

1 **V. CONSENT CALENDAR**

2
3 **A. MINUTES**

4
5 **1. February 3, 2004**

6
7 It was MOVED by Commissioner Rhoten and SECONDED by Commissioner Calkins to
8 approve the consent calendar as presented.

9
10 The MOTION was carried by the following vote:

11
12 AYES: Chairman Duistermars, Vice Chairman Jones and Commissioners Calkins
13 and Rhoten
14 NOES: None
15 ABSTAIN: None
16 ABSENT: Commissioner Hicks
17

18
19 **VI. PUBLIC HEARINGS**

20
21 **A. CONDITIONAL USE PERMIT NO. 03-15 (Continued from February 3,**
22 **2004)**

23 APPLICANT: Lockaway Storage
24 AGENT: Ray Martinez
25 LOCATION: 1181 N. State Street
26 PLANNER: Loretta Domenigoni
27 DESCRIPTION: A request for a conditional use permit to expand an
28 existing mini-storage facility by constructing two (2)
29 additional buildings totaling 13,299 square-feet.
30

31 The staff report was presented by Planning Technician Domenigoni.

32
33 Dave Michael, P.O. Box 35645 Monte Sereno, CA 95030 approached the lectern and
34 addressed the Commission as the construction manager for the project. He advised the
35 Commission that the applicant would accept Condition No. 13 as written.
36

37 It was MOVED by Vice Chairman Jones and SECONDED by Commissioner Calkins to
38 adopt Resolution Bill No. 04-7, approving Conditional Use Permit No. 03-15.
39

40 The MOTION was carried by the following vote:
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1 AYES: Chairman Duistermars, Vice Chairman Jones and Commissioners Calkins
2 and Rhoten
3 NOES: None
4 ABSTAIN: None
5 ABSENT: Commissioner Hicks
6

7 ***Planning Commission Resolution No. 04-7.***
8

9 **B. GENERAL PLAN AMENDMENT NO. 03-4 / ZONE CHANGE NO. 03-10 /**
10 **ENVIRONMENTAL ASSESSMENT NO. 03-40**

11 _____ APPLICANT: Charlie McLaughlin, Athalon Properties
12 LOCATION: West side of Kirby Street approximately 600-feet south
13 of Acacia Avenue
14 PLANNER: Richard Masyczek
15 DESCRIPTION: A request to amend the General Plan land use
16 designation from Industrial (I) to R-1-7.2 (Single-Family
17 Residential); to change the zoning designation from C-
18 M (Commercial-Manufacturing) and M-1 (Limited
19 Manufacturing) to R-1-7.2 (Single-Family Residential);
20 and to adopt a Mitigated Negative Declaration and
21 Mitigation Monitoring program for the 43-acre project
22 site.
23

24 The staff report was presented by Planning Director Masyczek, who provided the
25 Commission with some details regarding the project. He discussed the issue of whether
26 the City was obligated to approve a General Plan amendment or zone change, advising
27 the Commission that they were not. He explained that such items should only be approved
28 if considered to be within the best interest of the City. He further explained that, due to the
29 lack of usable industrial land within the City, this General Plan amendment and zone
30 change would **not** be within the City's best interest.
31

32 Planning Director Masyczek discussed some of the other issues as addressed in the staff
33 report, elaborating on them briefly. He advised the Commission that the Airport Land Use
34 Commission (ALUC) had not approved the proposed project at their hearing, and stated
35 that the City did not wish to go against the ALUC in this matter. He advised the
36 Commission that staff was recommending denial of the General Plan Amendment which
37 would make review of the zone change unnecessary, since the zone change could not
38 happen without a General Plan Amendment.
39

40 Commissioner Calkins asked, if the Commission were to consider approving the request,
41 whether the City could require any specific setbacks, street patterns, etc. at this level of
42 approval.
43
44

1 Planning Director Masyczek responded that they could not.

2
3 Chairman Duistermars opened the public hearing at 6:19 p.m.

4
5 Charlie McLaughlin of Athalon Properties, 20 Saltsburg, Newport Beach, California
6 approached the lectern as a representative for the applicant. He noted that the City's
7 General Plan had not been updated since 1992 and referred to Title 7, which, he
8 explained, states that changes in circumstances may require changes in the General Plan.
9 He suggested that various changes in circumstances within the City should require that this
10 area of the City be changed within the General Plan, and that in his opinion the General
11 Plan Amendment should have been processed by the City.

12
13 A discussion of the Airport Land Use Commission's denial of the project ensued.

14
15 Mr. McLaughlin turned the microphone over to an associate, Barry Gross, 19501 Sierra
16 Road, Irvine, California, who embarked on a Power Point presentation entitled: "Creating
17 Harmony with Kirby Street Communities". The presentation discussed the requested re-
18 zoning of the property, significant project impacts, community support, the theory that the
19 staff report pertaining to the project was incomplete, industrial development in the
20 southwest competitive market, southwest area industrial land supply, Hemet industrial land
21 supply, the Kirby Street truck restricted zone, traffic impacts to Mary Henley Park, the daily
22 traffic generation study, the Kirby Street traffic impact from commercial/industrial
23 development, increase in school fees - industrial/commercial vs. residential property, the
24 cumulative fiscal benefit, project conformance with the newly published CALTRANS Land
25 Use Guidelines, and the project airport safety study. Mr. Gross concluded his presentation
26 by showing a community support table.

27
28 Patty Nahill, P.O. Box 1006, Murrieta, California approached the lectern to speak on the
29 applicant's behalf regarding the proposed project. She distributed an analysis to the
30 Commission in response to the City's staff report. She proceeded to discuss the issues
31 outlined in the analysis.

32
33 Chairman Duistermars asked if there were any members of the public who wished to speak
34 regarding the project.

35
36 Steven Shane, 2244 Wildflower Avenue, Hemet, California spoke in favor of the proposed
37 residential project.

38
39 Hank Singleton, 1770 Evan Tree Street, Hemet California, a nearby resident to the project,
40 spoke in opposition to the proposed residential project, stating that he and many of his
41 neighbors in the Seven Hills Community did not want to see the zoning designation
42 changed for the area.

