



1 High School property was going before the governing board tonight, and would total 112  
2 acres gross, with 89 acres being used for the new High School and eventually Middle  
3 School.

4  
5 Ms. Packham thanked Mr. Masyczek's office for getting her the documentation that the  
6 State had requested on the tract maps, and reported that they have been sent to  
7 Sacramento.

8  
9 Commissioner Jones asked for an overview of the joint meeting between the School  
10 Board and the City Council. Ms. Packham reported that there was a lot of cooperation  
11 between the two cities. She stated that the topic of opening Devonshire all the way  
12 through was brought up, and the consensus was that in order for that to happen, the  
13 school would need to be moved, but both agencies are going back to the table for further  
14 review before scheduling another joint meeting, including the hospital in the process due  
15 to the parking issue in the area. She explained that their concerns were the kids getting  
16 back and forth across the busy street. Future school sites were also discussed, with one  
17 of the suggestions being that the two cities/districts get together and re-align all the  
18 boundaries so that the City and the School District boundaries would be consistent.  
19

20  
21 **III. AMENDMENTS OR ADDITIONS TO THE AGENDA:**

22  
23 There were no amendments or additions to the Agenda.  
24

25  
26 **IV. CONSENT CALENDAR**

27  
28 There were no items on the consent calendar.  
29

30  
31 **V. PUBLIC MEETINGS**

32  
33 **A. APPEAL NO. 03-1 (Continued from October 21, 2003)**

34 \_\_\_\_\_ APPLICANT: Luanne Stockton, Floral Expressions  
35 LOCATION: 210 W. Florida Avenue  
36 PLANNER: Ron Running  
37 DESCRIPTION: A request for a waiver from the Exterior Color Palette  
38 for Floral Expressions.  
39

40 City Planner Ron Running addressed the Commission, explaining that the granting of the  
41 approval of the appeal would set a precedent for the color scheme, but would not add the  
42 color to the color palette, as only the City Council has that authority.  
43

1 City Planner Running explained that the reasons staff was in favor of granting the appeal  
2 was because the color is on the color palette, although it is a trim color.

3 Assistant City Attorney Eric Vail directed the Commission to Section 90-896 of the  
4 Municipal Code, which states that “the exterior facade colors of structures developed  
5 within commercial and industrial zones shall be low reflective, subtle, neutral or earth-tone  
6 colors. The use of high intensity or flourescent colors is prohibited. The recommended  
7 color palette is maintained at the Planning Department.”. Assistant City Attorney Vail  
8 pointed out that there is nothing in the Code that says that they are mandated to use a  
9 color from the color palette, as the color palette is only a sample of the *recommended*  
10 colors.

11  
12 Chairman Duistermars voiced his concern that when someone is told that they are in  
13 violation with something, to continue with the violation was like “pulling the teeth” of Code  
14 Enforcement.

15  
16 The applicant, Luanna Stockton, 31112 Corte Alamar, Temecula, approached the lectern  
17 to address the Commission.

18  
19 Chairman Duistermars explained to her that when she was told that she was in violation  
20 of the Color Palette Ordinance, she should have put the brush down.

21  
22 Assistant City Attorney Vail then directed the Commissions attention to the letter that the  
23 applicant had received from Code Enforcement, informing her that she was painting with  
24 a color that may not be in the color palette, and advising her to check with the Planning  
25 Department, where she would be assisted in obtaining a permit or filing an appeal..

26  
27 Vice Chairman Jones stated that it doesn’t seem like the matter was handled appropriately  
28 or given due diligence, and suggested that the letters should have been more forceful.

29  
30 Chairman Duistermars asked if granting the appeal and moving on would change the  
31 process, as there has to be something that comes out of this.

32  
33 Planning Director Masyzcek advised that he would consult with Senior Code Enforcement  
34 Officer Greg Flannery, and they would tighten up the language in their enforcement activity  
35 letters.

