

AGENDA

REGULAR MEETING OF THE HEMET PLANNING COMMISSION

City Council Chambers

450 East Latham Avenue, Hemet CA 92543

September 16, 2014

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 Greg Vasquez, and Commissioners Michael Perciful, Vince Overmyer, and Rick Crimeni

Invocation and Flag Salute: Chairman John Gifford

2. APPROVAL OF MINUTES:

A. Minutes for the Planning Commission Meeting of August 19, 2014

3. 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

4. **SITE DEVELOPMENT REVIEW NO. 14-001 (COPENHAGEN VILLAS)** – A request for Planning Commission review and approval of a Site Development Review application for the design of a eight (8) single story, multiple-family residential apartment buildings containing 40 units totaling 53,600 square feet on 3.29 acres, located on the east side of Copenhagen Street, south of Sydney Street and north of Anchorage Street, with consideration of an environmental exemption pursuant to CEQA Guidelines Section 15332.

PROJECT APPLICANT INFORMATION:

Applicant: Empresa Construction, LLC
Planner: Carole L. Kendrick – Associate Planner
Authorized Agent: Jim Morrissey – PZL
Project Location: East side of Copenhagen Street, south of Sydney Street and north of Anchorage Street
APN: 448-210-005 thru -014 & -016 thru -018

RECOMMENDED ACTION:

That the Planning Commission:

1. *Adopt the attached Planning Commission Resolution Bill No. 14-022 **APPROVING** SDR 14-001 subject to the Conditions of Approval (Attachment No. 2), and;*
2. *Direct staff to file a Notice of Exemption with the County Clerk*

5. **APPEAL NO. 14-001 (CUP AMENDMENT 14-001, SHOOTERS SPORTS BAR AND BILLIARD)** - An appeal to the Planning Commission of the Community Development Director's approval of Conditional Use Permit Amendment 14-001, which would allow recorded music and dancing for patrons at an existing restaurant/sports bar and billiard hall previously approved by Conditional Use Permit 10-015, located at 121 E. Florida Avenue.

PROJECT APPLICANT INFORMATION:

Appellant: Judith McPherson
Planner: Emery J. Papp – Principal Planner
Business Owner: Bill Alden
Project Location: Shooters Sports Bar & Billiard, 121 E. Florida Avenue
APN: 443-281-001

RECOMMENDED ACTION:

That the Planning Commission:

1. *Conduct the public hearing and receive testimony, and EITHER:*
 - A. *DENY the Appeal and Adopt PC Resolution Bill No. 14-023 **AFFIRMING** the Community Development Director's approval of Conditional Use Permit Amendment No. 14-001, based on the findings and conditions outlined in the staff report;*

OR

- B.** GRANT the appeal and either modify or reverse the Director's decision to allow music by disc jockey and dancing at an existing restaurant/sports bar located at 121 East Florida Avenue, Shooters Sports Bar and Billiard.

DEPARTMENT REPORTS

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

- 7. COMMUNITY DEVELOPMENT DIRECTOR REPORTS:** Verbal reports from Community Development Director, Deanna Elliano
 - A.** Report on actions from the August 26, and September 9, 2014 City Council Meetings.
 - B.** WRCOG Regional Planning Projects Update

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

- 9. FUTURE AGENDA ITEMS:**
 - A.** Master Tentative Tract Map/Conveyance map for Tres Cerritos East
 - B.** Work Study for Sun Edison Solar Facility
 - C.** Update report on the status of approved entitlements
 - D.** Update on the Temporary Sign ordinance

- 10. ADJOURNMENT:** To the meeting of the City of Hemet Planning Commission scheduled for **October 7, 2014 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).

PLANNING  COMMISSION

MEETING MINUTES

DATE: AUGUST 19, 2014

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 Greg Vasquez, and Commissioners Rick Crimeni and Vince Overmyer

ABSENT: Commissioner Michael Perciful

Invocation and Flag Salute: Commissioner Rick Crimeni

2. APPROVAL OF MINUTES:

A. Minutes of the Planning Commission meeting of August 5, 2014

It was **MOVED** by Commissioner Rick Crimeni and **SECONDED** by Commissioner Vince Overmyer to **APPROVE** the Minutes of the Planning Commission meeting of August 5, 2014.

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

AYES: Chairman John Gifford, Vice Chair Greg Vasquez, Commissioners Rick Crimeni and Vince Overmyer

NOES: None

ABSENT: Commissioner Michael Perciful

3. PUBLIC COMMENTS:

Chairman Gifford opened the Public Comment period and Ms. Judith McPherson (no address given) expressed her concerns regarding the language of "Appeal of CUP Minor Modification for Shooters," as listed on page 3, Agenda Item 9, on tonight's agenda. She expressed the opinion that there were at least five new conditions that have been inserted within the Conditions of Approval and CUP Amendment 14-001 that were not existing when the original CUP was approved. She requested that the term "minor" be removed from further descriptions.

1 She further expressed the desire that the City endeavor to require the same new
2 conditions that she discovered on CUP items to be heard tonight and in the future.
3

4 PUBLIC HEARING ITEMS

- 5
6
7 **4. TENTATIVE PARCEL MAP NO. 36566 (MAP 13-001) (Verizon California) - A**
8 request for Planning Commission review and approval of the subdivision of 2.44
9 gross acres into two (2) parcels in the Downtown (D-1) Zone, located at 120 &
10 150 S. Juanita Street, with consideration of an Environmental Exemption
11 pursuant to CEQA Guideline Section 15315.

12 **PROJECT APPLICANT INFORMATION:**

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15 **Applicant:** Verizon California, Inc.
16 **Planner:** Soledad Carrisoza - Planning Technician
17 **Authorized Agent:** Stephen Slater - Blu Croix, Ltd.
18 **Project Location:** 120 & 150 S. Juanita Street
19 **Lot Area:** 2.44 Acres
20 **APN:** 443-284-026

21
22 (Staff Presentation by Planner Emery Papp.)
23

24 Chairman Gifford asked how one defines a "minor change" in a parcel map.

25
26 Planner Papp said it is just subdivision of property. In addition, he further clarified that
27 Parcel No. 2 is going to be subdivided and sold, but staff does not know what kind of
28 sale may take place.
29

30 Vice Chair Vasquez asked if there was something unusual in cutting a small property
31 like this in half. Planner Papp replied that it happens routinely. In this case, the site
32 was developed as two separate buildings. Verizon no longer has the need for the large
33 size building because they have fewer employees based there. They are content with
34 a smaller building. He does not expect there will be any kind of retail at the larger
35 building because of the parking situation, although if higher intensity utilizers of the
36 space needed further parking, that could be accommodated within 300 feet of the site.
37

38 Chairman Gifford opened the public hearing and invited the applicant's representative
39 to the lectern.
40

41 Stephen Slater (3961 Blackbird Way, Calabasas), Verizon's representative, stated he
42 had enjoyed working with the staff. He represented that the smaller building is a
43 switching arm. The larger building never had any switch equipment in it and was
44 administrative in nature. Those uses have been consolidated, as many companies
45 have done. The larger building was in escrow with someone who was going to use it
46 for office space, but the escrow fell out about five months ago, and it is on the market
47 now.
48

49 No other individuals indicating a desire to speak, Chairman Gifford closed the public
50 hearing and stated he felt this is a very marketable building. He asked the age of the
building.

1 CDD Elliano said she thought it was built in the '80s, after which Chairman Gifford
2 entertained a motion.

3
4 It was **MOVED** by Commissioner Vince Overmyer and **SECONDED** by Commissioner
5 Rick Crimeni to **ADOPT** Planning Commission Resolution Bill No.14-021 **APPROVING**
6 Tentative Parcel Map No. 36566, subject to the findings and Conditions of Approval.

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

9
10 **AYES:** Chairman John Gifford, Vice Chairman Greg Vasquez, Commissioner
11 Rick Crimeni and Vince Overmyer

12 **NOES:** None

13 **ABSENT:** Commissioner Michael Perciful
14

15 **WORK STUDY REPORTS**

16 17 **5. WORK STUDY CONCERNING STORAGE CONTAINERS IN COMMERCIAL** 18 **ZONES:**

19
20 (PowerPoint presentation by Planner Emery Papp.)

21
22
23 CDD Elliano gave background on this issue, explaining that often these containers are
24 used in commercial areas for such things as construction or remodeling of spaces,
25 seasonal needs, such as in the back of Walmart or Target during the Christmas
26 season. They were for limited time duration and the users would generally adhere to
27 those time frames.

28
29 Then it began to be used as a convenience in such places as motels to store extra
30 chairs, beds, furnishings, and placed in areas that were not screened. Often this
31 occurred because they did not want to incur the cost of storage space.

32
33 The most recent issue was with the CrossFit Gym, whose owner placed the container
34 in the parking lot area in the back of the building and wanted it to be permanent. It was
35 therefore a code enforcement action and resulted in a code case. The business owner
36 went before the City Council, who has asked us to look into the issue of storage
37 containers.

38
39 So some of the questions before the commission are: do we want to treat the use of
40 storage containers in industrial zones different than commercial zones? Do we want to
41 continue what we have done by practice, allowing limited use during construction or
42 seasonal periods? Do we want to allow it if it's screened from view?
43

44 The primary objection appears to be aesthetics and encroachment into parking areas
45 and drive aisles. She stated she had met with the business owner and told him that
46 right now, his storage container is not allowed, but she would take it forward as an
47 issue to Planning Commission and see if there is any interest in having this
48 accommodation or continue to enforce the existing requirements.
49
50

1 Vice Chair Vasquez asked if there are conditions applied to temporary permits.

2
3 Planner Papp explained that there are, but they are very general. The use is allowable
4 for 90 days, as long as it is not put in parking areas, and it must be removed within 90
5 days. They have to meet the requirements for setbacks also.

6
7 Chairman Gifford inquired if they asked permit applicants what they plan to put in the
8 containers; and how are these handled in other cities?

9
10 Planner Papp responded that they are asked what they are planning to put in them, but
11 what staff is told does not mean that is what is going to go in them; therefore, staff
12 wanted to get some direction from the Commission first before evaluating what other
13 cities are doing.

14
15 CDD Elliano added that most of the cities she is aware of prohibit them other than for
16 temporary construction-related purposes. The purpose of bringing it to the
17 Commission is to see if they wanted to entertain having these containers in the
18 commercial zones, and if so, under what circumstances, or should the current codes
19 that have gone beyond their initial purpose just be better enforced.

20
21 Commissioner Crimeni asked if the industrial zones can have the containers also.

22
23 CDD Elliano stated that even in the industrial zones, it is limited to 90 days. However,
24 it has not been enforced well because the vast majority of the photos we have are in
25 the industrial zones. If these codes need to be rolled back, there will be a lot of
26 pushback from industrial businesses. If the wish of the Commission is to let these go
27 beyond 90 days, there should be some criteria for when it is utilized in the industrial
28 areas.

29
30 Vice Chair Vasquez stated he thought they served their purpose in the commercial
31 zones because they are temporary. However, they do contribute to visual blight in the
32 city.

33
34 Commissioner Crimeni felt it was appropriate to allow containers during holiday times.

35
36 Chairman Gifford said he did not have a problem with the construction use of
37 containers. He felt the regulations that control them need to be greatly improved and
38 be specific. He felt that some specific guidelines need to be enforced. Guidelines that
39 include; knowing what the containers hold, possibly posting a placard on the container
40 telling the fire department what is being stored inside, adhering to a specific timeline
41 unless they want long-term, in which case they need to meet the same requirements
42 as if they were building a structure. He felt that staff's recommendation No. 3
43 (preparing regulations to address storage containers in the code) is the best model to
44 follow.

45
46
47 Commissioner Overmyer wished Hemet were in a position as a city to not have these
48 at all. However, the city is in a transitional time. He would look at this with some
49 leniency so it would not force some small businesses to leave. But safety issues are
50 also important.

1 Chairman Gifford expressed his agreement with Commissioner Overmyer. He felt that
2 the containers need to be out of sight or screened in some way. They need to be
3 temporary, unless there is an overriding need, which is a determination that the
4 Planning Department can make.

5
6 Commissioner Crimeni wondered if these containers can be rented or are they
7 available for purchase.

8
9 Planner Papp said both are available. They can be rented for from \$300 to \$500 a
10 month or purchased for \$1,000 to \$2,000.

11
12 There were other possibilities mentioned in the continued discussion, such as
13 screening, painting the containers if permanent, placement out of public view, no
14 containers in residential zones, the effect on commerce.

15
16 In conclusion, Chairman Gifford summed up the need to beef up the ordinances, check
17 with surrounding cities, ask more questions on the temporary use permit.

DEPARTMENT REPORTS

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23 **6. CITY ATTORNEY REPORTS:** (Nothing to report)

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25 **7. COMMUNITY DEVELOPMENT DIRECTOR REPORTS:**

26
27 **A. Report on actions from the August 12, 2014 City Council Meeting.**

28
29 CDD Elliano reported that during the August 12th meeting of the City Council, a Capital
30 Improvement Program for the city was adopted, having major infrastructure and
31 projects anticipated for the current fiscal year and beyond that, to the next five years.
32 The city engineer was tasked with that effort, with all departments contributing in what
33 those projects might be. It had a \$50,000 threshold, with different funding sources,
34 including grants.

35
36 Other issues mentioned were the update on Project HOPE, given by Chief of Police
37 Dave Brown, with details, including decrease in prostitution, ROCS Task Force help
38 with transients in public parks, and longer term solutions in terms of social implications
39 of transient populations; a City Council approval of an update to the hiring bonus for
40 lateral police transfers; and a discussion about a CHP contract.

41
42 **B. Proposed cancellation of September 2, 2014 Planning Commission Meeting.**

43
44 This was cancelled because of the Labor Day weekend and because applicants were
45 not ready to bring their issues on the September 2.

46
47 **C. Update on Rental Registration Program**

48
49 Staff has launched the multi-family registration program. They finished the inventory
50 and broke the project into two phases: Multi-family (three units and above), and

1 individual single-family or duplex. The information packet was sent to 346 different
2 owners that represent 5180 units. The information is also on the city's Web site. The
3 information includes a brochure that talks about what the city is looking for when staff
4 does inspections: Exterior and interior maintenance.

5
6 Included in the information is a two-page letter that's basically an overview of what the
7 problem is, why it's being done, what its purpose is, and what the city is hoping to
8 accomplish in some of the main components.

9
10 There is also a property owner acknowledgement form, which is a series of things that
11 they are asked to initial, indicating understanding of the various components. Next is
12 the blue application, which is a standard registration and inspection form with a fee
13 schedule calculation on the back and a separate application for the Landlord in Good
14 Standing Program. CDD Elliano continued to explain the process and answered
15 questions from the Commissioners.

16
17 She explained the other component of the program is the crime-free housing, which is
18 funded through CDBG. A retired police sergeant is conducting the classes. People
19 are submitting forms and signing up for the crime-free classes, recognizing that this
20 information is important for maintaining the value and integrity of their properties.
21 Chairman Gifford also commented that many of the problems evolve from having
22 absentee landlords who do not take care of their properties. This is a way to organize
23 and get those landlords to either maintain or improve their properties or the city will
24 take action.

25 26 **D. Citywide Update regarding Application and User Fees**

27
28 CDD Elliano noted that the city has not updated its application fees, building permits,
29 planning fees, library fees for several years, since 2005. Therefore, the finance
30 department and city manager are going through an exhaustive cost recovery study. It
31 will be presented to City Council in September. Prior to that, there will be outreach with
32 the Building Association and other development professionals, to let them know what
33 the fees are and gather comments from them.

34 35 **8. PLANNING COMMISSIONER REPORTS:**

- 36
37 **A.** Chairman Gifford (Nothing to report)
38 **B.** Vice Chair Vasquez (Nothing to report)
39 **C.** Commissioner Perciful (Absent)
40 **D.** Commissioner Overmyer (Nothing to report)
41 **E.** Commissioner Crimeni (Nothing to report)

42 43 **9. FUTURE AGENDA ITEMS:**

- 44
45 **A.** Master Tentative Tract Map/Conveyance Map for Tres Cerritos East
46 **B.** Appeal of CUP Minor Modification for Shooters
47 **C.** Site Development Review for Copenhagen Apartments
48 **D.** Work Study for Sun Edison Solar Facility
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1 CDD Elliano mentioned also an appeal from the owner of the 76 Station to the City
2 Council the second meeting of September. Chairman Gifford asked for an update on
3 the temporary sign ordinance and a review of CUPs issued.
4

5 **10. ADJOURNMENT**
6

7 It was unanimously agreed to adjourn the meeting at 7:11 p.m. to the regular meeting of
8 the City of Hemet Planning Commission scheduled for **September 16, 2014 at 6:00**
9 **p.m.** to be held at the City of Hemet Council Chambers located at 450 E. Latham
10 Avenue, Hemet, CA 92543.
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17 _____
18 John Gifford, Chairman
19 Hemet Planning Commission
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23 ATTEST:
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27 _____
28 Melissa Couden, Records Secretary
29 Hemet Planning Commission
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Staff Report

TO: City of Hemet Planning Commission

FROM: Deanna Elliano, Community Development Director *DE*
Carole L. Kendrick, Associate Planner *OK*

DATE: September 16, 2014

RE: **SITE DEVELOPMENT REVIEW NO. 14-001 (COPENHAGEN VILLAS)** – A request for Planning Commission review and approval of a Site Development Review application for the design of eight (8) single story, multiple-family residential apartment buildings containing 40 units totaling 53,600 square feet on 3.29 acres, located on the east side of Copenhagen Street, south of Sydney Street and north of Anchorage Street, with consideration of an environmental exemption pursuant to CEQA Guidelines Section 15332.

PROJECT APPLICANT INFORMATION

Applicant: Empresa Construction, LLC
Agent: Jim Morrissey – PZL
Project Location: East side of Copenhagen Street, south of Sydney Street and north of Anchorage Street
APN: 448-210-005 thru -014 & -016 thru -018

RECOMMENDED ACTION:

The Planning Division recommends that the Planning Commission:

1. **Adopt Planning Commission Resolution Bill No. 14-022** approving SDR 14-001 subject to the Conditions of Approval (Attachment No. 2), and;
2. Direct staff to file a Notice of Exemption with the County Clerk.

BACKGROUND:

The applicant and property owner, Empresa Construction, LLC, is proposing the construction of a 40 unit, single-story apartment project on a 3.29 acre site located on the east side of Copenhagen Street, north of Devonshire Street. The proposed project is an in-fill development within an existing neighborhood. The property is designated as Medium Density Residential in the City's General Plan, and zoned as R-3 (Multi-Family Residential), pursuant to Specific Plan No. 85-01 (See Attachment Nos. 2, 3 & 4).

The project site currently has eight (8) existing four-plexes located on the eastern portion of the property. The property to the south of the site is currently vacant (see Attachment No. 2). Single story, single-family residences are located to the north and west of the project site. The Colonial Country Club Mobile Home Park and vacant land are located to east of the project site.

On August 27, 1985, the City Council approved the Arthofer Specific Plan (SP) No. 85-01 for the development of 148 acres that permitted approximately 1,121 dwelling units (Ordinance No. 1130), as shown in Attachment No. 5. Specific Plan (SP) No. 85-01 was separated into four (4) Planning Areas (PA) consisting of four (4) residential areas with varying development standards that incorporated the Independent Mobile Home Subdivision (TR-20), multiple-family and senior multiple-family standards. On June 14, 1988, the City Council approved Zone Change No. 88-15, which amended PA 1 of SP No. 85-01. As a result the original PA 1 was subdivided into six (6) separate planning areas with specific development standards for each area.

Tract Map (TM) No. 25225 for the subject property was finalized and recorded on September 25, 1990 (see Attachment No. 6). Tract Map (TM) No. 25225 encompasses five (5) of the six (6) parcels located within a portion of the Specific Plan and created 20 residential lots. At this time it is unclear why all six (6) parcels were not included in the subdivision map and staff has not been able to find any documentation to further explain this existing condition.

On September 28, 1990, Miscellaneous Permit (MP) No. 90-031 was approved by the City of Hemet Staff Review Board. The lot plotting, architectural elevations, floor plans, landscape plans and fence & walls plans for 20 four-plexes were reviewed and approved under MP No. 90-031, which was comprised of a 6.5 acre portion of PA 6 of the Arthofer SP No. 85-01. The first phase of the project consisted of eight (8) four-plexes that were constructed and completed between 1991 and 1992. The existing four-plexes are under separate ownership and participate in a Home Owners Association. The aerial photos included as Attachment No. 2 indicate the existing four-plex units in relation to the undeveloped portion of the property.

The property owner for the twelve remaining lots within TM No. 25225 submitted Conditional Use Permit (CUP) No. 06-014 on October 23, 2006 for the review and approval of twelve four-plexes, landscaping and common recreation areas. The CUP was reviewed by the DRC on November 11, 2006 and as a work study at Planning Commission on April 3, 2007. The DRC and Planning Commission raised concerns regarding the proposed four-plex product type and the problems that the City has had with these types of rental properties.

Staff provided the applicant with incomplete letters on November 22, 2006, September 10, 2007, and October 8, 2009 for the previously proposed four-plex project. The prior project had several periods of prolonged inactivity and on May 13, 2010, staff notified the Applicant that the application had been considered withdrawn due to its dormant nature.

At a Planning Commission Workstudy held on September 20, 2011, the Applicant was advised that the four-plex option was not desirable and it was strongly recommended by the Planning Commission that the Applicant consider a different product mix. As a result, the Applicant assembled a new project team and architect to propose a new site plan.

On July 1, 2013, the Applicant submitted a revised site plan and product mix under Preliminary Review No. 13-004. The project was reviewed by the Planning Commission on August 6, 2013 and September 17, 2013. The Planning Commission raised concerns regarding the fire truck turnaround and a possible combined open space component, whether the project will have a property manager on site and if the units will be condo or apartment and their target market. The Planning Commission minutes are attached for reference (Attachment Nos. 8 & 9).

Site Development Review No. 14-001 was submitted by the Applicant for formal review on June 26, 2014. The proposed four-plex project was reviewed by the Development Review Committee on July 17, 2014.

PROJECT DESCRIPTION:

The Applicant is requesting approval of a Site Development Review application for the architecture and layout of 8 new single story multiple-family residential buildings containing 40 market rate apartments, with 12,190 square feet of common open space area, appurtenant site improvements and landscaping on 3.29 acres of the project site, as shown in Attachment No. 1A.

The project as proposed will be separate from the existing four-plexes that are located to the east of the site. The existing circulation consists of a main access from West Court Way and a fire access lane onto Copenhagen Street. The proposed circulation will

maintain the West Court Way access for the existing four-plexes with a fire gate and turnaround located on Parcel 5 of Tract Map 25225 (see Attachment No. 6 and the conceptual grading plan in Exhibit No. 1A). The new units will gain access from Copenhagen Street, eight of the units will have direct access to Copenhagen Street and the remaining units will utilize interior private streets located on north and south sides of the project.

The product mix includes nine (9) one bedroom units and 31 two bedroom units. The one bedroom units are 796 square feet and the two bedroom units range in size between 952-956 square feet. All units will include a two car garage in addition to eight (8) guest parking spaces, as required by the Hemet Municipal Code, Section 90-1423.A.5.

The common open space area required for the proposed project is calculated at a rate of 30 square foot per 100 square foot of apartment floor area. Based on the project size, a minimum of 10,427 square foot of common open space area is required. The Applicant is proposing 12,190 square foot of common open space area that is surrounded by units. Private open space is required for each unit. One bedroom units required a minimum of 100 square feet of patio space and the Applicant is providing 106 square feet. Two bedroom units require 150 square feet of private patio space and the Applicant is providing a range of 150-158 square feet.

Previous compatibility concerns from the adjacent single family residential, specifically the lots on the west side of Copenhagen Street were raised by staff and the Planning Commission. The existing single family residential lots are approximately 5,000 square foot. The project proposes eight (8) units that will front onto Copenhagen Street, across from six (6) existing single family residential lots. The project's single story architecture will enhance the compatibility with the single family units to the west and north.

All buildings proposed on site will be single story to conform with the existing single family residential to the north and west of the site. The proposed setbacks are similar to the previous proposal; however the one story element requires a smaller setback. The single story units will have a 25 foot setback along Copenhagen Street and the northern edge of the project site. The remaining setbacks are a minimum of 10 feet.

In addition, the proposed site plan has been developed using the development standards that were recently adopted under the revised Multiple Family Zone Ordinance Amendment (ZOA 13-006). The Multiple Family zone (R-3) zone has a maximum density of 25 dwelling units per acre and the General Plan Medium Density Residential (MDR) land use designation has a density range of 8.0-18.0 dwelling units per acre. The proposed density of 12.16 units per acre meets the Target Density identified in the Land Use Element of the 2030 General Plan.

The new Multiple Family Zone Ordinance removed the requirement for multiple family projects to obtain a Conditional Use Permit. Therefore, the proposed project required a Site Development Review before the Planning Commission to review the architecture and site lay out.

PROJECT SETTING

The project site consists of 13 vacant lots totaling 3.29 acres with existing curb and sidewalk on Copehagen Street, and curb for the streets identified on Final Tract Map 25225 (See Attachment No. 6). The project site is located on the south side of Copenhagen Street, south of Sydney Street and north of Anchorage Street. The project has single family residential homes to the west and north, multiple family residential units to the east, and vacant land to the south.

The project setting can also be seen in the following materials attached to this Project Analysis:

- Aerial Photograph (Attachment No. 2)
- General Plan Land Use Designation Map (Attachment No. 3)
- Surrounding Zoning Map (Attachment No. 4)
- Photographs of the Site (Attachment No. 7)

The proposed project area for Copenhagen Villas constitutes 3.29 acres. The net density for the project is 12.16 units per acre, which is consistent with the current R-3 zoning designation and the General Plan Land Use designation of Medium Density Residential.

Prior to site preparation or any ground disturbing activity, the project has been conditioned to complete and record a reversion to acreage (See Condition Nos. 2, 18 & 50). All real property owners within the subdivision must consent for a reversion to acreage and acknowledge that the prior lot and street configuration on the undeveloped portion will be changed, and no longer part of the Home Owners Association for the four-plexes. In addition, the reversion to acreage includes the elimination of the common open space located between Lot 14 and 15 of Final Tract Map No. 25225 that was intended for use by the existing four-plexes and future development within the map. The common open space proposed under this application, is interior to the site and will not be accessible to the existing four-plexes. In addition to the open space issue, the reversion to acreage is dependent wholly on the cooperation of the property owners of the existing four-plex properties.

	LAND USE	ZONING	GENERAL PLAN
PROJECT SITE	Vacant	SP 85-01 (Arfthofer Specific Plan)	MDR (Medium Density Residential 8.1-18.0 Dwelling Units per Acre)
NORTH	Single Family Residential	SP 85-01 (Arfthofer Specific Plan)	LDR (Low Density Residential 2.1-5.0 Dwelling Units per Acre)
SOUTH	Vacant Land	SP 85-01 (Arfthofer Specific Plan)	MDR (Medium Density Residential 8.1-18.0 Dwelling Units per Acre)
EAST	Multiple Family Residential	SP 85-01 (Arfthofer Specific Plan)	MDR (Medium Density Residential 8.1-18.0 Dwelling Units per Acre)
WEST	Single Family Residential	SP 85-01 (Arfthofer Specific Plan)	LDR (Low Density Residential 2.1-5.0 Dwelling Units per Acre)

ANALYSIS:

Development Review Committee (DRC) Recommendation

The Development Review Committee (DRC) reviewed the project on July 17, 2014. The DRC provided written conditions that have been incorporated into the proposed conditions of approval. Site Development Review conditions are included as Attachment No. 1 – Exhibit 1B.

The following sections describe the various project elements which are illustrated in Attachment 1A, the Development Plan:

Site Plan/Site Design. Copenhagen Villas proposes the construction of 40 single story market rate apartment units. The project will consist of 31 two bedroom units and nine (9) one bedroom units. The project has been designed to minimize the appearance of building massing along Copenhagen Street. This was accomplished by reducing the product type to single story units, providing two (2) car garages for each unit and varying the building setbacks along Copenhagen Street.

The project incorporates a central recreation area for residents and guests. The central recreation area encompasses an area of 12,190 square feet and includes a playground, shade structures, barbecues and a meandering pedestrian path that provides connectivity for all residents. The project proposes two (2) trash enclosures located on the north and south sides of the central interior street. Staff expressed concerns regarding the distance that many tenants located on Copenhagen will have to travel to dispose of their trash and the frequent pick-up required if less bins are provided. The project has been conditioned to comply with the minimum requirements established by CR&R for a multiple family residential project (see Condition No. 34). City staff contacted CR&R to determine what the minimum requirements are per unit, but did not receive a call back prior to the preparation of this staff report.

The site consists of 13 vacant lots and a common open space lot subdivided by Final Tract Map No. 25225 (see Attachment No. 6). The subdivision created 20 lots and the previously mentioned open space lot. The existing four-plexes are located on the remaining eight lots created by Final Tract Map No. 25225.

Architecture. The current design utilizes a traditional style architecture that includes tile roof elements, lap and trim siding, gabled dormers and recessed entry ways. The varied roofline of the new elevations also achieves a sense of a lower building height and reduced massing along Copenhagen Street. The proposed elevations comply with the Multiple Family Residential Design Guidelines, in addition to alleviating staff concerns regarding neighborhood fit.

The floor plans for the units vary in size from 796 square feet for one bedroom units, to 952-956 square feet for two bedroom units. The one bedroom units include a 167 square foot bedroom, a 74 square foot bathroom, 100 square foot kitchen, 262 square feet of living/dining room and have 106 square feet of private outdoor patio space and two (2) car garages. The two bedroom units have similar sized rooms as the one bedroom units with two (2) bathrooms and more private outdoor patio space. All units include washer and dryer hook-ups located in the kitchen area.

Materials and Colors. Exterior finish treatments are comprised of a mixture of lap and trim siding in neutral earth-tone colors. Exterior accents and trim include wood columns with a siding treatment, flat concrete roof tiles, wood trims, and wrought iron patio fencing. The unit separation wall lap siding, trim and roof have been conditioned to match an adjacent unit (see Condition No. 38).

The project has been conditioned to provide a six-foot high decorative block wall along the easterly, northerly and southerly boundaries of the project (see Condition No. 39). The front of the property along Copenhagen Street will remain unfenced and open.

Landscaping. The proposed landscape plans indicate that the perimeter of the project site will be landscaped to provide a significant buffer with additional landscaping to the north. Additionally, the front entries on Copenhagen have been conditioned to provide additional landscaping in the form attractive mix of trees, shrubs, groundcover and turf to invite residents and guests (See Condition No. 21). The site contains a central recreation area with shade structures, barbeques, a playground and pedestrian walkways, for residents to enjoy the outdoors.

The Hemet Municipal Code Section 90-386(f)2 requires that projects with 26-50 units provide a minimum of 1.25 trees per dwelling unit. The project proposes 40 units and a total of 93 trees to meet the City requirement, which exceed the minimum requirement of 50 trees based on the unit count.

Drainage. The project site is relatively flat with a natural, gentle slope from northeast to southwest. The conceptual grading plan for the site was developed to make use of the existing direction of flow to divert sheet flows and irrigation runoff into bio-retention basins at the southwesterly and northwesterly portion of the project site.

Lighting. The Applicant proposes lighting that is internal to the project and does not exceed more than one foot-candle outside of the project boundary. The placement of the light standards will not interfere with the proposed landscaping. Staff has reviewed the photometric plan submitted by the Applicant and has determined that adequate lighting will be provided on site.

Circulation and Parking. The project is designed with two 26-foot wide primary ingress/egress points off of Copenhagen Street at the north and south ends of the site to facilitate vehicular access. Additional emergency access is provided through a gated drive on Westminster Place/DeLapp Drive.

The circulation for the existing four-plex units will be impacted by the relocation of DeLapp Drive and the proposed gate that will restrict access to emergency vehicles only. The revised circulation provides an abnormal street layout at the junction of Westminster Place and DeLapp Drive that terminates with a fire turnaround on Lot 5 of Final Tract Map No. 25225 (see Attachment No. 6).

