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PLANNING COMMISSION

MEETING MINUTES

DATE: February 19, 2013

CALLED TO ORDER: 6:00 P.M.

MEETING LOCATION: City Council Chambers
450 East Latham Avenue
Hemet, CA 92543

1. CALL TO ORDER:

PRESENT: Vice Chairman Vince Overmyer and Commissioners Nasser Moghadam and Michael Perciful

ABSENT: Chairman John Gifford and Commissioner Greg Vasquez

Invocation and Flag Salute: Vice Chairman Vince Overmyer

2. APPROVAL OF MINUTES:

A. Minutes of the January 15, 2013 Meeting

It was **MOVED** by Commissioner Perciful and **SECONDED** by Commissioner Moghadam to **APPROVE** the January 15, 2013 Meeting Minutes as presented.

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

AYES: Vice Chairman Overmyer and Commissioners Perciful and Moghadam

NOES: None

ABSTAIN: None

ABSENT: Chairman Gifford and Commissioner Vasquez

3. PUBLIC COMMENTS :

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

PUBLIC HEARING ITEMS

4. SPECIFIC PLAN NO. 11-001 (North Hemet Specific Plan) & DRAFT ENVIRONMENTAL IMPACT REPORT (SCH NO. 2011101031) – Continued from January 15, 2013

APPLICANT: Housing Authority of the County of Riverside
AGENT: John Aguilar, EDA Director of Housing
LOCATION: Northwest corner of North State Street and Oakland Avenue
PLANNER: Ron Running - (951) 765-2375

DESCRIPTION: A request for Planning Commission review and recommendation to the City Council regarding the establishment of the proposed North Hemet Specific Plan for a 28.6+/- acre site and the proposed Draft Environmental Impact Report establishing a maximum of 525 multi-family residential units (100 units within mixed-use areas), 118,919 square feet of retail commercial, and 16,335 square feet of office space.

CDD Elliano noted that this item was continued from the January 15th meeting and that since that time, the County continued to be in the process of preparing responses. However, the County and City Staff have met to discuss the project, and the County is exploring the possibility of having this be all senior housing. In order to do that, the environmental and planning consultant who prepared the Specific Plan and the Draft EIR need to outline what changes are necessary and what the cost of the changes advanced by the Commission might be.

Staff's recommendation is to open the public hearing for any additional comments to be passed on to the County, and continue this item off calendar until the County has had sufficient time to determine whether they will amend the project and get approval through the Board of Supervisors for a contract addendum for their consultants.

Vice Chairman Overmyer opened the public hearing and invited speakers to the lectern.

Russell Rumansoff (530 St. John Place, Hemet) encouraged the Commission to look carefully at anything the County proposed, as he doesn't think the County has done the City any favors in the past. The Commission needs to look at the proposal and consider that it's a gateway to Hemet, so it needs to fit the Commission's vision for Hemet.

Robin Lowe (no address given) provided the Commission with an informational list regarding the amount of Section 8 housing in Riverside County. She pointed out that there are currently 972 homes in Hemet that are occupied under Section 8 subsidies, with 831 low income families on a waiting list for additional housing. These numbers do not include vouchers that are utilized here from Los Angeles and Orange Counties. There is a significant disparity among the various cities in the county, such as 1,481 Section 8 units in Moreno Valley (with over 300,000 residents), 2,200 in Riverside, and only four in Temecula. She believes the County is just moving down Interstate 215 with Section 8 housing.

