PLANNING COMMISSION

MEETING MINUTES

DATE: **OCTOBER 21, 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, Commissioners Michael Perciful, Vince Overmyer and Rick Crimeni
ABSENT: Vice Chairman Greg Vasquez

Invocation and Flag Salute: Commissioner Michael Perciful

2. APPROVAL OF MINUTES:

A. Minutes of the Planning Commission meeting of October 7, 2014

It was **APPROVED** by voice vote of Commissioners to continue discussion of the Minutes of the October 7, 2014 Planning Commission Meeting to the November 4, 2014 meeting, as there was not a quorum of members present at the October 7th meeting.

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

AYES: Chairman John Gifford, Commissioners Michael Perciful, Vince Overmyer and Rick Crimeni
NOES: None
ABSENT: Vice Chair Greg 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. **TENTATIVE TRACT MAP 36759 (MAP 14-002) TRES CERRITOS EAST** - A request for Planning Commission review and approval of a tentative tract map for

conveyance (financing) purposes only. The subdivision proposes to divide 165.83 acres into 14 large numbered lots for future sale and development, and 23 lettered lots for future public facilities and landscaping. The site is located on the northwest corner of Devonshire Avenue and Cawston Avenue and south of Menlo Avenue, with consideration of a Notice of Determination that the project is consistent with the Final Environmental Impact Report (FEIR) that was adopted for the underlying project, Tres Cerritos Specific Plan No. 90-009.

PROJECT APPLICANT INFORMATION:

Owners:	Signal Family Hemet, LLC; Omni Financial, LLC; & MJ&M, LLC
Engineer:	Mike Medofer - Medofer Engineering
Planner:	Carole L. Kendrick, Associate Planner
Project Site:	Northwest corner of Devonshire Avenue and Cawston Avenue and south of Menlo Avenue
APN:	448-100-001 thru -018, 448-110-001 thru -015, -017 thru -022, and 444-020-024 thru -025
Lot Area:	165.83 acres

(Associate Planner Carole L. Kendrick gave a PowerPoint presentation.)

Following staff's presentation, Chairman Gifford opened the continued Public Hearing and invited the applicant to make a presentation.

Tom Shollin, representing the three existing landowners, gave a history of the land, the prior approved plans and entitlements generated for the land, and the division of the property by the present three landowners. He indicated that this change in land mapping makes no change in the Specific Plan. It is only a change of ownership for financing purposes. He indicated that he had questions about the recent redlined changes to Condition No. 10.

CDD Elliano explained that although the map is a conveyance map for financing purposes, once the map is final; there is no limitation as to any of those lots being sold to other builders. Therefore, one of the requirements under the final EIR for the project under the Specific Plan is to form a public safety CFD (Community Facilities District). It is a taxing mechanism on the underlying parcels and serves to mitigate new residential impact on police and fire operational services.

She further stated that what Condition 10 is doing is ensuring that if the property can be subdivided into multiple lots and ownerships prior to the formation of the CFD, it will only become more complicated and burdensome to individual ownerships to try to form a CFD at that time. Therefore, now is the appropriate time, before the final map, to put the CFD in place assuring future builders that it has already been accomplished. No assessments for that tax would occur until there were building permits or a builder's final map. It would be due at the future subdivision and ownership of the property.

The redlined language is clarification so it is understood that this map was not creating an assessment that was being imposed now on these individual owners.

Mr. Shollin asked if there are existing districts to which they can annex.

CDD Elliano affirmed and stated there is an existing public safety CFD that they might be able to annex into and is more streamlined than forming one's own CFD. There is a cost involved because there is professional work that is needed to develop the boundaries and rate the method of the tax.

Chairman Gifford stated that this is a requirement; the issue is if they should do it now or later. He felt the cost to implement may be better now than waiting a year.

