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PLANNING  *COMMISSION*

MEETING MINUTES

DATE: FEBRUARY 17, 2015 **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, Vince Overmyer and Michael Perciful

ABSENT: Commissioner Rick Crimeni (with notice)

Invocation and Flag Salute: Chairman John Gifford

2. APPROVAL OF MINUTES:

A. Minutes of the Planning Commission meeting of January 20, 2015

It was **MOVED** by Commissioner Overmyer and **SECONDED** by Vice Chair Greg Vasquez to **APPROVE** the Minutes of the Planning Commission meeting of January 20, 2015.

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

AYES: Chairman John Gifford, Vice Chair Greg Vasquez, 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.

ACTION ITEMS

4. ADOPTION OF A RESOLUTION RATIFYING THE MODIFIED CONDITIONS OF APPROVAL FOR TTM 36759 (TRES CERRITOS EAST) - Planning Commission consideration of Resolution Bill No. 15-003 to officially ratify the

1 Planning Commission's prior approval of a modification to Condition No. 10 of
2 TTM 36759, a subdivision of 165.83 acres into 14 numbered lots for conveyance
3 and financing purposes only, located at the northwest corner of Devonshire
4 Avenue and Cawston Avenue (Applicant: Tom Shollin, Signal Hill Development).
5

6 CDD Eliano explained that this is an action officially ratifying the motion passed at
7 last Planning Commission meeting to approve the modified condition No. 10 for the
8 project.
9

10 It was **MOVED** by Vice Chair Greg Vasquez and **SECONDED** by Commissioner
11 Michael Perciful to **ADOPT** Planning Commission Resolution Bill 15-003
12 **APPROVING** the Modified Conditions of Approval for TTM 36759.
13

14 The **MOTION** was carried by the following vote:
15

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

18 **ABSENT:** Commissioner Rick Crimeni
19
20

21 PUBLIC HEARING ITEMS

- 22
23
24 **5. SITE DEVELOPMENT REVIEW SDR 14-004 CORWIN RANCH** - A request for
25 Planning Commission review and approval of a Site Development Review
26 application for the design of the 12 single story, single family residential homes
27 within Tract No. 35990, located on the west side of Hemet Street, north of
28 Annisa Avenue and south of Paloma Drive, with consideration of an
29 environmental exemption pursuant to CEQA Guidelines Section 15332.
30

31 PROJECT APPLICANT INFORMATION

32
33 Owner: Desert Ice Holdings
34 Applicant: Wayne Vaughn, Jr.
35 Location: 895 North Hemet Street
36 APN: 551-423-015
37 Planner: Carole L. Kendrick, Associate Planner
38

39 (PowerPoint Presentation by Planner Kendrick.)
40

41 Commissioner Overmyer had several questions relating to lot size, existing out
42 buildings and position of the existing house on one of the lots.
43

44 Planner Kendrick noted that the lot size is a little bigger than others are, without
45 buildings that will be removed. She noted that the tentative map is approved and that
46 the final map has not recorded yet. The property is not yet subdivided, but there will
47 be 12 lots.
48

49 Commissioner Perciful wanted to know if the materials and designs of the houses
50 would be consistent with what is already in the neighborhood.

1 Planner Kendrick said that is what the applicant is proposing.

2
3 Chairman Gifford opened the public hearing and welcomed public comments.

4
5 Sue Wood, 901 Corwin Place, who lives across the street from the project, wanted to
6 know the price of the homes and the timeframe of the project.
7

8 Wayne Vaughn of Vaughn Construction Company, the applicant, mentioned homes
9 he had built in the Hemet area which are top-scale homes with tile roofs and other
10 amenities. He said the plan is to go forward and complete all the homes, but he
11 usually does one to completion to use as a model home. Then he completes the
12 others. He said that normally a project like this takes from 12 to 16 months to
13 complete. He said the price of the homes would be consistent with or higher than the
14 existing homes in the neighborhood.
15

16 Vice Chair Vasquez expressed concern about the length of time to complete the
17 projects and asked if he currently had other properties being built and if those
18 projects would interfere with the proposed project.
19

20 Mr. Vaughn answered that he has 16 lots on Stetson, with smaller houses with nice
21 amenities. He used to build up to 152 houses a year, so 30 houses, as proposed, are
22 very doable for his company.
23

24 Vice Chair Vasquez inquired about a project on Park Hill, and Mr. Vaughn gave him a
25 report on the history of that project.
26

27 Chairman Gifford stated that the specifics of the development were approved in 2011,
28 in conjunction with the tract map. What the Commission needs to concentrate on at
29 this point is the design of the houses.
30

31 Commissioner Overmyer congratulated Mr. Vaughn on being a private builder who
32 had survived the economic crash and was still building projects, and Commissioner
33 Perciful joined in, saying he thought it was great to see some of the smaller lots that
34 are infill being built out. He hopes the designs will be consistent with the older and
35 some newer homes in the area, but felt the project would help the values of the
36 homes around the neighborhood.
37

