

RESOLUTION NUMBER 5557

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, APPROVING AN AMENDMENT TO THE CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT 19-05083 TO REMOVE CONDITIONS 6D AND 6E AS APPROVED BY THE PLANNING COMMISSION LOCATED AT THE 511 4TH STREET AT THE CORNER OF 4TH STREET AND WILKERSON AVENUE.

WHEREAS, on June 19, 2019, the Planning Commission conducted a duly noticed public hearing on the project and adopted Planning Commission Resolution 19-14, approving Conditional Use Permit 19-05083 to allow the sale of beer, wine, and distilled spirits, with conditions of approval; and

WHEREAS, on June 27, 2019, the Project applicant filed an Appeal of the Planning Commission's approval to request the removal of conditions of approval 6d and 6e to allow the sale of individual bottles of beer and wine in bottles of any size; and

WHEREAS, a duly noticed public hearing was held on July 30, 2019, by the City Council, at which time all interested persons were given full opportunity to be heard and to present evidence in regards to conditions of approval 6d and 6e; and

WHEREAS, at the duly noticed public hearing on July 30, 2019, the City Council considered all written and oral evidence and testimony, including but not limited to testimony from members of the public and written and oral reports by City staff.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. The above recitals are all true and correct and incorporated herein by this reference.

Section 2. The City Council has reviewed and considered the environmental information discussed in the staff report and accompanying attachments and at the duly public hearing held on July 30, 2019, prior to taking action on the Application and determined that the removal of Conditions of Approval Nos. 6d and 6e, does not trigger changes to the previously adopted determination that the project is exempt from CEQA; as such, no further CEQA action is required for the proposed changes to the Conditions of Approval for this Project.

Section 3. The City Council hereby finds that the removal of conditions of approval 6d and 6e does not affect any findings made in Planning Commission Resolution No. 19-14, which is incorporated herein by reference, all of which findings remain in full force and effect.

Section 4. The City Council hereby adopts the attached Amended Planning Conditions of Approval and hereby modifies Planning Commission Resolution No. 19-14 by removing Conditions of Approval 6d and 6e therein.

Section 5. Except as amended as provided in this Resolution, Planning Commission Resolution No. 19-14 remains in full force and effect.

Section 6. The City Council 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 7. The Mayor shall sign this Resolution and the City Clerk shall certify to the passage and adoption of this Resolution.

ADOPTED, SIGNED, and APPROVED this 30th day of July 2019.

Mayor, Michael M. Vargas

ATTEST:

City Clerk, Nancy Salazar

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

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, DO HEREBY CERTIFY that the foregoing Resolution Number 5557 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held on the 30th day of July 2019, by the following vote:

AYES: ROGERS, MAGAÑA, CORONA, RABB, VARGAS
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

City Clerk, Nancy Salazar