



CITY OF HEMET
PLANNING COMMISSION

RESOLUTION NO. 10-012

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEMET, CALIFORNIA, APPROVING EXTENSION OF TIME NO. 10-005 FOR A THREE-YEAR EXTENSION OF TIME AND UPDATED CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT NO. 06-005 FOR THE CONSTRUCTION OF A MULTIPLE-FAMILY RESIDENTIAL PROJECT WITH 50 TOWNHOME CONDOMINIUM UNITS, LOCATED EAST ONE-HALF OF LOT AT THE SOUTHEAST CORNER OF ACACIA AVENUE AND KIRBY STREET (APN 456-141-027 THROUGH 456-141-052 AND 456-142-025 THROUGH 456-142-048).

WHEREAS, an application for a three year extension of the period of time during which the use in reliance can be established for the construction and operation of a 50-unit residential condominium project located at the southeast corner of Acacia Avenue and Kirby Street has been duly filed by:

Applicant/owner: APE Holdings, LLC
Authorized Agent: Tim Baker
Project Location: Southeast corner of Acacia Avenue and Kirby Street
Lot Area: 2.15 Acres; and

WHEREAS, the Planning Commission is authorized to review and approve, conditionally approve, or deny Extension of Time No. 10-005 for Conditional Use Permit No. 06-005 pursuant to Hemet Municipal Code Section 90-42.8; and

WHEREAS, the applicant is requesting approval of Extension of Time No. 10-005 for Conditional Use Permit No. 06-005 to allow the construction and operation of a 50-unit residential condominium project in compliance with Hemet Municipal Code Section 90-1455 and the Conditions of Approval for CUP No. 06-005.

Planning Commission Resolution No. 10-012
EXTENSION OF TIME NO. 10-005 FOR CONDITIONAL USE PERMIT NO. 06-005
"ACACIA GARDENS"

1 **WHEREAS**, on July 22, 2010, the City gave public notice by advertising in the
2 Press Enterprise and by mailing to property owners within 1,000 feet, of the holding of a
3 public hearing at which the project would be considered by the Planning Commission;
4 and

5
6 **WHEREAS**, on August 3, 2010, the Planning Commission held the noticed public
7 hearing at which interested persons had an opportunity to testify in support of, or
8 opposition to, the Conditional Use Permit and at which the Planning Commission
9 considered the Extension of Time for the Conditional Use Permit; and

10
11 **WHEREAS**, the Planning Director has evaluated the project's potential effects on
12 the environment and has recommended that the project is categorically exempt from the
13 California Environmental Quality Act ("CEQA") under CEQA Guidelines Section 15332
14 (In-fill Development), and that the exceptions to the categorical exemptions contained in
15 CEQA Guidelines Section 15300.2 are not applicable to the project.

16
17 **NOW, THEREFORE**, the Planning Commission of the City of Hemet does
18 Resolve, Determine, Find and Order as follows:

19
20 **SECTION 1: ENVIRONMENTAL FINDINGS**

21
22 The Planning Commission, in light of the whole record before it, including but not limited
23 to, the City's Local CEQA Guidelines and Thresholds of Significance, the
24 recommendation of the Planning Director as provided in the Staff Report dated August
25 3, 2010 and documents incorporated therein by reference, and any other evidence
26 (within the meaning of Public Resources Code §21080(e) and §21082.2) within the
27 record or provided at the public hearing of this matter, hereby finds and determines as
28 follows:

29
30 **1. CEQA.**

- 31
32 (a) The project continues to be exempt from CEQA under CEQA Guidelines
33 Section 15332 in that the staff report submitted by the Planning
34 Department and other findings made in this Resolution demonstrate that:
35 Conditional Use Permit No. 06-005 remains consistent with the O (Office)
36 General Plan designation and all applicable General Plan policies as well
37 as with the applicable zoning designation; Conditional Use Permit No. 06-
38 005 is located within the boundaries of the City of Hemet; the area within
39 Conditional Use Permit No. 06-005 comprises less than five acres and has
40 no value as habitat for endangered, rare or threatened species; there is no
41 substantial evidence in the record that Conditional Use Permit No. 06-005
42 will result in significant effects related to traffic, noise, air quality or water
43 quality; and the site is or can be adequately served by all required utilities
44 and public services. As such, the project continues to meet the criteria for

1 application of a Class 32 (In-fill Development) Categorical Exemption
2 under the CEQA Guidelines.
3

4 (b) None of the exceptions to the categorical exemptions contained in CEQA
5 Guidelines Section 15300.2 prevent CEQA Guidelines Section 15332 from
6 exempting the project for the following reasons:
7

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

12 (ii) The nature of the project is such that significant cumulative impacts
13 will not occur from successive projects of this type occurring in the
14 same location over time. No information has been presented that
15 this project would have impacts that would contribute to a level of
16 cumulative impacts that would be considered significant.
17

18 (iii) There is no reasonable possibility that unusual circumstances will
19 cause the project to have a significant effect on the environment.
20 No information is known or has been presented to indicate that
21 there are unusual circumstances related to this project that would
22 cause a significant effect.
23

24 (iv) The project will not result in damage to scenic resources within a
25 designated state scenic highway. The project is not located in
26 proximity to such a highway.
27

28 (v) The project site has not been listed as a hazardous waste and
29 substance facility or site by the Department of Toxic Substances
30 Control pursuant to California Government Code Section 659625.
31

32 (vi) The project will not cause a substantial adverse change to the
33 significance of a historical resource. The site is fully developed,
34 and is not listed as a historical resource.
35

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

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

3 Pursuant to Hemet Municipal Code Section 90-1537(c) and in light of the record before
4 it including the Staff Reports Staff Report dated August 3, 2010 and documents
5 incorporated therein by reference, and all evidence and testimony heard at the public
6 hearing of this item, the Planning Commission hereby finds as follows:
7

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

13 The project is subject to, and remains consistent with the Development
14 Standards for the R-P zone. The R-P residential professional zone allows
15 multiple-family residences subject to approval of a conditional use permit and
16 meeting the development standards of the R-3 multiple-family zone. The project
17 proposes 50 attached townhome residences covering 36 percent of the site, to
18 complete the project which was originally allowed 100 units, and of which 50
19 were constructed. This remains consistent with the density allowed under the
20 General Plan, the zone, and the required Development Standards. Although not
21 required for projects of this size, a swimming pool is provided. The proposed
22 structures continue to meet the minimum setbacks from property lines, are well
23 below the maximum height, and have a smaller coverage than allowed in the R-3
24 zone. The site is flat and the project area has a roughly square shape with no
25 physical limitations.
26

27 The General Plan designation for the site location is O (Office). Although the
28 primary intent of the Office designation is for professional and medical offices,
29 other uses are allowed as secondary uses, and in one such designated area,
30 residential use, as one element of use, is actually encouraged by the Community
31 Development Element of the General Plan. It should be noted that this project is
32 a part of an existing one-lot subdivision, and that land use designations and land
33 uses on three of the four project sides is residential. Moreover, it is anticipated
34 that the Office designation is likely to be revised to reflect the actual land use for
35 the site. In the project vicinity, the Office designation is applied only to the one-
36 lot, 100-unit residential condominium project of which 50 units have been in
37 existence since approximately 1980, and the remaining 50 units comprise this
38 proposed project.
39

40 The proposed project remains consistent with the General Plan Community
41 Development Element Community Character and Design Concept of preserving
42 existing features and encouraging the provision of multiple-family residential
43 development compatible with the scale and character of surrounding residential
44 areas in terms of architectural scale and character. The project continues to