1 Sue Fox, 3800 W. Thornton Avenue, Hemet, California spoke in favor of the proposed
2 residential project.

3
4 Karen Peji, 3876 Thornton Avenue, Hemet, California spoke in favor of the proposed
5 residential project.

6
7 Craig Rothage, 2854 Bedford Drive, Hemet, California spoke in favor of the proposed
8 residential project.

9
10 Mike Buoye, 29279 Via Santa Rosa, Temecula, California spoke in favor of the proposed
11 residential project, explaining that he was a commercial broker and former resident of the
12 City of Hemet who still owned property to the south of the project site.

13
14 Dan Justice, 2456 Cypress Street, Hemet, California spoke in favor of the proposed
15 residential project.

16
17 Abel Algonzo, 481 Carmel Way, Hemet, California spoke in favor of the proposed
18 residential project.

19
20 Marty Wright, 29279 Via Santa Rosa, Temecula, California spoke in favor of the proposed
21 residential project. She advised the Commission that she was a commercial real estate
22 broker who continued to own property contiguous to the project site. She stated that the
23 VEDC had tried to entice industrial development into the City to no avail. She added that
24 she did not think that the City of Hemet would end up as a city of industry, and expressed
25 her support for the General Plan amendment and zone change to a residential designation
26 for the proposed project site.

27
28 Jim Love, 2755 Silver Oak Way, Hemet, California spoke as the CC&R Director for the
29 Seven Hills Community. He stated that he was neither for or against the proposed project,
30 but felt that the residential proposition seemed to be a better use for the site, and that they
31 did not want Kirby Street to become a truck route.

32
33 Clarence Holiday, 610 Bellflower Way, Hemet, California spoke in favor of the proposed
34 residential project.

35
36 Joe Pawlawski, 680 Goldenrod, Hemet, California spoke in favor of the proposed
37 residential project.

38
39 Christina Williams, 1040 Burgess Street, Hemet, California spoke in favor of the proposed
40 residential project.

41
42 George Gentry, 581 Carmel Way, Hemet, California spoke in favor of the proposed
43 residential project.

44

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February 17, 2004**

1 Pierre Mahieu, 591 Carmel Way, Hemet, California spoke in favor of the proposed
2 residential project.

3
4 Goldie Gentry, 581 Carmel Way, Hemet, California spoke in favor of the proposed
5 residential project.

6
7 Bob Kozel, 1353 Peppertree Drive, Hemet, California spoke in opposition to the proposed
8 residential project. He stated that he was a pilot who frequently flew into the Hemet-Ryan
9 Airfield, and that he has noted over the years that one of the things that new property
10 owners who live near an airport end up doing is complaining about the noise. Regarding
11 the traffic, he stated that because industrial development is so slow, it would be a very long
12 time before the residents of the area would see a dramatic increase in traffic, and it was
13 always possible that other roads would be installed within the site, and trucks may thus
14 take an alternate route.

15
16 Pierre Mahieu re-approached the lectern and advised the Commission that he was also a
17 pilot. He stated that the air traffic of the Hemet-Ryan Airfield was not a bother in their
18 neighborhood at all, and that the noise was generally not directed towards the area to the
19 east of the airport. He added that the take-off and landings of the planes at the Hemet-
20 Ryan Airfield were practically silent.

21
22 Mr. McLaughlin re-approached the lectern and thanked the Commission for considering
23 the project.

24
25 Melvin Axe, 805 Lexington Street, Hemet, California spoke in favor of the proposed
26 residential project. Regarding commercial and industrial development, he suggested that
27 the City should put a moratorium on the development of any more commercial or industrial
28 uses in the area, stating that they should go further west to develop.

29
30 Chairman Duistermars closed the public hearing at 7:44 p.m.

31
32 Assistant City Attorney Vail asked that various items be added to the record, including the
33 following:

- 34
35 – Document entitled *“Creating Harmony with Kirby Street Communities”*
36 – Patti Nahill letter submitted to Commission at meeting
37 – Substantial listing of letters
38 – Letter dated 2-13-04 from Zeke Coleman
39 – Letter dated 2-5-04 from Michael D. Buoye and Martea Wright Buoye
40 – Letter dated 2-17-04 from Oneal and DeLois Foster

1 Assistant Public Works Director Gow approached the lectern and discussed the traffic
2 increase that was referenced by the applicant, stating that some of the numbers didn't
3 strike a reality with him. He added that Kirby Street was not a designated truck route, and
4 was not proposed to be one in the future. He discussed the issue of safety in Mary Henley
5 Park, relative to increased traffic, and advised the Commission that Gibbel Park was
6 located in a high traffic area as well, but that there had never been any safety issues there.

7
8 Chairman Duistermars asked if the Commission could communicate some of the concerns
9 regarding traffic that had been expressed at this meeting in a staff report to the City
10 Council.

11
12 Commissioner Jones expressed concern with the differences in staff's report vs. what the
13 applicant had presented.

14
15 Planning Director Masyczek responded that in order to override the ALUC decision, staff
16 would have to come up with specific findings and make a Statement of Overriding
17 Considerations.

18
19 Assistant City Attorney Vail elaborated briefly on this issue, explaining that the proposed
20 project was inconsistent with the ALUC guidelines, and that making the findings to come
21 up with a Statement of Overriding Considerations would not be an easy task.

22
23 Planning Director Masyczek addressed some of the problems that the applicant had
24 indicated were in the staff report that had been provided for the project. He provided a
25 defense for staff's method of handling the project. He further responded to the issues that
26 had been addressed in the PGN letter that had been submitted at the meeting.

27
28 Assistant City Attorney Vail stated that there should be a clear record regarding whether
29 or not the City was obligated to approve the proposed project. He explained that the
30 Commission's obligation was to look at everything in a comprehensive sense, and
31 determine whether the project's approval would be for the greater good of the City in that
32 light.

33
34 Planning Director Masyczek addressed the fact that if the project were to move forward,
35 an Environmental Impact Report may be required.

36
37 Assistant City Attorney Vail expressed his concurrence with this fact.

38
39 Commissioner Calkins stated that this particular piece of property was an interesting one.
40 He expressed his concerns that if the site were to be re-zoned for single-family residential
41 use, the backyards of some of the properties could abut commercial and industrial uses.

