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**PLANNING**  **COMMISSION**

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**MEETING MINUTES**

**DATE: AUGUST 20, 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, Vice Chairman Greg Vasquez, and Commissioners Rick Crimeni, Vince Overmyer and Michael Perciful

**ABSENT:** None

**Invocation and Flag Salute:** Chairman John Gifford

**2. APPROVAL OF MINUTES:** (None)

**3. PUBLIC COMMENTS:** (None)

**PUBLIC HEARING ITEMS**

**4. SITE DEVELOPMENT REVIEW NO. 13-005 (INLAND CHEVROLET)**

**Owner:** Gosch Auto Group, Inc.  
**Agent:** Eric Gosch  
**Planner:** Emery J. Papp, Principal Planner  
**Location:** Hemet Auto Mall, Southeast corner of Florida Avenue and Warren Road

**DESCRIPTION:**

A request for Planning Commission review and approval for Site Development Review No. 13-005 (SDR 13-005) for the construction and operation of a proposed new 28,708 square foot Inland Chevrolet auto dealership located at 400 Carriage Circle within the Hemet Auto Mall. The Specific Plan is located on the southeast corner of Florida Avenue and Warren Road.

(PowerPoint presentation by Planner Emery J. Papp.)

Chairman Gifford asked if the sound wall would be constructed anywhere south or north of the east side of the footprint of this site. He wondered if that might be

1 something to be considered so the wall extension would be consistent with the whole  
2 property, when the remaining sites are developed.

3  
4 Planner Papp replied that in the Specific Plan, a provision states that in the event the  
5 dealership to the north expands, a condition would be added that would require any  
6 addition to the sound wall be made of similar materials so it would be consistent with  
7 the sound wall related to this particular project.

8  
9 Vice Chair Vasquez asked if the concerns voiced by Hemet West had been resolved  
10 with the Auto Group.

11  
12 Planner Papp replied that the concerns have been resolved. Staff met with Hemet  
13 West representatives, one of the owners of the project, a consultant, representatives of  
14 the Gosch Auto Group and the applicant's engineer to discuss those issues. Hemet  
15 West was satisfied that all their concerns had been addressed or would be addressed,  
16 and therefore they withdrew their request for continuance. Last week, a copy of the  
17 staff report was sent to representatives of Hemet West; they had an opportunity to  
18 review it and provide feedback. To date, Staff has not received anything further.

19  
20 Vice Chair Vasquez asked for further information regarding the parking spaces to be  
21 added.

22  
23 Planner Papp explained that there are 295 spaces, some used for employee parking,  
24 others for vehicles being serviced, going in and out of the service bays, and others for  
25 new cars or used cars being sold. For the most part, this parking lot will not be  
26 completely full of cars, but they have that ability, if need be.

27  
28 Commissioner Crimeni asked if the sound wall extends the entire length of the  
29 property, going beyond the bays and questioned if the noise that would come sideways  
30 to the mobile homes would be blocked.

31  
32 Planner Papp responded that he believed so, but would ask the project engineer to  
33 respond. He added that there is a requirement that sound needs to be mitigated to a  
34 level within the acceptable range. If the sound wall is constructed and the  
35 measurement that is taken thereafter is higher than the normally acceptable range,  
36 then they would have to extend that wall, as it is a Specific Plan requirement.

37  
38 Vice Chairman Vasquez asked about the hours of operation. Planner Papp answered,  
39 that the service area cannot start before 7 a.m. or go beyond 6 p.m.

40  
41 Chairman Gifford opened the public hearing.

42  
43 Eric Gosch, 350 Garrett Circle, Hemet, noted that they do plan on building the wall all  
44 the way to the end of the parking lot to the far upper right, not just the end of the actual  
45 building or area itself. That will be employee parking and will be 11 feet tall there. If  
46 future development occurs, they will build the same all the way down to the airport to  
47 the south.

48  
49 Chairman Gifford asked about the lighting on the wall. Mr. Gosch indicated they didn't  
50 have a plan now, but the idea is to take the light down low and direct the light back  
towards the service department so there is not spillover onto the mobile home sites.

1 Chairman Gifford asked about Chevrolet's set of standards, referred to in Gosch's letter  
2 to the city that indicated the anticipation of Hemet's market continuing to grow.

