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# PLANNING COMMISSION

## MEETING MINUTES

**DATE:** February 21, 2012

**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 and David Rogers

**ABSENT:** None

**Invocation and Flag Salute:** Commissioner Overmyer

### 2. APPROVAL OF MINUTES

It was **MOVED** by Commissioner Overmyer and **SECONDED** by Commissioner Rogers to **APPROVE** the minutes of January 17, 2012, changing the spelling of "Duber" to "Deuber" on line 19.

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

### 3. PUBLIC COMMENTS: None

## PUBLIC HEARINGS

### 4. CONDITIONAL USE PERMIT NO. 09-005 (Lazaro's Plaza)

**APPLICANT:** Javier Delgado

**AGENT:** Martha Schact

**LOCATION:** North side of Florida Avenue, 660 feet east of Columbia Street

**PLANNER:** Carole Kendrick, Assistant Planner

1 DESCRIPTION: A request for Planning Commission review and approval of a  
2 Conditional Use Permit application for the construction and operation of a 20,999  
3 square-foot retail shopping center, located on the north side of Florida Avenue,  
4 east of Columbia Street and west of Cornell Street, with consideration of an  
5 environmental exemption pursuant to CEQA Guidelines Section 15332.  
6

7 Assistant Planner Carole Kendrick gave a Power Point presentation regarding Lazaro's  
8 Plaza and entertained the Commission's questions.  
9

10 Commissioner Overmyer voiced concerns regarding the type of tenants proposed for  
11 the facility, noting that the area was predominantly single-family residential one and  
12 would not be a desirable location for such uses as smoke shops, bars, liquor stores,  
13 etc. He also inquired about the composition and height of the wall in the back.  
14

15 Assistant Planner Kendrick indicated that there was currently a moratorium on smoke  
16 shops and that the Hemet ROCS program would start dealing with alcohol sales, but  
17 noted that staff understood that there were various concerns of this type.  
18

19 Community Development Director (CDD) Elliano stated that the code sets six feet as  
20 the maximum height for walls. If it's a grade separation, however, there might be a  
21 certain portion that's retaining, which would allow for additional height. Security issues  
22 might demand a higher wall, but currently the code does not allow for that. The  
23 composition would be CMU, but Hemet's Commercial Design Guidelines require  
24 decorative masonry, so slump stone, plastered or split face would be required.  
25

26 Commissioner Rogers inquired about the hours of operation.  
27

28 Assistant Planner Kendrick responded that the applicant was requesting hours of  
29 operation until midnight on Saturday and Sunday, but that staff was proposing that the  
30 hours not extend past 10 p.m. because of the uncertainty of the tenant mix and the  
31 adjacent proximity to single-family residential.  
32

33 Assistant Planner Kendrick replied affirmatively to Commissioner Overmyer's ' query  
34 about the applicant funding the existing median on Florida Avenue.  
35

36 Vice Chairman Deuber asked if the tenant or applicant could come in for an  
37 Administrative Use Permit asking for longer hours, to which Assistant Planner Kendrick  
38 responded that either one could apply and pay the fee, but that the tenant must have  
39 the applicant's authorization to do so.  
40

41 Chairman Gifford inquired regarding input from the Development Review Committee,  
42 noting that it was his understanding that at the time the staff report was written, input  
43 from some departments was still pending.  
44

45 Assistant Planner Kendrick replied that all input had been received, and that the DRC  
46 staff prefers ground-mounted air conditioning units, but would work with the applicant  
47 at plan check on roof-mounted equipment as long as there was adequate screening  
48 and the requirements of the building department were satisfied.  
49

50 Chairman Gifford also expressed concerns regarding ingress and egress to the center,  
with the only street access being via Florida Avenue – a fast-moving and busy street.

1 He indicated that the tenants would have to be slower-type businesses that do not  
2 have a large numbers of visitors.

