

CITY OF PERRIS PLANNING COMMISSION

AGENDA

June 19, 2019

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: Shively, Marin, McCarron, Scott,
Chair Hammond, Vice Chair Arras

3. INVOCATION:

4. PLEDGE OF ALLEGIANCE: Commissioner Shively

5. PRESENTATION:

- A. Recognition of Commissioners Arras, Marin, McCarron, and Scott for their service to the Planning Commission

6. CONSENT CALENDAR:

A. Planning Commission Minutes for May 15, 2019

B. **Extension of Time 19-05106** for Tentative Parcel Map 37278, located at the northwest corner of Perris Boulevard and Harley Knox Boulevard. **Applicant:** Elliot Khan

REQUESTED ACTION: Approve a one-year Extension of Time (19-05106) for Tentative Parcel Map 37278, until March 15, 2020, to subdivide 8.28 acres into seven (7) lots to facilitate the construction of a new 47,253 square foot shopping center.

7. PUBLIC HEARING:

A. **Development Plan Review (DPR) 18-00009** – A proposal to construct a 4,536 SF Indoor Commercial Marijuana Cultivation Facility and a 400 SF prefabricated container office to the rear of an existing commercial marijuana dispensary located at 827 Washington Street within the GI zone of the PVCC Specific Plan. **Applicant:** Mr. Stan Jakubowicz, Holistic Inc.

REQUESTED ACTION: Adopt Resolution No. 19-11 finding the project Categorically Exempt from CEQA pursuant to Article 15332 (Class 32) for infill

development and approving Development Plan Review (DPR) 18-00009 to facilitate the construction of a 4,536 SF Indoor Commercial Marijuana Cultivation Facility and a 400 SF prefabricated container office to the rear of an existing commercial marijuana dispensary located at 827 Washington Street, based on the findings contained in the Resolution, and subject to the Conditions of Approval.

- B. Conditional Use Permit (CUP) 19-05083 and Letter of Public Convenience and Necessity (PCN) 19-05084** - Request for a CUP and PCN to upgrade an existing type 20 liquor license (beer and wine) to a type 21 liquor license (general alcohol) which allows for the sale of all types of liquor at an existing mini-mart at 511 E. 4th Street Suite 'A'. **Applicant:** Ike Mephors, Ability Investment, Inc.

REQUESTED ACTION: ADOPT Resolution No. 19-14 finding the project is exempt from CEQA pursuant to Section 15301 (a) under a Class 1, Existing Facilities, and approving Conditional Use Permit 19-05083 and Public Convenience or Necessity 19-05084 to allow the sale of distilled spirits in addition to beer and wine at 511 E. 4th Street, based on the findings contained in the Resolution and subject to the Condition of Approval.

- C. Conditional Use Permit (CUP) 19-05067** – A proposal to construct a 25' tall, 100 SF, double-faced, internally illuminated on-site, freestanding freeway sign located at 820 W. Rider Street within the Business Professional Office (BPO) Zone of the PVCC Specific Plan. **Applicant:** Quiel Signs, Ms. Crissy Mirabella.

REQUESTED ACTION: ADOPT Resolution No. 19-13 finding the project Categorically Exempt pursuant to CEQA Article 19, Section 15311 (Accessory Structures), Class 11 (a), and approving Conditional Use Permit 19-05067, based on the findings contained in the Resolution, and subject to the Conditional of Approval.

8. BUSINESS/WORKSHOP:

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
June 19, 2019

Item

5A

Recognition of Commissioners
Arras, Marin, McCarron, and Scott for their service to the
Planning Commission

Planning Commission Agenda

CITY OF PERRIS
June 19, 2019

Item 6A

Planning Commission Minutes for May 15, 2019

CITY OF PERRIS

MINUTES:

Date of Meeting: May 15, 2019

05:58 PM

Place of Meeting: City Council Chambers

Commission Members Present: Commissioner Marin, Commissioner McCarron, Commissioner Scott, Chairman Hammond, Vice Chair Arras, and Commissioner Shively.

1. CALL TO ORDER:
2. ROLL CALL: Commissioners: Scott, Shively, Marin, McCarron, Chair Hammond, Vice Chair Arras

Commission Members Present: Commissioner Marin, Commissioner McCarron, Commissioner Scott, Chairman Hammond, Vice Chair Arras, and Commissioner Shively.

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

A. Planning Commission Minutes for April 17, 2019

The Chair called for a motion.

M/S/C: Moved by Vice Chair Arras, seconded by Commissioner Marin to Approve the Planning Commission Minutes for April 17, 2019

AYES: Commissioner Marin, Commissioner McCarron, Commissioner Scott, Chairman Hammond, Vice Chair Arras, Commissioner Shively.

NOES:

ABSENT:

ABSTAIN:

7. PUBLIC HEARING:
 - A. Development Plan Review (DPR) 17-00004 – A proposal to construct a two-story 14,020 square-foot warehouse building on a 0.7-acre vacant lot located at the southeast corner of Oleander Avenue and Wade Avenue within the Perris Valley Commerce Center (PVCC) Specific Plan area. Applicant: Samion Shtockmaster, Perris Pharm. REQUESTED ACTION: ADOPT Resolution No. 19-12 finding the proposed project

Categorically Exempt per CEQA Article 15332 (Class 32) for infill development; and approving Development Plan Review 17-00004 to facilitate construction of a 14,020 sq. ft. warehouse building, based on the findings and subject to the Conditions of Approval.

Vice Chair Arras, stated he visited the site prior to the meeting.

Senior Planner Perez, presented the project.

Commissioner McCarron, asked if Staff has spoken to the applicant about signage and requested clarification about a state regulation that prohibits a marijuana leaf on signage.

Commissioner Shively, spoke on a state regulation that prohibits the marijuana leaf from being on signage, and asked about street lighting on the plans.

Chair Hammond, commented on the Building department conditions identifying ADA elevator specifications.

Architect Jonathan Zane, presented the applicant's project to the Commission.

Commissioner McCarron, asked about the shade of green proposed on the building and requested that the color be tasteful.

Commissioner Marin, suggested that the site have exterior fencing to help prevent loitering.

Chair Hammond, further discussed the elevator conditions and whether the City Building department is indeed requiring it.

Designer Arthur Strickler, presented to the Commission the floor to ceiling height.

Owner Mr. Schtockmaster, spoke on the future use of the second story of the business.

Commissioner Marin, complimented the architecture of the building.

Commissioner McCarron, thanked Staff and the applicant for bringing forth a good project, and that hopefully marijuana businesses will follow suit in building a quality facility.

Commissioner Scott, complimented the building design and stated that a newer building style will hopefully bring traffic to legitimate businesses.

Commissioner Shively, approved of the building architecture, and asked Staff how many licenses are within the city and also voiced concern of the total number of the dispensaries within the city.

Vice Chair Arras, approved of the location and design of the project.

Chair Hammond, complimented the design of the project, and spoke further on ADA compliance.

Commissioner Shively, asked if the building will also include cultivation, and commented on a security plan being necessary for such facility.

Planning Manager Phung, clarified that Cannabis Cultivation, Manufacturing and Distribution are permitted within the City under separate licenses.

The Chair called for a motion.

M/S/C: Moved by Commissioner McCarron, seconded by Vice Chair Arras to Approve Development Plan Review (DPR) 17-00004 – A proposal to construct a two-story 14,020 square-foot warehouse building on a 0.7-acre vacant lot located at the southeast corner of Oleander Avenue and Wade Avenue within the Perris Valley Commerce Center (PVCC) Specific Plan area. Applicant: Samion Shtockmaster, Perris Pharm. REQUESTED ACTION: ADOPT Resolution No. 19-12 finding the proposed project Categorically Exempt per CEQA Article 15332 (Class 32) for infill development; and approving Development Plan Review 17-00004 to facilitate construction of a 14,020 sq. ft. warehouse building, based on the findings and subject to the Conditions of Approval.

AYES: Commissioner Marin, Commissioner McCarron, Commissioner Scott, Chairman Hammond, Vice Chair Arras.

NOES: Commissioner Shively.

ABSENT:

ABSTAIN:

8. BUSINESS/WORKSHOP:

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 Marin, spoke on how various developers are moving forward with the upcoming Olympics.

Commissioner McCarron, commented that he looks forward to the next meeting in June.

Commissioner Scott, voiced concern about the review process of incoming sensitive use projects.

Commissioner Shively, asked if research may be done to determine if marijuana signage on billboards is allowable.

Vice Chair Arras, commented that he attended and enjoyed the City of Perris Wellness Health Fair.

Chair Hammond, commented he enjoyed the Live Well Perris Health Fair event, gave kudos to Code Enforcement for resolving graffiti on the Ferguson warehouse, spoke on the City email server situation and the Planning Commission application deadline.

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

Planning Manager Phung, commented on the successful City Health Fair event and thanked the Commissioners for their attendance. He also addressed the City Council nomination in early June for Planning Commission seats and that Dr. Williams is attending an upcoming Vegas Conference to recruit businesses.

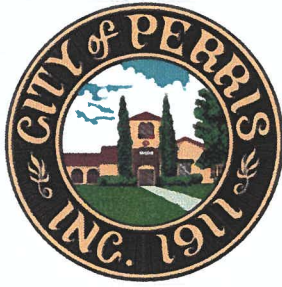
12. ADJOURNMENT

Planning Commission Agenda

CITY OF PERRIS
June 19, 2019

Item 6B

Extension of Time 19-05106



CITY OF PERRIS


PLANNING COMMISSION

AGENDA SUBMITTAL

MEETING DATE: June 19, 2019

SUBJECT: **Extension of Time No. 19-05106 for Tentative Parcel Map 37278**, located at the northwest corner of Perris Boulevard and Harley Knox Boulevard.
Applicant: Elliot Khan

REQUESTED ACTION: **APPROVE** a one-year Extension of Time (19-05106) for Tentative Parcel Map 37278, until March 15, 2020, to subdivide 8.28 acres into seven (7) lots to facilitate the construction of a new 47,253 square foot shopping center.

CONTACT: Dr. Grace Williams, Director of Planning and Economic Development 

BACKGROUND/DISCUSSION:

On March 15, 2017, the Planning Commission approved Conditional Use Permit 16-05165, Conditional Use Permit 16-05171, and Tentative Parcel Map 37278 (PLN 16-05166) to facilitate the construction of a 47,253 square foot shopping center (a.k.a. March Plaza) in two phases located at the northwest corner of Perris Boulevard and Harley Knox Boulevard. The purpose for Conditional Use Permit 16-05171 is to construct a 2,955 square foot 7-Eleven with fueling station as the first phase of the commercial development. Conditional Use Permit 16-05165 is to develop the second phase with a 2,800 square foot carwash, two drive-through restaurants totaling 4,840 square feet, two multi-tenant buildings totaling 31,458 square feet, and a 5,200 square foot stand-alone commercial building. Tentative Parcel Map 37278 is to subdivide 8.28 acres into seven (7) commercial lots.


The applicant is requesting the first of five maximum allowed extensions of time for the Tentative Parcel for a period of one year, extending the expiration date to March 15, 2020. Pursuant to Section 18.12.090(a) of the Perris Municipal Code, the approval or conditional approval of a tentative map shall expire 24 months from the date the map was approved or conditionally approved by the Planning Commission, which would have set an initial two (2) year expiration date on March 15, 2019.

An extension of time for both Conditional Use Permits is not required at this time, as pursuant to Section 19.50.080 the approval of such application shall not expire 36 months from the date the development plan was approved. The two Conditional Use Permit applications are permitted a maximum of three one-year extensions of time.

STAFF REVIEW AND RECOMMENDATION:

Staff recommends the Planning Commission approve a one-year Extension of Time (19-05109) to March 15, 2020, for Tentative Parcel Map 37278. If the subject Tentative Parcel Map is not recorded before the new extension date, a new Tentative Parcel Map application must be filed for separate consideration by the Planning Commission in addition to payment of the appropriate filing fees.

BUDGET (or FISCAL) IMPACT: Cost for staff preparation of this item, cost of construction and payment of impact fees are paid by the applicant.

Prepared by: Nathan Perez, Senior Planner 
Reviewed by: Kenneth Phung, Planning Manager

Exhibits :
A. Conditions of Approval (Planning, Engineering, Public Works)
B. TPM 37278 exhibit
C. Site Plan
D. Elevation

Consent: June 19, 2019

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

CONDITIONS OF APPROVAL

CONDITIONAL USE PERMIT 16-05165

CONDITIONAL USE PERMIT 16-05171

Planning Commission

TENTATIVE PARCEL MAP 16-05166

March 15, 2017

PROJECT: CUP 16-05165 is a proposal to development of a 47,253 s.f. retail center on 8.28 acres at the northwest corner of Harley Knox and Perris Blvds. with a 2,955 s.f. 7-Eleven and fueling station, 2,800 s.f. carwash, two drive-through restaurants, two multi-tenant buildings, and a 5,200 s.f. stand-alone commercial building. CUP 16-05171 proposes development of the 7-Eleven as Phase 1, and the commercial center to be developed speculatively as Phase 2. Tentative Parcel Map 16-05166 will reconfigure two parcels into seven lots. Project improvements include an outdoor seating area for patrons, outdoor break areas for employees, 254 parking stalls, landscaping and new driveways on Harley Knox and Perris Blvds. **Applicants:** Alliance Land Planning & Engineering (March Plaza), and Barghausen Consulting Engineers (7-Eleven)

General Requirements:

1. **Approved Use.** The approved uses under Conditional Use Permit 16-05165 (March Plaza), and Conditional Use Permit 16-05171 (7-Eleven & Fueling Station) are limited to the following on-site commercial services: fast-food drive-through restaurants (2); express carwash; fueling station associated with the 7-Eleven convenience store; two multi-tenant buildings, and one stand-alone building. No permit is granted by this approval for offsite sale of alcoholic beverages.
2. **Conformance to Approved Plans.** Development of the project site, building elevations, and conceptual landscaping shall conform substantially to the set of plans date-stamped March 8, 2017 presented at the March 15, 2017 Planning Commission meeting, or as amended herein. Any deviation shall require Planning Division review and approval.
3. **Approval Period for Conditional Use Permits.** In accordance with P.M.C. Section 19.50.080, Expiration and Extension of Time, this approval shall expire three (3) years from the date of Planning Commission approval. Within three years, the applicant shall demonstrate the beginning of substantial construction as contemplated by this approval, which shall thereafter be diligently pursued to completion, or substantial utilization. A maximum of three (3) one-year extensions may be requested. A written request for extension shall be submitted to the Planning Division at least ten (10) days prior to the initial (and any subsequent extension) expiration of the Conditional Use Permits.
4. **Approval Period for Tentative Parcel Map.** In accordance with the Subdivision Map Act, the recordation of the final map shall occur within two (2) years from the Planning Commission approval, unless an automatic extension is granted by the State of California. The applicant may apply for a maximum of five (5) one-year extensions, to permit additional time to record the final map. A written request for an extension shall be submitted to the Planning Division at least thirty (30) days prior to the initial (and subsequent extensions) expiration of Tentative Parcel Map approval.

Attachment 1
Exhibit A

5. **Development Standards.** The project shall conform to all requirements of the City of Perris Municipal Code Title 19.
6. **Specific Plan Compliance.** The project shall conform to the Commercial (C) standards of the Perris Valley Commerce Center Specific Plan (PVCCSP).
7. **Future Obligation of Buyers and Lessees.** All future buyers and lessees shall be informed of their obligation to comply with these Conditions of Approval. The applicant shall provide a copy of these conditions and inform the buyer or lessee of their obligation to maintain compliance with all local and City ordinances, including but not limited to an annual fire inspection and maintenance of a City business license.
8. **Phasing.** Any phasing plan shall be reviewed and approved by the Development Services Department and the City Engineer. Each phase of the project shall provide adequate drainage and at least two points of paved access to both lots.
9. **7-Eleven.** As the first building to be constructed, these Conditions of Approval apply to the 7-Eleven as they apply to the future development of the March Plaza.
10. **Expansion of Use.** Any future expansion or change of use requires Planning Division review and approval.
11. **Building Official/Fire Marshal.** The project shall comply with all requirements of the Building Official/Fire Marshal.
12. **City Engineer.** The project shall comply with all requirements of the City Engineer's Conditions of Approval dated March 7, 2017.
13. **Public Works Administration.** The project shall comply with all requirements of the Public Works Administration's Conditions of Approval dated November 3, 2016.
14. **Fire Department Conditions.** The project shall comply with the following:
 - a. A fire department access plan shall be submitted to the City for review and approval prior to issuance of a building permit. The access plan shall comply with the requirements specified in the City of Perris Guidelines for Fire Department Access and Water Requirements for Commercial and Residential Development, and the California Fire Code, Chapter 5. If a temporary access road is needed during construction, it shall be identified in the fire access plan.
 - b. A fire department access road complying with California Fire Code, Chapter 5, and approved plans shall be installed prior to building construction.
 - c. All required fire hydrants shall be installed and operational prior to building construction.
 - d. All required fire hydrants shall be readily visible, with a clear space of not less than three feet maintained.
 - e. Prior to construction a temporary address sign shall be posted and be clearly visible from the street.

- f. The permanent building address shall be provided and be either internally or externally illuminated during hours of darkness. The address shall be clearly visible from the street fronting the property and comply with California Fire Code Section 505.1 for size and color.
15. **CEQA Fish and Game Fee.** Within three (3) days of Planning Commission approval, the applicant shall submit a check to the Planning Division, payable to “Riverside County Clerk-recorder,” for \$2,266.25 for payment of State Fish and Game fees and the County documentary handling fee. In accordance with Section 711.4 of the State Fish and Game Code, no project shall be operative, vested, or final until the filing fees have been paid.
16. **Southern California Edison.** The applicant shall contact the Southern California Edison (SCE) area service planner (951) 928-8323 to complete the required forms prior to commencement of construction.
17. **Porte Cochere Requirement.** A decorative trellis structure or equivalent shall be provided and approved by the Planning Division for all drive-up windows associated with drive-through lanes of fast food restaurants, and any other drive-through use (except carwash).
18. **Exterior Downspouts.** Exterior downspouts are not permitted on elevations of any building, or where exposed to public view. Interior downspouts are required.
19. **Screening of Roof-Mounted Equipment.** Roof-mounted equipment shall be fully screened from public view by a parapet, or other approved method.
20. **Screening of Helix Equipment for 7-Eleven Fueling Station.** Helix equipment shall be screened from public view. Horizontal installation is recommended.
21. **Trash Enclosures.** A covered trash enclosure constructed to City standards is required for each building. The trash enclosure shall be easily accessible to the tenant and be screened by landscaping from the public view. The trash enclosure shall have an overhead trellis treatment. Elevations shall be included on final landscape plans for review and approval by the Planning Division.
22. **Graffiti.** Graffiti on the site shall be removed within 48 hours. All perimeter block/tilt-up walls shall be treated with a graffiti resistant coating.
23. **Waste Hauling.** The developer shall use the City-contracted waste hauler (CR&R) for all construction and other waste disposal.
24. **CC&Rs and Shared Access and Parking Agreement.** A shared parking and reciprocal access agreement is required for the development. All owners shall sign and be party to the agreement, subject to the City’s approval and recorded to run with the land, which provides for easements, covenants and conditions relating to applicable parking vehicle access, utility use, maintenance, signage and other common activities between the subject properties. The agreement, together with all attachments, must be submitted to and approved by the Development Services Department and the City Attorney prior to approval of the Final Parcel Map or Certificate of Occupancy, as applicable. The

agreement shall address maintenance responsibilities to include the following:

- a. Shared landscape maintenance responsibilities
 - b. Reciprocal access agreement and any required easements to serve all parcels.
 - c. Reciprocal parking agreement
 - d. Required Sign Program for the project
 - e. Shared maintenance of water quality control devices (natural and artificial BMP's)
 - f. The duties and requirements of the Property Owner's Association or similar shall be set forth in a form acceptable to the City Attorney
25. **On-site & Off-site Utilities.** All utilities facilities attached to buildings, including meters and utility boxes, shall be painted match the wall color of the building which they are affixed. These facilities shall be screened from the public right-of-way by landscaping to the satisfaction of the Planning Division.
26. **Preliminary Water Quality Management Plan (PWQMP).** A Preliminary WQMP was prepared for the proposed project site. This PWQMP was determined to be in substantial compliance, in concept, with the Riverside County WQMP Manual requirements. The following conditions apply:
- a. The development shall be subject to all provisions of City of Perris Ordinance Number 1194, which establishes stormwater/urban runoff management and discharge controls to improve water quality and comply with federal regulations, and any subsequent amendments, revisions, or ordinances pertaining thereto.
 - b. The Low Impact Development (LID) and structural BMPs selected for this project have been approved in concept. The owner shall submit a final WQMP including plans and details providing the elevations, slopes, and other details for the proposed structural BMPs including the Low Impact Development Design features, trash enclosure, roof drain emitters, curb cuts, infiltration basins and vegetative swales.
27. **March Air Reserve Base Standard Conditions of Approval.** The following shall apply to the Project:
- 1.) The following uses shall be prohibited:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.

- (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
 - 2.) Any outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky.
 - 3.) A "Notice of Airport in the Vicinity" shall be provided to all potential purchasers and tenants and shall be recorded as a deed notice.
 - 4.) March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result. Sources of electromagnetic radiation include radio wave transmission in conjunction with remote equipment inclusive of irrigation controllers, access gates, etc.
 - 5.) Any new aboveground detention or water quality basins on the site shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the detention/water quality basin(s) that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.
28. **Indemnification.** 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 an 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 CUP 16-05165, CUP 16-05171 and TPM 16-05166. The 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 Grading Permit Issuance:

29. **Site Lighting Plan.** The site lighting plan shall comply with the City's Outdoor Lighting Regulations and Mount Palomar Observatory's Dark Sky Ordinance. The lighting plan shall include photometrics, fixture details, and light standard elevations. High efficiency fixtures with full-cut off shields shall be used to prevent light and glare above the horizontal plane of the bottom of the lighting fixture. A minimum one (1) foot-candle of light shall be provided to all parking lot and pedestrian areas for safety and security.
30. **Final Water Quality Management Plan.** The Final WQMP shall be approved prior to issuance of the grading permit. including, but not limited to, plans and details providing the elevations, slopes, and other details for the proposed structural source control BMPs, vegetative swales and canopy cover for trash enclosure areas. The Public Works Department shall review and approve the final WQMP plans.

Tentative Parcel Map 16-05166 - Final Recordation:

33. **Application.** The Final Map application shall be submitted to the Planning Division with payment of appropriate fees for review and approval, concurrently with the application to the City Engineer. The Final Map application shall include all necessary road dedications, appropriate easements and street vacations.
34. **Map Recordation.** Prior to recordation of the Final Map, the developer shall obtain the following clearances, approvals or actions:
 - a. Verification from the Planning Division that all pertinent conditions of approval have been met, as mandated by the Perris Municipal Code.
 - b. CC&Rs and Shared Access and Parking Agreements shall be recorded with copies of same provided to project planner.
 - c. The landowner shall convey an avigation easement to the March Inland Port Airport Authority. Contact the March Joint Powers Authority at (951) 656-7000.
 - d. Lots 8 and 9 for street dedication shall be identified alphabetically as Lots A and B on the Final Map.

Prior to Building Permit Issuance:

35. **Final Parcel Map Submittal.** Prior to the issuance of the first building permit, the underlying Tentative Parcel Map shall be submitted for Final Map approval and be recorded with the County of Riverside, with proof of recording provided to the City Planning Division and Engineering Division. The Final Map shall conform substantially to the approved Tentative Map.
36. **Fire Access Plan.** A fire department access plan shall be submitted to the city for review and approval. The fire department access plan shall comply with the requirements specified in the City of Perris Guidelines for Fire Department Access & Water Requirements for Commercial & Residential Development, and the California Fire Code, Chapter 5. The guideline can be obtain from the Building Department or via the internet: <http://www.cityofperris.org/city-hall/forms/fire-forms/FireAccessGuideline.pdf>
37. **Walls and Corner Monumentation.** Plans for perimeter screen walls, plaza screen wall, and corner monumentation shall be submitted with formal landscape plans for approval.
 - a. **Plaza Screen Wall.** The 6-foot high screen wall separating the public plaza from the onsite service road behind the buildings shall be constructed of decorative block materials with cap in a complementary color to the development.
 - b. **Perimeter Wall Plan.** All proposed decorative walls with cap shall be reviewed and approved by the Planning Division prior to building permit issuance. Walls shall conform to the site plan dated January 4, 2017.
 - c. **Corner Monument/Screen Wall.** The corner monument wall shall conform to the site and architectural plans dated January 4, 2017. The wall shall be constructed and receive final sign-off by the Building Division prior to occupancy of the 7-Eleven.

38. **Landscaping Plans and Pavement Enhancements.** Prior to issuance of building permits, three (3) copies of Construction Landscaping and Irrigation Plans shall be submitted to the Planning Division for approval, accompanied by the appropriate filing fee. The landscape and irrigation plan shall be prepared by a registered California landscape architect and conform to the requirements of Chapter 19.70 of the Municipal Code. The location, number, genus, species, and container size of the plants shall be shown. The landscaping shall be consistent with the conceptual landscape plan except as follows:
- a. **BMPs for Water Quality.** All BMPs (vegetated swales, etc.) shall be indicated on the landscape plans with appropriate planting and irrigation.
 - b. **Water Conservation.** Landscaping must comply with AB 325 for water conservation. See Chapter 19.70 (cityofperris.org) for water conservation calculations (MAWA).
 - c. **Shrubs** shall be placed within the planting areas at one shrub per each 30 square feet, except where screen requirements may require a denser planting. 80% of the required planting shall be sized 5 gallon or larger.
 - d. **Streetscape.** Planting within the site shall incorporate plant materials that complement the streetscape.
 - e. **Driveway Entries.** Enhanced landscaping shall be provided at all points of entry to the site.
 - f. **Parking Lot Landscaping.** In parking areas, one 24-inch box tree shall be provided for every six parking stalls. At each end of parking stalls, an 8-foot wide minimum island shall be provided. Two 24" box trees shall be installed in each end parking island. At least 30% of trees shall be 36-inch box or larger.
 - g. **Trees in island planters** shall be installed with lineal root barriers.
 - h. **Trees in front of buildings** where parking is also provided shall be planted in 5 foot clear tree diamonds or similar, with decorative iron or steel grates for protection. These shall replace linear planters where vehicles overhang curb.
 - i. **Palm Trees** incorporated into the landscape design of the site shall have a 12' high minimum brown trunk and be planted in not less than 4-foot clear planters.
 - j. **Carwash Exit Lanes.** Lanes on the south side of the building shall be screened by a minimum 5-foot tall row of closely spaced shrubs to form a hedge.
 - k. **7-Eleven.** The landscaping on both sides of the two new points of access from Perris and Harley Knox Blvds., and along the entire perimeter of the 7-Eleven site shall be completed prior to occupancy.
 - l. **Landscape Inspections.** The project applicant shall inform the on-site project manager and the landscape contractor of their responsibility to call for final landscape inspection after all the landscaping and irrigation have been installed and is completely operational. Before calling for final inspection a "Certificate of Compliance" form shall be completed and signed by the designer/auditor responsible for the project, and submitted to the project planner.
 - m. **Maintenance.** Required landscaping shall be maintained in a viable growth condition.
 - n. **Enhanced Pavement.** Decorative pavement treatments (accent colors, textures, and patterns) shall be utilized to define driveway entrances, walkways and pedestrian rest areas. Circulation walkways shall be constructed of imitation stone. Pedestrian plaza and paving in front of stores shall be decorative stamped

concrete with checkerboard grid design and two complementary colors such as tan and brown.

