

CITY OF HEMET PLANNING COMMISSION MINUTES

TUESDAY, JANUARY 21, 2003

THE REGULAR MEETING OF THE CITY OF HEMET PLANNING COMMISSION WAS CONVENED BY CHAIRMAN DUISTERMARS ON TUESDAY, JANUARY 21, 2003 AT 6:00P.M. AT THE CITY OF HEMET COUNCIL CHAMBERS, 450 EAST LATHAM AVENUE, HEMET, CALIFORNIA.

Roll Call: Chairman Bob Duistermars, Vice Chairman B.R. Hicks and Commissioners Jim Calkins, Nick Jones and Mayzelle Rhoten

Absent: None

Staff Present: Principal Planner Matthew Bassi, Senior Planner Joanna Crombie, Planning Technician Loretta Domenigoni, Assistant Planner Maureen Losey, Planning Director Richard Masyczek, Assistant City Attorney Eric Vail, Minutes Secretary Nancie Shaw and City Engineer Roland Trietsch

Invocation and Flag Salute: Vice Chairman Hicks

I. **PUBLIC COMMENTS:** Anyone who wishes to address the Commission regarding items not on the agenda may do so at this time. Please line up at the lectern when the Chair asks if there are any communications from the public. ***When you are recognized, please give your name, spelling of last name, and address for accurate recording in the minutes.***

There were no members of the public who wished to address the Commission.

II. **HEMET UNIFIED SCHOOL DISTRICT UPDATE:** Report given by HUSD Director of Facilities, Sandy Packham.

Sandy Packham, Director of Facilities for the Hemet Unified School District (HUSD) reported to the Commission that she had just come from presenting a work session to the governing board of the school district regarding the construction of the Harmony and McSweeny Elementary schools which were proceeding according to schedule.

Ms. Packham advised the Commission that the school district was continuing to work with the issues of AB1506 regarding the prevailing wage issue. She stated that many school districts have been traveling to Sacramento to actively protesting the bill which will require school districts to take over responsibilities of prevailing wage on April 1, 2003, and thus cause huge amounts of work to be shifted.

Ms. Packham further advised the Commission that the Department of Education had come to Hemet a week and half ago to review schools for compliance with state standards. She assured the Commission that she would keep them informed on any new information regarding this issue.

Ms. Packham reported that, based on new growth projections, the school district is working on

1 7 additional elementary schools and 2 additional middle schools, over and above those currently
2 under construction. She informed the Commission that equipment and restrooms are being
3 upgraded at various schools, and that a \$6 million renovation project is planned for Hemet High
4 School in the upcoming summer, which will resolve various drainage issues and bring
5 everything up to ADA standards. She further reported that the first phase of renovation at
6 Hemet Elementary School has been completed and that Phase 2 has begun, which includes
7 restoration of the playground area. She explained that a new office and staff lounge would be
8 completed eventually.

9
10 Ms. Packham concluded her report by advising the Commission that all testing had been
11 completed on the Hemet Stock Farm and that everything had come back clean. She explained
12 that the property to the north was currently undergoing testing, and that they had been having
13 some trouble finding out what had happened to the septic systems and what type of clean-up
14 had been done. She suggested that some mitigation regarding this issue may be required.

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17 **III. AMENDMENTS OR ADDITIONS TO THE AGENDA**

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19 It was unanimously agreed to move Public Meeting Item No. V.B. to be reviewed before Public
20 Meeting Item No. V.A.

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23 **IV. CONSENT CALENDAR:**

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25 **A. MINUTES**

- 26
27 1. December 17, 2002

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29 It was **MOVED** by Commissioner Rhoten and **SECONDED** by Vice Chairman Hicks to approve
30 the consent calendar as presented.

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

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34 **AYES:** Chairman Duistermars, Vice Chairman Hicks and Commissioners Calkins, Jones and
35 Rhoten

36 **NOES:** None

37 **ABSTAIN:** None

38 **ABSENT:** None

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1 **V. PUBLIC MEETINGS:**

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3 **B. SINGLE-FAMILY RESIDENTIAL DESIGN GUIDELINES**

4 APPLICANT: City of Hemet
5 LOCATION: City-wide
6 PLANNER: Richard Masyczek
7 DESCRIPTION: Proposed single-family residential design guidelines that
8 would provide guidance on architectural details,
9 landscaping, and walls and fences for projects in the City
10 of Hemet
11

12 Planning Director Masyczek presented the staff report, explaining some of the details of the
13 proposed guidelines. He addressed the ongoing issue of the maintenance of the parks, paseos
14 and open space areas.
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16 Planning Director Masyczek displayed a "White Paper on Funding for Improvements" via the
17 overhead projector and discussed some of the issues that have been of concern regarding the
18 proposed guidelines, including public spaces such as rights-of-way, parks and etc. with
19 reference to LLMD's (Lighting & Landscaping Maintenance Districts), and private spaces such
20 as private parks, tot-lots and etc., with reference to Home Owner Associations with CC&R's. He
21 explained that comments were based on the "Heartland Model". He advised the Commission
22 that there were several Department Heads present who would like to comment on this issue.
23

24 Chairman Duistermars asked if the Commission had any questions or comments.
25

26 Commissioner Calkins reminded staff that he had asked at a previous meeting for a statement
27 which indicated how those monies that are collected for LLMD's are spent.
28