36  
37 Assistant City Attorney Vail advised the Commission that there were 2 questions to be  
38 answered: 1) Did she get a permit? He explained that you are required to get a permit  
39 under the Ordinance, and she did not., and 2) Does the color of the building meet the  
40 language of the Ordinance? He explained that the fact that it is not on the color palette  
41 is separate from the language of the Ordinance, and that if they were to find that the color  
42 on the building is low reflective, subtle, neutral, or earth tone, then it meets the language  
43 of the Ordinance. He further explained that making that determination does not mean that  
44 the color will be added to the color palette, however, they would still have to deal with the

1 issue of the applicant failing to get a permit, which is in violation of the Ordinance, and a  
2 violation of the Ordinance is either a public nuisance, or a misdemeanor, in which you  
3 could be criminally prosecuted.  
4

5 It was MOVED by Vice Chairman Jones to approve the appeal and have staff review their  
6 procedures. Commissioner Jones then removed the motion due to lack of a second.  
7 After a period of silence, Commissioner Calkins announced that if Commissioner Jones  
8 were to renew the motion, he would second it..  
9

10 Vice Chairman Jones again MOVED to approve the appeal, with staff instructed to review  
11 their procedures..  
12

13 Assistant City Attorney Vail advised that before the Commission vote, they consider doing  
14 a minute order that says that the appeal is approved, and leave it at that.  
15

16 Chairman Duistermars then asked for a show of hands. The appeal was granted by a 3-1  
17 vote, with the understanding that the Commission is disappointed in that someone who  
18 is told they are in violation of something doesn't stop.  
19

## 20 VI. PUBLIC HEARINGS:

### 21 A. VESTING TENTATIVE PARCEL MAP NO. 31075

22 APPLICANT: Jim Unland, Unland and Associates  
23 OWNER: John Karubian, Karubian Joint Venture  
24 LOCATION: Northeast corner of State Street and Gibbel Road  
25 PLANNER: Maureen Losey  
26 DESCRIPTION: A request to subdivide 21.5 acres into eight (8) lots for  
27 future commercial development within the Diamond  
28 Valley Gateway Specific Plan (SP 96-01).  
29  
30

31 Associate Planner Maureen Losey presented some of the details of the staff report to the  
32 Commission, adding that they had seen this project at their June 17, 2003 meeting, and  
33 it had been continued to allow the applicant more time to meet with staff and possibly redo  
34 the specific plan.  
35

36 Associate Planner Losey confirmed that staff did meet with the applicant, and reported  
37 that they had gone over a proposed revision to the specific plan, but nothing formal had  
38 been submitted yet. She informed the Commission that the only change in the parcel map  
39 is that parcels 1 and 2 are squared off, and the other exhibit that was like a flag lot is  
40 squared off.  
41

42 Associate Planner Losey announced in conclusion that Staff felt that the parcel map met  
43 the findings for approval, and are recommending approval of the tentative parcel map.  
44

1 Chairman Duistermars stated that the last time this project came up, they were concerned  
2 with some of the uses that were allowed in the zone, and inquired if Associate Planner  
3 Losey was saying that, because nothing specific had been presented, they were unable  
4 to open and look at what those uses are. Associate Planner Losey confirmed that was  
5 correct.

6  
7 Chairman Duistermars asked for clarification on what they were here for.  
8

9 Planning Director Masyczek answered that the Commission must decide if the division of  
10 land is consistent with the approved zoning. He explained that it really has nothing to do  
11 with the uses but if the Commission does have concern with the uses, then they would  
12 either have to have the applicant initiate an SP amendment, or the Commission could  
13 request the City Council to initiate an Ordinance Amendment to the SP, but it would have  
14 to be done through a separate vehicle.  
15

16 Commissioner Calkins inquired as to whether the architectural characteristics, and other  
17 things in the Specific Plan, are still in force.  
18

19 Planning Director Masyczek answered that the Ordinance is still in effect, and the  
20 applicant would have to comply with that. He further explained that there are requirements  
21 under the Diamond Valley Specific Plan that is reviewed by the Planning Commission.  
22

23 Commissioner Calkins stated that one thing they want to make sure of is that all those  
24 parcels that are developed are compatible.  
25

26 Planning Director Masyczek confirmed that it was an SP requirement.  
27

28 Commissioner Calkins pointed out that on the back of attachment 6 is what looks like a  
29 tentative tract map, and is something that they have not seen before. He voiced his  
30 concern that whatever they do tonight, have no bearing on the map.  
31

32 Planning Director Masyczek explained that the map had been provided to give an  
33 indication of what the applicant had in mind.  
34

35 Chairman Duistermars announced his opposition, stating that he does not like the uses  
36 that were approved last time, and that he believes that not enough thought was given to  
37 the types of businesses that could go in there. He further stated that he is not in favor of  
38 a strip mall out there but doesn't see how it could be anything but that.. He stated also that  
39 he realizes his hands are tied because the applicant is coming in with something that is  
40 tied to an existing SP, and he doesn't care what they do with it at this point, though he  
41 expects to see it back at some time, and when he sees it back, he expects to voice his  
42 opinions on what they are doing tonight.  
43