Planning Commission Resolution No. 10-012
EXTENSION OF TIME NO. 10-005 FOR CONDITIONAL USE PERMIT NO. 06-005
“ACACIA GARDENS”

1 propose a density that matches that of the existing condominiums on the project
2 site, proposes the same type and scale of community open space amenities,
3 provides open areas around the proposed portion of the project that is more
4 similar to surrounding development than is the existing portion of the project.
5 The proposed project is also remains consistent with that General Plan section
6 because the project proposes access to garages by way of alleys that are not
7 visible from public streets.
8

9 The proposed project remains consistent with the General Plan Community
10 Development Element Florida Avenue Neighborhood Planning Area strategy of
11 ensuring that projects are compatible with the Hemet Ryan Airport with regard to
12 noise and safety zones. The Airport Compatibility Analysis report for the project,
13 dated February 23, 2006, concluded that project is outside the established noise
14 contours and meets City height restrictions. At a distance of 6,000 feet from the
15 nearest runway and a maximum project height of under 35 feet, the project
16 complies with Federal Aviation Regulations Part 77 height restrictions.
17

18 The proposed project remains consistent with the Multiple-Family Residential
19 Design Guidelines in that the project continues to propose a dominant entry
20 statement that provides an open view into the development, a transition between
21 the street and the project interior, an enhancement of the image of the existing
22 development, features including hardscaping, landscaping, decorative paving,
23 and monument signage, clustered buildings with varied and articulated planes
24 connected by pedestrian walkways, separated pedestrian and vehicular access
25 paths, alley-loaded garages that do not face public streets, provision of a
26 community swimming pool area that is centrally located but sheltered from public
27 view, and landscaping and architectural enhancements in excess of that called
28 out in the Guidelines. Finally, the project has been designed to substantially step
29 down the heights of end units from three stories to two stories when they are
30 adjacent to the existing two-story first phase units.
31

- 32 2. That the proposed location of the conditional use and the conditions under which
33 it would be operated or maintained will not be detrimental to the public health,
34 safety or welfare, nor materially injurious to properties or improvements in the
35 vicinity.
36

37 The location of the proposed project continues to comply with development
38 standards that are provided to assure that the project and other properties and
39 improvements in the vicinity are compatible, and that the proposed project is not
40 detrimental. Additionally, the design of the project includes buffers between it
41 and adjacent properties in the form of walls and landscaped setback areas.
42 Enhanced landscaping will be provided within the setback area along Acacia
43 Avenue, and along the internal access driveway. The proposed grading has
44 been designed to avoid the need for tall wall areas around the perimeter of the

Planning Commission Resolution No. 10-012
EXTENSION OF TIME NO. 10-005 FOR CONDITIONAL USE PERMIT NO. 06-005
“ACACIA GARDENS”

1 project, and to control stormwater run-off so that it will not pose a detriment to
2 adjacent properties. The traffic study prepared for the project indicated that
3 traffic generated by the construction of the project will not have a meaningful
4 effect on traffic. At a larger scale, the Airport Compatibility Analysis prepared for
5 the project concluded that the proposed project is considered a compatible land
6 use with and will not suffer adverse impacts from Hemet-Ryan Airport operations.
7

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

11
12 The proposed use of the project site as a multiple-family residential condominium
13 project continues to comply with the intent and purpose of both the R-P
14 (residential professional) and the R-3 (multiple-family) zones as an area
15 preserved for mixes of multiple-family residential and professional uses, when
16 the residential use conforms to R-3 requirements. The applicant has proposed a
17 redesign and construction of 50 residential condominium units that were
18 recorded as part of Tract 13982, for which 100 units were approved and 50 units
19 were built. Although the first 50 units were constructed prior to the adoption of
20 current R-3 standards, the proposed new units conform to the current
21 requirements provided by the zoning code. Finally, the project has been
22 designed to be consistent with the Multiple-Family Residential Design Guidelines.
23

24 SECTION 3: PLANNING COMMISSION ACTIONS

25
26
27 The Planning Commission hereby takes the following actions:

- 28
29 1. **Notice of Exemption.** In accordance with Public Resources Code Section
30 21152(b) and CEQA Guidelines Section 15062, the Planning Commission hereby
31 approves a categorical exemption for the project under CEQA Guidelines Section
32 15332 and directs the Planning Director to prepare and file with the Clerk for the
33 County of Riverside a notice of exemption as provided under Public Resources
34 Code Section 21152(b) and CEQA Guidelines Section 15062.
35
36 2. **Approves Conditional Use Permit.** Extension of Time No. 10-005 for a three
37 year extension of Conditional Use Permit No. 06-005 is hereby approved as
38 shown in Exhibit A which is attached hereto and incorporated herein by
39 reference, and subject to the Conditions of Approval in Exhibit B which are
40 attached hereto and incorporated herein by reference.
41

Planning Commission Resolution No. 10-012
EXTENSION OF TIME NO. 10-005 FOR CONDITIONAL USE PERMIT NO. 06-005
"ACACIA GARDENS"

1 PASSED, APPROVED AND ADOPTED this 3rd day of August, 2010, by the
2 following vote:
3

4
5 AYES: Chairman Smith, Vice Chairman Gifford, and Commissioners Deuber,
6 Rogers and Thompson

7 NOES: None

8 ABSTAIN: None

9 ABSENT: None

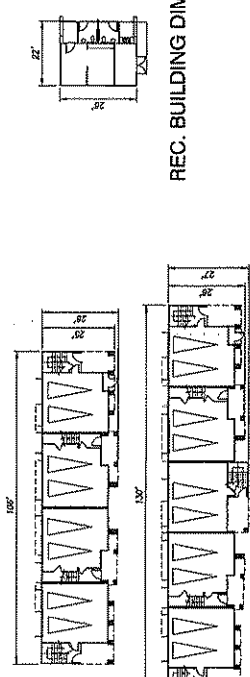
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15 Larry Smith, Chairman
16 Hemet Planning Commission

