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PLANNING  **COMMISSION**

MEETING MINUTES

DATE: December 6, 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 Gifford, Vice Chairman Deuber, and Commissioners Overmyer, Rogers and Thompson (late arrival)

ABSENT: None

Invocation and Flag Salute: Chairman Gifford

2. APPROVAL OF MINUTES: (None)

3. PUBLIC COMMENTS: (None)

PUBLIC HEARINGS

4. EXTENSION OF TIME NO. 11-002 FOR CONDITIONAL USE PERMIT NO. 09-003 (Medicity)

APPLICANT: John Petty, Latham Management

LOCATION: 2171 West Florida Avenue

PLANNER: Carole L. Kendrick, Assistant Planner

DESCRIPTION: A request for Planning Commission review and approval of an extension of time for the previously approved Conditional Use Permit No. 09-003, for the conversion of an existing 130,226 square-foot retail building into a medical facility totaling 145,582 square feet and the construction of a 49-bed hospital totaling 87,695 square feet located on a 13.45 acre site.

The staff report, including a Power Point presentation was given by Assistant Planner Carole Kendrick.

1 Chairman Gifford posed several questions relating to the length of the CUP extension
2 and advantages or disadvantages of a one-year extension as opposed to a two- or
3 three-year extension.

4
5 Planner Kendrick responded that because of the uncertainty of the project, the one-
6 year extension would allow the city to introduce new guidelines or code amendments
7 that might occur.

8
9 Chairman Gifford also asked about the maintenance of the property, to which CDD
10 Elliano responded that maintenance had not been addressed in the CUP, but was
11 rather a code enforcement issue. She indicated that progress had been made with the
12 case for this property.

13
14 Commissioner Rogers wanted to know the disadvantages to the property owner for a
15 one-year extension.

16
17 Planner Kendrick and CDD Elliano together explained that there are cost
18 disadvantages of \$1,610 a year, plus a two-month time frame to process the extension
19 and get it on the agenda. The reason for the one-year designation was that there
20 seemed to be an indication the owner was looking at some alternative uses.

21
22 Vice Chairman Deuber asked if the building was designed to be two stories or if the
23 outside elevation simply had a two story appearance.

24
25 CDD Elliano responded that it would be a two-story building both on the medical center
26 side and on the 49-bed hospital side.

27
28 Chairman Gifford opened the public hearing and invited the applicant's representative
29 to the lectern, noting that he had spoken to Mr. Petty earlier this evening, and
30 indicating that the commission was interested in the condition of the property and the
31 viability of the project.

32
33 John Petty (P.O. Box 4511, Hemet, CA 92546), approached the lectern as a
34 representative for the applicant. He addressed the maintenance of the property and
35 pledged an on-site, daily or every-other-day inspection and maintenance. He
36 explained that much of the paper and trash that seemed to be prevalent on the site
37 tended to blow from the west side of the shopping center, adding that the four to five
38 shopping carts which had been showing up every night would be handled by placing
39 them in a central location for pick-up by a service.

40
41 He also explained the control proposed for the "urban forest," instituted to separate the
42 shopping center from the Village project to the south of the property, noting 20 tons of
43 palm tree fronds and branches had been removed within the last three or four days.
44 He further committed to irrigation of the landscaping, noting that the existing plan calls
45 for trees in the parking lot, and the intent now was to put in all new parking lot trees,
46 saving the existing ones for use elsewhere, or selling them.

47
48 In response to a question concerning the extension fee, Mr. Petty explained that the
49 cost of putting up a hospital is about \$1 to \$3 million per bed, so the extension cost is
50 not the critical issue. They are planning a state-of-the-art medical center appearance.

