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**PLANNING**  **COMMISSION**

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**MEETING MINUTES**

**DATE:** JULY 21, 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 Michael Perciful, and Commissioners Tami Wilhelm, and Greg Vasquez

**ABSENT:** Commissioner Vince Overmyer

**Invocation and Flag Salute:** Commissioner Greg Vasquez

**2. APPROVAL OF MINUTES:**

**A.** Minutes of the Planning Commission meeting of July 7, 2015

It was **MOVED** by Vice Chair Michael Perciful and **SECONDED** by Commissioner Tami Wilhelm to **APPROVE** the Minutes of the Planning Commission meeting of July 7, 2015.

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

**AYES:** Chairman John Gifford, Vice Chair Michael Perciful, and Commissioners Tami Wilhelm and Greg Vasquez.

**ABSENT:** Commissioner Vince Overmyer

**3. PUBLIC COMMENTS:**

There were no members of the public who wished to address the commission regarding items not on the agenda.

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**PUBLIC HEARING ITEMS**

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**4. ZONING ORDINANCE AMENDMENT (ZOA) NO. 15-006 - Continued Public Hearing** - A city-initiated Ordinance amending certain sections of Chapter 90 (Zoning Ordinance) of the City of Hemet Municipal Code to update provisions

1 related to metal shipping container use in the residential, commercial and industrial  
2 zoned properties in the City of Hemet.

3  
4 **Project Information:**

5 Applicant: City of Hemet  
6 Location: Citywide  
7 Presented by: H.P. Kang, Principal Planner  
8

9 **Recommended Action:**

10 That the Planning Commission:

- 11  
12  
13 1. ADOPT Planning Commission Resolution Bill No.15-012  
14 recommending APPROVAL of ZOA 15-006 to the City Council.

15  
16 (PowerPoint presentation by Planner H.P. Kang.)  
17

18 Chairman Gifford asked a series of questions which included, (1) What kind of  
19 conditions would be considered to be an appropriate use for an Administrative Use  
20 Permit; (2) Are the containers limited to one; (3) Is there a mechanism to review on a  
21 regular basis for the city.  
22

23 CDD Elliano answered the first question by referring to Exhibit B to the Ordinance,  
24 page four under Section B, which lists criteria for an AUP, including not being visible  
25 from the public right-of-way, not extended into the public parking areas, and to be  
26 painted or given an architectural relationship to the primary structure.  
27

28 Whether a location can have more than one container is dependent upon whether the  
29 requirements outlined can be followed: The screening from the public right-of-ways  
30 and not encroaching on parking.  
31

32 The mechanism for review is allowing businesses to have these for six months and  
33 then to come in and work with the CDD to get an Administrative Use Permit, if more  
34 time were required, thereby allowing the City to have documentation and ability to  
35 review.  
36

37 Commissioner Vasquez referred to Exhibit B, page two of seven, last paragraph,  
38 referring to a five-year increment, wondering if there would have to be a permit every  
39 year.  
40

41 Planner Kang said the temporary use permit will be used one time, and it is good for up  
42 to five years.  
43

44 Commissioner Vasquez also asked if it would be acceptable to add the word  
45 "commercial" to the definition of the storage container: "Shed-like unit or other portable  
46 container structure that can or is used for the storage of personal or commercial  
47 property of any kind." Planner Kang gave his approval.  
48

49 Commissioner Wilhelm asked about paying property tax on these storage units.  
50

1 CDD Elliano explained that if it is a storage barn or metal building that went through a  
2 building permit process, it would be on the tax rolls. Vice Chair Perciful further  
3 explained that all personal property related to business is taxed by the county. He also  
4 corrected a grammatical error on page four, paragraph 2A.  
5

6 Chairman Gifford then opened the continued public hearing.  
7

8 Andy Anderson, Hemet/San Jacinto Chamber of Commerce, 1615 North San Jacinto  
9 Street in Hemet, noted from the Chamber's point of view, this item is still a work in  
10 progress. He felt some clarifications were needed at this point, and items of  
11 consideration for further work are the definition of a metal storage container, non-profit  
12 donation bins, trucks which leave storage units at the back of a retail establishment,  
13 cloudiness re permanent square foot gross primary floor area, list of contents in units  
14 perhaps as a cause for theft, and metal and glass recycling facilities.  
15

16 Chairman Gifford had further questions about the minimum permanent size of a retail  
17 establishment in order to qualify for a storage container.  
18

19 Mr. Anderson replied that there are many smaller retailers and non-profits who have  
20 need to store temporary items, such as remodeling, events.  
21

22 CDD Elliano said that if a smaller tenant space needed storage for remodeling, as long  
23 as it wasn't in the parking field, the City could accommodate that.  
24

