastern portions of the site can be excavated with heavy duty conventional grading equipment; however, the on-site soils may be moderately corrosive to any proposed concrete and buried metal improvements. Implementation of Mitigation Measures GM-1, GM-2, GM-3, GM-4, GM-5, GM-6, GM-7, GM-8, GM-9, GM-12, GM-13, GM-14, GM-15, and GM-16 should reduce this impact to a level of less than significant. Additional corrosion testing should be performed on representative finish grade soils at the completion of rough grading under the direction of a corrosion consultant. Concrete foundations in contact with site soils should be designed in accordance with Table 19-A-A-4 of the UBC.

**Mitigation Measure GM-1:** Prior to grading:

- Proposed structural improvement areas of the site should be cleared of surface and subsurface obstructions and organic material.
- Septic tanks and cesspools shall be removed or abandoned in accordance with local regulations.

- Voids created by removal of buried material should be backfilled with properly compacted soil with general accordance with the recommendations in Appendix F of the DEIR (Preliminary Geotechnical Investigation Report).
- Near surface soils onsite composed of undocumented fill, topsoil, and loose alluvium should be removed down to competent material as determined by the geotechnical engineer and replaced with properly compacted fill for uniform support under structural improvements and additional fill soils.
- Acceptability of all of all removal bottoms should be reviewed by an engineering geologist with field and laboratory testing under the supervision of a geotechnical engineer.
- General remedial removal depths are expected to be 5 to 8 feet below existing grade as required by the Preliminary Geotechnical Investigation Report, (Appendix F of the DEIR).

**Mitigation Measure GM-2:** Overexcavation of the cut portion of transition lots to mitigate the impact of underlying cut/fill transition conditions. Over excavation should extend to a minimum depth of 3 feet below the bottom of the proposed footings or one-half of the maximum fill thickness on the lot, whichever is deeper.

**Mitigation Measure GM-3:** Overexcavation of the cut lots and streets. Cut lots should be overexcavated to a depth of 3 feet below the bottom of the proposed footings and then capped with compact fill. Bottom of the overexcavation should be sloped at a minimum 2 percent or as needed toward the street to prevent the accumulation of subsurface water.

**Mitigation Measure GM-4:** Areas to receive structural fill and/or other surface improvements should be scarified to a minimum depth of 8 inches, moisture conditioned to optimum moisture content, and recompact to minimum 90 percent of the maximum dry density in accordance with ASTM Test Method D1557.

**Mitigation Measure GM-5:** Import soils and/or the borrow site should be evaluated by the geotechnical consultant prior to importation, and should be granular in nature; free of organic material; have very low expansion potential; have a minimum R-value of 20; and have low corrosion impact to the proposed improvements.

**Mitigation Measure GM-6:** The onsite soils may generally be suitable as trench backfill provided they are screened for rocks over 6 inches in diameter and organic materials; and should be compacted in uniform lifts by mechanical means to at least 90 percent relative compaction (ASTM Test Method D1557). In addition, excavation of utility trenches should be performed in accordance with the project plans, specifications, and all applicable OSHA requirements.

**Mitigation Measure GM-7** Site grading should include, if possible, a balance area or ability to adjust import quantities to accommodate some variation in earthwork shrinkage and bulking estimates. Values are provided as guidelines in Appendix F of the Draft EIR.

**Mitigation Measure GM-8:** Proposed single-family residential structures should be founded on post-tension foundation systems due to the existence of medium and very high expansive soils in the near surface. Specific parameters for foundation footings, under-slab moisture retarded, soil moisture levels, and slab subgrade soils are presented in Appendix F of the Draft EIR.

**Mitigation Measure GM-9:** The project civil, structural engineer, and architect should consider the potential combined effects of both static and dynamic settlement as presented in Appendix F. The magnitude of the [static] consolidated settlement would be dependent on the thickness of the fill placed above existing ground surface, thickness of clay layers underlying the fill area, and the time of construction of structures from the placement of the fills. Total dynamic (saturated and dry sand) are estimated to be on the order of 2 to 3 inches with differential settlements of 1.5 inch in 40 feet horizontal distance or between similar structural elements of the buildings, whichever is a greater distortion.

**Mitigation Measure GM-10:** Minimum horizontal setback distance from the face of slopes for all structural footings should not be less than 7 feet and need not be greater than 15 feet. This distance should be measured from the outside bottom edge of the footing horizontally to the slope face (or to the face of a retaining wall) and should be a minimum of  $H/2$ , where H is the slope height. Additional guidance is presented in Appendix F of the Draft EIR.

**Mitigation Measure GM-11:** All slopes should be constructed in accordance with the most current version of the UBC guidelines and the City of Hemet requirements. If there is discrepancy between the recommendations in the UBC and City of Hemet requirements or those presented in Appendix F of the Draft EIR, the more stringent recommendations should be used.

**Mitigation Measure GM-12:** For preliminary design purposes, the lateral earth pressure values for level or sloping backfill are recommended for walls backfilled with onsite and/or imported soils of very low to low expansion potential presented in Table 2 in Appendix F of the Draft EIR.

**Mitigation Measure GM-13:** Surface drainage should be controlled at all times. Positive surface drainage should be provided to direct surface water away from the structures toward the street or suitable drainage facilities. Positive drainage may be accomplished by providing a minimum 2 percent gradient away from the structures for a distance of at least 5 feet. Below grade planters should not be situated adjacent to structures or pavements unless provisions for drainage such as catch basins and drains are made. In general, ponding of water should be avoided adjacent to the structures or pavements. Over-watering of the site should be avoided. Protective measures to mitigate excessive site erosion during construction should also be implemented in accordance with the City of Hemet grading ordinances.

**Mitigation Measure GM-14:** Additional corrosion testing should be performed on representative finish grade soils at the completion of rough grading under the direction of a corrosion consultant (corrosion engineer). Concrete foundations in contact with site soils should be designed in accordance with Table 19A-A-4 of the UBC.

**Mitigation Measure GM-15:** Preliminary pavement design should be based on Caltrans Highway Design Manual. For planning and estimating purposes, a range of Traffic Indices (TIs) has been provided for preliminary pavement recommendations; and final pavement sections should be selected by the project civil engineer or traffic engineer consultant with the appropriate TI data.

**Mitigation Measure GM-16:** Concrete structures in contact with site soils should be designed in accordance with Table 19A-A-4 of the UBC.

- When used as compacted fill, high to very high expansive soils should be avoided in the upper 5 feet immediately under structural improvement areas.
- Removal limit should be established by a 1:1 projection from the edge of the fill soils supporting settlement-sensitive structures downward and outward to competent material identified by the geotechnical consultant, and include a perimeter area of at least 5 feet beyond the outermost foundation elements for a given structure.
- After completion of the recommended removal, and prior to placement of additional fill, the approved surface should be scarified a minimum of eight inches, moisture conditioned, and compacted to a minimum of 90% of the maximum dry density in accordance with ASTM D1557.

## E. Hydrology and Drainage

1. **The potential exists for site construction and grading to result in substantial erosion which could result in increased siltation and/or turbidity to on- and off-site water systems. These on- and off-site impacts would be considered a potentially significant impact.**

**Finding:** Any construction project that clears and grades over one acre of undisturbed or vegetated land must obtain coverage under the NPDES General Permit from the RWQCB. The NPDES permit requires the preparation of a SWPPP. The SWPPP must contain a monitoring program and requires installation and maintenance of BMP systems. These BMPs are intended to prevent construction pollutants, (ie soil erosion and hazardous material runoff), from coming into contact with receiving waters, minimize on-site erosion, and prevent on-site siltation or added turbidity to local water systems. Preparation of the SWPPP is required prior to any site preparation, grading, or construction. Development and implementation of the SWPPP would reduce potential water quality impacts to a level set by the RWQCB. Mitigation Measures HYD-1 and HYD-2 would reduce potential short-term construction impacts to a level less than significant.

**Mitigation Measure HYD-1:** Prior to the issuance of a grading permit, the Applicant shall prepare and submit a Storm Water Pollution Prevention Plan (SWPPP) to the City of Hemet. The SWPPP shall include a requirement to include hydrocarbon filters along the perimeter of the retention basin. The SWPPP must be prepared by a licensed engineer, hydrologist, or erosion control specialist and shall be reviewed by the City of Hemet prior to issuance of a Grading Permit. The SWPPP shall be available on-site at all times for review by the City of Hemet and RWQCB inspectors.

**Mitigation Measure HYD-2:** The Applicant shall be responsible for coordinating all SWPPPs for various projects and facilities to make sure the overall Proposed Project meets the requirements specified in the Federal CWA and the State Porter-Cologne Water Quality Control Act (Division 7 of the California Water Code).

**2. The possibility exists to create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems, or provide substantial additional sources of polluted runoff.**

**Finding:** Development of the proposed project site would involve developing a primarily vacant site covered with vegetation to a residential (ie urban) community. This would increase impervious surfaces, (is roads, parking lots, sidewalks, roofs), thereby increasing surface water runoff. Under the proposed condition, the runoff from the site would be conveyed on the surface within the street sections and would be picked up by catch basins at street grade. The runoff via a storm drain system would be outlet into an interim detention basin located at the southwest corner of the proposed project site. The basin would be used until such time as the Master Plan of Drainage Improvements are constructed downstream. The storm drain system is designed in accordance with the RCFC &WCD requirements and standards. Construction of the storm drain system would reduce on-site runoff impacts to less than significant.

**Mitigation Measure HYD-3:** Drainage conveying system and locations shall be constructed in accordance with the preliminary drainage system plan and through conditions of approval provided by the City Engineer.

The preliminary drainage plan requires the collection of existing flows from the existing Seattle Channel/Basin and from an existing channel at the intersection of Cawston Avenue and Devonshire Avenue. Existing flows from the watershed north of the project will be conveyed along Cawston Avenue to the intersection with Devonshire Avenue. All three existing flows will be collected in a proposed trapezoidal naturalized channel located onsite along the west side of Cawston Avenue and along the north side of Devonshire Avenue. The channel has been sized to convey existing and future developed flows and will have a top span of approximately 50 feet, with 2:1 armorized side slopes, and a 10 foot-wide bottom. The channel depth will be 10 feet. The channel will convey flows into an 6.2 acre interim detention basin to be located onsite at the northeast corner of Devonshire Avenue and Myers Street. The design of the basin is sized to meet water storage retention requirements for a 100-year storm event. The basin will have a depth of 25 feet. Details for construction of the interior and perimeter of the basin are provided in the Tres Cerritos East Specific Plan Amendment document. The drainage channel and detention basin will be constructed concurrently with the first phase of development. Upon subsequent completion of downstream drainage facilities, the interim detention basin will be substantially filled in to facilitate development. A portion of the detention basin will continue to function as a water quality basin to cleanse surface flows before release offsite.

## **F. Noise**

- 1. The proposed project may expose a person to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.**

2. **The proposed project may generate a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the proposed project.**

**Finding:** During the construction period, a variety of equipment would be utilized at various locations within the proposed project area. Many of these activities would be close to noise sensitive receptors. The current noise sensitive locations near the proposed project boundary are: (1) single family residences at the southwest corner of Devonshire Avenue and Cawston Avenue, (2) a single family residence to the west, (3) a large single family residential area on the eastern side of Cawston Avenue, (4) the Cawston Elementary school to the northeast, and (5) new single family residential development to the north. Most of the noise sensitive receptors would be approximately 100 feet from the closest construction activity where noise could be as high as 83 dBA. Construction noise represents a short-term impact. Mitigation Measure N-1 and N-2 would limit these impacts to less than significant.

**Mitigation Measure N-1:** Construction activities shall be limited to those specified in the City of Hemet ordinance provided in Division 1 - Generally, Section 30-32, Item 33.

**Mitigation Measure N-2:** A construction-related noise mitigation plan has been prepared as part of the Draft EIR, which incorporates the provisions set forth below. Prior to any construction, the contractor must submit a list of construction equipment to the City of Hemet Planning Department to assure minimum emissions under normal conditions. The noise mitigations to be implemented to reduce construction noise include the following:

- Construction equipment shall be equipped with manufacturer recommended mufflers or equivalent.
- Equipment engine covers shall be maintained on the apparatus as designated by the manufacturer.
- Construction equipment shall be turned off when not in use.
- Equipment used for project construction shall be hydraulically or electrically powered whenever possible to avoid noise associated with compressed air exhaust from pneumatically-powered tools. However, where use of pneumatically powered tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used.
- External jackets on the tools should be used where feasible. Quieter procedures shall be used such as drilling rather than impact equipment whenever possible.
- Stationary noise sources shall be located as far from existing sensitive receptors as possible. If stationary sources must be located near existing sensitive receptors, they shall be adequately muffled and enclosed within temporary sheds or portable sound blankets used.

**Supporting Explanation:** Potentially significant short-term noise impacts would be generated during the excavation, grading, and building erection phases of the project's construction. Since construction is performed in separate phases, each phase involves its own mix of equipment and, consequently, its own noise characteristics. As noted above, the City's Municipal Code Section 30-32 (33) limits hours of construction to between 6:00 AM and 6:00 PM during the months of June through September and between the hours of 7:00 AM and 6:00 PM during the months of October through May. Saturday construction is permitted between the hours of 7:00 AM and 6:00

PM, and Sunday construction is prohibited. The mitigation measures will reduce impacts to a less than significant level by directing noise-generating activities and equipment away from sensitive receptors or by locating equipment at distances where noise levels would have a less than significant effect. Additionally, compliance with construction hours as specified in the Municipal Code would reduce impacts related to this issue to a less than significant level.

## **G. Paleontological Resources**

- 1. A project may have a significant effect on the environment if it would directly or indirectly destroy a unique paleontological resource, site, or unique geological feature.**

**Finding:** Direct impacts to paleontological resources could occur when earthwork activities such as drilling, trenching, and mass grading in the sedimentary deposits within which fossils are buried. The majority of the site is underlain by young alluvial valley deposits and old alluvial fan deposits. Earth moving activities conducted within these sedimentary deposits could have a significant impact on paleontological resources. Implementation of Mitigation Measure PR-1, PR-2, PR-3, PR-4, PR-5, and PR-6 would reduce the impact to less than significant.

**Mitigation Measure PR-1:** A qualified paleontologist shall attend the pre-construction meeting to consult with the grading and excavation contractors concerning excavation schedules, paleontological field techniques, and safety issues. A qualified paleontologist is defined as an individual who:

- has a M.S. or Ph.D. in paleontology or geology;
- is familiar with paleontological procedures and techniques;
- is knowledgeable in the geology and paleontology of Riverside County;
- has worked as a paleontological mitigation project supervisor in the county for at least one year.

**Mitigation Measure PR-2:** A paleontological monitor shall be on-site on a full-time basis during the original cutting of previously undisturbed deposits of high paleontological resource potential ("Old Alluvial Fan" deposits [Q<sub>of</sub>]); and at least on a half-time basis during the original cutting of previously undisturbed deposits of moderate paleontological resource potential ("Young Valley Fill" deposits [Q<sub>yv</sub>]) to inspect exposures for contained fossils. A paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials, and would work under the direction of a qualified paleontologist. As grading progresses, the qualified paleontologist and paleontological monitor shall have the authority to reduce the monitoring program to an appropriate level if it is determined that the potential for impacts to paleontological resources is lower than anticipated.

**Mitigation Measure PR-3:** When fossils are discovered, the paleontologist (or paleontological monitor) shall recover them. In most cases this fossil salvage can be completed in a short period of time. However, some fossil specimens (such as a complete large mammal skeleton) may require an extended salvage period. In these instances the paleontologist (or paleontological monitor) shall be allowed to temporarily direct, divert, or halt grading to allow recovery of fossil remains in a timely manner. Because of the potential for the recovery of small

fossil remains, such as isolated mammal teeth, it may be necessary to set up a screen-washing operation on the site.

**Mitigation Measure PR-4:** Fossil remains collected during monitoring and salvage shall be cleaned, repaired, sorted, and cataloged as part of the mitigation program.

**Mitigation Measure PR-5:** Prepared fossils, along with copies of all pertinent field notes, photos, and maps shall be deposited (as a donation) in a scientific institution with permanent paleontological collections such as the San Bernardino County Museum, the San Diego Natural History Museum, or the Natural History Museum of Los Angeles County. Donation of the fossils shall be accompanied by financial support for preparation, curation, and initial specimen storage.

**Mitigation Measure PR-6:** A final summary report shall be completed that outlines the results of the mitigation program. This report shall include discussions of the methods used, stratigraphic section(s) exposed, fossils collected, and significance of recovered fossils.

#### H. Public Health and Safety/Hazardous Materials

1. **The proposed project could create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.**

**Finding:** The use of hazardous materials during construction of various facilities on the project site would pose potential health and safety hazards to construction workers and nearby residents. These impacts would be associated with the transport, use, or disposal of hazardous substances during construction of the proposed project. Implementation of Mitigation Measures PHS-1, PHS-2, PHS-3, PHS-4, PHS-5, PHS-6, and PHS-7 would minimize these potential impacts to a level of insignificance.

**Mitigation Measure PHS-1:** The Project Applicant, General Contractor, and/or an assigned Health and Safety Officer (H&SO) shall provide training to grading, trenching, and excavation personnel regarding identification protocols for encountering any residual contamination. All suspected area(s) identified by construction workers shall be reported to the proper on-site assigned representative immediately. All work at the identified location shall be stopped until a qualified professional evaluates the suspected contamination area.

**Mitigation Measure PHS-2:** The Applicant shall perform subsurface soil sampling to determine if past agricultural use has impacted the subsurface soil. Representative samples should be collected from the near surface soil (0 to 1 foot below grade) and deeper soils (3 feet below grade). All near surface samples should be analyzed for pesticides.

**Mitigation Measure PHS-3:** The Applicant shall perform subsurface soil sampling and analyses to determine the depth of the apparent oil and stained soils located in the vicinity of the equipment storage yard. Soil samples should be collected at selected intervals to the apparent vertical extent of the oil stained soils. All near surface samples should be analyzed for total recoverable hydrocarbons and volatile organic compounds.

**Mitigation Measure PHS-4:** In the event of demolishing or remodeling the residential structure on the subject site, an asbestos and lead paint survey should be completed prior to demolition.

**Mitigation Measure PHS-5:** In general, observations should be made during any future site development for areas of possible contamination such as, but not limited to, the presence of underground facilities, buried debris, waste drums, tanks, staining soil or odorous soils. Should such materials be encountered, further investigation and analysis may be necessary at that time.

**Mitigation Measure PHS-6:** A qualified professional shall be available to respond to suspected contamination at the site if found. The credentials of the qualified professional or company shall be submitted to the City for review and approval prior to commencing work at the Proposed Project site. It shall be the responsibility of the qualified professional to evaluate all suspected contaminated areas identified by contracting personnel. The evaluation shall include, but not be limited to, making a professional judgment, taking soil samples for analyses, and/or using portable instruments. The qualified professional or company shall provide a written evaluation and actions to be taken (if required) to the Proposed Project on-site representative. The Proposed Project on-site representative shall implement all action(s) recommended by the qualified professional or company. Additionally, the Proposed Project on-site representative shall notify and provide the City with the written evaluation for each event.

**Mitigation Measure PHS-7:** The Project Applicant shall be required to use clean fill material. The Construction General Contractor and assigned H&SO shall examine the source of the fill dirt used at the site. The H&SO shall analyze soil samples if contamination is present in the fill soils and, if contaminated, the soils shall be replaced with clean fill material.

## **I Public Service and Utilities**

- 1. The proposed project could result in a substantial adverse impact associated with the of new or physically altered government facilities, or create a need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services: police protection, fire protection, schools, parks, or other public facilities.**

**Finding:** Build out of the proposed project would increase the local population over existing levels and would result in an increased need for police protection, fire protection, schools, and libraries. The proposed project will also increase the need for recreation facilities, however, the proposed project provides parks, trails, a recreation center, and a linear park that result in a beneficial effect upon the community. Implementation of Mitigation Measures PSU-1, PSU-2, PSU-3, PSU-4, PSU-5, and PSU-6 will reduce impacts upon public services to a level that is less than significant.

**Mitigation Measure PSU-1:** As it relates to police and fire services, prior to approval of any final map, or approval of any final map for any phase of the development, the property covered by said final map ("Tract") shall be included

within, or annexed to, a Community Facilities District ("CFD") established under the Mello-Roos Community Facilities Act of 1982 (Government Code § 53311 et seq.) established by the City of Hemet for the provision of public services permitted under Government Code § 53313, including police, fire protection, and emergency medical services (collectively "Public Safety Services"), for which proceedings have been consummated, and shall be subject to the special tax approved with the formation of the CFD with the Tract's annexation into the CFD.

The owner and/or any developer of the Project on the Tract shall notify all potential lot buyers prior to sale of such lot(s) that: (1) the Tract is part of the CFD; (2) each lot within the Tract is subject to the levy of a special tax; and (3) the amount of the special tax for the subject lot. This notification shall be in a manner approved by the City.

This requirement may only be waived by the City Council if, at the time the final map is considered for approval, the City Council determines, based on substantial evidence in the record, that each of the following three findings can be met: (1) the Tract is located in a target area that is currently in compliance with the public safety response time mandates set forth in the General Plan; (2) that build-out and occupancy of the Project on the Tract will not result in the target area becoming non-compliant with the response time mandates of the General Plan; and (3) that, after considering the cumulative impacts of the subject Project, currently existing projects and reasonably anticipated future projects within the target area, the target area will remain in compliance with the response time mandates of the General Plan.

#### Police Protection

**Mitigation Measure PSU-2:** Police protection impact fees shall be paid to the City of Hemet to cover costs associated with added Police Department services to the area as a result of the Proposed Project.

#### Fire Protection

##### **Mitigation Measure PSU-3:**

1. Fire protection impact fees shall be paid to the City of Hemet to cover costs associated with projected service levels as a result of the Tres Cerritos East Project.
2. All water lines and fire hydrants constructed at the Proposed Project site shall be reviewed by the City of Hemet Fire Department and shall be designed to meet their requirements.
3. The Hemet Fire Department shall approve all fire hydrant locations and other fire design requirements for the proposed project.

#### Parks

**Mitigation Measure PSU-4:** The Proposed Project would result in an increase in recreational facilities in the City of Hemet and have a beneficial impact to the community. Therefore, no mitigation is proposed.

Schools

**Mitigation Measure PSU-5:**

1. The developer shall pay school impact fees and/or land and improvements pursuant to the requirements of SB 50. This shall be established in accordance with State formulas for determining developer fees.

2. The developer shall coordinate all school services resulting from the development with the HUSD or the SJUSD, as appropriate. The developer may enter an agreement with either of the districts.

Library Services

**Mitigation Measure PSU-6:**

1. Library impact fees shall be paid to the City of Hemet to cover costs associated with increased demands associated with library services resulting from the proposed Project.

2. **The proposed project would have a significant impact to utility and service systems if it would:**

- **Exceed wastewater treatment requirements of the applicable RWQCB?**
- **Require or result in the construction of new water or wastewater treatment facilities, or expansion of existing facilities, the construction of which could cause significant environmental effects?**
- **Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?**
- **Result in a determination by the wastewater treatment provider, which serves or may serve the proposed project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**
- **Be served by a landfill with sufficient permitted capacity to accommodate the proposed projects solid waste disposal needs?**
- **Comply with federal, state, and local statutes and regulations related to solid waste?**

**Finding:** Build out of the proposed project would increase local population and result in an increased demand for water for household usage, landscaping, and other site improvements, (i.e., parks). This increased water demand could result in a significant impact to EMWD. EMWD prepared a Water Supply Assessment for Tres Cerritos Specific Plan that determined that EMWD is in a position to provide safe and secure water supply to the proposed project site. Implementation of Mitigation Measure PSU-7 will result in a less than significant impact.

Water Supply

**Mitigation Measure PSU 7:**

1. The EMWD has determined that adequate sources of water are available for domestic and recycled water supplied for the Proposed Project. Two EMWD storage tanks exist on adjoining land north of the Project site that have a storage capacity of 1.5 million gallons. There is an existing 16-inch domestic water line and a 24-inch recycled water line in Cawston Avenue. Devonshire Avenue has a

as the area develops. The developer shall be responsible for the construction or supplemental production, transmission, and storage facilities needed to serve the Proposed Project in accordance with the supply assessment. Those facilities have been identified as 12-inch water lines within future streets in the development looped to existing domestic water lines in Cawston Avenue and Devonshire Avenue.

2. The Proposed Project developer shall be responsible for all costs associated with the preparation, recommendations, and/or decisions resulting from the water supply assessment, if so required. The developer contracted with EMWD to prepare a Water Supply Assessment to evaluate water supply conditions for a period of 20 years. The WSA determined that it is able to provide adequate water supply to meet the potable water demand for the Tres Cerritos Specific Plan, in addition to existing and future users.

3. Water-related development impact fees and water related charges in effect during construction shall be paid to EMWD.

4. The Proposed Project developer shall be responsible for installing the necessary infrastructure to achieve fire protection and the maximum/minimum water pressure service standards as provided by the EMWD. The combination of fees and infrastructure shall consist of the following:

- Fire protection impact fees shall be paid to the City to cover costs associated with projected service levels as a result of the Proposed Project.
- All water lines and fire hydrants constructed at the Proposed Project site shall be reviewed by the City Fire Department and shall be designed to meet their requirements.
- The City Fire Department shall approve all fire hydrant locations and other fire design requirements for the Proposed Project.

5. The Proposed Project developer shall be required as necessary to install both potable water to each residential lot required by the EMWD and as set forth in SB 221 and SB 610. All connections to the recycled water system will be the responsibility of the developer.

**Finding:** Development of the proposed project would increase wastewater discharge to local wastewater treatment systems in the City. This could result in a significant impact to the City. The City has an agreement with the EMWD to pay a fair share of the cost for developing treatment facilities and associated infrastructure. That fair-share cost is paid by the developer to EMWD to satisfy the agreement. Additionally, fee credits are available to offset direct costs. Implementation of Mitigation Measure PSU-8 will result in impacts that are less than significant

#### Wastewater Services

##### **Mitigation Measure PSU-8:**

1. The Proposed Project developer shall pay all development impact fees associated with wastewater-related charges resulting from the Proposed Project at the time of permit issuance. These fees shall include, but not be limited to, sewer treatment expansion fees and necessary permits.

2. The Proposed Project developer shall be responsible for complying with the RWQCB Basin Plan.

**Finding:** Build-out of the proposed project would alter drainage patterns and would result in additional on-site runoff during construction and facility completion. These changes could result in a significant impact to the City's regional drainage systems. The proposed drainage system for the proposed project would either maintain or reduce the 100-year peak runoff discharges from the sites boundaries. Proposed mitigation to decrease runoff caused by the proposed project would consist of a reduction to the overall drainage area tributary to individual drainage courses. The project would also use on-site detention basins to reduce storm water flows or other control methods. An NPDES permit from the RWQCB would be required to address construction and post-development activities of the proposed project. Securing these permits and the development of approved SWPPPs would reduce storm water impacts to less than significant with the implementation of Mitigation Measure PSU-9.

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Storm Water

**Mitigation Measure PSU-9:** The Proposed Project developer shall obtain all necessary NPDES permits from the RWQCB related to construction and operation of the proposed Project.

**Finding:** The proposed project would impact area landfills by generating solid waste during construction activities and through household waste. Moreover, the proposed project will generate further demand on telephone, natural gas, and electrical services. The purveyors of each of these services indicate that potential impacts will be mitigated through fees collected for the services provided and the impact is less than significant. No mitigation is required.

## J Recreation

1. **The proposed project would increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.**

**Finding:** The proposed project would result in additional dwelling units generating an increased population of over 1500 in the area. Many of the residents would use the parks and recreation facilities in the area, which could result in some deterioration of these facilities. The proposed project includes public sports parks, neighborhood parks, a linear park, a private recreational facility, a community trail, and private paseos that total 25.6 acres. The parks and recreation provided far exceed the Quimby parkland requirements of 6.2 acres. Implementation of Mitigation Measure REC-1 will result in a less than significant impact.

**Mitigation Measure REC-1:** The applicant shall dedicate parkland or pay an in-lieu fee, or a combination thereof, on accordance with the City Municipal Code. The fee shall be payable at the time of recording the final map.

## L. Traffic and Circulation

1. **The proposed project would cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street**

**system (i.e. result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections.**

**Finding:** The proposed project would generate 6091 trips per day based on 754 dwelling units. About 495 trips would be generated during the AM peak hour, and approximately 644 trips would be generated during the PM peak hour traffic conditions. The traffic impact study for the proposed project recommended several on- and off-site roadway and intersection improvements to minimize impacts on the local transportation system. Implementation of Mitigation Measure T-1, T-2, T-9, T-10, T-11, and T-12 will result in a less than significant impact.

**Mitigation Measure T-1:** Construct Myers Street as a 32-foot paved roadway from Devonshire Avenue to Florida Avenue to its current terminus north of Florida Avenue for access purposes.

**Mitigation Measure T-2:** Construct Devonshire Avenue at its ultimate half section width as a Secondary roadway from Myers Street to Cawston Avenue.

**Mitigation Measure T-9:** Construct a minimum 150-foot left turn lanes on all approaches at the intersection of Cawston Avenue and Menlo Avenue.

**Mitigation Measure T-10:** On-site traffic signing and striping should be implemented in conjunction with detailed construction plans for the project site.

**Mitigation Measure T-11:** Sight distance at the project entrances should be reviewed with respect to standard Caltrans and City of Hemet sight standards at the time of preparation of final grading, landscape, and street improvement plans.

**Mitigation Measure T-12:** Provide stop sign controls at all project driveways that intersect with public roadways and do not meet traffic signal warrants.

**Supporting Explanation:** Implementation of the mitigation measures would still result in a drop on LOS at the intersections of Cawston Avenue and Fruitvale Avenue, Cawston Avenue and Menlo Avenue, Sanderson Avenue and Fruitvale Avenue, and Florida Avenue and State Street, (See 2. below). However, all effected intersections would operate at LOS D or better. Therefore, implementation of the mitigation measures would result in satisfactory levels of service, reducing the impact to less than significant

**2. The proposed project could exceed, either individual of cumulative, a Level of Service standard established by the county congestion management agency for designated roads and highways.**

**Finding:** A number of projects have been proposed which could affect traffic conditions on roadways near the proposed project site. The cumulative, existing, ambient, and proposed project daily trips, including AM and PM peak hour traffic under this condition were calculated to define impacts with and without the proposed project. The results show an increased wait time at four area intersections resulting from the proposed project causing the Level of Service values to change to lower designations. However, the Level of Service remains at an acceptable Level D or better. The affected intersections are:

- Cawston Avenue at Fruitvale Avenue changes from LOS B to LOS C during the AM peak hour.

- Cawston Avenue at Menlo Avenue changes from LOS B to LOS C during the AM peak hour.
- Sanderson Avenue at Fruitvale Avenue changes from LOS C to LOS D during the AM peak hour.
- State Street at Florida Avenue changes from LOS C to LOD D during the PM peak hour.

Implementation of Mitigation Measure T-15 will require that the proposed project pay a fair share of the cost to improve off-site intersections to meet an acceptable Level of Service and reduce cumulative circulation impacts to a less than significant level.

**Mitigation Measure T-15:** The project shall participate in fair-share funding of off-site improvements which are needed to serve cumulative future conditions through payment of appropriate fees (TUMF and City of Hemet Development Impact Fees fees). Improvements along Florida Avenue, Sanderson Avenue, Stetson Avenue, Esplanade Avenue, and Warren Road are included in the TUMF Program for Western Riverside County. The TUMF process includes a network of regional facilities and endeavors to spread the cost on a regional basis through participation on the County and individual cities. TUMF provides a key funding source for improvements in this area.

**Finding:** The proposed project is located 1.2 miles north of the Hemet Ryan Airport and will not alter air traffic patterns, nor will it alter roadway systems at or near the Hemet Ryan Airport. The circulation system for the vacant proposed project site is designed in accordance with the Hemet Municipal Code on generally level land, and will not increase hazards due to a design feature (ie sharp curves or dangerous intersections), or incompatible uses (ie farm equipment). The proposed project will enhance emergency access by connecting street links and constructing roadways to the standards of the Municipal Code. Parking is provided in accordance with the Municipal Code and will not create inadequate parking capacity. The proposed project promotes alternate forms of travel, in compliance with adopted plans, policies, and programs, by establishing convenient walking connections, placing parks and recreation facilities in convenient locations throughout the project area, and providing a regional trail along the perimeter of the project site.

**Supporting Explanation:** The proposed project will contribute to increased traffic volumes in the project vicinity. However, the improvement measures listed above and on Table 3.14-13 of the DEIR are consistent with the General Plan. Given the long-term time frame for when these improvements will be needed, their implementation is not needed in the existing plus project or 2011 plus project scenarios. Implementation of the improvement measures listed above would result in acceptable levels of service, (LOS D or higher). The project will be responsible for contributing toward the fair-share funding of future improvements via the payment of the City's Development Impact Fees and County TUMF fees. The City of Hemet uses Development Impact Fees to fund construction of local roadway improvements on a priority based on need. The allocation of these funds is reviewed annually. The County uses a similar approach for the allocation of TUMF fees. Therefore, long-term impacts to the circulation system are considered less than significant.

## SECTION 5

### ENVIRONMENTAL IMPACTS NOT FULLY MITIGATED TO LESS THAN SIGNIFICANT

The City Council of the City of Hemet finds the following environmental impact identified in the Final EIR remains significant even after application of all feasible mitigation measures: Air Quality (as to short-term construction emissions, long term area source and mobile source air pollution emissions, localized construction emissions, and cumulative impacts as to failure to meet state and federal ambient air quality standards).

In accordance with state CEQA guidelines Section 15092(b)(2), the City Council of the City of Hemet cannot approve the project unless it finds (1) Under CEQA Section 21081(a)(3), and state CEQA Guidelines Section 15091(a)(3), that specific economic, legal, social, technological, or other considerations, including provisions for employment opportunities to highly trained workers make infeasible mitigation measures of the project alternatives identified in the Final EIR; and (2) Under State CEQA Guidelines Section 15092(b), the remaining significant effects are acceptable due to overriding concerns described in State CEQA Guidelines Section 15093 and, therefore, a statement of overriding considerations is included herein as Section 10.

#### A. Air Quality

**1. Short-Term Construction Emissions Impacts:** Emissions associated with construction sources were calculated as a worst-case scenario with URBEMIS 2002. Project-related construction emissions for ROG, CO, PM<sub>10</sub>, and SO<sub>x</sub> would conform within SCAQMD thresholds of significance, but NO<sub>x</sub> would exceed the SCAQMD daily emissions threshold. (DEIR Page 3.3-17)

**Finding:** Implementation of **Mitigation Measures AQ-1** through **AQ-3** would reduce impacts to short-term air quality from construction activities to the extent feasible.

**Mitigation Measure AQ-1:** On-road trucks and other mobile equipment shall be properly tuned and maintained to manufacturers' specifications to ensure minimum emissions under normal operations.

**Mitigation Measure AQ-2:** Water or chemical dust suppressants shall be applied in sufficient quantity and frequency to stabilized disturbed areas and/or unpaved roadways.

**Mitigation Measure AQ-3:** All clearing and grading activities shall cease during periods of high wind (greater than 20 mph averaged over 1 hour).

Implementing these mitigation measures is feasible. Therefore, the City Council of the City of Hemet adopts and incorporates these mitigation measures into the project. However, the mitigation measures identified would not necessarily reduce the impact to a less than significant level.

**Supporting Explanation:** Construction activities produce combustion emissions from various sources, such as site grading, utility engines, on-site heavy duty construction vehicles, equipment hauling materials to and from the site, asphalt paving, and motor vehicles transporting the construction crew. Exhaust emissions from construction activities envisioned on-site would vary daily as construction activity levels change. Construction activities associated with new development occurring within the project area would temporarily increase ROG, CO, PM<sub>10</sub>, NO<sub>x</sub>, and SO<sub>x</sub> concentrations in the project vicinity. Based upon the equipment identified in the DEIR, the mix of equipment construction-related emissions during grading period would exceed the

SCAQMD daily threshold for NOx, (DEIR Page 3.3-17). Because there is no additional feasible mitigation available to reduce construction related nitrogen oxide emissions and because of the uncertainty of available NOx reducing fuels and/or equipment, this impacts remains significant and unavoidable, (DEIR Page 3.3-18).

**2. Long-Term Operations Emissions Impacts:** Emissions associated with stationary and mobile sources were calculated for the opening year as a worst case scenario with URBEMIS 2002. Emissions associated with stationary sources would be minimal when compared with mobile source emissions. However, project-related emissions for NOx, ROG, and CO would exceed the SCAQMD daily emission thresholds. (DEIR Page 3.3-17, Table 3.3-7).

**Finding:** Implementation of **Mitigation Measures AQ-4** through **AQ-7** would reduce impacts to long-term air quality from mobile sources to the extent feasible.

**Mitigation Measure AQ-4:** Prior to issuance of occupancy permits the project applicant or master developer shall prepare a Waste Management Plan which specifies measures that shall be undertaken to encourage recycling. The Waste Management Plan shall, at a minimum, require the separation of recycling and solid waste collection facilities, and shall depict areas within the development where recycling receptacles will be provided. The Waste Management Plan shall be subject to review and approval by the City of Hemet Planning Department

**Mitigation Measure AQ-5:** Future landscaping plans within the development shall comply with the criteria of the Specific Plan which specifies the types and locations of trees within the development. The criteria promote the use of trees to minimize energy consumption associated with the heating and cooling of homes. Trees within the development also would serve as carbon storage which will help offset carbon dioxide emissions from the proposed project.

**Mitigation Measure AQ-6:** Prior to approval of building permits, the City of Hemet shall verify that proposed building plans include a note requiring the use of low-flow appliances and fixtures (i.e., toilets, shower heads, washing machines, etc) in order to decrease water consumption during operation of the project site.

**Mitigation Measure AQ-7:** Prior to the issuance of occupancy permits, the applicant or master developer shall provide evidence to the City of Hemet demonstrating that energy efficient appliances (i.e., washer/fryers, refrigerators, stoves, etc.) have been utilized in the construction of proposed residential homes.

Implementing these mitigation measures is feasible. Therefore, the City Council of the City of Hemet adopts and incorporates these mitigation measures into the project. However, the mitigation measures identified would not necessarily reduce the impact to a less than significant level.

**Supporting Explanation:** Because the project site is located within a nonattainment air basin for criteria pollutants, and in the absence of feasible mitigation to reduce the proposed project's emissions of CO NOx, and ROG to below SCAQMD thresholds, potential long-term air quality impacts resulting from the operation of the proposed project will remain significant and unavoidable, (DEIR Page 3-3.19).

**3. Cumulative Air Quality Impacts:** The southern California air basin, (SoCAB) is designated as an 'extreme' non-attainment area by the SCAQMD for both federal and state standards for ozone. The SoCAB also exceeds the state standard for airborne PM<sub>10</sub>. It is determined that the proposed project will exceed the SCAQMD threshold for NOx pollutants during construction. The project would not exceed the SCAQMD thresholds for ROG, CO, SOx, and PM<sub>10</sub> pollutants

during construction. It is determined that the proposed project will exceed the SCAQMD thresholds for NOx, ROG, and CO during the long-term operations. These emissions constitute cumulative impacts as they as they contribute toward the Basin-wide ozone and PM10 levels. (DEIR Page 4-5)

**Finding:** Implementation of the previously identified mitigation measures, (**Mitigation Measures AQ-1 through AQ-7**) would reduce cumulative air quality impacts to the extent possible.

Implementing these mitigation measures is feasible. Therefore, the City Council of the City of Hemet adopts and incorporates these mitigation measures into the project. However, the mitigation measures identified would not necessarily reduce the impact to a less than significant level.

**Supporting Explanation:** Although implementation of the above-stated mitigation measure may reduce long term emissions associated with the proposed project, it is not possible to quantify the reduction in the amount of emissions that may occur. There is no construction schedule for the project. The actual equipment to be utilized during the construction phase will not be known until construction is eminent, and changes in technology and/or legislative actions may affect operational strategies that are currently available to mitigate impacts upon air quality. Even if all the emission factors were known implementation of the identified mitigation measures would not result in a reduction in emissions necessary to lower operational project emissions to a less than significant level. As the long-term operation of the project would exceed the SCAQMD thresholds of CO NOx, and ROG, the project would have significant unavoidable adverse long-term operational air quality impacts. Despite the mitigation measures implemented above to reduce air quality impacts related to the project, the proposed project would exacerbate nonattainment of air quality standards within the Basin and contribute to adverse cumulative air quality impacts that would remain significant and unavoidable.

## SECTION 7

### **CUMULATIVE IMPACTS**

Pursuant to Sections 15130 and 15355 of the State CEQA Guidelines cumulative impacts refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. The City Council of the City of Hemet finds and determines that the discussion of Cumulative Impacts in the final EIR provides adequate and sufficient discussion of the cumulative impacts from the proposed project pursuant to CEQA Guidelines Section 15130. Cumulative impacts are discussed in Chapters 3 and 4 of the DEIR. The City Council further finds that the cumulative addressed would be less than significant, as set forth in Section 3 herein, or mitigated to a less than significant level, as set for the in Section 4 herein, with the exception of the following environmental impact that remains significant even with the implementation of mitigation measures as set forth in Section 5 herein: Air Quality, (short-term construction activities, long-term project-related emissions, and cumulative air emissions- fail to meet State and Federal air quality standards).

While it is not possible to determine whether the project will individually will have an impact on global warming or climate change, the project will contribute to cumulative greenhouse gas emissions in California. The CARB has published criteria for analysis of greenhouse gas emissions, and is currently on the process of designing regulations to monitor, limit, and ultimately reduce California greenhouse gas emissions but there, are as of yet, no clear standards for assessing the significance of cumulatively impacts from the project. Given the findings of AB 32 and the requirements of CEQA, the lead agency must determine whether a project will or will not have a cumulatively considerable contribution. Due to the lack of guidance

for determining the significance of cumulative impacts to climate change from projects, and out of the overabundance of caution, the effect of 842 lbs per day of CO is considered cumulatively considerable, (DEIR Page 3.3-18). The determination is based on a lack of clear scientific and regulatory criteria for determining the level of significance of the project's contribution to degraded air quality in the South Coast Air Basin.

At this time, it is unknown if global warming can be reversed through the use of greener technology, economic regulations or social practices. For the purpose of analysis, the DEIR assumes a worst case scenario. Because a worst case scenario is assumed, global warming impacts are considered to contribute to a cumulatively significant irreversible environmental change.

## SECTION 7

### **SIGNIFICANT IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES**

Determining whether the proposed project may result in significant irreversible and irretrievable effects requires determination of whether key resources would be degraded or destroyed in such a way that there would be little possibility of restoring them. CEQA Guidelines Section 15126.2(c) states that:

*Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts, (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also irreversible damage can result from environmental accident associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.*

An irreversible or irretrievable commitment of resources would occur when resources are consumed, committed, or lost as a result of the proposed project. The proposed project would result in a long-term commitment of the site to residential and related uses. The project site is currently disturbed and vacant, resulting from grading that occurred in the past pursuant to prior entitlements. No significant cultural, mineral, or scenic resources will be lost as a result of project implementation. Natural resources, in the form of construction materials and energy resources, will be utilized in the construction of the proposed project and energy resources, in the form of electricity and gas, will be used during long-term operations of the project; however, their use is not expected to negatively impact the availability of these resources.

## **SECTION 8**

### **GROWTH INDUCING IMPACTS**

Pursuant to the State CEQA Guidelines Section 15126.2(d), and EIR must "*discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment*". The purpose of this Section is to evaluate the potential for growth-inducing effects of the proposed project.

Implementation of the proposed project would directly result in the development of new housing and would generate an increase in population that would allow for growth in the region. The proposed project would be developed for 754 dwelling units, with 15.5 acres of public parks and trails, 6.6 acres of private parks, 3.5 acres of open space, and 8.5 acres of drainage and circulation improvements on 162.8 acres. Because the Specific Plan designation is already on the property that currently allows for the development of similar residential uses, the proposed project would be consistent with what was envisioned in the General Plan and is allowed under the Property's current Zoning Ordinance (Specific Plan) designation.

The City of Hemet is located within a job-poor region and would benefit from short-term construction jobs and revenues to fund municipal services. Therefore, there would be little effect on the local population size and the potential for growth from the proposed project is already anticipated in the City General Plan. (DEIR Page 4-1)

## **SECTION 10**

### **ALTERNATIVES TO THE PROPOSED PROJECT**

The State CEQA Guidelines Section 15126.6(a) requires that an analysis of alternatives to the proposed project be contained within the EIR. Alternatives are developed based on their ability to satisfy project goals and objectives and to identify opportunities to reduce or eliminate environmental impacts, specifically to "*...describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen any significant effects of the project, and evaluate the comparative merits of the alternatives.*" In all cases, the consideration of the alternatives is to be judged against a rule of reason. The lead agency is not required to choose an environmentally superior alternative identified in the EIR if the alternative does not provide substantial advantages over the proposed project and A) Through the imposition of mitigation measures the environmental effects of the project can be reduced to an acceptable level; or B) There are social, economical, technical, or other considerations that make the alternative infeasible.

One alternative was considered and rejected was an Alternate Location for the proposed project. No other location could achieve the objective of this project to provide additional housing opportunities in this portion of the City of Hemet. Development of this site is authorized under the adopted Hemet Valley Country Club Specific Plan and is supported by the Specific Plan designation under the City of Hemet General Plan. The Tres Cerritos East Specific Plan Amendment applies the regulatory framework developed for this particular site, not for other sites in the City of Hemet. Additionally, an alternate site location would not meet the basic project objectives related to the development of this site. No alternate sites were evaluated because no alternate sites were considered reasonable under the provisions of CEQA.

Additionally, alternate locations would not necessarily provide an environmental advantage over the proposed action because the same environmental impacts associated with the proposed project site, or any development project of this nature, would largely occur at an alternate site.

