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PLANNING  **COMMISSION**

MEETING MINUTES

DATE: May 1, 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 Vince Overmyer, and Commissioners Nassar Moghadam, Michael Perciful, and Greg Vasquez

Invocation and Flag Salute: Commissioner Overmyer

2. INTRODUCTION OF NEW PLANNING COMMISSIONERS

Community Development Director (CDD) Deanna Elliano introduced Greg Vasquez, who was nominated for the Planning Commission by Hemet City Council Member Linda Krupa. Mr. Vasquez is a 13-year resident of Hemet, has a Master's degree in public administration from USC and is a graduate of the FBI National Academy. Having spent over 30 years in law enforcement and presently a businessman and owner of multiple McDonalds restaurants in town, he brings a wealth of experience that is potentially helpful to the Commission. He feels it is important that Hemet follows a path to achieve orderly and compatible development which would create livable neighborhoods, support economic development, and sustain a high quality of life for the Hemet community.

3. OATH OF OFFICE FOR COMMISSIONER VASQUEZ

Minutes Clerk Rebecca Allen administered the oath of office for Commissioner Vasquez.

4. NOMINATION AND ELECTION OF PLANNING COMMISSION CHAIR FOR 2012 – 2013

It was **MOVED** by Commissioner Overmyer and **SECONDED** by Commissioner Moghadam to **NOMINATE** current Chairman, John Gifford to serve as the Planning Commission Chairman for the 2012-2013 term of office.

1 The MOTION was carried by the following vote:

- 2
3 **AYES:** Commissioners Vince Overmyer, Michael Perciful, Nasser Moghadam
4 and Greg Vasquez
5 **NOES:** None
6 **ABSTAIN:** Commissioner Gifford
7 **ABSENT:** None
8

9 **5. NOMINATION AND ELECTION OF PLANNING COMMISSION VICECHAIR FOR**
10 **2012 – 2013**
11

12 It was **MOVED** by Commissioner Moghadam and **SECONDED** by Commissioner
13 Vasquez to **NOMINATE** Commissioner Vince Overmyer to serve as Commission Vice
14 Chairman for the 2012 – 2013 term of office.
15

16 The MOTION was carried by the following vote:

- 17
18 **AYES:** Chairman John Gifford, Commissioners Michael Perciful, Nasser
19 Moghadam and Greg Vasquez
20 **NOES:** None
21 **ABSTAIN:** Commissioner Vince Overmyer
22 **ABSENT:** None
23

24 **6. APPROVAL OF MINUTES**
25

26 There were no Minutes on the agenda for approval.
27

28 **7. PUBLIC COMMENTS**
29

30
31 There were no members of the public who wished to address the Commission
32 regarding items not on the agenda.
33
34

35 **PUBLIC HEARINGS**
36

37 **8. ZONE CHANGE NO. 12-001 (ESPLANADE COMMERCE CENTER)**
38

- 39 **APPLICANT:** Jose and Maria Cuevas
40 **LOCATION:** 463 W. Esplanade Avenue
41 **PLANNER:** Soledad Carrisoza, Planning Technician
42

43 **DESCRIPTION:** A request for Planning Commission review and recommendation
44 to the City Council regarding a zone change from M1 (Light-Manufacturing) to CM
45 (Commercial Manufacturing) on the northwest portion (approx. 1.62 acres) of a
46 parcel with an existing 16,200 square-foot commercial building, located on the
47 south side of Esplanade Avenue approximately 1.5 blocks (900 feet) west of State
48 Street.
49

50 The staff report was presented by Planning Technician Soledad Carrisoza, who
provided a Power Point display and asked for comments from the Commission.

1 Chairman Gifford asked for information regarding types of tenants to be considered.

2
3 Planning Technician Carrisoza explained that the change of zone would allow more
4 types of businesses as tenants, noting that there was a long list of uses that would
5 become available with approval of the zone change, as noted in the attachment to the
6 staff report of the C-M zone.