The project is proposing two (2) access points from Copenhagen Street that provides circulation around the structures, in addition to emergency access from Westminster Place/DeLapp Drive. The Planning Commission and Planning staff has had concerns with the offset design of the access roadway, however the Engineering and Fire Department have approved the configuration of the roadway

A reversion to acreage is required to remove the existing lot lines, private streets and

dedications in order to accommodate the proposed site plan. The project has been conditioned to record a Final Map reversion to acreage prior to any ground disturbing activities can occur on site (see Condition Nos. 2, 18 & 50).

Multiple family dwelling units are required to provide a minimum of 1.5 covered parking spaces for each unit one bedroom unit over 700 square feet and 2 covered parking spaces for each two bedroom unit, and one (1) uncovered space per five (5) dwelling units to accommodate visitors. The project includes a total of two (2) car garages for each unit and eight (8) uncovered visitor parking spaces, which meets the minimum eight (8) required spaces.

PUBLIC COMMUNICATIONS RECEIVED

Property owners located within 300 feet radius of the project site and interested parties were notified of the public hearing on September 4, 2014 with a 10-day hearing notice in addition to a public notice in the Valley Chronicle.

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.

CONSISTENCY WITH ADOPTED GOALS, PLANS, AND PROGRAMS:

The proposed project Development Plans (Attachment No. 1 - Exhibit 1A) were reviewed by the Design Review Committee (DRC) for consistency with the City's applicable policies, requirements and guidelines. Subsequently, the DRC has recommended that the project, subject to the recommended conditions of approval, be found consistent with the City's General Plan, Zoning Ordinance and other development requirements and guidelines. The complete analysis of this project for consistency with the City's policies, requirements and guidelines is described below.

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 General Plan Land Use policy (LU-1.14) regarding New Residential Communities in that the project will complement existing neighborhoods while providing a high level of livability and recreational amenities for the benefit of the community.

Furthermore, the project is consistent with the Preservation of Stable, Existing Neighborhoods Land Use Policy (LU-3.2) by providing a site design that is complimentary to existing residential use, density and character of the area.

The revised circulation provides emergency access to the residents and is consistent with Public Safety Goal (PS-7.4) that requires adequate access for emergency vehicles, including adequate street widths, and multiple points of access.

Zoning Consistency

The project proposes 40 residential dwelling units on 3.29 acres, with a net density of 12.2 units per acre, which is consistent with the purpose of the R-3 – Multiple Family Residential zone in providing a permitted apartment complex. The maximum residential density in the R-3 zone is 25 units per acre. The proposed structures will comply with the setback requirements from all property lines for the proposed use, is below the maximum height, and has a smaller percentage of lot coverage than allowed.

The project meets the development standards of the R-3 Zone as demonstrated in the following table:

DEVELOPMENT STANDARDS	REQUIRED	PROVIDED
Front Setback	25 feet	25 feet
Interior Side Setback Adjacent to Residential	5 feet for each story 5 feet for each story + 20 feet	15 feet 25 feet
Rear Setback (one story)	10 feet	10 feet
Building Height	45 feet maximum	24 feet

In conclusion, the proposed project complies with City of Hemet Zoning Code requirements for multi-family residential developments relating to setbacks, building height, parking, lighting and landscaping.

The proposed project also complies with Zoning Code requirements relating to site development review. Findings can be made as follows:

1. The project complies with all provisions of Article XLI (Site Development Plan Review) of the Hemet Zoning Code – Chapter 90 of the Hemet Municipal Code and all other relevant city regulations, polices and guidelines.

The proposed multiple family residential development is consistent with Article XLI in that the application is being reviewed and approved by the Hemet Planning Commission as required by this section and the Conditions of Approval for Site Development Review No. 14-001. Further, the proposed residential development is in conformance with the development standards of the R-3 (Multiple Family Residential) zone relative to setbacks, building height, walls and landscaping. The minimum setback for the R-3 Zone is 25 feet for the front, five (5) feet for each story on the sides, and ten (10) feet for each story for the rear. All minimum setbacks have been met as illustrated in the Planning Commission staff report for Site Development Review No. 14-001 dated September 16, 2014. The applicant is also in compliance with the Multiple Family Residential Design Guidelines as described in this staff report.

2. The following are so arranged that traffic congestion is avoided and pedestrian and vehicular safety and welfare are protected, so that there will be no adverse effect on surrounding property:

- a. Buildings, structures and improvements.

The proposed multiple family residential development complies with all of the required setbacks and development standards of R-3 (Multiple Family Residential) zone so that there will be no adverse effect on surrounding property or traffic congestion because the units are placed in compliance with the Hemet Municipal Code – Section 90-385. All other improvements are required to conform to City standards.

- b. Vehicular ingress and internal circulation.

The proposed street system design is consistent with City standards. Main vehicular access to the project is provided via Copenhagen Street for the project. The units that front onto Copenhagen Street will take access directly from Copenhagen Street and the remaining units will take access from an internal street system. These access points will help maintain efficient traffic flow in and out of the residential neighborhood. Therefore, there will be no adverse impact

on surrounding property.

c. Setbacks.

The Arthofer Specific Plan No. 85-01 did not establish setbacks for development projects; therefore the project is subject to the setback requirements for the R-3 (Multiple Family Residential) zone. The project has been designed to comply with required setbacks provided in the Hemet Municipal Code and the California Building Code. Therefore, there will be no adverse impact on surrounding property.

d. Height of buildings.

The maximum building height was not been established in the Arthofer Specific Plan No. 85-01 and is subject to the R-3 development standards which have a maximum building height of 45 feet. The proposed dwelling units do not exceed the maximum height requirements as all proposed homes are approximately 24 feet tall or less, so there will be no adverse impact on surrounding property.

e. Service areas.

All requirements for trash service will be complied with according to City specifications and policies. The project site includes two (2) trash enclosure located on the north and south sides of the site but has been conditioned to comply with minimum requirements prescribed by CR&R for a multiple family residential project (see Condition No. 34).

f. Walls.

The applicant has been conditioned to provide six (6) foot decorative block walls on east, north and south project boundaries (see Condition No. 39).

g. Landscaping.

The Hemet Municipal Code Section 90-386(f)2 requires that projects with 26-50 units provide a minimum of 1.25 trees per dwelling unit. The project proposes 40 units and a total of 93 trees to meet the City

requirement, which exceed the minimum requirement of 50 trees based on the unit count.

3. Underground utilities.

All utilities will be underground in compliance with City standards and the Conditions of Approval for SDR No. 14-001.

4. Proposed lighting is located as to reflect the light away from adjoining properties.

Since this is a residential development, street lights are provided per City standards which will not be directed to reflect on the homes of adjoining properties.

5. Proposed signs will not, by size, location, color or lighting, interfere with traffic or limit visibility.

Entry monumentation signage is proposed along Copenhagen Street located on the northwest and southwest corners of the project. Separate sign permits will be required for all signs. Prior to the installation of any sign, review by the Planning Division is required to ensure there is no interference with traffic or visibility. All signs shall be consistent with the Hemet Municipal Code.

6. All applicable public easements and rights-of-way have been dedicated or offered for dedication.

The project is required to merge the existing lots with a reversion to acreage in order to grade or construct the project. The reversion to acreage process will remove all existing right-of-way dedications and the easements will remain in place. The project has also been conditioned to provide right-of-way dedications (See Condition Nos. 2, 18 & 50).

Multiple Family Residential Design Guidelines Consistency

This project complies with the Multiple Family Residential Design Guidelines in that the project proposes to provide requisite site planning and architectural elements. Site planning design elements provided include grading that directs runoff away from buildings and into bio-retention basins. Architectural design elements provided include focal points, architectural treatments on all elevations; and durable building materials. The variety of materials and forms of the proposed facility also meet the requirements of

the guidelines in providing architecture that is not monotonous with a generous play of light and shadow on the building façade.

Furthermore, the proposed multiple family residential development conforms to the development standards for the R-3 (Multiple Family Residential) Zone relative to setbacks, building height, walls and landscaping.

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)

The project can be found to be consistent with the MSHCP. The project is located outside of any MSHCP criteria area but five (5) of the 13 lots fall within the mapped survey area for the burrowing owl. A Habitat Assessment was prepared for the burrowing owl by Joan R. Callahan, Ph.D. on April 14, 2014. The assessment determined that the site provided marginal habitat but no occupied burrows were observed. The assessment concluded that the no additional studies would be required unless required by City or County policy, other than a pre-construction survey for the burrowing owl (see Condition No. 41). General mitigation is provided through payment of the MSHCP Mitigation Fee.

Airport Land Use Compatibility

The project is located on the east side of Copenhagen Street, south of Sydney Street and north of Anchorage Street, and is located within the Hemet Ryan Airport Influence Area III. Residential uses are permitted uses within the Area III. Therefore, the project is considered compatible with the ALUP.

CEQA REVIEW

The project is exempt from provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15332 in that information contained in the project file and documents incorporated herein by reference demonstrates that: Site Development Review No. 14-001 is consistent with the Medium Density Residential (MDR) General Plan designation and all applicable General Plan policies as well as the applicable zoning designation; the proposed project site is located within the boundaries of the City of Hemet; Site Development Review No. 14-001 has no value as habitat for endangered, rare or threatened species; there is no substantial evidence in the record that Site Development Review No. 14-001 will result in significant effects related to traffic, noise,

air quality or water quality in that the proposed design incorporates and otherwise is subject to air and water quality resource agency design requirements to avoid any harmful effects; and the site is or can be adequately served by all required utilities and public services. As such, the project meets the criteria for application of a Class 32 (In-Fill Development Projects) Categorical Exemption under the CEQA Guidelines. Additionally, none of the exceptions provided in CEQA Guidelines Section 15300.2 apply to this project.

REPORT SUMMARY

Site Development Review No. 14-001 proposes the construction and operation of a 40-unit, single story senior apartment complex located on a 3.29 acre site located on the east side of Copenhagen Street, south of Sydney Street and north of Anchorage Street.

Staff believes that the design proposed by the project adequately conforms to and is consistent with development standards and guidelines provided by the Zoning Ordinance and the Multiple Family Residential Design Guidelines. For these reasons, and as more fully discussed in the Staff Report and accompanying attachments, the Planning Division recommends approval of the architecture and site layout. The Planning Commission's actions are final unless appealed to the City Council within ten working days.

Respectfully submitted,



Carole L. Kendrick
Associate Planner

Reviewed by:



Deanna Elliano
Community Development Director

CK

ATTACHMENTS

- 1) Planning Commission Resolution Bill No. 14-022 approving SDR 14-001
 Exhibit 1A - Development Plan
 Exhibit 1B - Conditions of Approval
- 2) Aerial Photograph
- 3) General Plan Land Use Designation Map
- 4) Surrounding Zoning Map
- 5) Specific Plan Map
- 6) Final Tract Map No. 25225
- 7) Photographs of Site
- 8) August 6, 2013 Planning Commission Minutes
- 9) September 17, 2013 Planning Commission Minutes

INCORPORATED HEREIN BY REFERENCE

City of Hemet General Plan
City of Hemet General Plan EIR
City of Hemet Zoning Ordinance
City Of Hemet Multiple Family Residential Design Guidelines
Project Site's Riverside County Integrated Plan Multi-Species Habitat Conservation Plan
 Summary Report
Contents of City of Hemet Planning Department Project File SP85-01, ZC88-15,
TTM25225, MP90-31, CUP06-014, PR13-004 and SDR14-001

Attachment No. 1

Resolution Bill No.
14-022

Planning Commission
Public Hearing of
September 16, 2014



CITY OF HEMET
Hemet, California

RESOLUTION BILL NO. 14-022

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEMET, CALIFORNIA APPROVING SITE DEVELOPMENT REVIEW NO. 14-001 FOR EIGHT (8) SINGLE STORY, MULTIPLE FAMILY RESIDENTIAL APARTMENT BUILDINGS CONTAINING 40 UNITS LOCATED ON THE EAST SIDE OF COPENHAGEN STREET, SOUTH OF SYDNEY STREET AND NORTH OF ANCHORAGE STREET (APN'S: 448-210-005 THRU 014 AND 016 THRU 018)

WHEREAS, an application for Site Development Review No. 14-001 was duly filed by:

Applicant: Empresa Construction, LLC
Agent: Jim Morrissey - PZL
Project Location: East side of Copenhagen Street, south of Sydney Street and north of Anchorage Street
Lot Area: 3.29 acres

WHEREAS, the Planning Commission is authorized to review and approve, conditionally approve or deny Site Development Review No. 14-001 pursuant to Hemet Municipal Code Section 90-1455; and

WHEREAS, the Applicant has requested approval of Site Development Review No. 14-001 for the development of 40 multiple family residential apartments in compliance with the Hemet Municipal Code; and

WHEREAS, on September 4, 2014, the City gave public notice by advertising in the Valley Chronicle and by mailing to property owners within 300 feet of the project site regarding the holding of a public hearing at which the project would be considered; and

WHEREAS, the Planning Commission of the City of Hemet has considered oral and written comments, pro and con, as presented by the Planning Division, the applicant and other interested parties at a public meeting held on September 16, 2014.

NOW, THEREFORE, the Planning Commission of the City of Hemet now finds, determines and resolves as follows:

Planning Commission Resolution Bill No. 14-022
SITE DEVELOPMENT REVIEW NO. 14-001 – COPENHAGEN VILLAS

1
2 **SECTION 1: SITE DESIGN REVIEW PROJECT FINDINGS**
3

4 In light of the record before it, including the staff report dated September 16, 2014, and
5 all evidence and testimony heard at the public meeting of this item, the Planning
6 Commission hereby finds as follows:
7

8 A. The project complies with all provisions of Article XLI 90-1455, Chapter 90 and
9 other relevant city regulations, polices and guidelines. The Planning Commission
10 hereby finds and determines that each of these requirements is satisfied as
11 follows:
12

- 13 1. The project complies with all provisions of Article XLI (Site Development
14 Plan Review) of the Hemet Zoning Code – Chapter 90 of the Hemet
15 Municipal Code and all other relevant city regulations, polices and
16 guidelines.
17

18 The proposed multiple family residential development is consistent with
19 Article XLI in that the application is being reviewed and approved by the
20 Hemet Planning Commission as required by this section and the
21 Conditions of Approval for Site Development Review No. 14-001. Further,
22 the proposed multiple family residential development is in conformance
23 with the development standards of the R-3 (Multiple Family Residential)
24 zone relative to setbacks, building height, walls and landscaping. The
25 minimum setback for the R-3 Zone is 25 feet for the front, five (5) feet for
26 each story on the sides, and ten (10) feet for each story for the rear. All
27 minimum setbacks have been met as illustrated in the Planning
28 Commission staff report for Site Development Review No. 14-001 dated
29 September 16, 2014. The applicant is also in compliance with the Multiple
30 Family Residential Design Guidelines as described in the Project Analysis
31 of this staff report.
32

- 33 2. The following are so arranged that traffic congestion is avoided and
34 pedestrian and vehicular safety and welfare are protected, so that there
35 will be no adverse effect on surrounding property:
36

37 a. Buildings, structures and improvements.
38

39 The proposed multiple family residential development complies with
40 all of the required setbacks and development standards of R-3
41 (Multiple Family Residential) zone so that there will be no adverse
42 effect on surrounding property or traffic congestion because the
43 units are placed in compliance with the Hemet Municipal Code –
44 Section 90-385. All other improvements are required to conform to
45 City standards.

1
2 b. Vehicular ingress and internal circulation.
3

4 The proposed street system design is consistent with City
5 standards. Main vehicular access to the project is provided via
6 Copenhagen Street for the project. The units that front onto
7 Copenhagen Street will take access directly from Copenhagen
8 Street and the remaining units will take access from an internal
9 street system. These access points will help maintain efficient
10 traffic flow in and out of the residential neighborhood. Therefore,
11 there will be no adverse impact on surrounding property.
12

13 c. Setbacks.
14

15 The Arthofer Specific Plan No. 85-01 did not establish setbacks for
16 development projects; therefore the project is subject to the setback
17 requirements for the R-3 (Multiple Family Residential) zone. The
18 project has been designed to comply with required setbacks
19 provided in the Hemet Municipal Code and the California Building
20 Code. Therefore, there will be no adverse impact on surrounding
21 property.
22

23 d. Height of buildings.
24

25 The maximum building height was not been established in the
26 Arthofer Specific Plan No. 85-01 and is subject to the R-3
27 development standards which have a maximum building height of
28 45 feet. The proposed dwelling units do not exceed the maximum
29 height requirements as all proposed homes are approximately 24
30 feet tall or less, so there will be no adverse impact on surrounding
31 property.
32

33 e. Service areas.
34

35 All requirements for trash service will be complied with according to
36 City specifications and policies. The project site includes two (2)
37 trash enclosure located on the north and south sides of the site but
38 has been conditioned to comply with minimum requirements
39 prescribed by CR&R for a multiple family residential project (see
40 Condition No. 34).
41

42 f. Walls.
43

44 The applicant has been conditioned to provide six (6) foot
45 decorative block walls on east, north and south project boundaries.
46

1 g. Landscaping.

2
3 The Hemet Municipal Code Section 90-386(f)2 requires that
4 projects with 26-50 units provide a minimum of 1.25 trees per
5 dwelling unit. The project proposes 40 units and a total of 93 trees
6 to meet the City requirement, which exceed the minimum
7 requirement of 50 trees based on the unit count.
8

9 3. Underground utilities.

10 All utilities will be underground in compliance with City standards and the
11 Conditions of Approval for SDR No. 14-001.
12

13 4. Proposed lighting is located as to reflect the light away from adjoining
14 properties.
15

16 Since this is a residential development, street lights are provided per City
17 standards which will not be directed to reflect on the homes of adjoining
18 properties.
19

20 5. Proposed signs will not, by size, location, color or lighting, interfere with
21 traffic or limit visibility.
22

23 Entry monumentation signage is proposed along Copenhagen Street
24 located on the northwest and southwest corners of the project. Separate
25 sign permits will be required for all signs. Prior to the installation of any
26 sign, review by the Planning Division is required to ensure there is no
27 interference with traffic or visibility. All signs shall be consistent with the
28 Hemet Municipal Code.
29

30 6. All applicable public easements and rights-of-way have been dedicated or
31 offered for dedication.
32

33 The project is required to merge the remaining lots with a reversion to
34 acreage in order to grade or construct the project. The reversion to
35 acreage process will remove all existing right-of-way dedications and the
36 easements will remain in place. The project has also been conditioned to
37 provide right-of-way dedications.
38
39

40 **SECTION 2: ENVIRONMENTAL REVIEW**

41
42 The Planning Commission, in light of the whole record before it, including but not limited
43 to, the City's local CEQA Guidelines and thresholds of Significance, the
44 recommendation of the Community Development Director as provided in the Staff
45 Report dated September 16, 2014, all documents incorporated therein by reference,

1 and any other evidence (within the meaning of Public Resources Code §21080(e) and
2 §21082.2) within the record or provided at the public hearing of this matter, hereby finds
3 and determines as follows:
4

- 5 1. **CEQA.** The project is exempt from provisions of the California Environmental
6 Quality Act (CEQA) under CEQA Guidelines Section 15332 in that information
7 contained in the project file and documents incorporated herein by reference
8 demonstrates that: Site Development Review No. 14-001 is consistent with the
9 Medium Density Residential (MDR) General Plan designation and all applicable
10 General Plan policies as well as the applicable zoning designation; the proposed
11 project site is located within the boundaries of the City of Hemet; Site
12 Development Review No. 14-001 has no value as habitat for endangered, rare or
13 threatened species; there is no substantial evidence in the record that Site
14 Development Review No. 14-001 will result in significant effects related to traffic,
15 noise, air quality or water quality in that the proposed design incorporates and
16 otherwise is subject to air and water quality resource agency design
17 requirements to avoid any harmful effects; and the site is or can be adequately
18 served by all required utilities and public services. As such, the project meets the
19 criteria for application of a Class 32 (In-Fill Development Projects) Categorical
20 Exemption under the CEQA Guidelines. Additionally, none of the exceptions
21 provided in CEQA Guidelines Section 15300.2 apply to this project.
22
- 23 2. **MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP).** The
24 project is found to be consistent with the MSHCP. The project is located outside
25 of any MSHCP criteria area and mitigation is provided through payment of the
26 MSHCP Mitigation Fee.
27

28 **SECTION 3: PLANNING COMMISSION ACTIONS**

- 29
- 30 1. **NOTICE OF EXEMPTION.** In compliance with Public Resources Code §21152
31 and CEQA Guidelines §15075, the Community Development Director shall
32 prepare a Notice of Exemption concerning the findings made in Section 2 of this
33 Resolution, and within five (5) working days of project approval, file a Notice with
34 the Riverside County Clerk for posting.
35
- 36 2. **APPROVE SITE DEVELOPMENT REVIEW NO. 14-001.** Site Development
37 Review No. 14-001, for the review of the site development and architecture for 40
38 single story, multiple-family residential apartments, is hereby approved as
39 described in the site development package attached hereto as Exhibit "A" and
40 subject to the conditions of approval set forth in Exhibit "B", attached hereto and
41 incorporated herein by this reference. Any modification to the conditions of
42 approval shall be in compliance with the City of Hemet Zoning Ordinance, and
43 other applicable state and local ordinances.
44

1 **PASSED, APPROVED AND ADOPTED** this 16th day of September, 2014, by the
2 following vote:
3

4
5 AYES:
6 NOES:
7 ABSTAIN:
8 ABSENT:
9

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21

John Gifford, Chairman
Hemet Planning Commission

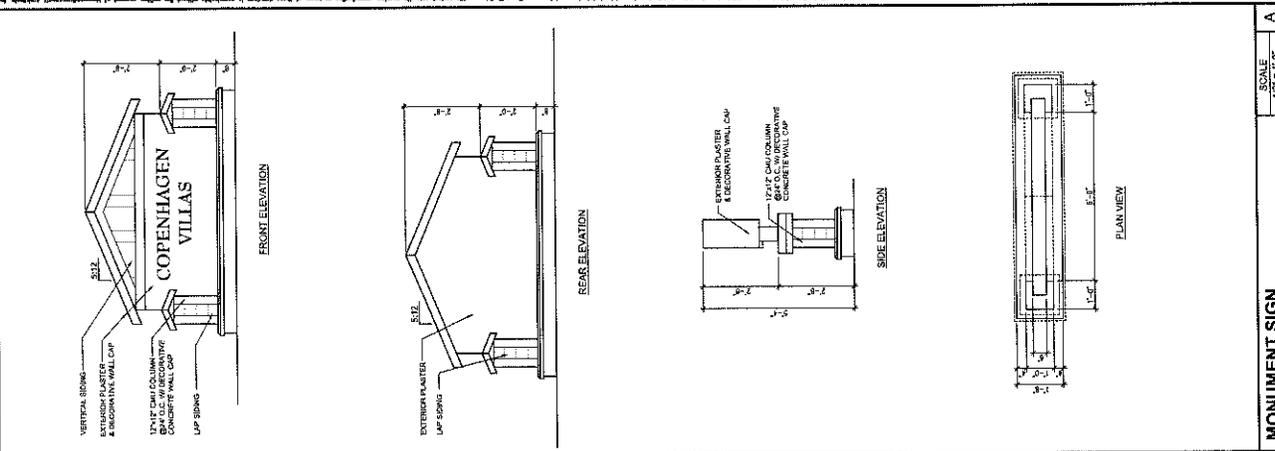
ATTEST:

Melissa Couden, Records Secretary
Hemet Planning Commission

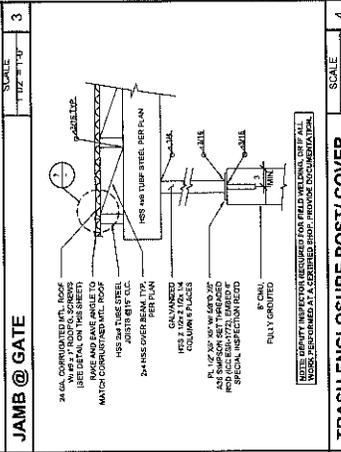
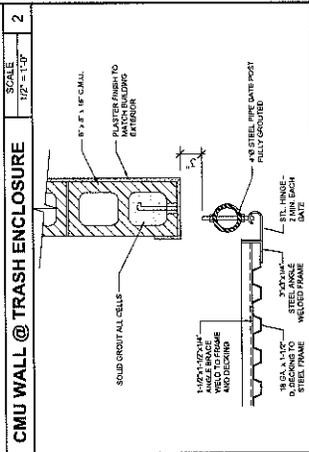
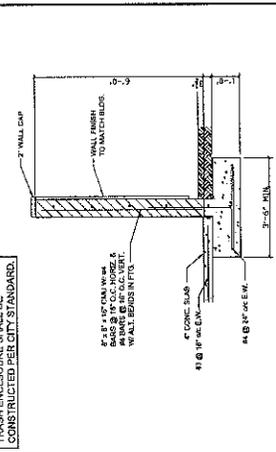
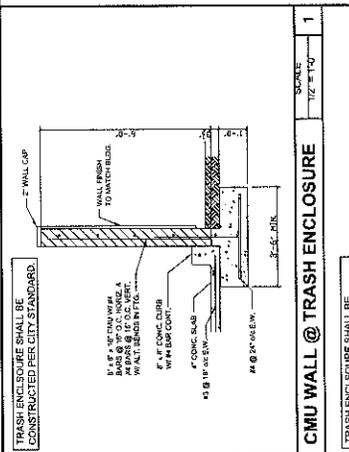
Exhibit No. 1A

Development Plan

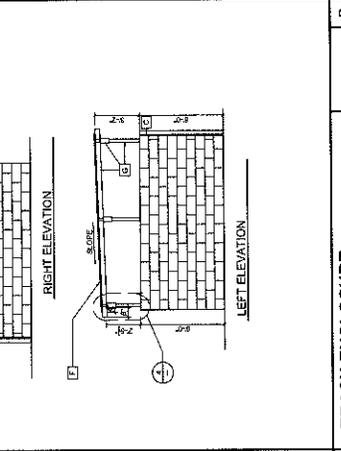
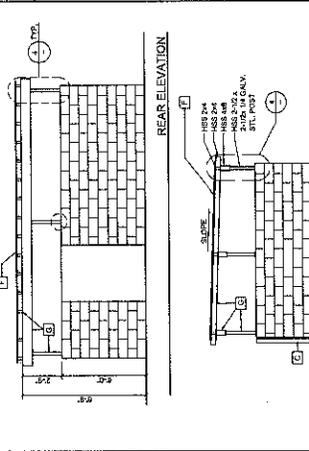
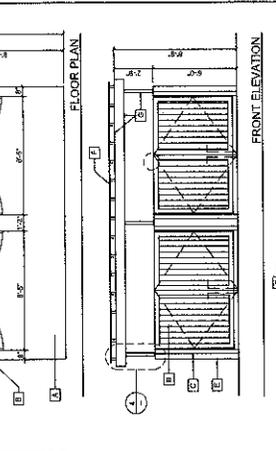
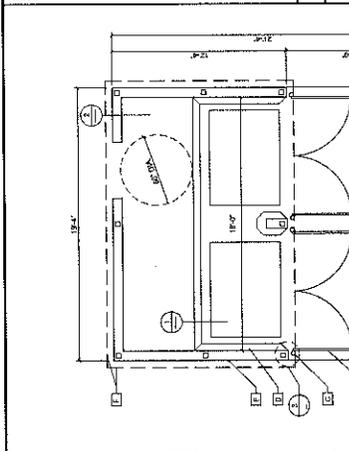
**Planning Commission
Public Hearing of
September 16, 2014**



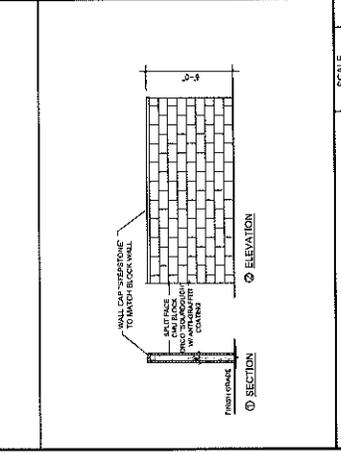
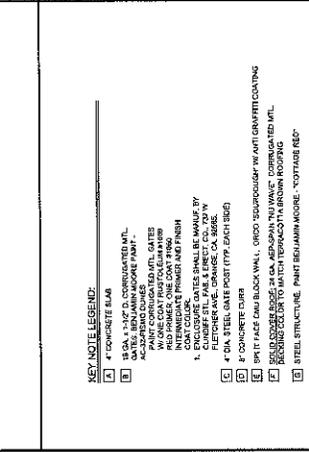
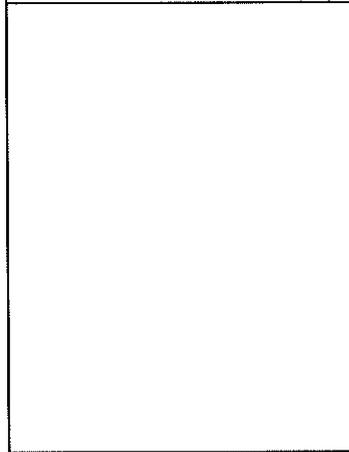
MONUMENT SIGN
 SCALE: 1/2" = 1'-0"
 A



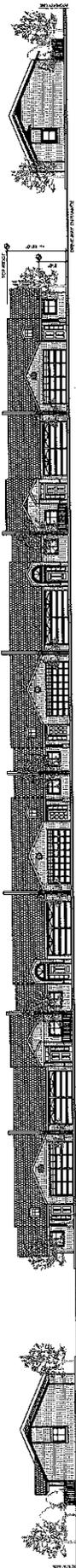
TRASH ENCLOSURE POST/COVER
 SCALE: 1" = 1'-0"
 4



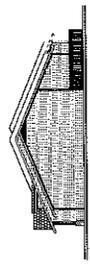
TRASH ENCLOSURE
 SCALE: 1/4" = 1'-0"
 B



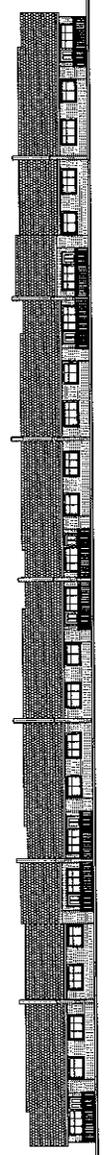
SITE WALL
 SCALE: 1/4" = 1'-0"
 C



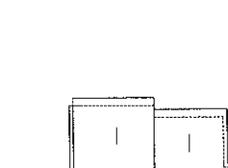
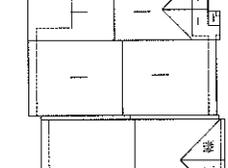
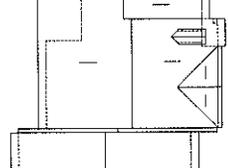
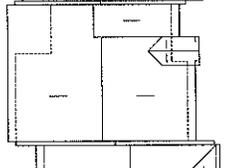
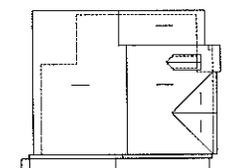
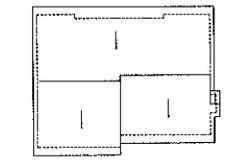
COMPOSITE ELEVATION - COPENHAGEN STREET



