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PLANNING  *COMMISSION*

MEETING MINUTES

DATE: August 16, 2011

CALLED TO ORDER: 6:00 P.M.

MEETING LOCATION: City Council Chambers
450 East Latham Avenue
Hemet, CA 92543

1. CALL TO ORDER:

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

ABSENT: None

Invocation and Flag Salute: Vice Chairman Deuber

2. APPROVAL OF MINUTES:

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

It was **MOVED** by Commissioner Overmyer and **SECONDED** by Commissioner Thompson to approve the July 19, 2011 minutes, with the following changes:

1. Change page 3, line 42 to Commissioner David Rogers abstaining from the vote rather than approving.

The MOTION was carried by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

3. APPOINTMENT OF COMMISSIONER OVERMYER AS PLANNING COMMISSION LIAISON TO THE TRAFFIC & PARKING COMMISSION

Chairman Gifford asked Commissioner Overmyer if he was willing to accept the responsibility of Liaison to the Traffic & Parking Commission, and Commissioner Overmyer responded affirmatively.

It was **MOVED** by Commissioner Thompson and **SECONDED** by Commissioner

1 Rogers to appoint Commissioner Overmyer as Planning Commission Liaison to the
2 Traffic & Parking Commission.

3
4 The MOTION was carried by the following vote:

5
6 AYES: Chairman Gifford, Vice Chairman Deuber, and Commissioners Overmyer,
7 Rogers and Thompson

8 NOES: None

9 ABSTAIN: None

10 ABSENT: None

11
12 4. **PUBLIC COMMENTS:** None

13
14 **PUBLIC HEARINGS**

15
16
17 5. **SPECIFIC PLAN AMENDMENT NO. 06-001 & ENVIRONMENTAL ASSESSMENT**
18 **NO. 06-019 (Tres Cerritos East) – (Continued from 7/19/11)**

19
20 **OWNERS:** Signal Family Hemet, LLC; Omni Financial, LLC; and
21 MJ&M, LLC

22 **APPLICANT:** David Leonard

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

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

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

33
34 The staff report was presented by City Planner Ron Running, who gave a Power Point
35 presentation to the Commission.

36
37 Chairman Gifford explained to the audience that this item had been before the
38 Commission three times as presented now, but had also been considered a couple of
39 other times previously. The main concerns had to do with density, the number of units
40 in the plan, drainage, traffic, and the configuration of Menlo Avenue. He noted from the
41 report that the density had not changed significantly, but the units had been decreased
42 from six-packs to duplexes and a couple four-packs.

43
44 Planner Running confirmed that analysis.

45
46 Vice Chairman Deuber had questions about density but deferred them to the
47 applicant's presentation. She did, however, impose questions regarding the 16.9 acre
48 interim detention basin and how townhomes could be built there after the permanent
49 80-acre basin described in the master plan was constructed.
50

1 Planner Running explained that the interim basin would be replaced offsite to the west
2 by an 80-acre detention basin that was part of the regional master plan, and once that's
3 achieved, the upstream capacity would be relieved.

4
5 Chairman Gifford explained that the drainage issues being discussed were regional,
6 and that each of the specific plans, when they come up, were part of that total solution.
7 He noted that these were temporary measures until the total solution could be put into
8 place.

9
10 Planner Running added that the city had been collecting development impact fees from
11 every project to implement the regional solution.

12
13 Commissioner Overmyer asked about the time table for the ultimate large basin, to
14 which Planner Running responded that it would probably happen before the
15 development was completed. Development fees, however, would only be used for the
16 regional basin, not the interim basins, which would be financed by the developers.
17 There will always be some size of a basin in the interim basin site, because all projects
18 have to retain for some period and clarify the water that's going through their project
19 before it goes offsite.

20
21 Chairman Gifford opened the public hearing and invited the applicant to the lectern.

22
23 Tom Shollin (no address given), addressed the Commission as a co-applicant for the
24 project, stating that he wished to address drainage, circulation, traffic, parks, density,
25 design, benefits to the city, and Pepper Tree concerns in his presentation.

