

SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



215B

FROM: TLMA – Planning Department

SUBMITTAL DATE:
November 18, 2014

SUBJECT: CHANGE OF ZONE NO. 7839 and TENTATIVE TRACT MAP NO. 36337 – Intent to adopt a Mitigated Negative Declaration – Applicant: Reinhart Canyon Assc LLC – Engineer/Representative: United Engineering Group - Third Supervisorial District - Hemet-San Jacinto Zoning District - San Jacinto Valley Area Plan: Community Development: Low Density Residential (CD-LDR) (1/2 Acre Minimum), Rural: Rural Mountainous (R:RM) (10 Acre Minimum) – Location: Northerly of Parry Drive, Southerly of Jeanie Lane and Westerly of California Avenue – 176.62 Gross Acres - Zoning: Controlled Development Areas (W-2) - **REQUEST:** The Change of Zone is proposing to change the properties zoning on the site from Controlled Development Areas (W-2) zoning to Planned Residential (R-4) zoning. The Map proposes a Schedule A subdivision of 176.62 acres into 332 residential lots with a minimum lot size of 3500 square feet and 29 lettered lots.

RECOMMENDED MOTION :

(CONTINUED ON NEXT PAGE)

JCP:ms


Juan C. Perez
TLMA Director/ Interim Planning
Director

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$	\$	\$	\$	Consent <input type="checkbox"/> Policy <input type="checkbox"/>
NET COUNTY COST	\$	\$	\$	\$	

SOURCE OF FUNDS: Deposit based funds

Budget Adjustment:

For Fiscal Year:

C.E.O. RECOMMENDATION:

APPROVE

BY: 
Debra Cournoyer

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

Prev. Agn. Ref.:

District: 3/3

Agenda Number:

16-7

FORM APPROVED COUNTY COUNSEL
BY:  11/19/14
DATE
Gregory P. Priamos
Departmental Concurrence

- ☐ A-30
☐ 4/5 Vote
☐ Positions Added
☐ Change Order

1. The Planning Commission recommends that the Board of Supervisors:

- A. **DENY CHANGE OF ZONE NO. 7839** amending the zoning classification, for the subject property from Controlled Development Areas (W-2) to Planned Residential (R-4) in accordance with the attached Exhibit No. 3; and,
- B. **DENY TENTATIVE TRACT MAP NO. 36337.**

2. Alternatively, the Planning Department previously recommended that the Board of Supervisors:

- A. **ADOPT a MITIGATED NEGATIVE DECLARATION FOR ENVIRONMENTAL ASSESSMENT NO. 42410** based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment through mitigation; and,
- B. **APPROVE CHANGE OF ZONE NO. 7839** amending the zoning classification, for the subject property from Controlled Development Areas (W-2) to Planned Residential (R-4) in accordance with the attached Exhibit No. 3; and,
- C. **ADOPT ORDINANCE NO. 348.4796** amending the zoning in the Hemet-San Jacinto District shown on Map No. 17.106 Change of Zone No. 7839 attached hereto and incorporated herein by reference; and,
- D. **APPROVE TENTATIVE TRACT MAP NO. 36337**, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

BACKGROUND:

Procedural Information

The Planning Commission heard the above referenced project on October 29, 2014 and November 17, 2014. At the October 29, 2014 public hearing, the Planning Commission heard public testimony, discussed the project and continued the item to November 17, 2014. On November 17, 2014, the Commission heard public testimony, closed the public hearing and deliberated on the project. The Planning Department recommended that the Planning Commission recommend that the Board of Supervisors adopt the Mitigated Negative Declaration and approve the project.

A motion was made and seconded to adopt the Planning Department's recommendation of approval, including some changes made to the project's conditions of approval. The motion failed with four (4) Commissioners voting not to recommend approval of the project. Therefore, the project (Change of Zone No. 7839 and Tentative Tract Map No. 36337) was not recommended for approval by the Planning Commission.

In accordance with Ordinance No. 348, the project would only come to the Board of Supervisors for a public hearing under the following situations:

- The Planning Commission recommended approval of the project, which did not occur here; or,
- The Planning Commission recommended denial of the project and the applicant filed a timely appeal; or,
- The Planning Commission recommended denial of the project and the Board, by its own action, orders the matter for public hearing.

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Tentative Tract Map No. 36337 and Change of Zone No. 7839**

DATE: November 18, 2014

PAGE: Page 3 of 4

At the conclusion of the public hearing before the Board of Supervisors, the Board shall render its decision within a reasonable time and may approve, modify or disapprove the Planning Commission's recommendation.

The Planning Department anticipated that the Planning Commission would take action on the project at the November 17th meeting, therefore, the Planning Department requested the Clerk of the Board to publish a public hearing notice for November 25, 2014. The hearing notice was published on Saturday November 15, 2014 and mailed to the surrounding property owners on Wednesday November 12, 2014. The hearing notice provided the time, date and place of the hearing. It also included a general description of the area, an explanation of the matter to be considered and that the public could speak on the item.

Project Background

TENTATIVE TRACT MAP NO. 36337 proposes a Schedule A subdivision of 176.62 acres into 332 clustered residential lots with a minimum lot size of 3,500 square feet. Lots 1 through 332 will occupy 33.42 acres of the project area. The designated lettered lots will be used for landscaping, water quality, storm drain, and open space purposes and encompass 126.12 acres of the project area. The project has been conditioned to build offsite improvements, dedicate over 218 acres of open space and has also been conditioned to be all single story and age restricted (55+).

CHANGE OF ZONE NO. 7839 proposes to amend the zoning designation on the project area from Controlled Development Areas (W-2) to Planned Residential (R-4) zoning.

The Planning Commission denied the project citing concerns with primary and secondary access and land use compatibility.

Regarding access, the project is located in a high fire area. The primary access is along California Avenue. There are no other public roads into the canyon. Secondary access is proposed to assure the existing and proposed community can evacuate in the event of an emergency, including a fire. Two potential secondary access routes have been identified by the Riverside County Transportation Department, proposing only emergency ingress and egress access. A condition of approval has been added to the project that will require the applicant to secure either one of these two routes, or provide an alternative agreeable to the Director of Planning, prior to map recordation. One route proposes to go through the Four Seasons community located to the south, for emergency access only. The second route would go over the top of the canyon, creating a new road to be used for emergency access only with gates at both sides controlled by the County. This secondary access route, known as Beech Street extension, would provide an evacuation route that would also serve existing canyon residents.