CDD Elliano explained that if the CFD were not established now with this conveyance map, then the burden would pass to the first final map. If it is just one lot that is sold, that builder will be tasked with having to form a CFD. They would have to get corroboration from the other 13 owners to go down this path. It is a bit unfair and burdensome to put it on the first buyer as opposed to the three master builders who put the Specific Plan and the conveyance map together. If it is done now, future purchasers are buying it with full knowledge of the CFD and obligations involved because it runs with the property.

Brian Rubin, 1694 Via Simpatico, Hemet, stated he felt this was not an undue burden because the present owners can roll the cost into the price of the property. He felt it should be done now.

Leonard Salabao, 440 North Cawston Avenue, voiced his concerns about crime, traffic congestion. He felt it important to bring business to the city so there are fewer people relying on the government for sustenance.

Commissioner Overmyer thanked Mr. Salabao for coming and speaking and informed him that the Planning Commission was doing all they could to make sure there was mitigation of traffic and appropriate water drainage.

It was **MOVED** by Commissioner Rick Crimeni and **SECONDED** by Commissioner Vince Overmyer to **APPROVE** Planning Commission Bill 14-020 (Attachment No. 1), approving Tentative Tract Map No. 36759 subject to the Conditions of Approval (Attachment No. 1a), with the amendment on No. 10 regarding the CFD.

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

AYES: Chairman John Gifford, and Commissioners Michael Perciful, Vince Overmyer, and Rick Crimeni
NOES: None
ABSTAIN: None
ABSENT: Vice Chairman Greg Vasquez

5. **CONDITIONAL USE PERMIT NO. 14-007 (NEW ERA METALS)** - A request for Planning Commission review and approval of a Conditional Use Permit 14-007 allowing the operation of a scrap metal recycling facility in an existing 10,000 square foot metal building located at 1401 Mesa View Street with consideration of an environmental exemption pursuant to CEQA Guidelines Section 15301.

PROJECT APPLICANT INFORMATION:

Property Owner:	John P. Ennes
Business Owner:	Juan Velasquez
Authorized Agent:	George Kraus
Planner:	Soledad Carrisoza - Planning Technician
Project Location:	1401 Mesa View Street
Lot Area:	0.55 Acre
APN:	439-021-007

(Planner Emery Papp gave a PowerPoint presentation.)

During the presentation, questions were asked by Commissioners having to do with landscaping, irrigation and trash enclosure requirements. At the close of the presentation, Chairman Gifford opened the public hearing.

Juan Velasquez, 1401 Mesa View Street, Hemet, stated that as a recycling center, they would have a recycling database that will include the customer's location information, driver's license, thumbprint, picture, and picture of the materials. They will be working closely with the police department, who will receive a weekly report every Monday.

Chairman Gifford asked if he had done this type of business before, if he felt there was a need for it in Hemet, and what kind of materials would be accepted.

Mr. Velasquez stated that he had conducted this type of business before, and he wanted this to be a long-term endeavor because he had three children he wished to include in this business. He said many people do not realize they can recycle their metal waste. This business would only deal with metal recyclables, such as tin, steel, copper, brass and there would be no other trash collected, so he did not feel there was a need for a trash enclosure.

Commissioner Overmyer asked—theft aside—where does the metal come from.

Mr. Velasquez explained that contractors have very strict restrictions about what they do with leftover metals, so they bring them for recycling. Homeowners could bring in swamp coolers, fans, aluminum sheds, tables, chairs, engine blocks, etc.

Commissioner Overmyer stated that if it diverts it from the landfills, it is a good thing; and Commissioner Perciful felt it was providing a great tool for law enforcement.

Chairman Gifford closed the public hearing and stated he still felt a trash bin enclosure would be a good thing in helping to keep the location clean. He felt that the arguments regarding eliminating the landscape requirements were valid.

CDD Elliano stated if they have rolling bins or carts that can be moved inside, the enclosures would not be necessary. If they would need trash pickup more than once a week, there might be a need for the enclosure. She suggested working with the public works department for final determination based on trash generated.