NORTH ELEVATION - FLOOR PLANS



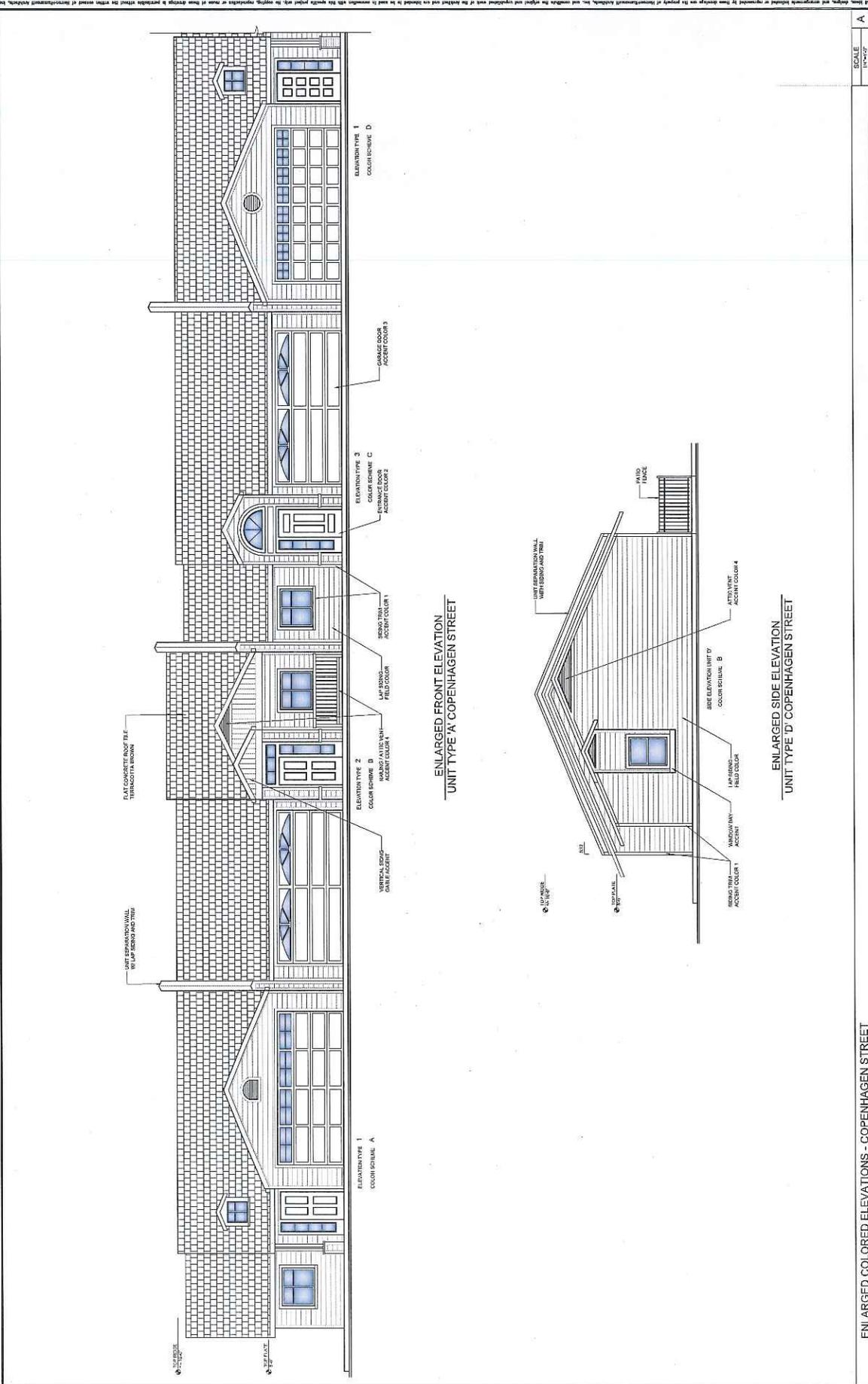
SOUTH ELEVATION - FLOOR PLANS



ROOF PLAN UNIT 101 - COPENHAGEN STREET

ROOF PLAN UNIT 102

COMPOSITE ELEVATIONS - COPENHAGEN STREET

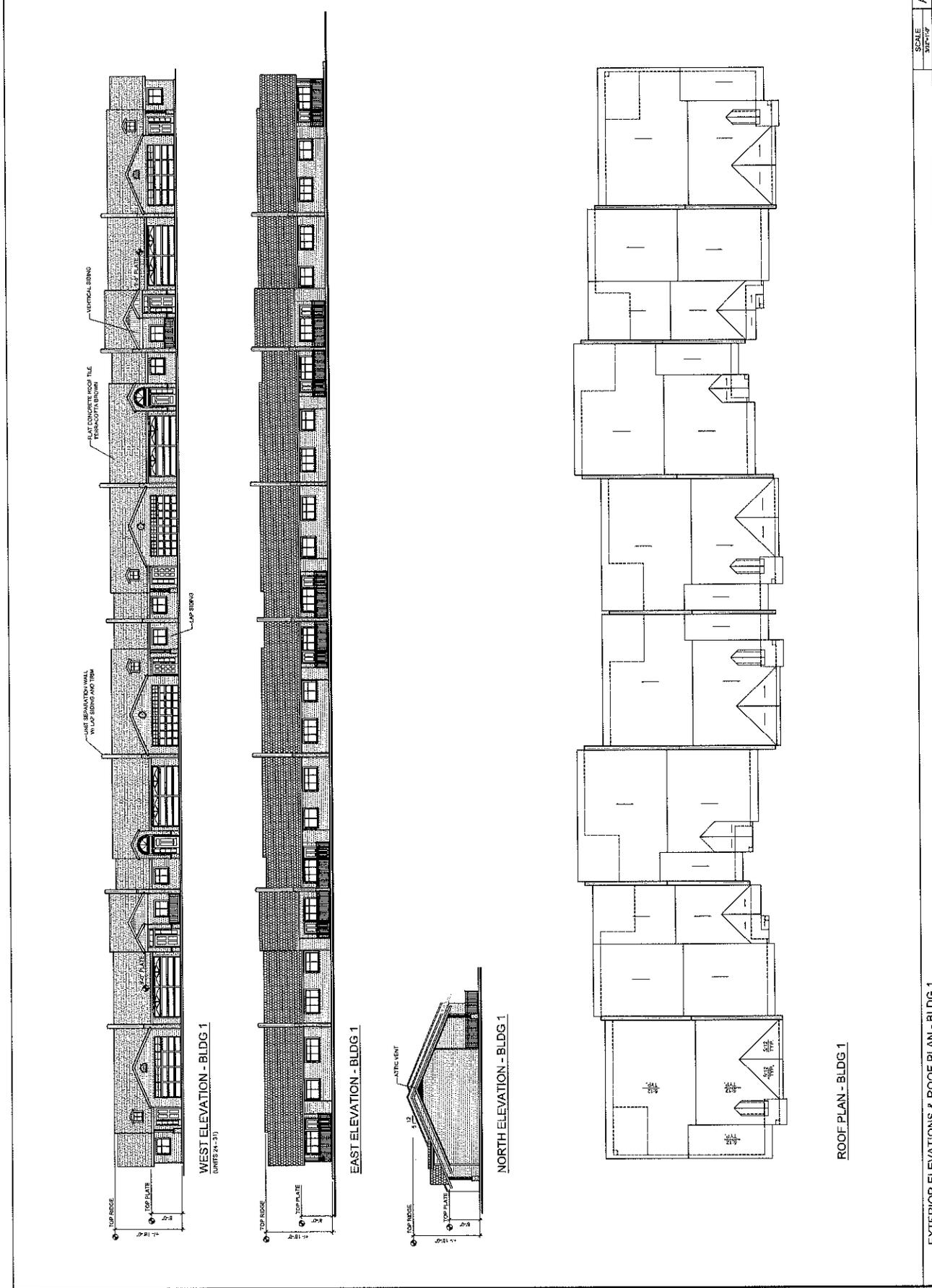


ENLARGED COLORED ELEVATIONS - COPENHAGEN STREET

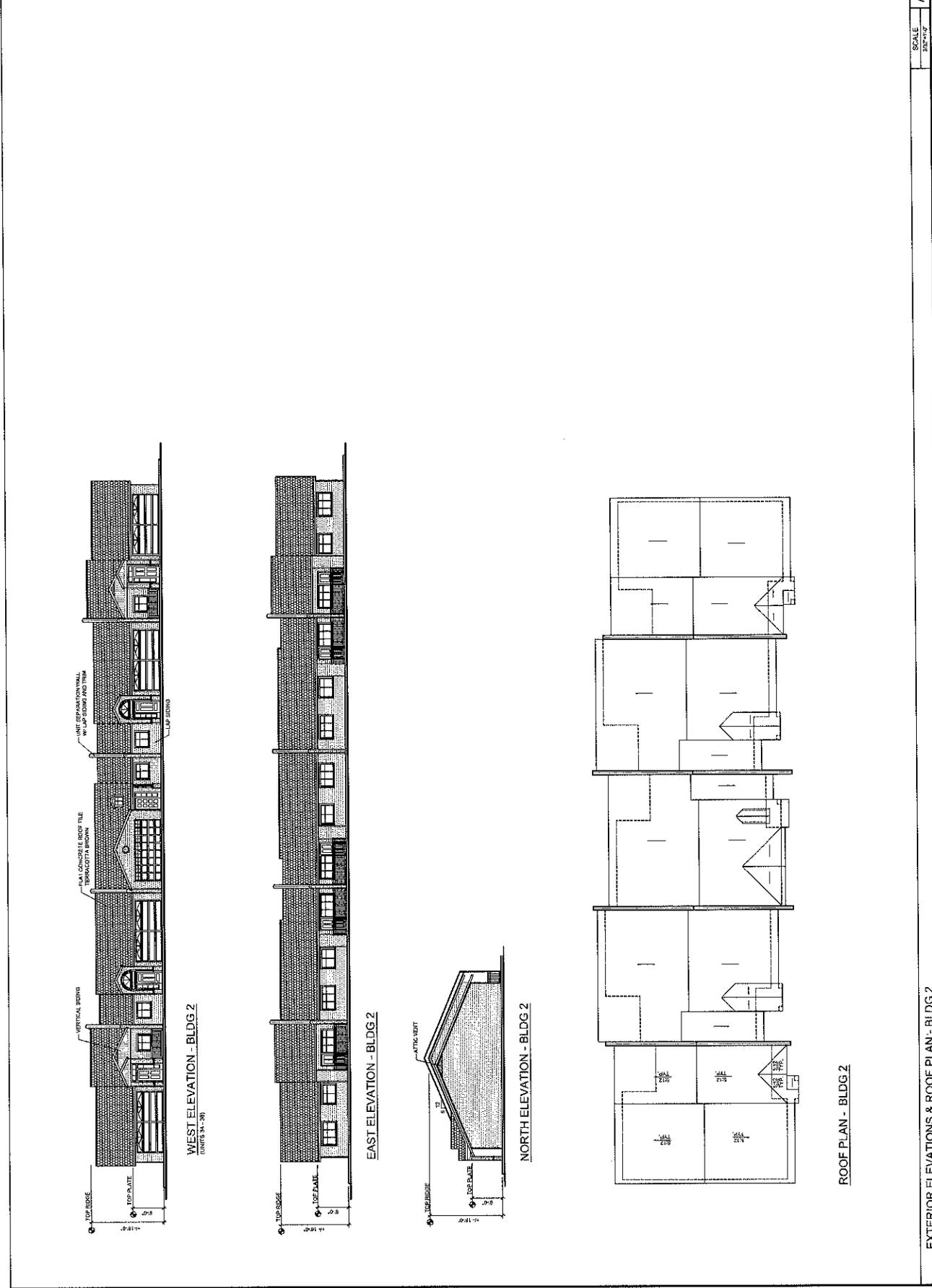
SCALE 1/4"=1'-0"

A

All drawings and components included or referenced by these drawings are the property of International Architect, Inc. and remain the original and unaltered work of the architect and shall not be used in connection with this project without the express, prior written consent of International Architect, Inc.



All drawings, designs, and construction documents are prepared by heron rumanoff architects, inc. and are intended for the project of heron rumanoff architects, inc. and are intended to be used in connection with the specific project only. No copies, reproductions or parts of these drawings or parts of these drawings should be made without the written consent of heron rumanoff architects, inc.

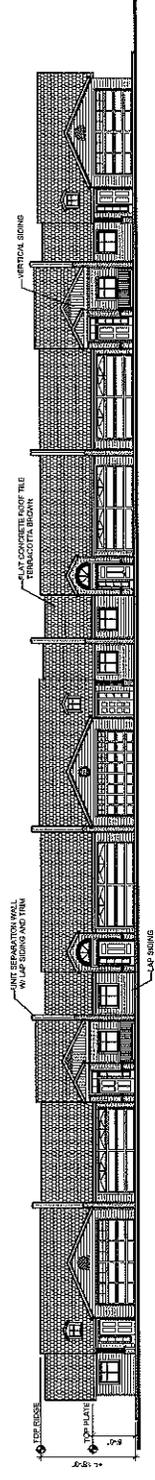


EXTERIOR ELEVATIONS & ROOF PLAN - BLDG 2

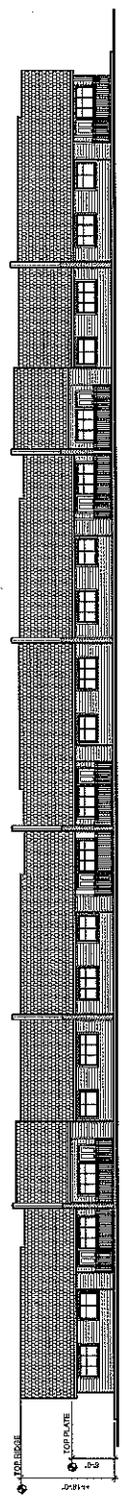
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A

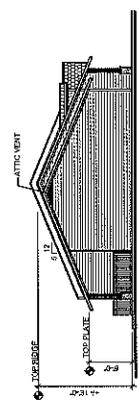
All drawings and specifications prepared or prepared by these drawings are the property of the undersigned architect. The use of these drawings for any other project without the written consent of the undersigned architect is prohibited.



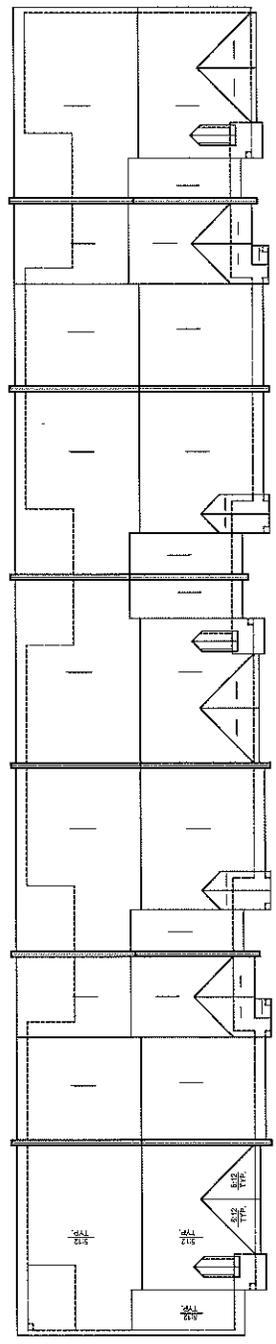
WEST ELEVATION - BLDG 3
(UNITS 1E-1B)



EAST ELEVATION - BLDG 3

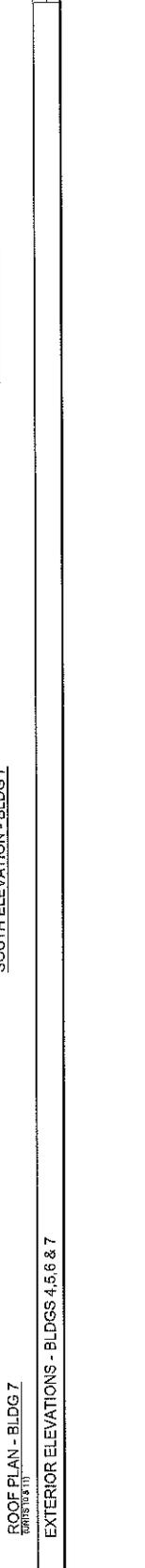
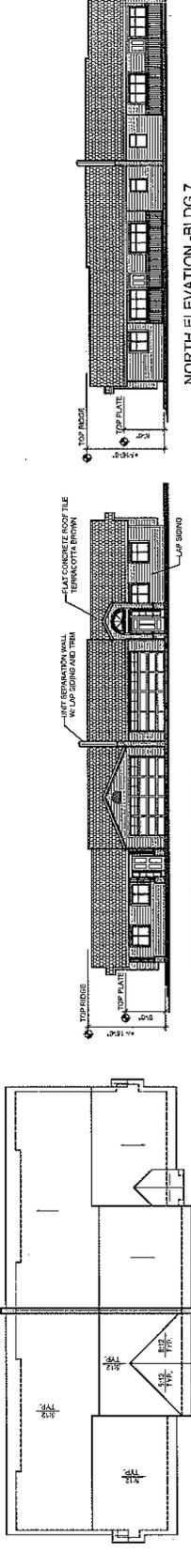
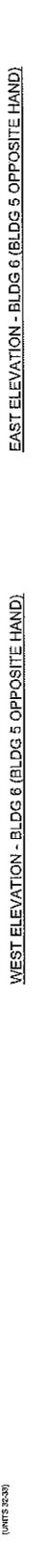
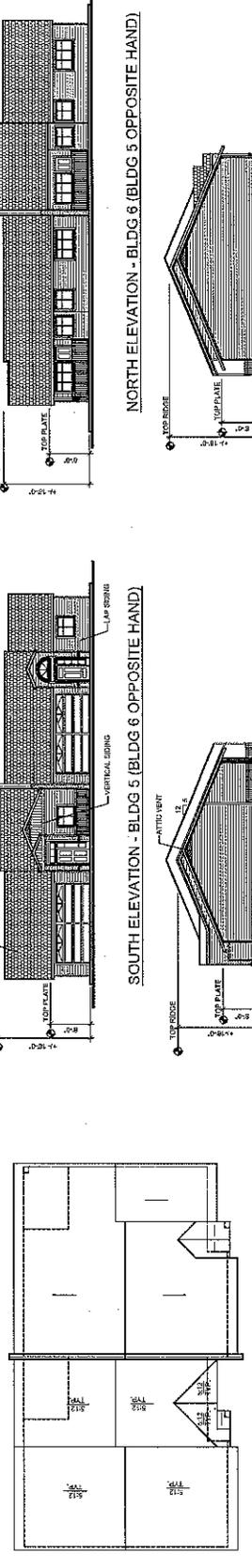
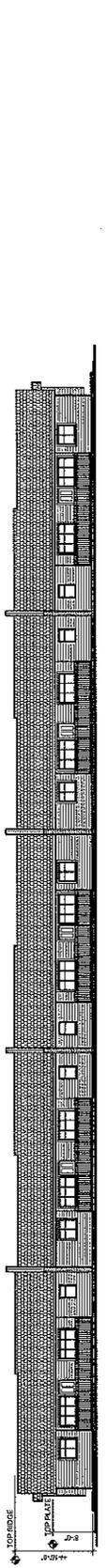
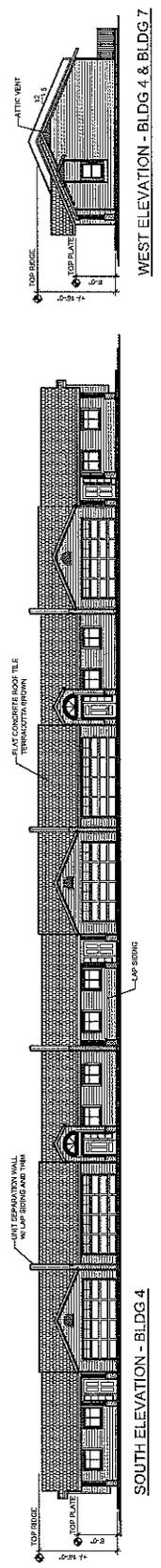
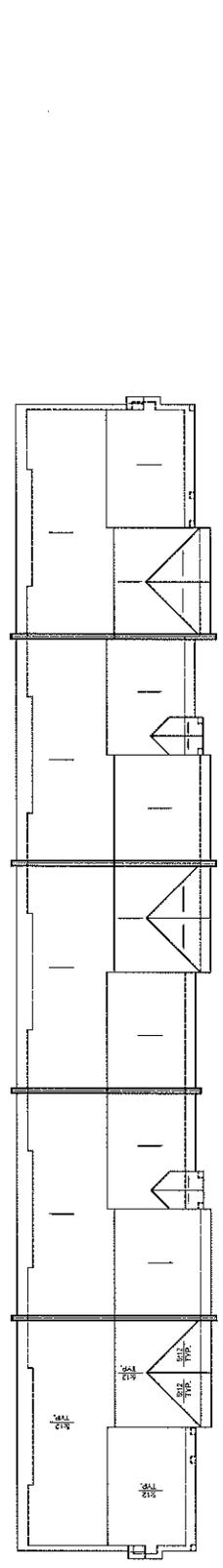


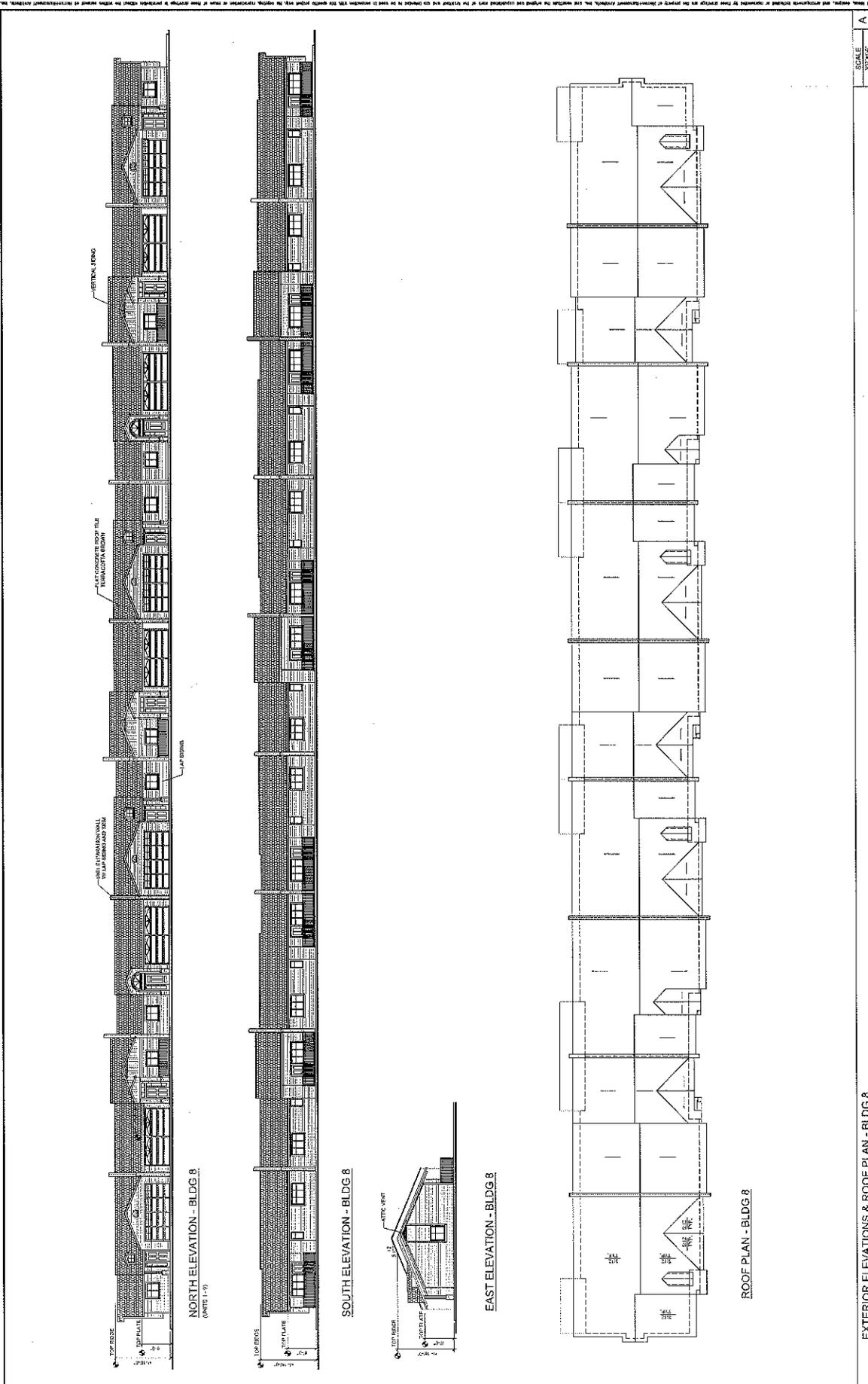
SOUTH ELEVATION - BLDG 3



ROOF PLAN - BLDG 3

Heron Rumanoff and its affiliates are not responsible for the design or construction of any structure or building. The design and construction of any structure or building is the responsibility of the contractor. Heron Rumanoff and its affiliates are not responsible for the design or construction of any structure or building. The design and construction of any structure or building is the responsibility of the contractor.





NORTH ELEVATION - BLDG 8
 (NOTE 1-10)
 SOUTH ELEVATION - BLDG 8
 EAST ELEVATION - BLDG 8
 ROOF PLAN - BLDG 8
 SCALE: 3/8" = 1'-0"
 A

All elevations, sections, and roof plans are shown as proposed. The client warrants that the information provided is true and correct. The client warrants that the information provided is true and correct. The client warrants that the information provided is true and correct.

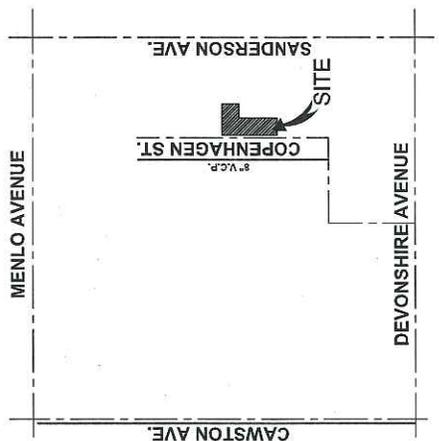
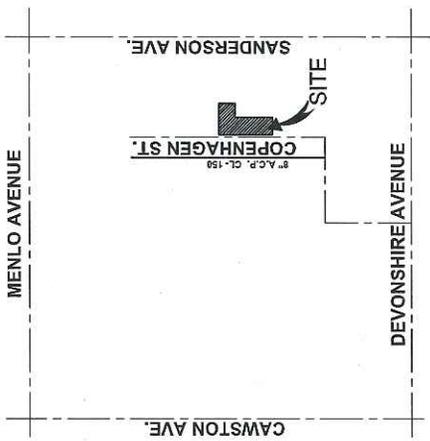
All plans, designs, and drawings are prepared by heron humanoff or provided by heron humanoff for the project of heron humanoff. heron humanoff, heron humanoff architects, inc. and heron humanoff architects, inc. do not warrant the original and unaltered work of the architect and are limited to be used in connection with the plans prepared by heron humanoff. any changes to these drawings is prohibited without the written consent of heron humanoff architects, inc.



SURROUNDING AREA MAP
APPROXIMATE 1/2 MILE RADIUS

NOTES:

- PUBLIC PARKS: CAWSTON PARK, CULMAN PARK
- FIRE STATIONS: STATION #3 DEVONSHIRE AVENUE
- SCHOOLS: HEMET HIGH SCHOOL, CAWSTON ELEMENTARY SCHOOL, MANCINI VERA J. MIDDLE SCHOOL
- PUBLIC SCHOOLS: HEMET AREA CONSOLIDATED SCHOOLS DISTRICT



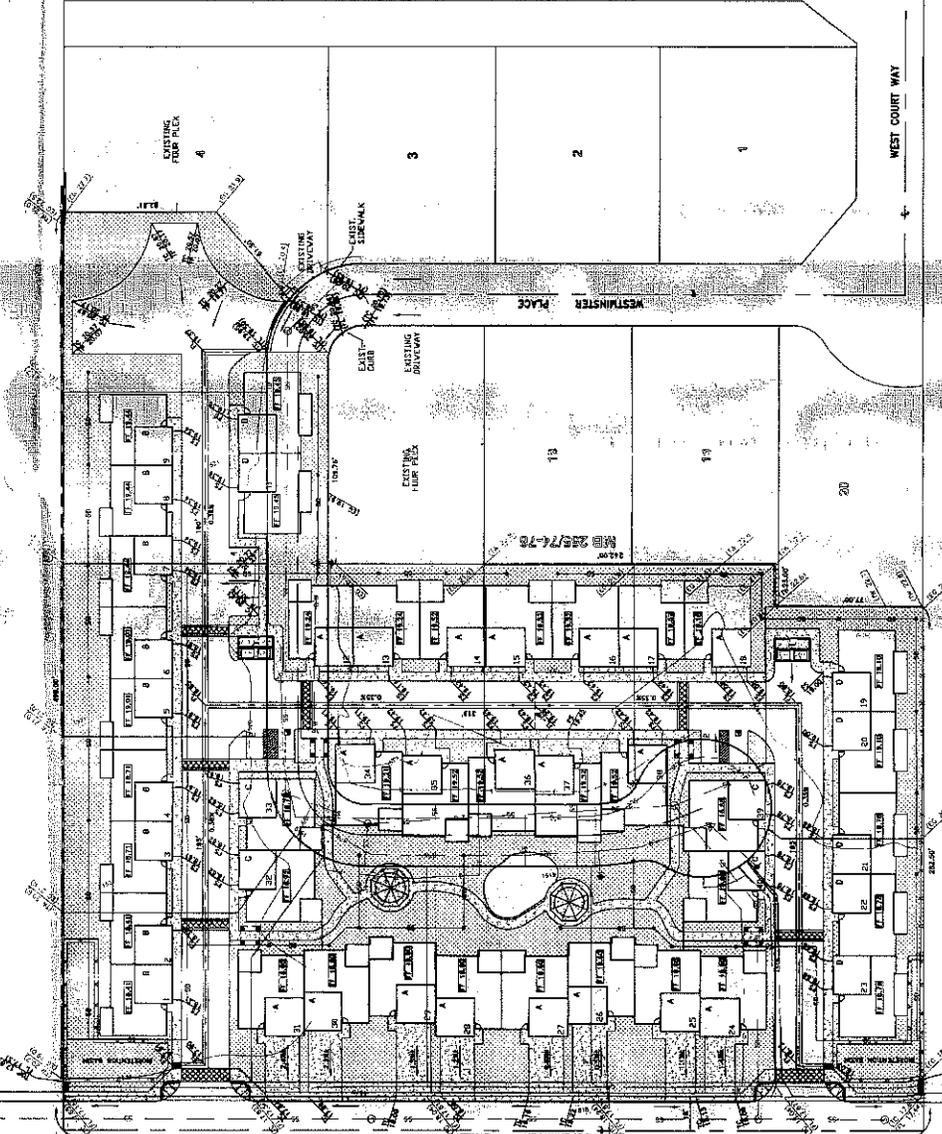
MEMLO AVE

SANDERSON AVENUE

WEST COURT WAY

WESTMINSTER PLACE

COPENHAGEN STREET



- LEGEND**
- AC PAVEMENT
 - LANDSCAPE AREA
 - CONCRETE SURFACE
 - EXISTING DRAINAGE SYSTEM (W/ AREA DRAINS & PVC DRAIN PIPE)
 - EXISTING GRADE ELEVATION
 - TOP OF CURB ELEVATION
 - TOP OF WALL ELEVATION
 - FINISHED SURFACE ELEVATION
 - FINISH FLOOR ELEVATION
 - TOP OF PAVEMENT ELEVATION
 - CURING ELEVATION

NOTE: EXISTING STREET AND UNDERGROUND UTILITIES IN CONFLICT WITH PROPOSED UTILITIES TO BE REMOVED / RELOCATED AS REQUIRED.



Underground Service Alert Call: TOLL FREE 811 THE TOLLING DATE BEYOND THE END	PROJECT NO.: SHEET NO.: DATE:	ADDRESS: CITY: STATE:	DESIGNED BY: CHECKED BY:
	PREPARED UNDER THE SUPERVISION OF: (BY STATE)	DATE:	CITY:
BLAINE A. WOMER CIVIL ENGINEERING 1000 W. 10TH ST. SUITE 100 DENVER, CO 80202 P: 303.733.1111 F: 303.733.1112 WWW.BLAINEA.COM	APPROVED BY: JORGE BARRON, CITY ENGINEER REG. NO. 38917 EXP. 12-31-12 DATE:	CITY OF DENVER PUBLIC WORKS DEPARTMENT ENGINEERING DIVISION 1401 CLAY ST. DENVER, CO 80202 P: 303.344.3400	CITY OF DENVER COPENHAGEN VILLAS CONCEPTUAL GRADING/DRAINAGE PLAN SHEET NO. 1 OF 1 SHEETS FILE NO.