39. **Plaza Shade Structure.** Details for the large shade structure in the pedestrian plaza shall be included in the landscape plans for approval. Any proposal for use of canvas-type shade cloth shall have a minimum 8-year warranty against sun damage and fading.
40. **Building Plans.** All Conditions of Approval shall be copied onto the approved building plans. Such conditions shall be annotated, directing the viewer to the sheet and detail(s) indicating satisfaction of the conditions.
41. **Planning Clearance.** The applicant shall first obtain clearance from the Planning Division verifying that all pertinent conditions of approval have been met.
42. **Fees.** The developer shall pay the following fees according to the timeline noted herein:
 - a. Prior to the issuance of building permits, the applicant shall pay Stephen's Kangaroo Rat Mitigation Fees of \$500.00 per acre;
 - b. Prior to the issuance of certificate of occupancy, the applicant shall pay City Development Impact Fees;
 - c. Prior to the issuance of building permits, the applicant shall pay Multiple Species Habitat Conservation Plan (MSHCP) fees;
 - d. Prior to issuance of building permits, the applicant shall pay statutory school fees in effect at issuance of building permits to all appropriate school districts; and
 - f. Prior to issuance of building permits, the developer shall pay Road Bridge Benefit District (RBBB) fees; and
 - g. Prior to issuance of building permits, the developer shall pay the Perris Valley Master Drainage Plan fees.
43. **Signage.** This approval does not include signage. The development requires submittal and approval of a Sign Program for all buildings and ground-set signage for the March Plaza retail center. All signs shall be reviewed and approved by the Planning Division prior to the issuance of building permits.

Prior to Issuance of Occupancy Permits:

44. **Assessment and Community Facilities Districts.** The project shall be annexed into any assessment, community facilities, or similar district that provides funding for maintenance, services, or public improvements that benefit the project, as indicated in the as indicated in the Public Works Administration Conditions of Approval (attached).
45. **Final Inspection.** The applicant shall obtain occupancy clearance from the Planning Division by scheduling a final Planning inspection prior to final sign-offs from the Building Division and Engineering Department. Planning staff shall verify that all pertinent conditions of approval have been met.
46. **Occupancy Clearance.** The applicant shall have all required paving, parking, walls, site lighting, signage, landscaping and automatic irrigation installed and in good condition.

Construction and Operational Requirements:

47. **Construction Practices.** To reduce potential noise and air quality nuisances, the following items shall be listed as "General Notes" on the construction drawings:
- a. Construction activity and equipment maintenance is limited to the hours between 7:00 a.m. and 7:00 p.m. Per Zoning Ordinance, Noise Control, Section 7.34.060, it is unlawful for any persons between the hours of 7:00 p.m. of any day and 7:00 a.m. of the following day, or on a legal holiday, or on Sundays to erect, construct, demolish, excavate, alter or repair any building or structure in a manner as to create disturbing excessive or offensive noise.
 - b. Stationary construction equipment that generates noise in excess of 65 dBA at the project boundaries must be shielded and located at least 100 feet from occupied residences. The equipment area with appropriate acoustic shielding shall be designated on building and grading plans. Equipment and shielding shall remain in the designated location throughout construction activities.
 - c. Construction routes are limited to City of Perris designated truck routes.
 - d. Water trucks or sprinkler systems shall be used during clearing, grading, earth moving, excavation, transportation of cut or fill materials and construction phases to prevent dust from leaving the site and to create a crust after each day's activities cease. At a minimum, this would include wetting down such areas in the later morning and after work is completed for the day and whenever wind exceeds 15 miles per hour.
 - e. A person or persons shall be designated to monitor the dust control program and to order increased watering as necessary to prevent transport of dust off-site. The name and telephone number of such persons shall be provided to the City.
 - f. Project applicants shall provide construction site electrical hook-ups for electric hand tools such as saws, drills, and compressors, to eliminate the need for diesel powered electric generators or provide evidence that electrical hook ups at construction sites are not practical or prohibitively expensive.

END CONDITIONS



CITY OF PERRIS

HABIB MOTLAGH, CITY ENGINEER

CONDITIONS OF APPROVAL

P8-1277

March 7, 2017, **Revised Commission Meeting March 15, 2017**

CUP 16-05165, Tentative Financing Parcel Map 37278, CUP 16-05171
(7-11)

With respect to the Conditions of Approval for the above referenced project, the City of Perris requires that the developer provide the following street improvements and/or road dedication in accordance with the City of Perris Municipal Code Title 18. It is understood that the site plan and the map correctly shows all existing and proposed easements, traveled ways, rights-of-way, and drainage courses with appropriate Q's and that their omission may require the map to be resubmitted for further consideration. These Ordinances and the following conditions are essential parts and requirement occurring in ONE is as binding as though occurring in all. They are intended to be complimentary and to describe the conditions for a complete design of the improvements. Unless otherwise noted, all offsite improvements as conditioned shall be installed prior to issuance of any occupancy permits. All questions regarding the true meaning of the conditions shall be referred to the City Engineer's office.

The word "vesting" as shown on the proposed tentative map is not correct and shall be replaced with "Financing".

1. This project is located within the limits of the Perris Valley area drainage plan for which drainage fees have been adopted. Drainage fees shall be paid to the City of Perris prior to issuance of a permit. Fees are subject to change and shall be in the amount adopted at the time of issuance of the permit.
2. The project's grading shall be in a manner to perpetuate existing drainage patterns, any deviation from this, concentration or increase in runoff must have approval of adjacent property owners. Drainage easements shall be obtained from effected property owners or if within this site, shall be shown on the final map. The applicant shall accept the offsite runoff and convey to acceptable outlet.
3. The incremental increase in runoff between developed and undeveloped stage (100-year) and the nuisance runoff shall be retained within onsite private detention basins and connected to Lateral "B" as approved by City and reviewed by County Flood Control.

DEPARTMENT OF ENGINEERING

170 WILKERSON AVE., SUITE D, PERRIS, CA 92570-2200
TEL.: (951) 943-6504 - FAX: (951) 943-8416

4. Onsite landscape area(s) shall be designed in a manner to collect the onsite nuisance runoff in compliance with WQMP Standards.
5. Prior to issuance of any permit, the developer shall sign the consent and waiver forms to join the lighting and landscape districts. The developer shall maintain all ~~onsite and offsite~~ landscaping with exception of median improvements which will be included in landscape maintenance. The proposed streetlights and the maintenance cost of portions of existing and new signals at Harley Knox Boulevard with Perris Boulevard and Indian Avenue and shall be paid for by the property owners through annexation to lighting and landscaping districts.
6. Existing power poles within the project site or along the project boundary (under 65kv), if any, shall be removed and cables undergrounded. All other utility poles, if any, shall be removed and utilities undergrounded.
7. Streetlights shall be installed along perimeter streets adjacent to this site as approved by City Engineer per Riverside County and Southern California Edison standards.
8. This project is located within EMWD's water and sewer service area. The applicant shall install water and sewer facilities as required by EMWD and Fire Department.
9. The applicant shall submit to City Engineer the following for his review:
 - a. Street Improvement Plans
 - b. Signing, Striping, and Signal Plans
 - c. Onsite Grading Plans, SWPPP, and Erosion Control Plan
 - d. Water and Sewer Plans
 - e. Drainage Plans, Hydrology and Hydraulic Reports
 - f. Streetlight Plan
 - g. Final WQMP
 - h. Financing Map

The project's design shall be in compliance with EMWD and Riverside County Standards and coordinated with approved plans for adjacent developments.

10. All pads shall be graded to be a minimum of 1' above 100-year calculated water surface or adjacent finished grade.
11. All grading and drainage improvements shall comply with NPDES and Best Management Practices. Erosion control plans shall be prepared and submitted to Water Quality Board and the City as part of the grading plans. Catch basins shall be installed at all new driveways to eliminate nuisance runoff.

12. 6'-8' concrete sidewalk, handicap ramps, and driveways shall be installed pursuant to Riverside County and ADA standards and as approved by Planning Department. All driveway approaches shall be constructed per Riverside County standards for Commercial Driveway (Std. 207A) and comply with the ADA requirements.
13. All onsite drainage runoff shall be collected via onsite underground facilities and conveyed to proposed master planned facilities.
14. This and other similar projects will significantly impact the transportation infrastructure within the City of Perris and adjacent communities. For this reason, the following transportation related improvements are required to mitigate the initial and the ongoing impact to the transportation facilities.
15. Harley Knox Boulevard from west property line to the intersection of Perris Boulevard shall be improved as required to accommodate the dedicated right turn lane in and transition out.
16. Perris Boulevard from Harley Knox Boulevard north to property line and beyond shall be improved to provide for dedicated right-turn lane at Harley Knox and transition to proposed driveways. Construction of raised landscape median from intersection of Perris Boulevard to north property line shall be required as determined by City.
17. Existing traffic signal shall be relocated, upgraded, as needed to accommodate the above improvements.
18. Traffic index of 11 shall be used for any work on Harley Knox and Perris Boulevard.
19. Minimum of one RTA stop and City/RTA standard shelter shall be provided along Harley Knox and Perris Boulevard as determined by the City Engineer and RTA.
20. Prior to issuance of any permit, final map shall be recorded.
21. Street improvements shall include a class II/III bike lane in accordance with the Perris Trails Master Plan, subject to the approval of the Planning Department.
22. The Financing Map shall be reviewed and approved by City Engineer and shall include dedication of right-of-ways and installation of all monuments.
23. The striping plans shall be prepared by applicant's Traffic Engineer and to comply with the above conditions and requirements.

24. No phasing of offsite improvements shall be permitted.

Habib Motlagh

Habib Motlagh
City Engineer



CITY OF PERRIS

PUBLIC WORKS DEPARTMENT

Engineering Administration

. NPDES .

Special Districts (Lighting, Landscape, Flood Control)

MEMORANDUM

Date: November 3, 2016

To: Diane Sbardellati, Project Planner

From: Michael Morales, CIP Manager 

Subject: CUP 16-05171 CUP 16-05165 TPM 16-05166 – Conditions of Approval
Proposal to construct a 2,940 S.F. convenience store with fueling station, seven planned buildings with various uses, and subdivide 8.28 acres into seven lots within the planned March Plaza Commercial Center, at the northwest corner of Harley Knox Boulevard and Perris Boulevard, within the Perris Valley Commerce Center (PVCC) Specific Plan

-
- 1. Dedication and Landscape Maintenance Easement.** Offer of Dedication and Landscape Maintenance Easement for City landscape maintenance district shall be provided as follows:
 - **Harley Knox Boulevard**–Provide offer of dedication as needed to provide for full half width Street, curb gutter, sidewalk and off-site landscaping requirements, per City General Plan, including minimum 17' public parkway from back of curb.
 - **Perris Boulevard**- Provide offer of dedication as needed to provide for full half width Street, curb gutter, sidewalk and off-site landscaping requirements, per City General Plan, including minimum 17' public parkway from back of curb.
 - **NW Corner of Intersection of Harley Knox Blvd. and Perris Blvd.** Per Section 4.2.9.2 of the PVCCSP developments within "Major Roadway Visual Zone," and Per Section 6.2.2 and 5.0-4 developments located at Community Entries must provide a visually enhanced corner cut-back area and "Entry Monumentation for the Perris Valley Commerce Center." See Section 5.2.1 for roadway standards and guidelines for arterials. See Section 6.0-12 for Gateway Entry Monument and Figure 6.0-15 for design guidelines. The developer shall provide a visually enhanced landscape design within a corner cut back area and Gateway Entry Monument and provide an offer of dedication to the City of Perris within the visually enhanced corner cut-back area. The enhanced corner cut-back shall comply with Figure 5.0-5b and be contained within a minimum 30' area from back of curb.
 - 2. Landscape Maintenance Easement and Landscape Easement Agreement.** The developer shall provide, for review and approval, an Offer of Dedication and certificate of acceptance, complete with legal plat map and legal description to the City of Perris. In addition, if required by the City of Perris, the Developer shall provide a landscape easement and Landscape easement agreement, acceptable to the City of Perris. The City shall record the same with the Riverside County Recorder's Office, and the recorded instrument shall be returned to the City Clerk of the City of Perris for filing.
 - 3. Landscaping Plans.** Three (3) copies of Construction Landscaping and Irrigation Plans for the off-site landscaping, including any medians or other landscape areas along the dedications shall be submitted to the

Planning Department for approval and shall be accompanied by the appropriate filing fee. The landscape and irrigation plan shall be prepared by a registered landscape architect and conform to the requirements of Chapter 19.70 of the Municipal Code. The location, number, genus, species, and container size of the plants shall be shown. This landscape plan shall be titled "LMD Off-site Landscape Plan CUP 16-05171 CUP 16-05165 TPM 16-05166" and shall be mutually exclusive of any private property, on-site landscaping. Elements of the Landscape Plan shall include but not be limited to:

- a. **Landscape Limits** – Limits of right-of-way areas or easement areas, defined by concrete mow curb, fully dimensioned, that are to be annexed into the Landscape Maintenance District. A planting palette and hardscape plan intended to meet the design intent of the Landscape Guidelines in effect for the area; or if no such guidelines exist the design intent of neighboring development, as determined by the Engineering Administration and Special Districts Division, including:
 - **Harley Knox**– Primary Tree: Platanus Acerifolia London plane Tree; Secondary (accent tree): Lagerstromia Indica Indian Tribe Varieties. Use drought resistant shrubs and ground cover intended to complement the existing parkways to the west along Harley Knox Blvd. including but not limited to the following Kangaroo Paw, Nolia Grasses, Agave, Lantana yellow/purple, Red Yucca, Red Hot Poker and hardscape such as creek bed, round stone and decomposed gravel.
 - **Perris Blvd.** Primary Tree: Magnolia Grandiflora 'Samuel Sommers, Secondary (accent tree) Lagerstromia Indica Indian Tribe Varieties. Use drought resistant shrubs and ground cover intended to complement the existing parkways and median along Perris Blvd., including but not limited to the following Kangaroo Paw, Nolia Grasses, Agave, Lantana yellow/purple, Red Yucca, Red Hot Poker and hardscape such as rock creek bed, round stone and decomposed granite.
 - **N/W corner of Intersection of Harley Knox and Perris Boulevard.** Visual enhancement may include, but shall not be limited to two tier masonry planter with stucco fascia in crescent shape to scale of setback, proposed by applicant, and Entry Monument Design, shown in Figure 6.0-12 constructed to the Specifications and Construction Details found in the City of Perris Gateway Entry Construction Plans, to be provided by the City of Perris. Install trees, (in a semi-circle or crescent shape on the upper level), with two levels of drought tolerant shrubs in mid- and foreground planters, as depicted in Figure 6.0-15.
- b. **Irrigation** –A list of irrigation system components intended to meet the performance, durability, water efficiency, and anti-theft requirements for Special District landscape areas as determined by the Engineering Administration and Special Districts Division. Components shall include, but not be limited to Salco or GPH flexible PVC risers, Sentry Guard Cable Guard and Union Guard, and backflow Wilkens Model 375 (or equal). Controller shall include an ET based controller with weather station that is centrally controlled capable and wi-fi ready (Calsense or equal).
- c. **Benefit Zone Quantities** – Include a Benefit Zone quantities table (i.e. SF of planting areas, turf, number of trees, SF. of hardscape, etc.) in the lower right hand corner of the cover sheet for off-site landscape areas, indicating the amount of landscaping the district will be required to maintain.
- d. **Meters** – Each District is required to be metered separately. All electrical and water meters shall be located in locations that are easily accessible to maintenance staff while not visually obtrusive in the street scene and away from street intersections. Show location of separate water and electrical utility meters intended

to serve maintenance district areas exclusively. Show locations of water and electrical meter for landscape district. Show location of water and electrical meter for flood control district. Show location of electrical meter for Traffic signal and street lighting district, on respective plans. Coordinate location of meters on landscape and civil engineering plan.

- e. **Controllers** - The off-site irrigation controllers are to be located within the right of way (preferably within the off-site landscape area). All point of connection equipment including irrigation controller pedestals, electrical meter pedestals, and backflow preventers are to be located in locations that are easily accessible to maintenance staff while not visually obtrusive in the street scene, and away from street intersections. Backflow preventers are to be screened on at least three sides with (5) gallon plant material. The fourth side shall be open to the back of the landscape area in order to allow the backflow cage to be opened without interference with plant materials. Backflow cages shall meet the required City of Perris Engineering Standards in effect at the time of approval.
 - f. **Recycled Water** - If applicable. The project landscape architect shall coordinate with EMWD to verify if the site will be served with recycled water and design all irrigation and landscape plans to meet the requirements of EMWD and provide additional irrigation components as needed.
 - g. **EMWD Landscape Plan Approval** – The project landscape architect shall submit a copy of all irrigation plans and specifications to EMWD for approval. The project landscape architect must confirm with EMWD that the plans have been approved by EMWD and submit written proof of approval by EMWD prior to the City approving the final Landscape Plans. Until the final landscape plan has been approved by the City of Perris, the maintenance areas depicted cannot be accepted by the City for maintenance. The developer shall coordinate the both reviews to ensure acceptability of plans by both EMWD and the City of Perris, prior to approval by either agency.
 - h. **Landscape Weed Barrier** - Weed cloth with a minimum expected life of 10-years shall be required under all mulched areas.
 - i. **Wire Mesh and Gravel At Pull Boxes**- Provide wire mesh and gravel layer within valve boxes to prevent rodent intrusion.
4. **Landscape Inspections.** The project applicant shall inform the on-site project manager and the landscape contractor of their responsibility to call for only "OFF-SITE" landscape and irrigation inspections at the appropriate stages of construction. Inspections shall be scheduled at least two-working days (Monday through Friday) prior to actual inspection. Contact Public Works-Engineering Administration/Special Districts at (951) 956-2120 to schedule inspections.
- **Inspection #1** - Trenches open, irrigation installed, and system pressurized to 150 PSI for four hours.
 - **Inspection #2** - Soil prepared, and plant materials positioned and ready to plant.
 - **Inspection #3** - Landscaping installed, irrigation system fully operational, and request for "Start of 1 year Maintenance Period" submitted, with all required turn-over submittal items provided to Public-Works Engineering Administration/Special Districts.
 - **Turn-Over Inspection**– On or about the one year anniversary of Inspection #3, Developer shall call for an inspection to allow the City to review and identify any potential irrigation system defects, dead plants, weed, debris or graffiti; stressed, diseased, or dead trees; mulch condition, hardscape or other

concerns with the landscape installation; or to accept final turn over of the landscape installation. At his sole expense, the Developer shall be responsible for rectifying system and installation deficiencies, and the one year maintenance period shall be extended by the City until all deficiencies are cured to the satisfaction of the City. If in the opinion of the City's Landscape Inspector the landscape installation is in substantial compliance with the approved landscaping plans, the irrigation and communication system is functioning as intended, and the landscape installation is found to be acceptable to the City, then the Inspector shall recommend to the City's Special District Coordinator to accept turn-over of water and electrical accounts, wi-fi communication contracts and the entire landscape installation.

5. **One Year Maintenance and Plant Establishment Period**-The applicant will be required to provide a minimum of a one (1) year maintenance and plant establishment period, paid at the sole expense of applicant. This one-year maintenance period commences upon the successful completion of Inspection #3 discussed above, and final approval by the City. During this one year period the applicant shall be required to maintain all landscape areas free of weeds, debris, trash, and graffiti; and keep all plants, trees and shrubs in a viable growth condition. Prior to the start of the one year maintenance period, the Developer shall submit a weekly Landscape Maintenance Schedule for the review and approval by the City's Special Districts Division. City shall perform periodic site inspections during the one-year maintenance period. The purpose of these periodic inspections is to identify any and all items needing correction prior to acceptance by the City at the conclusion of the one-year maintenance period. Said items needing correction may include but are not limited to: replacement of dead or diseased plant materials, weeding, replenishment of mulches, repair of damaged or non-functioning irrigation components, test of irrigation controller communications, etc. During this period, the City shall begin the annual assessment of the benefit zone in preparation for the landscape installation turn-over to City maintenance staff.

6. **Street/Off-Site Improvements.** The applicant shall submit street improvement plans, accompanied by the appropriate filing fee to the City Engineering Department. Details of treatments of site improvements, including Bus Stops at Mass Transit Routes, Decorative Traffic Signal Signage, and lighting shall meet both the City Engineer's Design Guidelines, and the additional requirements of the Engineering and Special Districts Division. Components shall include, but not be limited to:
 - a. **Traffic Signal Signage**-If traffic signals are required, decorative signal signage shall meet the type, style, color and durability requirements of the City Engineer's Office.
 - b. **Bus Stops**- If a Bus Stop along a mass transit route is required, a covered shelter and trash receptacle shall be required and the stop furnishings shall meet the type, style, color and durability requirements of the City Engineer's Office.
 - c. **Street Lighting**-If street lighting is required, lighting shall meet the type, style, color and durability requirements, necessary for energy efficiency goals, maintenance and longevity of improvements of the City Engineer's Office. As determined by the City, new streetlights may be required to be deeded to City of Perris, and not SCE. Street lights deeded to City of Perris shall be constructed per LS-3 account billing standard, which shall include an individually metered pedestal for streetlights.
 - d. **Acceptance By Public Works/Special Districts**- Lighting District facilities required by the City Engineer's Office shall be installed and fully operational, and approved by final inspection by the City Engineer's Office, and the City's Consulting Traffic Signal Inspection Team (Riverside County TLMA) at (951) 955-6815. Prior to acceptance for maintenance of "Off-site" traffic signal and lighting facilities by the Public Works-Engineering and Administration Division/Special Districts, the developer shall contact the Public Works Special Districts Division at (951) 956-2120 to schedule the delivery of all required turn-over submittal items. Prior to acceptance into Lighting District 84-1, coordinate turn-over information pertaining to Street Lights, and Traffic Signal Electrical/SCE Service Meters with Shepherd

and Staats, the City's Special Districts Consulting Firm at (760) 639-0124. (i.e. Provide electrical meter number, photo of pedestal, and coordinate "request for transfer of billing information" with SCE and City for all new service meters). Developer shall pay 18-month energy charges to the City of Perris for all off-site street lighting. Call Roxanne E. Shepherd Shepherd & Staats, Inc. for amount due, and to obtain receipt for payment. Obtain and provide a clearance form from Riverside County TLMA indicating completion of all punch list items from traffic signal construction. Submit one large format photo-copy of Traffic Signal as-built plans and timing sheets.

7. **Water Quality Management Plans.** The applicant shall submit a Preliminary and Final WQMP, accompanied by the appropriate filing fee to the Planning Department and City Engineering Department, respectively. Details for treatment control facilities shall meet both the Riverside County WQMP Design Guidelines, and the additional requirements of the Engineering and Special Districts Division intended to reduce long term maintenance costs and longevity of improvements. Components shall include, but not be limited to:
- **Storm Drain Screens-** If off-site catch basins are required by the City Engineer's Office, connector pipe screens shall be included in new catch basins to reduce sediment and trash loading within storm pipe. Connector pipe screens shall meet the type, style, and durability requirements of the Public Works Engineering Administration and Special Districts Division.
 - **WQMP Inspections-** The project applicant shall inform the on-site project manager and the water quality/utilities contractor of their responsibility to call for both "ON-SITE" and OFF-SITE" WQMP Inspections at the appropriate stages of construction. Contact CGRM at (909) 455-8520 to schedule inspections.
 - **Acceptance By Public Works/Special Districts-** Both on-site and off-site flood control/water quality facilities required for the project, as depicted in the Final WQMP, shall be installed and fully operational, and approved by final inspection by the City's WQMP Consultant, CGRM. The Developer shall obtain a final Clearance Letter from CGRM indicating compliance with all applicable Conditions of Approval for the approved WQMP. The developer shall deliver the same to the Public Works-Engineering and Administration Division/Special Districts. In addition, prior to acceptance by the City, the developer shall submit a Covenant and Agreement describing on-going maintenance responsibilities for on-site facilities per the approved WQMP, to the Public Works Engineering Administration and Special Districts Division. The Public Works Engineering Administration and Special Districts Division will review and approve the Covenant and Agreement. The City shall record the same with the Riverside County Recorder's Office, and the recorded instrument shall be returned to the City Clerk of the City of Perris for filing.
8. **Flood Control District #1 Maintenance Acceptance.** Flood Control District facilities required by the City Engineer's Office shall be installed and fully operational, and approved by final inspection by the City Engineer's Office. Prior to acceptance for maintenance of "Off-site" flood control facilities by the Public Works-Engineering and Administration Division/Special Districts the developer shall contact the Public Works Special Districts Division at (951) 956-2120 to schedule the delivery of all required turn-over submittal items including as-built storm drain plans in electronic PDF format, one large format photo-copy of as-built plans, storm drain video report in electronic format, and hardcopy of video report with industry standard notations and still photos made during video runs (i.e. facilities sizes, off-sets or damage, facility type, dirt and debris, etc.). The flood control facilities shall be turned over in a condition acceptable to the City, and the developer shall make all necessary repairs and perform initial maintenance to the satisfaction of the City.

9. **Assessment Districts.** Prior to permit issuance, developer shall deposit \$5,250 per district, \$15,750 total due. Payment is to be made to the City of Perris, and the check delivered to the City Engineer's Office. Payment shall be accompanied by the appropriate document for each district indicating intent and understanding of annexation, to be notarized by property owner(s):
- **Consent and Waiver for Maintenance District No. 84-1** -New street lighting proposed by the project.
 - **Consent and Waiver for Landscape Maintenance District No. 1** -In addition to off-site parkway landscape proposed by this development at Harley Knox, and Perris Boulevard, the project shall pay its fair share of maintenance for the existing landscape medians located on Perris Boulevard and Harley Knox Boulevard
 - **Petition for Flood Control Maintenance District No. 1** -For Off-site Flood Control Facilities proposed by the project
- Original notarized document(s) to be sent to:
Roxanne Shepherd
Shepherd & Staats Incorporated
2370 Edgehill Road
Vista, CA 92084
- a. Prior to final map recordation or final certificate of occupancy the developer shall annex into the aforementioned districts, posting an adequate maintenance performance bond to be retained by the City as required by the City Engineer. Upon receipt of deposit and Consent and Waiver Forms, the developer shall work with City to meet all required milestones for annexations.
 - i. City prepares the Engineer's Reports which includes a description of the improvements to be maintained, an annual cost estimate and annual assessment amounts.
 - ii. Reports are reviewed and approved by the property owner. The assessment ballots will be based on these Reports.
 - iii. The Reports and corresponding resolutions are placed, for approval, on the City Council Meeting Agenda. City Council action will include ordering the assessment ballots and setting a Public Hearing for no sooner than 45 days. Property owner attendance at this City Council Meeting is not required.
 - iv. The assessment ballots are sent to the property owner and are opened by the City Clerk at the close of the Public Hearing. With a "YES" vote by the property owner the City Council can move forward with the Resolution that Confirms the Annexation. Property owner attendance at this Public Hearing is not required.
 - v. Confirmation by the City Council completes the annexation process and the condition of approval has been met.

