

RESOLUTION NUMBER 5668

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, APPROVING A PUBLIC HEARING REQUEST 20-05054 TO MODIFY SIX ENGINEERING CONDITIONS OF APPROVAL ASSOCIATED WITH UTILITY REQUIREMENTS AND STREET IMPROVEMENTS FOR THE RADOS INDUSTRIAL PROJECT (AKA MINOR MODIFICATION 18-05204 AND DEVELOPMENT PLAN REVIEW 07-0119) LOCATED ON THE NORTH SIDE OF RIDER STREET BETWEEN WEBSTER AVENUE AND INDIAN AVENUE

WHEREAS, the applicant Duke Realty, LP., submitted a Public Hearing Request 20-05054 for a proposal to modify six (6) Engineering Conditions of Approval (Attachment “A”) for the *Rados Industrial* project (aka Minor Modification 18-05204 and Development Plan Review 07-0119) associated with utility requirements and street improvements for the *Rados Industrial project* to facilitate the construction of a 1,191,053 SF industrial building on 59 acres located within the LI zone of the Perris Valley Commerce Center (PVCC) Specific Plan; and

WHEREAS, the City of Perris Planning Commission on September 15, 2010, recommended that the City Council certify the *Rados Industrial* project Environmental Impact Report (State Clearinghouse No. 2008111080) and approve Development Plan Review (DPR) 07-0119 for construction of a 1,191,080 sq. ft. industrial warehouse building on approximately 59 acres located at the northwest corner of Webster Avenue and Rider Street; and

WHEREAS, the City of Perris City Council on July 12, 2011 certified the *Rados Industrial* project Environmental Impact Report (State Clearinghouse No. 2008111080) and approved Development Plan Review (DPR) 07-0119 for construction of a 1,191,080 sq. ft. industrial warehouse building on approximately 59 acres located at the northwest corner of Webster Avenue and Rider Street; and

WHEREAS, the City of Perris Development Services Department on September 25, 2018, approved Minor Modification (18-05204) to Development Plan Review 07-0119 to upgrade the architecture and modify the site layout so that there would be a separation between the auto parking lot and the truck circulation aisles for improved on-site circulation; and

WHEREAS, a duly noticed public hearing was held on May 12, 2020, by the City Council, at which time all interested persons were given full opportunity to be heard and to present evidence in regards to amending six engineering conditions of approval (# 6, 17, 18, 20, 23 and 30) for the purpose of minimizing the number of existing utility poles that will need to be underground, in line with the utility poles that were allowed to remain in place for the industrial project on Rider Street just east of the site; and

WHEREAS, at the duly noticed public hearing on May 12, 2020, 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; and

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.

Section 2. The City Council has reviewed and considered the environmental information discussed in the staff report and accompanying attachments prior to taking action on the application, and finds that the amendment of Conditions does not trigger changes to the previously adopted EIR, as such, no further CEQA action is required for the proposed Modification.

Section 3. The City Council hereby adopts the Amended Conditions pursuant to this revised approval. Said amended Conditions do not affect any findings made in the Initial Approval, which Initial Approval is incorporated herein by reference, all of which findings remain in full force and effect.

Section 4. The City Council hereby adjusts the Initial Approvals of the City Council in accordance with the changes reflected in this Resolution.

Section 5. The City Clerk 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 Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Resolution.

ADOPTED, SIGNED and APPROVED this 12th day of May 2020.

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, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Ordinance Number 5668 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held on May 12, 2020, by the following called vote:

AYES: ROGERS, MAGAÑA, CORONA, RABB, VARGAS

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

City Clerk, Nancy Salazar

Attachment: Amended Engineering Conditions of Approval and Street Exhibit



CITY OF PERRIS

STUART E. MCKIBBIN, CITY ENGINEER

CONDITIONS OF APPROVAL

P8-983

February 6, 2009, Revised February 9, 2009, Revised October 5, 2009,

Revised September 14, 2010, Revised October 13, 2010,

Revised September 24, 2018, **Revised April 15, 2020**

MM 18-05204 (DPR 07-0119) – Rados

MM 20-05054 (DPR 07-0119) - Rados

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 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 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 state (100-year) and the nuisance runoff shall be retained within onsite private detention basin(s) and discharged to adequate outlet as approved by City and pursuant to Riverside County Flood Control standards.
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 on and offsite landscaping with exception of median improvements which

will be included in landscape maintenance. The proposed offsite streetlights and portions of existing and new signals (Harley Knox Blvd. intersections with Indian and Patterson and the new signal at Rider and Indian and at Webster Intersection with Morgan shall be maintained by City and cost paid for by the proposed owners through annexation to lighting and landscaping districts. In the event RCFC does not maintain the proposed offsite drainage facilities, it shall be annexed to Flood Control District for maintenance.