26
27 Mr. Shollin explained the capacity of the channel, the backup on Cawston Avenue, and
28 the need to move the water to a place where it can be pumped. The channel is 50 feet
29 wide, 10 feet deep, riprap-sided, and designed to handle the water coming from the
30 Seattle Channel to the temporary basin, with its 112-acres of capacity and 100-year
31 storm design, until the new retention areas are established. The channel and basin will
32 be fenced for safety purposes. He outlined the changes to the traffic circulation, stating
33 that the extension of Menlo Avenue would help divert traffic off of Cawston Avenue.
34 Also, when the project is complete, there will be about 24 acres of combined public and
35 private park areas within the project. He explained the setbacks on Cawston and
36 Devonshire Avenues as being 169 feet before the first house appears. He also
37 outlined the recreation center, pool, and parking area amenities, as well as the
38 maintenance responsibility.

39
40 David Leonard of David Leonard Associates (1770 Iowa Avenue, Suite 100, Riverside,
41 CA) addressed the design guidelines, stating that the three-story building provisions in
42 the courtyard product had been removed. He stressed that the plan they were looking
43 at was a plan for the future, not a physical development project. There will be a
44 number of subdivision maps that will be presented later with substantially more detail.
45 He noted that in planning areas 8, 9, 11, 12, 13, and 14, the density had been changed
46 from up to 18 units per acre down to 6 to 8 units per acre. In planning areas 6 through
47 11, the dwelling units were modified from the townhomes, the quad homes, and the
48 courtyard homes into the 5,000 square-foot lot categories. These would be primarily
49 between the new Menlo Avenue alignment and west of Cawston Avenue.
50

1 Mr. Leonard continued to illustrate different types of housing designs to be allocated to
2 areas within the plan. He offered comparisons of density with the Heartland plan, and
3 enumeration of benefits to the city, which include \$21.6 million in infrastructure
4 enhancements and \$318,000 per year in annual sales tax. He stressed that each of
5 the planning areas would be included in at least one homeowners association, and
6 most of the time, in two – a master association that maintains the linear parks and
7 street improvements, and individual neighborhood associations that care for the
8 maintenance and improvements in the different planning areas.

9
10 Martin Boone of Omni Financial, addressed the Commission as one of the project
11 applicants, and showed them a six-unit product that they had utilized in the Central
12 Valley. He stated that "density" was not a bad word because it meets a growing need
13 without the disadvantage of "urban sprawl."

14
15 Mr. Shollin concluded the applicant comments by stating that they were trying to
16 represent quality and a standard they wish to build in and maintain for the projects.

17
18 Chairman Gifford called for a recess of ten minutes.

19
20 (Brief recess was taken.)

21
22 The public was invited by Chairman Gifford to express their opinions.

23
24 Michael Hirschbein (602 Zaharias, Four Seasons, Hemet, CA) expressed concerns
25 about the traffic issue, the schools, the retention walls along the sidewalks, and
26 drainage. He also stated that less than 1,600 homes had been built in the Heartland
27 project, not the proposed 1,775.

28
29 William Tate (10970 Turnleaf Lane, Tustin, CA), an attorney representing Douglas P.
30 Wilson as receiver for PCG Pepper Tree LP, or the Pepper Tree project, stated that
31 they had concerns with respect to the interface between the projects and the
32 realignment of Menlo Avenue. However, after meeting with Tom Shollin and the
33 planning staff of the city, who added conditions to the approval, Pepper Tree was now
34 in support of the project in that their concerns had been addressed, with the exception
35 of one of the intersections at Menlo Avenue. However, the city traffic engineer will take
36 a look at that and a solution to address those concerns was proposed to be
37 promulgated. That being the case, Pepper Tree would be in support of the currently
38 proposed specific plan amendment.

39
40 Community Development Director (CDD) Deanna Elliano addressed the change to
41 Condition No. 36, relative to Mr. Tate's comments, proposing the following language:

42
43 ***"Applicant shall modify the Specific Plan text Chapter IV.A. (Circulation) to***
44 ***address the driveway and access configuration for the northerly driveway***
45 ***on Menlo Avenue to ensure safe and sufficient access for the Pepper Tree***
46 ***project subject to approval of the city engineer and in cooperation with the***
47 ***Pepper Tree development representatives."***
48

49
50 Shirley Fialko (557 Pooley Drive, Hemet), Betty Crase (531 Casper Drive, Hemet) and
Don Sims (531 Casper Drive, Hemet) elected to give their time to Gene Hikel.