1 Vice Chairman Overmyer thanked Ms. Lowe for her contribution of information about
2 senior and low-income housing.
3

4 Scott Garrett (230 West Devonshire Avenue, Hemet) made the recommendation that
5 the property be zoned Specific Plan and that the city then be the ones to deal with it at
6 that point. He felt the economic demographics of the area are important for future
7 vitality and that establishing an area as "all-senior" living is not a good plan. He
8 reiterated his grandfather's sentiments that, "Too many of any kind of people isn't
9 good." If the city aims high and develops the project with the County which aims for a
10 higher economic demographic, providing the amenities that are sought, the city can
11 attract that population.
12

13 Mr. Gomez (no address or first name given), who has worked in the Valley for 30 years
14 in law enforcement, reiterated prior speakers' sentiments concerning low-income
15 housing, the need to be considerate of others – not just the elderly and the youth, but
16 the people who have invested their lives in this city and are now being faced with crime
17 and violence. He requested that the Commission look at the proposal with wisdom.
18

19 Howard Rosenthal (no address given) expressed his opinion that a significant part of
20 the valley has become consumed by low-income housing and is going downhill fast.
21 He expressed his sentiment that until the market stabilizes there is no need for further
22 low-income housing. He felt that Hemet has become a dumping ground for low-income
23 housing, and the city needs some stabilization. The County needs to help by placing a
24 moratorium on Section 8 housing.
25

26 Commissioner Moghadam expressed his desire to know more about the practice of
27 trading low-income housing in one location for another location as an explanation for
28 Hemet's present situation. He requested information from the City Attorney regarding
29 this practice, and thanked the public for their participation and support.
30

31 Commissioner Perciful also expressed his appreciation for the public's attendance, as
32 well as their comments and desire to stand up for the city's best interests.
33

34 Vice Chairman Overmyer asked for more information from CDD Elliano about the
35 possibility of going from a zone to a specific plan.
36

37 CDD Elliano explained that a Specific Plan is, in essence, a type of zone with more
38 specificity and flexibility, so it's different from conventional zoning, such as the R3 zone
39 or Commercial zone. One of the Specific Plans approved in the city of Hemet that's
40 very detail-oriented is the Winco Shopping Center, which is located within the Florida
41 Promenade Specific Plan where the architecture and layout were very controlled. She
42 also indicated that the County is probably not at that point for this plan because that
43 would come later with an actual development proposal.
44

45 Vice Chairman Overmyer asked for clarification about how the City of Hemet is
46 mandated to react to this; if there are things it can and can't do.
47

48 CDD Elliano explained that the situation was complicated because staff is dealing with
49 two different agencies and also changes in State law. The history of the property in
50 question is that the County has purchased it over a period of time, but the area is in a
County Redevelopment area. All 28 acres were underlying smaller parcels purchased

1 with low and moderate funds under the RDA program. The State has now done away
2 with Redevelopment funding. The City's understanding at this time is that if the County
3 were to build housing on the property, it would need to be within the affordability range
4 of moderate to low-income housing. The current underlying zoning on the property is
5 commercial, and the State Street corridors continue to be commercial under the
6 proposed Specific Plan, but the balance is proposed for housing.
7

8 The City maintains land use control and authority within the City of Hemet. Even
9 though the County is the property owner, they are constrained by how they can
10 develop the property or what kind of housing can be developed. The General Plan for
11 the site is mixed use, so that gives a fairly broad palette. Therefore, residential,
12 commercial or a mixed use is consistent with that broader scheme under the General
13 Plan.
14

15 City staff is in communication with the County regarding some of the controversy that's
16 going on with the property and the concerns that the Commission and public have
17 raised. County representatives have copies of the Planning Commission minutes and
18 are determining how best to react to the comments and concerns that have been
19 discussed. One of their initial considerations was whether senior housing might be
20 more meaningful at the site. They have been asked to explain how the affordability
21 constraints would translate to this property in particular. They have given staff
22 examples of other projects the County has developed, and when this comes back
23 before the Commission, those will be presented. The comments from tonight's meeting
24 will also be forwarded to the County. The City of Hemet has the ultimate land use
25 authority, regardless of how the County purchased the property or the aforementioned
26 considerations, but this also raises concerns and issues for the County.
27

28 Vice Chairman Overmyer clarified that in effect it is the applicant that is constrained
29 because of how they acquired the property. They have no other option than to provide
30 low to moderate income housing.
31

32 CDD Elliano indicated that this was her understanding, but added that since there was
33 no representative from the County present tonight, she did not want to speak for them.
34