Planning Commission Agenda

CITY OF PERRIS
June 19, 2019

Item

7A

Development Plan Review (DPR) 18-00009



CITY OF PERRIS

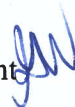
PLANNING COMMISSION

AGENDA SUBMITTAL

MEETING DATE: June 19, 2019

SUBJECT: **Development Plan Review 18-00009** – A proposal to construct a 4,536 SF Indoor Commercial Marijuana Cultivation Facility and a 400 SF prefabricated container office to the rear of an existing commercial marijuana dispensary located at 827 Washington Street within the GI zone of the PVCC Specific Plan. **Applicant:** Mr. Stan Jakubowicz, Holistic Inc.

REQUESTED ACTION: **Adopt Resolution No. 19-11** finding the project Categorical Exempt from CEQA pursuant to Article 15332 (Class 32) for infill development and approving Development Plan Review (DPR) 18-00009 to facilitate the construction of a 4,536 SF Commercial Marijuana Cultivation Facility and a 400 SF prefabricated container office to the rear of an existing commercial marijuana dispensary located at 872 Washington Street, based on the findings contained in the Resolution, and subject to the Conditions of Approval.

CONTACT: Dr. Grace Williams, Director of Planning and Economic Development 

BACKGROUND/DISCUSSION:

The applicant, Holistic, Inc., is proposing to construct a 4,536 SF Indoor Commercial Marijuana Cultivation Facility and a 400 SF prefabricated container office building to the rear of the Westside Collective (WC) Dispensary property located at 872 Washington Street, which currently exists as a separate lot. The WC site plan was administratively approved through a Minor Modification 17-05172 application and has been operational since February 2018. The proposed project requires the approval of a Development Plan Review (DPR) application to allow the Planning Commission to evaluate the architecture and site layout since the proposed new building construction square footage exceeds 2,500 SF. The proposal also requires a lot merger to merge the existing lots, which is in progress, a business license and a separate Cultivation Operator's Permit through the Director of Planning and Economic Development.

The architectural style of the proposed buildings is contemporary. A false façade has been created for the prefabricated container building so that it is architecturally integrated with the existing WC Dispensary building. It contains high-quality accent materials concentrated at entries along the northern façade, where it will be visible from the proposed indoor cultivation building. The indoor cultivation building (greenhouse) is state of the art, pre-engineered metal framed building with pre-manufactured polycarbonate roofing materials that can be manipulated to control natural light so that the flower growing cycle occurs multiple times per year. The south elevation of the cultivation building, which will face the proposed container office building, will provide a false façade to match the container office building and the existing MC Dispensary building. The architecture for the proposed project meets the intent of the PVCCSP architectural design guidelines and the GI zone for a cultivation facility.

The proposed project is located within Zone B1 (i.e., Inner Approach/Departure Zone), within the boundaries of Accident Potential Zone I (APZ I) of the March Air Reserve Base/Inland Port Airport Influence Area, and as such, is in an area defined as high noise (i.e., greater than 65dB CNEL) and accident potential risk. ALUC review was not required as the City's General Plan is consistent with the March ALUCP, and therefore, City staff can determine compatibility. The B1-APZ-I zone restricts intensity to 25 people per average acre and 100 people per single acre per the ALUCP and the Air Force AICUZ interpretation restricts intensity to 25 people per building acre area. The proposed project is consistent with these intensity restrictions, does not include any uses specifically prohibited in this Compatibility Zone and will comply with the standard Conditions of Approval for this Airport Zone.

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 in opposition have been received from the neighboring property owners, commercial tenants or public agencies.

BUDGET (or FISCAL) IMPACT: Costs for staff preparation of this item are borne by the applicant.

Prepared by: Mary Blais, Contract Planner

REVIEWED BY: Kenneth Phung, Planning Manager

Attachments: Staff Report
Exhibit A – Conditions of Approval (Planning, Engineering, Public Works, Fire, Building)
Exhibit B – Aerial View
Exhibit C – Existing PVCCSP Zoning Map
Exhibit D – Site & Landscape Plan
Exhibit E – Architecture
Exhibit F – Resolution 19-11

Consent:

Public Hearing: X

Business Item:

Presentation:

Other:

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

STAFF REPORT

CASE: Development Plan Review No. 18-00009

Environmental Determination: Categorically Exempt per CEQA Article 15332 (Class 32) for infill development

Date: June 19, 2019

Project Planner: Mary Blais

Owner/Applicant: Mr. Stan Jakubowicz
Holistic, Inc.
872 Washington Street
Perris, CA 92571

Location: 872 Washington Street (in the rear of the existing dispensary site)

PROJECT DESCRIPTION: A proposal to construct a 4,536 SF Indoor Commercial Marijuana Cultivation Facility and 400 SF prefabricated container office to the rear of an existing commercial marijuana dispensary located in a GI zone within the Perris Valley Commerce Specific Plan (APN: 314-160-027&028).

Acres: .42-acres

Related Cases: Minor Modification 17-05172 and MMD #17-05118 (Westside Collective Marijuana Dispensary)

EXISTING ZONING AND LAND USE:

Existing Zoning: Perris Valley Commerce Center Specific Plan (PVCCSP) within the underlying General Industrial (GI) Zoning District.

Surrounding Zoning:

<i>Direction</i>	<i>Zoning</i>
North	PVCCSP/GI
South	PVCCSP/GI
East	PVCCSP/GI
West	PVCCSP/GI

Existing Land Use: Partially developed, Disturbed land

Surrounding Land Uses:

<i>Direction</i>	<i>Land Use</i>
North	Industrial, Warehouse, Storage
South	Marijuana Dispensary, Washington Street R-O-W
East	Vacant, Disturbed
West	Vacant, Disturbed

ANALYSIS & REVIEW:

PROJECT BACKGROUND

The applicant, Holistic, Inc., is proposing to construct a 4,536 SF Indoor Commercial Marijuana Cultivation Facility and 400 SF prefabricated container office building to the rear of an existing commercial marijuana dispensary operating as Westside Collective (WC), which is located at 872 Washington Street. The WC site plan was administratively approved through a Minor Modification 17-05172 application and has been operational since February 2018.

The existing WC Dispensary employs fifteen (15) full-time personnel, including three (3), full-time security guards that patrol the site 24 hours a day, seven days per week. The proposed cultivation facility will potentially add up to five (5) additional full-time employees, and the proposed prefabricated office will add office workspace for existing and proposed employees. Both the existing and proposed office facilities would continue to operate from 6 am to 9 pm.

Marijuana Commercial Cultivation is an emerging type of activity resulting from the passage of State-wide Proposition 64 (November 8, 2016). Proposition 64 allowed for the legalization of Marijuana (cannabis) related activities for adult use and provided local jurisdictions with a choice to legalize or prohibit such activities.

In response to this emerging use, the City Council adopted a “Commercial Marijuana Operations Regulatory Program” regulations (Chapter 5.58 of the Perris Municipal Code) in November 2017, to establish a comprehensive set of regulations to allow certain commercial marijuana operations. The Program regulations are intended to ensure such operations are consistent with the overall health, welfare, and safety of the city and its populace, and that such operations are in compliance with California's Compassionate Use Act of 1996, California's Medical Marijuana Program Act of 2003, the Adult Use of Marijuana Act of 2016 (AUMA) (Proposition 64), the Medicinal and Adult-Use Cannabis Regulation and Safety Act of 2017 (MAUCRSA) and all applicable state laws governing commercial marijuana activities.

Section 5.58.110 of the Commercial Marijuana Operations Regulatory Program restricts the location for cultivation operations to Light Industrial (LI) and General Industrial (GI) zones, per Chapter 19.44 of the Perris Municipal Code, which are situated north of Perry Street to the city limits, between the Perris Valley Storm Drain Channel and the I-215 Freeway and north of Watson Road, south of Ellis Avenue, between the Perris Valley Storm Drain Channel and Santa Fe

Railroad. Further, cultivation operations are not permitted within 600 feet of a school, park, place of worship, youth-oriented facility, youth center, day care center, or residential zone.

The proposed indoor commercial marijuana cultivation operation meets the location criteria established by Chapter 5.58 of the Perris Municipal Code and is permitted under Section 2.3 of the PVCCSP and Section 19.44.020 of the Zoning Code.

PROJECT DESCRIPTION

The applicant, Holistic, Inc., is proposing to construct an indoor commercial marijuana cultivation facility and prefabricated container office building to the rear of the WC Dispensary property located at 872 Washington Street, which currently exists as a separate lot. The proposed project requires the approval of a Development Plan Review (DPR) application to allow the Planning Commission to evaluate the architecture and site layout since the proposed new building construction square footage exceeds 2,500 SF. The proposal also requires a lot merger to merge the existing lots, which is in progress, a business license and a separate Cultivation Operator's Permit through the Director of Planning and Economic Development.

The proposed 400 SF prefabricated container office building will house an office for management personnel associated with the existing Westside Collective Dispensary and proposed indoor cultivation facility. It will also contain employee restroom facilities and a 100 SF. of storage space for marijuana that is undergoing the Cultivation Operator's Permit approval process. Approximately 100 SF of the proposed modular building will be devoted to marijuana trimming activities.

The entire 4,536 SF indoor cultivation/greenhouse facility will be utilized for marijuana cultivation activities, which includes planting, growing, harvesting, drying, and curing of marijuana. Per Chapter 5.58, the cultivation facility will not be open to the general public.

The prefabricated container office building will operate the same hours as the WC Dispensary; which is from 6 am to 9 pm. The cultivation facility will operate 24-hrs and will be maintained and operated in accordance with State, City, and affected agency regulations. Because the proposed modular building will provide support activities for Westside Collective Dispensary and the cultivation operation, it will not result in the addition of new employees. However, the cultivation operation is expected to generate a need for 4-6 additional full-time personnel.

PLANNING AREA:

The proposed development is located in Planning Area 1, "North Industrial," of the General Plan, which is primarily designated for industrial-based land uses and development. Planning Area 1 is bound to the north by March Air Reserve Base and the City of Moreno Valley, to the west by the 215 interstate, to the east by Lake Perris, and to the south by Ramona Expressway. The General Plan describes Planning Area 1 as including land uses that are compatible with March Global Port, such as air-cargo support and air-cargo dependent businesses, and uses that would not be disturbed by air cargo or military plane over-flights. It also assumes that heavy truck traffic can be expected in this area.

PROJECT ANALYSIS

GENERAL PLAN AND ZONING CONSISTENCY

The General Plan Designation for the site is PVCCSP with an underlying GI zoning district. The proposed marijuana cultivation operation is a permitted use in the PVCCSP and the underlying GI zone district and is compliance with the location restrictions outlined in Chapter 5.58 (“Commercial Marijuana Operations Regulatory Program”) as outlined above.

Further, as identified in the PVCC Specific Plan, the GI designation provides for the development of basic industrial uses to support a wide range of manufacturing and non-manufacturing uses, from large-scale warehouse and warehouse/distribution facilities to outdoor industrial activities. As such, the proposed project implements the PVCC Specific Plan and is, therefore, consistent with the City’s General Plan.

The project is also consistent with the underlying GI zoning classification, as it would establish the operation of a similar use already established in the area. The project includes required walls and fences for screening, aesthetic and security purposes and meets or exceeds all development and design standards specified for the GI District.

Since the proposed use is consistent with the PVCCSP/GI General Plan Designation and underlying GI zoning district, it is consistent with the General Plan and Zoning. Further, proposed cultivation facility has been designed for compliance with the PVCCSP and the underlying GI zoning district regulations, and as such, the proposed project is consistent with both the General Plan and the Zoning District.

MARB AIRPORT LAND USE COMPATIBILITY PLAN

The proposed project is located within Zone B1 (i.e., Inner Approach/Departure Zone), within the boundaries of Potential Accident Zone I (APZ I) of the March Air Reserve Base/Inland Port Airport Influence Area, and as such, is in an area defined as high noise (i.e., greater than 65dB CNEL) and accident potential risk. ALUC review was not required as the City’s General Plan is consistent with the March ALUCP, and therefore City staff can determine compatibility. The B1-APZ-I zone restricts intensity to 25 people per average acre and 100 people per single acre per the ALUCP and the Air Force AICUZ interpretation restricts intensity to 25 people per building acre area. The proposed project is consistent with these intensity restrictions, does not include any uses specifically prohibited in this Compatibility Zone and will comply with the standard Conditions of Approval for this Airport Zone.

DEVELOPMENT STANDARDS

Development Criteria

The project is subject to compliance with the PVCCSP Development and Design Standards, as well as general provisions for GI uses in Sections 19.02 and 19.44, and landscaping provisions of Section

19.70 where the PVCCSP is silent. Where there is a conflict between these provisions, the more restrictive PVCCSP provisions govern. Table 1 below summarizes and compares the GI PVCCSP against the proposed project, demonstrating that the project fully complies with these standards.

TABLE 1: DEVELOPMENT STANDARD SUMMARY			
PVCCSP Development Standards for GI	Required	Provided	Complies?
Minimum Lot Size	15,000 SF	18,448 SF	Yes
Minimum Lot Width	75'	85'	Yes
Minimum Lot Depth	100'	153'6"	Yes
Lot Coverage by Structure	50 % max	17%	Yes
Floor Area Ratio (FAR)	0.75 FAR	.26 FAR	Yes
Structure Height	50 feet max	23'3" - Greenhouse 9' - Container Office	Yes
Front Setback (Local/ Collector)	N/A	N/A	Yes
Interior Side Setback Adjoining Non-residential	0'	10'	Yes
Rear Setback Adjoining Non-residential	None	10'	Yes
Entries/parking/loading Enhanced Landscape Screening	Required	Provided	Yes
Site Landscape Coverage	10%	11%	Yes
Parking Landscape Coverage	50%	50+%	Yes

As Table 1 shows, the lot coverage by structure is 17%, and the FAR is .26. Thus, the proposed project is in compliance with both the lot coverage and FAR provision of the GI zoning district.

Since the improvements are located in the rear of the existing dispensary building the front yard setback is not applicable. The proposal meets the interior and street side setback requirements, as well as the rear yard setback requirement. Moreover, all other requirements and development criteria are met or exceeded. Overall, the Project adheres to the development standards for General Industrial (GI).

Access and Parking

The site is a rectangular-shaped property located immediately to the rear of the existing WC Dispensary property on a separate lot (north of the dispensary). The site will be accessed from Washington Street, through the existing two-way access drive for WC Dispensary site, which is 26' wide.

The prefabricated container office building is proposed to be located near the existing property line, behind an existing 7' block wall, which will further screen the building. The primary employee-only building entrances are located along the north elevation, facing the proposed indoor cultivation facility and the south facing the existing 7' wall. An ADA path of travel is provided from the proposed office building entrance on the north to the trash enclosure, as required by code.

The two-way drive aisle provides a minimum width of 26' to ensure adequate maneuverability for service vehicles and periodic loading and unloading activities, which will occur at the rear (e.g., north side) of the site, where activities will be less visible. The driveway will be treated with enhanced paving so that it is readily distinguishable to users and meets the PVCCSP design requirements.

Washington Street frontage will be improved as required by the City Engineer, and enhanced landscaping is provided along the Washington Street frontage, parking areas and trash enclosure to soften and enhance buildings and provide shade. ADA-compliant access and parking are also provided close to entrances as required.

Parking requirements for the proposed project are governed by 19.69 of the Zoning Code, which is a blended ratio that accounted for all of the permitted uses contemplated including office and storage. However, because the marijuana cultivation operation is an emerging use, parking requirements warranted further evaluation and the applicant was required to provide information on projected new employees and parking ratio data for similar uses to assist staff in determining and confirming the appropriate number of parking spaces required for the indoor cultivation facility. Because the indoor cultivation facility is only used by a maximum of 2 employees per shift, one space per employee was considered adequate.

Table 2 below provides a summary of the project's parking requirements per Chapter 19.69.

Uses	Square Footage	Ratio Required per 19.69	Required Similar Uses	Spaces Required	Spaces Provided	Complies
Office	100	1/300 SF	N/A	1	2	Yes
Storage/Restroom	200	1/1,000	N/A	0		
Manufacturing (marijuana trimming)	100	1/500 SF	N/A	0		
Cultivation (greenhouse)	4,536	N/A	1/employee	2	2	Yes
TOTAL	4,976	-	-	3	4	Yes

For projects that require between 1 and 25 parking stalls, a minimum of one (1) accessible parking stalls shall be provided per P.M.C. Section 19.69.3. The proposed Project includes one accessible parking stall and three (3) standard stalls for a total of 4 parking spaces, as shown in Table 2 above.

The new parking spaces are located at the rear of the site where they are less visible from the Washington Street right-of-way. The site plan was evaluated to ensure adequate maneuverability for fire and service vehicle access. Overall, the Project meets the PVCCSP and Section 19.69 of the Municipal Code for off-Street parking and loading.

CONCEPTUAL LANDSCAPING

The applicant has submitted a conceptual landscape plan that provides for approximately 11% landscaping coverage, which exceeds the required minimum of 10% coverage in the PVCCSP General Industrial (GI) Zone. Landscaping has generally been provided in areas not covered by structures and hardscape, including parking areas and the trash enclosure. Overall, the landscape design provides for a mix of specimen-size drought-tolerant trees, shrubs, and ground cover to effectively frame and soften, parking areas, the trash enclosure and overall site, which is consistent with the intent of the PVCCSP.

PERIMETER WALL AND FENCING, SECURITY

The perimeter fencing proposed for the project is designed to provide security and screening as well as compliment the building architecture. The northern perimeter fencing is currently a combination of 9' tall metal wrought iron fencing and 7'6" tall concrete block wall. The metal fencing will be replaced with 7'6" concrete block wall, and the entire block wall will be upgraded with stucco and a cap to compliment the site architecture. The southern perimeter is currently fenced with a 5' tall wrought iron fence. The driveway access will be secured with a wrought iron rolling security gate with mesh screening. The east and west perimeter fencing will be upgraded from a combination of 5' tall wood and 7'6" tall concrete block wall to a 7'6" tall concrete block wall with upgraded stucco exterior treatment and cap for the length of the perimeter. There is also an existing 7'8" tall concrete block wall that exists along the existing interior property line that separates the two lots. The wall will be upgraded with exterior stucco treatment and cap, and a sliding gate with mesh screening will be installed across the driveway entrance to the cultivation facility for added security.

In addition to perimeter and internal fencing/walls and wrought iron fencing, security cameras will be stationed inside and outside of the modular and cultivation buildings and at various locations along the perimeter fencing. Also, like the existing Westside Dispensary building, both structures will be equipped with security alarms and monitoring as well as 3, armed, licensed and bonded security guards, which will patrol the premises 24 hours a day, seven days a week. A detailed security plan will be approved as part of the operating permit as mandated by Chapter 5.58 of the Perris Municipal Code, including specific locations for security cameras, alarm locations, etc.

ODOR CONTROL

Cultivation operations can generate natural odors associated with marijuana products. As mandated by Chapter 5.58 of the Perris Municipal Code all cultivation activities are required to occur indoors, within the enclosed building, which must be equipped with ventilation/air filtration systems to ensure that City requirement for odor control are met.

ARCHITECTURE

The architectural style of the proposed buildings is contemporary. A false façade has been created for the prefabricated container building so that it is architecturally integrated with the existing WC Dispensary building. It contains high-quality accent materials concentrated at entries along the northern façade, where it will be visible from the proposed indoor cultivation building. The indoor

cultivation building (greenhouse) is state of the art, pre-engineered metal framed building with pre-manufactured polycarbonate roofing materials that can be manipulated to control natural light so that the flower growing cycle occurs multiple times per year. The south elevation of the cultivation building, which will face the proposed container office building, will provide a false façade to match the container office building and the existing MC Dispensary building.

The floor plans for the proposed structures shown on the plan set to outline how the spaces for each structure will be utilized, as well as their and ingress and egress locations.

ENVIRONMENTAL

The project is categorically exempt pursuant to CEQA Article 15332 (Class 32) for infill development.

PUBLIC/AGENCY COMMENTS

A public hearing notice was sent to property owners within 300 feet of the project site and agencies. As of the writing of this report, no comments have been received by staff.

FINDINGS

The following findings are recommended to the Planning Commission for project approval:

Development Plan Review 18-00009 Findings:

1. The location, size, design, density, and intensity of the proposed development and improvements are consistent with the City's General Plan, the Perris Valley Commerce Center Specific Plan, the purposes and provisions of this Title, the purposes of the Zone in which the site is located, and the development policies and standards of the City.

The proposed development is consistent with the General Plan and the PVCCSP, both of which contemplate general industrial uses on the site, as well as within the surrounding area to promote high-quality industrial land uses to serve the existing and future residents and businesses of the City of Perris. The location, size, density and intensity of the proposed project and the required improvements are consistent with the development policies and standards of the General Plan and the implementing PVCCSP as the proposal provides superior architecture and site design and meets or exceeds all design and development criteria of the underlying GI zoning district and the PVCCSP, which implements the goals and policies of the General Plan and PVCCSP.

Moreover, the proposed project is consistent with General Plan Goal III, Policy III.A, of the General Plan Land Use Element which seeks to provide jobs for residents at all economic levels through commerce and industry and to diversify the local economy.

2. The subject site is physically suitable, including but not limited to parcel size, shape, access, and availability of utilities and services, for the type of development proposed.

The proposed project is physically suitable in terms of parcel size, shape, access and availability to utilities and services, as the site is a companion use to the Westside Collective Dispensary, which front on Washington Street. The proposed project provides for adequate two-way access from Washington Street and the logical extension of infrastructure to service the site. The site is physically suitable to accommodate the proposed development as it is already highly disturbed and surrounded by compatible uses in an area that is rapidly transforming to more intensive industrial uses. The parcel's size and rectangular shape easily accommodate the proposed development, as the proposed site layout and design meets or exceeds all design and development standards. Nearby utility service connections are available to service the site and will be designed, installed, and maintained consistent with City and service agency requirements. As such, the site is physically suitable for the proposed project, in terms of size, shape, access, and services.

3. The proposed development and the conditions under which it would be operated or maintained is compatible with abutting properties and will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

As conditioned, the proposed facility will not be detrimental to the public health, safety or welfare, or injurious to property and improvements in the vicinity or to the general welfare of the City, in that the project is designed in conformance with the design and development standards outlined in the PVCCSP and the City's Zoning Ordinance. Further, the proposed project meets or exceeds the design and development standards of the PVCCSP, and GI zoning development standards as such, will integrate into the existing and contemplated land use fabric of the area.

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

As designed and conditioned, the proposed architecture meets the intent of the PVCCSP architectural design standards, which require consistent use of varied colors, textures and materials, human-scale proportion, and the use of durable and low maintenance materials. It also provides a modern architecture style that will be compatible with and protect the character of the existing Westside Collective Dispensary building, as well as future industrial uses through the application of enhanced development standards, landscaping, setbacks and site design and improvements, which aesthetically enhance the site, while providing privacy, screening and security.

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

As conditioned, the proposed project meets or exceeds the on-site and off-site landscape standards for GI as outlined in Section 19.70 of the Zoning Code as well as those specified in the PVCCSP, providing a mix of drought-tolerant trees, shrubs and ground cover to ensure visual relief and effectively frame, soften and embellish parking areas and trash enclosures and the overall site. As required, areas not covered by structures, drive aisles, parking, or

hardscape have been landscaped, which will provide an attractive environment for the public's enjoyment.

6. The safeguards necessary to protect the public health, safety, and general welfare have been required for the proposed project.

The proposed project provides the safeguards necessary to protect the public health, safety, and general welfare through the conditions of approval, which will ensure that the project is developed in compliance with City and affected service agency codes and policies and mitigate potential impacts to the environment.

RECOMMENDATION:

Staff recommends that the Planning Commission:

ADOPT Resolution No. 19-11 finding the project Categorical Exempt per CEQA Article 15332 (Class 32) for infill development, and approving Development Plan Review 18-00009 to construct a 4,536 SF Indoor Commercial Marijuana Cultivation Facility and 400 SF prefabricated container office to the rear of an existing commercial marijuana dispensary located at 872 Washington Street, based on the findings contained in the staff report, and subject to the Conditions of Approval.

EXHIBITS: Exhibit A – Conditions of Approval (Planning, Engineering, Public Works, Fire, Building)
Exhibit B – Aerial View
Exhibit C – Existing PVCCSP Zoning Map
Exhibit D – Site & Landscape Plan
Exhibit E – Architecture
Exhibit F – Resolution 19-11

CITY OF PERRIS
PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT
CONDITIONS OF APPROVAL

Development Plan Reviews 18-00009

Planning Commission June 19, 2019

PROJECT: A proposal to construct a 4,536 SF Indoor Commercial Marijuana Cultivation Facility and a 400 SF prefabricated container office to the rear of an existing commercial marijuana dispensary located at 827 Washington Street. (APN: 314-160-028) **Applicant:** Stan Jakubowicz.

General Requirements:

1. **Development Standards.** The project shall conform to the General Industrial (GI) zone standards of the Perris Valley Commerce Center Specific Plan (PVCCSP) and Municipal Code Title 19.
2. **City Ordinances and Business License.** The subject business shall maintain compliance with all local and City Ordinances, including but not limited to an annual fire inspection and maintenance of a City business license.
3. **Term of Approval.** This approval shall be used within three (3) years of approval date; otherwise it becomes null and void. By use is meant the beginning of substantial construction within the three (3) year period, which is thereafter diligently pursued to completion or the beginning of substantial utilization, as contemplated by this approval. A maximum of three (3) one-year time extensions shall be permitted.
4. **Compliance with Approved Plans.** All site development and improvements, including building colors and materials shall conform substantially to the approved set of plans presented at the June 5, 2019, Planning Commission meeting, or as amended by these conditions.
5. **Future Buyers and Lessees.** All future buyers and lessees shall be informed of their obligation to comply with these Conditions of Approval.
6. **Expansion.** No expansion of the site or the use shall occur without subsequent reviews and approvals from the Planning Department.
7. **Building Official/Fire Marshal.** The proposed project shall adhere to all requirements of the Building Official/Fire Marshal. Fire hydrants shall be located on the project site pursuant to the Building Official. The applicant shall submit a fire access and fire underground plan prior to construction drawings. Water, gas, sewer, electrical transformers, power vaults and separate fire/water supply lines (if applicable) must be shown on the final set of construction plans pursuant to the requirements of the Building Official. All Conditions of Approval shall be included on building plans. The project

EXHIBIT A

shall adhere to all fire safety/emergency services requirements as mandated by the City Fire Marshal and the Uniform Fire Code, and any applicable city codes and ordinances.

