

PLANNING COMMISSION

AGENDA

REGULAR MEETING OF THE HEMET PLANNING COMMISSION

City Council Chambers

450 East Latham Avenue, Hemet CA 92543

April 2, 2013

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 Vince Overmyer, and Commissioners, Michael Perciful, and Greg Vasquez. (*Newly-Appointed Commission Crimeni is absent with prior notice*)

Invocation and Flag Salute: Commissioner Vasquez

2. CERTIFICATE OF RECOGNITION FOR COMMISSIONER NASSER MOGHADAM – *Presented by Chairman Gifford*

3. APPROVAL OF MINUTES:

A. Minutes for the Planning Commission Meeting of March 5, 2013

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 HEARING ITEMS

Meeting Procedure for Public Hearing Items:

1. Receive Staff Report Presentation
2. Commissioners report any Site Visit or Applicant Contact, and ask questions of staff
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. CONDITIONAL USE PERMIT NO. 12-007 (HEMET JEWELRY & LOAN)

APPLICANT: Hemet Jewelry and Loan - Eduardo Salas
LOCATION: 2355 E. Florida Avenue
PLANNER: Emery Papp

DESCRIPTION: Consideration of Resolution Bill No. 13-007 affirming the Planning Commission's denial of a Conditional Use Permit for the operation of a collateral loan business (secondhand store/pawn shop) located at 2355 E. Florida Avenue.

Recommended Action:

That the Planning Commission:

1. Adopt Planning Commission Resolution Bill No.13-007, denying CUP12-007.

6. CONDITIONAL USE PERMIT NO. 13-001 (AT&T @ BEREAN CHURCH)

APPLICANT: Mitchell Bryant – Coastal Business Group for AT&T Mobility
LOCATION: 375 North Sanderson Avenue
PLANNER: Carole L. Kendrick — (951) 765-2375

DESCRIPTION: A request for Planning Commission review and approval of a Conditional Use Permit allowing the construction and operation of a major ground mounted telecommunication facility and associated equipment consisting of a 65' pole camouflaged as a monopine located on the west side of Sanderson Avenue, north of Devonshire Avenue and south of Menlo Avenue, with consideration of an environmental exemption pursuant to CEQA Guidelines Section 15332.

Recommended Action:

That the Planning Commission:

1. Adopt the attached Planning Commission Resolution Bill No. 13-006 (Attachment No. 1), approving CUP 13-001 subject to the findings and conditions of approval, and;
2. Direct staff to file a Notice of Exemption with the County Clerk.

DEPARTMENT REPORTS

7. **CITY ATTORNEY REPORTS:** *Verbal report from Assistant City Attorney Stephen McEwen on items of interest to the Planning Commission.*

8. **COMMUNITY DEVELOPMENT DIRECTOR REPORTS:**
 - A. Summary report regarding City Council Meeting of March 26, 2013
 - B. Election of Planning Commission Chair and Vice-Chair scheduled for the May 7, 2013 Meeting

9. **HEMET ROCS CITIEN ADVISORY COMMITTEE REPORT** *-report from Chairman Gifford regarding the CAC meeting of March 28, 2013.*

10. **PLANNING COMMISSIONER REPORTS:** *Commissioner reports on meetings attended or other matters of Planning interest*
 - A. Chairman Gifford
 - B. Vice Chair Overmyer
 - C. Commissioner Crimeni
 - D. Commissioner Perciful
 - E. Commissioner Vasquez

11. **FUTURE AGENDA ITEMS:**
 - A. Zoning Ordinance Compliance Updates for the Housing Element
 - B. General Plan Consistency Zoning Updates
 - C. General Plan Annual Report
 - D. CUP-12-002 Tractor Supply, Inc.
 - E. SDR for Woodside Homes (McSweeny Farms SP)
 - F. Workstudy for Proposed 2014-2021 Housing Element Update
 - G. Workstudy for Proposed Ramona Creek Specific Plan

12. **ADJOURNMENT:** To the meeting of the City of Hemet Planning Commission scheduled for **April 16, 2013 at 6:00 P.M.** to be held at the City of Hemet Council Chambers located at 450 E. Latham Avenue, Hemet, California 92543.

NOTICE TO THE PUBLIC:

Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection at the Planning Department counter of City Hall located at 445 E. Florida Avenue during normal business hours. Agendas for Planning Commission meetings are posted at least 72 hours prior to the meeting. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in the meeting, please contact the Planning Department office at (951) 765-2375. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to insure accessibility to the meeting. (28 CFR 35.102-35.104 ADA Title II).

AGENDA #3A

PLANNING COMMISSION

MEETING MINUTES

DATE: March 5, 2013

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 Vince Overmyer, and Commissioners Nasser Moghadam and Greg Vasquez

ABSENT: Commissioner Michael Perciful

Invocation and Flag Salute: Chairman John Gifford

2. APPROVAL OF MINUTES:

A. Minutes of the February 5, 2013 Meeting

It was **MOVED** by Vice Chairman Overmyer and **SECONDED** by Commissioner Moghadam to **APPROVE** the February 5, 2013 Meeting Minutes, as presented.

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

AYES: Chairman Gifford, Vice Chairman Overmyer, and Commissioners Moghadam and Vasquez

NOES: None

ABSTAIN: None

ABSENT: Commissioner Perciful

B. Minutes of the February 19, 2013 Meeting

After a brief discussion it was **MOVED** by Vice Chairman Overmyer and **SECONDED** by Commissioner Moghadam to **APPROVE** the February 19, 2013 Meeting Minutes, as presented.

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

AYES: Vice Chairman Overmyer and Commissioner Moghadam

NOES: None

ABSTAIN: Chairman Gifford and Commissioner Vasquez

ABSENT: Commissioner Perciful

1 **3. PUBLIC COMMENTS:**
2

3 There were no members of the public who wished to address the Commission
4 regarding items not on the agenda.
5
6

7 **PUBLIC HEARING ITEMS**
8

9
10 **4. CONDITIONAL USE PERMIT NO. 12-010 (Los Altos Restaurant and Rental Hall**
11

12 **APPLICANT:** Los Altos Restaurant – Miranda Family
13 **AGENT:** Gabriela Miranda
14 **LOCATION:** 129 North Carmalita Street
15 **PLANNER:** Soledad Carrisoza – (951) 765-2375
16

17 **DESCRIPTION:** A request for Planning Commission review of a Conditional Use
18 Permit for the operation of a banquet/rental hall in conjunction with an existing
19 family restaurant located at 129 N. Carmalita Street, with consideration of an
20 environmental exemption pursuant to CEQA Guidelines Section 15301, Existing
21 Facilities.
22

23 Chairman Gifford noted that there was a request by staff to move this item to a different
24 meeting.
25

26 CDD Elliano responded that there were a number of questions regarding this item that
27 needed more explanation by the applicant as well as additional materials that have not
28 yet been received. Due to this, CDD Eliano asked to continue Conditional Use Permit
29 No. 12-010 off calendar, noting that staff would re-advertise the public hearing once the
30 additional materials are received and the item is rescheduled.
31

32 Chairman Gifford entertained a motion to continue Conditional Use Permit No. 12-010,
33 off-calendar.
34

35 It was **MOVED** by Vice Chairman Overmyer and **SECONDED** by Commissioner
36 Moghadam to **CONTINUE** Conditional Use Permit No. 12-010 **OFF-CALENDAR** and
37 **READVERTISE** the public hearing on this item.
38

39 The **MOTION** was carried by the following vote:
40

41 **AYES:** Chairman John Gifford, Vice Chair Vince Overmyer, and Commissioners
42 Nasser Moghadam and Greg Vasquez
43

44 **NOES:** None

45 **ABSTAIN:** None

46 **ABSENT:** Commissioner Michael Perciful
47
48
49
50

1 **5. CONDITIONAL USE PERMIT NO. 12-007 (Hemet Jewelry and Loan) – Continued**
2 **from February 19, 2013**
3

4 **APPLICANT:** Hemet Jewelry & Loan - Eduardo Salas
5 **AGENT:** Rosie Salas
6 **LOCATION:** 2355 East Florida Avenue
7 **PLANNER:** Soledad Carrisoza – (951) 765-2375
8

9
10 **DESCRIPTION:** A request for Planning Commission review of a Conditional
11 Use Permit for the operation of a collateral loan business (secondhand store/
12 pawn shop) in an existing building located on the southeast corner of Florida
13 Avenue and Yale Street at 2355 E. Florida Avenue in the C-2 (General
14 Commercial) zone, with consideration of an Environmental Exemption pursuant
15 to CEQA Guidelines Section 15301.
16

17 (PowerPoint presentation by Principal Planner Papp)
18

19 Commissioner Moghadam commented on the inadequacy of the parking spaces for the
20 size of the building on the lot.
21

22 Planner Papp responded that by today's standards there would be reciprocal use
23 parking spaces in the center at this time.
24

25 Commissioner Moghadam asked if reciprocal parking spaces were included with this
26 center.
27

28 Planner Papp affirmed there was reciprocal parking.
29

30 Discussion continued regarding the adequacy of parking.
31

32 Planner Papp continued with his Powerpoint presentation. He advised that Staff had
33 reviewed the proximity of other pawnshops and second-hand locations in relation to
34 this proposed use and shared a map which showed the proposed location on the east
35 side of town with existing pawnshops and second-hand store locations.
36

37 Discussion ensued regarding other loan businesses within the City of Hemet and near
38 the subject area.

39 Planner Papp indicated that he knew of only one other loan business nearby and had
40 prepared a list with the addresses of the entire loan, second-hand, and pawn shop
41 stores, along with photos of each establishment.
42

43 CDD Elliano indicated that these had been identified and can be obtained at City Hall
44 or put on-line for the public's review as part of the staff report materials.
45

46 Commissioner Vasquez noticed that the Planning Department list did not include a
47 Payday Loan business located just a block away from the subject property in the City
48 of Hemet on Florida Avenue and Mayflower Street. He further noted that a new one
49 had recently opened at the Shell gas station on Florida Avenue and Warren Road.
50

Chairman Gifford indicated that these had been approved before Commissioner
Vasquez was appointed to the Commission.

1 Vice Chairman Overmyer added that the ones on the list are there because they buy
2 and sell and that the jewelry retail sales outlets are indicated because they buy as well.

3
4 Commissioner Moghadam wondered if any of the pawnshops within the city limits
5 pawned firearms.

6
7 Planner Papp responded that he was not aware of any, but that the police department
8 had not had any permits to sell firearms processed through them as of this date.

9
10 Commissioner Vasquez asked the applicant to respond to the material on pages 11
11 and 12 of the staff report, which indicates that an incident had occurred at one of his
12 stores in another city, and that the applicant had been very cooperative with law
13 enforcement regarding that incident. He wondered what type of incident had
14 happened..

15
16 Planner Papp responded that the Development Review Committee (DRC) had asked
17 the same question of the applicant, and were advised that they had never had a need
18 to call the police department for a violent crime, but that sometimes they do receive
19 property that they suspect is stolen so they give that type of information to law
20 enforcement on a routine basis. In addition, the Moreno Valley Police Department
21 comes and takes a look at their inventory from time-to-time to see if any of their items
22 match ones they know to be stolen.

23
24 Vice Chairman Overmyer wondered, in terms of findings, if the proposed location of the
25 conditional use would pose a problem or be detrimental to the public health, safety or
26 welfare.

27
28 Planner Papp indicated that the preliminary findings were included in the staff report
29 and could be found on pages nine and ten in the report dated February 19th.

30
31 Vice Chairman Overmyer noted that according to resident and business owner Howard
32 Rosenthal, he had discussed this with some of the owners of the businesses in the
33 strip mall and they had responded that they thought it might hurt their business or that
34 they might even consider relocating if such a business were to move in, as they felt it
35 might be injurious to the current businesses.

36
37 Planner Papp indicated that since there were two Commissioners absent for the
38 discussion of this item at the last meeting, he had prepared a two-page cover with
39 staff's original findings included as an attachment. He felt it would not be the best
40 course of action to switch course midway with information from the last Planning
41 Commission meeting and rather let the Planning Commission discuss amongst
42 themselves whether or not they still felt that those findings could be made.

43
44 Commissioner Moghadam questioned the number of restrooms and their use for the
45 public and/or staff.

46
47 Planner Papp indicated that the applicant would need to respond to this question.
48
49
50

1 Commissioner Vasquez inquired about the staff analysis which indicated concern
2 about the prospects of a pawnshop operating on this prominent location on Florida
3 Avenue. He wondered about the potential for nuisance activities which are unwanted
4 in the City of Hemet.

5
6 Planner Papp advised that at the DRC meetings, the applicant had described their
7 methods of doing business, and their reason for selecting a previous bank building
8 which included adequate security under lock and key. In addition, the applicants'
9 history of having a positive relationship with local law enforcement signaled their good
10 intentions, and this information changed their opinion for this particular use at this
11 location.

12
13 Commissioner Vasquez continued wondering if this information eliminated the concern
14 for attracting nuisances and the potential for behaviors that are unwanted in the
15 community. He further wondered why the fact that the applicant has security measures
16 in place would influence the Planning Department determination regarding this.

17
18 Planner Papp indicated that surveillance equipment, lighting, and additional signage
19 would discourage the aforementioned types of behavior.

20
21 Commissioner Moghadam inquired about the CUP requirements and the 500-foot
22 radius notification to the neighbors, and expressed his concern about advertisement in
23 local newspapers as to this request for a CUP.

24
25 Planner Papp explained that state law requires one of three things: Post a notice in the
26 paper, send direct mail to surrounding property owners, or post the site. He indicated
27 that routinely they do two of the three—post in the paper and send notification to the
28 surrounding property owners.

29
30 Commissioner Vasquez asked if roll-up doors were required on visible windows for this
31 project.

32
33 Planner Papp indicated that this had been addressed by the Building and Safety
34 Division at the DRC meeting. He advised that this would not be an issue and that the
35 roll-up windows would be inside the windows themselves. He suggested that the
36 applicant might like to respond to these questions.

37
38 Chairman Gifford re-opened the public hearing and asked to hear from the applicant
39 first.

40
41 Mr. Dominique Tinks of Riverside, California addressed the Commission as a
42 representative for the applicant, and responded regarding how the site had been
43 chosen. He indicated that the considerations were traffic and exposure, as well as the
44 security of the building. Regarding the public's concern about pawnshops in general,
45 he noted that the pictures of the proposed building depict the fact that they don't even
46 look like pawnshops, but rather resemble a retail facility. In addition, they also design
47 jewelry, which is contracted out. He assured the Commission that Mr. Salas, the
48 owner, is dedicated to ensuring the health and safety of his customers and staff is
49 central in his concern. He further indicated that Mr. Salas would soon be a San
50 Bernardino County Sheriff as well. Mr. Tanks explained that the owner would actually
be assisting the police department. He noted that locating the business in a former

1 bank building was for security reasons, and advised that while the Moreno Valley and
2 Yucaipa stores were properly permitted to sell firearms, that was not being proposed
3 for this location, and there would be no loans provided for any weapons.

4
5 Chairman Gifford wondered, industry-wide, if there was a tendency for people to get
6 their stuff back in a "disingenuous" manner.

7
8 Mr. Tinks responded that they have not seen this happen, but it varies and depends on
9 how you treat your clients. He added that the tangible goods promote good retail
10 business too.

11
12 Chairman Gifford asked how much of the business relies on loans, and how much of it
13 is from sales.

14
15 Mr. Tinks responded that 90% of the profits come from loans.

16
17 Vice Chairman Overmyer asked if the owner would act as a security person.

18
19 Mr. Tinks responded that there would most likely be an off-duty officer handling the
20 security most of the time, but that the owner would also fill that position on occasion.

21
22 Commissioner Moghadam inquired about the restroom complex.

23
24 Mr. Tinks responded that two restrooms would be reserved for staff, and the other two
25 would be for the public, including those for the disabled. He also shared that the owner
26 would make a significant investment and that he knows and understands that health
27 and safety is key and would run a respectable business, as he has run his other
28 existing businesses. He assured the Planning Commission that Mr. Salas is investing
29 in the City of Hemet to stay, noting that while he wants to make a permanent mark in
30 the city, at the same time he hopes to change the image of what the public typically
31 thinks of pawnshops.

32
33 Commissioner Moghadam wondered if the Yucaipa store had shutters from inside or
34 outside.

35
36 Mr. Tinks advised the Commissioner that they located on the inside and were difficult
37 to see noting that the same type of roll-ups would be used in the Hemet store.

38
39 Commissioner Vasquez wondered if Mr. Salas ultimately being a deputy sheriff would
40 have conflict of interest.

41
42 Mr. Tinks assured him that the process of being accepted to the sheriff's academy
43 involved exhaustive investigation, and he was sure Mr. Salas would not have been
44 accepted had there been a conflict. Also, they would advertise that he has connections
45 to law enforcement.

46
47 Commissioner Vasquez asked what types of incidents have been reported that caused
48 police action or investigation

49
50 Mr. Tanks listed such things as serial numbers being obliterated, which demands an
immediate check with law enforcement. He also listed security measures, including

1 lighting, surveillance systems both exterior and interior, as well as security personnel
2 and safety training for employees. The decision whether the guard will be armed or not
3 is one made by the Hemet Police Department. There will be metal window coverings
4 when the store is closed, which will be interior. Accepted identifications required
5 include California ID, military ID and passports, which are checked. Only about one-
6 percent of customers have no identification, and they will be denied service. The best
7 stores in this system see between 2,000 and 3,000 customers a month.

8
9 Commissioner Overmyer expressed concern that this type of business would ultimately
10 shrink, if the demographics of the valley improve. There is market for it now, but the
11 hope is for something else in the future.

12
13 Mr. Tinks commented that these establishments do well even when the economy is
14 booming. There are 37 pawnshops in Beverly Hills.

15
16 Chairman Gifford opened the public comment portion of the hearing.

17
18 Mr. Lou Parker (26616 South Yale, Hemet) expressed his concern regarding crime in
19 the immediate area, such as smash-and-grab crimes. He felt installing double doors,
20 which would involve buzzing in the client, might be helpful. Over all, he was opposed
21 to this business location.

22
23 Mr. Howard Rosenthal (1600 East Florida Avenue, Hemet) spoke, representing several
24 entities in the area (the former Long's Drug Store, the building on the westerly end of
25 the center, with eight tenants, and the space on Yale Street that's empty, the CNC
26 medical plaza, and the Century 21 building). He stated that all are opposed to this
27 business coming into the area, with a few threatening to relocate if it does. He pointed
28 out the lack of parking and stated that while he is sure the business would be well run,
29 he felt that Hemet does not need it. He gave a short history of centers with mixed
30 owners and the difficulty of enforcing the CC&Rs, the crime and gang activity, and the
31 theft that makes maintaining the operation of the business difficult.

32
33 Ms. Lisa Pauro (27338 Rosemont Way, Hemet) an ICU nurse, spoke in opposition to
34 the proposal, noting the change in demographics of the patients she sees now, such as
35 drug overdoses, noncompliant patients, and fewer snowbirds because they are afraid
36 to spend winters in Hemet. She noted the increase in the types of stores leaving the
37 area, such as Harris', JC Penney and Sharkies. She felt the need to stop catering to
38 lower income and non-income citizens because it's driving good citizens away. The
39 recycling of metals stolen from legitimate businesses is making it harder to maintain a
40 viable base. You used to see elderly people walking their dogs; now it's a homeless
41 person with a shopping cart full of their possessions.

42
43 Ms. Melissa Donahoe (4495 Cloudywing Road, Hemet) was concerned about the crime
44 in the area, and especially in the parking lot by the proposed pawnshop. She
45 wondered what is considered a weapon.

46
47 Mr. Robert Hundley (1995 West Esplanade Ave, Hemet) owns a pawnshop and feels
48 every town should have a couple of them, but noticed that this one is a million-dollar
49 shop. He wondered if the business was a sole proprietorship or owned by a group. He
50 felt if it is owned by one man who wants to be a police officer, something isn't right.

1 Chairman Gifford requested that the speaker deal with his concern for the community
2 instead of questioning the character of the applicant.

3
4 Mr. Hundley did not feel that security was an issue in his pawnshop. Nobody who has
5 stolen goods is going to come in, because they will be ID'd. He has run his business
6 for 10½ years and has only had the police in his shop ten times. He reports to the
7 Police Department weekly, noting that there is a detail person that handles pawnshops.

8
9 Ms. Christi Mayers (125 North Yale, Hemet), has been a business owner in the area for
10 55 years. She noted that every operator pays their share of the upkeep of the parking
11 lot, lighting, etc.