3  
4 Mr. Gosch said they think the Hemet market will continue to buy automobiles therefore;  
5 this is a 25-year plan. He did not think Hemet will ever have a Lexus or Mercedes  
6 dealership, due to demographics. He advised that Volkswagen, which had been in  
7 town since 1969, decided to move their franchise to Moreno Valley. He felt that Hemet  
8 will be a challenging market for any retailer, as most of them are going to the Menifee  
9 or Beaumont areas. It is a challenge for the City of Hemet to make sure it retains and  
10 attracts those major businesses and shows that there is the population that will justify  
11 their expenditure.

12  
13 Chairman Gifford asked if the Highway 79 expansion will be neutral or will bring more  
14 business.

15  
16 Mr. Gosch said he thought it would be positive, at least for the auto business. Most of  
17 the auto dealerships have an area of responsibility, and theirs runs up to Menifee to the  
18 side of the 215, so they want to make sure that the Menifee market can and should  
19 come to Hemet instead of going north or south.

20  
21 Seeing no one else that wished to speak, Chairman Gifford closed the public hearing  
22 and asked for further questions from the Commission, to which the Commissioners  
23 responded positively with wishes for this plan to go forward.

24  
25 It was **MOVED** by Commissioner Crimeni and **SECONDED** by Vice Chairman Vasquez  
26 to **ADOPT** Planning Commission Resolution Bill No. 13-016, recommending  
27 **APPROVAL** of Site Development Review No. 13-005.

28  
29 The **MOTION** was carried by the following vote:

- 30  
31 **AYES:** Chairman John Gifford, Vice Chair Greg Vasquez, Commissioners  
32 Michael Perciful, Vince Overmyer and Rick Crimeni.  
33 **NOES:** None  
34 **ABSENT:** None  
35

36  
37 *(Adopted Planning Commission Resolution No. 13-013)*

38  
39 **5. FIRST AMENDMENT TO DEVELOPMENT AGREEMENT NO. DA 04-002: TRES**  
40 **CERRITOS WEST (DAA 11-001)**

41 **APPLICANT:** Gary L. Winter, Attorney  
42 **PLANNER:** Ron K. Running, Project Planner  
43 **LOCATION:** Northeast corner of Old Warren Road and Celeste Road.  
44

45  
46 **DESCRIPTION:**

47 A proposed amendment to the Development Agreement between the City of  
48 Hemet and United Security Bank for the subdivision of 121.3 acres into 177  
49 single-family residential lots (VTTM 31513) in Tres Cerritos Specific Plan (SP  
50 90-009) located on the northeast corner of Old Warren Road and Celeste Road.

(PowerPoint presentation by Project Planner Ron Running.)

1 Chairman Gifford asked who determined the cap on the percentage of cost regarding  
2 the drainage and if the applicant agreed that the 40 percent was proper.

3  
4 Planner Running indicated that the percentage came as a result of the feasibility study  
5 and negotiations that went on with the original development agreement; that the  
6 applicant agreed their portion would be a maximum of 40 percent.

7  
8 CDD Elliano clarified that the provision was in the original agreement, not the  
9 amendment.

10  
11 Planner Running further emphasized another requirement that this property owner  
12 provided the drainage easement as much as they could to the properties to the east,  
13 and the city has offers for dedication for most of those properties.

14  
15 Commission Crimeni asked when United Security Bank took over.

16  
17 Planner Running stated the year was 2008.

18  
19 Chairman Gifford asked why the five-year extension is the proper number.

20  
21 Planner Running explained that the applicant preferred a longer period of time, but staff  
22 feels that five years is realistic with the comeback of the economy, and they didn't want  
23 to saddle the city too far past 2020. Without the additional five years, this agreement  
24 would expire February 11, 2015. The bank obtained the property in a foreclosure and  
25 their intent is to sell the property.

26  
27 Vice Chair Vasquez asked about the development agreement fee and wondered if it  
28 goes into the general fund or if there are any conditions placed on it.

29  
30 Planner Running said he believed it would go into the general fund.

31  
32 Vice Chair Vasquez asked how many of these proposals that ask for extensions,  
33 actually act within the time frames.

34  
35 Planner Running explained that during the recession, 80 or 90 percent couldn't act  
36 because of the economy. He is optimistic now that people are picking up properties  
37 with the intent of doing something and not just sitting on them.

