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PLANNING  **COMMISSION**

MEETING MINUTES

DATE: September 18, 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: Chairman John Gifford

2. APPROVAL OF MINUTES:

A. Minutes of the July 17, 2012 Meeting

It was **MOVED** by Vice Chairman Overmyer and **SECONDED** by Commissioner Moghadam to approve the minutes of the July 17, 2012 Planning Commission meeting, as presented.

The **MOTION** was carried by the following vote:

AYES: Chairman Gifford, Vice Chairman Overmyer, and Commissioners Moghadam, Perciful, and Vasquez

NOES: None

ABSTAIN: None

ABSENT: None

B. Minutes of the August 21, 2012 Meeting

It was **MOVED** by Vice Chairman Overmyer and **SECONDED** by Commissioner Moghadam to approve the minutes of the August 21, 2012 Planning Commission meeting as presented.

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 **3. PUBLIC COMMENTS:**

10
11 There were no members of the public who wished to address the Commission
12 regarding items not on the agenda.
13

14 **PUBLIC MEETING ITEMS**
15

16
17 **4. SITE DEVELOPMENT REVIEW NO. 12-001 (PULTE DEL WEB HOMES AT**
18 **SOLERA DIAMOND VALLEY)**

19
20 **APPLICANT:** Pulte Group, Inc.

21 **LOCATION:** Northeast corner of Mustang Way and Warren Road

22 **PLANNER:** Carole L. Kendrick — (951) 765-2375
23

24 **DESCRIPTION:** A request for Planning Commission review and approval of
25 a Site Development Review application for the design of 161 single-family
26 residential homes within Tract Nos. 31807-1, 31808 and 31808-1 located on
27 the northeast corner of Mustang Way and Warren Road and a Notice of
28 Exemption under the Subsequent Environmental Impact Report (EIR) that was
29 adopted for the underlying projects, GPA No. 05-03, SPA No. 04-01, and TTM
30 Nos. 31807 and 31808 on November 22, 2005.
31

32 Commissioner Vasquez, in the interest of disclosure, indicated that he lived at the Del
33 Webb Community where the proposal for this project is located and asked to be
34 recused if the city attorney felt it appropriate. He requested to be allowed to remain in
35 the audience to hear the presentation.
36

37 City Attorney McEwen responded that he was not aware of any conflict in terms of him
38 living within 500 feet, but felt it appropriate that Commissioner Vasquez exit the room
39 to avoid any appearance of a potential common law conflict.
40

41 A brief discussion regarding what might constitute a legal conflict of interest followed.
42 City Attorney McEwen clarified that any appearance of a conflict of interest should be
43 avoided and that the personal decision of Commissioner Vasquez to leave the room
44 was his own.
45

46 Chairman Gifford indicated he would call Commissioner Vasquez back when the item
47 was concluded.
48

49 The staff report was presented by Assistant Planner Carole Kendrick, who provided a
50 PowerPoint presentation regarding the project.

1 Chairman Gifford noted that after seeing five different plans with backup material, he
2 did not see any indication of the number of units or the mix of these units and how they
3 would be distributed amongst the lots.
4

5 Assistant Planner Kendrick responded that the pick-a-lot program for this project would
6 have certain percentages of certain plans within the tracts limited to 40% of one plan,
7 and they would have to meet certain requirements under this program. She indicated
8 that they had provided staff with a typical layout, but reminded the Commission that
9 this would be the customer's choice.
10

11 Chairman Gifford commented that staff had wisely not put a number in there because
12 this might change and asked if 40% would be the maximum.
13

14 Assistant Planner Kendrick responded affirmatively.
15

16 Chairman Gifford asked if there were any questions for the staff regarding this project.
17

18 Commissioner Overmyer inquired regarding whether Plan Nos. 70, 71, and 72, since
19 they are the smallest, could make up for all of the lots in the 40% requirement.
20

21 Assistant Planner Kendrick explained that there are other requirements indicated on
22 page four of the staff report which show that they can't have two of the same plans
23 adjacent to one another and would have to have variation of colors, etc.
24

