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PLANNING  **COMMISSION**

MEETING MINUTES

DATE: JULY 1, 2014

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: Vice Chairman Greg Vasquez

2. APPROVAL OF MINUTES:

A. Minutes of the Planning Commission meeting of June 3, 2014

It was **MOVED** by Commissioner Rick Crimeni and **SECONDED** by Commissioner Michael Perciful to **APPROVE** the Minutes of the Planning Commission meeting of June 3, 2014.

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

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

NOES: None

ABSENT: None

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. CONDITIONAL USE PERMIT NO. 14-004 (HEMET SEVENTH-DAY ADVENTIST CHURCH) - A request for Planning Commission review of a Conditional Use Permit

1 for the operation of a 5,500 square foot church located in an existing building,
2 previously used as a church, located at 1707 West Latham Avenue, with
3 consideration of an environmental exemption pursuant to CEQA Guidelines Section
4 15301.
5

6 **PROJECT APPLICANT INFORMATION:**
7

8 Applicant: Southeastern California Conference of Seventh-day
9 Adventists
10 Planner: Carole Kendrick - Associate Planner
11 Authorized Agent: James E. Calkins
12 Project Location: 1707 W. Latham Avenue
13 APN Information: 448-440-005, -006 and -007
14

15 (A PowerPoint presentation was given by Carole Kendrick.)
16

17 Chairman Gifford asked if someone would be on-site other than on Wednesday and
18 Friday nights and on Saturdays, as this is a transient-frequented location because of its
19 long-term vacancy. He also inquired about the sound system.
20

21 Planner Kendrick indicated there is a standard sound system, and that they would have
22 to check with the applicant about the availability of supervision other than stated hours.
23 She stated staff does not have any real issues with this request, that it has been a
24 church for many years with no incidents other than vandalism when the prior church
25 vacated the facility.
26

27 Commissioner Crimeni asked if the building had an alarm system, and Planner
28 Kendrick said it did not.
29

30 Vice Chair Vasquez asked if there had been any reported problems involving either
31 code enforcement or the police department, and Planner Kendrick said that she had
32 researched both code enforcement and police department records and had found no
33 reported incidents.
34

35 Chairman Gifford opened the public hearing and invited the applicant's agent to the
36 lectern.
37

38 James Calkins, 1631 Calathea Road, Hemet, reported that there had been extensive
39 vandalism to both the exterior and interior of the site: Wiring removed; electrical panels
40 destroyed; plumbing fixtures damaged; restrooms torn up; ceiling torn out; three air
41 conditioning units demolished. It was the hope of the congregants to put in wrought
42 iron fencing around the site, but that may have to be delayed due to the extensive
43 repairs necessary. They are amenable to the conditions of approval that have been
44 proposed.
45

46 Chairman Gifford reiterated his feelings that the building needs supervision of some
47 sort - either employees, volunteers, cameras, alarm system. He stated this is wisdom,
48 not a condition of approval. Commissioners Perciful, Overmyer and Crimeni agreed
49 that some source of security would be helpful.
50

1 Vice Chair Vasquez said he was glad this building was going to be occupied because it
2 is a distressed property and an eyesore. The CUP is to make sure the property will not
3 only meet the standards, but exceed those for that community. He asked if there were
4 plans for a paint job. He felt it would be beneficial to have at least the fascia boards
5 painted, as they are peeling.
6

7 Commissioner Overmyer disagreed with the painting requirement, as it places an
8 undue burden on the 50 congregants to make that a condition.
9

10 Vice Chair Vasquez stated he felt an applicant should go into a property not merely to
11 maintain it, but to enhance it. He also stated he thought the drive-through canopy was
12 going to be removed.
13

14 Mr. Calkins said there would be freshening of the entrance because the doors have to
15 be changed to meet ADA requirements, but he did not know of other plans to paint
16 immediately. However, he had checked yesterday and the condition relates to the
17 fencing that prevents cars from driving through that area, not the removal of the
18 canopy. The intent was to remove the fencing around that drive-through and along
19 Lyon, but not to remove the canopy.
20