12
13 Ms. Heather Donahoe (3430 Morro Hill Road, Hemet) moved into the area ten years
14 before Walmart went in close to West Valley High School. She noted that crime has
15 increased significantly and traffic around her home makes it difficult to get in and out of
16 her driveway. She hears good things about this particular pawnshop; her concern is
17 about its location. The demographic change in the city frightens her and when she
18 feels threatened, she takes her business to Temecula. She feels the Commission
19 needs to be extremely careful about the decisions it makes.

20
21 Chairman Gifford closed the public hearing and invited Mr. Tinks to respond.

22
23 Mr. Tinks indicated his understanding of the concerns expressed by the citizens and
24 wants them to know that this business will be a deterrent rather than an attraction to
25 crime because of the business's surveillance, its immediate contact with the police, and
26 its work with law enforcement in removing criminals from the streets of Hemet.

27
28
29 Commissioner Moghadam asked what process would be required to eliminate a CUP.

30
31 Planner Papp responded that revocation of a conditional use permit could be
32 implemented if there were violations of the conditions, nuisance activities, criminal
33 activity, or if a business is found to be doing something other than what was indicated
34 in their business plan.

35
36 Chairman Gifford noted that a letter was sent by Commissioner Perciful to CDD Elliano
37 and will become part of the record.

38
39 CDD Elliano outlined Commissioner Perciful's concerns as follows: He wants to make
40 sure Hemet moves forward in a positive direction. He has mixed feelings about the
41 pawnshop, but wants to see vacant buildings filled; however, the city needs smart,
42 responsible growth and with there being 11 similar types of stores in the city, second-
43 hand and pawnshops in the area of Florida Avenue and Yale Street, crime has
44 increased significantly over the years.

45
46 Chairman Gifford queried CDD Elliano about language regarding the required findings
47 in the summary staff report, with the answer being that page nine was part of the
48 original staff report, with page three language being the most recent, and what should
49 be utilized.
50

1 Chairman Gifford also asked for clarification of language from City Attorney McEwen
2 regarding "policies and guidelines" and was advised that this phrase was meant to be
3 an all-encompassing phrase that would include municipal code, general plan,
4 commercial design guidelines, etc. For a CUP to be denied or adopted, there have to
5 be findings to support the decision.

6
7 Commissioner Vasquez indicated that he has been struggling with this decision, doing
8 research and asking for help from Planning staff, who have done an outstanding job of
9 presenting facts to him. He, however, does not agree with their conclusion because he
10 feels it doesn't correspond to the General Plan. He then provided a detailed overview
11 of several General Plan sections and policies, pointing out the policy language
12 supporting his view that the proposed use was not consistent with the General Plan.

13
14 Vice Chairman Overmyer indicated that he had asked himself if this would be good for
15 Hemet, and could not, in good faith, answer that with a positive response.

16
17 Commissioner Moghadam stated that Finding No. 2 was the sticking point for him; the
18 finding is not to his satisfaction to approve the location based on the testimony
19 presented.

20
21 Chairman Gifford agreed with much of the analysis and indicated that it's the
22 Commission's responsibility to balance the needs of the community. The General Plan
23 is designed to improve the quality of life for the people of Hemet and to be balanced.
24 He agreed that this is not the right business for this particular area, and the use would
25 not improve the community.

26
27 Commissioner Vasquez, who had proposed an initial motion for denial, rescinded his
28 first motion and replaced it with this one:

29
30 It was **MOVED** by Commissioner Vasquez and **SECONDED** by Vice Chairman
31 Overmyer to deny Conditional Use Permit No. 12-007, subject to the appropriate
32 findings, as stated, and direct staff and the city attorney to prepare a revised resolution
33 for formal adoption by the Commission at a subsequent meeting.

34
35 The **MOTION** was carried by the following vote:

36
37 **AYES:** Chairman John Gifford, Vice Chair Vince Overmyer, Commissioners
38 Greg Vasquez and Nasser Moghadam.

39
40 **NOES:** None

41
42 **ABSTAIN:** None

43
44 **ABSENT:** Commissioner Michael Perciful

45
46
47 **6. ZONING ORDINANCE AMENDMENT NO. 13-003 (Homemade Food Operator**
48 **Regulations) — Continued from February 5, 2013**

49
50 **APPLICANT:** City of Hemet

LOCATION: City-wide

PLANNER: Emery Papp

DESCRIPTION: A request for Planning Commission review and
recommendation to the City Council regarding a Zoning Ordinance Amendment

1 to modify Chapter 90, amending Article III, Special Uses and Conditions, of the
2 Hemet municipal Code, adding Section 90-100 regulating Cottage Food
3 Operators pursuant to assembly Bill 1616, with consideration of an
4 environmental exemption pursuant to CEQA Guidelines Section 15061.
5

6 (PowerPoint presentation by Planner Emery Papp.)
7

8 Planner Papp explained that the city's permit, if approved, would be \$75 for the initial
9 approval and \$35 for the annual renewal, utilized for staff time only to verify zoning, as
10 well as to verify the location and make sure that the it's suitable for a homemade food
11 operation.
12

13 Commissioner Moghadam asked if an empty business was available, could someone
14 put in a sink and make dry food? Or would it have to be in a house?
15

16 Planner Papp noted that AB-1616 applies only to residential uses. If someone is trying
17 to convert a business to residence, they would have to change the occupancy, obtain
18 building permits, and go through several other processes in order to convert that use to
19 a residence.
20

21 City Attorney McEwen further clarified that the law says any residential dwelling. It
22 doesn't say restricted to any areas that have been zoned residential. But you can't
23 take a commercial building and stick a kitchen in it and use that as the basis for a
24 cottage food operation. Also, the ordinance requires that the cottage food operator has
25 to reside at the site of the operation.
26

27 Commissioner Vasquez questioned why the license for this industry is so inexpensive,
28 noting that for a business with one employee, the license costs over \$150, renewed
29 annually. Can administrative penalties be applied?
30

31 Planner Papp responded that the County Environmental Health follows their
32 regulations, and City Attorney McEwen explained that when there is a violation in any
33 part of the code, the City can issue administrative citations, and any violation is a
34 misdemeanor that can be prosecuted.
35

36 Regarding fees for the permits, Mr. Papp further explained that they don't know how
37 much staff time this industry is going to absorb, so staff decided on the \$75 plus \$35
38 annual renewal. If it is determined that this fee is inadequate, the City Council can
39 adjust the fee.
40

41 CDD Elliano also indicated that the fees the City charges have to be in reasonable
42 relationship to the amount of service provided. It has to be based on what it takes for
43 staff to process the permit. It is not a discretionary permit, but rather a State-mandated
44 program. This will not be a revenue generator for Hemet. The County Health
45 Department is the enforcement agency for the actual food preparation. The City will
46 enforce only the zoning regulations and standards for the use.
47

48 Chairman Gifford opened the public hearing, but receiving no requests from speakers,
49 closed the public hearing. He recommended enhancing the enforcement language,
50 and that staff re-examine at the cost of the permit for documentation purposes.

1 Vice Chairman Overmyer agreed with Commissioner Perciful's written suggestion and
2 recommended going with it the way it is.

3
4 Commissioner Vasquez agreed with Chairman Gifford and requested that the
5 ordinance be brought back with stronger enforcement language.

6
7 Commissioner Moghadam brought up the subject of tobacco-infused or marijuana
8 products.

9
10 City Attorney McEwen enjoined them not to be worried about running into marijuana
11 laws. There are many state and federal laws that would cover any incident like that.
12 He doesn't see this law being some exception to all those other laws that relate to
13 controlled substances.

14
15 Chairman Gifford reopened the public hearing.

16
17 It was **MOVED** by Commissioner Vasquez and **SECONDED** by Commissioner
18 Moghadam to continue the open public hearing to April 2, 2013.

19
20 The **MOTION** was carried by the following vote:

21
22 **AYES:** Chairman John Gifford, Vice Chair Vince Overmyer, Commissioners
23 Greg Vasquez and Nasser Moghadam.

24 **NOES:** None

25 **ABSTAIN:** None

26 **ABSENT:** Commissioner Michael Perciful
27

28 DEPARTMENT REPORTS

29 7. CITY ATTORNEY REPORTS: Verbal report from Assistant City Attorney Stephen 30 McEwen on items of interest to the Planning Commission

31
32 City Attorney McEwen did not have a report prepared but wanted to clarify an issue
33 that came up in the last item: The difference between a business license and a permit
34 fee. A business license is a tax; however, a permit is limited to the amount of time and
35 money it would take to go through that review process. It's an important part of AB-
36 1616. If someone comes to the public and asks for information regarding the fee, the
37 city would have to provide documentation to support that particular fee as a back-up,
38 so it's important that it has to be limited to the amount of cost to the city in reviewing
39 the application providing that service.
40
41

42 8. COMMUNITY DEVELOPMENT DIRECTOR REPORTS

- 43
44
45 A. Report on February 26th City Council meeting – There was a discussion
46 regarding two competing reports from Hemet Fire Department and Riverside
47 County Cal-Fire. It was lengthy, with many presentations and public
48 comments. At the conclusion, it was directed back to staff, the finance
49 director and city manager to continue to pursue more information and
50 answers to questions raised at the meeting.

1 B. A request to cancel the meeting of March 19, 2013 – The Commission
2 concurred with the cancellation.
3

4 C. Planning Department Updates
5

6 1. The next City Council meeting is March 12, 2013, with representatives
7 from the Riverside County Transportation Commission to give a
8 presentation on the Highway 79 realignment. Staff will be preparing a
9 formal comment letter on the draft EIR due in March at the City
10 Council.
11

12 2. Projects Moving Forward – Last year a joint City Council/Planning
13 Commission work study was held regarding a west end project called
14 Ramona Creek, which is now starting the Draft EIR process. A
15 scoping meeting will be held on March 14th at 9 a.m., which is a
16 “scoping” meeting that is held to allow various agencies to voice any
17 concerns they have that should be addressed in the EIR.
18

19 **9. HEMET ROCS CITIZEN ADVISORY COMMITTEE REPORT** — *Verbal report by*
20 *CDD Elliano regarding CAC meeting of February 28, 2013.*
21

22 Because Chairman Gifford was absent at the meeting, CDD Elliano reported several
23 items:
24

25 A. Finalization with the City Attorney of the draft Social Host Ordinance, which is
26 going forward at the next City Council meeting. It allows police to issue an
27 administrative citation if minors are being served alcoholic beverages; also, it
28 has a mechanism by which PD can respond and enforce, with higher
29 penalties, any loud or unruly gatherings, especially those serving alcohol to
30 minors. The need for the ordinance was brought forward by the Hemet
31 Community Action Network which works closely with the school district and
32 social service agencies.
33

34 B. CAC meetings for Hemet ROCS. Since last January, ten of the proposed
35 ROCS ordinances have been adopted and are in place, and six remain in the
36 consideration process, which include the Social Host Ordinance, Abandoned
37 Buildings Ordinance, Administrative Citation Ordinance Update, Nuisance
38 Abatement Ordinance, City Landscape and Property Maintenance, and
39 Rental Unit Registration.
40

41 **10. REPORT REGARDING ATTENDANCE AT PLANNING COMMISSIONERS**
42 **ACADEMY** — *Verbal report by Chairman Gifford and Commissioner Moghadam*
43

44 Both Chairman Gifford and Commissioner Moghadam attended the Commissioners
45 Academy. Commissioner Moghadam felt it was extremely beneficial to him to spend at
46 least one day at the academy updating himself on subjects such as EIR's, CEQA
47 regulations, etc. Chairman Gifford commented on how lucky Hemet is to have detail-
48 oriented people on the Planning Commission
49
50

1 **11. PLANNING COMMISSIONER REPORTS** — *Commissioner reports on meetings*
2 *attended or other matters of Planning interest*
3

- 4 A. Chairman Gifford alerted the Commissioners that in April Chairman and Vice
5 Chairman seats will be selected, and he is willing to give up his chair
6 position if anyone else would like to take over. He noted that he had put
7 forth his application to serve as a Planning Commissioner for another two
8 years.
9
- 10 B. Vice Chair Overmyer recommended that Chairman Gifford continue as
11 Chairman for another year, as such time that the election is on the agenda.
12
- 13 C. Commissioner Moghadam wished to second the election of Chairman
14 Gifford as Chairman for another year. He also commended the concept of
15 the sign regulations and noted that they are effective.
16
- 17 D. Commissioner Vasquez had nothing to report, but stated that he enjoyed
18 serving on the Commission.
19

20 **12. FUTURE AGENDA ITEMS** — *Items to be scheduled for upcoming Planning*
21 *Commission Meetings*
22

- 23 A. North Hemet Specific Plan and Draft EIR
24 B. Housing Element consistency ordinances
25 C. Public Workshop for the 2013 Housing Element Update
26 D. Consistency Zoning Program — Phase 1
27

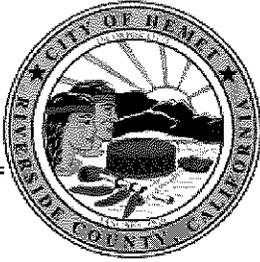
28 CDD Elliano stated that staff is always working in the background to compile and ready
29 these items for review. The consistency ordinances and housing element ordinances
30 take quite a bit of time to bring forward. She thanked the Commission for paying
31 attention to the new General Plan and utilizing the policies the way they were intended
32 to be used.
33

34
35 **13. ADJOURNMENT:** It was unanimously agreed to adjourn the meeting at 9:29 p.m.
36 to the regular meeting of the City of Hemet Planning Commission scheduled for
37 **April 2, 2013 at 6:00 p.m.** to be held at the City of Hemet Council Chambers
38 located at 450 E. Latham Avenue, Hemet, California 92543.
39
40
41

42
43 _____
44 John Gifford, Chairman
45 Hemet Planning Commission

46 ATTEST:

47
48
49 _____
50 Nancie Shaw, Records Secretary
Hemet Planning Commission



Staff Report

TO: City of Hemet Planning Commission

FROM: Deanna Elliano, Community Development Director *DE*
Emery J. Papp, Principal Planner *EP*

DATE: April 2, 2013

RE: **CONDITIONAL USE PERMIT NO. 12-007 (HEMET JEWELRY & LOAN)** –
Consideration of Resolution Bill No. 13-007 affirming the Planning Commission's denial of a Conditional Use Permit for the operation of a collateral loan business (secondhand store/pawn shop) located at 2355 E. Florida Avenue.

PROJECT APPLICANT INFORMATION

Applicant: Hemet Jewelry and Loan - Eduardo Salas
Agent: Rosa Salas
Project Location: 2355 E. Florida Avenue
APN: 445-290-022

RECOMMENDED ACTION:

That the Planning Commission adopt Planning Commission Resolution Bill No. 13-007 denying CUP 12-007.

BACKGROUND:

A public hearing for Conditional Use Permit No. 12-007 for Hemet Jewelry and Loan was held by the Planning Commission at its regularly scheduled meeting on February 19, 2013. The public hearing was continued to March 5, 2013, where the Planning Commission considered the proposed location for the use and operation of Hemet Jewelry and Loan, a secondhand store and pawn shop. The Planning Commission Staff Report for the March 5, 2013 meeting is included as Attachment No. 2.

Upon reviewing the proposed use, the staff reports, hearing public testimony and weighing all of the evidence presented both for and against the proposed conditional use on March 5, 2013, the Planning Commission found that the proposed use does not meet the intent of the General Plan Land Use Element, and had the potential to be materially injurious to surrounding businesses in the shopping center and the neighborhood in general.

For the Planning Commission to approve the proposed Conditional Use Permit 12-007, it must make all of the findings pursuant to Section 90-1537(c) of the Hemet Municipal Code. On March 5, 2013, the Planning Commission determined that it could not make Finding No. 1 and Finding No. 2 of the required findings for approval and, therefore, directed staff to prepare Planning Commission Resolution Bill No. 13-007 for denial of the proposed project (Attachment No. 1). The attached resolution for denial of the proposed use contains the findings for why the proposed use cannot be supported, and the justification for making such findings.

Planning Commission Findings for CUP 12-007:

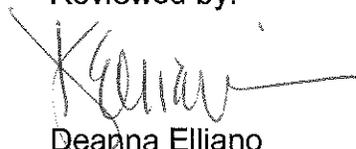
1. That the proposed location, use and operation of the conditional use is not in accord with the objectives of Chapter 90 of the Hemet Municipal Code, the purposes of the zone in which the site is located, is not consistent with the General Plan and does not comply with other relevant city regulations, policies and guidelines; and
2. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

Respectfully submitted,



Emery J. Papp
Principal Planner

Reviewed by:



Deanna Elliano
Community Development Director

ATTACHMENTS

- 1) Planning Commission Resolution Bill No. 13-007 recommending denial of CUP 12-007
- 2) March 5, 2013 PC Staff Report

INCORPORATED HEREIN BY REFERENCE

City of Hemet General Plan
City of Hemet Zoning Ordinance
Contents of City of Hemet Planning Department Project File CUP12-007

Attachment No. 1

PC Resolution Bill
No. 13-007

CUP No. 12-007

Planning Commission
Hearing
April 2, 2013



CITY OF HEMET
PLANNING COMMISSION

RESOLUTION BILL NO. 13-007

A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF HEMET, CALIFORNIA DENYING
CONDITIONAL USE PERMIT NO. 12-007 FOR THE
OPERATION OF A COLLATERAL LOAN BUSINESS
(PAWNSHOP) LOCATED AT 2355 E. FLORIDA AVENUE
(APN 445-290-022)

WHEREAS, an application for Conditional Use Permit No. 12-007 (CUP No. 12-007) for the operation of a collateral loan business (pawn shop) was duly filed by:

Owner:	Hemet Jewelry & Loan – Eduardo Salas
Applicant:	Eduardo Salas
Project Location:	2355 E. Florida Avenue
APN:	445-290-022

WHEREAS, the Planning Commission has the authority under Hemet Municipal Code section 90-1531 et seq. to approve or disapprove CUP No. 12-007; and

WHEREAS, on February 7, 2013, the City provided notice of the Planning Commission's public hearing on CUP No. 12-007 by advertising the hearing in the Press Enterprise and by mailing a notice to property owners within 500 feet of the proposed project location; and

WHEREAS, on February 19, 2013, and March 5, 2013, the Planning Commission conducted duly noticed public hearings concerning the request to approve CUP No. 12-007; and

WHEREAS, the Planning Commission has carefully considered all pertinent testimony and information contained in the Staff report prepared for this application as presented at the public hearings and the testimony provided by the applicant and members of the public; and; and

WHEREAS, The California Environmental Quality Act (CEQA) does not apply to projects which an agency disapproves. (CEQA Guidelines Section 15270); and

Planning Commission Resolution Bill No. 13-007
CONDITIONAL USE PERMIT NO. 12-007
Hemet Jewelry and Loan

1
2 WHEREAS, all legal prerequisites have occurred prior to adoption of this
3 resolution.
4

5 **NOW, THEREFORE,** the Planning Commission of the City of Hemet does
6 Resolve, Determine, Find and Order as follows:
7

8 **SECTION 1:** The Planning Commission hereby finds that the fact, findings and
9 conclusions set forth above are true and correct.
10

11 **SECTION 2:** Pursuant to the California Environmental Quality Act (CEQA) Guidelines
12 (Title 14 California Code of Regulations Section 15000 et seq.) section 15270, CEQA
13 does not apply to projects which an agency disapproves.
14

15 **SECTION 3:** On the basis of substantial evidence on the record, including, but not
16 limited to, the written and oral staff report and public testimony at the public hearings on
17 February 19, 2013, and March 5, 2013, the Planning Commission finds, in accordance
18 with the requirements as set forth in Hemet Municipal Code Section 90-1537(c), as
19 follows:
20

- 21 1. ***That the proposed location, use and operation of the conditional use is not***
22 ***in accord with the objectives of Chapter 90 of the Hemet Municipal Code,***
23 ***the purposes of the zone in which the site is located, is not consistent with***
24 ***the General Plan and does not comply with other relevant city regulations,***
25 ***policies and guidelines.***
26

27 The Planning Commission finds that the proposed use does not meet the intent of
28 the following General Plan Land Use Element statements:
29

- 30 • Section 2.1.1, Relationship to Other Elements of the General Plan.
31 The Land Use Element of the General Plan is intended to be
32 complementary with the Public Safety Element and to mitigate or avoid
33 damage and injury from human-made hazards. The approval of a
34 pawn shop and collateral loan business is not consistent with this
35 provision of the General Plan. The proposed project site is located in
36 an area of the City that experiences a high rate of crime and for calls
37 for police services. The record demonstrates that over the past year
38 there have been approximately 600 calls for service in this area. The
39 proposed business will carry and sell jewelry, electronics, tools,
40 musical instruments and other tangible property and will be a target for
41 further crime in the area. In addition, it has been the City's experience
42 that pawn shops tend to attract variance nuisance activities and other
43 unwanted behaviors. Stolen items are often taken to pawn shops in
44 exchange for cash and other goods. Because of the crime potential

1 associated with pawn shops, there are numerous state laws
2 addressing the operation of pawn shops. Furthermore, the applicant
3 proposed a number of security measures, including an armed guard,
4 which highlights the dangers associated with this type of business.
5 Adding this type of business would have an unwanted, combustible
6 effect on a neighborhood that already experiences an excessive
7 amount of criminal activity.
8

- 9 • Section 2.2.8, Providing for a Balance of Housing Opportunities. The
10 General Plan states that, in order to provide a balance of housing
11 opportunities, the City must “focus on providing a safe community with
12 quality of life amenities.” The proposed project does not meet this
13 objective because it will decrease public safety at the proposed
14 location.
15
- 16 • Section 2.4.1, Smart Growth Principles. The General Plan sets forth a
17 number of smart growth principles, including the desire to “[f]oster
18 distinctive, attractive communities with a strong sense of place. The
19 Planning Commission finds that the introduction of a pawn shop and
20 collateral loan business at the project site will not foster a distinctive,
21 attractive community with a strong sense of place. To the contrary, the
22 testimony showed that the project will have the opposite effect for the
23 neighborhood and will discourage people from visiting the shopping
24 center by adding a business that is a crime target and which, by
25 necessity, requires extraordinary security measures. The proposed
26 location is a gateway to the City on Florida Avenue, coming from east
27 to west. A pawn shop and collateral loan business will not be an
28 attractive addition to the City and will damage the City’s image.
29
- 30 • Section 2.5.2, Commercial Categories. According the General Plan,
31 Community Commercial areas are designed to meet the needs of the
32 community at-large. The Planning Commission finds that a pawn
33 shop, with a collateral loan business, at this particular location does not
34 meet the community’s needs because of the existing crime issues in
35 the area. In addition, there are three other pawn shops already
36 existing in the City and several second-hand coin and jewelry
37 businesses that provide these services to the community at large.
38
- 39 • Section 2.8.2, Hemet’s Districts, East Florida Corridor District. The
40 primary focus is to promote uses in the east Hemet area that are
41 compatible with residential development. For the reasons stated
42 above, adding a pawn shop to this area will not make the
43 neighborhood, which already suffers from high crime rates, a more
44 attractive place to live.

