



# CITY OF PERRIS PLANNING COMMISSION

## AGENDA

April 1, 2020

City Council Chambers  
Meeting to convene at 6:00 P.M.  
101 North "D" Street  
Perris, CA 92570

**1. CALL TO ORDER:**

**2. ROLL CALL:**

**Commissioners:** Perez, Hernandez, Jimenez,  
Vice-Chair Hammond, Chair Shively

**3. INVOCATION:**

**4. PLEDGE OF ALLEGIANCE:** Commissioner Perez

**5. PRESENTATION:**

**6. CONSENT CALENDAR:**

A. Planning Commission Minutes for March 04, 2020

**7. PUBLIC HEARING:**

A. **Conditional Use Permit (CUP) 19-05329** – A proposal to operate an indoor event venue with vendor food and alcohol sales within Suite C of the Freeway Plaza located at 371 Wilkerson Avenue.

**REQUESTED ACTION: ADOPT Resolution No. 20-06** finding the project Categorically Exempt from CEQA under Article 19, Section 15301, Class 1 Existing Facilities, and approving Conditional Use Permit 19-05329, to operate an indoor event venue with vendor food and alcohol sales within Suite C of the Freeway Plaza located at 371 Wilkerson Ave, based on the findings and subject to the Conditions of Approval.

**8. BUSINESS ITEM:**

**9. PUBLIC COMMENTS:**

*Anyone who wishes to address the Planning Commission regarding items not on the agenda may do so at this time. Please walk up to the podium and wait for the Chairperson to recognize you. Please speak clearly, give your name, spell your last name, and address for accurate recording in the minutes. Each speaker will be given three (3) minutes to address the Planning Commission.*

**10. COMMISSION MEMBERS ANNOUNCEMENTS OR REPORTS:**

**11. DIRECTOR OF DEVELOPMENT SERVICES REPORTS AND/OR INFORMATION:**

**12. ADJOURNMENT**

# Planning Commission Agenda

**CITY OF PERRIS**

April, 2020

# Item

# 6A

**Planning Commission Minutes for March 04, 2020**

# ***CITY OF PERRIS***

## MINUTES:

Date of Meeting: March 4, 2020

06:08 PM

Place of Meeting: City Council Chambers

Commission Members Present: Chair Shively, Vice Chair Hammond, Commissioner Perez, Commissioner Jimenez, and Commissioner Hernandez.

1. CALL TO ORDER:
2. ROLL CALL: Commissioners: Hernandez, Jimenez, Perez, Vice-Chair Hammond, Chair Shively.

Commission Members Present: Chair Shively, Vice Chair Hammond, Commissioner Perez, Commissioner Jimenez, and Commissioner Hernandez.

3. INVOCATION:
4. PLEDGE OF ALLEGIANCE: Commissioner Hernandez
5. PRESENTATION:
6. CONSENT CALENDAR:

A. Planning Commission Minutes for February 05, 2020

The Chair called for a motion.

M/S/C: Moved by Vice Chair Hammond, seconded by Commissioner Jimenez to Approve Planning Commission minutes for February 5, 2020.

AYES: Chair Shively, Vice Chair Hammond, Commissioner Perez, Commissioner Jimenez, Commissioner Hernandez.

NOES:

ABSENT:

ABSTAIN:

7. PUBLIC HEARING:
  - A. Administrative Development Plan Review (ADPR) 19-05039, Conditional Use Permit (CUP) 19-05337, and a Letter of Public Convenience or Necessity (PCN) 19-05338 – A proposal to construct a total of 27,269 sq. ft. of commercial space consisting of a 20,442 sq. ft. Aldi Supermarket, a 3,600 sq. ft. drive-thru automated carwash, and a 3,227 sq. ft. 7-Eleven fueling station/convenience store with a 3,000 sq. ft. fueling

canopy within the Perris Marketplace (i.e. Walmart Shopping Center) generally located at the northwest corner of the Perris Blvd and Citrus Avenue T-intersection. The Public Convenience or Necessity (PCN) is a request from Aldi Supermarket and 7-Eleven to sell beer and wine (type 20) for off-site consumption. Applicant: Tab Johnson, Rich Development. REQUESTED ACTION: ADOPT Resolution No. 20-02 recommending that Planning Commission find no further CEQA action is required pursuant to Section 15162 where an Environmental Impact Report (EIR) has been certified, and it was determined the project does not trigger substantial changes from the previously approved project and approve Administrative Development Plan Review (ADPR) 19-05039, Conditional Use Permit (CUP) 19-05337, and Letter of Public Convenience or Necessity (PCN) 19-05338, based on the findings contained in the Resolution and subject to the Conditions of Approval.

All of the Commissioners acknowledged that they had driven by the site prior to the meeting.

Senior Planner Perez, presented the item to the Commission.

Commissioner Perez, asked about the siding on the buildings, and noted concern for the onsite planter island and location of the Aldi building to the rear.

Commissioner Jimenez, inquired about the design review process with the applicant and the potential over saturation of gas stations and car washes in the area.

Commissioner Hernandez, requested clarification on the current traffic control at Citrus Ave and Perris Blvd and if construction from this project will effect traffic on north bound Perris Blvd.

Vice Chair Hammond, commented on the ABC liquor license requirements and referenced that the Planning COA should mention the Public Works condition for LMD maintenance period.

Chair Shivley, asked if the parcels will be merged, circulation for the Perris Blvd entrances, and ownership of the parcels.

Applicant Tab Johnson for Rich Development Company, presented to the Commission.

Commissioner Perez, thanked the applicant for the project, and asked about the landscape planter between the carwash and gas station

Commissioner Jimenez, provided positive feedback regarding the landscaping and commented on the high saturation of gas stations and car washes in this area.

Vice Chair Hammond, commented on the main driveway entry and circulation.