7
8 Commissioner Overmyer referred to the land behind the existing buildings and inquired
9 about access into the property. He noted that the change would attract, retain and
10 expand businesses, but expressed concern about businesses that may do the
11 opposite, such as kennels or adult businesses, which might have a negative effect.

12
13 Planning Technician Carrisoza responded that such businesses would require a
14 conditional use permit and would be closely reviewed.

15
16 Commissioner Vasquez asked how many suites were currently vacant and available.

17
18 Planning Technician Carrisoza stated there were presently three existing tenants: a
19 health spa; the Bricks and Fig, which is retail; and All Fired Up, a ceramic and glazing
20 retail use. With 11 available suites, she noted that eight remained vacant.

21
22 Commissioner Vasquez wondered what type of prospective clients the owner was
23 hoping to attract.

24
25 Chairman Gifford opened the public hearing and asked the applicant or his
26 representative to approach the lectern.

27
28 Blaine Womer, Womer Engineering, representing the applicant, stated that they
29 concurred with the staff report. Since there were no engineering questions, Mr. Womer
30 introduced Grant Brubaker, the property management representative, to respond to
31 questions about tenants.

32
33 Grant Brubaker of Authority Real Estate advised the Commission that the property
34 owners were attempting to generate a family-themed, service type of business
35 environment. They have had interest from a taco shop fast food restaurant, an
36 insurance company, and a senior financial planning firm. They would also like a martial
37 arts studio, which would fit well with the family theme. He believes that their proximity
38 to the park would make adult-type businesses, liquor stores, etc., infeasible.

39
40 Mr. Brubaker further stated that he had been involved in the original project which built
41 the RV site, so he could offer that the original site plan had a circulation element which
42 included an extension of Tanner Street across the property. They are currently looking
43 to acquire more commercial uses for the front half of the property.

44
45 Chairman Gifford reiterated that his concern is not exclusively that the law prohibits
46 certain activities across from a park, but also that he doesn't want anything that's going
47 to impede the city. He felt that the owners agreed with that sentiment.

48
49 Commissioner Vasquez asked if this was a newly-acquired property.
50 Mr. Brubaker responded that it was recently acquired, explaining that it had been in
trust for a long time and finally the bank gained possession of it before a judicial

1 foreclosure. It was purchased by the current owner in October or November of last
2 year.

3
4 Chairman Gifford asked for clarification from staff as to the leeway the Commission
5 would have to monitor the types of businesses that would go into that location.

6
7 CDD Elliano asked them to refer to their Attachment A, and explained that in the CM
8 zone, the land uses denoted with a "P" are permitted by right. If it has an "A," an
9 administrative use permit requires a limited public hearing notice and approval by the
10 Planning Department. If it has a "C," it is a conditional use permit, which would come
11 back to the Planning Commission. The types of uses that are there currently on the
12 property fall into the general retail use. As long as they are not open past 9:00 p.m.,
13 they are permitted by right. Any intensification or objectionable use would require a
14 conditional use permit, or was not permitted.

15
16 She went on to explain that essentially, a CM zone is a crossover zone that allows a
17 mixture of clean, light industrial uses with some commercial uses. The CM zone is still
18 consistent with the industrial balance of the property, and also consistent with the
19 adjacent CM zone, which is why it would be a good fit for the existing structure as well
20 as the location.

21
22 Chairman Gifford closed the public hearing and asked for further comments from
23 Commissioners. He added that he felt comfortable that the change was in the best
24 interest of the city.

25
26 Commissioner Overmyer felt that potentially objectionable businesses would require a
27 CUP, so he felt comfortable with recommending approval of the change.

28
29 It was **MOVED** by Commissioner Perciful and **SECONDED** by Commissioner
30 Overmyer to adopt *Planning Commission Resolution No. 12-006*, **RECOMMENDING**
31 **APPROVAL** to the City Council of Zone Change No. 12-001.