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- Section 2.11.1, Economic Development Strategies. The Land Use Element sets forth a number of economic development strategies and goals, which include the following: 1) "Enhance the City's image as desirable place to live, work, and play;" and 2) "Promote employment opportunities particularly in higher paying, higher skilled jobs." The approval of a pawn shop in an area that is marked by a high crime rate is inconsistent with these stated objectives. Because of the negative image associated with pawn shops and potential for criminal and nuisance activities at pawn shops, adding an additional pawn shop to the City will not enhance the City's image as a desirable place to live, work, and play.

14 In addition to the above-cited sections of the 2013 General Plan, the proposed project is
15 inconsistent with the following Land Use Element goals and policies:
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- Goal LU-3, Policy 3.9, Incompatible Uses. "Prohibit uses that lead to the deterioration of residential neighborhoods, or adversely affect it's safety or residential character." The approval of a pawn shop and collateral loan business is not consistent with this provision of the General Plan. The proposed project site is located in an area of the City that experiences a high rate of crime and for calls for police services. The record demonstrates that over the past year there have been approximately 600 calls for service in this area. The proposed business will carry and sell jewelry, electronics, tools, musical instruments and other tangible property and will be a target for further crime in the area. In addition, it has been the City's experience that pawn shops tend to attract variance nuisance activities and other unwanted behaviors. Stolen items are often taken to pawn shops in exchange for cash and other goods. Because of the crime potential associated with pawn shops, there are numerous state laws addressing the operation of pawn shops. Furthermore, the applicant proposed a number of security measures, including an armed guard, which highlights the dangers associated with this type of business. Adding this type of business would have an unwanted, combustible effect on a neighborhood that already experiences an excessive amount of criminal activity.
 - Goal LU-6, Policy 6.7, Regulate Sensitive Land Uses. "Appropriately control the location, concentration and number of community sensitive land uses, such as alcohol sales, tobacco products, adult businesses, medical marijuana dispensaries, and entertainment venues, and require operational measures to prevent adverse impacts to adjoining residences, businesses, schools, parks, medical facilities, and religious

1 facilities, consistent with City, State and Federal laws." A pawn shop is
2 a community sensitive land use and locating such a use in a high-
3 crime area is unwise at this time.
4

- 5 • Goal LU-13, Policy 13.7, Reuse of Underutilized Properties.
6 "Encourage the reuse of vacant, underutilized, or obsolete commercial
7 and industrial buildings with higher value uses that are consistent with
8 the General Plan goals and policies." Based on testimony provided at
9 the two public hearings on this matter, the approval of a pawn shop
10 and collateral loan business at this location, which is a gateway to the
11 City, will not encourage higher value land uses.
12

13 **2. That the proposed location of the conditional use and the conditions under**
14 **which it would be operated or maintained will be detrimental to the public**
15 **health, safety or welfare, or materially injurious to properties or**
16 **improvements in the vicinity.**
17

18 The Planning Commission, in hearing public testimony at public hearings
19 held on February 19, 2013 and again on March 5, 2013, and considering
20 as a whole the evidence presented to the Planning Commission, the
21 Planning Commission has determined that there exists a significant
22 number of Police Department calls for service in the immediate vicinity of
23 the proposed project and that the proposed project will exacerbate this
24 situation by introducing a business that is traditionally a target of crime
25 and nuisance activity. The applicant's proposed security measures
26 demonstrate the applicant's awareness of this unique crime potential.
27 Accordingly, the approval and operation of the proposed project at that
28 particular location will have a materially injurious impact on other business
29 located within the same center as the proposed project. In fact, property
30 owners within the same center are opposed to the proposed use at this
31 location because of the potential for additional crime.
32

33 **SECTION 4: PLANNING COMMISSION ACTIONS**
34

35 The Planning Commission hereby takes the following actions:
36

- 37 1. **Denies Conditional Use Permit.** Due to the testimony presented to and
38 evaluated by the City of Hemet Planning Commission regarding the proposed
39 use and inconsistencies with the City of Hemet 2030 General Plan, Conditional
40 Use Permit No. 12-007, Hemet Jewelry and Loan, is hereby denied.
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PASSED, APPROVED, AND ADOPTED this 2nd day of April, 2013, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

John Gifford, Chairman
Hemet Planning Commission

ATTEST:

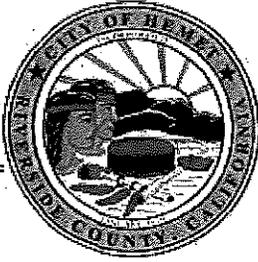
Nancie Shaw, Minutes Secretary
Hemet Planning Commission

Attachment No. 2

PC Staff Report
March 5, 2013

CUP No. 12-007

Planning Commission
Hearing
April 2, 2013



AGENDA #5

Staff Report

TO: City of Hemet Planning Commission

FROM: Deanna Elliano, Community Development Director *DE*
Emery J. Papp, Principal Planner

DATE: March 5, 2013

RE: **CONDITIONAL USE PERMIT NO. 12-007 (HEMET JEWELRY & LOAN)** –
A request for Planning Commission review of a Conditional Use Permit for the operation of a collateral loan business (secondhand store/pawn shop) located at 2355 E. Florida Avenue, with consideration of an Environmental Exemption pursuant to CEQA Guidelines Section 15301.

PROJECT APPLICANT INFORMATION

Applicant: Hemet Jewelry and Loan - Eduardo Salas
Agent: Rosa Salas
Project Location: 2355 E. Florida Avenue
APN: 445-290-022

RECOMMENDED ACTION:

That the Planning Commission EITHER:

1. Adopt Planning Commission Resolution Bill No. 13-003 approving CUP 12-007 subject to the Conditions of Approval (Attachment No. 1),
- OR**
2. Deny the proposed Conditional Use Permit subject to the appropriate findings and direct staff and the City Attorney to prepare a revised Resolution for formal adoption by the Commission at a subsequent meeting.

BACKGROUND:

A request for a Conditional Use Permit for Hemet Jewelry & Loan was introduced to the Planning Commission at its regularly scheduled meeting on February 19, 2013. The Planning Commission Staff Report and Attachments from the February 19th meeting are included as Attachment No. 1.

Chairman Gifford and Commissioner Vasquez were absent from the February 19, 2013 meeting due to illnesses, however, through written correspondence Commissioner Vasquez had requested that the Commission continue the public hearing in order that he

may be present for the discussion of the proposed use. At the close of the public testimony regarding the project, the Commission voted to continue the public hearing to this meeting of March 5, 2013.

The Planning Commission hearing had been publicly noticed and, therefore, Soledad Carrisoza, Planning Technician presented the staff report of record. After staff's presentation, Vice Chairman Overmyer opened the hearing for public comment. The Applicant spoke to present that the owners of the business have had good working relationships in the two jurisdictions where they currently operate stores, have had no occurrences of theft or calls for service, and have maintained excellent working relationships with local law enforcement agencies.

The Applicant also spoke to the fact that due to the continued recession, there is a demand for this service within the City limits. Included as Attachment No. 3 is a list of the pawn shops and secondhand dealers currently conducting business in Hemet. The Applicant is intending to operate as both a pawn broker (collateral loan) and a secondhand dealer (buy and sell) operation. There are currently three active pawn brokers located in the City and 11 secondhand coin or jewelry dealers. The Hemet Municipal Code does not specifically list secondhand gold or coin stores as these have previously been classified as "jewelry or coin" establishments.

Howard Rosenthal, who represents property owners within the center in which the proposed use is to be located, spoke in opposition to the proposed use, citing the following concerns: 1) the proposed use is not suitable for this particular location being the "end cap" of in-line shops with frontage along Florida Avenue; 2) pawn shops have the potential of attracting nuisance and other undesirable behaviors; 3) this proposed use is located in an area with high crime rates and known gang activity; 4) there may be Covenants, Conditions and Restrictions (CC&Rs) for the center which prohibit the proposed use; and 5) the proposed location is directly across Florida Avenue from a fine dining restaurant and an established medical center. A follow up email addressed to staff (Attachment No. 2) reiterates these concerns.

After hearing public comment, discussion ensued amongst the Commissioners who agreed to continue discussion of this item to the next regularly scheduled Planning Commission meeting on March 5, 2013 in order for Chairman Gifford and Commissioner Vasquez to participate.

FEBRUARY 19, 2013 PLANNING COMMISSION MEETING FOLLOW-UP:

Responding to the issue of high crime in the area, on February 20, 2013, staff requested from the Police Department the number and type of calls for service within the center, and within the vicinity of the project area for the past year. Police Department records indicate that from February 20, 2012 through February 20, 2013, there were 124 calls for service to locations within the 2200 to 2400 blocks of East Florida Avenue, and 532 calls

for service within the 100 to 299 blocks of South Yale Street, for a total of 656 calls for service in vicinity of the proposed project. The raw numbers also include routine traffic stops, loitering, and non-violent crimes, but the volume of calls is indicative of a problem in the area.

With respect to the concern that pawn shops may not be a permitted use within the center, staff was able to verify with Mr. Rosenthal that the CC&Rs do not address the proposed use. At the time this staff report was prepared, no other public comments had been received.

CONDITIONAL USE FINDINGS:

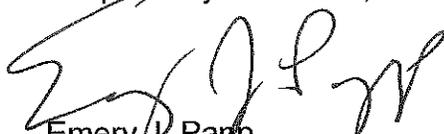
For the Planning Commission to approve the proposed Conditional Use Permit 12-007, it must make **all** of the following findings pursuant to Section 90-1537(c) of the Hemet Municipal Code. Should the Planning Commission determine that it cannot make **one or more** of the required findings, then the Commission must recommend denial of the proposed Conditional Use, and direct staff to prepare a new Planning Commission Resolution to deny the project. Findings for one or more of the criteria listed below must be supported by reasons why the proposed use cannot be supported.

Required Findings:

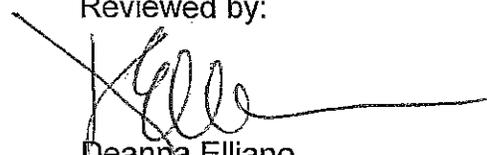
1. That the proposed location of the conditional use is in accord with the objectives of this chapter and the purposes of the zone in which the site is located, and complies with other relevant city regulations, policies and guidelines.
2. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
3. That the proposed conditional use will comply with each of the applicable provisions of this chapter, and with other relevant city regulations, policies and guidelines.

The February 19, 2013 Staff Report (Attachment No. 1) contained findings that recommended approval of the proposed Conditional Use.

Respectfully submitted,


Emery J. Papp
Principal Planner

Reviewed by:


Deanna Elliano
Community Development Director

ATTACHMENTS

- 1) February 19, 2013 PC Staff Report
- 2) Email from Howard Rosenthal, February 25, 2013
- 3) Existing Pawn Shops and Secondhand Dealers in the City of Hemet

INCORPORATED HEREIN BY REFERENCE

City of Hemet General Plan
City of Hemet Zoning Ordinance
Contents of City of Hemet Planning Department Project File CUP12-007

AGENDA #6



Staff Report

TO: City of Hemet Planning Commission

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

DATE: April 2, 2013

RE: **CONDITIONAL USE PERMIT NO. 13-001 (AT&T @ BEREAN CHURCH)** A request for Planning Commission review and approval of a Conditional Use Permit allowing the construction and operation of a ground mounted telecommunication facility (cell tower) and associated equipment consisting of a 65' pole camouflaged as a monopine located on the west side of Sanderson Avenue, north of Devonshire Avenue and south of Menlo Avenue, with consideration of an environmental exemption pursuant to CEQA Guidelines Section 15332.

PROJECT APPLICANT INFORMATION

Owner: Berean Fellowship Church
Authorized Agent: Mitchell Bryant – Coastal Business Group for AT&T Mobility
Project Location: 375 N. Sanderson Avenue
Lot Area: 800 square-feet of leased area

STAFF RECOMMENDATION

The Planning Division recommends that the Planning Commission:

1. Adopt the attached Planning Commission Resolution Bill No. 13-006 (Attachment No. 1), approving CUP 13-001 subject to the findings and conditions of approval, and;
2. Direct staff to file a Notice of Exemption with the County Clerk.

PROJECT DESCRIPTION AND BACKGROUND

The applicant is requesting approval of **CONDITIONAL USE PERMIT NO. 13-001** for the construction and operation of a camouflaged, major, telecommunications facility project consisting of a ground mounted, 65 foot high monopine. Antennas would be installed at the top

City of Hemet - Planning Department
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of the pole with appurtenant accessory equipment cabinets and small global positioning antennas. The proposed project site is comprised of an 800 square-foot lease area, surrounded by a six (6) foot high block wall located at 375 North Sanderson Avenue (APN 448-230-020). The project site is currently occupied by the Berean Fellowship Church.

The proposed telecommunications facility tower will be up to 65 feet in height with one array of up to 12 panel antennas, vertically centered at a height of 56 feet. The tower is 60 feet in height with an additional five (5) feet to accommodate the branches. The antenna's configuration will contain three (3) sectors with four (4) antennas each. On the ground, equipment cabinets will be stored within an equipment shelter and two (2) global positioning antennas will be located inside the walled 800 square-foot facility. The site plan and elevations are provided in Exhibit 1A, as attached.

The entire site for the proposed monopine and ground mounted equipment will be enclosed with a six (6) foot high block wall. The project is conditioned to install a split face block wall and planted vines to minimize the opportunity for graffiti and present an updated appearance (See Condition Nos. 22 and 24). Access to and from the site is from Sanderson Avenue. The Sanderson Avenue entry provides adequate access to the property for emergency vehicle access and for routine maintenance of the facility.

The site is partially developed with the existing Berean Fellowship Baptist Church buildings, associated parking and landscaped areas located on the easterly two-thirds of the property. The westerly third of the property is currently unimproved. The location for the proposed project is on the unimproved portion of the property adjacent to existing parking lot area. The entire parking lot area is paved and provides vehicular access to the proposed project site. The surrounding area includes vacant land to the north, south and east, and a partially constructed multiple family residential project to the west of the project site. The nearest residence is located approximately 315-feet from the proposed telecommunication facility. An aerial map and photographs of the site are provided in Attachments 4 and 5 to this report.

The Federal Communications Commission has adopted deadlines in which a local government must act on wireless applications. Applications for collocations have a deadline of 90 days and all other wireless applications require city action within 150 days of the project being deemed complete. The project was submitted on January 22, 2013 and deemed complete by staff on March 5, 2013

The topography of the site and surrounding area is relatively flat and partially developed (please refer to the Adjacent Zoning Map – Attachment 2, and Aerial Map – Attachment 4). The project site, which is partially developed, is accessed from Sanderson Avenue. The site is located on the west side of Sanderson Avenue, north of Devonshire Avenue and south of Menlo Avenue on APN 448-230-020. The site is zoned S-1 (Church), and is surrounded by existing vacant land.

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

	LAND USE	ZONING	GENERAL PLAN
PROJECT SITE	Berean Fellowship Church	S-1 (Church)	MDR (Medium Density Residential)
NORTH	Vacant Land	SP85-01 (Arthofer Specific Plan)	MDR (Medium Density Residential)
EAST	Vacant Land	C-1 (Neighborhood Commercial)	CC (Community Commercial)
SOUTH	Vacant Land	SP85-01 (Arthofer Specific Plan)	HDR (High Density Residential)
WEST	Vacant Land (Villa Madrid)	SP85-01 (Arthofer Specific Plan)	MDR (Medium Density Residential)

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

- Adjacent Zoning Map (Attachment No. 2)
- Land Use Designation Map(Attachment No. 3)
- Surrounding Area Map (Attachment No. 4)
- Photographs of Site (Attachment No. 5)

Project Need:

The applicant provided a letter of justification (Attachment No. 8) demonstrating the need for the proposed cell tower in this area in order to provide adequate coverage for cellular service. The facility will require a minimum height of 60 feet, top of antennas (and pole) to ensure the RF signals emitting from the antennas propagate for a distance that will connect to adjacent cell sites and serve cell phone users in the area. There are no buildings in the area of the search ring that will allow for a 60 foot top of antenna height. For this reason, a new ground-mounted facility is proposed. A coverage analysis is provided in Exhibit No. 7, demonstrating the current gap in service and the proposed coverage with the new cell tower.

The AT&T RF Engineer has indicated that a minimum 60 foot top of antenna height is needed to ensure adequate RF signal propagation to the surrounding area. The requested height will

ensure that the signal reaches the surrounding community, as well as the surrounding AT&T sites, as is required for comprehensive, consistent wireless phone coverage. Based on the RF Engineer's recommendation, lowering the height of the proposed facility will not allow for adequate RF signal propagation and adequate wireless phone coverage for the area. The information provided by the applicant provides a reasonable justification for the proposed facility height of 65 feet and evidences that this height will not be detrimental to the public health, safety and welfare.

The new facility will accommodate additional wireless carrier antennas. Whether this height is adequate for a future carrier depends on the location of the carrier's existing nearby sites and the area to be provided coverage. The foundation and footing for the proposed monopine will be designed so that a second set of antennas can be accommodated. AT&T has been conditioned to allow co-location opportunities for future carrier's antennas on this monopine.

ALTERNATIVE SITE ANALYSIS

The proposed location was determined based on an alternative site analysis that was completed for a previously submitted Conditional Use Permit No. 11-003 for AT&T. Conditional Use Permit No. 11-003 proposed a 60 foot monopine at 701 North Sanderson at the Prince of Peace Church.

At a Planning Commission work study on February 21, 2012, it was recommended in concert with staff that the Applicant locate an alternative site for the proposed facility. On November 27, 2012 the Applicant withdrew the applications for a monopine to be located at 701 North Sanderson Avenue. Conditional Use Permit 13-001 was submitted on January 22, 2013 as the preferred new site to provide necessary cell phone and wireless service coverage in this area for AT&T.

CONSISTENCY WITH ZONING AND DEVELOPMENT STANDARDS

The Federal Telecommunications Act dictates to what extent cities can regulate cell phone towers and networks. Essentially, the city's review is limited to aesthetics and locational considerations through the zoning ordinance. Cities cannot deny a cell tower based on environmental factors such as radio frequency emissions, as the FCC has determined that the facilities are not a health hazard, and the overall communication service is a benefit to the larger community. Cellular companies can be required to demonstrate that the facility fills in a significant gap in coverage, and that it is accomplished in the least intrusive manner available for the circumstances.