21 Commissioner Crimeni stated that improvements would cost quite a bit of money, and
22 he would like to see them get in there and do the landscaping and not put any more
23 hardship on them right now.
24

25 Marina Vasquez, Crest Drive in Hemet, a lifetime member of the church, gave a history
26 of the church, its present location, its growth to 80 members, and its need to make the
27 move soon because they are currently paying rent and now a mortgage also. She
28 stated they are under the corporation of the Southeastern California Conference of
29 Seventh-day Adventists, which donated some funds when they were in the process of
30 purchasing the church and are willing to help more once the renovation process starts.
31 Right now, they just want to occupy the building so the beautification process can
32 begin as soon as possible.
33

34 Seeing no one else at the lectern, Chairman Gifford closed the public hearing and
35 asked for Commissioner comments.
36

37 Vice Chair Vasquez repeated his desire to have a condition placed that the church be
38 painted within a set period of time.
39

40 Commissioners Overmyer, Crimeni and Perciful disagreed with making it a condition.
41

42 With permission from Chairman Gifford, Daniel Rumrill, 2938 Piper Place, Riverside,
43 explained that the corporation does not allow a congregation to purchase a church
44 without paying a 45 percent down payment, so the congregation has sacrificed a lot
45 already to make the payment. He stated the painting would be done as soon as
46 possible and that a surveillance system would be put in, if necessary.
47

48 Chairman Gifford again closed the public hearing and noted his experience with the
49 Seventh-day Adventist church and their institutions, stating that they are very
50

1 conscientious about the way things look and their place in the community. He felt they
2 would make good and responsible neighbors. He then asked for a motion.
3

4 It was **MOVED** by Commissioner Vince Overmyer and **SECONDED** by Commissioner
5 Rick Crimeni to **APPROVE** Planning Commission Resolution Bill No. 14-016 approving
6 CUP 14-004 subject to the Conditions of Approval.
7

8 **AYES:** Chairman John Gifford, Vice Chairman Greg Vasquez, and
9 Commissioners Vince Overmyer, Michael Perciful and Rick Crimeni

10 **NOES:** None

11 **ABSENT:** None
12

13 **5. CONDITIONAL USE PERMIT NO. 13-007 (720 W. FLORIDA)** - A request for
14 Planning Commission review of a Conditional Use Permit for the construction and
15 operation of a 3,495 square foot commercial/office center with three (3) tenant
16 spaces located at 720 West Florida Avenue, with consideration of an
17 environmental exemption to CEQA Guidelines Section 15332.
18

19 **PROJECT APPLICANT INFORMATION:**
20

21 Applicant: Luis Valenzuela - AAL Management Inc.
22 Planner: Carole Kendrick - Associate Planner
23 Authorized Agent: Margarito Alfaro
24 Project Location: 720 W. Florida Avenue
25 APN Information: 443-172-055
26

27 (Planner Carole Kendrick gave a presentation.)
28

29 Chairman Gifford entertained comments from Commissioners, with Commissioner
30 Overmyer asking about the west or rear elevation plans and the landscaping on the
31 alley.
32

33 Planner Kendrick explained they had talked about decorative tiles, additional scoring,
34 metal braids, something to break up the plainness of the wall, as it is adjacent to the
35 parking lot and business. The alley is a public alley and is utilized by the waste service
36 provider and others, as it provides secondary access to the site. They will work with
37 the applicant on the landscaping.
38

39 Chairman Gifford inquired concerning the overall plan for design on Florida Avenue,
40 wondering if there is a consistent design up and down Florida or if the Planning
41 Department is just taking it as it comes.
42

43 CDD Elliano answered that there is no architectural style required for Florida Avenue.
44 Several years ago the city adopted commercial and design guidelines that were more
45 form based, with color pallets the City Council adopted. But Florida is an eclectic mix
46 so it's difficult to establish architectural unity. Because this was a clean, more
47 contemporary design rather than a building that looked like residential, staff felt the
48 design was acceptable.
49
50

1 To Commissioner Crimeni's question concerning signage, Planner Kendrick responded
2 that there is an existing monument sign.