32
33 The MOTION was carried by the following vote:

- 34
35 **AYES:** Chairman Gifford, Vice Chairman Overmyer, and Commissioners
36 Moghadam, Perciful, and Vasquez
37 **NOES:** None
38 **ABSTAIN:** None
39 **ABSENT:** None
40

41 **(Adopted Planning Commission Resolution No. 12-006)**
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1 **9. GENERAL PLAN AMENDMENTS: Cycle 2 of General Plan Amendments for**
2 **2012**
3

4 **A. GENERAL PLAN AMENDMENT NO. 12-002 (AMENDMENT TO THE**
5 **ADOPTED 2008-2014 HOUSING ELEMENT)**
6

7 **APPLICANT:** City of Hemet
8 **LOCATION:** City-wide
9 **PLANNER:** Nancy Gutierrez, Contract Planner

10
11 **DESCRIPTION:** A request for Planning Commission review and
12 recommendation to the City Council regarding amendments to the adopted
13 2008-2014 Housing Element to comply with California Housing and Community
14 Development Department conditional certification requirements.
15

16 **B. GENERAL PLAN AMENDMENT NO. 12-001 (GENERAL PLAN LAND USE**
17 **MAP REVISIONS)**
18

19 **APPLICANT:** City of Hemet
20 **LOCATION:** City-wide
21 **PLANNER:** Nancy Gutierrez, Contract Planner
22

23 **DESCRIPTION:** A request for Planning Commission review and
24 recommendation to the City Council regarding 2012 Cycle 2 revisions to the
25 General Plan Land Use Map to change land use designation of the following five
26 sites:
27

28 Site 1: Amend the designation on approx. 15 acres located on the south side of
29 Stetson Avenue between Palm and Lyon Aves. from High Density Residential to
30 Very High Density Residential.
31

32 Site 2: Amend the designation on approx. 5 acres located on the north side of
33 Acacia Ave, approximately 300 feet east of Yale Ave. from Community
34 Commercial and High Density Residential to Very High Density Residential.
35

36 Site 3: Amend the designation on approx. 9 acres located on the southeast
37 corner of State St. and Johnston Ave. from High Density Residential to Very
38 High Density Residential.
39

40 Site 4: Amend the designation on approx. 4 acres located on the southwest
41 corner of Johnston and Buena Vista Aves. from High Density Residential to
42 Office Professional/Medical.
43

44 Site 5: Amend the designation on approximately 1.6 acres located on the north
45 side of Devonshire Ave, approximately 100 feet east of San Jacinto Ave. from
46 Low Density Residential to Office Professional/Medical.
47

48
49 The staff reports were presented by Contract Planner Nancy Gutierrez, who provided a
50 Power Point display regarding the projects.

1 Chairman Gifford explained to the Commission the workings of SCAG, how Hemet got
2 the number of low-income housing unit requirements that were delivered, and how the
3 planning staff and CDD Elliano were able to change the numbers from over 6,000 units
4 to 600 units of low-income housing requirements. He requested questions from the
5 Commissioners.

6
7 Commissioner Moghadam wanted to know the difference in height limits between high
8 density and very high density housing.

9
10 Contract Planner Gutierrez explained that height limits are established by zone, and the
11 very high density housing created with this General Plan does not yet have a zoning
12 category, which would thus be one of the things that will be addressed in the
13 consistency zone work yet to be done.

14
15 Commissioner Overmyer questioned the procedure for siting high density housing,
16 wanting to know how an applicant would receive permitting.

17
18 Contract Planner Gutierrez responded that high density uses can be put in a high
19 density zone, with the only requirement being the zoning of the land, site design, and
20 architecture.

21
22 Commissioner Overmyer inquired regarding the very high density traffic with the limited
23 access for Site 2 on Yale Street.

24
25 Contract Planner Gutierrez stated the project would have to meet certain site
26 development standards, and that the applicant would have to purchase some adjoining
27 property to open up access.

28
29 CDD Elliano suggested that it would be best if the two property owners worked together
30 to create two points of access because fire and police would require such to serve that
31 property.

32
33 Commissioner Vasquez commended the staff on their efforts to meet the RHNA
34 standards and their selection of sites that provide public transportation and amenities
35 for the low income and very low income residents.