1 He assured the Commission that they would be happy to comply with building code
2 issues or changes.

3
4 In answer to Chairman Gifford's question concerning the viability of Medicity, Mr. Petty
5 explained that the initial idea of the project was designed prior to the bankruptcy and
6 eventual sale of Hemet Hospital to PHH. The physicians of PHH did not know what
7 was going to happen with the Hospital, so they were envisioning Medicity as a reduced
8 operations acute care facility. With the sale and turnaround of Hemet Hospital, the
9 need for the new facility was in question. However, interest is now heightened in
10 turning Medicity into a heart hospital, as \$70 to \$80 million in heart care for Valley
11 residents is going to other facilities, such as St. Bernadine's in San Bernardino. Also,
12 a cancer center and dialysis center could be incorporated into the Medicity facility.
13

14 Vice Chairman Deuber questioned Mr. Petty regarding the statement in his letter to the
15 Commission which suggested that a large retail user would better complement this site.
16 She asked him to explain.
17

18 Mr. Petty answered, stating that they were just trying to cover all eventualities, should
19 the medical facility not be viable. He enumerated different options that had been
20 examined and rejected, but also stated that they were still looking at alternatives.
21

22 Vice Chairman Deuber also asked CDD Elliano if a retail facility were to be selected
23 rather than the medical center, how that would change anything regarding the CUP
24 extension.
25

26 CDD Elliano explained that the site was in a C-2 zone, and that retail was permitted by
27 right. However, another CUP cannot be achieved without going through the process
28 again.
29

30 Mr. Petty further explained that if a different use were selected, they would plan, for
31 their own protection, to initiate a new permit and application. The only retail use on
32 site, should the Medicity plan proceed, would be a medically-related retail use, such as
33 surgical supplies or a pharmacy.
34

35 Both Commissioners Rogers and Thompson showed enthusiasm for the architectural
36 renderings and stated willingness to extend the CUP for two or three years.
37

38 Chairman Gifford closed the public hearing and also indicated that since this facility
39 would bring high-end jobs to the city, that since the investors involved were long-time
40 residents of the Valley, and that since the city was in need of this type of facility, he
41 didn't feel a three-year extension would be unreasonable.
42

43 Vice Chairman Deuber inquired of CDD Elliano regarding whether any changes were
44 needed to the conditions of approval.
45

46 CDD Elliano indicated that only Condition No. 1 would need to be modified, changing
47 the date from October 20, 2012 to October 20, 2014.
48

49 It was **MOVED** by Commissioner Overmyer and **SECONDED** by Commissioner
50 Thompson to **ADOPT** Resolution Bill No. 11-018, modifying Condition No. 1 to a three-
year extension.

1 The MOTION was carried by the following vote:

2
3 **AYES:** Chairman Gifford, Vice Chairman Deuber, and Commissioners Overmyer,
4 Rogers and Thompson

5 **NOES:** None

6 **ABSTAIN:** None

7 **ABSENT:** None

8
9 *(Adopted Planning Commission Resolution No. 11-017.)*

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12 **WORK STUDY ITEMS**

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15 **5. WORK STUDY TO REVIEW AND DISCUSS PROPOSED REVISIONS TO THE**
16 **ZONING CODE REGARDING FENCES AND WALLS**

17
18 **APPLICANT:** City of Hemet

19 **LOCATION:** City-wide

20 **PLANNER:** Emery Papp, Principal Planner

21
22 A Power Point presentation was given to the Commission by Principal Planner Emery
23 Papp regarding proposed revisions to the zoning code concerning fences and walls.

24
25 CDD Elliano amplified the need for a new permitting process for fences as being a way
26 to avoid confusion, noting that this is not regarded as a revenue generator, but a way
27 to aid the residents in selecting the right materials and building to a standard.

28
29 Chairman Gifford stated his feeling that a permitting process was necessary, and that
30 the city needed some standards, but that the challenge would be getting the
31 information out to the residents. He also felt that certain parts of the city would require
32 differing appearances, such as more of a rustic feel in the downtown area, with
33 materials like wrought iron.

34
35 Vice Chair Deuber promoted the idea of consistency, especially in the revitalization of
36 downtown, and suggested that that the boundary mechanism, or fencing, should be
37 permitted to allow for that consistency in materials, height restrictions, etc. She further
38 suggested that when a property was sold, the new occupant should have 60 days to
39 change inappropriate fencing to approved fencing rather than grandfathering in old
40 fencing.

