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PLANNING  **COMMISSION**

MEETING MINUTES

DATE: JULY 15, 2014

CALLED TO ORDER: 6:00P.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 Vince Overmyer and Michael Perciful

ABSENT: Commissioner Rick Crimeni

Invocation and Flag Salute: Commissioner Michael Perciful

2. APPROVAL OF MINUTES:

A. Minutes of the Planning Commission meeting of July 1, 2014

It was **MOVED** by Vice Chair Greg Vasquez and **SECONDED** by Commissioner Michael Perciful to **APPROVE** the Minutes of the Planning Commission meeting of July 1, 2014, with a correction noted on page 4, Item 5.

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

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

NOES: None

ABSENT: Commissioner Rick Crimeni

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. 14-001 (CIELO ABIERTO TIERRA FERTIL CHURCH) - A request for Planning Commission review of a Conditional Use Permit

1 For the operation of a 4,000 square foot church located within an existing 8,000
2 square foot building, previously used as a church, located at 3590 West Florida,
3 with consideration of an environmental exemption pursuant to CEQA Guidelines
4 Section 15301.
5

6 **PROJECT APPLICANT INFORMATION:**
7

8 Applicant: Cielo Abierto Tierra Fertil Corporation
9 Planner: Emery Papp - Principal Planner
10 Authorized Agent: James Irvin
11 Project Location: 3590 W. Florida Avenue
12 APN: 448-240-018
13

14 Principal Planner Papp advised the Commission that Item No. 4 is to be continued to
15 August 5, 2014; however, anyone wishing to speak to the issue can do so, as a public
16 hearing has been advertised.
17

18 Chairman Gifford opened the public hearing, but there being no one wishing to speak
19 to this issue, the hearing was left open until August 5, 2014, upon a motion to continue.
20

21 It was **MOVED** by Commissioner Vince Overmyer and **SECONDED** by Commissioner
22 Michael Perciful to **CONTINUE** Item No. 4 to the August 5, 2014, Planning Commission
23 meeting.
24

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

27 **AYES:** Chairman John Gifford, Vice Chairman Greg Vasquez, and
28 Commissioners Vince Overmyer, and Michael Perciful
29 **NOES:** None
30 **ABSENT:** Commissioner Rick Crimeni.
31
32

33 **5. CONDITIONAL USE PERMIT NO. 14-003 (76 GAS STATION - PAGE PLAZA)** - A
34 request for Planning Commission review and approval of a Conditional Use Permit
35 for an ABC License upgrade from a Type 20 License (Off-sale beer and wine) to a
36 Type 21 General License (Off-sale beer, wine and distilled spirits) from 6:00 a.m. to
37 2:00 a.m. seven days a week, and to make a finding of public convenience or
38 necessity as required by the California Department of Alcoholic Beverage Control at
39 an existing 76 gas station located at 1111 Sanderson Avenue, on the west side of
40 Sanderson Avenue south of Stetson Avenue.
41

42 **PROJECT APPLICANT INFORMATION:**
43

44 Applicant: Robert Zakar, Just for Fun, LLC
45 Planner: Emery Papp - Principal Planner
46 Project Location: 1111 Sanderson Avenue
47 APN: 460-240-023
48
49

50 Commissioner Perciful recused himself, as his residence is within close proximity of the
76 gas station.

1 Principal Planner Papp advised the Commission that the consultant for the applicant
2 had not yet arrived, but the presentation could be given and perhaps he would have
3 arrived by then. The consultant had read the staff report.
4

5 (Principal Planner Papp gave a PowerPoint presentation.)
6

7 Chairman Gifford clarified that staff's recommendation for denial is not based upon
8 police reports or any particular problems. Planner Papp, however, noted there are nine
9 off-sale licenses currently in the census tract. He said that staff is concerned an
10 intensification of the license could lead to similar problems that are known for other
11 stores that sell liquor. Staff's thought is that there is a correlation between alcohol
12 sales and crime, though as noted on the ABC's website, the current operator has no
13 violations that are noted.
14

15 Chairman Gifford asked Sgt. Rob Gibbs, Hemet Police Department, if in his experience
16 he noticed any difference between the selling of wine and beer as opposed to spirits in
17 terms of criminal or unlawful activities around the business. Sgt. Gibbs stated that
18 based on his experience in retrieving stats, businesses that have ABC licenses tend to
19 have a higher level of crime or calls for service from the police department.
20

21 Vice Chair Vasquez asked if Sgt. Gibbs felt that crime problems would intensify in the
22 area if the request were granted.
23

24 Sgt. Gibbs stated that businesses with an ABC license tend to attract a certain type of
25 demographic of individuals to congregate and possibly cause a higher rate of calls for
26 service. However, he felt that was very difficult to answer definitively.
27