1 He suggested that Mr. McLaughlin should consider coming back with another type of
2 zoning, since without being able to control the design of the development relative to its
3 proximity to industrial and commercial property, a single-family zoning designation would
4 not be the best one for the area.

5
6 Chairman Duistermars expressed his concurrence that this property would not be best
7 zoned as single-family residential. He asked for a motion.

8
9 It was MOVED by Vice Chairman Jones and SECONDED by Commissioner Calkins to
10 adopt Resolution Bill No. 04-17, recommending denial to the City Council of General Plan
11 Amendment No. 03-4, Zone Change No. 03-10 and Environmental Assessment No. 03-40.

12
13 The MOTION was carried by the following vote:

14
15 AYES: Chairman Duistermars, Vice Chairman Jones and Commissioners Calkins
16 and Rhoten

17 NOES: None

18 ABSTAIN: None

19 ABSENT: Commissioner Hicks
20

21 ***Planning Commission Resolution No. 04-8.***

22
23 **C. CONDITIONAL USE PERMIT NO. 03-19**

24 APPLICANT: Walgreens Drug Store

25 OWNER: Page Plaza Partners, LLC

26 AGENT: Glen Pierce

27 LOCATION: Southwest corner of Sanderson and Stetson Avenues
28 (Page Plaza)

29 PLANNER: Maureen Losey

30 DESCRIPTION: A request for a conditional use permit to construct a
31 14,820 square-foot Walgreens Drug Store with a drive-
32 thru pharmacy and a roof-mounted satellite dish on
33 property zoned Specific Plan (SP 00-1 - Page Plaza).
34

35 The staff report was presented by City Planner Running, who provided some details
36 regarding the proposed project. He discussed the concerns that staff had addressed at
37 the work study session regarding traffic circulation. He indicated that this issue had been
38 resolved, as noted in the plan, by adding an island which would provide clarity of the exit
39 lanes, and also through conditions of approval. He displayed a copy of the site plan and
40 indicated for the Commission where the entryway and exit for the drive-thru portion of the
41 pharmacy would be. He then described some of the architectural elevations, and advised
42 the Commission of some of the revisions that had been made since the work study
43 session.
44

1 A discussion of the ingress and egress ensued.

2
3 Raymond Johnson, 26785 Camino Saiko, Temecula, California approached the lectern as
4 a representative for a group of people that had some concerns regarding the project. He
5 stated that there was a significant potential for problem with the trucks coming in off of
6 Sanderson Avenue. He indicated on the displayed map why this could be a problem. He
7 added that the project was a circulation nightmare, and that there had not been adequate
8 environmental review completed for the project. He noted that substantial changes had
9 occurred in the project since the original environmental review had been done, and that
10 there were also substantial changes in the circumstances under which the project was
11 being undertaken, the result of which was that there were significant impacts on the
12 environment that were not considered in the prior environmental reviews. He suggested
13 that new environmental reviews should be made at this point. He further noted that the
14 conditions of approval and the mitigation measures were uncertain and improperly deferred
15 mitigation for hazardous materials, drainage, biological resources, air quality, water quality
16 and noise, and that there was no discussion of the traffic impacts associated with the
17 project. He added that there was a ditch being constructed off-site, that was relied upon
18 by the entire project, which had been given no environmental review, and that there were
19 potentially significant environmental impacts associated with that. He stated that the entire
20 project was currently not in compliance with the conditions of approval, as they had been
21 doing substantial grading without doing watering, and that the dust was going everywhere
22 in violation of South Coast Air Quality Management District rules. He added that he would
23 assume this was in violation of the City's own ordinances as well. He noted that the
24 conditions of approval required that construction not begin prior to 7:00 a.m., but that it was
25 commencing at 6:00 a.m. each morning, in violation of those conditions of approval. He
26 expressed his concern with the fact that this was a project in which the developer was
27 violating the conditions of approval, since it had already been approved, and yet the City
28 was proposing to begin another project that includes traffic issues. He stated that the
29 entire project, including this project, did not consider the substantial changes that had
30 occurred. He added that there were several other projects that had been approved in the
31 area which were not considered when the cumulative impacts analysis was done in the
32 prior environmental review. He further added that the site planning, as well as the access
33 and traffic circulation within the project were substantially different than what was approved
34 in the original project. He then advised the Commission that staff had denied access to
35 information to his clients, stating that they were not allowed to give them any information
36 regarding the project. He suggested that this was a violation of CEQA as well as of the
37 Government Code, and that he wanted this to be on record so that when it goes to court
38 they would not be limited to the material that's in the administrative record because they
39 have been prohibited from introducing information as they have been improperly denied
40 access to it.

41
42 Commissioner Rhoten asked Mr. Johnson exactly whom it was that he was representing.
43
44

1 Mr. Johnson responded that he represented a group of residents who called themselves
2 C.A.S.W.L.T.S., although he could not recall exactly what the acronym stood for.

3
4 Vice Chairman Jones asked Mr. Johnson if he was the attorney from Temecula.

5
6 Mr. Johnson responded that he was.

7
8 From the back of the room, a resident noted that the acronym stood for "Citizens Against
9 Super Wal-Mart Located at Thornton and Sanderson".

10
11 Assistant City Attorney Vail inquired regarding whom had been denied information about
12 the project, who they had asked for information, and what information had been denied.

13
14 Sue Fox, 3800 W. Thornton Avenue, Hemet, California approached the lectern and stated
15 that in January she and her neighbor, Cindy had gone in requesting information. She
16 stated that to this date they still had not received it. She added that she then went back
17 into the office sometime in February and was told that anybody coming in who was asking
18 for information regarding Wal-Mart would be denied, and that nobody in the office was
19 supposed to discuss the project.

20
21 Commissioner Rhoten asked which office she had gone into.

22
23 Ms. Fox stated that it was the Planning Department at City Hall.