41
42 City Attorney Jex advised that you can have an approved amortization period for a
43 reasonable period of time for that new owner to recover the invested costs in the fence.

44
45 CDD Elliano explained further that there is no requirement to retrofit a home unless
46 there is illegal construction, and code changes needed to be adopted. Just the fact of
47 it transferring ownership does not constitute a reason to upgrade the property or the
48 City's ability to compel that.

49
50 Vice Chairman Deuber said if, for example, it's an FHA loan involved with the
purchase, such things as smoke alarms and bracing of the water heater must be
accomplished before close of escrow.

1 CDD Elliano explained that those were safety issues, and fencing does not fall under
2 that category.

3
4 Vice Chair countered that safety could be an issue in fencing if, for example, the gate
5 lock was inoperative or there were jagged edges in the fences that created a safety
6 hazard.

7
8 CDD Elliano stated that in those cases, code enforcement would address the issue.
9 Staff's concern is new development and new fencing in developed areas of the City, to
10 better regulate fencing and raise the quality and appearance.

11
12 Chairman Gifford suggested that staff bring back a model ordinance with more
13 specifics for them to examine.

14
15 CDD Elliano expressed her feeling that permitting was a necessity, and advised that
16 staff was working on guidelines, utilizing ideas from other cities which they would bring
17 back to the Commission.

18
19 Commissioner Overmyer cautioned that amortization could be difficult for some older
20 residents, and that particularly brick fencing needs permitting because of its
21 permanence. He also felt that owners planning to put in temporary fencing that is
22 easy to move would be less likely to come to the city for a permit than if they were
23 investing in a block wall.

24
25 There was discussion of the 42-inch maximum height requirement for front yards, the
26 necessity to limit color choices, fencing around pools (which is a building code
27 requirement), certain building materials, costly and low-cost, and hillside requirements.

28
29 Vice Chairman Deuber suggested that staff bring back their hit list of items they would
30 like to see for the Commission's review.

31
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33 **6. SUMMARY REPORT ON THE ECONOMIC FORECAST FOR THE INLAND**
34 **EMPIRE**

35
36
37 A verbal presentation was provided by CDD Elliano regarding recently reported
38 economic trends and indicators for the City of Hemet.

39
40 Chairman Gifford thanked CDD Elliano and reflected on the statistic that service
41 stations are a major revenue contributor to the city in terms of taxes and sales. He
42 noted that this was indicative of the flight from the Valley by residents who are seeking
43 entertainment, shopping advantages, etc. He suggested that it was necessary to get
44 state of the art entertainment to the community, such as theater complexes,
45 restaurants, etc., which would mean millions of dollars that stay in the community
46 rather than being spent elsewhere.

DEPARTMENT REPORTS

7. COMMUNITY DEVELOPMENT DIRECTOR REPORTS

A. Update Report on Medical Marijuana Dispensaries

CDD Elliano gave a brief history of the medical marijuana dispensary activities in Hemet from 2009 to present, including the urgency ordinance adopted in April of 2009, which changed to a permanent ordinance in March of 2011, prohibiting medical marijuana dispensaries in the City. She noted, however, that in January of 2011, dispensaries had started sprouting again, with eight appearing in the City between January and November. As of this time, they have all been closed, and to staff's knowledge, there are no dispensaries operating in the City of Hemet today. She credited this to the team of code enforcement officers, police officers, and city attorney staff that had worked as a team to quickly identify, investigate, send cease and desist letters, acquire court injunctions, impose building code violations, and follow through on shutting such facilities down. She advised that all court decisions were in the city's favor, and noted that the city had spent less in this year getting rid of eight dispensaries and a commercial grow operation than most communities in surrounding areas have spent to get rid of one establishment.