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

Hemet Municipal Code Section 90-1621(2)(e) states that no ground facilities shall exceed the maximum height in the applicable zone unless the Applicant has demonstrated the need to exceed height limitation and provides adequate space for future collocation. The S-1 (Church Zone) has a maximum building height of 35 feet; however the code does provide height exemptions for wireless masts. As required by Hemet Municipal Code Section 90-1618 of Article XLVI Wireless Telecommunication Facilities, the applicant provided a letter of justification (Attachment No. 8) which provides a reasonable explanation for the proposed location and height requirements.

Additionally, the Hemet Municipal Code, Section 90-1619 states that if a wireless telecommunication facility is located within 200 feet of a residential zone, then it shall comply with the setback requirements for such zone. The Arthofer Specific Plan (SP 85-01) surrounds the project site and designates the property to the east, north and south as Multiple Family Residential (R-3). The R-3 (Multiple-Family Residential) zone requires a minimum of ten (10) foot rear yard setback. The proposed wireless telecommunication facility is adjacent to vacant R-3 properties and is proposing a 37-foot setback from the southerly property line to the south face of the enclosure and 183-foot, 6-inch setback to the rear property line.

The Hemet Municipal Code §90-1621(b)(1)b states that *"A major facility should not be located within 200 feet of any property containing a residential use"*. The property to the north and south is vacant and does not currently contain any residential uses. The nearest residential use is 350 feet to the northwest of the project site. Because the neighboring properties do not contain current residential uses, the project is not required to comply with the 200 foot requirement. However, Section 90-1619(b)(5) states that the City shall consider *"the proximity of the proposed facility to residential structures and to boundaries of residential zones"*. No specific distance requirement is specified from the boundary of a residential zone in the code; only that it is considered in the Planning Commission deliberation.

There are no co-locatable facilities within 1,500 feet of the proposed facility. The proposed major facility meets the required 1,500 foot separation from existing major facilities pursuant to Section 90-1621.(a) (1).c. of the Hemet Municipal Code. The proposed facility is approximately 2,500 feet from the nearest existing major facility which is located at the northwest corner of Sanderson Avenue and Menlo Avenue at the Prince of Peace church and to the west of the project site.

The proposed facility is not located within any required parking area, vehicle maneuvering area, vehicle/pedestrian area or landscaping area and will not interfere with the existing church use. Furthermore, the facility will be screened with a split face block wall (See Condition No. 22) that is coated with an anti-graffiti coating (See Condition No. 13).

Based on the project application, the information provided in the following table summarizes how this project meets and exceeds the minimum development standards of the S-1 zone.

DEVELOPMENT STANDARDS	REQUIRED S-1 ZONE	PROVIDED
Front Setback	25 Feet	407 Feet
Rear Setback	20 Feet	183 Feet
Side Setback	0 Feet	37 Feet
Building Height (Top of monopine)	35 Feet, unless Sec. 90-1621(2)(e) Height Exceptions are met	60 Feet
Building Height (Top of Antennas)	35 Feet, unless Sec. 90-1621(2)(e) Height Exceptions are met (d)(1) Height Exceptions	65 Feet

The proposed project is in conformance with wireless standards and guidelines as described in Section 90-1621 of the Hemet Municipal Code. The project as proposed does not extend beyond any property lines and is located at a minimum of 37 feet from the nearest property line.

Ground mounted facilities such as the proposed cell tower, are not permitted unless the Applicant can demonstrate that no existing building or structures can reasonably accommodate the facility. The facility will require a minimum height of 60-foot top of antennas (and pole) to ensure the RF signals emitting from the antennas propagate for a distance that will connect to adjacent cell sites and serve cell phone users in the area. There are no buildings in the area of the search ring that will allow for a 60-foot top of antenna height. For this reason, a new ground-mounted facility is proposed. The requested height will ensure that the signal reaches the surrounding community as well as the surrounding AT&T sites, as is required for comprehensive, consistent wireless phone coverage.

A monopine with antennas mounted at a height of 60 feet (top of antennas) and faux pine branches will extend up to 65 feet. Based on the RF Engineer's recommendation, lowering the height of the proposed facility will not allow for adequate RF signal propagation and adequate wireless phone coverage for the area. The applicant has also stated that a lower facility may not provide sufficient height for a future carrier's co-located antennas below the AT&T antennas, and may compromise the co-locatability of the proposed site.

The information provided by the applicant provides a reasonable justification for the proposed facility height of 65 feet and evidences that this height will not be detrimental to the health, safety

and welfare of the public.

GENERAL PLAN CONSISTENCY

The proposed project is in conformance with the General Plan for the City of Hemet. The land use designation for the project site is MDR (Medium Density Residential). The proposed development is consistent with the following General Plan policies:

- **LU-2.1 Adequate Infrastructure** Ensure that growth in developing areas of Hemet proceeds with appropriate addition of infrastructure, public services and facilities to serve the new land uses and population. Ensure that infrastructure improvements are in place prior to, or concurrently with, new development.
- **LU-10.2 Airport Land Use Compatibility** As part of the development review process, ensure appropriate land use compatibility within airport safety zones by utilizing the *Hemet-Ryan Airport Comprehensive Airport Land Use plan* and the latest *Department of Aeronautics Handbook* developed by the State of California, and require an Airport Compatibility Study as warranted for projects within the Airport Influence Area.
- **CSI-5.1 Telecommunications Facilities** Facilitate provision and enhancement of telecommunications services throughout the Planning Area while promoting collocated and/or “stealth” wireless communications antenna facilities and the provision of new technology to minimize cell towers.

The project proposes a stealth communications infrastructure that provides improved coverage within the providers’ network. In addition, the project was found consistent with the Hemet-Ryan Comprehensive Airport Land Use plan by the Airport Land Use Commission on March 14, 2013. The Airport Land Use Commission provided staff with several conditions of approval for the project that are included in Attachment 1B, as Condition Nos. 32 through 39.

TRANSPORTATION UNIFORM MITIGATION FEE (TUMF)

At the time of building permit issuance, the proposed project is subject to payment of the required fees relative to the Western Riverside County Transportation Uniform Mitigation Fee Program (TUMF) pursuant to Chapter 58, Article III, Section 58-70.2 (f)(4) of the Hemet Municipal Code.

MULTI-SPECIES HABITAT CONSERVATION PLAN (MSHCP)

Pursuant to Chapter 31, Section 31-16 (3) of the Hemet Municipal Code, development within a project area that is currently or has been previously improved, are exempt from provisions of the MSHCP Fee Ordinance. Therefore, pursuant to Hemet Municipal Code Section 31.16(3), this

project is not subject to the payment of MSHCP fees.

AIRPORT LAND USE COMPATIBILITY

The City of Hemet is the agency responsible for reviewing land use decisions in the vicinity of the Hemet-Ryan Airport for non-legislative discretionary actions. To guide its decision making process the City of Hemet adopted Resolution No. 3723, approving General Plan Amendment No. 02-01, which reflected the land use designations of the Hemet-Ryan Comprehensive Airport Land Use Plan (ALUP), which was adopted by the Riverside County Airport Land Use Commission in 1992. This document sets forth various airport impact areas based on noise, safety, and air space concerns and prescribes guidelines for land use development within these areas. Accordingly, section 21676.5 of the Public Utilities Code states that once a local agency has revised its general plan or specific plan to make those plans consistent with the ALUC compatibility plan, proposed actions of the local agency shall not be subject to review by the ALUC, unless the local agency and ALUC agree that individual projects shall be reviewed by the commission. Such review would then be advisory in nature.

The 1992 ALUP utilizes a composite aircraft noise and aircraft safety considerations to develop what it terms "Relative Risk Areas." The ALUP defines three areas: Area I – Area of Extreme Risk; Area II – Area of High Risk; and Area III – Area of Moderate Risk. There is also a Transition Area that is between the Area of Moderate Risk and the Area of High Risk.

The project site is located approximately 6,300 northeasterly of the Hemet-Ryan Airport, more specifically Runway 5-23. The proposed site is within Area III of the Hemet-Ryan Airport Influence Area. The Hemet-Ryan Comprehensive Airport Land Use Plan requires discretionary review by the Airport Land Use Commission for structures greater than 35 in height in Area III.

The project was heard by the Airport Land Use Commission on March 14, 2013 and found consistent with the 1992 Hemet-Ryan Airport Comprehensive Airport Land Use Plan (HRACALUP) and subject to conditions of approval provided by the Airport Land Use Commission (see Condition Nos. 32 through 39).

Federal Aviation Regulations, Part 77.15(b) does not require notification of any antenna structure of 20 feet or less in height except one that would increase the height of another antenna structure. The project height is proposed at 65 feet and will be required to comply with the Federal Aviation Regulations, Part 77. The project has been conditioned to comply with the Federal Aviation Administration and Federal Aviation Regulations.

DEVELOPMENT REVIEW COMMITTEE (DRC) RECOMMENDATION

On February 7, 2013, the project was reviewed for design by the DRC. Staff from the various City departments provided written conditions that have been incorporated into the proposed

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conditions of approval (Exhibit 1B).

CEQA REVIEW

The project is exempt from CEQA under CEQA Guidelines Section 15332 in that the staff report submitted by the Planning Department and other findings made in the attached Resolution demonstrate that the project meets the criteria for application of a Class 32 (In-fill Development) Categorical Exemption under the CEQA Guidelines for the following reasons:

- Conditional Use Permit No. 13-001 is consistent with the land use designation and all applicable General Plan policies as well as with the applicable zoning designation of S-1 (Church).
- The proposed development occurs within City limits on a project site of no more than 5 acres substantially surrounded by vacant property and commercial uses. The project site comprises an 800 square-foot portion of a 4.62 acre lot (APN: 448-230-020).
- The project site has no value as habitat for endangered, rare or threatened species. Based on the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) database, the site is not a part of an identified cell. The entire project site is developed. Therefore, no sensitive species or other protected biological resources were observed or are likely to be present.
- Approval of the project would not result in any significant effects relative to traffic, noise, air quality or water quality. There is no indication that the project would materially affect traffic, noise, air quality or water quality, or result in any significant effects.
- The project is located south of Menlo Avenue, west of Cawston Avenue, north of Devonshire Avenue and west of Sanderson Avenue, and is within Hemet Ryan Airport Influence Area III, and is subject to discretionary review by the Airport Land Use Commission, due to the proposed height. The project was found consistent by the Airport Land Use Commission on March 14, 2013. Therefore, the project can be considered compatible.
- Finally, the site can be adequately served by all required utilities and public services. All utilities and services are present at the streets fronting the site. Public Services, including public safety, currently exist and are adequate for the proposed project.

PUBLIC COMMUNICATIONS RECEIVED

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

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Property owners located within 1,000-foot radius of the project site were notified of the public hearing on March 21, 2013 with a 10-day hearing notice in addition to a public notice in the Press Enterprise.

REPORT SUMMARY

Conditional Use Permit No. 13-001 is for the review and approval of a 65-foot high camouflaged major telecommunications facility project within the S-1 (Church) zone. The project is for the design, construction, and operation of the telecommunications facility located on the west side of Sanderson Avenue, south of Menlo Avenue and north of Devonshire Avenue.

For the reasons stated above, the Planning Department believes that the project can be found exempt from the California Environmental Quality Act as an in-fill project, and that a Notice of Exemption can be filed for Conditional Use Permit No. 13-001. Additionally, the design proposed by Conditional Use Permit No. 13-001 conforms to and is consistent with development standards provided for the S-1 zone and as reviewed under Hemet Municipal Code Article XLVI Wireless Telecommunications Facilities. For these reasons, and as more fully discussed in this Staff Report and accompanying attachments, the Planning Department recommends approval of the project. The Planning Commission's actions are final unless appealed to the City Council within ten working days.

Respectfully submitted,



Carole L. Kendrick
Assistant Planner

Reviewed By:



Emery J. Papp
Principal Planner

ATTACHMENTS

- 1) Planning Commission Resolution No. 13-006
 - Exhibit 1A - Development Plan
 - Exhibit 1B - Conditions of Approval
- 2) Zoning Map
- 3) Land Use Designation Map
- 4) Aerial Map
- 5) Photographs of Site
- 6) Before and After Visual Appearances
- 7) Existing/Proposed Area Service
- 8) Justification Letter

INCORPORATED HEREIN BY REFERENCE

City of Hemet General Plan
City of Hemet General Plan EIR
City of Hemet Zoning Ordinance
City of Hemet Subdivision Ordinance
Contents of City of Hemet Planning Department Project File CUP 20-87, CUP11-003 and CUP 13-001

Attachment

No. 1

Resolution No. 13-006

Planning Commission

Meeting of

April 16, 2013



CITY OF HEMET
PLANNING COMMISSION

RESOLUTION NO. 13-006

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEMET, CALIFORNIA APPROVING CONDITIONAL USE PERMIT NO. 13-001 FOR A MAJOR TELECOMMUNICATIONS FACILITY CONSISTING OF A GROUND-MOUNTED SIXTY-FIVE (65) FOOT HIGH MONOPINE WITH ACCESSORY EQUIPMENT LOCATED ON THE WEST SIDE OF SANDERSON AVENUE, NORTH OF DEVONSHIRE AVENUE AND SOUTH OF MENLO AVENUE (APN: 448-230-020).

WHEREAS, an application for Conditional Use Permit No. 13-001, for the construction and operation of a 65-foot high, camouflaged, major telecommunications facility project located on the west side of Sanderson Avenue, north of Devonshire Avenue and south of Menlo Avenue has been duly filed by:

Owner: Berean Fellowship Church
Authorized Agent: Mitchell Bryant – Coastal Business Group for AT&T
Mobility
Project Location: 375 N. Sanderson Avenue
APN Numbers: 448-230-020
Lot Area: 800 square feet; and,

WHEREAS, the Planning Commission has the authority per section 90-1531 et seq. of the Hemet Municipal Code to take action on Conditional Use Permit No. 13-001 to allow a 65-foot high, camouflaged, major telecommunications facility project; and,

WHEREAS, on March 21, 2013, the City gave public notice by advertising in the Press Enterprise and by mailing to property owners within 1,000 feet of the project site regarding the holding of a public hearing at which the project would be considered by the Planning Commission; and,

WHEREAS, on April 2, 2013, the Planning Commission held the noticed public hearing at which interested persons had an opportunity to testify in support of, or opposition to, the Conditional Use Permit and at which the Planning Commission considered the Conditional Use Permit; and,

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CONDITIONAL USE PERMIT NO. 13-001
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1
2 **WHEREAS**, the Community Development Director has reviewed the project's
3 potential effects on the environment and has recommended that the project is
4 categorically exempt from the California Environmental Quality Act ("CEQA") under
5 CEQA Guidelines Section 15332 "In-Fill Development", and that the exceptions to the
6 categorical exemptions contained in CEQA Guidelines section 15300.2 are not
7 applicable to this project.
8

9 **NOW, THEREFORE**, the Planning Commission of the City of Hemet does
10 Resolve, Determine, Find and Order as follows:
11

12 **SECTION 1: ENVIRONMENTAL FINDINGS**
13

14 The Planning Commission, in light of the whole record before it, including but not limited
15 to, the City's Local CEQA Guidelines and Thresholds of Significance, the direction of
16 the Planning Commission at its meeting of April 2, 2013 and documents incorporated
17 therein by reference, and any other evidence (within the meaning of Public Resources
18 Code Sections 21080(e) and 21082.2) within the record or provided at the public
19 hearing of this matter, hereby finds and determines as follows:
20

21 1. **CEQA:**
22

23 (a) The project is exempt from CEQA under CEQA Guidelines Section 15332
24 in that the staff report submitted by the Planning Department and other
25 findings made in this Resolution demonstrate that: Conditional Use Permit
26 No. 13-001 is consistent with the Commercial General Plan designation
27 and all applicable General Plan policies as well as the applicable zoning
28 designation; the proposed project site is located within the boundaries of
29 the City of Hemet; the area within Conditional Use Permit No. 13-001
30 comprises approximately 800 square-feet, which is less than five acres,
31 and has no value as habitat for endangered, rare or threatened species;
32 there is no substantial evidence in the record that Conditional Use Permit
33 No. 13-001 will result in significant effects related to traffic, noise, air
34 quality or water quality in that the proposed design incorporates and
35 otherwise is subject to air and water quality resource agency design
36 requirements to avoid any harmful effects; and, the site is or can be
37 adequately served by all required utilities and public services. As such,
38 the project meets the criteria for application of a Class 32 (In-fill
39 Development) Categorical Exemption under the CEQA Guidelines.
40

41 (b) None of the exceptions to the categorical exemptions contained in CEQA
42 Guidelines Section 15300.2 prevent CEQA Guidelines Section 15332 from
43 exempting the project for the following reasons:
44

- 1 (i) The project is not a Class 3, 4, 5, 6, or 11 project, and therefore is
2 not subject to the exception pertaining to projects located in
3 particularly sensitive environments.
4
5 (ii) The nature of the project is such that significant cumulative impacts
6 will not occur from successive projects of this type occurring in the
7 same location over time. No information has been presented that
8 this project would have impacts that would contribute to a level of
9 cumulative impacts that would be considered significant.
10
11 (iii) There is no reasonable possibility that unusual circumstances will
12 cause the project to have a significant effect on the environment.
13 No information is known or has been presented to indicate that
14 there are unusual circumstances related to this project that would
15 cause a significant effect.
16
17 (iv) The project will not result in damage to scenic resources within a
18 designated state scenic highway. The project is not located in
19 proximity to such a highway.
20
21 (v) The project site has not been listed as a hazardous waste and
22 substance facility or site by the Department of Toxic Substances
23 Control pursuant to California Government Code Section 659625.
24
25 (vi) The project will not cause a substantial adverse change to the
26 significance of a historical resource. There are no historical
27 resources on the project site.
28

29 The Community Development Director has reviewed the project's potential
30 effects on the environment and has recommended that the project is
31 categorically exempt from the California Environmental Quality Act ("CEQA")
32 under CEQA Guidelines Section 15332 "In-Fill Development", and that the
33 exceptions to the categorical exemptions contained in CEQA Guidelines section
34 15300.2 are not applicable to this project.
35

- 36 2. **Multi-Species Habitat Conservation Plan (MSHCP):** The project is found to be
37 consistent with the MSHCP. The project is located outside of any MSHCP
38 criteria area and mitigation is provided through payment of the MSHCP Mitigation
39 Fee.
40
41

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

2
3 Pursuant to Hemet Municipal Code Section 90-1537(c) and in light of the record before
4 it including the staff report dated April 2, 2013 and all evidence and testimony heard at
5 the public hearing of this item, the Planning Commission hereby finds as follows:
6

- 7 1. That the proposed location, use and operation of the conditional use is in accord
8 with the objectives of Chapter 90 of the Hemet Municipal Code, the purposes of
9 the zone in which the site is located, is consistent with the General Plan and
10 complies with other relevant city regulations, policies and guidelines.
11

12 The proposed major telecommunications facility with appurtenant accessory
13 equipment cabinets and emergency backup generator inside a block walled 800
14 square-foot area is allowed in the S-1 zone and, under the Wireless
15 Telecommunications Facilities Article XLVI, subject to the approval of a
16 conditional use permit. Conditional Use Permit No. 13-001 is consistent with the
17 intent of the Zoning Ordinance since it meets and/or exceeds the minimum
18 development standards of the Church (S-1) zone relative to setbacks, lot
19 coverage, and parking, as discussed in the zoning consistency section of the
20 related staff report.
21

22 With regard to building heights, Conditional Use Permit No. 13-001 is exempt
23 from the 35-foot height standard for buildings and structures because Section 90-
24 1621(a)(2)(e), additional development standards, and guidelines for major
25 facilities, of Hemet Municipal Code Article XLVI provides for height exceptions.
26 The exception requires that the applicant satisfactorily demonstrate that
27 exceeding the height limitation is necessary for the operation of the facility; and
28 that the facility is co-locatable.
29

30 The Applicant provided a letter of justification demonstrating that the proposed
31 height is necessary for coverage to the surrounding area. The 65-foot height is
32 necessary to maximize coverage, 60-foot tower, and camouflage with five feet of
33 additional branches. Reduced height may facilitate future needs for another site.
34

35 The facility therefore contains adequate space suitable for future collocation, and
36 the height in excess of zoning requirements is necessary to the proposed shared
37 use in that each carrier requires its own rad center height, i.e., 46 feet for an
38 additional wireless carrier and 56 feet for AT&T.
39

40 Additionally, conditions of approval have been added to the project to ensure that
41 all of the minimum requirements of Chapter 90 of the Hemet Municipal Code are
42 met. Furthermore, the applicant will be required to comply with these conditions
43 prior to obtaining building or grading permits. Condition of Approval No. 5
44 requires that the project comply with all sections of the Zoning Ordinance as well

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1 as all other applicable local regulations in effect at the time of the building permit
2 application.