Chair Shively, asked whether or not a wall will be erected between the project and Harvest Landing Specific Plan, and the plan for the existing drainage v-ditch that parallels Perris Blvd.

Resident Nanett Placentia, spoke to the Commission about her concern regarding the over saturation of gas stations and car washes in the area.

Applicant Tab Johnson, responded to the comments provided by the Commission.

Commissioner Hernandez, agreed on the over saturation but noted it could facilitate larger development in the future.

Vice Chair Hammond, addressed the concerns and discussed the criteria that the Commission can review is compliance with the development code.

Commissioner Perez, appreciated the resident's comment and spoke on the job creation the project will provide.

Commissioner Jimenez, agreed with the resident's comment about over saturation of this area, but noted it will influence future development of the area.

Chair Shively, requested that roof mounted equipment is hidden from public view, and potentially reducing the use of veneer to the car wash elevation.

The Chair called for a motion.

M/S/C: Moved by Vice Chair Hammond, seconded by Commissioner Perez to Approve Administrative Development Plan Review 19-05039, Conditional Use Permit 19-05337, and a Letter of Public Convenience or Necessity 19-05338. Amendment to address the Public Work LMD maintenance period within the Planning Conditions of Approval.

AYES: Chair Shively, Vice Chair Hammond, Commissioner Perez, Commissioner Jimenez, Commissioner Hernandez.

NOES:

ABSENT:

ABSTAIN:

- B. Conditional Use Permit 18-05248– Proposal to construct a 7,250 sq. ft. convenience store, with attached 1,870 sq. ft. car wash (tunnel), a drive-through window, and ten (10) fueling pumps under a 5,320 sq. ft. canopy on a 2.42 acres site located at the southeast corner of Nuevo Road and Murrieta Road within the Commercial Neighborhood zone. Applicant: Mr. Michael Ramirez, Sater Bros REQUESTED ACTION: ADOPT Resolution No. 20-04 adopting Mitigated Negative Declaration No. 2348 and approve Conditional Use Permit 18-05248 (CUP 18-05248) to construct and operate a convenience store with drive-up window and fueling station, based on the findings contained in the Resolution and subject to the Conditions of Approval.

Commissioners Hammond and Jimenez, acknowledged that they drove by the site prior to the meeting.

Planning Manager Phung, presented the item to the Commission.

Commissioner Hernandez, requested a list to indicate how many car washes are within the City limits at this time.

Commissioner Perez, noted most new gas stations have automated car washes and that they do save water when compared to individual's washing their vehicles.

Commissioner Jimenez, asked about the hours of operation, and the egress and ingress for the project.

Vice Chair Hammond, inquired about drainage and whether the basin is onsite or offsite, and about circulation/fire access to the rear of the building.

Chair Shively, asked about adjacent land uses, the use of the rear landscaped area, firewall separation between the car wash and building, and questions about signage.

Applicant Steve Wilde, presented to the Commission.

Commissioner Perez, appreciated the aesthetics of the project.

Commissioner Jimenez, requested clarification on the other locations that were approved this year, and appreciated the concept.

Commissioner Hernandez, asked about the drive-thru operating model and hours of operation.

Vice Chair Hammond, requested to add employee amenities to the back of the project.

Vice Shively, inquired about the drive-thru stacking, and requested clarification of the drive thru operational model.

Commissioner Jimenez, appreciated the new concept, spoke on the over abundance of car washes and gas stations, and noted parking concerns.

Vice Chair Hammond, noted the excellent project design and appreciated the modern architecture.

Chair Shively, appreciated the new concept and its uniqueness.

Planning Manager Phung, noted that a condition to be added requiring employee amenities.

The Chair called for a motion.

M/S/C: Moved by Vice Chair Hammond, seconded by Commissioner Jimenez to Approve Conditional Use Permit 18-05248– Proposal to construct a 7,250 sq. ft. convenience store, with attached 1,870 sq. ft. car wash (tunnel), a drive-through window, and ten (10) fueling pumps under a 5,320 sq. ft. canopy. Revision to add employee amenities requirement within the Planning COA.

AYES: Chair Shively, Vice Chair Hammond, Commissioner Perez, Commissioner Jimenez, Commissioner Hernandez.

NOES:

ABSENT:

ABSTAIN:

8. **BUSINESS ITEM:**

9. **PUBLIC COMMENTS: Anyone who wishes to address the Planning Commission regarding items not on the agenda may do so at this time. Please walk up to the podium and wait for the Chairperson to recognize you. Please speak clearly, give your name, spell your last name, and address for accurate recording in the minutes. Each speaker will be given three (3) minutes to address the Planning Commission.**

10. COMMISSION MEMBERS ANNOUNCEMENTS OR REPORTS:

Commissioner Perez, addressed the rise in electric vehicles and the impact it may have on the economy.

Vice Chair Hammond, appreciated staff's work on the projects that are brought forth for review, and noted the need to address the housing element as a potential future workshop item.

Chair Shively, asked if Economic Development was the impetus for the projects presented before the Planning Commission.

11. DIRECTOR OF DEVELOPMENT SERVICES REPORTS AND/OR INFORMATION:

Planning Manager Phung, commented on Economic Development's involvement in development, a grant to fund updating the City's housing element, the next Planning Commission meeting in early April, and confirming the distribution of Form 700 to the Planning Commission.

Commissioner Perez, asked about minimum dwelling size for Perris and tiny homes.

Commissioner Jimenez, requested information on the Economic Development meeting.