1 Gene Hikel (8405 Singh Court, Hemet, CA), chair of the Four Seasons Community
2 Awareness Committee, stated that the advantages mentioned regarding the project,
3 such as impact fees and other kinds of fees, would be necessary for any development
4 that went in. Their concerns include air quality impact, Menlo Avenue drainage, and
5 the grading done under the existing plan. He made reference to the General Plan,
6 stating that this development does not meet the standard established for this area, one
7 of a premier community. He was also apprehensive about the private conversations
8 the applicants had with Commissioners. He asked that the Commission deny this
9 project because there was very little benefit for the City.

10
11 Chairman Gifford and Vice Chairman Deuber both responded that Commissioners
12 follow very strict rules when speaking with applicants outside of Commission meetings,
13 as outlined by City Attorney Jex.

14
15 Chairman Gifford noted that Seth Meeker (4092 Via Barcelona, Hemet, CA), Joshua
16 Meeker (4092 Via Barcelona, Hemet, CA), and Ryan Meeker (4092 Via Barcelona,
17 Hemet, CA) were assigning their time to Diane Norberg.

18
19 Diane Norberg (4092 Via Barcelona, Hemet, CA) reminded the Commission of photos
20 and concerns she had sent via e-mail and of the many opinions of the people at the
21 June meeting. She said that her concerns have led to a part-time job with the research
22 necessary to understand the proposals of the applicant. She also said that many of the
23 surrounding neighbors either believe the project has already passed or that the land
24 cannot be used because of endangered species – both misconceptions. Her concerns
25 include the fact that typically most townhomes, quad homes, duplexes, etc., are not
26 owner-occupied, but rentals. The new proposal only cuts the previous unit count by
27 four, with no larger park and no school. She felt that Pepper Tree's support of the
28 project was because it would provide free help with their drainage problem. She
29 suggested that the City sees this as a way to use the developer to pay to fix the
30 flooding of the Seattle Channel, expand Cawston Avenue, and put in a traffic light at
31 Menlo Avenue, noting that all of these things need to happen, but not at the cost of
32 putting in 750 additional homes in the area. She urged denial of the specific plan
33 amendment.
34

35
36 Ryan Meeker (4092 Via Barcelona, Hemet, CA) added his voice in opposition, noting
37 ruination of the ecosystem, loss of runoff basin, crowding of vehicles, shortage of
38 water, and nonconformance with the General Plan guidelines proposed for the area.

39
40 Sharon Sims (531 Casper, Four Seasons, Hemet) decried the traffic congestion, the
41 probability of fire in the box canyon, the lack of actual resources to the city broken
42 down in 10 to 15 years, and the devalued worth of the homes.

43
44 John Damm (322 Montero, Hemet) mentioned the need for another school, the fact
45 that developers don't usually stand behind their products, the pest control issues at
46 retention basins, the reduction in city workers for fire, maintenance, roads and police,
47 and the fact that these smaller homes bring in more low income families which
48 increases the potential for crime.
49
50

1 Chairman Gifford reminded the audience that this issue will come before the City
2 Council regardless of the Commission's recommendation, so they will have another
3 chance to voice their concerns.
4

5 Jim Crase (388 Casper Drive, Hemet, CA) stated that the Commission's decision
6 impacts the future of the city and sets a precedent of what kind of a city Hemet will be.
7 He urged the Commission not to allow a developer dictate what was best for the city of
8 Hemet. He compared the projected development unfavorably with the Four Seasons.
9

10 John Torres (7775 Couples Way, Hemet, CA) wished to go on record as opposing the
11 project.
12

13 Rik Dennis (645 Parnevik, Hemet, CA – in Four Seasons) advised that there are no
14 organized play areas in which older kids can play. He also reiterated the concerns
15 mentioned by others regarding elimination of the wetlands, stressing that wetlands do a
16 better job of taking care of pollution than do drainage ditches. He felt that this
17 development would be a downgrade for the area and that Pepper Tree, therefore,
18 would have a harder time selling additional units.
19

20 Gary Page (8647 Mann Lane, Hemet, CA) felt that any new proposed plan should be
21 better than the already-approved plan, and that this one was not better.
22