36
37 Chairman Gifford asked if the request to change the density adjacent to the Yale Street
38 site was to be considered today.

39
40 CDD Elliano responded that the request had just been received today, so staff's
41 recommendation is that it not be included at this time, since there has not been an
42 adequate assessment of the request. The owner could pursue a general plan
43 amendment application at a later date when they have a project.

44
45 Chairman Gifford asked if there were any public comments, and seeing none, asked for
46 further comments from Commissioners. He expressed his agreement with
47 Commissioner Vasquez' statement regarding staff's efforts, and stated that he would
48 have no problem recommending the proposal for Council approval.

49
50 Commissioner Overmyer agreed that the proposal would benefit property values.

1 CDD Elliano explained that even though there are five sites in Item B, the Commission
2 was free to make a recommendation that combines the five sites with their adoption of
3 Planning Commission Resolution Bill No. 12-011. If they wish to omit any sites from
4 their recommendation, however, a site-by-site recommendation would be appropriate.
5

6 It was **MOVED** by Vice Chairman Overmyer and **SECONDED** by Commissioner
7 Perciful to adopt *Planning Commission Resolution Bill No. 12-012, RECOMMENDING*
8 **APPROVAL** to the City Council of General Plan Amendment No. 12-002.
9

10 The MOTION was carried by the following vote:

11
12 **AYES:** Chairman Gifford, Vice Chairman Overmyer, and Commissioners
13 Moghadam, Perciful, and Vasquez

14 **NOES:** None

15 **ABSTAIN:** None

16 **ABSENT:** None
17

18 ***(Adopted Planning Commission Resolution No.12-007)***

19
20 It was **MOVED** by Vice Chairman Overmyer and **SECONDED** by Commissioner
21 Vasquez to adopt *Planning Commission Resolution Bill No. 12-011, RECOMMENDING*
22 **APPROVAL** to the City Council of General Plan Amendment No. 12-001, including
23 Sites 1 through 5.
24

25 The MOTION was carried by the following vote:

26
27 **AYES:** Chairman Gifford, Vice Chairman Overmyer, and Commissioners
28 Moghadam, Perciful, and Vasquez

29 **NOES:** None

30 **ABSTAIN:** None

31 **ABSENT:** None
32

33 ***(Adopted Planning Commission Resolution No.12-008)***

34
35 **10. ZONING ORDINANCE AMENDMENT NO. 12-002 (BOARDING HOUSES,**
36 **GROUP HOMES AND REASONABLE ACCOMMODATION PROCEDURES)**
37

38 **APPLICANT:** City of Hemet

39 **LOCATION:** City-wide

40 **PLANNER:** Deanna Elliano, Community Development Director
41

42 **DESCRIPTION:** A request for Planning Commission review and recommendation
43 to the City Council regarding a city-initiated ordinance amending Chapter 90
44 (Zoning) of the Hemet Municipal Code by repealing and readopting zoning and
45 development regulations for Boarding Houses and Group Homes and adopting new
46 reasonable accommodation procedures. This ordinance is a component of the
47 Hemet ROCS (Restoring our Community Strategy) Program for the City of Hemet
48 (Ordinance Bill No. 12-034.)
49
50

The staff report was presented by CDD Elliano, who provided a Power Point display regarding the project.

1
2 Chairman Gifford commented that he did not see many changes for the small group
3 home permit regarding some of the uses, noting that an administrative use permit was
4 added to one category. He asked of items requiring conditional use permits would be
5 reviewed by the Planning Commission?
6 CDD Elliano responded that they would.

7
8 Chairman Gifford then asked what the Commission's discretion was in either approving
9 or disapproving a Conditional Use Permit for these types of uses.

10
11 City Attorney Jex responded that an application for a Conditional Use Permit has to
12 meet the standard of the normal findings for any Conditional Use Permit, and this
13 ordinance has another layer of additional findings that has to be made for group
14 homes. If facts support that a finding can't be made, the Commission can deny the
15 permit.