29 Finance Director Pattison approached the lectern and explained that each year LLMD's have
30 lost a slight amount of money, and that the account currently has a negative balance. He
31 further explained that the engineer reports are put together according to district and that any
32 assessments that are generated are based upon that. He advised the Commission that costs
33 have increased for both maintenance and lighting, and that in the older LLMD's there is no
34 provision to deal with increased costs, which means that costs exceed revenues in some areas.
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36 A discussion ensued regarding how LLMD's are set up and put into effect.
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38 Finance Director Pattison explained that the cost for an LLMD is typically around \$100 or less
39 per year. He stated that for some recent developments, such as Heartland and Stoney
40 Mountain Ranch, the assessment was a bit higher. He advised the Commission that to increase
41 the assessment for the older LLMD's, the property owners would need to approve it through a
42 vote, as the issue falls under Proposition No. 218.
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44 Discussion continued regarding LLMD's.
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46 Chairman Duistermars inquired regarding whether LLMD's pay for administrative costs.
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48 Finance Director Pattison advised him that they do.
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50 City Manager Temple approached the lectern and stated that he would like to reinforce the fact

1 that LLMD's have been in place for a long time and have been very successful. He explained
2 that they fund a great deal of things throughout the city, and that, when viewed over a long
3 period of time they have fared quite well. He stated that, regarding parks, the city has the ability
4 to recover the maintenance costs of a majority of the parks. He proposed that certain internal
5 areas of development projects that require maintenance, such as paseos, should be maintained
6 under a Home Owners Association, while external areas should continue to be maintained by
7 LLMD's. He referred to the fact that the "White Paper" does not discuss the existing policy
8 regarding the total tax rate. He discussed CFD assessments, and recommended that a
9 threshold limit be considered in the Planning Commission's recommendation to the City Council.
10 He suggested that a "Green Space" maintenance limit be implemented, so that the 2% tax limit
11 on the property owners would not be exceeded. He advised the Commission that he had
12 discussed with Planning Director Masyczek, the idea of bringing this funding issue before the
13 City Council as a work study item, and suggested that once the issues of concern were resolved
14 the City could move forward with approving the design guidelines.

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16 Chairman Duistermars noted that at the last Community Development Committe (CDC) meeting
17 there was some confusion regarding how the City was currently paying for maintenance. He
18 inquired as to how that point of confusion had been reached, when the LLMD's are supposed to
19 maintain the areas that fall under them.

20
21 City Manager Temple explained that Proposition No. 218 allowed property owners to vote out
22 LLMD's, and that when this happens, there is no funding for lighting & landscaping
23 maintenance, which means that it simply does not occur.

24
25 Chairman Duistermars suggested that in some areas the property owners may choose to vote
26 out an LLMD because they do not see the maintenance being done even though they are
27 paying for it.

28
29 Commissioner Calkins asked City Manager Temple about the items that have come to a halt
30 that the CDC had recommended for approval.

31
32 City Manager Temple explained that sometimes an item may get through the Planning stages
33 without a problem, but that it runs into issues at the engineering stage.

34
35 Discussion of the 2% limit on property assessments ensued.

36
37 Assistant Public Works Director Gow approached the lectern and stated that his department
38 was tasked at making the proposed guidelines work, explaining that he viewed the guidelines
39 through "a different set of glasses". He referred to the Public Works memo that was attached to
40 the staff report, and explained that a primary concern was the enforceability of the guidelines
41 and how Public Works would go about making them work at their level. He suggested that they
42 would need to coordinate with other agencies in regards to some of the issues that are
43 referenced in the memo, and that they would need to make sure that a back-up plan is in place.
44 He voiced his concerns regarding the maintenance of some of the various landscaping and
45 open space amenities that the Planning Commission is now requiring through the proposed
46 guidelines, and suggested that these amenities, including the paseos and open space areas, be
47 maintained through Home Owner Associations.

48
49 Commissioner Jones asked if there was anything in the guidelines that Public Works would not
50 support if they were before the Council at this point in time.

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2 Assistant Public Works Director Gow responded that they other than those issues identified in
3 the memo, they would support the guidelines.
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5 Assistant City Attorney Vail stated that he had a couple of comments for informational purposes
6 regarding LLMD's. He advised the Commission that dissolution of a LLMD could not occur
7 through the vote of the property owners themselves, but would instead also require a vote of the
8 City Council. He suggested that a LLMD, due to Proposition No. 218, could be dissolved
9 through an initiative procedure followed by the property owners and outlined in the Constitution,
10 where a petition is circulated and signed by a number of people based on the number of
11 registered voters in that area. He explained that the petition required verification, that it needed
12 to be submitted to the City staff for comment, that a resolution needed to be drawn up, and a
13 hearing would need to be held. He suggested that the dissolution of a LLMD is not a simple
14 process by any means, and that it rarely happens. He explained that a LLMD is not 100%
15 guaranteed when it is put in place, and that there is always the risk of failure, but that when
16 failure does happen the City's general fund is not at risk. He suggested that the City has the
17 option of attempting to find a way to finance the maintenance and lighting of the area to which
18 the LLMD applied, but is not obligated to do so.
19

20 Planning Director Masyczek added that, regarding enforcement of maintenance, the City has
21 the option of filing a pendency against the property through a code enforcement procedure. He
22 explained that if the property owner does not comply, a lien would be placed against the title of
23 a homeowner's property, which is something that most property owners like to avoid, thus
24 indirectly making the process another form of insuring maintenance.
25