8. **City Engineer.** The project shall adhere to the requirements of the City Engineer as indicated in the attached Conditions of Approval dated April 19, 2019.
9. **Public Works.** The project shall adhere to the requirements of the Public Works Department as indicated in the attached Conditions of Approval dated April 30, 2019.
10. **Fire Department Development Review.** The project shall adhere to the requirements of the Fire Department Development Review as indicated in the attached Conditions of Approval dated March 23, 2019.
11. **Building Department.** The project shall adhere to the requirements of the Building Department as indicated in the attached Conditions of Approval dated September 11, 2018.
12. **Grading Permit.** Prior to issuance of any Grading Permit, the developer shall submit detailed on-site grading, parking, paving, and drainage plans for review by the City Engineer.
13. **Southern California Edison.** The applicant shall contact the Southern California Edison (SCE) area service planner at (951) 928-8323 to complete the required forms prior to commencement of construction.
14. **Screening of Roof-Mounted Equipment.** Parapet walls shall prevent public views of roof-mounted equipment on all elevations of the building.
15. **Signs.** The proposed project does not include signage. All proposed signs shall be reviewed and approved by the Planning Division prior to the issuance of building permits.
16. **Waste-Hauling.** The developer shall use only the City-approved waste hauler for all construction and other waste disposal.
17. **Graffiti.** Graffiti located on site shall be removed within 48 hours. The site shall be maintained in a graffiti-free state at all times.
18. **Property Maintenance.** The project shall comply with provisions of Perris Municipal Code 7.06 regarding Landscape Maintenance, and Chapter 7.42 regarding Property Maintenance.
19. **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).
20. **Setbacks.** No structure shall encroach into the required rear, side or front yard setbacks of any and all lots.

21. **Roof Parapet.** The height of the roof parapet shall fully screen any roof-mounted equipment. All vent pipes and similar devices shall be painted to match the building.
22. **Trash Enclosure.** A covered trash enclosure constructed to City standards is required. The trash enclosure shall be easily accessible to the tenant and be screened by landscaping from the public view. The trash enclosure shall have an overhead trellis treatment. Elevations shall be included on final landscape plans for review and approval by the Planning Division.
23. **Downspouts.** Exterior down spouts are not permitted on the front or side elevations of any building facing the street. Downspouts on these elevations shall be located inside the building
24. **Indemnification.** 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 an 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 Development Review 18-00009. The 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.
25. **Utilities.** All existing and proposed utilities shall be placed underground in accordance with Section 19.02.070 of the Municipal Code, and electrical utility lines rated at 115kv or larger. The location of all proposed aboveground pedestal and utility boxes shall be reviewed and approved by the City Engineer and the Planning Division.
26. **Lighting.** The applicant shall submit a lighting plan with photometrics to the Planning Department for review and approval. Full cutoff fixtures shall be used to prevent light and glare above the horizontal plan of the bottom of the lighting fixture. A minimum of one (1) foot-candle of light shall be provided in parking and pedestrian areas.
27. **SCE.** The Southern California Edison (SCE) area service planner (951 928-8323) should be contacted to complete the required forms prior to commencement of construction.

Construction and Operational Requirements:

28. **Construction Practices.** To reduce potential noise and air quality nuisances, the following items shall be listed as "General Notes" on the construction drawings:
 - a. Construction activity and equipment maintenance is limited to the hours between 7:00 a.m. and 7:00 p.m. Per Zoning Ordinance, Noise Control, Section 7.34.060, it is unlawful for any persons between the hours of 7:00 p.m. of any day and 7:00 a.m. of the following day, or on a legal holiday, or on Sundays to erect, construct, demolish, excavate, alter or repair any building or structure in a manner as to

create disturbing excessive or offensive noise. Construction activity shall not exceed 80 dBA in residential zones in the City.

- b. Stationary construction equipment that generates noise in excess of 65 dBA at the project boundaries must be shielded and located at least 100 feet from occupied residences. The equipment area with appropriate acoustic shielding shall be designated on building and grading plans. Equipment and shielding shall remain in the designated location throughout construction activities.
- c. Construction routes are limited to City of Perris designated truck routes.
- d. If applicable, water trucks or sprinkler systems shall be used during clearing, grading, earth moving, excavation, transportation of cut or fill materials and construction phases to prevent dust from leaving the site and to create a crust after each day's activities cease. At a minimum, this would include wetting down such areas in the later morning and after work is completed for the day and whenever wind exceeds 15 miles per hour.
- e. A person or persons shall be designated to monitor the dust control program and to order increased watering as necessary to prevent transport of dust off-site. The name and telephone number of such persons shall be provided to the City.
- f. Project applicants shall provide construction site electrical hook-ups for electric hand tools such as saws, drills, and compressors, to eliminate the need for diesel powered electric generators or provide evidence that electrical hook ups at construction sites are not practical or prohibitively expensive.

Project-Specific Requirements:

29. **Outdoor Storage.** No outdoor storage is permitted.

30. **Loading Zones.** Loading zones as depicted on the approved site plans shall be maintained. Loading zones shall be designated by labeling and/or striping.

31. **March Air Reserve Base.** As required by the Perris Valley Commerce Center Specific Plan, the following measures shall be implemented to address the project's location within Airport Overlay Zone B1-APZ-I zone, which restricts intensity to 25 people per average acre and 100 people per single acre per the ALUCP and the Air Force AICUZ interpretation restricts intensity to 25 people per building acre area.

- a. Prior to issuance of building permits, the landowner shall have conveyed an avigation easement to the March Inland Port Airport Authority.
- b. Any outdoor lighting installed shall be shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
- c. The following uses shall be prohibited:
 - i) Any use which would direct a steady light or flashing light of red, white, green or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - ii) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft

engaged in a straight final approach towards a landing at an airport.

- iii) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features, aquaculture, composting operations, production of cereal grains, sunflower and row crops, trash transfer stations that are open on one or more sides, recycling centers contain putrescible wastes, construction and demolition debris facilities, and incinerators.)
- iv) Any use that would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
- d. A "Notice of Airport in the Vicinity" shall be provided to all potential purchasers of the property and tenants of the building, and shall be recorded as a deed notice.
- e. All retention and water quality basins shall be designed to dewater within 48 hours of a rainfall event.
- f. The March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communication could result. Sources of electromagnetic radiation include radio wave transmission in conjunction with remote equipment inclusive of irrigation controllers, access gates, etc.
- g. Noise attenuation measures shall be incorporated into the design of the office areas of the structure, to the extent such measures are necessary to ensure that interior noise levels from aircraft operations are at or below 45 CNEL.
- h. The development shall undergo FAA (Federal Aviation Administration) and TERPS (Terminal Instrument Procedures) review prior to issuance of building permits.
- i. The landscaping plan shall require review by the MARB. The landscaping plan will not include fruit trees that could be an attractant for birds.

32. Preliminary Water Quality Management Plan (PWQMP). The PWQMP for the project site was approved on March 23, 2019. The following conditions apply:

A. The development shall be subject to all provisions of City of Perris Ordinance Number 1194, which establishes stormwater/urban runoff management and discharge controls to improve water quality and comply with federal regulations, and any subsequent amendments, revisions, or ordinances pertaining thereto.

B. The structural BMPs selected for this project have been approved in concept. The owner shall submit a final WQMP including plans and details providing the elevations, slopes, and other details for the proposed structural BMPs including the Stormtech Chambers, gravity separator, catch basin insert, self-retaining LID BMPs and trash enclosure. The Public Works Department shall review and approve the final WQMP text, plans and details.

Prior to Grading Permit Issuance:

33. Multiple Species Habitat Conservation Plan Compliance (MSHCP). The applicant shall comply with the following requirements regarding potential burrowing owls on the properties, and for the protection of native nesting birds:

- a. All future clearing, grubbing, tree trimming and removals shall be conducted outside the bird nesting season February 15th to August 31st (Code Regulations 3500 and 3800 of the California Department of Fish and Game).
- b. A pre-construction survey shall be conducted no less than 30 days prior to initial clearing and grading activities to ensure that wintering and/or breeding burrowing owls have not dispersed on site since the time of the initial survey.
- c. If burrowing owls are discovered on site, mitigation such as active relocation may be required on the advice of the biologist of record.

34. **Final Water Quality Management Plan.** The Final WQMP for the proposed projects shall be approved by the Public Works Department.

Prior to Building Permit Issuance:

35. **Landscaping.** Prior to issuance of building permits, three (3) copies of Construction Landscaping and Irrigation Plans shall be submitted to the Planning Division for approval and shall be accompanied by the appropriate filing fee. The landscape and irrigation plan shall be prepared by a California-registered landscape architect and conform to the requirements of the PVCCSP for the General Industrial zone. The location, number, genus, species, and container size of the plants shall be shown. Project landscaping shall be consistent with the conceptual landscape plan from the approved set of plans presented at the June 5, 2019, Planning Commission meeting, or as amended by these conditions. The following shall apply:

- a. **Parking Area Trees.** A minimum of 30 percent of trees shall be 36-inch box or larger. A minimum of one 24-inch box tree per six parking stalls shall be provided.
- b. **BMPs for Water Quality.** All BMPs (infiltration basins, vegetated swales, detention basins, etc.) associated with FWQMPs DPR 18-00006 shall be indicated on the landscape plans with appropriate planting and irrigation.
- c. **Street Trees and Right-of-Way Planting Palette.** Street trees shall be placed a maximum distance of 30 feet on center, utilizing a planting palette consistent with the Perris Valley Commerce Center Specific Plan.
- d. **Maintenance.** All required landscaping shall be maintained in a viable growth condition.
- e. **Irrigation Rain Sensors.** Rain sensing override devices shall be required on all irrigation systems (PMC 19.70.040.D.16.b) for water conservation. Soil moisture sensors are required.
- f. **Landscape Inspections.** The project applicant shall inform the on-site project manager and the landscape contractor of their responsibility to call for landscape inspections.

36. **Lot Merger.** The applicant shall merge the existing two (2) lots into a single lot through a separate Lot Merger application process prior to Building Permit issuance.

37. **Planning Clearance.** The applicant shall first obtain clearance from the Planning Division verifying that all pertinent conditions of approval have been met.

38. **Fees.** The developer shall pay the following fees prior to building permit issuance:

- a. Stephen's Kangaroo Rat Mitigation Fees of \$500.00 per acre
- b. Multiple Species Habitat Conservation Plan fees
- d. Statutory school fees in effect at permit issuance to appropriate school districts
- f. Road Bridge Benefit District (RBBB) fees
- g. Perris Valley Master Drainage Plan fees

39. **Walls/Fencing.** Perimeter and internal walls/fencing shall be in substantial compliance with the approved set of plans presented to Planning Commission on June 5, 2019, which includes upgrading existing concrete block walls with exterior stucco and a cap; removing wood fencing along the east and west perimeter and replacing it with concrete block walls with exterior stucco and a cap; removing existing metal fencing along the northern perimeter and replacing it with upgraded concrete block walls with exterior stucco and a cap; and provided sliding wrought iron metal gates with mesh screening across the driveway entrance along Washington Street and the interior drive for the cultivation operation.

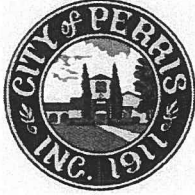
Prior to Issuance of Occupancy Permits:

40. **Final Inspection.** The applicant shall obtain occupancy clearance from the Planning Division by scheduling a final Planning inspection after final sign-offs from the Building Division and Engineering Department. Planning staff shall verify that all pertinent conditions of approval have been met.

41. **Planning Inspection.** The applicant shall have all required parking, lighting, landscaping and automatic irrigation installed and in good condition. The irrigation and landscaping shall conform to the approved landscaping and irrigation plans.

42. **Occupancy Clearance.** The applicant shall have all required paving, parking, walls, site lighting, signage, landscaping and automatic irrigation installed and in good condition.

<end conditions>



CITY OF PERRIS

HABIB MOTLAGH, CITY ENGINEER

CONDITIONS OF APPROVAL

P8-625

April 19, 2019

DPR 18-00009 – Marijuana Greenhouse & Distribution Facility

872 Washington Street

APN 314-027-041 & 042

Lot 14 – MB 14/78

With respect to the Conditions of Approval for the above referenced project, the City of Perris requires that the developer provide the following street improvements and/or road dedication in accordance with the City of Perris Municipal Code Title 18. It is understood that the site plan correctly shows all existing and proposed easements, traveled ways, rights-of-way, and drainage courses with appropriate Q's and that their omission may require the map to be resubmitted for further consideration. These Ordinances and the following conditions are essential parts and requirement occurring in ONE is as binding as though occurring in all. They are intended to be complimentary and to describe the conditions for a complete design of the improvements. Unless otherwise noted, all offsite improvements for Phase 1 as conditioned shall be installed prior to issuance of any occupancy permits. All questions regarding the true meaning of the conditions shall be referred to the City Engineer's office.

1. This project is located within the limits of the Perris Valley area drainage plan for which drainage fees have been adopted. Drainage fees shall be paid to the City of Perris prior to issuance of a permit. Fees are subject to change and shall be in the amount adopted at the time of issuance of the permit.
2. The project's grading shall be in a manner to perpetuate existing drainage patterns, any deviation from this, concentration or increase in runoff must have approval of adjacent property owners. Drainage easements, if required shall be obtained from affected property owners or if within this site, shall be provided and shown on the plan. The applicant shall accept the offsite runoff and convey to acceptable outlets.
3. The incremental increase in runoff between developed and undeveloped stage (100-year) all onsite generated runoff shall be

DEPARTMENT OF ENGINEERING

24 S. "D" STREET, SUITE 100, PERRIS, CA 92570
TEL.: (951) 943-6504 - FAX: (951) 943-8416

retained within onsite private detention basins. Connection to existing lateral B-5 located in Webster Avenue via 18" RCP shall be required. This work requires permit from RCFC.

4. The grate inlet on Washington Street shall be removed.
5. Onsite landscape area(s) shall be designed in a manner to collect the onsite nuisance runoff in compliance with WQMP Standards.
6. Prior to issuance of any permit, the developer shall sign the consent and waiver forms to join the lighting and landscape districts. The developer shall maintain all on and offsite landscaping which will be included in landscape maintenance. The proposed streetlight shall be maintained by City and partial cost paid for by the property owners through annexation to lighting and landscaping districts. This project shall pay its fair share cost of maintenance of signal at Nance Street & Webster Avenue and Markham Street & Webster Avenue.
7. Existing power poles within the project site or along the project boundary (under 66kv), if any, shall be removed and cables undergrounded. All other utility poles, if any, shall be removed and utilities undergrounded.
8. One streetlight shall be installed along perimeter street adjacent to this site as approved by City Engineer per City of Perris standards. Streetlight shall be prepared by Electrical Engineer and shall be LS3, LED.
9. This project is located within EMWD's water and sewer service area. The applicant shall install water and sewer facilities as required by EMWD and Fire Department.
10. The applicant shall submit to City Engineer the following for his review:
 - a. Street Improvement Plans
 - b. Signing and Striping Plans
 - c. Onsite Grading Plans and Erosion Control Plans
 - d. Water and Sewer Plans
 - e. Drainage Plans, Hydrology and Hydraulic Reports
 - f. Streetlight Plan
 - g. Final WQMP

The project's design shall be in compliance with EMWD, Riverside County, and Caltrans Standards and coordinated with approved plans for adjacent developments.

11. All pads shall be graded to be a minimum of 1' above 100-year calculated water surface or adjacent finished grade.
12. All grading and drainage improvements shall comply with NPDES and Best management Practices. Erosion control plans shall be prepared and submitted to Water Quality Board and the City as part of the grading plans.
13. 6' concrete sidewalk and driveway shall be installed pursuant to Riverside County and ADA standards and as approved by Planning Department. All driveway approaches shall be constructed per Riverside County standards for Commercial Driveway (Std. 207A) and comply with the ADA requirements. Pavement transitions shall be constructed per Caltrans standards.
14. Washington Street along the property frontage shall be improved within dedicated right-of-way with minimum 30' of new pavement, concrete curb and gutter and sidewalk located 20' north of centerline within 30' half-width dedicated right-of-way.
15. Washington Street from easterly property boundary to Webster Avenue shall be improved within dedicated right-of-way with minimum 24' of new pavement.

Habib Motlagh

Habib Motlagh
City Engineer



CITY OF PERRIS

PUBLIC WORKS DEPARTMENT

Engineering Administration

. NPDES .

Special Districts (Lighting, Landscape, Flood Control)

MEMORANDUM

Date: April 30, 2019

To: Mary Blais, Associate Planner

From: Public Works

Subject: Condition of Approval for DPR 18-00009 (Formerly ADPR 18-05190) - Proposal to establish and construct a 4,536 SF Commercial Marijuana Cultivation Facility and 300 SF architecturally enhanced container office on an existing .93 acre site partially improved with an existing commercial marijuana dispensary located in a LI zone within the Perris Valley Commerce Specific Plan, The Development Plan Review lays out the proposed Project site plan, architectural elevations, associated parking, fencing and landscaping improvements.

-
1. **Dedication and Landscape Easement** - Offer of Dedication and/or Landscape Easements for City Maintenance shall be provided as follows:
 - a. **Washington Street:** Provide Offer of Dedication, as needed to provide for street curb and gutter, sidewalk and off-site landscaping requirements, per City General Plan and as requested by the City Engineer.
 2. **Landscape Maintenance Easement and Landscape Easement Agreement** - The Developer shall provide, for review and approval, a Landscape Easement for areas identified by City Staff. Offer of Dedication and Landscape Easement by City Staff Agreement, and certificate of acceptance to the City of Perris. The City shall record the same with the Riverside County Recorder's Office, and the recorded instrument shall be returned to the City Clerk of the City of Perris for filing.
 3. **Landscaping Plan Review** – The Developer shall provide the City with Landscape and Irrigation Plans, titled "LMD Off-Site Landscape Plan DPR# 18-00009" and shall be mutually exclusive of any private property and on-site landscaping, during the plan review process for review and approval. **The full set of Landscape and Irrigation Plans shall be submitted for City review and approved prior to the start of construction.** The landscape and irrigation plans shall be prepared by a registered landscape architect and conform to the requirements of Chapter 19.70 of the Municipal Code, the Perris Valley Commerce Center Standards and Guidelines, and approved City of Perris plant list. The location, number, genus, species, and container size of the plants shall be shown. Elements of this Conceptual Landscape and Irrigation Plan shall include but not be limited to the following:
 - a. **Landscape Limits:** Limits of right-of-way areas and/or easement areas clearly defined on plans as well as limits defined by a concrete mow curb, fully dimensioned, that are to be annexed into the Landscape Maintenance District (LMD). A planting palette and hardscape

plan intended to meet the design intent of the Landscape Guidelines in effect for the area; and/or the design intent of neighboring development, as determined by the Special Districts Division.

- a. **Irrigation:** A list of irrigation system components intended to meet the performance, durability, water efficiency, and anti-theft requirements for Special District landscape areas, as determined by the Special Districts Division. Components shall include, but not be limited to Salco or GPH flexible PVC risers for a point to point irrigation system. No drip line will be used in the LMD landscape areas. Sentry Guard Cable Guard and Union Guard, and backflow Wilkens Model 375xl, or approved equal. "SMART" Controller shall include an ET based controller with weather station that is centrally controlled capable and Wi-Fi ready (Weather-Trak or approved equal). At the discretion of the Special Districts Division, public landscape areas utilizing no more than 8 valves/stations, programmed to irrigate consecutively, and none simultaneously, may propose the use of an alternative ET based controller with weather station that is centrally controlled capable and Wi-Fi ready, such as the Weather Trak System, or approved equal. Proposed system shall be complete with wireless weather station, a five year bundle service, blade antenna, flow sensor and master valve. Coordinate locations of irrigation lines on all components of Architectural Plans, Landscape, Engineering, and all other plans.
- b. **Benefit Zone Quantities:** Landscape Plans to include a Benefit Zone quantities table (i.e. SF of planting areas, turf, number of trees, SF. of hardscape, etc.) in the lower right hand corner of the cover sheet for off-site landscape areas, indicating the amount of landscaping the Landscape Maintenance District will be required to maintain.
- c. **Meters:** Each Maintenance District is required to be metered separately. Show location of separate water and electrical utility meters intended to serve maintenance district areas exclusively. Show locations of water and electrical meter for Landscape Maintenance District; Flood Control District; Street Lighting District; Traffic Signal on respective plans. Electrical meter pedestals are to be located in the ROW, easily accessible to maintenance staff while not visually obtrusive in the street scene, and away from street intersections. Coordinate locations of meters on all components of Architectural Plans, Landscape, Engineering, and all other plans.
- d. **Controllers:** The off-site irrigation controller, electrical meter, and water meter are to be located within the right of way (within the off-site landscape area). All points of connection equipment including irrigation controller pedestals, electrical meter pedestals, and backflow preventers are to be located in locations that are easily accessible to maintenance staff while not visually obtrusive in the street scene, and away from street intersections and located in the LMD area. Backflow preventers are to be screened on all sides with five (5) gallon plant material land be enclosed in a metal cage. Coordinate locations of controllers on all components of Architectural Plans, Landscape, Engineering, and all other plans.

4. **The Project Landscape Architect** - Shall submit a copy of all irrigation plans and specifications to

EMWD for review and approval.

5. **Landscape Inspections** - The project applicant shall inform the on-site project manager and the landscape contractor of their responsibility to call for only "OFF-SITE" landscape and irrigation inspections at the appropriate stages of construction, reference attached Inspection Form to be used at the various inspection stages. Inspections shall be scheduled 48-Hours in advance prior to actual inspection (Monday-Friday). Contact Special Districts Supervisor at (951) 657-3280 Ext. 617 to schedule inspections.
- a. **Inspection #1** – Trenches open, irrigation installed, and system pressurized to 150 PSI for four (4) hours.
 - b. **Inspection #2** – Soil prepared, and plant materials positioned and ready to plant.
 - c. **Inspection #3** – Landscaping installed, irrigation system fully operational, and request for "start of a 1 year maintenance period" submitted, with all required turn over submittal items provided to Public works Special Districts. Developer to repair and replace all existing plant material and irrigation damaged during construction activities, City to approve final site conditions.
 - d. **Turn-Over Inspection** – On or about the one year anniversary of Inspection #3, Developer shall call for an inspection to allow the City to review and identify any of the following: potential irrigation defects; dead plant material and weeding; debris or graffiti needing removal; stressed, diseased, or dead trees; mulch condition; hardscape; and/or other concerns with the landscape installation; or to accept final turn over of the landscape installation. At the sole expense of the Owner/Developer, shall be responsible for rectifying irrigation system and installation deficiencies, and the one year maintenance period shall be extended by the City until all deficiencies are cured to the satisfaction of the City. If in the opinion of the City's Landscape Inspector the landscape installation is in substantial compliance with the approved landscaping plans, the irrigation and communication system is functioning as intended, and the landscape installation is found to be acceptable to the City, then the inspector shall recommend to the City's Special District Supervisor to accept turn-over of water and electrical accounts, Wi-Fi communication contracts and the entire landscape installation.

Note: The City reserves the right for the Contractor and/or Developer to pot hole or uncover all irrigation components at the sole expense of the Contractor and/or Developer, if inspection requirements are not met and/or missed inspection, as the City deems necessary.

6. **One Year Maintenance and Plant Establishment Period** – The applicant will be required to provide at a minimum a one (1) year maintenance and plant establishment period, paid at the sole expense of applicant. This one year maintenance period commences upon the successful completion of inspection #3, discussed above, and final approval by the City. During this one year period the applicant shall be required to maintain all landscape areas free of weeds, debris, trash, and/or graffiti removal; and keep all plants, trees and shrubs in a viable growth condition. Prior to start of the one year maintenance period, the developer shall submit a weekly Landscape Maintenance Schedule for the review and approval by the City's Special Districts Supervisor. The City shall perform periodic site

inspections during the one year maintenance period, to identify any and all items needing correction prior to acceptance by the City, at the conclusion of the one year maintenance period. Said items needing correction may include but are not limited to: replacement of dead or diseased plant materials; weeding; replenishment of mulches; and/or repair of damaged or non-functioning components; test of irrigation controller communications; etc. During this period, the City shall begin the annual assessment of the benefit zone in preparation for the landscape installation turn over to the City maintenance staff. The applicant to provide a site point of contact for any site repairs that are needed, prior to final site sign off.

7. **Acceptance into Flood Control District (FCD) #1** - Prior to acceptance into FCD#1, the Developer shall deliver two (2) hard copies and one (1) electronic copy of the Storm Drain Plan As-Builts. Developer to also include one (1) copy (CD or USB Flash Drive) of video of the complete storm drain pipe intersections/transitions, if applicable. The plans and CD to be submitted to the Department of Public Works attention:

Luis Natera
1015 South G Street
Perris, CA 92570
Cell: (951) 634-1187
E-mail: lnatera@cityofperris.org

8. **Street Lights** – Prior to acceptance into Lighting District 84-1, coordinate turn over information pertaining to street lights, and traffic signal electrical/SCE service meters with Liset Hernandez at (951) 657-3280 ex.617. (i.e. provide electrical meter number, photo of pedestal, pole number, and a completed Riverside County Transportation Department Punch List). As-Builts of street lights must be provided, to include one (1) hard copy and a Flash Drive containing As-Builts. Coordinate “request for transfer of billing information” with SCE and City of Perris for all new service meter(s). The Developer shall pay 18 month energy charges to the City of Perris for all site street lighting. Call Daniel Louie, Project Manager at Willdan Financial Services at 951-587-3564 dlouie@willdan.com for amount due and obtaining a receipt for payment.
9. **Assessment District** - Prior to permit issuance, developer shall deposit \$5,250 per District, \$15,750 total due for FCD1, LMD1, 84-1. Payment is to be made to the City of Perris, and check delivered to the City Engineer’s Office. Payment shall be accompanied by the appropriate document for each District indicating intent and understanding of annexation, to be notarized by property owner(s):

- a. **Consent and Waiver for Maintenance District No. 84-1:**
- b. **Consent and Waiver for Landscape Maintenance District No. 1:**
- c. **Petition for Flood Control Maintenance District No. 1:**
- d. **Original notarized document(s) to be sent to:**

Attn: Daniel Louie
Willdan Financial Services

27368 Via Industria #200
Temecula, Ca 92590
P (951) 395-6670 or (951) 587-3500

- e. Additional information related to the annexation process can be obtained by contacting Willdan Financial Services.
 - f. Confirmation by the City Council completes the annexation process and the condition of approval has been met.
- 10. Landscaping Plans** – The developer shall provide three (3) hard copies and one (1) electronic copy of the Landscape and Irrigation As-Built Plans, and a plan titled “LMD Off-Site Landscape Plan DPR# 18-00009”. As-Built copies shall be submitted to the Planning Department for approval and shall be accompanied by the appropriate filing fee.
- 11. Water Quality Management Plans** - The applicant shall submit a Preliminary and final WQMP, accompanied by the appropriate filling fee to the Planning Department and City Engineering Department, respectively. Details for treatment control facilities shall meet both the Riverside County WQMP Design guidelines, and the additional requirements of the City Engineer and Special Districts Division intended to reduce the long term maintenance costs and longevity of improvements. Components shall include, but not limited to:
- a. **Storm Drain Screens:** If off site catch basins are required by the City Engineer’s Office, connector pipe screens shall be included in the new catch basins to reduce sediment and trash loading within the storm pipe. Connector pipe screens shall meet the type, style, and durability requirements of the Public Works Department and Special Districts Division.
 - b. **WQMP Inspections:** The project applicant shall inform the on-site project manager and the water quality/utilities contractor of their responsibility to call for both “ON_SITE” and “OFF_SITE” WQMP inspections at the appropriate stages of construction. Contact CGRM at (909) 455-8520 to schedule inspections.
 - c. **Acceptance by Public Works and Special Districts:** Both on-site and off-site flood control/water quality facilities required for the project, as depicted in the final WQMP, shall be installed and fully operational, and approved by the final inspection by the City’s WQMP Consultant, CGRM and/or City Engineer. The developer shall obtain a Final Clearance Letter from CGRM indicating compliance with all applicable Conditions of Approved for the approved WQMP. The Developer shall deliver the same to the Public Works-Engineering Special Districts. In addition, prior to acceptance by the City, the Developer shall submit a Covenant and Agreement describing ongoing maintenance responsibilities for on-site facilities per the approved WQMP, to the Public Works and Special Districts Division. The Public Works and Special Districts Division will review and approve the Covenant and Agreement. The City shall record the same with the Riverside County

12. The Reports and corresponding resolutions are placed, for approval, on the City Council Meeting Agenda. City Council action will include ordering the assessment ballots and setting a Public Hearing for no more than 45 days. Property owner attendance at this City Council Meeting is not required.