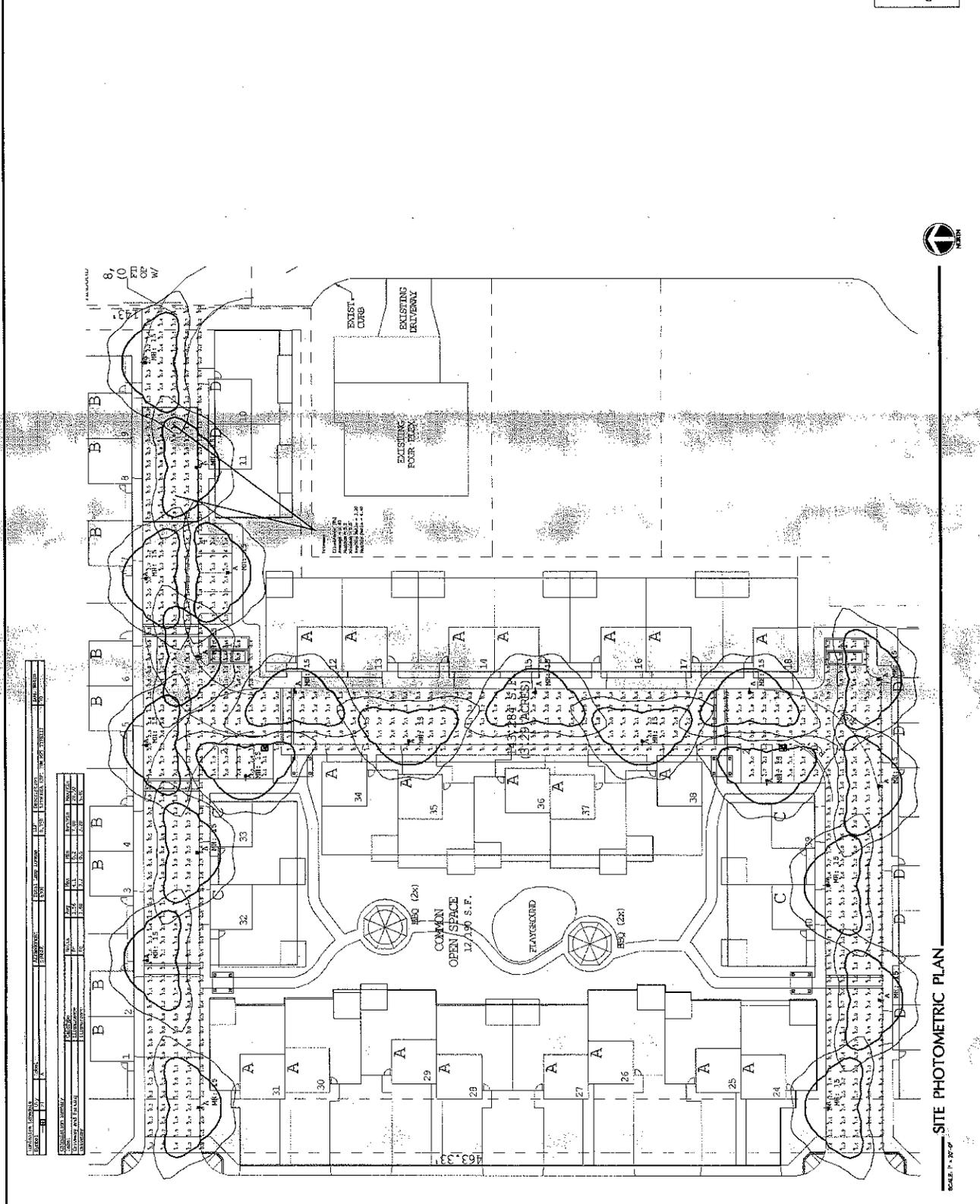


RECEIVED
FEB 27 2014

TRACT NO 22183-2
 NB 212/85-28

RECEIVED
 MAY 03 2011
 HERON RUMMELF ARCHITECTS INC.

PRELIMINARY
 NOT FOR
 CONSTRUCTION



SITE PHOTOMETRIC PLAN
 SCALE: 1/8" = 1'-0"

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

**Planning Commission
Public Hearing of
September 16, 2014**



CITY OF HEMET

DRAFT CONDITIONS OF APPROVAL

PLANNING COMMISSION DATE: September 16, 2014

PROJECT NO.: Site Development Review No. 14-001
APPLICANT: Empresa Construction, LLC
LOCATION: East side of Copenhagen Street, south of Sydney Street and north of Anchorage Street
DESCRIPTION: Construction and use of eight (8) single story multiple-family residential apartment buildings containing 40 units totaling 53,600 square feet.
OCCUPANCY: This project has been reviewed as an **R-2 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, or to the specific department and contact phone number provided below.

General Requirements

1. Site Development Review No. 14-001 shall become null and void on **September 16, 2016** (two calendar years from the date of approval), unless use in reliance on the approved Site Development Review 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 – Draft Conditions of Approval
Site Development Review No. 14-001 – Copenhagen Villas

2. Approval of Site Development Review No. 14-001 shall become effective on **September 27, 2014** unless appealed to the City Council by **September 26, 2014** (10 calendar days after action by the Planning Commission) subject to the conditions of approval. The appeal shall be in writing and shall be accompanied by the required fee.
3. Prior to the issuance of grading permits, a reversion to acreage map shall be filed and recorded to remove the underlying lots and private street configuration. 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: Development Impact Fees (DIF), Transportation Uniform Mitigation Fees (TUMF), Park Fees, School Fees, Master Plan Storm Drainage Fees, Permit and Plan Checking Fees, Water and Sewer Service Fees, and Capital Facility Fees (note that the project may be exempt from the payment of TUMF due to the affordability component. Any exemption determination from fees shall be made by the authorizing agency prior to the issuance of building permits).
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 Department for review and approval. No grading or drainage work shall occur without a grading permit and/or the permission of the City Engineer.

10. The applicant shall indemnify, protect, defend, and hold harmless, the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolutions procedures (including, but not limited to arbitrations, mediations, and other such procedures), (collectively "Actions"), brought against the City, and/or 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.

PLANNING CONDITIONS

Design Review/Buildings

11. This project design and construction shall be consistent with the City's Multiple Family Residential Design Guidelines approved by the City Council on October 22, 2002 (CC Resolution No. 3677) and the approved development plans.

Site Development

12. Prior to the issuance of a Certificate of Occupancy for the project site or activity being commenced thereon, pursuant to Site Development Review No. 14-001, all conditions of approval contained herein shall be completed to the satisfaction of the Planning Division.
13. Prior to submittal for Plan Check, building plans shall indicate the location of all parking lot lighting, and lighting standard specifications.

14. Prior to submittal for Plan Check, building plans shall indicate that electrical and mechanical equipment, including but not limited to air conditioning units, electrical boxes, transformers, backflow preventers, and any roof mounted equipment are visually screened from public view. Screening shall be to the satisfaction of the Community Development Director and in compliance with the Hemet Municipal Code.
15. Prior to issuance of a Certificate of Occupancy, 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.
16. Prior to the issuance of Building Permits, utility lines shall be underground.
17. Prior to the issuance of Building Permits, the location and design of the mailbox kiosk(s) shall be indicated on the building plans, subject to approval by the Planning Division.
18. Prior to the issuance of any Grading or Building Permits, the Applicant shall provide documentation that a reversion to acreage or parcel merger has occurred that removed the existing lot lines and dedications.

Landscaping

19. Prior to the issuance of Grading Permits, the Developer shall submit to the Planning Division and the Public Works Department a detailed landscape and irrigation plan with automatic irrigation for landscaping on-site and for public areas, consistent with the project site plan. The plans shall be prepared by a registered Landscape Architect on the approved grading plans and shall indicate the botanical and common names.
20. Prior to the approval of landscape plans, show all existing on-site mature trees; trees which are located in any area proposed for buildings and/or vehicular access need not be indicated unless proposed for relocation. The Applicant shall minimize the removal of mature trees, where possible. A mature tree shall be defined as a tree with a trunk measuring 4-inches or greater in diameter, 4-feet from existing ground level. Mature trees removed shall be replaced by planting replacement trees at a ratio of 1:1 and of a size not less than 24-inch box.
21. Prior to the approval of landscape plans, the landscape areas located west of units 1 and 23 shall be revised to include a larger variety of shrubs, vines and groundcover, subject to approval by the Planning Division.
22. Prior to the issuance of a Certificate of Occupancy, this project shall be subject to all the requirements listed in the Water Efficiency Landscaping Ordinance (currently Ordinance No. 1827, adopted by City Council on April 13, 2010).

23. Prior to the issuance of a Certificate of Occupancy or finalization of the Building Permit, landscaped areas shall have an automatic irrigation system, with automatic timers, installed and operational.
24. A one-year Faithful Performance bond, (equal in value to ten percent (10%) of the cost of the installed landscaping) shall be posted to guarantee installation, plant health, and established growth. The bond may be reduced by the City after installation has been approved.
25. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash, disease, vermin, and debris, during the term of this Project.
26. Prior to the issuance of a Certificate of Occupancy or finalization of Building Permits this project shall comply with the landscape design requirements outlined in the City's Multiple Family Residential Design Guidelines approved by the City Council on October 22, 2002 (CC Resolution No. 3677).
27. Prior to the approval of Landscaping Plans for multiple family projects, landscaping shall be planted on the basis of 12 trees per gross acre of landscaped area. A minimum of 20% of the trees shall be 24-inch box size or larger and 50% of the trees as 15-gallon size. Twenty-five percent (25%) of the shrubbery shall be 10-gallon size, 25% shall be 5-gallon size. All ground cover shall be planted at a minimum of 12 inches on center. Hydro seeding of plant material in conjunction with other planting may be acceptable when approved by the Community Development Director.
28. Prior to the issuance of a final Certificate of Occupancy, all landscaping and irrigation shall be installed and functional.

Operational Characteristics

29. Construction activity shall meet the requirements of the Hemet Municipal Code Chapter 30, Article II.
30. Prior to the issuance of Building Permits, plans shall indicate that all exterior parking lot 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.
31. Prior to the issuance of Building Permits, plans shall include light standard elevations.
32. Prior to the issuance of a Certificate of Occupancy, a Business License must be obtained from the City of Hemet.

33. Prior to the issuance of a Certificate of Occupancy and for the life of the project, an on-site property manager shall be retained.
34. Prior to the issuance of a Building Permit, the Applicant shall demonstrate that the waste receptacles are consistent with the minimum number, size, and locations required by CR&R and the Public Works Department for a 40 unit, multiple family residential project.
35. Prior to the issuance of a Certificate of Occupancy, the Applicant shall demonstrate compliance with the Multiple Family Rental Registration program.

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

Planning – General

36. Prior to the issuance of Building Permits, the building plans submitted for plan check shall include the location of all parking lot lighting and lighting standard specifications.
37. Prior to the issuance of Building Permits, the plans shall indicate that all units will be provided with central air conditioning.
38. Prior to the issuance of Building Permits, the unit separation wall lap siding, trim and roofs shall be painted to match an adjacent unit.
39. Prior to the issuance of Building Permit for wall construction, the wall material shall be a decorative block subject to approval by the Planning Division.

Planning - Environmental

40. During construction, should any archaeological artifacts be discovered, the Planning Division shall be notified immediately, and all work shall cease until a qualified archaeologist, approved by the Planning Division and financed by the Applicant, has examined the artifacts and the site and submitted his or her findings and recommendations directly to the Planning Division. Any further release of the information to any and all parties shall be only at the direction of the Planning Division. Recommencement of construction shall be upon the approval of the Planning Division.
41. Prior to the issuance of a Grading Permit, a pre-construction burrowing owl study shall be conducted to assure that burrowing owls have not moved onto the site

prior to the beginning of site work (per Habitat Assessment prepared by Joan R. Callahan on 4.14.14).

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

42. When changes to the approved Tentative Map are proposed, a Substantial Compliance Exhibit shall be submitted for review and approval of the City Engineer.
43. The applicant shall coordinate with affected utility companies and obtain any permits as necessary for the development of this project
44. Where survey monuments exist, such monuments shall be protected or shall be referenced and reset, pursuant to Business and Professions Code, Sections 8700 to 8805 (Land Surveyors Act).
45. Monuments shall be provided in accordance with City of Hemet Standard Specifications for Public Works Construction Standard M-900, M-900A, and M-901.
46. Cross-ties shall be set in top of curbs, and tie sheets shall be submitted to the City Engineer before a monument security is released.
47. Prior to any lane closure or detour, the Applicant shall submit a Construction Traffic Management Plan, for review and approval by the City Engineer. The plan shall include, but not limited to, signing, truck routes, and dirt hauling hours.
48. Prior to issuance of a Certificate of Occupancy, digitized drawing files of the Onsite Plans, in a City's compatible CAD system, shall be submitted along with original mylar plans. Also provide PDF file of all City Engineer approved Improvement Plans showing City Engineer's approval signature as well as Private Engineer's approval signature.
49. Easement(s) of record not shown on the Final Map shall be relinquished or relocated. Lots affected by proposed easements or easements of record, which cannot be relinquished or relocated, shall be redesigned.

50. Provide reversion to acreage Final map to merge Lots 5 thru 16 inclusive of Tract 25225, per MB 225/77-78. Also to be merged will be that portion of the Private Street shown as Lot "D", Essex Avenue and DeLapp Drive west of the prolongation of the west line of Lot 5 south to the northerly line of Lot 17 of Tract 25225. The area of Lot 5 is to be dedicated to the City of Hemet as an easement for the right of ingress and egress for emergency vehicles as a turn around. Dedicate Lot "A", 30 feet, on Copenhagen Street to the City of Hemet for Public Use for Street and Public Utility Purposes. Dedicate 26 feet to the City of Hemet for Public Utility Purposes in the northerly east/west driveway of SDR 14-001 to Lot 5, thence southerly, along the west property line of Lot 5 to the Private Street shown as DeLapp Drive. All owners of an interest in the real property, Lots 1 thru 20, inclusive, within Tract 25225 will have to sign the Final Map. The Final Map will be recorded prior to issuance of the Grading Permit.

Streets

51. Any public improvement damaged during construction, including but not limited to curb and gutter, sidewalk, access ramps, paving, trees, and lights, shall be replaced to the satisfaction of the City Engineer. Access ramps to comply with current California Building Code requirements, prior to issuance of a Certificate of Occupancy.
52. On Copenhagen Street, remove and replace the existing street pavement to centerline in accordance with the City of Hemet Standard Specifications for Public Works Construction, Standard Street Sections. Street structural sections shall be designed for a Traffic Index (TI) of 5.5 (min.). Preliminary soils investigations shall be used to determine the R-value to calculate the pavement structural section, based on the established TI. The final pavement section shall be approved by the City Engineer prior to issuance of a Certificate of Occupancy.
53. Prior to issuance of a Certificate of Occupancy install driveway approaches in accordance with the City of Hemet Standard Specifications for Public Works Construction, Standards C-208, C-209, and C-210A. In accordance with City of Hemet Resolution No. 1783, driveway widths and locations shall be approved by the City Engineer.

On-Site

54. Prior to issuance of a Grading Permit, the applicant shall submit to the City for review and approval a Demolition Plan for the existing AC road, curb & gutter, water & sewer line in SDR 14-001 to be removed, at the direction of the City Engineer.

55. Prior to issuance of a Certificate of Occupancy or the finalization of building permit, install a double wide ADA trash enclosure in accordance with the City of Hemet Standard Specifications for Public Works Construction, Standards R-500A series with ADA access. The location(s) shall be approved by the City of Hemet Refuse Supervisor and the City Engineer.
56. Prior to issuance of a Grading Permit, the parking areas and drive aisles to 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. The plans shall include the location of parking lot lighting, lighting standard specifications and required parking lot landscaping.
57. Prior to issuance of a Certificate of Occupancy, install handicap ramp(s) in accordance with the City of Hemet Standard Specifications for Public Works Construction, Standard C-216, and C-216A and Uniform Building Code Title 24.

Drainage

58. Prior to issuance of the Building Permit, the Applicant shall pay the Master Storm Drain Plan fee, at the currently adopted rate.
59. Prior to issuance of a Certificate of Occupancy, FEMA Flood Insurance Map 06065C1470G shows this project to be in Zone X; areas subject to 100-year flooding, with average depths less than one foot, with an area of of 0.2% annual chance of flood, and an area considered to be outside the 0.2% annual chance floodplain. All building foundation pads within the development shall be elevated in accordance with City of Hemet Ordinance No. 754.
60. Prior to issuance of a Certificate of Occupancy the applicant's Land Surveyor shall submit to FEMA and the City of Hemet an Elevation Certificate for the proposed structure on the latest Elevation Certificate FEMA Form prior to Certificate of Occupancy. The Applicant shall adhere to all Federal Emergency Management Agency (FEMA) regulations and requirements in the event that existing drainage patterns are affected by this development. Prior to issuance of a Grading Permit all necessary calculations shall be submitted to the City of Hemet and to any governing Federal agency for review and approval.
61. Prior to issuance of a Grading Permit, the design of all drainage and other public improvements shall conform to the current edition of the following City of Hemet documents: "Standard Specifications for Public Works Construction", the "Hemet Master Flood Control and Drainage Plan", and the "Storm Drain Development Standards, Storm Drain Criteria and Drainage Design Manual".

62. Prior to issuance of a Grading Permit, the Applicant's property shall accept and properly dispose all offsite drainage flowing onto or through the site. Adequate provisions shall be made to intercept and conduct the drainage flows within and from the site in a manner which will not adversely affect adjacent or downstream properties. The new westerly terminus of the Private Street, DeLapp Drive shall be modified to direct drainage to the 26 feet Drainage Easement being dedicated on the Final Map.
63. Prior to issuance of a Grading Permit, effective February 14, 2011, all construction projects on one acre or more, in the San Jacinto Watershed, shall apply for coverage under the State General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (General Permit) Order No. 2010-0014-DWQ.
64. Prior to issuance of a Grading Permit, the applicant shall submit to the City for review and approval, a project-specific Water Quality Management Plan (WQMP) using the WQMP Guidelines & Template adopted October 22, 2012 utilizing Low Impact Development (LID) Principles and LID BMPs. This plan shall address Site Design BMPs, incorporate the applicable Source Control BMPs, incorporate LID Control BMPs, describe the long-term operation and maintenance requirements for BMPs, and describe the mechanism for funding the long-term operation and maintenance of the BMPs.
65. Prior to issuance of a Grading Permit, the applicant shall provide the City Engineer with proof of filing a Notice of Intent with the State Water Resources Control Board in Sacramento, obtain a WDID number from the Board, under Construction General Permit, Order No. 2010-0014-DWQ, and have an approved WQMP from the City.
66. Prior to issuance of a Grading Permit, the property owner shall record a "Covenant and Agreement" with the County Recorder, or other instrument acceptable to the City, to inform future property owners of the requirement to implement the approved project-specific WQMP.
67. Prior to issuance of a Certificate of Occupancy, a Registered Civil Engineer shall submit to the City Engineer a written certification that all the components of the approved WQMP have been satisfactory installed and constructed. Certification shall be to grade, elevations, plantings, materials, and other elements included in the approved WQMP.
68. Prior to issuance of a Grading Permit, any required underground storm drain lines and appurtenances, within the public right-of-way, shall be installed in accordance with the City of Hemet Standard Specifications for Public Works Construction.

69. Drainage easement(s), as required by the City Engineer, shall be shown on the Final Map, improvement plans or grading plans. Easement(s) shall be recorded by Final Map.
70. Prior to issuance of a Grading Permit the Developer shall submit to the City Engineer for review and approval, hydrology and hydraulic calculations sufficient to establish base flood elevations within and immediately adjacent to the project site. Improvements proposed by the Developer shall be taken into account when analyzing impacts to upstream, adjacent and downstream properties.
71. Prior to issuance of a Grading Permit, the incremental increase in runoff between the developed and undeveloped property for the 100-year/3-hour storm must be retained on site.
72. Prior to issuance of a Grading Permit, construction of the Detention/Bio retention facilities shall be designed to retain the 3 hour 100 year storm and shall include, but not limited to, the following improvements: perimeter fencing (decorative block and/or wrought iron fence, as determined by the Planning Department), drought tolerant native plants & shrubs, outlet structure and discharge pumps. Runoff and storm water from the front of apartments fronting on Copenhagen shall drain to Bio retention Facilities.

Water

73. Domestic water service will be provided by EMWD.

Sewer

74. Domestic sewer service will be provided by EMWD.

BUILDING CONDITIONS

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

Building Code Requirements

75. Prior to the Certificate of Occupancy, smoke detectors shall be installed in accordance with California Building Code, Section 1210.12.
76. Prior to the issuance of a Building Permit, the electrical, plumbing and mechanical systems shall be in accordance with applicable adopted codes.

Handicap Requirements

77. Prior to the Certificate of Occupancy, handicapped parking and signage shall be installed in compliance with applicable State and City codes, if off-street parking is provided.
78. Prior to the Certificate of Occupancy, for multiple-family projects, all entrances and exits shall be handicapped accessible per California Code of Regulations, Title 24.
79. Prior to the Certificate of Occupancy, for multiple-family projects, a handicapped accessible pedestrian access to the site shall be provided.

Agency Approvals

80. Prior to the issuance of a Building Permit, Eastern Municipal Water District approval shall be obtained.

General

81. Prior to the issuance of Grading Permits, utilities shall be underground.

Security

82. Prior to the issuance of Building Permits, the plans shall indicate that all unit entrance exterior doors shall be constructed of solid wood core, minimum of 1 and 3/4-inch thick or of metal construction.
83. Prior to the issuance of Building Permits, the plans shall indicate that doors utilizing a cylinder lock shall have a minimum five (5) pin tumbler operation with the locking bar or bolt extending into the receiving guide a minimum of 1-inch.
84. Prior to the issuance of Building Permits, the plans shall indicate that all exterior sliding glass doors or windows shall be equipped with metal guide tracks at the top and bottom and shall be constructed so that the door or window cannot be lifted from the track when in the closed or locked position.

Model Homes

85. Prior to the Certificate of Occupancy, all entrances and exits shall be handicapped accessible per California Code of Regulations, Title 24.
86. Prior to the Certificate of Occupancy, a handicapped accessible pedestrian access to the site shall be provided.

87. Conversion of sales office and model home(s) into residential homes shall be required prior to sale of model home(s). Building permits for the conversions shall be required.

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

88. Prior to the issuance of a building permit written proof shall be provided from the water purveyor that sufficient capacity is available for fire protection. The minimum required fire flow for this project is 1500 GPM @ 20psi residual pressure for a duration of 2 hours, per CFC / IFC Appendix B. Fire flow and flow duration for buildings without automatic fire protection and having an area in excess of 3,600 square feet shall not be less than specified in Table B105.1.
89. 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".
90. This project is subject to review and approval in accordance with the CCR, 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).

Hydrants and Fire Protection Systems

91. An approved water supply capable of supplying the required fire flow for fire protection shall be provided on site when any portion of the building or facility is in excess of 400 feet from an approved water supply on a public street. CFC and IFC Section 507. The location of on-site hydrants and mains shall be approved by the Fire Marshall prior to permit issuance.
92. Prior to combustible construction commencing, install and/or upgrade, as required by the, street (off-site) fire hydrants pursuant to the City of Hemet Standard Specifications for Public Works Construction. Distance between fire hydrants shall not exceed 400 feet without approval from the Fire Marshal. Fire

hydrants shall be located within 100 feet of Fire Department Connections (FDC) for Standpipes and Automatic fire sprinklers.

93. Prior to combustible construction install, as required by the City of Hemet Fire Marshal, on-site fire hydrants pursuant to the City of Hemet Standard Specifications for Public Works Construction. Travel distance along the fire access route shall not exceed 300 ft. between hydrants without approval from the Fire Marshal. CFC and IFC Section 507.
94. In accordance with the CFC and IFC Section 507, the water system (mains and hydrants) shall be tested and accepted by the Fire Marshal prior to the commencement of combustible construction. Hydrant markers (Blue Dots) shall be installed pursuant to the City of Hemet Standard Specifications for Public Works.
95. In accordance with the CFC and IFC Section 903, as amended and Article II, Chapter 14 of the Hemet Municipal Code, automatic fire sprinklers shall be installed throughout all residential buildings pursuant to NFPA Standards. Systems with 20 heads or more shall be monitored by an approved UL listed central station alarm system meeting NFPA 72 and City of Hemet requirements.
96. Prior to the Certificate of Occupancy, in accordance with the CFC and IFC Section 903, an automatic fire sprinkler system is required throughout all buildings with this occupancy type based on the use(s) proposed. Systems with 20 heads or more shall be monitored by a UL listed central station alarm system meeting NFPA 72 (2013) and City of Hemet requirements.
97. Prior to the Certificate of Occupancy, in accordance with the CFC and IFC Section 904 and CCR, Title 19, alternative automatic fire extinguishing systems shall be installed and maintained pursuant to NFPA standards. Prior to installation (or modification) of a fire protection system, complete plans shall be submitted to the City of Hemet Fire Marshal for review and approval.
98. Prior to the Certificate of Occupancy, portable fire extinguishers shall be installed and maintained in accordance with CFC and IFC Section 906 and CCR, Title 19, Chapter 3. The type and spacing shall be approved by the City of Hemet Fire Marshal prior to installation.
99. Prior to the Certificate of Occupancy, an approved manual, automatic or (manual and automatic) fire alarm/monitoring system shall be installed and tested prior to final inspection in accordance with the CFC and IFC Section 907 and pursuant to NFPA standards. Automatic fire sprinkler systems with 20 heads or more shall be monitored by a UL listed central station meeting the standards of NFPA 72 (2013) and City of Hemet requirements.

100. All check valves, post indicator valves, fire department controls, and connections shall be located as required and approved by the Fire Marshal of the City of Hemet. If multiple buildings, each building shall have separate (approved) control valves. A separate permit will be required for all underground piping for fire protection systems.

Fire Department Access

101. Prior to delivery of combustible materials on site, provide and maintain an all-weather surface access roadway 20-feet wide with a 13-foot 6-inch vertical clearance designed to support the imposed loads of fire apparatus in accordance with the CFC and IFC Section 503.1 (dirt or native soil does not meet the minimum standard). Minimum turning radius for fire apparatus is 52 feet (outside) and 32 feet (inside). Fire access is required to within 150 feet of all portions of every building unless otherwise approved by the Fire Marshal.
102. Prior to the issuance of a Building Permit, in accordance with the CFC and IFC Section 503.2.5, approved turnarounds are required on any access road in excess of 150 feet in length, per City of Hemet Fire Department Standards.
103. Prior to the issuance of a Building Permit, Fire Department access roads shall have an unobstructed minimum width of 26 feet where fire hydrants are located along the access roadway or as otherwise determined by the Fire Marshal in accordance with CFC and IFC Section 503.2.2. & the CFC and IFC Appendix Section D103.
104. Prior to the issuance of a Building Permit, Provide secondary access/egress per CFC and IFC Section 503.1.2 as required by the Fire Department. No portion of any public or private street used for fire access shall exceed 12% grade without approval from the Fire Marshal. All cul-de-sacs shall conform to City Standards for length, width and turnaround radius.
105. Prior to the issuance of a Certificate of Occupancy, "No Parking - Fire Lane" signs, red curbing, street signs and other required markings shall be provided to the specifications of the City of Hemet Fire Marshal in accordance with the CFC and IFC Section 503.3 and California Vehicle Code Section 22500.1.
106. Prior to final inspection, addresses shall be provided on all new and existing buildings in accordance with the CFC and IFC Section 505.
107. Prior to the issuance of a Building Permit, in accordance with the CFC and IFC Section 503, security gates if installed, shall be installed with approved automatic devices and/or key switches to allow Fire and Police Department access and egress pursuant to the City of Hemet Municipal Code and Fire Department Standards.

108. Prior to the issuance of a Building Permit, Install Knox key boxes and/or Knox locks for Fire and/or Police Department access in accordance with CFC and IFC Section 506 and the Hemet Municipal Code.
109. Prior to the issuance of a Building Permit, modify driveway and on-site circulation in order to provide additional access for fire apparatus pursuant to CFC and IFC Section 503 (contact the Fire Marshal for specifics). Minimum turning radius for fire apparatus is 52 feet (outside) and 32 feet (inside). Fire access turn-around areas must be clear from obstructions including outside storage, trash enclosures and parked vehicles.

Miscellaneous

110. Prior to the issuance of a Building Permit, interior finish, decorative materials and furnishings shall be in accordance in CFC and IFC Chapter 8. Classification and acceptance criteria of interior finishes shall comply with NFPA standards. Interior wall and ceiling finish shall not have a flame spread index greater than that specified in CFC and IFC Table 803.3.
111. Prior to the issuance of a Building Permit, portable fire extinguishers shall be installed in each model home and sales office. The type and spacing shall be set by the City of Hemet Fire Marshal in accordance with CFC and IFC Section 906.
112. Prior to the issuance of a Certificate of Occupancy, an electronic version of the final tract map or site plan shall be submitted for fire suppression use. The scale shall be such that the site plan shall be clearly legible, showing all streets, the building footprints and addresses, fire hydrant locations, Knox box locations (if applicable), and access driveways. The format shall be compatible with the City of Hemet's electronic data base or equivalent.
113. No change in use or occupancy shall be made to any existing building or structure unless the means of egress system is made to comply with the requirements for the new use or occupancy in accordance with CFC and IFC Chapter 10.
114. Fire safety during construction and demolition shall comply with CFC and IFC Chapter 33.
115. Access during construction: Access for firefighting 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 all portions of combustible construction pursuant to CFC and IFC Chapter 33.

116. Trash containers with an individual capacity of 1.5 cubic yards or greater shall not be stored in buildings or within 5 feet of combustible walls, openings, eaves, etc. unless protected by an approved means (automatic fire sprinkler system and / or an approved 4-hour fire separation).

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.