12. ADJOURNMENT 1 Page 2 of 2



# Planning Commission Agenda

**CITY OF PERRIS**

April, 2020

# Item

# 7A

**Conditional Use Permit (CUP) 19-05329**



# CITY OF PERRIS

## PLANNING COMMISSION

### AGENDA SUBMITTAL

**MEETING DATE:** April 1, 2020

**SUBJECT:** **Conditional Use Permit (CUP) 19-05329** - A proposal to operate an indoor event venue with vendor food and alcohol sales within Suite C of the Freeway Plaza located at 371 Wilkerson Avenue. **Applicant:** Mr. Huber Gutierrez

**REQUESTED ACTION:** **ADOPT Resolution No. 20-06** finding the project Categorically Exempt from CEQA under Article 19, Section 15301, Class 1 Existing Facilities, and approving Conditional Use Permit 19-05329, to operate an indoor event venue with vendor food and alcohol sales within Suite C of the Freeway Plaza located at 371 Wilkerson Avenue, based on the findings and subject to the Conditions of Approval.

**CONTACT:** Kenneth Phung, Planning Manager

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#### **BACKGROUND/DISCUSSION:**

The applicant, Mr. Huber Gutierrez, is requesting approval of a Conditional Use Permit to allow for the operation of an event hall, which is an indoor event venue for weddings and other celebrations within a 5,376 SF Suite (i.e., C) within the Perris Freeway Plaza located at 371 Wilkerson Avenue. The event venue will provide prepared food and sale of alcoholic beverages through a licensed caterer as required by conditions of approval.

The Vive Event Hall will offer a venue to hold weddings, anniversaries, quinceañeras, birthdays, and other cultural and community events in a secure environment that will employ up to seven (7) people. Events will be held entirely indoors within Suite C, which is equipped with restroom facilities, a vanity room, catering preparation area, stage area, and a small office for on-site management activities.

The applicant is proposing to operate the business (7) days per week. Venue booking appointments will occur Monday through Friday from 9:00 am to 5:00 pm. Events will be held Monday through Friday from 5 pm to 9 pm, during the weekend from 9 am to 1 pm for children parties, and from 5:00 pm to 12:00 am for celebrations as noted above. DJ and live band Music will be offered, as well as food and beverages. The applicant has requested from staff to allow patrons the flexibility to bring alcohol to their events. Staff contacted ABC and was informed it is permitted for private parties that are not open to the public. However, the Riverside County Sheriff (Perris Station) did not support patrons bringing their own alcohol, due to the potential absence of oversight with minors being able to consume alcohol. As a result, staff is conditioning alcoholic beverages be

served through a licensed caterer, who holds a Type 58 Catering License for on-site alcohol sales and consumption.

A public hearing notice was mailed to affected public agencies, property owners, residents, and commercial tenants within 300 feet of each of the proposed site. As of the writing of this report, no comments have been received from the neighboring property owners, commercial tenants or public agencies.

The proposed project is found to be Categorical Exempt from the California Environmental Quality Act (CEQA) Categorical Exempt from CEQA under Section 15301, Class 1, Existing Facilities.

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**BUDGET (or FISCAL) IMPACT:** All costs associated with the project are borne by the applicant.

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Prepared by: Alfredo Garcia, Associate Planner

**REVIEWED BY:** Kenneth Phung, Planning Manager

Attachments: Staff Report  
Exhibit A – Conditions of Approval (Planning)  
Exhibit B – Aerial Location Map  
Exhibit C – Zoning Map  
Exhibit D – Site Plan  
Exhibit E – Statement of Operations  
Exhibit F – Riverside County Sherriff's Comment dated March 2, 2020  
Exhibit G - Resolution 20-06

Consent:  
Public Hearing: X  
Business Item:  
Presentation:  
Other:

**CITY OF PERRIS**  
**PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT**

**STAFF REPORT**

Date: April 1, 2020 – Planning Commission

Cases: Conditional Use Permit (CUP) 19-05329

Environmental Determination: Categorically Exempt from CEQA under Section 15301, Class 1 Existing Facilities

Project Planner: Alfredo Garcia, Associate Planner

Applicant: Mr. Huber Gutierrez  
 28489 Forest Oaks Way  
 Moreno Valley, CA 92555

Location: 371 Wilkerson Ave. Suiet C

**PROJECT DESCRIPTION:** Proposal to establish and operate a 5,376 SF indoor event venue with vendor food and alcohol sales within Suite C of the Perris Freeway Plaza, located on a 5.1-acre site within the 4<sup>th</sup> Street Gateway zone of the Downtown Specific Plan at 371 Wilkerson Avenue. (APN: 310-070-078)

**ZONING AND LAND USE:**

Existing Zoning: 4<sup>th</sup> Street Gateway

Surrounding Zoning:

<i>Direction</i>	<i>Zoning</i>
North	215 FWY
South	4 <sup>th</sup> Street Gateway
East	215 FWY
West	Urban Village

Existing Land Uses: Developed

Surrounding Land Uses:

<i>Direction</i>	<i>Land Use</i>
North	215 FWY
South	Commercial Center ( 7 Eleven & Chevron Gas Station)
East	215 FWY
West	Perris Plaza Landmark Shopping Center & Apartment Buildings

## **ANALYSIS & REVIEW:**

### **PROJECT DESCRIPTION:**

The applicant, Mr. Huber Gutierrez, is requesting approval of a Conditional Use Permit to allow for the operation of an event hall, which is an indoor event venue for weddings and other celebrations within a 5,376 SF Suite (i.e., C) within the Perris Freeway Plaza located at 371 Wilkerson Avenue. The event venue will provide prepared food and sale of alcoholic beverages through a licensed caterer as required by conditions of approval.

The Vive Event Hall will offer a venue to hold weddings, anniversaries, quinceañeras, birthdays, and other cultural and community events in a secure environment that will employ up to seven (7) people. Events will be held entirely indoors within Suite C, which is equipped with restroom facilities, a vanity room, catering preparation area, stage area, and a small office for on-site management activities.