3
4 Commissioner Perciful wondered if it is necessary to limit their office hours, since there
5 are other businesses in the Florida corridor that are open 24 hours a day.

6
7 CDD Elliano responded that this is the current requirement in the code for businesses
8 in the C-2 Zone, and if they had asked for additional hours of operation, the Planning
9 Commission would be able to consider that tonight. It would be a modification to the
10 CUP if the hours were extended in the future.

11
12 Commissioner Perciful added that we might be limiting future use of the building, but
13 Planner Kendrick assured him that this is the commercial land use matrix and any
14 applicant could request later hours.

15
16 Chairman Gifford opened the public hearing and Luis Valenzuela, the applicant,
17 thanked the city for their approval of this project and his agreement to the conditions
18 proposed. He said the business would close at 7 p.m. but some might work for several
19 more hours. Mr. Valenzuela also stated they would work with the city on any design
20 additions the city requested.

21
22 It was **MOVED** by Commissioner Michael Perciful and **SECONDED** by Commissioner
23 Rick Crimeni to **ADOPT** Planning Commission Resolution Bill No. 14-015 approving
24 CUP 13-007 subject to the Conditions of Approval.

25
26 The **MOTION** was carried by the following vote:

27
28 **AYES:** Chairman John Gifford, Vice Chairman Greg Vasquez, and
29 Commissioners Vince Overmyer, Michael Perciful and Rick Crimeni

30 **NOES:** None

31 **ABSENT:** None

32 33 34 DEPARTMENT REPORTS

35 36 6. CITY ATTORNEY REPORTS:

37
38 Assistant City Attorney Jex handed out written material from the City Attorney's Office
39 concerning changes to the FPPC conflict of interest rules.

40
41 One of the main changes made is to the 500-foot rule, which is the rule that says if you
42 own property and you are within 500 feet of another piece of property that's the subject
43 of one of your decisions, you would have a conflict of interest and you would recuse
44 yourself. The change now is that there are now 13 different factors that have to be
45 analyzed when determining whether a public official has a conflict of interest dealing
46 with real property ownership.

47
48 The first one he wished to discuss was the new condition that if a government decision
49 affects your land by altering the traffic lights, the parking, the view, privacy, noise, air
50 quality or any other factor that could affect the quality of the land you own, whether or

1 not you're within 500 feet or outside 500 feet of your land, you have a conflict of
2 interest.

3
4 Therefore, the 500-foot rule still exists; however, you can now request an advice letter
5 from the FPPC if you have evidence and facts and the ability to show that even though
6 your property is within 500 feet of the property in question, there will be no material
7 affect on the value of your land.

8
9 The last change he wished to address was a new catch-all test. You may have a
10 conflict if a reasonably prudent person using due care and consideration would believe
11 that a government decision would influence the value of your land, you must recuse
12 yourself. He stated that at this point, there was no guidance in how to interpret these
13 rules. The new rules are more flexible but have created an uncertain process. Until
14 more guidance is available, he recommended taking a conservative, cautious approach
15 if there is any question. The best way is to recuse yourself and not participate.

16
17 Several Commissioners voiced their concerns about "reasonable prudent person" and
18 wondered who would make the final decision as to the validity of the objection. City
19 Attorney Jex stated that would probably be a judge, but commented that the city official
20 could say why he/she felt the accusation was not valid.