17 ATTEST:

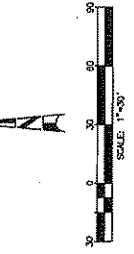
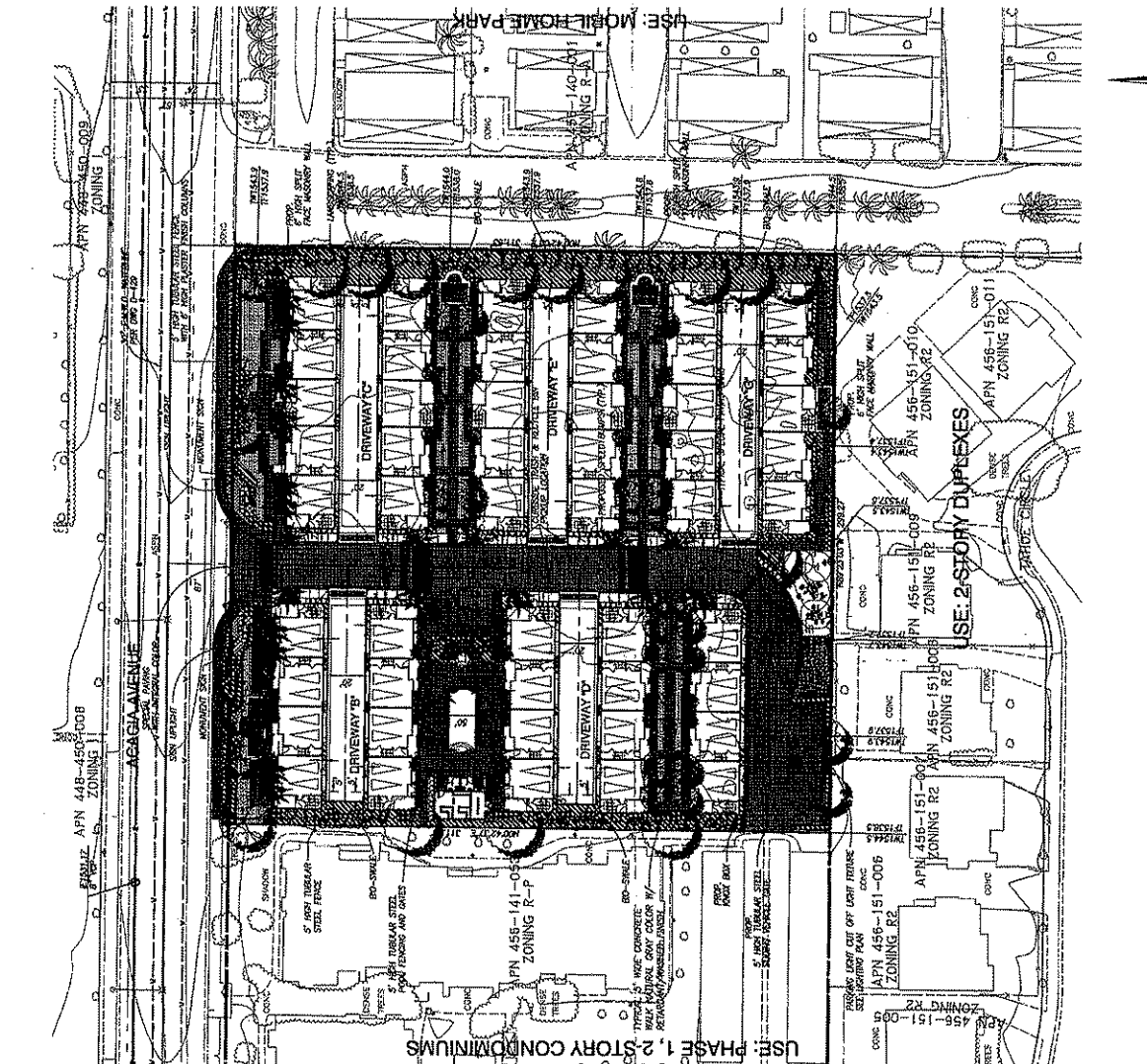
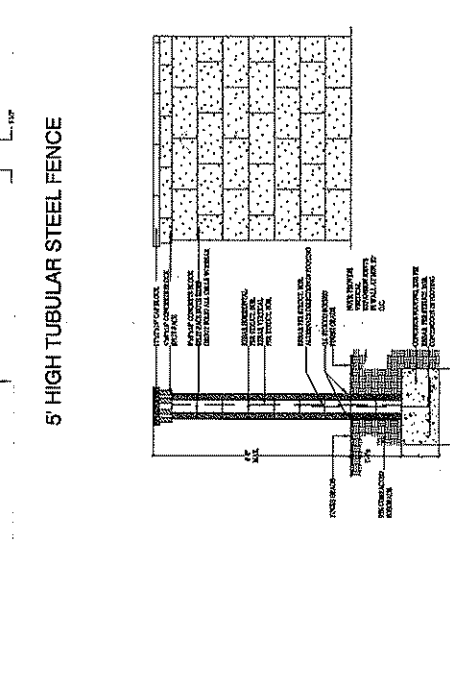
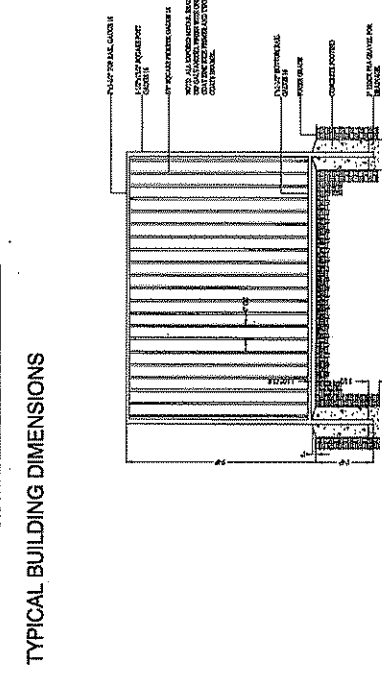
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19 
20 Nancie Shaw, Records Secretary
21 Hemet Planning Commission
22
23

Planning Commission Resolution No. 10-012
EXTENSION OF TIME NO. 10-005 FOR CONDITIONAL USE PERMIT NO. 06-005
"ACACIA GARDENS"

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REC. BUILDING DIMENSIONS



PREPARED BY:

Lundstrom + Associates
 ARCHITECTS & CIVIL ENGINEERS | LAND SURVEYORS
 1700 San Diego Avenue, Suite 200, San Diego, CA 92101
 TEL: 619.441.0000 FAX: 619.441.0000 www.lundstrom.com

SITE PLAN

ACACIA GARDENS
 City of Hemet, California

SHEET **B1** OF **B1**

CONCEPTUAL LANDSCAPE PLAN

HARDSCAPE LEGEND



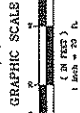
CONCRETE PAVING WITH INTEGRAL COLOR AND CONCRETE FINISH - COLOR SHALL BE DAVIS HARVEST GOLD. NOMINAL IN FEET/STAIR AREAS MINIMUM 5" THICK NOMINAL IN VEHICULAR AREAS



CONCRETE WALKWAY WITH NATURAL GRAY CONCRETE AND NATURAL AGGREGATE FINISH - MINIMUM 4" THICK NOMINAL

NOTES:

1. ALL LANDSCAPED AREAS SHALL BE IRRIGATED WITH AN AUTOMATIC, ELECTRICALLY CONTROLLED IRRIGATION SYSTEM WITH DISTRIBUTIONAL SPRAYHEADS AND POP UP SPRINKLERS.
2. ALL LANDSCAPED AREAS SHALL BE MAINTAINED BY PERMITTEE/OWNER.
3. SEE SHEET L-2 FOR PLANTING LEGENDS.
4. SEE SHEET L-3 FOR WALL AND FENCE DETAILS.