Regarding land use compatibility, the Commission indicated that the compatibility with the Maze Stone mobile home park to the north, and the Four Seasons to the south was not a concern; however, the more regional compatibility with the existing larger lots in Reinhardt Canyon was an issue. The Commission requested that a condition of approval be added to address aspects of the potential incompatibility with the surrounding horse farms. This condition will notify future homeowners in the map of existing neighboring farms and the possible nuisances typically associated with them.

The project is clustering the units in order to preserve hillsides near the proposed lots. 'Clustering' means they are proposing to capture the density from other areas and use that density on the other sections of the map; in essence a density transfer. This is permitted by the General Plan as long as the area used to transfer density is dedicated to a permanent open space or other form of conservation. Additionally, the project is proposing to use improvements on a number of offsite properties, which requires the use of

specific findings outlining that eminent domain proceedings *may* need to be instituted by the Riverside County Board of Supervisors in order the map to record, if the applicant cannot secure permission.

Impact on Citizens and Businesses

The impacts of this project have been evaluated through the environmental review and public hearing process by Planning staff and the Planning Commission.

ATTACHMENTS (in this order):

- A. **Planning Commission Minutes**
- B. **Planning Commission Memo**
- C. **CEQA responses to comments**
- D. **ORDINANCE NO. 348.4796**
- E. **Planning Commission Staff Report**

ORDINANCE NO. 348.4796

AN ORDINANCE OF THE COUNTY OF RIVERSIDE

AMENDING ORDINANCE NO. 348 RELATING TO ZONING

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. Section 4.1 of Ordinance No. 348, and Hemet-San Jacinto District Zoning Plan Map No. 17, as amended, are further amended by placing in effect in the zone or zones as shown on the map entitled "Change of Official Zoning Plan, Hemet-San Jacinto District, Map No.17.106 Change of Zone Case No. 7839," which map is made a part of this ordinance.

Section 2. This ordinance shall take effect 30 days after its adoption.

BOARD OF SUPERVISORS OF THE COUNTY
OF RIVERSIDE, STATE OF CALIFORNIA

By: _____
Chairman, Board of Supervisors

ATTEST:
KECIA HARPER-IHEM
Clerk of the Board

By: _____

(SEAL)

APPROVED AS TO FORM
November 19, 2014

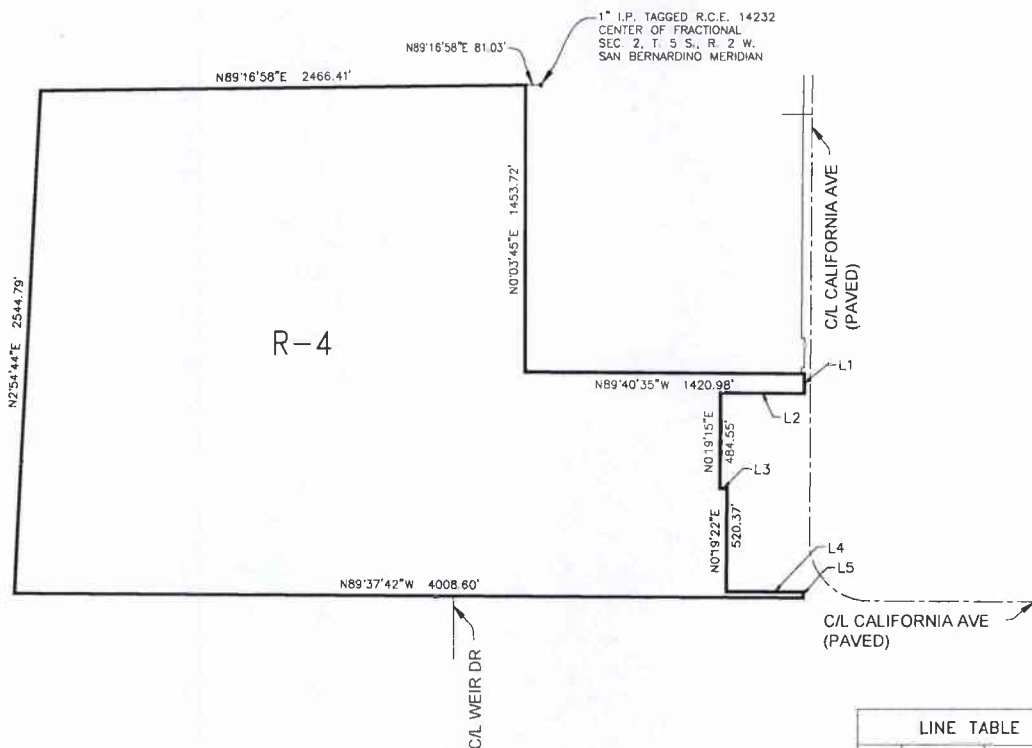
By: _____

MICHELLE CLACK
Deputy County Counsel

MPC:sk
11/10/14

G:\Property\MDusek\CZ ZONING ORD & FORM11\FORMAT.348\4796.doc

SEC. 2, T. 5 S., R. 2 W. S.B.B. & M

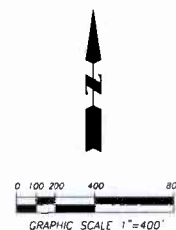


LINE TABLE		
LINE	DISTANCE	BEARING
L1	101.71'	N0°17'25"E
L2	424.03'	N89°40'41"W
L3	35.04'	N89°40'38"W
L4	388.95'	N89°39'48"W
L5	30.00'	N0°19'25"E