3
4 The General Plan land use designation for the site location is Medium Density
5 Residential. The proposed development is consistent with General Plan policy
6 CSI-5.1 in that it proposes a stealth wireless communications facility and allows
7 the ability for future collocation.
8

- 9 2. That the proposed location of the conditional use and the conditions under which
10 it would be operated or maintained will not be detrimental to the public health,
11 safety or welfare, nor materially injurious to properties or improvements in the
12 vicinity.
13

14 The site has been designed to meet all of the development standards of the
15 Church Zone (S-1) zone relative to setbacks, lot coverage and parking, as
16 discussed in the zoning consistency section of the project analysis, such that it
17 will not be detrimental to the public health, safety or welfare and will not conflict
18 with on-site circulation.
19

20 Additionally, conditions of approval have been added to the project to ensure that
21 all of the minimum requirements of Chapter 90 of the Hemet Municipal Code are
22 met. Furthermore, the applicant will be required to comply with these conditions
23 prior to obtaining building or grading permits. Condition of Approval No. 5
24 requires that the project comply with all sections of the Zoning Ordinance as well
25 as all other applicable local regulations in effect at the time of the building permit
26 application.
27

28 This project meets the intent of the Wireless Telecommunication Facilities Article
29 XLVI of the Hemet Municipal Code in that the project proposes a monopine to
30 mitigate impacts upon views and a block wall to mitigate possible obtrusive and
31 unsightly accessory structures and equipment. Staff believes that the proposed
32 monopine telecommunication facility with a block wall and equipment shelter for
33 screening the equipment will be appropriate and compatible with the materials
34 and colors of surrounding structures and the surrounding environment.
35

- 36 3. That the proposed conditional use will comply with each of the applicable
37 provisions of Chapter 90 of the Hemet Municipal Code and with other relevant
38 city regulations, policies and guidelines.
39

40 *The project complies with the development standards and guidelines for major*
41 *facilities:*
42

43 The facility will not bear any signs or advertising devices other than certification,
44 public safety, warning, or other required seals or signage. The applicant also
45 proposes to screen all accessory equipment associated with the operation of the

1 facility within a block wall enclosure and radio equipment shelter. The proposed
2 antennas will be painted and camouflaged to blend into the surrounding land to
3 minimize any potential visual impact.
4

5 *The project complies with the Commercial Design Guidelines in terms of building*
6 *height and materials, landscaping, and required walls and fences:*
7

8 First, the Guidelines require that the height of structures relate to adjacent open
9 space and that building products imitating natural materials be durable and avoid
10 the impression of being artificial. The monopine construction materials consist of
11 a galvanized steel pole with simulated bark and pine branches. The bark is
12 molded, flexible and durable polyurethane. The tree is designed with materials to
13 withstand any adverse weather conditions.
14

15 Secondly, the Guidelines also require the utilization of landscaping to screen
16 unsightly features and utility equipment, as well as to decrease heat gain. The
17 proposed project's monopine tower will screen the pole and antennas from short
18 and long distances, respectively. In addition, the project has been conditioned to
19 provide adjacent landscaping to screen the use from Sanderson and Devonshire
20 Avenues.
21

22 Lastly, the Commercial Design Guidelines require the use of walls for screening
23 or security functions that are compatible with the architectural character of the
24 primary structures and the surrounding area. The project's decorative block wall
25 is necessary for security functions. A six (6) foot block wall surrounds the base
26 of the facility and will provide security and screening, as well as housing for an
27 equipment shelter and emergency backup generator.
28
29

30 **SECTION 3: REQUIRED WIRELESS TELECOMMUNICATION FACILITIES**
31 **FINDINGS**
32

- 33 1. A ground mounted facility shall not be permitted unless the approving authority
34 finds that, based upon evidence submitted by the Applicant, no existing building
35 or support structure can reasonably accommodate the proposed facility.
36 Evidence supporting this finding may consist of any of the following:
37
- 38 a. No ground mounted facility shall exceed the maximum building height for
39 the applicable zone in which it is located unless both of the following
40 findings are made by the approving authority:
41
 - 42 i. The applicant has satisfactorily demonstrated that exceeding the
43 height limitation is necessary for operation of the facility;
44

1 The height limit for the S-1 Neighborhood zoning district in this area is
2 up to 35 feet for buildings. The proposed facility is proposing a height
3 limit of 65 feet. However, the project is exempt from the 35-foot height
4 standard for buildings and structures pursuant to Section 90-385(c) of
5 the Hemet Municipal Code. The exception states that "*Structures*
6 *permitted above a specified height may be erected as follows:*
7 *Structures or walls for the housing of elevators, stairways, tanks,*
8 *ventilating fans or similar structures, skylights, towers, steeples,*
9 *flagpoles, chimneys, smokestacks, wireless masts, radio and television*
10 *masts, water tanks, silos or similar structures, provided that no roof*
11 *structure, as listed in this subsection, or any space above the height*
12 *limit specifically prescribed for particular zones, shall be allowed or*
13 *used for the purpose of providing useable floor space in excess of that*
14 *reasonably required to maintain such structures and shall not be used*
15 *for signage*".

16
17 The Verizon RF Engineer has indicated that a minimum 60 foot top of
18 antenna height is needed to ensure adequate RF signal propagation to
19 the surrounding area. The requested height will ensure that the signal
20 reaches the surrounding community as well as the surrounding AT&T
21 sites, as is required for comprehensive, consistent wireless phone
22 coverage.

23
24 A monopine with antennas mounted at a height of 60 feet (top of
25 antennas) and faux pine branches will extend up to 65 feet. Based on
26 the RF Engineer's recommendation, lowering the height of the
27 proposed facility will not allow for adequate RF signal propagation and
28 adequate wireless phone coverage for the area. The applicant has
29 also stated that a lower facility may not provide sufficient height for a
30 future carrier's co-located antennas below the AT&T antennas, and
31 may compromise the co-locatability of the proposed site.

32
33 The information provided by the applicant provides a reasonable
34 justification for the proposed facility height of 65 feet and evidences
35 that this height will not be detrimental to the health, safety and welfare
36 of the public.

- 37
38 ii. The facility is collocated, or contains adequate space suitable for future
39 collocation, and the height in excess of zoning requirements is
40 necessary to the proposed shared use.

41
42 The new facility will accommodate additional wireless carrier antennas.
43 Whether this height is adequate for a future carrier depends on the
44 location of the carrier's existing nearby sites and the area to be
45 provided coverage.

1
2 The facility will require a minimum height of 60 foot top of antennas
3 (and pole) to ensure the RF signals emitting from the antennas
4 propagate for a distance that will connect to adjacent cell sites and
5 serve cell phone users in the area. There are no buildings in the area
6 of the search ring that will allow for a 60 foot top of antenna height.
7 For this reason, a new ground-mounted facility is proposed.
8

9 The facility, therefore, contains adequate space suitable for future
10 collocation, and the height in excess of zoning requirements is
11 necessary to the proposed shared use in that each carrier requires its
12 own rad center height, i.e., 46 feet for an additional wireless carrier and
13 56 feet for AT&T.
14

- 15 2. If the approving authority finds that collocation is not a feasible option and that a
16 new facility may be located less than 1,500 feet from an existing major facility,
17 the new facility should be located at least 500 feet from the existing facility.
18

19 There are no co-locatable facilities within 1,500 feet of the proposed facility. The
20 proposed major facility meets the required 1,500 foot separation from existing
21 major facilities pursuant to Section 90-1621.(a) (1).c. of the Hemet Municipal
22 Code. The proposed facility is approximately 2,500 feet from the nearest existing
23 major facility which is located at the northwest corner of Sanderson Avenue and
24 Menlo Avenue at the Prince of Peace church and to the west of the project site.
25

26 SECTION 4: PLANNING COMMISSION ACTIONS

27 The Planning Commission hereby takes the following actions:
28

- 29
- 30 1. **Notice of Exemption.** In accordance with Public Resources Code Section
31 21152(b) and CEQA Guidelines Section 15062, the Planning Commission hereby
32 approves a categorical exemption for the project under CEQA Guidelines Section
33 15332 and directs the Community Development Director to prepare and file with
34 the Clerk for the County of Riverside a notice of exemption as provided under
35 Public Resources Code Section 21152(b) and CEQA Guidelines Section 15062.
36
 - 37 2. **Approves Conditional Use Permit.** Conditional Use Permit No. 13-001 is
38 hereby approved as shown in Exhibit A which is attached hereto and
39 incorporated herein by reference, and subject to the Conditions of Approval in
40 Exhibit B which are attached hereto and incorporated herein by reference.
41
42
43
44

Planning Commission Resolution No. 13-006
CONDITIONAL USE PERMIT NO. 13-001
AT&T @ BEREAN FELLOWSHIP CHURCH

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PASSED, APPROVED, AND ADOPTED t his 2nd d ay of April, 2013, by the following vote:

AYES: None
NOES: None
ABSTAIN: None
ABSENT: None

John Gifford, Chairman
Hemet Planning Commission

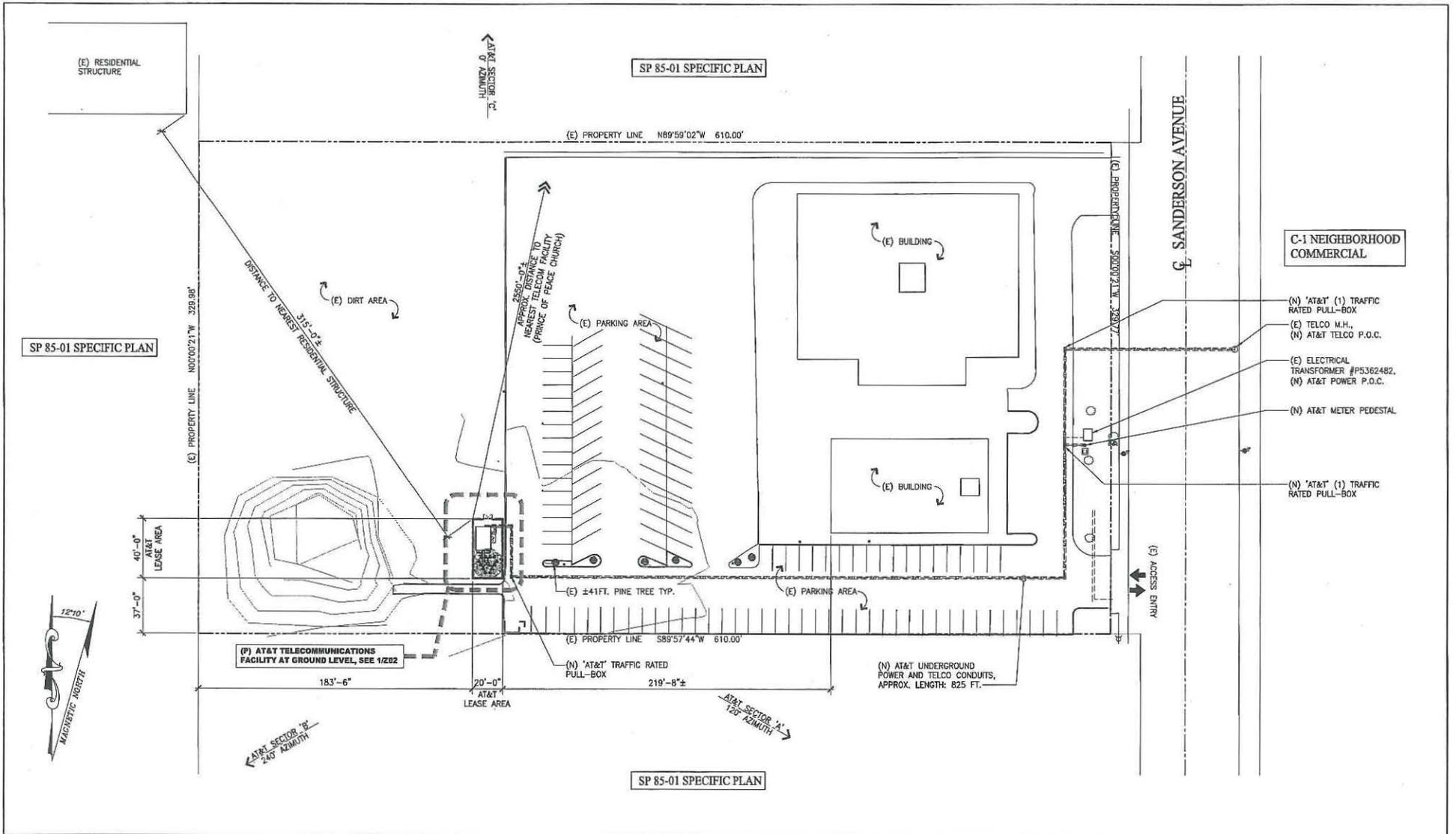
ATTEST:

Nancie Shaw, Records Secretary
Hemet Planning Commission

**Exhibit
No. 1A
Development Plan**

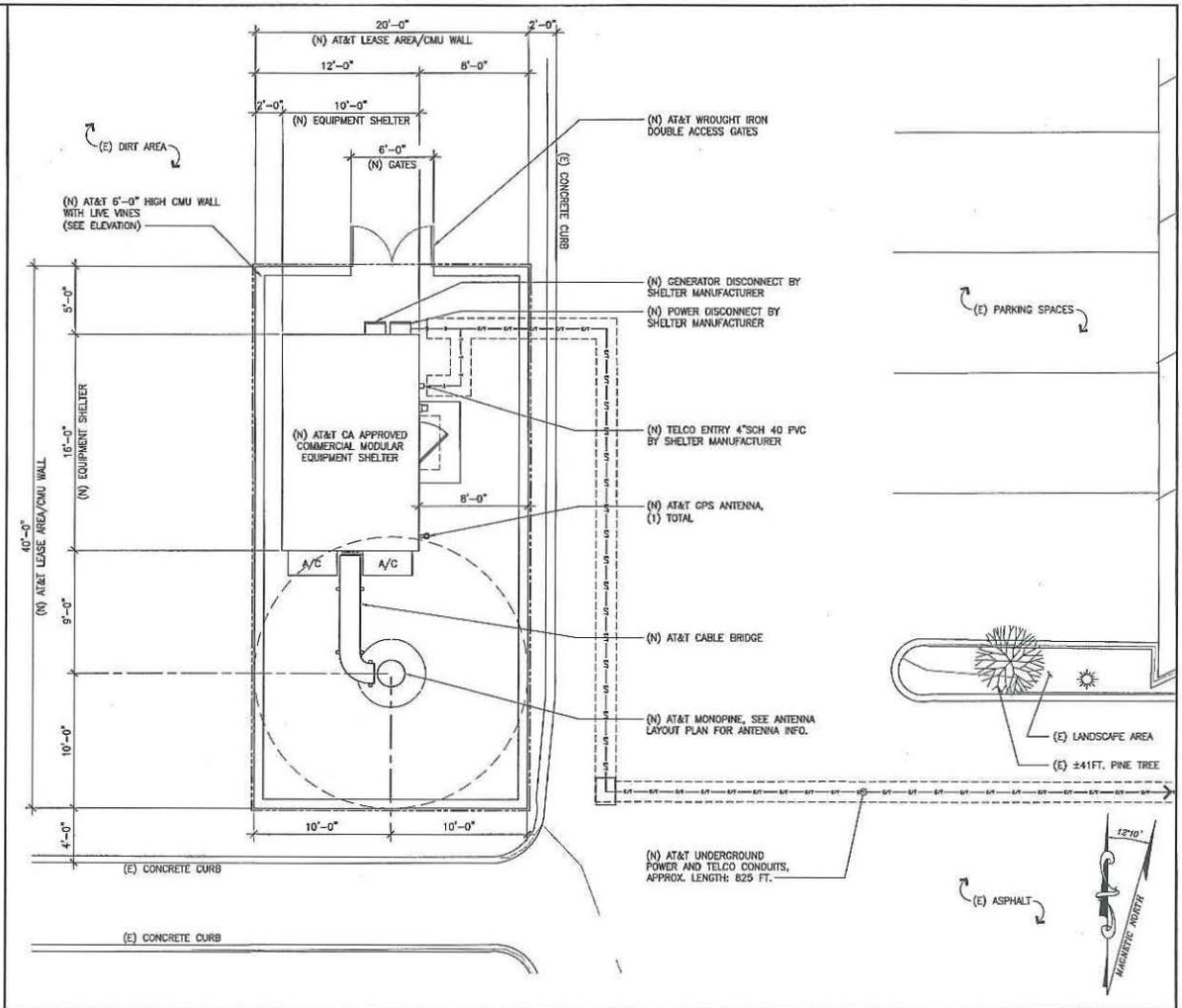
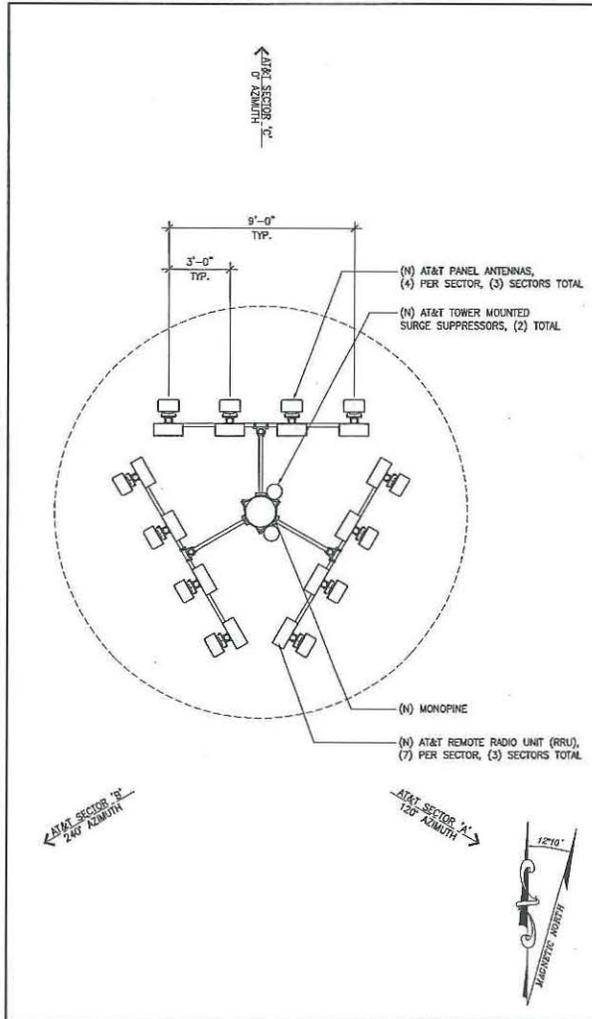
**Planning Commission
Meeting of
April 16, 2013**