35 Mr. Rosenthal asked if the State of California mandates that every community has a
36 certain percentage of low-income housing.
37

38 CDD Elliano explained that they don't necessarily mandate a set percentage, but that
39 in an eight-year cycle, they determine, through the Regional Housing Needs
40 Assessment (RHNA) what each community must provide. As a city, Hemet has to
41 make sites available for affordable housing and report on that in our Housing Element.
42

43 Mr. Rosenthal asked if the City of Hemet currently meets or exceeds affordable
44 housing in the State of California.
45

46 CDD Elliano stated that as part of the General Plan, the City has a Housing Element
47 which was certified by the State. The City has met the State requirements for providing
48 affordable housing sites.
49

50 Mr. Rosenthal commented on the fact that Scott Garrett, as a former member of the
Hemet City Council, was an early proponent of mixed-use housing. The issue, he felt,

1 is how large of a stake Hemet already provides under fair housing versus the wisdom
2 of more low-income housing.

3
4 Vice Chairman Overmyer asked for a motion regarding continuation of this item.

5
6 It was **MOVED** by Commissioner Perciful and **SECONDED** by Commissioner
7 Moghadam to **CONTINUE** the North Hemet Specific Plan No. 11-001 **OFF-**
8 **CALENDAR** and **READVERTISE** the public hearing on this item prior to its being
9 reagendaized.

10
11 The **MOTION** was carried by the following vote:

12
13 **AYES:** Vice Chairman Overmyer and Commissioners Perciful and Moghadam

14 **NOES:** None

15 **ABSTAIN:** None

16 **ABSENT:** Chairman Gifford and Commissioner Vasquez

17
18 **5. CONDITIONAL USE PERMIT NO. 12-009 (BJ's Rentals)**

19
20 **APPLICANT:** Brad Thomas

21 **LOCATION:** 450 North State Street

22 **PLANNER:** Carole Kendrick - (951) 765-2375

23
24 **DESCRIPTION:** A request for Planning Commission review and approval of
25 a Conditional Use Permit for the operation of a rental equipment business on a
26 1.39 acre parcel located on the east side of State Street, South of Oakland
27 Avenue and north of Devonshire Avenue in the C-2 (General Commercial) zone,
28 and consideration of an Environmental Exemption pursuant to CEQA Guidelines
29 Section 15301.

30
31 (PowerPoint presentation by Assistant Planner Carole Kendrick)

32
33 In response to a question concerning a driveway by Vice Chairman Overmyer, Planner
34 Kendrick indicated that the northerly driveway is currently a gravel area, and noted that
35 staff had expressed concerns about public access, resulting in the applicant's
36 agreement to restrict that driveway for their private use to bring in equipment.

37
38 Commissioner Moghadam noted that the bathroom plan had been widened and
39 resized and inquired whether the four to six proposed employees were per shift or just
40 in general.

41
42 Planner Kendrick responded that she believed the number was proposed in general,
43 but suggested that the applicant could provide clarification.

44
45 Commissioner Moghadam asked if the city had any concerns about the three points of
46 access to the site.

47
48 Planner Kendrick indicated that the project was conditioned for removal of one of the
49 access points, as no more than two are needed.

50
Vice Chairman Overmyer opened the public hearing.

1 Brad Thomas (PO Box 676065, Rancho Santa Fe, California), approached the lectern
2 and addressed the Commission as the project applicant. He explained that he
3 currently has ten rental yards in the San Diego area, and has been looking for an area
4 in which to expand. He is planning to upsize the business depending on demand. As
5 an outsider to the City, he commented on the pendulum swing to low-income housing
6 and stated that he had been told by strangers, unsolicited, that this city has gone
7 downhill economically. They are planning for a staff of four to six employees, with the
8 business opening six days a week. He indicated that the intention is to hire local
9 personnel.

10
11 Commissioner Moghadam commented on the usefulness of gravel as a surface in case
12 of the leakage of oil. He also advised Mr. Thomas regarding a particular building code
13 and ADA code that may require two unisex restrooms if there are more than four
14 employees and asked him to research that aspect.