LEGEND

R-4

PLANNED RESIDENTIAL



MAP NO. 17.106
CHANGE OF OFFICIAL ZONING PLAN
HEMET- SAN JACINTO
DISTRICT

CHANGE OF ZONE CASE NO. 7839
AMENDING ORDINANCE NO. 348
ADOPTED BY ORDINANCE NO. 348.4796

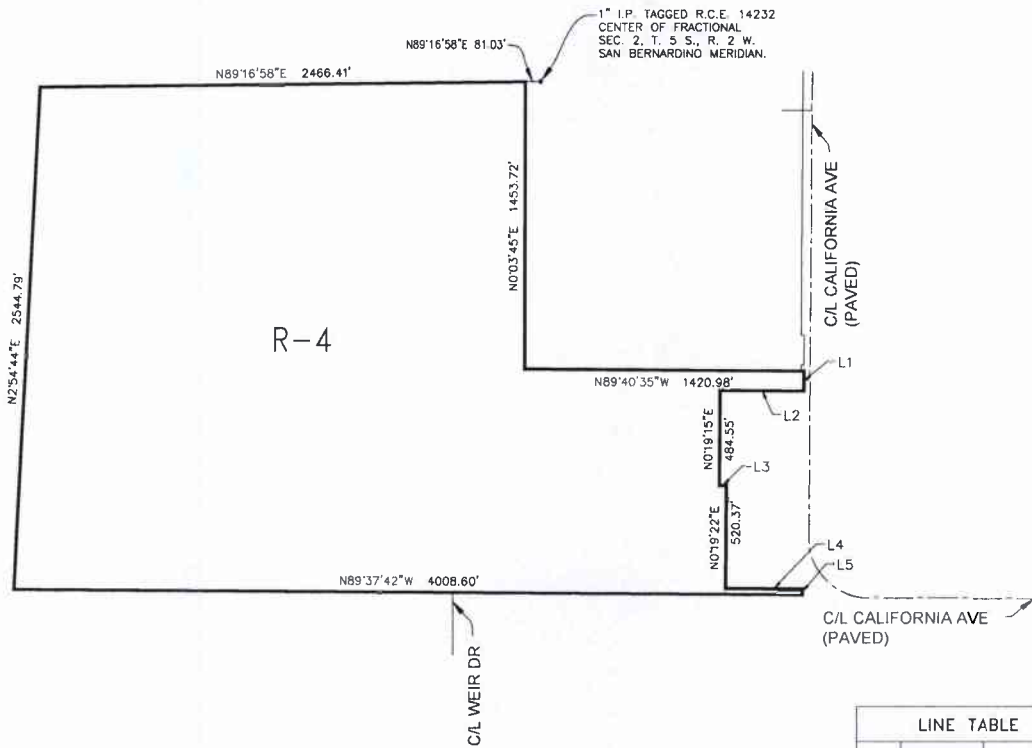
(DATE)

RIVERSIDE COUNTY BOARD OF SUPERVISORS

ASSESSOR'S PARCEL NO.'S.:
455-080-004,
455-080-021,
455-090-027,
455-090-029 &
455-090-031

DATE: 11-10-2014

SEC. 2, T. 5 S., R. 2 W. S.B.B. & M

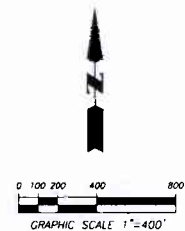


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LEGEND

R-4

PLANNED RESIDENTIAL



MAP NO. 17.106
CHANGE OF OFFICIAL ZONING PLAN
HEMET- SAN JACINTO
DISTRICT

CHANGE OF ZONE CASE NO. 7839
AMENDING ORDINANCE NO. 348
ADOPTED BY ORDINANCE NO. 348.4796
(DATE)

RIVERSIDE COUNTY BOARD OF SUPERVISORS

ASSESSOR'S PARCEL NO'S.:
455-080-004,
455-080-021,
455-090-027,
455-090-029 &
455-090-031

DATE: 11-10-2014



**PLANNING COMMISSION
MINUTE ORDER
NOVEMBER 17, 2014**

I. AGENDA ITEM 3.1

CHANGE OF ZONE NO. 7839 and TENTATIVE TRACT MAP NO. 36337 – Intent to Adopt a Mitigated Negative Declaration – Applicant: Reinhart Canyon Assoc., LLC – Engineer/Representative: United Engineering Group – Third/Third Supervisorial District - Hemet-San Jacinto Zoning District - San Jacinto Valley Area Plan: Community Development: Low Density Residential (CD-LDR) (1/2 Acre Minimum), Rural: Rural Mountainous (R:RM) (10 Acre Minimum), Community Development: High Density Residential (CD:HDR) (8-14 DU/AC) – Location: Northerly of Parry Drive, Southerly of Jeanie Lane and Westerly of California Avenue – 176.62 Gross Acres - Zoning: Controlled Development Areas (W-2). Continued from October 29, 2014. (Legislative)

II. PROJECT DESCRIPTION:

The Change of Zone is proposing to change the property's zoning on the site from Controlled Development Areas (W-2) zoning to Planned Residential (R-4) zoning. The Map proposes a Schedule A subdivision of 176.62 acres into 332 residential lots with a minimum lot size of 3,500 sq. ft. and 29 lettered lots.

III. MEETING SUMMARY:

The following staff presented the subject proposal:

Project Planner: Matt Straite at (951) 955-8631 or email mstraite@rctlma.org (Legislative)

Spoke in favor of the proposed project:

- Mike Naggar, Applicant, 445 D. Street, Perris 92570 (951) 551-7730
- Chris Morgan, Applicant's Representative, (909) 466-9240
- Greg Lansing, Applicant, 12671 Hill Bluff, San Diego, 92130 (858) 523-0719

Spoke in a neutral position to the proposed project:

- Gabariel Ybarra, 1045 Main Street #102, Riverside 92501 (951) 686-6166
 - Andy McElhinney, Neighbor, 24849 California Ave., Hemet 92545 (951) 751-2903 gave time to Mr. Ybarra

Spoke in opposition to the proposed project:

- Deborah Joy Gould, 23746 California Ave., Hemet 92545 (951) 318-7782
 - ✓ Allan Bovee, 24515 California Ave., Hemet (951) 223-3830 gave time to Ms. Gould
 - ✓ Bonnie Moore, 8765 Mann Lane, Hemet 92545 (951) 325-2118 gave time to Ms. Gould

CD The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Mary Stark, TLMA Commission Secretary, at (951) 955-7436 or email at mcstark@rctlma.org.