#### **A. Alternative No. 1 – No Project Alternative**

**Description:** Consideration of the No Project Alternative is required under State CEQA Guidelines Section 15126(e). Evaluation of the No Project Alternative allows decision-makers to compare the impacts of approving the proposed project against the affects of not approving the proposed project. The proposed project would not proceed under the No Project Alternative. The No Project alternative assumes that the proposed project would not be built and that no development would occur at the site, which would remain undeveloped for the foreseeable future. The No Project Alternative also does not consider the underlying Specific Plan designation under the adopted Hemet Valley Country Club Specific Plan.

**Finding:** The City Council finds that under the "No Project" Alternative, the project site would remain vacant, unused land for the long-term. The "No Project" Alternative would not address a deficiency in park land in this area, nor would it serve to protect the Tres Cerritos Hills from conflicting land uses and excessive grading. The "No Project" Alternative would fail to generate revenues to support public facilities and services, and the extension of regional infrastructure to resolve circulation, drainage, wastewater treatment, and water supply issues. For these reasons, the alternative would be rejected.

**Supporting Explanation:** Implementation of the No Project Alternative would avoid potential Aesthetic and Light and Glare impacts associated with the proposed development as the visual character of the site would not change. No air quality impacts would occur, resulting either from short-term construction emissions or long-term operational emissions. No impacts to Biological resources would occur beyond the existing condition. Direct impacts to Burrowing Owl and Smooth Tarplant habitats, and to potential Fairy Shrimp habitat would be avoided. No impact upon existing or potential cultural resources would occur in the absence of grading of the site; which would also avoid impacts associated with Seismicity and Groundshaking. The "No Project" Alternative would avoid direct impacts upon Water Quality associated with construction of impervious surfaces. Likewise, the absence of development under the "No Project" Alternative would avoid impacts relating to Land Use, Noise, Public Services, Utilities, Water Supply, Wastewater Treatment, Parks, and regional Traffic.

Implementation of the "No Project" Alternative would fail to address surface flooding associated with the Seattle Channel by constructing needed storm drain improvements and detention facilities to manage storm water runoff. The "No Project" Alternative would fail to address the bifurcated local transportation system, whereby Menlo Avenue would not be extended to Myers Street, Devonshire Avenue and Cawston Avenue would remain partially improved without surface water flow containment, no provision would be made to extend a regional trail for alternate travel in the community, and the existing segment of Menlo Avenue, west of Cawston Avenue would remain partially approved and subject to flooding.

#### **B. Alternate No. 2 – No Project (Development Under the Adopted Specific Plan) Alternative**

**Description:** The No Project (Development Under the Adopted Specific Plan) Alternative considers what would reasonably be expected to occur, based on current plans and consistent with available infrastructure and community services, in the foreseeable future. The project site is currently designated as Specific Plan pursuant to the adopted Hemet Valley Country Club Estates (HVCCE) Specific Plan (SPA 90-009) under Ordinance No. 1608 in 1999. The HVCCE plan includes 710 dwelling units, ranging in density from 4 to 17 dwelling units per acre, and 50.89

acres designated as golf course over 336 acres. Following adoption of the HVCCE plan, 68.8 acres were dedicated to the City of Hemet as Open Space. An additional 16.9 acres was added to the proposed project that was not included in the HVCCE, resulting in 352.9 acres. Also, recognizing the different environmental setting and ownership in the west of the HVCCE project area, the City adopted the Tres Cerritos West Specific Plan (SPA 03-02) under Ordinance No. 1726 in 2004. For the purpose of analysis, the No Project (Development Under the Adopted Specific Plan) Alternative does not include the now separate 121.3-acre Tres Cerritos West Specific Plan, the removal of open space that was dedicated to the City, nor the additional land included within the proposed project. The resulting density and acreage within the HVCCE and analyzed in the DEIR is 526 dwelling units over 231 acres. The average density of the No Project (Development Under the Adopted Specific Plan) is 2.28 units per acre.

**Finding:** The City Council finds that under the "No Project (Development Under the Adopted Specific Plan)" Alternative, the project site would allow for implementation of the previously approved HVCCE Specific Plan on the majority of the proposed project site. The "No Project (Development Under the Adopted Specific Plan)" Alternative would have similar environmental consequences compared to the proposed project, with potentially greater impacts upon regional infrastructure relating to drainage and the area circulation system. For these reasons, the alternative would be rejected.

**Supporting Explanation:** Implementation of the "No Project (Development Under the Adopted Specific Plan)" Alternative would disturb about the same footprint area as the proposed project. Approximately 40.7 acres of the 50.89 acre golf course would be constructed as a less-than-nine-hole course, creating an aesthetic benefit for the community, while making the viability of the golf course questionable. The loss of the golf course is offset by a linear park and public and private active recreation facilities throughout the proposed project. Aesthetic and Visual impacts would be approximately the same. Air Quality impacts associated with short-term construction emissions and long-term operational emissions, Biological impacts, Cultural Resource impacts, Paleontological impacts, and Geology and Soils impacts would be roughly the same due to the same acres being disturbed and constructed. Impacts relating to Noise, Public Services, Land Use, and Public Utilities would be similar due to the similar nature and intensity of residential uses. Impacts relating to Drainage and Traffic and Circulation may be greater under the "No Project (Development Under the Adopted Specific Plan)" Alternative. A 16.9-acre parcel of land at the northeast corner of Devonshire Avenue and Myers Street would not be a part of the project. This would eliminate the opportunity to place a storm water detention basin at a critical location within the area drainage system, and would eliminate the opportunity to establish an important circulation link from Menlo Avenue to Myers Street.

### **B. Alternate No. 3 - Reduced Intensity Alternative**

**Description:** The Reduced Intensity Alternative would reconfigure land uses on the site to reduce the development footprint and reduce the number of dwelling units proposed on the site. A lower density development concept would be employed and would use R-1 zoning for the property, which would allow 7,200 square foot lots. A total of 543 single family dwelling units could be built on the site under this alternative.

**Finding:** The City Council finds that construction of the "Reduced Intensity" Alternative would meet some of the project objectives, and would have similar or fewer impacts compared to the proposed project. However, the significant impact relating to Air Quality would still occur and would not be reduced to a level that is less than significant, even with the inclusion of mitigation measures proposed in the DEIR. The Reduced Intensity Alternative is the environmentally superior alternative. The Alternative would still satisfy the following objectives:

- Improve east to west circulation patterns between Menlo Road and Cawston Avenue.

- Eliminate the previously approved golf course and club house.
- Revise the approved drainage configuration to accommodate hillside ephemeral flows, in-tract urban runoff, and an on-site detention basin with 'first flush' functions.

**Supporting Explanation:** Under the Reduced Intensity Alternative, development would result in the conversion of less open space to development compared to the proposed project and would have less visual and aesthetic impacts because more natural open space would be available. However, associated visual impacts from grading would be about the same as the proposed project because the development footprint would be about the same. Short-term construction-related Air Quality impacts would be similar to the proposed project because a similar amount of land would be graded. Long-term operational Air Quality impacts would be less due to a fewer number of dwelling units. The similar development footprint compared to the proposed project would produce similar impacts relating to Biology, Cultural Resources, Paleontological Resources, Grading, Geology, Soils, and Hydrology. Short-term noise impacts during construction would be similar to the proposed project, but long-term Noise impacts would be expected to be less than the proposed project due to fewer dwelling units. It would be expected that a greater amount of Park acreage would be available under this alternative and, with fewer dwelling units, impacts on parks and open space would be less than the proposed project. The "Reduced Intensity" Alternative is expected to result in less of an impact on Public Services, (police, fire, schools, parks, and libraries), Utilities, and Traffic. The "Reduced Intensity" Alternative would result in similar impacts compared to the proposed project relating to Aesthetic and Light and Glare, Air Quality, Biology, Cultural Resources, Paleontological Resources, Grading, Geology, Soils, and Hydrology. The "Reduced Intensity" Alternative would result in fewer impacts relating to Public Services, Utilities, and Traffic compared to the proposed project. Therefore, the "Reduced Intensity" Alternative would have fewer environmental consequences compared to the proposed project, and is considered to be environmentally superior to the proposed project. However, it does not meet the basic project objectives to offer a wide range of housing opportunities as expressed through the range of lot sizes and housing types, nor would it offer a diversified range of public and private recreational opportunities within the project site. Moreover, development of any project on the proposed site entails major fixed costs relating to area drainage and circulation improvements, which require a density greater than the Reduced Intensity Alternative to generate revenues that offset the fixed costs.

## SECTION 11

### STATEMENT OF OVERRIDING CONSIDERATIONS

The City Council has considered all potentially feasible mitigation measures to substantially lessen or avoid the Project's significant and unavoidable impacts. Where feasible, mitigation measures have been adopted as part of the Project. The imposition of these measures will reduce the identified impacts, but not to a less-than-significant level. The Council finds that it is not feasible to fully mitigate these Project impacts.

After review of the entire administrative record, including, but not limited to, the Final EIR, the staff report, applicant submittals, and the oral and written testimony and evidence presented at public hearings, the City Council finds that specific economic, legal, social, technological and other anticipated benefits of the Project outweigh the significant and unavoidable impacts, and therefore justify the approval of the Project notwithstanding the identified significant and unavoidable impacts.

The City Council of the City of Hemet hereby declares that, pursuant to State CEQA Guidelines Section 15093, the City Council has balanced the benefits of the proposed Project against any significant and unavoidable environmental impacts in determining whether to approve the project. If the benefits of the project outweigh the unavoidable adverse environmental impacts, those impacts are considered "acceptable".

The City Council hereby declares that the Final EIR had identified and discussed significant effects that may occur as a result of the Project. With the implementation of the mitigation measures discussed in the DEIR, these impacts can be mitigated to a level of less than significant except for the unavoidable and significant impacts as discussed in Sections 6 and 7 herein, (Air Quality, short-term project related emissions, long-term operational project related emissions, and cumulative air emissions that fail to meet State and Federal Air Quality standards), and Cumulative Impacts, due to a lack of guidance on significance of climate change, the Project's contribution to greenhouse gases and climate change is found to be cumulatively considerable.

The City Council hereby declares that it has made a reasonable and good faith effort to eliminate or substantially mitigate the potential impacts resulting for the Project.

The City Council hereby declares that to the extent any mitigation measures recommended to the City are not incorporated, such mitigation measures are infeasible because they would impose restrictions of the Project that would prohibit the realization of specific economic, social, and other benefits that this City Council finds outweigh the unmitigated impacts.

The City Council further finds that except for the Project, all other alternatives set forth on the Final EIR are infeasible because they would prohibit the realization of the Project alternatives, and/or specific economic, social, or other benefits that this City Council finds outweigh any environmental benefits of the alternatives.

The City Council specifically adopts and makes this Statement of Overriding Considerations acknowledging that this Project has eliminated or substantially lessened all significant effects on the environment where feasible (including the incorporation of feasible mitigation measures), and finds that the remaining significant and unavoidable impacts of the Project are acceptable because the benefits of the Project outweigh the significant and unavoidable impacts identified. The City Council finds that each of the overriding considerations expressed as benefits constitutes a separate and independent ground for such a finding. Any one of the reasons for approval cited below is sufficient to justify approval of the Project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the City Council will stand by its determination that each individual reason is sufficient by itself. The substantial evidence supporting the various benefits can be found in the findings within this document and in the documents found in the record of proceedings regarding this Project.

The City Council hereby declares that having reduced the adverse significant environmental effects of the Project, to the extent feasible by adopting the proposed mitigation measures, having considered the entire administrative record on the Project, and having weighed the benefits of the Project against its unavoidable significant impacts after mitigation, the City Council has determined that the economic, social, and environmental benefits of the Project outweigh the unavoidable significant impacts and render those potential significant impacts acceptable based upon the following considerations:

- The Project will offer a wide range of housing opportunities through a range of lot sizes and housing types available for varying types of households and incomes. Housing opportunities consist of single family detached units on lot sizes of 4000, 4500, 5000, 6000, 7000, and 8000 square feet, having a density of 2.0-5.0 dwelling units per acre. The project also includes clustered single family detached units, served by common access driveways, having a density of 5.1-8.0 units per acre. Also included are multi-family townhomes, having a density of 8.1 to 18 units per acre. These housing types collectively offer home ownership in an affordable manner through reductions of conventional lot sizes of 7200 square feet or greater. Six neighborhood parks located within each neighborhood area, a recreation center, and an active sports park are provided to offset reductions in private yard areas. Housing types were conceived in consultation with a real estate economist and were developed to match housing affordability with the wage structure of the local economy.

The proposed housing plan assists the City toward meeting the Goals and Objectives of the Housing Element of the General Plan. The overall housing goals are stated as follows:

- The attainment of decent housing within a satisfying living environment for households of all socio-economic, age, and ethnic types in Hemet.*

All structures within the Proposed Project will be constructed pursuant to the Uniform Building Code, and by doing so, must meet contemporary standards for material quality, energy efficiency, park and open space provisions, and participation in funding mechanisms for public services and infrastructure to assure a desirable quality of life. Future sales within the Proposed Project will not discriminate based on socio-economics, age, or ethnicity, and shall comply with all laws to protect individual civil rights. Housing within the Proposed Project would be available for, and appeal to, entry level buyers, move-up buyers, and down-sizing households.

- The provisions of a variety of housing opportunities by type, tenure, and cost for households of all sizes throughout the City.*

Although this Goal is applicable at a macro scale City-wide, the Proposed Project individually achieves this goal. The housing types within the Proposed Project for single family detached, single family detached clustered, and townhome categories offer a range in type and cost for households of all sizes.

- The development of a balanced residential environment with access to employment opportunities, community facilities, and adequate services.*

The Proposed Project includes recreational opportunities internally and is located within walking distance to an elementary school and existing or planned commercial centers along Florida Avenue. Access to mass transit exists within walking distance along Florida Avenue. The Proposed Project will contribute fair-share funding for the expansion of public parks, libraries, emergency services, schools, and infrastructure to support the additional population.

The City needs development, as proposed within this project, to provide a supply of decent housing that conforms to contemporary standards for construction and energy efficiency, that is

available to a wide range of households, is conceived to match housing with local economic opportunities, and aids in meeting the provisions of the Housing Element of the Hemet General Plan.

- The Project provides a comprehensive program of Design Regulations and Design Guidelines that will ensure that the Project is functional, safe, and attractive. The Design Guidelines have been prepared to address landscaping and standards for project entry designs, street parkway landscaping, often within deeper setbacks, community/paseo trail design, neighborhood parks, a linear park, private recreation facilities, and common open space.

The Design Guidelines provide consistency and compatibility throughout the project by addressing building scale, architectural styles, roof treatments, building materials, textures, and colors, and setbacks. Design Regulations are provided to address the form and function of public and private recreation facilities and their location within each neighborhood and housing type within the project to promote accessibility. All of these elements assure an attractive development using criteria that meets or exceeds the provisions of the Municipal Code.

- The Project provides a comprehensive program and Landscape Guidelines for an urban landscape that will enhance the aesthetic quality of the Project area, and will be consistent with the design standards that enhance the natural environment, and minimize visual clutter and blight. A greenbelt is planned around the entire project site consisting of either open space, public parks, community trails along drainage facilities, expanded entry treatments, or enhanced parkway landscaping within deeper setbacks to enrich the appearance of the project perimeter. A network of walking paseos, linked with the perimeter community trail promote a safe means for pedestrian access to recreational facilities throughout the project.
- The project will strengthen the local economy by generating tax revenue directly from property tax assessments, and indirectly from increased sales tax for local goods and services. The 754 dwelling units within the Proposed Project would generate a population of approximately 1885 people. The fiscal impact analysis contained in the Hemet General Plan projects annual sales tax revenue generation of \$169 per capita. Based on the estimated project population of 1885, the annual sales tax revenue attributable from the proposed project will be \$318,565. In addition, the Proposed Project will annex into a Community Facilities District and be subject to a special tax to fund police, fire, and other emergency services. Additional revenue will be generated from property taxes to fund other municipal services at amounts that will be based on the eventual selling prices of the dwelling units
- The project will improve east to west circulation by constructing Menlo Avenue from Cawston Avenue to Myers Street. The proposed project will improve the east-west vehicular circulation in the area by widening Devonshire Avenue to the standards set forth in the Circulation Element of the Hemet General Plan, and constructing Menlo Avenue as an alternate east to west route. The improvements associated with the construction of these streets will also include drainage facilities that will relieve flooding currently experienced during rainstorms. The construction of these streets will also include sidewalks to improve pedestrian safety.
- The project will improve regional drainage by constructing channels from Seattle Street and from Devonshire Avenue, east of the Project site, to extend along Project boundaries to a detention basin to manage area storm water runoff and temporary storage.  
These improvements will resolve a long-standing drainage problem with the overflow of Seattle channel to the east. This overflow has created access limitations due to road closures and property damage from flooding inside homes. Proposed drainage improvements will include a pipe to allow flows to escape before overflowing the Seattle channel. The pipe will connect to a new channel along the west side of Cawston Avenue, and extend along the north side of Devonshire Avenue for collection in a detention basin. In addition to inundation of the Seattle channel, post-development flows from the north have also contributed to road

closures and flooding. The improvements identified above will also resolve drainage from the north. An elementary school is located at the northeast corner of Menlo and Cawston that will benefit flood protections included in the proposed project.

- The project will elevate community design by including features that do not exist in the community. The project is designed with attractive formal entries that define a sense of arrival into the project and will serve as local landmarks. The project will include a public community trail along the perimeter of the project along Cawston Avenue and Devonshire Avenue. The project will convert an unsightly aqueduct easement to a linear park having public access. The project will include an active sports park and dog run available for use by the community. The project will also include a recreation center that, while designed for the private use of project residents, may be available for public meetings on a fee basis to off-set operating costs.

The City Council hereby declares that the foregoing benefits provided to the public through the approval and implementation of the Project outweighs the identified significant adverse environmental impacts of the Project that cannot be mitigated to a less than significant level. The City Council finds that each of the Project benefits outweighs the unavoidable adverse environmental impacts identified in the Final EIR and, therefore, finds this impacts to be acceptable.

Accordingly, the City Council adopts the Statement of Overriding Considerations, recognizing that significant unavoidable impacts will result from implementation of the Project. Having (i) adopted all feasible mitigation measures, as discussed in the Environmental Impact Report; (ii) rejected alternatives to the Project, as discussed in the Environmental Impact Report; and (iii) recognized the significant unavoidable impacts of the Project, the City Council hereby finds that each of the separate benefits of the proposed Project, as stated herein, is determined to be unto itself an overriding consideration, independent of other benefits, that warrants approval of the Project and outweighs and overrides its significant unavoidable impacts, and thereby justifies the approval of the Project.

# **Exhibit No. 1C**

**Mitigation Monitoring and  
Reporting Program**

**TABLE ES-2**  
**Mitigation Monitoring and Reporting Program Matrix Tres Cerritos East Specific Plan Amendment Environmental Impact Report**

No.	Mitigation Measure	Time Frame for Implementation	Responsible Party/ Monitoring Agency	Verification of Compliance	
				Initials	Date
<b>Aesthetics/Visual</b>					
AES-1	Hillside development shall be limited to slopes of less than 25 percent. Public access to hillside areas shall be restricted and the rocky uplands of the Tres Cerritos Hills shall be preserved as dedicated open space for habitat preservation purposes and for visual purposes (Tres Cerritos East SPA No. 06-2).	Prior to issuance of grading permits and during grading or prior to final map.	City of Hemet Planning Director/ Building Official		
AES-2	At the time a discretionary permit is filed, the applicant shall provide grading plans to the satisfaction of the city engineer. Landscape plans shall be prepared by a licensed landscape architect or contractor to the satisfaction of the planning director and city engineer. A tree preservation plan shall be prepared, if feasible, and a map of rock outcroppings on and within 100 feet of the project site shall be prepared in an attempt to preserve these on-site resources (City of Hemet Municipal Code Section 70-163, Ord. No. 1737, § 3).	Prior to issuance of grading permits	City of Hemet Building Official/Planning Director/City Engineer		
AES-3	Landslaping and revegetation of graded slopes shall occur as soon as possible after grading to minimize the potential for erosion as well as to reduce the potential for visual and aesthetic impacts.	During and after grading.	City of Hemet City Engineer		

No.	Mitigation Measure	Time Frame for Implementation	Responsible Party/ Monitoring Agency	Verification of Compliance		
				Initials	Date	Remarks
AES-4	The applicant shall adhere to the City's exterior lighting policies and shall incorporate shielding of fixtures to minimize ambient lighting in and adjacent to natural open space areas. Street and parking lot lighting shall be designed with internal baffles to direct lighting toward the ground and have a zero side angle cutoff to the horizon. The applicant shall incorporate a prohibition on floodlights and other ambient lighting by homeowners in or adjacent to the natural open space areas.	Prior to occupancy.	City of Hemet Building Official			
<b>Air Quality</b>						
MM AQ-1	On-road trucks and other mobile equipment shall be properly tuned and maintained to manufacturers' specifications to ensure minimum emissions	During grading and construction.	City of Hemet City Engineer/Building Official/South Coast AQMD			
MM AQ-2	Water or chemical dust suppressants shall be applied in sufficient quantity and frequency to stabilized disturbed areas and/or unpaved roadways.	During grading and construction	City of Hemet Building Official/City Engineer/South Coast AQMD			
MM AQ-3	All clearing and grading activities shall cease during periods of high wind (greater than 20 mph averaged over 1 hour).	During grading and construction	City of Hemet Building Official/South Coast AQMD			

No.	Mitigation Measure	Time Frame for Implementation	Responsible Party/ Monitoring Agency	Verification of Compliance		
				Initials	Date	Remarks
MM AQ-4	Prior to issuance of occupancy permits the project applicant or master developer shall prepare a Waste Management Plan which specifies measures that shall be undertaken to encourage recycling. The Waste Management Plan shall, at a minimum, require the separation of recycling and solid waste collection facilities, and shall depict areas within the development where recycling receptacles will be provided. The Waste Management Plan shall be subject to review and approval by the City of Hemet Planning Department	Prior to occupancy	City of Hemet Building Official/Planning Director			
MM AQ-5	Future landscaping plans within the development shall comply with the criteria of the Specific Plan which specifies the types and locations of trees within the development. The criteria shall promote the use of trees to minimize energy consumption associated with the heating and cooling of homes. Trees within the development also would serve as carbon storage which will help offset carbon dioxide emissions from the proposed project.	During construction	City of Hemet Building Official			
MM AQ-6	Prior to approval of building permits, the City of Hemet shall verify that proposed building plans include a note requiring the use of low-flow appliances and fixtures (i.e., toilets, shower heads, washing machines, etc) in order to decrease water consumption during operation of the project site.	Prior to approval of building permits.	City of Hemet Building Official			

No.	Mitigation Measure	Time Frame for Implementation	Responsible Party/ Monitoring Agency	Verification of Compliance	
				Initials	Date Remarks
MM AQ-7	Prior to the issuance of occupancy permits, the applicant or master developer shall provide evidence to the City of Hemet demonstrating that energy efficient appliances (i.e., washer/dryers, refrigerators, stoves, etc.) have been utilized in the construction of proposed residential homes.	Prior to issuance of occupancy permits.	City of Hemet Building Official		
<b>Biological Resources</b>					
MM BIO-1	The Proposed Project shall participate in the Western Riverside County MSHCP through the payment of fees in compliance with MSHCP Volume 1 of 4, Part 2 of 2, Appendix C, Best Management Practices (BMPs), per Appendix C, MSCHP Compliance Report, Figure 3, MSHCP Criteria Map.	Prior to issuance of grading permits.	City of Hemet Planning Director		
MM BIO-2	Rare plant surveys shall be conducted during the spring blooming period on the western 80-acre portion of the site.	Prior to issuance of grading permits.	City of Hemet Planning Director		Assessment conducted 3/20/09
MM BIO-3	An additional assessment shall be conducted during the wet season and spring blooming season to determine the presence/absence of vernal pool habitat on the site on the western 80-acre portion of the site.	Prior to issuance of grading permits.	City of Hemet Planning Director		Assessment conducted 3/20/09
MM BIO-4	Wet season fairy shrimp surveys shall be conducted during the wet season. Prior to issuance of grading permits.	Prior to issuance of grading permits	City of Hemet Planning Director		Assessment conducted 3/20/09

No.	Mitigation Measure	Time Frame for Implementation	Responsible Party/ Monitoring Agency	Verification of Compliance		
				Initials	Date	Remarks
MM BIO-5	A burrowing owl survey shall be conducted during the spring burrowing owl nesting season on the western 80-acre portion of the site.	Prior to issuance of grading permits.	City of Hemet Planning Director/City Engineer			Assessment conducted 3/20/09
MM BIO-6	A jurisdictional delineation shall be conducted to identify the presence of U.S. Army Corps of Engineers and CDFG jurisdictional wetlands as well as non-wetland Waters of the U.S. and CDFG streambeds on the western 80-acre portion of the site	Prior to issuance of grading permits.	City of Hemet Planning Director/City Engineer			Judisdictional Delineation Report conducted 2/17/09.
MM BIO-7	If proposed, fuel modification shall be assessed as a portion of the project's biological impacts once detailed engineering plans are complete.	Prior to issuance of grading permits.	City of Hemet Planning Director/City Fire Marshall			
MM BIO-8	The applicant shall provide MSHCP Local Development Mitigation Fees in accordance with MSHCP requirements.	Prior to issuance of grading or building permits.	City of Hemet Building Official/City Engineer			
MM BIO-9	The applicant shall provide fees for mitigation of impacts to the SKR. The SKR fee as established by County Ordinance 663.10 is currently \$500 per gross acre.	Prior to issuance of building permits.	City of Hemet Building Official			

No.	Mitigation Measure	Time Frame for Implementation	Responsible Party/ Monitoring Agency	Verification of Compliance		
				Initials	Date	Remarks
MM BIO-10	The applicant shall pay fees for the loss of Riverside sage scrub, southern willow, and non-native grassland in accordance with MSHCP requirements, per Appendix C, MSCHP Compliance Report, Figure 3, MSHCP Criteria Map.	Prior to issuance of building permits.	City of Hemet Building Official			
MM BIO-11	For the eastern 80-acre portion of the site, impacts to the 0.1 acre of nonwetland waters of the U.S. would require issuance of a Department of Army Permit (likely a Nationwide Permit) and 401 Certification from the RWQCB. Impacts to the 0.2 acre of CDFG streambed would require a Streambed Alteration Agreement	Prior to issuance of grading permits.	City of Hemet Planning Director/City Engineer			
MM BIO-12	The federally listed Riverside fairy shrimp and the federally listed vernal pool fairy shrimp have the potential to occur on site. If either of these species is found to occur on-site, consistency with Section 6.1.2 of the MSHCP would be required. Avoidance of impacts is preferred; however, if avoidance is not feasible, minimization of impacts shall occur, or compensatory mitigation, at a minimum of a 1:1 ratio, would be required. If compensatory mitigation is the mechanism used, a Determination of Biologically Equivalent or Superior Preservation would be required.	Prior to issuance of grading permits	City of Hemet Building Official/Planning Director			Assessment conducted 3/20/09. None found.

No.	Mitigation Measure	Time Frame for Implementation	Responsible Party/ Monitoring Agency	Verification of Compliance		
				Initials	Date	Remarks
MM BIO-13	Loss of burrowing owl habitat would be mitigated by payment of the MSHCP fees. This shall include pre-construction surveys within 30 days prior to the onset of vegetation removal activities onsite. If less than 3 burrowing owl pairs are detected, impacts to individual owls would be compensated by passive or active relocation. Any relocation shall be conducted outside of the nesting season (March 1 through August 31) to be consistent with the MSHCP and MBTA. Owl relocation shall adhere to the California Burrowing Owl Consortium's Burrowing Owl Survey Protocol and Mitigation Guidelines (April 1993). If 3 or more burrowing owl pairs are detected, on-site preservation may be necessary, as the project site could be considered to have long-term habitat conservation value under the MSHCP.	Prior to issuance of grading permits.	City of Hemet Building Official/Planning Director			
MM BIO-14	If vegetation clearing is conducted during the bird nesting season, preconstruction surveys for nesting birds shall be conducted to identify active nests and monitor construction activities to avoid impacts. If active nests can not be avoided during the nesting/breeding season, authorization to take any nests would be required through issuance of a Migratory Bird Permit from the USFWS.	Prior to issuance of grading permits.	City of Hemet Building Official/City Engineer/Planning Director			
MM BIO-15	Potential offsite indirect impacts to the Hemet Vernal Pool Complex MSHCP Conservation Area would be mitigated through the implementation of an onsite SWPPP and standard erosion control and water quality BMPs.	During the grading process	City of Hemet Building Official/City Engineer			

No.	Mitigation Measure	Time Frame for Implementation	Responsible Party/ Monitoring Agency	Verification of Compliance		
				Initials	Date	Remarks
<b>Cultural Resources</b>						
MM CR-1	In the event that any archaeological or historical resources or remains are uncovered during the course of project construction, ground-disturbing activities in the vicinity of the resources shall be redirected until their nature and extent can be evaluated by a qualified archaeologist and the Soboba, Morongo, and Pechanga Tribes. The archaeologist shall examine the area and determine the actions that may be needed to mitigate potential impacts. The City shall consult with the Tribes regarding the archaeologist's recommendations and then shall approve the recommended actions, as appropriate. Work in the area of the previously unknown finds shall halt until impacts to the resources are addressed as directed by the City. Earthmoving shall be allowed to proceed through the site when the archaeological supervisor and the City, in consultation with the Soboba, Morongo, and Pechanga Tribes, determine that the artifacts have been mitigated to the extent necessary.	During grading and construction	City of Hemet City Engineer & archaeologist			
MM CR-2	If human remains are encountered during any earthmoving activities, all work in the area shall stop, and the Riverside County coroner shall be notified. State law dictates that the Native American Heritage Commission shall be notified in the event that the remains are determined to be human and of Native American descent. The City shall notify and consult with members of the Soboba and Pechanga Tribes in the event that the remains are of Native American descent to determine proper disposition of the remains.	During grading and construction.	City of Hemet City Engineer and archaeologist			

No.	Mitigation Measure	Time Frame for Implementation	Responsible Party/ Monitoring Agency	Verification of Compliance		
				Initials	Date	Remarks
<b>Paleontological Resources</b>						
MM PR-1	<p>A qualified paleontologist shall attend the pre-construction meeting to consult with the grading and excavation contractors concerning excavation schedules, paleontological field techniques, and safety issues. A qualified paleontologist is defined as an individual who:</p> <ul style="list-style-type: none"> <li>• has a M.S. or Ph.D. in paleontology or geology;</li> <li>• is familiar with paleontological procedures and techniques;</li> <li>• is knowledgeable in the geology and paleontology of Riverside County;</li> <li>• has worked as a paleontological mitigation project supervisor in the county for at least one year.</li> </ul>	Prior to grading	City of Hemet City Engineer and paleontologist			
MM PR-2	<p>A paleontological monitor shall be on-site on a full-time basis during the original cutting of previously undisturbed deposits of high paleontological resource potential ("Old Alluvial Fan" deposits [Qof]); and at least on a half-time basis during the original cutting of previously undisturbed deposits of moderate paleontological resource potential ("Young Valley Fill" deposits [Qyv]) to inspect exposures for contained fossils. A paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials, and would work under the direction of a qualified paleontologist. As grading progresses, the qualified paleontologist and paleontological monitor shall have the authority to reduce the monitoring program to an appropriate level if it is determined that the potential for impacts to paleontological resources is lower than anticipated.</p>	During grading	City of Hemet City Engineer and paleontologist			

No.	Mitigation Measure	Time Frame for Implementation	Responsible Party/ Monitoring Agency	Verification of Compliance		
				Initials	Date	Remarks
MM PR-3	When fossils are discovered, the paleontologist (or paleontological monitor) shall recover them. In most cases this fossil salvage can be completed in a short period of time. However, some fossil specimens (such as a complete large mammal skeleton) may require an extended salvage period. In these instances the paleontologist (or paleontological monitor) shall be allowed to temporarily direct, divert, or halt grading to allow recovery of fossil remains in a timely manner. Because of the potential for the recovery of small fossil remains, such as isolated mammal teeth, it may be necessary to set up a screen-washing operation on the site.	During grading	City of Hemet City Engineer and paleontologist			
MM PR-4	Fossil remains collected during monitoring and salvage shall be cleaned, repaired, sorted, and cataloged as part of the mitigation program.	During grading	City of Hemet City Engineer and paleontologist			
MM PR-5	Prepared fossils, along with copies of all pertinent field notes, photos, and maps shall be deposited (as a donation) in a scientific institution with permanent paleontological collections such as the San Bernardino County Museum, the San Diego Natural History Museum, the Natural History Museum of Los Angeles County, or the Western Center for Paleontology. Donation of the fossils shall be accompanied by financial support for preparation, curation, and initial specimen storage.	During grading.	City of Hemet City Engineer and paleontologist			

No.	Mitigation Measure	Time Frame for Implementation	Responsible Party/ Monitoring Agency	Verification of Compliance		
				Initials	Date	Remarks
MM PR-6	A final summary report shall be completed that outlines the results of the mitigation program. This report shall include discussions of the methods used, stratigraphic section(s) exposed, fossils collected, and significance of recovered fossils.	Prior to issuance of occupancy permits.	City of Hemet Building Official/City Engineer			
<b>Geology and Soils</b>						
MM GM-1	<p>Prior to grading:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Proposed structural improvement areas of the site should be cleared of surface and subsurface obstructions and organic material.</li> <li><input type="checkbox"/> Septic tanks and cesspools should be removed or abandoned in accordance with local regulations.</li> <li><input type="checkbox"/> Voids created by removal of buried material should be backfilled with properly compacted soil in general accordance with the recommendations of Appendix F, Preliminary Geotechnical Report.</li> <li><input type="checkbox"/> Near surface soils onsite composed of undocumented fill, topsoil, and loose alluvium should be removed down to competent material as determined by the geotechnical engineer and replaced with properly compacted fill for uniform support under structural improvements and additional fill soils.</li> <li><input type="checkbox"/> Acceptability of all removal bottoms should be reviewed by an engineering geologist with field or laboratory testing under the supervision of a geotechnical engineer.</li> <li><input type="checkbox"/> General remedial removal depths are expected to be 5 to 8 feet below existing grade as recommended by the Preliminary Geotechnical Investigation Report (Appendix F).</li> <li><input type="checkbox"/> When used as compacted fill, high to very high expansive soils should be avoided in the upper 5 feet immediately under structural improvement areas.</li> </ul>	Prior to grading and construction.	City of Hemet City Engineer			

No.	Mitigation Measure	Time Frame for Implementation	Responsible Party/ Monitoring Agency	Verification of Compliance		
				Initials	Date	Remarks
	<p><input type="checkbox"/> Removal limit should be established by a 1:1 projection from the edge of fill soils supporting settlement-sensitive structures downward and outward to competent material identified by the geotechnical consultant, and include a perimeter area at least 5 feet beyond the outermost foundation elements for a given structure.</p> <p><input type="checkbox"/> After completion of the recommended removal and prior to placement of additional fill, the approved surface should be scarified a minimum of 8 inches, moisture conditioned, and compacted to a minimum 90 percent of the maximum dry density in accordance with ASTM Test Method D1557.</p>					
MM GM-2	Overexcavation of the cut portion of transition lots to mitigate the impact of underlying cut/fill transition conditions. Over excavation should extend to a minimum depth of 3 feet below the bottom of the proposed footings or one half of the maximum fill thickness on the lot, whichever is deeper.	During grading and construction.	City of Hemet City Engineer			
MM GM-3	Overexcavation of the cut lots and streets. Cut lots should be overexcavated to a depth of 3 feet below the bottom of the proposed footings and then capped with compact fill. Bottom of the overexcavation should be sloped at a minimum 2 percent or as needed toward the street to prevent the accumulation of subsurface water.	During grading and Construction	City of Hemet City Engineer			
MM GM-4	Areas to receive structural fill and/or other surface improvements should be scarified to a minimum depth of 8 inches, moisture conditioned to optimum moisture content, and recompacted to minimum 90 percent of the maximum dry density in accordance with ASTM Test Method D1557.	During grading and construction	City of Hemet City Engineer			

No.	Mitigation Measure	Time Frame for Implementation	Responsible Party/ Monitoring Agency	Verification of Compliance		
				Initials	Date	Remarks
MM GM-5	Imported soils and/or the borrow site should be evaluated by the geotechnical consultant prior to importation, and should be granular in nature; free of organic material; have very low expansion potential; have a minimum R-value of 20; and have low corrosion impact to the proposed improvements.	During grading and construction.	City of Hemet City Engineer			
MM GM-6	The onsite soils may generally be suitable as trench backfill provided they are screened for rocks over 6 inches in diameter and organic materials; and should be compacted in uniform lifts by mechanical means to at least 90 percent relative compaction (ASTM Test Method D1557). In addition, excavation of utility trenches should be performed in accordance with the project plans, specifications, and all applicable OSHA requirements.	During grading	City of Hemet City Engineer			
MM GM-7	Site grading should include, if possible, a balance area or ability to adjust import quantities to accommodate some variation in earthwork shrinkage and bulking estimates. Values are provided as guidelines in Appendix F.	During grading	City of Hemet City Engineer			
MM GM-8	Proposed single-family residential structures should be founded on post tension foundation systems due to the existence of medium and very high expansive soils in the near surface. Specific parameters for foundation footings, under-slab moisture retarded, soil moisture levels, and slab subgrade soils are presented in Appendix F.	During design, grading, and construction	City of Hemet City Engineer/Building Official			

No.	Mitigation Measure	Time Frame for Implementation	Responsible Party/ Monitoring Agency	Verification of Compliance		
				Initials	Date	Remarks
MM GM-9	The project civil, structural engineer, and architect should consider the potential combined effects of both static and dynamic settlement as presented in Appendix F. The magnitude of the [static] consolidated settlement would be dependent on the thickness of the fill placed above existing ground surface, thickness of clay layers underlying the fill area, and the time of construction of structures from the placement of the fills. Total dynamic (saturated and dry sand) are estimated to be on the order of 2 to 3 inches with differential settlements of 1.5 inch in 40 feet horizontal distance or between similar structural elements of the buildings, whichever is a greater distortion.	During construction and prior to issuance of building permits.	City of Hemet Building Official			
MM GM-10	Minimum horizontal setback distance from the face of slopes for all structural footings should not be less than 7 feet and need not be greater than 15 feet. This distance should be measured from the outside bottom edge of the footing horizontally to the slope face (or to the face of a retaining wall) and should be a minimum of H/2, where H is the slope height. Additional guidance is presented in Appendix F.	During grading and construction	City of Hemet City Engineer/Building Official			
MM GM-11	All slopes should be constructed in accordance with the most current version of the UBC guidelines and the City requirements. If there is discrepancy between the recommendations in the UBC and City requirements or those presented in Appendix F, the more stringent recommendations should be used.	During grading and construction.	City of Hemet City Engineer			

No.	Mitigation Measure	Time Frame for Implementation	Responsible Party/ Monitoring Agency	Verification of Compliance		
				Initials	Date	Remarks
MM GM-12	For preliminary design purposes, the lateral earth pressure values for level or sloping backfill are recommended for walls backfilled with onsite and/or imported soils of very low to low expansion potential presented in Table 2 of Appendix F.	During grading and construction, and prior to issuance of occupancy permits.	City of Hemet City Engineer			
MM GM-13	Surface drainage should be controlled at all times. Positive surface drainage should be provided to direct surface water away from the structures toward the street or suitable drainage facilities. Positive drainage may be accomplished by providing a minimum 2 percent gradient away from the structures for a distance of at least 5 feet. Below grade planters should not be situated adjacent to structures or pavements unless provisions for drainage such as catch basins and drains are made. In general, ponding of water should be avoided adjacent to the structures or pavements. Over-watering of the site should be avoided. Protective measures to mitigate excessive site erosion during construction should also be implemented in accordance with the City grading ordinances.	During construction and prior to issuance of occupancy permits	City of Hemet City Engineer			
MM GM-14	Additional corrosion testing should be performed on representative finish grade soils at the completion of rough grading under the direction of a corrosion consultant (corrosion engineer). Concrete foundations in contact with site soils should be designed in accordance with Table 19A-A-4 of the UBC.	During design and grading	City of Hemet City Engineer			

No.	Mitigation Measure	Time Frame for Implementation	Responsible Party/ Monitoring Agency	Verification of Compliance		
				Initials	Date	Remarks
MM GM-15	Preliminary pavement design should be based on Caltrans Highway Design Manual. For planning and estimating purposes, a range of TIs has been provided for preliminary pavement recommendations (Appendix F); and final pavement sections should be selected by the project civil engineer or traffic engineer consultant with the appropriate TI data.	During design	City of Hemet City Engineer			
MM GM-16	Concrete structures in contact with site soils should be designed in accordance with Table 19A-A-4 of the UBC.	During design	City of Hemet City Engineer/Building Official			
<b>Hydrology/Drainage/Water Quality</b>						
MM HYD-1	Prior to the issuance of a grading permit, the Applicant shall prepare and submit a SWPPP to the City. The SWPPP shall include a requirement to include hydrocarbon filters along the perimeter of the retention basin. The SWPPP must be prepared by a licensed engineer, hydrologist, or erosion control specialist and shall be reviewed by the City prior to issuance of a grading permit. The SWPPP shall be available on-site at all times for review by the City and RWQCB inspectors.	Prior to issuance of grading permits	City of Hemet City Engineer			
MM HYD-2	The Applicant shall be responsible for coordinating all SWPPPs for various projects and facilities to make sure the overall Proposed Project meets the requirements specified in the Federal Clean Water Act and the State Porter-Cologne Water Quality Control Act (Division 7 of the California Water Code).	Prior to issuance of grading permits and during grading.	City of Hemet City Engineer			

No.	Mitigation Measure	Time Frame for Implementation	Responsible Party/ Monitoring Agency	Verification of Compliance		
				Initials	Date	Remarks
MM HYD-3	Drainage conveying system and locations shall be constructed in accordance with the recommendations provided in the Drainage Feasibility Study prepared by Mayers & Associates Civil Engineering, Inc., dated June 22, 2006 (Mayers 2006b).	During grading	City of Hemet City Engineer			
<b>Land Use and Planning</b>						
MM LU-1	No significant land use and planning or population and housing impacts have been identified and no mitigation measures are required.					
<b>Noise</b>						
MM N-1	Construction activities shall be limited to those specified in the City ordinance provided in Division 1 - Generally, Section 30-32, Item 33.	During construction and prior to issuance of occupancy permits	City of Hemet Building Official			
MM N-2	The Proposed Project proponent shall develop a construction-related noise mitigation plan and submit it to the City prior to start of work. Examples of noise mitigations which would be implemented to reduce construction noise include the following: <input type="checkbox"/> Construction equipment shall be equipped with manufacturer recommended mufflers or equivalent. <input type="checkbox"/> Equipment engine covers shall be maintained on the apparatus as designated by the manufacturer. <input type="checkbox"/> Construction equipment shall be turned off when not in use.	Prior to obtaining a grading permit.	City of Hemet Building Official			

No.	Mitigation Measure	Time Frame for Implementation	Responsible Party/ Monitoring Agency	Verification of Compliance		
				Initials	Date	Remarks
	<input type="checkbox"/> Equipment used for project construction shall be hydraulically or electrically powered whenever possible to avoid noise associated with compressed air exhaust from pneumatically-powered tools. However, where use of pneumatically powered tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used. <input type="checkbox"/> External jackets on the tools should be used where feasible. Quieter procedures shall be used such as drilling rather than impact equipment whenever possible. <input type="checkbox"/> Stationary noise sources shall be located as far from existing sensitive receptors as possible. If stationary sources must be located near existing sensitive receptors, they shall be adequately muffled and enclosed within temporary sheds or portable sound blankets used.					
<b>Public Health and Safety</b>						
MM PHS-1	The Project Applicant, General Contractor, and/or an assigned Health and Safety Official (H&SO) shall provide training to grading, trenching, and excavation personnel regarding identification protocols for encountering any residual contamination. All suspected area(s) identified by construction workers shall be reported to the proper on-site assigned representative immediately. All work at the identified location shall be stopped until a qualified professional evaluates the suspected contamination area.	Prior to grading	City of Hemet Building Official/ Construction Contractor			

No.	Mitigation Measure	Time Frame for Implementation	Responsible Party/ Monitoring Agency	Verification of Compliance		
				Initials	Date	Remarks
MM PHS-2	The Applicant shall perform subsurface soil sampling to determine if past agricultural use has impacted the subsurface soil. Representative samples should be collected from the near surface soil (0 to 1 foot below grade) and deeper soils (3 feet below grade). All near surface samples should be analyzed for pesticides.	Prior to obtaining a grading permit.	City of Hemet Building Official/City Engineer			
MM PHS-3	The Applicant shall perform subsurface soil sampling and analyses to determine the depth of the apparent oil and stained soils located in the vicinity of the equipment storage yard. Soil samples should be collected at selected intervals to the apparent vertical extent of the oil stained soils. All near surface samples should be analyzed for total recoverable hydrocarbons and volatile organic compounds	Prior to obtaining a grading permit.	City of Hemet Building Official/City Engineer			
MM PHS-4	In the event of demolishing or remodeling the residential structure on the subject site, an asbestos and lead paint survey should be completed prior to demolition.	Prior to issuance of demolition permit	City of Hemet Building Official			
MM PHS-5	In general, observations should be made during any future site development for areas of possible contamination such as, but not limited to, the presence of underground facilities, buried debris, waste drums, tanks, staining soil, or odorous soils. Should such materials be encountered, further investigation and analysis may be necessary at that time.	During grading	City of Hemet Building Official/City Engineer			