117. No conditions have been submitted at this time

END

Attachment No. 2 Aerial Map

Planning Commission
Public Hearing of
September 16, 2014

SITE DEVELOPMENT REVIEW NO. 14-001

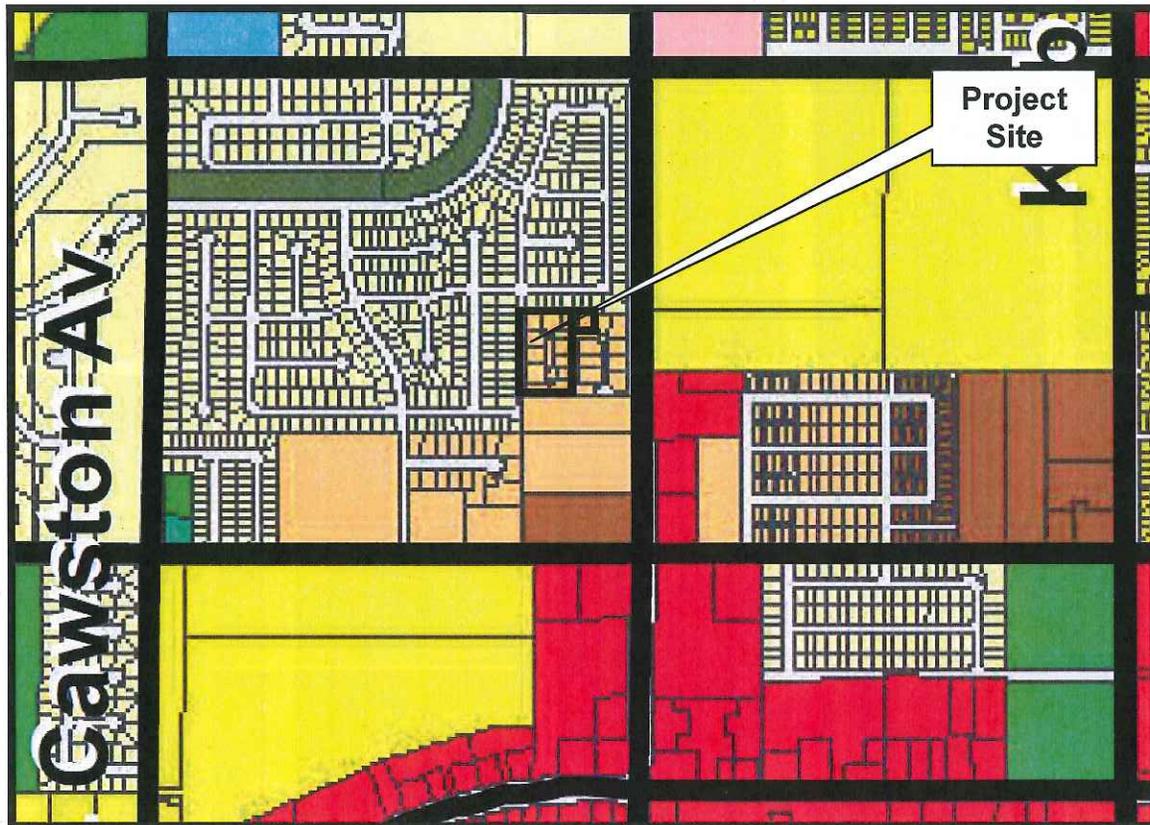
AERIAL MAP



**Attachment
No. 3
General Plan Land
Use Designation Map**

**Planning Commission
Public Hearing of
September 16, 2014**

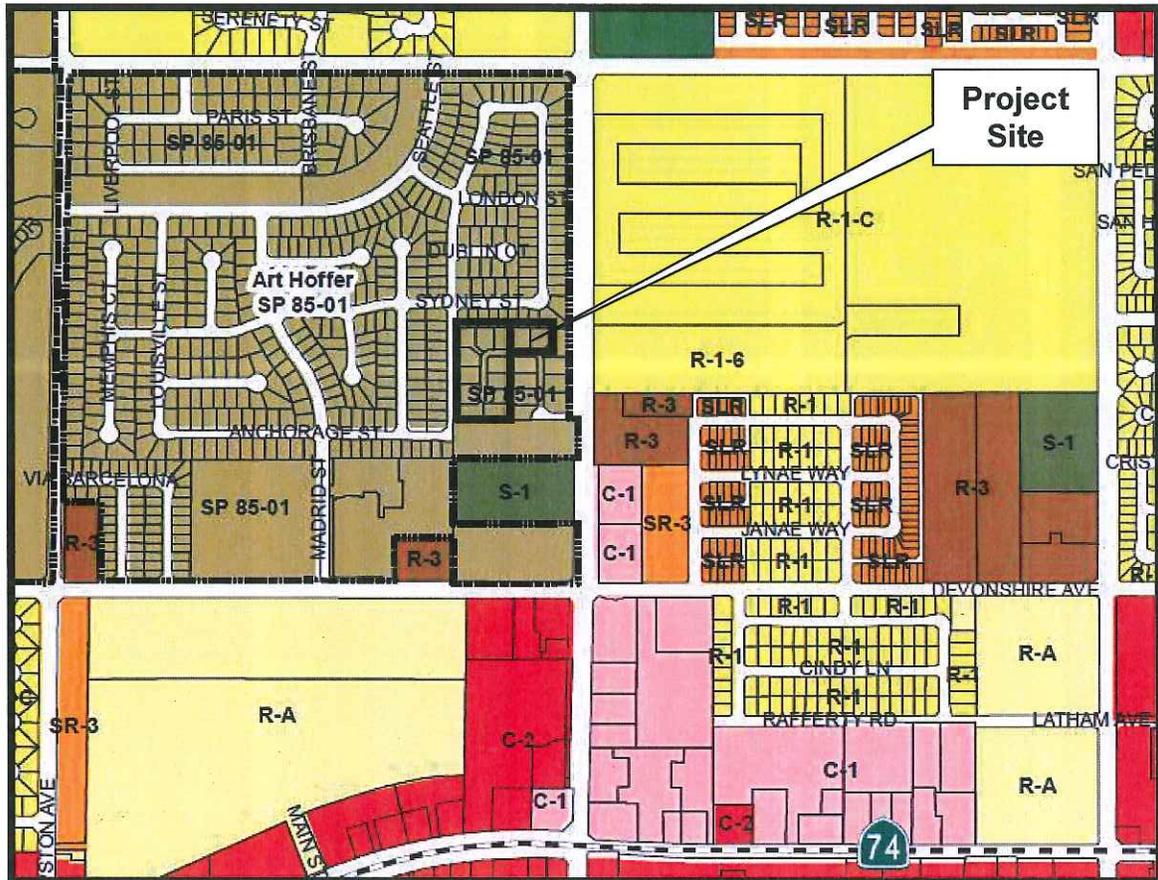
**SITE DEVELOPMENT REVIEW NO. 14-001
LAND USE MAP**



Attachment No. 4 Surrounding Zoning Map

Planning Commission
Public Hearing of
September 16, 2014

SITE DEVELOPMENT REVIEW NO. 14-001 ZONING MAP



**Attachment
No. 5
Specific Plan Map**

**Planning Commission
Public Hearing of
September 16, 2014**

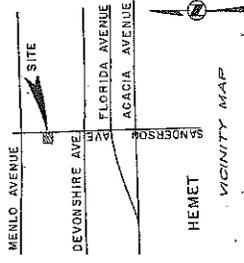
**Attachment
No. 6
Final Tract Map No.
25225**

**Planning Commission
Public Hearing of
September 16, 2014**

IN THE CITY OF HEMET, COUNTY OF BLENHEIM, STATE OF CALIFORNIA

TRACT MAP NO. 25225

FOR THE PURPOSES OF THE RECORDING OF THE LANDS OF THE COUNTY OF BLENHEIM, STATE OF CALIFORNIA, IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO, CALIFORNIA.



ENGINEER'S NOTES:
BASED UPON RECORD FOR THIS SURVEY IS THE CONTINUING OF SANDERSON
ADVERSE ZONING AS NOTED UPON 37' EAST PER P.M. 140/3-4
OTHERWISE NOTED
O - INDICATES SET 1" I.R. 24000 R.C.E. 24000 FLUSH UNLESS
OTHERWISE NOTED
• - INDICATES FOUND MONUMENT AS NOTED
D - INDICATES RECORD DATA PER P.M. 140/3-4
UNLESS OTHERWISE NOTED
D - INDICATES RECORD DATA PER P.M. 212/88-89
UNLESS OTHERWISE NOTED
SET 1" I.R. 24000 R.C.E. 24000 FLUSH IN CORNER AT ALL LOT LINE
INTERSECTIONS E.L.S. & E.L.S. 3' TO 5' TO 10' WIDENING POINTS
THE TRACT CERTAINS - 7,000.00 ACRES APPROX.

EXISTING FOUR-PLEXES

MARCH 1980
FOR 1" I.R. 24000 R.C.E. 24000
FLUSH IN CORNER AT ALL LOT LINE
INTERSECTIONS E.L.S. & E.L.S. 3' TO 5' TO 10' WIDENING POINTS

TRACT NO. 22189-1
M.B. 187 / 55-61

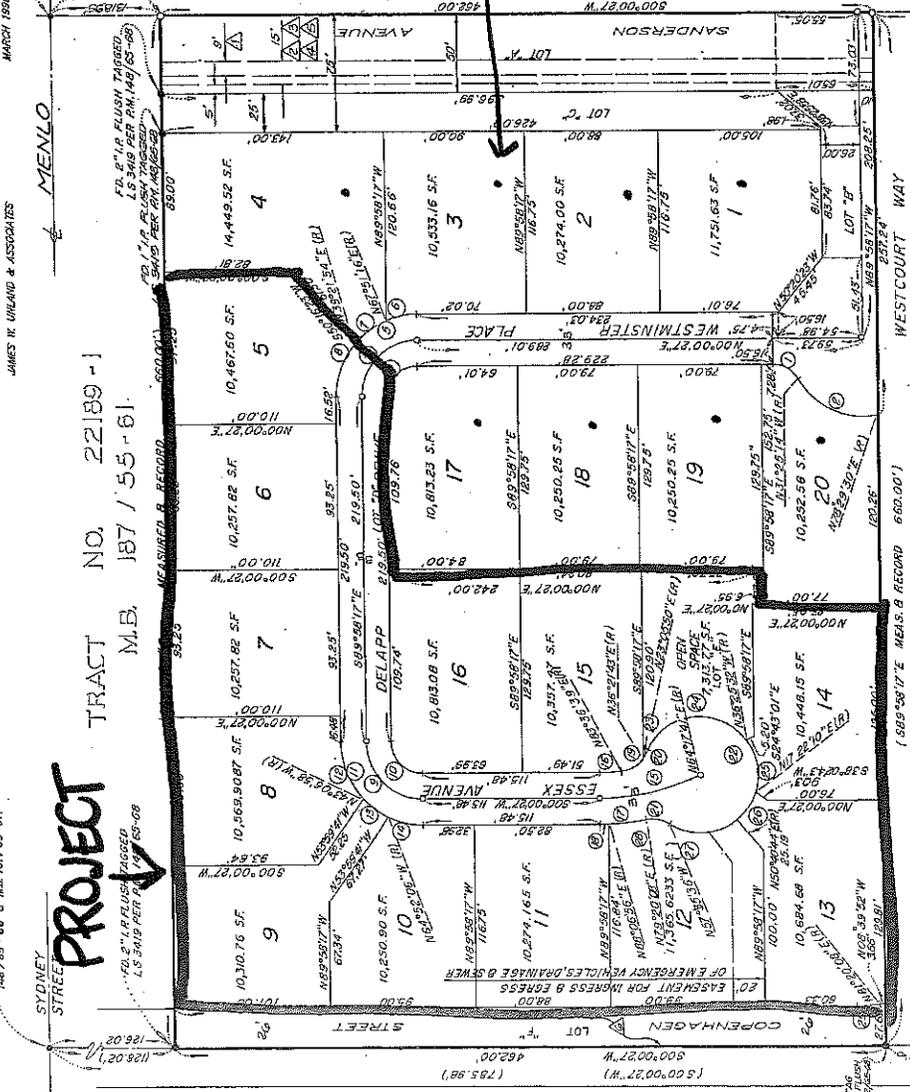
PROJECT

FOR 1" I.R. 24000 R.C.E. 24000
FLUSH IN CORNER AT ALL LOT LINE
INTERSECTIONS E.L.S. & E.L.S. 3' TO 5' TO 10' WIDENING POINTS

TRACT NO. 22189-2
M.B. 212 / 85-88

R.S. 64 / 40

FOR 1" I.R. 24000 R.C.E. 24000
FLUSH IN CORNER AT ALL LOT LINE
INTERSECTIONS E.L.S. & E.L.S. 3' TO 5' TO 10' WIDENING POINTS



LOT	CURVE DATA	AREA
1	88° 03' 18" R	50.00
2	88° 03' 18" R	35.07
3	88° 03' 18" R	38.49
4	88° 03' 18" R	38.49
5	88° 03' 18" R	38.49
6	88° 03' 18" R	38.49
7	88° 03' 18" R	38.49
8	88° 03' 18" R	38.49
9	88° 03' 18" R	38.49
10	88° 03' 18" R	38.49
11	88° 03' 18" R	38.49
12	88° 03' 18" R	38.49
13	88° 03' 18" R	38.49
14	88° 03' 18" R	38.49
15	88° 03' 18" R	38.49
16	88° 03' 18" R	38.49
17	88° 03' 18" R	38.49
18	88° 03' 18" R	38.49
19	88° 03' 18" R	38.49
20	88° 03' 18" R	38.49

FOR 1" I.R. 24000 R.C.E. 24000
FLUSH IN CORNER AT ALL LOT LINE
INTERSECTIONS E.L.S. & E.L.S. 3' TO 5' TO 10' WIDENING POINTS

**Attachment
No. 7
Photographs of Site**

**Planning Commission
Public Hearing of
September 16, 2014**

Site Development Review No. 14-001

Site Photographs



Looking south from DeLapp Drive



Looking west from DeLapp Drive towards Copenhagen homes



Looking northeast from DeLapp Drive



Looking northeast from DeLapp Drive



Looking northeast from Copenhagen at the existing fourplexes



Looking east from Copenhagen



Looking north on Copenhagen

Attachment

No. 8

August 6, 2013 Planning
Commission Minutes

Planning Commission
Public Hearing of
September 16, 2014

1 Ms. Schein then asked for an explanation as to where the proposed senior oriented
2 Jasmine Gardens Development is to be located, if the proposal goes through.

3
4 Planner Kendrick replied that it's located in front of Johnston Avenue, and they are
5 required to do a lot line adjustment.

6
7 Chair Gifford closed the public hearing, and Commissioner Crimeni indicated he
8 thought Site 6 should remain in the proposal, to which Chair Gifford agreed.

9
10 Vice Chair Vasquez asked if the developer had plenty of notification, to which CDD
11 Elliano responded that they had notification since July 8th and were aware of the
12 General Plan designation.

13
14 It was **MOVED** by Commissioner Crimeni and **SECONDED** by Commissioner Perciful
15 to **ADOPT** the Planning Commission Resolution Bill No. 13-014, recommending
16 **APPROVAL** of Zone Change No.13-001 (Ordinance Bill No. 13-039) to the City
17 Council.

18
19 The **MOTION** was carried by the following vote:

20
21 **AYES:** Chairman John Gifford, Vice Chair Greg Vasquez, Commissioners
22 Michael Perciful and Rick Crimeni.

23 **NOES:** None

24 **ABSENT:** Commissioner Vince Overmyer

25
26 **(Adopted Planning Commission Resolution No. 13-012)**

27
28
29 **WORK STUDY ITEMS**

30
31 **6. WORKSTUDY: PRELIMINARY REVIEW NO. 13-004 (COPENHAGEN COURT**
32 **GARDEN APARTMENTS**): A Workstudy Session for the Planning Commission to
33 review and provide input regarding the submittal of a future Site Development
34 Review Application to allow the construction and use of 8 single-story multiple-
35 family residential apartment buildings containing 40 units totaling 53,600 square
36 feet, located on the east side of Copenhagen Street, south of Sydney Street and
37 north of Anchorage Street.

38
39 **Applicant:** Nader Khoshniyati

40 **Agent:** Jim Morrissey

41 **Location:** East side of Copenhagen Street, south of Sydney Street and north
42 of Anchorage Street

43 **APN:** 448-210-005 thru 014 and 448-210-016 thru 018

44
45 (Powerpoint presentation by Planner Carole Kendrick)

46
47 Chairman Gifford had questions concerning fire truck turnaround, pavement finishing,
48 driveway access, common space, Home Owners Association/property management.

49
50 Planner Kendrick explained that the pavement is asphalt in the parking lot, that the two
driveways open onto Copenhagen, that property management or an HOA will maintain

1 the common areas, and that there hasn't yet been a decision as to whether these will
2 be apartments or condos.

3
4 Commissioner Crimeni wanted to know about the street that dead-ends into the fire
5 turnaround, and how that was going to be finished off, as well as whether there would
6 be playgrounds or common areas for children.

7
8 Planner Kendrick said they were waiting to hear from the applicant as to the fire access
9 configuration and that there is no common area for children. As yet there has not been
10 a decision as to whether these will be apartments or condos. Guest parking will be in
11 designated spaces, and each unit comes with a two-car garage.

12
13 Jim Morrissey, 41738 Fulton Avenue, was called to the lectern, as the applicant, to
14 answer questions. He stated that this is essentially an apartment project with an
15 appearance similar to single-family units. The initial proposal to staff was for 43 units,
16 but a recent change in multiple-family development standards caused a reduction of
17 units to 40. They are looking now at the feasibility of the project, as start-up costs will
18 be over a million dollars.

19
20 The fire department accepted the present configuration, and the developer will have
21 that paved and landscaped. It can be dedicated to the city, if that is desired, but the
22 present plan is to keep it. He reiterated that they are still in the planning process and
23 welcome questions and comments from the Commission.

24
25 Chair Gifford and Commissioner Perciful voiced concerns about the street that turns
26 into nowhere which is currently chained off. They suggested making it a cul-de-sac or
27 including a small gazebo or picnic bench.

28
29 CDD Elliano explained that it's an offset street that looks like an incomplete design or
30 afterthought as opposed to going with the turnaround. It would be nice to have the lot
31 area serve a dual purpose, and have some amenity.

32
33 Chair Gifford asked what the price point would be, but Mr. Morrissey said they really
34 didn't know at this point. The owner wants to see how favorable the design is.

35
36 Vice Chair Vasquez indicated his concerns about the project, but wondered if any
37 thought had been given to making this a senior citizen type of residence development.
38 He felt the development appeared condensed and crowded, and that if it became a
39 rental property, it could turn into a problem area for the police department and would
40 negatively impact the neighborhood.

41
42 Mr. Morrissey responded that the senior housing issue had not been raised. The
43 property owner has not yet decided whether this will be a condo or apartment complex.
44 He did feel, however, that because there were garages for each unit, the rental rates
45 might be higher than other homes across the street because they are an older
46 development; some are now rentals because of default problems, etc. He reiterated
47 that there has been no analysis done.

48
49 Vice Chair Vasquez said the Commission is charged with making sure that future
50 projects are in line with the General Plan, which is positive. He stated that this reminds

1 him of the projects he grew up in, although newer and a lot nicer. He wanted to know if
2 the police department had indicated any feedback about the project.

3
4 Chairman Gifford indicated his feeling that best use of the project was for senior living.
5 Since most of the units are less than a thousand square feet, they are not going to be
6 high priced, which will be popular with seniors. If it's just advanced to the general
7 public, it will be considered low income.

8
9 Commissioner Perciful recommended either extending the road to make it curve, or
10 making the project a gated community.

11
12 Russell Rumansoff explained that the turnaround is actually for the existing fourplexes.
13 The developer is really giving up the property for the fourplexes to be serviced by the
14 fire department. He added that a basketball court on the turn-around lot is probably a
15 good idea.

16 17 DEPARTMENT REPORTS

18 19 20 **7. CITY ATTORNEY REPORT BY ASSISTANT CITY ATTORNEY STEVE MCEWEN:** 21 (Nothing to report.)

22 23 **8. COMMUNITY DEVELOPMENT DIRECTOR REPORTS:**

24 25 **A. Summary report regarding City Council Meeting of July 23, 2013**

26
27 CDD Elliano reported that the Zoning Ordinance Amendment for Housing Element
28 compliance had unanimous adoption of Planning Commission's recommendation on
29 the emergency shelters and small lot zone and the ordinance creating the R-4 zone.

30 31 **B. Update on Planning Projects and Informational Items** 32 (No report given at this time.)

33 34 **C. Development Process Roundtable Report**

35
36 A Development Workshop was conducted on July 25th by the Planning, Building, Fire,
37 and Engineering Departments, with approximately 50 people in attendance. An
38 overview of the city's processes was given and a roundtable discussion ensued,
39 delineating how the processes could be improved to be more efficient. Questions and
40 issues came up which will be responded to in writing to those in attendance, and efforts
41 will be made to enact some of the changes suggested. The mission was to let the
42 development community know that the city wishes to partner with them, keeping in
43 mind the need for compliance with state and federal laws and health and safety codes.

44 45 **9. PLANNING COMMISSIONER REPORTS:**

46
47 **A. Chairman Gifford reported a meeting he had with the City Manager**
48 **concerning bringing businesses to the city and other things the city is**
49 **working on. He reported that it seems to the City Manager that the staff is**
50 **focused and there are some good things in the works.**

B. Vice Chair Vasquez (Nothing to report.)

C. Commissioner Perciful (Nothing to report.)

Attachment No. 9

September 17, 2013
Planning Commission
Minutes

Planning Commission
Public Hearing of
September 16, 2014

1 It was **MOVED** by Chairman John Gifford and **SECONDED** by Vice Chairman Vasquez
2 to **ADOPT** the Resolution Bill No. 13-017 **DENYING** CUP 13-004, based on the
3 information and findings contained in the staff report.

4
5 The **MOTION** was **REJECTED** by the following vote:

6
7 **AYES:** None

8 **NOES:** Chairman John Gifford, Vice Chair Greg Vasquez, Commissioner Michael
9 Perciful

10 **ABSENT:** Commissioners Vince Overmyer and Rick Crimeni

11
12 A second motion was proposed as follows:

13
14 It was **MOVED** by Chairman Gifford and **SECONDED** by Commissioner Perciful to
15 **CONTINUE** the public hearing re **DENIAL** of CUP 13-004, based on the information
16 and findings contained in the staff report, to October 15, 2013, and to direct staff to
17 revise the resolution, **APPROVING** the CUP with consistent findings.

18
19 The **MOTION** was **APPROVED** by the following vote:

20
21 **AYES:** Chairman John Gifford, Vice Chair Greg Vasquez, Commissioner Michael
22 Perciful

23 **NOES:** None

24 **ABSENT:** Commissioners Vince Overmyer and Crimeni

25
26 CDD Elliano worked with commissioners to identify the findings in the resolution that
27 needed to be revised per the commission's reasoning and direction. At the conclusion
28 of the discussion, she summarized the actions as follows:

- 29
30 1. Continuance of this public hearing to the October 15th, 2013 Planning
31 Commission meeting;
- 32 2. Preparation of a revised staff report to include conditions of approval which
33 are not included in the present report and a revised resolution for approval.
- 34 3. Notification of applicant of the October 15th hearing, and request for further
35 information within the next weeks so it can be incorporated into the report.
- 36 4. Any additional information or answers to commissioners' questions that staff
37 can prepare to be presented at the continued hearing.
- 38
39

40 **WORK STUDY ITEMS**

41 42 5. **WORKSTUDY: PRELIMINARY REVIEW 13-004 COPENHAGEN COURT** 43 **GARDEN APARTMENTS)**

44
45 **Applicant:** Nader Khoshniyati

46 **Agent:** Jim Morrissey, PZL Inc.

47 **Location:** East side of Copenhagen Street, south of Sydney Street and north
48 of Anchorage Street

49
50 **DESCRIPTION:** A work study session for the Planning Commission to review
and provide input regarding the submittal of a future Site Development Review

1 Application to allow the construction and use of 8 single-story multiple-family
2 residential apartment buildings containing 40 units located on the east side of
3 Copenhagen Street, south of Sydney Street and north of Anchorage Street.
4

5 (PowerPoint presentation by Planner Carole Kendrick.)
6

7 Chairman Gifford noted that he had met with the applicant and staff to go over some
8 clarifications as to what the questions of the Planning Commission were and the
9 direction the applicant was moving. He asked if there were any changes in the plan
10 from the last work study session.
11

12 Planner Kendrick noted the architect added some more details and coloring on the
13 elevation, showing landscaping design, and the agents for the applicant provided some
14 answers to comments made by the Commission at the last work study.
15

16 Jim Morrissey (41738 Fulton Avenue, Hemet, CA 92544) noted that this project has
17 been in planning for 20 years with a fourplex design. Now the applicant is trying to
18 work within the concept of creating a neighborhood project that fits the site as it now
19 appears, which is single-family housing with one-story buildings. As the site does not
20 front on a major street, it is in an isolated location. Their aim is to keep the density low
21 enough to be consistent with the General Plan Final EIR target density, yet create
22 something that looks like single-family development.
23

24 He pointed out that the plan, as it now exists, looks like attached single-family units
25 with two-car garages, with the building coverage being 42 percent, while the code
26 allows 60 percent. Landscaping is 28 percent, well above the 15 percent ordinance
27 requirement. Common area is 12,000 square feet, more than the 10,000 square feet
28 required by ordinance, and the number of units was dropped from 43 to 40. Also, one
29 of the existing lots is being used for a fire department turnaround, which will benefit an
30 existing fourplex development.
31

32 Unit rental rates would be about \$1,000 for one-bedroom and \$1,250 for a two-
33 bedroom unit, both with two-car garages.
34

35 Chairman Gifford asked what kind of renters or demographics are anticipated.
36

37 Mr. Morrissey answered that their focus is professional young people, couples, couples
38 with young children.
39

40 Russell Rumansoff (530 Saint John Place, Hemet), further explained that their concept
41 was to design this as a single-family housing tract where there are different products
42 and different designs and colors. The unifying element would be in the roof colors.
43 This was planned to create more of a sense of identity for the individual unit, making
44 this a self-contained neighborhood, with its own sidewalks and play areas. Young
45 professionals or people with small children can walk across the street to the park and
46 take advantage of the amenities provided. These are high-end individual rental units
47 rather than being in a big apartment building, with wood siding and trim rather than
48 plaster or standard stucco.
49
50

1 Chairman Gifford asked what comparable rates would be for senior housing.

2
3 Mr. Morrissey was not able to give definitive rental rates for senior housing, but if rental
4 was month to month, the rates were higher than for long-term rentals, but a two-
5 bedroom, two-bath unit would be over \$1,000 per month. The Websites noted that
6 rates vary, depending on vacancies, etc.

7 Vice Chair Vasquez asked if they would lower their rates (\$1,000 for one-bedroom;
8 \$1,250 for two-bedroom) if necessary.

9
10 Abbas Khoshniyati, one of the project owners, posited that this rate is a reasonable
11 price for the quality of the units, and in some cases, he felt they have underpriced the
12 project. Based on the fact that these are similar to single-family homes with two-car
13 garages and the amenities provided, he stated the rents are reasonable. They are
14 going to make sure to control the type of tenants allowed and that they are qualified, to
15 provide on-site management, and to initiate a vigorous marketing campaign.

16
17 Commissioner Perciful, who deals professionally with residential resale, said he feels
18 the concept is great and that this is a good project. The real guarantee of keeping the
19 rents at the rates they are projecting is proper maintenance over the long term.

20
21 Mr. Khoshniyati responded that their intention is to separate from the fourplexes and
22 initiate their own CC&Rs to keep this as a very clean environment, maintain it through
23 on-site management.

24
25 Vice Chair Vasquez asked what kind of marketing plan is in place and whether there is
26 a certain number of people that can be there.

27
28 Mr. Khoshniyati said they have not as yet developed a plan, but they will hire a
29 professional marketing organization to show what the potential is for the neighborhood.
30 They are also going to advertise for a certain type of clientele. The project is suited for
31 young families with one or two children, or maybe a couple who are not ready to
32 purchase a single-family home. That will be the target market.

33
34 The City Attorney advised that the work study focus was supposed to be more on the
35 project design. Who the occupant might be, what marketing campaign is planned, or
36 how the property is maintained, is not within the Commission's regulatory jurisdiction.
37 The Commission can regulate things like design.

38
39 Mr. Morrissey continued his explanation of the units, noting that the project will look
40 similar to the existing single-family homes across the street, with some of the
41 driveways almost matching up with the driveways across the street of the single-family
42 homes. They have also varied the setback of the units, as well.

43
44 Vice Chair Vasquez asked if these were considered townhouses, condos, or single-
45 family apartments and if they are connected.

46
47 Mr. Morrissey explained that the attempt was to make them look as if they are single-
48 family homes, but they are apartment units which are attached. There is no space
49 between them except as shown on the site plan, such as where the walkway goes
50

1 between the units. But the look and feel is like a single-family home that's attached.
2 He also asked if the Commission had comments regarding the landscaping design.

3
4 Chairman Gifford said he had no problem with the landscaping, and asked if the
5 playground was going to be designed for small children, to which Mr. Morrissey
6 answered yes.

7
8 Commissioner Perciful asked if the owner of this project also owns the fourplexes
9 abutting the project, as well.

10
11 Mr. Khoshniyati answered that the existing fourplexes are owned by different people
12 and are being rented out individually.

13
14 Commissioner Perciful also had comments regarding the fire lane, but his questions
15 were answered by Mr. Morrissey commenting that the design is dictated by the fire
16 department. The only change is enhanced landscaping.

17
18 Mr. Morrissey then asked if there were questions or comments regarding the following
19 issues: 1) the compatibility of the design with single-family homes surrounding the
20 project; 2) compatibility of the project with the General Plan, 3) scale or design of the
21 project; 4) questions on the probable occupancy and use of the apartments.

22
23 Chairman Gifford asked CDD Elliano to summarize staff's opinions and comments
24 regarding the project, and she answered that the single-story design is compatible with
25 surrounding areas; that on-site management will help ensure the value of the project is
26 maintained; that from what staff has seen so far, she feels this is a good solution for an
27 in-fill site.

28
29 Chairman Gifford thanked the applicant and commented on the fact that this project
30 has been in planning since 1985 and encouraged them to move forward with the
31 project.

32 33 DEPARTMENT REPORTS

34
35
36 **6. CITY ATTORNEY REPORT: (None)**

37
38 **7. COMMUNITY DEVELOPMENT DIRECTOR REPORTS:**

39
40 **A. Report on actions taken at City Council meetings of August 27 and**
41 **September 10, 2013.**

42
43 CDD Elliano reported that at the August 27th City Council meeting, there were no
44 surprises, only consent calendar items and second readings of ordinances that had
45 come before the Planning Commission.

46
47 At the September 10th meeting, there was a public hearing for the rental registration
48 and inspection program fees that was accepted. They wanted the landlord program to
49 be even more rigorous, asking for initial inspection and registration, with no renewal
50 required unless there was a degrading of the property or police action or something



AGENDA #5

Staff Report

TO: City of Hemet Planning Commission

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

DATE: September 16, 2014

RE: **APPEAL NO. 14-001 (CUP AMENDMENT 14-001, SHOOTERS SPORTS BAR AND BILLIARD)** - An appeal to the Planning Commission of the Community Development Director's approval of Conditional Use Permit Amendment 14-001, which would allow recorded music and dancing for patrons at an existing restaurant/sports bar and billiard hall previously approved by Conditional Use Permit 10-015, located at 121 E. Florida Avenue.

PROJECT APPLICANT INFORMATION

Appellant: Judith McPherson
Business Owner: Bill Alden
Project Location: Shooters Sports Bar & Billiard, 121 E. Florida Avenue
APN: 443-281-001

STAFF RECOMMENDATION

That the Planning Commission:

- 1) Conduct the public hearing and receive testimony, and EITHER
 - A. DENY the Appeal and Adopt PC Resolution Bill No. 14-023 **AFFIRMING** the Community Development Director's approval of Conditional Use Permit Amendment No. 14-001, based on the findings, and conditions outlined in the staff report; and
 - OR
 - B. GRANT the appeal and either modify or reverse the Director's decision to allow music by disc jockey and dancing at an existing restaurant/sports bar located at 121 East Florida Avenue, Shooters Sports Bar and Billiard.

PROJECT DESCRIPTION

On July 21, 2014, Community Development Director Elliano approved Conditional Use Permit Amendment No. 14-001, allowing dancing to music provided by a disc jockey (DJ) at an existing business located at 121 East Florida Avenue, Shooters Billiard and Sports Bar. The

Applicant intends to provide this additional entertainment on Friday and Saturday nights for his patrons. There would be no charge for admission, as the entertainment would be ancillary to his existing business of a restaurant and billiard hall. The business owner and Applicant is Mr. Bill Alden. Pursuant to Section 90-43.6 of the Hemet Municipal Code, the property owner, Ms. Judith McPherson, filed an appeal of the Community Development Director's decision on July 31, 2014, and paid the appropriate fee within the requisite ten day appeal period. Appellant's letters of appeal are included as Attachment No. 1 to this staff report. The Planning Commission has the authority per section 90-43.6 of the Hemet Municipal Code to take action on the appeal of Conditional Use Permit Amendment No. 14-001 to either affirm, modify, or reverse the Director's decision. Pending the outcome of the appeal, the business is not allowed to conduct the entertainment approved under the CUP Amendment No. 14-001.

BACKGROUND

On June 25, 2014, the Applicant submitted an application to amend existing CUP 10-005. The Applicant (Business Owner) has requested approval to add music by Disc Jockey (DJ) and to allow dancing at an existing sports bar, restaurant, and billiard hall known as Shooters Sports Bar and Billiard, in the Downtown zone (D-1). Live entertainment and dancing requires approval of a CUP for bars and requires approval of an Administrative Use Permit (approved by the Director) for restaurants in the Downtown Zone. The Applicant has also requested approval for Karaoke, although this activity is deemed not to fall under the category of live entertainment and is allowed by right in restaurants in the Downtown zone. The proposal to add a disc jockey and dancing is an additional service the Applicant wishes to provide to his existing customers.