Dennis Grubb and Associates, LLC

Assisting Cities Build Safe Communities

Fire Department Development Review Comments

March 23, 2019

City of Perris
Attn: Mary Blais
135 N. D Street
Perris, CA 92570-2200

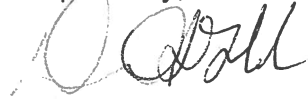
Subject: Development Review for 872 Washington St, DPR 18-00009

As requested a review of the subject property was completed. Please apply the following conditions:

1. Prior to the to the issuance of a grading permits a fire department access plan shall be submitted to the City of Perris for review and approval. The fire department access plan shall comply with the requirements specified by the City of Perris Guideline for Fire Department Access & Water Requirements for Commercial & Residential Development, and the California Fire Code, Chapter 5.
2. A fire department access road complying with the CFC, Chapter 5 and the approved fire department access plans shall be installed prior to building construction.
3. All required fire hydrants shall be installed and operational prior to building construction. All fire hydrants shall remain operational during construction.
4. All required fire hydrants shall be readily visible and immediately accessible. A clear space of not less than 3-feet shall be maintained at all times.
5. Prior to construction a temporary address sign shall be posted and clearly visible from the street.
6. The permanent building address shall be provided and either internally or externally lighted during hours of darkness. The address shall be clearly visible from the street fronting the property and comply with California Fire Code Section 505.1 for size and color.

7. The building shall be provided with an automatic fire sprinkler system in accordance with NFPA 13. Construction plans shall be submitted for review and approval to the City of Perris prior to installation.
8. Prior to building final, the building shall be provided with a Knox Lock key box located no more than seven-feet above the finished surfaced and near the main entrance door.
9. Prior to the issuance of building permits a City of Perris Chemical Classification Disclosure shall be submitted for review and approval. All hazardous materials as defined by the fire code that will either be stored or used at the facility shall be disclosed. The disclosure package can be obtained at <http://www.cityofperris.org/city-hall/forms/fire-forms/ChemicalClassificationPackage01-17.pdf>

Respectfully,



Dennis Grubb, CFPE

SRC COMMENTS
***** BUILDING & SAFETY *****

*second review
comments
sent to Applicant
7-11*

Planning Case File No(s): DEVELOPMENT PLAN REVIEW #18-00009

(ADPR/DPR -18-05190)

Case Planner: Mary Blais

Applicant: Mr. Stan Vaughn

Location: 872 Washington Street

Project: Proposal to establish a Commercial Marijuana Cultivation Facility on an existing, partially improved .93 acre site, 7.0ncc ~~C~~-1 and located within the Perris Valley Commerce Specific Plan, including the construction of a 4,536 square foot greenhouse, 300 square foot office building, parking, landscaping and associated improvements.

Reviewed By: Jesse Sanchez, CBO

Date: 09/11/2018

Specific Conditions:

- A) Perris City Code Sec. 5.58.126. New building shall be equipped with an automatic fire sprinkler system, in accordance with NPFA 13, California Fire Code (Section 903), and the Perris Municipal Code with zero (0) square foot requirement.
- B) Provide a fire flow report from the hydrant closest to the property. A City of Perris Water Availability/Fire Flow Form shall be completed. The form can be obtained from the City of Perris Development Services Department.
- C) Project shall be in conformance with all requirements specified in CHAPTER 5.58. - COMMERCIAL MARIJUANA OPERATIONS REGULATORY PROGRAM.
- D) Washington St is identified as a "Dirt Road." California Fire Code §503.2.3 requires that the fire department access road be "all-weather." A dirt road does not meet the requirement. Before any new construction can be allowed Washington Street is required to meet all-weather requirements (asphalt, concrete, etc.) as specified by the California Fire Code.

Specific Comments (NOTE: These comments are not Conditions!):

- A) On site plan illustrate accessible paths of travel between all buildings.
- B) Verify minimum number of plumbing facilities for customers and employees are provided as per CPC Ch. 4.
- C) Illustrate new public sewer and lateral for this project.

GENERAL CONDITIONS

- 1. Shall comply with the latest adopted edition of the following codes as applicable:
 - A. California Building Code
 - B. California Residential Code
 - C. California Electrical Code
 - D. California Mechanical Code
 - E. California Plumbing Code
 - F. California Energy Code.
 - G. California Fire Code
 - H. California Green Building Standards Code.
- 3. The requirements of the Department of Environmental Health Services and the Air Quality Management District shall be satisfied prior to the issuance of any permit if hazardous materials are stored and/or used.
- 4. All lot lines, easement lines, etc. shall be located and/or relocated in such a manner as to not cause any structure to become non-conforming with the requirements of the latest adopted edition of the Building Code, or any other applicable law, ordinance, or code.
- 10. The coach shall bear a State of California, Department of Housing and Community Development (HCD) insignia indicating the occupancy group and design loads that the coach conforms to, and other relevant information regarding exiting, fire safety, electrical, plumbing and mechanical. The foundation system, porch and awning shall comply with plans that bear the HCD "Standard Plan Approval" stamp. The coach and foundation system shall comply with the City of Perris design loads and site specific conditions.

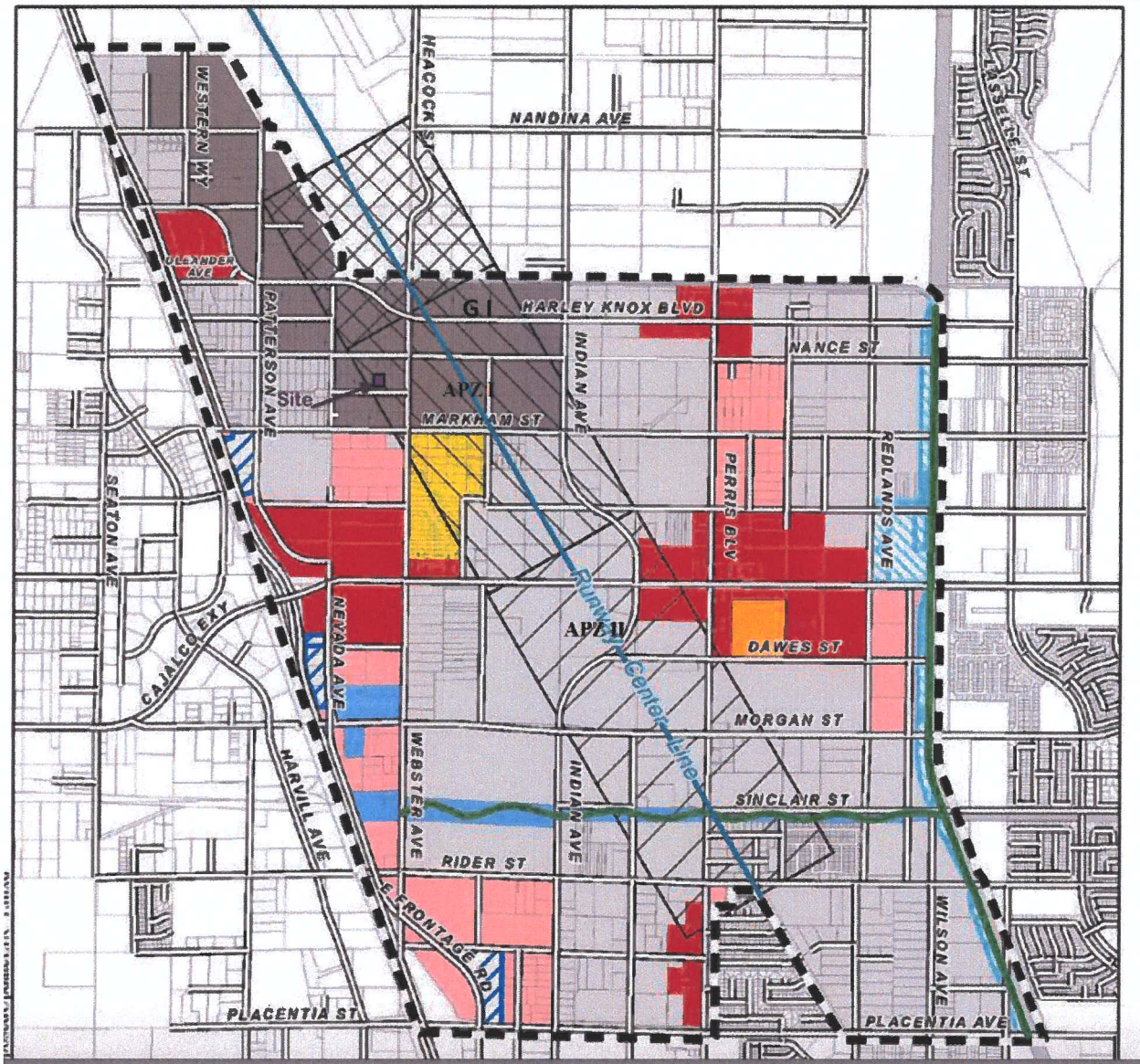
PRIOR TO ISSUANCE OF BUILDING/CONSTRUCTION PERMITS

- 14. The following items shall be completed and/or submitted as applicable – prior to the issuance of building permits for this project:
 - A. Precise grading plans shall be approved
 - B. Rough grading completed
 - C. Compaction certification
 - D. Pad elevation certification
 - E. Rough grade inspection signed off
- 15. If hazardous substances are used and/or stored, a technical opinion and report, identifying and developing methods of protection from the hazards presented by the hazardous materials may be required. This report shall be prepared by a qualified person, firm, or corporation and submitted to Building & Safety. This report shall also explain the proposed facility's intended methods of operation and list all of the proposed materials, their quantities, classifications, and the effects of any chemical (material) inter-mixing in the event of an accident or spill.
- 16. The existing parcels shall be combined into a single parcel, or a lot line adjustment shall be done so that the buildings and associated elements including access and utilities do not cross any lot line and complies with all requirements of the California Codes, prior to any building permits being issued.

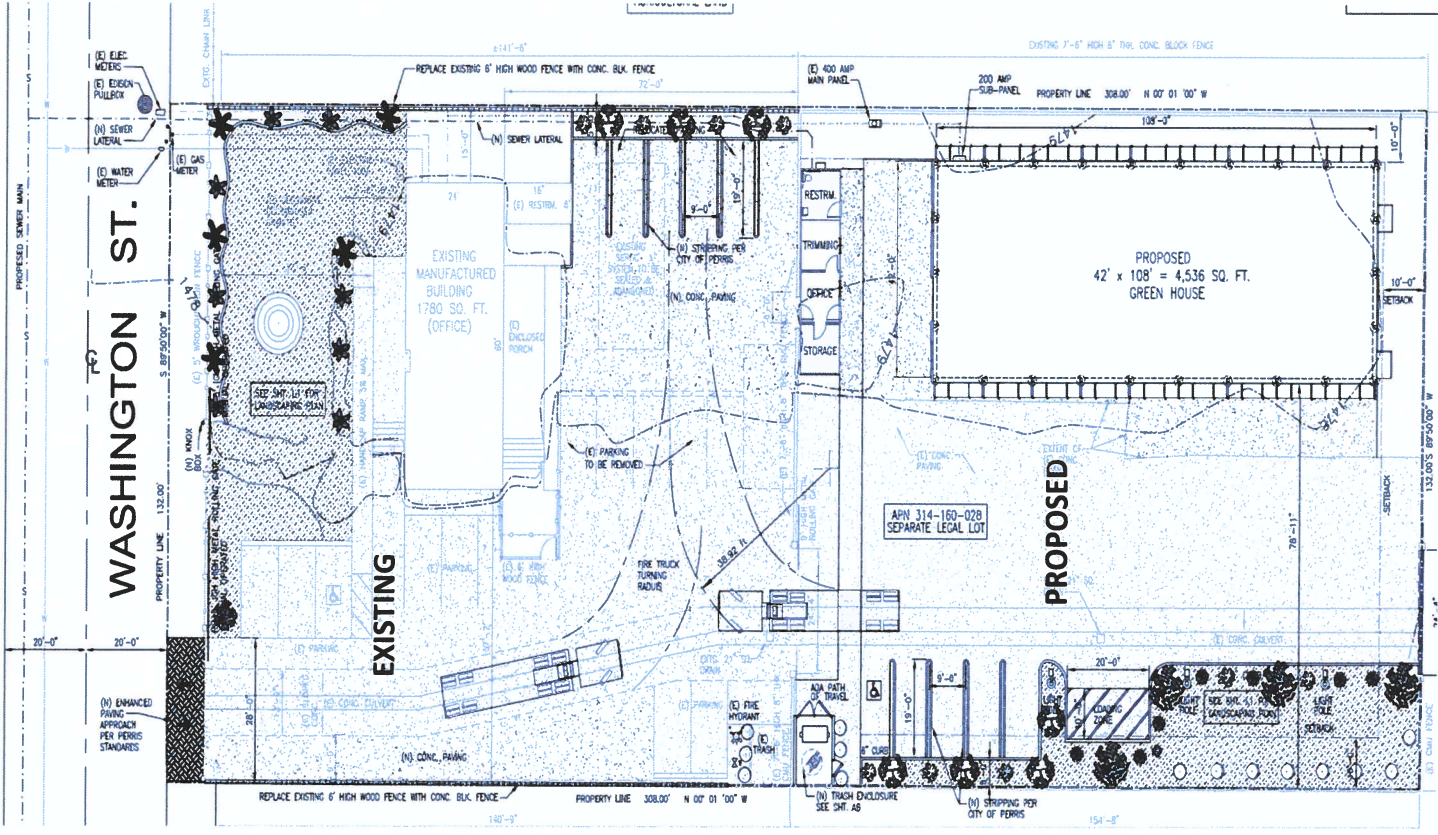
EXHIBIT B
Aerial View
DPR 18-00009



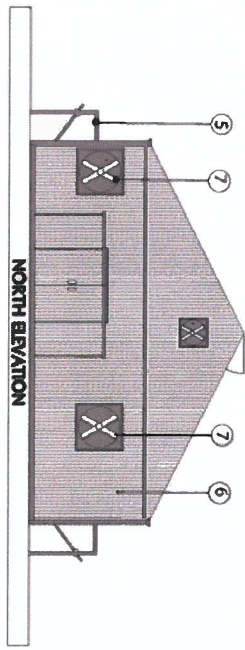
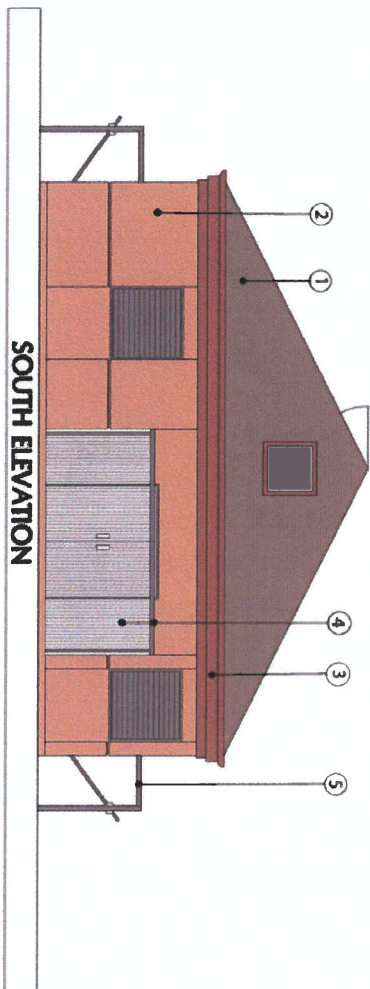
EXHIBIT C
PVCCSP GI ZONING, AIRPORT ZONE
DPR 18-00009



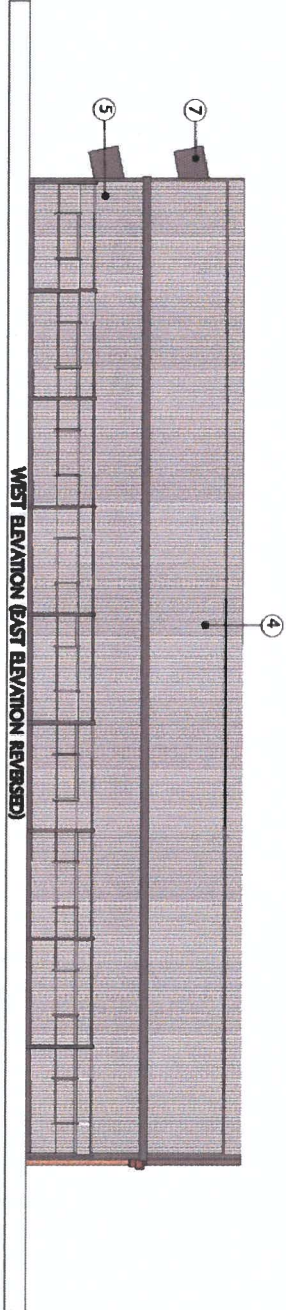
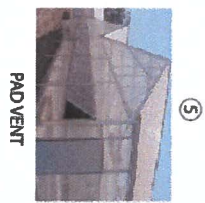
DPR 18-00009 Site, Landscaping Plan



Cultivation Building



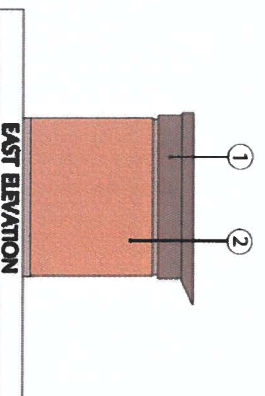
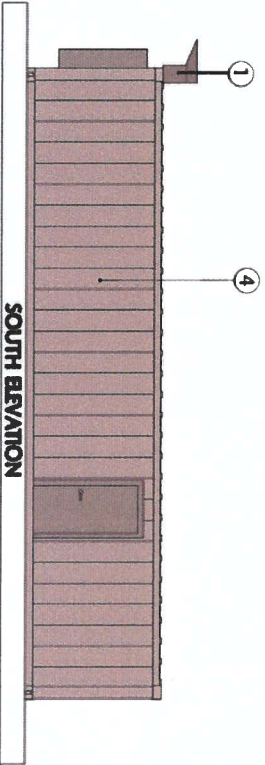
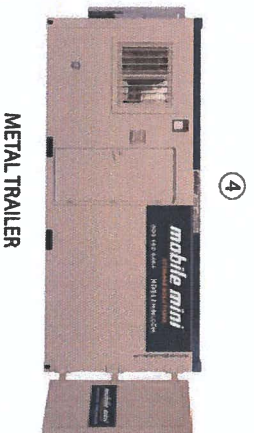
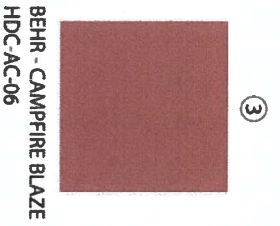
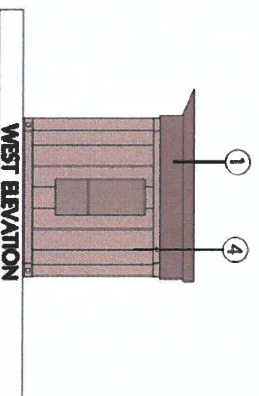
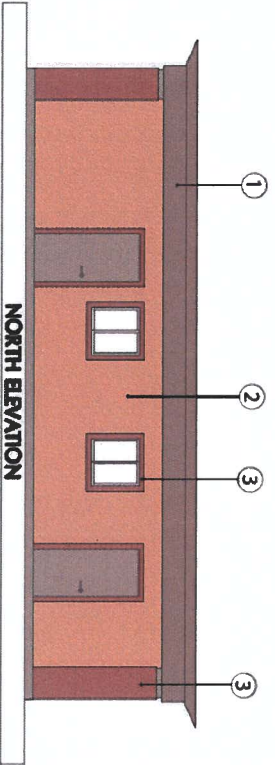
- ① BEHR-GNISTOL BEIGE HDC-AC-A4
- ② BEHR-BUTTER NUT HDC-AD-A3
- ③ BEHR-CAMPFIRE BLAZE HDC-AC-06
- ④ POLYCARBONATE PER MANUFACTURER



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 space planning • interior design
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 e-mail paragondesign2@msa.com



Prefab Office Building



RESOLUTION NO. 19-11

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, FINDING THE PROJECT EXEMPT FROM CEQA PURSUANT TO ARTICLE 15332 (CLASS 2) FOR AN INFILL DEVELOPMENT, AND APPROVING DEVELOPMENT REVIEW PLAN 18-00009 TO FACILITATE THE CONSTRUCTION OF A 4,536 SF COMMERCIAL MARIJUANA CULTIVATION FACILITY AND A 400 SF PREFABRICATED CONTAINER OFFICE BUILDING TO THE REAR OF AN EXISTING MARIJUANA DISPENSARY LOCATED AT 872 WASHINGTON STREET AND MAKING FINDINGS IN SUPPORT THEREOF

WHEREAS, the applicant filed a Development Plan Review (DPR) application to develop to establish an Indoor Commercial Marijuana Cultivation Facility (Type 1A) on an existing, partially improved .42-acre site, including the construction of a 4,536 SF greenhouse, 400 SF modular building, parking, landscaping and associated improvements, located immediately north of 872 Washington Street, within the Perris Valley Commerce Specific Plan in a GI zone (APN: 314-160-028); and

WHEREAS, the proposed project is consistent with the Perris Valley Commerce Center Specific Plan, the City's General Plan, and the Zoning Code, and conforms to all zoning standards and other Ordinances and Resolutions of the City; and

WHEREAS, Development Plan Review application 18-00009 was filed by the applicant on June 19, 2018; and

WHEREAS, on June 19, 2019, the Planning Commission conducted a legally noticed public hearing on Development Plan Review 18-00009, 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 exempt from review under the California Environmental Quality Act (CEQA) pursuant to

EXHIBIT F

Section 15332 Class 32 for infill development within city limits on less than five acres of land in compliance with applicable general plan policies and zoning requirements. The Planning Commission further finds and determines that the City has complied with the California Environmental Quality Act, and their determination reflects the independent judgment of the Commission.

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:

Development Plan Review 18-00009 Findings:

1. The location, size, design, density, and intensity of the proposed development and improvements are consistent with the City's General Plan, the Perris Valley Commerce Center Specific Plan, the purposes and provisions of this Title, the purposes of the Zone in which the site is located, and the development policies and standards of the City.

The proposed development is consistent with the General Plan and the PVCCSP, both of which contemplate general industrial uses on the site, as well as within the surrounding area to promote high-quality industrial land uses to serve the existing and future residents and businesses of the City of Perris. The location, size, density and intensity of the proposed project and the required improvements are consistent with the development policies and standards of the General Plan and the implementing PVCCSP as the proposal provides superior architecture and site design and meets or exceeds all design and development criteria of the underlying GI zoning district and the PVCCSP, which implements the goals and policies of the General Plan and PVCCSP.

Moreover, the proposed project is consistent with General Plan Goal III, Policy III.A, of the General Plan Land Use Element which seeks to provide jobs for residents at all economic levels through commerce and industry and to diversify the local economy.

2. The subject site is physically suitable, including but not limited to parcel size, shape, access, and availability of utilities and services, for the type of development proposed.

The proposed project is physically suitable in terms of parcel size, shape, access and availability to utilities and services, as the site is a companion use to the Westside Collective Dispensary, which front on Washington Street. The proposed project provides for adequate two-way access from Washington Street and the logical extension of infrastructure to service the site. The site is physically suitable to accommodate the proposed development as it is already highly disturbed and surrounded by compatible uses in an area that is rapidly transforming to more intensive industrial uses. The parcel's size and rectangular shape easily accommodate

the proposed development, as the proposed site layout and design meets or exceeds all design and development standards. Nearby utility service connections are available to service the site and will be designed, installed, and maintained consistent with City and service agency requirements. As such, the site is physically suitable for the proposed project, in terms of size, shape, access, and services.

3. The proposed development and the conditions under which it would be operated or maintained is compatible with abutting properties and will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

As conditioned, the proposed facility will not be detrimental to the public health, safety or welfare, or injurious to property and improvements in the vicinity or to the general welfare of the City, in that the project is designed in conformance with the design and development standards outlined in the PVCCSP and the City's Zoning Ordinance. Further, the proposed project meets or exceeds the design and development standards of the PVCCSP, and GI zoning development standards as such, will integrate into the existing and contemplated land use fabric of the area.

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

As designed and conditioned, the proposed architecture meets the intent of the PVCCSP architectural design standards, which require consistent use of varied colors, textures and materials, human-scale proportion, and the use of durable and low maintenance materials. It also provides a modern architecture style that will be compatible with and protect the character of the existing Westside Collective Dispensary building, as well as future industrial uses through the application of enhanced development standards, landscaping, setbacks and site design and improvements, which aesthetically enhance the site, while providing privacy, screening and security.

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

As conditioned, the proposed project meets or exceeds the on-site and off-site landscape standards for GI as outlined in Section 19.70 of the Zoning Code as well as those specified in the PVCCSP, providing a mix of drought-tolerant trees, shrubs and ground cover to ensure visual relief and effectively frame, soften and embellish parking areas and trash enclosures and the overall site. As required, areas not covered by structures, drive aisles, parking, or hardscape have been landscaped, which will provide an attractive environment for the public's enjoyment.

6. The safeguards necessary to protect the public health, safety, and general welfare have been required for the proposed project.

The proposed project provides the safeguards necessary to protect the public health, safety, and general welfare through the conditions of approval, which will ensure that the project is developed in compliance with City and affected service agency codes and policies and mitigate potential impacts to the environment.

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 hereby finds the project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15332 Class 32 for infill development, and approves Development Plan Review (DPR) 18-00009 to facilitate the construction of a 4,536 SF Commercial Marijuana Cultivation Facility and a 400 SF prefabricated container office to the rear of an existing commercial marijuana dispensary located at 872 Washington Street, based on the findings contained in the Resolution, and subject to the 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 19th day of June 2019.

CHAIRPERSON, PLANNING COMMISSION

ATTEST:

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 19-11 was duly adopted by the Planning Commission of the City of Perris at a regular meeting of said Planning Commission on 19th day of June 2019, and that it was so adopted by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

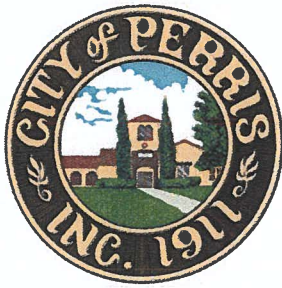
Secretary, Planning Commission

Planning Commission Agenda

CITY OF PERRIS
June 19, 2019

Item 7B

Conditional Use Permit (CUP) 19-05083
and Letter of Public Convenience and Necessity (PCN) 19-05084



CITY OF PERRIS

PLANNING COMMISSION

AGENDA SUBMITTAL

MEETING DATE: June 19, 2019

SUBJECT: **Conditional Use Permit (CUP) 19-05083, and Letter of Public Convenience and Necessity (PCN) 19-05084** – Request for a CUP and PCN to upgrade an existing type 20 liquor license (beer and wine) to a type 21 liquor license (general alcohol) which allows for the sale of all types of liquor at an existing mini-mart at 511 E. 4th Street suite “A.” **Applicant:** Ike Mephors, Ability Investment Inc.