24
25 Planning Director Masyczek stated that he would have to categorically deny this allegation.
26 He noted that staff had been advised that if questions were asked at the front counter
27 regarding the project, they should be referred to the project planner. He noted that what
28 had happened on occasion was that there had been requests for 300 to 400 pages worth
29 of documentation, and that the people requesting this information had been advised that
30 they could not allow the files to leave City Hall, but were told that staff could make copies
31 of the information for them once they had determined what they needed. He noted that
32 staff had already provided at least \$300 worth of copies to various residents in the area.
33 He further noted that he, personally, had received requests for information, and that he had
34 provided color copies to representatives of this group of residents. He stated that the City
35 had never denied access to files, adding that what they had done was advise the residents
36 that the turn-around time was not immediate, since the documents often have to be sent
37 out for duplicating purposes.

38
39 Mr. Johnson agreed that there had been partial compliance with some of the requests, but
40 that at other times the residents had been advised by staff that they were not to provide
41 any information regarding the project. He explained that while the information being sought
42
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1 was relative to the entire site, it was applicable to this portion of the site as well because
2 it was regarding the entire site and how the entire site functions, as far as access is
3 concerned and various things within the approval process, including the conditions of
4 approval and so on for the entire project.

5
6 Vice Chairman Jones noted that at this meeting they were reviewing the Walgreens site
7 exclusively.

8
9 Mr. Johnson noted that his issue related to this project as well as the entire project, since
10 the environmental review for this project was dependent upon prior environmental review
11 that was done a long time ago. He stated that the environmental review was no longer
12 valid because of the changes in circumstances that had occurred, as well as the changes
13 in the project. He further stated that as a result of those changes there were now
14 potentially significant environmental impacts related to air quality, traffic, noise and etc.

15
16 Vice Chairman Jones asked for clarification that the issues were not specific to this one
17 pad.

18
19 Mr. Johnson clarified that this was correct.

20
21 Sue Fox, 3800 W. Thornton Avenue, Hemet, California re-approached the lectern and
22 advised the Commission that she had personally gone into City Hall and handed to an
23 employee a written letter addressed to Mr. Running, requesting certain items. She added
24 that it was signed by a city employee, acknowledging that it had been received. She noted
25 that when she went back the following Monday, another city employee was unaware of the
26 letter, and stated that it had never been received at the City, until they informed her that
27 they had a signed statement noting that it had been received. She added that they did
28 receive a portion of what had been requested, but that they still had not received
29 everything that was requested.

30
31 Assistant City Attorney Vail inquired of Ms. Fox as to whether she knew the names of the
32 staff members to whom she had spoken.

33
34 Ms. Fox advised Mr. Vail that they had spoken with Betty, Kathy and Loretta.

35
36 Karen Peji, 3876 W. Thornton Avenue, Hemet, California re-approached the lectern and
37 advised the Commission that, with regards to getting what they felt was "not up-to-date
38 information", they had been given three maps from another group of residents of the
39 Mayberry Community, rather than from the City of Hemet staff. She added that she was
40 not sure if any of the maps were current, and that they were attempting to make that
41 determination so that they were sure they were armed with the correct information. She
42 further added that there was other information that they had asked for, such as
43 environmental studies as well as current and updated traffic studies. She stated that today
44

1 they had dropped off their second letter requesting information, per the Brown Act and
2 Freedom of Information Act, stating that they had been educated that there was a 10-day
3 turnaround. She explained that the information that was being requested was information
4 that they felt was vital to their case, and reiterated that they **had** been denied information,
5 and that they would like to have as much information as they could in order to enable them
6 to defend themselves in the proper manner.

7
8 Rebecca Mathis, 1200 Monassis Drive, Hemet, California inquired regarding the hours of
9 operation for the proposed Walgreens.

10
11 Vice Chairman Jones stated that this was why he had asked if there was already a
12 Development Agreement in effect for the project, which there was, requiring them to
13 comply with whatever standards were imposed by that Development Agreement.

14
15 Commissioner Rhoten stated that she thought the hours of operation had been discussed
16 at the previous meeting.

17
18 Vice Chairman Jones clarified that the hours of operation that had been discussed were
19 for the Farmer Boys Restaurant.

20
21 Ms. Mathis again asked if there were any hours of operation for the Walgreens.

22
23 Planning Director Masyczek stated that there were none at this time.

24
25 Ms. Mathis inquired as to when they would find out what the hours of operation would be.

26
27 Planning Director Masyczek responded that since the project was covered by a
28 Development Agreement, that Development Agreement freezes the regulations in effect
29 at the time it was signed. He explained that since the City did not have standards
30 regulating hours of operation on this type of facility, they would not apply to this particular
31 project.

32
33 Ms. Mathis asked if this meant that the residents had no say as to the hours of operation.

34
35 Planning Director Masyczek responded that this was correct.

36
37 Vice Chairman Jones pointed out that there was a drive-thru, and that he thought the
38 Commission could regulate drive-thru facilities.

39
40 Assistant City Attorney Vail responded that there was a requirement that a conditional use
41 permit be obtained for drive-thru activities, but that the granting of that conditional use
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1 permit would still be limited to the standards, regulations, ordinances and policies that were
2 in effect at the time that the Development Agreement went into place. He stated that there
3 was a provision within the Development Agreement to allow later health, safety and
4 building regulations that go into effect to take place, but added that the City had not
5 imposed any general policy or standard with regard to hours of operation. He added that
6 there was, of course, the ability of the applicant to accept limitations on hours of operation,
7 which was what happened with Farmer Boys Restaurant. He noted that it was ambiguous
8 as to whether or not they could *force* an applicant to have hours of operation when they
9 were not in effect. He suggested that this was an open question in his mind.

10
11 Chairman Duistermars stated that he could not understand why the residents would want
12 limited hours of operation on the Walgreens project, as it was sitting on the corner of
13 Sanderson & Stetson Avenues, with McCrometer right across the street running three
14 shifts, 24-hours a day. He suggested that the residents should pick their battles and go
15 after one that was in their neighborhood.

16
17 Ms. Mathis stated that they were picking their battles, and that if he lived where she lived,
18 and slept where she slept he would understand why this was an issue for her. She
19 explained that her property line was right on their property line.

20
21 Chairman Duistermars pointed out that there would be a number of stores in between her
22 property and the Walgreens store.

23
24 Ms. Mathis responded that there were none at this time, and that Mr. Cooper had advised
25 her and others that he had no occupants for the pads that were directly behind her house.