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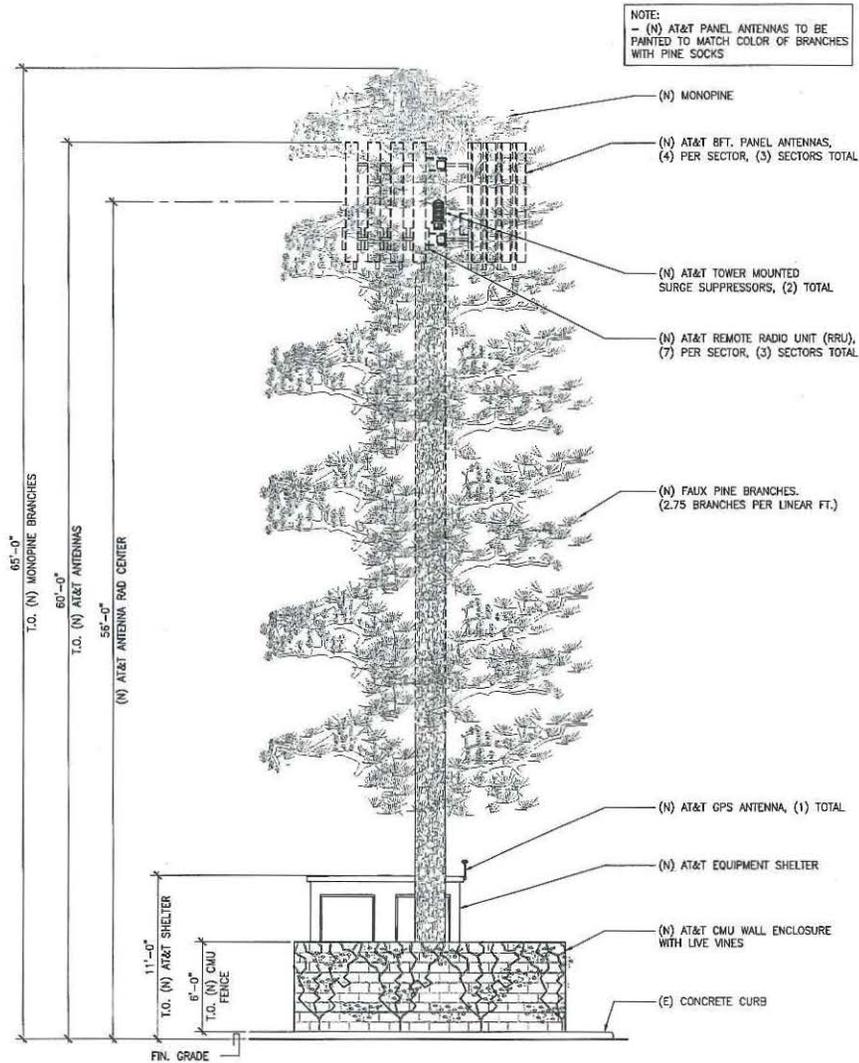
SITE PLAN		SCALE: 1"=30'-0" 	1																		
DCI PACIFIC A/E/C WORKS <small>ARCHITECTURE ENGINEERING CONSULTING 22 EXECUTIVE PARK SUITE 110 IRVINE CA 92614 T 949 475-1000 F 949 475-1001</small>		AT&T Mobility <small>12900 PARK PLAZA DRIVE CERRITOS, CA 90703</small>																			
RS0330C BEREAN FELLOWSHIP BAPTIST CHURCH 375 NORTH SANDERSON AVENUE HEMET, CA 92545		AT&T MOBILITY CERRITOS, CA SITE PLAN																			
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ANTENNA LAYOUT PLAN	SCALE: 1" = 10'-0" 1 2 3 4	2	EQUIPMENT AREA PLAN	SCALE: 1" = 10'-0" 1 2 3 4	1																		
DCI PACIFIC A E C WORKS <small>ARCHITECTURE ENGINEERING CONSULTING 32 EXECUTIVE PARK SUITE 1101 IRVINE, CA 92614 T 949 475.8000 F 949 475.1001 P</small>	RS0330C BEREAN FELLOWSHIP BAPTIST CHURCH 375 NORTH SANDERSON AVENUE HEMET, CA 92345		 <small>1200 PARK PLAZA DRIVE CERRITOS, CA 94503</small>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>NO.</td> <td>DATE</td> <td>REVISIONS</td> <td>BY</td> <td>CHK</td> <td>APP'D</td> </tr> <tr> <td>1</td> <td>02/26/13</td> <td>INCORPORATE CITY COMMENTS</td> <td>IP</td> <td>BOK</td> <td>DHD</td> </tr> <tr> <td>0</td> <td>11/28/12</td> <td>ISSUED FOR ZONING PERMIT</td> <td>MMA</td> <td>BOK</td> <td>DHD</td> </tr> </table>	NO.	DATE	REVISIONS	BY	CHK	APP'D	1	02/26/13	INCORPORATE CITY COMMENTS	IP	BOK	DHD	0	11/28/12	ISSUED FOR ZONING PERMIT	MMA	BOK	DHD	AT&T MOBILITY CERRITOS, CA EQUIPMENT & ANTENNA LAYOUT PLANS
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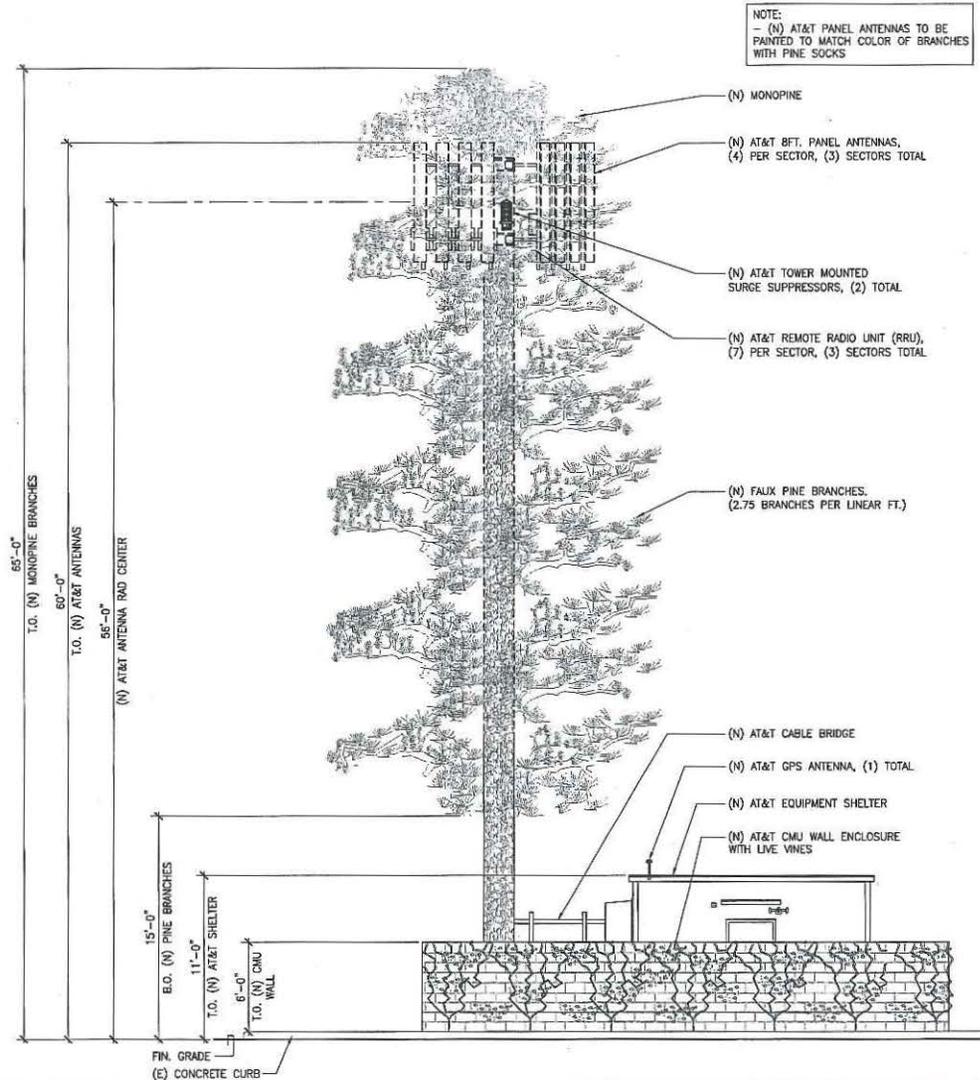
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SOUTH ELEVATION

SCALE: 1/4"=1'-0"
 0 1' 2' 4'

2



EAST ELEVATION

SCALE: 1/4"=1'-0"
 0 1' 2' 4'

1

DCI PACIFIC
 A/E/C WORKS

ARCHITECTURE | ENGINEERING | CONSULTING
 32 EXECUTIVE PARK | SUITE 110 | IRVINE | CA 92614
 T 949.475.1000 | F 949.475.1001

RS0330C
 BEREAN FELLOWSHIP BAPTIST CHURCH
 375 NORTH SANDERSON AVENUE
 HEMET, CA 92545



12000 PARK PLAZA DRIVE
 CERRITOS, CA 94503

NO.	DATE	ISSUED FOR ZONING PERMIT	REVISIONS	BY	CHK	APP'D
1	02/26/13	INCORPORATE CITY COMMENTS		JP	ROK	DND
0	11/29/12	ISSUED FOR ZONING PERMIT		MAJ	ROK	DND

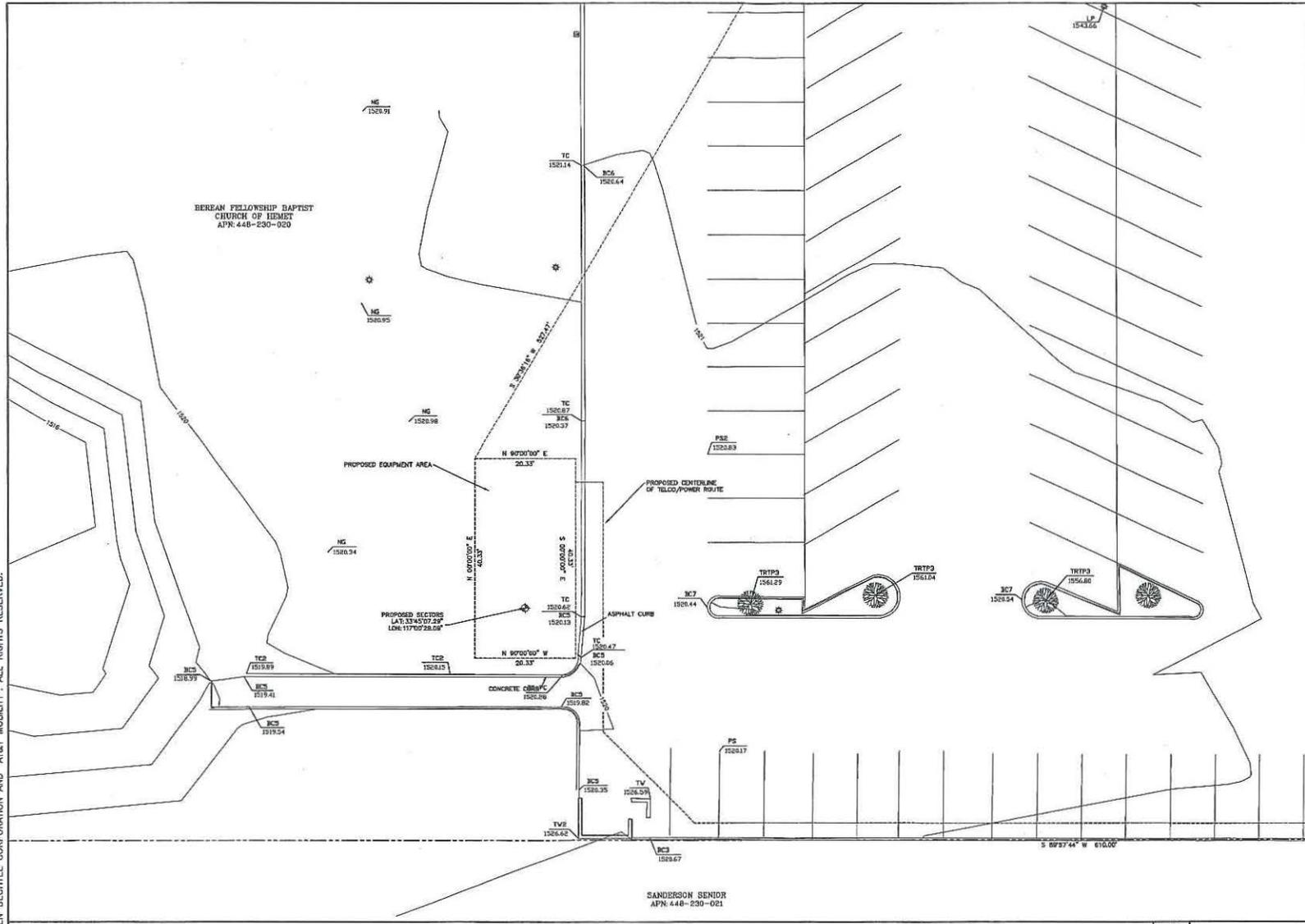
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AT&T MOBILITY
 CERRITOS, CA

ELEVATIONS

JOB NO.	DRAWING NUMBER	REV.
25736-615	AA-RS0330C-203	1

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LEGEND

- These standard symbols will be found in the drawing.
- ELECTRIC BOX
 - ▽ FIRE HYDRANT
 - LIGHT POLE
 - MONUMENT FOUND
 - ⊙ TELEPHONE MANHOLE
 - ⊙ TREE PALM
 - ⊙ TREE DECIDUOUS
 - ⊙ TREE CONIFEROUS
 - ⊙ UTILITY POLE
 - ⊙ WATER METER
 - ⊙ WATER VALVE
 - BC BOTTOM OF CURB
 - ELTR ELECTRICAL TRANSFORMER
 - EP EDGE OF PAVEMENT
 - FL FLOWLINE CURB & CUTTER
 - LP LIGHT POLE TOP
 - ND GROUND SPOT ELEVATION
 - PS PAINT STRIPING
 - RTOP ROOF TOP
 - SW SIDEWALK
 - TC TOP OF CURB
 - TRTP TREE TOP DECIDUOUS
 - TRTP3 TREE TOP CONIFEROUS
 - TW WALL TOP
 - BOUNDARY LINE
 - CENTER LINE
 - MISC. PROPERTY LINE
 - MISC. TIE LINE
 - RIGHT-OF-WAY LINE
 - EASEMENT LINE
 - FENCE LINE

LEGEND

- 1) This is not a boundary survey. This is a specialized topographic map. The property lines and assessments shown herein are from record information as noted herein. Floyd Surveying, Inc. translated the topographic survey to record information using the two found monuments shown herein. No title research was performed by Floyd Surveying, Inc.
- 2) Any changes made to the information on this plan, without the written consent of Floyd Surveying, Inc. relieves Floyd Surveying, Inc. of any and all liability.
- 3) These drawings & specifications are the property & copyright of Floyd Surveying, Inc. & shall not be used on any other work except by agreement with the Surveyor. Written dimensions shall take preference over scales & shall be verified on the job site. Any discrepancy shall be brought to the notice of the Surveyor prior to commencement of any work.
- 4) Field survey completed on OCTOBER 24, 2012.

DETAIL SITE PLAN



GENERAL NOTES

FLOYD SURVEYING
 2821 GREEN RIVER RD.
 STE 105-202
 CORONA, CA 92882
 CELL: (949) 200-0628
 EMAIL: fs@floydsurveying.com

DCI PACIFIC
 A/E/C WORKS
 ARCHITECTURE-ENGINEERING-CONSULTING
 32 EXECUTIVE PARK, SUITE 110, IRVINE, CA 92614
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RS0330C
 BEREAN FELLOWSHIP BAPTIST CHURCH
 375 N. SANDERSON AVENUE
 HEMET, CA 92545

at&t
 Mobility
 12800 PARK PLAZA DRIVE
 CERRITOS, CA 90703

NO.	DATE	REVISIONS	BY	CHK	APP'D
1	12/3/12	EQUIPMENT AREA	DAF	DAF	DAF
D	10/29/12	BOX ZONING DRAWINGS	DAF	DAF	DAF

SCALE: AS SHOWN DESIGNED DRAWN



at&t
TOPOGRAPHIC SURVEY
 DRAWING NUMBER: 25471-610
 AA-RS0330C-B02 REV. 1

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

**Planning Commission
Meeting of
April 16, 2013**



CITY OF HEMET

PROPOSED CONDITIONS OF APPROVAL

PLANNING COMMISSION DATE: April 2, 2013

PROJECT NO.: Conditional Use Permit No. 13-001
OWNER: Berean Fellowship Baptist Church
AGENT: Mitchell Bryant – Coastal Business Group, Inc.
LOCATION: 375 North Sanderson Avenue
DESCRIPTION: A proposed ground mounted telecommunication facility and associated equipment consisting of a 65' pole camouflaged as a monopine and an 800 square foot leased area, equipment area screened by a six (6) foot high block wall.
OCCUPANCY: This project has been reviewed as a U Occupancy; any other use will require further review.

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

STANDARD CONDITIONS

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

General Requirements

1. Conditional Use Permit No. 13-001 shall become null and void on **April 2, 2015** (two calendar years from the date of approval), unless use in reliance on the approved Conditional Use Permit is established prior to the expiration date. A time extension may be granted by the Planning Commission in accordance with Hemet Municipal Code, provided a written request for a time extension is submitted the Planning Division prior to the expiration date. No formal notice of expiration will be given by the City.

City of Hemet - Conditions of Approval
Conditional Use Permit No. 13-001 – AT&T (Berean Fellowship Baptist Church)

2. Approval of Conditional Use Permit No. 13-001 shall become effective on **April 13, 2013** unless appealed to the City Council by **April 12, 2013** (10 calendar days after action by the Planning Commission). The appeal shall be in writing and shall be accompanied by the required fee.
3. The conditions of approval of this project shall supersede all conflicting notations, specifications, dimensions, typical sections, and the like, which may be shown on the tentative project plans.
4. This project site shall be developed in accordance with the approved plan(s) and the conditions contained herein.
5. This project shall comply with all sections of the Zoning and Subdivision Ordinances and all other applicable Local regulations in effect at the time of the building permit application and/or time of recordation, including the I.C.B.O. California Building Code, California Fire Code, and City and State Handicapped Accessibility Requirements (California Code of Regulations, Title 24).
6. Prior to the issuance of building permits, the applicant shall be subject to all applicable development fees at the rate in effect at the time of building permit application. Such fees may include, but not be limited to: Park Fees, School Fees, Master Plan Storm Drainage Fees, Permit and Plan Checking Fees, Water and Sewer Service Fees, and Capital Facility Fees.
7. Prior to or concurrent with the submittal of building plans for plan check review on this Project, the conditions of approval contained herein shall be photocopied onto the first sheet of the building plans. A copy of the building plans shall be submitted to the Planning Division prior to the issuance of building permits to verify compliance with the conditions of approval and the approved plans.
8. Construction activity shall meet the requirements of Hemet Municipal Code Chapter 30, Article II.
9. Prior to any grading or drainage activity, a grading and/or drainage plan shall be prepared and submitted to the City Engineer and Planning Division for review and approval. No grading or drainage work shall occur without a grading permit and/or the permission of the City Engineer.
10. The applicant shall indemnify, protect, defend, and hold harmless, the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolutions procedures (including, but not limited to arbitrations, mediations, and other such procedures), (collectively "Actions"), brought against the City, and/or

City of Hemet - Conditions of Approval
Conditional Use Permit No. 13-001 – AT&T (Berean Fellowship Baptist Church)

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

Site Development

11. Prior to the issuance of a Certificate of Occupancy for the project site or activity being commenced thereon, pursuant to Conditional Use Permit No. 13-001, all conditions of approval contained herein shall be completed to the satisfaction of the Planning Division.
12. All electrical and mechanical equipment, including but not limited to air conditioning units, electrical boxes, transformers, backflow preventers, and any roof mounted equipment shall be visually screened from public view. Screening shall be to the satisfaction of the Planning Division and in compliance with the Hemet Building Code.
13. An anti-graffiti coating shall be provided on all block walls, and written verification from the developer shall be provided to the City of Hemet Planning Division.

Landscaping

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

Environmental

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

PLANNING CONDITIONS

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

Planning – General

16. Any uses not specifically permitted as part of, or not determined to be in substantial conformance by the Community Development Director, to this Conditional Use Permit No. 13-001, shall require submittal and approval of an application for the modification of Conditional Use Permit No. 13-001.
17. A co-location shall be permitted, unless a modification of the Conditional Use Permit No. 31-001 is approved.
18. Prior to the issuance of a building permit, the applicant and the property owner, if different from the applicant, shall provide a letter of consent agreeing to future colocation of other facilities on or with the applicant's facility, unless technological or structural requirements preclude that colocation and that co-location must be on commercially reasonable terms. Colocation means the location of multiple antennas, which are either owned or operated by more than one service provider at a single location and mounted to a common supporting structure, wall, or building. The Community Development Director shall determine any future cases where technological or structural requirements preclude collocation attempts.

Planning – Site Development

19. Any structures, fences, walls, equipment cabinets with a volume of greater than five cubic feet, antennas or antenna mounting apparatus, or uses not specifically permitted as part of this Conditional Use Permit No. 13-001, shall require review and approval of an application for the modification of Conditional Use Permit No. 13-001.
20. Utility lines shall be underground.
21. The proposed facility shall not bear any signs or advertising devices other than certification, public safety, warning, or other required seals or required signage.
22. The proposed equipment shelter shall be surrounded by a six (6) foot high split face block wall. Color and materials of the wall to be approved by the Planning Division.
23. The structure shall consist of a 65 foot ground mounted telecommunication tower camouflaged as a monopine and an 800 square foot leased equipment area.

