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PLANNING  **COMMISSION**

MEETING MINUTES

DATE: May 15, 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 Michael Perciful, Nasser Moghadam, and Greg Vasquez

ABSENT: None

Invocation and Flag Salute: Commissioner Nasser Moghadam

2. APPROVAL OF MINUTES:

A. Minutes of the April 17, 2012 Meeting

It was **MOVED** by Vice Chairman Overmyer and **SECONDED** by Commissioner Moghadam to **APPROVE** the minutes of April 17, 2012, with a correction of the word "Promendate" on Page 2, Line 48, to "Promenade."

AYES: Chairman John Gifford, Vice Chair Vince Overmyer, Commissioners Michael Perciful, Nasser Moghadam

NOES: None

ABSTAIN: Commissioner Greg Vasquez

ABSENT: None

3. PUBLIC COMMENTS:

There were no members of the public who wished to address the Commission regarding items not on the agenda.

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PUBLIC HEARINGS

4. CONDITIONAL USE PERMIT NO. 11-004: JASMINE GARDENS SENIOR APARTMENTS

APPLICANT: 1027 Wilshire Associates, LLC
AGENT : Kenneth Bank - Denley Investments
LOCATION: South side of Johnston Avenue, east of Gilbert Street and west of State Street
PLANNER: Carole L. Kendrick, Assistant Planner

DESCRIPTION: A request for Planning Commission review and approval of a Conditional Use Permit for the construction and operation of a 124-unit, three-story senior apartment complex built in two phases, located on Johnston Avenue, east of Gilbert Street and west of State Street, including consideration of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.

The staff report was presented by Assistant Planner Carole Kendrick, who displayed a Power Point presentation, and announced that the property owner, applicant, agents, architect and consultant who prepared the initial study were present to answer questions.

Commissioner Vasquez inquired about the Very High Density designation, which calls for 30.1 - 45 units per acre in the General Plan, and how that relates to the R-3 zone on the property.

Assistant Planner Kendrick and Community Development Director (CDD) Deanna Elliano explained the zoning requirements and the need for consistency zoning in the updated General Plan. This is five acres of an 11-acre site, which the developers are planning to build out in the future, and the entire 11 acres is designated in the General Plan as City of Hemet Very High Density.

Commissioner Vasquez asked if a lower density was permitted under the Conditional Use Permit, even though it has a General Plan designation of very high density.

CDD Elliano explained that this particular site was not counted as very high density residential in terms of meeting the Regional Housing Needs Assessment (RHNA). It will be included in the overall RHNA numbers, but it doesn't have to count toward the very high density residential. She explained that there will be a couple of inconsistencies during the transition period, which will sometimes require a slight correction to the General Plan, while other times the correction is made to the zoning. Overall, the project is still consistent with the General Plan as the density is not exceeded.

Assistant Planner Kendrick also mentioned that this project was submitted prior to the General Plan being adopted, and under the previous plan it was designated as high density residential.

Vice Chairman Overmyer asked for an explanation regarding the archaeological review.

1 CDD Elliano explained that the Soboba Tribe of Luiseno Indians commented on the
2 Draft Mitigated Negative Declaration and wanted to have a disposition agreement that
3 would provide monitoring of the site at the time of grading, and allow them to claim any
4 human remains or artifacts attributed to the tribe. Even without the agreement, state
5 law mandates that if the grading contractor discovers something of this nature, grading
6 ceases immediately to determine whether or not there are any human artifacts.
7

8 Commissioner Vasquez wanted to know the definition of "senior" housing, to which
9 Assistant City Attorney Jex responded that communities designated for age 55+ were
10 considered to be senior housing, as determined by state law.
11

12 Chairman Gifford requested a synopsis regarding a change of language in the
13 conditions regarding senior property.
14