No.	Mitigation Measure	Time Frame for Implementation	Responsible Party/ Monitoring Agency	Verification of Compliance		
				Initials	Date	Remarks
MM PHS-6	A qualified professional shall be available to respond to suspected contamination at the site if found. The credentials of the qualified professional or company shall be submitted to the City for review and approval prior to commencing work at the Proposed Project site. It shall be the responsibility of the qualified professional to evaluate all suspected contaminated areas identified by contracting personnel. The evaluation shall include, but not be limited to, making a professional judgment, taking soil samples for analyses, and/or using portable instruments. The qualified professional or company shall provide a written evaluation and actions to be taken (if required) to the Proposed Project on-site representative shall implement all action(s) recommended by the qualified professional or company. Additionally, the Proposed Project on-site representative shall notify and provide the City with the written evaluation for each event.	Prior to approval of grading permits; during grading	City of Hemet Building Official/City Engineer			
MM PHS-7	The Project Applicant shall be required to use clean fill material. The Construction General Contractor and assigned H&SO shall examine the source of the fill dirt used at the site. The H&SO shall analyze soil samples if contamination is present in the fill soils and, if contaminated, the soils shall be replaced with clean fill material.	During grading	City of Hemet Building Official/City Engineer			

No.	Mitigation Measure	Time Frame for Implementation	Responsible Party/ Monitoring Agency	Verification of Compliance		
				Initials	Date	Remarks
<b>Public Services and Utilities</b>						
MM PSU-1	<p><b>Police Protection:</b> Police protection impact fees shall be paid to the City to cover costs associated with added Police Department services to the area as a result of the Proposed Project.</p>	Prior to occupancy	City of Hemet Building Official			
MM PSU-2	<p>As it relates to police and fire services, prior to approval of any final map, or approval of any final map for any phase of the development, the property covered by said final map ("Tract") shall be included within, or annexed to, a Community Facilities District ("CFD") established under the Mello-Roos Community Facilities Act of 1982 (Government Code § 53311 et seq.) established by the City of Hemet for the provision of public services permitted under Government Code § 53313, including police, fire protection, and emergency medical services (collectively "Public Safety Services"), for which proceedings have been consummated, and shall be subject to the special tax approved with the formation of the CFD with the Tract's annexation into the CFD.</p> <p>The applicant and property owner acknowledge and agree that if the Tract were not a part of the CFD referred to above, the City might lack the financial resources to operate and provide Public Safety Services at the level required under the City's General Plan. Absent this requirement that the Tract be included within the CFD, the City might not be able to make the finding that the project</p>	Prior to approval of final maps.	City of Hemet Building Official			

No.	Mitigation Measure	Time Frame for Implementation	Responsible Party/ Monitoring Agency	Verification of Compliance		
				Initials	Date	Remarks
	<p>now under consideration ("Project") is consistent with the City's General Plan and might not be able to make findings supporting approval of the Project as required by the Subdivision Map Act and the California Environmental Quality Act and, therefore, might be required to deny approval of the Project.</p> <p>The owner and/or any developer of the Project on the Tract shall notify all potential lot buyers prior to sale of such lot(s) that: (1) the Tract is part of the CFD; (2) each lot within the Tract is subject to the levy of a special tax; and (3) the amount of the special tax for the subject lot. This notification shall be in a manner approved by the City.</p> <p>This requirement may only be waived by the City Council if, at the time the final map is considered for approval, the City Council determines, based on substantial evidence in the record, that each of the following three findings can be met: (1) the Tract is located in a target area that is currently in compliance with the public safety response time mandates set forth in the General Plan; (2) that build-out and occupancy of the Project on the Tract will not result in the target area becoming non-compliant with the response time mandates of the General Plan; and (3) that, after considering the cumulative impacts of the subject Project, currently existing projects and reasonably anticipated future projects within the target area, the target area will remain in compliance with the response time mandates of the General Plan.</p>					

No.	Mitigation Measure	Time Frame for Implementation	Responsible Party/ Monitoring Agency	Verification of Compliance	
				Initials	Date
MM PSU-3	<p>Fire Protection:</p> <ol style="list-style-type: none"> <li>1. Fire protection impact fees shall be paid to the City to cover costs associated with projected service levels as a result of the Proposed Project.</li> <li>2. All water lines and fire hydrants constructed at the Proposed Project site shall be reviewed by the City Fire Department and shall be designed to meet their requirements.</li> <li>3. The City Fire Department shall approve all fire hydrant locations and other fire design requirements for the Proposed Project.</li> </ol>	Prior to issuance of occupancy permits.	City of Hemet Fire Official		
MM PSU-4	<p>Parks:</p> <p>The applicant will provide parkland per Hemet Municipal Code Chapter 70 (Subdivisions) Article X (Public Parklands and/or Dedication) either by payment of development fee or dedication of land.</p>	Prior to issuance of occupancy permits	City of Hemet Building Official		
MM PSU-5	<p>Schools:</p> <ol style="list-style-type: none"> <li>1. The developer shall pay school impact fees and/or land and improvements pursuant to the requirements of SB 50. This shall be established in accordance with State formulas for determining developer fees.</li> <li>2. The developer shall coordinate all school services resulting from the development with the HUSD or the SJUSD, as appropriate. The developer may enter an agreement with either of the districts.</li> </ol>	Prior to issuance of occupancy permits	City of Hemet Building Official		
MM PSU-6	<p>Library Services:</p> <p>Library impact fees shall be paid to the City to cover costs associated with increased demands associated with library services resulting from the Proposed Project.</p>	Prior to issuance of occupancy permits	City of Hemet Building Official		

No.	Mitigation Measure	Time Frame for Implementation	Responsible Party/ Monitoring Agency	Verification of Compliance	
				Initials	Date
					Remarks
MM PSU-7	<p>Water:</p> <ol style="list-style-type: none"> <li>The EMWD has determined that adequate sources of water are available for domestic water supplied for the Proposed Project. The developer shall be responsible for the construction or supplemental production, transmission, and storage facilities needed to serve the Proposed Project in accordance with the supply assessment.</li> <li>The Proposed Project developer shall be responsible for all costs associated with the preparation, recommendations, and/or decisions resulting from the water supply assessment, if so required.</li> <li>Water-related development impact fees and water related charges in effect during construction shall be paid to EMWD.</li> <li>The Proposed Project developer shall be responsible for installing the necessary infrastructure to achieve fire protection and the maximum/minimum water pressure service standards as provided by the EMWD.</li> <li>The Proposed Project developer shall be required as necessary to install both potable water to each residential lot required by the EMWD and as set forth in SB 221 and SB 610. All connections to the recycled water system will be the responsibility of the developer.</li> </ol>	Prior to issuance of occupancy permits.	City of Hemet Building Official		

No.	Mitigation Measure	Time Frame for Implementation	Responsible Party/ Monitoring Agency	Verification of Compliance	
				Initials	Date
MM PSU-8	<p>Wastewater Services:</p> <p>1. The Proposed Project developer shall pay all development impact fees associated with wastewater-related charges resulting from the Proposed Project at the time of permit issuance. These fees shall include, but not be limited to, sewer treatment expansion fees and necessary permits.</p> <p>2. The Proposed Project developer shall be responsible for complying with the RWQCB Basin Plan.</p>	Prior to issuance of occupancy permits	City of Hemet Building Official		
MM PSU-9	<p>Stormwater:</p> <p>The Proposed Project developer shall obtain all necessary NPDES permits from the RWQCB related to construction and operation of the Proposed Project.</p>	Prior to issuance of occupancy permits	City of Hemet Building Official		
MM PSU-10	<p>Natural Gas, Electricity, Solid Waste, and Other Utilities:</p> <p>Environmental impacts associated with the supply of natural gas, electricity, solid waste, and other utilities would be less-than-significant. Therefore, no mitigations are proposed for these utilities.</p>	None	Not Applicable		
<b>Transportation and Traffic</b>					
MM T-1	<p>Construct Myers Street at its ultimate half section width (32-foot part width) as a Collector from Driveway 1 (Menlo Avenue) to Devonshire Avenue.</p>	During construction	City of Hemet City Engineer		
MM T-21	<p>Construct Myers Street as a 32-foot paved roadway from Devonshire Avenue to its current terminus north of Florida Avenue for access purposes.</p>	During construction	City of Hemet City Engineer		

No.	Mitigation Measure	Time Frame for Implementation	Responsible Party/ Monitoring Agency	Verification of Compliance	
				Initials	Date
MM T-32	Construct Devonshire Avenue at its ultimate half section width as a Secondary roadway from Myers Street to Cawston Avenue.	During construction	City of Hemet City Engineer.		
MM T-43	Construct Cawston Avenue at its ultimate half section width as a Secondary roadway in conjunction with development from Menlo Avenue to Devonshire Avenue.	During construction.	City of Hemet City Engineer		
MM T-54	Construct Menlo Avenue at its ultimate half section width (32-foot part width) as a Collector from the northerly project boundary Driveway 3 (Menlo Avenue) to Cawston Avenue.	During construction	City of Hemet City Engineer		
MM T-65	Construct Menlo Avenue as its ultimate full section width as a Collector from Driveway 1 on Myers Street to Driveway 3 on Menlo Avenue (A Street) Devonshire Avenue to the northerly project boundary.	During construction	City of Hemet City Engineer		
MM T-7	Install a traffic signal at the proposed intersection of Driveway 4 and Devonshire Avenue in conjunction with the development.	During construction	City of Hemet City Engineer		
MM T-6	Construct Celeste Road from the westerly project boundary to Menlo Avenue as a collector road. This improvement should be coordinated with the development to the west to ensure proper alignments.	During Construction	City of Hemet City Engineer		
MM T-7	Install appropriate channelization for the southbound traffic at Driveway 1 to restrict movements to right turns in/out and left turns in only at the Driveway 1/Devonshire Avenue intersection. Install a 150 foot eastbound left turn lane at this location along Devonshire Avnue.	During Construction	City of Hemet City Engineer		

No.	Mitigation Measure	Time Frame for Implementation	Responsible Party/ Monitoring Agency	Verification of Compliance		
				Initials	Date	Remarks
MM T-9	Construct a minimum 150-foot eastbound left turn lane on Devonshire Avenue at Driveway 2 and Driveway 4.	During construction	City of Hemet City Engineer			
MM T-109	Construct minimum 150-foot left turn lanes on all approaches at the intersection of Cawston Avenue and Menlo Avenue.	During construction	City of Hemet City Engineer			
MM T-110	On-site traffic signing and striping should be implemented in conjunction with detailed construction plans for the project site.	During construction	City of Hemet City Engineer			
MM T-1211	Sight distance at the project entrances should be reviewed with respect to standard Caltrans and City sight distance standards at the time of preparation of final grading, landscape, and street improvement plans.	During construction	City of Hemet City Engineer			
MM T-1312	Provide stop sign controls at all project driveways that intersect with public roadways and do not meet traffic signal warrants.	During construction	City of Hemet City Engineer			
MM T-1413	For existing plus ambient plus project <del>evaluative</del> traffic impacts, install traffic signals and improvements as identified in Table 6-12 and Exhibit 8-AB of the Traffic Impact Analysis, dated <del>March 6, 2007</del> August 2007 (with the exception of the elimination of the traffic signal at the project driveway on Devonshire Avenue).	During construction	City of Hemet City Engineer			
MM T-15	For existing plus ambient plus project traffic impacts, <del>install traffic signals and improvements as identified in Table 6-2 and Exhibit 8-B of the Traffic Impact Analysis, dated March 6, 2007.</del>	During construction	City of Hemet City Engineer			

No.	Mitigation Measure	Time Frame for Implementation	Responsible Party/ Monitoring Agency	Verification of Compliance	
				Initials	Date
MM T-17	<del>For general plan buildout with project traffic impacts, provide the recommended improvements for the roadway segments identified in Table 7-2 of the Traffic Impact Analysis, dated March 6, 2007.</del>	During construction	City of Hemet City Engineer		
MM T-1814	Provide fair share contributions for roadway improvements as indicated in Table 7-3 9-1 and 9-3 of the Traffic Impact Analysis, dated March 6, 2007 August 2007.	During construction	City of Hemet City Engineer		
MM T-19	<del>Coordinate off-site improvements with the proposed West Hemet Roadway Phasing and Financing Program.</del>	During construction	City of Hemet City Engineer		
MM T-2015	Participate in the funding of off-site improvements needed to serve cumulative future conditions through the payment of appropriate fees (TUMF and City fees). Improvements along Florida Avenue, Sanderson Avenue, Steison Avenue, Esplanade Avenue, and Warren Road are included in the TUMF Program for Western Riverside County.	During construction	City of Hemet City Engineer		

# **Exhibit No. 1D**

**DEIR Public Review  
Comments & Responses**

**DEIR Public Review Comments  
SPA 06-001 - Tres Cerritos East**

Date: July 1, 2008

SCH #2006071002

<b>Entity Commenting</b>	<b>Date of Comment</b>	<b>Date Received</b>	<b>Notes</b>
OPR	5-28-08	5-30-08	Standard details report (no comment per se)
NAHC	4-28-08	4-30-08	Native American Contact List provided
PUC	4-23-08	4-27-08	Comments re off-site railroad crossings
Toxic Substances Control	5-30-08	6-2-08	No specific comments
ALUC	5-14-08	5-16-08	Submit SPA to ALUC for consistency review
HUSD	5-21-08	5-27-08	Requests option for 12-acre school site to reduce impacts
Valley-Wide Rec & Park District	5-20-08	5-27-08	1. Acreage not useable as park 2. MWD already set aside 3. 2-acre parks not large enough; needs 10-acre park
SCE	5-21-08	5-30-08	Capacity available; mitigating for SCE infrastructure expansion within project EIR could facilitate said expansion

## SECTION 3.0 RESPONSES TO COMMENTS

### 3.1 LIST OF DRAFT EIR COMMENTORS

The agencies, organizations, groups, and individuals listed below provided written comment letters, or emails on the Tres Cerritos East Specific Plan Amendment DEIR.

Each comment letter was assigned a letter (Letter A, Letter B, Letter C, etc.) and each separate specific comment made within a letter was given a specific identifying number (e.g., Comment A-1, Comment A-2, etc.). Specific comments have been bracketed. The comment numbers are provided on the right hand side of each letter. Responses to each comment are labeled with the corresponding comment number.

LETTER #	AGENCY/ORGANIZATION	DATE LETTER RECEIVED
A	Native American Heritage Commission	May 6, 2008
B	Hemet Unified School District	May 21, 2008
C	State of California Public Utilities Commission	May 27, 2008
D	Valley-Wide Recreation & Park District	May 27, 2008
E	Southern California Edison	May 30, 2008
F	California Department of Toxic Substances Control	June 2, 2008

# LETTER "A" RESPONSE

## NATIVE AMERICAN HERITAGE COMMISSION

### Response to Comment A-1 -

As outlined in Section 3.5 in the DEIR, *Cultural Resources*, the following were completed for the Proposed Project: a record check conducted at the Eastern Information Center (EIC) at University of California, Riverside, a literature review, and a field survey of the Proposed Project site by qualified archaeologists from Archaeological Systems Management (ASM) Affiliates in 2006.

Only one cultural resource site was found within the Proposed Project area. This previously recorded isolated bedrock milling site (CA-RIV-4046) is a single milling slick that is in a slight state of decomposition. In addition, this site had been previously tested for subsurface resources, and was evaluated as not significant (Smith 1990). Due to the ubiquity and limited research potential of the site, as well as the fact that no artifacts or midden were found in association with the feature even after additional testing, it is not considered a significant "historical resource" pursuant to CEQA Guidelines Section 15064.5 nor is it eligible for listing in the California Register of Historic Resources or in the National Register of Historic Places.

Concern was expressed by the Morongo Band of Mission Indians during the Native American consultation process, who stated that if the milling feature were to be impacted, they would like it to be removed and relocated. Even though the site is not significant and no additional mitigation measures are required, an agreement between the developer and Morongo will be worked out regarding the treatment of the milling feature. If acceptable to both parties, the Morongo Band

**STATE OF CALIFORNIA**  
NATIVE AMERICAN HERITAGE COMMISSION  
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**LETTER A**

**PLANNING DEPT**

APR 9 2008

East Specific Plan, City of Hemet, Riverside County, California

April 28, 2008

Mr. Ron Running, City Planner  
**CITY OF HEMET**  
445 E. Florida Avenue  
Hemet, CA 92543

Re: SC-HZ00007-100Z-CEQA Notice of Completion, draft Environmental Impact Report (EIR) for the Tres Cerritos East Specific Plan, City of Hemet, Riverside County, California

Dear Mr. Running:

The Native American Heritage Commission is the state agency designated to protect California's Native American Cultural Resources. The California Environmental Quality Act (CEQA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes identifying California resources, is a "significant effect" requiring the preparation of an Environmental Impact Report (EIR) pursuant to Code of Regulations §15094.5(b)(6) (CEQA guidelines). Section 15092 of the 2007 CEQA Guidelines defines a significant impact on the environment as "a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historical or archeological significance or other objects of cultural significance, the loss of which would have an adverse impact on these resources within the area of potential effect (APE), and it is to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following action:

- ✓ Contact the appropriate California Historic Resources Information Center (CHRIS) for possible "reconciled status" in locations where the development will or might occur. (916)653-7278/ <http://www.chris.paikis.ca.gov>. The record search will determine:
  - If a part or the entire APE has been previously surveyed for cultural resources.
  - If any known cultural resources (already) been recorded in or adjacent to the APE.
  - If the probability is low to moderate or high that cultural resources are located in the APE.
  - If a survey is required to determine whether previously unrecorded cultural resources are present.
- ✓ If an ancient or prehistoric survey is required, the final stage is the preparation of a professional report detailing the design and recommendations of the records search and field survey.
- The final written report should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
- The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological information center.
- ✓ Contact the Native American Heritage Commission (NAHC) for:
  - A Sacerd Lands File (SLF) search of the project area and information on vital contacts in the project vicinity that may have additional cultural resource information. Please provide this office with the following information format to assist with the Sacerd Lands File search request: *USGS 7.5-minute quadrangle, date, citation with name, township, range, and section.*
  - The NAHC advises the use of Native American Monitors to ensure proper identification and care given cultural resources that may be discovered. The NAHC recommends that contact be made with Native American contacts on the attached list to get their input on potential project impact (APE). In some cases, the existence of a Native American cultural resources may be known only to a local tribe(s).
  - Lack of surface evidence of archaeological resources does not preclude the subsurface existence.
  - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archaeological resources, per California Environmental Quality Act (CEQA) §15064.5 (f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
  - A culturally-affiliated Native American tribe may be the only source of information about a Sacred Site/ Native American cultural resource.
  - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.

# LETTER "A" RESPONSE

## LETTER A

Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigation plans.

CEQA Guidelines, Section 15364.5(f) requires the lead agency to work with the Native Americans identified by this Commission if the initial study identifies the presence of likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave sites.

Health and Safety Code §7650.5, Public Resources Code §5987.28 and Sec. §15364.5 (g) of the California Code of Regulations (CEQA Guidelines) makes procedures to be followed, including that construction or excavation be stopped in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery until the county social examiner can determine whether the remains are those of a Native American.

Note that §7652 of the Health & Safety Code states that disturbance of Native American cemeteries is a felony.

Lead agencies should consider avoidance, as defined in §15370 of the California Code of Regulations (CEQA Guidelines), when significant cultural resources are discovered during the course of project planning and implementation.

A-1 Cont.

Please feel free to contact me at (916) 553-6251 if you have any questions.

Sincerely,



Dave Singleton  
Program Analyst

Attachment: List of Native American Contacts

Cc: State Clearinghouse

would be responsible for removing the milling feature in the presence of an archaeological monitor, and would relocate it to a permanent location on the Morongo Indian Reservation. As a result, impacts to cultural resources would not be significant.

In the event that unanticipated buried cultural resources are encountered during the Proposed Project construction, Cultural Resources Mitigation Measure No. 1 has been provided to allow for monitoring of site development by a qualified archaeologist. If subsurface artifacts are found, the archaeologist would divert construction from that area, examine the finds, and make recommendations for mitigation of impacts, if needed.

In accordance with Senate Bill (SB) 18 as part of the consultation process with Native American organizations and individuals, ASM Affiliates, Inc. contacted the NAHC on June 21, 2006 and requested information about sacred lands that may be located within the Proposed Project site. The result of a records search conducted by the NAHC was negative in that no known Traditional Cultural Properties or sacred sites were identified in their files. Three of the Native American representatives responded but only one, from the Morongo Band of Mission Indians (Morongo), had concerns. These concerns were in reference to the isolated bedrock milling site and an agreement between the developer and Morongo will be worked on regarding the treatment of the milling feature, as described above.

LETTER "A-2" RESPONSE

ATTACHMENT COMMENT A-2

Response to Comment A-2 -

The Native American Contacts list for Riverside County that was provided (dated April 28, 2008) was identical to the list previously used to conduct the Native American consultation process as described above.

**LETTER A-2**

<p><b>Native American Contacts Riverside County April 28, 2008</b></p> <p>Cahuilla Band of Indians Anthony Madrigal, Jr., Chairperson P.O. Box 391760 Riverside, CA 92539 amz@cahuilla.net 351) 763-2531 351) 763-2632 Fax</p> <p>Pechanga Band of Mission Indians Paul Macarro, Cultural Resource Center P.O. Box 1477 Temecula, CA 92593 351) 308-9295 Ext 8106 351) 676-2768 351) 506-9491 Fax</p> <p>Yamona Band of Cahuilla Mission Indians Joseph Hamilton, vice chairman P.O. Box 391670 Riverside, CA 92539 jham@ramonagatirbe.com 951) 763-4105 951) 763-4325 Fax</p> <p>Joboba Band of Mission Indians Chairperson P.O. Box 487 San Jacinto, CA 92581 jhill@joboba-rsn.gov 951) 654-2765 951) 654-4198 - Fax</p>	<p>Santa Rosa Band of Mission Indians John Marcus, Chairman P.O. Box 609 Hemet, CA 92546 srtribaloffice@aol.com (951) 658-5311 (951) 658-6733 Fax</p> <p>Morongo Band of Mission Indians Michael Contreras, Cultural Resources-Project 49750 Seminole Drive Cabazon, CA 92230 (951) 755-5206 (951) 922-8146 Fax</p> <p>Pechanga Band of Mission Indians Mark Macarro, Chairperson P.O. Box 1477 Temecula, CA 92593 tbrown@pechanga-rsn.gov (951) 676-2768 (951) 695-1778 Fax</p> <p>Willie Pink 48310 Pechanga Road Temecula, CA 92592 wjpink@hotmail.com (909) 936-1216 Prefers e-mail contact</p>
--	---

This list is current only as of the date of this document.  
Distribution of this list does not relieve any person of liability, responsibility, as defined in Section 7500.6 of the Health and Safety Code, Section 5097.34 of the Public Resources Code and Section 5097.96 of the Public Resources Code.  
This list is only applicable for conducting local Native American with regard to cultural resources for the proposed, CEQA Notice of Completion, draft Environmental Impact Report (DEIR) for the Tres Cerritos East Specific Plan; City of Hemet, Riverside County, California.

LETTER "A-2" RESPONSE

(Intentionally left blank)

LETTER A-2

Native American Contacts  
Riverside County  
April 28, 2008

Soboba Band of Luiseno Indians  
DARREN HILL, Cultural Resources Manager  
P.O. Box 487  
San Jacinto, CA 92581  
dhill@soboba-nsn.gov  
(951) 654-2765  
FAX: (951) 654-4188

This list is current only as of the date of this document.  
Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.  
This list is only applicable for contacting local Native American with regard to cultural resources for the proposed, SCH#2006071002; CEQA Notice of Completion; Draft Environmental Impact Report (DEIR) for the Tres Cerritos East Specific Plan; City of Hemet; Riverside County, California.

# LETTER "B" RESPONSE

## HEMET UNIFIED SCHOOL DISTRICT

### Response to Comment B-1 -

As discussed in Section 3.12.3.1.4, *Schools*, and Mitigation Measure PSU-5 in the DEIR, the developer shall pay school impact fees and/or land and improvements pursuant to the requirements of SB 50. The requirements of the school impact fees shall be established in accordance with State formulas for determining developer fees.

Hemet Unified School District indicated that an existing K-6 elementary school (Cawston Elementary), on the northeast corner of Cawston Avenue and Menlo Road, is already in close proximity to the Proposed Project. Thus, it was their opinion that an elementary school site was not necessary within the Proposed Project. In addition, the Garratt Ranch Specific Plan, directly to the west of the Proposed Project, already proposed to include an elementary school within its specific plan boundaries.

### LETTER B

City of Hemet - Planning  
RECEIVED  
MAY 27 2008  
PROJECT NO.(S)

May 21, 2008

Bernard Chase  
City of Hemet  
Planning Department  
445 E Florida Avenue  
Hemet, CA 92543

Re: Tres Cerritos East Specific Plan Amendment Draft Environmental Impact Report

Mr. Fink,

The Hemet Unified School District (District) has reviewed the DEIR for Tres Cerritos East Specific Plan Amendment and would like to make the following comments and recommendations prior to the City approving the project.

The Tres Cerritos East project is comprised of a total of 787 residential units. Based on a K-12 student yield factor of 0.6653, this project may generate a total of 522 K-12 students. Breaking this down to K-5 students only, applying a student yield factor of 0.3127 would generate 246 K-5 students from this project. Currently, the District only has one elementary school (Cawston Elementary) servicing K-5 students northwest of Florida and Sanderson Avenues. Cawston Elementary is serving students beyond its intended capacity.

The District is in critical need of an elementary school site in this area. The elementary school would serve students generated by this project as well as other neighboring projects that have already been approved or are in the process, including Canyon Trails, Garrett Ranch, Tres Cerritos West and Florida Promenade (Hemet 55).

If the proposed project is implemented, the District will be significantly impacted. The District requests that an option for a 12 acre school site be included in the Tres Cerritos East Specific Plan, or another neighboring plan. The District is willing to meet with the City and all involved consultants and developers to discuss the appropriate location for a 12 acre school site.

Please contact me at your earliest convenience at (951) 765-5100 x5465.

Sincerely,



Jesse Bridwell,  
Facilities Planner

cc: Gary Fink, ARCADIS  
Ron Running, City of Hemet  
Mel Mercado, Corman Leigh Communities



Dr. Philip O. Pendley  
Superintendent

Mary Wulfberg  
Deputy Superintendent  
Richard M. Beck  
Assistant Superintendent

LaFaye Platter  
Assistant Superintendent  
Dr. Cary Miller  
Assistant Superintendent

### B-1

Professional Development  
Service Center  
1791 W. Arcadia Avenue  
Hemet, CA 92545  
(951) 765-5100  
Fax: (951) 765-5115

Professional Development  
Academy  
2085 W. Arcadia Avenue  
Hemet, CA 92545  
(951) 765-5100  
Fax: (951) 765-5421

www.hemetusd.k12.ca.us

### Governing Board

Mike Cook  
Dr. Gregg Figgins  
Charlotte Jones  
David Peters  
Phyllis Petri  
Bill Samborn  
Joe Wojcik

# LETTER "C" RESPONSE

## STATE OF CALIFORNIA PUBLIC UTILITIES COMMISSION

### Response to Comment C-1 -

Comment is acknowledged and concerns regarding increasing traffic volumes, pedestrian circulation patterns, and destinations with respect to the BNSF right-of-way will be forwarded to the decision makers for consideration.

### Response to Comment C-2 -

The City of Hemet, developer, and involved parties will discuss potential mitigation measures as they relate to pedestrian safety and traffic circulation issues that may occur as a result of crossing the BNSF Railway Company's right-of-way.

ARNOLD SCHWARTZENESSER, Governor



### LETTER C

May 23, 2008

MAY 9 7 2008

Ron Running  
City of Hemet  
444 E. Florida Avenue  
Hemet, CA 92343-4209

Dear Mr. Running:

Re: SCE# 2096071002; Tres Cerritos East Specific Plan Amendment

The California Public Utilities Commission (Commission) has jurisdiction over the safety of highway-rail crossings (crossings) in California. The California Public Utilities Code requires Commission approval for the construction or alteration of crossings and grants the Commission exclusive power on the design, alteration, and closure of crossings.

The Commission Rail Crossings Engineering Section (RCES) is in receipt of the *Notice of Completion & Environmental Document Transmittal-DEIR* from the State Clearinghouse. In July 2006, RCES submitted comments in response to the NOP for this project. Our correspondence today reiterates those previous comments and provides recommendations relative to developing 787 residential dwelling units on 164.4 acres of land at Cawston Avenue and Devonshire Avenue (lat= 33.750463, long= 117.014866) which may increase traffic volumes not only on streets and at intersections, but also at the nearby Sanderson Avenue (DOT# 027370G), Stetson Avenue (DOT# 027368F), and Lyon Avenue (DOT# 027372V) crossings. This includes considering pedestrian circulation patterns/destinations with respect to the BNSF Railway Company right-of-way.

Mitigation measures to consider include, but are not limited to, the planning for grade separations for major thoroughfares, improvements to existing at-grade highway-rail crossings due to increase in traffic volumes and continuous vandal resistant fencing or other appropriate barriers to limit the access of trespassers onto the railroad right-of-way.

If you have any questions, please contact Varouj Jinbanchian, Senior Utilities Engineer at 213-576-7081, [vsj@cpuc.ca.gov](mailto:vsj@cpuc.ca.gov), or me at [rxtm@cpuc.ca.gov](mailto:rxtm@cpuc.ca.gov), 213-576-7078.

Sincerely,

Rosa Marmoz, PE  
Utilities Engineer  
Rail Crossings Engineering Section  
Consumer Protection & Safety Division

C. John Shurson, BNSF

# LETTER "D" RESPONSE

## VALLEY-WIDE RECREATION & PARK DISTRICT

### Response to Comment D-1 - D-2

Comment is acknowledged and the matter regarding the acreage and configuration of the dedicated parkland will be forwarded to the decision makers for consideration. On-going negotiations between the City of Hemet and the developers may also amend the total park acreage proposed for the project.

Additionally, the project is required to comply with the City of Hemet Municipal Code Section 70-281 through 70-287 regarding parkland dedication and/or fee provision, and dedication of parkland would satisfy the City Municipal Code requirement (Section 70-281 and 70-285). (Ord. No. 1564, § 2, 7-29-97; Ord. No. 1786, § 1, 8-28-07)

Pursuant to Section 70-285, the standard for dedication of land in lieu of the park development fee is five acres per 1,000 people. The standard for the number of people per dwelling unit shall be two for each unit with two bedrooms or less, and three for each unit with three bedrooms or more.

According to DEIR Section 3.13.3.3, *Impact Analysis*, the project would result in the addition of 787 residential units (approximately 1,968 residents) to the area. Based on Section 70-285, the Proposed Project is required to have 9.84 acres of park land area. The Proposed Project is providing 14.0 acres of park land area.

The decision of the approval body to accept land dedication shall be determined by consideration of: topography, geology, access and location of land in the subdivision available for dedication; size and

### LETTER D

#### VALLEY-WIDE RECREATION & PARK DISTRICT

P.O. Box 907 • 901 W. Esplanade Avenue  
San Jacinto, CA 92581  
(951) 654-1505 • District Office



May 20, 2008

MAY 27 2008

Ron Running  
City of Hemet  
445 E. Florida Avenue  
Hemet, California 92543

Re: Tres Cerritos East Specific Plan Amendment

Dear Mr. Running:

Valley-Wide Recreation and Park District is in receipt of the Tres Cerritos East Specific Plan Amendment and has the following concerns:

787 dwelling units are stated on page ES-4 and it indicates a total of 20.1 acres of park acreage which is not usable as park acreage. A 10.4 linear park that is in an easement owned by the Metropolitan Water District and a 3.7 acre private park leaves only 6 acres of park acreage which is divided into three (3) two (2) acre parks. Is this for real? What a poor excuse for parks...keep in mind that the 10 acre linear park as it is designated is there regardless of development. It is an additional amenity above and beyond set standards. Development should be required to improve said property in addition to a 10 acre active park in one central location. The city should ask for quality not quantity.

D-1

Page 3.13-4 Impact Analysis states "6 acres of public parks among three park sites located within the development". This is poor planning. Three (3) two (2) acre parks are mini parks which do not allow for active recreational uses. They become hang outs and crime zones. Further, they appear to be detention or water quality basins. These parks are similar to the Lennar Tract adjacent to West Valley High School. Are these parks useable and functional today? Upon visits, I would say no. Development should be conditioned to provide a 10 acre active park in one central location.

D-2

District Office: 901 West Esplanade Avenue • San Jacinto, CA 92582 • (951) 654-1505 • Fax: (951) 654-5279  
Menifee Office: 20627 Menifee Road • Menifee, CA 92556 • (951) 672-1000 • Fax: (951) 672-4640  
Vista Vista Community Center: 15855 Vista Vista Road • Vista, CA 92083 • (951) 927-6675 • Fax: (951) 927-0793  
Winchester Community Center: 15855 Winchester Street • Winchester, CA 92596 • (951) 926-5917 • Fax: (951) 926-5918  
Rancho Bello Vista Community Center: 31757 Brooming Street, Murrieta, CA 92555 • (951) 894-1468 • Fax: (951) 894-1470

## LETTER "D" RESPONSE

(Intentionally left blank)

shape of the subdivision and land available for dedication; feasibility of dedication; compatibility of dedication with the open space conservation and parks element of the general plan; and availability of previously acquired park property. (Section 70-286.)

At the time of approval of the tentative map, the approval body shall determine the land to be dedicated, its configuration and the park development fees to be paid, or both, by the developer. The dedication of land shall be made prior to the approval of the final map. The fees shall be due and payable with the application for building permits.

# LETTER "D" RESPONSE

Ron Running  
May 20, 2008  
Re: Tres Cerritos East Specific Plan Amendment  
Page 2

## LETTER D

**D-3** { Page 4.5.13 Recreation states "The increase in population that could result from implementation of the Proposed Project, in conjunction with other development projects in the region, could affect regional recreational resources in the City of Hemet and Riverside County." An increase in population will result from implementation of the Proposed Project and if the development of on-site facilities at other development projects in the region are held to the same low standard as this Specific Plan they will not "negate the potential cumulative impacts to recreation resources" in the region.

**D-4** { Ninety-three percent (93%) of the proposed dwelling units are on small lots (6,000 square feet or less). The City should look to lessons learned from KB Home development of Belmonte-Seville next to Four Seasons; small lots, no parking and no sidewalks leaves a community with streets littered with cars, exhibited in said subdivision still evidenced today. Why replicate a poor planning decision?

**D-5** { Since this is a Specific Plan, more than the minimum should be demanded. Require development agreement to insure maximum benefit based on population for the City and the region.

Sincerely,



Samuel W. Goepfert, General Manager  
Valley-Wide Recreation and Park District

cc: Mayor Marc Searl

### Response to Comment D-3 -

Comment is acknowledged and the matter regarding the potential cumulative impacts to recreational resources will be forwarded to the decision makers for consideration. However, it is not the responsibility of one project site developer to provide parkland for the entire developing community but, rather, an equitable portion as determined by the decision makers.

### Response to Comment D-4 -

Comment is acknowledged and the matter regarding the percentage of the proposed dwelling unit lot sizes with lots that are 6,000 square feet or less will be forwarded to the decision makers for consideration. Pursuant to the City of Hemet park requirements, The Proposed Project is required to provide 3.7 acres of park based on the number of proposed lots under 6,000 square feet. The Proposed Project is providing 10.7 acres of park, which is almost three times more than what the City is requiring.

### Response to Comment D-5 -

Comment is acknowledged and concerns regarding the development agreement of this SPA will be forwarded to the decision makers for consideration.

# LETTER "E" RESPONSE

## SOUTHERN CALIFORNIA EDISON

### Response to Comment E-1 -

The City of Hemet appreciates your comment that the electrical loads of this project have been determined to be within the parameters of the projected growth which SCE is planning to meet. It does not appear to raise an existing environmental issue or a comment on this document. Your comment will be referred to the decision makers for consideration.

### LETTER E

Viet Tran  
Region Manager  
Public Affairs



May 21, 2008

Bernard Chase  
Project Planner  
City of Hemet  
445 E. Florida Avenue  
Hemet, CA 92343-4209

Re: Notice of Availability of a Draft Environmental Impact Report (Draft EIR) for Tres Cerritos East Specific Plan Amendment

Dear Mr. Chase:

Southern California Edison (SCE) appreciates the opportunity to provide comment on the Draft EIR for Tres Cerritos East Specific Plan Amendment. The project description provided in the Draft EIR states the project is a proposal for the development of 465 acres, the majority of which is part of the original Hemet Valley Country Club Estates Specific Plan area. The proposed project will allow for the development of 787 homes and is located in the northwestern portion of Hemet next to the topographic feature known as Tres Cerritos Hills. Interstate 10 is located ten miles to the north of the project site, Interstate 215 nine miles to the west and Highway 74 one half mile south.

SCE's comments regarding the proposed project address electric service provision, potential impacts to existing SCE facilities, and the California Public Utilities Commission (CPUC) process for implementing the requirements of the California Environmental Quality Act (CEQA). Our comments are provided below under the following headings: Electric Service Provision, Impacts to SCE Facilities, and CPUC CEQA Requirements.

#### Electric Service Provision

SCE is the provider of electricity for this project. This letter is to advise the City of Hemet and the project developer that the electrical loads of this project have been determined to be within the parameters of the projected load growth which SCE is planning to meet in this area.

E-1

26109 Menifex Road  
Riverside, CA 92536-9752  
951.233.8552  
FAX 951.928-8308

LETTER "E" RESPONSE

SCE undertakes expansion and/or modification of its electric systems and infrastructure to serve the load growth of existing customers and new projects. Since SCE's electrical system is provided by a network of facilities (SCE's electrical distribution, transmission, and generation systems), SCE appreciates your notifying us of these development plans in order to assist us in determining the future electrical needs of this area.

If the project is within the projected load growth for this area, SCE is basically stating that the total system demand is expected to continue to increase annually, however, excluding any unforeseen problems, SCE's plans for new distribution resources indicate that our ability to serve all customers' loads within this area are in accordance with SCE's Design Standards, rules and tariffs, and will be adequate for the next ten years. SCE completes all work in accordance with the rules and tariffs as authorized by the CPUC and other governing entities. Any cumulative impacts related to electric service would be addressed through this process.

Please note that although SCE is currently capable of serving project loads, the developer will be responsible for the costs of any new distribution and/or line extension work, per SCE's CPUC-approved tariff Rules 15 and/or 16, and of any relocation of facilities required to accommodate the distribution line and/or service extensions required by SCE to serve the project. In addition, it is essential the developer review and/or discuss with SCE what measures can be taken to assure optimal conservation measures within this project's boundaries that will contribute to the overall energy savings goals of SCE and California.

Impacts to Existing SCE Facilities

In the event the project impacts SCE facilities or its land related rights, please forward five (5) sets of plans depicting SCE's facilities and associated land rights to the following location:

Real Estate Operations  
Southern California Edison Company  
14799 Chestnut Street  
Westminster, CA 92683

CPUC CEQA Requirements

When development plans result in the need to build new, or relocate existing, SCE electrical facilities that operate at or above 50 KV, the SCE construction may have environmental consequences subject to CEQA provisions, as implemented by the CPUC. If those environmental consequences are identified and addressed by the local agency in the CEQA process for the larger project, SCE may not be required to pursue a later, separate, mandatory CEQA review through the CPUC's General Order 131-D

LETTER E

SOUTHERN CALIFORNIA EDISON

Response to Comment E-2 -

Comment is acknowledged that the developer will be responsible for the costs of any new distribution or line extension work and any relocation of facilities required to accommodate the distribution line or service.

Response to Comment E-3 -

Comment is acknowledged that if the proposed project impacts SCE facilities, the requested information will be sent to SCE's real estate operations.

Response to Comment E-4 -

Comment is acknowledged regarding the potential for CPUC CEQA requirements and approval delay if relocation or construction of 50kV facilities are not adequately addressed in the DEIR. This comment will be referred to the decision makers for consideration.

# LETTER "E" RESPONSE

## LETTER E

**E-4 Cont.** (GO 131-D) process. If the SCE facilities are not adequately addressed in the Draft EIR and the new facilities could result in significant environmental impacts, the required additional CEQA review could delay approval of the SCE power line portion of the project for up to two years or longer.

Once again, we thank you for the opportunity to comment on the Draft EIR for this project and respectfully request a copy of the Final EIR when it becomes available. If you have any questions regarding this letter, please do not hesitate to contact me at (951) 928-8352.

Sincerely,



Viet Tran  
Region Manager

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# LETTER "F" RESPONSE

## DEPARTMENT OF TOXIC SUBSTANCES CONTROL

### Response to Comment F-1 -

The City of Hemet appreciates your comment regarding providing the contact person's e-mail address and additional project information if changes occur. It does not appear to raise an environmental issue or a comment on this document. Your comment will be referred to the decision makers for consideration.

LETTER F



Maureen F. Gorsen, Director  
5796 Corporate Avenue  
Cypress, California 90630



Department of Toxic Substances Control

Maureen F. Gorsen, Director  
5796 Corporate Avenue  
Cypress, California 90630



Linda S. Adams  
Secretary for  
Environmental Protection

May 30, 2008

Mr. Ron Running  
City of Hemet, Planning Department  
448 East Florida Avenue  
Hemet, California 92543

NOTICE OF COMPLETION OF A DRAFT ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE TRES CERRITOS EAST SPECIFIC PLAN AMENDMENT PROJECT, CAWSTON AVENUE/DEVONSHIRE AVENUE, HEMET, RIVERSIDE COUNTY, (SCH#2006071002)

Dear Mr. Running:

The Department of Toxic Substances Control (DTSC) has received your submitted Draft Environmental Impact Study and appendices for the above-mentioned project. The following project description is stated in your document: "A Specific Plan Amendment, Tentative parcel map, and Development Agreement to develop 787 residential dwelling units on 165.8 acres of land."

Most of the issues identified in DTSC's letter to the City of Hemet, dated August 4, 2006 for the previous CEQA document have been addressed. DTSC has the following comment.

- F-1 { 1) In future CEQA documents please provide the contact person's email address. Also, if the project title changes, please provide historical project title(s), full property address and zipcode.

Printed on Recycled Paper

LETTER "F" RESPONSE

LETTER F

Mr. Ron Running  
May 30, 2008  
Page 2

If you have any questions regarding this letter, please contact Ms. Teresa Horn, Project Manager, at [thorn@dtsc.ca.gov](mailto:thorn@dtsc.ca.gov) or by phone at (714) 484-5477.

Sincerely,



for  
Mr. Greg Holmes  
Unit Chief  
Brownfields and Environmental Restoration Program - Cypress

cc: Governor's Office of Planning and Research  
State Clearinghouse  
P.O. Box 3044  
Sacramento, California 95812-3044  
[state.clearinghouse@opr.ca.gov](mailto:state.clearinghouse@opr.ca.gov)

CEQA Tracking Center  
Department of Toxic Substances Control  
Office of Environmental Planning and Analysis  
1001 I Street, 22nd Floor, M.S. 22-2  
Sacramento, California 95814  
[gmoskat@dtsc.ca.gov](mailto:gmoskat@dtsc.ca.gov)

CEQA#2137

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# Exhibit No. 1E

Revised Traffic Evaluation  
12/14/10



December 14, 2010

Mr. Ron Running  
City of Hemet  
445 E. Florida Avenue  
Hemet, CA 92543

**Subject:** Tres Cerritos East Traffic Evaluation

Dear Mr. Running:

Urban Crossroads, Inc. is pleased to submit the following traffic evaluation for the latest Tres Cerritos East site plan. The project is located north of Devonshire Road and west of Cawston Avenue in the City of Hemet (See Exhibit A).

A traffic study was previously prepared for the Tres Cerritos project in August 2007 (Tres Cerritos East Traffic Impact Analysis, Urban Crossroads, August 2007). The study analyzed the potential traffic impacts associated with 787 residential units. Recommendations were also provided to address both project-related and cumulative impacts.

It is our understanding that the currently proposed project has been reduced to 754 residential units. Because this reduction in units would not trigger additional impacts to the study area intersections beyond those identified in the traffic study, this evaluation focused on the driveway recommendations. The following tasks have been completed:

1. Revised the project trip generation based on the latest site plan.
2. Re-distributed the project trips based on the proposed access points.
3. Re-evaluated the project intersections/driveways where the traffic volumes have changed, including:
  - a. Menlo Avenue / Devonshire Avenue
  - b. Driveway 1 / Devonshire Avenue
  - c. Cawston Avenue / Devonshire Avenue

### **CURRENT PROJECT DESCRIPTION**

The current project consists of 754 residential units. The site plan is shown on Exhibit B. Previously, access to Devonshire Avenue was provided via Menlo Avenue, a project driveway serving PA 15, and A Street. The current site plan still includes the Menlo Avenue and A Street connections but has eliminated the driveway for PA 15. Instead, B Street has been extended between Menlo Avenue and A Street to provide PA 15 with internal circulation.

---

### **TRIP GENERATION COMPARISON**

Trip generation rates for the project are shown in Table 1. The trip generation rates are based upon data collected by the Institute of Transportation Engineers (ITE). Table 2 contains the project trip generation that is estimated to generate approximately 6,091 trip-ends per day with 473 and 615 vehicles per hour during the AM and PM peak hours, respectively. The project previously analyzed was anticipated to generate approximately 6,393 trip-ends per day with 495 and 644 vehicles per hour during the AM and PM peak hours, respectively. As indicated in Table 2, the revised project will generate 22 fewer vehicle trips during the AM peak hour, 29 fewer vehicle trips during the PM peak hour and 302 fewer trip-ends per day.

### **TRIP DISTRIBUTION**

The trip distribution patterns within the proposed project have been evaluated based upon changes to project land use and internal circulation features. The trip distribution patterns for the project are illustrated on Exhibit C. The internal distribution assumptions differ slightly from the previous study due to the changes in the project access locations. However, the regional distribution patterns have remained the same.

### **TRIP ASSIGNMENT**

The assignment of traffic from the site to the adjoining roadway system has been based upon the site's trip generation, trip distribution, proposed arterial highway and local street systems.