**PLANNING COMMISSION
MINUTE ORDER
NOVEMBER 17, 2014**

RIVERSIDE COUNTY
PLANNING DEPARTMENT

- Peggy Shuman, 23801 California Ave., Hemet 92545 (951) 926-2143
 - ✓ Linda Skea, 8051 Carnoustie Ave., Hemet 92545 (951) 223-3454 gave time to Ms. Shuman
 - ✓ Jean Gott, 23550 Beech St., Hemet 92545 (951) 926-2169 gave time to Ms. Shuman
- Charles Ball, 164 Leonard Way, Hemet 92545 (951) 926-2145
 - ✓ Karen Hikel, 8405 Singh Ct., Hemet 92545 (951) 223-3543 gave time to Mr. Ball
- Jim Crase, 388 Casper Dr., Hemet 92545 (951) 926-5029
 - ✓ Sue Vaughn, 216 Four Seasons Blvd., Hemet 92545 (951) 599-4043 gave time to Mr. Crase
- Robin Lowe, 8172 O'Meara Ave., Hemet 92545
 - ✓ Joe Hokett, 24515 California Ave., Hemet 92545 (951) 926-8433 gave time to Ms. Lowe
 - ✓ Richard Schantz, 24515 California Ave., Hemet 92545 gave time to Ms. Lowe
 - ✓ Pat Dooley, 8771 Mann Lane, Hemet 92545 (951) 223-3198 gave time to Ms. Lowe
 - ✓ Tom Vaughn, 216 Four Seasons Blvd., Hemet 92454 (951) 599-4043 gave time to Ms. Lowe
- Russ Brown, 8259 Parry Dr., Hemet 92545 (951) 325-8182
 - ✓ Ginny Grugher, 440 Vardon Circle, Hemet 92545 (951) 599-0100 gave time to Mr. Brown
 - ✓ Sharron Marrujo, 446 Vardon Circle, Hemet 92545 (951) 599-0161 gave time to Mr. Brown
 - ✓ Ron Guidotti, 24515 California Ave., Sp. 55, Hemet 92545 (951) 492-1577 gave time to Mr. Brown
- Dee Hydinger, 206 Furyk Way, Hemet 92545 (951) 345-0817
 - ✓ David Dupree, 192 Furyk Way, Hemet 92545 (951) 490-6944 gave time to Ms. Hydinger
 - ✓ Don Cats, 7816 Rawls Dr., Hemet 92545 (951) 240-8578 gave time to Ms. Hydinger
 - ✓ Jennie Loebach, 474 Vardon Circle, Hemet 92545 (951) 926-7270 gave time to Ms. Hydinger
- Bruce Cowie, 7885 Hogan Cir., Hemet 92545 (951) 926-7853
 - ✓ Jerry Jacobs, 35154 Tres Cerritos, Hemet 92545 (951) 712-3298 gave time to Mr. Cowie
- Kathy Smigun, 24515 California #20, Hemet 92545
 - ✓ Gerri Rogers, 24515 California #48, Hemet 92545 gave time to Ms. Smigun
 - ✓ Christine Schantz, 24515 California #10, Hemet 92545 (951) 926-2243 gave time to Ms. Smigun
 - ✓ Robert Keiser, 24515 California #41, Hemet 92545 gave time to Ms. Smigun
 - ✓ Cleta Colston, 590 Olazabal Dr., Hemet 92545 (949) 278-6765 gave time to Ms. Smigun
- Gene Hikel, 8405 Singh Ct., Hemet 92545 (951) 223-3543
 - ✓ Doris Stephan, 8140 Bay Hill Ave., Hemet 92546 gave time to Mr. Hikel

CD The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Mary Stark, TLMA Commission Secretary, at (951) 955-7436 or email at mcstark@rctlma.org.



RIVERSIDE COUNTY
PLANNING DEPARTMENT

PLANNING COMMISSION MINUTE ORDER NOVEMBER 17, 2014

- ✓ Sue Malarkey, 8255 Carnoustie Ave., Hemet 92545 (951) 223-3056 gave time to Mr. Hikel
- ✓ Dave Perrault 649 Weir Dr., Hemet 92545 (951) 956-6772 gave time to Mr. Hikel
- Sharon Deuber, 585 Parevik Dr., Hemet CA 92545 (951) 926-0823
 - ✓ Anthony Colston, 590 Olazabal Dr., Hemet 92545 gave time to Ms. Deuber
 - ✓ Gordon Best, 486 Lyle Dr., Hemet 92545 (951) 471-2747 gave time to Ms. Deuber
 - ✓ Diane Best, 486 Lyle Dr., Hemet 92545 (951) 471-2747 gave time to Ms. Deuber
- H. E. West, P.O. Box 457, Winchester
 - ✓ Sherri West, P.O. Box 457, Winchester gave time to Mr. West
- Brett Grundl, 24951 California Ave., Hemet 92545
- Gay Metzger, 23055 Beech St. Hemet 92545 (951) 306-8874

Opposed but did not want to speak:

- Mary Swinney, Hemet 92545
- Savannah L. Horn, Hemet 92545 (909) 484-8647
- Tyrone R. Horn, 7991 Michelson Way, Hemet 92545 (909) 484-8647
- Cheryle Patterson, 8120 Bay Hill Ave., Hemet 92546
- Carol Webber, 248 Four Seasons, Hemet 92545
- Cash Hovivian, 35051 Tres Cerritos, Hemet 92545 (951) 306-5207

IV. CONTROVERSIAL ISSUES:

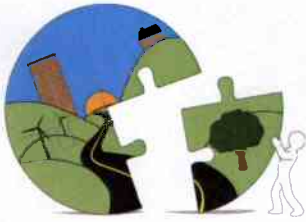
Yes. Neighbors opposed the proposed project.

V. PLANNING COMMISSION ACTION:

Motion by Commissioner Petty, 2nd by Commissioner Sloman, adopting staff's recommendation that the Board of Supervisors adopt the Mitigated Negative Declaration for Environmental Assessment No. 42410, approve Change of Zone No. 7839 and approve Tentative Tract Map No. 36337.

The motion failed with four (4) Commissioners voting not to recommend approval of the project. Therefore, the project (Change of Zone No. 7839 and Tentative Tract Map No. 36337) was not recommended for approval by the Planning Commission.

CD The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Mary Stark, TLMA Commission Secretary, at (951) 955-7436 or email at mcstark@rctlma.org.



RIVERSIDE COUNTY PLANNING DEPARTMENT

Juan C. Perez
Interim Planning Director

MEMO

To: Planning Commission

From: Matt Straite, project planner

Date: November 17, 2014

RE: ADDITIONAL INFORMATION FOR AGENDA ITEM 3.1 FOR THE NOVEMBER 17th PLANNING COMMISSION MEETING

Additional Information

The following additional letter has been received since the staff report was published. Staff has prepared responses below, the CEQA consultant, Matt Fagan, has prepared responses (attached), as have the applicants Engineer, UEG (attached), the applicants traffic consultant, Kunzman Associates (attached) and the applicants representative, Mike Naggar, have also prepared responses (attached)-