15 City Attorney Jex replied that they inserted language requiring that this project remain a
16 senior-restricted project. Often in city history senior projects have converted to
17 non-senior status, which is fine, but the requirements for senior-restricted housing are
18 different, usually requiring less parking and producing less traffic and other intense
19 environmental concerns than non-senior housing. The city has adopted an ordinance
20 that requires a review and additional environmental analysis for the increase of people
21 that conversion may cause.
22

23 Chairman Gifford also inquired regarding the imposed public works conditions.
24

25 Assistant Planner Kendrick explained that the applicant had concerns regarding sewer
26 and water conditions, as well as the removal and replacement of the pavement fronting
27 Johnston Avenue. She advised that someone from public works was present and could
28 speak to the issues. She also answered a question from Commissioner Vasquez
29 regarding lot line adjustments, noting that the applicant had submitted the adjustment
30 requesting a change from a north-south to an east-west lot line.
31

32 Chairman Gifford opened the public hearing and invited the applicant to come forward.
33

34 Kenneth Bank, Denley Investment and Management Company, 1710 North McCadden
35 Place, Los Angeles, California 90028, approached the lectern to respond to Chairman
36 Gifford's concerns regarding public works Condition No. 64.
37

38 Mr. Banks stated that after reviewing Condition No. 64 with public works and
39 investigating the condition of Johnston Avenue fronting the project, they had agreed to
40 do a coring test to make sure there was enough asphalt and base to support the traffic
41 demands.
42

43 City Engineer Biagioni added that they would run some tests and possibly modify that
44 condition depending on the results of the testing. At this point, the City does not know
45 what shape the street will be in after construction.
46

47 CDD Elliano recommended the following language: *"Prior to issuance of the Certificate*
48 *of Occupancy, the developer shall test core samples of the pavement to determine the*
49 *structural condition of the pavement and, if necessary, would be required to . . ."* and
50 then continue with the recommended wording.

1 Mr. Bank expressed concern that Condition Nos. 67 and 68 were in conflict. He
2 suggested deleting No. 67 entirely and, based on the discussion with public works,
3 agreed to replace any sidewalk that gets damaged during construction, with inspection
4 by the City Engineer.

5
6 CDD Elliano supplied the language: *"Remove and replace sidewalk and curb and gutter
7 if damaged during construction as determined by the City Engineer."*

8
9 Mr. Bank suggested that Condition Nos. 99 and 101 were also in conflict. Condition No.
10 101 states that "any existing public concrete sewer lines will be replaced," but the
11 developer, in looking at the exhibit from public works, noted that there are no concrete
12 sewer lines, but rather a clay aggregate; therefore, they were requesting deletion of
13 Condition No. 101.

14
15 City Engineer Biagioni stated that the City retains that condition in case there is any
16 uncertainty regarding what type of sewer lines are present.

17
18 Chairman Gifford felt this was an "if" question, and that it simply provided a position that
19 the city could fall back on in the event that concrete pipes were discovered.

20
21 Commissioner Moghadam asked if the sewer was adequate for future expansion on
22 this site and at the street.

23
24 Mr. Bank indicated that when the developer gets to the construction documents, their
25 engineers would be discussing that with the city engineers to make sure there was
26 enough capacity to handle flow. Prior to issuance, those items will be agreed to by the
27 City Engineer and the developer.

28
29 Chairman Gifford indicated that it was part of the CEQA process.

30
31 Mr. Bank advised that they did not want to be subject to the upgrade of the sewer
32 system for the surrounding developments, stating that he did not wish to rebuild a
33 sewer system for 5,000 residents as this project could not afford that expense. He
34 explained that funding for this project would come largely from federal low-income
35 housing tax credits, and that it would remain a senior project because rents would be
36 tied to tax credits and an age restriction of 62 years.

37
38 Commissioner Vasquez asked if there were alternative financing for the project in the
39 event that the anticipated financing fell through.