26
27 Chairman Duistermars asked for clarification that there were indeed pads there.

28
29 Ms. Mathis responded that there was one pad that she could see behind her.

30
31 Assistant City Attorney Vail explained that the conditional use permit before the
32 Commission at this time, was strictly for the operation of the drive-thru, and that any
33 conditions that were imposed regarding hours of operation, even if it was accepted by the
34 applicant, would apply only to the hours of operation for the drive-thru, and not to the hours
35 of operation for the Walgreens itself.

36
37 Chairman Duistermars closed the public hearing at 8:49 p.m. and asked if any of the
38 Commissioners had any other comments.

39
40 Since there were none he asked for a motion.

1 It was MOVED by Vice Chairman Jones and SECONDED by Commissioner Calkins to
2 adopt *Resolution Bill No. 04-14*, approving Conditional Use Permit No. 03-19.

3
4 The MOTION was carried by the following vote:

5
6 AYES: Chairman Duistermars, Vice Chairman Jones and Commissioners Calkins
7 and Rhoten

8 NOES: None

9 ABSTAIN: None

10 ABSENT: Commissioner Hicks

11
12 ***Planning Commission Resolution No. 04-9.***

13
14 **D. TENTATIVE TRACT MAP NO. 31796 / ENVIRONMENTAL ASSESSMENT**
15 **NO. 03-59**

16 APPLICANT: Hemet 132, LP

17 AGENT: Glenn Bosworth

18 LOCATION: North side of Fruitvale Avenue approximately 590-feet
19 of Palm Avenue

20 PLANNER: Loretta Domenigoni

21 DESCRIPTION: A request for the subdivision of 29.3 acres into 122 lots
22 for the future development of single-family residential
23 homes.

24
25 The staff report was presented by Planning Technician Domenigoni who provided some
26 details of the proposed project. She stated that the average lot size for the subdivision was
27 approximately 7,400 square-feet. She noted that at the November 14, 2003 Planning
28 Commission meeting a few items were discussed at the work study session regarding this
29 proposal, one in regards to Fruitvale Avenue going all the way through, and the
30 improvements on Fruitvale Avenue. She stated that Fruitvale was proposed to be
31 improved at a 55-foot modified right-of-way vs. a 60-foot right-of-way, as called out by the
32 General Plan. She noted that Condition No. 30 of the conditions of approval required this
33 to be completed. She added that Condition No. 29 required the installation of a traffic
34 signal at State Street and Fruitvale Avenue, and explained that the traffic study that was
35 completed for the project required a traffic signal there as well. She stated that the other
36 issue that had been raised was regarding an on-site park, noting that the project itself was
37 required to provide a 3/4-acre park, however the project had been conditioned to pay the
38 in-lieu park fees rather than provide an on-site park.

39
40 Ms. Domenigoni advised the Commission that on Page 5 of their staff report there were
41 three options under Issue No. 3 - Park Requirements, and stated that she would like to
42
43
44

1 discuss them. She noted that Option No. 1 was that the applicant would not propose a
2 new park within the parameters of the subdivision, but was conditioned by Condition No.
3 6 to pay the in-lieu park fees; Option No. 2 was that the applicant would provide an on-site,
4 3/4-acre park within the parameters of the subdivision; and Option No. 3, which the
5 applicant would discuss in further detail with the Commission when the public hearing was
6 opened, was for them to provide a 4-1/4 acre neighborhood park directly adjacent to the
7 subdivision. She added that the applicant would be responsible for his 3/4 acres as far as
8 funding was concerned, however the additional funds would need to come from the City's
9 in-lieu park fees that had been collected thus far. She concluded her report by stating that
10 staff was recommending approval of the project.

11
12 Chairman Duistermars asked what was being done with Fruitvale Avenue.

13
14 Planning Technician Domenigoni responded that Fruitvale Avenue was proposed to go all
15 the way through from Palm Avenue to State Street with a signal at State Street and a 55-
16 foot modified right-of-way.

17
18 Chairman Duistermars inquired regarding the response time to the project for emergency
19 vehicles.

20
21 Planning Director Masyczek responded that the project would be within the required
22 response time, particularly with the imposition of Fruitvale Avenue.

23
24 Chairman Duistermars opened the public hearing at 8:55 p.m.

25
26 Gene Nichols, 899 W. Fruitvale, Hemet, California spoke in opposition to the proposed
27 project, as he did not wish to see Fruitvale Avenue go all the way through to State Street.

28
29 Donald Glover, 1121 N. Palm Avenue, Hemet, California inquired regarding the drainage
30 for the proposed project. He stated that he had already had to create a berm due to other
31 nearby development, and was wondering what would be done with the water draining from
32 this site.

33
34 Don Stuart, 940 N. Palm Avenue, Hemet, California expressed his concern with the back
35 property line, explaining that a lot of trash was dumped here, and that he had suffered a
36 great deal of theft from the residents of the Americana Mobile Home Park. He stated that
37 he would like to see the fence come all the way to the property line, but that he understood
38 that EMWD needed access to an area behind his property line. He suggested that he
39 would like to see this area roped or fenced off so that only EMWD could gain access to it,
40 which would eliminate access for the residents of Americana.

1 Richard Valdez, 40935 County Center Drive, Temecula, California approached the lectern
2 as the engineer for the project. He addressed the drainage concerns for the project,
3 explaining how the water would drain from the project.
4

5 A discussion ensued regarding the drainage of the project.
6

7 Commissioner Jones advised the applicant that the Commission usually expects project
8 applicants to develop their property in a manner consistent with that of surrounding
9 neighborhoods.
10

11 Chairman Duistermars suggested that a condition be added requiring that the drainage
12 meet the approval of the City Engineer.
13

14 Planning Director Masyczek pointed out that he believed Condition No. 65 met Chairman
15 Duistermars' suggestion.
16

17 Chairman Duistermars asked that Mr. Glover and Mr. Stuart be added to a list that would
18 have them provided with a copy of the drainage plans, once accepted.
19