23 John Fialko (no address given) stated that the Tres Cerritos East specific plan was
24 developed by a highly competent individual, and changes to it should only be
25 considered when the major objectives of the plan were not violated. A major objective
26 of the original plan was community growth in a healthy environment. He felt this
27 project directly opposes that objective because of park size, density and environmental
28 hazards.
29

30 Renetta Griffin (242 Appaloosa Drive, Hemet, CA) stood in opposition to the project.
31

32 Don Digby (25085 California Ave., Hemet, CA) owns 44 acres across from the Four
33 Seasons community and is a long-time resident of Hemet. He commented about the
34 changes in Hemet over the tenure of his residency, including Florida Avenue
35 transients, the high rate of foreclosures, and traffic. He urged the developers to put in
36 a project like Four Seasons, which he feels is a gem in the valley.
37

38 Margo Dennis (645 Parnevik, Hemet, CA) is opposed to the project because of the
39 small parks, difficulty in supervision of them, density of the project, lack of schools,
40 traffic, and proliferation of unsold homes in the area.
41

42 Harold Townsend (366 Chi Chi Circle, Hemet, CA) urged the members of the
43 Commission to show vision in their decision about this project.
44

45 Linnea Rowden (560 Tewell Drive, Hemet, CA) went on record to oppose the project.
46

47 Cora Egly (276 Baugh Lane, Hemet, CA) went on record to oppose the project.
48

49 Paul Egly (276 Baugh Lane, Hemet, CA) noted the cutbacks in the police and fire
50 departments, even though the population is increasing, the traffic congestion, the

1 infrastructure problems, and many conditions in town that need improving. He would
2 like to see those conditions addressed before adding more problems to the area.

3
4 Harold Rowden (560 Tewehh Drive, Hemet, CA), a retired LAPD detective, noted that
5 high density is one of the biggest problems for a police department. Some of these
6 projects end up as HUD areas, where the state or federal government comes in and
7 gives a subsidy to an undeserving, non-working person to help them find housing,
8 often bringing in three families where only one family should be living, and increasing
9 the crime rate.

10
11 Ken Wolfe (8174 Maruyama, Hemet, CA), opposed the project.

12
13 Joan Wolfe (8174 Maruyama, Hemet, CA) added her voice in opposition, based on the
14 same points already voiced.

15
16 Brian Rubin (1694 Via Simpatico, Hemet, CA) from the Solara Del Webb community
17 stated that this project does not conform to the general plan. If this were comprised of
18 detached, single-family homes, he would not oppose it, as it would conform to the
19 general plan. He also felt that the plethora of small parks should be consolidated into
20 one. Also, there should be more parking spaces provided for the community center
21 area, rather than the proposed 15 spaces.

22
23 Cash Hovivian (35051 Tres Cerritos Avenue, Hemet, CA) asked the Planning
24 Commission to not recommend approval of this project to the City Council. He is the
25 owner of 18 different four-plexes, duplexes, and triplexes. He feels this project has
26 "rental property" written all over it. It's the kind of place he would go in and invest in to
27 buy as an absentee owner, and when you have that, rental properties bring high crime
28 and create urban blight, and Hemet has more than enough of that already. Eventually
29 this project will be Section 8 housing.

30
31 Dave Leonard, speaking for the applicant, said the picture being painted is a family-
32 driven, mosquito-infested rental property ghetto. He urged the Commissioners to
33 remember the phasing plan that's required before anything can be built, which includes
34 an entirely constructed drainage system, including the channel, culverts, detention
35 basin and other filtration systems. It also has to capture four different drainage areas:
36 Pepper Tree, Cawston Avenue, Devonshire Avenue, and the Seattle Channel, and
37 Menlo Avenue has to be constructed. He reiterated the proposed reduction in density,
38 the sports park or dog park, and the regional trail. He advised that there were no
39 endangered species on the property and noted that the school district had rejected any
40 proposed site on the property because of drainage issues, easements and the master
41 plan alignment of Menlo Avenue. He denied that the property had wetlands, defined as
42 such by law, but merely drainage from surrounding areas allowed by the developer.
43 The benefits to the city he listed as: consistency with the general plan; helping to meet
44 the housing needs without subsidies that meet current standards for construction and
45 energy efficiencies; the provision of architectural landscape design guidelines which
46 elevate the quality of the project; and the establishment of multiple layers of
47 homeowners associations to own and maintain parks, trails, private streets, driveways,
48 open space, detention basin, and oversight of the parks. He suggested that the project
49 would create a special tax to fund police, fire and emergency services, and that it
50 would include annexation into a lighting, landscape and maintenance district to assess