38  
39 CDD Elliano indicated that once the bank put the property for sale, the developers do  
40 their due diligence, and at this time a certain developer is very interested in it would be  
41 a reputable developer and is anxious to get back into the marketplace. She thought  
42 what the extension of the development agreement does is maintain the value of the  
43 property. Staff thinks the provisions both in the original agreement and in the first  
44 amendment are appropriate and are a benefit to the city.

45  
46 Chairman Gifford asked what the general pricing mix of these homes was when  
47 originally proposed.

48  
49 Planner Running answered that they were not intended to be starter homes. Back  
50 when these were first proposed, they ranged from \$300,000 to \$500,000.

1 Chairman Gifford opened the public hearing and asked the proponent to join the  
2 discussion.

3  
4 Gary Winter, 2525 Alluvial Avenue, Clovis, California, attorney representing United  
5 Security Bank, commended city staff for their help with this item and gave some history  
6 about the bank's involvement in this property. He indicated they received the property  
7 in 2008, but because of federal restrictions, they are not able to develop properties.  
8 The desire is to move this property to a good, positive member of this community.  
9

10 Commissioner Overmyer asked if he could reveal who the interested buyer was.

11  
12 Mr. Winter indicated he could not, but the interested buyer has been in contact with city  
13 staff. Another law firm is handling the sale agreement, but it is in escrow now. He  
14 added that the purpose for this application is to amend the agreement because at this  
15 time the bank has been in and out of escrow several times over the last few years and  
16 the issues with this property have to do with uncertainty for the buyer. So the purpose  
17 of this amendment is not only to provide some time to the buyer, but also to bring some  
18 clarity to some open items that were in the development agreement that through the  
19 working relationship developed, we've known that some of these conditions were  
20 satisfied, some by the bank, and some by the property owner predecessors.  
21

22 He stated he felt it was in the best interest of the city to buy a little bit of time because  
23 his client (the bank) can't develop the property. The additional five years would give  
24 the buyer adequate time to go through the process of completing the necessary  
25 requirements.  
26

27 With no further comments coming from the audience, Chairman Gifford closed the  
28 public hearing and stated his opinion that this project is important for the city because  
29 these are large lots with hillside views, all things that would bring professional income  
30 level people into the community, which is one of the goals of the city. He thought this  
31 makes the property more salable to potential developers.  
32

33 Commissioner Overmyer asked about the time extension.

34  
35 CDD Elliano explained that the city would rather give the five years, and if  
36 circumstances warranted, they could come back and ask for more time. Staff feels  
37 with the market dynamics and changes and interest in the property and the uniqueness  
38 of this property, it will demand higher prices for the community. It has an existing  
39 tentative tract map. It is already somewhat in progress, and the best case would be to  
40 have someone take it over.  
41

42 With no further discussion, Chairman Gifford asked for a motion.

43  
44 It was **MOVED** by Commissioner Overmyer and **SECONDED** by Commissioner  
45 Crimeni to **ADOPT** Planning Commission Resolution Bill No. 13-008, recommending  
46 **APPROVAL** of Development Agreement Amendment No. 11-001.  
47

48 The **MOTION** was carried by the following vote:  
49

50 **AYES:** Chairman John Gifford, Vice Chair Greg Vasquez, Commissioners  
Michael Perciful, Vince Overmyer and Rick Crimeni.

1 **NOES:** None  
2 **ABSENT:** None  
3

4 *(Adopted Planning Commission Resolution No. 13-014)*  
5

6 **DEPARTMENT REPORTS**  
7

8  
9 **6. CITY ATTORNEY REPORTS:**

10 Assistant City Attorney Stephen McEwen reported on several Supreme Court decisions  
11 that make the case for having independent attorneys advise city councils, planning  
12 commissions, school boards, etc., on matters involving issues such as the ramifications  
13 of revoking CUPs, denying school charters, so that the city attorneys are not acting as  
14 the prosecutor or advocate for the CUP revocation and the advisor of the decision  
15 makers. There also needs to be neutrality of attorneys, so using two attorneys from  
16 the same private law firm, who both have financial incentives for a particular outcome,  
17 creates a due process violation.  
18

19 His advice to the Commission was that when these issues come up, it's important for  
20 staff to get in touch with the city attorney's office early on and map out how the  
21 procedure is going to work out, possibly hiring an independent counsel to assist in the  
22 matter.  
23