26 Vice Chairman Hicks expressed his views of LLMD's and then left the meeting at 6:55 p.m., due
27 to another commitment.
28

29 Police Captain Cabrera approached the lectern and stated that the Police Department and the
30 Planning Department concurred that the Police Department should be included in the review of
31 paseos. He suggested that while there were some issues of concern, he did not think that they
32 were anything that could not be resolved.
33

34 Public Works Director Oltman approached the lectern and advised the Commission that this
35 was the first time he had seen the "White Paper", which may go a long way to alleviate some of
36 his concerns. He stated that the idea of LLMD's reverting back to HOA's was a good one.
37

38 Jeff Petrus, 13550 Amherst Ave., West Los Angeles, California, approached the lectern and
39 advised the Commission that he had met with Assistant City Attorney Vail to discuss a project
40 that would be presented to the Commission in a few weeks. He explained that when the project
41 had been reviewed at a work study session, one of the Commissioners had expressed concern
42 with the approval of a park without a maintenance mechanism in place. He suggested that a
43 LLMD together with a HOA should alleviate some of those concerns, and asked if it would be
44 the recommendation of the Planning Department for a LLMD to be set up by the City for the
45 perimeter areas, and a HOA to be set up by the developer for maintenance of the interior
46 paseos and so on.
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48 Chairman Duistermars stated that it was his understanding that HOA's are generated to care for
49 private space, and LLMD's would take care of the public space as well as both the interior and
50 exterior lighting.

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Mr. Petrus referred to the fact that accessibility into the project from the scenic highway setback would be across the paseo, and asked if it wouldn't be better to set the whole thing up under a LLMD, due to this type of access.

Chairman Duistermars agreed that this issue should be discussed and worked out with the City staff.

Planning Director Masyczek stated that it was the city's intent to review each development project individually through the Staff Review process. He added that he would like to clarify that the Residential Design Guidelines are not an entity unto themselves, but rather a tool in the implementation process.

Chairman Duistermars recommended that the Design Guidelines be tabled and that the City Council be asked to develop a city-wide policy on what types of maintenance would be funded by LLMD's and what type would be funded by HOA's. He asked for a motion to this effect.

It was MOVED by Commissioner Jones and SECONDED by Commissioner Rhoten to table the Single-Family Residential Design Guidelines, and ask the City Council to develop a city-wide policy on the funding of maintenance for public and private spaces through LLMD's and HOA's.

The MOTION was carried by the following vote:

- AYES: Chairman Duistermars and Commissioner Calkins, Jones and Rhoten
- NOES: None
- ABSTAIN: None
- ABSENT: Vice Chairman Hicks

A. MISCELLANEOUS PROJECT NO. 02-18

APPLICANT:	Robert Smith
AGENT:	Thomas Walker
LOCATION:	Hemet Auto Mall
APN:	453-020-042, 453-020-043 & 453-020-045
PLANNER:	Loretta Domenigoni
DESCRIPTION:	A proposal to construct a new 35,175 square-foot auto dealership with display, service and parts areas located in the Hemet Auto Mall.

Planning Technician Domenigoni presented the staff report, explaining some details of the project to the Commission. She advised the Commission that the phrase "All street lighting...." in Condition No. 22 should be revised to read "All outdoor lighting...".

Chairman Duistermars asked if there were any questions.

Commissioner Calkins inquired regarding the future development of the vacant parcel adjacent to the driveway to the right of the main building.

Tom Walker of Walker-Rancord, 911 S. Andresun Drive, Escondido, California approached the

1 lectern as the agent for the developer and advised the Commission that the property line for the
2 parcel adjacent to the driveway was intended to be moved. He explained that a showroom may
3 be added to that parcel in the future. He further explained that the vacant parcel adjacent to
4 that parcel could not be developed due to an MWD Easement that runs through it. Mr. Walker
5 stated that staff had recommended that they overlay up to the street, but that none of the other
6 dealerships had been required to do this. He expressed his feeling that this requirement was a
7 burden to the applicant.

8
9 Chairman Duistermars suggested that the Specific Plan, along with the design group for the
10 auto mall, establishes responsibility for the overall maintenance of the streets, but that
11 sometimes, when new development comes in, a need for street improvements becomes
12 necessary, and that this could be why that condition was imposed.

13
14 City Engineer Trietsch approached the lectern and advised the Commission that the condition
15 had been added because the pavement is 12 years old. He explained that the streets within the
16 auto mall are considered public streets with a life expectancy of 20 years, and due to the age of
17 the current street, Public Works policy requires that a new one be installed with any new
18 development.

19
20 Motley Smith, 1950 W. Florida Ave., Hemet, California approached the lectern and advised the
21 Commission that he could not recall this condition be included with the development of Inland
22 Chevrolet. He suggested that paving half of the street could be worse than not paving the street
23 at all, particularly since the streets seem to be in good condition now.

24
25 Chairman Duistermars asked for a motion.

26
27 It was **MOVED** by Commissioner Jones and **SECONDED** by Commissioner Calkins to adopt
28 **Resolution No. 03-6** approving Miscellaneous Project 02-18.