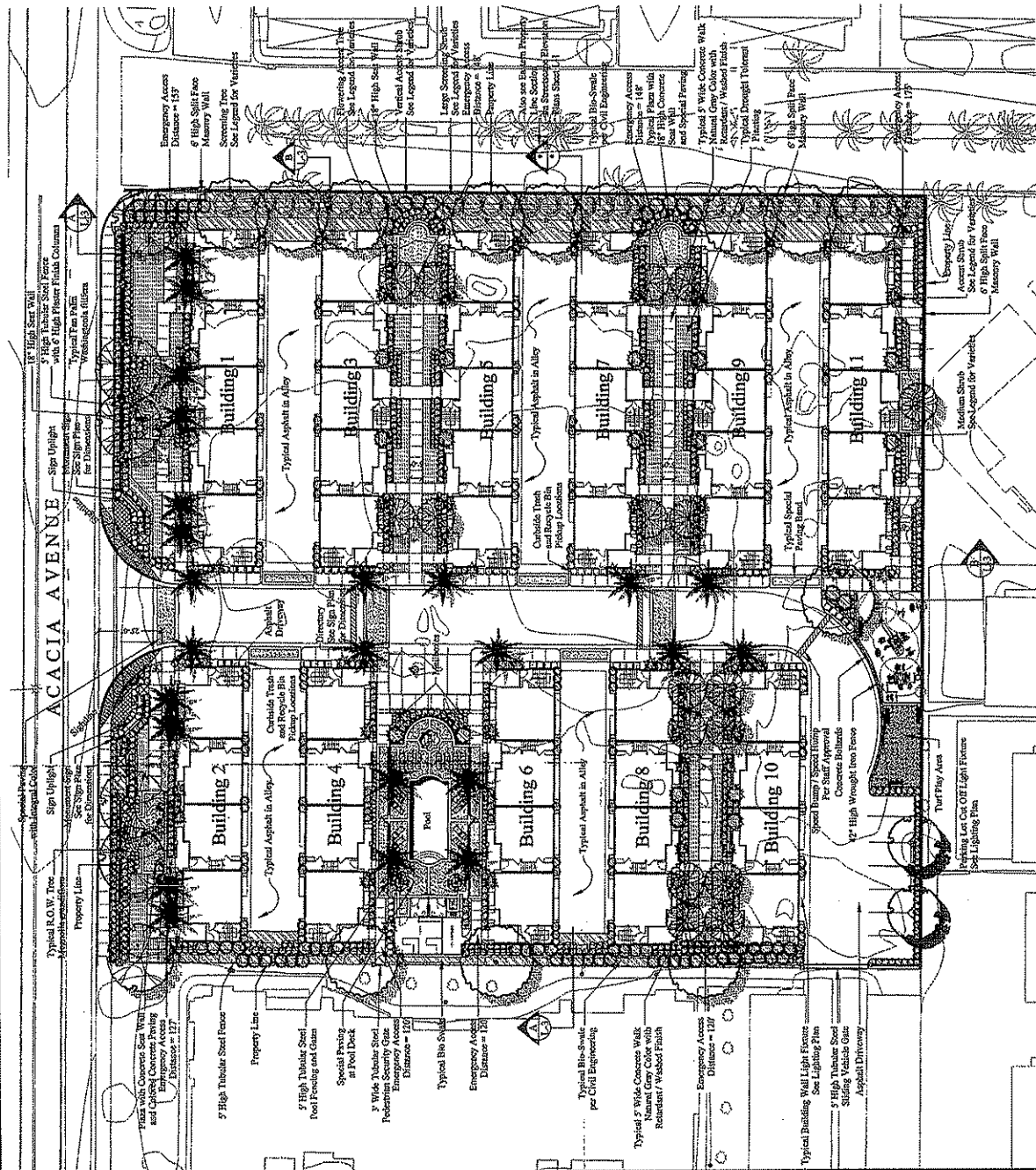
June 17, 2008

SHEET D-1 OF D3

CONCEPTUAL LANDSCAPE PLAN
ACACIA GARDENS
Tract No. 13982, M.B. 106/67-68, Lot 1
Acacia Avenue
Hemet, California

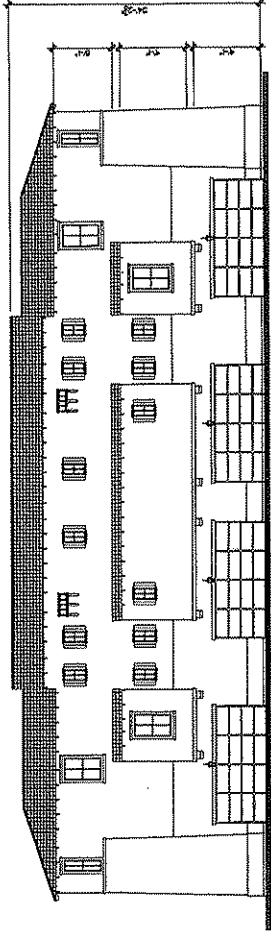
PREPARED BY:
T O P I A
Landscape Architecture, Planning
3440 Wilshire Blvd., Suite 1000, Los Angeles, CA 90010
(310) 488-0888 Fax: (310) 488-0884
A California Corporation

Professional Engineer License No. 44567
Professional Land Surveyor License No. 10000
Professional Architect License No. 10000



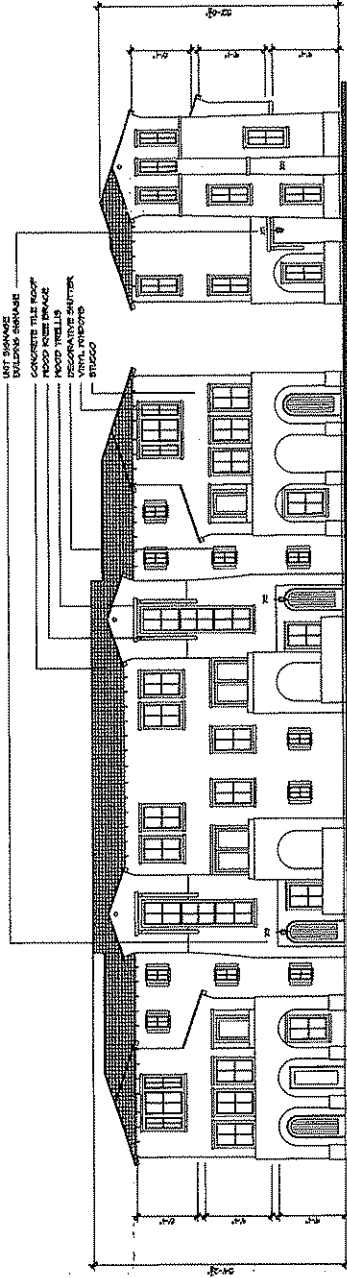
ACACIA AVENUE

ACACIA AVENUE



REAR ELEVATION 'B'

SCALE 1/8"=1'-0"



LIST STORAGE
 BOLLING STORAGE
 CONCRETE TILE ROOF
 1/2" GYP BOARD
 WOOD TRIMMS
 DECORATIVE SAINTER
 VINYL FLOORS
 BRICK

FRONT ELEVATION 'B'

SCALE 1/8"=1'-0"