City of Hemet - Conditions of Approval
Conditional Use Permit No. 13-001 – AT&T (Berean Fellowship Baptist Church)

Planning – Landscaping

24. Landscaping shall be provided on the all elevations of the structure, with the exception of the gate. The landscaping shall include vines that are acceptable to the Planning Division.
25. Prior to the issuance of building permits for the Project, the applicant shall submit for review and approval by the Planning Division a detailed on-site landscape and irrigation plan consistent with the project site plan. The landscape plans shall include a landscape palette that contains the botanical and common names, quantity for each specie proposed in the plans.

Planning - Operational

26. Lighting shall be turned off unless except when maintenance personnel are present, except as may be required by the Federal Aviation Administration, and except for any security lighting activated by motion sensors.
27. All outdoor lighting shall be shielded or designed to direct the lighting downward. All lighting shall be adjusted so that all lighting is contained within the boundaries of the site. Lighting shall be turned off unless except when maintenance personnel are present.
28. In the event that the operator of the facility is changed from the applicant, including changes in corporate name, or if additional carriers' antennas are included with the project, the project proponent shall provide written notice, including contact information, for inclusion in the CUP 13-001 case file.
29. In the event that the facility is to be no longer used, the entirety of the facility shall be removed within 30 days. Proper permits shall be required.
30. Prior to the issuance of a building permit, all application requirements, pursuant to Article XLVI - Wireless Telecommunication Facility of the Hemet Municipal Code, shall be submitted to satisfaction of the Community Development Director, i.e., Maintenance, Security, and Anti-Graffiti Plan, and Evidence of Required License and Approvals.
31. The Applicant/Developer shall maintain the subject property after the start of construction and during the lifetime of the project, free of weeds, debris and trash.

Planning – Airport Land Use Commission

32. Any outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky.

City of Hemet - Conditions of Approval
Conditional Use Permit No. 13-001 – AT&T (Berean Fellowship Baptist Church)

33. The following uses shall be prohibited:
- a. Any use which would direct a steady light or flashing light of red, white, green or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - c. Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, wastewater management facilities, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, and incinerators.)
 - d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
34. The attached notice shall be provided to all potential purchasers of the property and all potential tenants of the building(s).
35. Prior to the issuance of building permits, the landowner shall convey an aviation easement to the County of Riverside as owner of Hemet-Ryan Airport. Contact the Riverside County Economic Development Agency at (951) 955-9802 for additional information.
36. The Federal Aviation Administration (FAA) has conducted an aeronautical study for the proposed telecommunications facility (Aeronautical Study No. 2013-AWP-893-OE) to be used during construction of the facility and has determined that neither marking nor lighting of the proposed structure and temporary crane would be necessary for aviation safety. However, if marking and/or lighting for aviation safety are accomplished on a voluntary basis, such marking and/or lighting (if any) shall be installed in accordance with FAA Advisory Circular 70/7460-1 K Change 2 and shall be maintained in accordance therewith for the life of the project.

37. The maximum height of the permanent structure (to top of leaf) shall not exceed 65 feet above ground level, and the maximum elevation at the top of the structure shall not exceed 1,586 feet above mean sea level. The maximum height of any temporary structure, such as cranes, shall not exceed 85 feet above ground level, and the maximum elevation at the top of any temporary structure shall not exceed 1,606 feet above mean sea level.
38. The specific coordinates, height, and top point elevation of the proposed structure shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in building height or elevation shall not require further review by the Airport Land Use Commission.
39. Within five (5) days after construction of the telecommunications facility reaches its greatest height, FAA Form 7460-2 (Part II), Notice of Actual Construction or Alteration, shall be completed by the project proponent or his/her designee and e-filed with the Federal Aviation Administration. (Go to <https://oeaaa.faa.gov> for instructions.) This requirement is also applicable in the event the project is abandoned.

ENGINEERING CONDITIONS

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

GENERAL

40. The applicant shall coordinate with affected utility companies and obtain any permits as necessary for the development of this project.
41. Digitized drawing files of the On-Site Improvement Plan, in a City's compatible CAD system, shall be submitted along with original mylar plans.

STREETS

42. A City of Hemet Encroachment Permit shall be obtained prior to any work within public right-of-way. City approved plans will not relieve the Contractor from responsibility for obtaining an Encroachment Permit. A copy of the Permit shall be kept on the construction site at all times.

43. An On-Site Improvement Plan shall be provided to the Engineering Department prepared by a Registered Civil Engineer for the proposed construction, showing existing and proposed elevations, and demonstrates that drainage will continue to flow to the retention basin, uninterrupted. This plan shall address Site Construction BMPs for Erosion and Sediment control. All work shall be performed in accordance with the City of Hemet Standard Specifications for Public Works Construction. Trenching will be done to City of Hemet Stds., ST-110, 110A, and 110B. Any parking lot area damaged by the construction and any damaged curb, gutter and sidewalk along the subject frontage shall be repaired to City Standards at the direction of the City Engineer prior to issuance of a Certificate of Occupancy. The parking lot shall be designed in accordance with the City of Hemet Parking Lot Design Criteria contained in the City of Hemet Standard Specification for Public Works Construction, Standards P-400 and 401, Uniform Building Code Title 24, and in accordance with Chapter 90, Article XL of the Hemet Municipal Code.
44. Prior to issuance of a Certificate of Occupancy, any new or disturbed parking lot paving shall be fog sealed.

DRAINAGE

45. The Flood Insurance Rate Map shows this project to be in Zone X.

BUILDING CONDITIONS

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

Building – Building Code Requirements

46. This project shall comply with the 2010 California Building Codes.
47. As part of the plans for plan check, a detailed structural analysis, in compliance with Chapter 16 of the Uniform Building Code for the building's intended use, shall be provided.
48. The electrical systems shall be installed in accordance with applicable adopted codes.

FIRE PREVENTION CONDITIONS

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

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

AGENCY APPROVALS

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

GENERAL

50. The final Conditions of Approval for this project shall be included in any site plan or construction plans submitted for permit issuance. Plans will not be approved without reference to these "conditions".
51. This project is subject to review and approval in accordance with the California Code of Regulations, Title 19 for Fire and Life Safety. This project may be subject to an annual inspection and permit from the Hemet Fire Department for this type of occupancy (use).
52. Provision for the storage or handling of hazardous materials, as defined by Federal, State, and Local Law, shall be in accordance with CFC, Chapter 27.
53. Storage and handling of flammable and combustible liquids shall be in accordance with the 2010 California Fire Code, Chapter 34 and NFPA 30 (2008), Flammable and Combustible Liquids Code.
54. Stationary storage battery systems shall be in accordance with the 2010 California Fire Code, Section 608

HYDRANTS AND FIRE PROTECTION SYSTEMS

55. Portable fire extinguishers shall be installed and maintained in accordance with 2010 CFC section 906 and Chapter 3, Title 19 CCR. The type and spacing shall be approved by the City of Hemet Fire Marshal prior to installation.

City of Hemet - Conditions of Approval
Conditional Use Permit No. 13-001 – AT&T (Berean Fellowship Baptist Church)

FIRE DEPARTMENT ACCESS

56. Install Knox key boxes and/or Knox locks for Fire and/or Police Department access in accordance with 2010 CFC Section 506 and the Hemet Municipal Code.

MISCELLANEOUS

57. An annual permit and a "Hazardous Materials Management Plan" (HMMP) will be required pursuant to 2010 CFC Section 2701. This facility shall be subject to the standards of NFPA 704 or some other means of identifying hazardous materials for emergency responders as approved by the Fire Marshal.
58. Fire safety during construction and demolition shall comply with 2010 CFC Chapter 14.
59. Access during construction: Access for fire fighting equipment shall be provided to the immediate job site at the start of construction and maintained until all construction is complete. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13'-6". Fire department access roads shall have an all weather driving surface and support a minimum weight of 73,000 lbs. Access shall be provided to within 150 feet of combustible construction pursuant to 2010 CFC Chapter 14.

POLICE DEPARTMENT CONDITIONS

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

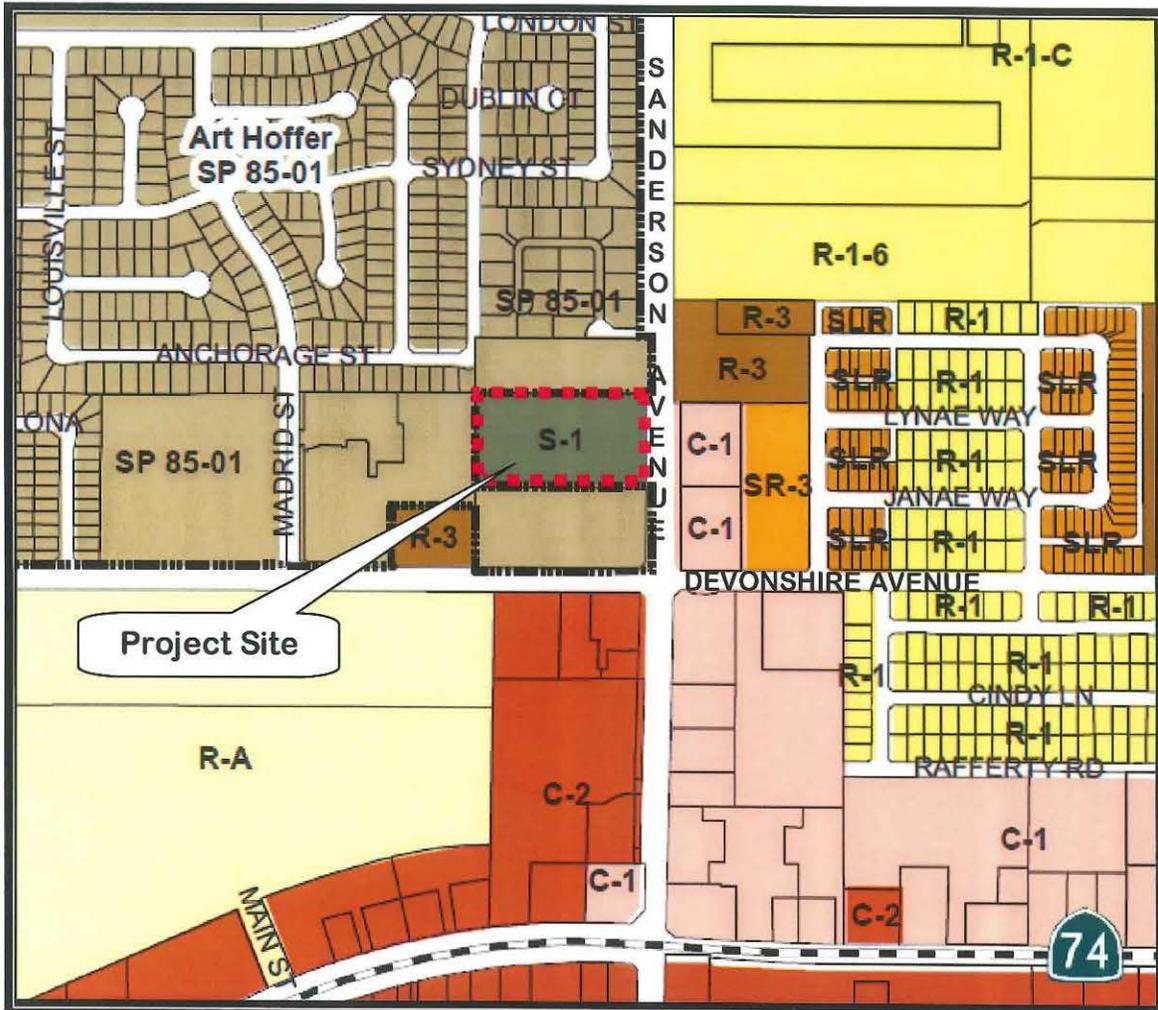
The Police Department has no conditions.

END

Attachment No. 2 Zoning Map

Planning Commission
Meeting of
April 16, 2013

CONDITIONAL USE PERMIT NO. 13-001 ZONING MAP

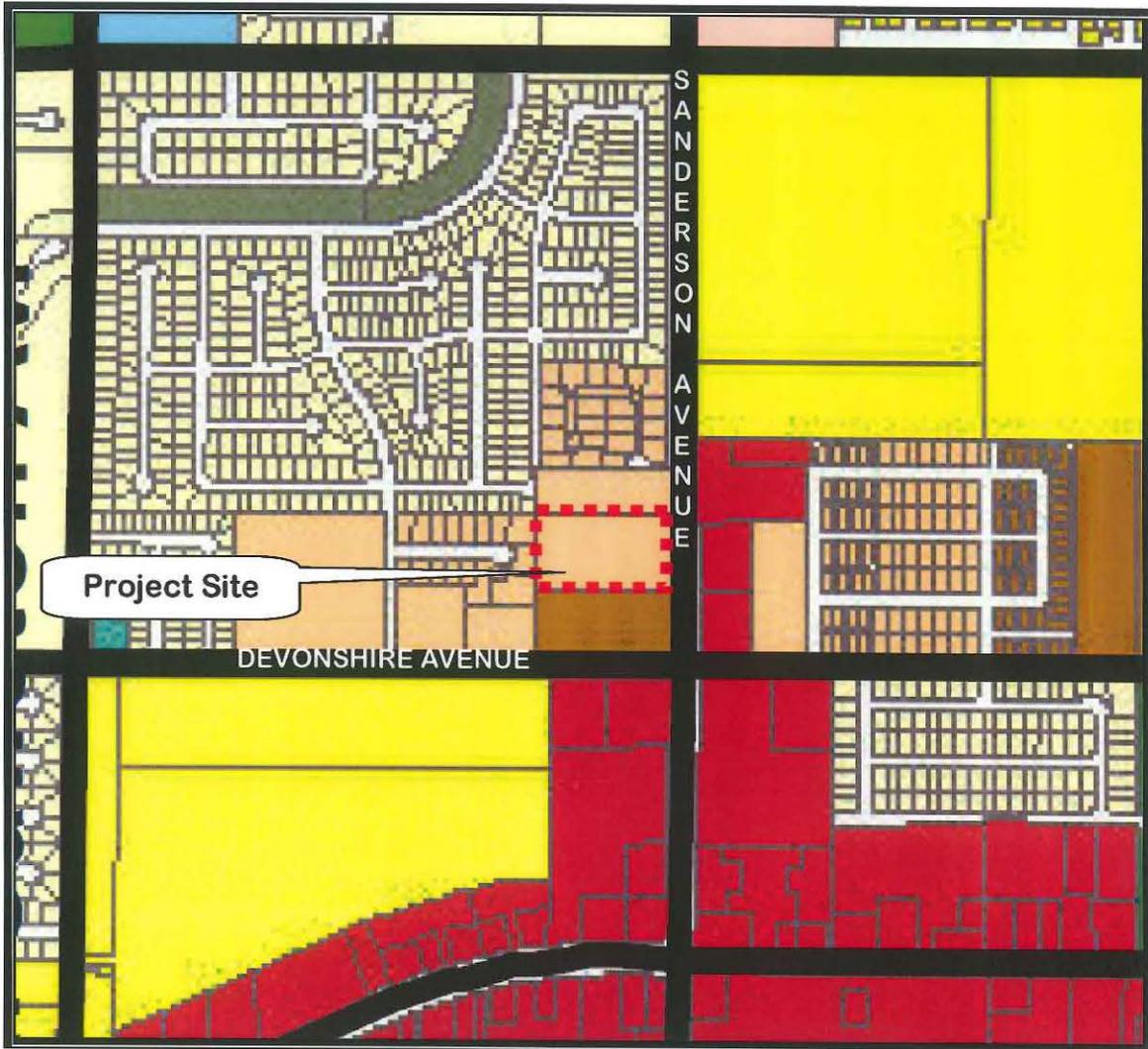


Attachment No. 3

Land Use Designation
Map

Planning Commission
Meeting of
April 16, 2013

CONDITIONAL USE PERMIT NO. 13-001 LAND USE DESIGNATION MAP



Land Use Designations

RR	Rural Residential (0.0 - 2.0 du/ac)
HR	Hillside Residential (0.0 - 0.5 du/ac)
LDR	Low Density Residential (2.1 - 5.0 du/ac)
LMDR	Low Medium Density Residential (5.1 - 8.0 du/ac)
MDR	Medium Density Residential (8.1 - 18.0 du/ac)
HDR	High Density Residential (18.1 - 30.0 du/ac)
VHDR	Very High Density Residential (30.1 - 45.0 du/ac)

NC	Neighborhood Commercial (FAR 0.35)
CC	Community Commercial (FAR 0.40)
RC	Regional Commercial (FAR 0.50)
MU	Mixed Use (Varies)

Environmental Management Area

Areas subject to MSHCP criteria

ARPT	Airport
OP	Office Professional (FAR 2.0)
BP	Business Park (FAR 0.60)
I	Industrial (FAR 0.45)

Interim Airport Overlay Zone

QP/C	Quasi-Public/Cultural
PF	Public Facilities
SCH	School
P	Park/Recreation
OS	Open Space
A	Agriculture

Attachment No. 4

Aerial Map

Planning Commission
Meeting of
April 16, 2013

CONDITIONAL USE PERMIT NO. 13-001 AERIAL MAP

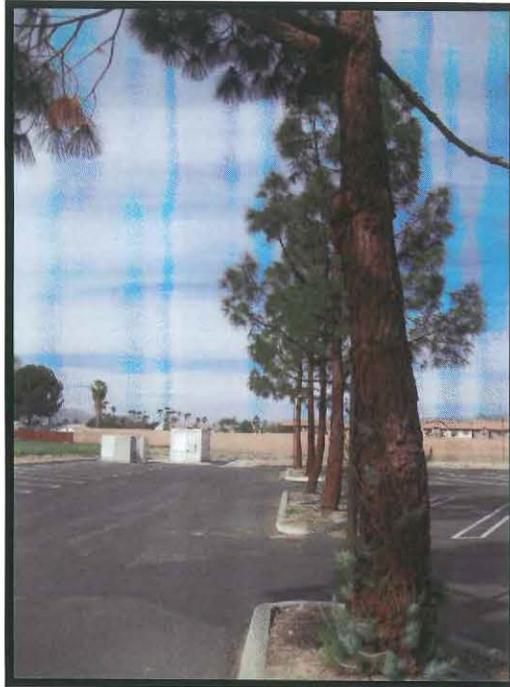


Attachment No. 5

Photographs of Site

Planning Commission
Meeting of
April 16, 2013

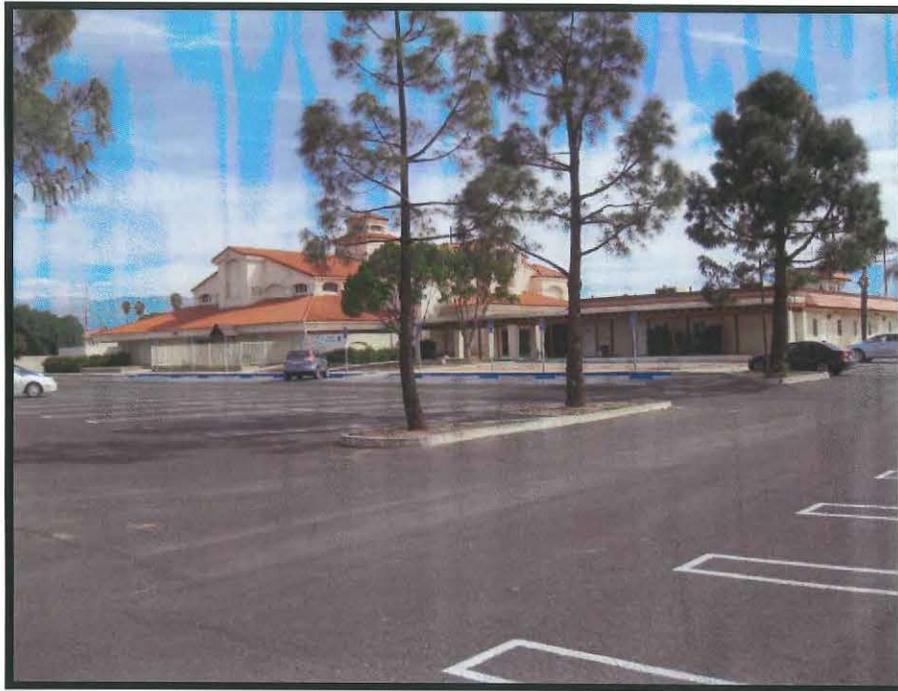
Conditional Use Permit No. 13-001 Site Photographs



Looking west along the main drive aisle



Looking west along the main drive aisle



Looking northeast at the existing church building



Looking south from the southern edge of the property



Looking north from the southern property line



Looking east toward Sanderson Avenue



Looking west from the western edge of parking area

Attachment No. 6

Before and After Visual
Appearances

Planning Commission
Meeting of
April 16, 2013

LOCATION

Microsoft® Virtual Earth™



View from the Northeast looking Southwest

EXISTING



PROPOSED



Completed December 14, 2012

RS0330C
Berean Fellowship Baptist Church
 375 North Sanderson Avenue
 Hemet, CA 92545

VIEW 1

RECEIVED
 JAN 22 2013
 PLANNING
 CUP 13001

APPLICANT

at&t Mobility
 12900 Park Plaza Drive
 Cerritos, CA 90703

CONTACT

Coastal Business Group Inc.
 Jordan DiBlase
 16150 Scientific Way
 Irvine, CA 92618
 p 949.336.1550



BLUE WATER DESIGN
bluewater-design.net
michelle@bluewater-design.net
 p 714.473.2942
 f 949.271.2316

Photo simulation accuracy is based on information provided to Blue Water Design by the applicant.