25 Commissioner Overmyer expressed his thought that this would work even if the
26 smallest three made up the entire area.
27

28 Assistant Planner Kendrick responded that this would be very hard to do.
29

30 Commissioner Moghadam inquired regarding the average square footage of the lots, to
31 which Assistant Planner Kendrick responded 5,000 square feet.
32

33 Chairman Gifford thanked Assistant Planner Kendrick, opened the public hearing and
34 requested that the applicant respond to questions.
35

36 Kevin Paul of Pulte Group, 27901 Puerta Real, Mission Viejo, CA approached the
37 lectern as a representative for the applicant.
38

39 Chairman Gifford acknowledged that this project had been brought before previous
40 Planning Commissions and approved in general. Since this Commission is making
41 some changes to the project based on the staff report, he asked if economic or other
42 market-driven reasons were responsible for encouraging the requested changes.
43

44 Mr. Paul responded that livability and design were the primary reasons, along with
45 changing market demands.
46

47 Chairman Gifford asked if salability and layout also played a role rather than simply
48 less expensive housing.
49

50 Mr. Paul responded that they did.

1
2 Commissioner Overmyer wondered if exterior design and additions, such as granite,
3 might be driving the changes.
4

5 Mr. Paul responded that they had done some pattern engineering with what we call the
6 "behind the walls" type items, including an effort to take out the excess framing, etc.,
7 but did not go overboard on anything unnecessary."
8

9 Commissioner Overmyer asked if solar would be offered.
10

11 Mr. Paul indicated he was uncertain regarding that issue. He proceeded to show some
12 examples of proposed changes, including stone on pillars and columns in the Spanish,
13 early California and Ranch Hacienda elevations.
14

15 Commissioner Moghadam asked about the color, styles and schemes of the project.
16

17 Mr. Paul indicated there were three different styles and color schemes per elevation
18 style, which would total nine style types.
19

20 Commissioner Moghadam wondered what would happen if five people wanted a
21 certain approved color. Would there be five different houses with the same color
22 scheme?
23

24 Mr. Paul indicated that there were restrictions regarding a color scheme being adjacent
25 to a like color scheme.
26

27 Community Development Director (CDD) Elliano shared that the pick-a-lot program
28 requires variation in the housing.
29

30 Mr. Bakari, a representative of Del Webb, 27101 Puerta Real, Suite 300, Mission Viejo,
31 CA indicated that he had reviewed the condition of approval and had no objection to it.
32

33 Chairman Gifford asked if there were any others who would like to speak and seeing
34 none, closed the public meeting. He further queried Assistant Planner Kendrick
35 regarding whether the pads were already graded and prepared.
36

37 Assistant Planner Kendrick responded that they were.
38

39 Chairman Gifford then questioned the applicability of Condition No. 9 and was assured
40 by CDD Elliano that all conditions on the first SDR have been included in case there is
41 some need for additional changes in the grading or drainage.
42

43 Chairman Gifford re-opened the public meeting to inquire of the applicant regarding
44 grading of ungraded property.
45

46 Mr. Bakari commented that he understood the issue and had no objections. He
47 indicated that there was one portion of the project to the northeast of the overall site
48 which had not yet been finalized or mapped, and noted that this particular area is blue
49 topped and rough graded, and that when the map is finalized Condition No. 9 would
50 apply to it.

1 Mr. Brian Egger, 598 North Hemet Street, Hemet, wondered what the actual market
2 demands were for this project.

3
4 Chairman Gifford indicated that they have perceived the demand and adapted the
5 construction and layouts needed to make them more salable.

6
7 Assistant Planner Kendrick advised that construction has been progressing as long as
8 she's been with the City, and noted that the senior projects were not hit as hard as
9 standard single-family units in the economic downfall. She added that the homes are
10 selling, and that some single-family homes are still being constructed.

11
12 Chairman Gifford closed the public meeting and requested the thoughts of other
13 commissioners regarding this agenda item.

14
15 Commissioner Perciful commented that the supply for this type of product in the city is
16 limited, so there is a demand. He stated that homes in the area are selling within
17 weeks, noting that prices tended to be a selling factor. If the price point on these
18 properties is comparable to other homes available now, there will be a demand, but the
19 price must be right.