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.~~ ***remain in place. As an alternative, the developer/property owner has proposed to pay an in-lieu fee in the amount of \$1,050,000 that can be used by the City for community recreation amenities or as approved by City Council. The fee is due upon entitlement approval and expiration of the applicable statute of limitations for CEQA based challenges for this Project.***
7. Streetlights shall be installed along Rider Street, Webster Avenue and Indian Avenue as approved by City Engineer per City of Perris standards. The lights shall be LS3, LED and plans shall be prepared by registered Electrical Engineer.
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

The project's design shall be in compliance with EMWD, Riverside County Flood Control 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 intersections and driveways to eliminate nuisance runoff.
12. 6' concrete sidewalk, handicap ramps, and driveways shall be installed pursuant to Riverside County and ADA standards. All driveway approaches

shall be constructed per Riverside County standards for Commercial Driveway (Std. 207A) and comply with the ADA requirements.

13. Construction of Master Planned Underground Drainage Facilities (Laterals H-5) along Rider Street as shown on adopted master plan to Perris Valley Channel will be required. Prior to start of design of these facilities, the applicant's engineer shall meet with Flood control to understand to design criteria established by Flood Control for such facilities. All such improvement plans and drainage reports shall be reviewed and approved by RCFC and City of Perris. Installation of catch basins and connection to Master Planned Facilities at the intersection of all new driveways and all existing and proposed intersections along Rider Street, Indian Avenue, and Webster Street shall be required and to eliminate nuisance runoff from cross-gutters. In the event construction of Lateral "H-5" and downstream underground facility is not feasible at the time of development of this project, construction of adequately sized underground facilities and extension easterly along Rider to Perris Valley Channel will be required. In this event, the applicant shall secure Flood Control's approval for diversion.
14. All onsite drainage runoff shall be collected via onsite underground facilities and connected to onsite basin(s) and conveyed to master planned facilities.
15. 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. This project shall join the City of Perris RBBB.
16. Prior to issuance of occupancy permits, the applicant shall pay the City \$500,000 for their contribution towards implementation of interim and ultimate improvements to I-215/Ramona Expressway interchange and Harley Knox Blvd. interchange and other improvements. This one time contribution is above and beyond TUMF, DIF, RBBB and other City fees and is not reimbursable.
17. Rider Street from Frontage Road to the intersection of Indian Avenue within 94' full width dedicated right-of-way shall be improved with minimum of ~~66'~~ **60'** of paving along both sides, curb/gutter located ~~35'~~ **32'** on either side of centerline and sidewalk along the north side **26'** of paving north of the street centerline. Existing pavement along north side shall be removed and replaced, existing pavement along south side shall be **rehabilitated by grind and 0.15' AC overlay** ~~grind/over by 0.15'~~. The existing curb and gutter along south side shall remain in place and **be incorporated into the with** new improvements.

The improvements shall be in substantial conformance with Exhibit "A" – Modified Rider Street Section and Striping.

18. Webster Avenue from Rider Street to northerly right-of-way of MWD shall be improved with minimum of ~~66'~~ **60'** new paving, curb/gutter and sidewalk located ~~35'~~ **32'** on either side of centerline within 94' full width dedicated right-of-way.

Existing pavement along Webster from MWD's northerly right-of-way to Morgan Street may require 0.15' grind/overlay as determined by City.

19. Indian Avenue along the both sides from Rider Street to northerly right-of-way of MWD shall be improved with minimum of 66' new paving, curb/gutter located 35' on either side of centerline within 94' full width dedicated right-of-way. Indian Avenue along the east side of MWD's northerly right-of-way to Morgan Street shall be improved with minimum of 33' of new pavement, curb/gutter located 35' from centerline within 47' half-width dedicated right-of-way.