25 Ms. Melissa Galletta, 1027 Amherst Avenue, Hemet, a businesswoman in Hemet,  
26 commented on the cost for small businesses if the requirement for architectural  
27 compatibility is enacted. She felt that the city should not be making decisions for  
28 businesses, especially since they are already paying taxes on the containers. She  
29 advises a long- and short-term accommodations for businesses and short term for  
30 residential. She advises spending more city time dealing with blight and making it a  
31 more business-friendly city.  
32

33 Commissioner Wilhelm suggested the Chamber of Commerce work with planning staff  
34 to come up with answers more amenable to businesses.  
35

36 CDD Elliano commented that using metal storage containers as commercial space is  
37 where the architectural enhancements are necessary.  
38

39 Chairman Gifford reminded the audience that the Planning Commission's position is to  
40 make a recommendation to the City Council, with an attempt to balance all the issues.  
41

42 Matthew Casey, 124 North Ramona Street, Hemet, and commander of the American  
43 Legion post in Hemet outlined all the events utilizing their building and expressed a  
44 need for electrical accommodation for the containers, as they often need to move  
45 equipment at night, adding that they have only one container.  
46

47 Tom Garnella, Third Vice Commander for Post 53 and a retired school superintendent,  
48 added that the listing of contents should only include fire department concerns, and not  
49 personal items for the convenient viewing of thieves. He stressed these modifications  
50

1 should be considered at the Planning Commission and staff and not at the City  
2 Council, unless agreement cannot be reached. He advised continuing the item.

3  
4 Vice Chair Perciful asked how many containers the school district uses, and Mr. Casey  
5 said the Ontario Montclair district had over 50. Vice Chair Perciful said the point he is  
6 trying to make is that a governmental agency can use them but another government  
7 agency is trying to regulate what can and can't be used by the business community.

8  
9 CDD Elliano clarified that the only contents that need to be listed on the container are  
10 what is needed by the fire department, such as hazardous or chemical agents.

11  
12 Mr. Johnston (no first name given), 124 North Ramona, Hemet, is a past commander  
13 of the American Legion and wished there was more effort to deal with vacant and  
14 abandoned buildings, the homeless situation, the vice, and these should trump the  
15 metal container issue.

16  
17 Chairman Gifford explained that the Planning Commission has no police powers, but  
18 their goal is to make sure blight is controlled in terms of construction and making sure  
19 the city looks good.

20  
21 Chuck Schulz, 124 North Ramona, Hemet, also with the American Legion, Post 53,  
22 commented that code enforcement in the city is over-extended, so adding to that needs  
23 to be considered. He also noted his experience with shipping containers and lists of  
24 things in them, which made it easy for others to take what they wanted.

25  
26 Brian Fusilier, 3550 West Florida Avenue, Meineke Car Care, outlined his experience  
27 with containers and commented that the school district's containers are the ugliest he  
28 could find. He asked for the city to look at these on a case-by-case basis.

29  
30 Josh Pagliaroli, 3489 W. Devonshire Avenue, Hemet, expressed his experience with  
31 the city and containers, and noted that he has taken at least 100 pictures of shipping  
32 containers used in Hemet, outlining where some of them were. He also stated that not  
33 having a container for storage would shut down his entire program of training inner-city  
34 youth in health and exercise issues. He felt exceptions were necessary.

35  
36 Ms. Debbie Green, owner of two Century 21 real estate offices in Hemet, said most of  
37 the public was unaware this was being discussed until the Chamber of Commerce  
38 announcement came out. She felt the ordinance needed more work and more public  
39 comment, but it is a good start. There are many fees that businesses pay the city,  
40 such as alarm fees, police protection.

41  
42 Vice Chair Perciful said the intent of the ordinance is to make things aesthetically  
43 pleasing, but if it's out of sight, it's out of mind and that's the ultimate goal.

44  
45 Commissioner Wilhelm had concerns about permanent containers containing lighting,  
46 square footage requirements, no parking space requirements and limitation of number  
47 of units for ongoing construction.

48  
49 Vice Chair Perciful stated the construction units needed to be removed prior to the  
50

1 occupancy permit.

2  
3 CDD Elliano clarified that the ordinance says "required parking," so if they have more  
4 spaces than required, that would be an opportunity to use some of those extra spaces.

5  
6 Commissioner Vasquez explained that everything the Commission does is for the  
7 betterment of our community. He thought that the Planning staff has a good skeleton  
8 to work with and the community has some good ideas. He noted that CDD Elliano's  
9 pen had been exceedingly busy throughout the hearing.

10  
11 Chairman Gifford thought that giving more time for this, possibly to the August 18th  
12 meeting, and reaching out to the community is a good idea.

13  
14 CDD Elliano advised that time is needed to retool the ordinance and to get more  
15 comments from the Chamber and community. It could be continued off calendar and  
16 allow planning staff the time needed to reach all interested parties.