The applicant is proposing to operate the business (7) days per week. Venue booking appointments will occur Monday through Friday from 9:00 am to 5:00 pm. Events will be held Monday through Friday from 5 pm to 9 pm, during the weekend from 9 am to 1 pm for children parties, and from 5:00 pm to 12:00 am for celebrations as noted above. DJ and live band Music will be offered, as well as food and beverages. The applicant has requested from staff to allow patrons the flexibility to bring alcohol to their events. Staff contacted ABC and was informed it is permitted for private parties that are not open to the public. However, the Riverside County Sheriff (Perris Station) did not support patrons bringing their own alcohol, due to the potential absence of oversight with minors being able to consume alcohol. As a result, staff is conditioning alcoholic beverages be served through a licensed caterer, who holds a Type 58 Catering License for on-site alcohol sales and consumption.

The proposed use was determined to be a conditionally permitted use in the 4<sup>th</sup> street Gateway Zone of the Downtown Specific Plan, due to its unique operating characteristics. Conditional Use Permits are governed by Chapter 19.61 of the City of Perris Municipal Code to establish necessary or desirable uses that are unique in character and require specific consideration to safeguard the public health, convenience, and general welfare in the city, by minimizing adverse effects on surrounding properties.

## **PROJECT ANALYSIS**

### **GENERAL PLAN AND ZONING CONSISTENCY**

The proposed use is conditionally permitted in the 4<sup>th</sup> Street Gateway zone. As conditioned, the use is consistent with the zoning district, which contemplates the establishment of various uses that are needed and desirable through the application of specific conditions to mitigate potential adverse effects on surrounding properties. As conditioned, the proposed use is consistent with the City's Zoning Regulations and, therefore, the City's General Plan (2030).

MARB AIRPORT LAND USE COMPATIBILITY PLAN

The proposed use will be located in the existing Perris Freeway Plaza, which is fully developed and located outside of the MARB overlay zone.

PARKING DEVELOPMENT STANDARDS

Staff evaluated the available onsite parking supply to ensure that the proposed use provides sufficient parking to meet the demands of its users/occupants. As noted, the proposed use will be established and operated within the existing Perris Freeway Plaza, which is located in the 4<sup>th</sup> street Gateway zoning district and consists of multiple buildings on individual parcels with separate addresses. The building that is proposed to house the event hall is situated on a 5.1-acre parcel and is divided into multiple small suites, with the event hall being the largest tenant. A total of 367 on-site shared parking spaces, including required handicap spaces, are provided for this center. The event hall will use a maximum of 107 spaces at its peak. Currently, all parking is shared among all users, and parking shortage issues have not been reported to date.

Parking requirements are governed by parking provisions in Section 19.69 of the Perris Municipal Code, which is one (1) parking space for every 200 square feet of retail space for a community shopping center. Based on these criteria, the shopping center is required to provide 238 parking spaces, whereas 367 parking spaces are available. Staff also evaluated the parking requirements based upon the requirements of individual operations separate from a shopping center, as summarized in the table below.

<b>Table 1. PARKING CALCULATIONS (Chapter 19.08 &amp; 19.69.030 of the City Municipal Code)</b>						
<b>Existing Building Square Feet (SF)</b>	<b>(SF) Floor Area</b>	<b>Parking Ratio Required</b>	<b>Peak Day-time Parking Required</b>	<b>Peak Day-time Shared Parking Available</b>	<b>Night-time &amp; Weekend Parking Required</b>	<b>Night-time &amp; Weekend Parking Available</b>
<b>La Mexicana Taqueira Y Panaderia</b>	1,056	1 space/50 serving area	21	21	0 (not open)	21
<b>Nutricion</b>	1,000	1 space / 250 s.f.	4	4	0 (not open)	4
<b>Matress Store</b>	3,074	1 space / 500 s.f.	6	6	6	6
<b>Nails</b>	1,130	1 space/ 250 s.f	5	5	5	5
<b>Pinatas</b>	1,130	1 space/ 250 s.f	5	5	5	5
<b>Wáter store</b>	1,130	1 space/ 250 s.f	5	5	5	5
<b>Legacy Babershop</b>	1,112	1 space/ 250 s.f	4	4	4	4

<b>Table 1. PARKING CALCULATIONS (Chapter 19.08 &amp; 19.69.030 of the City Municipal Code)</b>						
<b>Existing Building Square Feet (SF)</b>	<b>(SF) Floor Area</b>	<b>Parking Ratio Required</b>	<b>Peak Day-time Parking Required</b>	<b>Peak Day-time Shared Parking Available</b>	<b>Night-time &amp; Weekend Parking Required</b>	<b>Night-time &amp; Weekend Parking Available</b>
<b>Plátano Macho</b>	1,130	1 space / 50 s.f. of serving area	12	12	12	12
<b>Perris Dentist</b>	2,224	1 space/ 200 s.f.	12	12	0 ( not open)	0
<b>Rachel Hair Salon</b>	440	1/ 250	2	2	2	2
<b>Income tax</b>	440	1/250	2	2	2	2
<b>Corre caminos</b>	480	1/50	10	10	10	10
<b>Ayalas Boots</b>	2,080	1/250	8	8	8	8
<b>Insurance</b>	750	1/250	3	3	3	3
<b>carniceria</b>	3,744	1/250	15	15	15	15
<b>Casa Jimenez</b>	1,760	1 space/50 s.f. of assembly	35	35	35	35
<b>(Event Hall)</b>	5,376	1 space/50 s.f. of assembly	107	107	107	107
<b>Vacant tenant suites</b>	31,508	1/250	126	126	-	-
<b>SUBTOTAL</b>	59,564	-	<b>382 needed for all uses during daytime ( at full occupancy)</b>	<b>15 spaces deficient ( At full occupancy)</b>	219	<b>148 spaces available</b>

Although under this scenario, the parking available would exceed the parking requirements (i.e., 382 parking spaces required compared to 367 parking spaces available), the surrounding tenants primarily operate Monday through Friday, from 8 am to 5 pm. Also, the event hall's hours of operation will occur during the evening during the weekday (i.e., 5 pm to 9 pm) and during the weekend, which will not conflict with peak parking demand of the shopping center. Therefore, the impact to parking is not expected.