16
17 Chairman Gifford then asked how the addition of the small group home permit
18 benefited the City.

19
20 CDD Elliano explained that the city needed to fix the process for these types of facilities
21 or it would continue to have challenges from the state and federal government in terms
22 of fair housing. By adding a number of application requirements and operational
23 standards, the city has a means of identifying who is operating such facilities, what
24 population they're serving, and where they are located, thereby allowing the city to
25 monitor them on the basis of operational standards. If the standards are not met, the
26 permit can be revoked. If an unpermitted facility is discovered, they can be mandated to
27 cease operations until they are approved through the process, and if they refuse, the
28 city can impose administrative citations.

29
30 Chairman Gifford asked what the downside would be to not adopting the change.

31
32 CDD Elliano responded that it would leave the city more vulnerable to legal challenges
33 than if it were adopted. She explained that the proposed ordinance has more
34 safeguards and requirements than the existing one.

35
36 Commissioner Vasquez asked if there were any sober living facilities in Hemet.

37
38 CDD Elliano responded that there were approximately three state-licensed facilities, as
39 well as two others that had been permitted through the old process. She added that no
40 complaints or difficulties had been associated with any of the existing facilities.

41
42 Commissioner Vasquez asked if the facilities that had been permitted under the old
43 process would need to reapply and comply with the new ordinance requirements.

44
45 CDD Elliano explained that if they had been permitted previously, they would be
46 grandfathered in. However, if a facility was discovered operating without having ever
47 been permitted, it would have to cease operations and apply with the new regulations.

48
49 Chairman Gifford opened the public hearing.
50

1 Linda Krupa, 315 South Juanita Street, Hemet, asked if there was a noticing process
2 for neighbors when a new facility applied for a permit, and if so, what the distance
3 requirements were.

4
5 CDD Elliano replied that with the requirement of an administrative use permit, the
6 notification radius would be 300-feet, and with a conditional use permit, the radius
7 would be 500 to 1,000 feet depending on the size of the parcel. Under state law, if a
8 facility is licensed, there is no notification given. And under the city's small group home
9 permit, there is no notification given.

10
11 Ms. Krupa asked if the city tended to be under more scrutiny from HUD because it
12 accepts CDBG funding.

13
14 CDD Elliano responded that HUD does regular audits, regardless of funding. She
15 explained that even if the city were not a CDBG city, which benefits Hemet by almost
16 \$800,000 per year, it would still be under scrutiny by the state in terms of the zoning
17 and housing element requirements that the state mandates.

18
19 Chairman Gifford closed the public hearing and asked for further comments from the
20 Commission.

21
22 Commissioner Overmyer indicated his support of the project.

23
24 Chairman Gifford indicated that although not much was changed in the ordinance, it
25 had been cleaned up and given more leverage.

26
27 Commissioner Vasquez commented that as the state prisons were releasing more of
28 their inmates to the counties, the counties were in turn releasing them to the cities, and
29 it was his opinion that Hemet had gotten more than its fair share. Many of these people
30 are disabled, due to their alcohol or drug addictions, so it is important to know where
31 and how they are being taken care of.

32
33 Commissioner Perciful stated he had noticed that quite a few group homes had been
34 foreclosed and resold. If the homes don't apply for a permit, he asked how the city
35 would know they existed unless the police or fire departments were called out on an
36 issue.

37
38 CDD Elliano explained that this was an ongoing challenge, but with outreach like
39 Hemet ROCS, hopefully the increased community awareness would inspire notification
40 to the City from neighboring residents, since alternatively, unless there is nuisance
41 behavior happening, city personnel wouldn't necessarily know just from driving by.

42
43 Chairman Gifford agreed and noted that although 999 out of 1,000 would voluntarily
44 comply, there will always be that one that the city must convince to comply.