FOUR PLEX

END ELEVATION

ACACIA APARTMENTS

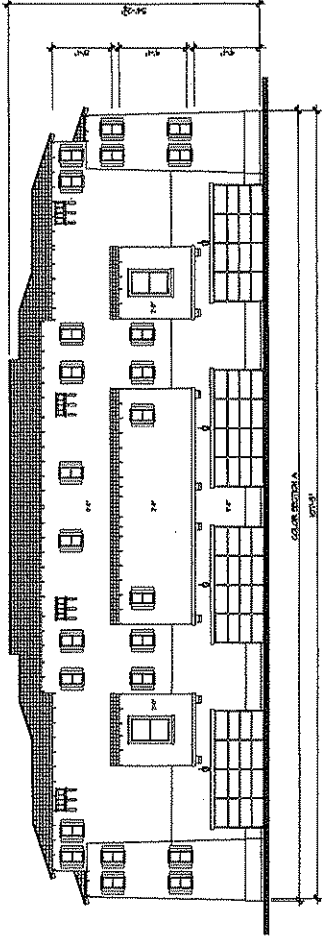
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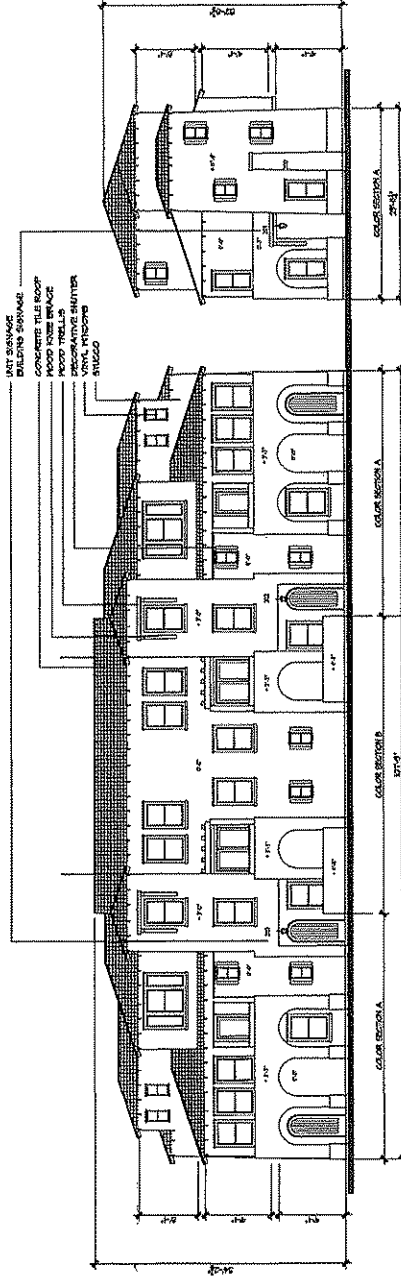
4 PLEX BLDG STORAGE - ELEV 'B'
 ACACIA GARDENS
 City of Hemet, California

SHEET 12
 OF 17



REAR ELEVATION 'A'

SCALE 1/8"=1'-0"



FRONT ELEVATION 'A'

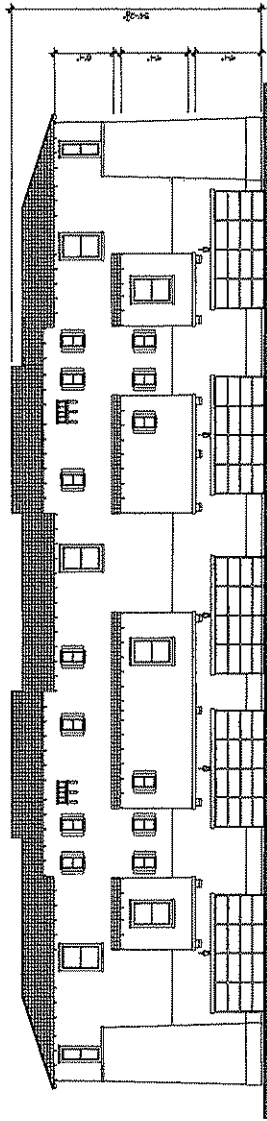
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FOUR PLEX 'X'

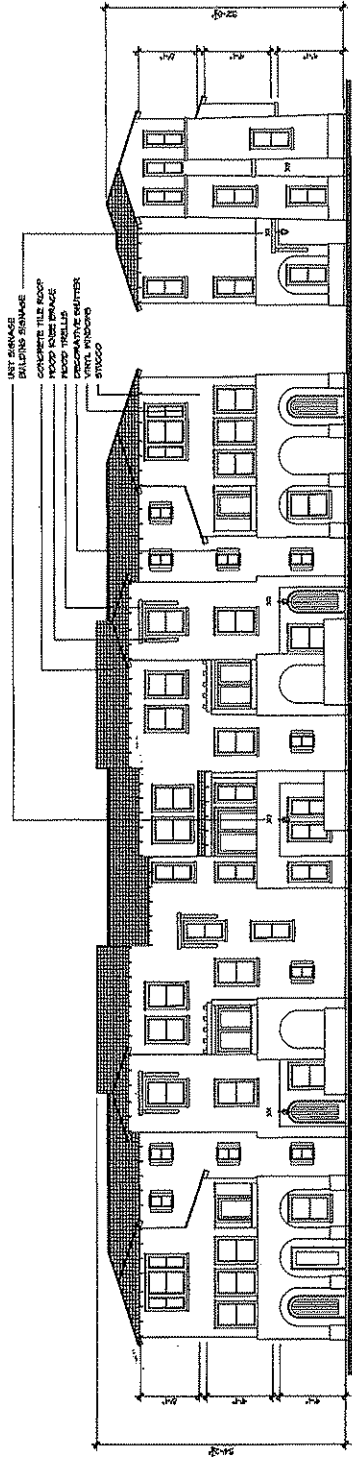
ACACIA APARTMENTS

HEMET, CALIFORNIA
AMERICAN PROPERTY ENTERPRISES



REAR ELEVATION 'A'

SCALE 1/8"=1'-0"



FRONT ELEVATION 'A'

SCALE 1/8"=1'-0"

FIVE PLEX

END ELEVATION

ACACIA APARTMENTS

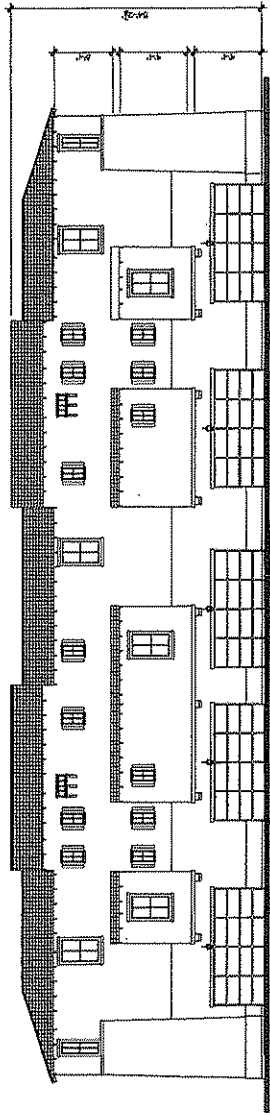
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COUNTY OF RIVERSIDE TRACT

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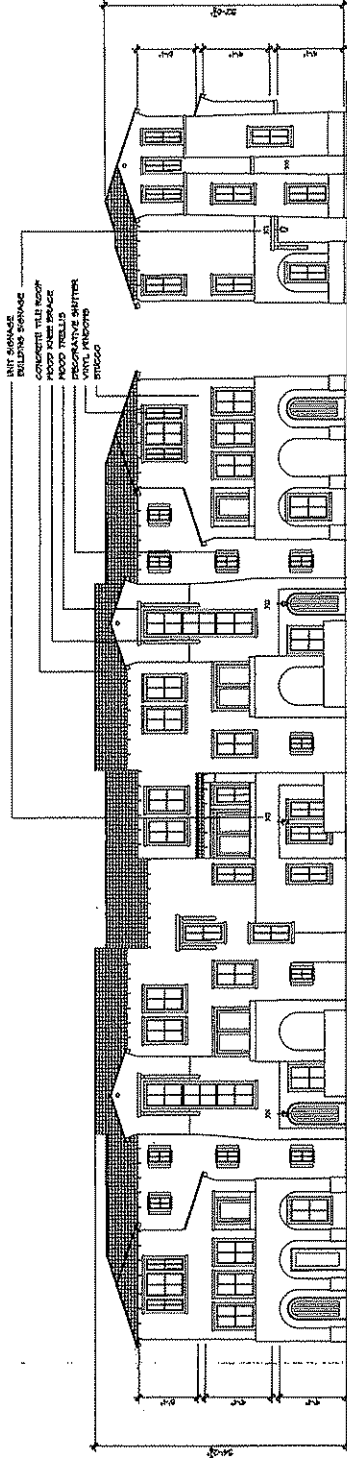
5 FLEXBUD SIGNAGE - ELEV 'A'
ACACIA GARDENS
City of Hemet, California