20 Glen Bosworth approached the lectern as the project applicant and discussed the park
21 options for the project.
22

23 A discussion of the park issue ensued, followed by a discussion of a transition area.
24

25 Vice Chairman Jones suggested that the City Council be approached regarding the option
26 discussed by Mr. Bosworth for a vacant 4-1/4 acre parcel to be purchased and developed
27 by the City as a park, with the applicant for this project paying in-lieu fees to go into the
28 City's park fund.
29

30 A discussion of meandering sidewalks ensued, followed by a discussion of the installation
31 of a traffic signal.
32

33 Chairman Duistermars stated that he would be less in favor of this project without the
34 commitment of some kind of park. He stated that his preference would be to condition the
35 project to provide a park.
36

37 Chairman Duistermars closed the public hearing at 9:29 p.m. and a discussion ensued
38 amongst the Commission regarding the project.
39

40 It was MOVED by Vice Chairman Jones to continue the project to allow the park issue to
41 be addressed and the indication of open space and meandering sidewalks to be added to
42 the project.
43
44

1 The motion was SECONDED by Commissioner Calkins.

2
3 Mr. Bosworth re-approached the lectern to dispute the continuance of the project, stating
4 that he had complied with all of the city's requirements.

5
6 Chairman Duistermars clarified that the project was being continued to establish a location
7 for the park, to establish buffering in the back where the project abuts other agricultural
8 property, including the opening up of lot lines to be more consistent with the wider lot lines
9 of the homeowners in the rear portion of the project, and to provide meandering sidewalks.

10
11 Assistant City Attorney Vail asked if the revisions would be minor enough to leave the
12 public hearing closed, if the public hearing should be re-opened, or if the changes were
13 substantial enough to require new noticing and a new public hearing.

14
15 Chairman Duistermars stated that his personal feeling would be that it would not require
16 a new public hearing.

17
18 Planning Director Masyczek stated that with the modifications being suggested by the
19 Commission, the project would have to be reviewed by staff. He suggested that one way
20 to assess was to determine whether or not the impacts associated with the project required
21 new CEQA. He stated that they would probably be looking at a slight reduction in lots with
22 some amenities added, and that it could probably reviewed under the context of
23 modification of the existing map. He suggested that the Commission continue the project
24 as an open public hearing to a date certain, which would be March 2, 2004 meeting.

25
26 Assistant City Attorney Vail stated that the public hearing had already been closed.

27
28 Planning Director Masyczek suggested that the Commission re-open it.

29
30 Assistant City Attorney Vail stated that he tended to agree that there would be relatively
31 minor modifications to the map, and that he didn't think it would substantially change the
32 project. He concurred with Planning Director Masyczek.

33
34 Discussion ensued regarding whether or not the project should be continued as an opened
35 or a closed public hearing.

36
37 It was finally decided that it should be continued as a closed public hearing to the Planning
38 Commission meeting of March 2, 2004.

39
40 The MOTION was carried by the following vote:

41
42 AYES: Chairman Duistermars, Vice Chairman Jones and Commissioners Calkins
43 and Rhoten
44

1 NOES: None
2 ABSTAIN: None
3 ABSENT: Commissioner Hicks
4

5 **E. GENERAL PLAN AMENDMENT NO. 03-2 / ZONE CHANGE NO. 03-4 /**
6 **ENVIRONMENTAL ASSESSMENT NO. 03-21**

7 _____ APPLICANT: William H. Corwin
8 LOCATION: Generally located at the southeast corner of Hemet
9 Street and Mountain Avenue
10 PLANNER: David Sawyer
11 DESCRIPTION: A request to amend the General Plan land use
12 designation from SP (Specific Plan) to R-I (Single-
13 Family Residential) and Commercial; to establish the
14 zoning designations of R-1-7.2 (Single-Family
15 Residential) and C-2 (General Commercial); and to
16 adopt a Mitigated Negative Declaration and Mitigation
17 Monitoring Program for the 85.96-acre project site.
18

19 The staff report was presented by Principal Planner Sawyer who provided some details
20 regarding the proposed project.
21

22 Chairman Duistermars inquired regarding the improvements to the Ramona Expressway.
23

24 Principal Planner Sawyer stated that there would be no improvements proposed at this
25 level of approval, but rather at the future Tentative Tract Map level.
26

27 Jim Morrissey of PZL, Inc., 41738 Fulton Avenue, Hemet, California approached the
28 lectern and addressed the Commission as a representative for the applicant. He offered
29 a more detailed description of the project as related to the City's General Plan. He advised
30 the Commission that the project would be predominantly residential, with a lesser portion
31 of the project being zoned for commercial purposes. He further advised the Commission
32 that they had originally intended to come to the City as a stand alone annexation, but that
33 it had been suggested by the City that they expand the annexation area to the west and
34 the south, and so it had thus become a city-initiated annexation. He explained that the
35 whole intent of this action was to provide for a fire station in the area.
36

37 Chairman Duistermars asked if there was an application on file with the County as well, for
38 the same project.
39
40
41
42
43
44

1 Mr. Morrissey responded that there would be, explaining that if the property owners of the
2 area that was proposed to be annexed were opposed to the annexation, the City project
3 could not be approved, and hence an application was planned to be processed at the
4 County level so that the applicant would be ahead of the game in the event that the
5 annexation into the City fell through.

6
7 A discussion of where the possible new fire station might be located ensued, followed by
8 discussion of a traffic study.

9
10 Mr. Morrissey explained that a traffic study had not originally been required for the City, but
11 that one was required to be completed prior to submittal at the County level, thus a traffic
12 study had been prepared for the County rather than the City.

13
14 A discussion of bonding for the improvements to the Ramona Expressway ensued.

15
16 Chairman Duistermars opened the public hearing at 9:57 p.m.

17
18 Since there were no members of the public who wished to speak regarding the issue,
19 Chairman Duistermars closed the public hearing at 9:57 p.m.

20
21 A discussion of the current response time for the proposed project ensued, and how it
22 related to the annexation of the additional property.

23
24 Chairman Duistermars re-opened the public hearing at 10:00 p.m. to accommodate a
25 member of the public who wished to speak regarding the project.

26
27 Judith Bariantos, 2740 E. Devonshire, Hemet, California approached the lectern and
28 expressed her concern with all of the housing developments coming into the valley. She
29 inquired as to whether there was enough water in the valley to service all of the new homes
30 that were being built, and asked where it was coming from, with the area being in a drought
31 condition.