Based on the revised project traffic generation and distributions, project related average daily traffic (ADT), AM Peak Hour, and PM peak hour volumes are shown on Exhibit D. The project traffic volumes should be considered conservative as they do not include reductions for internal trip capture.

### **OFF-SITE TRAFFIC IMPACTS**

Potential impacts to off-site intersections have not been analyzed for the purposes of this focused traffic analysis as the project's regional distribution pattern remains unchanged, and the project's trip generation has been reduced. In addition, the local and regional circulation network features are not anticipated to deviate from that assumed in the original traffic analysis. With this in mind, the original analysis may in fact overstate traffic impacts for off-site study area intersections.

### **LEVEL OF SERVICE**

Calculations for delay and associated level of service for the site adjacent intersections have been evaluated based upon proposed changes to the project's trip generation and trip distribution for General Plan Buildout with project traffic conditions. Revised project only traffic volumes have been manually added to the General Plan Buildout without project volumes as published in the previous traffic study. Exhibit E shows the ADT, AM Peak Hour, and PM peak hour volumes for General Plan Buildout with project traffic conditions.

Levels of service and delay calculations indicate the study area intersections are anticipated to operate at acceptable levels of service (LOS "D" or better) with the intersection geometrics listed in Table 3 and shown on Exhibit F.

### **ON-SITE TRAFFIC IMPROVEMENTS**

Based on changes to the proposed project, as it relates to land use and intensity, the on-site circulation and intersection improvement recommendations are shown on Exhibit G and are summarized below:

1. Construct Myers Street as a 32 foot paved roadway from Devonshire Avenue to its current terminus north of Florida Avenue for access purposes.
2. Construct Devonshire Avenue at its ultimate half section width as a Secondary roadway from Myers Street to Cawston Avenue.
3. Install a traffic signal at the proposed intersection of Driveway 1 and Devonshire Avenue in conjunction with the development when warranted.

4. Construct a minimum 150 foot eastbound left turn lane on Devonshire Avenue at Driveway 1.
5. On-site traffic signing and striping should be implemented in conjunction with detailed construction plans for the project site.
6. Sight distance at the project entrances should be reviewed with respect to standard Caltrans and City of Hemet sight distance standards at the time of preparation of final grading, landscape and street improvement plans.
7. Provide stop sign controls at all project driveways that intersect with public roadways and do not meet traffic signal warrants

#### **CONCLUSIONS**

The revised site plan indicates a reduction in overall trip generation from the project previously analyzed in the Tres Cerritos East Traffic Impact Analysis, Urban Crossroads, August 2007. Additional impacts to off-site study area intersections are not anticipated due to the project's reduced trip generation and similar regional trip distribution pattern. The on-site and site adjacent intersections are projected to operate at acceptable levels of service during the peak hours with the intersection geometrics shown on Table 3. Therefore, there are no significant changes in the level of service results and the recommended improvements are similar to the previous study.

If you have any questions or comments, please contact me directly at (760) 931-0664, ext. 1.

Respectfully submitted,

URBAN CROSSROADS, INC.

Scott Sato, P.E.  
Principal

Attachments

TABLE 1

PROJECT TRIP GENERATION RATES <sup>1</sup>

LAND USE	ITE CODE	QUANTITY	UNITS <sup>2</sup>	PEAK HOUR TRIP RATES						DAILY
				AM			PM			
				IN	OUT	TOTAL	IN	OUT	TOTAL	
Single Fam. Detached	210	455	DU	0.19	0.56	0.75	0.64	0.37	1.01	9.57
Residential Condo/Townhouse	230	299	DU	0.07	0.37	0.44	0.35	0.17	0.52	5.81

<sup>1</sup> Source: Institute of Transportation Engineers (ITE) Trip Generation Manual, 8th Edition, 2008.

<sup>2</sup> DU = Dwelling Units

TABLE 2

PROJECT TRIP GENERATION SUMMARY

LAND USE	QUANTITY	UNITS <sup>1</sup>	PEAK HOUR						DAILY
			AM			PM			
			IN	OUT	TOTAL	IN	OUT	TOTAL	
<b>PREVIOUS PROJECT</b>									
Single Fam. Detached	480	DU	91	269	360	307	178	485	4,594
Residential Condo/Townhouse	307	DU	21	114	135	107	52	159	1,799 <sup>2</sup>
<b>Previous Project Total</b>			<b>112</b>	<b>383</b>	<b>495</b>	<b>414</b>	<b>230</b>	<b>644</b>	<b>6,393</b>
<b>CURRENT PROJECT</b>									
Single Fam. Detached	455	DU	86	255	341	291	168	459	4,354
Residential Condo/Townhouse	299	DU	21	111	132	105	51	156	1,737
<b>Current Project Total</b>			<b>107</b>	<b>366</b>	<b>473</b>	<b>396</b>	<b>219</b>	<b>615</b>	<b>6,091</b>
<b>Net Decrease in Trips</b>			<b>5</b>	<b>17</b>	<b>22</b>	<b>18</b>	<b>11</b>	<b>29</b>	<b>302</b>

<sup>1</sup> DU = Dwelling Units

<sup>2</sup> A 5.86 daily trip generation rate is used for residential condo/townhouse based on the ITE Trip Generation Manual, 7th Edition.

TABLE 3

INTERSECTION ANALYSIS FOR  
GENERAL PLAN BUILDOUT WITHOUT PROJECT

INTERSECTION	TRAFFIC CONTROL <sup>1</sup>	INTERSECTION APPROACH LANES <sup>2</sup>												DELAY <sup>3</sup> (SECS.)		LEVEL OF SERVICE	
		NORTH-BOUND			SOUTH-BOUND			EAST-BOUND			WEST-BOUND			AM	PM	AM	PM
		L	T	R	L	T	R	L	T	R	L	T	R				
Myers St. - Menlo Av. (NS) at: • Devonshire Av. (EW)																	
- without improvements		INTERSECTION DOES NOT EXIST															
- with improvements	TS	1	1	1	1	1	0	1	2	1	1	2	1	18.1	21.9	B	C
Driveway 1 (NS) at: • Devonshire Av. (EW)																	
- without improvements		INTERSECTION DOES NOT EXIST															
- with improvements	TS	0	0	0	1	0	1	1	2	0	0	2	1	6.3	6.3	A	A
Cawston Av. (NS) at: • Devonshire Av. (EW)																	
- Without Improvements	AWS	0.5	0.5	1	0	1!	0	0.5	0.5	1	0.5	0.5	1	-- <sup>4</sup>	-- <sup>4</sup>	F	F
- With Improvements <sup>5</sup>	TS	1	2	1	1	2	0	1	2	1	1	2	1	21.4	36.6	C	D

<sup>1</sup> TS = Traffic Signal  
CSS = Cross Street Stop

<sup>2</sup> When a right turn is designated, the lane can either be striped or unstriped. To function as a right turn lane there must be sufficient width for right turning vehicles to travel outside the through lanes.

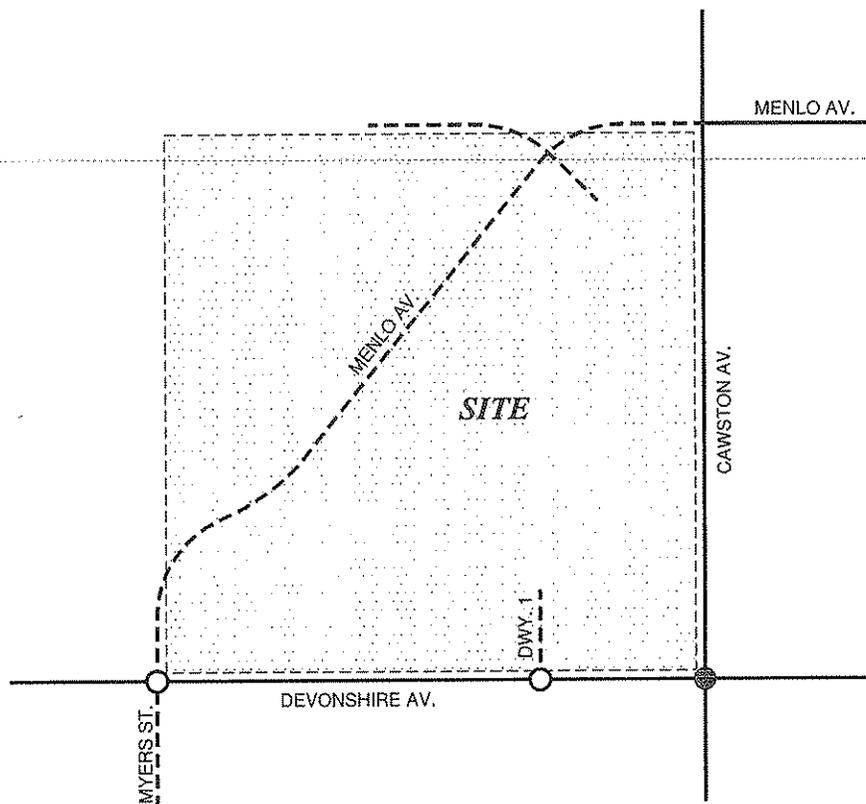
L = Left; T = Through; R = Right; 1! = Shared Left-Through-Right Lane; > = Right Turn Overlap Phase; >> = Free Right Turn Lane;  
1 = Improvement

<sup>3</sup> Delay and level of service calculated using the following analysis software: Traffix, Version 8.0 R1 (built Nov 2008) and Synchro, Version 7 (Build 765, Rev 191). Per the 2000 Highway Capacity Manual, overall average intersection delay and level of service are shown for intersections with traffic signal or all way stop control. For intersections with cross street stop control, the delay and level of service for worst individual movement (or movements sharing a single lane) are shown.

<sup>4</sup> -- = Delay High, Intersection Unstable, Level of Service "F".

<sup>5</sup> Improvements at the intersection of Cawston and Devonshire are currently built.

# EXHIBIT A LOCATION MAP

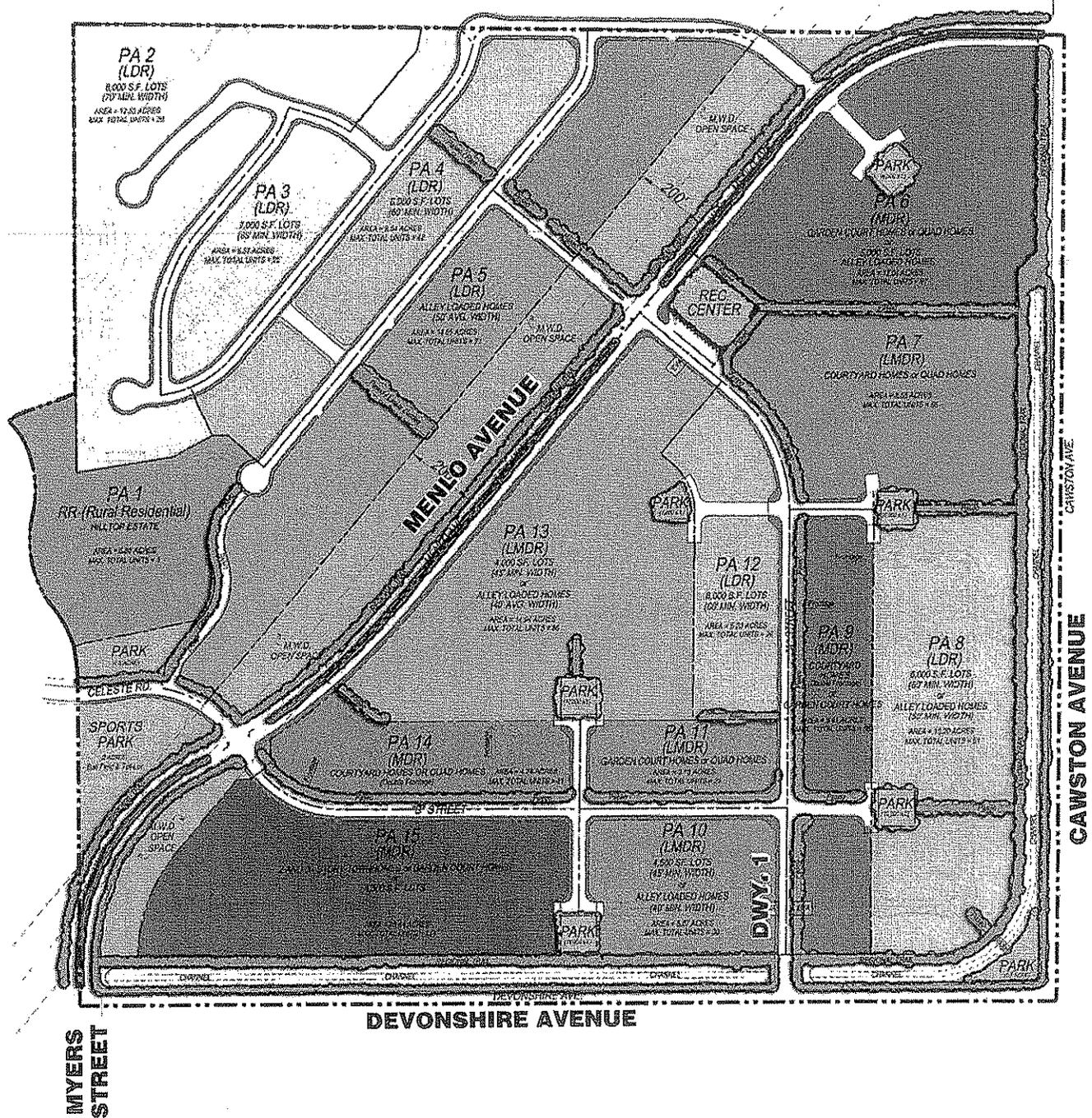


**LEGEND:**

- = EXISTING INTERSECTION ANALYSIS LOCATION
- = FUTURE INTERSECTION ANALYSIS LOCATION
- - - - = DIRT / PROPOSED ROAD



# EXHIBIT B SITE PLAN



# EXHIBIT C PROJECT TRIP DISTRIBUTION

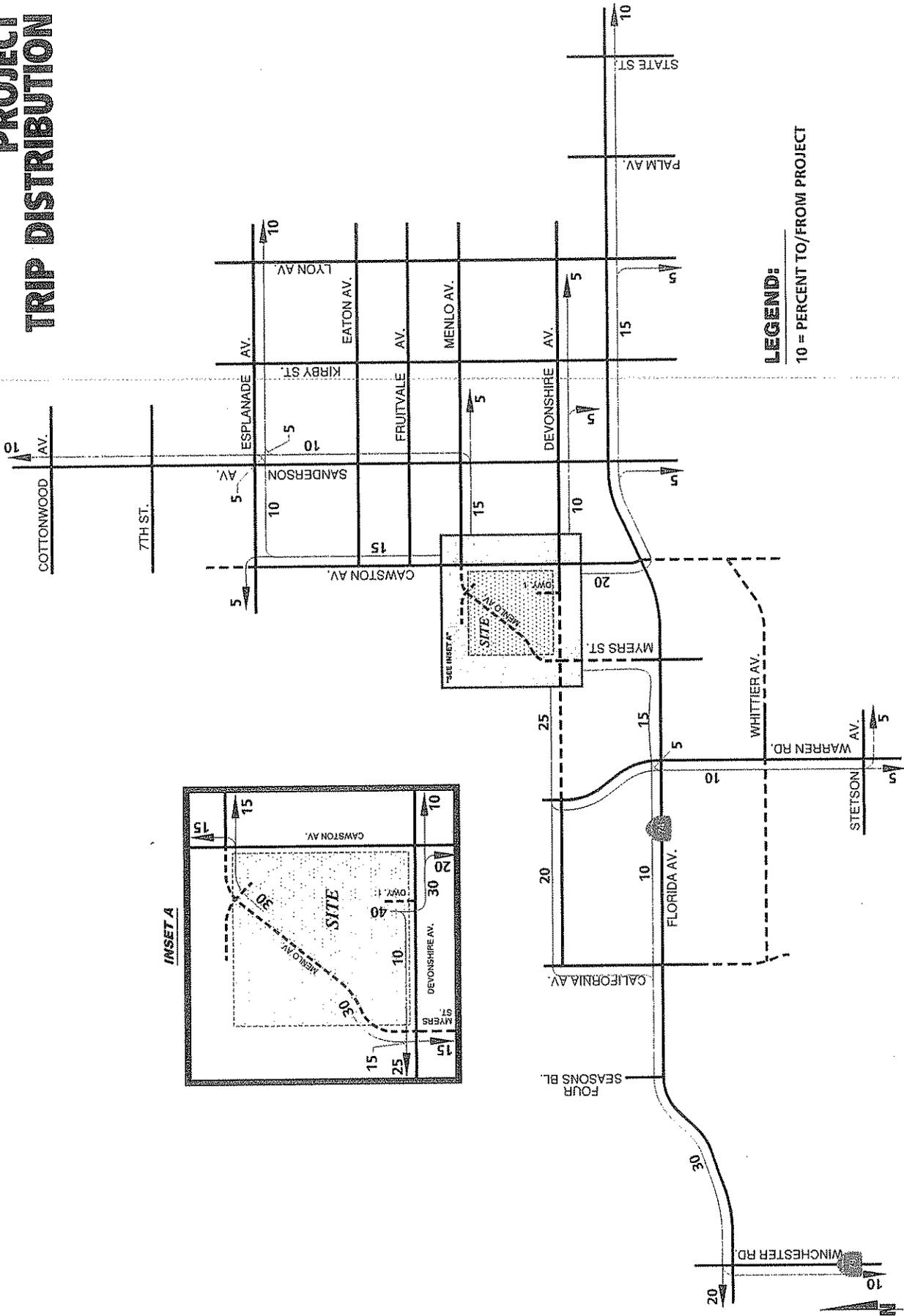
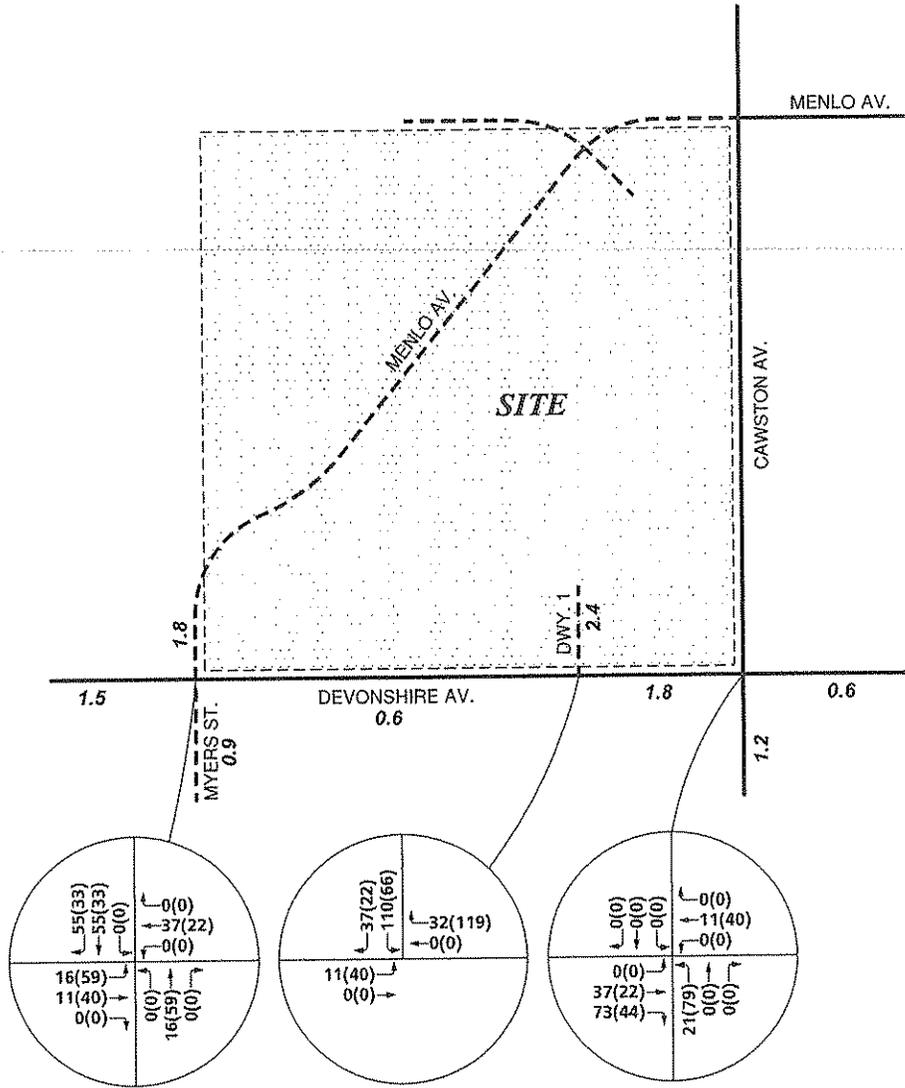


EXHIBIT D  
**PROJECT ONLY  
 TRAFFIC VOLUMES**



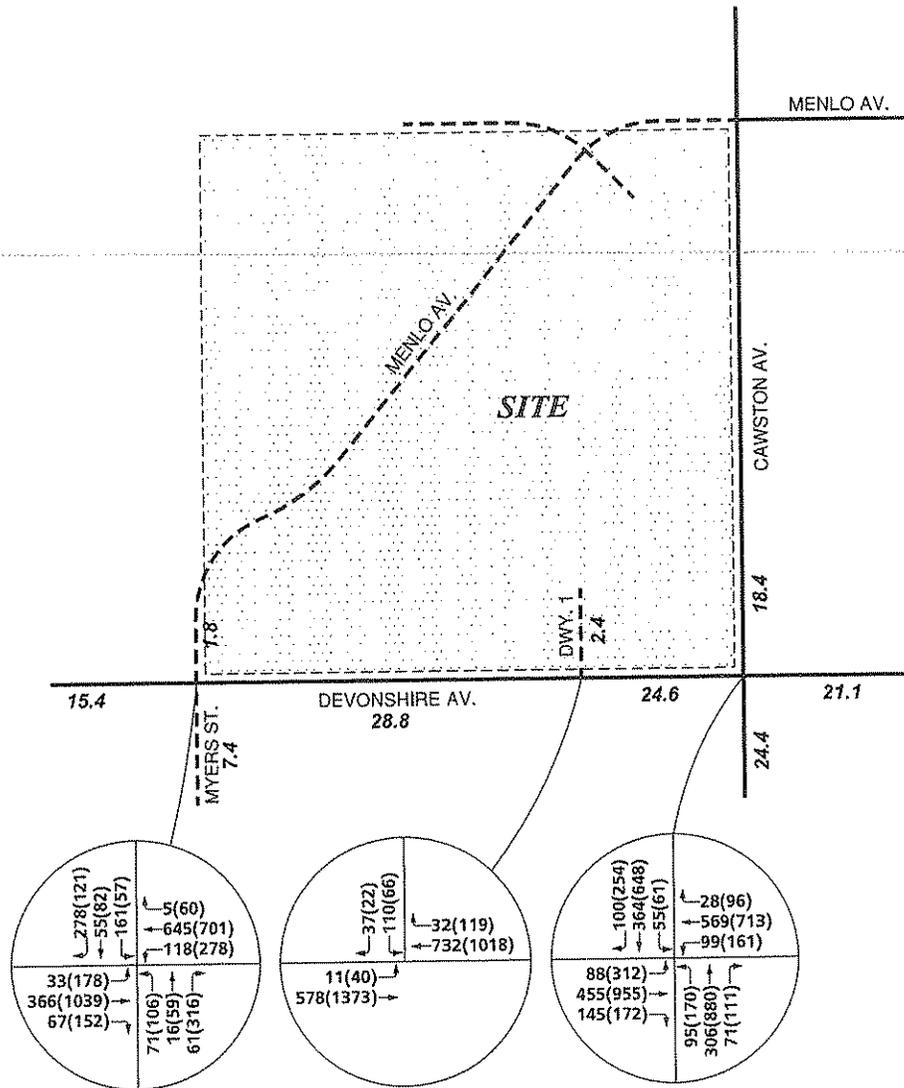
**LEGEND:**

- 10(10) = AM(PM) PEAK HOUR VOLUMES
- 10.0 = VEHICLES PER DAY (1000'S)



# EXHIBIT E

## GENERAL PLAN BUILDOUT WITH PROJECT TRAFFIC VOLUMES



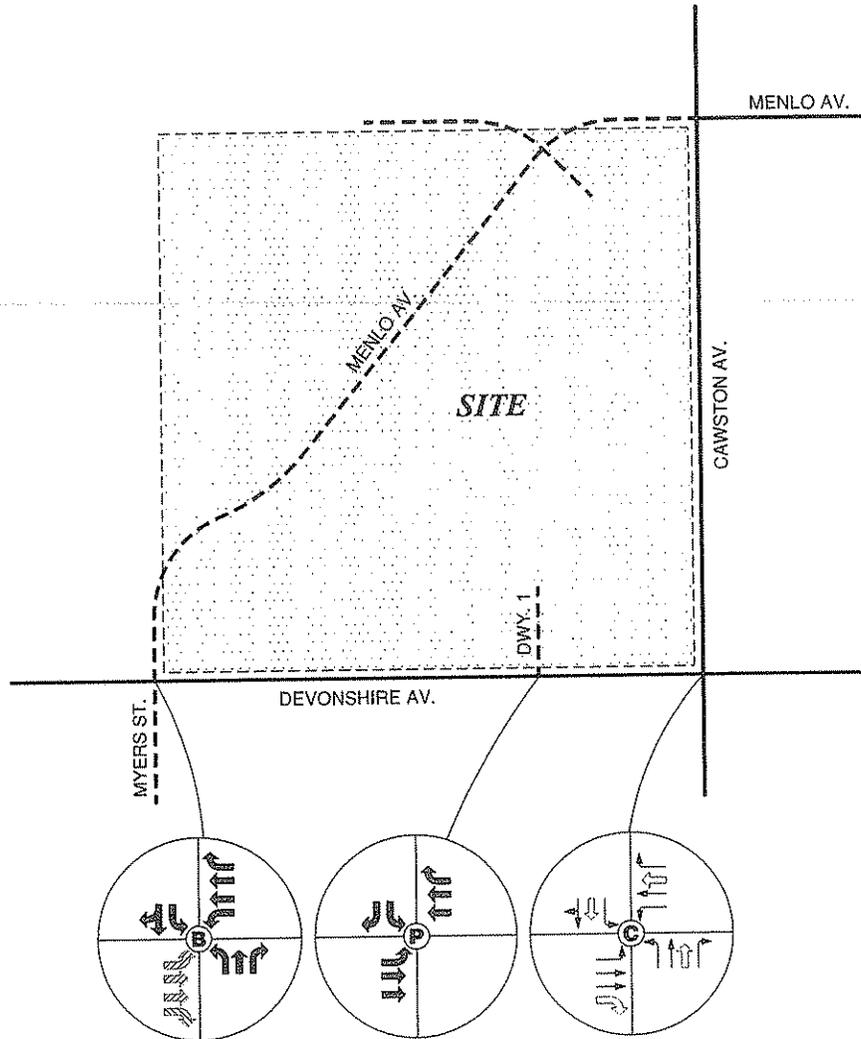
**LEGEND:**

- 10(10) = AM(PM) PEAK HOUR VOLUMES
- 10.0 = VEHICLES PER DAY (1000'S)



EXHIBIT F

# RECOMMENDED IMPROVEMENTS FOR GENERAL PLAN BUILDOUT WITH PROJECT



**LEGEND:**

- Ⓒ = TRAFFIC SIGNAL WARRANTED FOR EXISTING PLUS AMBIENT PLUS CUMULATIVE CONDITIONS
- ⒫ = TRAFFIC SIGNAL WARRANTED FOR EXISTING PLUS AMBIENT PLUS CUMULATIVE PLUS PROJECT CONDITIONS
- Ⓑ = TRAFFIC SIGNAL WARRANTED FOR GENERAL PLAN BUILDOUT WITHOUT PROJECT CONDITIONS

- = EXISTING GEOMETRY
- ↪ = CURRENT PHASE IMPROVEMENT
- ↩ = PREVIOUS PHASE IMPROVEMENT (GENERAL PLAN BUILDOUT WITHOUT PROJECT)
- ▨ = IMPROVEMENT CONSTRUCTED BY ADJACENT DEVELOPMENT



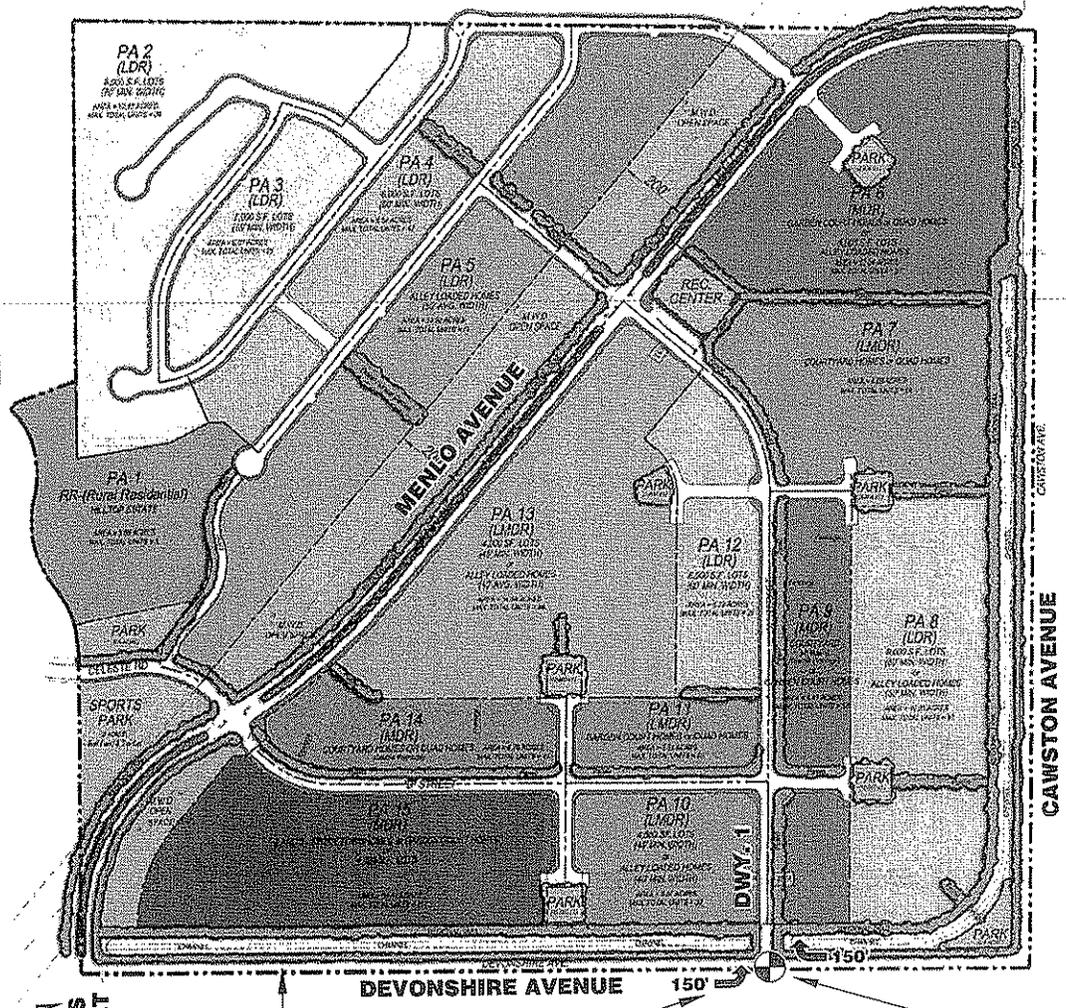
# EXHIBIT G

## CIRCULATION RECOMMENDATIONS

ON-SITE TRAFFIC SIGNING AND STRIPING SHOULD BE IMPLEMENTED IN CONJUNCTION WITH DETAILED CONSTRUCTION PLANS FOR THE PROJECT SITE.

PROVIDE STOP SIGN CONTROLS AT ALL PROJECT DRIVEWAYS THAT INTERSECT WITH PUBLIC ROADWAYS AND DO NOT MEET TRAFFIC SIGNAL WARRANTS.

SIGHT DISTANCE AT THE PROJECT ENTRANCES SHOULD BE REVIEWED WITH RESPECT TO STANDARD CALTRANS AND CITY OF HEMET SIGHT DISTANCE STANDARDS AT THE TIME OF PREPARATION OF FINAL GRADING, LANDSCAPE AND STREET IMPROVEMENT PLANS.



CONSTRUCT MYERS STREET AS A 32 FOOT PAVED ROADWAY FROM DEVONSHIRE AVENUE TO FLORIDA AVENUE.

CONSTRUCT DEVONSHIRE AVENUE AT ITS ULTIMATE HALF SECTION WIDTH AS A SECONDARY ROADWAY FROM MYERS STREET TO CAWSTON AVENUE.

CONSTRUCT A MINIMUM 150 FOOT EASTBOUND LEFT TURN LANE ON DEVONSHIRE AVENUE AT DRIVEWAY 1.

INSTALL A TRAFFIC SIGNAL AT THE PROPOSED INTERSECTION OF DRIVEWAY 1 AND DEVONSHIRE AVENUE IN CONJUNCTION WITH THE DEVELOPMENT.

THE PROJECT SHALL PARTICIPATE IN FUNDING OF OFF-SITE IMPROVEMENTS WHICH ARE NEEDED TO SERVE CUMULATIVE FUTURE CONDITIONS THROUGH PAYMENT OF APPROPRIATE FEES (TUMF AND CITY OF HEMET FEES). IMPROVEMENTS ALONG FLORIDA AVENUE (SR-74), SANDERSON AVENUE, STETSON AVENUE, AND WARREN ROAD ARE INCLUDED IN THE TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) PROGRAM FOR WESTERN RIVERSIDE COUNTY. THE TUMF PROCESS INCLUDES A NETWORK OF REGIONAL FACILITIES AND ENDEAVORS TO SPREAD THE COST ON A REGIONAL BASIS THROUGH PARTICIPATION OF THE COUNTY AND INDIVIDUAL CITIES. TUMF PROVIDES A KEY FUNDING SOURCE FOR IMPROVEMENTS IN THIS AREA.

**LEGEND:**  
 = TRAFFIC SIGNAL  
 150' = TURN POCKET LENGTH

**ATTACHMENT 1**

General Plan Buildout With Project Conditions HCM Worksheets

Tres Cerritos East TIA (JN 07594)  
 General Plan Buildout With Project Conditions  
 AM Peak Hour

Level Of Service Computation Report

2000 HCM Operations Method (Future Volume Alternative)

\*\*\*\*\*  
 Intersection #8 Myers St. - Menlo Av. (NS) / Devonshire Ave (EW)  
 \*\*\*\*\*

Cycle (sec): 60 Critical Vol./Cap.(X): 0.497  
 Loss Time (sec): 12 Average Delay (sec/veh): 18.1  
 Optimal Cycle: 50 Level Of Service: B  
 \*\*\*\*\*

Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Control:	Permitted			Permitted			Protected			Protected		
Rights:	Include			Include			Include			Include		
Min. Green:	14	14	14	14	14	14	10	14	14	10	14	14
Y+R:	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Lanes:	1	0	1	0	1	0	1	0	2	0	1	1

Volume Module:

Base Vol:	71	0	61	161	0	223	17	355	67	118	608	5
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	71	0	61	161	0	223	17	355	67	118	608	5
Added Vol:	0	16	0	0	55	55	16	11	0	0	37	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	71	16	61	161	55	278	33	366	67	118	645	5
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	71	16	61	161	55	278	33	366	67	118	645	5
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	71	16	61	161	55	278	33	366	67	118	645	5
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	71	16	61	161	55	278	33	366	67	118	645	5

Saturation Flow Module:

Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.42	1.00	0.85	0.76	0.88	0.88	0.95	0.95	0.85	0.95	0.95	0.85
Lanes:	1.00	1.00	1.00	1.00	0.17	0.83	1.00	2.00	1.00	1.00	2.00	1.00
Final Sat.:	790	1900	1615	1435	275	1388	1805	3610	1615	1805	3610	1615

Capacity Analysis Module:

Vol/Sat:	0.09	0.01	0.04	0.11	0.20	0.20	0.02	0.10	0.04	0.07	0.18	0.00
Crit Moves:				****			****			****		
Green/Cycle:	0.33	0.33	0.33	0.33	0.33	0.33	0.17	0.27	0.27	0.19	0.30	0.30
Volume/Cap:	0.27	0.03	0.11	0.34	0.60	0.60	0.11	0.37	0.15	0.34	0.60	0.01
Delay/Veh:	15.1	13.4	13.9	15.4	18.4	18.4	21.4	18.0	16.8	21.4	18.9	14.8
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	15.1	13.4	13.9	15.4	18.4	18.4	21.4	18.0	16.8	21.4	18.9	14.8
LOS by Move:	B	B	B	B	B	B	C	B	B	C	B	B
HCM2kAvgQ:	1	0	1	3	6	6	1	3	1	2	5	0

Note: Queue reported is the number of cars per lane.

Tres Cerritos East TIA (JN 07594)
General Plan Buildout With Project Conditions
AM Peak Hour

Level Of Service Computation Report
2000 HCM Operations Method (Future Volume Alternative)

Intersection #12 Dwy 1 (NS) / Devonshire Ave (EW)

Cycle (sec): 65 Critical Vol./Cap.(X): 0.301
Loss Time (sec): 8 Average Delay (sec/veh): 6.3
Optimal Cycle: 60 Level Of Service: A

Table with 4 columns: North Bound, South Bound, East Bound, West Bound. Rows include Approach, Movement, Control, Rights, Min. Green, Y+R, and Lanes.

Volume Module table with 12 columns representing different traffic movements and 13 rows of volume-related metrics.

Saturation Flow Module table with 12 columns and 5 rows of saturation flow data.

Capacity Analysis Module table with 12 columns and 10 rows of capacity and delay analysis data.

Note: Queue reported is the number of cars per lane.

Tres Cerritos East TIA (JN 07594)
General Plan Buildout With Project Conditions
AM Peak Hour

Level Of Service Computation Report
2000 HCM 4-Way Stop Method (Future Volume Alternative)

Intersection #17 Cawston Ave (NS) / Devonshire Ave (EW)

Cycle (sec): 100 Critical Vol./Cap.(X): 1.740
Loss Time (sec): 0 Average Delay (sec/veh): 218.3
Optimal Cycle: 0 Level Of Service: F

Table with 4 columns: North Bound, South Bound, East Bound, West Bound. Rows include Movement, Control, Rights, Min. Green, and Lanes.

Volume Module table with 12 columns representing different traffic movements and 13 rows of volume and adjustment factors.

Saturation Flow Module table with 12 columns and 3 rows showing adjustment factors and saturation flow values.

Capacity Analysis Module table with 12 columns and 13 rows showing delay, LOS, and queue length metrics.

Note: Queue reported is the number of cars per lane.

Tres Cerritos East TIA (JN 07594)
General Plan Buildout With Project Conditions (with Improvements)
AM Peak Hour

Level Of Service Computation Report
2000 HCM Operations Method (Future Volume Alternative)

\*\*\*\*\*

Intersection #17 Cawston Ave (NS) / Devonshire Ave (EW)

\*\*\*\*\*

Cycle (sec): 60 Critical Vol./Cap. (X): 0.490
Loss Time (sec): 12 Average Delay (sec/veh): 21.4
Optimal Cycle: OPTIMIZED Level Of Service: C

\*\*\*\*\*

Approach: North Bound South Bound East Bound West Bound
Movement: L T R L T R L T R L T R

Control: Protected Protected Protected Protected
Rights: Include Include Include Include
Min. Green: 10 14 14 10 14 14 10 14 14 10 14 14
Y+R: 4.0 4.0 4.0 4.0 4.0 4.0 4.0 4.0 4.0 4.0 4.0 4.0
Lanes: 1 0 2 0 1 1 0 1 1 0 1 0 2 0 1

Volume Module:

Base Vol: 74 306 71 55 364 100 88 418 72 99 558 28
Growth Adj: 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00
Initial Bse: 74 306 71 55 364 100 88 418 72 99 558 28
Added Vol: 21 0 0 0 0 0 0 37 73 0 11 0
PasserByVol: 0 0 0 0 0 0 0 0 0 0 0 0
Initial Fut: 95 306 71 55 364 100 88 455 145 99 569 28
User Adj: 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00
PHF Adj: 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00
PHF Volume: 95 306 71 55 364 100 88 455 145 99 569 28
Reduct Vol: 0 0 0 0 0 0 0 0 0 0 0 0
Reduced Vol: 95 306 71 55 364 100 88 455 145 99 569 28
PCE Adj: 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00
MLF Adj: 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00
FinalVolume: 95 306 71 55 364 100 88 455 145 99 569 28

Saturation Flow Module:

Sat/Lane: 1900 1900 1900 1900 1900 1900 1900 1900 1900 1900 1900 1900
Adjustment: 0.95 0.95 0.85 0.95 0.92 0.92 0.95 0.95 0.85 0.95 0.95 0.85
Lanes: 1.00 2.00 1.00 1.00 1.57 0.43 1.00 2.00 1.00 1.00 2.00 1.00
Final Sat.: 1805 3610 1615 1805 2741 753 1805 3610 1615 1805 3610 1615

Capacity Analysis Module:

Vol/Sat: 0.05 0.08 0.04 0.03 0.13 0.13 0.05 0.13 0.09 0.05 0.16 0.02
Crit Moves: \*\*\*\*
Green/Cycle: 0.17 0.23 0.23 0.17 0.23 0.23 0.17 0.23 0.23 0.17 0.23 0.23
Volume/Cap: 0.32 0.36 0.19 0.18 0.57 0.57 0.29 0.54 0.38 0.33 0.68 0.07
Delay/Veh: 22.6 19.5 18.7 21.8 21.3 21.3 22.4 20.9 20.0 22.7 23.1 18.0
User DelAdj: 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00
AdjDel/Veh: 22.6 19.5 18.7 21.8 21.3 21.3 22.4 20.9 20.0 22.7 23.1 18.0
LOS by Move: C B B C C C C C C C C B
HCM2kAvgQ: 2 3 1 1 5 5 2 5 3 2 6 0

Note: Queue reported is the number of cars per lane.

Tres Cerritos East TIA (JN 07594)
General Plan Buildout With Project Conditions
PM Peak Hour

Level Of Service Computation Report

2000 HCM Operations Method (Future Volume Alternative)

Intersection #8 Myers St. - Menlo Av. (NS) / Devonshire Ave (EW)

Cycle (sec): 60 Critical Vol./Cap.(X): 0.797
Loss Time (sec): 12 Average Delay (sec/veh): 21.9
Optimal Cycle: 63 Level Of Service: C

Table with columns for Approach (North Bound, South Bound, East Bound, West Bound) and Movement (L, T, R). Rows include Control Rights, Min. Green, Y+R, and Lanes.

Volume Module table with columns for Volume and rows for Base Vol, Growth Adj, Initial Bse, Added Vol, PasserByVol, Initial Fut, User Adj, PHF Adj, PHF Volume, Reduct Vol, Reduced Vol, PCE Adj, MLF Adj, Final Volume.

Saturation Flow Module table with columns for Sat/Lane, Adjustment, Lanes, Final Sat. and rows for Sat/Lane, Adjustment, Lanes, Final Sat.

Capacity Analysis Module table with columns for Vol/Sat, Crit Moves, Green/Cycle, Volume/Cap, Delay/Veh, User DelAdj, AdjDel/Veh, LOS by Move, HCM2kAvgQ.

Note: Queue reported is the number of cars per lane.

Tres Cerritos East TIA (JN 07594)
General Plan Buildout With Project Conditions
PM Peak Hour

Level Of Service Computation Report

2000 HCM Operations Method (Future Volume Alternative)

\*\*\*\*\*

Intersection #12 Dwy 1 (NS) / Devonshire Ave (EW)

\*\*\*\*\*

Cycle (sec): 65 Critical Vol./Cap.(X): 0.475
Loss Time (sec): 8 Average Delay (sec/veh): 6.3
Optimal Cycle: 60 Level Of Service: A
\*\*\*\*\*

Table with columns: Approach (North Bound, South Bound, East Bound, West Bound), Movement (L, T, R), Control (Split Phase, Permitted), Rights (Include), Min. Green, Y+R, Lanes.

Volume Module table with columns: Base Vol, Growth Adj, Initial Bse, Added Vol, PasserByVol, Initial Fut, User Adj, PHF Adj, PHF Volume, Reduct Vol, Reduced Vol, PCE Adj, MLF Adj, Final Volume.

Saturation Flow Module table with columns: Sat/Lane, Adjustment, Lanes, Final Sat.

Capacity Analysis Module table with columns: Vol/Sat, Crit Moves, Green/Cycle, Volume/Cap, Delay/Veh, User DelAdj, AdjDel/Veh, LOS by Move, HCM2kAvgQ.

Note: Queue reported is the number of cars per lane.