40
41 Mr. Banks explained that tax credits are given on a competitive basis for the tax
42 application committee, twice per year. He noted that it was their intention to apply at
43 the next round in July 2012, and that if they were not successful they would reapply in
44 Spring of 2013. They are at an advantage since there is currently little competition due
45 to the economy. They will not be securing construction financing, but rather will
46 complete the construction with their own funds.

47
48 Greg Christman, project architect for Denley Investments, Los Angeles, delivered a
49 prepared presentation.
50

1 Commissioner Moghadam inquired about screening for the patios that face the
2 bedrooms of other units, and guardrails, citing concerns for privacy and safety. He also
3 suggested soundproofing for the 16 air conditioning units above the third floor. He
4 inquired regarding whether the roof was designed for the load of eventual solar, and
5 asked if the third floor would be reinforced with concrete since there are residences on
6 top of it. All in all, he felt they had done a fantastic job and stated that he would be
7 comfortable renting a unit there himself. He urged them to start the second phase as
8 soon as possible.
9

10 Chairman Gifford asked if there were plans for a shuffle board area.
11

12 Mr. Christman indicated that the design included a court area that could accommodate
13 shuffle board as well as other recreational endeavors.
14

15 Vice Chairman Overmyer commended the developer on the building finish, the roof
16 line, and the addition of solar, stating that what they had done with the building was
17 remarkable. He asked for clarification regarding the rental pricing for one and two
18 bedroom units.
19

20 Mr. Bank responded that at least 10 percent of the building, in order to be competitive
21 for tax credits, must target individuals that earn 30 percent or less of median income.
22 However, there is typically an annual rent increase. The balance of the building will
23 average 40 to 45 percent of median income. They are planning to use Inland local
24 business in the construction of the project.
25

26 Vice Chairman Overmyer inquired regarding LEED certification.
27

28 Mr. Bank indicated that it was his belief that they would qualify for LEED neighborhood
29 and silver certification, but their task bar was to have the project qualify for Enterprise
30 Communities Green, which is basically equivalent to LEED certification. He noted that
31 the roof was designed for solar, but actual installation would depend on rebate money
32 available.
33

34 CDD Elliano mentioned the WCROG low-interest energy program entitled HERO for
35 commercial and these types of residential uses, as well as homeowners.
36

37 Commissioner Moghadam indicated that if solar were to be utilized on the roof, they
38 would need to add more structure to the roof top.
39

40 Mr. Bank replied that because there are tax credits for solar, it has a benefit to an
41 investor. The problem is that with restricted rents, it is very difficult to carry debt, so it
42 becomes a balancing act. Therefore, at this point they are just looking at including
43 solar power for the common areas in order to reduce that load and the footprint of
44 power usage.
45

46 Commissioner Vasquez asked about management of the complex.
47

48 Mr. Bank responded that there would be an onsite manager and assistant manager, as
49 well as maintenance personnel contracted through a third-party professional
50 management company.

1 Vice Chairman Overmyer inquired about an anti-graffiti condition.

2
3 CDD Elliano responded that the department would be willing to work with them on that
4 issue. She also inquired about the phasing of the project and the drainage swale, as
5 well as the improvements along Johnston Avenue, the curbing, gutter and any
6 landscaping. She asked if they planned to grade the entire five acres at once, with the
7 graded pad left ready for phase two, or if there would be a completely undisturbed
8 portion left for grading when phase two begins.

9
10 Mr. Bank noted that they had not finalized the mechanics of construction yet, as they
11 are first concentrating on the entitlement and financing. However, the first phase will
12 include the three buildings on the eastern end, inclusive of the pool, court and
13 community center and the drive access in the front. He was uncertain about the
14 retention basin, but advised that it would be adequate to handle the storm water
15 draining off the site. They will not grade phase two but will use that area for staging.
16 Once phase one is completed, they will level out phase two and, when ready to begin
17 construction, will grade the area again.

18
19 Commissioner Vasquez requested information on the remaining five acres.