- The City of Hemet 11-13-14
 - The letter requests a continuance to address what it calls unmitigated impacts to the City. All impacts to the City were fully mitigated as outlined in the Environmental Assessment. The CEQA consultant who assisted in drafting the study has also provided comments to this letter, see attached. All issues in the letter were previously addressed in the design, the existing conditions of approval, or the CEQA document; therefore a continuance is not required.
 - The letter explains that the City requested meetings and advanced copies of the studies. The applicant has met with the City several times. Regarding the studies, the County does not release CEQA documents, including the studies, in advance of the CEQA document completion. The County standard procedure, in accordance with State law, is to release the CEQA document and all related studies only when the final CEQA document is complete. The CEQA document, in this case an Environmental Assessment (EA) for a Mitigated Negative Declaration, was completed and a notice of availability was sent to surrounding property owners and responsible and trustee agencies (any agency that would have to issue any kind of a permit for the project to be constructed), including the City. At that time the City requested a copy of the EA and did not request to see any of the studies at that time. The 20 day public review period concluded on November 12th.
 - The letter explains that many issues outlined in a 2011 letter were not addressed to the satisfaction of the City in the County's CEQA document. The County's CEQA consultant has provided a separate response to the Hemet letter. The County concurs with the CEQA consultant that the CEQA document addressed all concerned outlined in the 2011 letter.
 - The letter then goes into detail on several points, the first of which is concerning emergency services. The project was reviewed by the Riverside County Fire Department and was determined to have adequate access and emergency response using either of the two gated secondary access points. A request for comment on the project was sent to the Sheriff department when the project was originally submitted. They did not send a response.

Therefore it was assumed that payment of the DIF fee, which will provide additional funding designed to provide funds for additional services, is adequate mitigation.

- Regarding access, the letter indicates a concern for the single point of access during an emergency evacuation. This topic was extensively covered in the staff report and in the CEQA document. Either of the two possible secondary access paths studied in the ECQA document will address this concern. The letter explains that the project should be conditioned to provide a secondary path to California. The project design currently features a second access point to California along an existing access easement contiguous to the drainage channel located north of the Four Seasons project.
- Regarding the required improvements along California and within the City, the traffic consultant has provided a response (see attached). Regarding construction impacts, the CEQA consultant has responded (see attached).
- Regarding hydrology, the letter has echoed a number of concerns outlined in previous letters. The County has required that the applicant obtain permission from the City as part of the Ordinance No. 460 requirements for offsite construction requirements. This has been addressed. The letter also asked who the maintenance entity will be for the proposed basins. Some will be maintained by the HOA, some will be the responsibility of Riverside County Flood Control. Anything from the channel south is assumed to be the responsibility of the City; however, the project was designed to maintain the current levels of flow. The project will not increase the volume of flows and therefore will be unaltered with or without the project.
- The City has also requested that a host of conditions of approval be added to the project. Most have been addressed above, in the staff report, in the current conditions of approval and are not required at this time. They have requested review of the studies which are currently available for review. They have requested that the studies require approval by the City; however, the City was provided notice of the availability of the CEQA document pursuant to State law and provided the CEQA document itself during the review period at which time the City could have requested the studies. The City did not specifically comment on the studies during the public review period for the documents. All other conditions of approval requested by the City will be required as part of the development of the project wither the conditions are added or not. Addition of the conditions would be redundant.

Additional CEQA responses

In an abundance of caution, the County has worked with the CEQA consultant to address all comments submitted during the CEQA review period, even if they were not specifically identified as CEQA comments. See attached.

Condition of Approval Modifications/Additions

A new condition regarding access to the property north of the project site is being proposed. Staff has been working with the property owner of a 10 acre parcel located north of the project site (near the Maze Stone Village) regarding an access easement. The condition below will allow the addition of the access easement to the exhibit prior to the processing of the final documents for the tentative map:

20.PLANNING.XX Amended Per Conditions

Within 10 days of the approval of the Tentative Map by the Board of Supervisors the applicant shall provide an amended version of the map for approval by the Director of Planning which shall incorporate the following changes:

- The map shall add the temporary easement for pedestrian and vehicular access as shown in the Document recorded April 15, 2005 as Instrument No. 0299551.

- The map shall show access to APN 455-080-024 such that an access point near the intersection of Street "J" and Street "O" connects to the existing dirt road just north of the proposed lots as shown on the approved Tentative Tract Map. The map revision may cause the shifting, elimination and/or relocation of one or more the lots.

Staff is also proposing a slight modification to the secondary access condition of approval, 50.Trans.9, the changes are shown in redline strikeout-

50.TRANS.9 Secondary Emergency Access

Prior to map recordation, the project proponent shall provide secondary **gated** emergency access for this Tract Map through one of the following options:

Option 1: Beech Street Extension Said access shall be the northerly extension of Beech Street to Tentative Tract Map No. 30036 ultimately connecting to Qeweewish Avenue (as shown on TR30336) in the City of San Jacinto. Secondary **gated** access shall be controlled by the Fire Department on site and via Emergency Command Center remote capability as approved by the Fire Department and not provide public vehicular access except in the event of an emergency. All components of the secondary **gated** access control systems shall be maintained operational, as approved by the Fire Department, at all times. The secondary **gated** access shall be a minimum of 20 feet (20') in width within a 40' right-of-way (typ.) with an all-weather surface capable of supporting Fire Department apparatus as approved by the Fire Department.

Should the project proponent be unable to secure all required access rights to establish the above secondary **gated** emergency access, the County may initiate any condemnation proceedings to satisfy this condition.

In addition to above, the tentative map shows Street "A" as the project's primary connection to California Avenue with a secondary connection via a 24' wide private street improved with AC pavement. This private street serving as a secondary connection to California Avenue shall not be gated and shall provide dedication for public utility purposes together with the right of ingress and egress for emergency vehicles.

Option 2: Four Seasons Said access shall be the southerly extension of Street "G" transitioning to Singh Ct. through the Four Seasons development and ultimately accessing Florida Avenue/SR-74. Secondary **gated** access shall be controlled by the Fire Department on site and via Emergency Command Center remote capability as approved by the Fire Department and not provide public vehicle access except in the event of an emergency. All components of the secondary **gated** access control systems shall be maintained operational, as approved by the Fire Department, at all times. The secondary **gated** access shall be a minimum of 20 feet (20') in width with an all-weather surface capable of supporting Fire Department apparatus as approved by the Fire Department.

Should the project proponent be unable to secure all required access rights to establish the secondary **gated** emergency access described ~~in this option~~ in Option 2, ~~the project shall not be recorded and the County will not waive this condition, nor initiate any condemnation proceedings to satisfy this condition~~ staff will not recommend the initiation of condemnation proceedings to satisfy this condition and the project proponent will need

to provide the secondary emergency access through either Option 1 or 3 of this condition.