44 Chairman Duistermars opened the public hearing at 6:33 p.m.

1 Jim Unland, 3550 E. Florida Avenue, Hemet, Civil Engineer for the applicant, approached  
2 the lectern and informed the Commission that the property owner, Mr. John Karubian, was  
3 also there tonight should they have any questions for him.  
4

5 Mr. Unland stated to the Commission that they are surprised at the exhibit on the back,  
6 explaining that they were doing some "in house" - "what could we do if" kinds of things, and  
7 they do not intend to do that. He stated that he didn't know how it got there, although it  
8 was prepared by AEI Casc. He assured the Commission that they intend to do  
9 Commercial on the 21.5 acres, and that the map in question was an internal document  
10 that should not have been included. Mr. Unland further assured the Commission that the  
11 parcel map is as it was before, and explained that they are in compliance with the Specific  
12 Plan, and only want to divide it into parcels.  
13

14 Mr. Unland then addressed the Commission's concern regarding uses, stating that they  
15 came out of the City Zoning Code  
16

17 Chairman Duistermars explained that what is in the SP supercedes the Zones, and if it is  
18 in there, it's an approved use. He described it as an "overlay of the zones."  
19

20 Assistant City Attorney Vail announced for the record that the document in question is  
21 found on page 41 of the staff report, and described as "Proposed Land Use Map, Diamond  
22 Valley Gateway". It has a depiction of properties that encompasses the entire Specific Plan.  
23 He confirmed that it is not a part of the application or the tentative tract map, and stated that  
24 any action taken tonight would not in any way approve, disapprove, or otherwise affect  
25 what this is. Assistant City Attorney Vail further stated that "this is an eradere".  
26

27 Mr. Unland asked for the addition of a condition, asking if it was possible to have a sanitary  
28 sewer system on site, in other words a septic system.  
29

30 Chairman Duistermars inquired as to what the City policy was on that.  
31

32 City Engineer Roland Trietsch replied that there are 2 conflicting policies on that. The City  
33 Ordinance says that if you are within 600-feet from the sewer system, you can install a  
34 sewer to your site, and the nearest sewer to this site is ½ to 1 mile north at Chambers  
35 Street. He continued, explaining that the Uniform Building Code says that if you are within  
36 200-feet, you have to install a sewer, other than that you can put a private sewer system  
37 in, and private sewer systems in the City would go through the Building Department to the  
38 County Health Department. So if the applicant can satisfy the County Health Department  
39 with the type of use, they would be allowed to put in a septic system.  
40

41 A discussion ensued regarding septic system requirements. Mr. Unland announced that  
42 the minimum lot size for septic tank is ½ acre, and if you go over 30 units, than you have  
43 to go to a different type of a system, so there are limitations on how far you can go with a  
44 septic system.

1 Mr. Unland stated that he is not proposing it for the Residential portion, just on the  
2 Commercial. He added that the applicant wouldn't have any trouble if they wanted to  
3 condition it such that in the interim, a septic system would be okay, until sewer is available  
4 at the adjacent street.

5  
6 Chairman Duistermars concurred.

7  
8 Vice Chairman Jones, referring to the fact that their hands are tied, asked if there was  
9 anything that would slow this down.

10  
11 City Engineer Trietsch replied that as an Engineer, he would look at it in terms of the  
12 Subdivision Map Act, which states that if an applicant comes in with a proposal to map, if  
13 he conforms with the zoning, the general plan, and the minimum size lot requirements of  
14 the City, the local agency has no recourse other than to accept it, with conditions.

15  
16  
17 Vice Chairman Jones inquired of Planning Director Masyczek if there was anything that  
18 they were overlooking.

19  
20 Planning Director Masyczek replied that he concurs with City Engineer Trietsch, adding  
21 that the Subdivision Map Act is fairly straight forward, saying that you have to find it be in  
22 compliance with the regulations in effect at the time it was submitted, and found to be  
23 deemed complete.

24  
25 Commissioner Calkins voiced his confusion in that it is zoned SP, but the General Plan  
26 Designation is R-1, and inquired if there was a General Plan Amendment at one time, and  
27 how did it go from residential to commercial?

28  
29 Planning Director Masyczek replied that it could be a point of contention. If the General  
30 Plan shows it as R-1, which is residential only, then we essentially would have a specific  
31 plan document that is inconsistent with the General Plan.

32  
33 Chairman Duistermars agreed that it is important that they should find that out.