20
21 Mr. Bank said that once phase one was complete and occupied they would develop
22 phase two, and once that is complete and they are comfortable with the build, they
23 would move south and increase the size of both phases one and two, duplicating what
24 is on the north side by continuing the open space in the middle all the way down and
25 having another series of buildings.

26
27 Commissioner Perciful wanted assurance that the drainage would be adequate to
28 handle all the storm water.

29
30 Mr. Bank said the drainage was a type of swale, and that they would be adding some
31 walking trails so that when it's dry, it can be utilized. As it extends towards Gilbert
32 Street, they are dedicating an easement, which will create an amenity for the project.

33
34 Commissioner Moghadam noted that bridges have been added to assist in case of
35 emergency and to communicate between the three buildings.

36
37 Chairman Gifford closed the public hearing, commenting that this was the kind of
38 project he liked to see in Hemet, particularly because of the senior demographic. He
39 asked that CDD Elliano read the language of Condition Nos. 64 and 68, as modified.

40
41 CDD Elliano read into the record as follows:

42
43 **Condition No. 64: "Prior to issuance of a Certificate of Occupancy, the**
44 **developer shall test core samples of the pavement and**
45 **determine the structural condition of the pavement, and if**
46 **necessary as determined by the City Engineer, may be**
47 **required to remove and replace the existing street**
48 **pavement fronting the project on Johnson Avenue to the**
49 **center line in accordance with the City of Hemet standards**
50 **and specifications."** The rest of the language will stay the
same.

1 acquainted with many of the Commissioners, and it had been an honor and a privilege
2 to serve the Commission.
3

4 Chairman Gifford expressed appreciation for Attorney Jex's outstanding service, his
5 guidance and instruction, and his sense of humor.
6
7

8 **6. COMMUNITY DEVELOPMENT DIRECTOR REPORTS:**
9

10 **A. Verbal Report on City Council actions from the May 8, 2012 meeting.**
11

12 CDD Elliano reported on a work study session concerning Eastern Municipal Water
13 District's proposal to do a test project on an 80-acre pond or depression that exists near
14 Diamond Valley Lake on the east side of the dam, to test the permeability and its
15 impact on the ground water below. If it meets their requirements, then they may move
16 forward with having a permanent recycled water lake and a distribution pipeline,
17 allowing irrigation of golf courses, parks, and other city landscaping. EMWD will be
18 leasing the property from Metropolitan Water District. She explained that because of
19 the city's interest in recreation, City Attorney Vail had drafted a Memorandum of
20 Understanding to ensure that the effort would not prohibit or preclude the ability to
21 someday include recreation. Entitlements would be needed for them to have anything
22 permanent there, and the city would continue to push for recreational opportunities, as
23 there are some recycled lakes that do include such.
24

25 Other items on the agenda were two ordinances that had also been reviewed by the
26 Hemet ROCS committee regulating drug and gang nuisance activities on residential
27 properties and the abatement of chronic nuisances, holding property owners more
28 accountable for their rental properties.
29

30 It was also noted that Attorney Jex and CDD Elliano had attended the inauguration of
31 the Armed Forces banners at Gibbel Park, and that installation of the banners along
32 Florida Avenue should now be in process.
33

34 **B. Verbal Report on Western Riverside Council of Governments (WRCOG)
35 Planning Directors Technical Advisory Committee Meeting**
36

37 CDD Elliano advised that every other month, Planning Directors attend a meeting
38 called the WRCOG Technical Advisory Committee. She explained that Hemet is a
39 member of the Southern California Association of Governments, which also includes
40 the counties of Ventura, Los Angeles, Orange and Riverside, but noted that several
41 decades ago the Inland Empire had formed WRCOG (Western Regional Council of
42 Governments) due to the fact that the issues here tend to be quite different than those
43 of the coastal counties.
44

45 CDD Elliano described several items that were discussed at the WRCOG meeting,
46 including a strategic plan which includes economic development, education, health
47 care, transportation, energy, environment, water, and waste water legislation; and a
48 climate action plan dealing with greenhouse gas emissions, that has interns from UCR
49 and Cal Poly working with staff on data collection regarding energy use. She noted this
50 would benefit Hemet, as it allows the City to utilize funding of a larger organization and
tailor it for their use.