An existing Conditional Use Permit, CUP 10-005, is in place at this location for a billiard and sports bar use, and as such Staff recommended processing an amendment of the existing CUP 10-005 in lieu of a new Administrative Use Permit Application. In light of this determination, and the minor nature of the proposed amendment to CUP 10-005, Staff processed the Amendment as it would an Administrative Use Permit Application. The matter was scheduled for a Community Development Director Review hearing which was held on July 21, 2014. No member of the public, other than the Applicant, attended the hearing or submitted any correspondence regarding the proposed use. The Staff Report and Minutes from the Director Review hearing are included as Attachments 3 and 4. The Director approved Conditional Use Permit Amendment No. 14-001 at this hearing.

The Applicant intends to provide Karaoke on Monday and Wednesday evenings, which is allowed which is a permitted use for restaurants in the Downtown zones. Through the subject approval of Conditional Use Permit Amendment No. 14-001, the Applicant proposes to have a DJ and dancing on Friday and Saturday evenings to play 70's and 80's and Country music and Classic Rock music with the intent of attracting middle aged to mature groups. The Applicant proposes setting up the Karaoke and DJ in a 10' x 10' area and dancing in a 25' x 25' area in the dining room as noted on the floor plan. See Attachment No. 2A - Operations Plan.

On April 19, 2011 CUP 10-015 was approved for a sports bar and billiard hall. On November 27, 2013, a certificate of occupancy was issued for Shooters Sports Bar and Billiard, which has been operating since then. To date, there have been no reported problems or complaints received by the City regarding this business.

The project setting can be seen in the following materials attached to this Staff Report:

- Adjacent Zoning Map (Attachment No. 5)
- General Plan Map (Attachment No. 6)
- Aerial Map (Attachment No. 7)
- Photographs of Site (Attachment No. 8)

ANALYSIS

NATURE OF THE APPEAL

On July 31, 2014, Appellant filed a letter (see Attachment No. 1A) stating her desire to Appeal the Community Development Director's approval of Conditional Use Permit Amendment No. 14-001. This initial letter did not discuss or otherwise mention the nature of the appeal or what the Appellant was seeking to modify or overturn. Staff requested a follow-up letter which was submitted by Appellant on August 13, 2014 (see Attachment No. 1B). This letter states the following:

1. Appellant is appealing the approval of CUP Amendment No. 14-001; and
2. Approval of CUP Amendment No. 14-001 occurred without the prior knowledge and without the written consent of the property owner; and
3. Appellant requests that the Planning Commission overturn the Community Development Director's approval of CUP Amendment No. 14-001 and require the Applicant to initiate a new application, should the Applicant wish to renew the approval.

Through verbal discussions with Appellant and Appellant's comments made during the public comment portion of the August 19, 2014 Planning Commission Meeting, Staff was also able to ascertain that Appellant has the following additional concerns:

1. Appellant did not receive copies of Application Status Letter, Development Review Committee Agenda, or the Community Development Director Staff Report, as stated on the Application Distribution List.

Staff Response: Staff acknowledges that these items were transmitted to the business owner only. This was because staff viewed the proposed amendment as minor in nature and under previously approved Conditional Use Permit No. 10-005, which was authorized and approved with the full knowledge of the Appellant (property owner).

2. Appellant did not get a copy of the Public Hearing Notice.

Staff Response: Pursuant to the noticing requirements of Section 90-43.3 of the Hemet Municipal Code, staff mailed public hearing notices as follows: *"Notice of the administrative hearing by the director shall be provided in writing to the adjacent and across the street property owners taken from the latest adjusted assessor tax rolls."* Staff verified that Appellant's (property owner) mailing label matched the latest adjusted assessor tax rolls. However, Appellant has informed Staff that while same is a valid address, Appellant has mail delivered to an alternate address. However, there is no way that the City was aware of this preference and has no legal obligation to mail notice to addresses other than those on the latest assessor tax rolls.

3. Appellant does not agree that CUP Amendment No. 14-001 constitutes a minor modification.

Staff Response: Restaurants who wish to provide Live Entertainment and Dancing within the Downtown zones are permitted to do so subject to approval of an Administrative Use Permit. By definition in the Hemet Municipal Code, *"The purpose of an administrative use permit is to provide a shorter review process for a small select list of uses in lieu of a conditional use permit. In those instances where, in the director's opinion, a limited notification is sufficient to meet the purpose of the zone and where the use has been determined to have a limited effect to the surrounding area an administrative use permit may be processed."*

In this case, the CUP Amendment No. 14-001 was processed like an Administrative Use Permit, because that is the recommended action for Live Entertainment and Dancing for restaurants located within the Downtown zones.

4. Appellant does not agree with the conditions of approval for CUP Amendment No. 14-001.

Staff Response: Appellant has not disclosed to Staff which of the Conditions of Approval are objectionable.

EXISTING AND PROPOSED OPERATIONS

The Applicant is proposing music provided by DJ and dancing on Friday and Saturday nights. The venue is an existing restaurant/sports bar and billiard hall with a Type 47 ABC License (On Sale General Restaurant) which allows the sale of beer, wine, and distilled spirits for on-site consumption. The operating hours are 11:00 a.m. to 2 a.m. Monday through Saturday and from 9 a.m. to 2 a.m. on Sundays. The Applicant has been operating since November 2013 and there are no significant issues reported by the Hemet Police Department related to this operation.

ZONING

	LAND USE	ZONING	GENERAL PLAN
PROJECT SITE	Commercial Buildings	D-1 (Downtown Zone)	C (Commercial)
NORTH	Commercial Buildings	D-1 (Downtown Zone)	C (Commercial)
SOUTH	Commercial Buildings	D-1 (Downtown Zone)	C (Commercial)
EAST	Commercial Buildings	D-1 (Downtown Zone)	C (Commercial)
WEST	Unoccupied Building – Old Tri-Buick Dealership	D-1 (Downtown Zone)	C (Commercial)

Zoning and General Plan Consistency

Staff has determined that the project is consistent with the purpose of the D-1 (Downtown) zone and HUB of the Valley Overlay Zone in providing a restaurant and recreational facility, as stated on pages 3 and 4 of Attachment No. 3, Community Development Director Review Staff Report dated July 21, 2014. The original approval for the restaurant, sports bar, and billiard hall are not impacted or otherwise affected by the appeal of Conditional Use Permit Amendment No. 14-001.

The proposed uses allowed under the Director’s approval of Conditional Use Permit Amendment No. 14-001 are impacted by the pending appeal. The business owner may not, provide dancing or music by disc jockey until the matter is decided. The Director’s approval of Conditional Use Permit Amendment No. 14-001 included a total of twenty-nine (29) conditions of approval (see Attachment No. 4). The majority of these conditions of approval are restatements of original conditions of approval for CUP No. 10-005. However, the following NEW conditions of approval were either modified from their original form (from CUP 10-005) or have been added for clarification or protective services. These modified or added conditions of approval are discussed below:

COA No. 4. This condition was modified to update the Section reference to the fire code only. This was originally COA number 5 under CUP 10-005.

COA No. 5. This condition was modified to add the Director’s approval of CUP Amendment No. 14-001 to the underlying, approved, CUP 10-005. This was originally COA number 11

under CUP 10-005.

COA No. 6. This condition was modified to update the landscaping requirements. This was originally COA number 15 under CUP 10-005.

COA No. 7. This is a new condition to clarify that these, as well as all applicable underlying conditions of approval for CUP 10-005 shall be met.

COA No. 11. This is a new condition, applicable only to the CUP Amendment No. 14-001, regarding music played by a disc jockey for dancing.

COA No. 12. This is a new condition, applicable only to the CUP Amendment No. 14-001, regarding any potential for entertainment including live bands, solo artists, and concerts shall require approval of a separate entertainment permit.

COA No. 14. This condition was modified to update the requirements for window signage only. This was originally COA number 23 under CUP 10-005.

COA No. 15. This condition was modified to update that it applies only to the approval of Conditional Use Permit Amendment 14-001 and, in particular, for music and dancing only. This was originally COA number 24 under CUP 10-005.

COA No. 27. This is a new condition, applicable only to the CUP Amendment No. 14-001, requiring installation of a Knox key box, or Knox locks to provide access to the building for Police and Fire protection.

All of the other conditions of approval for CUP Amendment No. 14-001 are the same as conditions from the underlying CUP 10-005 approval.

Findings

The proposed project also complies with Zoning Code requirements relating to Conditional Use Permits. Approval of Conditional Use Permit Amendment No. 14-001 is subject to the following findings that must be made, which are further discussed in Attachment No. 2, Planning Commission Resolution Bill No. 14-023:

- 1. That the proposed location, use and operation of the conditional use is 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 consistent with the General Plan 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 Chapter 90 of the Hemet Municipal Code and with other relevant city regulations, policies, and guidelines.*

CEQA REVIEW

The project is exempt from CEQA under CEQA Guidelines Section 15301 (Class 1 – Existing Facilities). A Class 1 exemption consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. Conditional Use Permit Amendment 14-001 comprises no expansion of the existing building. As such, the project meets the criteria for application of a Class 1 (Existing Facilities) Categorical Exemption under the CEQA Guidelines.

POLICIES, REQUIREMENTS AND GUIDELINES REVIEW

The proposed project's Development Plans (Attachment No. 2A) were reviewed by the Design Review Committee (DRC) for consistency with the City's applicable policies, requirements and guidelines. Subsequently, the DRC has recommended that the project, subject to the recommended conditions of approval, be found consistent with the City's General Plan, Zoning Ordinance and other development requirements and guidelines.

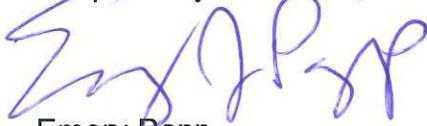
PUBLIC COMMUNICATIONS RECEIVED

Notification of the project has been mailed to the property owner and to adjacent and across the street property owners as outlined in Section 90-45.3 of the Hemet Municipal Code. In addition, City Staff prepared mailing labels for properties located within a 300-foot radius of the subject property, and placed a public hearing notice in the Valley Chronicle on September 4, 2014. To date, no public communications have been received regarding the proposed project.

STAFF RECOMMENDATION:

Staff believes that the proposed project adequately conforms to, and is consistent with the existing development standards and guidelines provided by the Zoning Ordinance and the Commercial Design Guidelines. This project is also consistent with the Downtown zone and its objectives. For these reasons, and as more fully discussed in the Staff Report and accompanying attachments, Planning Division Staff recommends that the Planning Commission affirm the decision of the Community Development Director and approve the project. The Planning Commission's actions are final unless appealed to the City Council within ten working days.

Respectfully submitted,



Emery Papp
Principal Planner

Reviewed by:



Deanna Elliano
Community Development Director

ATTACHMENTS:

1. Appeal Letters from Ms. Judith A. McPherson:
 - 1A. July 31, 2014
 - 1B. August 13, 2014
2. Planning Commission Resolution Bill No. 14-023
Exhibit A, Community Development Director Review (CDDR) Staff Report, Conditions,
and Attachments, July 21, 2014
3. CDDR Minute Order, July 21, 2014

Attachment

No. 1A

**Appeal Letter dated
July 31, 2014**

**Planning Commission
Public Meeting of
September 16, 2014**

July 31, 2014

Deanna Eliano, Community Development Director
Planning Department
City of Hemet
445 E. Florida Avenue
Hemet, California, 92543

RE: Appeal of Approval of CUP Amendment No. 14-001 (Shooters Sports Bar and Billiard)

Ms. Eliano:

I am submitting this appeal, in writing, on July 31, 2014, regarding the approval of Conditional Use Permit Amendment No. 14-001 (Shooters Sports Bar and Billiard). I am now paying the required \$220.00 fee.

I understand that you will forward this written appeal to the Planning Commission.

At this time I am waiting for the City to provide documents requested per a Public Records Request, also dated July 31, 2014. Since the City may take up to 10 calendar days, to provide me with the requested documentation, please be advised that my discovery is continuing. Please notify me of my requirement to be present at the next agendaized and duly, publically noticed meeting to discuss my appeal.

Regards,



Judith A. McPherson
26781 Howard Manor
Hemet, CA, 92544
Phone: 951-634-7523
e-mail: mathjudi@yahoo.com

RECEIVED

JUL 31 2014
APL 14-001
PLANNING

Attachment

No. 1B

**Appeal Letter dated
August 31, 2014**

**Planning Commission
Public Meeting of
September 16, 2014**

August 13, 2014

Emery Papp
Principal Planner, City of Hemet
445 E. Florida Ave.
Hemet, CA 92543

Mr. Papp:

After meeting with you yesterday I am resubmitting my letter of appeal regarding approval of CUP 14-001. In accordance with MC 2-39 (b) this notice of appeal will set forth the following:

1. ***Specific action appealed from.*** I am appealing the approval of CUP 14-001 which action occurred on July 21, 2014.
2. ***Specific grounds of the appeal.*** The application for CUP 14-001 and resulting action transpired without the prior knowledge and written consent of property owner Robert H. McPherson/McPherson Partners Ltd.
3. ***Relief or action sought.*** The Planning Commission to set aside the July 21, 2014 approval of CUP 14-001 and require the initiation of new application for such if applicant Fox Glen so desires.
4. ***Address where notice can be sent to appellant.***

Judith McPherson
26781 Howard Manor
Hemet, CA 92544

Please advise if this notice of appeal is incomplete or ambiguous in any way.

Regards,

Judith McPherson

Attachment

No. 2

Planning Commission

Resolution Bill No.

14-023

Planning Commission

Public Meeting of

September 16, 2014



CITY OF HEMET
Hemet, California

RESOLUTION BILL NO. 14-023

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEMET, CALIFORNIA, AFFIRMING THE COMMUNITY DEVELOPMENT DIRECTOR'S APPROVAL OF CONDITIONAL USE PERMIT AMENDMENT NO. 14-001, WHICH WOULD ALLOW MUSIC BY DJ AND DANCING AT AN EXISTING RESTAURANT/SPORTS BAR AND POOL HALL PREVIOUSLY APPROVED BY CONDITIONAL USE PERMIT 10-015, LOCATED AT 121 E. FLORIDA AVENUE (APN. 443-281-001).

WHEREAS, an appeal for the approval of Conditional Use Permit Amendment No. 14-014 (Shooters Sports Bar & Billiard) to allow music by DJ and Dancing at an existing restaurant/sports bar and pool hall has been duly filed by:

Owner:	McPherson Partners LTD
Appellant:	Judith McPherson
Business Owner:	Bill Alden
Project Location:	Shooters Sports Bar & Billiard, 121 E. Florida Avenue
APN:	443-281-001

WHEREAS, the Community Development Director approved Conditional Use Permit Amendment No. 14-001 at a duly noticed Director Hearing on July 21, 2014; and

WHEREAS, pursuant to Section 90-43.6 of the Hemet Municipal Code, an appeal of the Community Development Director's approval of Conditional Use Permit Amendment No. 14-001 was filed within the requisite timeframe and the appropriate fee was paid; and

WHEREAS, the Planning Commission has the authority per section 90-43.6 of the Hemet Municipal Code to take action on Conditional Use Permit Amendment No. 14-001 to affirm, modify, or reverse the Director's decision to allow music by disc jockey and dancing at an existing restaurant/sports bar and pool hall located within the City of Hemet; and

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

2
3 The Planning Commission, in light of the whole record before it, including but not limited
4 to, all documents and other evidence incorporated herein by reference, and any other
5 evidence within the record or provided at the public hearing of this matter (as described
6 by Government Code § 65009), hereby finds and determines as follows:
7

8 **Findings for Approval**

- 9
10 **1. That the proposed location, use and operation of the conditional use is in**
11 **accord with the objectives of Chapter 90 of the Hemet Municipal Code, the**
12 **purposes of the zone in which the site is located, is consistent with the**
13 **General Plan and complies with other relevant city regulations, policies and**
14 **guidelines.**
15

16 The proposed addition of DJ and dancing meets the purpose of the D-1 (Downtown)
17 uses. Live Entertainment and Dancing is a permitted use with approval of a
18 Conditional Use Permit. The project is consistent with the General Plan and the HUB
19 of The Valley Downtown Plan. The proposed use will bring people into the
20 Downtown area along with the existing Pool league and tournament games that are
21 a main focus of Shooters business. The project is consistent with previously
22 required Conditions of Approval.
23

- 24 **2. That the proposed location of the conditional use and the conditions under**
25 **which it would be operated or maintained will not be detrimental to the public**
26 **health, safety or welfare, nor materially injurious to properties or**
27 **improvements in the vicinity.**
28

29 The project location faces Florida Avenue and is located in the Downtown D-1 zone.
30 The site is well illuminated and visible from Florida Avenue and the rear parking lot is
31 also well illuminated with parking lot lighting. On-site security is provided on
32 weekends and at special events, specifically during pay-per-view and tournament
33 games. The venue has been equipped with security video equipment. Security staff
34 will be increased to 3 persons for the DJ and dancing on Friday and Saturday
35 evenings and if necessary will be increased.
36

37 Building, Fire and ADA requirements have been established and met previously,
38 during the original CUP and Certificate of Occupancy inspections.
39

40 Site developments including operational characteristics, parking lot standards and
41 trash enclosure requirements were all Conditions of Approval for CUP 10-015 have
42 all been met. Hemet Police Department required surveillance equipment and
43 security during special events these have also been met as required by the
44 Conditions of Approval.

1 3. *That the proposed conditional use will comply with each of the applicable*
2 *provisions of Chapter 90 of the Hemet Municipal Code and with other relevant*
3 *city regulations, policies, and guidelines.*
4

5 The project is consistent with the purpose of the D-1 (Downtown) and the HUB of the
6 Valley Overlay Zone. The proposed use is permitted with approval of a Conditional
7 Use Permit. The building is existing and complies with the adopted development
8 standards contained in the zoning code and will be required to operate consistent
9 with State requirements for alcohol sales. The Applicant is not proposing any
10 exterior modifications.
11

12
13 **SECTION 3: PLANNING COMMISSION ACTIONS**
14

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

- 18
19 1. **APPEAL OF CUP AMENDMENT NO. 14-001:** To deny the appeal and affirm
20 the Community Development Director's Approval of CUP Amendment No. 14-
21 001. Pursuant to the staff report and conditions of approval as contained in the
22 attached Exhibit A.
23
24 2. **CEQA.** Pursuant to California Environmental Quality Act (CEQA) Guidelines,
25 this project is exempt from CEQA review as it falls in a class of projects which
26 have been determined not to have a significant effect on the environment. This
27 project is an Existing Facility. Section 15301 - Class 1 consists of the operation,
28 repair, maintenance, permitting, leasing, licensing, or minor alteration of existing
29 public or private structures, facilities, mechanical equipment, or topographical
30 features, involving negligible or no expansion to use beyond that existing at the
31 time of the lead agency's determination.
32

33
34 **PASSED, APPROVED AND ADOPTED** this 16th day of September, 2014 by the
35 following vote:
36

37 AYES:

38 NOES:

39 ABSTAIN:

40 ABSENT:
41
42

43 _____
44 John Gifford, Chairman
Hemet Planning Commission

1 ATTEST:

2

3

4

5 _____
6 Melissa Couden, Records Secretary

7 Hemet Planning Commission

8

Exhibit A

**CDDR Staff Report,
July 21, 2014**



Staff Report

TO: City of Hemet Community Development Director

FROM: Soledad Carrisoza, Planning Technician 

DATE: July 21, 2014

RE: **CONDITIONAL USE PERMIT AMENDMENT NO.14-001 (SHOOTERS SPORTS BAR & BILLIARD)** - A request for the Community Development Director to approve a modification to Conditional Use Permit 10-005 previously approved on April 19, 2011. The requested modification is to allow music provided by a DJ and dancing.

PROJECT APPLICANT INFORMATION

Business Owner: Bill Alden
Applicant: Bill Alden - Shooters Sports Bar & Billiard
Project Location: 121 E. Florida Avenue
APN: 443-281-001

STAFF RECOMMENDATION

Planning Staff recommends that the Community Development Director:

1. Find that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Existing Facilities) for the reasons stated in the CEQA Review section of this report.
2. Approve Conditional Use Permit Amendment No. 14-001 by Minute Order, as shown on the Development Plan, included herein as Attachment No. 1, and subject to the conditions included herein as Attachment No. 2, based on the findings outlined in this staff report.

PROJECT DESCRIPTION AND BACKGROUND

The Applicant is requesting approval to allow music by Disc Jockey (DJ) and to allow dancing at an existing sports bar, restaurant, and billiard hall known as Shooters Sports Bar and Billiard, in the Downtown zone (D-1). Live entertainment and dancing requires approval of a CUP for bars and requires approval of an AUP for restaurants in the Downtown Zone. Because there is a CUP in place at this location for billiard use, a modification of the CUP is being processed. The Applicant is also requesting approval to provide Karaoke, although this activity is deemed not to

fall under the category of live entertainment and is allowed by right in restaurants in the Downtown zone.

The Applicant is interested in providing Karaoke on Monday and Wednesday evenings, and is proposing DJ and dancing on Friday and Saturday evenings. The Applicant is proposing 70's and 80's and Country music with the intent in attracting middle aged to mature groups. The Applicant is proposing setting up the Karaoke and DJ in a 10' x 10' area and dancing in a 25' x 25' area in the dining room as noted on the floor plan. See Attachment No. 3 - Operations Plan.

On April 19, 2011 CUP 10-015 was approved for a sports bar and billiard hall. The site required extensive interior upgrades, remodeling and exterior improvements to accommodate the business use and to bring the structure and parking lot to Building Code and ADA compliance. See Attachment No. 4 - Staff Report and Conditions of Approval for CUP10-015.

On November 27, 2013 a certificate of occupancy was issued and Shooters has been operating since then.

The project setting can be seen in the following materials attached to this Staff Report:

- Adjacent Zoning Map (Attachment No. 5)
- Aerial Map (Attachment No. 6)
- Photographs of Site (Attachment No. 7)

ZONING

	LAND USE	ZONING	GENERAL PLAN
PROJECT SITE	Commercial Buildings	D-1 (Downtown Zone)	C (Commercial)
NORTH	Commercial Buildings	D-1 (Downtown Zone)	C (Commercial)
SOUTH	Commercial Buildings	D-1 (Downtown Zone)	C (Commercial)
EAST	Commercial Buildings	D-1 (Downtown Zone)	C (Commercial)
WEST	Unoccupied Building – Old Tri-Buick Dealership	D-1 (Downtown Zone)	C (Commercial)

DESIGN REVIEW COMMITTEE

A Design Review Committee meeting was held on July 3, 2014. The various department representatives reviewed the project for conditions. The following issues were discussed during the DRC meeting:

The Applicant operates two other pool halls in Riverside, California; he has been in this business over 15 years. He feels during the 15 years he has learned how to attract desirable clientele and how to keep trouble making clientele out.

Security Personnel - Security staff is clearly identified and have received training by the business owner. On Friday and Saturday evenings when the proposed DJ and dancing is taking place the Applicant is proposing to have one security person at the main entrance, one on the dance floor and one (a female) in the women's restroom. As these events continue adjustments will be voluntarily made by the owner if and as needed.

Security Lighting – was installed in the rear parking lot as required by the Police Department and Planning Departments in the conditions for the preceding CUP.

Fighting and unruly persons – Security staff is trained to keep an eye out for possible trouble and to prevent incidents before they start.

Gang attire – is strictly prohibited according to the applicant, “colors are not permitted, pants to be raised to waist, and caps worn with bill to the front.”

There were no issues brought up by the Building and Engineering departments, the building was upgraded before occupancy and meets the current Building and Fire Department requirements. During the DRC held for the original CUP, Police staff recommended a color video camera system, positioned to view both the front door, on Florida Avenue, and the rear door. The Applicant was asked to revise the site plan to include the parking lot and to indicate ADA parking stalls and path of travel, parking lot lighting, dumpster enclosures, and the riser room for fire sprinklers. These items were included in the Conditions of Approval and have been complied with.

Zoning & General Plan Consistency – Taken from Staff Report and Conditions of Approval for CUP 10-015

Zoning Consistency

The project is consistent with the purpose of the D-1 (Downtown) zone and HUB of the Valley Overlay Zone in providing a restaurant and recreational facility. The purpose of the D-1 zone is stated as follows: “D-1: To provide medium intensity commercial uses that serve mostly

community-wide needs in a pedestrian friendly environment. Uses allowed include commercial retail, service commercial, business offices, restaurants, cultural and entertainment uses and government uses." Recreational uses, such as billiard hall or pool hall, require approval of a Conditional Use Permit in the Downtown zone. The project site is an existing building, and no exterior modification is proposed by the Applicant.

The proposed project and existing building is also consistent with the site development requirements of the D-1 zone, in regard to the provision of awnings, color, parapets and facades. However, the site does not currently have landscaped planters or pots along the Florida Avenue frontage, as required in Section 90-933(e) of the Hub of the Valley Overlay Zone. Condition No.15 has been added to require the provision of two landscaped pots at the Florida store front to make this frontage more attractive. As conditioned, the proposed project complies with the Zoning Code requirements for D-1 (Downtown) zone developments.

General Plan Consistency

The proposed project meets the purpose of the D-1 (Downtown) uses. Billiard parlor and/or pool hall is a permitted use with approval of a Conditional Use Permit. The project is consistent with the General Plan and the HUB of The Valley Downtown Plan. The proposed use will bring people into the Downtown area. Pool league and tournament games are a main focus of Shooters business, and the team players are from Hemet and all parts of Riverside County.

ANALYSIS

The Applicant is proposing music provided by DJ and dancing on Friday and Saturday nights. The venue is an existing restaurant/sports bar and billiard hall with a Type 47 ABC License (On Sale General Restaurant) which allows the sale of beer, wine, and distilled spirits for on-site consumption. The operating hours are 11:00 a.m. to 2 a.m. Monday through Saturday and from 9 a.m. to 2 a.m. on Sundays. The Applicant has been operating since November 2013 and there are no significant issues reported by the Hemet Police Department related to this operation.

Findings

The proposed project also complies with Zoning Code requirements relating to Conditional Use Permits. Findings can be made as follows:

- 1. That the proposed location, use and operation of the conditional use is 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 consistent with the General Plan and complies with other relevant city regulations, policies and guidelines.***

Supporting Evidence:

The proposed addition of DJ and dancing meets the purpose of the D-1 (Downtown) uses.

Live Entertainment and Dancing is a permitted use with approval of a Conditional Use Permit. The project is consistent with the General Plan and the HUB of The Valley Downtown Plan. The proposed use will bring people into the Downtown area along with the existing Pool league and tournament games that are a main focus of Shooters business. The project is consistent with previously required Conditions of Approval.

- 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, nor materially injurious to properties or improvements in the vicinity.***

Supporting Evidence:

The project location faces Florida Avenue and is located in the Downtown D-1 zone. The site is well illuminated and visible from Florida Avenue and the rear parking lot is also well illuminated with parking lot lighting. On-site security is provided on weekends and at special events, specifically during pay-per-view and tournament games. The venue has been equipped with security video equipment. Security staff will be increased to 3 persons for the DJ and dancing on Friday and Saturday evenings and if necessary will be increased.

Building, Fire and ADA requirements have been established and met previously, during the original CUP and Certificate of Occupancy inspections.

Site developments including operational characteristics, parking lot standards and trash enclosure requirements were all Conditions of Approval for CUP 10-015 have all been met. Hemet Police Department required surveillance equipment and security during special events these have also been met as required by the Conditions of Approval.

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

Supporting Evidence:

The project is consistent with the purpose of the D-1 (Downtown) and the HUB of the Valley Overlay Zone. The proposed use is permitted with approval of a Conditional Use Permit. The building is existing and complies with the adopted development standards contained in the zoning code and will be required to operate consistent with State requirements for alcohol sales. The Applicant is not proposing any exterior modifications.

Multi-Species Habitat Conservation Plan (MSHCP)

The project can be found to be consistent with the MSHCP. The project is located outside of any MSHCP criteria area or endemic study area, and the entire site is completely developed.

Airport Land Use Compatibility

The project is located to the east of State Street, and outside of the Hemet Ryan Airport Influence area.

CEQA REVIEW

The project is exempt from CEQA under CEQA Guidelines Section 15301 (Class 1 – Existing Facilities). A Class 1 exemption consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. Conditional Use Permit Amendment 14-001 comprises no expansion of the existing building. As such, the project meets the criteria for application of a Class 1 (Existing Facilities) Categorical Exemption under the CEQA Guidelines.

POLICIES, REQUIREMENTS AND GUIDELINES REVIEW

The proposed project's Development Plans (Attachment No. 1) were reviewed by the Design Review Committee (DRC) for consistency with the City's applicable policies, requirements and guidelines. Subsequently, the DRC has recommended that the project, subject to the recommended conditions of approval, be found consistent with the City's General Plan, Zoning Ordinance and other development requirements and guidelines.

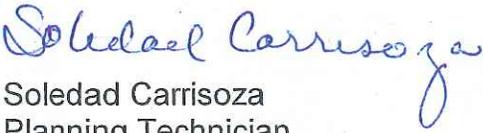
PUBLIC COMMUNICATIONS RECEIVED

Notification of the project has been mailed to the property owner and to adjacent and across the street property owners as outlined in Section 90-45.3 of the Hemet Municipal Code. To date, no public communications have been received regarding the proposed project.

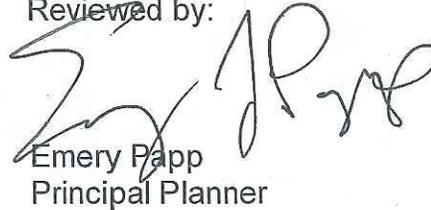
STAFF RECOMMENDATION:

Staff believes that the proposed project adequately conforms to, and is consistent with the existing development standards and guidelines provided by the Zoning Ordinance and the Commercial Design Guidelines. This project is also consistent with HUB of the Valley overly zone and its objective. For these reasons, and as more fully discussed in the Staff Report and accompanying attachments, the Planning Department recommends approval of the project. The Community Development Director's actions are final unless appealed to the Planning Commission within ten working days.

Respectfully submitted,


Soledad Carrisoza
Planning Technician

Reviewed by:


Emery Papp
Principal Planner

ATTACHMENTS

- 1) Development Plan
- 2) Conditions of Approval
- 3) Operations Plan
- 4) Staff Report and Conditions of Approval for CUP 10-015 dated April 19, 2011
- 5) Adjacent Zoning Map
- 6) Aerial Map
- 7) Photographs of Site

INCORPORATED HEREIN BY REFERENCE

City of Hemet General Plan
City of Hemet General Plan EIR
City of Hemet Zoning Ordinance
City Of Hemet Commercial Design Guidelines
Project Site's Riverside County Integrated Plan Multi-Species Habitat Conservation Plan
Summary Report
Contents of City of Hemet Planning Department Project File CUP Amendment 14-001

Attachment No. 1

Development Plan

Community Development
Director Meeting of
July 21, 2014

PROJECT DATA:

BUSINESS NAME: SHOOTER SPORTS BAR & GRILL
APPLICANT: S&K GLEN FAMILY ENTERTAINMENT LLC
 10228 MIDWAY AVE.
 RIVERSIDE, CA 92503
OWNER: MCHERSON PARTNERS LP
 14100 MIDWAY AVE. # 141
 HEWLET, CA 92543
ASSessor'S PARCEL NUMBER (APN): 425-241-007
LEGAL DESCRIPTION: PORT LOTS 3, 4, 4, BLK 20, 183 OF 16709, 3RD HEWLET
 ZONING: D1
BUILDING TYPE: 0100 OC
OCCUPANCY GROUP: 2010 OC
CONTRACT NO.: 2010 OC
DATE: 2010 124

BUILDING & SITE DATA:

GROSS PROPERTY AREA: 1974 SF
GROSS FLOOR AREA (GFA): 344 ACRES
PARKING REQUIRED FOR EXIST. USERS (13000059): 13,800 SF
PARKING REQUIRED FOR SPORTS BAR (13000109): 34
PARKING PROVIDED: (INCL. EXIST. 4 HC): 130
NET AVAILABLE PARKING SPACES: 102
NOTE: THE HOURS OF OPERATION AND EXISTING USERS ARE PROXIMATE TO THE HOURS OF OPERATION.