Option 3: Other The project proponent shall identify and secure easements for a secondary **gated** access that is approved by the Transportation and Fire Department.

The project proponent shall disclose this condition of approval to all prospective owners/buyers of this project or as approved by the Director of Transportation. The Director of Transportation, with concurrence of the Fire Chief, may alter or waive any provision of this condition.



City of Hemet

445 EAST FLORIDA AVENUE · HEMET, CALIFORNIA 92543

(951) 765-2375

November 13, 2014

RIVERSIDE COUNTY PLANNING DEPARTMENT
PO BOX 1409
RIVERSIDE, CA 92502-1409

ATTENTION: Matt Straite
Project Planner

**RE: Proposed Tentative Tract Map No. 36337, Change of Zone No. 07839 and
EA 42410 – Reinhart Canyon Associates, LLC (Meadowview Project)**

Dear Mr. Straite,

The City of Hemet is in receipt of the public hearing notice for the above noted project, and respectfully submits this comment letter for consideration by the Planning Commission at the public hearing scheduled for November 17, 2014, and subsequently by the Board of Supervisors at their future hearing concerning the proposed project.

Due to level of changes in the proposed project since 2011 and the potential and unmitigated significant impacts to the City of Hemet, **the City requests that the proposed public hearing be continued** to provide the city an opportunity to review the technical studies, and meet with County staff and the applicant to discuss these impacts and potential mitigation strategies, prior to project approval.

As you know, the project site is located immediately adjacent to the northern boundary of the City of Hemet and is within our sphere of influence. Access to the project site is constrained by its location in Reinhardt Canyon, and therefore currently dependent upon accessibility through the City of Hemet. As such, the potential effects of the project will directly impact the City of Hemet in terms of circulation, drainage, and public safety, as well as the potential secondary effects of concentrating population and housing within a constrained, high fire hazard area.

Several concerns regarding the project were raised previously by the City in a letter to the County dated April 25, 2011, and continue to be applicable to the proposed project (see letter for your reference as Attachment 1). The City had requested in that letter that the County staff and applicant meet with representatives of the City to discuss the issues and potential solutions or mitigation measures to address the City's concerns. To our knowledge, no such

meeting or contact with the City occurred, other than the applicant's engineer submitting a Preliminary Drainage Report in 2012, to which the City responded in a letter dated September 2012 (Attachment 2). Since that time, the project concept and tentative map layout have changed considerably to a new design that is a clustered, small lot, senior age- restricted design, and an associated Change of Zone to Planned Residential R-4. The City has not been provided with a copy of the updated Hydrology Study or the Traffic Study for the project for our review, as was requested in our prior letter, and requests that these studies be made available for our review and comment prior to project approval. Based on our review of the Draft Mitigated Negative Declaration for the project, many of the issues the City expressed previously have still not been addressed, nor has the project been conditioned to alleviate these concerns. In addition, the city has not had the opportunity to obtain and review the supporting technical studies for the project, nor were the studies available to access on the County's website.

In addition to the City's primary request that the public hearing be continued, we offer the following comments regarding the proposed project and Draft Mitigated Negative Declaration (MND) for your consideration, in addition to the City's previous comments:

1. Emergency Services

- a) Of primary concern to the City of Hemet is the impact the project will have on the provision of emergency services. The nearest County fire facilities are in the community of Homeland (Station #54) approximately 6 miles from the project site, and Station #34 in Winchester, over 10 miles from the project. Although the MND states that secondary emergency access could be provided by an access road north to San Jacinto, the City of San Jacinto has recently indicated that they may have to close one of their existing Fire Stations due to budget constraints. Conversely, the City of Hemet's Fire Station #3 is approximately 3 ½ miles from the site and conceivably will be asked to provide a majority of first responder services under mutual aid requests. How will the project affect the County's, or the City's, ability to provide services to the project and what impact will that have on the overall provision of emergency services to other parts of the City?
- b) The City recognizes that the project has been conditioned to provide a fuel modification plan and residential sprinklers, however, the MND provides no discussion regarding fire and sheriff response to the project and response times anticipated. Although the project is clearly introducing considerable residential density into a high fire hazard area, the MND surprisingly concludes there is no impact and no mitigation required to provide public safety for the project.

2. Access and Traffic

- a) The project is proposing 332 homes with only one point of public access to California Avenue and the site is within a high risk fire area. The City is concerned that ingress/egress is inadequate for this level of density and could hinder the provision of emergency services to the site, while conversely preventing residents from quickly evacuating the area in the event of an emergency. In addition to providing an

emergency access point to outlet on a street other than California Avenue, the project should be conditioned to provide an additional access point to California Ave. for normal daily circulation, and to enhance access during an emergency, especially if the Beech Street emergency access route is provided.

- b) A Traffic Study has not been submitted to the City of Hemet. This development, 332 senior units, will generate approximately 1200 trips/day, affecting traffic conditions on Hemet roads and signals. All of the impacted intersections noted in the MND are within the City of Hemet, or shared with Hemet/County, however, there is no mitigation to contribute a fair share fee towards these impacted intersections for improvements. DIF paid into the County-wide system is not sufficient mitigation for these signals in the City that are directly impacted.
- c) The proposed project does not plan for any improvements on California Avenue. The existing road, north of Devonshire Ave., is only a two-lane street with two curves at Tres Cerritos Rd. that also have sub-standard turning radii (approximately 200-ft). Being the main access to the proposed development, California Ave should be required to be brought to a collector status to connect with a similar facility in the City of Hemet, with a turning radius of 600-ft as required by County of Riverside Standard No. 114.
- d) The MND does not address the impact to the City of Hemet's surface streets during grading and construction of the project. Since all construction traffic will be required to access the site through the city, any damage to City maintained roads should be addressed.

3. Hydrology

- a) A Hydrology Study has not been submitted to the City of Hemet. The storm drain system shown on the tentative map indicates that a connection to City of Hemet drainage facilities is necessary. The existing downstream facilities (channel, detention basin and outlet) have heavy restrictions imposed to Four Seasons development that cannot be exceeded. Until a Final Hydrology/Hydraulics Analysis is submitted for review and approval, and a clearance has been issued from the U.S Army Corps of Engineers, the City of Hemet will not issue an Encroachment Permit to allow any proposed storm drain connection to existing city facilities.
- b) What is the maintenance entity for the proposed drainage basins and water quality basins being proposed for the project?