28 Vice Chair Vasquez asked if liquor stores versus an establishment that also sells
29 liquor, like a gas station, draw about the same problems, or is a liquor store likely to
30 draw more.
31

32 Sgt. Gibbs answered that it is very difficult to answer that question because if you drive
33 by certain liquor stores in Hemet, you will see individuals congregating or loitering out
34 front. It could be alcohol related or related to some other types of crimes, or it might be
35 no crime at all.
36

37 Commissioner Overmyer asked if there are any businesses that can have a license by
38 right, such as certain restaurants.
39

40 Principal Planner Papp explained that there are certain exemptions built into the
41 ordinance for alcohol sales, such as large retailers that only set aside a small
42 percentage of their footage for alcohol sales. In addition, restaurants are also exempt,
43 provided they are a bona fide eating-place, but they will have to go through the PCN
44 findings if the census tract is over-concentrated.
45

46 Commissioner Overmyer asked if there are any buildings or lots within this census tract
47 that would accommodate a future restaurant.
48

49 Principal Planner Papp pointed out that the Stetson Crossing project would very likely
50 have restaurants at that location. He did not believe there are any pads available in

1 Page Plaza for a restaurant. Any sales outlets further south would be prohibited from
2 alcohol sales because that would be approaching the high school. He also answered
3 Vice Chairman Vasquez's question concerning other Type 21 license requests from
4 other gas stations, stating that currently there are no gas stations in the city of Hemet
5 that have a type 21 license or that have made such a request.

6
7 Chairman Gifford opened the public hearing.

8
9 Mark Kassab, 3596 Fairmount Avenue, approached the lectern and gave background
10 information concerning his ownership of grocery stores and gas stations for the last 30
11 years. He commented that the gas station in question, which they have owned since
12 2006, is being upgraded within the next three to six months. Currently they have 10
13 employees and 16 cameras for surveillance, and have what he described as a "class
14 business." He said if he gets a License 21, he would drop the License 20.

15
16 Chairman Gifford asked if Mr. Kassab would like to postpone the hearing since the
17 consultant had not as yet arrived, and Mr. Kassab indicated whatever the Commission
18 wanted to do was fine with him. He also stated that he had 500 to 600 signatures from
19 the local Hemet/San Jacinto area indicating that the business is a good neighbor.

20
21 Chairman Gifford asked why they wanted a Class 21 License if, in fact, as Mr. Kassab
22 had previously stated, people who want to buy hard liquor are more likely to go to a
23 liquor store.

24
25 Mr. Kassab replied that they want to make it more convenient for their customers and
26 to force liquor store owners to clean up their facilities or lose business to him, who has
27 a better facility than a liquor store. He also felt the license would bring him possibly
28 two percent more business.

29
30 Commissioner Overmyer complimented Mr. Kassab on the number of signatures he
31 received and wondered if the petition was at the counter or sent to customers.

32
33 Mr. Kassab stated it was in the station. Moreover, in three days they accumulated all
34 the signatures.

35
36 Brian Aga (phonetic spelling) of San Jacinto, manager of the station, stated he
37 probably knows everyone on the Hemet Police Department because they utilize the
38 station and he does ride-alongs with them. He used to be the regional manager in San
39 Diego. In regards to liquor sales, there is a dedicated section, 15 feet wide and 2 feet
40 deep behind the counter, which is going to carry high-end liquor. He noted that the
41 station is very well lit, has good surveillance, and that he calls the police if there are any
42 beer runs or disturbances.

43
44 Vice Chair Vasquez noted that on January 13, 2014, he met with the applicant for a
45 very short meeting and the applicant explained what they were planning on doing and
46 what they have done in San Diego.

47
48 Chairman Gifford commented that this is a complex issue and made the following
49 motion:
50

1 It was **MOVED** by Chairman John Gifford and **SECONDED** by Commissioner Vince
2 Overmyer to **CONTINUE** Item 5 public hearing to the Planning Commission Meeting of
3 August 5, 2014.