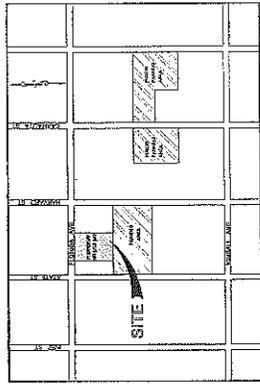
SITE PLAN FEATURES:

- EXIST. CONC. SIDEWALK (24" MAX. CROSS SLOPE & 5% MAX. IR. DIT. OF TRAVEL)
- PLANTED AREA EXISTING TO REMAIN.
- EXISTING P. CONC. CURB TYP.
- NEW TRASH ENCL. (CITY STD. R-500A) SEE DETAILS SHEET SP3
- EXISTING HC PARKING SPACES 8 X 18, W/4.5' SLOPE ON ALL DIRECTIONS
- HC SPACES ONE "MAN ACCESSIBLE"
- EXISTING AREA LIGHT 4' HIGH (1/2" DIA. W/4.5' CONCRETE BASE)
- SEE PHOTO MTRIC LIGHTING PLAN SHEET 64
- 3' TO 4' HIGH BARR. CAMU PERIMETER WALL (EXISTING)
- NEW HC PARKING SPACES 8 X 18, W/4.5' SLOPE ON ALL DIRECTIONS
- TRAVEL FROM THE LOADING SPACE TO THE BUILDING ENTRY SHALL NOT EXCEED 2% IN EITHER DIRECTION.
- NEW AREA LIGHT 22-5" HIGH (20" TALL x 24" WIDE) SEE DETAIL 14B1P2
- SEE PHOTO MTRIC LIGHTING PLAN SHEET 64

SITE LIGHTING FIXTURE SCHEDULE

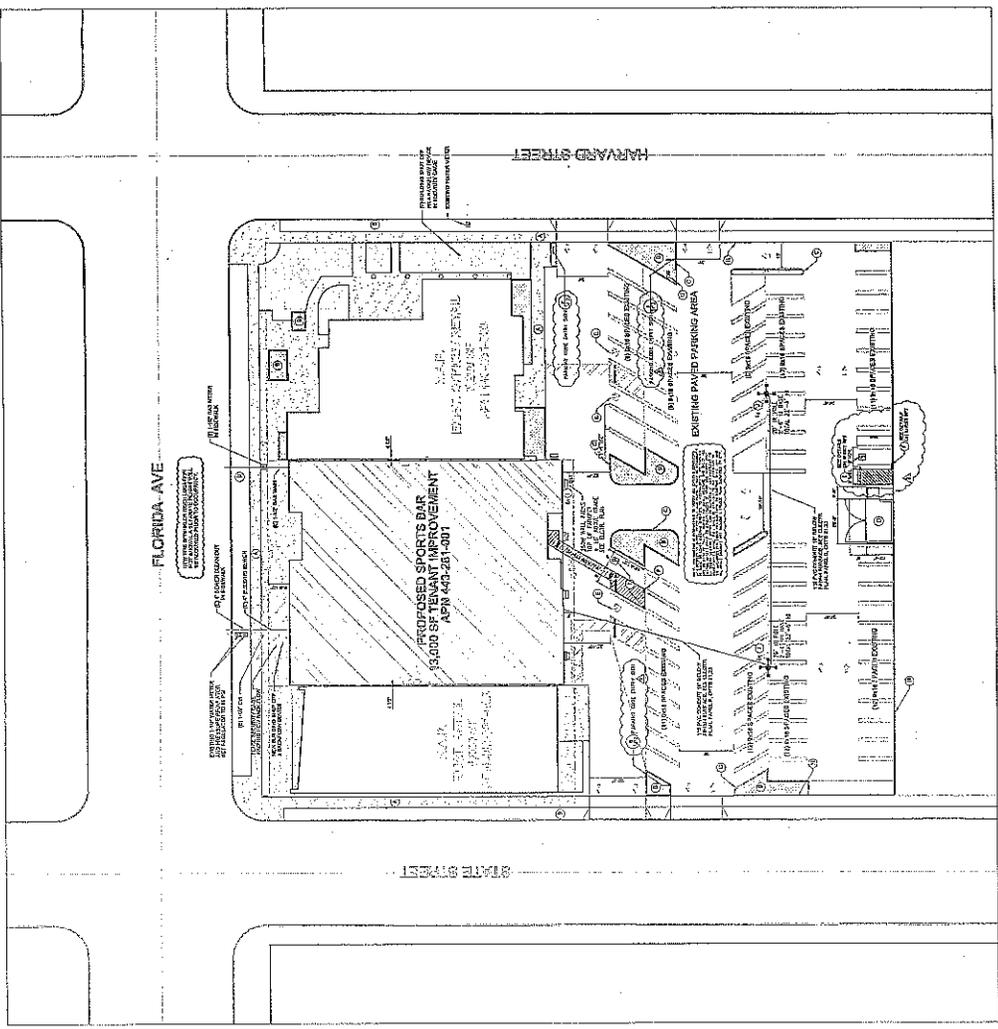
TYPE	DESCRIPTION	QUANTITY	NOTES
1	NEW AREA LIGHT 22-5" HIGH (20" TALL x 24" WIDE)	1	SEE DETAIL 14B1P2
2	EXISTING AREA LIGHT 4' HIGH (1/2" DIA. W/4.5' CONCRETE BASE)	1	SEE PHOTO MTRIC LIGHTING PLAN SHEET 64

VICINITY MAP



SITE PLAN NOTES:

- PRIOR TO CERTIFICATE OF OCCUPANCY, THE APPLICANT SHALL OBTAIN A REPRODUCTION OF THE RECORD DRAWING FOR THE LOT AT THE REAR OF THE BUILDING THAT AUTHORIZES THE USE OF THE PARKING FOR THE ONGOING BUSINESS OF THE PROPOSED USE.
- LOW BEINGS ARE PROHIBITED WITHIN THE PARKING LOT AND ON THE EXTERIOR OF THE FACILITY AT LOCATIONS APPROVED BY THE HEWLET POLICE DEPARTMENT.
- THE APPLICANT SHALL COORDINATE WITH THE AFFECTED UTILITY COMPANIES AND OBTAIN ANY PERMITS NECESSARY FOR THE DEVELOPMENT OF THIS PROJECT.
- PRIOR TO ANY STREET LANE CLOSURE OR DETOUR, THE APPLICANT SHALL OBTAIN APPROVAL FROM THE CITY ENGINEER. THE PLAN SHALL INCLUDE, BUT NOT LIMITED TO, SIGNING, TRUCK ROUTES, AND DIRT HAULING HORSE.
- THE APPLICANT SHALL CLOSE ANY UNUSED DRIVE APPROACH WITHIN THE PARKING LOT AND DAMAGED CURBS, CUTTERS AND SIDEWALKS ALONG THE SUBJECT FRONTAGE PRIOR TO CERTIFICATE OF OCCUPANCY.
- PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY OR BUILDING FINAL, INSTALL TRASH ENCL. IN ACCORDANCE WITH CITY STANDARD SPECIFICATIONS FOR TRASH ENCL. (CITY STD. R-500A) BY THE CITY OF HEWLET REUSE SUPERVISOR.
- THE PARKING LOT SHALL BE DESIGNED IN ACCORDANCE WITH THE CITY OF HEWLET PARKING LOT DESIGN CRITERIA CONTAINED IN THE STANDARD SPECIFICATIONS FOR PARKING LOT DESIGN (CITY STD. R-500A) AND IN ACCORDANCE WITH CHAPTER 10, ARTICLE 21, OF THE CITY OF HEWLET MUNICIPAL CODE. THE PLAN SHALL INDICATE THE SPECIFICATIONS AND PARKING LOT LAYOUT AS PROPOSED (DOUBLE STRIPING PER ADI AND 1401 STANDARD).
- PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY OR BUILDING FINAL, THE EXISTING PARKING LOT PAVING SHALL BE P.O.G. SEALED.
- ALL WATER METERS FOR THIS PROJECT ARE EXISTING. ANY NEW WATER SERVICE FOR THE WASTE WATER TAP AND BACK FLOW DEVICES WHICH SHALL BE THE SAME SIZE AS THE HOT TAP.
- DOMESTIC AND BRIGATION SERVICES SHALL BE PROTECTED WITH NP DEVICES AND THE SERVICES WITH NPFA DEVICES IN ACCORDANCE WITH THE CITY OF HEWLET STANDARDS SPECIFICATION FOR NP DEVICES (CITY STD. R-500A) AND IN ACCORDANCE WITH CHAPTER 10, ARTICLE 21, OF THE CITY OF HEWLET MUNICIPAL CODE. THE PLAN SHALL INDICATE THE WORKS CONSTRUCTION STANDARDS 3401.
- INSTALLATION OF 4" DIA. 12' HIGH BARR. CAMU PERIMETER WALL WORKS CONSTRUCTION STANDARDS 3401.
- INSTALL A SERIES OF EXHAUST AT THE PROPERTY LINE IN ACCORDANCE WITH THE CITY OF HEWLET STANDARDS SPECIFICATION FOR EXHAUST WORKS CONSTRUCTION STANDARDS 341 THROUGH 3404.
- ANY PAVING OR LOW BEINGS OF EXISTING OR PROPOSED PARKING SPACES SHALL BE IN ACCORDANCE WITH THE CITY OF HEWLET STANDARDS SPECIFICATION FOR PAVING AND SUBMITTED TO THE ENGINEERING DEPARTMENT FOR APPROVAL. IT SHALL BE THE APPLICANT'S RESPONSIBILITY TO OBTAIN ALL NECESSARY PERMITS TO INSTALL ACCESSIBILITY AND PARKING.



SITE PLAN
 13,000 ST TENANT IMPROVEMENT

LEGEND:
 1. ALL WORK AND MATERIALS SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC), CALIFORNIA BUILDING CODE (CBC), AND ALL APPLICABLE LOCAL ORDINANCES.
 2. CONTRACTOR SHALL NOTIFY ARCHITECT OF ANY DISCREPANCIES IN WRITING.
 3. SEE SHEET AS FOR DOOR WINDOW SCHEDULE AND ROOF FINISH SCHEDULE.
 4. SEE SHEET AS FOR REFLECTIVE CEILING PLAN.
 5. SEE SHEET AS FOR HORIZONTAL PLAN AND HORIZONTAL FINISH DETAILS.
 6. SEE SHEET SP FOR HORIZONTAL FINISH DETAILS.
 7. A LARGED ALARM/FIRE SPRINKLER CONTRACTOR WILL HAVE TO BE SEPARATE PERMIT.
 8. NEW HANDICAP PARKING WILL BE REQUIRED. SEE SHEET SP FOR LOCATION AND FINISH DETAILS.
 9. THE ROOM OR SPACE POSTED IN A CIRCULAR PLACE MEANS THE MAIN EXIT OR THE EXIT ACCESS DOOR AND SHALL BE MAINTAINED BY THE OWNER OR AUTHORIZED AGENT (SEE PERMITS) AND SHALL BE MAINTAINED BY THE OWNER OR AUTHORIZED AGENT (SEE PERMITS).
 10. SEE SHEET AS FOR HORIZONTAL FINISH DETAILS.

OCCUPANT LOAD CALCULATION (IBO 101)
 ROOM USE: 216 (SEE TABLE 101.1)

ROOM USE	FLOOR AREA	FACTORY	OCED	LOAD
ITCHEN/BAR	2009	12009	10	10
DINING AREA	2110	116	107	107
POOL TABLES	4690 (541)	57	107	107
PARTY ROOM	476	116	107	107
OFFICE	144	1100	10	10
REAR/STAIR	237	10	10	10

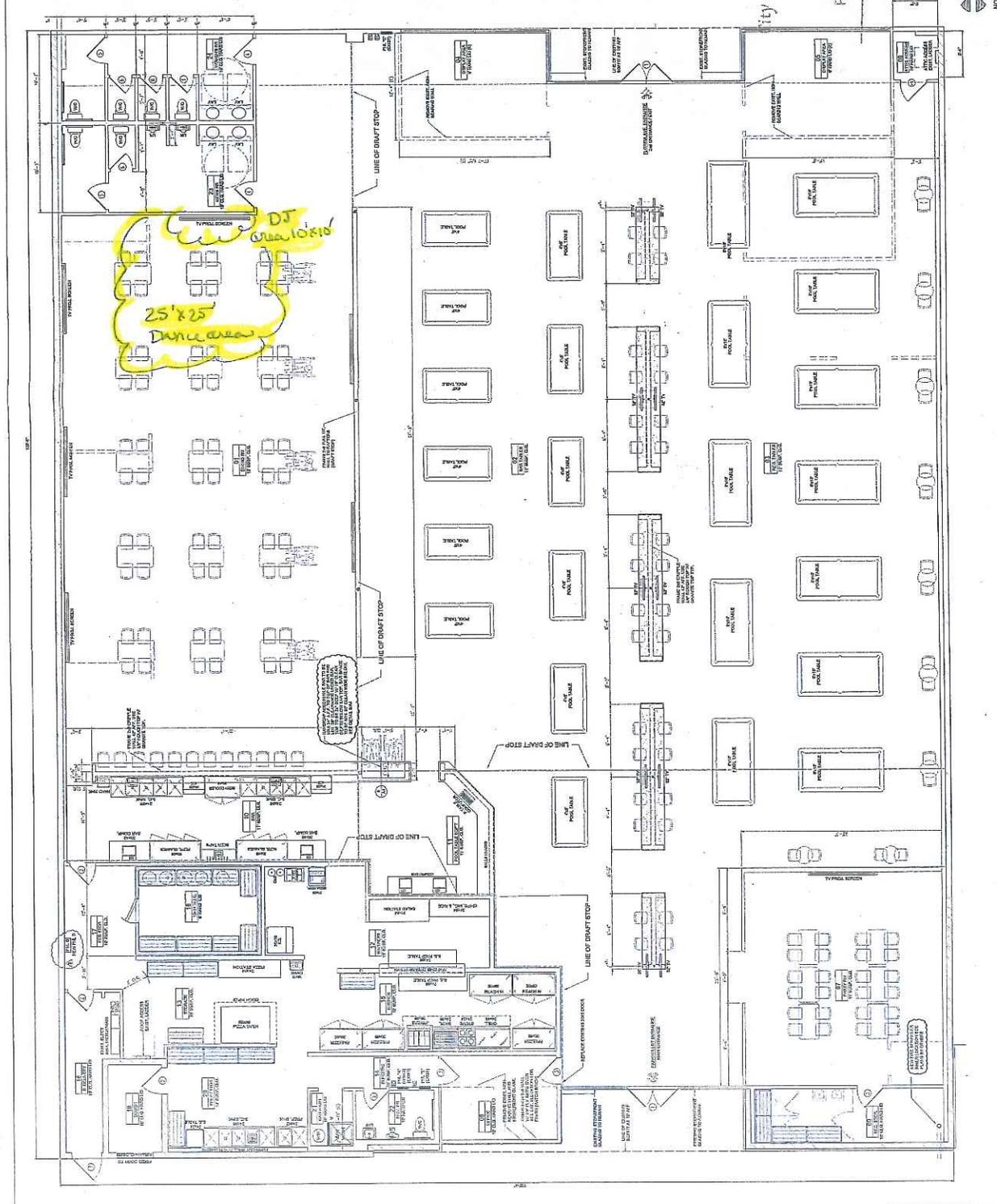
TOTAL OCCUPANT LOAD (IBO 101) 271
 MINIMUM REQUIRED EGRESS WIDTH (IBO 103) 54" MIN.

WALL SYMBOL LEGEND
 ———— INDICATES EXISTING WALLS TO REMAIN
 - - - - - INDICATES EXISTING 8" CMU BLOCK WALL
 - - - - - INDICATES EXISTING WALLS TO BE REMOVED
 - - - - - INDICATES NEW WALLS 4.5" TO 24" METAL STUDS OR 24" STUDS @ 16" ON CENTER
 - - - - - INDICATES NEW WALLS AT THESE NECESSARY FOR FINISHING ETC.

DISCLAIMER
 NOTE: ANY DISCREPANCIES OR DIMENSION BLENDS SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT IMMEDIATELY UPON DISCOVERY. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR ANY DISCREPANCIES OR DIMENSION BLENDS. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR ANY DISCREPANCIES OR DIMENSION BLENDS. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR ANY DISCREPANCIES OR DIMENSION BLENDS.

LEGEND:
 ○ DETAIL CUT SYMBOL
 □ SECTION CUT SYMBOL
 ○ ELEVATION SYMBOL
 ○ HATCHED NOTE SYMBOL
 ○ DOOR NUMBER SYMBOL
 ○ WINDOW NUMBER SYMBOL
 ○ STANDARD DIMENSION
 ○ CLEAR DIMENSION

City of Hemet - Planning
 RECEIVED
 JUN 25 2014
 PROJECT NO.(S)
 DWG A-14-001-14-001



DIMENSION FLOORPLAN
 12,000 SQ FT GROUP AS TYPE 10
 NORTH

Attachment No. 2

Conditions of Approval

Community Development
Director Meeting of
July 21, 2014



CITY OF HEMET

ADOPTED CONDITIONS OF APPROVAL

COMMUNITY DEVELOPMENT DIRECTOR HEARING DATE: JULY 21, 2014

PROJECT NO.: Conditional Use Permit Amendment No. 14-001
APPLICANT: Bill Alden - Shooters Bar & Billiard
LOCATION: 121 E. Florida Avenue
DESCRIPTION: A request for the Community Development Director to approve a modification to Conditional Use Permit 10-005 previously approved on April 19, 2011. The requested modification is to allow music provided by DJ and dancing.
OCCUPANCY: This project has been reviewed as an A-3 Occupancy; any other use will require further review.

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

STANDARD CONDITIONS

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

General Requirements

1. Conditional Use Permit Amendment No. 14-001 shall become null and void on **July 21, 2016** (two calendar years from the date of approval), unless use in reliance on the approved Conditional Use Permit is established prior to the expiration date. A time extension may be granted by the Planning Commission in accordance with Hemet Municipal Code, provided a written request for a time extension is submitted the Planning Department prior to the expiration date. No formal notice of expiration will be given by the City.
2. Approval of Conditional Use Permit Amendment No. 14-001 shall become effective on **August 1, 2014** unless appealed to the Planning Commission by

City of Hemet - Conditions of Approval
Conditional Use Permit Amendment No. 14-001 – Shooters Bar & Billiard

July 31, 2014 (10 calendar days after action by the Community Development Director). 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 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 2013 California Building Code, 2013 Fire Code, and City and State Handicapped Accessibility Requirements (California Code of Regulations, Title 24).

Site Development

5. Prior to the issuance of a Certificate of Occupancy for the project site or activity being commenced thereon, pursuant to **Conditional Use Permit No. 10-015 and Conditional Use Permit Amendment 14-001**, all conditions of approval contained herein shall be completed to the satisfaction of the Planning Department.

Landscaping

6. Landscaping shall be maintained alive and thriving. The landscaped areas shall have automatic irrigation and the ground shall have an acceptable ground cover.

PLANNING CONDITIONS

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

Planning – Site Development

7. All previously approved Conditions of Approval for prior Applicants shall be applicable and are enforceable unless superceded by these Conditions of Approval.
8. Signs are not approved as part of this project. Signing, in accordance with the Zoning Ordinance shall be approved prior to the installation of any signs for this project.
9. Outdoor facilities for storage or storage containers of any kind are not permitted.

City of Hemet - Conditions of Approval
Conditional Use Permit Amendment No. 14-001 – Shooters Bar & Billiard

Planning – Operational Characteristics

10. The hours of operation for the approved use shall be 11 a.m. to 2 a.m., Monday through Saturday and Sunday from 9 a.m. to 2 a.m.
11. The operational characteristics of the DJ will be as outlined by the Applicant in his statement dated June 4, 2014. The DJ and dancing will be allowed Friday through Sunday per hours stated on Conditional of Approval No. 10.
12. Live entertainment including live bands, solo artists, concerts, etc. will require separate approval of an Entertainment permit in accordance to HMC Sec 6.1-8.
13. No outdoor activities are permitted within the parking area without an approved Temporary Use Permit (TUP).
14. The view inside the facility from the Florida Avenue frontage and the parking lot access shall be kept clear and unobstructed. Any window signage, or interior posters shall not exceed more than 25% of the window area per temporary sign ordinance for the Downtown Zone (D-1). No signage visible from the exterior shall promote the sale of alcoholic beverages.
15. The Conditional Use Permit Amendment is issued primarily for DJ and dancing activities. As stated in the Applicant's original statement of operations, the operation of the bar and sale of alcohol is an ancillary use, as such, the establishment is required to provide a full restaurant service and menu in conjunction with the sale of any alcoholic beverages. In the event that the food service or billiard use of the facility is minimized or substantially altered, an application for a modification of the Conditional Use Permit shall be obtained, or the CUP may be subject to revocation.
16. As stated in the Applicants Statement of Operations, the proposed facility is intended to provide a family-oriented billiard hall that is designed to provide a safe and convenient venue for APA league players and for residents of the Hemet and the surrounding area. If the operation of the proposed facility becomes a detriment to the Downtown area, results in high calls for police service, violates the provisions of the City's codes or it's liquor license, or otherwise impacts the public health and welfare of the City, the CUP shall be subject to revocation.
17. Loitering is prohibited within the parking lot and around the premises, "No Loitering" signs shall be posted on the exterior of the facility, at locations approved by the Police department.

18. The serving of alcoholic beverages shall be subject to obtaining a state-issued Alcoholic Beverage Control license, and such use shall be in strict compliance with all ABC regulations and City of Hemet Alcoholic Beverage Sales Regulations Ordinance No. 1858 Section 90-90 of the Hemet Municipal Code. No Alcoholic beverages shall be allowed or consumed outside the facility or within the parking area.

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 Department at (951) 765-2360.

General

19. The applicant shall coordinate with affected utility companies and obtain any permits as necessary for the development of this project.

BUILDING CONDITIONS

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

Building Code Requirements

Handicap Requirements

20. This project is subject to State Handicapped Accessibility Requirements. (California Code of Regulations, Title 24)
21. Handicapped restrooms shall be installed in accordance with California Code of Regulations, Title 24/California Building Code, Section 1115 (b).
22. Handicap parking and signage shall be installed in compliance with applicable state and city codes if off-street parking is provided.
23. All entrances and exits shall be handicapped accessible per California Code of Regulations, Title 24.
24. A handicapped accessible pedestrian access to the site shall be provided.

FIRE DEPARTMENT 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. Please contact the Hemet Fire Department, Fire Marshal for any questions regarding compliance with the applicable codes or following conditions:

Note: All references to the 2013 California Fire Code are shown as CFC and the 2012 International Fire Code as IFC. The City of Hemet has adopted both Fire Codes with amendments. The California Code of Regulations is shown as CCR.

FIRE PROTECTION SYSTEMS

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

FIRE DEPARTMENT ACCESS

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

MISCELLANEOUS

28. Interior finish, decorative materials and furnishings shall be in accordance in CFC and IFC Chapter 8. Classification and acceptance criteria of interior finishes shall comply with NFPA standards. Interior wall and ceiling finish shall not have a flame spread index greater than that specified in CFC and IFC Table 803.3.
29. No change in use or occupancy shall be made to any existing building or structure unless the means of egress system is made to comply with the requirements for the new use or occupancy in accordance with CFC and IFC Chapter 10.

City of Hemet - Conditions of Approval
Conditional Use Permit Amendment No. 14-001 – Shooters Bar & Billiard

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 Hemet Police Department had not conditions.

END

Attachment No. 3

Operations Plan

Community Development
Director Meeting of
July 21, 2014

SHOOTERS SPORTS BAR & GRILL

6-4-2014

To whom it may concern:

I know that most people tell you what you want to hear. I also understand when a business is going to do entertainment it raises many concerns from the city, the police department and the community. I have had experience in Riverside owning the Riverside Cowboy and the Rocks Club. **My plan is to have karaoke on Monday or Wednesday nights** and on weekends have music that caters to my customers ranging in age from 31 to 60 **playing 70's and 80's and Country** music using a **Hemet D.J.** We all know so well that it is up to management to draw the right customers to minimize any trouble. We have had several requests from our customers to provide a nice and safe place where they can dance and sing. Businesses that are in Hemet have a captive audience and for the residents to go anywhere outside of town takes them half an hour to forty-five minutes. Although the downfall is that the businesses have to draw from 100,000 people not like other towns. I am very happy here in Hemet and all my employees except for me live in Hemet. Because of the competition, it is very hard to keep my employees working. With my plan, I know that I can **give my 14 employees more stable hours** and will need to hire **additional 8 employees**. In closing, when I came to Hemet many people had concerns of a pool hall. I wanted to show you that what I promised, I delivered on. I wanted something that the city can be proud of and myself also. I plan on retiring at the end of this year from my Limousine and Bus Manufacturing Company and plan on devoting more of my time to Hemet. I also am talking to my wife about moving here right now. The people are great and I have a lot of fun with the customers.

In the future I plan on providing a dinner show about four times a year, although this takes a little time to put in place. When and if this happens I plan to pull a special Permit for each event.

LIVE IN HEMET, SHOP IN HEMET.

Sincerely,



121 East Florida Ave, Hemet Ca 92543

City of Hemet - Planning
RECEIVED

JUN 25 2014

PROJECT NO.(S)

CLIP Amendment
14-001

Attachment No. 4

Staff Report and
Conditions of
Approval for
CUP 10-015

Community Development
Director Meeting of
July 21, 2014



Staff Report

TO: City of Hemet Planning Commission

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

DATE: April 19, 2011

RE: **CONDITIONAL USE PERMIT NO.10-015 (SHOOTERS SPORTS BAR & BILLIARD)** - A request for Planning Commission review and approval of a conditional use permit allowing the operation of a 13,000 square-foot sports bar, restaurant and billiard hall in an existing building and an environmental exemption pursuant to CEQA Guidelines Section 15301.

PROJECT APPLICANT INFORMATION

Owner: Robert McPherson
Applicant: Fox Glen Family Entertainment LLC – Shooters Bar & Billiard
Project Location: 121 E. Florida Avenue
APN: 443-281-001

STAFF RECOMMENDATION

The Planning Department recommends that the Planning Commission:

1. Adopt the attached Planning Commission Resolution Bill No. 11-007 (Attachment No. 1), entitled:

“A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEMET, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 10-015 FOR THE INSTALLATION AND OPERATION OF A 13,000 SQUARE-FOOT SPORTS BAR, RESTAURANT, AND BILLIARD HALL AT AN EXISTING BUILDING LOCATED AT 121 E. FLORIDA AVENUE (APN 443-281-001).”

PROJECT DESCRIPTION AND BACKGROUND

Conditional Use Permit No. 10-015 is for the operation of a sports bar, restaurant, and billiard hall in an existing building in downtown Hemet within the D-1 zone. The building is a vacant party

supply store located at 121 E. Florida Avenue between State Street and Harvard Street. The building is approximately 13,000 square-feet. As shown in Exhibit 1A, plans indicate the following: 1,490 square-feet for the kitchen and bar area; 1,600 square-feet for the dining area; 7,583 square-feet for the billiard table area; and the remaining area for restrooms, supply room etc. The floor plans include 24 pool tables and approximately 50 dining tables with chairs to accommodate an occupancy load of 235 (see Exhibit 1A – Development Plans).

The proposed facility is intended to cater to the American Pool Association (APA) members, as well as to sports fans of all ages. The applicant is proposing to host APA league games at this site. The APA teams generally play on Mondays thru Thursdays and Sundays in the evenings. Each team is comprised of six to eight players and six to 10 teams play on each of those nights. The applicant is also interested in hosting APA playoffs for the league which would occur twice per year, and includes 32 teams with eight players each. Sixteen teams would play on Saturday and Sunday. Many of the APA team players live in Hemet. The applicant is also interested in hosting pool tournaments that are not associated with the APA, based on public interest.

The applicant is further proposing to regularly host post-game events for Little League and soccer, as well as family day, and father/son day during the football season and pay-per-view games. Proposed operating hours are Monday through Saturday from 11 a.m. to 2 a.m. with lunch and dinner being served. During football season and during special events, the operating hours would be extended on Sunday, to open at 9 a.m. and breakfast would be served. The applicant proposes to have a full restaurant menu, similar to their operation in Riverside, and advocates a clean, safe, family atmosphere (see Attachment No. 2 - Statement of Operations)

Background

Currently, the applicant owns a similar venue with the same name located in Riverside, California. Shooters has been operating in Riverside for over 11 years. Shooters, along with APA members, is also involved with community events, including: fundraisers for the Children's Burn Center, an event to collect jackets/coats for the needy, and toy drives with the Fire Department. Last year they put on a trick-shot show with free food and drinks for child burn victims and their families, among others. Currently the local APA group is interested in speaking with Valley Wide and the City's PAL Program to discuss fundraising events. Crime statistics obtained by Hemet Police Department indicate there are no significant crime issues related to the Shooters in Riverside.

Project Setting

The proposed site is located in the Downtown (D-1) zone, and in Area I of the HUB of the Valley Overlay Zone on the south side, to the east of Florida Avenue between State Street and Harvard Street. The building is approximately 13,000 square-feet and is located within a row of buildings with zero side-setbacks. The tenant to the west is Vista Paint, while to the east is Hungry Heart Too. The three tenants share the parking lot located at the rear of the buildings and they are

owned by one owner, however, the parking lot is part of the Hungry Heart Too parcel (see Attachment No. 3 - Parcel Map). Party Tyme occupied the building for approximately five years, the building has been vacant for about one year.

According to the applicant's plans there are a total of 95 parking stalls on this site. The two existing retail tenants on either side of this proposed use require a total of 53 parking stalls at a ratio of 1 to 250 square feet of gross floor area. (Hungry Heart Too requires 29 stalls and Vista Paint requires 24 stalls).

The zoning code, Section 90-935 (Parking Standards) recognizes that the HUB of the Valley Overlay Zone areas have existing legal non-conforming structures and uses. Public parking lots have been provided at many locations throughout the Downtown area. In recognition of these conditions, less restrictive standards are required and existing uses are not required to provide additional parking. The parking requirement in the Hub of the Valley for restaurants, bars and similar uses is 1 to 250 of gross floor area, this proposed use is therefore required to have 52 parking under the Downtown parking requirements.

In addition, the applicant's busiest times are evenings and weekends. Vista Paint is only open until 5 p.m. on weekdays and is closed weekends. Hungry Heart Too closes at 7 p.m. on the weekends. Therefore, the peak hours for the proposed billiard hall would normally occur after the adjacent businesses have closed.

The applicant has also been directed by Planning staff to contact the property owner to the south of this site to discuss a parking agreement during tournaments and other special events when overflow parking may be required per Condition No. 26..

The project setting can be seen in the following materials attached to this Staff Report:

- Statement of Operations (Attachment No 2)
- Parcel Map (Attachment No. 3)
- Photographs of Site (Attachment No. 4)
- Adjacent Zoning Map (Attachment No. 5)
- Aerial View (Attachment No. 6)

ZONING

	LAND USE	ZONING	GENERAL PLAN
PROJECT SITE	Commercial Buildings	D-1 (Downtown Zone)	C (Commercial)
NORTH	Commercial Buildings	D-1 (Downtown Zone)	C (Commercial)
SOUTH	Commercial Buildings	D-1 (Downtown Zone)	C (Commercial)
EAST	Commercial Buildings	D-1 (Downtown Zone)	C (Commercial)
WEST	Vacant Building – Old Tri-Buick Dealership	D-1 (Downtown Zone)	C (Commercial)

DESIGN REVIEW COMMITTEE

A Design Review Committee meeting was held on January 6, 2011. The various department representatives reviewed the project for completion and for conditions. The following issues were discussed during the DRC meeting:

Planning and Police staff had concerns regarding parking lot lighting. The applicant agreed to provide the necessary lighting. (See Condition No. 44)

Police staff also recommended a color video camera system, positioned to view both the front door, on Florida Avenue, and the rear door. The applicant advised that the Florida Avenue door would not be used as an entrance to the establishment, the reasons being monitoring customers is easier when there is one entrance and because the parking is located in the rear of the building. The applicant did concede to install a camera system to view the rear door. The applicant also mentioned, as a matter of safety, that two on-site security personnel would be present during the weekends and at special events. The applicant indicated willingness to comply with all Police department requirements. (See Condition No. 79)

Building department staff indicated that the building and parking lot would have to meet ADA and current building code requirements. (See Conditions No. 43-46 and 48-52)

Fire department staff determined that the building would have to meet fire sprinkler requirements. (See Condition No. 54)

Engineering and Planning staff recommended site improvements, including trash enclosures for

the dumpsters. (See Condition No. 33)

As a result of the DRC, meeting, the applicant was asked to revise the site plan to include the parking lot, and indicating ADA parking stalls and path of travel, parking lot lighting, dumpster enclosures, and the riser room for fire sprinklers. A second DRC meeting was held on March 10, 2011 for a review of the revised plans. The plans indicated the parking lot with ADA access and the riser room, and the architect requested that the remaining items be included as Conditions of Approval. Conditions of Approval have been provided (Exhibit 1B), which include the items discussed during DRC.