3  
4 Mr. Biagioni advised the Commission that CalTrans, on small commercial sites, won't  
5 allow more than one point of access.  
6

7 Commissioner Overmyer requested additional information regarding staff's report that  
8 referred to a couple of units with "awkward" shapes. He also asked about signage,  
9 indicating his understanding that CDD Elliano would be the approving authority.  
10

11 Planner Kendrick replied, regarding the strange layout, that staff simply wanted to bring  
12 it to the Commission's attention. She noted that the screening of the mechanical units  
13 and the signage would be addressed in the permitting process, with signage being  
14 approved by CDD Elliano.  
15

16 Commissioner Rogers inquired about the property line wall, and the adjacent trees.  
17

18 Planner Kendrick reported that the rear wall was required to be six-feet in height with  
19 24-inch box trees.  
20

21 Vice Chairman Deuber reported that she had made a site visit and spent some time  
22 with the owner of the adjacent property. She noted the 30-foot buffer zone to the rear  
23 of the property and asked if there was a buffer to the east.  
24

25 Planner Kendrick indicated that there was a fire lane to the east.  
26

27 Vice Chairman Deuber had several ideas for coordination between property owners to  
28 possibly create an easement or reverse the elevation, but Commissioner Rogers  
29 commented that the fault line would prohibit much movement.  
30

31 CDD Elliano further explained that the site plan for the site next-door had been entitled,  
32 and that they, therefore, could not be asked to change their plans at this point because  
33 there was already partial construction.  
34

35 Chairman Gifford opened the public hearing and invited the applicant to address the  
36 Commission.  
37

38 Javier Delgado, 2940 West Florida Avenue, Hemet, approached the lectern and  
39 addressed the Commission as the project applicant. He explained that the reason the  
40 project had been initiated was for another La Fogata restaurant on the east side of  
41 town, with fine dining. The interior walls are moveable, so if the restaurant needed to  
42 expand, it could do so and allow more storage space. He noted that while they were  
43 currently proposing 12 tenants, that number could change in the future to fewer  
44 tenants. He added that he was amenable to the screening of the air-conditioning units.  
45

46 Vice Chairman Deuber inquired regarding the hours of business. She indicated that  
47 she had spent quite a bit of time there and noticed that all of the businesses in the area  
48 were family-oriented, so she felt the hours should be consistent with the rest, being a 9  
49 p.m. closing time or pushing it to 10 p.m. for a restaurant. She applauded the  
50 elevation, calling it five-star, and suggested upscale boutiques to upgrade the shopping  
in the area.

1  
2 Commissioner Overmyer again brought up the issue of the fencing height, advocating  
3 for a taller fence to screen the noise and light coming from a commercial site.  
4

5 Mr. Delgado mentioned the advantage of the 30-foot setback and advised that the  
6 walls could be insulated, also noting that the residential property appeared somewhat  
7 lower, so the six foot elevation would be on the commercial side rather than the  
8 residential side.  
9

10 Commissioner Rogers asked when, if approved, the construction would begin.  
11

12 Mr. Delgado estimated a year and a half to two years, noting that he would need to  
13 acquire building department approvals and funding. His desire was to finish  
14 construction promptly rather than to have a long-term, unfinished site.  
15

16 Chairman Gifford asked if there were any Commission questions of the architect,  
17 Martha Schact, 9156 19th Street, Rancho Cucamonga.  
18

19 In response to Chairman Gifford's inquiry regarding the trees along the fence, Ms.  
20 Schacht said they would be willow trees, and would grow to a height of about 12 feet.  
21

22 Chairman Gifford opened the hearing for public comments.  
23

24 Kevin Sechrest, 146 Park Vista Lane, Hemet – voiced resident concerns that included  
25 types of businesses, traffic issues – including a very dangerous intersection, noise  
26 levels, and hours of business. He asked if a traffic light could be installed.  
27

28 Mr. Biagioni, City Engineer and Engineering Director, advised that Caltrans has no  
29 plans now or in the future to add a traffic signal at the intersection of Cornell and  
30 Florida. He also added that Caltrans was going to condition every project along that  
31 area for a raised median.  
32

33 CDD Elliano noted that there was usually a more cooperative effort between Caltrans  
34 and the City when issues such as this arose. She further noted that the intersection  
35 with the median prohibits left turns, making U-turns necessary, which has raised a lot  
36 of interest and angst. She stated that usually such issues are dealt with as a condition  
37 of approval, but that this median had been developed through a separate process.  
38

39 Assistant Planner Kendrick explained that there had been a miscommunication with  
40 Caltrans, and that the median had been installed prior to approval, at Mr. Delgado's  
41 expense.  
42

43 Chairman Gifford closed the public hearing and asked for further comments from the  
44 Commission.  
45

46 There was a discussion between Vice Chairman Deuber, CDD Elliano and City  
47 Attorney Jex regarding the restriction of uses in C-2 zones, as well as discussion  
48 amongst the Commissioners regarding an approval of the hours of operation being 8  
49 a.m. to 10 p.m., with the possibility of obtaining an entertainment permit for banquets,  
50 weddings or events that needed extended hours. It was also noted that a tenant could  
51

1 apply for an Administrative Use Permit for any use that might have specific  
2 requirements.