**CATERING ACTIVITIES**

The applicant is proposing to offer food and beverage service to users during scheduled events. A condition of approval has been added to ensure that any catering company hired to provide services for the event hall have appropriate licenses for food preparation and handling through the Riverside County Department of Environmental Health and a Type 58 (Caterer's Permit) State Alcohol Beverage Control (ABC) license if they sell alcoholic beverages.

### ENTERTAINMENT NOISE

The proposed Vive Event Hall will offer music entertainment that is provided by a Disc Jockey (DJ) or live band. Although music entertainment will occur within the fully enclosed building suite, there is a potential that it could affect the Perris and County Hill apartment complexes west of the site. As such, a condition of approval has been included to ensure that the day and night-time noise levels stay within the community noise level standards established in Chapter 7 of the Perris Municipal Code, which has 80dBA for hours between 7:01 am to 10:00 pm and 60dBA for hours between 10:01 pm to 7:00 am.

### SECURITY

The applicant has retained a licensed security company to provide security for both inside and outside of the event hall. The applicant intends to establish security procedures and policies and provide training to all employees on security protocols. A condition of approval has been included requiring the applicant to provide licensed security during all events.

### **PUBLIC/AGENCY COMMENTS**

As discussed above, staff forwarded the proposed project to the Riverside County Sheriff's Department (Perris Police) for review and comment. The Sheriff's Department did not support the request patrons bringing their own alcohol, due to the potential absence of oversight with minors being able to consume alcohol. As a result, staff is conditioning alcoholic beverages be served through a licensed caterer, who holds a Type 58 Catering License for on-site alcohol sales and consumption.

A public hearing notice was mailed to affected public agencies, property owners, residents, and commercial tenants within 300 feet of each of the proposed site. As of the writing of this report, no comments have been received from the neighboring property owners, commercial tenants, or public agencies.

### **ENVIRONMENTAL DETERMINATION**

The proposed project is found to be Categorical Exempt from CEQA under Section 15301, Class 1 Existing Facilities.

### **RECOMMENDATION**

Staff recommends that the Planning Commission:

**ADOPT Resolution No. 20- 06** finding the project Categorical Exempt from CEQA under Article 19, Section 15301, Class 1 Existing Facilities, and approve Conditional Use Permit 19-05329, to establish and operate a 5,376 SF indoor event venue with vendor food sales within Suite C of the Perris Freeway Plaza located at 371 Wilkerson Ave, based on the findings and subject to the Conditions of Approval.



**EXHIBITS:**

- Exhibit A – Conditions of Approval (Planning)
- Exhibit B – Aerial Location Map
- Exhibit C – Zoning Map
- Exhibit D – Site Plan
- Exhibit E – Statement of Operations
- Exhibit F – Riverside County Sheriff's Comment dated March 2, 2020
- Exhibit G – Resolution 20-06

**CITY OF PERRIS  
DEVELOPMENT SERVICES DEPARTMENT  
PLANNING DIVISION**

**PLANNING COMMISSION CONDITIONS OF APPROVAL**

**CUP 19-05329**

**April 1, 2020**

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**Conditional Use Permit 19-05329** - Proposal to establish and operate a 5,376 SF indoor event venue with vendor food and alcohol sales within suite C of the Perris Freeway Plaza, located on a 5.1-acre site within the 4<sup>th</sup> Street Gateway zone of the Downtown specific plan at 371 Wilkerson Ave. (APN: 310-070-078). **Applicant:** Mr. Huber Gutierrez

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**General Requirements:**

1. **Conformance to Approved Plans.** The proposed use will operate in accordance with the 2020 Planning Commission meeting approval, or as amended by these conditions. Any deviation shall require appropriate Planning Division review and approval.
2. **Conditional Use Permit Approval.** The Conditional Use Permit approval shall be null and void unless substantial construction of the project or commencement of the land use contemplated by this approval is begun within three (3) years of the approval date. The applicant may apply for a maximum of three (3) one-year extensions. A written request for an extension shall be submitted to the Planning Division at least thirty (30) days prior to the expiration of the Conditional Use Permit.
3. **Sign Application.** A separate sign application will be required for any signs.
4. **Event Activity Hours of Operation.** Hours of operation for all Event activities (i.e., weddings, parties, celebrations, and the like) are limited to Monday through Friday, from 5:00 pm to 9:00 pm, and Saturday and Sunday, from 9:00 am to 1:00 pm (i.e., children parties) and from 5:00 pm to 12:00 am.
5. **Non-Event Activity Hours of Operation.** Hours of operation for all non-event activities (i.e., management, booking, showing activities, and the like) are permitted: Monday through Sunday from 9:00 am to 5:00 pm.
6. **Noise.** Event Hall operations shall be in compliance at all times with established noise standards pursuant to Chapter 7.34 of the Perris Municipal Code, which requires that noise levels do not exceed 80dBA for hours between 7:01 am to 10:00 pm and 60dBA for hours between 10:01 pm to 7:00 am.
7. **Security.** Security for Event Hall activities (i.e., weddings, parties, celebrations, and the like) shall be provided by a licensed security company to provide security for both inside and outside of the event hall.
8. **County Health Department License.** Food and beverage service shall be limited to pre-prepared items provided by catering companies, which shall have a valid food handling, preparation, and service license through the Riverside County Health Department.

EXHIBIT A

9. **Alcohol Beverage Control (ABC) License.** All catering companies providing on-site consumption of alcoholic beverages shall have a valid Caterer's License (i.e., Type 58 or other) to sell alcohol issued by the ABC.
10. **City Business License.** All event vendors shall be required to obtain an approved business license(s) from the City of Perris Business License Division.
11. **Building & Safety Division.** The proposed use shall adhere to all requirements of the City's Building & Safety Division requirements.
12. **Graffiti.** Graffiti located on-site shall be removed within 48 hours. The site shall be maintained in a graffiti-free state at all times.
13. **Property Maintenance.** The project shall comply with provisions of Perris Municipal Code 7.06 regarding Landscape Maintenance, and Chapter 7.42 regarding Property Maintenance.
14. **ADA Compliance.** The project shall conform to all disabled access requirements in accordance with the State of California, Title 24, and Federal Americans with Disabilities Act (ADA).
15. **Fire Code Compliance.** The project shall meet all fire code requirements.