29
30 The **MOTION** was carried by the following vote:

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32 **AYES:** Chairman Duistermars and Commissioners Calkins, Jones and Rhoten
33 **NOES:** None
34 **ABSTAIN:** None
35 **ABSENT:** Vice Chairman Hicks
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37 38 **VI. PUBLIC HEARINGS:**

39 40 a. **GENERAL PLAN AMENDMENT No. 02-2; ZONE CHANGE NO. 02-3 AND** 41 **ENVIRONMENTAL ASSESSMENT NO. 02-9**

42 **APPLICANT:** Mr. Sumer Vardhan, Kalpesh Homes Inc.
43 **LOCATION:** The project is located on the south side of Berkley
44 Avenue between Soboba and Lake Streets (APN: 551-
45 120-004 & 005).
46 **PLANNER:** Matthew Bassi, Principal Planner
47 **DESCRIPTION:** The applicant is proposing a General Plan
48 Amendment from the current land use designation of R-R
49 (Rural Residential) to R-1 (Single Family Residential), a
50 Zone Change from the current zoning designation of R-A

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(Residential Agricultural) and A-1-C (Light Agricultural) to R-1 (Single Family Residential), and review of a Negative Declaration for the project.

The staff report was presented by Principal Planner Matthew Bassi, who explained some of the details of the project. He advised the Commission that if the proposed resolutions were approved by them this evening, the General Plan Amendment and Zone Change would be reviewed by the City Council for approval at their meeting of January 28, 2003.

Chairman Duistermars opened the public hearing at 7:33 p.m.

Jim Bouchard, 550 Almarie Way, Hemet, California approached the lectern and addressed the Commission as a resident in opposition to the proposed project. He stated that he had collected signatures on a petition of opposition, which he distributed to the Commission (Exhibit A). He expressed his concerns with the fact that the size of the lots in the proposed subdivision for which this General Plan Amendment and Zone Change were being processed were considerably smaller than those of the surrounding homes. He stated that he and his neighbors feared that this would have a negative effect on the values of their homes, and that they had spoken with real estate agents who had confirmed that this would indeed be likely to happen. He explained that he was also fearful that if Almarie Way were made to go all the way through, there would be extensive traffic problems in their area.

Mark Perinsky, 5005 Charlton Avenue, Hemet, California, approached the lectern and expressed his concern with the increased population that the proposed project would create, as well as the fact that there is no room for more children at Bautista Creek Elementary School. He extended a plea that some serious consideration be given to the project, as the lot sizes and number of people were of great concern.

Rob Sturman, 503 Berkeley Avenue, Hemet, California approached the lectern and advised the Commission that his residence was across the street from the proposed housing tract. He stated that the developer's proposal for a drainage pond would be a breeding ground for mosquitoes. He suggested that the developer would not lose any money by building homes on half-acre lots, rather than the smaller lots, and asked if the environmental studies that had been done for the project mentioned the redtail hawks that dwell on the proposed project site, and

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asked what would happen to those hawks. He suggested that there are too many new homes being added to the community, and stated that he was opposed to the zone change. He recommended that the property, with the current zoning, be developed responsibly, stating that both the community and the city would be better off if it were.

Clifford and Patricia Bergen, 6149 Berkeley Avenue, Hemet, California, approached the lectern and advised the Commission that their residence was immediately adjacent to the proposed subdivision. Ms. Bergen stated that she and her husband did not feel that the project would be a positive change, and expressed their concerns with increased traffic, pollution, city safety services, schools and crime. She advised the Commission that 90% of the area currently consists of half-acre or greater sized lots, and their home is on a full acre. She asked if an Environmental Impact Report had been completed in light of the redtail hawk, stating that they would like to keep these birds as part of their community. She asked for all persons in the audience who were present in opposition to this project to please stand.

A majority of the audience stood up.

Mrs. Bergen stated that she also had letters and petitions for the Commission to review, and submitted them accordingly (Exhibit B).

Tom Carambia, 529 Lauresa Lane, Hemet, California approached the lectern and expressed his concern that Lauresa Lane would empty into the new project. He stated that currently Lauresa Lane is only 26-feet wide. He explained that they get an influx of elementary school parents parking on the street when they pick up their children, and that the street is extremely narrow when they park on both sides. He stated that Lauresa Lane is currently a dead end and he would like to see it kept closed.

Nancy Friend, 629 N. Lake St., Hemet, California approached the lectern and advised the Commission that her property would back up to the proposed development if it were to be built. She stated that she had moved to Hemet 17 years ago, and had checked with the City at that time regarding the plans for future development of the property in question. She advised the Commission that she had been told that the property would never be developed as anything other than ½ acre ranchettes. She stated that she and her family had chosen not to buy within

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the city limits of Hemet when they moved here, but that they have since been annexed. She further stated that they do not want to see more developments with smaller lot sizes in their neighborhood, as people in these types of developments have different lifestyles than the current residents and problems would inevitably be created. She suggested that they would like to see the property developed as half-acre lots.

Kimberly Gwynn, 594 Almarie Way, Hemet, California, approached the lectern and advised the Commission that she was the owner of the Pride of Italy pizza parlor in San Jacinto. She stated that she had searched for some time before she had purchased her home 4 years ago, and that she had been advised also that there would not be anything other than ½ acre lots developed in the future. She stated that she was very much opposed to lots smaller than one acre.

Jennifer Jercha, 575 Lauresa Lane, Hemet, California, approached the lectern and advised the Commission that she was concerned with the Fire and Police response time to this area, as well as with the water flow problem and the potential loss of the redtail hawks that reside on the property.