REQUESTED ACTION: **ADOPT Resolution No. 19-14** finding the project is exempt from CEQA pursuant to Section 15301(a) under a Class 1, Existing Facilities, and approving Conditional Use Permit 19-05083 and Public Convenience or Necessity 19-05084 to allow the sale of distilled spirits in addition to beer and wine at 511 E. 4th Street, based on the findings contained in the Resolution and subject to the Conditions of Approval.

CONTACT: Dr. Grace Williams, Director of Planning and Economic Development 

BACKGROUND/DISCUSSION:

The Applicant, *Ability Investment Inc. (Doing Business As: California Mini Mart)*, is applying for a Conditional Use Permit to upgrade their existing type 20 Alcohol Beverage Control (ABC) liquor license (beer and wine) to a type 21 ABC liquor license (beer, wine and distilled spirits) to allow the sale and dispensing of distilled spirits in addition to beer and wine for off-site consumption in conjunction with their 2,497 square feet existing mini-mart located at 551 E. 4th Street. The applicant has operated with a type 20 liquor license for beer and wine at the premise since July 27, 1999 (ABC License Number 352642). Under a different tenant, the site has operated with a type 20 liquor license since December 3, 1994 (ABC License Number 292475). The reason for a request to upgrade from a type 20 to a type 21 liquor license is that the applicant won a type 21 liquor license in the California Department of Alcoholic Beverage Control’s priority drawing Lottery.

A letter of Public Convenience or Necessity (PCN) is necessary due to an over-concentration of alcohol licenses within the project’s census tract. According to the State Department of ABC, only two off-site licenses are allowed in the census tract where the project is located, where there are currently six licenses. Therefore, a Public Convenience or Necessity (PCN) letter is required for the over-concentration of off-site sale of beer and wine, and distilled spirits within this part of the City. Staff supports the proposed upgrade to type 21 ABC liquor license as being in the interest of Public Convenience or Necessity as it will: (1) not increase the number of establishments selling alcohol within the census tract, (2) the site is not located near sensitive uses -- i.e. parks, schools, and churches, (3) the applicant will limit alcohol sales to no more than 5% of the floor area, and (4) the operation is not anticipated to create a public health and safety concern for the City.

As of the writing of this report, no comments in opposition have been received from the neighboring property owners. In addition, the Sheriff Department has no objection to this proposal other than requesting a condition that the applicant installs video surveillance with appropriate digital video recording capability for the interior and exterior parking areas of the business. The request has been incorporated into the

Conditions of Approval. Detailed project information is provided in the attached staff report and conditions of approval.

BUDGET (or FISCAL) IMPACT: Cost for staff preparation of this item, cost of construction and payment of impact fees are covered by the applicant.

Prepared by: Cathy Perring, Consultant Planner
Reviewed by: Kenneth Phung, Planning Manager

Attachments: Exhibit A – Police Response 5-8-19
Exhibit B - Conditions of Approval (Planning, Police)
Exhibit C – Aerial Map of Site
Exhibit D – ABC Census Tract Map
Exhibit E – ABC Census Tract alcohol list
Exhibit F - Convenience Store Floor Plan
Exhibit G - Planning Resolution 19-14

Public Hearing: June 19, 2019

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

PROJECT REPORT

CASE NUMBER: Conditional Use Permit 19-05083 (CUP) and a Letter of Public Convenience or Necessity 19-05084 (PCN)

Environmental Determination: The project is exempt from CEQA pursuant to Guidelines Section 15301(a) under a Class 1, Existing Facilities, because the permit deals with the operation and minor alteration of an existing private structure currently operating as a mini-mart, the same use as proposed.

Date: June 19, 2019 - Planning Commission

Project Planner: Cathy Perring, Consultant Planner

Applicant: Ike Mephors, Ability Investment Inc.
P.O. Box 1338
Moreno Valley, CA 92556

Owner: George L. Hanes, President
Haines Investments Properties, LLC
20331 Via Guadalupe
Yorba Linda, CA 92887

Location: 511 E. 4th Street, southwest corner of E. 4th Street and Wilkerson Ave.

PROJECT DESCRIPTION: The CUP is to upgrade an existing type 20 liquor license (beer and wine) to a type 21 liquor license (general alcohol) which allows for the sale of all types of liquor at an existing mini-mart at 511 E. 4th Street suite "A." The Public Convenience or Necessity (PCN) is for the over-concentration of off-site sale of alcohol.

Acreage: Total of 0.57 acres
APN: 310-082-023

Related Cases: N/A

ZONING AND LAND USE:

Existing Zoning: Downtown Specific Plan (DTSP)/4th St. Gateway (G)

Surrounding Zoning: North: DTSP/G-Downtown Perris Specific Plan/4th Street Gateway

South: DTSP/G-Downtown Perris Specific Plan/4th Street Gateway

East: CC – DTSP/G-Downtown Perris Specific Plan/4th Street Gateway

West: CC – DTSP/G-Downtown Perris Specific Plan/4th Street Gateway

Existing Land Use: Strip Mall, including California Minimart

Surrounding Land Uses: North: Fast food restaurants

South: Vacant land

East: Minimart/gas station and hotel

West: Fast food restaurants

PROJECT REVIEW AND BACKGROUND

The Applicant, *Ability Investment Inc. (Doing Business As: California Mini Mart)*, is applying for a Conditional Use Permit to upgrade their existing type 20 Alcohol Beverage Control (ABC) liquor license (beer and wine) to a type 21 ABC liquor license (beer, wine and distilled spirits) to allow the sale and dispensing of distilled spirits in addition to beer and wine for off-site consumption in conjunction with their 2,497 square feet existing mini-mart. The applicant has operated with a type 20 liquor license for beer and wine at the premise since July 27, 1999 (ABC License Number 352642). Under a different tenant, the site has operated with a type 20 liquor license since December 3, 1994 (ABC License Number 292475). The reason for a request to upgrade from a type 20 to a type 21 liquor license is that the applicant won a type 21 liquor license in the California Department of Alcoholic Beverage Control's priority drawing Lottery.

As will be discussed further in the report, the census tract where the project is located has an over-concentration of similarly licensed businesses. Therefore, a Public Convenience or Necessity (PCN) letter is required for the over-concentration of off-site sale of beer and wine, and distilled spirits within this part of the City.

PROJECT ANALYSIS AND REVIEW

General Plan and Zoning Consistency

The General Plan land use designation of the site is Community Commercial. The Community Commercial land use designation permits retail uses such as supermarkets, food marts, convenience stores, and retail businesses. Uses such as drive-through restaurants, fueling stations, and establishments that sell alcohol are permitted through a Conditional Use Permit process.

The site is located within the Downtown Specific Plan, which serves as its zoning. The Downtown Specific Plan land use for this site is “4th Street Gateway,” which is primarily for commercial and mixed-use potential uses. The 4th Street Gateway, as depicted in the Downtown Specific Plan, is intended to create an auto-oriented corridor with an emphasis on a more commercial frontage streetscape that caters to the vehicular traffic that travels along SR- 74 (4th Street). Primary uses include retail, office, and commercial, with opportunities for mixed-use buildings where appropriate. Parking should be accessed through shared driveways or accessed through alleys, which occurs at the project site.

The existing shopping center where the project mini-mart is located meets the objectives of the General Plan and zoning by including service-oriented and retail business activities which serve the entire City and travelers on SR-74. The existing mini-mart currently sells alcohol under a CUP. Therefore, the addition of the sale of distilled spirits will not change the use, and this use is consistent with the General Plan and zoning for the site.

Analysis of Alcohol Sales

The project location is currently operating as a full-service mini mart serving the surrounding community and visiting public patrons. The hours of operation are Sunday through Thursday from 9 am to 12 pm, and Friday and Saturday from 9 am to 2 am. The primary products sold are the usual grocery and convenience store items. The store’s merchandise includes non-perishable groceries, fast food prepared on-site, tobacco products, non-alcoholic beverages, clothing, and general merchandise. Alcohol sales, some refrigerated and some not, currently occupy approximately 5% of the sales floor area. The existing mini mart will continue to sell beer and wine for the convenience of its patrons that shop for other items sold there. For this CUP, the applicant is simply requesting to add distilled spirits. If approved, Conditional Use Permit 19-05083 and Letter of Public Convenience or Necessity (PCN) 19-05084 would allow the sale of distilled spirits in addition to the sale of beer and wine which already occur at the project location, 511 E. 4th Street. The Planning Commission is authorized to approve or deny any requests for determination of public convenience or necessity in conjunction with a CUP, per PMC 19.54.20 (k).

When a census tract is determined by the ABC to be within an area of “undue concentration” for off-site sales licenses, the City is required to make findings to support the proposed sale of alcoholic beverages as being in the interest of Public Convenience or Necessity. The subject site is located within Census Tract 0427.19, where the Department of ABC concentration standards allow a maximum of two (2) off-site sales licenses. Currently, there are six (6) active off-site sales licenses within the census tract, including the project site. The existing six (6) businesses within the census tract are described in the table on the following page:

Off-Site Alcohol Licenses within Census Tract # 0427.19			
	Business Name	Address	License Type
1	Chevron Station	428 S. Redlands Ave., Perris	Type 20 (Beer and Wine)
2	California Minimart	511 E 4 th Street, Perris	Type 20 (Beer and Wine)
3	Rio Ranch Market	460 E 4 th Street, Perris	Type 20 (Beer and Wine)
4	S & K Liquor	360 E 4 th Street, Perris	Type 21 (General)
5	Nuevo Market	29616 Nuevo Road, Nuevo	Type 21 (General)
6	7-Eleven	525 E. 4 th Street, Perris	Type 20 (Beer and Wine)

Currently, five (5) of the licenses are within half a mile of each other. One establishment called Nuevo Market is over five (5) miles northeast of the site in the unincorporated town of Nuevo. Of the five licenses in the vicinity of the project site, only S & K Liquor can sell distilled spirits.

Planning Staff presented this proposal to the Riverside County Sheriff Department for review and comment. Riverside County Sheriff (Perris Station) had no objection to the sale of alcohol at the establishment because a review of calls for service at the project location, from January 1, 2018, to May 08, 2019, found that there was not an unusual or problematic use of police services at the location. The Sheriff's Dept. response (Exhibit A) requests that the CUP include the following condition of approval (COA):

The applicant shall install video surveillance with appropriate digital video recording capability for the interior and exterior parking areas of the business.

In addition to other standard conditions for alcohol sales, Planning staff is also recommending a condition that requires all distilled spirits to be kept in a locked cabinet behind the sales counter where the register is located. These findings are provided below in this report.

Planning staff is recommending approval because there is not an increase in the number of establishments selling alcohol within the census tract and because law enforcement does not oppose the request.

ENVIRONMENTAL DETERMINATION

The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(a) under a Class 1, Existing Facilities, because the permit deals with minor changes to an existing use. A CUP is required due to the addition of one type of product for sale, distilled spirits. The project does not change the operation or facilities of an existing private structure currently operating as a mini-mart, the same use as is proposed. The key consideration for this type of exemption is whether the project involves negligible or no expansion of an existing use. Therefore, the CUP and PNC are exempt from CEQA.

MANDATORY FINDINGS FOR APPROVAL

A. Findings for Conditional Use Permit

- 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 site is located within the Downtown Specific Plan (DSP) which serves as its zoning. The Downtown Specific Plan land use for this site is "4th Street Gateway," which is primarily for commercial and mixed-use potential uses. The 4th Street Gateway, as depicted in the Downtown Specific Plan, is intended to create an auto-oriented corridor with an emphasis on a more commercial frontage streetscape that caters to the vehicular traffic that travels along SR- 74 (4th Street). Primary uses include retail, office, and commercial, with opportunities for mixed-use buildings where appropriate. Parking should be accessed through shared driveways or accessed through alleys, which occurs at the project site.

The existing shopping center where the project mini-mart is located meets the objectives of the General Plan and zoning by including service-oriented and retail business activities which serve the entire City and travelers on SR-74. The existing mini-mart currently sells alcohol under a CUP. Therefore, the addition of the sale of distilled spirits will not change the use, and this use is consistent with the General Plan and zoning for the site. The site location is in accordance with the objectives of Chapter 19.61 Conditional Use Permits and meets the purposes of the zone in which the site is located.

- 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 General Plan land use designation of the site is Community Commercial. The Community Commercial land use designation permits retail uses such as supermarkets, food marts, convenience stores, and retail businesses. Uses such as drive-through restaurants, fueling stations, and establishments that sell alcohol are permitted through a Conditional Use Permit process. Through a Conditional Use Permit, staff reviewed the Project in detail to ensure that the site design and future land uses coincide with the intent and the purpose of these requirements. As conditioned, the proposed plan is consistent with the City's General Plan, zoning standards, and ordinances, and resolutions of the City. Concerning applicable General Plan land use policies, the Project is consistent with General Plan Policy III.A by providing at the existing location, the proposed addition of distilled spirits will provide alcohol options for the area. Concerning applicable general Plan land use policies, the project is consistent with the General Plan Policy III.A by providing diversity in the local economy.

- 3. The proposed location of the Conditional Use Permit 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.

As conditioned, the proposed sale of alcohol (beer, wine, and distilled spirits) will not be detrimental to the public health, safety or welfare, or injurious to property and improvements in the vicinity or to the general welfare of the City. The subject property is zoned for commercial uses and will be utilized as such with the proposed alcohol sales in conjunction with a market. The sale of beer, wine, and distilled spirits in this location for off-site consumption will not represent the introduction of a new use to the area. Riverside County Sheriff (Perris Station) had no objection to the sale of alcohol at the establishment because a review of calls for service at the project location, from January 1, 2018, to May 08, 2019, found that there was not an unusual or problematic use of police services at the location. In addition, a condition of approval has been added to require the installation of video surveillance equipment with appropriate digital video recording capability for the interior and exterior parking areas of the business.

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

There is no proposed change to the building. The existing architecture is compatible with community standards and reflects the character of adjacent development.

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

There is no proposed change to the existing landscaping on the site which includes turf, trees, and shrubs around the perimeter of the site.

B. Additional Findings Required per PMC Section 19.65.040 Conditional Use Permit for the Sale of Alcoholic Beverages:

1. The location or the use shall not result in adverse impacts on park facilities, school facilities, existing religious land uses, and/or existing residential land uses.

The use as a mini-mart conforms to the intent of the zoning district, and a CUP is required for the sales of alcohol. The nearest park (*Bob Long Park*) is located approximately 2,300 feet from the existing mini-mart on the opposite side of the freeway. The nearest school (*Palms Elementary*) is located approximately 3,000 feet away, also on the opposite side of the freeway. The nearest religious use is Arbol de Vida which is about 700 feet north of the site on Wilkerson Avenue. Moreover, the proposed convenience store is more than 1,000 feet away from any park or school. Arbol de Vida is located in a commercial center less than 1,000 feet from the mini-mart; however, minimarts located in a shopping center such as the project are exempt from the distance requirements. In addition, the operation of the mini-mart has not adversely impacted the church in the past. Overall, the proposal will not result in adverse impacts to parks, school, and religious institutions.

2. The traffic increases associated with the use will not result in potential hazards to existing pedestrian and/or vehicular traffic.

The project will not increase traffic associated with the Project, which would result in potential hazards to existing pedestrian and/or vehicular traffic. The proposal is to add the sale of distilled spirits to a location that already sells beer and wine. It is a use that is consistent with the intent of the area in the General Plan, so it was anticipated and analyzed by the EIR prepared for the City of Perris General Plan (2030) Land Use and Circulation Element. The Project site is located on 4th Street at Wilkerson Avenue which provides a signalized intersection to prevent hazards to existing pedestrian and vehicular traffic.

3. The establishment shall not constitute an enforcement problem to the City Police Department.

The proposal was presented to the Riverside County Sheriff (Perris Station, Deputy Crawford) for comment by planning staff. Written comments from Deputy Crawford indicate that Riverside County Sheriff has no objection to the sale of alcohol at the establishment because a review of calls for service at the project location, from January 1, 2018, to May 08, 2019, found that there was not an unusual or problematic use of police services at the location. In addition, a condition of approval has been added, at Deputy Crawford's request, to require the installation of video surveillance equipment with appropriate digital video recording capability for the interior and exterior parking areas of the business. Planning staff is also recommending a condition that requires all distilled spirits to be kept in a locked cabinet behind the sales counter where the register is located.

4. The development conforms to all applicable provisions of this Code.

The proposed Project conforms to or exceeds all applicable provisions of the Municipal Code and the necessary Letter of Public Convenience or Necessity (PCN) for an ABC Type 21 License for Off-Site Consumption. See the Findings below regarding the PCN.

C. Findings for a Letter of Public Convenience or Necessity (PCN):

1. The sale of alcohol at this Convenience Store will be a public convenience.

Five (5) of the licenses in the census tract are within a half of a mile from the proposed Food Mart. The other establishment with a license called Nuevo Market in the unincorporated area town of Nuevo is a significant distance from the site, which is over five miles northeast of the site. The California Mini-Mart currently sells beer and wine for the convenience of its patrons that are already in the store for groceries and general merchandise. As an already licensed mini-mart, the applicant has experience with their current liquor license (type 20) which has helped prepare them for an upgrade in license to type 21. The general merchandise, beer, wine, and food currently sold on-site provide a needed service and a convenience to the public who already use the store. The addition of distilled spirits will provide more variety in the types of beverages sold.

- 2. The approval of a new license for the off-sale of alcohol (beer, wine and distilled spirits) is an ancillary use to a general merchandise store and will not have a disproportionate impact on adjacent residential neighborhoods or sensitive uses.**

Approximately 5% of the public area (non-walk-in freezer and non-office space) of the store is devoted exclusively for the sale of beer and wine. The sale of beer and wine is ancillary, and patrons will incidentally purchase beer and wine in association with the sale of general merchandise and groceries. Moreover, the proposed convenience store is more than 1,000 feet away from any park or school, which is the distance standard for these uses as required by the Zoning Code. The nearest religious use is located in a commercial center less than 1,000 feet from the mini-mart. The operation of the mini-mart has not adversely impacted this religious use in the past. Overall, the proposal will not result in adverse impacts to parks, schools, and religious institutions. Based on the small floor area of alcohol display, and the nearest residences approximately 800 feet from the store, no disproportionate impact is anticipated to adjacent residential properties.

- 3. The approval of the sale of distilled spirits in addition to beer and wine at the California Mini-Mart, 511 E. 4th Street at Wilkerson Avenue, will not result in an adverse impact on public health, safety, or welfare.**

As conditioned, the proposed sale of alcohol (beer, wine, and distilled spirits) will not result in an adverse impact to the public health, safety or welfare. The subject property is zoned for commercial uses and will be utilized as such with the proposed alcohol sales in conjunction with a market. The sale of beer, wine, and distilled spirits in this location for off-site consumption will not represent the introduction of a new use to the area or an additional site where alcohol is sold. Riverside County Sheriff (Perris Station) had no objection to the sale of alcohol at the establishment because a review of calls for service at the project location, from January 1, 2018, to May 08, 2019, found that there was not an unusual or problematic use of police services at the location. In addition, a condition of approval has been added to require the installation of video surveillance equipment with appropriate digital video recording capability for the interior and exterior parking areas of the business. Planning staff is also recommending a condition that requires all distilled spirits to be kept in a locked cabinet behind the sales counter where the register is located.

A public hearing notice was mailed to adjacent property owners within 300 feet of the subject site. To date, staff has not received any comments from the public.

RECOMMENDATION

Adopt Resolution No. 19-14 recommending that Planning Commission find project is exempt from CEQA pursuant to Section 15301(a) under a Class 1, Existing Facilities, and approving Conditional Use Permit 19-05083 and Public Convenience or Necessity 19-05084 to allow the sale of distilled spirits in addition to beer and wine at 511 E. 4th Street, based on the findings contained in the Resolution and subject to the Conditions of Approval.

Attachments: Exhibit A – Police Response 5-8-19
Exhibit B – Planing Conditions of Approval

- Exhibit C – Aerial Map of Site
- Exhibit D – ABC Census Tract Map
- Exhibit E – ABC Census Tract alcohol list
- Exhibit F - Convenience Store Floor Plan
- Exhibit G - Planning Resolution 19-14



**CITY OF PERRIS
POLICE DEPARTMENT
MEMORANDUM**

DATE: May 8, 2019

TO: Planning Department
Attention: Cathy Perring

FROM: Deputy Donnis Crawford
(951) 210-1132

SUBJECT: CUP 19-05083 & PCN 19-05084

The police department has reviewed the transmitted documents regarding CUP 19-05083 PCN 19-0584. The police department requests that the CUP contain a condition that the applicant install video surveillance with appropriate digital video recording capability for the interior and exterior parking areas of the business.

A review of calls for service at the location from January 1, 2018 to May 08, 2019, found that there was not an unusual or problematic use of police services at the location.

EXHIBIT A

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

CONDITIONS OF APPROVAL

Conditional Use Permit No. 19-05083

Letter of Public Convenience No. 19-05084

June 19, 2019

PROJECT: Conditional Use Permit and Letter of Public Necessity and Convenience (PCN) to upgrade an existing type 20 license (beer and wine) to type 21 (general alcohol) which would allow the sale of all types of liquor at an existing establishment (California Mini-Mart) at 511 E. 4th Street suite "A". **Applicant:** Ike Mephors, Ability Investment, Inc.

General Requirements:

1. **City Ordinances and Business License.** The subject business shall maintain compliance with all local and City Ordinances, including but not limited to an annual fire inspection and maintenance of a City business license.
2. **Indemnification.** 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 an 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 CUP/PCN 19-05083/19-05084. The City shall promptly notify the developer/applicant of any claim, action, or proceeding for which indemnification is sought and shall further cooperate fully in defense of the action.
3. **State, County and City Ordinances.** All tenants shall maintain compliance with all State, County and City ordinances, including but not limited to an annual fire inspection and maintenance of a City business license, and specific requirements for food service or food preparation uses regarding the appropriate means for grease and trash disposal.
4. **ABC License – Type 21 General (Beer, Wine and Distilled Spirits).** The owner/applicant shall obtain an alcohol license from the California Department of Alcohol and Beverage Control (ABC) before the sale of alcohol beverages.
5. **Standards for Minimarts** (per Perris Municipal Code Section 19.65.030). The project shall comply with the following:
 - a. The owner of each location and the management at each location shall educate the public regarding driving under the influence of intoxicating beverages, driving with open containers and the penalties associated with the violation of each of these laws. This educational requirement may be met by posting prominent signs, decals and/or brochures at points of purchase.

EXHIBIT B

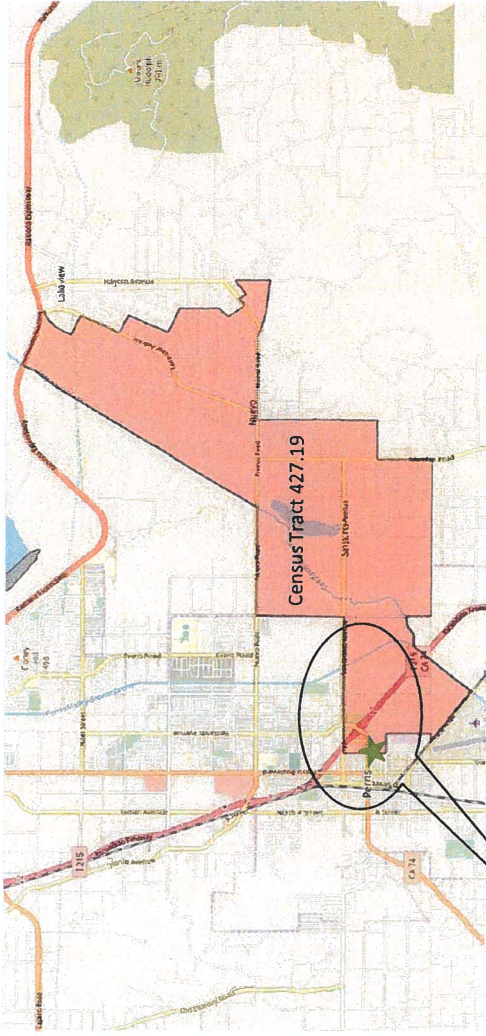
- b. No displays of beer, wine or other alcoholic beverages shall be located within five feet of any building entrance or checkout counter.
 - c. Cold beer, wine or other alcoholic beverages shall be sold from or displayed in the main, permanently affixed electrical cooler only. No display and sale of alcohol shall be made from an ice tub, barrel, or similar container.
 - d. No lighted advertising for beer, wine or other alcoholic beverages shall be located on the exterior of the building or within the window areas.
 - e. Conditional use permits shall be required consistent with Chapter 19.61, CONDITIONAL USE PERMITS.
6. **Additional Operational Requirements.** The following shall apply at all times:
- a. The licensee shall regularly police the area under its control to prevent the loitering of persons about the premises.
 - b. The licensee shall post signs in the area under its control with regard to prohibiting open containers and loitering at the location.
 - c. Digital security cameras shall be installed to monitor and record the interior of the store and exterior parking areas of the business. Surveillance footage shall be maintained for a minimum of 30 days.
 - d. No beer may be sold in single containers. Beer shall be sold in quantities of 3-pack or greater. Wine or wine coolers shall be sold in quantities of 4-pack or greater.
 - e. Sale of wine shall not be in containers less than 750 ml.
 - f. The sales floor space allocated to alcoholic beverages shall not exceed 5% of the total sales floor area, including distilled spirits.
 - g. Distilled spirits (hard liquor) shall be stored for sale in a locked cabinet behind the sales counter at all times.
 - h. Cooler doors for alcoholic beverage products shall be locked during hours when alcoholic beverages may not be sold.
 - i. Alcohol shall not be sold between the hours of 2:00 am and 6:00 am (per State Law).
 - j. Employees selling alcohol must be at least 18 years of age.
 - k. Purchased alcohol shall be bagged prior to leaving store.
 - l. Continued non-compliance will lead to revocation of this Conditional Use Permit.
7. **Planning Clearance.** The applicant shall first obtain clearance from the Planning Division verifying that all pertinent conditions of approval have been met.