20
21 Chairman Overmyer indicated that he was aware of the construction of more tracts, or
22 at least graded lots being built on, so there is empirical evidence available.

23
24 CDD Elliano shared that Pulte is an excellent builder and has done a very good job on
25 this project. Pulte did not lower their product, but looked at more options as well as
26 viewing the market regarding pricing. Their master plan includes senior and single
27 story units.

28
29 Chairman Gifford entertained a motion on Site Development Review No. 12-001 and
30 Resolution Bill 12-003.

31
32 It was **MOVED** by Vice Chairman Overmyer and **SECONDED** by Commissioner
33 Perciful to adopt Resolution Bill No. 12-003 approving Site Development Review No.
34 12-001 as presented.

35
36 The MOTION was carried by the following vote:

37
38 **AYES:** Chairman Gifford, Vice Chairman Overmyer, and Commissioners
39 Moghadam and Perciful
40
41 **NOES:** None
42
43 **ABSTAIN:** None
44
45 **ABSENT:** None

46
47 *(Adopted Planning Commission Resolution No. 12-018.)*

48
49 Commissioner Vasquez was invited to return to the dais.

50

DEPARTMENT REPORTS

5. CITY ATTORNEY REPORTS:

City Attorney McEwen reported on AB 2314 recently signed into law by Governor Brown. This legislation addresses the maintenance of foreclosed properties as well as other conditions regarding receiverships. He indicated that the main focus of AB 2314 was on the maintenance of these foreclosed properties, adding that it extends a prior statute which has been in effect for a number of years and was due to expire in January 2013. That statute allows the city to impose civil fines of \$1,000 on properties that have gone into the foreclosure process and have not been kept up. He explained that the bill is a tool that the city can use, which does not require an implementing ordinance. It sets forth a procedure to follow. The city must give notice to the owner that they are in violation and give them a period of time to fix those violations. If they fail to do so, the city then can impose fines. There is an appeal process that the city must allow to give the property owner an opportunity to come in and challenge the issue, but overall it is an effective tool for cities to use in dealing with blighted foreclosures. Many properties are in the hands of banks that are not in the neighborhood, or even the community, and who don't have the best interest of the city at heart in keeping these properties maintained. Banks want to hold on to the homes until they can sell them and make a profit. This legislation is something the city can use to get their attention. Some cities have gone forward to adopt ordinances to implement this, but an ordinance is not required.

Chairman Gifford asked if this assembly bill defines what is dilapidated or what an unacceptable property might look like.

City Attorney McEwen responded that the basic property standards would be applied, noting that if the property has overgrown grass and weeds, it would qualify. In addition, structural problems can also be considered.

CDD Elliano stated that the city would be implementing this bill.

City Attorney McEwen added that the statute requires a 14-day notice be given to the lien holder and then that a period of time not less than 30 days to fix the property be given. However, once that period expires, the city would implement and impose fines.

6. COMMUNITY DEVELOPMENT DIRECTOR REPORTS:

A. Verbal Report on City Council actions from the September 11, 2012 meeting

CDD Elliano advised that the new Building Official and Code Compliance Manager had been introduced to the City Council at their meeting of September 11th, and that a short presentation on the Hemet ROCS program had occurred. The parolee probationer ordinance had its final reading, and the tobacco ordinance, which was recommended for approval by the Planning Commission with the provision regarding whether an applicant had to come back and get a new CUP, was introduced. She clarified that the Council had left that requirement in the ordinance.

1 Commissioner Vasquez accepted another appointment from the mayor and is now a
2 member of the Oversight Board for the dissolved Hemet Redevelopment Agency, taking
3 the seat of former Board member, Brian Nakamura.

4
5 The new Interim City Manager, Mark Orme, while recognizing the Council's focus, is
6 now always going to have an economic development update and Hemet ROCS update
7 at the close of each City Council meeting.