SHEET 14 OF 17



REAR ELEVATION 'B'

SCALE 1/8"=1'-0"



FRONT ELEVATION 'B'

SCALE 1/8"=1'-0"

FIVE PLEX

END ELEVATION

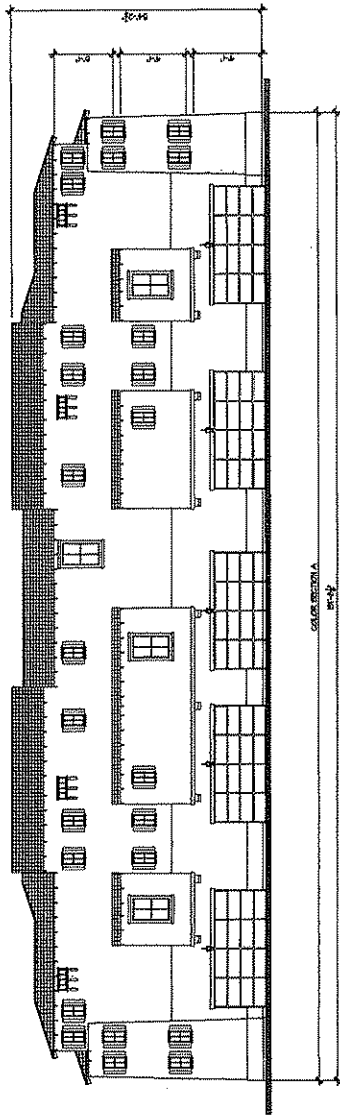
ACACIA APARTMENTS

HEMET, CALIFORNIA
 AMERICAN PROPERTY ENTERPRISES

COUNTY OF
 RIVERSIDE TRACT

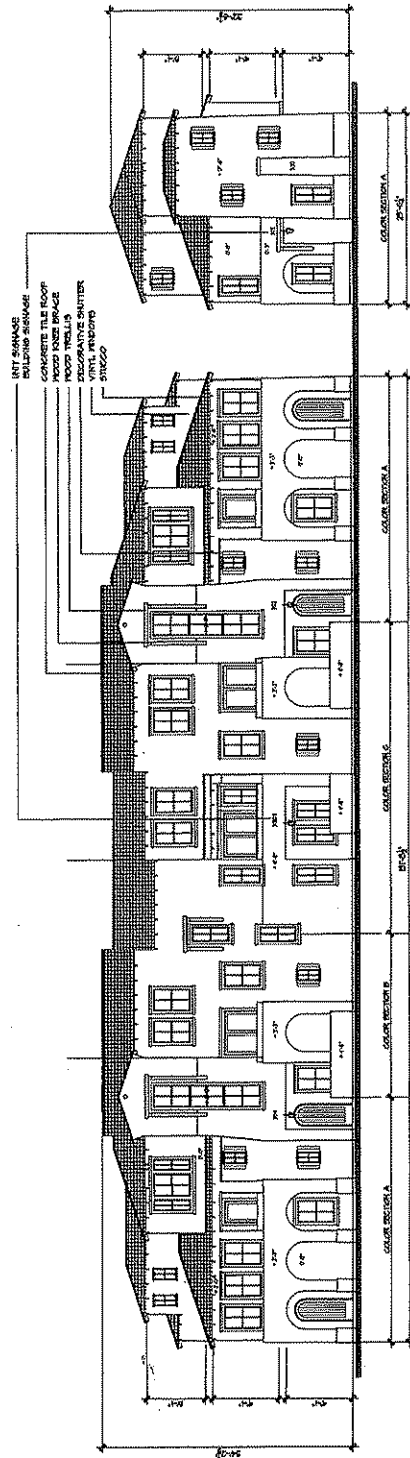
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SPLEX BLDG SIGNAGE - ELEV 'B'
 ACACIA GARDENS
 City of Hemet, California



REAR ELEVATION 'B'

SCALE 1/8"=1'-0"



FRONT ELEVATION 'B'

SCALE 1/8"=1'-0"

FIVE PLEX 'Y'

END ELEVATION

ACACIA APARTMENTS

HEMET, CALIFORNIA
AMERICAN PROPERTY ENTERPRISES



CITY OF HEMET
FINAL
CONDITIONS OF APPROVAL

PLANNING COMMISSION DATE
FOR EXTENSION OF TIME NO. 10-005: AUGUST 3, 2010

EXTENSION OF TIME EXPIRES ON: SEPTEMBER 16, 2010

ORIGINAL PLANNING COMMISSION DATE
FOR CONDITIONAL USE PERMIT NO. 06-005: SEPTEMBER 16, 2008

PROJECT NO.: Conditional Use Permit No. 06-005 - Acacia Gardens II
APPLICANT: APE Holdings, LLC
AGENT: Tim Baker
LOCATION: Southeast Corner of Acacia Avenue and Kirby Street
Vacant east one-half of Acacia Gardens Condominiums
OCCUPANCY: This project has been reviewed as an R-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. Pursuant to **EXTENSION OF TIME NO. 10-005**, Conditional Use Permit No. 06-005 shall become null and void on **September 16, 2013** unless use in reliance on the approved Conditional Use Permit is established prior to the expiration date. No formal notice of expiration will be given by the City.
2. Approval of Conditional Use Permit No. 06-005 shall become effective on **September 27, 2008**.

City of Hemet - Conditions of Approval
Extension of Time No. 10-005 for Conditional Use Permit No. 06-005 – Acacia Gardens II

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 current California Building Code, current California Fire Code, and City and State Handicapped Accessibility Requirements (California Code of Regulations, Title 24).
6. 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.
7. 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.
8. Construction activity shall meet the requirements of Hemet Municipal Code Chapter 30, Article II.
9. The project entrance monument sign and the directory sign shall conform to the approved plans. No other signs are approved as part of this subdivision Project. Other signs, in accordance with the Zoning Ordinance, may be approved at a later time prior to the issuance of sign permits.
10. 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.
11. 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.

12. The developer shall install U.S. Postal Service approved mailboxes prior to occupancy.
13. The developer shall provide all homes with central air conditioning.

Landscaping

14. The project shall comply with the water efficient landscape requirements outlined in Ordinance No. 1827.
15. The applicant shall provide a disclosure notice to each prospective buyer and to each new property owner within this development. The disclosure notice shall be recorded against all properties within the units proposed under Conditional Use Permit No. 06-005, which states the following: The property owner is aware of any required financing mechanisms for the subdivision project such as Landscape-Lighting & Maintenance District (LLMD), Landscape-Lighting & Parks Maintenance District (LLPMD) or Conditions, Covenants and Restrictions (CC&R's).
16. The applicant shall provide a disclosure notice to each prospective buyer and to each new property owner within this development. The disclosure notice shall be recorded against all properties within the units proposed under Conditional Use Permit No. 06-005, which states the following: The condominium homeowners association is responsible for the irrigation of parkway landscaping adjacent to the development. Any lack of landscape/irrigation maintenance is subject to code violation actions.

17. 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, unless cash or a bond is posted to guarantee completion.
18. A one-year Faithful Performance bond shall be posted to guarantee installation, plant health, and established growth prior to the issuance of occupancy permits. The bond may be reduced by the City after installation has been approved.
19. 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.