1 property owners for the cost of maintenance relative to streets, parkways, lighting, and
2 drainage facilities. He additionally noted that the project would generate sales tax
3 revenue, and that it would improve circulation, solve drainage problems and result in
4 an upscale community that would otherwise revert back to an antiquated plan.
5

6 Chairman Gifford closed the public hearing and notified the applicant and public that
7 being on the Planning Commission meant a commitment to be fair, objective, have a
8 vision for the community and do what's best for the community. The fairness applies
9 not only to the residents, but to the people who own property, so the Commission tries
10 to balance those issues. For him, the real issue boils down to the question: Does this
11 project improve Hemet's quality, does it keep the status quo, or does it detract? His
12 worry is that this project does not elevate the population it brings in. Even though the
13 developer's intention is for it to do that, they cannot guarantee it. To guarantee that it
14 would bring in a higher earning population, would require the construction of single-
15 family houses with some acreage around them or conversion of the project into a
16 senior community. The question for him is, does it elevate the city or does it not?
17

18 Vice Chairman Deuber stated that she had reviewed the 1992 general plan and wants
19 to bring up some significant vision pieces within it. She also referred to CDD Elliano's
20 presentation at the last Commission meeting regarding the housing needs assessment
21 determined by the state and SCAG, based on the 1992 general plan. Unless the new
22 draft general plan is utilized, with more accurate numbers, Hemet will be saddled with a
23 huge regional housing needs assessment requirement. She echoed Chairman
24 Gifford's sentiments that if Hemet were booming and needed housing, the comments
25 heard from the audience and Commission would be different, but Hemet is not in that
26 position at this point in time. She mentioned that she lives in the Four Seasons
27 community and enumerated some figures regarding density, size of the community
28 center and supplied parking, as well as single elevations.
29

30 Vice Chairman Deuber went on to state that she had attended all GPAC meetings for a
31 year and that the land use elements in Chapter 2 of the general plan included creation
32 of a West Hemet community comprised of distinctive, high quality, attractive
33 developments, and that the development should occur in an orderly manner and
34 adhere to the city's vision. This development, she noted, places 750 homes in a very
35 concentrated area. Unlike representations that there are two residents per dwelling,
36 bringing in 1,885 new residents, in this economy the reality is more like four to six
37 residents per dwelling unit, adding more than 3,600 residents in a small area. Her
38 concern with this development encompasses the need to approve or adopt a statement
39 of overriding consideration, and she wishes to find an alternative that would make that
40 unnecessary. She has faith in this developer, who successfully brought Tres Cerritos
41 West into Hemet with 177 homes on roughly 324 acres, which is in line with the West
42 End estate level type homes with decent lots surrounding them.
43

44 Vice Chairman Deuber indicated that would she would like to see is a project that
45 would put Hemet on the map; one that would make people want to move here, rather
46 than one that would put us on the map to attract surrounding investors who would
47 continue to buy us out and saddle us with issues we do not want or invite.
48

49 Commissioner Overmyer, as a fairly new Planning Commissioner, stated he had met
50 with the applicant, accompanied by Planner Ron Running and CDD Deanna Elliano

1 and had many questions to ask of all of them. He gave some background about
2 himself and the formulation of his views and how they've changed. He has lived in
3 Hemet for almost 50 years, owns 22 rentals in town, and is in the construction
4 business. He is obligated as a Commissioner to also look at what the economy
5 dictates, so homes like the Vintage Club in Palm Desert or the Ritz Carlton are not
6 reasonable or viable in Hemet at this time because at some point the product type that
7 will ultimately be built will be more dictated by what will sell, and what will ultimately
8 work for the community. He promised to take his obligations as a commissioner
9 seriously and thanked the audience for helping him do that.