8
9 **B. Hemet ROCS Update at September 25, 2012 Council meeting – Hemet**
10 **Public Library**

11
12 CDD Elliano reported that the City Council meeting scheduled for September 25, 2012
13 is expected to be large and will be held on the 2nd floor of the library. As part of their
14 regular agenda, the City Council will have a Hemet ROCS presentation that will bring
15 back answers to the many questions and comments raised at two community meetings
16 and at the last Citizens Advisory Committee meeting. Of the 111 comments received,
17 they were divided into seven different categories with selected respondents: (1) Public
18 Safety Resources (Chief Brown); (2) Public Policy and Administration (City Manager); (3)
19 Blight/Graffiti and Property Maintenance (CDD Elliano); (4) Infrastructure Needs of City
20 (Director of Engineering and Public Works); (5) Economic Development Needs
21 (Community Investment Director); (6) Legal Considerations; and (7) Community
22 Participation and Volunteerism.

23
24 CDD Elliano also mentioned that there will be reporting on the implementation teams
25 and the field operations task force to move the information from the ordinance stage into
26 the community in order to make a real difference. There will be regular reports that
27 provide additional information on the status of all of the above and how we are
28 developing things to better respond to the community and implement the Hemet ROCS
29 program.

30
31 **C. General Plan Housing Element-5th Cycle Update & Consistency Zoning**

32
33 CDD Elliano provided information regarding the General Plan Housing Element update.
34 She explained that the General Plan Update adopted earlier this year had included a
35 State mandated component, which is the Housing Element. The next Housing Element
36 cycle is due in October of 2013. In order to process it in time, the City of Hemet should
37 take it through to hearings in the spring so it can be reviewed with the State Department
38 of Housing and Community Development in order to have it adopted in time for the
39 October deadline. She wants the Planning Commission to be informed that it will be
40 coming before them. The firm selected to assist in its development was RBF from
41 Temecula. They were the best firm in terms of technical abilities and understanding the
42 city's local needs.

43
44
45 **7. HEMET ROCS CITIZEN ADVISORY COMMITTEE REPORT — *Chairman John***
46 ***Gifford***

47
48 Chairman Gifford reminded the Planning Commission of the community interest
49 regarding the Hemet ROCS Citizens Advisory Committee. Over 100 community
50 members participated and energized the committee. The following issues emerged as
central concerns: Graffiti and vandalism — it is important for citizens to get accurate

1 and readily available information; placement of the old Swat vehicle to deter incidence
2 of crime in the city; placement of cameras in high crime areas; website changes
3 regarding code enforcement and blight elimination in the city; and finally, funding more
4 police officers was an important discussion as well as the possibility of assessing a fee
5 the city would collect from each of the rental units to assist in police funding.
6

7 CDD Elliano continued on the last point made by Chairman Gifford. She clarified the
8 rental registration program, which might be assessed as a fee versus a tax, and which
9 would need to be a cost recovery for services performed. If it is a tax, then it can be
10 used for general purposes. This will need to be evaluated and, if a tax, would be a
11 citywide ballot measure. CDD Elliano discussed the ways that communication can be
12 enhanced to the citizens of Hemet in regards to some of these issues. For example, the
13 City-wide Newsletter is about to be released and will go to every resident in the city of
14 Hemet with informational items about different city departments and what they handle,
15 and also information on Hemet ROCS. In addition, the development of the Hemet
16 ROCS hotline is being launched, which will allow citizens an avenue to report graffiti or
17 other specific concerns to the city. The City's website will have a news flash area with a
18 clear bar that can be clicked on to reach the Hemet ROCS portion of the website, which
19 would then have interactive forms that can be filled in by citizens regarding items of
20 which they would like the city to become aware.
21

22 Chairman Gifford asked for questions from the Commissioners.
23

24 Commissioner Overmyer had concerns regarding the fees that may be proposed. His
25 questions included issues about who would pay the fees, each address, each door, or
26 each unit? He pointed out that if the fee was \$300 as suggested, landlords with 10 units,
27 who are already doing their best to keep up their properties would have a \$3,000 charge
28 that might take away from the upkeep of the rental units themselves.
29