It was **MOVED** by Commissioner Vince Overmyer and **SECONDED** by Commissioner Rick Crimeni to **ADOPT** Planning Commission Resolution Bill 14-024 (Attachment No. 1), **APPROVING** CUP 14-007 subject to the findings and conditions of approval, with amendments to the conditions related to landscaping requirements limited to Mesa View frontage, as shown on the site plan; and Condition 26, if the appropriate enclosures are required by the public works department, the applicant shall install prior to issuance of the permit.

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

AYES: Chairman John Gifford, and Commissioners Michael Perciful, Vince Overmyer, and Rick Crimeni
NOES: None
ABSTAIN: None
ABSENT: Vice Chairman Greg Vasquez

6. ZONING AMENDMENT (ZOA) NO. 14-005 (CONGREGATE CARE FACILITIES) - A city-initiated action amending Chapter 90 (Zoning) of the Hemet Municipal Code to update and expand the definitions of certain types of congregate living facilities, and to establish their use in the Multiple Family Residential, Commercial, Downtown, and Institutional Zones.

PROJECT APPLICANT INFORMATION:

Applicant: City of Hemet
Planner: Nancy Gutierrez - Contract Planner
Project Location: Citywide

CDD Elliano explained the need for Zoning Amendment No. 14-005 because of an inadvertent error in 2008 dropping these establishments out of the code as a permitted use. The amendment also updates the terminology to the current terms in use today: Assisted living facility, congregate care facility, continuing care retirement community, skilled nursing facility, senior housing.

CDD Elliano explained the changes proposed to the definitions and the inclusion of these uses by a CUP in the C-1, C-2, R-2, R-3, R-4, D-1, D-2, and Institutional Zones.

Essentially, this change updates the code, defines the terms, and allows the opportunity for businesses to apply for these types of uses, for which Hemet has a need.

Chairman Gifford opened the public hearing, but no speakers came forward.

It was **MOVED** by Commissioner Rick Crimeni and **SECONDED** by Commissioner Vince Overmyer to **ADOPT** Planning Commission Resolution Bill 14-025 recommending approval of Zoning Ordinance Bill 14-071 to the City Council.

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

AYES: Chairman John Gifford, and Commissioners Michael Perciful, Vince Overmyer, and Rick Crimeni
NOES: None
ABSTAIN: None
ABSENT: Vice Chairman Greg Vasquez

WORK STUDY REPORTS

7. **WORKSTUDY: CONDITIONAL USE PERMIT CUP 14-001 (SUN EDISON)** - A Work-study Session for the Applicant, Sun Edison, and their consultant team to provide an introduction of the proposed project to the Planning Commission, and to identify potential issues that may require additional review prior to the formal public hearing for the project.

Planner Running introduced the applicant and noted that after the presentation by Sun Edison, he would go over issues that Staff is looking at for this project.

Jeremy Krout, President, EPD Solutions, Inc. representing Sun Edison, the applicant, introduced a number of team members: Nathan Perez, David Taussig & Associates; Christina White, Director, North American Solar Project Development, SunEdison; Sara Kayal, Senior Design Manager, SunEdison; and Boyd Martin, CEO Market Profiles, Inc, who analyzed the project from a real estate standpoint, and the landowners.

Mr. Krout went through a history of the project, its site, some of the overall benefits from renewable energy and why it is good for this area, specifically stabilization of the local grid and local benefits such as jobs, income for the city and the statewide benefit of producing more renewable energy.

He also noted that the site is a 25-year use and would be dismantled if it were felt that the site could be more income producing for the city with other uses. It will be a $2.8 million dollar benefit, over the 25-year life of the project, for the city in terms of general fund.