#### **PRIOR TO BUILDING PERMIT ISSUANCE**

16. **Indemnification/ Hold Harmless.** The developer/applicant shall indemnify, protect, defend, and hold harmless, the City and any agency or instrumentality thereof, and/or any of its officers, employees, and agents from any and all claims, actions, or proceedings against the City, or any agency or instrumentality thereof, or any of its officers, employees and agents, to attack, set aside, void, annul, or seek monetary damages resulting from approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voters of the City, concerning Conditional Use Permit 19-05321. City shall promptly notify the developer/applicant of any claim, action, or proceeding for which indemnification is sought and shall further cooperate fully in the defense of the action.

#### **PRIOR TO BUILDING PERMIT FINAL**

17. **Outstanding Fees.** Any outstanding processing fees due to the Planning Division shall be paid.
18. **Final Planning Inspection.** The applicant shall first obtain clearance from the Planning Division, verifying that all conditions of approval have been met by arranging a site inspection with the Planning staff.

<End Conditions>



EXHIBIT B

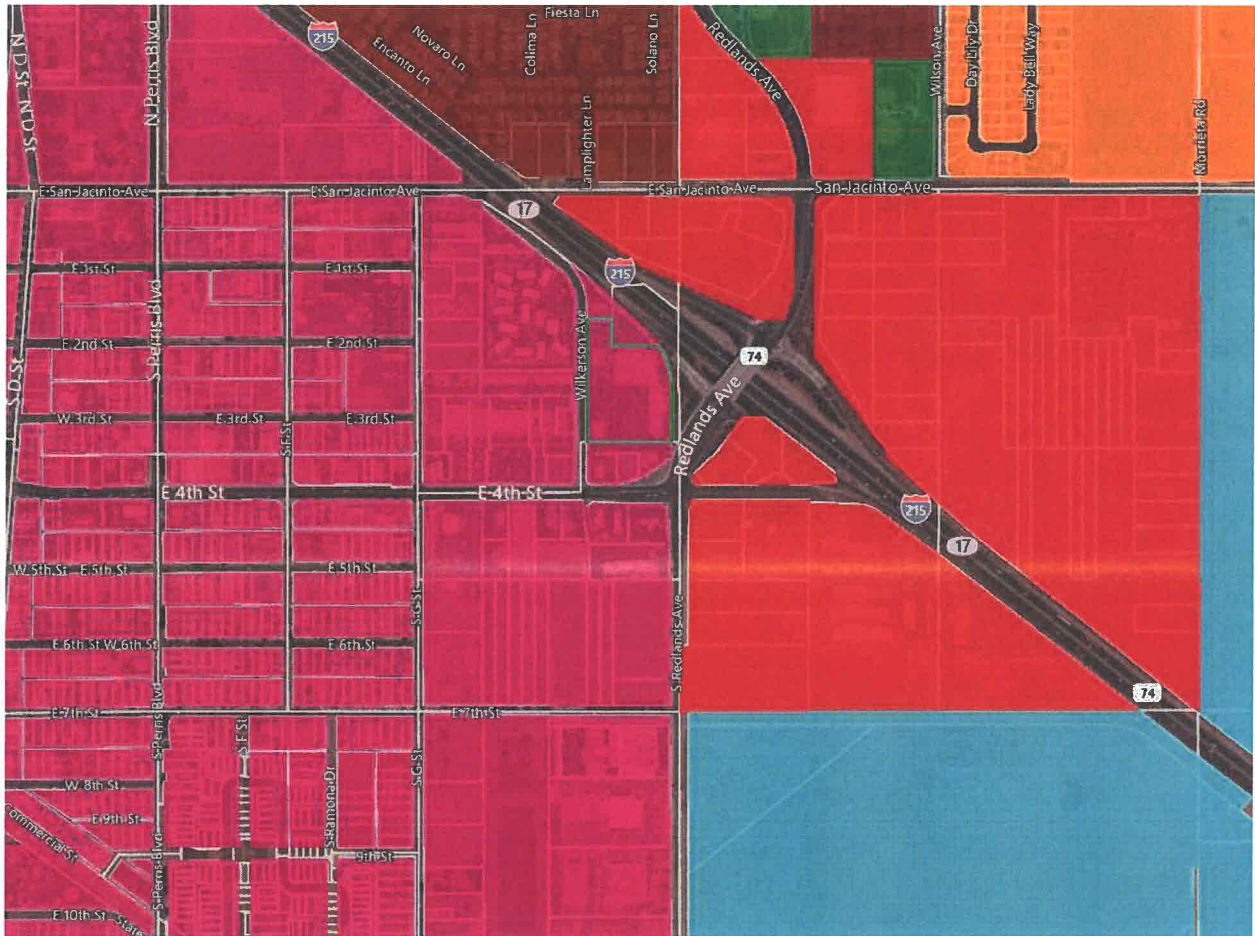


EXHIBIT C

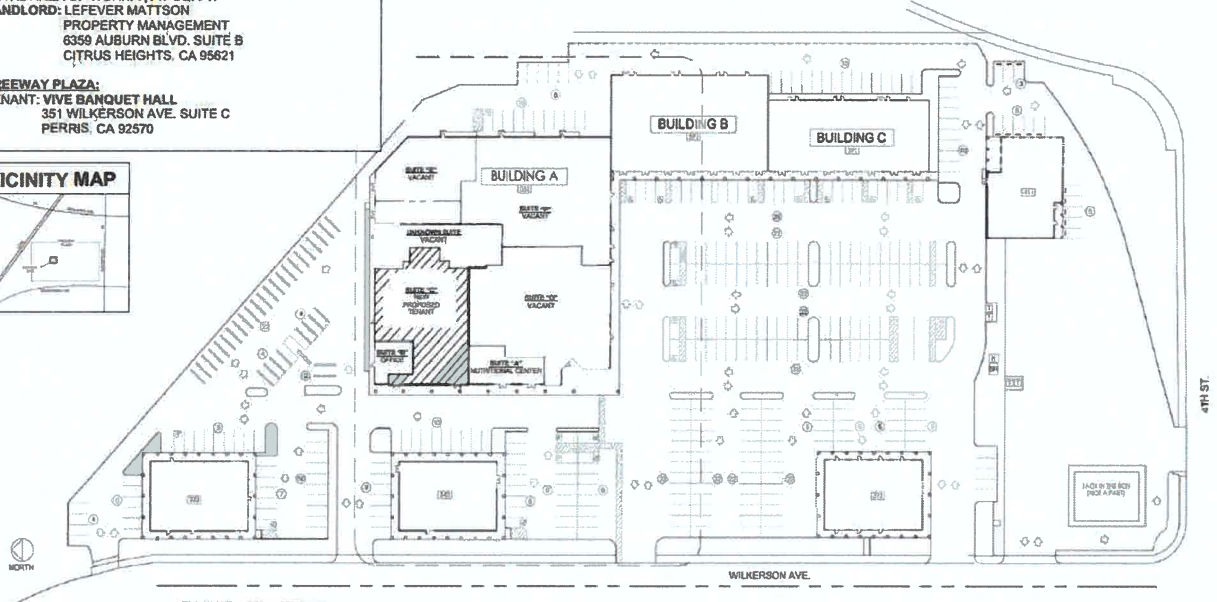
# SITE PLAN

**BUILDING DATA**  
 EXISTING LEASE SPACE TO BE CONVERTED INTO A BANQUET & EVENT SERVICE SPACE. MECHANICAL SYSTEM IS EXISTING.  
 APN: 310-070-078  
 BUILDING STORIES: 1  
 OCCUPANCY GROUP: BANQUET HALL  
 PLUMBING: WOMEN RESTROOM: 3 W/C, 6 LAV  
 MEN RESTROOM: 6 W/C, 4 LAV, 4 URINALS  
 ENTRANCES: 1 (DBL. DR. 72"x84")  
 EXITS: 1 (DBL. DR. 72"x84") W/ PANIC BAR, 1 (36" WIDE)  
 OCCUPANT LOAD: 5,376 SF 200 PERSONS  
 FULLY SPRINKLERED: YES  
 AREA OF WORK SPRINKLERED: YES  
 TOTAL AREA OF WORK: 7,147 SQ. FT.  
 LANDLORD: LEFEVER MATTSON  
 PROPERTY MANAGEMENT  
 6359 AUBURN BLVD. SUITE B  
 CITRUS HEIGHTS, CA 95621

**FREEWAY PLAZA:**  
 TENANT: VIVE BANQUET HALL  
 351 WILKERSON AVE. SUITE C  
 PERRIS, CA 92570

**PARKING TABULATION**

PARKING AREA	REGULAR PARKING	HANDICAP PARKING	COMPACT PARKING	TOTAL
PA	87	5	20	115
PB	185	17	0	202
PC	19	3	0	19
PD	33	0	0	33