30 Chairman Gifford responded that this had not yet been discussed by the committee. He
31 stated that his feeling was that the city would need to find an equitable way for the
32 members of the community to share the load and make sure that government agencies
33 are carrying out and making the best use of it. He advised that the committee believed
34 that they were willing to pay something for a positive result. \$300 was the number
35 thrown out, but this amount has not been ascertained. The City, however, is looking at
36 this as a possibility and will have to come back with some thoughtful suggestions.
37

38 Commissioner Moghadam suggested that in deciding the fee or tax, whichever it may
39 be, consideration should be granted to units that rent for \$1,500 a month or more, and
40 those that rent for a lesser amount so that the burden is equally shared. He noted that
41 he was in favor of the fee being established as a percentage of the rent versus a fixed
42 fee because that seemed to make more sense than a fixed price.
43

44 Chairman Gifford commented that there may be no perfect answer to this issue now,
45 and Commissioner Perciful saw this as a serious issue that may not have an easy
46 answer.
47

48 Chairman Gifford discussed another issue regarding the city's marketing efforts to
49 businesses outside of the city, such as to conventions and the like. He suggested that it
50

1 is important for business people to talk to other business people as a way of marketing
2 the city.

3
4 **8. PLANNING COMMISSIONER REPORTS:** *Commissioner reports on meetings*
5 *attended or other matters of Planning interest*

6
7 **A. Chairman Gifford – Nothing to report**

8
9 **B. Vice Chair Overmyer**

10
11 Commissioner Overmyer expressed concern regarding bringing in business to the city.
12 Looking at the General Plan, the industrial plan area that Hemet has reserved for
13 business is on the west side of town. He was wondering where the current industrial
14 area for the city is located.

15
16 CDD Elliano responded that the current industrial areas of the city are located near the
17 airport and Wentworth Plaza. Other industrial areas include North State Street and
18 portions of Sanderson Avenue.

19
20 Commissioner Overmyer wondered what Hemet has at its disposal to invite businesses
21 to come to the city.

22
23 **C. Commissioner Moghadam**

24
25 Commissioner Moghadam asked if the shopping carts at Walmart include wheel locks
26 that cause the cart to lock up when they reach a certain distance from the store.

27
28 CDD Elliano responded that Walmart's carts actually work better than any others
29 currently out there. Home Depot, Lowes, Walgreens, and Stater Bros. will also begin
30 utilizing the wheel lock system for their carts, hopefully in the near future.

31
32 **D. Commissioner Perciful – Nothing to report**

33
34 **E. Commissioner Vasquez – Nothing to report**

35
36 **9. FUTURE AGENDA ITEMS:** *Items to be scheduled for upcoming Planning*
37 *Commission Meetings*

38
39 **A. North Hemet Specific Plan and Draft EIR**

40
41 **B. Alcoholic Beverage Land Use Regulations (Hemet ROCS)**

42
43 CDD Elliano reported that there would be an upcoming work study on this item, which
44 would also be discussed at the next CAC meeting. The ordinances will eventually come
45 to the Planning Commission and then go on to the City Council. This discussion will
46 begin again in October. The Planning Commission will look at alcoholic beverage sales
47 and on-site consumption such as bars and restaurants, as well as the carry-out from
48 liquor and convenience stores. The other application to be brought forward ties in to the
49 comment regarding industrial development.
50

1 C. West Hemet Pre-zoning request

2
3 CDD Elliano advised the Commission that with the General Plan having been adopted,
4 the zoning designations throughout the City must be brought into consistency with the
5 General Plan. A series of meetings have been held with several individuals who are
6 land owners in the west end area that lies within the City's sphere of influence, in an
7 effort to get their consensus regarding pre-zoning categories that will eventually be
8 brought to the Planning Commission for recommendation. In the Hemet Municipal
9 code, one of the ways to initiate the pre-zoning process is to take the ideas to the
10 Planning Commission and see if there is merit to move it forward as a city-initiated
11 project. In October, staff will be coming back to you with the pre-zoning proposal for the
12 sphere of influence areas within the southwest portion of the city, and if successful, staff
13 will come back with an additional pre-zoning request further to the west, in an effort to
14 eventually annex those areas to the city.
15