Planner Running presented a summary of the issues that concern the project:

- General Plan consistency with the Business Park land use designation
- Potential industrial land uses permitted under the Airport Land Use Plan
- Whittier and Cawston Avenue right-of-ways
- Long term 25 year use of the property without off-site improvements
- Acacia Avenue and Sanderson Avenue (Scenic Highway) improvements
- Non irrigated landscaping
- Project layout/location (COP findings)
- Fiscal Impact analysis

- Emergency roadway structure
- Weed abatement
- Heat gain

As this was a work study, Chairman Gifford invited audience members with questions to come to the podium.

Dr. John Etchart, owner of a veterinary establishment, at 601 S. Sanderson Avenue, had several concerns: 1) Because his patients are equines, they arrive in trailers usually, and he expressed concerns about the impact to animals; 2) he is not sure how close the solar panels will come to the periphery of his property. He felt that he was getting run over.

In answer to Chairman Gifford's question about future plans for his business, Dr. Etchart stated he had no plans to expand on his two acres.

Mr. Krout said there were setbacks that would provide protection and that he would speak with the doctor about his concerns. There is no noise, and possible dust from the horses on the dirt lot would not hinder the solar panels, as they are washed periodically.

Commissioner Crimeni asked about the heat generated by the panels. He had heard they heat up to 140 degrees.

Mr. Krout noted that there is heat gain, but it is not reflective heat. He further mentioned that heat lost is electricity lost and that there would be no more heat for people shopping in Lowe's or on the doctor's property.

Robin Lowe, representing Hemet West Mobile Home Park, stated that in the past 45 years, dust from this property has greatly impacted Hemet West Mobile homeowners and their coaches due to the dryness of the weather. The homeowners feel the air quality will be improved with the construction and maintenance of this project, with no hindrance to health because the panels are non-reflective. She felt the project would be a benefit to the city, it would provide renewable energy example for the school district and science center and it will greatly improve the appearance from Acacia because right now it's nothing but tumble weeds and homeless people.

She reiterated that Hemet West is in favor of the project and hoped that it will not hit any stumbling blocks.

Commissioner Crimeni asked what the applicant is proposing to do to keep the dust and tumbleweeds under control.

Mr. Krout explained that where there are no panels, the ground would be maintained by some grading and by watering the site several times a day during construction. There will be maintenance workers that will go out to clear the weeds off the site or keep them at a low level. Any of the access areas between panels will be maintained with non-toxic solutions to keep the dust levels down. The methods utilized will be determined by the soil condition. He also commented on several issues brought up by

Planner Running in his presentation and stated they would need to better understand some of the requirements.

Glen Holmes, a member of the Airport Land Use Commission, stated he is not speaking either in support of or against the project. He outlined the membership of the Commission and that they are currently working on a new plan for the airport. He discussed the restrictions about numbers of people who could be on the land in question, and felt this use was a very appropriate one and that reflection would not be a problem.

Brian Rubin said the only concern he had was Sanderson Avenue and how they were going to moderate the height so it does not just look like a massive block. It is great that it is going to generate energy. He said there would be issues, but he felt it gives enough benefit to the city to be a worthwhile project.

Commissioner Overmyer stated that this site, for a number of reasons, is not ideal for a business park.

Commissioner Gifford delineated two issues: One, is this the best use for this land; Two, the detail issues, which look as if they could be resolved. He felt that this may not be the best use of the land, but it is a matter of timing. Those pieces of industrial land are probably a lot more conducive to industrial use if ever there is going to be a Business Park put in, and presently many industrial areas are not being used. There are other places where industrial buildings can be put in the 25 years that this land lease is in effect.

He stated that care would need to be given to what can be done along Sanderson Avenue because it is a major corridor. This would include landscaping and design concerns.

Commissioner Overmyer suggested meandering sidewalks, decorative walls, landscaping, and street furniture.

Chairman Gifford suggested creative planning for landscaping, since water is now such an issue. He also asked how long it would take to construct and start operating.

Mr. Krout explained that permitting takes about six months, so it is a quick process.

