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PLANNING  **COMMISSION**

MEETING MINUTES

DATE: JUNE 18, 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: Chairman John Gifford, and Commissioners Rick Crimeni,
Michael Perciful and Vince Overmyer

ABSENT: Vice Chairman Greg Vasquez

Invocation and Flag Salute: Commissioner Overmyer

2. APPROVAL OF MINUTES:

A. Minutes for the Planning Commission Meeting of May 21, 2013

It was **MOVED** by Commissioner Crimeni and **SECONDED** by Commissioner Perciful to **APPROVE** the May 21, 2013 Planning Commission Minutes with a change on page 5, line 11 from Commissioner Crimeni to Commissioner Perciful.

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

AYES: Chairman Gifford, and Commissioners Crimeni, Overmyer and Perciful

NOES: None

ABSTAIN: None

ABSENT: Vice Chairman Vasquez

3. PUBLIC COMMENTS:

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

PUBLIC HEARING ITEMS

4. CONDITIONAL USE PERMIT NO. 13-003 (MENLO RECYCLING)

APPLICANT: Dong Van and Nancy Nguyen Ngo
AGENT: Blaine A. Womer Civil Engineering
LOCATION: 275 East Menlo Avenue
PLANNER: Carole L. Kendrick, Assistant Planner

DESCRIPTION: A request for Planning Commission review and approval of a Conditional Use Permit allowing the construction and operation of an 11,050 square-foot recycling center located on the south side of Menlo Avenue, east of State Street and west of Buena Vista Street, with consideration of an environmental exemption pursuant to CEQA Guidelines Section 15332.

A PowerPoint presentation was given by Assistant Planner Kendrick, with various details and information regarding the proposed project.

Chairman Gifford asked the following questions: 1) Is the addition anticipating increased business or is this to accommodate what's already in place? 2) Will this result in increased traffic? 3) What issues surround shopping carts? 4) What is the procedure to deal with copper wire?

Planner Kendrick responded accordingly: 1) There are five employees, and the site is grossly inadequate, so they are trying to expand the size so they can increase functionality; 2) There is not expected to be any increase in traffic; 3) Shopping carts, according to Condition No. 14, are not allowed as vehicles for transporting materials to the site, but there are no rules currently in place for carts that are left at surrounding sites; solutions are being sought; 4) State regulations concerning copper mandate notification by the operator to police if stolen property is involved; this operator has been reporting regularly to the Hemet Police Department.

CDD Elliano directed the Commissioners to Page 7 of the staff report, noting four legislative actions that are in effect, as well as an assembly bill that is currently being proposed at the state level that will prohibit an operator from providing cash payments for copper. Instead, a check will follow to the copper provider, who is required to give an address, thus further identifying the provider.

Chairman Gifford opened the public hearing, inviting the applicant's representative to speak.

Fred Dowalter (461 East Menlo Ave., Hemet) of FDC Commercial Construction is the designer of the proposed building and also the neighbor of Menlo Recycling. He has worked with the owners for a number of years. He also introduced Luis Gutierrez, the applicant's realtor, and Don Donor (no addresses given).

Mr. Dowalter addressed the issues as he understood them, noting noise, shopping carts, traffic, and copper. He outlined the measures that have been taken to ameliorate the problems, such as a larger building designed as a recycling center with beautiful landscaping; traffic flow with the building setback so that there is no backup in

1 the street; a cooperative owner willing to contact the police if metals, other materials or
2 shopping cart drop-offs are suspect; insulation and brick walls to limit sound and air
3 pollution; and a driveway large enough for ingress and egress.
4

5 Mr. Gutierrez added that one of the basic concerns is metal, such as copper, being
6 stolen from streetlights and other public amenities. He emphasized that the owner
7 requires identification from anyone attempting to recycle such materials. The building
8 is state of the art for now and the future. The owner is putting in a monitoring system
9 with cameras so thefts can be verified, and has been very proactive in calling police.
10

11 When asked by Chairman Gifford if he was aware of the conditions the city has placed
12 on the CUP, Mr. Dowalter said they had been reviewed and all are acceptable. He
13 also stated that the owner is very aware of the shopping cart issue and that the
14 company that picks up shopping carts comes to his site regularly. That company is
15 paid for the shopping cart pickup by the cart owner.
16

17 Commissioner Overmyer questioned how it is determined by the company whether
18 metal is stolen or not.
19

20 Mr. Dowalter responded that it is always difficult to be certain, but you have get a feel
21 for it because you know who the contractors and customers are that come in, what
22 vehicles they drive, and the employees are well-trained to question the source and
23 notify authorities if there is a problem. The onsite cameras can also help police identify
24 suspected thefts.
25

26 Commissioner Perciful asked if keeping camera logs for at least 14 days would be
27 possible, to which Mr. Dowalter answered that he didn't think it would be a problem to
28 keep them even up to 30 days.
29

30 Commissioner Overmyer asked how the new building would mitigate noise issues.
31

32 Mr. Dowalter advised that the block walls on the east and west will mitigate the noise,
33 as will the landscaping. He stated that most of the noise will come from the inside the
34 project center. The roll-offs occur only once a week.
35

36 Seeing no one else requesting to speak on the issue, Chairman Gifford closed the
37 public hearing.
38

39 Commissioner Perciful requested that Condition No. 119 concerning retention time for
40 camera images be changed from 14 days to 30 days.
41