16 D. Report on Industrial Development Opportunities

17
18 Chairman Gifford asked if CDD Elliano wanted to report on Industrial Development
19 Opportunities.
20

21 CDD Elliano stated that she would bring back a more detailed report at a future meeting
22 regarding the State Street corridor and the business park there, as well as other
23 potential industrial areas nearby. In addition, she pointed out industrial development
24 opportunities near Stetson Avenue and the airport, as well as near Sanderson Avenue.
25

26 Commissioner Overmyer asked if these areas were currently owned by private
27 individuals or other entities.
28

29 CDD Elliano responded that most of these areas are within the city limits and had been
30 rezoned to industrial. A couple of them are owned by the city of Hemet. The pre-zoning
31 areas would be near California Avenue and the city boundary, which includes
32 uninhabited industrial property. She explained that this might be a mixed-use area,
33 which has the opportunity for commercial and industrial use.
34

35 E. Proposed Fence Ordinance — Part II

36
37 CDD Elliano indicated that both the fence ordinance and sign ordinance would have to
38 be discussed at a later time due to the immersion of staff with the Hemet ROCS projects
39 lately.
40

41 F. Temporary Sign Provisions — Part II

42 G. Other items

43
44
45 Chairman Gifford wondered about the Hemet theater, noting that the owner had
46 requested permit approval from the City Council, but the building continues to just sit
47 there, still burned on the side. He requested an update on any progress regarding the
48 theater.
49
50

1 CDD Elliano commented that her understanding is that the property had been going
2 through the plan check process, but a financial issue caused progress to stop. She
3 does not know whether or not it is now for sale.

4
5 Chairman Gifford asked if there was enough money to paint the wall.

6
7 CDD Elliano indicated that she did not know.

8
9 Chairman Gifford suggested that a Hemet ROCS logo could be placed on it if volunteers
10 were asked to help paint it.

11
12 Commissioner Moghadam commented regarding an industrial issue. He wondered if
13 the sites for industrial projects have been upgraded regarding gas lines and the location
14 of the above ground from high pressure to low pressure gas lines.

15
16 CDD Elliano was not aware of this issue, but recognized the necessity to talk to the gas
17 company about making any necessary changes and looking at the aging infrastructure
18 as a significant issue to consider. In addition, the upgrading of water lines is important
19 to think about as well. She commented that the planning staff could put into motion
20 items related to zoning and planning; however, everything else in the way of
21 infrastructure are very costly in terms of being able to update or provide upgrades.

22
23 Commissioner Vasquez asked CDD Elliano for an update on the status of the former
24 Walmart building.

25
26 CDD Elliano provided the history of the area including the issuing of a CUP without any
27 final action by the client to move the project forward to plan check or construction. She
28 was worried that lack of action on this property might cause the property to deteriorate
29 and become a code case for the Planning Department.

30
31 Commissioner Vasquez wondered if there was a limit on the time frame for this project.

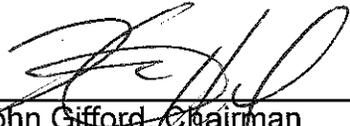
32
33 CDD Elliano responded that the applicant had been granted a two-year window that
34 was later extended for two or three additional years in terms of their entitlement. She
35 suggested, however, that perhaps the Planning Division should consult with the City
36 Attorney in light of the possibility of these properties going into receivership or becoming
37 a blight within the city.

38
39 Chairman Gifford commented that community members are anxious for something
40 productive to happen with these types of properties.

41
42 CDD Elliano suggested that receivership might provide the city with a window of
43 opportunity in our toolbox for commercial property and its impact on the city if no
44 development occurs. She added that there are concerns on other parts of Florida
45 Avenue as well, and noted that the City is working with brokers and owners in an effort
46 to do whatever is possible to make it easier for them to acquire tenants. She cited
47 Fitness 19, the Crunch Gym and Angie's Diner as examples of new tenant
48 arrangements.
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10. ADJOURNMENT: It was unanimously agreed to adjourn the meeting at 7:32 p.m. to the regular meeting of the City of Hemet Planning Commission tentatively scheduled for **October 16, 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