End of Conditions



EXHIBIT C - AERIAL

Census Tract 427.19 in RIVERSIDE County, California



Top



EXHIBIT D-ABC Census Tract Map

**NUMBER OF LICENSES AUTHORIZED
BY CENSUS TRACT**

County Name	County Population	County Ratio On Sale	County Ratio Off Sale	Census Tract #	Census Tract Population	On Sale	Off Sale
RIVERSIDE	2,415,955	1,091	1,751	424.02	4,780	4	2
RIVERSIDE	2,415,955	1,091	1,751	424.03	4,071	3	2
RIVERSIDE	2,415,955	1,091	1,751	424.04	2,038	1	1
RIVERSIDE	2,415,955	1,091	1,751	424.05	4,997	4	2
RIVERSIDE	2,415,955	1,091	1,751	424.06	4,150	3	2
RIVERSIDE	2,415,955	1,091	1,751	424.07	3,262	2	1
RIVERSIDE	2,415,955	1,091	1,751	424.08	3,152	2	1
RIVERSIDE	2,415,955	1,091	1,751	424.09	3,299	3	1
RIVERSIDE	2,415,955	1,091	1,751	424.10	4,882	4	2
RIVERSIDE	2,415,955	1,091	1,751	424.11	2,540	2	1
RIVERSIDE	2,415,955	1,091	1,751	424.12	5,129	4	2
RIVERSIDE	2,415,955	1,091	1,751	425.05	3,639	3	2
RIVERSIDE	2,415,955	1,091	1,751	425.06	9,483	8	5
RIVERSIDE	2,415,955	1,091	1,751	425.07	5,011	4	2
RIVERSIDE	2,415,955	1,091	1,751	425.08	4,888	4	2
RIVERSIDE	2,415,955	1,091	1,751	425.09	3,193	2	1
RIVERSIDE	2,415,955	1,091	1,751	425.10	5,048	4	2
RIVERSIDE	2,415,955	1,091	1,751	425.11	3,308	3	1
RIVERSIDE	2,415,955	1,091	1,751	425.12	3,200	2	1
RIVERSIDE	2,415,955	1,091	1,751	425.13	3,379	3	1
RIVERSIDE	2,415,955	1,091	1,751	425.14	3,165	2	1
RIVERSIDE	2,415,955	1,091	1,751	425.15	3,803	3	2
RIVERSIDE	2,415,955	1,091	1,751	425.16	4,177	3	2
RIVERSIDE	2,415,955	1,091	1,751	425.17	3,278	3	1
RIVERSIDE	2,415,955	1,091	1,751	425.18	3,670	3	2
RIVERSIDE	2,415,955	1,091	1,751	425.19	1,706	1	0
RIVERSIDE	2,415,955	1,091	1,751	425.20	4,669	4	2
RIVERSIDE	2,415,955	1,091	1,751	425.21	4,922	4	2
RIVERSIDE	2,415,955	1,091	1,751	426.17	11,436	10	6
RIVERSIDE	2,415,955	1,091	1,751	426.18	8,283	7	4
RIVERSIDE	2,415,955	1,091	1,751	426.19	11,267	10	6
RIVERSIDE	2,415,955	1,091	1,751	426.20	10,463	9	5
RIVERSIDE	2,415,955	1,091	1,751	426.21	6,556	6	3
RIVERSIDE	2,415,955	1,091	1,751	426.22	4,107	3	2
RIVERSIDE	2,415,955	1,091	1,751	426.23	3,682	3	2
RIVERSIDE	2,415,955	1,091	1,751	426.24	3,784	3	2
RIVERSIDE	2,415,955	1,091	1,751	427.06	8,393	7	4
RIVERSIDE	2,415,955	1,091	1,751	427.08	5,171	4	2
RIVERSIDE	2,415,955	1,091	1,751	427.09	4,905	4	2
RIVERSIDE	2,415,955	1,091	1,751	427.11	4,543	4	2
RIVERSIDE	2,415,955	1,091	1,751	427.14	3,230	2	1
RIVERSIDE	2,415,955	1,091	1,751	427.15	12,805	11	7
RIVERSIDE	2,415,955	1,091	1,751	427.16	5,033	4	2
RIVERSIDE	2,415,955	1,091	1,751	427.17	5,079	4	2
RIVERSIDE	2,415,955	1,091	1,751	427.19	5,025	4	2
RIVERSIDE	2,415,955	1,091	1,751	427.20	4,434	4	2

REVNO	DATE

GENERAL NOTES:

- CONTRACTOR TO NOTIFY DESIGNER PRIOR TO COMMENCING WORK.
- DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALES SHOWN ON THESE DRAWINGS.

DRAWING INDEX:

SHEET	DESCRIPTION
AS-101	SITE PLAN
A-101	FLOOR PLAN
K-1	EQUIPMENT PLAN
F-1	FINISH PLAN
E-1	ELECTRICAL POWER PLAN
E-2	LIGHTING PLAN
M-1	MECHANICAL PLAN
M-3	MECHANICAL DETAILS
H1	HOOD DATA
H2	HOOD DATA
P-1	PLUMBING PLAN

APPLICABLE CODES:

2016 BUILDING STANDARDS ADMINISTRATIVE CODE, TITLE 24 C.C.R.

2016 CALIFORNIA BUILDING CODE (CBC), PART 2, TITLE 24 C.C.R.

2016 CALIFORNIA ELECTRICAL CODE (CEC), PART 3, TITLE 24 C.C.R.

2016 CALIFORNIA MECHANICAL CODE (CMC), PART 4, TITLE 24 C.C.R.

2016 CALIFORNIA PLUMBING CODE (CPC), PART 5, TITLE 24 C.C.R.

2016 CALIFORNIA FIRE CODE (CFC), PART 6, TITLE 24 C.C.R.

2016 CALIFORNIA GREEN BUILDING STANDARDS, PART 7, TITLE 24 C.C.R.

2016 INTERNATIONAL RESIDENTIAL STANDARDS CODE, PART 12, TITLE 24 C.C.R.

2016 TITLE 19, C.C.R., PUBLIC SAFETY, STATE FIRE MARSHAL REGULATIONS

2016 CALIFORNIA ENERGY STANDARDS, PART 6, TITLE 24 C.C.R.

2016 CALIFORNIA GREEN BUILDING STANDARDS, PART 7, TITLE 24 C.C.R.

PROJECT DATA:

BLDG USE: KITCHEN REMODEL IN AN EXISTING MINI MART

NO OF BLDG STORES: - 1

AREA OF SUITE: - 2,487 SQ. FT

AREA OF REMODEL: - 110 SQ. FT

SPRINKLERED: - NO

OCCUPANCY: - M-1

TYPE OF CONSTRUCTION: - 3 - B

SPRINKLERED: - NO

SCOPE OF WORK:

A MINOR KITCHEN REMODEL. FLOORING, INSTALL A NEW REFRIGERATOR AND RANGE. AIR, INSTALL A FEW PIECES OF NEW EQUIPMENT WITH PLUMBING UPGRADES. THIS IS NOT AN OVERHAUL. CUSTOMERS PRIED CHICKEN TO CUSTOMERS

STEVEN PAUL MURRAY ARCHITECT & ASSOCIATES

1177 Idaho St., Suite 202A, Redlands, CA 92374 (909) 884-7600

KITCHEN REMODEL FOR:

CALIFORNIA MINI MART

511 E 4TH ST

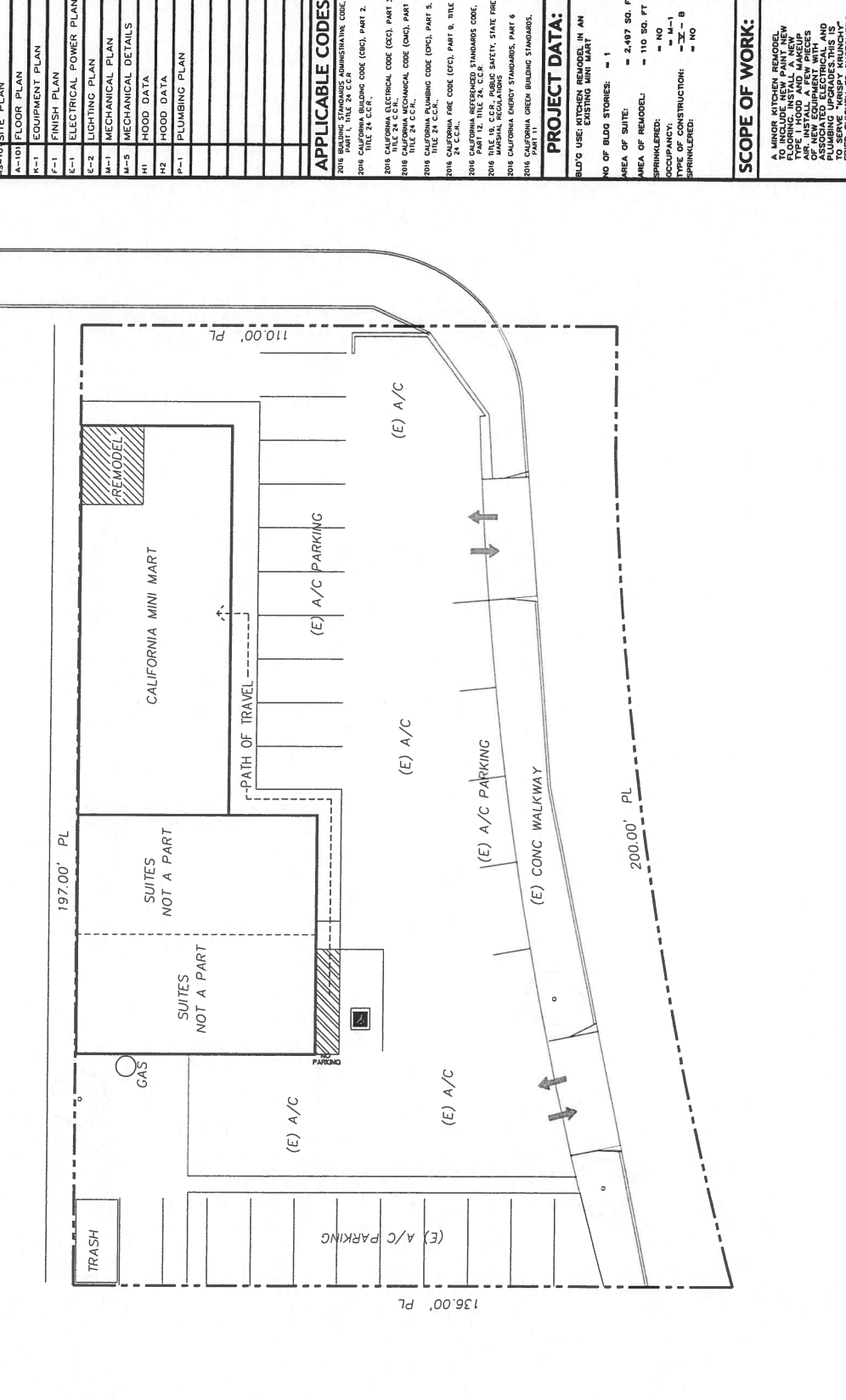
PERRIS, CA 92570

DATE

REVISIONS

DATE

REVISIONS



SITE PLAN scale: 1" = 10'

AS-101

SHEET

DATE

REVISIONS

RESOLUTION NUMBER 19-14

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, FINDING THE PROJECT IS EXEMPT FROM CEQA PURSUANT TO SECTION 15301(a) UNDER A CLASS 1, EXISTING FACILITIES, AND APPROVING CONDITIONAL USE PERMIT (CUP) 19-05083 AND A LETTER OF PUBLIC CONVENIENCE OR NECESSITY (PCN) 19-05084 FOR A TYPE 21 ABC LICENSE FOR THE SALE OF BEER, WINE AND DISTILLED SPIRITS AT AN EXISTING MINI-MART CONVENIENCE STORE AT 511 E. 4TH STREET, AND MAKING FINDINGS IN SUPPORT THEREOF.

WHEREAS, on April 15, 2019, the applicant applied for a Conditional Use Permit and a Letter of Public Convenience or Necessity; and

WHEREAS, the proposed location of the use is in accordance with the objectives of the Downtown Specific Plan and the purpose of the 4th Street Gateway zoning district; and

WHEREAS, the proposed project is consistent with the City's General Plan and conforms to all zoning standards and other Ordinances and Resolutions of the City; and

WHEREAS, this Conditional Use Permit and Letter of Public Convenience or Necessity has been duly noticed; and

WHEREAS, a public hearing was held on June 19, 2019, at which time all interested persons were given full opportunity to be heard and to present evidence; 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, and incorporated herein by this reference.

Section 2. The Planning Commission hereby determines that the project is exempt from CEQA pursuant to Section 15301(a) under Class 1, Existing Facilities, because the permit deals with the operation and minor alteration of an existing private structure currently operating as a mini-mart and the same use is proposed.

Section 3. Based on the information contained in the staff report, and supporting exhibits and plans for Conditional Use Permit 19-05083, the Planning Commission hereby finds, as follows:

A. Findings for Conditional Use Permit

- 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 site is located within the Downtown Specific Plan (DSP) which serves as its zoning. The Downtown Specific Plan land use for this site is “4th Street Gateway,” which is primarily for commercial and mixed-use potential uses. The 4th Street Gateway, as depicted in the Downtown Specific Plan, is intended to create an auto-oriented corridor with an emphasis on a more commercial frontage streetscape that caters to the vehicular traffic that travels along SR- 74 (4th Street). Primary uses include retail, office, and commercial, with opportunities for mixed-use buildings where appropriate. Parking should be accessed through shared driveways or accessed through alleys, which occurs at the project site.

The existing shopping center where the project mini-mart is located meets the objectives of the General Plan and zoning by including service-oriented and retail business activities which serve the entire City and travelers on SR-74. The existing mini-mart currently sells alcohol under a CUP. Therefore, the addition of the sale of distilled spirits will not change the use, and this use is consistent with the General Plan and zoning for the site. The site location is in accordance with the objectives of Chapter 19.61 Conditional Use Permits and meets the purposes of the zone in which the site is located.

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 General Plan land use designation of the site is Community Commercial. The Community Commercial land use designation permits retail uses such as supermarkets, food marts, convenience stores, and retail businesses. Uses such as drive-through restaurants, fueling stations, and establishments that sell alcohol are permitted through a Conditional Use Permit process. Through a Conditional Use Permit, staff reviewed the Project in detail to ensure that the site design and future land uses coincide with the intent and the purpose of these requirements. As conditioned, the proposed plan is consistent with the City’s General Plan, zoning standards, and ordinances, and resolutions of the City. Concerning applicable General Plan land use policies, the Project is consistent with General Plan Policy III.A by providing at the existing location, the proposed addition of distilled spirits will provide alcohol options for the area. Concerning applicable general Plan land use policies, the project is consistent with the General Plan Policy III.A by providing diversity in the local economy.

3. The proposed location of the Conditional Use Permit 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.

As conditioned, the proposed sale of alcohol (beer, wine, and distilled spirits) will not be detrimental to the public health, safety or welfare, or injurious to property and improvements in the vicinity or to the general welfare of the City. The subject property is zoned for commercial uses and will be utilized as such with the proposed alcohol sales in conjunction with a market. The sale of beer, wine, and distilled spirits in this location for off-site consumption will not represent the introduction of a new use to the area. Riverside

County Sheriff (Perris Station) had no objection to the sale of alcohol at the establishment because a review of calls for service at the project location, from January 1, 2018, to May 08, 2019, found that there was not an unusual or problematic use of police services at the location. In addition, a condition of approval has been added to require the installation of video surveillance equipment with appropriate digital video recording capability for the interior and exterior parking areas of the business.

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

There is no proposed change to the building. The existing architecture is compatible with community standards and reflects the character of adjacent development.

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

There is no proposed change to the existing landscaping on the site which includes turf, trees, and shrubs around the perimeter of the site.

B. Additional Findings Required per PMC Section 19.65.040 Conditional Use Permit for the Sale of Alcoholic Beverages:

1. The location or the use shall not result in adverse impacts on park facilities, school facilities, existing religious land uses, and/or existing residential land uses.

The use as a mini-mart conforms to the intent of the zoning district, and a CUP is required for the sales of alcohol. The nearest park (*Bob Long Park*) is located approximately 2,300 feet from the existing mini-mart on the opposite side of the freeway. The nearest school (*Palms Elementary*) is located approximately 3,000 feet away, also on the opposite side of the freeway. The nearest religious use is Arbol de Vida which is about 700 feet north of the site on Wilkerson Avenue. Moreover, the proposed convenience store is more than 1,000 feet away from any park or school. Arbol de Vida is located in a commercial center less than 1,000 feet from the mini-mart; however, minimarts located in a shopping center such as the project are exempt from the distance requirements. In addition, the operation of the mini-mart has not adversely impacted the church in the past. Overall, the proposal will not result in adverse impacts to parks, school, and religious institutions.

2. The traffic increases associated with the use will not result in potential hazards to existing pedestrian and/or vehicular traffic.

The project will not increase traffic associated with the Project, which would result in potential hazards to existing pedestrian and/or vehicular traffic. The proposal is to add the sale of distilled spirits to a location that already sells beer and wine. It is a use that is consistent with the intent of the area in the General Plan, so it was anticipated and analyzed by the EIR prepared for the City of Perris General Plan (2030) Land Use and Circulation Element. The Project site is located on 4th Street at Wilkerson Avenue which

provides a signalized intersection to prevent hazards to existing pedestrian and vehicular traffic.

3. The establishment shall not constitute an enforcement problem to the City Police Department.

The proposal was presented to the Riverside County Sheriff (Perris Station, Deputy Crawford) for comment by planning staff. Written comments from Deputy Crawford indicate that Riverside County Sheriff has no objection to the sale of alcohol at the establishment because a review of calls for service at the project location, from January 1, 2018, to May 08, 2019, found that there was not an unusual or problematic use of police services at the location. In addition, a condition of approval has been added, at Deputy Crawford's request, to require the installation of video surveillance equipment with appropriate digital video recording capability for the interior and exterior parking areas of the business. Planning staff is also recommending a condition that requires all distilled spirits to be kept in a locked cabinet behind the sales counter where the register is located.

4. The development conforms to all applicable provisions of this Code.

The proposed Project conforms to or exceeds all applicable provisions of the Municipal Code and the necessary Letter of Public Convenience or Necessity (PCN) for an ABC Type 21 License for Off-Site Consumption. See the Findings below regarding the PCN.

C. Findings for a Letter of Public Convenience or Necessity (PCN):

1. The sale of alcohol at this Convenience Store will be a public convenience.

Five (5) of the licenses in the census tract are within a half of a mile from the proposed Food Mart. The other establishment with a license called Nuevo Market in the unincorporated area town of Nuevo is a significant distance from the site, which is over five miles northeast of the site. The California Mini-Mart currently sells beer and wine for the convenience of its patrons that are already in the store for groceries and general merchandise. As an already licensed mini-mart, the applicant has experience with their current liquor license (type 20) which has helped prepare them for an upgrade in license to type 21. The general merchandise, beer, wine, and food currently sold on-site provide a needed service and a convenience to the public who already use the store. The addition of distilled spirits will provide more variety in the types of beverages sold.

2. The approval of a new license for the off-sale of alcohol (beer, wine and distilled spirits) is an ancillary use to a general merchandise store and will not have a disproportionate impact on adjacent residential neighborhoods or sensitive uses.

Approximately 5% of the public area (non-walk-in freezer and non-office space) of the store is devoted exclusively for the sale of beer and wine. The sale of beer and wine is ancillary, and patrons will incidentally purchase beer and wine in association with the sale of general merchandise and groceries. Moreover, the proposed convenience store is more than 1,000

feet away from any park or school, which is the distance standard for these uses as required by the Zoning Code. The nearest religious use is located in a commercial center less than 1,000 feet from the mini-mart. The operation of the mini-mart has not adversely impacted this religious use in the past. Overall, the proposal will not result in adverse impacts to parks, schools, and religious institutions. Based on the small floor area of alcohol display, and the nearest residences approximately 800 feet from the store, no disproportionate impact is anticipated to adjacent residential properties.

3. The approval of the sale of distilled spirits in addition to beer and wine at the California Mini-Mart, 511 E. 4th Street at Wilkerson Avenue, will not result in an adverse impact on public health, safety, or welfare.

As conditioned, the proposed sale of alcohol (beer, wine, and distilled spirits) will not result in an adverse impact to the public health, safety or welfare. The subject property is zoned for commercial uses and will be utilized as such with the proposed alcohol sales in conjunction with a market. The sale of beer, wine, and distilled spirits in this location for off-site consumption will not represent the introduction of a new use to the area or an additional site where alcohol is sold. Riverside County Sheriff (Perris Station) had no objection to the sale of alcohol at the establishment because a review of calls for service at the project location, from January 1, 2018, to May 08, 2019, found that there was not an unusual or problematic use of police services at the location. In addition, a condition of approval has been added to require the installation of video surveillance equipment with appropriate digital video recording capability for the interior and exterior parking areas of the business. Planning staff is also recommending a condition that requires all distilled spirits to be kept in a locked cabinet behind the sales counter where the register is located.

Section 4. For the foregoing reasons the Commission hereby approves Conditional Use Permit 19-05083 and Letter of Public Necessity or Convenience 19-05084 to allow the the sale of beer, wine and distilled spirits in an existing 2,497 square foot California Mini-Mart convenience store, based on the information and findings presented in the staff report and the Conditions of Approval.

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 19th day of June 2019.

CHAIRPERSON, PLANNING COMMISSION

ATTEST:

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 19-14 was duly adopted by the Planning Commission of the City of Perris at a regular meeting of said Planning Commission on the 19th day of June 2019, and that it was so adopted by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Secretary, Planning Commission

Planning Commission Agenda

CITY OF PERRIS
June 19, 2019

Item

7C

Conditional Use Permit (CUP) 19-05067



CITY OF PERRIS


PLANNING COMMISSION

AGENDA SUBMITTAL

MEETING DATE: June 19, 2019

SUBJECT: **Conditional Use Permit 19-05067** - A proposal to construct a 25' tall, 100 SF, double-faced, internally illuminated on-site, freestanding freeway sign located at 820 W. Rider Street within the Business Professional Office (BPO) Zone of the PVCC Specific Plan. **Applicant:** Quiel Signs, Ms. Crissy Mirabella.

REQUESTED ACTION: **Adopt Resolution No. 19-13** finding the project Categorically Exempt pursuant to CEQA Article 19, Section 15311 (Accessory Structures), Class 11(a), and approving Conditional Use Permit 19-05067, based on the findings contained in the Resolution, and subject to the Conditions of Approval.

CONTACT: Dr. Grace Williams, Director of Planning and Economic Development 

BACKGROUND/DISCUSSION:

The applicant, Quiel Signs, is requesting approval of a Conditional Use Permit (CUP) to construct a 25' tall, 100 SF, double-faced, internally illuminated on-site, freestanding freeway sign located at 820 W. Rider Street within the Business Professional Office (BPO) Zone of the Perris Valley Commerce Center (PVCC) Specific Plan. The sign will provide advertising for the existing Strains Dispensary business, which has obtained a Medical Marijuana Operators permit from the City and has been fully operational since February 25, 2019. Before the dispensary operation, the site was previously utilized as a restaurant.

The architectural design of the proposed sign meets the intent of the Perris Valley Commerce Center Specific Plan (PVCCSP); providing for a clearly defined base, body, and cap, as well as symmetry and balance. The sign is a contemporary style, providing for a total of 100 SF of sign area. The top half of the sign provides for just over 44 SF of sign area that is fixed sign copy consisting of raised (routed out) green lettering and a logo against an opaque white panel background. Only the raised green lettering and logo will be internally illuminated with frosted white LED's, so they are visible at night.

The proposed site is located within Zone C2 (Flight Corridor Zone) of MARB, which is within the 60 dB CNEL contour. Aircraft overflying this area is at 2,000 feet or more above the runway on the descent and generally 3,000 feet or more on takeoff. Since the project is located outside the primary approach areas and the Airport Influence Area and does not conflict and is compatible with relevant MARB Land Use Compatibility Plans and ALUC review was not required. However, the proposal was nonetheless forwarded to both MARB and the Riverside County ALUC to determine whether the height or illumination design characteristics posed a hazard to aircraft operations. MARB staff stated they did not have concerns and ALUC staff requested conditions of approval, which have been incorporated as conditions of approval.

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

BUDGET (or FISCAL) IMPACT: Costs for staff preparation of this item are borne by the applicant.

Prepared by: Mary Blais, Contract Planner

REVIEWED BY: Kenneth Phung, Planning Manager

Attachments:

Staff Report
Exhibit A – Conditions of Approval (Planning, Engineering, Building)
Exhibit B – Aerial View
Exhibit C – Existing PVCCSP Zoning Map
Exhibit D – Site & Architectural Plan
Exhibit E – Resolution 19-13

Consent:

Public Hearing: X

Business Item:

Presentation:

Other:

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

PROJECT REPORT

CASE: Conditional Use Permit 19-05067

Environmental Determination: Categorically Exempt per CEQA Article 19, Section 15311 (Accessory Structures), Class 11(a) for on-premise signs

Date: June 19, 2019

Project Planner: Mary Blais

Owner: High Desert Management, Mr. Wade Abdulla
11822 Musgrave Rd Oak Hills, CA 92344

Applicant: Quiel Signs, Ms. Crissy Mirabella
272 S. "I" St. San Bernardino, CA 92410

Location: 820 W. Rider Street

PROJECT DESCRIPTION: A proposal to construct a 25' tall, 100 SF, double-faced, internally illuminated, on-site freestanding freeway sign located at 820 W. Rider Street within the Business Professional Office (BPO) Zone of the Perris Valley Commerce Specific Plan (APN: 317-170-033)

Acreage: 2.5-acres

Related Cases: Strains Medical Marijuana Dispensary

EXISTING ZONING AND LAND USE:

Existing Zoning: Perris Valley Commerce Center Specific Plan (PVCCSP) within underlying Business Professional Office Zone.

Surrounding Zoning:

<i>Direction</i>	<i>Zoning</i>
North	PVCCSP/BPO
South	W. Rider Street ROW & PVCCSP
East	Webster Ave. ROW & PVCCSP
West	PVCCSP/BPO & I-215 Freeway

Existing Land Use: Developed, Disturbed land

Surrounding Land Use

<i>Direction</i>	<i>Land Use</i>
North	Undeveloped
South	W. Rider Street ROW & Richie Bros. Auctioneers
East	Webster Ave. ROW & Undeveloped
West	Undeveloped & I-215 Freeway

ANALYSIS & REVIEW:

PROJECT BACKGROUND/DESCRIPTION

The applicant, Quiel Signs, is requesting approval of a Conditional Use Permit (CUP) to construct a 25' tall, 100 SF, double-faced, internally illuminated on-site, freestanding freeway sign located at 820 W. Rider Street within the Business Professional Office (BPO) Zone of the Perris Valley Commerce Specific Plan. The sign will provide advertising for the existing Strains Dispensary business, which has obtained a Medical Marijuana Operators permit from the City and has been fully operational since February 25, 2019.

The architectural design of the proposed sign meets the intent of the Perris Valley Commerce Center Specific Plan (PVCCSP); providing for a clearly defined base, body, and cap, as well as symmetry and balance. The sign is a contemporary style, providing for a total of 100 SF of sign area. The top half of the sign provides for just over 44 SF of sign area that is fixed sign copy consisting of raised (routed out) green lettering and a logo against an opaque white panel background. Only the raised green lettering and logo will be internally illuminated with frosted white LED's, so they are visible at night.

The bottom half of the sign is a full color LED electronic (digital) message board that is 50 SF in size and equipped with an automatic dimmer and temperature sensor and wireless Ethernet so that illumination automatically dims and does not impair the vision of travelers on adjacent Interstate 215 or airport operations. The minimum display for messaging is eight (8) seconds, and the minimum transition time is three (3) seconds, as required by the City's Sign Regulations. Scrolling, flashing and similar attention-getting displays are prohibited. Conditions of approval have been added to ensure that the owner adheres to the City's and state regulations concerning sign copy, on-site advertising only and minimum display and transition times and attention-getting displays.