38 Diana Tabiner (phonetic spelling), 1425 Seven Hills Drive, Hemet, wanted to know
39 the lot size and setback requirements for this project, if the driveways are going to be
40 sloped because of the elevation on the Paloma side, and where the driveways would
41 be on the existing home site.
42

43 Staff and Commissioners stated the lot size average is 8,245 square feet and the
44 setback requirement is a minimum of 18, varying to 25 feet. The lots will be graded
45 so the elevation will only be at the back, not affecting the driveways. The existing
46 home will have driveways accessing onto Hemet Street.
47

48 Chairman Gifford closed the public hearing and requested comments from
49 Commissioners.
50

1 Vice Chair Vasquez, Commissioners Perciful and Overmyer all thought the project
2 consistent with the General Plan and the timing was appropriate for the present
3 financial market.

4
5 Chairman Gifford added that the existing home, although not an historical landmark,
6 was the home in which his father was born. He called for a motion.

7
8 It was **MOVED** by Commissioner Vince Overmyer and **SECONDED** by
9 Commissioner Michael Perciful to **ADOPT** Planning Commission Resolution Bill No.
10 15-002, recommending that the City Council approve SDR 14-004 subject to the
11 findings and conditions of approval and direct staff to file a Notice of Determination.

12
13 The **MOTION** was carried by the following vote:

14
15 **AYES:** Chairman John Gifford, Vice Chair Greg Vasquez, Commissioners
16 Michael Perciful and Vince Overmyer

17 **ABSENT:** Commissioner Rick Crimeni
18

19 **6. ZONING ORDINANCE AMENDMENT ZOA 15-001** - A city initiated action
20 amending Sec. 90-46 (Development review committee), Sec. 90-42 (Conditional
21 use permit applications) and Article XLI (Site Development Plan Review) and
22 deleting duplicative Articles XLIV (Conditional Use Permits) and SLV (Variances)
23 of Chapter 90 of the Hemet Municipal Code. The amendment updates and
24 refines the definitions and application procedures for Pre-Application Review,
25 Conditional Use Permits, and Site Development Plan Review applications for
26 development.
27

28 **PROJECT APPLICANT INFORMATION:**

29
30 Applicant: City Initiated
31 Location: Citywide
32 Planner: Nancy Gutierrez
33
34

35 (PowerPoint presentation by Planner Gutierrez.)
36

37 CDD Elliano further explained that staff had several goals in mind with this revision.
38 One is clarity for staff and the public, as there were practices that were not in the
39 Code and duplications of the Code regarding the development applications. In
40 addition, staff is trying to move the code towards being more business friendly,
41 streamlining some of the requirements.
42

43 In that vein, staff is trying to evaluate what needs to go before the Planning
44 Commission, what can be handled by the Community Development Director and
45 which projects can just go to plan check. To assist in that simplification of processes,
46 a Preliminary Application Review is proposed, which would help applicants know from
47 the very beginning what is needed to be submitted for their project. This ZOA is part
48 of staff's ongoing effort to update the Code, trying to bring best practices into the mix
49 and to make sure there is clarity for all applicants.
50

1 Chairman Gifford asked what the process was for determining the thresholds: What
2 criteria were used; did staff use other cities' methods?

3
4 CDD Elliano stated that many staff members have worked in other cities and can
5 compare what has worked there with current practices in Hemet. Staff is trying to
6 match the level of staff work with the appropriate fee. The streamlined CUP and
7 minor SDR are less expensive because there is less staff work involved.
8

9 Commissioner Overmyer and Vice Chair Vasquez both felt it was a move toward
10 being more business friendly. However, Vice Chair Vasquez suggested they look at
11 the fee structure because he felt the fees in some areas were less than he thought
12 they should be, as the City cannot achieve full cost recovery the way it is presently
13 structured. He suggested they look at the time spent carefully and appropriately to
14 get the right fee structure and not short change the city.
15

16 Commissioner Perciful felt any time a Code could be streamlined; it is good for the
17 citizens of the city.
18

19 Chairman Gifford opened the public hearing and asked for a motion to continue to the
20 March 3 meeting.
21

22 It was **MOVED** by Commissioner Overmyer and **SECONDED** by Commissioner
23 Michael Perciful to **CONTINUE** the public hearing to March 3, 2015.
24

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

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

29 **ABSENT:** Commissioner Rick Crimeni
30

31 **DEPARTMENT REPORTS**

32 **7. CITY ATTORNEY REPORTS:**

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35
36 City Attorney Jex explained that the Planning Commission had requested a report on
37 the RLUIPA (Religious Land Use and Institutionalized Persons Act of 2000). He then
38 passed out a memo giving the details of the Act. Since this is a federal law, it applies
39 to every state in the country. Since there are many cases regarding this issue, he
40 wished to give them the prevailing or majority view of most cases.
41