Site Development

20. 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.
21. An anti-graffiti coating and/or paint shall be provided on all block walls and stucco covered walls and written verification of its application from the developer shall be provided to the City of Hemet Planning Department.
22. Prior to issuance of a Certificate of Occupancy for the project site or activity being commenced thereon, submit a recorded Avigation Easement satisfactory to the City.
23. Prior to the issuance of a Certificate of Occupancy for the project site or activity being commenced thereon, pursuant to Conditional Use Permit No. 06-005, all conditions of approval contained herein shall be completed to the satisfaction of the Planning Department.
24. This project shall be consistent with the City's Multiple-Family Residential Design Guidelines approved by the City Council on August 27, 2002 (CC Resolution No. 3677). After approval of the project, the Planning Director shall have the authority to adjust up to 20% of the home/plot plans. The project application shall provide all submittal information as required by the Multiple-Family Residential Design Guidelines.

Operational Characteristics

25. All outdoor parking lot lighting shall be low pressure sodium and shall be shielded or designed to direct the lighting downward.

26. All lighting shall be adjusted so that all lighting is contained within the boundaries of the site.

Environmental

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

PLANNING CONDITIONS

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

28. Prior to the issuance of any building permit, the developer shall provide a copy of the condominium plan recorded by the Riverside County Recorder, conforming to the approved plans for inclusion in the project file.
29. Prior to issuance of building permits, landscape plans shall be submitted to the Building Department for permit plan check, and shall include the locations of light standards. The landscape plans shall conform to the approved landscape plans, and shall be subject to review and approval of the Planning Director.
30. Prior to issuance of building permits, parking lot light standards plans, including lighting standard specifications, shall be submitted to the Building Department for permit plan check, and shall include the locations of trees.
31. Construction traffic shall not take access through the existing first phase of the project.
32. During construction, the developer shall take necessary precautions so that construction dust, equipment, materials, drainage, surface water run-off, and other physical nuisances are not projected onto the existing first phase of the project, except for construction of fences, gates, landscaping, et cetera that are located between and shared by the phase areas.
33. Prior to the issuance of a certificate of occupancy for any building, the developer shall provide vehicle gate control mechanisms satisfactory to the Superintendent of Recycling and Refuse to said Superintendent.

34. Prior to the issuance of a certificate of occupancy for any building, the developer shall provide documentation California Department of Real Estate acceptance of the Subdivision Public Report for inclusion in the project file.
35. Prior to the issuance of a certificate of occupancy for any building, the developer shall provide documentation for inclusion in the project file, that Homeowner Association Rules for the project include a provision that individual owners place waste and recycling bins inside units on the same day as bin pick-up.
36. Prior to the issuance of a final Certificate of Occupancy, all landscaping and irrigation shall be installed and functional.
37. All improvements shall be completed prior to any certificate of occupancy unless a phasing plan is approved by the Planning Director.
38. If new units are occupied by individual owners prior to completion of project construction, the developer shall phase the project so as to limit construction impacts on occupied new units to the extent feasible.
39. Following construction, the project site shall be maintained in a clean and orderly condition by the developer first, and then by the homeowners association after the developer or his successor owns less than twenty percent of the units.
40. Any proposed changes to the project's design shall be consistent with the City's current Multiple-Family Residential Design Guidelines. After approval of the Site Development Review project, the Planning Director shall have the authority to adjust up to 20% of the home/plot plans.

ENGINEERING 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 Public Works - Engineering Department at (951) 765-2360.

Engineering – General

41. The applicant shall coordinate with affected utility companies and obtain any permits as necessary for the development of this project
42. 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).

43. Monuments shall be provided in accordance with City of Hemet Standard Specifications for Public Works Construction Standard M-900 and M-900A. In lieu of Standard M-901, street centerline monuments shall conform with Riverside County Surveyor's Office provided that cross-ties are set in top of curbs and tie sheets are filed with the City Engineer.

Engineering – Streets

44. Remove and replace, as determined by the City Engineer to be necessary, the existing curb and gutter, in accordance with the City of Hemet Standard Specifications for Public Works Construction.
45. Grind the existing A.C. paving to a depth of two inches and overlay to the centerline of Acacia Avenue.
46. Install driveway approach in accordance with the City of Hemet Standard Specifications for Public Works Construction, Standards C-208, C-209, and C-210. In accordance with City of Hemet Resolution No. 1783, driveway widths and locations shall be approved by the City Engineer.
47. Install handicap ramp(s) in accordance with the City of Hemet Standard Specifications for Public Works Construction, Standard C-216A and Uniform Building Code Title 24.
48. Install monolithic type sidewalk in accordance with the City of Hemet Standard Specifications for Public Works Construction Standard C-215.
49. Install stop signs, street name signs and red curb per instructions of the City Engineer.
50. All existing and proposed aerial utility lines shall be relocated and installed underground, in accordance with the City of Hemet Ordinance Bill 05-100, amending Section 82-172 of the Municipal Code.
51. Install street trees 40-feet on-center in accordance with the City of Hemet Approved Street Tree List. Install automatic irrigations system to trees.
52. Digitized drawing files of all improvement plans, in a City's compatible CAD system, shall be submitted along with original mylar plans.
53. Existing City roads, which will require reconstruction, shall remain open for traffic at all times, with adequate detours, to the satisfaction of the City Engineer.

54. The applicant shall close any unused drive approach with standard concrete curb, gutter and sidewalk, and shall repair any damaged curb, gutter and sidewalk along the subject frontage prior to the issuance of a Certificate of Occupancy.

Engineering – Drainage

55. The incremental increase in runoff between the developed and undeveloped property for the 100-year/3-hour storm must be retained on site.
56. Prior to the issuance of the Building Permit, the Applicant shall pay the Master Storm Drain Plan fee, at the currently adopted rate.
57. The HUD Flood Insurance Rate Map shows this project to be in Zone B (areas subject to 100-year flooding with average depths less than one foot). All building foundation pads within the development shall be elevated in accordance with City of Hemet Ordinance No. 754.
58. Prior to issuance of a Grading Permit, the Applicant shall submit to the City Engineer for review and approval, hydrology and hydraulic calculations within and immediately adjacent to the project site. Improvements proposed by the Applicant shall be taken into account when analyzing impacts to upstream, adjacent and downstream properties.
59. 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.
60. The proposed detention basin, if required, shall include, but not limited to, the following improvements: decorative perimeter fencing, access gate, inlet and outlet structure with safety grate, sump to collect nuisance water, and discharge pump. Underground basins are preferred.
61. Cross-lot drainage and the designated drainage easements shall not be allowed. Storm water shall be collected in an appropriate storm drain system, if required.
62. Effective January 1, 2006, 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 Activity (General Permit) Order No. 99-08-DWQ.

63. Prior to the issuance of a Grading Permit, the applicant shall submit to the City for review and approval, a project-specific Water Quality Management Plan (WQMP). This plan shall address Site Design BMPs, incorporate the applicable Source Control BMPs, incorporate Treatment Control BMPs, describe the long-term operation and maintenance (O&M) requirements for BMPs needing long-term maintenance, and describe the mechanism for funding the long-term O&M of the BMPs.
64. Prior to the 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, and have an approved WQMP from the City.
65. Prior to the 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
66. Drainage easement(s), as required by the City Engineer, shall be shown on the improvement plans or grading plans. Easement(s) shall be recorded by deed.