24  
25 **7. COMMUNITY DEVELOPMENT DIRECTOR REPORTS:**

26  
27 **A. Inland Empire Quarterly Economic Report**

28  
29 CDD Elliano directed the Commission's attention to the Inland Empire Quarterly  
30 Economic Report prepared by John Husing. The last page is more focused on the  
31 sub-region of which Hemet is a part (Hemet/San Jacinto/Meniffee), indicating that new  
32 home sales are up 14.2 percent and sales of existing homes are down 1 percent.  
33 Sales volume of 1,843 homes is the highest sales volume of the sub-regions located  
34 within Riverside County. There is no split in the report as to the individual cities;  
35 however, the Del Webb sales group, which at the beginning of the year were pulling  
36 four permits at a time, are now pulling 20 permits at a time. Hopefully they will be  
37 opening up additional phases and tracts.  
38

39 Commissioner Perciful added that inventories are down, and that's where we're seeing  
40 the numbers being low because of lack of inventory. On the other hand, builders that  
41 are bidding have waiting lists.  
42

43 CDD Elliano noted that builders for new homes had to wait for the foreclosure resale  
44 market to absorb so they could demand higher prices and make a profit on new home  
45 sales.  
46

47 Chairman Gifford asked what the planning department is saying in terms of potential in  
48 the future; is there developer interest in the city of Hemet?  
49

50 CDD Elliano mentioned the ones in construction continue to purchase more lots. Other  
sites include McSweeney Woodside, who is looking to purchase property that Lennar

1 defaulted on; Stoney Mountain Ranch, which has 99 lots left, is starting back up with  
2 new home construction; Peppertree was just purchased by a new master developer.

3  
4 The city does have a few approved tracts. Planning staff is meeting often now with  
5 new owners of tracts approved in the past which are still valid, with new owners coming  
6 in and doing due diligence, asking for either restructuring advice or asking for  
7 continuances. The activity is a good sign for the city.  
8

9 **B. Report on actions taken at City Council meeting of August 13, 2013.**

10  
11 CDD Elliano reported City Council had a number of items on the consent calendar from  
12 the Planning Commission, which included adoption of the Housing Element  
13 Compliance and the Zoning Amendment for the multifamily homes. Under public  
14 hearing matters, the Specific Plan Amendment for the Hemet Auto Mall was approved  
15 unanimously by the City Council. Also approved was the Municipal Code Amendment  
16 for the rental registration program which came through the Hemet ROCS and Citizens  
17 Advisory Commission. The zone change for multifamily zones for the R-4 zones was  
18 also approved unanimously. She also gave out copies of the final ordinance that was  
19 adopted by the Council of the Hemet ROCS program regarding the rental registration  
20 because since it's a municipal code amendment and not a zoning ordinance, it didn't  
21 come before the Planning Commission.  
22

23 **C. Cancellation of September 3, 2013 Planning Commission Meeting, the next**  
24 **meeting being September 17, 2013.**  
25

26 **8. PLANNING COMMISSIONER REPORTS:**  
27

- 28 **A. Chairman Gifford (Nothing to report.)**  
29 **B. Vice Chair Vasquez (Nothing to report.)**  
30 **C. Commissioner Perciful had several questions regarding the crime-free rental**  
31 **program, and the crime-free classes, which were answered by CDD Elliano.**  
32 **D. Commissioner Overmyer (Nothing to report.)**  
33 **E. Commissioner Crimeni recommended everyone attend future productions at**  
34 **the Hemet Bowl, including Zorro, Hollywood Nights, and Shoshana Bean.**  
35

36 **9. FUTURE AGENDA ITEMS:**  
37

- 38 **A. General Plan Consistency Zoning Updates**  
39 **B. Landscaping and Fencing Zoning Ordinance**  
40 **C. GPA 13-001: Proposed 2014-2021 Housing Element Update**  
41

42 **10. ADJOURNMENT:**  
43

44 **It was unanimously agreed to adjourn the meeting at 7:13 p.m. to the regular**  
45 **meeting of the City of Hemet Planning Commission scheduled for September 17,**  
46 **2013 at 6:00 p.m. to be held at the City of Hemet Council Chambers located at 450 E.**  
47 **Latham Avenue, Hemet, CA 92543.**  
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\_\_\_\_\_  
John Gifford, Chairman  
Hemet Planning Commission

ATTEST:

  
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Melissa Couden, Records Secretary  
Hemet Planning Commission