34  
35 Planning Director Masyczek confirmed that if it was found to be inconsistent with the  
36 General Plan, that could be a basis for denial. He stated that one option would be that the  
37 Commission move on to the next item while they try to locate a copy of the General Plan.

38  
39 Chairman Duistermars agreed that they postpone further discussion for a few minutes and  
40 move on to the next item, until they get a copy of the General Plan.

41  
42 Vice Chairman Jones stated to Planning Director Masyczek that he hasn't reviewed the  
43 prior initial study, and nobody here is telling him that it did comply.

1 Assistant City Attorney Vail clarified for Planning Director Masyczek that the section he  
2 was referring to had to do with the CEQA findings, and that it's not the Specific Plan per  
3 se, but the Mitigated Negative Declaration that was adopted for the Specific Plan. He  
4 pointed out that the Resolution has a finding in it that this tract map is consistent with, and  
5 won't have any other significant impacts out side of that. He clarified that what Vice  
6 Chairman Jones was saying is that he can't make that determination unless he has read  
7 the Mitigated Negative Declaration.  
8

9 It was MOVED by Vice Chairman Jones and SECONDED by Commissioner Calkins to  
10 continue the item to December 2, 2003.  
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 Mr. John Karubian, 2140 Friendly Lane, Los Angeles, approached the lectern and  
21 addressed the Commission, stating that they made the application back in June, and it had  
22 been continued because the Commission wanted to read the Specific Plan. It had been  
23 further continued for 4 ½ months. He stated that they are not asking for anything that  
24 would be a basis for denial or further continuance, and added that there was a General  
25 Plan Amendment made at the same time. He asked for further explanation of the  
26 continuance.  
27

28 Chairman Duistermars explained that it was continued the first time with the understanding  
29 that he was going to open the SP, and look at the uses on the property. He further  
30 explained that they had concerns with the uses that were in the SP and that they had an  
31 agreement that they were going to look at those uses, because this is a gateway to our  
32 valley. Chairman Duistermars stated to Mr. Karubian that it didn't happen, and that he had  
33 come back with exactly the same thing that they were concerned about last time, and  
34 added that he was surprised that he was surprised. He stated that it was precisely what  
35 they had talked about in the meeting with Principal Planner Bassi in his office, was that the  
36 uses that were contained in that zone were problematic for the Commission because it is  
37 a gateway. He further stated that they had talked about a number of options, none of  
38 which were incorporated here or presented tonight.  
39

40 Mr. Karubian stated that this is a very limited request that pertains only to the splitting of  
41 the Commercial property into lots and that they have suspended anything having to do with  
42 anything else. He added that it is their intention to develop to a very suitable use and that  
43 the issue is the division of the lots, and again asked for clarification of the continuance.  
44

1 Chairman Duistermars stated that it is being continued because they have a Commissioner  
2 who doesn't feel that he has the information in front of him to make a final decision.

3  
4 Chairman Duistermars further explained that there is a CEQA finding that needs to be  
5 made that there are no impacts beyond his project, and that they don't have that  
6 information.

7  
8 Mr. Karubian asked how the division of these lots would affect that issue.

9  
10 Chairman Duistermars replied that that is what they need to find out.

11  
12 A discussion ensued regarding the reasons for the previous Planning Commission  
13 decisions.

14  
15  
16 **B. ZONING ORDINANCE AMENDMENT NO. 03-7**

- 17 APPLICANT: City of Hemet  
18 LOCATION: City-Wide  
19 PLANNER: David Sawyer  
20 DESCRIPTION: An amendment to the Hemet Zoning Ordinance to  
21 reorganize the existing R-1 zone into separate R-1-^,  
22 R-1-7.2, R-1-20, and R-1-40 zones each with specific  
23 development standards including permitted uses, lot  
24 coverage, density, and other regulations.  
25

26 Principle Planner David Sawyer presented some of the details of the Staff Report to the  
27 Commission.

28  
29 A discussion ensued regarding the proposed rezoning, and Principle Planner Sawyer  
30 explained the different new zones to the Commission.

31  
32 Chairman Duistermars opened the public hearing at 7:02 p.m.. There were no members  
33 of the public who wished to speak and Chairman Duistermars closed the public hearing  
34 at 7:02 p.m.

35  
36 Commissioner Calkins commented that it looked great but may be a nightmare to  
37 implement.