15
16 Commissioner Perciful inquired regarding the screening material along the front of the
17 property.

18
19 Mr. Thomas replied that they had been working with the Planning Department staff and
20 had decided on slats that go through chain link fencing on the front and perhaps
21 tarping around the northern and eastern ends of the property.

22
23 CDD Eliano indicated that the former equipment building had been vacant for a
24 number of years and staff felt that reuse of the building was the best option for the
25 property because of its former blighted condition. Staff felt that there should be
26 screening of the equipment yards. There is a difficulty, however, in that the present
27 fencing is within what would be the ultimate right-of-way for State Street, which will
28 eventually need widening. Therefore, although staff wishes the fencing to be
29 decorative, there is a need to have it be economical because of future relocation.
30 There is a slat material available now that is actually more durable, with a dull finish
31 that from a distance looks like a masonry or concrete type of application. Staff will
32 work with the applicant to make sure the screening material is the best possible option
33 for the current configuration.

34
35 Commissioner Perciful wondered if some landscaping would be possible.

36
37 Mr. Thomas stated that they are planning to upgrade the whole State Street frontage
38 with planter boxes. He also asked if Condition No. 35, a requirement for installation of
39 a concrete ribbon gutter, could be omitted. He also requested that Condition No. 36,
40 the removal of a curb and gutter, be omitted as it is being dedicated to the city.

41
42 City Engineer Biagioni stated that if the business was not going to have a parking lot,
43 the concrete ribbon gutter condition could be removed. If the city gets the dedication
44 of the curb and gutter, that condition can also be removed.

45
46 Scott Garrett (230 West Devonshire, Hemet) lives across the street and requested that
47 the equipment yard be equipped with a device, such as belt phones, that would
48 eliminate the constant noise of announcements.

49
50 Mr. Thomas indicated that they would either turn the speakers down or utilize other
technology that would minimize noise issues, such as something that would minimize

1 the decibels to such a degree that nothing could be heard further than 50 feet from the
2 building.

3
4 CDD Elliano stated that this is a conditional use permit, therefore, in some respect the
5 issue of noise is an operating standard. If there are complaints from neighbors that the
6 noise level is too loud, the business would be put on notice that this is a concern. She
7 suggested that if the Commission wishes, Condition No. 64 could be added to state
8 that, "Loud speakers for the yard area shall be maintained at a volume that does not
9 emanate beyond property boundaries." She clarified that modifications to the
10 conditions would then include the deletion of Condition Nos. 35 and 36, and the
11 addition of Condition No. 64, as read.

12
13 Vice Chairman Overmyer closed the public hearing and asked for a motion.

14
15 It was **MOVED** by Commissioner Perciful and **SECONDED** by Commissioner
16 Moghadam to **ADOPT** Planning Commission Resolution Bill No. 13-001 **APPROVING**
17 Conditional Use Permit No. 12-009, as amended.

18
19 The **MOTION** was carried by the following vote:

20
21 **AYES:** Vice Chairman Overmyer and Commissioners Perciful and Moghadam
22 **NOES:** None
23 **ABSTAIN:** None
24 **ABSENT:** Chairman Gifford and Commissioner Vasquez.

25
26 *(Adopted Planning Commission Resolution No. 13-001.)*

27
28 **6. CONDITIONAL USE PERMIT NO. 12-007 (Hemet Jewelry and Loan)**

29
30 **APPLICANT:** Hemet Jewelry & Loan - Eduardo Salas
31 **AGENT:** Rosie Salas
32 **LOCATION:** 2355 East Florida Avenue
33 **PLANNER:** Soledad Carrisoza - (951)765-2375

34
35 **DESCRIPTION:** A request for Planning Commission review and approval of
36 a Conditional Use Permit to operate a collateral loan business
37 (pawnbroker/secondhand dealer) in an existing building located on the
38 southeast corner of Florida Avenue and Yale Street in the C-2 (General
39 Commercial) zone, and consideration of an Environmental Exemption pursuant
40 to CEQA Guidelines Section 15301.