10
11 Commissioner Thompson stated that he lives in a \$400,000 ghetto – a cul-de-sac of
12 nine homes, with seven out of the nine inhabited by renters. With this in mind, he
13 tends to look at the project from one view favorably, because it has a homeowners
14 association. He feels that Hemet is a cul-de-sac city, and one which will never have
15 the jobs that Temecula, San Diego, Irvine or Riverside provide. He noted that the city
16 has seen great neighborhoods being built, which include homeowners associations,
17 but still have between 60 and 70 Section 8 homes. He suggested that when looking at
18 the time frame in which the developers want to build and the vision for Hemet, it will all
19 come together.
20

21 After receiving instruction from City Attorney Jex on procedures for voting, Chairman
22 Gifford entertained further questions from the Commission.
23

24 Vice Chair Deuber wished to discuss Alternative 3 to the EIR.
25

26 CDD Elliano explained the difference in analyzing the EIR's adequacy and the project
27 itself. She also outlined the alternatives for the public and the Commission: 1) the "No
28 Project Alternative"; 2) "Alternative Locations"; and 3) "Reduced Density Alternative."
29

30 After continued discussion regarding procedures, Chairman Gifford asked for a motion
31 on the EIR for the Tres Cerritos East project.
32

33 It was **MOVED** by Commissioner Overmyer and **SECONDED** by Vice Chairman
34 Deuber to **ADOPT** Planning Commission Resolution Bill No. 11-001, recommending
35 that the City Council certify the Environmental Impact Report for the Tres Cerritos East
36 Specific Plan Amendment No. 06-001.
37

38 The MOTION was carried by the following vote:
39

40 AYES: Vice Chairman Deuber and Commissioners Overmyer and Thompson
41 NOES: Chairman John Gifford
42 ABSTAIN: Commissioner David Rogers
43 ABSENT: None
44

45 ***(Adopted Planning Commission Resolution No. 11-013.)***
46

47 Discussion ensued as to whether Alternative 3 (the reduced density alternative) should
48 be evaluated further, with Chairman Gifford wanting to vote on the second
49 recommendation and Vice Chairman Deuber wishing further discussion.
50

1 City Attorney Jex also recommended voting on the specific plan as presented. If
2 changes are considered, they should be part of the minutes or should be a footnote to
3 the recommendation to City Council from the Commission.
4

5 Chairman Gifford further explained that the Commission doesn't have the choice of
6 taking any of the alternatives out of the EIR and saying "we want that" or "we're going
7 to recommend that." The Commission doesn't have that choice. The proponent has
8 selected what they want us to review, we reviewed it, and we need to make a decision.
9

10 It was **MOVED** by Vice Chair Deuber and **SECONDED** by Commissioner Overmyer to
11 **DENY** Planning Commission Resolution Bill No. 11-002 with a recommendation to the
12 City Council that they consider Alternative No. 3 of the Draft EIR.
13

14 The MOTION was carried by the following vote:
15

16 AYES: Chairman Gifford, Vice Chairman Deuber and Commissioners Overmyer
17 and Thompson
18 NOES: None
19 ABSTAIN: Commissioner Rogers
20 ABSENT: None
21

22 *(Adopted Planning Commission Resolution No. 014 for DENIAL of SPA 06-001.)*
23

24 DEPARTMENT REPORTS

25 6. COMMUNITY DEVELOPMENT DIRECTOR REPORTS:

26
27 **A1.** Report on City Council actions from July 21st, 2011 meeting.
28

29 (No reportable Planning Commission related items)
30

31
32 **A2.** Report on City Council actions from August 9th, 2011 meeting.
33

34
35 CDD Elliano reported on the Oath of Office being administered to the new Police Chief
36 Dave Brown. Also, the amendment to the Stoney Mountain Ranch Development
37 Agreement was continued to the September 13th meeting.
38

39 Another item considered was the urgency ordinance regulating the conversion of large
40 (over 30,000 square-foot) retail space to other uses, making it mandatory to obtain a
41 conditional use permit during the period of the urgency ordinance. The initial period is
42 45 days, with extensions possible for another 10 months and 11 days and then another
43 year after that.
44

45 **B.** Upcoming events and informational items – MMD Update
46

47 CDD Elliano noted that six medical marijuana dispensaries had appeared in town
48 almost overnight in January when the moratorium was no longer in effect. However,
49 the new ordinance was in effect, so through diligent efforts by the city attorney and
50 code enforcement staff, along with the support of City Council, all six have been
closed, some through cease and desist letters, others through injunctions or additional

1 efforts. One requested a stay of the injunction, which would have allowed them to stay
2 open until the legal proceeding concluded, but they were denied by the court. Since
3 then, two more dispensaries have appeared, and staff is in the process of dealing with
4 them.