32
33 Chairman Duistermars closed the public hearing at 10:02 p.m.

34
35 Vice Chairman Jones responded to Ms. Bariantos' question, stating that any project
36 composed of over 500 homes had to have a "will-serve" letter. He added that while most
37 developers tended to build less than 500 homes, the Commission had asked staff to notify
38 the agencies any time there was a cumulative amount of development occurring, but that
39 according to the agencies, which included Metropolitan Water District, Eastern Municipal
40 Water District, and Lake Hemet Municipal Water District, there was enough water to
41 service the new homes.

1 Planning Director Masyczek confirmed that the City consistently received responses from
2 the agencies that there was an adequate water supply.

3
4 Chairman Duistermars asked for a motion.

5
6 A discussion of the emergency response time and traffic issues ensued.

7
8 Planning Director Masyczek explained that the environmental assessment had looked at
9 the issue of the emergency response time in context with the larger picture, and that if the
10 larger picture were to fail, this project would fail at the city. He went on to say that in terms
11 of the traffic assessment, the city typically did not require traffic studies for projects that
12 were consistent with the existing General Plan. He suggested that this procedure might
13 need to be reviewed and modified.

14
15 Assistant City Attorney Vail noted that the Mitigated Negative Declaration addressed the
16 fire issue in two places – one in its analysis of public services and public utilities and the
17 other under mandatory significant effects. He explained that mitigation measures were
18 required to address the significant effects. He suggested that if the Planning Commission
19 was not comfortable with the mitigation measures they should let staff know and ask them
20 to provide additional information.

21
22 Chairman Duistermars suggested that perhaps they could get some clarification from
23 Council and take some time to review the traffic studies. He stated that he was not as
24 concerned with processing this portion of the project as he would probably be at the
25 tentative map phase.

26
27 It was **MOVED** by Commissioner Rhoten and **SECONDED** by Vice Chairman Jones to
28 adopt *Resolution Bill No. 04-5EA* approving Environmental Assessment No. 03-21.

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

31
32 **AYES:** Chairman Duistermars, Vice Chairman Jones and Commissioners Calkins
33 and Rhoten
34 **NOES:** None
35 **ABSTAIN:** None
36 **ABSENT:** Commissioner Hicks

37
38 ***Planning Commission Resolution No. 04-1EA.***

39
40 It was **MOVED** by Commissioner Rhoten and **SECONDED** by Commissioner Jones to
41 adopt *Resolution Bill No. 04-15* approving General Plan Amendment No. 03-2.

42
43 The **MOTION** was carried by the following vote:
44

1 AYES: Chairman Duistermars, Vice Chairman Jones and Commissioners Calkins
2 and Rhoten
3 NOES: None
4 ABSTAIN: None
5 ABSENT: Commissioner Hicks
6

7 ***Planning Commission Resolution No. 04-10.***
8

9 It was MOVED by Commissioner Rhoten and SECONDED by Commissioner Jones to
10 adopt *Resolution Bill No. 04-16* approving Zone Change No. 03-4.
11

12 The MOTION was carried by the following vote:
13

14 AYES: Chairman Duistermars, Vice Chairman Jones and Commissioners Calkins
15 and Rhoten
16 NOES: None
17 ABSTAIN: None
18 ABSENT: Commissioner Hicks
19

20 ***Planning Commission Resolution No. 04-11.***
21
22

23 **VII. PUBLIC MEETINGS.**
24

25 There were no public meeting items on the agenda.
26
27

28 **VIII. WORK STUDY**
29

30 **A. CONDITIONAL USE PERMIT NO. 03-18 / TENTATIVE PARCEL MAP NO.**
31 **31992** - Maureen Losey

32 A work study session to review a request for a conditional use permit to
33 construct three commercial retail buildings totaling 23,560 square-feet and
34 a tentative parcel map to divide 2.86 acres into 3 parcels on property zoned
35 C-2 (General Commercial) and located at the southwest corner of Sanderson
36 and Devonshire Avenues.
37

38 The work study session was initiated by Assistant Planner Losey who expressed some
39 concern with the distance between the existing Home Depot driveway and the driveway
40 that was being proposed on Sanderson Avenue for the proposed shopping center. She
41 explained that staff felt there should be a traffic study completed for the project. She
42
43
44

1 added that staff was also concerned with the number of fast-food restaurants in the area
2 and did not feel another one at this location would be appropriate.

3
4 City Planner Running discussed a traffic analysis that had been completed for a project on
5 the opposite corner and advised the Commission of the recommendations that had been
6 given by the Traffic Commission, which included medians and an encouragement, as
7 opposed to a requirement, for landscaping. He discussed the idea that this could mark the
8 possible beginning of medians from that location to the bridge.

9
10 Chairman Duistermars expressed some concern with the possibility of a drive-thru at this
11 location, stating that there was an on-going concern with the number of drive-thru
12 restaurants in the City, which could be a sticky point.

13
14 Larry Reeves, Reeves Architects, 625 Fair Oaks Avenue, South Pasadena, California
15 advised the Commission that they were not asking for a conditional use permit for a drive-
16 thru restaurant, but that they wanted the ability to do something with the property.

17
18 Commissioner Calkins mentioned that the design resembled 2 or 3 other projects that had
19 recently been under review, noting that there was no distinction from what was being
20 proposed across the street, or what would be around the corner on Florida Avenue. He
21 expressed his disappointment that the project was lacking creative architecture.

22
23 Mr. Reeves asked the Commission what they felt would set the project apart.

24
25 Commissioner Calkins responded that he was just concerned with the fact that all of the
26 recent centers had the same basic design with the townner, and that nothing refreshing was
27 being offered.

28
29 Mr. Reeves stated that they could take a look at this issue.

30
31 The Commission thanked Mr. Reeves for his presentation.

32
33 Commissioner Jones left the meeting at 10:24 p.m.

34
35 **B. TENTATIVE TRACT MAP NO. 31146 - DEVELOPMENT PLANS - David**
36 Sawyer

37 A review of the development plans for Tentative Tract Map No. 31146 - JP
38 Ranch (Corman Leigh) located on the southwest corner of Rose Rd. and Old
39 Warren Rd.