17  
18 It was **MOVED** by Vice Chair Michael Perciful and **SECONDED** by Chairman Gifford to  
19 **CONTINUE** Item 4 off calendar until such time that staff and community are ready to  
20 meet on this item.

21  
22 The **MOTION** was carried by the following vote:

23  
24 **AYES:** Chairman John Gifford, Vice Chair Michael Perciful, and Commissioners  
25 Tami Wilhelm and Greg Vasquez.

26 **ABSENT:** Commissioner Vince Overmyer  
27

28 **5. TENTATIVE PARCEL MAP NO. 36968 (MAP 15-006 COPENHAGEN VILLAS) - A**  
29 request for Planning Commission review and approval of a Tentative Parcel Map  
30 application for the re\subdivision of 13 existing lots on 3.29 acres, into one (1)  
31 multiple family residential lot and one (1) Lettered lot located on the east side of  
32 Copenhagen Street, south of Sydney Street and North of Anchorage Street, with  
33 consideration of an environmental exemption pursuant to CEQA Guidelines  
34 Section 15315.  
35

36 **Project Information:**

37 Applicant: Nader Khoshniyati - Empresa Construction, LLC  
38 Location: East side of Copenhagen Street, south of  
39 Sydney Street and north of Anchorage Street  
40 Presented by: Carole Kendrick, Associate Planner  
41

42 **Recommended Action:**

43  
44 That the Planning Commission:

- 45  
46  
47 1. ADOPT Planning Commission Resolution Bill 15-016 approving  
48 Tentative Parcel Map No. 36938 (MAP 15-006) subject to the  
49 Conditions of Approval, and;  
50

1 2. Direct staff to file a Notice of Exemption with the County Clerk.

2  
3 (PowerPoint presentation by Planner Carole Kendrick.)  
4  
5

6 Chairman Gifford opened the public hearing after asking for staff comments.  
7

8 John Lambert, 3491 Sydney Street, Hemet, commented that this is zoned for  
9 apartments, but he had questions about trash pick-up, heavy traffic on Copenhagen,  
10 excessive speed, the possibility for a four-way stop or speed bumps at corner of  
11 Sydney and Copenhagen, ingress and egress of the driveways, noise, greenbelt  
12 activity, accommodations for youth activities, building of wall between houses and  
13 development and schedule for that, abatement of vermin, gophers, rabbits during  
14 construction, and number of metal containers during construction.  
15

16 Chairman Gifford suggested his questions are on point, but the most useful thing would  
17 be to work with staff, because the Commission can only consider the tentative parcel  
18 map at this hearing. Staff, the architect and applicant can answer some of these  
19 questions.  
20

21 CDD Elliano suggested that he take the opportunity after the hearing to meet with the  
22 applicant and architect about some of these questions. The trash pick-up is a condition  
23 of approval.  
24

25 Russell Rumansoff, the architect for the project, 530 Saint John's Place, Hemet, stated  
26 this is a single-story, relatively low-density apartment project, with no additional  
27 environmental studies required. This item tonight is a request to basically eliminate the  
28 property lines to create the one lot to build the one complex upon.  
29

30 Chairman Gifford closed the public hearing and asked for Commission comments.  
31

32 Commissioner Wilhelm commented on her initial concerns and thanked staff for  
33 explaining the process to her. She commented that in the future, possibly more design  
34 standards could be studied so other multifamily complex owners could be inspired to  
35 do a better job of upgrading their projects.  
36

37 Chairman Gifford explained that she was bringing up a subject not on the agenda so it  
38 couldn't be discussed, but he understood her issues. He stated there needs to be  
39 approval or disapproval and he would entertain a motion.  
40

41 It was **MOVED** by Vice Chair Michael Perciful and **SECONDED** by Commissioner Greg  
42 Vasquez to **APPROVE** Resolution Bill No. 15-016 approving Tentative Parcel Map  
43 36968 (MAP 15-006) subject to the Conditions of Approval and direct staff to file a  
44 Notice of Exemption with the County Clerk.  
45

46 The **MOTION** was carried by the following vote:  
47

48 **AYES:** Chairman John Gifford, Vice Chair Michael Perciful, and Commissioners  
49 Tami Wilhelm and Greg Vasquez.  
50

1 **ABSENT:** Commissioner Vince Overmyer

2  
3 **6. REQUEST FOR MODIFICATION TO CONDITION OF APPROVAL FOR SITE**  
4 **DEVELOPMENT REVIEW (SDR) NO. 14-001 (COPENHAGEN VILLAS)** - A  
5 request for Planning Commission consideration of a modification to the Conditions  
6 of Approval of Site Development Review (SDR) No. 14-001 to coincide with  
7 Tentative Parcel Map No. 36968, a re-subdivision map for the Copenhagen Villas  
8 located on the east of Copenhagen Street, south of Sydney Street and north of  
9 Anchorage Street.