5
6 Commissioner Thompson wanted to know, on average, how long it takes to close a
7 dispensary.

8
9 CDD Elliano stated that within a week of hearing about it, they can conclude an
10 investigation. The cease and desist letters are a pretty quick process, so the city can
11 be successful in less than a couple of weeks. However, what happens usually is they
12 continue to stay open until the city gets a court order, and goes through the hearing
13 process. This process tends to take longer because it is a zoning violation, rather than
14 a criminal act.

15
16 **C. Cancellation of September 6, 2011 meeting**

17
18 CDD Elliano advised that the next Planning Commission meeting would be scheduled
19 for September 20, 2011.

20
21 **D. Planning Commission Workshop – August 19, 2011**

22
23 CDD Elliano announced the workshop at the Riverside Convention Center on Friday,
24 August 19, from 8:30 a.m. to 1 p.m. Everyone except Commissioner Thompson was
25 registered to attend.

26
27 **E. Redevelopment Agency Status**

28
29 CDD Elliano reported that the California Supreme Court has agreed to hear the lawsuit
30 on the redevelopment takeaway, and payments to the state have been stayed until the
31 court case is reviewed at that level.

32
33 Also, the city's redevelopment agency is working with consultants to determine what
34 the cost would be, if the court case is unsuccessful, for the City of Hemet to "pay to
35 play", and whether or not that makes sense for the City of Hemet.

36
37 **F. Community Development Department Update**

38
39 In the current budget, the department has been allowed to add a principal planner
40 position. CDD Elliano has been interviewing applicants and should have a job offer to
41 announce by the 20th or soon thereafter.

42
43 Also, the Community Development Department has been reorganized to be comprised
44 of three divisions: Planning, Code Enforcement and Building & Safety. CDD Elliano
45 will be in charge of all three divisions.

46
47
48 **7. CITY ATTORNEY REPORTS: None**

1 **8. PLANNING COMMISSIONER REPORTS:**

- 2
3 A. Chairman Gifford – reported he had not seen stipends for about five
4 months.
5
6 B. Vice Chairman Deuber – No report
7
8 C. Commissioner Overmyer –No report
9
10 D. Commissioner Rogers –No report
11
12 E. Commissioner Thompson – wished to thank CDD Elliano and Planner
13 Running for their efforts on the Tres Cerritos East project.
14

15 **9. FUTURE AGENDA ITEMS:**

- 16
17 A. Report on "Human Signs" and other temporary signage
18 B. Zoning Ordinance Amendment for Special Housing Classifications
19 C. Comprehensive General Plan Update and Draft EIR
20 D. Status report on Hemet ROCS
21 E. Status report on foreclosure activity
22 F. Downtown Facade Improvements
23 G. MediCity Project Status Report
24 H. Report on Industrial Development Opportunities
25

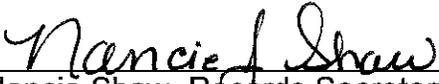
26 CDD Elliano reported that items A, D, E, G, and H are Planning Commission requests
27 that will be attended to after completion of the General Plan Update.
28

29 Chairman Gifford requested a primer on some of the finer points of CEQA, particularly
30 the overriding considerations and how they work.
31

- 32
33 **10. ADJOURNMENT:** It was the consensus of the Planning Commission that the
34 meeting be adjourned at 10:21 p.m. to the regular meeting of the City of Hemet
35 Planning Commission scheduled for **Tuesday, September 20, 2011 at 6:00**
36 **p.m.** to be held at the City of Hemet Council Chambers located at 450 East
37 Latham Avenue, Hemet, CA 92543.
38

39
40
41
42 
43 John Gifford, Chairman
44 Hemet Planning Commission

45 ATTEST:

46
47 
48 Nancie Shaw, Records Secretary
49 Hemet Planning Commission
50