Requested Conditions

The City of Hemet requests that the following Conditions of Approval be added to TTM 36337:

1. The Traffic Study for TTM No. 36337 shall be submitted and approved by the City of Hemet.
2. The Hydrology and Hydraulics Analysis for TTM No. 36337 shall be submitted and approved by the City of Hemet.
3. The Hydrology and Hydraulics Analysis for TTM No. 36337 shall be submitted and approved by the U.S Army Corps of Engineers, to demonstrate that the conditions set for the Four Seasons development will not be exceeded.
4. Runoff from nuisance water shall be retained and treated on-site, and shall not be discharged downstream to existing facilities owned by the City of Hemet.
5. California Avenue shall be improved to Collector Street standards, for consistency with the existing improvements within the City of Hemet.
6. A Cooperative Agreement with the City of Hemet shall be established to mitigate the construction and operation costs for traffic signals at street intersections shared with the County of Riverside.
7. A Cooperative Agreement with the City of Hemet shall be established to actively participates in securing the necessary downstream drainage easements, from the existing detention basin, including negotiations and funding.

Thank you again for the opportunity to provide comments regarding the proposed project. City staff would be pleased to discuss these issues further with you and the applicant, and any potential solutions or mitigation, at your convenience.

Sincerely,



Wally Hill
City Manager
City of Hemet

Attachments:

1. Letter to Riverside County dated April 25, 2011
2. Letter to applicant's Engineer dated September 5, 2012

cc:

Jorge Biagioni, Director of Engineering
Peter Bryan, Interim Fire Chief
Deanna Elliano, Community Development Director
City of Hemet Mayor & Council



City of Hemet

PLANNING

445 EAST FLORIDA AVENUE · HEMET, CALIFORNIA 92543

(951) 765-2375

April 25, 2011

RIVERSIDE COUNTY PLANNING DEPARTMENT
PO BOX 1409
RIVERSIDE, CA 92502-1409

ATTENTION: Matt Straite
Project Planner

RE: **Proposed Tentative Tract Map No. 36337 and
EA 42410 – Reinhart Canyon Association, LLC**

Dear Mr. Straite,

Thank you for the opportunity to comment on the proposed TTM No. 36337 prior to it being scheduled for public hearing. As you know, the project site is located immediately adjacent to the City of Hemet and is within our sphere of influence. In addition, because the site and general area is within a "box" canyon, the potential effects of the project will directly impact the City of Hemet in terms of circulation, drainage, and public safety, as well as the secondary effects of concentrating population and housing within a constrained area. The following comments are offered for your consideration, based on our preliminary review of the tentative tract map.

1. **Community Compatibility and General Plan Consistency**

The City of Hemet is in the process of preparing a comprehensive update to our General Plan (anticipated to be released in June, 2011), and has worked extensively with homeowners and property owners in the Reinhardt Canyon area. Without a doubt, the consensus of residents in the area is to keep the area rural. The City of Hemet concurs with the residents and has shown the area as Rural Residential (5-acre minimum lot size) on our draft Land Use Plan. The surrounding hillside areas are designated as Hillside Residential, with a minimum lot size of 10-acres. It is our understanding that these designations are also consistent with the land use recommendations supported by the County of Riverside in its five year update to the county's General Plan.

Following extensive review by our General Plan Advisory Committee and concurrence by the City Council, the City of Hemet made a determination to respect the existing land use pattern, lifestyle, and unique character of the equestrian-oriented neighbourhood in Reinhardt Canyon.

The City believes the rural density already established in the area is appropriate given the environmental, public safety, and access constraints apparent within the canyon. The City of Hemet supports the retention of rural estates in this area, as it adds to the overall diversity of housing types within the City and our Sphere of Influence. Therefore, the proposed tentative tract map, as proposed, is inconsistent with our draft General Plan land use categories for the area, and appears to also be inconsistent with the County's recent general plan amendment effort.

2. Emergency Services

Of primary concern to the City of Hemet is the impact the project will have on the provision of emergency services. The nearest County fire facilities are in the community of Homeland (Station #54) approximately 6 miles from the project site, and Station #34 in Winchester, over 10 miles from the project. Conversely, the City of Hemet's Fire Station #3 is approximately 3 ½ miles from the site and conceivably will be expected to provide a majority of first responder services under mutual aid agreements. How will the project affect the County's, or the City's, ability to provide services to the project and what impact will that have on the overall provision of emergency services to other parts of the City?

This project, as proposed, has the potential to significantly encumber the Hemet Fire Department's current delivery system of fire protection and emergency medical services. A response time of 5 minutes or less for 80 percent of the fire and emergency medical calls on both a citywide and response area basis has been established by the adoption of Measure EE by the Hemet voters on November 3, 1992. This Project has been determined to be beyond the established response time criteria. The City of Hemet requests that a plan for mitigation of the impact on additional emergency services required by the proposed project needs to be determined and approved prior to the County's action on the project.

The project is located within an area of High Fire Hazard due to the steep hillsides and native vegetation. In addition, the box canyon configuration of Reinhart Canyon further exacerbates the fire and safety danger for future residents. The City of Hemet respectfully requests that a Fire Protection Plan (FPP) be prepared for the project, and include mitigation measures consistent with the unique problems resulting from the location, topography, geology, flammable vegetation, and climate of the proposed site. The FPP should address water supply, access, building ignition and fire resistance, fire protection systems and equipment, defensible space and vegetation management, in accordance with adopted codes and recognized standards.

3. Access and Traffic

The project is proposing 340 homes with only one point of public access (California Avenue) and the site is within a high risk fire area. The City is concerned that ingress/egress is inadequate for this level of density and could hinder the provision of emergency services to the site, while conversely preventing residents from quickly evacuating the area in the event of an emergency.

It appears that the project is proposing a secondary emergency access through the Four Seasons project to the south, within the City of Hemet. However, when the Four Seasons project was approved, it was anticipated that adjacent development would remain at rural levels. The project proponent needs to address the potential impacts of the project on Four Seasons, and whether or not the emergency access easement is sufficient for the number of homes proposed. The inability to be able to provide two points of public access into and out of the canyon is one of the reasons that the City has retained the rural density for this area in our general plan.

Although the City has not seen the traffic study or environmental analysis for the project, it is estimated that the proposed project will add over 3,400 trips per day to the road system (based on ITE trip rates of 10+ trips per day), which may impact existing intersections within the City of Hemet. Please coordinate with the City on these potential traffic impacts and mitigation measures.