Charlie Wise, 507 Lauresa Lane, Hemet, California, approached the lectern and stated that he endorsed everything that had been said by his fellow neighbors.

Natalie Carambia, 529 Lauresa Lane, Hemet, California approached the lectern and advised the Commission that she had lived in the neighborhood since she was four years old. She stated that she has a horse and is concerned with having neighbors live too close as her horse is rather skittish.

Lauren Smith, 669 N. Lake St., Hemet, California, approached the lectern and advised the Commission that her property backs up to the property in question. He stated that his property has been zoned contrary to what it's use is for many years, as he has multiple units on his acre. He suggested that he would like to see his property zoned according to his use of it, rather than what it is currently is zoned as. He stated that he has had problems with his neighbors building barns next to his property, and that he does not think that this neighborhood is appropriate for horses and agriculture anymore, due to all of the development that has occurred in the surrounding area already.

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Kent Enlow, 571 Almarie Way, Hemet, California approached the lectern and advised the Commission that when he had purchased his home 7 years ago he, too, had been told that there would not be anything less than ½ acre lots developed on the surrounding property. He expressed his concern with the idea that property values would decrease if the proposed project were to be approved.

Jim Unland of Unland & Associates, 3550 E. Florida Ave., Hemet, California, approached the lectern as a representative for the applicant. He advised the Commission that the applicant had purchased the property to develop single-family homes. He stated that they had tried to design the subdivision in such a way as to buffer the neighbors from the development, and that they were proposing deeper lots with single-story homes. He suggested that the opening of the streets would be a good thing from an engineering perspective, and that the parcel map, which would be on the next agenda, is for the same general area and would develop the other side of the street. He stated that it was difficult to explain what they were proposing in terms of buffering without also discussing the map, which is not being heard at this meeting. He asked for the Commission's support of the General Plan Amendment and the Zone Change, and stated that he was also working on another subdivision in the same general area for the same applicant, which had already been work studied before the Commission and submitted for review.

Commissioner Jones asked Mr. Unland if he would be in favor of the proposed subdivision if he had a one-acre lot adjacent to it.

Mr. Unland responded that he would if the subdivision were properly developed.

Chairman Duistermars closed the public hearing at 8:02 p.m. and expressed his concern with the transition of densities that would occur with the proposed zone change. He asked if there were another zoning designation that could make this development more compatible with the surrounding neighborhoods.

Planning Director Masyczek responded that the Commission could recommend a minimum lot size with the R-1 zoning. He suggested that 10,000 or 15,000 square-foot lots would be more compatible with the neighborhood.

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Chairman Duistermars asked Mr. Unland what the proposed density was.

Mr. Unland stated that he believe it was 3.9 units per acre.

Commissioner Jones stated that if he were one of the residents in the surrounding neighborhood, he would expect any adjacent development to be built compatibly with his neighborhood.

Mr. Unland suggested that the buffer would reduce the impact that is feared by both the residents and the Commission.

Commissioner Jones stated that he did not believe that this was the type of neighborhood that should have 7,200 square-foot lots, and that he would not be able to vote in favor of anything less than ½ acre lots.

Mr. Unland responded that all of the amenities that the Commission has been looking for are being provided within the proposed subdivision, and that he believes it would be one of the nicest subdivisions around if they would just consider the buffer as being adequate.

Chairman Duistermars stated that he was also concerned with the compatibility of the subdivision to the surrounding neighborhood.

Planning Director Masyczek asked if the redtail hawks that had been seen on the property were nesting pairs.

One of the residents responded that they were, and that they could be found in the middle of the lot.

Planning Director Masyczek stated that, given this kind of testimony, he would not be comfortable with the recommendation of approval until the issue of the redtail hawks was reviewed, as they are considered a special species, and there could, consequently, be a violation if such a habitat is indeed present and disturbed by development. He suggested that if the Planning Commission's action was to recommend denial of the zone change, there would not be a requirement for CEQA.

Assistant City Attorney Vail advised the Commission that the zone change would be presented to the City Council for approval regardless of the Planning Commission's recommendation. He stated that under the United States Fish and Wildlife regulations, a finding of a species as

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“special status” could indeed constitute a concern. He referred to the fact that the biological study indicates that there are no such species on the property, which was contrary to the testimony that had been made at this meeting. He suggested that while at this point there is no conflicting expert testimony, if the public testimony proved to be correct, there could be potential for additional environmental review. He further suggested that if the species was not a special status species and was not nesting, that there may not be a need for additional environmental review. He concluded that the item could either be tabled or that the Commission could decline to make a recommendation or recommend denial.

Chairman Duistermars stated that he could not recommend adoption of a Negative Declaration in light of this information. He added that while he was not opposed to the Zone Change itself, with larger minimum lot sizes, he was not willing to recommend approval to the City Council when there had been public testimony suggesting that there may be a problem with the Negative Declaration. He stated that he was not willing to proceed at this point in time.

Commissioner Jones stated that, regardless of the birds, he was not in favor of the proposed lot sizes.

Assistant City Attorney Vail advised the Commission that the project had already been noticed for a public hearing before the City Council, although this would not require the public hearing to go forward.

Commissioner Jones asked for the correct wording for a recommendation.

Assistant City Attorney Vail responded that the Commission should recommend that the City Council NOT adopt the Negative Declaration, the General Plan Amendment or the Zone Change.