38  
39 It was **MOVED** by Commissioner Calkins and **SECONDED** by Commissioner Rhoten to  
40 adopt **Resolution No. 03-22 EA** recommending approval to the City Council of  
41 Environmental Assessment No. 03-58 to adopt a Negative Declaration for Zoning  
42 Ordinance Amendment No. 03-7.

43  
44 The MOTION was carried by the following vote:

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

6 Vice Chairman Jones was taking a personal break and didn't vote on this item.  
7

8 It was further MOVED by Commissioner Calkins, and SECONDED by Commissioner  
9 Rhoten to adopt **Resolution No. 03-57** recommending approval to the City Council of  
10 Zoning Ordinance Amendment No. 03-7, amending the Hemet Zoning Ordinance.  
11

12 The MOTION was carried by the following vote:  
13

14 AYES: Chairman Dieters, and Commissioners Calkins and Rhoten.  
15 NOES: None  
16 ABSTAIN: None  
17 ABSENT: Vice Chairman Jones  
18

19 Vice Chairman Jones was taking a personal break and didn't vote on this item.  
20

## 21 VII. WORK STUDY

### 22 A. SPECIFIC PLAN AMENDMENT NO. 03-1 & VESTING TENTATIVE TRACT 23 MAP NO. 31513 - Ron Running 24

25 City Planner Running presented some of the details of this item to the Commission,  
26 informing them that this is the Hemet Valley Country Club Estate Specific Plan, originally  
27 adopted in 1991 as Tres Cerritos. He informed the Commission that he had attended a  
28 workshop today with City Council, and wanted to discuss their approach to the amendment  
29 on the issue of open space, not necessarily the Specific Plan.  
30

31 Ellen Michaels, Project Manager for Corman Leigh, addressed the Commission, detailing  
32 some of the history of the project and discussing some of the current issues. She  
33 explained that they have divided the project into 2 different planning areas, with there  
34 being 350 acres overall. She detailed some of the community-wide amenities that will be  
35 available.  
36

37 Ms. Michaels explained to the Commission why they could not accomplish the creation of  
38 the golf course - there were water issues.  
39

40 Ms. Michaels then presented the Commission with more of the amenities that they are  
41 proposing..  
42

43 Planning Director Masyczek stated that in regards to meeting certain requirements, they  
44

1 are double or triple what the residential design guidelines call for.  
2

3 Chairman Duistermars stated that everything looks good, however, he mourns the loss of  
4 the golf course.  
5

6 **B. ZONE CHANGE NO. 03-13 & TENTATIVE TRACT MAP NO. 31064 -**  
7 **Matthew Bassi**

8  
9 Principle Planner Bassi discussed with the Commission some of the various issues  
10 pertaining to this item.  
11

12 Brian Hall, KB Home, 12235 El Camino Real, Suite 300, San Diego, approached the  
13 lectern and addressed the Commission, stating that they had come with density  
14 information based on the meeting with SRC regarding the density of manufactured  
15 housing.  
16

17 A discussion ensued regarding lot sizes, density, and other details of the project. Mr. Hull  
18 stated that he would have a landscape architect put something together for the next  
19 meeting.  
20

21 **C. CONDITIONAL USE PERMIT NO. 03-12 -** Maureen Losey

22  
23 Associate Planner Losey presented some of the details of this project to the Commission.  
24 The Commission voiced their concerns and questions  
25  
26

27 **VIII. PLANNING DIRECTOR ITEMS:**

28  
29 **A. DISTRIBUTION AND REVIEW OF VISIONING WORKSHOP PRODUCTS**

30  
31 Planning Director discussed this with the Commission.  
32

33 **B. DISCUSSION AND PLANNING COMMISSION REVIEW OF ALL**  
34 **COMMERCIAL PROJECTS**

35  
36 This item was discussed, and Chairman Duistermars expressed his desire to have the City  
37 Council take a look at the possibility of a design review process.  
38

39 **C. DISCUSSION OF ESTATE-SIZE TEN-THOUSAND (10,000) SQUARE-**  
40 **FOOT LOTS AS THE STANDARD LOT SIZE FOR RESIDENTIAL LOTS IN**  
41 **THE CITY OF HEMET.**  
42  
43

1 This item was discussed, with Chairman Duistermars stating that as we approach build out,  
2 what is left is valuable.

3  
4 **D. OUTSIDE STORAGE CONTAINERS**

5  
6 Planning Director Masyczek informed the Commission that our ordinance does not address  
7 some of the problems that we have regarding the regulation of outside storage containers.  
8 A discussion ensued pertaining to this issue.