The Development standards for the D-1 zone outline zero set backs for front, side and rear this building meets those requirements.

ANALYSIS

Zoning Consistency

The project is consistent with the purpose of the D-1 (Downtown) zone and HUB of the Valley Overlay Zone in providing a restaurant and recreational facility. The purpose of the D-1 zone is stated as follows: *"D-1: To provide medium intensity commercial uses that serve mostly community-wide needs in a pedestrian friendly environment. Uses allowed include commercial retail, service commercial, business offices, restaurants, cultural and entertainment uses and government uses."* Recreational uses, such as billiard hall or pool hall, require approval of a Conditional Use Permit in the Downtown zone. The project site is an existing building, and no exterior modification is proposed by the applicant.

The proposed project and existing building is also consistent with the site development requirements of the D-1 zone, in regard to the provision of awnings, color, parapets and facades. However, the site does not currently have landscaped planters or pots along the Florida Avenue frontage, as required in Section 90-933(e) of the Hub of the Valley Overlay Zone. Condition no. has been added to require the provision of two landscaped pots at the Florida store front to make this frontage more attractive.

As conditioned, the proposed project complies with the Zoning Code requirements for D-1 (Downtown) zone developments.

The applicant is proposing that the sports bar and Billiard hall be open from 11:00 a.m. to 2 a.m. Monday through Saturday, and from 9 a.m. to 2 a.m. on Sundays. The Planning Commission has the ability through the Conditional Use Permit process to limit the hours of operation, provided that the limitation will not significantly impede the successful operation of the business, and the conditions serve to better protect the public health, safety and welfare. At present, the City does not have any standard operational requirements for bars and restaurants that serve alcohol, other than the State ABC regulations. However, nearby cities such as Murrieta, have

recently studied this issue and enacted new regulations, including limiting the serving of alcohol to no later than 12 a.m. These regulations do not apply to any existing businesses established prior to the effective date of the new ordinance. The conditions regarding the hours of operation are Conditions No. 20 and 21.

Findings

The proposed project also complies with Zoning Code requirements relating to Conditional Use Permits. Findings can be made as follows:

- 1. That the proposed location, use and operation of the conditional use is 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 consistent with the General Plan and complies with other relevant city regulations, policies and guidelines.**

Supporting Evidence:

The proposed project meets the purpose of the D-1 (Downtown) uses. Billiard parlor and/or pool hall is a permitted use with approval of a Conditional Use Permit. The project is consistent with the General Plan and the HUB of The Valley Downtown Plan. The proposed use will bring people into the Downtown area. Pool league and tournament games are a big part of Shooters business, and the team players are from Hemet and all parts of Riverside County.

- 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, nor materially injurious to properties or improvements in the vicinity.**

Supporting Evidence:

The project location faces Florida Avenue and is located in the Downtown D-1 zone. The site is well illuminated and visible from Florida Avenue and conditions of approval will require the rear parking lot to be illuminated as well. On-site security will be provided on weekends and at special events, specifically during pay-per-view and tournament games. Conditions of approval require installation of security video equipment. Conditions have been added to insure sufficient parking and operational practices.

City staff has reviewed the site plans and certain Building, ADA and Fire requirements, that have been specified to the applicant, have been established. Occupancy shall not be granted until the requirements have been met.

- 3. That the proposed conditional use will comply with each of the applicable provisions of Chapter 90 of the Hemet Municipal Code and with other relevant city regulations,**

policies, and guidelines.

Supporting Evidence:

The project is consistent with the purpose of the D-1 (Downtown) and the HUB of the Valley Overlay Zone. The proposed use is permitted with approval of a Conditional Use Permit. The building is existing and complies with the adopted development standards, in the zoning code and will be required to operate consistent with State requirements for alcohol sales. The applicant is not proposing any exterior modifications.

Multi-Species Habitat Conservation Plan (MSHCP)

The project can be found to be consistent with the MSHCP. The project is located outside of any MSHCP criteria area or endemic study area, and the entire site is completely developed.

Airport Land Use Compatibility

The project is located to the east of State Street, and outside of the Hemet Ryan Airport Influence area.

CEQA REVIEW

The project is exempt from CEQA under CEQA Guidelines Section 15301 (Class 1 – Existing Facilities). A Class 1 exemption consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. Conditional Use Permit 10-015 comprises no expansion of the existing building. As such, the project meets the criteria for application of a Class 1 (Existing Facilities) Categorical Exemption under the CEQA Guidelines.

POLICIES, REQUIREMENTS AND GUIDELINES REVIEW

The proposed project's Development Plans (Attachment No. 1 - Exhibit 1A) were reviewed by the Design Review Committee (DRC) for consistency with the City's applicable policies, requirements and guidelines. Subsequently, the DRC has recommended that the project, subject to the recommended conditions of approval, be found consistent with the City's General Plan, Zoning Ordinance and other development requirements and guidelines.

PUBLIC COMMUNICATIONS RECEIVED

Notification of the project has been published in the Press Enterprise and property owners within a 1,000 foot radius of this site have been mailed a notice. To date, no public communications have been received regarding the proposed project.

STAFF RECOMMENDATION:

Staff believes that the proposed project adequately conforms to, and is consistent with the existing development standards and guidelines provided by the Zoning Ordinance and the Commercial Design Guidelines. This project is also consistent with HUB of the Valley overly zone and its objective. For these reasons, and as more fully discussed in the 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,

Reviewed by:

Soledad Carrisoza
Planning Technician

Ronald K. Running
City Planner

SC/ns

ATTACHMENTS

- 1) Planning Commission Resolution Bill No. 11-007
 - Exhibit 1A - Development Plan
 - Exhibit 1B - Conditions of Approval
- 2) Statement of Operations
- 3) Parcel Map
- 4) Photographs of Site
- 5) Adjacent Zoning Map
- 6) Aerial Map

INCORPORATED HEREIN BY REFERENCE

City of Hemet General Plan
City of Hemet General Plan EIR
City of Hemet Zoning Ordinance
City Of Hemet Commercial Design Guidelines
Project Site's Riverside County Integrated Plan Multi-Species Habitat Conservation Plan
Summary Report
Contents of City of Hemet Planning Department Project File CUP 10-015



CITY OF HEMET

ADOPTED CONDITIONS OF APPROVAL

PLANNING COMMISSION DATE: April 19, 2011

PROJECT NO.: Conditional Use Permit No. 10-015
APPLICANT: Fox Glen Family Entertainment, LLC – Shooters Bar & Billiard
OWNER: Robert McPherson
LOCATION: 121 E. Florida Avenue
DESCRIPTION: The operation of a 13,000 square-foot sports bar, restaurant and billiard hall.
OCCUPANCY: This project has been reviewed as an A-3 Occupancy; any other use will require further review.

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

STANDARD CONDITIONS

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

General Requirements

1. Conditional Use Permit No. 10-015 shall become null and void on **April 19, 2013** (two calendar years from the date of approval), unless use in reliance on the approved Conditional Use Permit is established prior to the expiration date. A time extension may be granted by the Planning Commission in accordance with Hemet Municipal Code, provided a written request for a time extension is submitted the Planning Department prior to the expiration date. No formal notice of expiration will be given by the City.
2. Approval of Conditional Use Permit No. 10-015 shall become effective on **April 30, 2011** unless appealed to the City Council by **April 29, 2011** (10 calendar

City of Hemet - Conditions of Approval
Conditional Use Permit No. 10-015 – Shooters Bar & Billiard

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.C California Building Code, 2010 Fire Code, and City and State Handicapped Accessibility Requirements (California Code of Regulations, Title 24).
6. Prior to the issuance of building permits, the applicant shall be subject to all applicable development fees at the rate in effect at the time of building permit application. Such fees may include, but not be limited to: Park Fees, School Fees, Master Plan Storm Drainage Fees, Permit and Plan Checking Fees, Water and Sewer Service Fees, and Capital Facility Fees.
7. Prior to or concurrent with the submittal of building plans for plan check review on this Project, the conditions of approval contained herein shall be photocopied onto the first sheet of the building plans. A copy of the building plans shall be submitted to the Planning Department prior to the issuance of building permits to verify compliance with the conditions of approval and the approved plans.
8. Construction activity shall meet the requirements of Hemet Municipal Code Chapter 30, Article II.
9. Prior to any grading or drainage activity, a grading and/or drainage plan shall be prepared and submitted to the City Engineer and Planning Department for review and approval. No grading or drainage work shall occur without a grading permit and/or the permission of the City Engineer.
10. The applicant shall indemnify, protect, defend, and hold harmless, the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolutions procedures (including, but not limited to arbitrations, mediations, and other such procedures), (collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside,

City of Hemet - Conditions of Approval
Conditional Use Permit No. 10-015 – Shooters Bar & Billiard

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

Site Development

11. Prior to the issuance of a Certificate of Occupancy for the project site or activity being commenced thereon, pursuant to **Conditional Use Permit No. 10-015**, all conditions of approval contained herein shall be completed to the satisfaction of the Planning Department.
12. All electrical and mechanical equipment, including but not limited to air conditioning units, electrical boxes, transformers, backflow preventers, and roof mounted equipment shall be visually screened from public view. Screening shall be to the satisfaction of the Planning Department and in compliance with the Hemet Building Code.
13. The building plans submitted for plan check shall include the location of all parking lot lighting, lighting standard specifications.
14. Install a trash enclosure, per City Standards, as required by Engineering Department.

Landscaping

15. This project shall comply with the landscape design requirements outlined in the City's Hub of the Valley zoning requirements.

Operational Characteristics

16. All illuminated signs shall be installed with a time clock set to turn off all sign illumination, internal and external between the hours of 11:00 pm and sunrise, except such hours that the premises are open for business beyond such time limit (HMC Sec. 90-1253b).

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PLANNING CONDITIONS

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

Planning – Site Development

17. All outdoor lighting shall be low pressure sodium and 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.
18. Signs are not approved as part of this project. Signing, in accordance with the Zoning Ordinance shall be approved prior to the installation of any signs for this project.
19. Outdoor facilities for storage or storage containers of any kind are not permitted.

Planning – Operational Characteristics

20. The hours of operation for the approved use shall be 11 a.m. to 2 a.m., Monday through Saturday and Sunday from 9 a.m. to 2 a.m.
- ~~21. The sale of alcohol shall be limited to the hours of 11 a.m. to 12 a.m.~~
22. No outdoor activities are permitted within the parking area without an approved Temporary Use Permit (TUP).
23. The view inside the facility from the Florida Avenue frontage and the parking lot access shall be kept clear and unobstructed. Any window signage, or interior posters shall not exceed more than 20% of the window area. No signage visible from the exterior shall promote the sale of alcoholic beverages.
24. The Conditional Use Permit is issued primarily for the Billiard hall use. As stated in the applicant's statement of operations, the operation of the bar and sale of alcohol is an ancillary use, as such, the establishment is required to provide a full restaurant service and menu in conjunction with the sale of any alcoholic beverages. In the event that the food service or billiard use of the facility is minimized or substantially altered, an application for a modification of the Conditional Use Permit shall be obtained, or the CUP may be subject to revocation.
25. As stated in the applicants Statement of Operations, the proposed facility is intended to provide a family-oriented billiard hall that is designed to provide a safe and convenient venue for APA league players and for residents of the

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Hemet and the surrounding area. If the operation of the proposed facility becomes a detriment to the Downtown area, results in high calls for police service, violates the provisions of the City's codes or its liquor license, or otherwise impacts the public health and welfare of the City, the CUP shall be subject to revocation.

26. Prior to the issuance of a certificate of occupancy, the applicant shall provide documentation to the Planning Department of a reciprocal or shared parking agreement for the parking lot at the rear of the building that authorizes the use of the parking lot for the ongoing benefit of the proposed use.
27. Prior to the use of the facility for special events or tournaments, playoffs, the applicant shall provide documentation regarding the availability of overflow parking areas within 300 feet of the Billiard Hall establishment. No parking shall be allowed on State Street to satisfy this requirement.
28. Loitering is prohibited within the parking lot and around the premises, "No Loitering" signs shall be posted on the exterior of the facility, at locations approved by the Police department.
29. The serving of alcoholic beverages shall be subject to obtaining a state-issued Alcoholic Beverage Control license, and such use shall be in strict compliance with all ABC regulations and local conditions. No alcoholic beverages shall be allowed or consumed outside the facility or within the parking area.

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 Department at (951) 765-2360.

General

30. The applicant shall coordinate with affected utility companies and obtain any permits as necessary for the development of this project.

Streets

31. Prior to any lane closure or detour, the Applicant shall submit a Construction Traffic Management Plan, for review and approval by the City Engineer. The plan shall include, but not limited to, signing, truck routes, and dirt hauling hours.
32. The applicant shall close any unused drive approach with standard concrete curb, gutter and sidewalk, and shall repair any damaged curb, gutter and

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sidewalk along the subject frontage prior to issuance of a Certificate of Occupancy.

Parking Lot

33. Prior to issuance of a Certificate of Occupancy or the finalization of building permit, install trash enclosure(s) in accordance with the City of Hemet Standard Specifications for Public Works Construction, Standards R-500 series. The location(s) shall be approved by the City of Hemet Refuse Supervisor.
34. 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. The plans shall include the location of parking lot lighting, lighting standard specifications and required parking lot landscaping.
35. Prior to issuance of a Certificate of Occupancy, the new parking lot paving shall be fog sealed.

Water

36. Indicate, on the improvement plans, locations and sizes of proposed water service(s) and the connection(s) to the existing water line(s).
37. Separate hot taps shall be required potable water, landscaping and fire services. Backflow devices shall be the same size as the hot taps.
38. Domestic and irrigation services shall be protected with RP devices, and fire services with RPDA, in accordance with the City of Hemet Standard Specification for Public Works Construction, Standards W-710, W-711, and W-713.
39. Installation of 1" - 8" water meters shall be in accordance with the City of Hemet Standard Specification for Public Works Construction Standard W-701.

Sewer

40. Install a clean-out at property line in accordance with City of Hemet Standard Specifications for Public Works Construction Standards S-611.
41. The improvement plans shall indicate the locations and sizes of any existing and all proposed sewer laterals.

Landscaping

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42. Prior to issuance of a Certificate of Occupancy, a Lighting and Landscaping Maintenance District (LLMD) shall be established or joined.

BUILDING CONDITIONS

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

Building Code Requirements

43. The electrical, plumbing and mechanical systems shall be upgraded in accordance with applicable adopted codes.
44. Outdoor lighting including parking lot lighting shall be installed according to the 2008 Non-residential Compliance Manual, refer to Table 6-1 and section 6.1.3 6.1.3 Summary of Requirements.
45. Existing building(s) shall be brought into conformance with current building and zoning regulations for the intended new use of the building(s) or the existing building(s) shall be demolished.
46. As part of the construction project, the existing roof coverings shall be removed and the structure shall be re-roofed with an approved roof covering or provide documentation that existing is Class "A" roof.

Setbacks and Openings

47. Due to proximity to property lines, etc., fire resistive construction and parapet walls shall be required per California Building Code Section 705.11 if not existing

Handicap Requirements

48. This project is subject to State Handicapped Accessibility Requirements. (California Code of Regulations, Title 24)
49. Handicapped restrooms shall be installed in accordance with California Code of Regulations, Title 24/California Building Code, Section 1115 (b).
50. Handicap parking and signage shall be installed in compliance with applicable state and city codes if off-street parking is provided.
51. All entrances and exits shall be handicapped accessible per California Code of Regulations, Title 24.

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52. A handicapped accessible pedestrian access to the site shall be provided.

Agency Approvals

53. Prior to the issuance of a building permit, Riverside County Environmental Health Department approval shall be obtained for grill.

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. Please contact the Hemet Fire Department, Fire Prevention Division for any questions regarding compliance with the applicable codes or following conditions:

Agency Approvals

54. Prior to the issuance of a building permit written proof shall be provided from the water purveyor that sufficient capacity is available for fire protection. The minimum required fire flow for this project is 3000 GPM @ 20psi residual pressure for a duration of 3 hours, per 2010 CFC Appendix B. Fire flow and flow duration for buildings without automatic fire protection and having an area in excess of 3,600 square feet shall not be less than specified in Table B105.1.
55. 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

56. 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".
57. 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).

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HYDRANTS AND FIRE PROTECTION SYSTEMS

58. An approved water supply capable of supplying the required fire flow for fire protection shall be provided on site when any portion of the building or facility is in excess of 400 feet from an approved water supply on a public street. 2010 CFC Section 507. The location of on-site hydrants and mains shall be approved by the Fire Marshall prior to permit issuance.
59. Prior to combustible construction commencing, install and/or upgrade, as required by the 2010CFC, street (off-site) fire hydrants pursuant to the City of Hemet Standard Specifications for Public Works Construction. Distance between fire hydrants shall not exceed 300 feet without approval from the Fire Marshal. Fire hydrants shall be located within 150 feet of Fire Department Connections (FDC) for Standpipes and Automatic fire sprinklers.
60. Prior to combustible construction install, as required by the City of Hemet Fire Marshal, on-site fire hydrants pursuant to the City of Hemet Standard Specifications for Public Works Construction. Travel distance along the fire access route shall not exceed 300 ft. between hydrants without approval from the Fire Marshal. CFC Section 507
61. In accordance with the 2010 CFC Section 507, the water system (mains and hydrants) shall be tested and accepted by the Fire Marshal prior to the commencement of combustible construction. Hydrant markers (Blue Dots) shall be installed pursuant to the City of Hemet Standard Specifications for Public Works.
62. In accordance with the 2010 CFC Section 903, as amended and Article II, Chapter 14 of the Hemet Municipal Code, automatic fire sprinklers shall be installed throughout all buildings 3,500 square feet or larger pursuant to NFPA Standards. Systems with 20 heads or more shall be monitored by a UL listed central station alarm system meeting NFPA 72 and City of Hemet requirements.
63. In accordance with the 2010 CFC Section 903, an automatic fire sprinkler system is required throughout all buildings with this occupancy type based on the use(s) proposed. Systems with 20 heads or more shall be monitored by a UL listed central station alarm system meeting NFPA 72 and City of Hemet requirements.
64. In accordance with the CFC Section 904 and CCR Title 19, alternative automatic fire extinguishing systems shall be installed and maintained pursuant to NFPA standards. Prior to installation (or modification) of a fire protection system, complete plans shall be submitted to the City of Hemet Fire Marshal for review and approval.

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65. 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.
66. Commercial cooking equipment that produces grease laden vapors shall be provided with a Type I hood, in accordance with the California Mechanical Code, and an automatic fire extinguishing system complying with U.L. 300 pursuant to 2010 CFC Section 904.11.
67. An approved manual, automatic or (manual and automatic) fire alarm/monitoring system shall be installed and tested prior to final inspection in accordance with the 2010 CFC Section 907 and pursuant to NFPA standards. Automatic fire sprinkler systems with 20 heads or more shall be monitored by a UL listed central station meeting the standards of NFPA 72 and City of Hemet requirements.
68. All check valves, post indicator valves, fire department controls, and connections shall be located as required and approved by the Fire Marshal of the City of Hemet. If multiple buildings, each building shall have separate (approved) control valves. A separate permit will be required for all underground piping for fire protection systems.

FIRE DEPARTMENT ACCESS

69. Prior to the issuance of a Certificate of Occupancy, "No Parking - Fire Lane" signs, red curbing, street signs and other required markings shall be provided to the specifications of the City of Hemet Fire Marshal in accordance with the 2010 CFC Section 503.3 and California Vehicle Code Section 22500.1.
70. Prior to final inspection, addresses shall be provided on all new and existing buildings in accordance with the 2010 CFC Section 505.
71. A fence enclosure, if installed, shall lead to a safe dispersal area 50-feet from buildings or shall have gates which comply with 2010 CFC Section 1008 which lead to a public way.

MISCELLANEOUS

72. Interior finish, decorative materials and furnishings shall be in accordance in 2010 CFC Chapter 8. Classification and acceptance criteria of interior finishes shall comply with NFPA standards. Interior wall and ceiling finish shall not have a flame spread index greater than that specified in CFC Table 803.3.
73. No change in use or occupancy shall be made to any existing building or structure unless the means of egress system is made to comply with the requirements for the new use or occupancy in accordance with 2010 CFC

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Chapter 10.

74. Fire safety during construction and demolition shall comply with 2010 CFC Chapter 14.
75. 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.
76. Trash containers with an individual capacity of 1.5 cubic yards or greater shall not be stored in buildings or within 5 feet of combustible walls, openings, eaves, etc. unless protected by an approved means (automatic fire sprinkler system and/or an approved 4-hour fire separation.
77. An approved manual, automatic or (manual and automatic) fire alarm system is required for this occupancy in accordance with the 2010 CFC Section 907 and pursuant to NFPA standards. The fire alarm system plans shall be submitted and approved prior to installation.

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.

78. A color video camera system shall be installed which, at a minimum, records the rear parking area and the front entrance from Florida Avenue to digital or other media with retention of the video data for not less than 14 days. Camera shall be configured in such a way as to be able to identify persons at the entrance during daylight hours, and shall be recording whenever the business is open to the public. Access to recorded video shall be restricted to only authorized personnel, as designated by the applicant. Any recorded video shall be retrievable within 48 hours of a request, as needed for criminal investigations or other official purposes.
79. Security personal shall be provided during tournaments and special events as required by Police department.

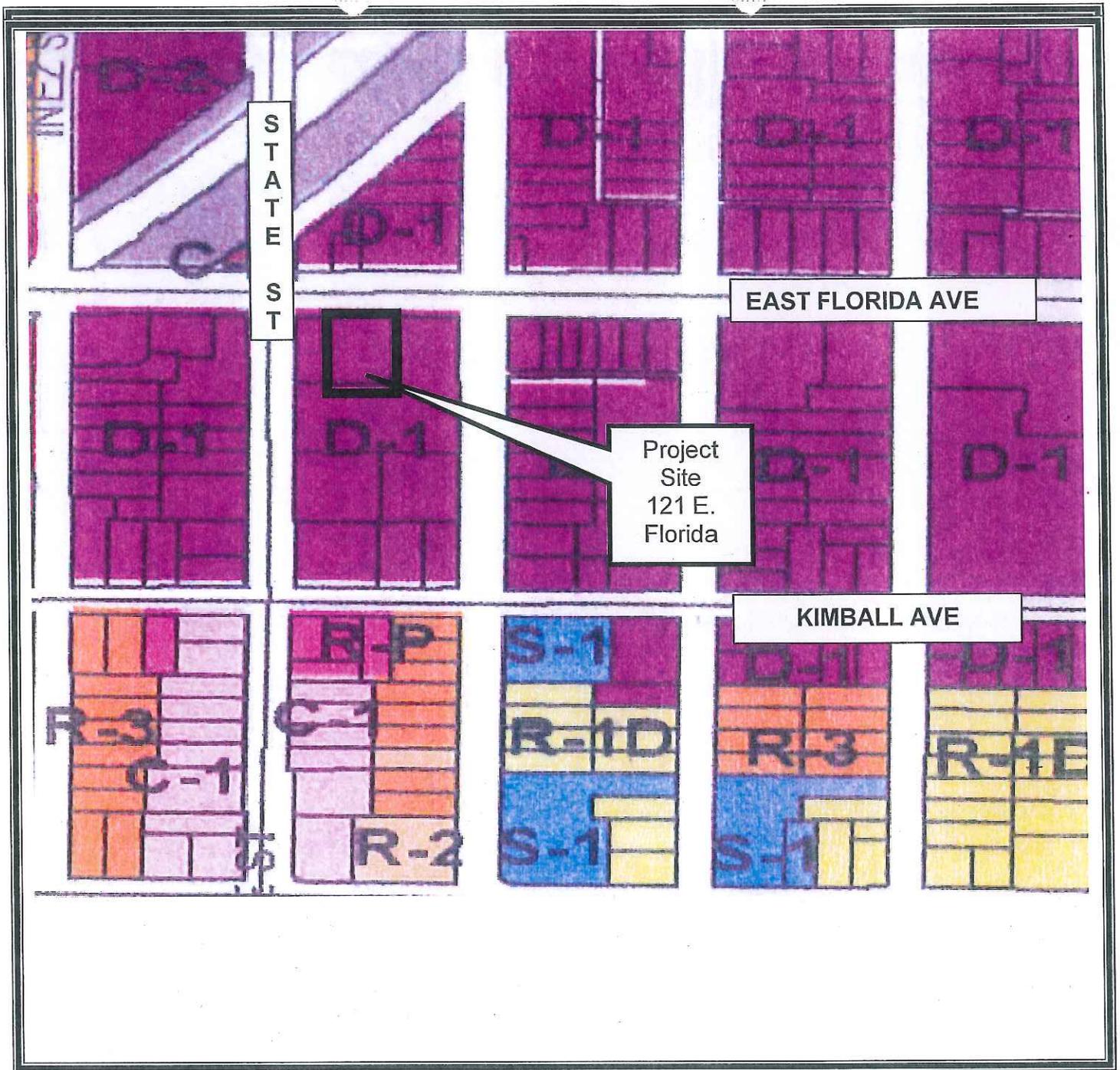
END

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Attachment No. 5

Adjacent Zoning Map

Community Development
Director Meeting of
July 21, 2014



**Adjacent Zoning
Map
CUP AMENDMENT 14-001**

Attachment No. 6

Aerial Map

**Community Development
Director Meeting of
July 21, 2014**



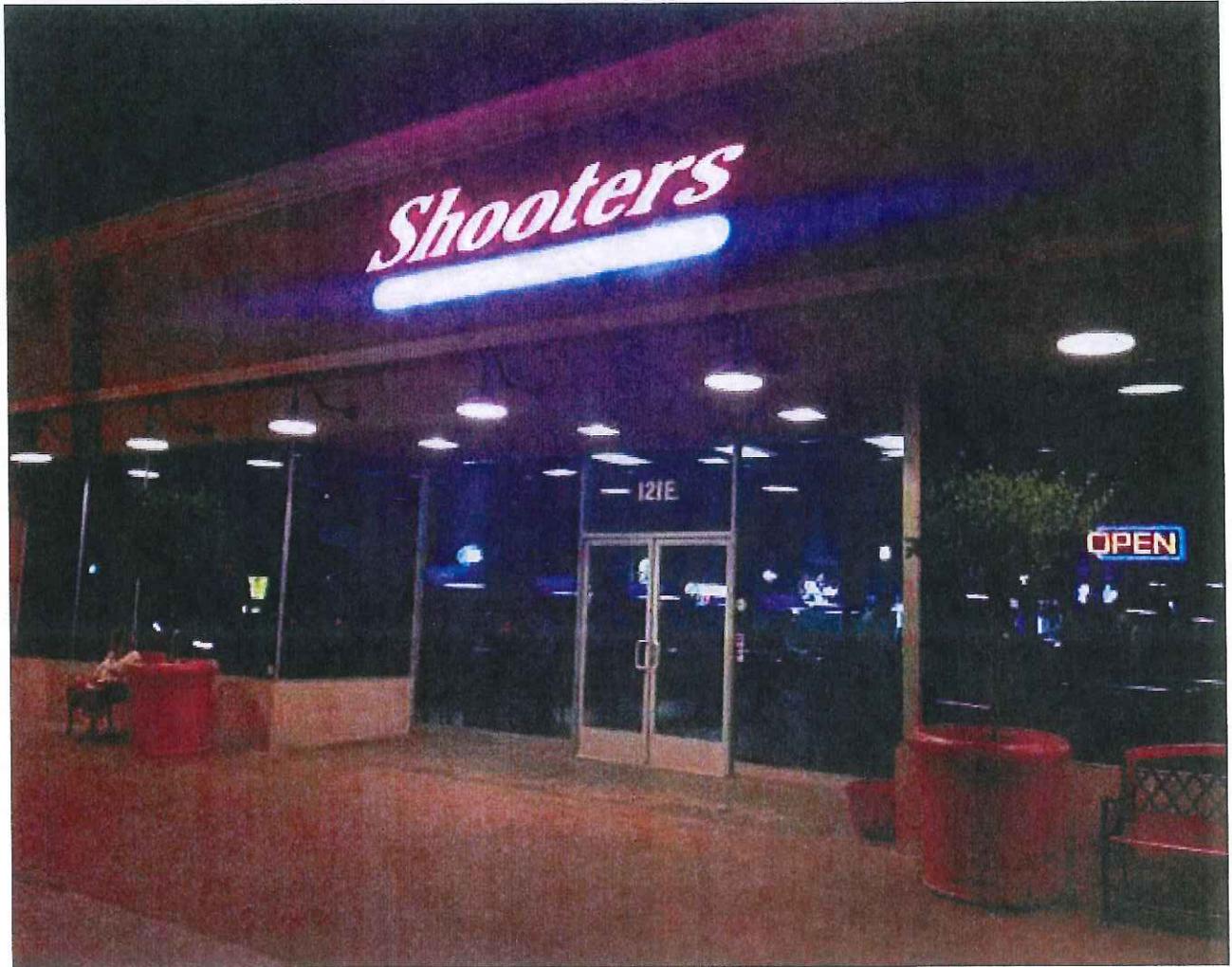
E. Florida Avenue

Aerial View CUP Amendment 14-001

Attachment No. 7

Photographs of Site

Community Development
Director Meeting of
July 21, 2014



CUP Amendment 14-001

Shooters Frontage

Florida Avenue



CUP Amendment 14-001

Pool Hall Side of Building



CUP Amendment 14-001

Dining Room and Sport Bar Area



CUP Amendment 14-001

Dining Room and Sport Bar

Designated for DJ and Dance Floor

Attachment No. 3

CDDR Minute Order

Planning Commission
Public Meeting of
September 16, 2014

Community Development Director Review

MINUTES

The city of Hemet Community Development Director Review hearing was convened by CDD Deanna Elliano on Monday, July 21, 2014 at 2:00pm at the City Hall Building Department conference room, 445 Florida Avenue, Hemet, CA

Staff Present: Community Development Director Deanna Elliano, Principal Planner Emery Papp, and Planning Technician Soldedad Carrisoza.

Public Present: Bill Alden, Shooters Sports Bar & Billard

I. PUBLIC HEARING

A. CONDITIONAL USE PERMIT AMENDMENT NO. 14-001 (SHOOTERS) 2:00 p.m.

A request for the Community Development Director review and approval of a Conditional Use Permit Amendment allowing music by DJ and Dancing at an existing restaurant/sports bar and pool hall. This is a modification to previously approved Conditional Use Permit 10-015, located at 121 E. Florida Avenue. The Community Development Director will also consider an environmental exemption pursuant to CEQA Guidelines Section 15301 (Existing Facilities).

Director Elliano opened the Public Hearing at 2:02pm.

Director Elliano noted that no other members from the public had appeared and no comments from the public were received. Director Elliano explained the CDDR meeting procedure.

Discussion ensued regarding Shooters current business and Bill Alden's hopes for growth with the city as a "good" business for Hemet. Mr. Alden discussed the security officer he has hired for his parking lot. They discussed providing a safe environment for the patrons. He discussed his menu and themes and specials that Shooter's provides. Discussion continued regarding the DJ and Dancing schedule.

Director Elliano stated she had no issues with the project as proposed in the staff report and the project was approved with minor modifications. An approval letter will be sent with minor modifications to the Conditions of Approval.

Meeting was adjourned at 2:42pm.