The proposed map shows that full width construction of California Road will not occur in conjunction with the project. While ½ street section improvements are typical when adjoining development is expected to occur in the future, in this case adjoining properties on the east side of California Avenue are built already, and there is no opportunity to require improvements to complete the roadway to the level shown on the map. The City recommends that the project be required to construct full width improvements for California Avenue. It should also be noted in the environmental assessment that there is no possibility of a future extension of California Avenue to the north to provide a second point of connection. In addition to the significant hillsides that would need to be blasted and graded for this to occur, there is also protected habitat on both sides of the canyon that would be impacted, making any future extension highly unlikely.

4. Hydrology

The submitted map shows Reinhardt Canyon drainage flows being collected into two basins and then conveyed through what appears to be two storm water pipes under California Ave. to the Four Seasons channel. Please provide detailed hydrology studies to the City of Hemet which provides information on flow rates, velocity, peak rates, etc. and how the flows will affect the Four Seasons Channel.

Some of the City's concerns are:

- a. Whether or not the Four Seasons channel has adequate capacity to handle increased flows from the project.
- b. Whether or not changes to hydrology will affect the Four Seasons channel in terms of scour and siltation
- c. Identification of off-site easements required to convey flows to the Four Seasons channel.
- d. The impact of the flows on downstream properties, including the hydrology of the vernal pool complex located south of Florida Avenue.

5. Cultural Resources

The project site has numerous archaeological areas (RIV-1060, RIV2907, etc) and is just south of the Hemet Maze Stone site and Medicine Cave Site (RIV-2906). It is unclear how the project affects these sites and what mitigation is proposed. The City of Hemet would request that a cultural resources survey be performed for the project and or (if one is prepared) that a copy of the report be provided to the City, with the understanding that the information is to be held in confidentiality.

6. Biological Resources

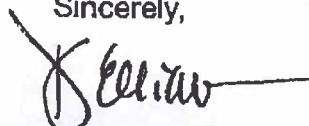
Previous studies have identified the presence of several habitats on site (Southern Cottonwood-Willow Riparian Forest, Riversidean Sage Scrub, etc.) as well as the presence of sensitive species such as the Smooth Tarplant. Those studies are outdated as they were prepared several years ago. The City recommends that updated studies be prepared for the project, including the need to address the project's impact to the riparian drainages and the adjacent MSHCP criteria cell habitat.

7. CEQA Documentation

Given the potential for significant environmental effects associated with the proposed project, the City of Hemet requests that the County of Riverside require the preparation of an Environmental Impact Report to analyze the project's impacts on the site and surrounding area, as well to the existing services and infrastructure within the City of Hemet, as applicable.

Thank you again for the opportunity to provide comments regarding the proposed project. City staff would like to meet with you and the appropriate county staff to discuss these issues further, and any potential solutions or mitigation, at your convenience. The City of Hemet respectfully requests to be notified of any public hearings regarding the proposed project, and to receive a copy of the identified environmental studies or project EIR, as noted in this letter.

Sincerely,



Deanna Elliano
Community Development Director
City of Hemet

cc: Brian Nakamura, Hemet City Manager
Jorge Biagioni, Principal Engineer
William Whelan, Interim Fire Chief



City of Hemet

ENGINEERING DEPARTMENT

510 E. Florida Avenue • Hemet, CA 92543 • (951) 765-2360

September 5, 2012

Mr. Christopher Morgan
United Engineering Group
3595 Inland Empire Blvd. – Suite 2200
Ontario, CA 91764

**Subject: Meadowview Project, County of Riverside
Preliminary Drainage Report Review**

Dear Mr. Morgan:

This is in response to your submittal for review of the Preliminary Drainage Report, dated July 24, 2012, for the subject project.

The Preliminary Drainage Report has been developed by using approved procedures by the County of Riverside and its results seem to be in accordance to them, although a more detailed analysis shall be made when the final design is reached.

Because Reinhardt Canyon and now the proposed project will direct the runoff into the existing detention basin located on the east side of California Road, between Florida Avenue and Devonshire Avenue, we recommend that you consult with the US Army Corps of Engineers to determine if the type of onsite water quality facilities that you are proposing will be acceptable to discharge stormwater into that basin.

I shall also note that, at this present time, the City does not own the proper drainage easements through private properties, East of the basin, to outlet the required flows to feed the vernal pool complex located on the South side of Florida Avenue.

The intent of this letter is to respond to the adequacy of the proposed storm drain system and does not constitute an agreement or support for the project.

If you have any questions, please do not hesitate to contact me at (951) 765-2362, or at biagioni@cityofhemet.org.

Sincerely,

Jorge Biagioni, P.E.
Director of Engineering/City Engineer

cc: Mark Orme, Interim City Manager
Eric Vail, City Attorney

TR 36337 Comment Letters and Responses

1. Letter from R.W. Aubert, October 15, 2014

CEQA Comment #1: High Fire Area.

Response: The comment pertaining to Hazards (fire) has been addressed in Section 24 of the IS.

CEQA Comment #2: Water.

Response: The comment pertaining to Utilities and Service Systems (water) has been addressed in Section 46 of the IS.

CEQA Comment #3: Zoning and Land Use Intensity.

Response: The comment pertaining to Land Use and Planning (project density) has been addressed in Sections 28 and 29 of the IS.

CEQA Comment #4: Evacuation from Fire.

Response: The comment pertaining to Hazards (fire) has been addressed in Section 24 of the IS.

CEQA Comment #5: Land Use and associated crime.

Response: The comment pertaining to Land Use and Planning (project density) has been addressed in Sections 28 and 29 of the IS. The comment pertaining to Public Services (police) has been addressed in Section 37 of the IS.

2. Letter from The Loftin Firm, P.C., October 28, 2014

CEQA Comment #1: Flood Control and Eminent Domain.

Response: The comment pertaining to Hydrology and Water Quality (Flooding) has been addressed in Sections 25 and 26 of the IS. According to the Project plans, access to neighboring property will not be obstructed as a result of the Project. Therefore, this was not included as part of the CEQA analysis. The CEQA document analyzes the physical changes to the environment. The use of Section 3.2.J of Ordinance No. 460 is a procedural requirement and did not require any analysis in the IS.

CEQA Comment #2: Compatibility with Surrounding Communities: Sewer.

Response: The comment pertaining to Utilities and Service Systems (sewer) has been addressed in Section 47 of the IS. According to Section 17.c. (Slopes) of the IS, no portions of the proposed Project components will result in grading that affects or negates subsurface sewage disposal systems.