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

6
7 **AYES:** Chairman John Gifford, Vice Chairman Greg Vasquez, and
8 Commissioner Vince Overmyer

9 **NOES:** None

10 **ABSTAIN:** Commissioner Michael Perciful

11 **ABSENT:** Commissioner Rick Crimeni
12

13 **6. FIVE YEAR CAPITAL IMPROVEMENT PLAN (CIP)** - (Taken out of order at 6:07
14 p.m.) - A request for Planning Commission review and recommendation to the City
15 Council to determine consistency with the City's adopted General Plan regarding
16 the proposed adoption of a Five Year Capital Improvement Plan (CIP) for Fiscal
17 Years 2014/2015 to 2018/2019.
18

19 Applicant: City of Hemet

20 Location: Citywide
21

22 (PowerPoint presentation by Planner Running.)
23

24 Chairman Gifford explained that the Planning Commission's role is just to determine
25 that these items are within the scope of the general plan, so there does not need to be
26 a question on individual items unless we feel they are not part of the general plan. He
27 indicated he did not have any particular questions, but noted his approval of the
28 citywide technology refresh.
29

30 Planner Running stated that it would be a process.
31

32 Vice Chair Vasquez commended Mr. Biagioni on the outstanding job he did on the
33 report/book, and that it answered all his questions about funding and where some of
34 these monies were coming from. He wondered, however, how staff picks out the
35 streets for upgrading.
36

37 City Engineer Biagioni explained that up until this year, the city did not have a
38 pavement management system. They are currently working with public works to obtain
39 one. In that way the condition of all the streets in the city can be inputted, and based
40 on those conditions, staff will be able to extract recommendations of the most important
41 ones to resurface or repair. At this time, they have to rely on information from
42 residents or visual inspections.
43

44 Vice Chair Vasquez mentioned that \$2 million does not seem like enough, with City
45 Engineer Biagioni responding that the city is doing between \$1.2 and \$1.5 million a
46 year in street repairs.
47

48 Chairman Gifford opened the public hearing before City Engineer Biagioni added that
49 yesterday; public works added some new projects at the request of the City Council.
50 Those will be incorporated into the final report. They will be made available to the
public once the CIP is approved.

1 Chairman Gifford asked if this would be acceptable if the public were able to access
2 the additions on the Website.

3
4 City Attorney Jex said that this has been noticed as a public hearing, but since it has
5 now been distributed, an action can be taken to add this to the CIP as part of the
6 Commission's recommendation to the City Council.

7
8 There being no public members wishing to speak to this issue, Chairman Gifford
9 closed the public hearing and asked for a motion.

10
11 It was **MOVED** by Commissioner Vince Overmyer and **SECONDED** by Commissioner
12 Michael Perciful to **ADOPT** Planning Resolution Bill 14-017.

13
14 The **MOTION** was carried by the following vote:

15
16 **AYES:** Chairman John Gifford, Vice Chairman Greg Vasquez, and
17 Commissioners Vince Overmyer, and Michael Perciful
18 **NOES:** None
19 **ABSENT:** Commissioner Rick Crimeni
20

21 DEPARTMENT REPORTS

22
23
24 **7. CITY ATTORNEY REPORTS:** (Nothing to report.)

25
26 **8. COMMUNITY DEVELOPMENT DIRECTOR REPORTS:**

27
28 A. Report on actions from the July 8, 2014 City Council Meeting

29
30 Principal Planner Papp, in CDD Elliano's absence, reported that the most important
31 planning issue at the July 8 City Council Meeting was the pending West End
32 Annexation, approximately 941 acres. He noted the report was well received by the
33 Council. City staff is setting up a deposit account for the purpose of putting together all
34 the forms and applications that are going to be necessary to submit to LAFCO for that
35 annexation. Deanna Elliano is going to get started on working with the requests for
36 proposals and agreements with property owners.

37
38 City Attorney is also in the process of preparing conflict checks against all property
39 owners to make sure there are no issues there.

40
41 **9. PLANNING COMMISSIONER REPORTS:**

- 42
43 A. Chairman Gifford (Nothing to report)
44 B. Vice Chair Vasquez (Nothing to report)
45 C. Commissioner Perciful (Nothing to report)
46 D. Commissioner Overmyer (Nothing to report)
47 E. Commissioner Crimeni (Absent)
48
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50

1 **10. FUTURE AGENDA ITEMS:**

- 2
3 **A. Master Tentative Tract Map/Conveyance Map for Tres Cerritos East**
4 **B. Parcel Map for Verizon**

5
6 Planner Papp also reminded the Commissioners that August 5 meeting would be the
7 time for the continued public hearings on the Church located on West Florida and the
8 ABC upgrade for the 76 Gas Station.
9

10 **11. ADJOURNMENT**

11
12 It was unanimously agreed to adjourn the meeting at 7:10 p.m. to the regular meeting of
13 the City of Hemet Planning Commission scheduled for **August 5, 2014 at 6:00 p.m.** to
14 be held at the City of Hemet Council Chambers located at 450 E. Latham Avenue,
15 Hemet, CA 92543.
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21 _____
22 John Gifford, Chairman
23 Hemet Planning Commission
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28 **ATTEST:**

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31 _____
32 Melissa Couden, Records Secretary
33 Hemet Planning Commission
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