41
42 (PowerPoint presentation by Planner Soledad Carrisoza)

43
44 A question was raised by Vice Chairman Overmyer regarding the issue of firearms, to
45 which CDD Elliano responded that there would be no consignment, sale, or purchase
46 of firearms and no firearms present at the facility.

47
48 Vice Chairman Overmyer asked the applicant to come to the lectern to answer
49 questions and present his case.
50

1 Jason Lambert (no address given), approached the lectern as the General Manager for
2 several of the applicant's other facilities (Moreno Valley, Yucaipa, etc.), and advised
3 the Commission that these were not typical pawnshops but very clean stores, with
4 laminate wood floors and good lighting, that serve the communities well. They have
5 several people who have gone through security training and also assist the Police
6 Departments in many areas. They have one security officer for each store, but other
7 employees have security training.

8
9 Vice Chairman Overmyer asked if they tended to have problems with insufficient
10 security, to which Mr. Lambert responded that they had not because they treat their
11 customers with respect.

12
13 Vice Chairman Overmyer also indicated that his initial reaction was negative, but he
14 understands the advantage of having a building occupied rather than remaining vacant.
15 Noting his understanding that a less than 2,000 square-foot area of the 6,000 square-
16 foot building would be the actual shopping area, he asked what the remainder of the
17 building would be used for.

18
19 Mr. Lambert explained that the rest of the store would be utilized for inventory, with any
20 type of electronic or construction tools being housed in the back rooms.

21
22 Vice Chairman Overmyer also asked about security locks on the doors and was told by
23 Mr. Lambert that their Moreno Valley site had formerly been a bank with a vault. He
24 informed the Commission that they are buying the building in Hemet, if approved for
25 the CUP, and that two of their employees are Hemet residents.

26
27 Commissioner Moghadam inquired about security cameras and backup time, asking if
28 that was a requirement.

29
30 Mr. Lambert indicated that the Police Department was satisfied with what they have
31 proposed, and noted that they have interior screen doors.

32
33 Mr. Rosenthal, a property manager in the area, expressed concern that, although this
34 particular operator was undoubtedly of good quality, it was not a good category or mix
35 for what was already there, which he classified as a migration of services for the poor.
36 He looks at pawnshops from a retail perspective as similar to check cashing
37 operations, smoke shops, etc. He felt that this project would further degrade the area.
38 On behalf of the two properties that his company represents, he hopes that this CUP
39 will be denied.

40
41 Vice Chairman Overmyer stated that due to the request of Commissioner Vasquez,
42 and the fact that Chairman Gifford was also absent, he felt it in the best interest of the
43 Commission to continue this matter.

44
45 Commissioner Moghadam noted that the applicant had waited a long time, but
46 concurred that he also felt it appropriate to continue the item.

47
48 It was **MOVED** by Commissioner Perciful and **SECONDED** by Commissioner
49 Moghadam to **CONTINUE** Conditional Use Permit No. 12-007 to the Planning
50 Commission meeting of March 5, 2013.

1 The **MOTION** was carried by the following vote:
2

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

8 (A short recess was called by Vice Chairman Overmyer)
9

10 **DEPARTMENT REPORTS**

11 **7. CITY ATTORNEY REPORTS:** *Verbal report from Assistant City Attorney Stephen* 12 *McEwen on items of interest to the Planning Commission*

13 City Attorney Stephen McEwen reported on the California Supreme Court hearing
14 pertaining to the Riverside medical marijuana case, stating that it's hard to predict how
15 the court will rule, but it seemed to him that the court was weighing heavily toward the
16 position of the City of Riverside, that cities have the inherent or constitutional zoning
17 authority to make decisions on what uses are appropriate and not appropriate within
18 their boundaries. He believes cities are cautiously optimistic that the Supreme Court is
19 going to issue a decision that upholds traditional zoning authority. They have to decide
20 within 90 days of oral argument, so the decision should come perhaps in March.
21
22