Tres Cerritos East TIA (JN 07594)
General Plan Buildout With Project Conditions
PM Peak Hour

Level Of Service Computation Report
2000 HCM 4-Way Stop Method (Future Volume Alternative)

Intersection #17 Cawston Ave (NS) / Devonshire Ave (EW)

Cycle (sec): 100 Critical Vol./Cap.(X): 3.318
Loss Time (sec): 0 Average Delay (sec/veh): 758.7
Optimal Cycle: 0 Level Of Service: F

Approach: North Bound South Bound East Bound West Bound
Movement: L - T - R L - T - R L - T - R L - T - R

Control: Stop Sign Stop Sign Stop Sign Stop Sign
Rights: Include Include Include Include
Min. Green: 0 0 0 0 0 0 0 0 0 0 0 0
Lanes: 0 1 0 0 1 0 0 1! 0 0 0 1 0 0 0 1

Volume Module:
Base Vol: 91 880 111 61 648 254 312 933 128 161 673 96
Growth Adj: 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00
Initial Bse: 91 880 111 61 648 254 312 933 128 161 673 96
Added Vol: 79 0 0 0 0 0 0 22 44 0 40 0
PasserByVol: 0 0 0 0 0 0 0 0 0 0 0 0
Initial Fut: 170 880 111 61 648 254 312 955 172 161 713 96
User Adj: 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00
PHF Adj: 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00
PHF Volume: 170 880 111 61 648 254 312 955 172 161 713 96
Reduct Vol: 0 0 0 0 0 0 0 0 0 0 0 0
Reduced Vol: 170 880 111 61 648 254 312 955 172 161 713 96
PCE Adj: 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00
MLF Adj: 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00
FinalVolume: 170 880 111 61 648 254 312 955 172 161 713 96

Saturation Flow Module:
Adjustment: 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00
Lanes: 0.16 0.84 1.00 0.06 0.68 0.26 0.25 0.75 1.00 0.18 0.82 1.00
Final Sat.: 62 321 419 24 253 99 94 288 419 70 312 418

Capacity Analysis Module:
Vol/Sat: 2.74 2.74 0.27 2.56 2.56 2.56 3.32 3.32 0.41 2.29 2.29 0.23
Crit Moves: \*\*\*\* \*\*\*\* \*\*\*\* \*\*\*\*
Delay/Veh: 807.3 807 14.4 730.8 731 730.8 1067 1067 17.2 605.7 606 13.9
Delay Adj: 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00
AdjDel/Veh: 807.3 807 14.4 730.8 731 730.8 1067 1067 17.2 605.7 606 13.9
LOS by Move: F F B F F F F F C F F B
ApproachDel: 731.5 730.8 941.8 547.1
Delay Adj: 1.00 1.00
ApprAdjDel: 731.5 730.8 941.8 547.1
LOS by Appr: F F F F
AllWayAvgQ: 84.7 84.7 0.4 75.0 75.0 75.0 112 112 0.7 63.1 63.1 0.3

Note: Queue reported is the number of cars per lane.

Tres Cerritos East TIA (JN 07594)  
 General Plan Buildout With Project Conditions (with Improvements)  
 PM Peak Hour

Level Of Service Computation Report  
 2000 HCM Operations Method (Future Volume Alternative)

\*\*\*\*\*

Intersection #17 Cawston Ave (NS) / Devonshire Ave (EW)

\*\*\*\*\*

Cycle (sec): 80 Critical Vol./Cap.(X): 0.834  
 Loss Time (sec): 12 Average Delay (sec/veh): 36.6  
 Optimal Cycle: OPTIMIZED Level Of Service: D

\*\*\*\*\*

Approach: North Bound South Bound East Bound West Bound  
 Movement: L - T - R L - T - R L - T - R L - T - R

Control:	Protected			Protected			Protected			Protected		
Rights:	Include			Include			Include			Include		
Min. Green:	10	14	14	10	14	14	10	14	14	10	14	14
Y+R:	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Lanes:	1	0	2	0	1	1	0	1	0	1	0	2

Volume Module:

Base Vol:	91	880	111	61	648	254	312	933	128	161	673	96
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	91	880	111	61	648	254	312	933	128	161	673	96
Added Vol:	79	0	0	0	0	0	0	22	44	0	40	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	170	880	111	61	648	254	312	955	172	161	713	96
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	170	880	111	61	648	254	312	955	172	161	713	96
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	170	880	111	61	648	254	312	955	172	161	713	96
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	170	880	111	61	648	254	312	955	172	161	713	96

Saturation Flow Module:

Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.95	0.95	0.85	0.95	0.91	0.91	0.95	0.95	0.85	0.95	0.95	0.85
Lanes:	1.00	2.00	1.00	1.00	1.44	0.56	1.00	2.00	1.00	1.00	2.00	1.00
Final Sat.:	1805	3610	1615	1805	2485	974	1805	3610	1615	1805	3610	1615

Capacity Analysis Module:

Vol/Sat:	0.09	0.24	0.07	0.03	0.26	0.26	0.17	0.26	0.11	0.09	0.20	0.06
Crit Moves:	****			****			****			****		
Green/Cycle:	0.13	0.28	0.28	0.14	0.30	0.30	0.20	0.30	0.30	0.13	0.23	0.23
Volume/Cap:	0.75	0.87	0.25	0.24	0.88	0.88	0.87	0.88	0.35	0.71	0.87	0.26
Delay/Veh:	47.2	35.9	22.6	30.9	35.2	35.2	50.4	34.6	22.2	43.9	39.4	25.7
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	47.2	35.9	22.6	30.9	35.2	35.2	50.4	34.6	22.2	43.9	39.4	25.7
LOS by Move:	D	D	C	C	D	D	D	C	C	D	D	C
HCM2kAvgQ:	6	14	2	2	15	15	11	15	4	5	12	2

Note: Queue reported is the number of cars per lane.

# Attachment No. 2

Planning Commission  
Reso. Bill No. 11-002



CITY OF HEMET  
Hemet, California

PLANNING COMMISSION  
RESOLUTION BILL NO. 11-002

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEMET, CALIFORNIA, RECOMMENDING APPROVAL TO THE CITY COUNCIL OF SPECIFIC PLAN AMENDMENT NO. 06-001 – TRES CERRITOS EAST AMENDING THE HEMET VALLEY COUNTRY CLUB ESTATES SPECIFIC PLAN (SP 90-009), LOCATED ON THE NORTHWEST CORNER OF DEVONSHIRE AVENUE AND CAWSTON AVENUE (APN 448-100-001, et. al.)

**WHEREAS**, an application for Specific Plan Amendment No. 06-001 to amend the Hemet Valley Country Club Estates Specific Plan (SP 90-009) has been duly filed by:

Owner/Applicant: Signal Family Hemet, LLC  
Omni Financial, LLC  
MJ&M, LLC  
Lot Area: 166+/- Acres  
Location: Northwest corner of Devonshire Avenue and Cawston Avenue  
APN: 448-100-001 thru 018; and 448-110-001 thru 022;

**WHEREAS**, the Planning Commission has the authority per Section 90-614 of the Hemet Municipal Code to recommend action on Specific Plan Amendment No. 06-001 to amend Hemet Valley Country Club Estates Specific Plan (SP 09-009); and

**WHEREAS**, in accordance with Government Code Section 65090, on June 9, 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**, in accordance with Government Code Section 65453, on June 21, 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 Specific Plan Amendment No. 06-001 for amendment to the site plan area and text, and at which the Planning Commission considered the requested revisions of Specific Plan Amendment No. 06-001; and

---

Planning Commission Resolution No. 11-002  
SPECIFIC PLAN AMENDMENT NO. 06-001 TRES CERRITOS EAST

1  
2       **WHEREAS**, at this public hearing on June 21, 2011, the Planning Commission  
3 considered, heard public comments on, and recommended that the City Council  
4 approve Specific Plan Amendment No. 06-001 with the recommended adoption of a  
5 Environmental Impact Report and Mitigation Measure Monitoring Plan for the project by  
6 Resolution; and  
7

8       **NOW THEREFORE**, the Planning Commission of the City of Hemet, California,  
9 does determine, find, and resolve as follows:  
10

### 11 **SECTION 1: ENVIRONMENTAL FINDINGS**

12  
13 The Planning Commission, in light of the whole record before it, including but not limited  
14 to, the City's Local CEQA Guidelines and Thresholds of Significance, the  
15 recommendation of the Planning Director as provided in the Staff Report dated June 21,  
16 2011 and documents incorporated therein by reference, and any other evidence (within  
17 the meaning of Public Resources Code Sections 21080(e) and 21082.2) within the  
18 record or provided at the public hearing of this matter, hereby finds and determines as  
19 follows:  
20

- 21 1.       **CEQA**: The approval of this Specific Plan Amendment is in compliance with  
22 requirements of the California Environmental Quality Act ("CEQA"), in that on  
23 June 21, 2011, at a duly noticed public hearing, the Planning Commission  
24 recommended that the City Council approve Specific Plan Amendment No. 06-  
25 001 and recommended approval of a Environmental Impact Report and  
26 Mitigation Monitoring Program reflecting its independent judgment and analysis  
27 and documenting that there was not substantial evidence, in light of the whole  
28 record, from which it could be fairly argued that the project may have a significant  
29 effect on the environment. The documents comprising the City's environmental  
30 review for the project are on file and available for public review at Hemet City  
31 Hall, 445 E. Florida Avenue, Hemet, California 92543.  
32
- 33 2.       **Multiple Species Habitat Conservation Plan (MSHCP)**: The project is found to  
34 be consistent with the MSHCP. The project is located outside of any MSHCP  
35 criteria area and mitigation is provided through payment of the MSHCP Mitigation  
36 Fee.  
37

### 38 **SECTION 2: SPECIFIC PLAN AMENDMENT FINDINGS**

- 39 1.       **That the Specific Plan or Amendment systematically implements and is**  
40 **consistent with the latest adopted General Plan:**  
41  
42

43       The proposed project is in conformance with the General Plan for the City of  
44 Hemet with the designation of Specific Plan by incorporating into the existing  
45 Specific Plan No. 90-009 designated for residential development. The specific  
46 plan includes a master plan of development incorporating pedestrian amenities

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Planning Commission Resolution No. 11-002  
SPECIFIC PLAN AMENDMENT NO. 06-001 TRES CERRITOS EAST

1 both internal and external to the project. In addition, the existing Specific Plan  
2 No. 90-009 was designed at a human scale and incorporated buffering in the form  
3 of landscaping, setbacks and building orientation to provide a transition between  
4 the surrounding residential uses. The proposed Specific Plan Amendment No.  
5 06-001 will implement the goals of providing residential and recreational amenity  
6 and services for the community at large.  
7

- 8 **2. The Specific Plan or Amendment provides for the development of a**  
9 **comprehensively planned project that is superior to development**  
10 **otherwise allowed under the conventional zoning classifications.**  
11

12 The proposed Specific Plan Amendment No. 06-001 involve pedestrian and  
13 vehicular linkages that have been designed to connect the Tres Cerritos East  
14 project with the surrounding residential communities. The proposed development  
15 will solve local stormwater drainage problems and provide recreational amenities  
16 in the form of parkland and recreational facilities.  
17

- 18 **3. The proposed Specific Plan or Amendment provides for the construction,**  
19 **improvement, or extension of transportation facilities, public utilities and**  
20 **public services required by the long-term needs of the project and/or other**  
21 **area residents, and complements the orderly development of the city**  
22 **beyond the project boundaries.**  
23

24 The project, as conditioned will, improve the site in a manner that is consistent  
25 with the General Plan Circulation Element which will serve future traffic  
26 generated by the proposed residential development. The traffic analysis for the  
27 original Specific Plan and the proposed Specific Plan Amendment has  
28 determined that the streets and circulation system in the area will be adequate to  
29 handle the future anticipated traffic needs with the provision of the suggested  
30 mitigation measures.  
31

32 The proposed Specific Plan Amendment for the project is compatible with the  
33 existing development constructed immediately north, east and south of the  
34 subject site. The original Specific Plan has determined that the streets and  
35 circulation system in the area will be adequate to handle the future anticipated  
36 traffic needs with the provision of the suggested mitigation measures.  
37

### 38 **SECTION 3: PLANNING COMMISSION RECOMMENDATION**

- 39  
40 **1. The Planning Commission recommends to the City Council approval of Specific**  
41 **Plan Amendment No. 06-001 for an amendment to the site plan area and text as**  
42 **shown on the attached Exhibit 2B and subject to the conditions contained in**  
43 **Exhibit 2C.**  
44

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**PASSED, APPROVED AND ADOPTED** this 21<sup>st</sup> day of June, 2011, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
John Gifford, Chairman  
Hemet Planning Commission

ATTEST:

\_\_\_\_\_  
Nancie Shaw, Minutes Secretary  
Hemet Planning Commission

# Exhibit No. 2A

Draft City Council  
Ordinance Bill No. 11-001



CITY OF HEMET  
Hemet, California  
ORDINANCE BILL NO. 11-001

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA, APPROVING SPECIFIC PLAN AMENDMENT NO. 06-001, AMENDMENT TO THE HEMET VALLEY COUNTRY CLUB ESTATES SPECIFIC PLAN (SP 09-009) LOCATED ON THE NORTHWEST CORNER OF W. DEVONSHIRE AVENUE AND CAWSTON AVENUE (APN'S 448-100-001, et. al.)

WHEREAS, an application for Specific Plan Amendment No. 06-001 for an amendment to the Hemet Valley Country Club Estates Specific Plan (SP 90-009) has been duly filed by:

Owner/Applicant: Signal Family Hemet, LLC  
Omni Financial, LLC  
MJ&M, LLC  
Lot Area: 162.8+/- Acres  
Location: Northwest corner of W. Devonshire Avenue and Cawston Avenue  
APN: 448-100-001 thru 018; and 448-110-001 thru 022; and,

WHEREAS, the Planning Commission has the authority per Section 90-614 of the Hemet Municipal Code to recommend action on Specific Plan Amendment No. 06-001 to amend the Hemet Valley Country Club Estates Specific Plan (SP 90-009); and,

WHEREAS, on June 21, 2011, the Hemet City Planning Commission conducted a duly noticed public hearing, at which it received public testimony concerning the project, considered the proposed project, and recommended that the City Council approve the said specific plan amendment; and,

WHEREAS, in accordance with Government Code Section 65090, on \_\_\_\_\_, 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 City Council; and,

WHEREAS, in accordance with Government Code Section 65453, on \_\_\_\_\_, 2011, the City Council held the noticed public hearing at which interested persons had an opportunity to testify in support of, or opposition to, the

CITY COUNCIL ORDINANCE BILL NO. 11-001  
Specific Plan Amendment No. 06-001 - Tres Cerritos East

1 Specific Plan Amendment No. 06-001 for Hemet Valley Country Club Estates Specific  
2 Plan (SP 90-009), and at which the City Council considered the requested Tres Cerritos  
3 East Specific Plan Amendment No. 06-001; and,  
4

5 **WHEREAS**, at this public hearing on \_\_\_\_\_, 2011, the City Council  
6 considered, heard public comments on, and approved and certified an Environmental  
7 Impact Report and Mitigation Monitoring Program for the project by Resolution.  
8

9 **NOW THEREFORE**, the City Council of the City of Hemet, California, does  
10 determine, find, resolve and order as follows:  
11

12 **SECTION 1: ENVIRONMENTAL FINDINGS**  
13

14 The City Council, in light of the whole record before it, including but not limited to, the  
15 City's Local CEQA Guidelines and Thresholds of Significance, the recommendation of  
16 the Planning Commission of the City of Hemet, the recommendation of the Planning  
17 Director as provided in the Staff Report dated June 21, 2011 and documents  
18 incorporated therein by reference, and any other evidence (within the meaning of Public  
19 Resources Code §21080(e) and §21082.2) within the record or provided at the public  
20 hearing of this matter, hereby finds and determines as follows:  
21

- 22 1. **CEQA:** The approval of this Specific Plan Amendment is in compliance with  
23 requirements of the California Environmental Quality Act ("CEQA"), in that on  
24 \_\_\_\_\_, 2011, at a duly noticed public hearing, the City Council approved  
25 Specific Plan Amendment No. 06-001 with an certified Environmental Impact  
26 Report and Mitigation Monitoring Program reflecting its independent judgment  
27 and analysis and documenting that there was not substantial evidence, in light of  
28 the whole record, from which it could be fairly argued that the project may have a  
29 significant effect on the environment. The documents comprising the City's  
30 environmental review for the project are on file and available for public review at  
31 Hemet City Hall, 445 E. Florida Avenue, Hemet, California 92543.  
32
- 33 2. **Multiple Species Habitat Conservation Plan (MSHCP):** The project is found to  
34 be consistent with the MSHCP. The project is located outside of any MSHCP  
35 criteria area and mitigation is provided through payment of the MSHCP Mitigation  
36 Fee.  
37

38 **SECTION 2: SPECIFIC PLAN AMENDMENT FINDINGS**  
39

- 40 1. **That the Specific Plan Amendment is in conformance with the latest**  
41 **adopted General Plan:**  
42

43 The proposed project is in conformance with the General Plan for the City of  
44 Hemet with the designation of Specific Plan by incorporating into the existing  
45 Specific Plan No. 90-009 designated for residential development. The specific  
46 plan includes a master plan of development incorporating pedestrian amenities

1 both internal and external to the project. In addition, the existing Specific Plan  
2 No. 90-009 was designed at a human scale and incorporated buffering in the form  
3 of landscaping, setbacks and building orientation to provide a transition between  
4 the surrounding residential uses. The proposed Specific Plan Amendment No.  
5 06-001 will implement the goals of providing commercial services for the  
6 community at large.

- 7  
8  
9 **2. The Specific Plan or Amendment provides for the development of a**  
10 **comprehensively planned project that is superior to development**  
11 **otherwise allowed under the conventional zoning classifications.**

12  
13 The proposed Specific Plan Amendment No. 06-001 involve pedestrian and  
14 vehicular linkages that have been designed to connect the Tres Cerritos East  
15 with the surrounding residential communities. The proposed development will  
16 solve local stormwater drainage problems and provide recreational amenities in  
17 the form of parkland and recreational facilities.

- 18  
19  
20 **3. The proposed Specific Plan or Amendment provides for the construction,**  
21 **improvement, or extension of transportation facilities, public utilities and**  
22 **public services required by the long-term needs of the project and/or other**  
23 **area residents, and complements the orderly development of the city**  
24 **beyond the project boundaries.**

25  
26 The project as conditioned will improve the site in a manner that is consistent  
27 with the General Plan Circulation Element which will serve future traffic  
28 generated by the proposed residential development. The traffic analysis for the  
29 original Specific Plan and the proposed Specific Plan Amendment has  
30 determined that the streets and circulation system in the area will be adequate to  
31 handle the future anticipated traffic needs with the provision of the suggested  
32 mitigation measures.

33  
34 The proposed Specific Plan Amendment for the project is compatible with the  
35 existing development constructed and planned for immediately north, east and  
36 south of the subject site. The original Specific Plan has determined that the  
37 streets and circulation system in the area will be adequate to handle the future  
38 anticipated traffic needs with the provision of the suggested mitigation measures.

39  
40  
41 **SECTION 3: ADOPTION OF SPECIFIC PLAN AMENDMENT**

42  
43 Specific Plan Amendment No. 06-001 to the Hemet Valley Country Club Estates  
44 Specific Plan (SP 90-009) is hereby adopted as indicated in Exhibit A, as described in  
45 Exhibit B, and subject to the conditions of approval in Exhibit C.  
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**SECTION 4: SEVERABILITY**

If any section, subsection, subdivision, sentence, clause, phrase or portion of this ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court or competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases or portions thereof be declared invalid or unconstitutional.

**SECTION 5: PUBLICATION**

The City Clerk is authorized and directed to cause this Ordinance to be published within fifteen (15) days after its passage in a newspaper of general circulation and circulated with the City in accordance with Government Code Section 36933(a), or to cause this Ordinance to be published in the manner required by law using the alternative summary and posting procedure authorized under Government Code Section 39633(c).

**SECTION 6: EFFECTIVE DATE**

This ordinance will become effective 30 days after its adoption.

**INTRODUCED** at the regular meeting of the Hemet City Council on \_\_\_\_\_, 2011.

**APPROVED, AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Gerald Franchville, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Sarah McComas, City Clerk

\_\_\_\_\_  
Eric S. Vail, City Attorney

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State of California )  
County of Riverside )  
City of Hemet )

I, Sarah McComas, City Clerk of the City of Hemet, do hereby certify that the foregoing Ordinance is the actual Ordinance introduced and placed upon its first reading at a regular meeting of the City Council on the \_\_\_ day of \_\_\_\_\_ 2011, and adopted by the City Council of the City of Hemet and was passed at a regular meeting of the City Council on the \_\_\_\_\_ day of \_\_\_\_\_ by the following vote:

**AYES:**  
**NOES:**  
**ABSTAIN:**  
**ABSENT:**

\_\_\_\_\_  
Sarah McComas, City Clerk

# **Exhibit No. 2B**

**Legal Description**

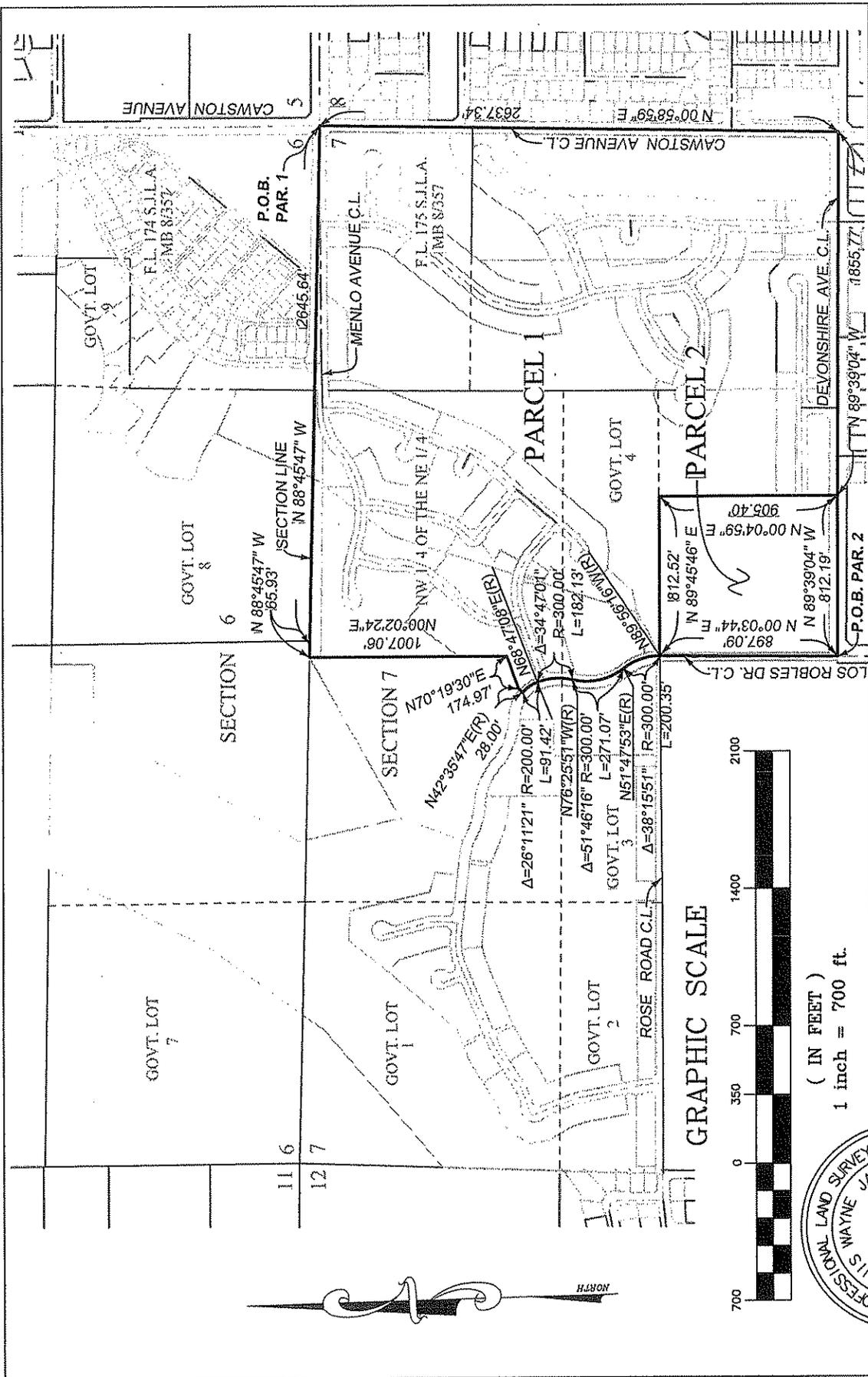


EXHIBIT  
**B**

PLAT: PORTIONS OF SECTIONS 6 & 7  
 T.5S., R.1W. SBBM

SEC. 6&7, T.5S., R.1W. SBBM

DRAWN BY: BH

DATE: 07-05-11

W.O. # SM-11-029

SHEET 1 OF 1

PARCEL 1

BEING PORTIONS OF FRACTIONAL SECTION 7, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SAN BERNARDINO BASE MERIDIAN, AND A PORTION OF TRACT XX AS SHOWN ON PARTITION MAP RANCHO SAN JACINTO VIEJO AND FARM LOT 175 OF THE SAN JACINTO LAND ASSOCIATION PER BOOK 8 OF MAPS, PAGE 357, RECORDS OF COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE NORTHEAST CORNER OF SAID SECTION 7, AS SHOWN ON TRACT MAP 29550 IN BOOK 299, PAGES 78 THROUGH 99, INCLUSIVE, OF MAPS, RECORDS OF COUNTY OF RIVERSIDE, OF SAID STATE, SAID POINT ALSO BEING THE CENTERLINE INTERSECTION OF MENLO AVENUE AND CAWSTON AVENUE AS SHOWN ON SAID TRACT MAP 29550;

**THENCE** SOUTHERLY ALONG THE EASTERLY LINE OF SAID SECTION AND THE SAID CENTERLINE OF CAWSTON AVE, SOUTH  $00^{\circ}58'59''$  WEST, A DISTANCE OF 2,637.34 FEET TO THE CENTERLINE INTERSECTION OF SAID CAWSTON AVENUE AND DEVONSHIRE AVENUE, SAID POINT ALSO BEING THE SOUTHEASTERLY CORNER OF SAID TRACT MAP 29550;

**THENCE** WESTERLY LEAVING SAID EASTERLY LINE OF SAID SECTION 7 AND ALONG SAID CENTERLINE OF DEVONSHIRE AVENUE, NORTH  $89^{\circ}39'04''$  WEST, A DISTANCE OF 1,855.77 FEET TO A POINT ON LAST SAID, CENTERLINE SAID POINT ALSO BEING AN ANGLE POINT ALONG THE SOUTHERLY BOUNDARY OF SAID TRACT MAP 29550;

**THENCE** NORTHERLY LEAVING SAID CENTERLINE, NORTH  $00^{\circ}04'59''$  EAST, A DISTANCE OF 905.40 FEET TO A POINT ON THE SOUTHERLY LINE OF GOVERNMENT LOT 4 OF SAID FRACTIONAL SECTION 7, SAID POINT ALSO BEING AN ANGLE POINT ALONG THE SAID SOUTHERLY BOUNDARY OF SAID TRACT MAP 29550;

**THENCE** ALONG LAST SAID SOUTHERLY BOUNDARY LINE, SOUTH  $89^{\circ}45'46''$  WEST, A DISTANCE OF 812.52 FEET TO THE CENTERLINE INTERSECTION OF LOS ROBLES ROAD AND ROSE ROAD AS SHOWN ON SAID TRACT MAP 29550, SAID POINT BEING ON A NON-TANGENT CURVE WITH A RADIUS OF 300.00 FEET AND A RADIAL BEARING OF NORTH  $89^{\circ}56'16''$  WEST;

**THENCE** CONTINUING NORTHERLY ALONG THE SAID CENTERLINE OF LOS ROBLES DRIVE THROUGH A CENTRAL ANGLE OF  $38^{\circ}15'51''$  AND AN ARC DISTANCE OF 200.35 FEET TO A REVERSE CURVE WITH A RADIUS OF 300.00 FEET AND A RADIAL BEARING OF NORTH  $51^{\circ}47'53''$  EAST;

**THENCE** CONTINUING NORTHERLY ALONG LAST SAID CENTERLINE THROUGH A CENTRAL ANGLE OF  $51^{\circ}46'16''$  AND AN ARC DISTANCE OF 271.07 FEET TO A REVERSE CURVE WITH A RADIUS OF 300.00 FEET AND A RADIAL BEARING OF NORTH  $76^{\circ}25'51''$  WEST;

**THENCE** CONTINUING NORTHERLY ALONG LAST SAID CENTERLINE THROUGH A CENTRAL ANGLE  $34^{\circ}47'01''$  AND AN ARC DISTANCE OF 182.13 FEET TO A COMPOUND CURVE WITH A RADIUS OF 200.00 FEET AND A RADIAL BEARING OF NORTH  $68^{\circ}47'08''$  EAST;

EXHIBIT

A

LEGAL DESCRIPTION  
PARCEL 1

DRAWN BY: BH

DATE: 07-05-11

W.O. # SM-11-029

SHEET 1 OF 3

**THENCE CONTINUING NORTHEASTERLY ALONG LAST SAID CENTERLINE THROUGH A CENTRAL ANGLE OF 26°11'21" AND AN ARC DISTANCE OF 91.42 FEET TO AN ANGLE POINT ON THE SOUTHERLY BOUNDARY OF LOT Y OF SAID TRACT MAP 29550;**

**THENCE EASTERLY LEAVING LAST SAID CENTERLINE ALONG THE SOUTHERLY BOUNDARY OF SAID LOT Y NORTH 42°35'47" EAST A DISTANCE OF 28.00 FEET TO AN ANGLE POINT ON THE SOUTHERLY BOUNDARY LINE OF LOT 7 AS SHOWN ON SAID TRACT MAP 29550;**

**THENCE CONTINUING NORTHEASTERLY ALONG SAID SOUTHERLY LINE OF LOT 7 NORTH 70°19'30" EAST A DISTANCE OF 174.97" FEET TO THE EASTERLY BOUNDARY LINE OF SAID LOT 7;**

**THENCE NORTHERLY ALONG SAID EASTERLY LINE OF LOT 7 NORTH 00°02'24" EAST A DISTANCE OF 1007.06 FEET TO A POINT ON THE NORTHERLY LINE OF THE NORTHWEST QUARTER OF SAID FRACTIONAL SECTION 7;**

**THENCE EASTERLY ALONG SAID NORTHERLY LINE OF SAID FRACTIONAL SECTION 7, SOUTH 88°45'47" EAST A DISTANCE OF 65.93 FEET, TO THE NORTH QUARTER CORNER OF SAID FRACTIONAL SECTION 6;**

**THENCE CONTINUING EASTERLY ALONG SAID NORTHERLY LINE OF SAID FRACTIONAL SECTION 7, SOUTH 88°45'47" EAST, A DISTANCE OF 2,645.64 FEET TO THE POINT OF BEGINNING;**

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 149.01 ACRES MORE OR LESS.

AS SHOWN ON EXHIBIT "B" ATTACHED HERETO MADE A PART HEREOF.

EXHIBIT

A

LEGAL DESCRIPTION  
PARCEL 1

DRAWN BY: BH

DATE: 07-05-11

W.O. # SM-10-027

SHEET 2 OF 3

PARCEL 2

BEING A PORTION NORTHEAST QUARTER OF SECTION 7, AS SHOWN ON TRACT MAP 29550 IN BOOK 299, PAGES 78 THROUGH 99, INCLUSIVE, OF MAPS, RECORDS OF SAID COUNTY OF RIVERSIDE:

**BEGINNING** AT CENTERLINE INTERSECTION OF DEVONSHIRE AVENUE AND LOS ROBLES DRIVE AS SHOWN ON SAID MAP;

**THENCE** NORTHERLY ALONG SAID CENTERLINE OF LOS ROBLES DRIVE, NORTH 00°03'44" EAST, A DISTANCE OF 897.09 FEET TO THE CENTERLINE INTERSECTION OF ROSE ROAD AND LOS ROBLES DRIVE, AS SHOWN ON SAID MAP;

**THENCE** EASTERLY LEAVING SAID CENTERLINE OF LOS ROBLES DRIVE, ALONG THE BOUNDARY OF SAID TRACT MAP, NORTH 89°45'46" EAST, A DISTANCE OF 812.52 FEET TO AN ANGLE POINT ALONG THE SAID BOUNDARY;

**THENCE** CONTINUING ALONG THE BOUNDARY OF SAID TRACT MAP, SOUTH 00°04'59" WEST, A DISTANCE OF 905.40 FEET TO THE CENTERLINE OF SAID DEVONSHIRE AVENUE SAID POINT ALSO BEING AN ANGLE POINT IN SAID BOUNDARY;

**THENCE** LEAVING THE BOUNDARY OF SAID TRACT MAP 29550, NORTH 89°39'04" WEST, A DISTANCE OF 812.19 FEET ALONG THE CENTERLINE OF SAID DEVONSHIRE AVENUE TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 16.81 ACRES MORE OR LESS.

AS SHOWN ON EXHIBIT "B" ATTACHED HERETO MADE A PART HEREOF.



EXHIBIT

A

LEGAL DESCRIPTION  
PARCEL 2

DRAWN BY: BH

DATE: 07-05-11

W.O. # SM-10-027

SHEET 3 OF 3

# Exhibit No. 2C

## Specific Plan 90-009 Text Exhibit

[Provided under separate cover to P.C. only.  
Available for review at the Planning Department.]

# Exhibit No. 2D

Conditions of Approval



CITY OF HEMET

**DRAFT  
CONDITIONS OF APPROVAL**

**PLANNING COMMISSION DATE:** August 16, 2011  
**CITY COUNCIL DATE:** TBD

**PROJECT NO.:** SPA No. 06-001 (Tres Cerritos East)  
**APPLICANT:** Signal Family Hemet, LLC  
Omni Financial  
MJ&M, LLC

**LOCATION:** Northwest corner of Devonshire Avenue and Cawston Avenue  
**DESCRIPTION:** Specific Plan Amendment of the Hemet Valley Country Club Estates (SP 90-009).

**OCCUPANCY:** This project has been reviewed as a **B 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.

**General Conditions:**

1. Within 30 calendar days of the adoption of the Specific Plan Ordinance, the applicant shall provide twenty (20) copies of the final adopted Specific Plan document to the Planning Department in Microsoft Word and Adobe PDF word processing format on compact disc (CD).

**Text Revisions:**

(The following required revisions to the Specific Plan document shall be performed prior to first reading of the ordinance at the City Council hearing on the Specific Plan amendment and shown in underline text.)

2. Applicant shall modify the Specific Plan title page to include the Council Ordinance number and date of adoption on the final adopted document.
3. Applicant shall include City Council Ordinance adopting the Specific Plan amendment as an appendix.

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City of Hemet - Conditions of Approval   
Specific Plan Amendment No. 06-001 – Tres Cerritos East

4. Applicant shall include the adopted Mitigation Monitoring Plan as an appendix.
5. Applicant shall modify Specific Plan text to reference the Indemnification Agreement and include Agreement as an appendix.
6. Applicant shall modify Specific Plan text to show design of entry monuments shown on Exhibit 4.9.
7. Applicant shall modify Phasing Plan (Exhibit 6.1) to include the extension of Menlo Avenue to the east to Cawston Avenue in Phase 1.
8. Applicant shall add a paragraph in Section IV.E Drainage to require that final detailed design of the drainage system needs to be reviewed and approved by the City Engineer.
9. Applicant shall modify Land Plan (Exhibit 3.2) to indicate that the 0.5 acre open space area at the northwest corner of Cawston Avenue and Devonshire Avenue is "open space" not "park" land.
10. Applicant shall modify page 61 of the specific plan text to indicate that Public Active Park area is 2.5 acres, and deletion of "and south of PA 8. Add 0.5 acre to the acreage shown for Drainage Channel and Regional Trail System for the corner of Cawston and Devonshire open space area.
11. Applicant shall modify Master Circulation Plan (Exhibit 4.1) on page 64 to show existing signalized intersections and proposed stop sign locations.
12. Applicant shall re-title Exhibit 4.9 as "Temporary Detention Basin Detail". Add a note that actual landscape plan to be submitted and approved prior to final map or grading plan.
13. Applicant shall add a title "Interim Detention Basin Cross-sections" for Exhibit 4-10 on page 80.
14. Applicant shall add an explanation on Master Drainage Plan (Exhibit 4.11) on page 81 to indicate the method and direction of the flow of stormwater from the proposed water quality basin at the corner of Myers Street and Devonshire Avenue to the ultimate downstream location.
15. Applicant shall modify the text on page 84 to introduce the Emergency Vehicle Access (Exhibit 4.13) on page 85.
16. Applicant shall modify the text in Section C (Sustainable Design) on page 116 substituting the reference to xeriscape landscaping with drought tolerant, California friendly landscaping. Also add "hardscape" to options for ground cover.

17. Applicant shall modify text explaining the Phasing Plan on page 124 to indicate that 'A' Street shall be constructed at half-width plus 12 feet from Menlo Avenue to Devonshire.
18. Applicant shall modify phasing text starting on page 123 to indicate sewer and waterline construction with each phase along with traffic signal controls per the mitigation plan.
19. Applicant shall modify Phasing Plan (Exhibit 6.1) on page 126 to show the neighborhood park between PA 7 and PA 8 is either in Phase 3 or Phase 4, but not both. Delete the label of Park on the open space area at the corner of Cawston Avenue and Devonshire Avenue.
20. Applicant shall modify Table VI-1 on page 127 to show that public street parkways and medians are not the City's maintenance responsibility.
21. Applicant shall modify Park Maintenance Responsibility (Exhibit 6.2) on page 128 to remove the 0.5 acre open space area located on the corner of Cawston Avenue and Devonshire Avenue is not parkland.
22. Applicant shall modify the text on page 151 to delete the reference to "desert theme" landscaping. Drought tolerant or California friendly landscaping should be used. Delete the reference to the 0.5 acre open space area on the corner of Cawston Avenue and Devonshire Avenue as Active Public Sports Parks.
23. Applicant shall modify the text in the fourth paragraph on page 165 to better describe and illustrate the proposed facilities that are proposed in the linear public park.
24. Applicant shall modify the Wall & Fences Elevation graphic (Exhibit 7.23) on page 181 and Exhibit 7.25 on page 183 to show the use of stack stone or rock on the pilasters of the perimeter fencing.
25. Applicant shall modify the Phasing Plan on page 126 to indicate the construction of Myers Street as a 32-foot paved roadway from Devonshire Avenue to its current terminus north of Florida Avenue for access purposes in Phase 1.
26. Applicant shall modify the Phasing Plan on page 126 to indicate the construction of Devonshire Avenue at its ultimate half section width as a Secondary roadway from Myers Street to Cawston Avenue.
27. Applicant shall modify the text in Section V.B. on page 87 to indicate that the development standards contained in the section relate to both Tres Cerritos East and Tres Cerritos West portion of the project.

28. Applicant shall modify the text in Section VII. Design Guidelines to indicate that all future residential development shall comply with the City's Single Family Residential Design Guidelines approved by the City Council on February 25, 2003 (CC Resolution No. 3700).
29. Applicant shall modify the text in Section VII. Design Guidelines to clarify which design guidelines are "Project Wide".
30. Applicant shall modify the text and exhibits in Section V.B. to eliminate the six-pack courtyard product.
31. Applicant shall modify the text and exhibits in Section V.B. include new photos of the proposed product types. Photos will need to be annotated to indicate that streetscapes showing lack of parkways and sidewalks are not allowed.
32. Applicant shall modify the text and exhibits in Chapter I and III to revise the proposed land use plan and development tables. Development table shall include density ranges for all planning areas. Product types allowed in planning areas 7 and 11 shall include single family detached units. Density ranges shall be included for Planning Areas 3, 4 and 5.
33. Applicant shall modify the text and exhibits in Section IV.E. to show the revised master drainage plans, both interim and ultimate. The exhibits should be revised to show how the downstream drainage system is connected and the timing and responsibility for improvements.
34. Applicant shall prepare and agree to a Construction Plan with the Peppertree Development for the planning and construction of re-aligned Menlo Avenue per the William Tate memorandum dated 8/8/11. Applicant shall modify the text of the Specific Plan to indicate this requirement.
35. Applicant shall modify Specific Plan text in Chapter IV to indicate that all utilities, landscape and sidewalk currently located in that portion of Menlo Avenue servicing the Peppertree development shall remain in place with such modifications as may be necessary for the Tres Cerritos Development to accept storm water and run-off in accordance with Section III of the William Tate memorandum dated 8/8/11. Tres Cerritos East Development shall, at it's sole cost and expense, install all landscape and irrigation pursuant to the Construction Plan outlined in Condition No. 35 to prevent erosion and minimize dust.
36. Applicant shall modify Specific Plan text Chapter IV.A. (Circulation) to indicate the following traffic flow improvements to be installed at the sole cost and expense of the Tres Cerritos East Development:

- a. Driveway 3
    - i. Driveway 3 shall be no less than 66 feet wide.
    - ii. A left turn lane shall be constructed in Driveway 3 at the intersection of Menlo Avenue.
    - iii. Cross street stop signs shall be installed at Driveway 3 and Menlo Avenue.
  - b. Menlo Avenue
    - i. A de-acceleration lane shall be constructed on Menlo Avenue for southbound traffic transitioning to Driveway 3.
    - ii. An acceleration lane shall be constructed on Menlo Avenue for traffic transitioning from Driveway 3 to Menlo Avenue southbound.
    - iii. A left turn lane shall be constructed on Menlo Avenue for northbound traffic transitioning to Driveway 3.
    - iv. A center transition lane shall be constructed on Menlo Avenue approaching Driveway 3 for northbound traffic.
37. Applicant shall modify Section IV.E (Drainage) to indicate the following drainage improvements for the benefit of the Peppertree Development installed at the sole cost of the Tres Cerritos East Development:
- a. Acceptance of Line A Discharge. The Tres Cerritos East Development shall be required to accept and transport all storm drain waters discharged from the Line A storm drain.
  - b. Acceptance of Waters from the Menlo Triangle. The Tres Cerritos East Development shall be required to accept all storm waters and run-off from the Menlo Triangle, as depicted on Exhibit A of the William Tate memorandum dated 8/8/11.
  - c. Acceptance of Storm Water and Run-off from Menlo Avenue. Following the construction of such improvements required to be performed by PCG-Peppertree, L.P. and Tres Cerritos East relating to the completion of Menlo Avenue, the Tres Cerritos East Development shall be required to accept and properly discharge all storm waters and run-off associated with Menlo Avenue.
38. Applicant shall modify the text of the Specific Plan to eliminate the provision for three (3) story structures.
39. Applicant shall modify the text of the Specific Plan to indicate that the paseo shown in Planning Area 9A and 9B can be located within the interior of the planning areas and connect to the community recreation area.

END

# Attachment No. 3

Planning Commission  
Meeting of 6-21-11  
and 7-19-11  
Staff Report & Minutes

# AGENDA ITEM #7



## *Staff Report*

TO: City of Hemet Planning Commission

FROM: Deanna Elliano, Community Development Director  
Ronald Running, City Planner

DATE: June 21, 2011

RE: **SPECIFIC PLAN AMENDMENT NO. 06-01 (TRES CERRITOS EAST) AND ENVIRONMENTAL ASSESSMENT NO. 04-07** - A proposed amendment to the Hemet Valley Country Club Estates Specific Plan (SP 90-009) modifying the eastern 146 acres adding 221 residential units to the existing Specific Plan, for a total of 931 dwelling units, allocating the dwelling units in various density categories, providing for public and private park sites and trails, and the addition of 16.9 acre site, with re-adoption as the Tres Cerritos Specific Plan 90-009, along with an Environmental Impact Report for the proposed changes.

### **PROJECT APPLICANT INFORMATION**

Applicants: Signal Family Hemet, LLC  
Omni Financial, LLC  
MJ&M, LLC

Project Location: Northwest corner of Cawston Avenue and Devonshire Avenue

Lot Area: 162.8 ± Acres

APNs: 448-100-001 thru 018; and 448-110-001 thru 022.

### **STAFF RECOMMENDATION**

The Planning Department recommends that the Planning Commission:

1. Adopt the attached Planning Commission Resolution Bill No. 11-001 (Attachment No. 1), entitled:

**“A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEMET, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT (SCH NO. 2006071002) AND ADOPT A STATEMENT OF OVERRIDING CONSIDERATIONS, A MITIGATION MONITORING**

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**PROGRAM, AND STATEMENT OF FACTS AND FINDINGS FOR  
THE TRES CERRITOS EAST PROJECT”**

2. Adopt the attached Planning Commission Resolution Bill No. 11-002 Attachment No. 2), entitled:

**“A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEMET, CALIFORNIA RECOMMENDING TO THE CITY COUNCIL APPROVAL OF SPECIFIC PLAN AMENDMENT NO. 06-001 AMENDING THE EASTERN 162.8 ACRE PORTION OF THE HEMET VALLEY COUNTRY CLUB ESTATES SPECIFIC PLAN (SP 90-009) LOCATED ON THE NORTHWEST CORNER OF CAWSTON AVENUE AND DEVONSHIRE AVENUE (APN: 448-100-001, et. al.)”**

**BACKGROUND**

The original Tres Cerritos Country Club (TCCC) Specific Plan No. 90-009 encompassing 336 acres allowing 641 dwelling units and a golf course was adopted on November 12, 1991. The TCCC Specific Plan was subsequently amended August 10, 1999, renamed as the Hemet Valley Country Club Estates (HVCCE) and increased the number of allowable residential units to 710 units. A second amendment (Tres Cerritos West Specific Plan Amendment No. 03-002) was adopted on January 11, 2005 which created a development plan on the western 190.1 acres for 177 single family lots over 53.1 acres, 59.1 acres of nature reserve open space, and 5.6 acres of landscaped areas that include 4.26 acres of active park, pedestrian paseos and landscaped entry areas, and a 3.5 acre vernal pool preserve. The total number of units within the HVCCE Specific Plan project area remained at 710 dwelling units.

The applicants are requesting approval of SPA No. 06-001 to change the development plan on the eastern 162.8 acres of the project area (Tres Cerritos East) with the addition of a 16.9 acre parcel located at the northeast corner of Devonshire Avenue and Myers Street. The subject amendment deletes the remaining golf course fairways and allows for development of a mixture of 754 dwelling units for a total of 931 units on 352.9 acres at an overall density of 2.6 units per acre. The residential density for the Tres Cerritos East portion of the project is 4.6 d.u./ac. The maximum density would be under the General Plan for the site is 5.0 d.u./ac.

No subdivision of the site is proposed at this time. Future development would be reviewed under tentative tract map(s) applications and site development reviews. An environmental impact report (EIR) analyzing this type and intensity of build-out has been prepared for the project. [Refer to Exhibit 1A.] The Draft EIR has been circulated and responses to their comments have been prepared. The Draft EIR includes a mitigation measure monitoring plan (MMMP) found in Exhibit 1C. Air Quality impacts have been identified as significant and will require the City to adopt a Statement of Overriding Considerations for those impacts which is contained in Exhibit 1B.