It was MOVED by Commissioner Jones and SECONDED by Commissioner Rhoten to adopt **Resolution No. 03-1EA**, recommending denial of Environmental Assessment 02-9 with the proposed Negative Declaration.

The MOTION was carried by the following vote:

- AYES: Commissioners Jones and Rhoten
- NOES: Chairman Duistermars
- ABSTAIN: Commissioner Calkins

1 ABSENT: Vice Chairman Hicks

2
3 It was MOVED by Commissioner Jones and SECONDED by Commissioner Rhoten to adopt **Resolution**
4 **No. 03-1** recommending denial of General Plan Amendment 02-2 to the City Council.

5
6 The MOTION was carried by the following vote:

7
8 AYES: Commissioners Jones and Rhoten
9 NOES: Chairman Duisternars
10 ABSTAIN: Commissioner Calkins
11 ABSENT: Vice Chairman Hicks

12
13 It was MOVED by Commissioner Jones and SECONDED by Commissioner Rhoten to adopt **Resolution**
14 **No. 03-2** recommending denial of Zone Change 02-3 to the City Council.

15
16 The MOTION was carried by the following vote:

17
18 AYES: Commissioners Jones and Rhoten
19 NOES: Chairman Duisternars
20 ABSTAIN: Commissioner Calkins
21 ABSENT: Vice Chairman Hicks

22
23 **B. VESTING TENTATIVE PARCEL MAP NO. 30970**

24 APPLICANT: Dean and Karen Rose
25 AGENT: Unland & Associates
26 LOCATION: 575 N. Lake Street
27 APN: 551-133-001
28 PLANNER: Maureen Losey
29 DESCRIPTION: A request to subdivide 2.05
30 acres into four lots on property zoned A-1-C (Light
31 Agriculture).

32
33 Assistant Planner Losey presented the staff report explaining some details of the project to the
34 Commission.

35
36 Chairman Duisternars opened the public hearing at 8:25 p.m.

37
38 City Engineer Trietsch approached the lectern and apologized to the Commission and staff,
39 stating that something had come up in a discussion with the applicant's engineer that had
40 compelled him to change the wording of one of the statements in his conditions. He explained
41 that the preamble to the "Streets" conditions that goes directly under the heading of "PUBLIC
42 WORKS / ENGINEERING DIVISION CONDITIONS" should be revised to read "***In accordance***
43 ***with Section 66411.1 of the California Government Code, the following improvements***
44 ***must be installed on a lot by lot basis at the time that a building permit is issued for any***
45 ***lot.***"

46
47
48
49 Jim Unland of Unland & Associates, 3550 E. Florida Ave., Hemet, California approached the
50 lectern and asked if the Commission had any questions of him.
51

1 The Commission did not have any questions.

2
3 Chairman Duistermars closed the public hearing at 8:29 p.m. and stated that he had a serious
4 concern with Vesting maps as the "Vesting" status freezes things so that even if the City
5 improves their guidelines, the map can be developed according to the unimproved standards.
6 He pointed out that due to this concern, he was philosophically opposed to vesting maps.

7
8 Planning Director Masyczek responded that Chairman Duistermars was correct, and that future
9 design guidelines would not apply to a vesting map. He suggested that if the applicant were to
10 agree, a condition could be added in which the applicant would agree to comply with
11 development guidelines and standards that may be adopted in the future. He stated that
12 another thing that a "vesting" status freezes is fees, which may be a motivating factor for
13 developers to submit a project with this status.

14
15 Mr. Unland stated that he would accept a condition that would require them to comply with
16 design standards and guidelines that may be adopted in the future.

17
18 Assistant City Attorney Vail suggested that Condition No. 11 be modified to read:

19
20 "Prior to the issuance of a building permit for any parcel under this map, the applicant shall
21 submit a Miscellaneous Project application (site development plan and architectural elevations)
22 for Planning Department review and approval. ***The Miscellaneous Project application shall***
23 ***be in substantial compliance with any residential design guidelines adopted by the City***
24 ***Council and effective as of the date the application for Miscellaneous Project has been***
25 ***deemed complete.*** After approval of the Miscellaneous Project, the Planning Director shall
26 have the authority to adjust up to 20% of the home/plot plans....."

27
28 Chairman Duistermars stated that with this addition he had no other issues. He asked for a
29 motion.

30
31 It was MOVED by Commissioner Jones and SECONDED by Commissioner Calkins to adopt
32 **Resolution No. 03-5** approving Tentative Parcel Map 30970.

33
34 The MOTION was carried by the following vote:

35
36 AYES: Chairman Duistermars and Commissioners Calkins, Jones and Rhoten
37 NOES: None
38 ABSTAIN: None
39 ABSENT: Vice Chairman Hicks
40
41
42
43

1 **VII. WORK STUDY:**

2
3 **A. VESTING TENTATIVE TRACT MAP NO. 30869 / VARIANCE NO. 02-1 -**

4 Matthew Bassi

5 A work study session for a proposal to develop a 39-lot single-family
6 residential subdivision, with a Variance on property located on the south side of
7 Berkeley Avenue between Soboba and Lake Streets.

8
9 This item was not discussed due to the denial of the corresponding Environmental Assessment
10 02-9, General Plan Amendment 02-2and Zone Change 02-3.

11
12 **B. HERMOSA HOMES - Matthew Bassi**

13 A work study to discuss a future 116-unit townhouse project on 8.5 acres
14 located at the northwest corner of Lyon and Acacia Avenues.