45
46 It was **MOVED** by Commissioner Moghadam and **SECONDED** by Vice Chairman
47 Overmyer to adopt *Planning Commission Resolution Bill No. 12-002*
48 **RECOMMENDING APPROVAL** to the City Council of Zoning Ordinance Amendment
49 No. 12-002.
50

1 The MOTION was carried by the following vote:

2
3 **AYES:** Chairman Gifford, Vice Chairman Overmyer, and Commissioners
4 Moghadam, Perciful, and Vasquez
5 **NOES:** None
6 **ABSTAIN:** None
7 **ABSENT:** None

8
9 *(Adopted Planning Commission Resolution No.12-009)*

10 **DEPARTMENT REPORTS**

11
12
13 **11. CITY ATTORNEY REPORTS:** (None)

14
15 **12. COMMUNITY DEVELOPMENT DIRECTOR REPORTS**

16
17 **A. Report on City Council actions from the April 24, 2012 meeting.**

18
19 CDD Eliano reported that there had been a recommendation for the newest
20 Commissioner, Greg Vasquez, and there were also recommendations on the agenda
21 regarding personnel changes in terms of titles and responsibilities of existing
22 employees, but no changes in terms of compensations.

23
24 The Community Development Department was allocated funding for the equivalent of
25 two existing code enforcement officers under the CDBG program. Also, the city's fiscal
26 stability was discussed, and one of the directives for the City Council for this year was
27 to have a financial policy and general fund reserve balance determined. Therefore,
28 there was an ordinance and policy established setting forth very set and stringent
29 requirements for fiscal stability, a balanced budget, and a reserve to be set aside.

30
31 **13. HEMET ROCS CITIZEN ADVISORY COMMITTEE REPORT**

32
33 Chairman Gifford reported that April 23rd represented the first working meeting for the
34 Hemet ROCS Citizens Advisory Committee (CAC). The committee reviewed the
35 ordinances discussed by the Planning Commission tonight, but mainly spent time on
36 two ordinances that would be reviewed by the City Council.

37
38 The first of those ordinances had to do with drug and gang related nuisances, which
39 would give the police department the opportunity to deal with issues of the community
40 that are gang/drug related and define what a gang-related nuisance would be.

41
42 The second was the abatement of chronic nuisances, such as loud parties, inadequate
43 property maintenance, or blight within the community.

44
45 There was a lot of input from various parts of the community that are represented within
46 the committee by 17 members and two Council liaisons, plus a separate group that the
47 Committee coordinates with, like the City of San Jacinto. They also adopted a Hemet
48 ROCS logo.

1 **14. PLANNING COMMISSIONER REPORTS**

- 2
3 A. Chairman Gifford (None)
4 B. Vice Chair Overmyer (None)
5 C. Commissioner Moghadam (None)
6 D. Commissioner Perciful
7

8 Commissioner Perciful reported that he had been at a training session regarding
9 housing, and noted that one of the larger lenders was putting forth the effort to
10 streamline their process, in an effort to keep homeowners in their houses longer,
11 especially when they're trying to do short sales.
12

13 E. Commissioner Vasquez
14

15 Commissioner Vasquez stated that he was very encouraged that the Hemet ROCS
16 program was working on nuisance recommendations.
17

18 **15. FUTURE AGENDA ITEMS**

19 A. Jasmine Gardens CUP
20

21
22 CDD Elliano reported that this item, which had also been reviewed by the Commission
23 on a prior agenda as a work study session, would be on the next agenda. She advised
24 that the developer had held a community outreach meeting that was attended by a
25 number of people with positive results.
26

- 27 B. Report on Industrial Development Opportunities
28 C. Status of Shopping Cart Retrieval Plans and Compliance
29 D. Proposed Fence Ordinance Part II
30 E. Temporary Sign Provisions Part II
31

32 **16. ADJOURNMENT:** It was the consensus of the Planning Commission that the
33 meeting be adjourned at 8:01 p.m. to the regular meeting of the City of Hemet
34 Planning Commission scheduled for **Tuesday, May 15, 2012 at 6:00 p.m.** to be
35 held at the City of Hemet Council Chambers located at 450 East Latham Avenue,
36 Hemet, CA 92543.
37
38

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

45 ATTEST:

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