CDD Elliano went on to advise that some of these dispensaries had morphed into mobile dispensaries, which are much harder to find and identify, and expressed hope that they would leave Hemet because of the city's harsh stance. However, she asked for the community's cooperation in keeping eyes and ears open, and notifying the city if any are seen.

CDD Elliano further noted that, in November of 2011, the State Appellate Court upheld communities' right to ban dispensaries, so the decision is currently on the side of the cities, which makes enforcement easier.

8. CITY ATTORNEY REPORTS: (None)

9. PLANNING COMMISSIONER REPORTS:

A. Chairman Gifford – (None)

B. Vice Chairman Deuber – reported on the sale of the Hemet Theater to a small non-profit public foundation, with the Diamond Valley Arts Council interested in being the operations arm. The goal would be concerts, music venues, jazz, and plays. There is an orchestra pit underneath the stage that was cemented over, so the goal is to open it, restore the theater, and get it listed on the Historic Registry.

Vice Chairman Deuber also mentioned the Downtown Farmers Market that included a Hometown Christmas for the month of December, which had done very well. She mentioned the residents of the city that care about helping in revitalizing the community.

1 C. Commissioner Overmyer – wished to go on record stating his thought that the
2 housing market in Hemet would come back significantly before 2016.

3
4 D. Commissioner Rogers – inquired regarding the landscaping requirements for the
5 Regal Theater. He noted that he'd been visiting the theater for approximately seven
6 years and that he had not seen any landscaping other than dirt.

7
8 CDD Elliano said they would look at the original plans and see what could be done.

9
10 Commissioner Rogers also asked for an update on the former Echo Hills golf course
11 that is being left to deteriorate, to which CDD Elliano responded that the city's goal was
12 to try to have that transferred to another entity that can reestablish the course, which
13 had been abandoned by the owners because of the cost of water to maintain it.

14
15 E. Commissioner Thompson thanked the staff, the City of Hemet, the citizens and
16 the Commission for allowing him to be part of the Planning Commission, but noted that
17 due to a job change he would be relocating to the Coachella Valley and therefore must
18 turn in his resignation as Planning Commissioner.

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21 **10. CERTIFICATE OF APPRECIATION FOR COMMISSIONER CHAUNCEY**
22 **THOMPSON**

23
24 Chairman Gifford read the following certificate of appreciation for Commissioner
25 Thompson:

26
27 *"Certificate of Appreciation presented to Chauncey Thompson*
28 *for outstanding commitment to the community during your*
29 *service as the City of Hemet Planning Commissioner,*
30 *presented this 6th day of December, 2011."*
31

32
33 Chairman Gifford added that he had been very proud to have Commissioner
34 Thompson on the Commission and would recommend him in any capacity.

35
36 **11. Cancellation of the December 20, 2011 and the January 3, 2012 meetings of**
37 **the Planning Commission**

38
39 There was unanimous consensus to cancel the Planning Commission meetings of
40 December 20th and January 3rd.

41
42
43 **12. FUTURE AGENDA ITEMS:**

- 44
45
46 A. Report on "Human Signs" and other temporary signage
47 B. Zoning Ordinance Amendment for Special Housing Classifications
48 C. Status report on foreclosure activity and housing market
49 D. Report on Industrial Development Opportunities
50 E. Report on status of Shopping Cart Containment Plans
F. Final EIR and General Plan and Response Comments, Findings and
Overrides on January 17, 2012

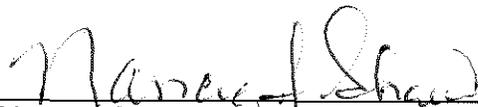
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13. ADJOURNMENT: It was unanimously agreed to adjourn the meeting at 8:20 p.m. to the regular meeting of the City of Hemet Planning Commission scheduled for **January 17, 2012 at 6:00 p.m.** to be held at the City of Hemet Council Chambers located at 450 E. Latham Avenue, Hemet, CA 92543



John Gifford, Chairman
Hemet Planning Commission

ATTEST:



Nancie Shaw, Records Secretary
Hemet Planning Commission