23 **8. COMMUNITY DEVELOPMENT DIRECTOR REPORTS:**

24 **A. Verbal Report on City Council actions from the February 12, 2013 meeting.**

25 CDD Elliano reported on a work study that was presented by the City's Finance
26 Director, who outlined the following: The City is on target for the budget this year, with
27 some savings; presently there is \$11.4 million in reserves with possibly another \$3.2
28 million coming in; general fund revenues are up 2 percent, and both property tax and
29 sales tax are 2 percent higher. There is some concern regarding future healthcare
30 costs, but the City has done a commendable job in trying to balance those structural
31 conditions of the budget.
32
33

34 She noted that with older cities like Hemet, there are many properties that have not
35 been reassessed for a long period of time, which is why new investment is so critical –
36 even such minor things as tenant improvements that increase a property's value.
37 Additionally, there have been some applications for new construction, and all will help
38 with the tax base. There were also two recommendations at the Council meeting that
39 affect community development – funding for two officers in Code Enforcement, and,
40 with the Hemet ROCS focus, training in proper tenant screening for property owners or
41 managers under a proposal for Crime-Free Multi-Family Housing.
42
43

44 **B. Informational items from the WRCOG Planning Directors Meeting**

45 CDD Elliano reported that WRCOG is preparing a County-wide Climate Action Plan,
46 with requirements that each city do a municipal and community plan based on growth
47 projections, eventually to come back with strategies that the different jurisdictions can
48 adopt to lower greenhouse gas emissions. This is state law, and cities need to
49
50

1 participate because the decisions will affect regional corridors and new development,
2 which cities need in order to maintain their ability to be competitive in the market place.
3

4 She then handed to the Commissioners the Notification of the Highway 79 Corridor
5 Draft EIR, which has been released for public comment that is due towards the end of
6 March. There are two public workshops on February 26 and February 27 with
7 representatives from Caltrans and RCTC. The Planning Department has requested
8 that RCTC representatives come to a Council meeting for a workshop update to outline
9 how this affects Hemet specifically. The City wants routes that are going to benefit
10 Hemet, and the City of Hemet has adopted a preferred route, which is the one shown
11 in the General Plan. It is not a toll road, but an expressway with limited interchanges.
12

13 **9. HEMET ROCS CITIZEN ADVISORY COMMITTEE REPORT**

14
15 No report given.
16

17 **10. PLANNING COMMISSIONER REPORTS:** *Commissioner reports on meetings* 18 *attended or other matters of Planning interest* 19

- 20 A. Chairman Gifford – Absent
- 21 B. Vice Chairman Overmyer – Nothing to report
- 22 C. Commissioner Moghadam suggested it would be beneficial to have a
23 University in town
- 24 D. Commissioner Perciful – Nothing to report
- 25 E. Commissioner Vasquez – Absent

26 27 **11. FUTURE AGENDA ITEMS:** *Items to be scheduled for upcoming Planning* 28 *Commission Meetings* 29

- 30 A. North Hemet Specific Plan and Draft EIR
- 31 B. Zoning Ordinance Amendment No. 13-003 regarding Homemade Food
32 Operators to be considered at the March 5th Planning Commission Meeting
- 33 C. Public Workshop for the 2013 Housing Element Update
- 34 D. Consistency Zoning Program – Phase 1 Ordinances
- 35 E. CUP 12-010 for a Banquet Hall on Carmalita Avenue

36
37
38 **12. ADJOURNMENT:** It was unanimously agreed to adjourn the meeting at 8:02 p.m.
39 to the regular meeting of the City of Hemet Planning Commission scheduled for
40 **March 5, 2013 at 6:00 p.m.** to be held at the City of Hemet Council Chambers
41 located at 450 E. Latham Avenue, Hemet, California 92543
42

43
44
45 
46 Vince Overmyer, Vice Chairman
47 Hemet Planning Commission

48 ATTEST:

49 
50 Nancie Shaw, Records Secretary
Hemet Planning Commission