42 He outlined that the purpose of the law was to protect the free exercise of religion,
43 which is guaranteed by the First Amendment, and to protect that from governmental
44 regulation. It prohibits zoning and land use laws that substantially burden the exercise
45 of churches or other religious assemblies. (The "substantially burden" provision). It
46 would also prohibit zoning and land use laws that treat churches or other religious
47 assemblies at less than equal terms with nonreligious institutions. ("Less than equal
48 terms" provision). There are other smaller provisions that talk about discrimination
49 against religious assemblies or total exclusion or unreasonable limiting.
50

1 He then illustrated the provisions by citing a number of cases. In conclusion, he
2 stated that if a religious institution proves a substantial burden (which is quite easy); a
3 public agency has to prove least restrictive means (which is very hard and difficult to
4 win). Also, agencies cannot treat religious assemblies on less than equal terms than
5 a nonreligious assembly.

6
7 Chairman Gifford asked for a definition of a religious assembly.

8
9 City Attorney Jex answered that it is a very broad definition. The courts are going to
10 look at it on a case-by-case basis.

11 12 **8. COMMUNITY DEVELOPMENT DIRECTOR REPORTS:**

13 14 **A. Report on actions from the January 27 and February 10, 2015 City** 15 **Council Meetings**

16
17 CDD Elliano reported that there were no planning issues considered at the January
18 27th City Council meeting, but the city's Water District, because of the ongoing
19 drought, had to activate Phase 2 of the Drought Tolerant Management Plan, which
20 restricts watering from 6:00 a.m. to 6:00 p.m. every day.

21
22 Two planning items were discussed during the February 10 council meeting. She
23 gave an update on the enforcement activities for the boarded-up buildings along the
24 commercial corridors. Sixteen primary properties fall within the long-term ordinance.
25 She mentioned a number of properties, such as the Albertson's building, the Tri Buick
26 building, Walmart building, Duke's Restaurant, the K-Mart building, which are
27 undergoing renovation for different uses. There are other properties where nothing
28 has been done, and the city is increasing enforcement measures.

29
30 The Warren Avenue and Esplanade zone change was approved by the City Council.
31 An Urgency Ordinance for an automatic extension of time for development projects
32 expiring within 2015, initiated by property owners through the City Manager and City
33 Attorney offices, was very well received. The annexation of the almost 1,000 acres of
34 the Southwest area of town was given the go ahead by the council to submit the
35 application to LAFCO. The property owners within the annexation area are in favor
36 and asked the city to initiate the move.

37 38 **B. Update regarding Downtown Specific Plan**

39
40 CDD Elliano reported on the SCAG grant for the Downtown Specific Plan, which is
41 now being funded. Staff prepared the Request for Proposal and has now interviewed
42 four firms. They hope to announce the firm chosen to be hired soon and will solicit a
43 huge community inclusion process. The effort will include an outreach to schools to
44 know what the youth, younger parents and other people in the community think about
45 their downtown and what kinds of uses they want to see. The SCAG grants never
46 fund environmental work, so the city will have to pay for that under a separate
47 contract.
48
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1 **9. PLANNING COMMISSIONER REPORTS:**

- 2
- 3 A. Chairman Gifford (Nothing to report)
- 4 B. Vice Chair Vasquez asked if Governor Brown's proposal on the
- 5 Redevelopment Oversight Board has been made a law yet, and City
- 6 Attorney Jex responded that it had not yet.
- 7 C. Commissioner Perciful report on the Colorado River Project tour and
- 8 the meeting for the California Association of Realtors, which was
- 9 attended by Governor Brown.
- 10 D. Commissioner Overmyer (Nothing to report)
- 11 E. Commissioner Crimeni (Absent)
- 12

13 **10. FUTURE AGENDA ITEMS:**

- 14
- 15 A. Zoning Ordinance amendment regarding Site Development Reviews
- 16 B. Zoning Ordinance Update regarding State Housing Law definitions
- 17 C. Work Study regarding Zoning Ordinance Amendment regarding Storage
- 18 Containers in Commercial & Industrial Zones
- 19 D. State Planning Legislation Update
- 20 E. Work Study regarding TTM 36866 (Four Seasons)
- 21

22 **11. ADJOURNMENT**

23

24 It was unanimously agreed to adjourn the meeting at 7:24 p.m. to the regular meeting

25 of the City of Hemet Planning Commission scheduled for **March 3, 2015 at 6:00 p.m.**

26 to be held at the City of Hemet Council Chambers located at 450 E. Latham Avenue,

27 Hemet, California 92543.

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42 John Gifford, Chairman

43 Hemet Planning Commission

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ATTEST:

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41 Melissa Couden, Records Secretary

42 Hemet Planning Commission

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