40
41 Principal Planner Sawyer initiated the work study session for the proposed project.

1 Ellen Michiel, Senior Planner for Corman Leigh Communities, 42346 Rio Nito, Temecula,
2 California displayed various designs of the proposed project, including elevations and
3 landscaping.

4
5 Commissioner Rhoten inquired regarding the garage design that was indicated on Plan No.
6 1.

7
8 Ms. Michiel explained that it was a swing-in garage, and indicated the garage on the
9 displayed plan.

10
11 Greg Busella, 262 Business Center Drive, Irvine, California approached the lectern as the
12 project architect. He discussed some of the architectural provisions that were indicated in
13 the displayed designs. He explained that they felt it was important to differentiate, and
14 pointed out that there were two single-story designs and two 2-story designs. He noted the
15 variation of style and that there were three different elevations for four different plans.

16
17 Ms. Michiel asked the Commission that they allow for the use of Plan 4 in addition to the
18 two single-story elevations along the perimeter, in order to provide some variation.

19
20 Chairman Duistermars asked if the wooden shutters were being considered as part of the
21 variety of building materials.

22
23 Ms. Michiel responded that she understood that the Commission preferred to have an
24 architectural theme, and that they were providing a mission style theme.

25
26 A period of silence followed while the Commission reviewed the plans.

27
28 Chairman Duistermars asked how the rest of the Commission felt regarding the allowance
29 of a two-story plan to be included along the perimeter streets.

30
31 A discussion ensued regarding this issue.

32
33 The Commission agreed that one-story homes would be preferred along Warren Road, but
34 that variation could be provided along Devonshire Avenue.

35
36 Ms. Michiel asked the Commission if they would consider variation along Warren Road if
37 they were to complete a "line-of-sight" study.

38
39 Chairman Duistermars responded that they would consider it, but that they wanted to be
40 consistent as they had required many other developers to provide single-story homes
41 exclusively along perimeter lines. He added, however, that they did not want to be
42 inflexible.

1 Commissioner Calkins noted that the front elevation was handsome and that the sketches
2 were beautifully done.

3
4 The Commission thanked Ms. Michiel for her presentation.

5
6 **C. CONDITIONAL USE PERMIT NO. 04-1 - Loretta Domenigoni**

7 A work study session to review a request for a conditional use permit to
8 rehabilitate an existing building at the northwest corner of Florida and
9 Meridian Avenues for eight potential lease spaces.

10
11 The work study session was initiated by Planning Technician Domenigoni who advised the
12 Commission that the location was the old Home Building Center. She explained that the
13 applicant needed a conditional use permit for the interior tenant space. She noted that a
14 physical rehabilitation center would be occupying one suite, an electronic center would be
15 occupying another, and that they were hoping for a health food center among other uses
16 for the remaining spaces.

17
18 Chairman Duistermars inquired regarding how much of the tenant spaces had already
19 been completed.

20
21 Planning Technician Domenigoni responded that only the electronic center and physical
22 rehabilitation center had begun any construction.

23
24 Since there were no questions or comments, the Commission thanked the applicant for
25 coming and wished them luck in their process.

26
27 **D. DISCUSSION OF SPECIFIC PLAN DESIGNATION BY TIERNEY**
28 **DEVELOPMENT FOR PROPERTY BETWEEN FLORIDA & DEVONSHIRE**
29 **AVENUES JUST WEST OF MWD AQUEDUCT** - Richard Masyczek

30
31 Dave Jeffers, 19 Spectrum Point Drive, Lake Forest, California approached the lectern as
32 a representative for Tierney Development. He advised the Commission that they were
33 proposing a specific plan designation for the property between Florida & Devonshire
34 Avenues just west of the MWD Aqueduct, stating that they would like to eliminate the
35 agricultural use altogether and that they did not feel a commercial designation would be
36 a good idea at this location either. He noted that they wanted to change the zoning to R-1-
37 7.2, and that they were proposing a multi-family use of 16 du/ac for a portion of the project.
38 He added that the lot size tabulation would be 7,200 to 8,000 square-feet, which was
39 similar to the existing zoning, and that there would be 167 lots composed of single-family
40 and multi-family development.

1 Chairman Duistermars asked what they were referring to when they suggested multi-family
2 development.

3
4 Mr. Jeffers distributed a plan booklet to the Commission. He referred to the plan noted as
5 "Arboretum".

6
7 Planning Director Masyczek pointed out that the project could not be reviewed until the
8 County decided whether or not they wanted to acquire the site as part of the MSHCP
9 agreement.

10
11 Chairman Duistermars made some suggestions to the applicant regarding densities. He
12 recommended paseos and meandering sidewalks, and he discussed parks and buffering.

13
14 A discussion of lot sizes ensued, followed by a discussion of the park provision.

15
16 Chairman Duistermars advised the applicant that overall it seemed to be a nice concept,
17 but that it was not likely that the Commission would be in favor of apartments. He
18 suggested that they might be in favor of "for-sale" condominiums. He added that the
19 Commission would look forward to seeing the project after it had been a little more
20 developed in its design, and thanked Mr. Jeffers for his presentation.

21
22
23 **IX. PLANNING DIRECTOR ITEMS**

24
25 There were no Planning Director items on the agenda.

26
27
28 **X. PLANNING COMMISSION COMMENTS**

29
30 There were no comments made by members of the Commission.

31
32
33 **XI. FUTURE AGENDA ITEMS**

34
35 There were no future agenda items requested.

1 **XII. ADJOURNMENT**

2
3 It was MOVED by Commissioner Rhoten, SECONDED by Commissioner Calkins and
4 unanimously approved to adjourn the meeting at 11:05 p.m. to the regular meeting of the
5 City of Hemet Planning Commission scheduled for **Tuesday, March 2, 2004 at 6:00 p.m.**
6 to be held at the City of Hemet Council Chambers located at 450 E. Latham Avenue,
7 Hemet, California 92543.
8
9
10
11
12
13

14 _____
15 Bob Duistermars, Chairman
16

17 ATTEST:
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19
20

21 _____
22 Nancie Shaw, Minutes Secretary
23
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