<b>TOTAL</b>	<b>320</b>	<b>28</b>	<b>20</b>	<b>388</b>



NOTE: OVERALL SITE PLAN SHOWS FOR REFERENCE ONLY.

EXHIBIT D

Huber Gutierrez  
28489 Forest Oaks Way  
Moreno Valley, CA 92555

CONDITIONAL USE PERMIT #19-05329  
Vive Banquet Hall

February 17, 2020

To whom it may concern:

We are proposing to open an indoor event venue located at 351 Wilkerson Ave. Suite "C" Perris, CA 92570. Our office hours will be Monday through Friday from 9:00am to 5:00pm. Weekday events will be from 5:00pm to 9:00pm. Weekend events will be from 5:00pm to 12:00am. We will have an early start time on weekends for other events, such as children's birthday parties, from 9:00am to 1:00pm. Our business intends to provide everything needed for family oriented events and celebrations (i.e., weddings, quinceañeras, sweet 16s, etc.) through services of our own and through hired vendors.

We intend to provide:

- Event set up (tables and chairs)
- Decorations
- Waiting staff

Our vendors will include:

- DJ
- Catering
- Security guards (according to what is necessary for the event)

As stated above, we will have a caterer that provides what is needed to serve food in the facility. We are not equipped nor licensed to prepare or sell food therefore it shall be provided by Felix Catering located at 24430 Alessandro Blvd. Unit #10 Moreno Valley, CA 92553. An inspection done by the Health Department is unnecessary since we will have a caterer.

We plan to have a licensed security guard circling the inside of the venue and the two exits. The other licensed security guard will be at the entrance and will also provide general security around the exterior of the proposed space. Our hired security guards will be vigilant of any illegal activity and take the necessary action to provide a safe environment for the entire duration of the event.

The intended space of occupancy is 5,376 SF for up to 200 guests. The space will have three accessible emergency exits with light up exit signs at each door. We will have one main entrance/exit to the building with two other emergency exits. Two exits will remain unlocked during the event hours, the other will be closed with a panic bar for emergencies.