LOCATION

Microsoft® Virtual Earth™



View from the East looking West

EXISTING



PROPOSED



Completed December 14, 2012

RS0330C
Berean Fellowship Baptist Church
 375 North Sanderson Avenue
 Hemet, CA 92545

VIEW 2

APPLICANT

at&t Mobility
 12900 Park Plaza Drive
 Cerritos, CA 90703

CONTACT

Coastal Business Group Inc.
 Jordan DiBlase
 16150 Scientific Way
 Irvine, CA 92618
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LOCATION

Microsoft® Virtual Earth™

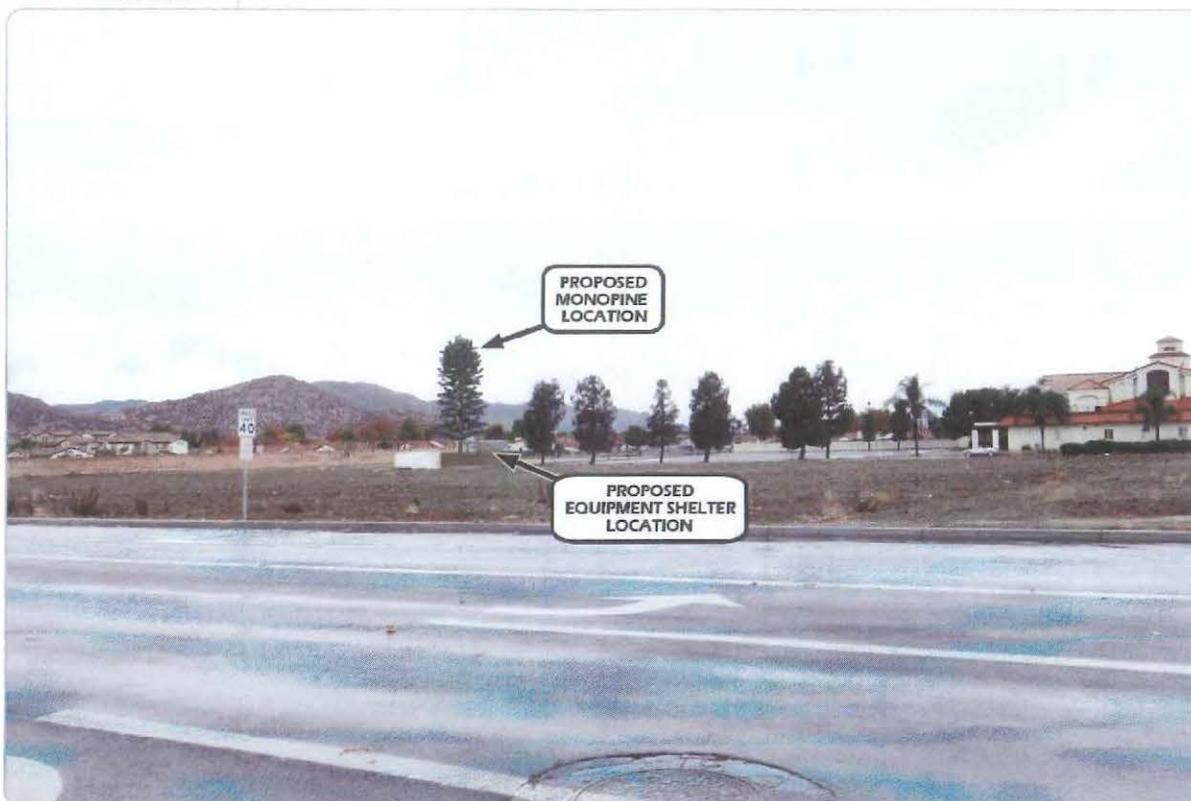


View from the Southeast looking Northwest

EXISTING



PROPOSED



Completed December 14, 2012

RS0330C
Berean Fellowship Baptist Church
 375 North Sanderson Avenue
 Hemet, CA 92545

VIEW 3

APPLICANT

at&t Mobility
 12900 Park Plaza Drive
 Cerritos, CA 90703

CONTACT

Coastal Business Group Inc.
 Jordon DiBiase
 16150 Scientific Way
 Irvine, CA 92618
 p 949.336.1550



BLUE WATER DESIGN

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 michelle@bluewater-design.net
 p 714.473.2942
 f 949.271.2316

Photo simulation accuracy is based on information provided to Blue Water Design by the applicant.

LOCATION

Microsoft® Virtual Earth™



View from the Northwest looking Southeast

EXISTING



PROPOSED



Completed December 14, 2012

RS0330C
Berean Fellowship Baptist Church
 375 North Sanderson Avenue
 Hemet, CA 92545

VIEW 4

APPLICANT

at&t Mobility
 12900 Park Plaza Drive
 Cerritos, CA 90703

CONTACT

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 Irvine, CA 92618
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BLUE WATER DESIGN

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Photo simulation accuracy is based on information provided to Blue Water Design by the applicant.

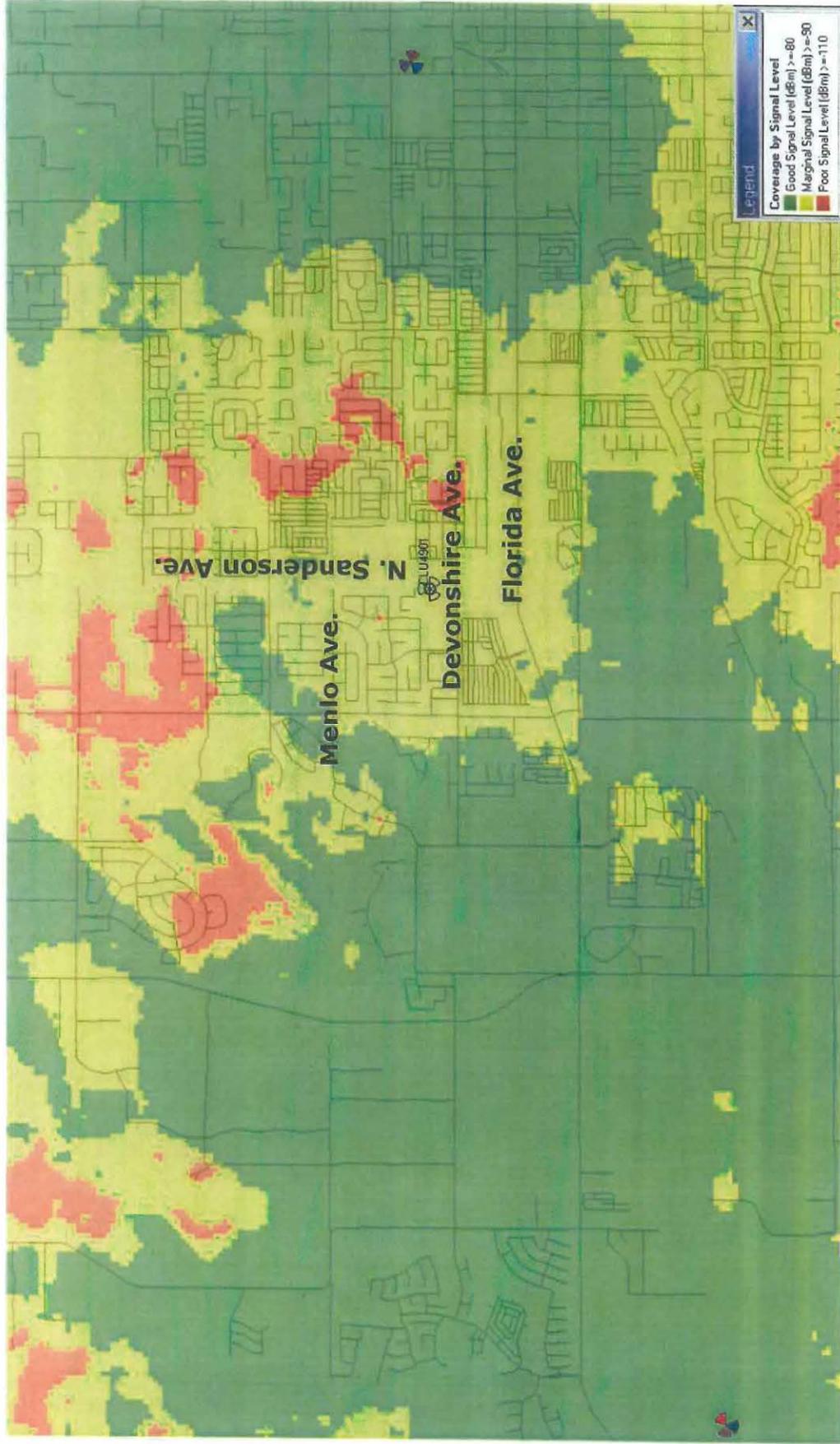
Attachment No. 7

Existing/Proposed Area of
Service

Planning Commission
Meeting of
April 16, 2013

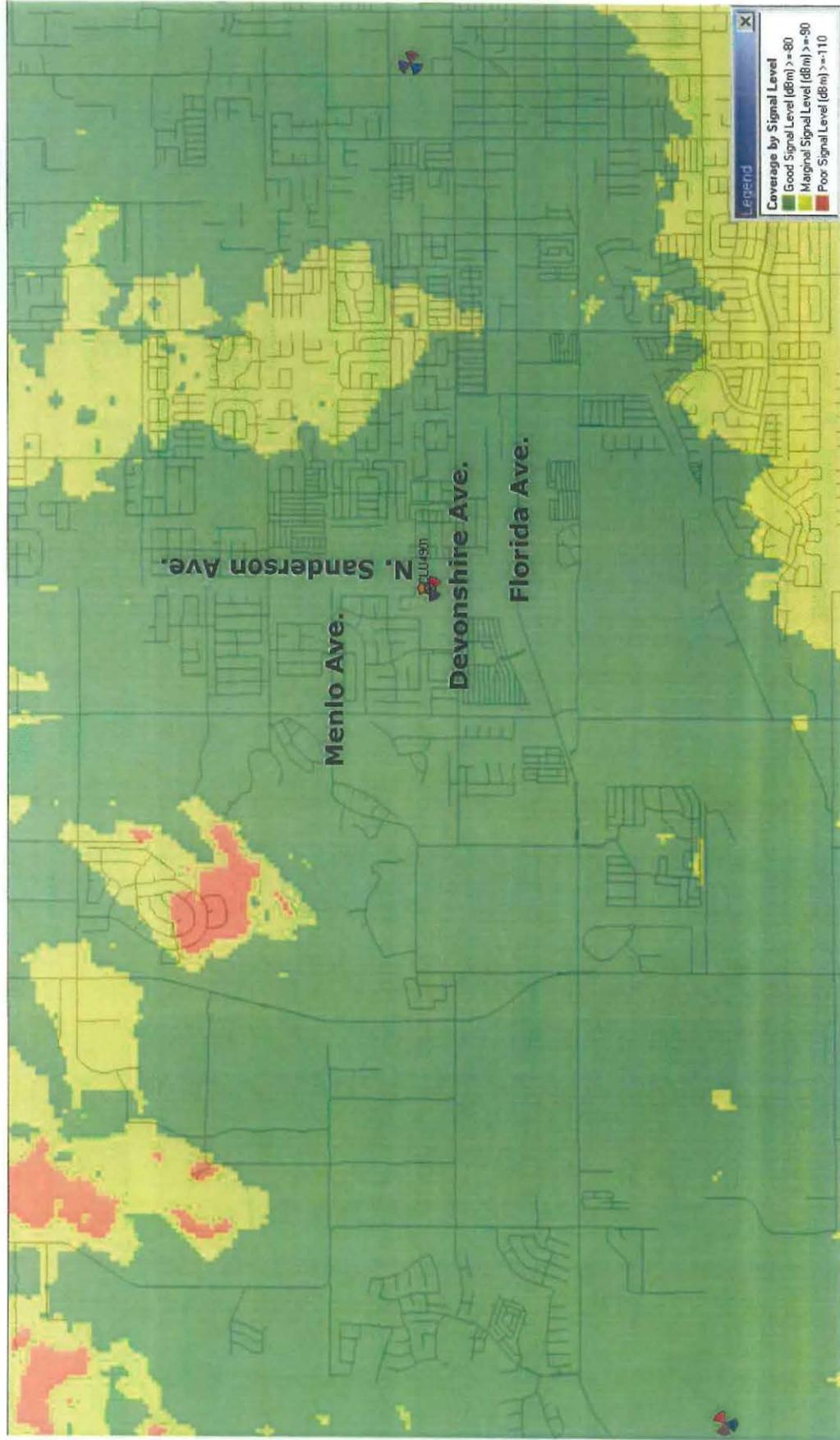
Coverage without Proposed site RS0330/CLU4901

Pilot Coverage - RSCP (dBm)



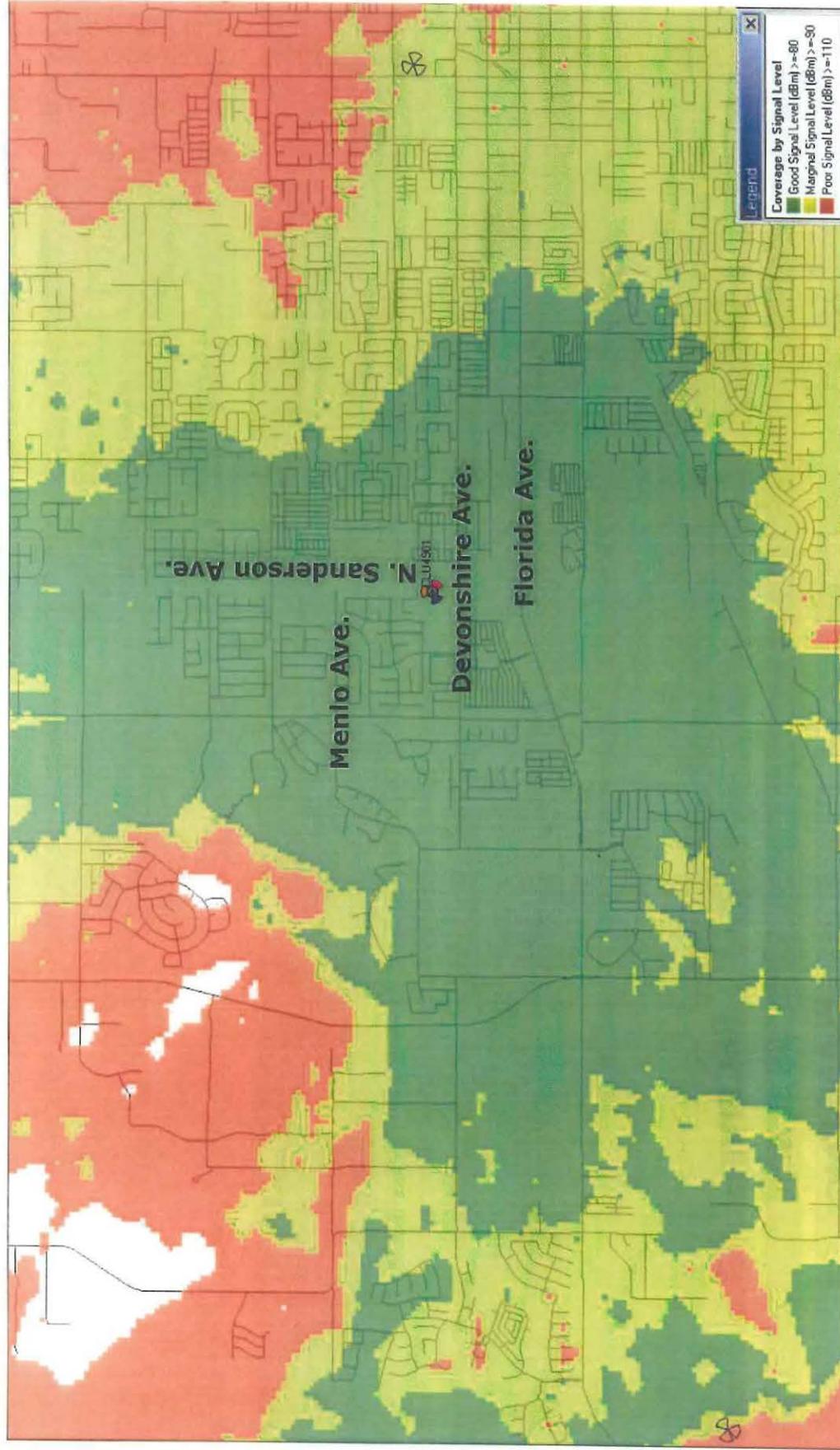
Coverage With Proposed site RS0330/CLU4901

Pilot Coverage - RSCP (dBm)



Coverage With Proposed site RS0330/CLU4901 only

Pilot Coverage – RSCP (dBm)



Attachment No. 8

Letter of Justification

Planning Commission
Meeting of
April 16, 2013



January 21, 2013

AT&T Mobility
Conditional Use Permit
Project Description & Application

AT&T ID: RS0330D Berean Fellowship Church
375 North Sanderson Ave.
Hemet, CA 92545
APN: 448-230-020

Submitted by:
Mitchell Bryant
Coastal Business Group
Tel. (949) 336-1550
Email: mbryant@coastalbusinessgroup.net



Introduction

AT&T is proposing a new telecommunication tower disguised as a monopine in an unused dirt area at the back parking lot of the Berean Fellowship Church. The cell tower is to improve coverage within AT&T's network in and around this area of Hemet. On behalf of AT&T and as the applicant we are requesting the review of the Conditional Use Permit package for a new wireless facility. Lastly, a CAP can be applied for and supplemental documents provided once the planning department provides the proper form.

Justification for New Facility

As displayed in the Pilot Coverage radio frequency coverage maps provided by an AT&T RF engineer and attached to this application, one can see that there is a gap in coverage in and around this area of Hemet. The proposal for a new tower will enhance AT&T network capability in multiple facets, at the most basic level voice coverage will be improved, also LTE (Long Term Evolution) a mobile broadband that provides Internet capability to AT&T cell phone consumers will be enhanced. The new facility with LTE antenna technology will increase mobile broadband speed and decrease latency, as well as improve voice coverage. Further, the facility will also enable faster transfers of large quantities of data in a cost efficient manner. The requested proposal for a new tower will improve the overall network coverage in the vicinity.

The tower design was chosen after preliminary meetings with City of Hemet staff and determining that a colocatable monopine would be the most suitable type of faux tree for the area. The location of the tower was decided as the most appropriate, as it's a non-residentially zoned property

Project Description

The proposal entails a new 65-foot monopine telecommunication facility located in an unused dirt area toward the back parking lot of the Berean Fellowship Church. The tower will have (12) 8-foot antennas, (21) remote radio units (RRUs), and (2) surge suppressors. The ancillary radio equipment and cabinets will be located within a new 11-foot tall modular equipment shelter surrounded by an 18' X 35' chain link enclosure. The tower will be located within the chain link fence as well. Lastly, (2) GPS antennas will be located on the equipment shelter.

Maintenance

The facility will be maintained by AT&T operations technicians that visit the facility approximately 2 times a month. The equipment and tower will be surrounded by a chain link fence to deter vandalism to the shelter. The shelter will also have live vines attached so as to deter graffiti.



Findings

- A. The wireless telecommunication facility will not be a detriment to the public health, safety, and welfare. In fact, as a public service the enhanced coverage will benefit the safety and welfare of the community by providing quicker more efficient access to emergency services and information.
- B. The proposed development will comply with the city's general plan regulations and development standards. The facility will be under the height limitation for the zone and designed to blend in with the area.
- C. The proposed development will be appropriate as a telecommunication facility designed and proposed to improve Hemet patrons cell phone capability.

Conclusion

We thank you for your time and consideration of the project proposal. As representatives of AT&T we look forward to working with you and continuing to provide a service to the area. AT&T and its partners look forward to your decision after review of the submitted documents. If any further information would be useful please contact myself directly.

Regards,

Mitchell Bryant
Site Acquisition Representative