21 22 **7. COMMUNITY DEVELOPMENT DIRECTOR REPORTS:**

23 24 **A. Report on actions from the June 10th, June 16th and June 23rd, 2014 City** 25 **Council Meetings.**

26
27 CDD Elliano reported that at the June 10th meeting, the four Ramona Creek proposals
28 were approved. There was also a budget workshop. At the last City Council meeting
29 on the 24th, some changes were made to the solid waste ordinance that requires trash
30 pick-up. Amendments were made to the ordinance that CRNR requested for
31 delinquent accounts that after a specified time period, the delinquent accounts could be
32 added to the tax bill. In order to do that, a protest hearing was held. In order for the
33 protest to prevail, 16,000 protests were needed, but only 102 were received, so the
34 amendment went forward.

35
36 Also considered was the repeal of the Development Agreement for the Stetson
37 Crossing project, which has been in a multi-year negotiation between the city and
38 developers for a big-box retail center as a sales tax generator. The deal faltered due
39 to, among other things, the recession. The city took an action to repeal that
40 development agreement, which the City Council approved, but is delaying their second
41 reading because some developers came to the meeting wanting an opportunity to keep
42 the Development Agreement in effect. The ordinance will come to the Council for a
43 final determination on July 22, 2014.

44
45 The City Council adopted the proposed budget, even though there is still a structural
46 deficit, it has been reduced greatly.

47
48 There was consideration of closing the Simpson Center, but Valley Wide came in and
49 negotiated a more competitive contract. City Council approved keeping the center
50 open and the contract with Valley Wide to operate it.

1 Another budget item that was removed was the proposed Capital Improvement
2 Program. The program was not ready as yet, but will come to the Planning
3 Commission for determination as to whether it is consistent with the General Plan.
4

5 **B. Planning Commission Meeting Schedule**
6

7 The July 15th and August 5th Planning Commission meetings are scheduled.
8 Commissioner Perciful will be absent August 5th, and CDD Elliano will be absent both
9 July 15th and August 5th. Principal Planner Emery Papp will be filling in for CDD
10 Elliano.
11

12 **C. Community Development Department Staffing Update**
13

14 CDD Elliano reported that Carole Kendrick has been promoted to Associate Planner.
15 The city's Plan Examiner position in the Building Division has been lost due to budget
16 constraints and will be covered on a contract basis and by the Building Official and
17 inspectors.
18

19 **8. PLANNING COMMISSIONER REPORTS:**
20

- 21 **A.** Chairman Gifford (Nothing to report)
- 22 **B.** Vice Chair Vasquez requested information concerning the retired car
23 dealership on State and Florida.
- 24 **C.** Commissioner Perciful reported on an economic development event he
25 attended and noted that a meeting with local city managers, hosted by the
26 Association of Realtors, will be held in Hemet the first or second week of
27 November.
- 28 **D.** Commissioner Overmyer (Nothing to report)
- 29 **E.** Commissioner Crimeni mentioned that "The Little Mermaid" is playing at the
30 Ramona Bowl and more events are on the horizon.
31

32 **9. FUTURE AGENDA ITEMS:**
33

- 34 **A.** CUP for a proposed Church on Florida Ave., west of Sanderson scheduled
35 for July 15, 2014.
- 36 **B.** CUP for liquor sales at an existing gas station market at Page Plaza for July
37 15, 2014.
- 38 **C.** Master Tentative Tract Map/Conveyance map for Tres Cerritos East for
39 August 5, 2014.
- 40 **D.** Capital Improvement Plan - General Plan Consistency Determination for July
41 15, 2014.
42

43 **10. ADJOURNMENT:**
44

45 It was unanimously agreed to adjourn the meeting at 7:29 p.m. to the regular meeting
46 of the City of Hemet Planning Commission scheduled for **July 15th at 6:00 p.m.** to be
47 held at the City of Hemet Council Chambers located at 450 E. Latham Avenue,
48 Hemet, CA 92543.
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John Gifford, Chairman
Hemet Planning Commission

ATTEST:



Melissa Couder, Records Secretary
Hemet Planning Commission