Between the LED electronic message board and the sign base is an internally illuminated cross-shaped green vinyl logo that is just over 5 SF in size. The cross-shaped logo will be an open-faced channel that is illuminated with a single tube exposed green neon light. The base of the sign is finished with a Coronado Ledger Stone veneer with a white stucco cap to match the building, and the top edge of the sign is capped with two, decorative metal accent ledges, with a green enamel finish to complement the building, sign lettering, and logos. The frame enclosures of the sign, as well as the exposed sides, top and bottom of the sign cabinet, will have a white stucco finish to match the building.

PLANNING AREA:

The proposed onsite freeway sign is located in Planning Area 3, “Agricultural Conversion Area,” of the General Plan, which consists of large parcels that are transitioning from agricultural uses to commercial and industrial uses due to the proximity to the Interstate 215 corridor. The conversion of agricultural land will enhance the economy of the City by attracting new uses that complement the existing distribution centers and provide jobs for residents.

PROJECT ANALYSIS

GENERAL PLAN AND ZONING CONSISTENCY

The General Plan Designation for the site is PVCCSP with an underlying Business Professional Office (BPO) Zone district. The proposed onsite freestanding freeway sign is a permitted use in the PVCCSP and the underlying BPO zone district.

Further, as identified in the PVCC Specific Plan, freestanding freeway signage is contemplated for BPO uses, subject to the design and development code provisions contained in the PVCC Specific Plan and sign regulations provisions in Chapter 19.75 of the City’s Zoning Regulations. As such, the proposed onsite freeway sign implements the PVCC Specific Plan and is, therefore, consistent City’s General Plan.

The project is also consistent with the underlying BPO zoning and the City’s sign regulations provisions, which limit the height, size, and operating characteristics of onsite, freestanding freeway signage. Since the proposed sign, as conditioned, meets the design and development standards with the PVCC Specific Plan and underlying BPO zoning district, it is consistent with the General Plan and Zoning.

MARB AIRPORT LAND USE COMPATIBILITY PLAN

The proposed site is located within Zone C2 (Flight Corridor Zone) of MARB, which is within the 60 dB CNEL contour. Aircraft overflying this area is at 2,000 feet or more above the runway on the descent and generally 3,000 feet or more on takeoff. Since the project is located outside the primary approach areas and the Airport Influence Area and does not conflict and is compatible with relevant MARB Land Use Compatibility Plans and ALUC review was not required. However, the proposal was nonetheless forwarded to both MARB and the Riverside County ALUC to determine whether the height or illumination design characteristics posed a hazard to aircraft operations. MARB staff stated they did not have concerns and ALUC staff requested conditions of approval, which have been incorporated as conditions of approval.

DEVELOPMENT STANDARDS

Development Criteria

The project is subject to compliance with the PVCCSP Development and Design Standards, as well as the Sign Regulations provisions of Chapter 19.75 of the City Zoning Code, including the Freeway and Electronic Sign provisions. Table 1 below summarizes and compares the Sign Regulations provisions governing Freeway Signs against the proposed sign project, demonstrating

that the project fully complies with these standards.

TABLE 1: SIGN REGULATIONS DEVELOPMENT & DESIGN STANDARDS SUMMARY			
Section 19.75.100(b)(4) Freeway Signs	Required	Provided	Complies?
Number of Freeway Signs / Site	1 max	1	Yes
Within 660' of Nearest Freeway Edge	660'	225'	Yes
Sign Height	25' max	25'	Yes
Maximum Sign Area	100SF	100SF	Yes
Locate within Planted Landscape Area	100SF min	100SF	Yes
Property Line Setback	5'	5'	Yes
Section 19.75.120 Electronic Signs	Required	Provided	Complies?
Electronic Sign Area	50% max	50%	Yes
Auto Dimming Controls	Photocell or Software Settings	Software	Yes
Display Time Minimum	8 Seconds	8 Seconds	Yes
Transition Time Between Messages	3 Seconds	3 Seconds	Yes
Continuous Scrolling, flashing & Similar	Prohibited	None	Yes

As Table 1 above shows, the proposed sign meets all development and design standards outlined the City's Sign Regulations, including Sections 19.75.100 and 19.75.120, which specifically relate to the onsite, freestanding freeway and electronic signage.

In addition, as noted above, the digital (electronic) display portion of the sign is conditioned to ensure that illumination automatically dims and does not impair the vision of travelers on adjacent Interstate 215 or airport operations. Also, the project is conditioned to share signage content time with the City for emergency public service announcements within the digital portion of the sign in furtherance the AMBERT Alert system (i.e., America's Missing: Broadcast Emergency Response Alert system) and the City's public safety communication efforts.

PUBLIC/AGENCY COMMENTS

A public hearing notice was mailed to affected public agencies and property owners within 300 feet of the subject properties. As of the writing of this report, no comments in opposition have been received from the neighboring property owners.

ENVIRONMENTAL

Categorically Exempt per CEQA Article 19, Section 15311 (Accessory Structures), Class 11(a) for on-premise signs.

PUBLIC/AGENCY COMMENTS

A public hearing notice was sent to property owners within 300 feet of the project site and agencies.

As of the writing of this report, no comments have been received by staff.

FINDINGS

The following Findings are recommended to the Planning Commission for project approval:

Conditional Use Permit 19-05067 Findings:

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.

As conditioned, the proposed location of the CUP is in accord with the objectives of the Conditional Use Permit provisions of the City's Zoning Code, Chapter 19.61, in that the proposed onsite freeway sign is necessary and desirable for the existing business to advertise the goods and services for sale in order to attract and direct persons to the existing business for maximum public convenience. Further, the sign is an appropriate accessory 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, in that it meets the intent of the PVCCSP, in that it provides advertising for an existing use that is consistent with the PVCCSP and conforms to applicable provisions of the City's Sign Regulations and Zoning Ordinance and other applicable resolutions. Further, the proposed sign is intended to promote the existing use, which serves existing and future residents and businesses of the City of Perris. The location and size of the sign meet applicable City's Sign Code Regulations, which implements the General Plan.

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, in that the project has been conditioned to meet relevant Zoning Code and applicable building and safety standards, which are intended to 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 architectural design of the proposed sign is compatible with the existing onsite building, meets the intent of the Perris Valley Commerce Center Specific Plan in that it provides a high-quality design through the use of varied colors, textures and materials. In addition, the architectural design also meets the development standards outlined for

Electronic Freeway signs in the City's Sign Regulations and as such, protects the character of adjacent development.

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

The proposed CUP is consistent with the City's Sign Regulations pertaining to landscaping, in that the sign has been placed within a landscape planter and provides for a landscaped area at the base of the sign that is 100SF as required, to ensure visual relief and provide an attractive backdrop for the sign structure.

RECOMMENDATION:

Staff recommends that the Planning Commission:

ADOPT Resolution No. 19-13 finding the project Categorical Exempt per CEQA Article 19, Section 15311 (Accessory Structures), Class 11(a), and approving Conditional Use Permit 19-05067 to permit the construction of a 25' tall, 100 SF, double-faced, internally illuminated, on-site freestanding freeway sign located at 820 W. Rider Street, based on the findings contained in the Resolution, and subject to the Conditions of Approval.

EXHIBITS:

- Exhibit A – Conditions of Approval (Planning, Engineering, Building)
- Exhibit B – Aerial View
- Exhibit C – Existing PVCCSP Zoning Map
- Exhibit D – Site & Architectural Plan
- Exhibit E – Resolution 19-13

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

PLANNING COMMISSION CONDITIONS OF APPROVAL

CUP 19-05067

June 19, 2019

Conditional Use Permit 19-05067 - A proposal to construct a 25' tall, 100 SF, double-faced, on-site, freestanding freeway sign located at 820 W. Rider Street within the Business Professional Office (BPO) Zone of the Perris Valley Commerce Specific Plan (APN: 317-170-033). **Applicant:** Quiel Signs, Ms. Crissy Mirabella.

General Requirements:

1. **Conformance to Approved Plans.** The proposed onsite freestanding freeway sign shall conform substantially to the approved set of plans presented at the June 19, 2019, Planning Commission meeting, 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 before the expiration of the Conditional Use Permit.
3. **Signage Display.** The maximum signage display shall be 100SF per sign face with a maximum billboard height of 25'. The digital display shall occupy a maximum of 50% of the sign area (50 SF) and shall maintain a minimum display time of 8 seconds and a transition time of 3 seconds. Continuous scrolling, flashing, and similar is prohibited. Advertising shall be in conformance with City of Perris and State Laws governing cannabis, Business and Professions Code 26150 et seq. and shall be related to onsite activities only.
4. **Riverside County ALUC.** The proposed sign shall be subject to ALUC conditions of approval outlined in an email, dated April 25, 2019, and attached hereto.
5. **Public Service Announcements.** The City shall have the right to place emergency public service announcements at the same signage display including, emergency broadcasts and Amber Alerts and similar.
6. **Sign Application.** A sign application will be required for the precise location, final height, design, and photo simulation of the sign. The final design shall be substantially in compliance with the original approval.
7. **Building Official/Fire Marshal.** The proposed sign shall adhere to all requirements of the Building Official/Fire Marshal, outlined in the conditions of approval, dated April 2,

2019 and attached hereto. Water, gas, sewer, electrical transformers, power vaults and separate fire/water supply lines (if applicable) must be shown on the final set of construction plans pursuant to the requirements of the Building Official. See City of Perris website, Office of the Fire Marshal for examples and relevant information for access and underground plan available at <http://www.cityofperris.org>.

8. **Graffiti.** Graffiti located on site shall be removed within 48 hours. The site shall be maintained in a graffiti-free state at all times.
9. **Property Maintenance.** The project shall comply with provisions of Perris Municipal Code 7.06 regarding Landscape Maintenance, and Chapter 7.42 regarding Property Maintenance.
10. **City Engineer.** The proposed sign shall adhere to all requirements of the City Engineer outlined in the conditions of approval, dated April 15, 2019, and attached hereto.

PRIOR TO BUILDING PERMIT ISSUANCE

11. **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 an 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 16-05149. The 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

12. **Outstanding Fees.** Any outstanding processing fees due to the Planning Division shall be paid.
13. **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 Planning staff.

<End Conditions>

Mary Blais

From: Rull, Paul [PRull@RIVCO.ORG]
Sent: Thursday, April 25, 2019 11:26 AM
To: Mary Blais
Subject: CUP19-05067 LED sign transmittal ALUC comments

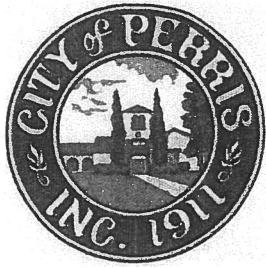
Follow Up Flag: Flag for follow up
Flag Status: Flagged

Hi Mary,

Thank you for your transmittal for the above reference project. The project is located within Zone C2 of March Air Reserve Base/Inland Port Airport Influence Area, and does not require ALUC review (as the City's General Plan has been found consistent with the March ALUCP). ALUC staff recommends incorporating the following conditions to ensure that the LED sign does not impact aircraft navigation at the Base:

- In the event that any incidence of glint, glare, or flash affecting the safety of air navigation occurs as a result of project operation, upon notification to the airport operator of an incidence, the airport operator shall notify the project operator in writing. Within 30 days of written notice, the project operator shall be required to promptly take all measures necessary to eliminate such glint, glare, or flash. An "incidence" includes any situation that results in an accident, incident, "near-miss," or specific safety complaint regarding an in-flight experience to the airport operator or to federal, state, or county authorities responsible for the safety of air navigation. The project operator shall work with the airport operator to prevent recurrence of the incidence. Suggested measures may include, but are not limited to, realignment of the sign, covering them at the time of day when incidences of glare occur, to diminish or eliminate the source of the glint, glare, or flash. For each such incidence made known to the project operator, the necessary remediation shall only be considered to have been fulfilled when the airport operator states in writing that the situation has been remediated to the airport operator's satisfaction.
- In the event that any incidence of electrical interference affecting the safety of air navigation occurs as a result of project operation, upon notification to the airport operator of an incidence, the airport operator shall notify the project operator in writing. Within 30 days of written notice, the project operator shall be required to promptly take all measures necessary to eliminate such interference. An "incidence" includes any situation that results in an accident, incident, "near-miss," report by airport personnel, or specific safety complaint to the airport operator or to federal, state, or county authorities responsible for the safety of air navigation. The project operator shall work with the airport operator to prevent recurrence of the incidence. For each such incidence made known to the project operator, the necessary remediation shall only be considered to have been fulfilled when the airport operator states in writing that the situation has been remediated to the airport operator's satisfaction.
- The LED sign shall prohibit any advertisements that utilizes colors and graphics that could be misinterpreted by aircraft pilots as aviation related signs/symbols.

If you have any questions, please feel free to contact me.



CITY OF PERRIS

HABIB MOTLAGH, CITY ENGINEER

P8-000

MEMORANDUM

TO: Mary Blais, Contract Planner

FROM: John Pourkazemi, Senior Engineer

DATE: April 15, 2019

RE: CUP 19-05067
NWC Rider Street and Webster Avenue
APN 317-170-033

We have completed our review of the above mentioned submittal received in our office on April 1, 2019 and offer the following comments:

- Rider Street and Webster Avenue are Secondary Arterials with 94' wide full width right-of-way (47' half width R/W). The additional right-of-way as required shall be dedicated for the parcel. The entire sign including overhangs shall be outside of the right-of-way.
- Adequate sight distance shall be provided as applicable.

Please call if you have any questions or require additional information.

SRC COMMENTS
***** BUILDING & SAFETY *****

Planning Case File No(s): **CONDITIONAL USE PERMIT #19-05067**

Case Planner: **Mary Blais (951) 943-5003,**

Applicant: **Quiel Signs, Ms. Crissy Mirabella**

Location: **NEC RIDER STREET & FRONTAGE ROAD**

A Conditional Use Permit to construct a 144 SF, 25 foot tall, freestanding, double faced digital freeway sign located at 820 Rider Street within the Perris Valley Commerce Center, Specific Plan

Project:

Associated Cases: **CUP #19-05067 PARCEL-317-170-033**

Reviewed By: **David J. Martinez, GBO**

Date: **4-2-19**

SPECIFIC COMMENTS

1. None

GENERAL CONDITIONS

1. Shall comply with the latest adopted State of California 2016 editions of the following codes as applicable:
 - A. California Building Code
 - B. California Electrical Code
 - C. California Mechanical Code
 - D. California Energy Code
 - E. California Fire Code
 - F. California Green Building Standards Code

2. All signs if any shall be Underwriters Laboratories, or equal, approved.

PRIOR TO THE ISSUANCE OF THE BUILDING PERMIT

1. N/A

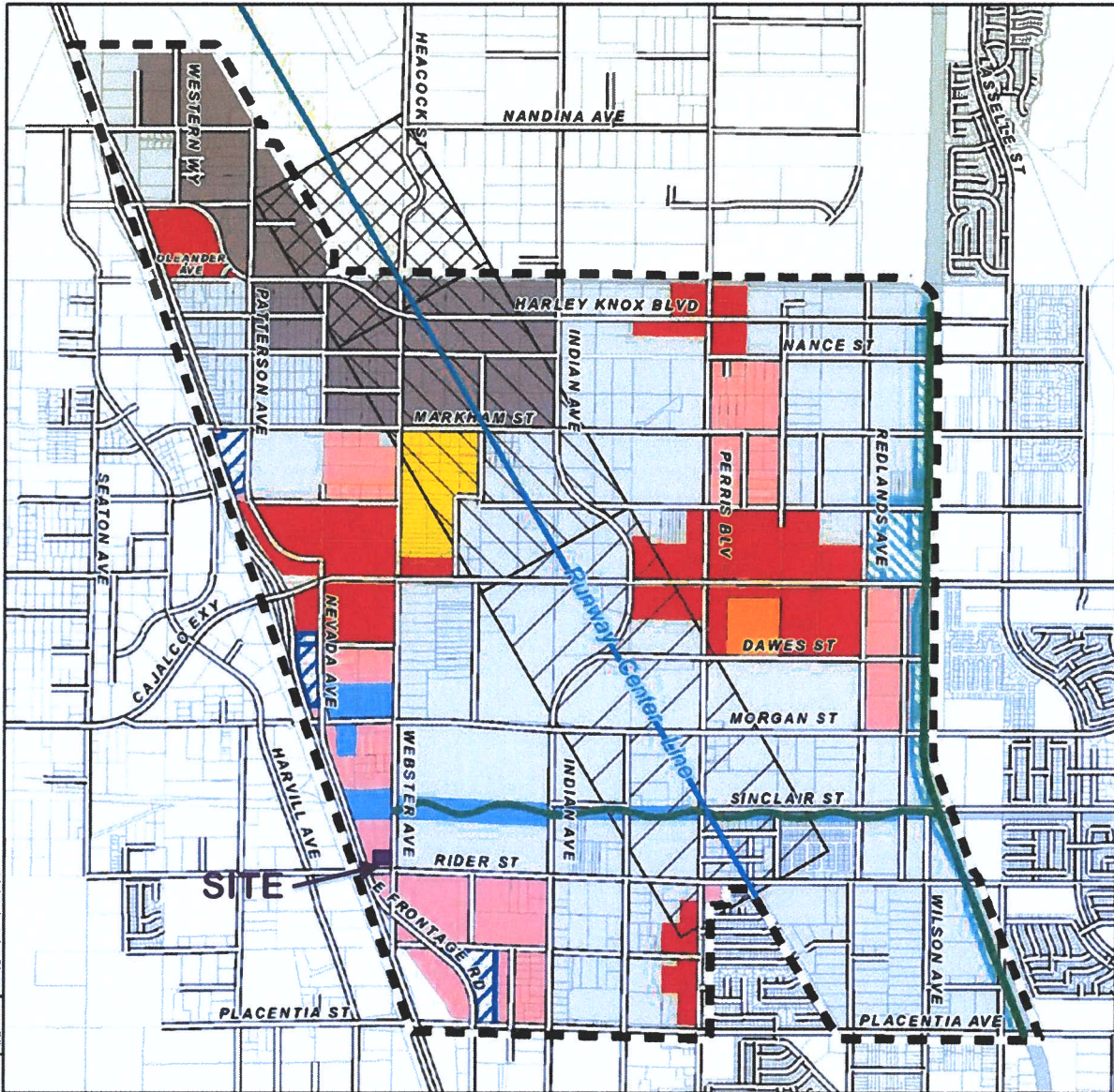
FIRE CONDITIONS

1. Fire Conditions will be provided by Dennis Grubb and Associates

EXHIBIT B
Aerial View
CUP 19-05067









**EXHIBIT C
PVCCSP BPO ZONING, AIRPORT ZONE
CUP 19-05067**



G:\2006.06-0313\GIS\Env\Landuse\Proposed\update\FIR_1.mxd

LEGEND

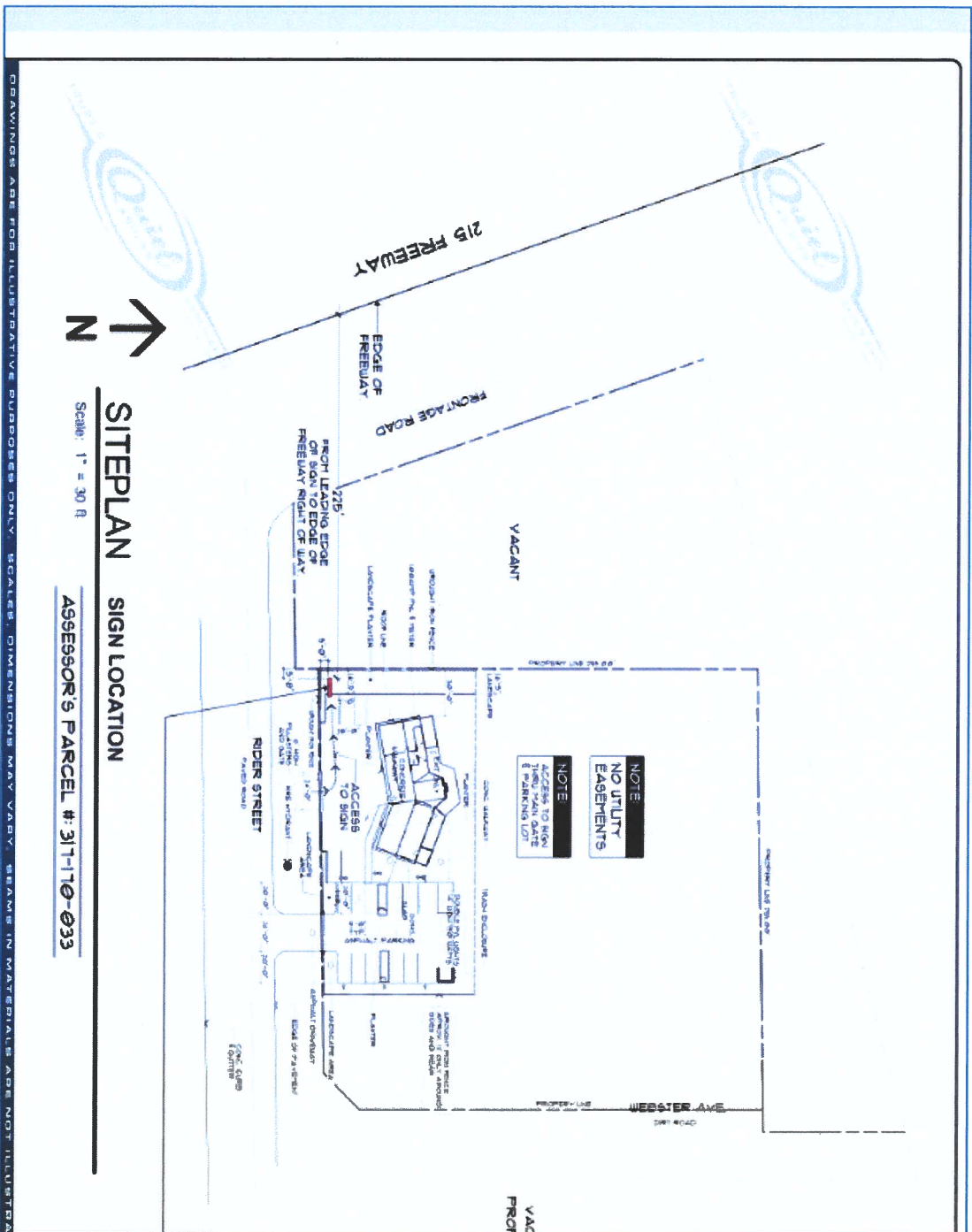
-  SPECIFIC PLAN BOUNDARY
-  POTENTIAL BASIN AREAS
-  FUTURE PERRIS VALLEY STORM DRAIN
-  CLEAR ZONE
-  ACCIDENT POTENTIAL ZONE I
-  ACCIDENT POTENTIAL ZONE II

PROPOSED LAND USE

-  RESIDENTIAL
-  MULTI-FAMILY RESIDENTIAL
-  COMMERCIAL

-  BUSINESS PROFESSIONAL OFFICE
-  LIGHT INDUSTRIAL
-  GENERAL INDUSTRIAL
-  PUBLIC/SEMI-PUBLIC FACILITY
-  TRAIL

SITE PLAN



RESOLUTION NUMBER 19-13

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, FINDING THE PROJECT CATEGORICALLY EXEMPT PURSUANT TO CEQA ARTICLE 19, SECTION 15311 (ACCESSORY STRUCTURES), CLASS 11(A) AND APPROVING CONDITIONAL USE PERMIT 19-05067 TO CONSTRUCT A 25' TALL, 100 SF, DOUBLE-FACED, ON-SITE, FREESTANDING FREEWAY SIGN LOCATED AT 820 W. RIDER STREET WITHIN THE BUSINESS PROFESSIONAL OFFICE (BPO) ZONE OF THE PERRIS VALLEY COMMERCE SPECIFIC PLAN (APN: 317-170-033) AND MAKING FINDINGS IN SUPPORT THEREOF

WHEREAS, the applicant filed Conditional Use Permit 19-05067 to allow for the construction of a 25' tall, 100 SF, double-faced, internally illuminated freestanding freeway sign located adjacent to the I-215 Freeway at 820 W. Rider Street, within a Business Professional Office Zone in the Perris Valley Commerce Center Specific Plan (“sign” or “project”); and

WHEREAS, the proposed location of the sign is in accordance with the objectives of the Perris Valley Commerce Center Specific Plan (“PVCCSP”); and

WHEREAS, the proposed project 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 June 19, 2019, the Planning Commission conducted a legally noticed public hearing on Conditional Use Permit 19-05067, 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, and incorporated herein by this reference.

Section 2. The Planning Commission has determined that the project is exempt from review under the California Environmental Quality Act (“CEQA”) pursuant to Article 19 Section 15311 (Accessory Structures), Class 11(a) for on-premise signs.

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 E

Conditional Use Permit 19-05067 Findings:

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.

As conditioned, the proposed location of the CUP is in accord with the objectives of the Conditional Use Permit provisions of the City's Zoning Code, Chapter 19.61, in that the proposed onsite freeway sign is necessary and desirable for the existing business to advertise the goods and services for sale in order to attract and direct persons to the existing business for maximum public convenience. Further, the sign is an appropriate accessory 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, in that it meets the intent of the PVCCSP, in that it provides advertising for an existing use that is consistent with the PVCCSP and conforms to applicable provisions of the City's Sign Regulations and Zoning Ordinance and other applicable resolutions. Further, the proposed sign is intended to promote the existing use, which serves existing and future residents and businesses of the City of Perris. The location and size of the sign meet applicable City's Sign Code Regulations, which implements the General Plan.

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, in that the project has been conditioned to meet relevant Zoning Code and applicable building and safety standards, which are intended to 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 architectural design of the proposed sign is compatible with the existing onsite building, meets the intent of the Perris Valley Commerce Center Specific Plan in that it provides a high-quality design through the use of varied colors, textures and materials. In addition, the architectural design also meets the development standards outlined for Electronic Freeway signs in the City's Sign Regulations and as such, protects the character of adjacent development.

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

The proposed CUP is consistent with the City's Sign Regulations pertaining to landscaping, in that the sign has been placed within a landscape planter and provides for a landscaped area at the base of the sign that is 100SF as required, to ensure visual relief and provide an attractive backdrop for the sign structure.

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 Section 15311 (Accessory Structures), Class 11(a) for on-premise signs and approves Conditional Use Permit 19-05067 to construct a 25' tall, 100 SF, double-faced, internally illuminated freestanding freeway sign located adjacent to the I-215 Freeway at 820 W. Rider Street, within a Business Professional Office Zone in the PVCCSP, based on the information and findings presented in the staff report and subject to the Conditions of Approval attached hereto as Exhibit A and incorporated herein by this reference.

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 19th day of June 2019.

CHAIRPERSON, PLANNING COMMISSION

ATTEST:

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 19-13 was duly adopted by the Planning Commission of the City of Perris at a regular meeting of said Planning Commission on 19th day of June 2019, and that it was so adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Secretary, Planning Commission