The Planning Commission is charged with making recommendations to the City Council regarding specific plan amendments (zone changes), along with the accompanying environmental documents. The Council then takes final action on the environmental document and specific plan amendment.

**PLANNING COMMISSION REVIEW**

The proposed project has been reviewed by the Planning Commission at several workstudy sessions. The staff reports and minutes of which are shown in Attachments 3-7. The applicants have modified the proposed plan in response to the comments and concerns raised. The amendment was analyzed in the DEIR having 787 proposed dwelling units. The project unit count has been reduced to 754 units.

The last workstudy was held on April 20, 2010. At that time a report by the Ad Hoc Committee of the Planning Commission was given. The Commission as a whole discussed the overall project density, design of the housing types and the relationship of the project to the surrounding areas. Concern was expressed about the townhouse densities proposed in Planning Area 15 in the southwestern portion of the project.

**PROJECT SETTING**

**Surrounding Land Uses and Setting**

The project area is located adjacent to the Tres Cerritos foothills (to the west). The site itself has been vacant for many years. The site had been preliminarily graded in anticipation of developing the site with a golf course. The adjacent area to the north is zoned for the Peppertree Specific Plan (SP 01-03). To the east and south is single family development and vacant land. To the west is the Tres Cerritos West portion of SP 90-009 which is vacant. To the southwest of the project area is vacant land for Garrett Ranch. The following table summarizes the surrounding land uses, zoning, and general plan designations:

	<b>LAND USE</b>	<b>ZONING</b>	<b>GENERAL PLAN</b>
<b>SUBJECT SITE</b>	Vacant	SP 90-009 (Hemet Valley Country Club Estates)	SP (Specific Plan)
<b>NORTH</b>	Senior Residential	SP 01-03 (Peppertree)	RI (Residential 7 du/ac)
<b>SOUTH</b>	Single Family Residential Vacant Detention Basin	R-1-C, R-1-7.2 A-5 OS (Open Space)	RI (Residential 7 du/ac)
<b>EAST</b>	Single Family Residential	SP 85-001 (Art Hofer)	SP (Specific Plan)
<b>WEST</b>	Vacant	SP 90-009 (Hemet Valley Country Club Estates) A-5	SP (Specific Plan)

**Land Use Compatibility**

The project site has been designated for Specific Plan residential uses in the General Plan and

is located within the Northwest Hemet Neighborhood Planning Area. This planning area is characterized by agricultural and residential land uses with varying densities and building types. The Tres Cerritos foothills are a significant aesthetic resource in this planning area. The gated Peppertree Senior Community (SP 01-03) is located to the north. Single residential homes are located to the east directly fronting on Cawston Avenue.

To the south of the project are two single family developments, a large 10 acre detention facility and a 35 acre vacant parcel that has a mixture of medium density residential units proposed in the form of small lot conventional single family and senior residential.

To the west of the project site is 190 acres of vacant land known as Tres Cerritos West portion of SP 90-009. The area south of Tres Cerritos West is part of the Garrett Ranch project. The area has been master planned to include a regional storm drainage detention area. The project proposes to develop some of the area as a 20 acre community park and elementary school use. The remainder of the property has been proposed for a large mixed use commercial and residential development. The Garrett Ranch project has not been adopted, and project activity has ceased due to the economic conditions in the region.

## **PROJECT DESCRIPTION AND ISSUE ANALYSIS**

Specific plans take the place of zoning for various properties. The Specific Plan contains a land use plan, infrastructure and phasing plans, as well as, development standards for the property. The Tres Cerritos project is a residential specific plan that also includes parkland, recreational and other landscape amenities for the project area. The proposed specific plan amendment and does not include a subdivision proposal or specific residential development at this time. The following discusses the various aspects of the project that should be considered. All exhibit and table references below are contained within the draft specific plan document.

### **Land Use Plan**

The proposed site plan for the east portion of the Specific Plan eliminates the golf course fairways, the hilltop multi-family condominium area and club house site and establishes fifteen (15) planning areas for residential development ranging from one large rural residential lot of 5.9 acres in size to townhome or garden court homes at a density of 11 dwelling units/acre. The land plan establishes a perimeter drainage channel along Cawston Avenue and Devonshire Avenue which will convey the storm water flows from the Seattle Channel located east of the site. [See Exhibit 3.2, page 54 of the specific plan document.]

The proposed land use yields for the various Planning Areas are shown in Table 1-2 on page 10. Total residential units proposed in the Tres Cerritos East sub-project area is 754 units on 162.8 acres which yields an average density for this subarea of 4.63 d.u./ac. When this area is added to the Tres Cerritos West subarea, the total unit yield is 931 units on 352.9 acres which creates an overall density of 2.6 d.u./ac.

Several neighborhood pocket parks sites are proposed to be distributed throughout the plan as

well as development of the 200 foot wide Metropolitan Water District (MWD) easement as a linear park. A one (1) acre community recreation center is proposed on the corner of realigned Menlo Avenue and "A" street. A two (2) acre site is reserved for an initial portion of a future community sports park at the intersection of Menlo Avenue and Celeste Road. The two acre site will hopefully be combined with addition property to the west to form a 20 acre community park site in conjunction with the development of the Garrett Ranch property.

Several new residential development configurations are proposed which will give the community a new look as units have the option to directly front on Menlo Avenue, the MWD right-of-way linear park and the perimeter channel. This will be accomplished through the use of alley loaded residential configurations. The result will be a development without long, uninterrupted perimeter walls adjacent to these roadways.

### **Drainage**

This area of the City has chronically been plagued with storm water drainage issues. The proposed development will improve the localized drainage problems by constructing a perimeter drainage channel along its frontage of Cawston Avenue and Devonshire Avenue. The channel will pick up the flows from the Seattle channel and the storm flows along Devonshire Avenue to the east and transmit them to the western edge of the development. [See Section IV.E. Drainage]

A 6.2 acre temporary detention basin located at the northeast corner of Devonshire Avenue and Myers Street will be constructed and used until the ultimate regional facility is installed further downstream to the west. [See Exhibit 4.9, page 79.] The temporary facility will be constructed so that seasonal storm water runoff will be available to hydrate the vernal pool areas to the southwest.

The specific details of design for drainage system will need review and approval by the City Engineer and will be so noted in the Specific Plan. [Refer to Exhibit 2D – Conditions of Approval.]

### **Circulation**

The proposed project will create a connection of Menlo Avenue to Myers Street to the south. This new connection will facilitate east-west traffic along Menlo Avenue that ultimately is seeking access to W. Florida Avenue and its ultimate connection with the future SR-79 Expressway. Menlo Avenue will be constructed as a modified collector with a landscaped median. The median will serve as a deterrent to future traffic exiting from Planning Area 6. Details of the circulation plan are found in Section IV (A) of the Infrastructure Plan starting on page 62.

### **MWD Easement**

The 200 foot wide easement that bisects the site diagonally will be landscaped and provided with a regional trail. The easement contains Metropolitan Water District's two major water transmission lines below grade. The area is proposed to be landscaped and improved with minor recreational amenities, acceptable to MWD. These will be similar to that which is found northerly

on Cawston Avenue across from the Peppertree project and the school facilities. The landscaping which is proposed will be more drought tolerant and less turf intensive as is found in those locations. [Refer to Land Plan, Exhibit 3.2 on page 54 of the Specific Plan text and Exhibits 7.2 thru 7.5 (pages 156-159).] The recreational amenity proposed in the linear park will be limited as MWD discourages development on the easement of facilities that cannot be easily relocated or disturbed in case of repair or construction within the easement right-of-way. Consequently, full park credit for improvement of the linear park cannot be given.

### **Parks and Recreational Facilities**

The proposed development will incorporate a system of open space/parkland throughout the Tres Cerritos East Principal Planning Area. Six small (10,000 sq. ft. average) mini-parks will be located at the entrances to several of the Planning Areas in the community. A paseo system will link the mini-parks to the large MWD easement area, community recreation center and sports park to the west. The community recreation center will have swimming pool and indoor recreation amenity on a one acre site. A regional trail will be developed along the inside of the perimeter channel right-of-way. Illustrations of all the proposed park facilities and recreation centers are found in Section VII(D) Landscape Design Character starting on page 152.

Quimby parkland dedication and/or fees will be established for the project with the processing of future tentative tracts maps. The City Council will determine whether parkland dedication or in-lieu fees will be appropriate for the project. The Valley-Wide district letter underscores the need for ten (10) acre park in this area of the city. [Refer to Attachment 8.] A larger active parksite could be required for the project.

The various landscape design elements proposed in the plan are shown in Section VII(D) starting on page 162. Project entries are shown for the Tres Cerritos West subarea. The Tres Cerritos East subarea only shows the location of project entries on the land plan. Staff is recommending that specific entry monumentation for the project subarea be designed and reviewed by the Director in the future. [Refer to Conditions of Approval, Exhibit 2D.]

### **Residential Development Types**

All of the various residential product types are defined and explained in Section V (Permitted Uses & Development Regulations) starting on page 87.

A wide variety of residential unit types are proposed in the project. One large 5.89 acre rural residential lot will preserve the existing hilltop estate home. Planning Area 2 will be developed with 8,000 sq.ft. minimum lots adjacent to the hillside preserve area to the west. Residential densities will increase from Planning Area 3, with 7,000 sq. ft. minimum lots to Planning Area 15 which allows for two- and three-story townhomes developed at a density of 11 du/ac.

Planning Area 5 will have 6,000 sq.ft. minimum lots with alley loaded units sited adjacent to the MWD easement. The fronts of the units will face the linear park. The remaining Planning Areas will have a variety of housing types ranging from single family lots, courtyard homes, quad

homes, alley loaded, and garden court units. Section V of the Specific Plan contains the development standards and design guidelines for all of the residential building types proposed for the Tres Cerritos East development.

### Specific Plan Modification Review Procedures

The Specific Plan has been updated and expanded concerning the review and implementation procedures for future development. The proposed amendment includes an expanded Section VI showing the allowable percentage of change the Director can approve administratively as 10%. Additionally, approval findings are included for future amendments to the Specific Plan.

### Phasing

The proposed phasing of the project is shown in Section VI.G of the Specific Plan. The core area of the Tres Cerritos East will be developed first. The first phase will also include improvement of the perimeter drainage system along both Cawston Avenue and Devonshire Avenue. The proposed recreation center is also proposed for the first phase and must be constructed prior to the issuance of the 200<sup>th</sup> building permit. The applicant is proposing that only half of Menlo Avenue be constructed in the first phase to allow for construction traffic along the western portion of the street right-of-way. Staff is recommending that the extension of Menlo Avenue further to the east to Cawston Avenue be contained in Phase 1. [Refer to Exhibit 2D – Conditions of Approval.]

The linear green belt within the MWD easement will be improved in the second and third phases. The final phase (5) will be the construction of Planning Areas 2 and 3 in the hillside area of the plan.

### CEQA REVIEW

Pursuant to the California Environmental Quality Act (CEQA), an Environmental Impact Report (EIR) has been prepared for the project identifying the project's potentially significant environmental impacts, proposed mitigation, and analyzing project alternatives. The Draft EIR was circulated for its 45 day public review on April 11, 2008. Recirculation of the DEIR was not necessary as the project design and layout has stayed basically the same. The total number of allowable units has decreased so that no new and additional impacts were required.

The project's environmental impact report identified impacts that could reasonably be anticipated with the project, and identified mitigation measures for those impacts. While most of the project's impacts can be mitigated to a less-than-significant level, air quality impacts are significant and unavoidable. A copy of the draft Statement of Facts and Statement of Overriding Considerations is found in Exhibit 1B.

- The project would exceed daily emissions thresholds, and would exacerbate nonattainment of air quality standards within the air quality basin and contribute to adverse cumulative air quality impacts. This is discussed in greater detail in Section 3.3 of

the environmental impact report and in the Statement of Overriding Considerations which is attached as Exhibit 1B.

Traffic impacts and mitigation are described in detail in Section 3.14 of the EIR. Recommended improvements include the installation of traffic signals at the intersection of Cawston Avenue and Menlo Avenue, Devonshire Avenue and Menlo Avenue. Additionally the project is required to pay its fair share for a variety of traffic improvements throughout the area. [See Attachment 1C for the draft Mitigation and Monitoring and Reporting Program.]

Seven (7) letters of comment were received. The responses to the comments are included in the Draft EIR. Most of the comments from the various agencies are standard. However, the Hemet Unified School District requested that an option of a 12 acre elementary school site be looked at. The Tres Cerritos East site is too close to the existing elementary school presently located at the northeast corner of Cawston Avenue and Menlo Avenue. A preferred site is located to the future 20 acre sports park envisioned to the west of the site.

The Riverside County Airport Land Use Commission requested that a consistency review be conducted for the project as it lies within Area III of the 1992 Hemet-Ryan Airport Land Use Plan. The Commission reviewed the project on July 10, 2008 and found the project consistent with the guidelines and standards of the plan.

A Mitigation Monitoring Program (MMP) has also been prepared for those mitigation measures proposed in the EIR, and is included as an attachment to the EIR. [Refer to Exhibit 1C.] The mitigation measures have been modified somewhat since the circulation of the DEIR due to additional biological studies and a revised traffic analysis for the final land use plan. The MMP notes the completion of some of the original study requirements. Finally, as part of the resolution recommending certification of the EIR, a statement of facts and findings has been included, in accordance with findings required under CEQA. [Refer to Exhibit 1B.]

### **POLICIES, REQUIREMENTS AND GUIDELINES REVIEW**

The proposed Tres Cerritos East Project would amend the Hemet Valley Country Club Estates Specific Plan (SP 90-009) to change the name of the specific plan and add 16.9 acres to the land use plan. The proposal is consistent with several General Plan strategies, including increasing the City's housing stock in master planned communities. The proposed amendments are also internally consistent, as the proposed specific plan amendment would allow for residential uses consistent with the General Plan. The project, subject to the mitigation measures provided within the project's Mitigation Monitoring Program, can be found consistent with the City's General Plan. Development is not proposed in conjunction with this application. The City's Residential Design Guidelines were utilized in developing the standards and guidelines contained in the amendment.

### **PUBLIC COMMUNICATIONS RECEIVED**

At the time of report preparation, the Planning Department had received one letter of comment

from the public, other than those received in the CEQA process. The Douglas Wilson Companies, receiver for the Peppertree project to the immediate north of the proposed project, are concerned about the disturbance to their access of their project along Menlo Avenue. (Refer to Attachment 7.) The TCE applicants are aware that they will need to coordinate the realignment of Menlo Avenue and its utilities with the managing company for the Peppertree project. Peppertree still has responsibilities towards repairing the sewer line presently located within the existing Menlo Avenue right-of-way. The TCE plan will allow the utility easements to remain in their present location.

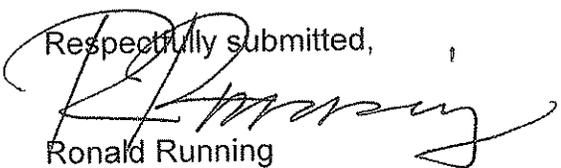
Comments received on the scope of the EIR have been addressed in the Draft EIR. Comments received on the EIR, including comments concerning potentially adverse environmental effects of the project, are included, along with responses, in the Final EIR. Any comments received prior to the time of the scheduled Planning Commission meeting will be provided to the Commission at the time of the meeting.

### REPORT SUMMARY

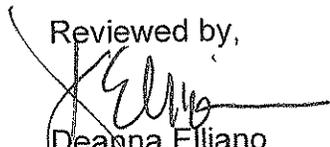
This project involves a Specific Plan amendment for the eastern portion of the Hemet Valley Country Club Estates Specific Plan (SP 90-009). The amendment will change the name of the Specific Plan back to the Tres Cerritos Specific Plan. Additionally the amendment will add 16.9 acres to the overall specific plan and reconfigure the development plan for the Tres Cerritos East Principal Planning Area. No specific development has been proposed for the project site or as part of the project application. Future development will include subdivision maps, site development reviews for the precise development proposals. An EIR has been prepared, which identifies mitigation measures that will reduce the project's impacts to a less-than-significant level, with the exception of air quality impacts. For those impacts a Statement of Overriding Considerations has been prepared. A Mitigation Monitoring Program is also included for the mitigation measures proposed in the EIR.

The project has been reviewed by the Planning Commission previously at several workstudies. The workstudies have included discussions on density and product unit mix. The proposal is consistent with several General Plan policies regarding providing diverse residential and recreational amenities for the northwest Hemet community. For the reasons stated, the Planning Department recommends that the Planning Commission adopt the attached resolutions, recommending approval of the project.

Respectfully submitted,

  
Ronald Running  
City Planner

Reviewed by,

  
Deanna Elliano  
Community Development Director

RR/ns

**ATTACHMENTS**

- A) Locational Exhibit
- 1) Planning Commission Resolution Bill No. 11-001 for EIR  
Exhibit 1A - Draft Environmental Impact Report [Provided under separate cover to PC only, available for review at the Planning Department]  
Exhibit 1B - Statement of Facts and Statement of Overriding Considerations  
Exhibit 1C - Draft Mitigation Monitoring and Reporting Program  
Exhibit 1D - DEIR Public Review Comments & Responses  
Exhibit 1E - Revised Traffic Evaluation dated December 14, 2010
- 2) Planning Commission Resolution Bill No. 11-002 for SPA 06-001  
Exhibit 2A - Draft City Council Ordinance Bill No. 11-001  
Exhibit 2B - Legal Description  
Exhibit 2C - Specific Plan Text [Provided under separate cover to PC only, available for review at the Planning Department.]  
Exhibit 2D - Conditions of Approval
- 3) Planning Commission meeting of April 20, 2010 staff report and minutes.  
4) Planning Commission meeting of March 2, 2010 staff report and minutes.  
5) Planning Commission meeting of September 15, 2009 minutes.  
6) Planning Commission meeting of July 21, 2009 staff report and minutes.  
7) Planning Commission meeting of July 17, 2007 minutes  
8) Public Comment letters  
a. Letter dated August 31, 2009 from Douglas Wilson Companies.  
b. Letter dated July 20, 2009 from Valley-Wide Recreation & Park District

**INCORPORATED HEREIN BY REFERENCE**

- City of Hemet General Plan
- City of Hemet General Plan EIR
- City of Hemet Zoning Ordinance
- Hemet Valley Country Club Estates SP 90-9
- Project Site's Riverside County Integrated Plan Multi-Species Habitat Conservation Plan Summary Report
- Contents of City of Hemet Planning Department Project Files SPA 06-001, EIR

1 Community Facilities Act of 1982 (Government Code § 53311 et seq.)  
2 established by the City of Hemet for the provision of police, fire and  
3 emergency medical services (collectively "Public Safety Services") and  
4 shall be subject to the special tax approved with the formation of the  
5 CFD. The City of Hemet Resolution 3193 establishes mitigation fees for  
6 all new development to reduce the impact of development on city  
7 services.  
8

9 The MOTION was carried by the following vote:  
10

11 AYES: Chairman Gifford, Vice Chairman Deuber, and Commissioners Rogers,  
12 Thompson and Overmyer  
13

14 NOES: None

15 ABSTAIN: None

16 ABSENT: None  
17

18 ***Adopted Planning Commission Resolution No. 11-011.***

19  
20 **7. SPECIFIC PLAN AMENDMENT NO. 06-001 & ENVIRONMENTAL ASSESSMENT**  
21 **NO. 06-019 (Tres Cerritos East)**  
22

23 **OWNERS:** Signal Family Hemet, LLC; Omni Financial, LLC; and MJ&M,  
24 LLC

25 **AGENT:** Mel Mercado

26 **LOCATION:** Northwest corner of Cawston and Devonshire Avenues

27 **PLANNER:** Ron Running

28 **DESCRIPTION:** A request for Planning Commission review and  
29 recommendation to the City Council regarding a proposed amendment to the  
30 Hemet Valley Country Club Estates Specific Plan (SP 90-009) modifying the  
31 eastern 146 acres adding 221 residential units to the existing Specific Plan, for a  
32 total of 931 dwelling units, allocating the dwelling units in various density  
33 categories, providing for public and private park sites and trails, and the addition  
34 of a 16.9 acre site, with re-adoption as the Tres Cerritos Specific Plan 90-009,  
35 along with an Environmental Impact Report for the proposed changes.  
36

37 Commissioner Rogers recused himself because of his residential proximity to the  
38 project site.  
39

40 ***(10-minute recess called by Chairman Gifford.)***  
41

42 City Planner Ron Running gave a PowerPoint presentation outlining the history of the  
43 project.  
44

45 Chairman Gifford clarified that Commissioner Overmyer had not been on the  
46 Commission last year, at which time the project had come before the Commission  
47 three times. An ad hoc committee was formed, with then-Chairman Larry Smith and  
48 then-Vice Chairman Gifford as the members, and they met several times with the  
49 applicant to go over items of concern. They gave a report back to this Commission in  
50 April of 2010. He wanted the audience to know that this item had been through an  
extensive review by the Commission and by staff.

1 Chairman Gifford and Vice Chairman Deuber stated that they had both visited the site  
2 and met with the applicant. Commissioners Thompson and Overmyer had visited the  
3 site, but have had no contact with applicant.  
4

5 Planner Running noted that there were 17 additional conditions added, of which the  
6 applicant was aware, that could require modification to the specific plan, but most were  
7 editorial concerning details of the specific plan to ensure consistency throughout. He  
8 further noted that the project was also consistent with the mitigation monitoring plan.  
9

10 Chairman Gifford inquired about the park situation because of a concern by Valley  
11 Wide for a consolidated park and wondered if the area to the southwest had been  
12 added as a result of that concern.  
13

14 Planner Running indicated that Valley Wide was suggesting a 10-acre park. Because  
15 of the Quimby Act, they are only required to have about 4.3 acres, so the two acres  
16 they're proposing would be a start, and then the additional funding would help create  
17 the larger park that could be 10 acres to the west.  
18

19 Chairman Gifford asked about changes in the density ratios, and Planner Running said  
20 the overall unit count had dropped by 20 - 30 units from the initial proposal. Anything  
21 under 4,000 square-feet had been eliminated.  
22

23 Commissioner Thompson had questions regarding access to the property, and Planner  
24 Running responded that the primary access was off Devonshire Avenue, but that there  
25 was a secondary access off Menlo Avenue. He added that there was no frontage of  
26 homes on Menlo.  
27

28 Commissioner Overmyer decried the elimination of the golf course, but asked if this  
29 project had an HOA that would maintain the parks and recreation center, and if it would  
30 pertain to all 754 units.  
31

32 Planner Running indicated that there was an HOA covering all units, parks and  
33 recreation facilities. He also discussed the three-story units, but specified that only  
34 about 25 percent of those units could be popped up to three-stories – not the entire  
35 envelope of the homes – to afford them some view opportunities.  
36

37 Vice Chair Deuber had questions about the inability of mitigation of air quality during  
38 construction and inquired about what constitutes a threshold. In addition, she inquired  
39 as to the coverage ratio for commercial development.  
40

41 Planner Running indicated that the number of acres and units creates the over-the-  
42 threshold issue in terms of short-term air quality impacts. Larger scale commercial  
43 developments would have the same impacts and would need overrides. In commercial  
44 developments, you can usually achieve a 25-percent lot coverage without structured  
45 parking, and in this project, his guesstimate was 35 or 40 percent coverage of building  
46 area. In commercial, usually the impermeable surface coverage is 90 percent.  
47

48 Chairman Gifford opened the public hearing and invited the applicant to the lectern.  
49  
50

Tom Shollin approached the lectern and introduced the co-applicants as Martin Boone,  
David Leonard, David Jeffers and Mel Mercado – part of the team that has been

1 involved in the project since 2005. In response to Commissioner Overmyer's question  
2 concerning time estimates for beginning the project, Mr. Shollin said he couldn't say  
3 with any certainty, but sometime in the future when they could get a loan.  
4

5 Chairman Gifford thanked the applicant and invited the public to speak, limiting their  
6 time to three minutes each.  
7

8 Diane Norberg (4092 Via Barcelona, Hemet) expressed her concerns about the project  
9 as limiting the view of the mountains by residents on Cawston and Devonshire  
10 Avenues, as well as Via Barcelona because of a tall line of trees, a concrete drainage  
11 channel, more trees, and three-story houses. She felt the value of their homes would  
12 diminish, their taxes would increase due to the need for maintaining streets, traffic  
13 lights, and utilities to accommodate 931 new homes, and the project would contribute  
14 to the air pollution. Her concerns also included the inadequacy of the proposed  
15 retention basin, the lack of necessity for more housing due to the unfilled Pepper Tree  
16 gated community and the 31146 tract that was unfinished and unfilled. She requested  
17 the Commission to reconsider the "no project" alternative.  
18

19 James Crase (388 Casper Drive, Hemet), a member of the Four Seasons Community  
20 Awareness Committee, felt that this development needed to be scaled back to reduce  
21 the density, emphasizing quality, not quantity. His concern was that Hemet was  
22 developing into a transient community where people moved to, as part of their plan to  
23 move somewhere else. He asked the Commission not to set a precedent by approving  
24 this project and setting a less-than-desirable standard.  
25

26 John Torres (7775 Couples Way, Hemet) said Hemet, in the past, was known for its  
27 premier school district, for providing high quality police and fire services, for providing  
28 one of the best communities for senior citizens, and for having over 50 percent of the  
29 total bank deposits in the County of Riverside. He felt this specific plan amendment  
30 increased density, and would lead to a decline in property values, and cause future  
31 stress on city services.  
32

33 Gary Page (8647 Mann Lane, Hemet) pointed out that proposed developments can put  
34 greater stress on the city's physical ability to provide services than they can generate in  
35 property taxes. This development includes a lot of undevelopable land, so the density  
36 is much higher than actually shown, and he recommended that over-capacity of the  
37 existing fire station and other city services demands that the density be reduced.  
38

39 Gene Heikel (8405 Singh Court, Hemet) is the chairman of the Four Seasons  
40 Community Awareness Committee and noted that the density has increased in this  
41 proposed project from 710 to 931 homes, and they are putting 750 homes in half the  
42 area that was going to have 710 homes originally. He was also concerned about the  
43 product type, air pollution issues, and that this project has no economic benefit since  
44 there is no shortage of housing in the area, and no social value because the product  
45 does not upgrade Hemet.  
46

47 Nancy Wartens (578 Zaharias Circle, Hemet) stated she is opposed to the project.  
48

49 Susan Lewen (282 Finnhorse Street, Hemet) felt others had stated her issues  
50 pertaining to her opposition of the project.

1 Michael Barnes (2991 West Fruitvale, Hemet) said the new development would cost all  
2 the homeowners increased water bill rates, as the city would have to purchase more  
3 water. He felt the Planning Commission was being steamrolled by developers, one of  
4 whom was bankrupt, was involved in Granite Rock, which has failed, and is now in  
5 litigation with the City of Fresno. He also stated that none of the principals of the firm  
6 were from Newport Beach, as had been reported, adding that an LLC that Sherman  
7 Boone owned went bankrupt, and Omni Financial was involved with a 22 million dollar  
8 lawsuit with the City of Fresno. He also stated that the debt included \$200,000 of  
9 claims.

10  
11 Liz Belloso (450 B Street, Suite 1900, San Diego) representing the court-appointed  
12 receiver, Douglas P. Wilson on behalf of PCG Pepper Tree, LP, deferred her minutes  
13 to the receiver's counsel.

14  
15 Bill Tate (3161 Michelson Drive, Suite 1500, Irvine) of the law firm of Bryan Cave, LLP  
16 (home address: 10970 Turn Leaf Lane, Irvine) stated the Pepper Tree owner, on  
17 August 31, 2009, had requested notice of any proceedings involving this project, and  
18 they had only received notice of tonight. It had been represented to them that any  
19 realignment to Menlo Avenue, a primary access to the Pepper Tree project, would not  
20 be approved without an agreement in place with respect to the Pepper Tree  
21 transaction. He had received the notice of this meeting on the 13th of June, which was  
22 not enough time to digest the tremendous amount of material. He felt there were  
23 issues with respect to Menlo Avenue curb and gutter, drainage, sewer, bonds and  
24 completion, changes with respect to grade, and access.

25  
26 Ronald Norberg (4092 Via Barcelona, Hemet) requested his time be given to Ryan  
27 Meeker.

28  
29 Ryan Meeker (4092 Via Barcelona, Hemet) was opposed to the project because of the  
30 following issues: Environmental impacts will be catastrophic to the natural wetland;  
31 pollution from construction and increased traffic from the widening of Cawston Avenue  
32 will be damaging to air and noise quality; flood control issues are massive; perceived  
33 visual quality impact is high; and native endangered species will be killed.

34  
35 Joshua Meeker (4092 Via Barcelona, Hemet) elected to pass.

36  
37 Joshua Valencia (4163 Davenport Court, Hemet), a lifelong resident of Hemet, felt the  
38 site was a joke, and the density was ridiculous, especially with at least 600 homes  
39 within the Hemet city limits already vacant. The flood channel, he felt, was the biggest  
40 joke. He stated that he would sue the city if water flooded his home as a result of this  
41 project. He also felt three-story homes were inappropriate in Hemet.

42  
43 Charles Ball donated his time to Eugene Heikel and stated that he was in support of  
44 what John Torres had said, as well as most everyone else.

45  
46 Eugene Heikel (8405 Singh Court, Hemet) reiterated the issue of air pollution and  
47 smog in the valley, and not just during construction. He also felt this product type was  
48 inappropriate because Hemet needs to attract a higher quality of people. He stated  
49 that since Hemet is in the process of creating a new General Plan and the flavor of the  
50 west end (west of Sanderson) is to have housing for people that want a really nice

1 environment, we need to send a message to developers that we want something better  
2 than what's here.

3  
4 Brian Rubin (1694 Via Simpatico, Hemet) focused his comments on density issues,  
5 stating that the original development had 2.1 units per acre on the original 336 acres.  
6 Now 11+ units per acre were being proposed. He suggested keeping it at about 3.6  
7 units per acre. He also thought adding more amenities for a community of this size  
8 was necessary, including more parking spaces, etc.

9  
10 Michael Hirschbein (602 Zaharias Circle, Hemet) narrowed his comments to the  
11 drainage on Devonshire Avenue and the traffic increase to both Cawston and  
12 Devonshire Avenues with this development.

13  
14 Bryan Leroy (11355 W. Olympic Blvd., Los Angeles), a land use attorney with Manatt  
15 Phelps, represents Central Pacific Bank, a lender on the Pepper Tree project. His  
16 request was a continuance to further examine three particular areas of concern: (1)  
17 Utility easement capacity along the Menlo Avenue right-of-way, if this project will be  
18 tapping into any of the utilities, and how the realignment affects sidewalks, curbs,  
19 gutters, and catch basins along the north side of Menlo; (2) traffic, capacity and  
20 circulation of feeder streets off realigned Menlo Avenue; (3) drainage issues along  
21 Cawston and Menlo Avenues.

22  
23 Marvin Lazernik (520 North Cawston Avenue, Hemet) is an original owner of his home.  
24 His concerns focused on Cawston Avenue and the fact that it was still a two-lane road  
25 after being promised by the City that lanes would be added, the drainage issues, and  
26 the ineffective methods used to avert the water, creating "Lake Cawston."

27  
28 Susan Lazernik (520 North Cawston Avenue, Hemet) mentioned the accidents which  
29 have occurred on Cawston Avenue as residents have tried to back out of their  
30 driveways, and the danger posed by the "Lake" when children going to and from school  
31 wade in the lake and ride motorcycles on the property. It also promotes the  
32 propagation of mosquitoes and bugs, which is unsafe.

33  
34 Bobbi McLaughlin (486 Lyle Drive, Hemet) wished to add her voice to the Four  
35 Seasons Association in opposition of the project.

36  
37 Gary Page (8647 Mann Lane, Hemet) addressed the issue of school capacity with the  
38 1,000 additional children. He felt that hadn't been considered and should be.

39  
40 George Leeb (459 Garcia, Hemet) stated his feeling that with the foreclosures and  
41 unfinished developments already in Hemet, such as Stoney Mountain Ranch, no  
42 further development was needed at this time. He also decried the situation on  
43 Cawston Avenue during the hours when schools open and let out, and the impossibility  
44 of using the streets during those times. His last concern was the flooding of the high  
45 school area off Cawston Avenue and the fact that when it rains, it's difficult to use  
46 either Cawston or Devonshire Avenue because of the pumps, etc.

47  
48 Chairman Gifford then closed the public hearing. He stated his position, that although  
49 he had probably spent more time looking at this project, since he was on the ad hoc  
50 committee, he still had some concerns that may not ever go away, although he was not

1 sure that they were fatal; He added that he was ready to make a decision on the  
2 project tonight, but not ready to make a recommendation on the EIR.

3  
4 Commissioner Thompson also felt because of the complexity and volume of  
5 information, he was not ready to make a recommendation.

6  
7 Commissioner Overmyer stated that although his livelihood was directly related to  
8 construction, his role as a city official was to make decisions for the betterment of  
9 Hemet; therefore, he stated his opinion that the density was too high, and that he  
10 would like more time to study the EIR.

11  
12 Vice Chairman Deuber commended the staff on their efforts and empathized with the  
13 applicants, but she shared a former commissioner's concerns that were brought up in  
14 2007 and haven't substantially changed. She referred to the GPAC draft dated  
15 October of 2009 of the Land Use Element, Chapter 2, reflecting that Hemet's vision, as  
16 outlined in these references, was that *"Hemet conserves and enhances its natural  
17 scenic, environmental, historical, and recreational resources for existing and future  
18 generations to enjoy. Hemet embraces balance and appropriate growth to meet the  
19 city's housing and employment needs in a manner that retains or enhances the desired  
20 levels of public services, facilities and infrastructure."*

21  
22 Further, Vice Chairman Deuber stated that, in the Land Use Element, Section 15.2, it  
23 requires that development of West Hemet occur in an orderly manner and adheres to  
24 the city's vision; and in Section 8.5, it requires the development of high quality,  
25 attractive development surrounding the new alignment of State Route 79. Therefore,  
26 she would like to see the density reduced by 25 percent. She noted that if she had to  
27 decide tonight, her vote would be to deny the project as they were reviewing it now on  
28 paper. She felt the addition of 3,016 additional people in a very compacted space with  
29 zero amenities for kids was unwise.

30  
31 Chairman Gifford stated the procedure would be either accepting or rejecting the EIR  
32 and the Specific Plan or continuing the item for a maximum of 30 days.

33  
34 Chairman Gifford reopened the public hearing to give the applicant a chance to  
35 respond, and Tom Shollin, representing the applicant, stated that they were really  
36 surprised that the EIR document, which was sent out for circulation in 2008, didn't get  
37 reviewed adequately by the Commission. He was also disappointed that the Pepper  
38 Tree folks were not kept in the loop. He felt that they, as the applicants, would be able  
39 to dispute many of the comments made, but it didn't look like tonight was the time to do  
40 it. Therefore, he agreed with the Commission continuing the hearing for not more than  
41 30 days.

42  
43 Commissioner Overmyer commented that he agreed with Vice Chairman Deuber that  
44 the issue was density, not just the EIR.

45  
46 Mr. Shollin responded that the density for this project was compatible with the density  
47 of the project that those folks live in who are opposed to the project.

48  
49 Mr. Heikel urged the Commissioners to remember the comments from the people who  
50 spoke tonight, even if they were not there 30 days from now, because they were the  
representatives of the people.

1 Chairman Gifford assured the audience that the Commissioners would keep those  
2 comments in mind, and after asking if there were any more comments, closed the  
3 public hearing.

4  
5 CDD Elliano stated that a 30-day continuance would take them to the July 19 meeting  
6 and requested that the Commissioners direct staff to provide information that they were  
7 interested in receiving as soon as possible so they could respond timely and/or allow  
8 the applicant time to gather the appropriate material.

9  
10 Vice Chair Deuber asked for clarification of the alternatives in the staff report.

11  
12 CDD Elliano responded that the alternatives listed at Page 53 of the staff report are in  
13 response to the EIR and are the project alternatives that are addressed in the EIR.  
14 Therefore, the alternatives include the "no project" alternative; the project under the  
15 currently adopted specific plan (not adopting a new plan, but retaining the old one); and  
16 a reduced intensity alternative, somewhere in the neighborhood of 543 units.

17  
18 It was **MOVED** by Vice Chair Deuber and **SECONDED** by Commissioner Thompson to  
19 **CONTINUE** Specific Plan Amendment No. 06-001 and Environmental Assessment No.  
20 06-019 to the Planning Commission meeting scheduled for July 19, 2011.

21  
22 The MOTION was carried by the following vote:

23  
24 AYES: Chairman Gifford, Vice Chairman Deuber, and Commissioners Thompson  
25 and Overmyer

26 NOES: None

27 ABSTAIN: Commissioner Rogers

28 ABSENT: None  
29

30 *Continued to Planning Commission Meeting of July 19, 2011.*  
31

## 32 DEPARTMENT REPORTS

### 33 8. COMMUNITY DEVELOPMENT DIRECTOR REPORTS:

#### 34 A. Report on City Council actions from the May 24<sup>th</sup> and June 14th meetings

35  
36  
37 CDD Elliano reported that the City Council unanimously approved, on May 24<sup>th</sup>, the  
38 Downtown Zoning Ordinance Amendment, with the provision to allow music and art  
39 studios to be permitted by right as opposed to administrative use permit.

40  
41  
42 On June 14th there was a work study on the Riverside County Habitat Conservation  
43 Authority, which basically dealt with the Stephens Kangaroo Rat. Ms. Elliano reported  
44 that the rat was doing well.

45  
46  
47 Also on June 14th was a work study of the city's preliminary budget, showing a 3.8  
48 million dollar deficit, most of which was caused by outside forces, such as PERS,  
49 Workers' Comp, medical costs, and the continuing decline in the property tax base. A  
50 short-term loan from the water fund is proposed.

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*PLANNING*  *COMMISSION*

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MEETING MINUTES

DATE: July 19, 2011

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 John Gifford, Vice Chairman Sharon Deuber, and  
Commissioners Vince Overmyer, David Rogers and Chauncey  
Thompson

ABSENT: None

Invocation and Flag Salute: Chairman John Gifford

2. APPROVAL OF MINUTES:

A. Minutes for the Planning Commission Meeting of May 17, 2011

Chairman Gifford opened the public hearing for a question from Diane Norberg (4092 Via Barcelona, Hemet), concerning e-mails received before the June meeting being part of the minutes.

City Attorney Jex, Chairman Gifford and CDD Elliano explained that they are automatically part of the record and sent on to the City Council, but not necessarily appended to the minutes.

It was **MOVED** by Vice Chair Deuber and **SECONDED** by Commissioner Thompson to approve the May 17, 2011 minutes, with the following changes:

1. Change spelling on page 1, line 42 from Chancey Thompson to Chauncey
2. Change spelling on page 6 from Isa to Issa
3. Change page 4, line 6, to a site visit but no meeting with applicant for Commissioner Overmyer

AYES: Chairman Gifford, Vice Chairman Deuber and Commissioners Overmyer,  
Rogers and Thompson

NOES: None

ABSTAIN: None

ABSENT: None

1 B. Minutes for the Planning Commission Meeting of June 21, 2011

2  
3 It was **MOVED** by Commissioner Overmyer and **SECONDED** by Vice Chair Deuber to  
4 approve the June 21, 2011 minutes, with the following changes:

- 5  
6 1. Change street name on page 12, line 21, from Devonshire to Menlo.  
7 2. Change verbiage on page 9, line 20, to read "dropped by 20 to 30 units"

8  
9 AYES: Chairman Gifford, Vice Chairman Deuber, and Commissioners overmyer  
10 and Thompson  
11 NOES: None  
12 ABSTAIN: Commissioner Rogers  
13 ABSENT: None

14  
15  
16 3. **PUBLIC COMMENTS:** None

17  
18  
19 **PUBLIC HEARINGS**

20  
21  
22 4. **SPECIFIC PLAN AMENDMENT NO. 06-001 & ENVIRONMENTAL**  
23 **ASSESSMENT NO. 06-019 (Tres Cerritos East) – Continued from June 21,**  
24 **2011**

25  
26  
27 **OWNERS:** Signal Family Hemet, LLC; Omni Financial, LLC; and MJ&J,  
28 LLC  
29 **AGENT:** Mel Mercado  
30 **LOCATION:** Northwest corner of Cawston and Devonshire Avenues  
31 (APN: 448-100-001 thru 018 and 448-110-001 thru 022)  
32 **PLANNER:** Ron Running – (951) 765-2375  
33 **DESCRIPTION:** A request for Planning Commission review and  
34 recommendation to the City Council regarding a proposed amendment to the  
35 Hemet Valley Country Club Estates Specific Plan (SP 90-009) modifying the  
36 eastern 146 acres adding 221 residential units to the existing Specific Plan, for a  
37 total of 931 dwelling units, allocating the dwelling units in various density  
38 categories, providing for public and private park sites and trails, and the addition  
39 of a 16.9 acre site, with readoption as the Tres Cerritos Specific Plan 90-009,  
40 along with an Environmental Impact Report for the proposed changes.

41  
42 Planner Running reported that there had been meetings between staff members, the  
43 Commission and representatives of Tres Cerritos East and the nearby Peppertree  
44 development. All are requesting additional time for modifications and to examine  
45 details of the interface, and were therefore asking for a continuance to the August 16,  
46 2011 meeting. He noted that staff had received a letter, with photographs, dated July  
47 16, 2011 from Diane Norberg, which was also delivered to the Commission, reiterating  
48 her concerns noted previously.

49  
50 Chairman Gifford opened the public hearing, inviting Gene Heikel to the lectern.

1 Gene Heikel (8405 Singh Court, Hemet), chairman of the Four Seasons Community  
2 Awareness Committee, indicated that their committee was in support of the  
3 continuance, but expected a decrease in density, a change in their product types, a  
4 provision of more amenities (such as a larger park, a school site, and a larger  
5 clubhouse), an enlarging of the existing retention basin along Cawston Avenue, and  
6 major infrastructure realignments. He requested that the Commission deny the project  
7 if these changes were not instituted and if the developer could not embrace the vision  
8 of the general plan.  
9

10 Diane Norberg (4092 Via Barcelona, Hemet) suggested a compromise, asking the  
11 developer to build only upscale single-story homes on approximately half-acre lots, add  
12 a 10-acre park, another storm runoff basin and a school. Her first choice, however,  
13 would be the "no project" alternative No. 2.  
14

15 Jim Crase (388 Casper Drive, Hemet), Four Seasons Community Awareness  
16 Committee member, stated that he wished to be proud of living in Hemet and  
17 expressed his support of the comments of Gene Heikel.  
18

19 When Chair Gifford asked for comments from the Commission, Commissioner  
20 Thompson stated that he had met with the applicants. He noted that it was a learning  
21 experience for him, but that he felt the applicants were given good direction. He  
22 agreed with the continuance.  
23

24 Vice Chair Deuber elected to reserve her comments to the date of the continuance.  
25

26 Chairman Gifford stated that he had met individually with the applicant, Martin Boone,  
27 as well as planning staff, to give further direction to the applicant regarding what the  
28 Commission felt they should be doing with the project.  
29

30 Vice Chairman Deuber asked for clarification of the specific plan number and the  
31 environmental assessment numbers, and then made the following motion:  
32

33 It was **MOVED** by Vice Chair Deuber and **SECONDED** by Commissioner Overmyer to  
34 **CONTINUE** the public hearing of Specific Plan 06-001, Tres Cerritos East, and  
35 Environmental Assessment 06-019 to the August 16th, 2011 Planning Commission  
36 meeting.  
37

38 The **MOTION** was carried by the following vote:  
39

40 AYES: Chairman Gifford, Vice Chairman Deuber, and Commissioners David  
41 Overmyer, Rogers and Thompson  
42

43 NOES: None

44 ABSTAIN: None

45 ABSENT: None  
46  
47  
48  
49  
50

# Attachment No. 4

Letters

# David Leonard Associates

8 August 2011

Mr. Ron Running, City Planner  
City of Hemet Planning Department  
445 E. Florida, Avenue  
Hemet, CA 92543

## Tres Cerritos East Specific Plan Amendment

Following the hearing of June 19, 2011, the Applicant team met with staff, members of the Planning Commission, representatives of Peppertree, and consulted with several area residents to gain a better understanding of the issues and concerns related to this development, and to identify changes where appropriate. As a result, a number of revisions have been made which alter this plan, and to better illustrate the concepts that are being proposed.

### Design Guidelines

- The provision for three-story buildings is being removed entirely for all products throughout the specific plan.
- The Courtyard product, featuring up to six dwellings on a shared driveway, has been removed.
- A new product along a flex of single family and twin homes within the same neighborhood has been introduced and will be allowed as an option in Planning Areas 6 through 11.

### Land Use Plan

- Planning Area 2 was 2.1 to 5.0 du/ac. The proposed density range is now 2.0 to 3.0 du/ac.
- Planning Areas 8 and 9 have been combined and the top end density was 18.0 to 8.0 du/ac. The proposed density range is now 6.0 to 8.0 du/ac.
- Planning Areas 11, 12, 13, and 14 have been combined into one Planning Area. The top end density was 18.0 to 8.0 du/ac. The proposed density range is now 6.0 to 8.0 du/ac.
- Planning Area 11 was 18.0 du/ac. The proposed density is now 10.0 du/ac.
- A greater range among product types is now provided in each Planning Area.
- The paseo along Street B will be allowed as an option to be set behind dwelling units along Street B or remain where it is shown.
- A minimum density has been introduced to clarify the actual density range being proposed.

Peppertree

- Agree that utilities, landscaping and sidewalk on the north side of Menlo Avenue will remain in place, except for modifications needed to address drainage.
- Agree to increase the street width on the north side of PA 5 to Menlo Ave. to 66 feet, and to provide traffic controls and left-turning movement as approved by the City Engineer.
- Accept storm runoff from the Peppertree development through Tres Cerritos East as altered by new construction within TCE.