3  
4 Chairman Gifford asked for a motion.

5  
6 It was **MOVED** by Commissioner Overmyer and **SECONDED** by Vice Chairman  
7 Deuber to **ADOPT** Planning Commission Bill No. 12-001 approving Conditional Use  
8 Permit No. 09-005, as presented.

9  
10 **AYES:** Chairman John Gifford, Vice Chairman Sharon Deuber, and  
11 Commissioners Vince Overmyer, David Rogers

12 **NOES:** None

13 **ABSTAIN:** None

14 **ABSENT:** None

15  
16 *(Adopted Planning Commission Resolution No. 12-003).*

17  
18  
19 **WORK STUDY ITEMS**

20  
21  
22 **5. ZONE CHANGE NO. 11-001 AND CONDITIONAL USE PERMIT NO. 11-003**  
23 **(AT&T at Prince of Peace)**

24 **APPLICANT:** AT&T Mobility

25 **AGENT:** Marc Myers - Derra Design

26 **LOCATION:** 701 North Sanderson Avenue

27 **PLANNER:** Carole Kendrick, Assistant Planner

28  
29  
30 **DESCRIPTION:** A work study session with discussion and possible direction to  
31 staff regarding a Zone Change application to amend the zoning designation from  
32 R-1-7.2 (Single-Family Residential) to S-1 (Church) zone and a Conditional Use  
33 Permit for the construction and operation of a major ground mounted  
34 telecommunication facility and associated equipment consisting of a 60' pole  
35 camouflaged as a monopine.

36  
37 Commissioner Rogers recused himself from the discussion due to his residential  
38 proximity to the project.

39  
40 Assistant Planner Kendrick presented the related issues for the work study for Zone  
41 Change No. 11-001 and Conditional Use Permit 11-003.

42  
43 Mr. Marc Myers of Derra Design was asked by Chairman Gifford to outline their issues  
44 for the Commission. He discussed the reasons why the Prince of Peace site was the  
45 preferred location for AT&T, as follows: 1) the site is advantageously located in the  
46 midst of the gap area; 2) it is already used by other providers; 3) there is no  
47 interference with residential sites; 4) it is approved by the landlord; 5) the site meets  
48 the distance separation from existing facilities; 6) it can meet setback requirements; 7)  
49 it is in compliance with FAA requirements; 8) the monopine facility is better technology  
50 than the existing one, with a decorative equipment enclosure utilizing textured and  
painted exterior that matches the existing church buildings.

1 Mr. Myers stated that concerns expressed by staff related to the Prince of Peace site  
2 included the following: 1) the current zoning is R-1-7.2, which does not allow wireless  
3 facilities, even though they currently exist at the site; 2) the proximity to residential  
4 uses; 3) height restrictions; 4) need for a zone change.  
5

6 Mr. Myers continued, stating that the other alternatives were either outside the center  
7 of the gap area so that optimum coverage was not possible, were in an elementary  
8 school zone, or the owners were not interested in entertaining a project of this sort.  
9

10 The Commission expressed a desire to have the applicant review the alternatives,  
11 particularly the property in the agricultural zone, which would be close to commercially-  
12 zoned property. They felt that staff had done a thorough job of expressing the City's  
13 concerns and asked for more due diligence by the applicant before coming back to the  
14 Commission.  
15

16 Assistant Planner Kendrick also suggested the possibility of building a temporary  
17 foundation that could be relocated if the existing property of the site changes use.  
18

19 (Chairman Gifford called for a 10-minute Recess, after which Commissioner Rogers  
20 returned to the dais.)  
21  
22

## 23 DISCUSSION AND ACTION ITEMS

### 24 25 26 **6. Request for Planning Commission appointment to Hemet ROCS Citizen** 27 **Advisory Committee – Community Development Director Elliano** 28