Engineering – Water

67. Indicate, on the improvement plans, locations and sizes of proposed water service(s) and the connection(s) to the existing water line(s). It should be noted that water mains shall not "dead end" in cul-de-sacs, unless no other reasonable alternative acceptable to the City Engineer is available.
68. Separate hot taps shall be required for potable water, landscaping and fire services. Backflow devices shall be the same size as the hot taps.
69. 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.
70. Installation of 1" - 8" water meters shall be in accordance with the City of Hemet Standard Specification for Public Works Construction Standard W-701.

Engineering – Sewer

71. Install or upgrade sewer mains and sewer laterals in accordance with City of Hemet Standard Specifications for Public Works Projects Standards S-606, S-600, and S-600A. It should be noted that there shall be no more than one separate connection per sewer lateral.

72. Install a clean-out at property line in accordance with City of Hemet Standard Specifications for Public Works Projects Standards S-611.
73. The improvement plans shall indicate the locations and sizes of any existing and all proposed sewer laterals.
74. All existing concrete sewer lines shall be upgraded to meet notes on City of Hemet Standard Specifications for Public Works Projects Standard S-606.

Engineering – Landscaping

75. Prior to the issuance of a Grading Permit, a landscape plan shall be submitted to Engineering for review and approval.
76. Prior to the issuance of a Certificate of Occupancy, a Lighting and Landscaping Maintenance District (LLMD) shall be established.
77. Prior to the issuance of a Certificate of Occupancy or finalization of the Building Permit, submit landscape "as-built" in public areas, and RP principle backflow prevention certification(s) for all water service.

BUILDING CONDITIONS

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

Building – Building Code Requirements

78. As part of the plan check submittal, an emergency exiting plan shall be submitted.
79. As part of the plan check submittal, a code analysis for the project shall be submitted.
80. Smoke detectors shall be installed in accordance with California Building Code Section 1210.2.
81. As part of the plan check submittal, a detailed structural analysis, in compliance with Chapter 16 of the California Building Code for the building's intended use, shall be provided.
82. The electrical, plumbing and mechanical systems shall be in accordance with applicable adopted codes.

Building – Handicap Requirements

83. Handicapped restrooms shall be installed in accordance with California Code of Regulations, Title 24/California Building Code, Section 1115(b).
84. Handicapped parking and signage shall be installed in compliance with applicable State and City codes, if off-street parking is provided.
85. For multiple-family projects, all entrances and exits shall be handicapped accessible per California Code of Regulations, Title 24.
86. For multiple-family projects, a handicapped accessible pedestrian access to the site shall be provided.
87. At least 10% of multi-story condominiums with 4 or more dwelling units shall comply with accessibility requirements, CBC 1102A.3.1.
88. Verify number of plumbing fixture requirements at pool building.
89. Garages, carports and other parking facilities which are accessory to multi-family dwelling units shall be accessible as required in CBC 1109A.

Building – Agency Approvals

90. Prior to the issuance of a building permit, Eastern Municipal Water District approval shall be obtained.

Building - General

91. Type V, 1-hour construction shall be required throughout.
92. For multiple-family projects prior to the issuance of a building permit, Riverside County Environmental Health Department approval shall be obtained.
93. Prior to the issuance of a building permit, a complete set of approved plans on “tiff” format shall be provided.
94. Utilities shall be underground.

Building - Security

95. All exterior doors shall be constructed of solid wood core, minimum of 1 and 3/4-inch thick or of metal construction.
96. 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.
97. 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.

Building – Model Homes

98. All entrances and exits shall be handicapped accessible per California Code of Regulations, Title 24.
99. A handicapped accessible pedestrian access to the site shall be provided.
100. Conversion of sales office and model home(s) into residential homes shall be required.

FIRE PREVENTION CONDITIONS

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

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

Fire – Agency Approvals

101. 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 1,500 GPM @ 20psi residual pressure for a duration of 2 hours, per 2007 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.

Fire – General

102. 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”.
103. 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). This pertains to assembly-type uses such as the recreation building / office.

Fire - Hydrants And Fire Protection Systems

104. 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. 2007 CFC Section 508. The location of on-site hydrants and mains shall be approved by the Fire Marshall prior to permit issuance.
105. Prior to combustible construction commencing, install and/or upgrade, as required by the 2007 CFC, 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.
106. 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 508
107. In accordance with the 2007 CFC Section 508, 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.
108. In accordance with the 2007 CFC Section 903, as amended and Article II, Chapter 14 of the Hemet Municipal Code, automatic fire sprinklers shall be installed throughout all buildings 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.

109. 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.
110. In accordance with the 2007 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.
111. 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.
112. Portable fire extinguishers shall be installed and maintained in accordance with 2007 CFC section 906 and Chapter 3, Title 19 CCR. The type and spacing shall be approved by the City of Hemet Fire Marshal prior to installation.
113. 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 2007 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.

Fire – Access

114. Prior to delivery of combustible materials on site, provide and maintain a surfaced all weather access roadway 20-feet wide with a 13-foot 6-inch vertical clearance designed to support the imposed loads of fire apparatus in accordance with the 2007 CFC Section 503.1 (dirt or native soil does not meet the minimum standard). Minimum turning radius for fire apparatus is 52 feet (outside) and 32 feet (inside). Fire access is required to within 150 feet of all portions of every building unless otherwise approved by the Fire Marshal.
115. Modify driveway and on-site circulation in order to provide access for fire apparatus (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 and parking of vehicles.

116. On flag lots or other constrained areas where fire access does not meet approved standards or is otherwise restricted, automatic fire protection may be required. An automatic fire protection system shall be approved by the City of Hemet Fire Department and installed pursuant to NFPA Standards.
117. 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 2007 CFC Section 503.3 and California Vehicle Code Section 22500.1.
118. Prior to final inspection, addresses shall be provided on all new and existing buildings in accordance with the 2007 CFC Section 505.
119. In accordance with the 2007 CFC 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.
120. In accordance with the 2007 CFC Section 505 and Chapter 14, Article II, Section 10.301 of the Hemet Municipal Code, illuminated project directories shall be installed at all entrances pursuant to the City of Hemet Fire Department Standards. Add: Install Knox key boxes and/or Knox locks for Fire and/or Police Department access in accordance with 2007 CFC Section 506 and the Hemet Municipal Code.
121. A fence enclosure, if installed, shall lead to a safe dispersal area 50-feet from buildings or shall have gates which comply with 2007 CFC Section 1008 which lead to a public way.

Fire – Miscellaneous

122. Interior finish, decorative materials and furnishings shall be in accordance in 2007 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.
123. Model homes: An emergency exit shall be provided in trap fence (gate shall remain unlocked when sales office is open).
124. 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 2007 CFC Section 906.

125. 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 latest version of "AutoCAD" or equivalent.
126. 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 2007 CFC Chapter 10.
127. Fire safety during construction and demolition shall comply with 2007 CFC Chapter 14.
128. 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 2007 CFC Chapter 14.
129. 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).
130. An approved manual, automatic or (manual and automatic) fire alarm system is required for this occupancy in accordance with the 2007 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.

The Police Department has no conditions.

PLANNING COMMISSION CONDITIONS

The following condition of approval was added by the Planning Commission at the time of approval at the September 16, 2008 hearing. Questions regarding compliance with this condition should be directed to the Planning Department at (951) 765-2375.

- 131. The Applicant shall provide a minimum 21-foot separation between the existing buildings in Phase I with those proposed in Phase II.

END