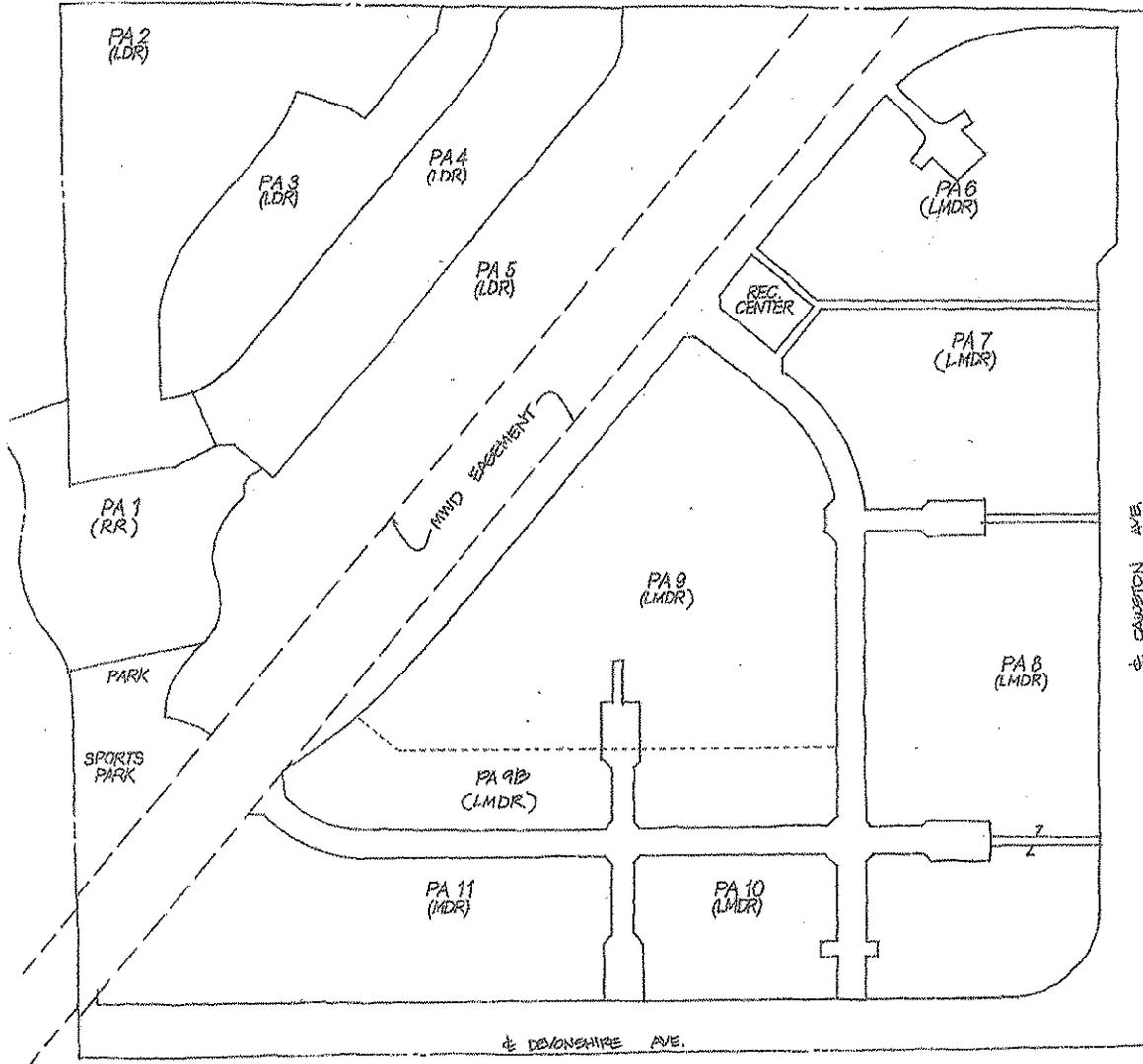
Accordingly, the project statistics have changed as follows:

**DENSITY AND PRODUCT DESCRIPTION  
AUGUST 2011**

PA	Owner	Product Type	GP	Du/Ac	Ac	Min. Total	Prop. Plan
1	McC	SFD	RR	0.17	5.89	1	1
2	McC	SFD SFD	LDR	2.0 min. 3.0 max.	12.53	26	26
3	McC	SFD	LDR	4.0 Max.	6.37	25	25
4	SFH	SFD	LDR	5.0 Max.	8.54	42	42
5	SFH	SFD	LDR	5.0 Max.	14.55	72	72
6	Equitas	Garden Quad 5000 SF	LMDR	6.0 Min. 8.0 Max.	12.04	72	96
7	Equitas	Garden Quad	LMDR	6.0 Min. 8.0 Max.	8.65	51	66
8	Equitas	Garden Quad 4000 SF	LMDR	6.0 Min. 8.0 Max.	16.61	100	109
9A	SFH	4000 SF or Rev. Front	LMDR	6.0 Min. 8.0 Max.	14.94	89	89
9B	Equitas	4000 SF or Rev. Front	LMDR	6.0 Min. 8.0 Max.	13.14	79	90
10	Equitas	4000 SF or Alley Load	LMDR	6.0 Min. 8.0 Max.	5.07	30	30
11	Equitas	2-Story Townhomes	MDR	8.0 Min. 10.0 Max.	10.44	83	104
					<b>128.77</b>	<b>670</b>	<b>750</b>
		<b>Project Density</b>			<b>165.80</b>	<b>4.04</b>	<b>4.52</b>

The layout of the Conceptual Land Use Plan now appears as follows:

**CONCEPTUAL LAND USE PLAN  
AUGUST 2011**



The TCE project team has assembled photographs of housing products intended to be used in this project. We have provided staff with an electronic copy of these images. They will be formally presented to the Planning Commission at the public hearing on August 23, 2011.

Sincerely,

David Leonard, Planner  
Tres Cerritos East Specific Plan

**Tres Cerritos East 21 June 2011**  
**Applicant Responses to Planning Commission Hearing**  
**Comments**

**1. The Density is excessive**

*Response: A number of changes have been made to the plan to reduce density. These include the following:*

- *Planning Area 2 has been reduced from 2.1 to 5.0 du/ac to 2.0-3.0 du/ac.*
- *Planning Areas 8 and 9 have been combined. The density was 8.1 to 18.0 du/ac. That has been reduced to 6.0 to 8.0 du/ac*
- *Planning Areas 11, 12, 13, and 14 have been combined. These areas have multiple designations had a top density of 18.0 du/ac. The proposed density is 6.0 to 8.0 du/ac.*
- *Planning Area 11 (Townhomes) has been reduced from 8.1 to 18.0 du/ac to 10 du/ac.*
- *A minimum density has been introduced to accommodate products having less density in the form of single family and twin homes allowed anywhere in Planning Areas 6 through 11.*
- *Six-unit cluster homes have been removed.*

**2. Three-story homes are not compatible in the area.**

*Response: The provision for all three-story homes has been removed.*

**3. The development will block views of the Tres Cerritos hills.**

*Response: The Conceptual Grading Plan (Exhibit 4.7) of the Specific Plan Amendment demonstrates that grading will not occur into the hillsides. The hills will continue to have the prominence they have always had.*

**4. The development will make drainage conditions worse.**

*Response: An extensive hydrographic and hydrologic analysis has been conducted to determine rainfall, flow rates, ponding areas, and storage needs to manage drainage. Project site is impacted from three distinctive drainage areas. The interim detention basin and channel is designed to accept runoff from the Peppertree project to the north, the Seattle channel to the northeast, and the Devonshire channel to the east. Waters in the detention basin will be pumped southwest to maintain the historic flows. This project offers the only foreseeable funding and construction of drainage improvements to relieve residents along the Seattle channel from flooding hazards.*

**5. The development will create traffic congestion.**

*Response: Due to the incomplete circulation system in the area, this development will actually IMPROVE traffic conditions. The project will complete the widening of Devonshire Avenue and Cawston Avenue before any building permits are issues. The project will construct Menlo Avenue to create a new east-west link through the project. The project is also required to complete Myers St. to Florida if it is not already completed by others. The traffic analysis update of December 2010 showed the transportation system operating at an acceptable level of service.*

**6. The project will place additional demand and cost on public service without adequate property tax revenue.**

*Response: The project will offer for sale homes at market rates. The price point of homes sold prior to the recession beginning in 2009 produced positive tax revenues, contrary to historic trends. Whether that will continue in a post-recession market is not known. What is known is that the project will have a homeowners association to own and maintain most landscaped areas within the project at no cost to a public agency. Even where the City of Hemet will have maintenance responsibility, a Lighting and Landscaping Assessment District will be formed to assess project homeowners for the cost of maintaining street parkways, public parks, and drainage improvements. Therefore, while there will be increased demand for public services, revenues generated from this project will be greater for that purpose than other residential projects.*

**7. The project will diminish water supply and make water more costly to all.**

*Response: Pursuant to state law, the project was required to fund a Water Supply Assessment by EMWD to assess available water over a 20-year period. EMWD identified that ample water supply will be available per state requirements. In addition, the developer and future residents will be required to fund water system construction and water supply to their homes just like everyone else. A homeowners association will exist to collect revenue and maintain landscaped areas within the project.*

**8. Air Quality will be diminished by the proposed project and the impact should not be overridden**

*Response: The South Coast Air Basin is a non-attainment area for failure to meet federal limits on certain pollutants. As such, it is a regional issue that cannot be mitigated at the project level. However, Tres Cerritos East has incorporated provisions to minimize air emissions at the project level below those of existing homes.*

*The project will comply with SCAQMD Rule 403 to control dust emissions.*

*Construction stage:*

- Watering regimen to reduce dust during grading.*
- Install grates at access points to minimize migration of soil off-site, and remove soil from roadways within one hour of trackout.*
- Apply soil stabilizers to soil stockpiles or cover the pile to avoid dust migration during windy days.*
- No grading shall occur during periods of high winds, (20 mph or greater)*
- Any soil removed by trucks from the site shall be covered.*

*The project will comply with SCAQMD Rule 113 to procure architectural coatings, such as paints, stains, and other coatings that have zero Volatile Organic Compounds (VOCs).*

*The project will comply with Title 24 State Energy standards that factor insulation, door and window openings, heating and air units, and natural lighting into performance calculations. This is one of many provisions now in the California Building Code that serve to reduce energy consumption below levels of existing housing stock.*

*The project incorporates trails and paseos to conveniently located parks to encourage alternate modes of travel rather exclusively automobiles.*

*The following benefits of the project override the incremental air quality impacts from the project.*

1. The Project will offer a wide range of housing opportunities through a range of lot sizes and housing types available for varying types of households and incomes. Housing types were conceived in consultation with a real estate economist and were developed to match housing affordability with the wage structure of the local economy.
2. The proposed housing plan is privately funded and does not burden public agencies or rely on governmental subsidies whether through direct subsidies or through organizations who administer public funds. Therefore, project success is not reliant upon shrinking availability of government funds for subsidized housing.
3. The proposed housing plan assists the City toward meeting the Goals and Objectives of the Housing Element of the General Plan, The overall housing goals are stated as follows:

*The attainment of decent housing within a satisfying living environment for households of all socio-economic, age, and ethnic types in Hemet*

*The provisions of a variety of housing opportunities by type, tenure, and cost for households of all sizes throughout the City.*

*The development of a balanced residential environment with access to employment opportunities, community facilities, and adequate services.*

The City needs development, as proposed within this project, to provide a supply of decent housing that conforms to contemporary standards for construction and energy efficiency, that is available to a wide range of households, is conceived to match housing with local economic opportunities, and aids in meeting the provisions of the Housing Element of the Hemet General Plan.

The Project provides a comprehensive program of Design Regulations and Design Guidelines that will ensure that the Project is functional, safe, and attractive. The Design Guidelines have been prepared to address landscaping and standards for project entry designs, street parkway landscaping, often within deeper setbacks, community/paseo trail design, neighborhood parks, a linear park, private recreation facilities, and common open space.

The Design Guidelines provide consistency and compatibility throughout the project by addressing building scale, architectural styles, roof treatments, building materials, textures, and colors, and setbacks. Design Regulations are provided to address the form and function of public and private recreation facilities and their location within each neighborhood and housing type within the project to promote accessibility. All of these elements assure an attractive development using criteria that meets or exceeds the provisions of the Municipal Code.

The Project provides a comprehensive program and Landscape Guidelines for an urban landscape that will enhance the aesthetic quality of the Project area, and will be consistent with the design standards that enhance the natural environment, and minimize visual clutter and blight. A greenbelt is planned throughout the project site consisting of either open space, public parks, community trails along drainage facilities, expanded entry treatments, or enhanced parkway landscaping within deeper setbacks to enrich the appearance of the project perimeter. A network of walking paseos, linked with the perimeter community trail promote a safe means for pedestrian access to recreational facilities throughout the project.

The project will strengthen the local economy by generating tax revenue directly from property tax assessments, and indirectly from increased sales tax for local goods and services. The 754 (now

750 max.) dwelling units within the Proposed Project would generate a population of approximately 1885 people. The fiscal impact analysis contained in the Hemet General Plan projects annual sales tax revenue generation of \$169 per capita. Based on the estimated project population of 1885, the annual sales tax revenue attributable from the proposed project will be \$318,565. In addition, the Proposed Project will annex into a Community Facilities District and be subject to a special tax to fund police, fire, and other emergency services. Additional revenue will be generated from property taxes to fund other municipal services at amounts that will be based on the eventual selling prices of the dwelling units

The project will improve east to west circulation by constructing Menlo Avenue from Cawston Avenue to Myers Street. The proposed project will improve the east-west vehicular circulation in the area by widening Devonshire Avenue to the standards set forth in the Circulation Element of the Hemet General Plan, and constructing Menlo Avenue as an alternate east to west route. The improvements associated with the construction of these streets will also include drainage facilities that will relieve flooding currently experienced during rainstorms. The construction of these streets will also include sidewalks to improve pedestrian safety.

The project will improve regional drainage by constructing channels from Seattle Street and from Devonshire Avenue, east of the Project site, to extend along Project boundaries to a detention basin to manage area storm water runoff and temporary storage.

These improvements will resolve a long-standing drainage problem with the overflow of Seattle channel to the east. This overflow has created access limitations due to road closures and property damage from flooding inside homes. Proposed drainage improvements will include a pipe to allow flows to escape before overflowing the Seattle channel. The pipe will connect to a new channel along the west side of Cawston Avenue, and extend along the north side of Devonshire Avenue for collection in a detention basin. In addition to inundation of the Seattle channel, post-development flows from the north have also contributed to road closures and flooding. The improvements identified above will also resolve drainage from the north. An elementary school is located at the northeast corner of Menlo and Cawston that will benefit flood protections included in the proposed project.

The project will elevate community design by including features that do not exist in the community. The project is designed with attractive formal entries that define a sense of arrival into the project and will serve as local landmarks. The project will include a public community trail along the perimeter of the project along Cawston Avenue and Devonshire Avenue. The project will convert an unsightly aqueduct easement to a linear park having public access.

The project will include an active sports park and dog run available for use by the community. The project will also include a recreation center that, while designed for the private use of project residents, may be available for public meetings on a fee basis to off-set operating costs.

## **9. The project will destroy biological wetlands and ecosystems that now exist on the property.**

A number of biological reports have been prepared to assess potential habitat conditions on the property. Additional seasonal studies are required prior to any site disturbance so that any potential habitat conditions can be identified and addressed at that time.

The site contains a sensitive riversidean sage scrub habitat located on the steeper slopes of the Tres Cerritos hills. This area is intended to remain undeveloped and will be evaluated when grading plans are prepared in conjunction with an implementing subdivision map.

The site contain one sensitive specie, the burrowing owl and may have the potential to support fairy shrimp. Additional seasonal study is required for these species to determine their presence. Both species, if found, can be relocated to other locations that contain suitable habitat.

There are no wetlands on the project site. A jurisdictional delineation shall be conducted prior to any site disturbance to identify any Army Corps of Engineers or CDFG jurisdictional waters.

## DRAINAGE (Tres Cerritos East PPA)

### Collection System

The proposed drainage system for the Tres Cerritos East project accomplishes a couple of desired results on behalf of the City of Hemet and the Resource Agencies. It mitigates a public safety issue for the City and it assists in contributing much needed flows to the vernal pool complex southwesterly of the project near Florida Ave. and Warren Road.

Because the Seattle Channel does not currently have an outlet, it also acts as a detention basin. Under certain large storms (and because of the lack of an adequate outlet and capacity) the basin backs up and fills up and spills over the channel edges and causes flooding to the existing homes on the south side of Seattle Street and west side of Cawston Avenue. The proposed project will alleviate this existing flooding problem by essentially letting flows move southerly away from existing homes along the Seattle Channel before the overflow problem can occur. The extension of the Seattle Channel detention area is depicted on **Exhibits 4.8 and 4.11**. However, in discussions with the City Engineering Department, the Seattle Channel will continue to serve as a partial detention basin facility after this proposed system channel extension and interim detention basin are constructed.

The proposed system within TCE receives existing flows from the existing Seattle Channel/Basin at the intersection of Cawston and Seattle and from the north side of Devonshire at Cawston. Both locations are on the eastern boundary of the project. Using a 100-year storm, Seattle Channel carries approximately 825 cfs. TCE will accept approximately 488 cfs of these flows while the remaining flows will be temporarily detained in the channel. An additional flow (approximately 360 cfs) will enter the project's channel from the intersection of Devonshire and Cawston.

Approximately 300 cfs will also be collected from the Peppertree Specific Plan watershed to the north. Based on final storm drain design with subsequent improvements plans for TCE\_, these flows may either be collected in a storm drain in public streets within Planning Area 3 and conveyed to the interim detention basin in the southwest corner of the site, or collected in a storm drain extending easterly along the northerly project boundary and south along Cawston Avenue to be collected within the proposed channel.

All three of these flows coming into the project after confluencing (approximately 930 cfs) will be captured and placed into a proposed trapezoidal naturalized channel located along the west side of Cawston and the north side of Devonshire. The channel drains into an interim

detention basin shown on **Exhibit 4.8**. The details of the channel are shown in **Exhibit 4.12** with 2:1 side slopes, 10-foot wide bottom and a depth of ten feet. The interim detention basin will also handle approximately 334 cfs from the Tres Cerritos hills and from within the project. After confluencing in the interim detention basin the 100-yr. runoff is 1010 cfs.

#### Interim Detention Basin

In the interim condition, prior to drainage facilities being constructed downstream by the Garrett Ranch project, the channel will discharge flows into a 25' deep interim detention basin constructed in the southwesterly portion of PA 15, as shown in **Exhibit 4.8**. The basin will be designed to meet storage detention requirements, and the water collected will be mechanically pumped back up to the intersection of Myers and Devonshire and flow southerly to Florida Avenue along the west side of Myers Street in the newly constructed swale system.

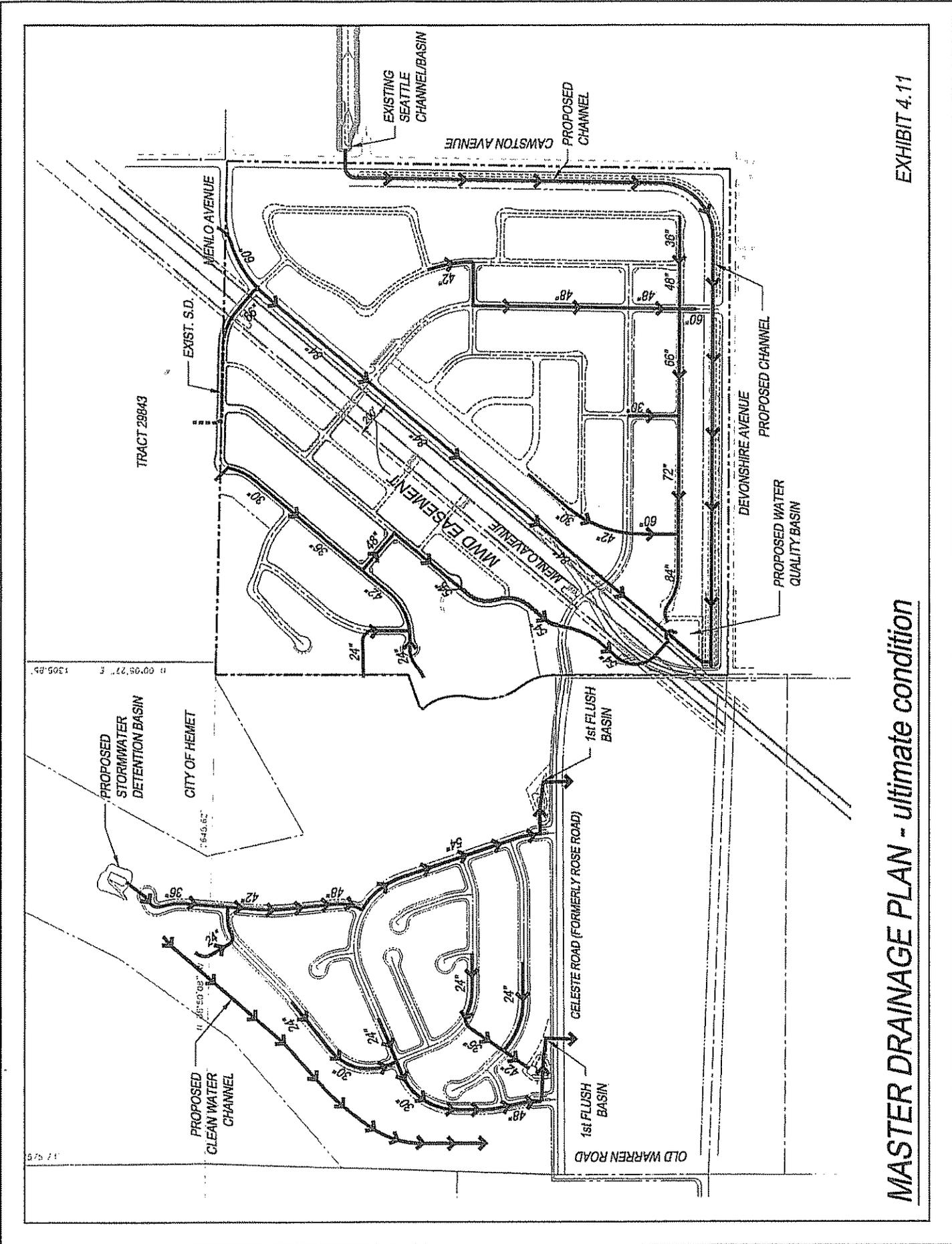
Once drainage facilities are constructed south of the PPA within the Garrett Ranch project, the basin area will be reduced to function as a water quality basin and development will be completed within the remaining planning area.

The channel, in its ultimate condition as shown in **Exhibit 4.11**, will connect with and pass approximately 1010 cfs into the proposed drainage system for the Garrett Ranch project located southwesterly of the TCE project and westerly of Myers Street.

#### Future Downstream System

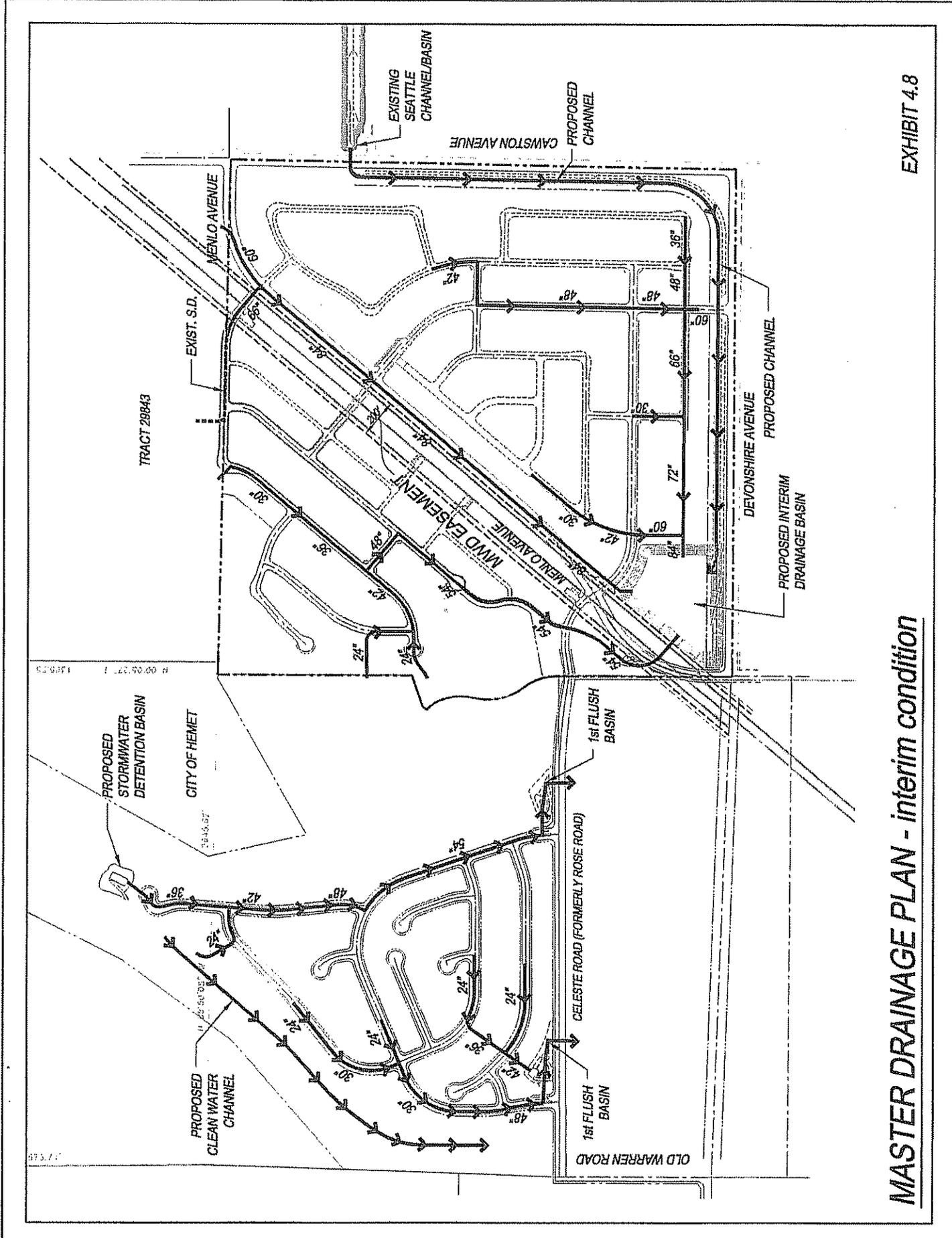
The exact design of downstream facilities will be determined at a later date and could be one of the several conceptual designs presented in the Mayers and Associates "Drainage Feasibility Study For Tres Cerritos East" dated June, 2006 and currently on file with the City Engineering Department. The Mayers Study analyzed nine (9) different systems in which to handle flows from the TCE project including open trapazoidal channels, reinforced concrete box systems and rectangular channel systems.

Final basin and storm drain sizing will be established as part of the final design for implementing subdivision maps.



**MASTER DRAINAGE PLAN - ultimate condition**

EXHIBIT 4.11



**MASTER DRAINAGE PLAN - interim condition**

**EXHIBIT 4.8**



# Memorandum

**Bryan Cave LLP**  
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Suite 1500  
Irvine, California 92612-4414  
Tel (949) 223-7000  
Fax (949) 223-7100  
www.bryancave.com

Date: August 8, 2011  
To: Thomas D. Shollin, Esq.  
From: William B. Tate II, Esq. *WBT*  
cc: Ms. Liz Belloso  
Bryan LeRoy, Esq.  
Email: wbtate@bryancave.com  
Direct Dial: (949) 223-7333  
Re: Douglas P. Wilson, Receiver for PCG-Peppertree, LP  
(Tres Cerritos East) Development Issues.

As you are aware, Bryan Cave LLP represents the Douglas P. Wilson, as receiver (the "Receiver") for PCG-Peppertree, L.P., the owner of the residential project commonly known as the Peppertree Development consisting of certain real property legally described as Tentative Tract 29843 in Hemet, California. Signal Family Hemet, LLC ("SFH"), Omni Financial, LLC ("OMNI"), and MJ&M, LLC are the co-owners of an adjacent tract of real property, commonly known as the Tres Cerritos East Development ("TCE"), has proposed for approval by the City of Hemet an amendment to the Tres Cerritos East Specific Plan (the "Specific Plan Amendment"). The Specific Plan Amendment contemplates the realignment of Menlo Avenue where it is adjacent to the Peppertree Development (See Exhibit "A"). The realignment of Menlo Avenue poses several concerns to the Receiver since its implementation will affect, among other things, existing utilities, access and drainage relative to the Peppertree Development. Upon review of the Specific Plan Amendment, the Receiver is willing to support the same, including the realignment of Menlo Avenue, subject to the inclusion of the following conditions to the approval of the Specific Plan Amendment.

I. Planning and Construction Relating to Menlo Avenue.

A. Mutually Agreed Construction Plan. Prior to the construction of any infrastructure in the Tres Cerritos East Development, the owners and/or operators of the adjacent Peppertree Development and the Tres Cerritos East Development shall agree upon a plan for the construction of the realignment of Menlo Avenue (the "Construction Plan"). The Construction Plan shall be in conformity with the Specific Plan Amendment and shall include, among other things, (i) grading, drainage, landscaping and engineering plans and schematics, (ii) a schedule of construction, and (iii) bonding and insurance requirements. The Construction Plan shall provide for the existing sidewalk on the Peppertree Development adjacent to the northern portion of Menlo Avenue to remain in

place and connect to the realigned Menlo Avenue (See Exhibit "A"). The Construction Plan shall provide for the owners to coordinate all road closures and to sequence construction to minimize any disruption of access to the Peppertree Development from Menlo Avenue. The cost of planning, construction and installation of all improvements set forth in the Construction Plan shall be borne solely by SFH and its successor and assigns.

B. Utilities and Landscaping. All utilities, landscape and sidewalk currently located in that portion of Menlo Avenue servicing the Peppertree development shall remain in place with such modifications as may be necessary for the Tres Cerritos Development to accept storm water and run-off in accordance with Section III below. SFH shall, at its sole cost and expense, install all landscape and irrigation pursuant to the Construction Plan to prevent erosion and minimize dust.

II. Traffic Flow. Due to our concerns regarding (i) the realignment of Menlo Avenue which necessitates several additional turns for ingress and egress into the Peppertree Development, (ii) the age of our residents, and (iii) the number of trips to be generated by the Tres Cerritos East Development, we request the following improvements to be constructed and installed by SFH, at its sole cost and expense.

A. Driveway 3.

1. Driveway 3 shall be no less than 66 feet wide.
2. A left turn lane shall be constructed in Driveway 3 at the intersection of Menlo Avenue.
3. Cross street stop signs shall be installed at Driveway 3 and Menlo Avenue.

B. Menlo Avenue.

1. A deceleration lane shall be constructed on Menlo Avenue for southbound traffic transitioning to Driveway 3.
2. An acceleration lane shall be constructed on Menlo Avenue for traffic transitioning from Driveway 3 to Menlo Avenue southbound.
3. A left turn lane shall be constructed on Menlo Avenue for northbound traffic transitioning to Driveway 3.
4. A center transition lane shall be constructed on Menlo Avenue approaching Driveway 3 for northbound traffic.

III. Drainage. The following conditions are requested to address certain drainage issues and are consistent with the requirements of the Specific Plan Amendment.

A. Acceptance of Line A Discharge. The Tres Cerritos East Development shall be required to accept and transport all storm drain waters discharged from the Line A storm drain.

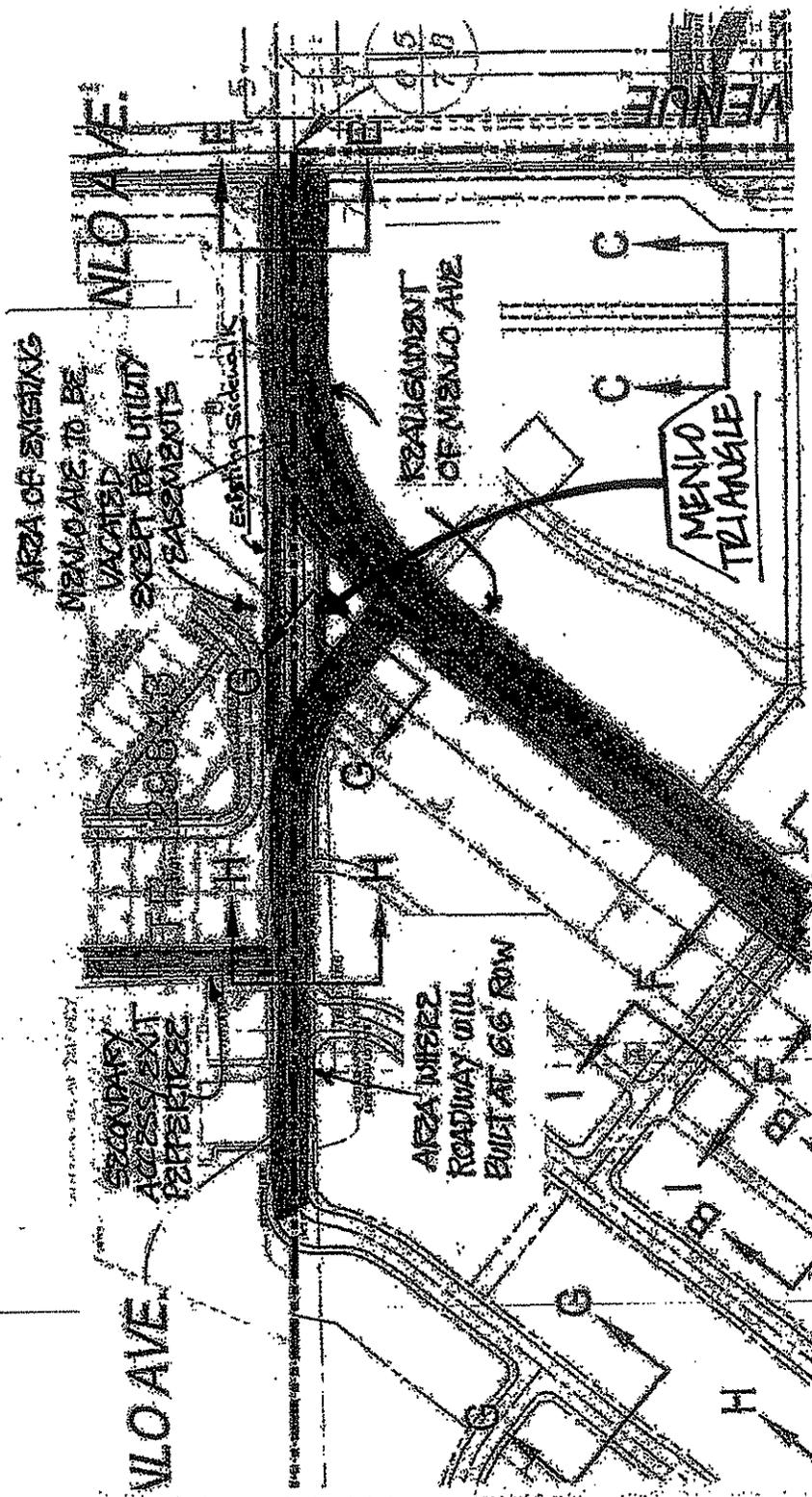
B. Acceptance of Waters from the Menlo Triangle. The Tres Cerritos East Development shall be required to accept all storm waters and run-off from the Menlo Triangle, as depicted on Exhibit "A" attached hereto.

C. Acceptance of Storm Water and Run-off from Menlo Avenue. Following the construction of such improvements required to be performed by PCG-Peppertree, L.P. and TCE relating to the completion of Menlo Avenue, the TCE shall be required to accept and properly discharge all storm waters and run-off associated with Menlo Avenue.

WBT:jf

EXHIBIT "A"

# EXHIBIT "A"



SECTIONS 61 & H = 66' ROW  
(DRAWING 25)

GARY H. WILES  
DELORES M. WILES  
560 N. CAWSTON AVENUE  
HEMET, CA 92545  
☎ Or FAX (951) 765-0950

RECEIVED  
JUL 21 2011  
PLANNING

July 19, 2011

Planning Commission  
c/o Nancy Shaw  
445 E Florida  
Hemet, CA 92543

Re: TRES CERRITOS EAST

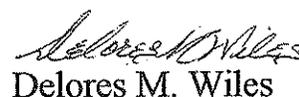
My wife Delores and I have resided at 560 N. Cawston Avenue where we have written U.S. History books since September 14, 1999. We support the pending Specific Plan 06-001 although we have no financial nor any other interest whatsoever in the project.

As a former law enforcement Officer for four and a half years of undergraduate school and four more years acquiring my Juris Doctorate, I believe automobile traffic tends to speed where one side of the street is barren of buildings and a bearer of sage brush and tumbleweeds. That theory is borne out in practice on Cawston as dozens of drivers abuse its 30 mile Speed Limit and often double it each month. We believe the introduction of buildings will mollify the speeding and make our home quieter. It should reduce the tumbleweeds that choked our yards, particularly in our earlier years on Cawston and a few more recent events.

The land across Cawston from us had no wetlands when we moved here 12 years ago. After the ground was contoured for a golf course and water was pumped into low spots, mosquito populations flourished. We like the current builder's drainage plans for these minor swamps. We also approve of the builder's plans to have four units to the acre; around 700 dwelling units with seven parks; a recreation center; landscaping; and a channel to resolve the flood channel. We also understand that they'll be completing Devonshire and Cawston Streets. If they do, it'll also likely help solve the mosquito breeding problems.

In conclusion, we've only spoken by telephone with one representative of the builder, but we feel these people intend to be good neighbors and sensitive to the needs of current residents and the community they'll be bringing to life where only weeds have disfigured the sprawling plain for over a decade.

  
Gary H. Wiles, Sr.

  
Delores M. Wiles

Opposition Letter to the Planning Commission:

As Vice-Chairwoman Deuber reminded the board at the June meeting, I believe it was Chairman Gifford who she said made a past recommendation to the board that the City of Hemet should not lower the level of our standards to accept the plans of developers that do not meet the high expectations that the city is aiming for in Hemet's future vision, but instead, insist that the developers step-up to meet our higher standards.

The sole reason for a developer to build so many homes and townhomes packed into this area is to make more money. But after they have sold this type of plan and moved on to their next project, we are left with the results. It will produce many "low-income" houses and rentals. There is no need for more low income homes or rentals in this area. There are many rentals and homes and foreclosures priced well under \$150,000 in the area already. By building so many of them, the area becomes subject to more gang and criminal elements. That is not fair to the thousands of residents already in the area. We also already have unfinished, unfilled housing projects immediately to the north (Peppertree), to the west on Old Warren Rd. (Tierra Vistas) and ¼ mile to the east on Devonshire (Villa de Madrid) who's construction entrance gate is abandoned and is an eyesore full of overgrown weeds and graffiti. Let's not forget to mention the huge, unfilled KB Homes project less than 2 miles away on Warren (Edgewood). Again, we don't NEED another housing project! How can you ignore these facts and the many people who are opposing it? Tres Cerritos East does NOT provide a significant benefit to the community.

I have been to City Hall and read the Environmental Impact Report which says the project must improve the area and NOT have a negative impact on the surrounding neighbors and community. The way the project is proposed at this time, it DOES have a high negative impact. Not only does the number of homes proposed overcrowd the area with people and add unacceptable levels of air pollution from approximately 2,000 more vehicles, it also GREATLY impacts the view of many current residents by proposing houses and townhomes to be built 2 and even 3 STORIES HIGH! The EIR says the project should not impact the view of mountains, hills and vistas of the current view from the surrounding homes and "frequently traveled major access roads", specifically Cawston between Menlo and Devonshire, and Devonshire between Cawston and Myers. Also directly affected is Cawston Community Park which currently has a clear view of the mountains and hills to the west and north. I don't understand how the Planning Commission can overlook that negative impact. Have any of you gone to Cawston Community Park or stood at the corner of Via Barcelona and Cawston and actually looked at the view to the west? Or have you driven down Devonshire heading west and envisioned buildings 3 stories high blocking the current view? Or driven down Cawson heading north or south and envisioned buildings 3 stories high to the west? PLEASE take just 10 minutes of your time to do this. Visiting the "proposed building site" doesn't give you the perspective I am speaking about. Try walking down the block a ways on the sidewalk along

Cawston or Devonshire. Actually look at the view! The proposed project *absolutely does have* a substantial negative impact to **many** near-by homes, road travelers and to the park. I challenge the findings in the Staff Report Section 5 Item A. 1. Visual Resources. The mitigation measures DO NOT reduce the visual impact to “levels less than significant”! How is allowing any building 3 stories high considered “less than significant”? Or allowing homes to be built on the lower 25% of the hills? This evening, my neighbors and I can see from our front porches, the orange streetlights at The Four Seasons under the silhouette of hills behind it and a line of headlights twinkling as they come around the bend driving up Highway 74. The sunsets looking between the hills to the west are *spectacular*. Who says losing this view is not significant? For this reason and because of the many species of animals living in the acres of tall grass and around the wetlands, I urge you to have an updated EIR done. I believe it was stated at your June meeting that the last EIR was done almost 3 years ago. How can you possibly know accurately how many endangered species are living there now? Perhaps a more current EIR should be done.

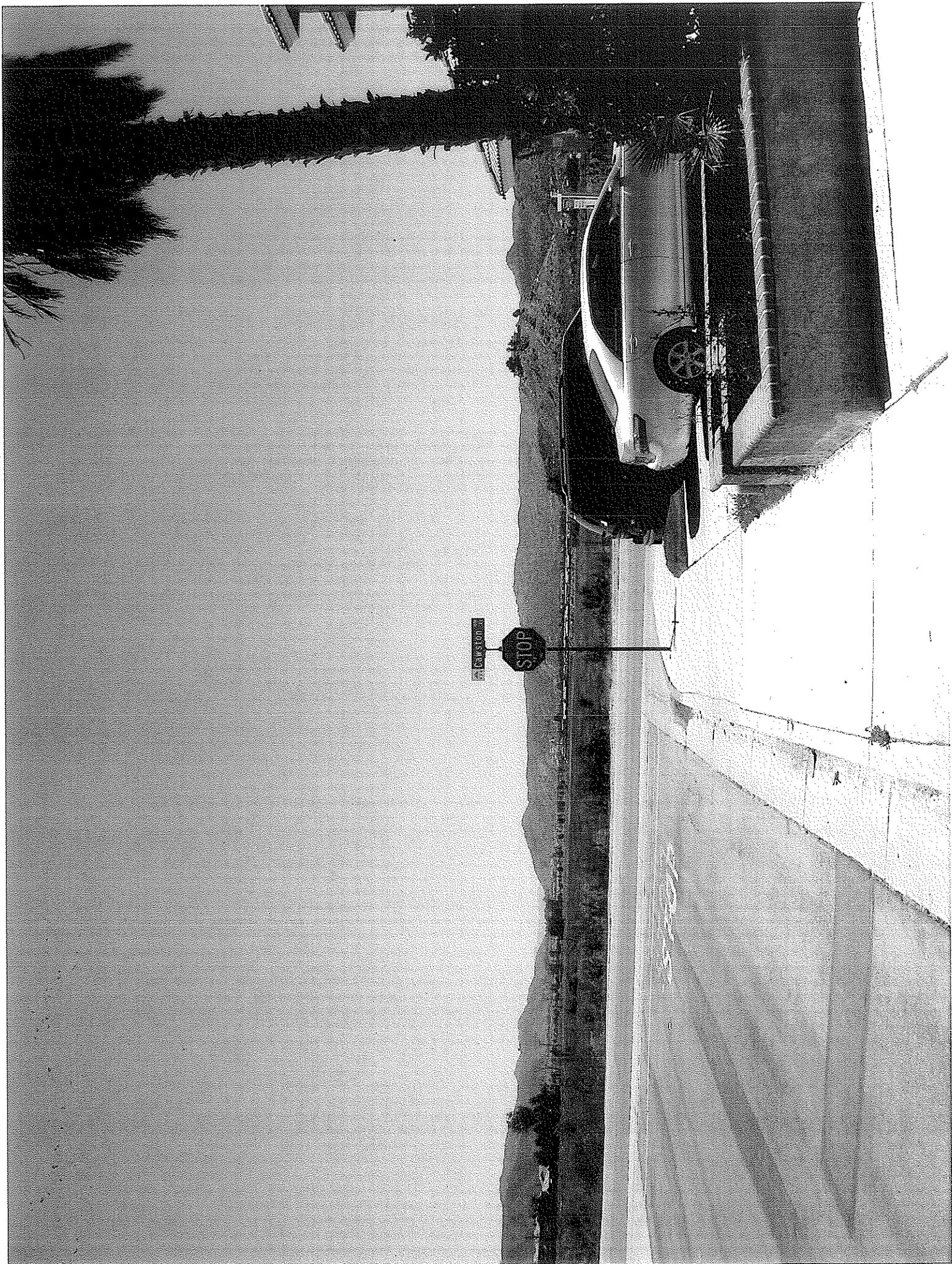
Although I am not an engineer, I can clearly see a problem with the proposal for a 16.9 acre drainage basin to replace what is now a much larger area handling the runoff during the rainy season. The current natural “lake” overflows joining an adjacent “lake” and then another until the majority of the land is covered with water along Cawston stretching from Devonshire to Menlo and going back onto the property almost to Myers. I have taken pictures of the area in December of 2010 showing this event. Only a few of the tallest bushes can be seen above the water. It appears obvious that eliminating this basin will produce massive flooding to near-by homes. The city could even make the “lake” larger and deeper to solve the flooding issues on Seattle! How’s that for changing a negative into a positive? A few bulldozers rearranging dirt vs letting a developer cram in cheap housing that MANY people have come to you opposing.