29 CDD Elliano reported that the Mayor and City Council have asked that there be formed  
30 a Hemet ROCS Executive Committee (the Mayor, various Department heads and the  
31 City manager), a Governmental Agency Liaison Group (City of San Jacinto, County of  
32 Riverside, State and Congressional offices), and a Citizens' Advisory Committee, with  
33 one of the members being from the Planning Commission, to meet with staff and  
34 review proposed ordinances, take general feedback, and meet once a month for about  
35 six months.  
36

37 Chairman Gifford suggested appointing Commissioner Overmyer to that committee.  
38

39 After discussion, and suggestions from City Attorney Jex that this should be a  
40 consensus nomination, rather than an appointment, along with the fact that  
41 Commissioner Overmyer was already serving as a Traffic Commission liaison, Vice  
42 Chairman Deuber nominated Chairman John Gifford to the position.  
43

44 The nomination was accepted by Chairman Gifford, seconded by Commissioner  
45 Overmyer, and unanimously approved.  
46  
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50

## DEPARTMENT REPORTS

### 7. CITY ATTORNEY REPORTS: Institute for Local Government

#### A. Understanding AB 32's Impacts on Local Government: A Local Official's Guide

City Attorney Jex handed out the above-titled publication to the Commission and encouraged that they read the material to better understand the implications of climate change laws. He explained that AB 32 is a law that directs the Air Resources Board to develop a program to reduce greenhouse gas emissions to 1990 levels by the year 2020. As to how the law would apply to cities and local governments, he explained that it would basically apply to municipal electric utility systems that have to reduce greenhouse emissions, and provide mandatory regulations on recycling, and voluntary measures where cities are encouraged to inventory the greenhouse gas emissions in the community. One of the action items would be the development of a climate action plan, which will include the process of performing an inventory of greenhouse gases in the community, and then adopt a baseline regarding the threshold, determine the current levels, and develop ways to reduce them.

#### B. Understanding California's Sustainable Communities and Climate Protection Act of 2008 (SB 375): A Local Official's Guide

City Attorney Jex outlined the contents of this document, explaining that the source of greenhouse gas emissions targeted by SB 375 is the car, and that even though cars are now more gas-efficient and they run on cleaner gas, the number of miles traveled still must be reduced in order to reduce greenhouse gas emissions overall. He explained that to do this, new development patterns must be established where people live closer to jobs, to public transit, to retail centers, etc. Therefore, it calls for a brand new planning document called a Sustainable Communities Strategy, which is a long-range planning document that focuses on transportation, the location of roads and highways, and land use patterns that will be encouraged. The document is not one that is prepared by cities, but by regional transportation agencies. He referred to a sustainable community strategy that had been released by the San Diego Association of Governments, and discussed the opposition that it is currently getting from various other agencies.

### 8. COMMUNITY DEVELOPMENT DIRECTOR REPORTS:

CDD Elliano provided the Commission with an update on the following topics:

- A. Report on SCAG's 2012 - 2035 Draft Regional Transportation Plan & Sustainable Communities Strategy.
- B. Draft Regional Housing Needs allocation for Hemet.
- C. Status report on local foreclosures and housing market activity.
- D. Verbal Update on Regional and Local Planning Projects.
- E. Report on City Council actions from the January 24 and February 14, 2012 meetings.

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**9. PLANNING COMMISSIONER REPORTS:**

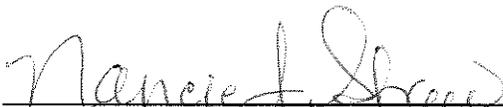
- A. Chairman Gifford (None)
- B. Vice Chairman Deuber (None)
- C. Commissioner Overmyer (None)
- D. Commissioner Rogers complimented the work on Florida First and noted good changes ahead, thanking all City employees. He also stated he was not seeing as many shopping carts left abandoned.

**10. ADJOURNMENT:** It was unanimously agreed to adjourn the meeting at 9:10 p.m. to the regular meeting of the City of Hemet Planning Commission scheduled for **March 6, 2012 at 6:00 p.m.** to be held at the City of Hemet Council Chambers located at 450 E. Latham Avenue, Hemet, California 92543.



John Gifford, Chairman  
Hemet Planning Commission

ATTEST:



Nancie Shaw, Records Secretary  
Hemet Planning Commission