10  
11 **Project Information:**

12 Applicant: Nader Khoshniyati, Empressa Construction, LLC  
13 Location: East side of Copenhagen Street, south of Sydney  
14 Street and north of Anchorage Street  
15 Presented by: Carole Kendrick, Associate Planner

16  
17 **Recommended Action:**

18  
19 That the Planning Commission:

- 20  
21 1. ADOPT attached Planning Commission Resolution Bill No.  
22 15-017 for the proposed modifications to the Conditions of  
23 Approval for SDR 14-001 pursuant to the language set forth  
24 in Exhibit 1B.

25  
26 (PowerPoint presentation by Planner Carole Kendrick.)

27  
28 Chairman Gifford asked for comments and then opened the public hearing.

29  
30 Russell Rumansoff, project architect, 530 Saint John's Place, stated that the  
31 modifications for the conditions were reviewed and they agree with the modifications.  
32 They had no objections and request approval.

33  
34 Chairman Gifford closed the public hearing, and seeing no questions, comments or  
35 corrections from the Commission, asked for a motion on the item.

36  
37 It was **MOVED** by Vice Chair Michael Perciful and **SECONDED** by Commissioner Tami  
38 Wilhelm to **ADOPT** Planning Commission Resolution Bill No. 15-017 for the proposed  
39 modifications to the Conditions of Approval for SDR 14-001 pursuant to the language  
40 set forth in Exhibit 1B and direct staff to update the final Conditions of Approval for the  
41 project.

42  
43 The **MOTION** was carried by the following vote:

44  
45 **AYES:** Chairman John Gifford, Vice Chair Michael Perciful, and Commissioners  
46 Tami Wilhelm and Greg Vasquez.

47  
48 **ABSENT:** Commissioner Vince Overmyer

1 **DEPARTMENT REPORTS**

2  
3  
4 **7. CITY ATTORNEY REPORTS:**

5 Commission was reminded that when the mechanical voting machine was not working,  
6 under the Brown Act there is a need to verbally announce how each Commissioner  
7 voted and the end result. Since everything was unanimous this evening, there was no  
8 need to stop the Commission.  
9

10 **8. COMMUNITY DEVELOPMENT DIRECTOR REPORTS:**

11 **A. Report on Downtown Hemet Specific Plan Workshop**

12  
13 CDD Elliano reported that there was no Council meeting between the last Commission  
14 meeting and tonight, so nothing to report.

15  
16 However, there was the first Downtown Hemet Community Workshop with over 100  
17 people present. Most of the comments were positive. There was an extensive  
18 PowerPoint overview of what's been done before that and other materials are available  
19 on the City's Web site, which will be continually updated. There was also a survey  
20 handed out and on the Web site, with 92 responses so far.  
21  
22

23  
24 Also, a Downtown Advisory Committee is being formed, with Commissioners Wilhelm  
25 and Perciful already selected by the Planning Commission to serve. The Parks  
26 Commission, Traffic Commission, Library Board will appoint representatives when they  
27 next meet. The mayor wishes to have two Council members as liaisons to the DAC,  
28 and there is a desire to have representatives from the medical and faith-based  
29 communities appointed, along with the Theater and Diamond Valley Arts Council.  
30 Meetings will be limited to maybe six over, hopefully, a year.  
31

32 There is a request that City Council establishes this committee as a City committee.  
33

34 **B. Request for cancellation of the August 4, 2015 Planning Commission Meeting**

35  
36 Because of lack of items that were ready for the August 4th meeting, staff is requesting  
37 that the meeting be cancelled and adjourned to the August 18th, 2015 Planning  
38 Commission meeting.  
39

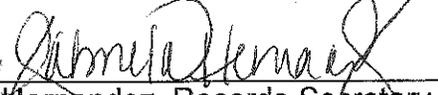
40 **9. PLANNING COMMISSIONER REPORTS:**

- 41  
42 **A. Chairman Gifford (Nothing to report)**  
43 **B. Vice Chair Perciful (Nothing to report)**  
44 **C. Commissioner Overmyer (Absent)**  
45 **D. Commissioner Wilhelm (Nothing to report)**  
46 **E. Commissioner Vasquez (Nothing to report)**  
47

48 **10. FUTURE AGENDA ITEMS:**  
49  
50

1 be held at the City of Hemet Council Chambers located at 450 E. Latham Avenue,  
2 Hemet, CA 92543.  
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10 John Gifford, Chairman  
11 Hemet Planning Commission  
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18 ATTEST:   
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20 Gabriela Hernandez, Records Secretary  
21 Hemet Planning Commission  
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