42 It was **MOVED** by Commissioner Overmyer and **SECONDED** by Commissioner
43 Crimeni to **APPROVE** Conditional Use Permit No. 13-003, with the modification to
44 Condition No. 119 from 14 days to 30 days.
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1 The **MOTION** was carried by the following vote:

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

8 *(Adopted Planning Commission Resolution No. 13-009.)*
9

10 **5. ZONING ORDINANCE AMENDMENT NO. 13-005 (BIG BOX RETAIL**
11 **CONVERSION)**
12

13 **APPLICANT:** City-initiated
14 **LOCATION:** City-wide
15 **PLANNER:** Emery J. Papp, Principal Planner
16

17 **DESCRIPTION:** A request for Planning Commission review and
18 recommendation to the City Council regarding a Zoning Ordinance Amendment
19 to modify Chapter 90, amending Article XXVI or the Hemet Municipal Code,
20 adding regulations for the conversion of large retail commercial buildings to
21 other uses, with related modifications to Section 90-892, Permitted Uses, and
22 Section 90-897, Special Development Requirements for commercial zones.
23

24 A PowerPoint presentation was given by Principal Planner Papp, who provided various
25 details and background information regarding the proposed Zoning Ordinance
26 Amendment.
27

28 Planner Papp explained that the primary reason for the Zoning Ordinance Amendment
29 is that without the requirement of a Conditional Use Permit on properties of a 30,000
30 square-foot threshold, someone could purchase a vacant grocery store or other facility
31 and change the use of the building through the building permit process, since there is
32 no CEQA review or other opportunity to put conditions of approval on the project. It
33 could have significant impacts on neighborhoods and surrounding properties without
34 any opportunity for conditioning. This would apply to major retail commercial use
35 and/or large retail commercial buildings.
36

37 Commissioner Overmyer asked if this would preclude such things as antique malls,
38 churches, or other such uses.
39

40 CDD Eliano explained that such uses would require an indoor bazaar permit, which
41 already requires a CUP, but this change would allow the city more oversight.
42

43 Chairman Gifford opened the public hearing, but seeing no participants, closed the
44 hearing shortly thereafter. He noted his approval of the ordinance, allowing the
45 Planning Commission a chance to look at these projects before they are used by right
46 with no chance to condition the use.
47

48 After discussion of several vacant sites by commissioners, Chairman Gifford asked for
49 a motion.
50

It was **MOVED** by Commissioner Crimeni and **SECONDED** by Commissioner

1 Overmyer to **ADOPT** *Planning Commission Bill No. 13-013* **RECOMMENDING**
2 **APPROVAL** to the City Council of Zoning Ordinance Amdnment No. 13-005.

3
4 The **MOTION** was carried by the following vote:

5
6 **AYES:** Chairman Gifford, and Commissioners Crimeni, Overmyer and Perciful
7 **NOES:** None
8 **ABSTAIN:** None
9 **ABSENT:** Vice Chairman Vasquez

10 11 **DEPARTMENT REPORTS**

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

14
15 **7. COMMUNITY DEVELOPMENT DIRECTOR REPORTS:**

16
17 **A.** Summary report regarding proposed Comprehensive Plan for the West
18 Hemet Vernal Pools area given by CDD Elliano via a PowerPoint
19 presentation

20
21 **B.** Summary report regarding City Council Meeting of June 11, 2013

22
23 CDD Elliano reported that the Council had held a workshop, and the Engineering
24 Department presented a grading ordinance and standards, with a consultant
25 agreement for a master plan of drainage.

26
27 The appeal for the Hemet Jewelry and Loan was denied, upholding the Commission's
28 denial of the Conditional Use Permit, with Council Member Wright eloquently defending
29 the Commission's actions.

30
31 Also, the animal services contract was extended for three years for the Ramona Animal
32 Shelter.

33
34 The Municipal Code Amendment regarding foreclosed properties, if adopted by the
35 City Council on the 25th of June, will impose a registration fee of \$146, which will help
36 develop the database for these properties.

37
38 The July 2nd meeting of the Planning Commission has been cancelled and the next
39 meeting will be on July 16th.

40
41 The park for the McSweeney Farms Specific Plan is completed and will be open by July
42 1st.

43
44 **8. PLANNING COMMISSIONER REPORTS:**

45
46 **A.** Chairman Gifford (Nothing to report)

47 **B.** Vice Chair Vasquez (Absent)

48 **C.** Commissioner Perciful (Nothing to report)

49 **D.** Commissioner Overmyer (Nothing to report)

50 **E.** Commissioner Crimeni reported that he is happy to be back on the Board
of the T.H.E. Center.

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9. FUTURE AGENDA ITEMS:

- A. Multi-Family Zoning Ordinance Compliance Updates for the Housing Element
- B. General Plan Consistency Zoning Updates
- C. General Plan Annual Report
- D. Workstudy for Proposed 2014-2021 Housing Element Update

10. ADJOURNMENT:

It was unanimously agreed to adjourn the meeting at **7:24 p.m.** to the regular meeting of the City of Hemet Planning Commission scheduled for **July 16, 2013 at 6:00 p.m.** to be held at the City of Hemet Council Chambers located at 450 E. Latham Avenue, Hemet, CA 92543.



John Gifford, Chairman
Hemet Planning Commission

ATTEST:



Nancie Shaw, Records Secretary
Hemet Planning Commissio