Chairman Gifford noted that this would be a financial asset to the city, but wanted to know about the benefit to the city's electrical grid.

Mr. Krout said that if the city's electrical power was down, there is a loss of power potentially to the city, but if there is a generating facility right next door, energy from that location would be used, so it is another power source right inside the area where the demand is coming from. This proposed project will be producing electricity during peak times of the day when everyone has the air conditioning on.

Mr. Gifford asked what size population does 20 megawatts serve, and Mr. Krout responded that about 3,500 homes could be served.

Both Commissioners Overmyer and Crimeni felt it is the best use of the property right now.

CDD Elliano noted that there would need to be some exceptions to the General Plan or city ordinance for the project as proposed. Because of the drought, the landscape scheme would have to be updated. Initially the applicant is indicating a wish to defer and not build any of the Sanderson improvements, including sidewalks, but the Commission does not have the authority to defer those improvements. That rests with the City Council.

Chairman Gifford stated that the city wants to have something, once the 25 years are up, that would fit in with the newer uses.

CDD Elliano said she was encouraged that the applicant has an economist that is going to look into the market study. She also said staff would look at the traffic analysis study, and some of the proposed roadway configurations and how that can be accommodated.

DEPARTMENT REPORTS

8. CITY ATTORNEY REPORTS: (Nothing to report)

9. COMMUNITY DEVELOPMENT DIRECTOR REPORTS:

A. Report on actions from the October 14, 2014 City Council Meeting.

CDD Elliano reported that Eric Gosch received an award for dedicated service through the Gosch Auto Group.

The public hearing for the fee schedule was held and Council moved forward with it. The Council also upheld the Planning Commission's decision to deny the alcoholic beverage license upgrade from beer and wine to liquor at the 76 Gas Station on Sanderson Avenue.

She also announced that the City Council was going to meet in the council chambers on November 18, so there will be no Planning Commission meeting that day.

10. PLANNING COMMISSIONER REPORTS:

A. Chairman Gifford - (Nothing to report.)
B. Vice Chair Vasquez - (Absent.)
C. Commissioner Perciful - reported on his tour by the State Water Board to Lake Oroville and down the San Francisco River to the San Francisco Bay Delta. Lake Oroville is down over 23 feet from its high point. It is dropping a foot a day. The inlet for the power plant is very low, and when it reaches a certain level, they will have to stop producing electricity. The spawning season is now, but once that is over, they are going to cut back on the water released. Another concern in the delta area is the levies. Their concern is if there is a strong earthquake and one of those levies breach, it would cause widespread flooding in the area. There are tunnels proposed to bring

water to the Southern California area, but the Northern California districts want to keep it. He urged everyone to conserve water. He recommended the trip for other Commissioners.

D. Commissioner Overmyer – (Nothing to report.)
E. Commissioner Crimeni - (Nothing to report.)

11. FUTURE AGENDA ITEMS:

A. Site Development Review (SDR 14-002) 120-unit senior apartment project - Pension del Sol
B. Conditional Use Permit (CUP 14-008) Redline Express Car Wash
C. Workstudy: Preliminary Review (PR 14-008) Hemet Senior Apartments
D. Update Report regarding the status of inactive entitlements approved by the Planning Commission during the period of 2009-2014
E. Update on the Temporary Sign ordinance
F. Zoning Ordinance Amendment regarding Storage Containers in Commercial & Industrial Zones

10. ADJOURNMENT

It was unanimously agreed to adjourn the meeting at 9:22 p.m. to the regular meeting of the City of Hemet Planning Commission scheduled for ***November 4 at 6:00 p.m.*** to be held at the City of Hemet Council Chambers located at 450 E. Latham Avenue, Hemet, CA 92543.

Greg Vasquez, Vice Chairman
Hemet Planning Commission

ATTEST:

Melissa Couden, Records Secretary
Hemet Planning Commission