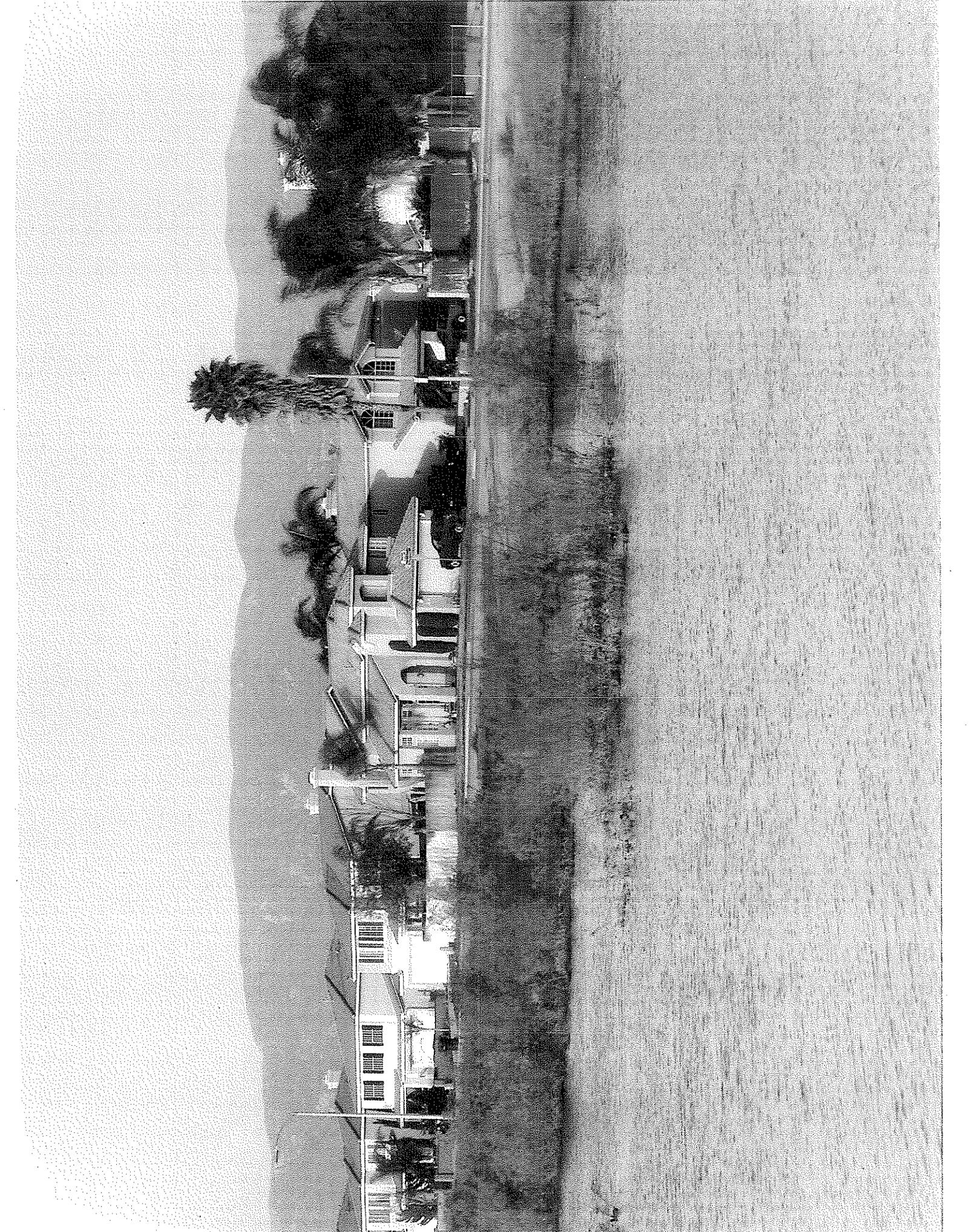
It was mentioned at the last Planning Commission meeting that if the total number of homes built remains at 931, you can conservatively estimate about 2,000 more adults will be living in Tres Cerritos. That could easily be a much higher number due to the economy and unemployment causing many adult children to share houses with relatives or parents. That means more job competition for the currently unemployed residents already living in the surrounding area. I live in one of those homes with more than one person seeking employment and do not welcome the idea of even more jobseekers being added to the area.

And finally, wouldn’t adding 1,000-2,000 more children to the area overfill Cawston Elementary, Rancho Viejo Middle School and Tahquitz High School? As someone mentioned at the June meeting, I didn’t see any schools included in the developer’s plans.

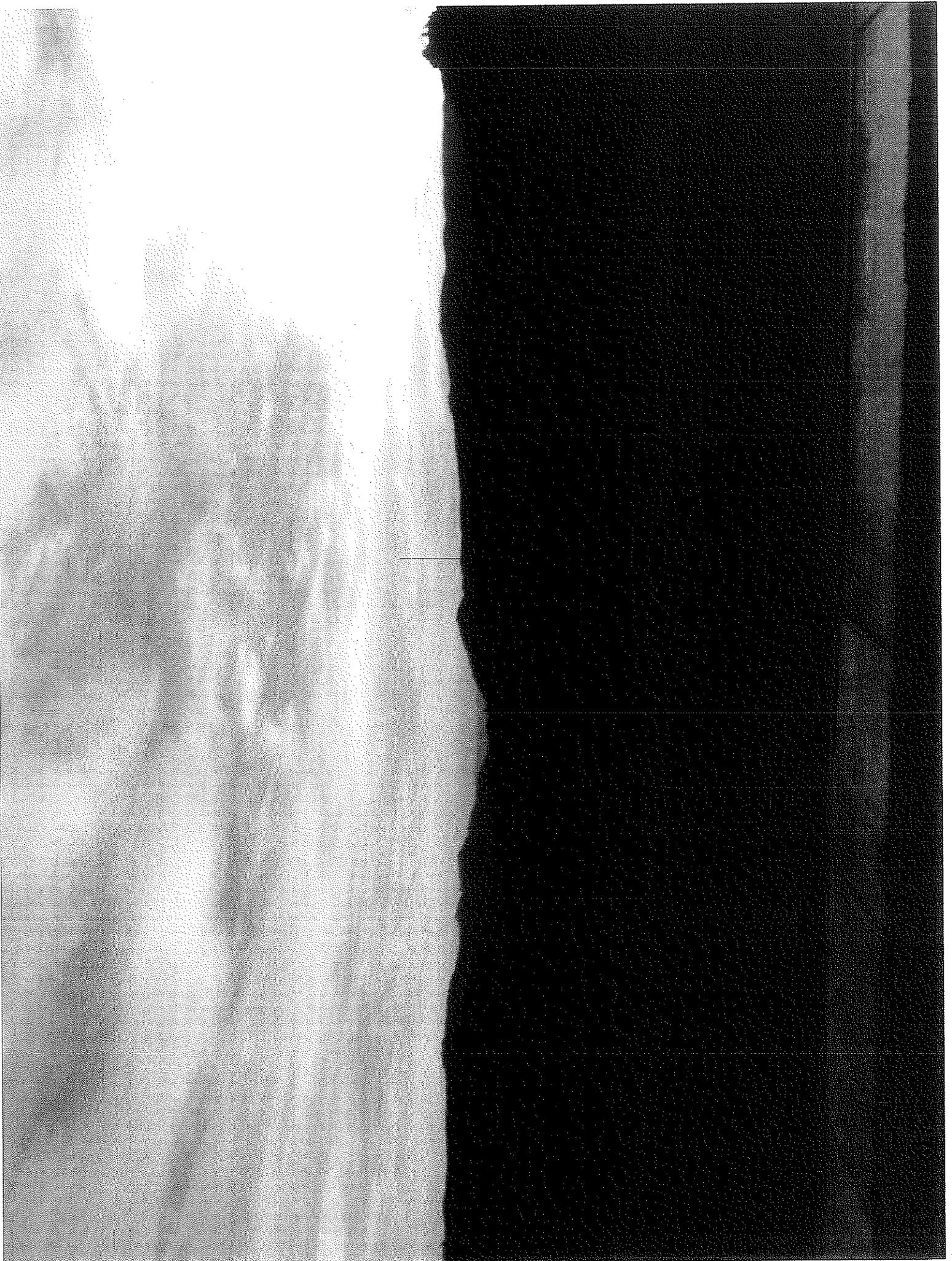
Thank you for your time and consideration on behalf of my neighbors and myself.

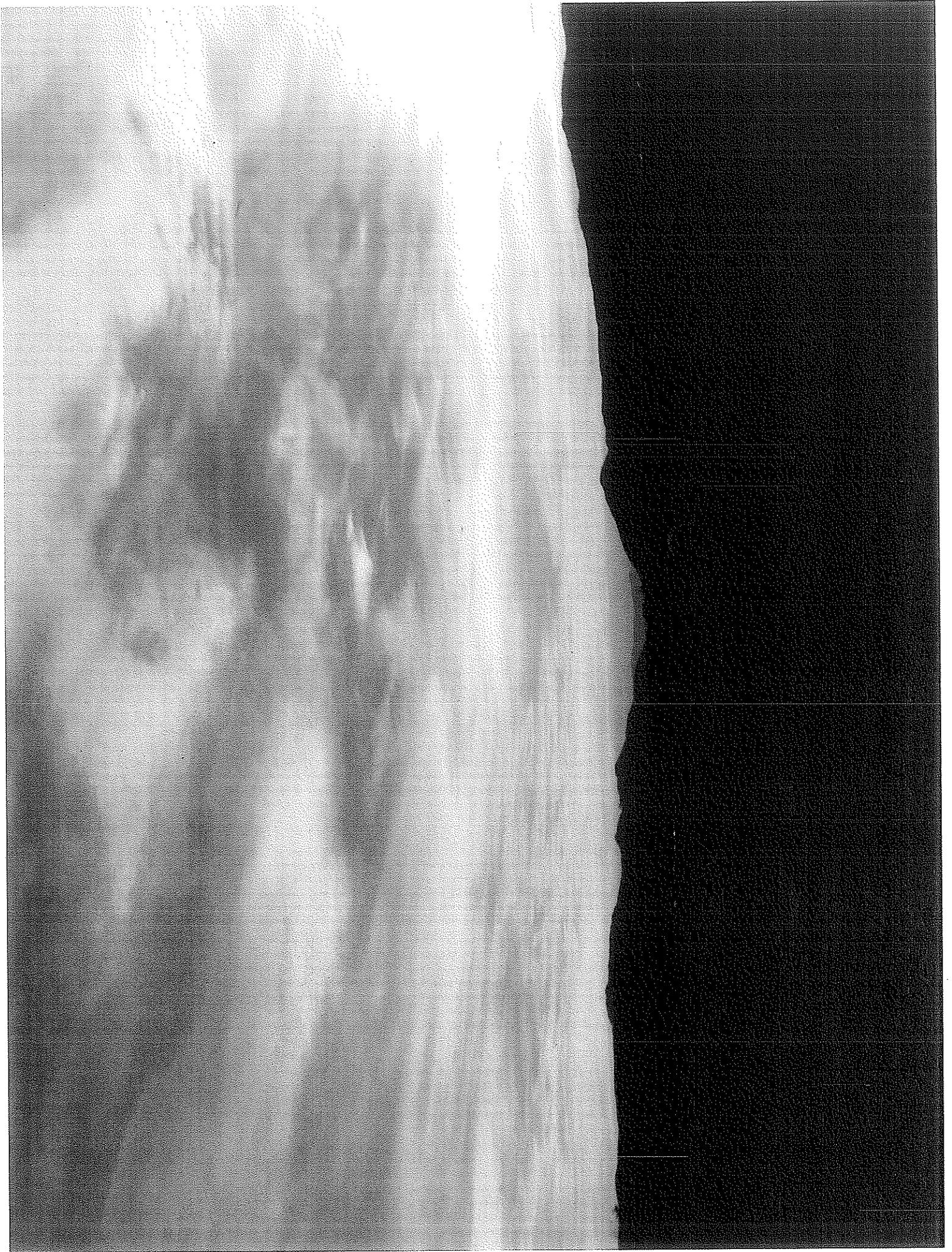
Diane Norberg  
4092 Via Barcelona, Hemet







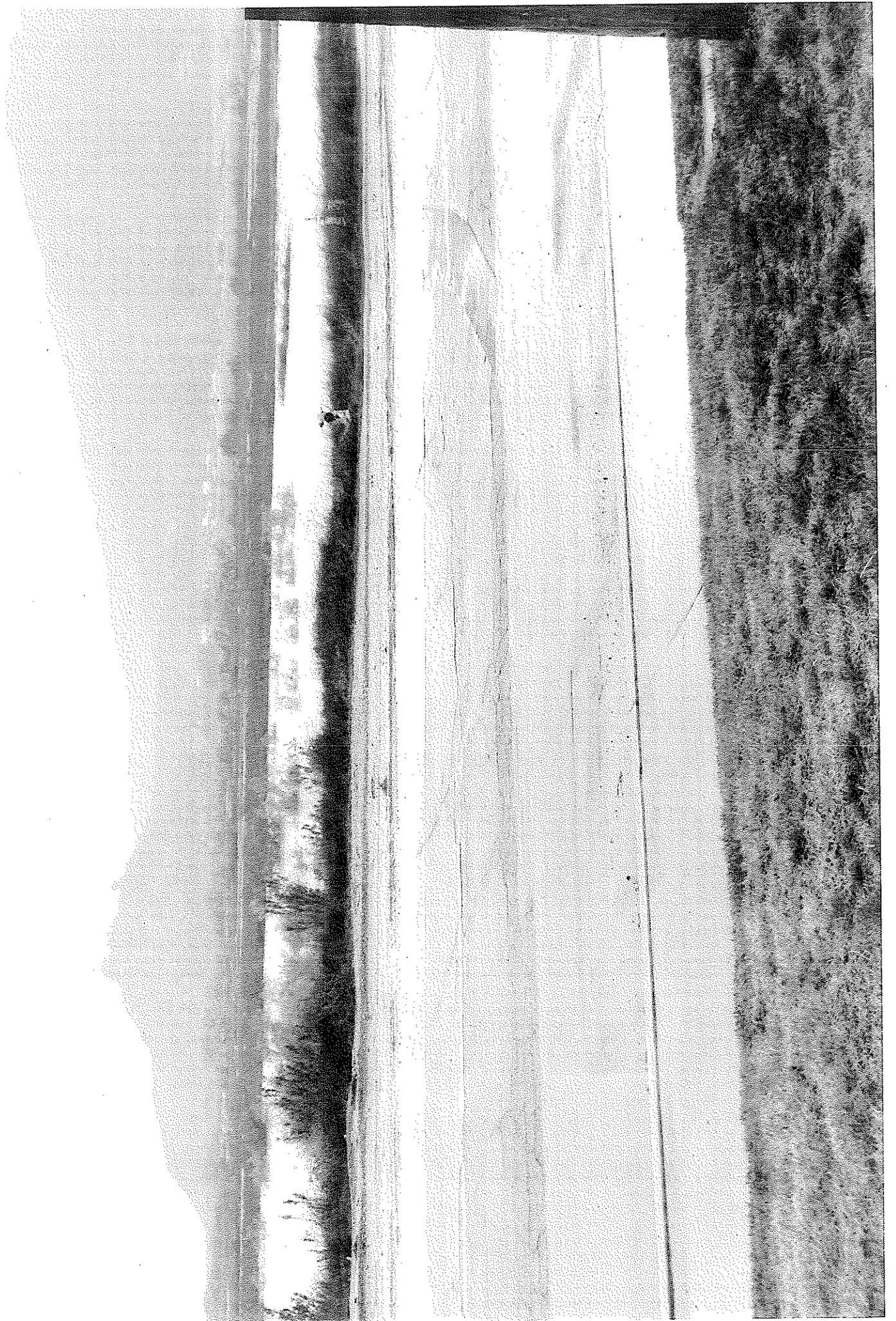


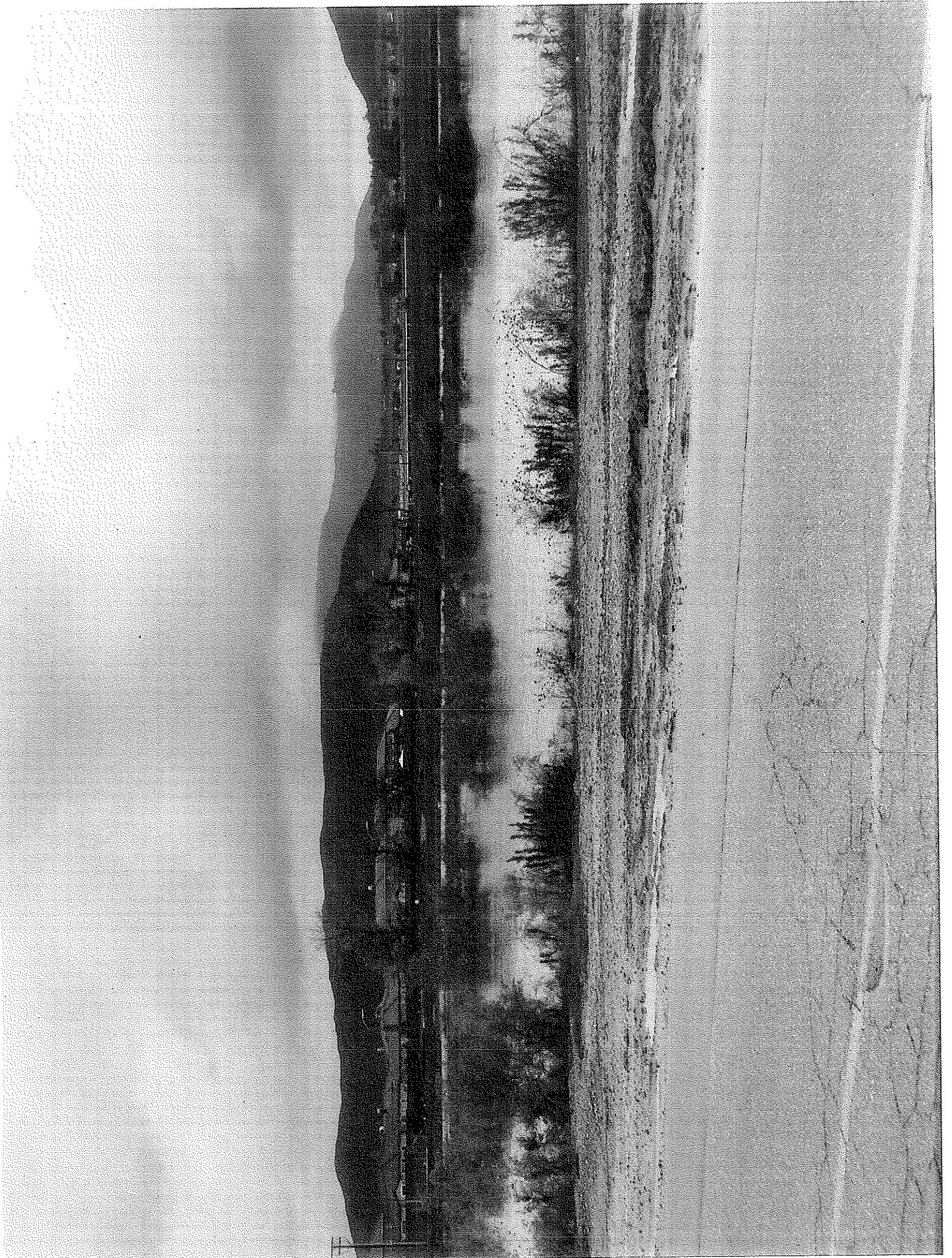
















June 20, 2011

## Specific Plan Amendment No. 06-001 - Tres Cerritos East

My name is Ryan Meeker. I am writing in regards to the proposed amendment to the eastern 146+ acres of the Hemet Valley Country Club Estates and the Environmental Impact Report prepared for this project.

I am greatly OPPOSED to the project that is described by the applicant as Tres Cerritos East, Specific Plan Amendment. Currently, this is a beautiful, undeveloped low-lying area and a natural rain runoff basin, a lake, not cemented, that helps control neighborhood flooding. To add properties such as townhome, residential, and single-family units and to disrupt the water basin and ecosystem in this area is deeply disturbing. I am challenging the nature of the project based on the following facts and issues:

The environmental impact will be catastrophic to the natural wetland that is located there now along with thousands of plants, small animals and birds. The present Environmental Impact Report prepared for this project has been done so by a company that was paid for by the developer. This alone raises ethical issues that may later lead to legal issues if the Planning Commission was to move forward based solely on a study funded by the developer rather than a study by a neutral third party.

The pollution that will be created from the construction of the 146+ acre project will be bad enough but when you consider things such as future traffic from a four-lane road (widening Cawston) and multiple vehicles at each new home, the noise, air and traffic pollution is unacceptable. It is reprehensible to take away anyone's wellbeing, including my family's and mine.

The flood control issues seem to be forgotten about and overlooked. This is easy to do since we are in the middle of June and not in December or another rainy month. The developers want to build where there is currently a lake that takes surface water runoff and keeps my neighborhood from flooding such as last December when there was excess rain and water runoff. The homes surrounding it would have had flood damage had it not been there. The developers' plan wants to take all of this away. They propose a "flood drainage

channel” along Cawston and Devonshire to take the place of the lake. This would be like providing a garden hose to drain a swimming pool, the water better not need to get anywhere quickly or someone will be likely to get wet. Extra homes and roads will cause additional water runoff, as well as the reduction in land to absorb runoff or rain. I also hope the Planning Commission will take into account the 100-year flood studies and realize the need for the lake.

The perceived “visual quality impact” is HIGH because the project will take away the view of the hills and land that is currently undeveloped, undisturbed, and natural. Contrary to what the developer would have you believe, this is not a vacant lot and it poses no threat and does no harm in its current state. Instead it provides a benefit to many animals: rabbits, squirrels, thousands of frogs, a wide variety of water loving birds including ducks and many geese in the winter months. It also provides a beautiful, natural, landscape filled with acres of grasses, plants, shrubs and trees.

The value of homes in our neighborhood will certainly go down if they take away the view and replace it with a cement flood control. After the developer has left, we have to pay to maintain and keep up the infrastructure to run the new traffic signals, streetlights, and utilities and to repave the new roads. All our taxes will go UP! Now, there is a shortage of water, so how will my water rates be affected by another neighborhoods draw on the water that is already in high demand? Then we would have to deal with higher water rates.

In your Staff Report it states that some of the endangered species can be killed off if the developer pays a FEE to Riverside County. This really sounds like offering a bribe. What could land me in jail is okay for a developer to do as long as they pay a fee? I can't pay a fee that allows me to kill an endangered species; if I was caught killing a bald eagle I would be charged with a Federal offence. But it is okay for a developer to come in and knowingly kill an endangered species? That's morally and ethically wrong and shouldn't ever be allowed, even if the developer offers to pay a fee.

Sincerely, Ryan Meeker  
4092 Via Barcelona  
Hemet, CA 92545

To Hemet City Council, re: Tres Cerritos East  
Specific Plan Amendment No. 06-001

June 20, 2011

My name is Diane Norberg. My husband Ron and I bought our first home on the corner of Cawston and Via Barcelona one year ago. One of the main reasons we chose this house was because of the view of the open area and the naturally occurring small lake to the west. As you can imagine we are very upset to learn that a developer wants to fill that area with houses and condos taking away the natural wetland that is there now along with thousands of plants, small animals and birds. Many of the homes surrounding the proposed project were in or near foreclosure at the time "public opposition" was being considered by your committee. Those homes now have new owners who oppose the "project".

It is my understanding, after looking at the plan drawings at City Hall, that the developer proposes the first 15 feet in from Cawston and Devonshire will have a line of tall trees on each side of the sidewalk "forming a canopy", then the drainage channel, then another 30 feet of more trees and landscape before the wall surrounding the homes. Tall trees directly across Cawston will CERTAINLY block our view of the hills to the west. Worse than that, the plan includes homes 3 STORIES HIGH! The view currently enjoyed by our neighbors, ourselves and from the frequently traveled major access roads, such as Cawston and Devonshire, will be significantly impacted. The so called "visual quality impact" to myself and my neighbors is HIGH because the project will be stealing the view of the hills and land that is currently undeveloped, undisturbed and natural. It is fully covered with vegetation and water, not a vacant lot and it poses no threat and does no harm in its current state.

Currently, this is a beautiful, undeveloped low-lying area and a natural rain runoff basin, a lake, not cemented, that helps control neighborhood flooding such as last December when it was almost full. (I took lots of pictures.) Almost certainly the homes surrounding it would have had flood damage had it not been there. It worked very well. This plan wants to take all of this away. They propose a "flood drainage channel" along Cawston and Devonshire to take the place of the lake. How would you like to buy a home facing a beautiful country view and then find out a developer wants to make you face a flood channel? The value of our home will certainly go down when they take that view away and replace it with CEMENT and our taxes will go up due to maintaining new streets, traffic light, streetlights, new

water supply, new electric supply and more, to accommodate 931 new homes. NO THANKS! The area is currently filled with acres of grasses, plants, brush and trees. The small lake holds water year round, even in the hottest summer months and provides homes for many animals: rabbits, squirrels, thousands of frogs, a wide variety of water loving birds large and small including ducks and many geese in the winter months. Also bats that help control the mosquitoes, large owls and hawks that help control the rodents. It is a perfect balance of the beauty of nature. It IS a huge park, they don't need to add any parks to replace it and Cawston Community Park is right across the street.

If you build there, what happens to all those animals? You know most of them would be killed or die. I read in your Staff Report that some of the endangered species can be killed off if the developer pays a FEE to Riverside County. How bizarre. It's OK to eliminate them if they pay a fee to do so. Even a child knows that's just wrong! They further state that they will use the utmost care in working around the endangered species that remain. OH SURE they will. Can you just imagine a guy running a bulldozer stopping his digging to find out if the animal or nest he just dug up is endangered? Be realistic, he just wants to meet his deadline and get paid. The digging and chemical runoff to put in cement and roads will kill off anything that just happens to survive. But your committee says it's OK as long as they are building new houses that will mean more taxes paid to the city. That's a shame.

I also find it very ironic and concerning that the *developer* is the one who selects and pays the company who did the Environmental Impact Report. Isn't that kind of like having the fox guarding the henhouse?! Shouldn't a more neutral and unbiased source do this? That company was obviously working toward getting the developer the results they need to move forward and wants them to use him again in the future. And, how on earth does he know how many owls live in that 200 plus acres??

And what happens to that basin of water? What happens to my house the next time it rains several inches in 2 days? With all the extra homes and roads they build there, there is a huge reduction in land to absorb rain. I don't need my taxes raised to provide more drains and channels. And what if the drainage they put in is not enough and our homes flood anyway? Will those new homes be a lower elevation than my home so we are sure they will deal with the flooding and not me? If they are at a slightly higher elevation than my home or if when they add the two lanes proposed to Cawston Avenue it is slightly higher I am very likely to sustain flood damage. Will they pay for the damage done to my house? I understand my

neighbors and I would have to pursue a “class action” lawsuit against the City if that happened. The City could deal with improving the drainage of the flood channel at Seattle Street in other ways than building a whole new housing track! That seems to be the only REAL reason for going forward with the development. The value and ability to sell my home at a profit is also hurt by: the increased traffic, adding over 900 more homes most likely with 2 vehicles each and adding two lanes to Cawston, as well as ruining our view.

There is NO NEED for more housing in this area! Immediately to the south of the plan is the unfinished, unfilled Pepper Tree Gated Community. I assume your committee had to approve the “plans” for that project several years ago. Only 9 out of the 470 homes are occupied. All of the townhomes are vacant. As I’m sure you know, they are not even connected to the sewer system. That developer went belly-up and abandoned the project. Why on earth would you want to build MORE homes right next to that. What if THIS project goes belly-up too? We all know the economy is terrible. That would REALLY hurt my property value.

The neighborhood immediately to the west of the plan, Track 31146, is also unfinished and unfilled. The neighborhood ¼ mile to the east on Devonshire and Madrid, is also unfinished and unfilled. Many times vacant properties bring crime such as squatters, vandalizing, graffiti, drug user and dealer havens, and homes for pests and rodents because they are untreated or controlled. Why would we want more unoccupied housing and block walls to look at instead of the wetlands that now exist? It is absolutely unnecessary!!

I challenge and invite each of you to drive up Cawston and park across from the little Cawston Community Park, step out and just spend 10 minutes looking west at the area and the mountain view in the distance. Take time to walk around the lake and stand on the dirt road in the middle of the field. Smell the air and notice it smells like sweet hay, listen to the small birds calling and making sounds you won’t hear anywhere else nearby. You might see people walking their dogs or children riding bikes down the many dirt paths. If you arrive about 8 p.m. you will see a spectacular sunset behind the mountains just past Four Seasons. Then about 8:45 a large white owl will come out of the palm tree next to my house and swoop overhead past the lake and over the open field looking for dinner. At about 9:00 you will hear thousands of frogs begin to sing to each other with an occasional croak of a bull-frog mixed in. This is what my husband and I sit on our front porch and watch almost every night. If you allow them to build houses and condos on top of this, you instead will hear people and traffic. How can you justify

taking away this little square of paradise that is already surrounded by failed housing tracks on all sides! It is the only wetlands in the area.

Please reconsider destroying it or at least reconsider the "No Project Alternative" #2 where they do not add more properties and they do not need to disrupt the water basin that exists or the animals that live around it. There is no need to fund more infrastructure and services if there are no homes built there. There would also be less noise, air and traffic pollution as well. They say you can't fight city hall so... At the very least, let me go on the record to beg you NOT to add the 16.9 acres to the project as it was already expanded and does not need to be larger. Also NOT to allow any building of 3 stories high or to allow tall trees to be put in along side of the sidewalks bordering Cawston or Devonshire whereby stealing the view from us, our neighbors and of those who drive those frequently traveled roads as well as the citizens who use Cawston Community Park.

Thank you,  
Diane Norberg  
4092 Via Barcelona

**From:** Leonard Salabao <lsalabao@roadrunner.com>  
**To:** <nshaw@cityofhemet.org>  
**Date:** 6/20/2011 1:34 PM  
**Subject:** COH: WWW INFORMATION REQUEST FORM

The following e-mail message was generated by a form submitted on the <http://www.cityofhemet.org> web site. It was submitted by lsalabao@roadrunner.com (Leonard Salabao) on Monday, June 20, 2011 at 01:34:43 PM.

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Name: Leonard Salabao  
Address: 440 N. Cawston Ave.  
City: Hemet  
State: CA  
ZIP: 92544  
email: lsalabao@roadrunner.com  
Cellular: 951-233-7674  
contact\_me\_by: e-mail

Message: My opposition regarding the plan amendment no.06-001 Tres Cerritos East. My wife Sophia and our two young sons reside here and the majestic views are a constant reminder of the beauty this valley has to offer if you build here across the street we will lose that and it means alot especially to see the birds have a place to live and other animals. Our greatest concern would be the fear of the structures not housing anyone and going to waste and taking up space for nothing as with the pepper tree housing. More and more low and middle class families are moving here and causing more crime and vandlism I have cleaned much graffiti from our city and others because I am a painter for Eastern Municipal Water Dist. it is getting bad and this housing you want to build will bring more to our parks our schools and homes. The past three years we have had vandlism hit home and we fear it will increase due to your plan. The traffic is scary we see fast drivers and this increase as well. Thank You.  
submit: Send Message

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remote address: 75.82.147.222  
remote host: cpe-75-82-147-222.socal.res.rr.com  
user agent: Mozilla/4.0 (compatible; MSIE 8.0; Windows NT 5.1; Trident/4.0; YPC 3.2.0; GTB7.0; (R1 1.5); .NET CLR 1.1.4322; ZangoToolbar 4.8.3; WinNT-EVI 19.01.2010; RRHSO\_BLD1)  
referer: [http://www.cityofhemet.org/forms/planning\\_email.htm](http://www.cityofhemet.org/forms/planning_email.htm)

**From:** Sophia Salabao <faceoffwsophie5@msn.com>  
**To:** <nshaw@cityofhemet.org>  
**Date:** 6/20/2011 1:59 PM  
**Subject:** COH: WWW INFORMATION REQUEST FORM

The following e-mail message was generated by a form submitted on the <http://www.cityofhemet.org> web site. It was submitted by faceoffwsophie5@msn.com (Sophia Salabao) on Monday, June 20, 2011 at 01:59:09 PM.

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Name: Sophia Salabao  
Address: 440 N. Cawston Ave.  
City: Hemet  
State: CA  
ZIP: 92544  
email: faceoffwsophie5@msn.com  
Cellular: 951-233-7675  
contact\_me\_by: e-mail

Message: Opposition regarding Plan amendment no. 06-001-Tres Cerritos East. I am a Homemaker raising two young sons here on the westside of town I grew up here in Hemet and most people love it here because the valley is beautiful and can be peaceful at times. The plan you have can change that in negative ways your two,three story condos and townhomes will destroy our wetlands that offer the animals their habitat the valley will seem sunk by the housing that we fear will end up like pepper tree close by. We look at that every week and think what a waste of many sorts you cannot control what type of riff raff will live there and possibly bring down the westside of Hemet. This housing is meant for low to middle class and that does come with an increase of crime and drugs do we need that anymore than we have now the schools will be flooded with it. Thank you.  
submit: Send Message

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remote address: 75.82.147.222  
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user agent: Mozilla/4.0 (compatible; MSIE 8.0; Windows NT 5.1; Trident/4.0; YPC 3.2.0; GTB7.0; (R1 1.5); .NET CLR 1.1.4322; ZangoToolbar 4.8.3; WinNT-EVI 19.01.2010; RRHSO\_BLD1)  
referer: [http://www.cityofhemet.org/forms/planning\\_email.htm](http://www.cityofhemet.org/forms/planning_email.htm)

**From:** C Harfouch <shawkyhar@gmail.com>  
**To:** "Nshaw@cityofhemet.org" <Nshaw@cityofhemet.org>  
**Date:** 6/20/2011 11:30 PM  
**Subject:** Wetland destruction

Name C Harfouch

I am a physician in hemet hospital.

I eat my lunch in cawston park when i can. i enjoy watching the birds in the pond.

It is the highlight of my day.

I am opposed to the destruction of this precious respite during a hard day's work.

Thanks for your dedication conservation.

**Nancie Shaw - Objection to Tres Cerritos East**

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**From:** Josh M <meekeer\_business@yahoo.com>  
**To:** <NShaw@cityofhemet.org>  
**Date:** Tuesday, June 21, 2011 2:38 PM  
**Subject:** Objection to Tres Cerritos East

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Regarding Specific plan amendment no. 06-0011 - Tres Cerritos East

I live adjacent to the planned development plot, and the increased air pollution would greatly impact me, as I am severely asthmatic. This, in turn, would also cause my healthcare costs to rise, which is hardly affordable as is already.

Aside from this, the view is enjoyable, but being surrounded by new buildings to the west would box us in, and spoil the beauty of the current view.

Joshua Meeker  
4092 Via Barcelona

**4m**

**Nancie Shaw - Additional Info. RE: Opposing Cawston Ave. - Proposed Condo Building Project**

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**From:** Kywana Hooks <Kywana.Hooks@phh.ms>  
**To:** "nshaw@cityofhemet.org" <nshaw@cityofhemet.org>  
**Date:** Tuesday, June 21, 2011 2:40 PM  
**Subject:** Additional Info. RE: Opposing Cawston Ave. - Proposed Condo Building Project

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Dear Ms. Shaw,

One other point, we wanted to add to our email below as to why we are *opposing* the building project on Cawston/Devonshire Ave. Is that we do not want to see our present schools (Cawston Elementary, Rancho Villejo Middle School and Tahquitz High School) which our daughters currently attend, get over-crowded, which could affect the quality of education our daughters and other students receive.

Thank you.

Robert & Kywana Hooks  
 430 N. Cawston Ave.  
 Hemet, CA 92545  
 kywana.hooks@phh.

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**From:** Kywana Hooks  
**Sent:** Monday, June 20, 2011 4:48 PM  
**To:** 'nshaw@cityofhemet.org'  
**Subject:** Opposing Cawston Ave. - Proposed Condo Building Project  
**Importance:** High

Dear Ms. Shaw,

Thank you for allowing our community to contact you regarding the proposed Condo building project on Cawston Ave. My family presently lives on Cawston Ave. and **we do not support this building project on or near Cawston/Devonshire Ave.** We agree that this is a wetland that is inhabited by many different animal and birdlife—not a threat to local residents living on or near this field. There is becoming less and less areas in Hemet for these animals to dwell on.

This area of land is one of the few areas in Hemet that is large and secure enough that families and individuals enjoy walking, running, bicycling, photographing etc. on that is untouched by industrial or a manufacturing influence.

We are concerned that a building project will bring increased traffic to the area.

Furthermore, there are many building sites including housing tracts and other condo buildings within our area that due to the present economy were unable to attract homebuyers within the last 2-5 years. I think one of the other reasons is that if you need to do shopping other than grocery, most residents, like my family, have to travel out of the area to Temecula or Moreno Valley. In my opinion, this would be another deterrent for many to move to this area if they have to travel out of the area for major shopping needs of themselves and/or their families.

Again, **we do not support this building project on or near Cawston/Devonshire Ave.** and we hope that the Hemet City Council will consider another, more suitable area for this project.

Respectfully,  
 Robert & Kywana Hooks  
 430 N. Cawston Ave.  
 Hemet, CA 92545  
 kywana.hooks@phh.ms

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4n

*Kathy Smigun  
24515 California Ave #20  
Hemet CA 92545*

June 19, 2011

Planning Commissioners:

John Gifford

Sharon Deuber

Vince Overmyer

David Rogers

Chauncey Thompson

**Re: Tres Cerritos East SPA No. 06-001 & EA No. 06-019**

Dear Commissioners:

While you are reviewing the above SPA and EA, I am requesting that you consider the following issues:

1. This project is not compatible with the existing housing types used in the west end. It places a high density of housing in a small area which will overtax the existing and proposed infrastructure and roads. Tres Cerritos East measures less than 163 acres, with almost 40 acres being set aside for main roads, neighborhood parks, trails and one 5-acre hilltop estate. That leaves 123 acres where the 753 homes/condos will be concentrated along with acreage needed for the neighborhood roadway system.
2. The phasing of the project places planning areas 10 through 15 in the first stage to be built. These are the units with the highest density including two and three story townhomes or garden homes, and this is the area that is presently being market for sale to a builder/developer. After completing this first phase, I suspect that the applicant will return to the Planning Commission with a plea for additional housing density because the "economy has not improved" and he sees a "need for more affordable housing" provided by an even higher density.
3. Will this become an area of rental homes rather than a neighborhood of homeowners because of the density? This area could easily become a concentrated area of rentals that requires intensive servicing by the local police department. Does this meet with the City of Hemet's "vision" for this area?
4. If this neighborhood is marketed to families, where will they store their RV's, ATV's, boats and extra cars? The houses are placed only ten feet apart. Most people can only fit one car at most in a garage nowadays. Where will the remaining vehicles be parked? Are the roads wide enough to park cars on both sides of the neighborhood streets and still allow two-way traffic to drive through?

5. Only small neighborhood parks are proposed, along with one "approximately" 4,000 sq. ft. recreation center on one acre with 14 diagonal parking spaces and 22 street parking spaces. Is this recreation center and parking adequate for 754 homes/condos averaging at least one child per home? If you plan for approximately three people per home there will be 2262 people using this one area.
6. **Tres Cerritos West SP 90-009** was approved by the City of Hemet on 11 January 2005 for 177 dwelling units on 190 acres. It has been six years since this approval. Have any houses been built? When will this specific plan expire due to lack of use?
7. **Tres Cerritos East continues to be for sale** on the real estate market stating:
  - a. "This offering provides an opportunity for a developer/builder to obtain 526 paper lots pending tentative map approval. The specific plan for a 787 unit master planned subdivision is going through the final steps of the process with the City of Hemet."
  - b. Are these property owners wasting the City of Hemet's and the Planning Commission's time since the goal appears to be to divide Tres Cerritos East into four sections and sell the entitlements?
8. Menlo Avenue will cut through the development diagonally and appears to be a boulevard with a landscaped center. This will become a short cut to Devonshire and Florida and will encourage heavier traffic flows on these side streets. Was this route included in the proposed general plan? Does the City of Hemet want this road to become a main thoroughfare through a neighborhood?
9. Drainage: Houses are allowed to cover 65% of the lots. When you add in detached garages, patio covers, driveways, streets (area and neighborhoods), the rainfall runoff will be extensive in an area that already receives a massive amount of drainage from the Tres Cerritos Hills and the entire valley uphill from here. There is only one "interim" storm water basin included in the plan which is stated to be large enough to store drainage flows from a one hundred year flood event. I am not an engineer but I can look at this plan and see that it is not possible for this statement to be true. Isn't each project required to contain the runoff from its own property?

I am trusting that the City of Hemet Planning Commission will review this project and reject it as one that is not needed for this location because of the problems that it will create for the City and residents down the line.

Sincerely,



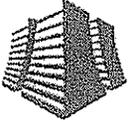
Kathy Smigun

cc: Deanna Eliano

Douglas Wilson Companies 450 B Street, Suite 1900  
San Diego, California 92101  
phone: 619.641.1141 fax: 619.641.1150  
www.douglaswilson.com

August 31, 2009

Ron Running, Planner  
CITY OF HEMET  
445 E. Florida Avenue  
Hemet, CA 92543-4209



Re: Tres Cerritos East Specific Plan Amendment No. 06-001

Dear Mr. Running,

On June 17, 2008, Douglas P. Wilson was appointed Receiver for the Peppertree development, which is adjacent to the referenced Tres Cerritos project. Our office manages the receivership estate. One of the resident Peppertree homeowners forwarded to us a copy of the Notice of Public Workstudy for Tres Cerritos, which was held July 21, 2009. Unfortunately, we did not receive the notice in time to attend the meeting. Please consider this our request to be added to the Tres Cerritos notice list and forward notices to:

Douglas P. Wilson, Receiver  
for PCG-Peppertree, L.P.  
c/o Douglas Wilson Companies  
450 B Street, Suite 1900  
San Diego, CA 92101

Our office is particularly interested in discussions pertaining to the proposed realignment of Menlo Avenue. As you know, Peppertree's approved development plans require certain work on Menlo, including improving half of the street width. Additionally, approximately 1,000 LF of failed sewer line exists and must be repaired in the current Menlo alignment to provide permanent sewer service to the Peppertree project and its current resident homeowners. Any changes to the Menlo alignment will have significant impact on the Peppertree project. We understand that the Tres Cerritos proposal is still in the early planning stages and you have shared with me that the applicant must reach an agreement with the Peppertree project in order to gain approval for such realignment. As a courtesy, I am copying the applicant's contact, Mel Mercado, on this letter.

Thank you for the information and your assistance. Should you have any questions, please do not hesitate to contact me at (619) 641-1141.

Sincerely,

Liz Albano  
Agent for Douglas P. Wilson, Receiver

cc: Mel Mercado, Corman Leigh Communities

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VALLEY-WIDE RECREATION & PARK DISTRICT

P.O. Box 907 • 901 W. Esplanade Avenue  
San Jacinto, CA 92581  
(951) 654-1505 - District Office

RECEIVED

JUL 23 2009

PLANNING DEPT

July 20, 2009

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

Re: Tres Cerritos East Specific Plan Amendment

Dear Members of the Planning Commission:

Valley-Wide Recreation and Park District is in receipt of the Notice of Public Workstudy regarding the Specific Plan Amendment No. 06-001 (Tres Cerritos East). In May of 2008 Valley-Wide Recreation reviewed the Tres Cerritos East Specific Plan Amendment and submitted written correspondence to the City of Hemet with the following concerns:

- The 20.1 acres of proposed park acreage is not usable as park acreage. A 10.4 linear park that is in an easement owned by the Metropolitan Water District and a 3.7 acre private park leaves only 6 acres of park acreage which is divided into three (3) two (2) acre parks. The 10 acre linear park as it is designated is there regardless of development. It is an additional amenity above and beyond set standards. Development should be required to improve said property in addition to a 10 acre active public park in one central location. The city should ask for quality not quantity.
- The 6 acres of public parks among three park sites located within the development is poor planning. Three (3) two (2) acre parks are mini parks which do not allow for active recreational uses. They become hang outs and crime zones. Further, they appear to be detention or water quality basins. These parks are similar to the Lennar Tract adjacent to West Valley High School. Which are not useable and functional today? Again, development should be conditioned to provide a 10 acre active public park in one central location.

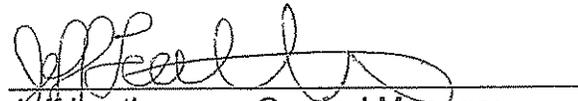
4q

Planning Commission  
July 20, 2009  
Re: Tres Cerritos East Specific Plan Amendment  
Page 2

- Private parks do nothing to mitigate the impact of a new large planned community.
- The Specific Plan Amendment states "The increase in population that could result from implementation of the Proposed Project, in conjunction with other development projects in the region, could affect regional recreational resources in the City of Hemet and Riverside County." An increase in population **will** result from implementation of the Proposed Project and if the development of on-site facilities at other development projects in the region are held to the same low standard as this Specific Plan they will **not** "negate the potential cumulative impacts to recreation resources" in the region.
- Ninety-three percent (93%) of the proposed dwelling units are on small lots (6,000 square feet or less). The City should look to lessons learned from KB Home development of Belmonte-Seville next to Four Seasons; small lots, no parking and no sidewalks leaves a community with streets littered with cars; exhibited in said subdivision still evidenced today. Why replicate poor planning?

Since this is a Specific Plan, more than the minimum should be demanded. Require development agreement to insure maximum benefit based on population for the City and the region.

Sincerely,



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Jeff Leatherman, General Manager  
Valley-Wide Recreation and Park District

cc: Mayor Eric McBride

# **Attachment No. 5**

## **Previous Planning Commission Meetings Staff Report & Minutes**

**[Provided previously, available for review at the  
Planning Department]**