Thank you,  
Huber Gutierrez

EXHIBIT E



**CITY OF PERRIS  
POLICE DEPARTMENT  
MEMORANDUM**

**DATE:** March 2, 2020  
**TO:** Planning Department  
Attention: Nathan Perez  
**FROM:** Deputy Donnis Crawford  
(951) 210-1132  
**SUBJECT:** PCN 19-05329

The police department has reviewed the transmitted documents regarding CUP 19-05338. The police department requests that the CUP contain a condition that the applicant. Have serving alcohol through a Type 58 Catering License for on-site alcohol sales and consumption. This Sheriff's Department recommends this to attempt to limit under aged consumption of alcoholic beverages.

EXHIBIT F



**RESOLUTION NUMBER 20-06**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, FINDING THE PROPOSED PROJECT CATEGORICALLY EXEMPT FROM CEQA UNDER SECTION 15301, CLASS 1 EXISTING FACILITIES AND APPROVING CONDITIONAL USE PERMIT 19-05329 TO ESTABLISH AND OPERATE A 5,376 SF INDOOR EVENT VENUE WITH VENDOR FOOD AND ALCOHOL SALES WITHIN SUITE C OF THE PERRIS FREEWAY PLAZA, LOCATED AT 371 WILKERSON AVENUE (APN: 310-070-078), AND MAKING FINDINGS IN SUPPORT THEREOF**

*WHEREAS*, the applicant filed Conditional Use Permit 19-05329, a proposal to establish and operate a 5,376 SF indoor event venue with vendor food sales within suite C of the Perris Freeway Plaza, located at 371 Wilkerson Avenue (APN: 310-070-078); and

*WHEREAS*, the proposed use is in accordance with the objectives of the 4<sup>th</sup> street gateway zone of the downtown specific plan; and

*WHEREAS*, the proposed use is consistent with the City's General Plan and conforms to all zoning standards and other relevant ordinances and resolutions of the City; and

*WHEREAS*, on April 1, 2020, the Planning Commission conducted a legally noticed public hearing on Conditional Use Permit 19-05329, and considered public testimony and materials in the staff reports and accompanying document and exhibit; and, at which time all interested persons were given full opportunity to be heard and to present evidence; and

*WHEREAS*, the City has complied with the California Environmental Quality Act; and

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Commission of the City of Perris as follows:

*Section 1.* The above recitals are all true and correct.

*Section 2.* The Planning Commission has determined that the project is categorically exempt from review under the California Environmental Quality Act (CEQA) under Section 15301, Class 1 Existing Facilities.

*Section 3.* Based on the information contained in the staff report and supporting exhibits and all oral and written presentations and testimony made by City staff and members of the public, the Planning Commission hereby finds the following:

EXHIBIT G

1. The proposed location of the conditional use is in accord with the objectives of this Title and the purposes of the zone in which the site is located.

The proposed location of CUP is in accordance with the objectives of the Conditional Use Permit provisions of the City's Zoning Code, Section 19.61, in that the proposed event hall is desirable for the community and an appropriate use that requires specific conditions and constraints to ensure compatibility with surrounding uses and protect the aesthetics and public, health and welfare of the community.

2. The proposed plan is consistent with the City's General Plan and conforms to all specific plans, zoning standards, applicable subdivision requirements, and other ordinances and resolutions of the city.

The proposed CUP is consistent with the City's General Plan, meets the intent of the 4<sup>th</sup> Street Gateway zone and conforms to applicable provisions of the City's Zoning regulations in that appropriate conditions of approval have been developed to ensure that the use operates according to City policies and regulations to protect the public health and welfare.

3. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

The proposed location of the CUP and the conditions under which it will operate and be maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity, as the project meets relevant zoning regulation requirements and is conditioned so that it operates in a manner that will protect the public health, safety, and welfare of the community.

4. The architecture proposed is compatible with community standards and protects the character of adjacent development.

The proposed use will operate out of an existing building within the Perris Freeway Plaza that has been designed to meet the objectives of the 4<sup>th</sup> street Gateway zone to ensure compatibility with the existing surrounding environment.

5. The landscaping plan ensures visual relief and provides an attractive environment for the public's enjoyment.

The proposed use will operate out of an existing building within the Perris Freeway Plaza, which is fully developed and operational and designed and constructed to meet the objectives of the 4<sup>th</sup> street Gateway zone and City landscaping regulations, to ensure compatibility with the existing surrounding environment and ensure it provides an attractive environment for the public's enjoyment.

**Section 4.** Based on the information contained in the staff report and supporting exhibits and all oral and written presentations and testimony made by City staff and

members of the public, the Planning Commission finds the project is exempt from review under the California Environmental Quality Act (CEQA) pursuant to Article 19 of the California Environmental Quality Act (CEQA) under Section 15301, Class 1 Existing Facilities, and approves Conditional Use Permit 19-05329 to permit the establishment of a 5,376 SF indoor event venue with vendor food and alcohol sales within suite C of the Perris Freeway Plaza, located on a 5.1-acre site in a 4<sup>th</sup> Street Gateway zone at 371 Wilkerson Ave, based on the information and findings presented in the staff report and subject to the attached Conditions of Approval (Exhibit A).

**Section 5.** The Planning Commission declares that should any provision, section, paragraph, sentence, or word of this Resolution be rendered or declared invalid by any court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, and words of this Resolution shall remain in full force and effect.

**Section 6.** The Chairperson shall sign, and the Secretary shall certify to the passage and adoption of this Resolution.

**ADOPTED, SIGNED, and APPROVED** this 1<sup>st</sup> day of April 2020.

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CHAIRPERSON, PLANNING COMMISSION

ATTEST:

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Secretary, Planning Commission

STATE OF CALIFORNIA     )  
COUNTY OF RIVERSIDE    ) §  
CITY OF PERRIS            )

I, Kenneth Phung, SECRETARY OF THE PLANNING COMMISSION OF THE CITY OF PERRIS, DO HEREBY CERTIFY that the foregoing Resolution Number 20-X was duly adopted by the Planning Commission of the City of Perris at a regular meeting of said Planning Commission on this 1<sup>st</sup> day of April 2020 and that it was so adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Secretary, Planning Commission