15
16 Principal Planner Bassi explained some of the details of the project to the Commission and
17 made some suggestions for changes to the proposal.

18
19 Commissioner Jones inquired about parking for the project.

20
21 Pat Herron of Herron & Rumansoff, 530 St. John Place, Hemet, California approached the
22 lectern as a representative for the applicant. She advised the Commission that each unit would
23 have a 2-car attached garage on the ground floor. She explained that guest parking would be
24 scattered throughout the development, including 15 guest parking spaces around the clubhouse
25 area. She stated that all of the units would be townhouse units, and that while the required
26 setback is 25 feet, each unit is set back an additional 5 feet, and there is 35 feet from unit to
27 unit. She further stated that fencing for the project is proposed to be a mixture of solid and
28 wrought iron, as sort of an upgraded wall.

29
30 Commissioner Jones questioned the fact that a two-story complex was being proposed for
31 senior citizens.

32
33 Ms. Herron responded that it would be geared primarily towards "young seniors"

34
35 Bob Kline of Hermosa Construction, 4551 State St., Carlsbad, California approached the lectern
36 and advised the Commission that the site was currently developed as the Mountain View R.V.
37 Park. He stated that he was hoping to see if the proposed townhomes were something that the
38 City would be interested in pursuing, suggesting that they would not proceed if the City was not
39 interested in this type of development. He explained that the R.V. Park was not proving to be
40 profitable and that they were trying to determine if townhomes would be.

41
42 Commissioner Calkins inquired as to whether people driving down the driveway would see
43 nothing but garage doors.

44
45 Ms. Herron responded that the units had not actually been designed yet, and that at this point all
46 they knew is that each unit would have an attached garage on the ground floor. She stated that
47 when driving down Acacia Avenue, the front of the units would be the visible portion. She
48 advised the Commission that the development would be based on one that was currently under
49 construction in Oceanside. She explained that by recessing the garage doors, one would not
50 drive down and

1
2 see a straight row of garage doors, suggesting that they would be hidden as much as possible,
3 as "tucked under" garage doors.
4

5 Planning Director Masyczek advised the Commission that the City Council had instructed staff
6 to take a look at a conversion process from aging mobile home parks to condo type projects.
7 He stated that he would be advising the City Council that down zoning could not be done in the
8 City without also upzoning in another area of the City. He suggested that this was the
9 Commission's opportunity to take a look at this type of design for consideration.
10

11 Commissioner Jones suggested that the project would add an awful lot of density to that area.
12

13 Mr. Kline stated that the R.V. Park currently has 177 spaces, and that he would be willing to
14 work with staff on the issue of density.
15

16 Commissioner Jones expressed his concern with what the project would look like in 10 or 15
17 years, and who would be living there.
18

19 Mr. Kline explained that the project would not be like an apartment complex, but would be
20 individually owned townhomes that would be maintained by an association. He suggested that
21 with this type of unit and the size of the project he could not see it as a negative factor in the
22 community.
23

24 Commissioner Calkins stated that he was shocked that the R.V. Park was not proving to be
25 profitable if it was well-maintained.
26

27 A discussion ensued regarding this issue.
28

29 Chairman Duistermars inquired regarding whether there would be a requirement for on-site
30 management if the project consisted of individually owned units.
31

32 Planning Director Masyczek responded that the Commission would have the opportunity to
33 require on-site management.
34

35 Commissioner Rhoten asked if there would be a separate family section and 55+ section, or if it
36 would be mixed.
37

38 Mr. Kline reported that they were proposing a mixture.
39

40 Chairman Duistermars suggested that it might be a tough sale.
41

42 Mr. Kline stated that he was here tonight to see if the City would like to entertain the proposed
43 idea at all.
44

45 Assistant City Attorney Vail advised the Commission that he had lived in a townhouse in
46 Rancho Cucamonga for some time, and that the project had an interesting mix of people, which
47 included single-parents, seniors and young professionals waiting to buy homes. He stated that
48 the amenities that were provided were very nice and that the only negative factor was that
49 parking was horrendous for guests. He added that his personal experience with townhomes is
50 that they provide a nice bridge for residents moving both down and up, and that they could be a

1 nice step out of uses that the City might be looking to get rid of.

2 Ms. Herron stated that it would be a logical transition in her opinion, and townhomes they offer a
3 lot of things that people are looking for. She suggested that they may have a high density, but a
4 lot of positive aspects would be offered, such as close shopping facilities.

5
6 Chairman Duistermars stated that he was not opposed to townhomes, although he did not have
7 much experience with them. He added that he had not been able to address the conversion
8 strategy with the City Council, since tonight was the first time he'd heard of it. He suggested
9 that the density bothered him a bit, and that he has always strived to back away from high-
10 density multi-family development.

11
12 Ms. Herron advised the Commission that she was aware of a nice condo project on Santa Fe
13 Avenue as well as some in the area of Chicago Street that are still viable.

14
15 Commissioner Jones suggested that some amenities should be added for some of the younger
16 people.

17
18 Ms. Herron responded that one of the problems with an R.V. Park is that some of the R.V.'s are
19 too large for the R.V. Parks to accommodate.

20
21 Commissioner Jones asked how the proposed townhome project would be made more usable
22 for its residents.