1
2 CDD Elliano advised that Air Quality Management Districts were on their 10th
3 management plan, for which a draft is due this summer that must be approved by the
4 federal government in December of 2012. These issues involve several sources or
5 types of emissions, including: Stationary (power plants, cleaners, etc.); transportation
6 (cars, rail, air, diesel); and private emissions (BBQs, lawn mowers, etc.).
7

8 C. Update on Hemet-Ryan Airport Land Use Sub-Committee Meeting 9

10 CDD Elliano reported on the complexities of the airport runway expansion, noting that
11 Hemet's need for involvement was two-fold: 1) to comment on Cal Fire, making sure
12 Hemet is still a Cal Fire base; and 2) to allow for more jet traffic, particularly since
13 southwest of that area is where the General Plan wishes to establish a business park
14 with high tech industry corporations. She explained that the proposal was to expand
15 the runway by 1,000 feet, from 4,300 feet long to 5,300 feet long, extending 500 feet to
16 the west, working with habitat conservation agencies, and another 500 feet to the east
17 based on the contours of noise and safety, with the real concern being noise.
18

19 Commissioner Moghadam asked how much influence the City of Hemet has on the
20 Airport Land Use Commission.
21

22 CDD Elliano explained that Hemet-Ryan is more of a recreational airport and a Cal Fire
23 base. The ALUC is supportive of expansion to handle more traffic, but it is primarily a
24 cost issue, as funding is dependent upon the volume of traffic. The ALUC is an
25 independent body, but the City Council can vote to overrule their determinations.
26

27 Commissioner Vasquez asked what Supervisor Stone's position was on the airport.
28

29 CDD Elliano responded that he was supportive of it, but that there was the issue of
30 funding.
31

32 D. Cancellation of the June 5, 2012 Commission Meeting 33

34 CDD Elliano advised that, since there were no projects ready for the June 5th meeting,
35 the next Planning Commission meeting would be held on June 19th, 2012.
36
37

38 7. HEMET ROCS CITIZEN ADVISORY COMMITTEE REPORT: 39

40
41 Chairman Gifford reported that there had been no meeting since the last report to the
42 Planning Commission, so there was nothing new to report.
43
44

45 8. PLANNING COMMISSIONER REPORTS: 46

- 47 A. Chairman Gifford (None)
 - 48 B. Vice Chair Overmyer (None)
 - 49 C. Commissioner Moghadam
- 50

Commissioner Moghadam mentioned that there were many businesses along Florida Avenue that did not have nighttime exterior lighting. He suggested that the lack of

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lighting caused these areas to appear as if they were a dangerous or hazardous part of town to drive through. He also commended the Fire Department for successfully extinguishing a brush fire that was within 150 feet of his house.

- D. Commissioner Perciful (None)
- E. Commissioner Vasquez (None)

9. FUTURE AGENDA ITEMS:

- A. North Hemet Specific Plan Work Study
- B. Report on Industrial Development Opportunities
- C. Status of Shopping Cart Retrieval Plans and Compliance
- D. Proposed Fence Ordinance - Part II
- E. Temporary Sign Provisions - Part II

10. ADJOURNMENT: It was the consensus of the Planning Commission that the meeting be adjourned at 8:18 p.m. to the regular meeting of the City of Hemet Planning Commission scheduled for **Tuesday, June 19, 2012 at 6:00 p.m.** to be held at the City of Hemet Council Chambers located at 450 East Latham Avenue, Hemet, CA 92543.



John Gifford, Chairman
Hemet Planning Commission

ATTEST:



Nancie Shaw, Records Secretary
Hemet Planning Commission