23
24 Mr. Kline advised the Commission that the project in Oceanside included a "detached condo",
25 which is a small house on very small lots. He stated that when that project was developed, they
26 had been anticipating the inclusion of a pool and a tot lot, but once all of the units were sold
27 there was only a total of nine children living within the development. He suggested that he was
28 figuring on the buyers of this proposed project being people who did not want to do a lot of
29 maintenance.

30
31 Chairman Duistermars expressed his concern with guest parking.

32
33 Mr. Kline responded that these issues could be addressed. He suggested that with 2-car
34 garage parking for each unit, some of the parking problem would be eliminated.

35
36 Chairman Duistermars stated his belief that there was a family mix looking for such homes in
37 this community, but that there would be a need for a recreation center.

38
39 Commissioner Calkins noted the lack of much green area in the proposal.

40
41 Ms. Herron pointed out the proposed landscaped area and meandering walkways.

42
43 A discussion ensued regarding this issue.

44
45 Planning Director Masyczek suggested that if the Commission liked the concept, they could
46 direct staff to review similar projects in other areas and bring their findings back to the
47 Commission.

48
49 Chairman Duistermars asked for a motion to extend the Planning Commission meeting past
50 9:00 p.m.

1
2 It was MOVED by Commissioner Rhoten and SECONDED by Commissioner Calkins to extend
3 the Planning Commission beyond the 9:00 p.m. time limit.
4 The MOTION was carried by the following vote:

5
6 AYES: Chairman Duistermars and Commissioners Calkins, Jones and Rhoten
7 NOES: None
8 ABSTAIN: None
9 ABSENT: Vice Chairman Hicks

10
11 Chairman Duistermars suggested that they hear only the last work study item before adjourning,
12 and that the balance of the agenda be continued to the next meeting of February 4, 2003.

13
14 The rest of the Commission concurred.

15
16 **C. VESTING TENTATIVE TRACT MAP NO. 31146 (Raebrooke Homes) -**

17 Matthew Bassi

18 A work study request by Raebrooke Homes for a proposed 91-lot single-
19 family residential subdivision located generally at the northwest corner of Warren
20 Road and Devonshire Avenue.

21
22 Principal Planner Bassi advised the Commission that the project at hand had been submitted for
23 processing earlier in the week and that it would be going to the Staff Review Committee on
24 Monday. He explained the location and some details of the proposed project. He noted some
25 of the changes that he would see as a necessity, and advised the Commission that there were a
26 number of environmental issues that would need to be addressed.

27
28 Chuck Treatsch of Raebrooke Homes, 42346 Rio Nedo, Temecula, California introduced
29 himself to the Commission as the project applicant, and advised them that his company was
30 proposing to develop a previously approved subdivision that had expired.

31
32 Chairman Duistermars advised Mr. Treatsch of some of the many new amenity requirements
33 that the city has adopted, and explained that this project does not indicate any of those
34 amenities as presented.

35
36 Ray Nunez approached the lectern as the engineer for Raebrooke Homes and explained that
37 Jim Unland had been the original engineer for the project, which, in his opinion appeared to be a
38 nice development.

39
40 Chairman Duistermars suggested some meandering sidewalks and park areas, as well as
41 entryway monuments, which are required under the most recent city standards.

42
43 Commissioner Calkins stated that he only noted a few lots that could accommodate 3 car
44 garages, which is almost a necessity in today's market. He suggested that regarding sliding the
45 lots over, the lots on the end of the cul-de-sac were only 92-feet in depth, which makes
46 development difficult as it is. He asked what the story was with the corner.

47
48 Mr. Nunez responded that they had been discussing with Metropolitan Water District the
49 possibility of purchasing the property on the corner.
50

1 Commissioner Rhoten suggested that the creation of so many cul-de-sacs would be the
2 equivalent of a parking nightmare.

3
4 Mr. Nunez responded that if the residents use their garages for parking their vehicles and their
5 driveways for additional parking, they should be able to park 4 to 5 vehicles on their property
6 alone.

7
8 Chairman Duistermars recommended that the applicant work with the Planning staff on
9 perfecting their development plan before bringing it back to the Planning Commission.

10
11 Mr. Treatsch added that he would hopefully have the first 150 lots of the former Tres Cerritos
12 project ready to submit within the next year.

13
14 Chairman Duistermars thanked Mr. Treatsch for his presentation.

15
16
17 **VIII. DIRECTOR'S REPORT:**

18
19 **A. TW2'S - "THE WEEK THAT WAS"**

- 20
21 1. December 19, 2002
22 2. January 10, 2003
23

24 Due to the time the Commission agreed to continue this item to the Planning Commission
25 meeting of February 18, 2003.

26
27 **B. UPDATE ON MCSWEENY NEIGHBORHOOD MEETING**

28
29 Due to the time the Commission agreed to continue this item to the Planning Commission
30 meeting of February 18, 2003.

31
32
33 **IX. PLANNING COMMISSION DISCUSSION**

34
35 No items discussed.

36
37
38 **X. FUTURE AGENDA ITEMS**

39
40 No items requested.

41
42
43
44 **XI. ADJOURNMENT:** It was MOVED by Commissioner Rhoten, SECONDED by Commissioner
45 Calkins and unanimously approved to adjourn the meeting at 9:30 p.m. to the regular meeting of
46 the City of Hemet Planning Commission scheduled for Tuesday, February 4, 2003 at 6:00 p.m. to
47 be held at the City of Hemet Council Chambers located at 450 E. Latham Avenue, Hemet,
48 California 92543.
49
50
51
52