Existing pavement along Indian Avenue from MWD's northerly right-of-way to Morgan Street may require 0.15' grind/overlay as determined by City.

20. Construction of ~~44'~~ **10'** landscaped median along Indian ~~and~~ Rider ~~and~~ Webster Avenue shall be required adjacent to the site except for transition at **existing and proposed** driveways and intersections. The landscaped median along Indian Avenue shall be installed from Rider to Morgan Street **as shown on Exhibit "A" – Modified Rider Street Section and Striping**. Nuisance underground drainage pipe and connection to on and/or offsite drainage facility will be required.
21. Harley Knox Blvd. from Indian Avenue to I-215 shall be fully improved along both sides including curb/gutter to general plan standards within 128' dedicated right-of-way. The intersection of Harley Knox Blvd. with Indian and Patterson Avenue shall be improved by general plan standards (all legs and directions) with 2 left turn pockets all legs and directions, minimum 2 through lanes and one dedicated right turn.
22. Traffic index of 10.5 shall be used for any work on Rider, Indian, and Harley Knox Blvd. and 9.0 for Webster Avenue.
23. The intersections of Rider ~~Avenue Street~~ with Webster Avenue, Rider ~~Avenue Street~~ with Indian Avenue Harley Knox Blvd. with Patterson Avenue, and all **truck** driveways on Rider ~~Avenue Street~~, Webster Avenue and Indian Avenue shall be improved with concrete pavement sections to withstand the truck traffic.
24. Right-of-way acquisition. All right-of-way property area necessary for construction of the street and traffic improvements including any utility and construction easements, not under Applicant's ownership shall be acquired by the Applicant, at Applicant's sole cost. If Applicant is unsuccessful in negotiating any right-of-way acquisition with third party owners after a 30 day period, then City shall conduct the necessary analysis to determine in its sole discretion whether to attempt to acquire the right-of-way by exercise of its power of eminent domain; provided, however, that nothing herein shall be deemed a prejudgment or commitment with respect to condemnation.
25. Reimbursement of costs. Applicant and City shall cooperate to ensure that Applicant receives, to the greatest extent practicable, reimbursement for all of Applicant's eligible costs of constructing all of the street and traffic improvements. Reimbursement agreement or some similar agreement between Applicant and the City and/or establishment of a RBBB community facilities district or other assessment district that will fund the costs of such construction. Notwithstanding the forgoing, City shall have no obligation to

reimburse or credit Applicant from any source of City funding other than under the local Development Impact Fee program as adopted by the City. Other sources of reimbursement may include the Transportation Uniform Mitigation Fee (TUMF) program, future developers who benefit from the improvements constructed by the Applicant, and/or participants in a community facilities or assessment district created to fund such improvements and other improvements in the vicinity of Applicant's project.

26. New traffic signals shall be installed at intersection of Indian with Rider and Morgan Street and Webster Avenue with Morgan Street. The existing signals at intersection of Harley Knox Blvd. with Indian and Patterson Avenue shall be upgraded to accommodate the requested improvements.
27. This project is located within the RBB District and shall complete the improvements as conditioned and receive the appropriate credit per RBB District study and ordinance.
28. Driveways shall be installed per Riverside County Standard No. 207A. 3 driveways shall be constructed on Rider Street, the most easterly driveway shall be right in and out only. One driveway each for Webster Avenue and Indian Avenue shall be provided.
29. Minimum of one RTA stop shall be provided along perimeter streets as determined by the City Engineer and RTA.
30. Intersection of Rider with Indian Avenue shall be improved to accommodate one left turn lane, 2 through lanes, and one dedicated right turn lane (~~all legs and directions~~ **on north, east and west legs**). The intersection of Rider with Frontage Road shall be improved to provide for a left turn, a dedicated right lane, one north, one south, and 2 east bound lanes.
31. Lot merger and/or final maps if required shall be filed and recorded prior to issuance of any permit.
32. ***There shall be a 150-foot centerline-to-centerline separation between this project's proposed driveway on Indian Avenue and the existing driveway across the roadway to the north. The existing raised landscaped median on Indian Avenue shall be modified to accommodate left-in/left-out truck movements at the proposed driveway; the length of the left-in pocket shall be determined by a Traffic Engineer, as approved by the City Engineer.***



Stuart E. McKibbin
City Engineer

Exhibit "A"

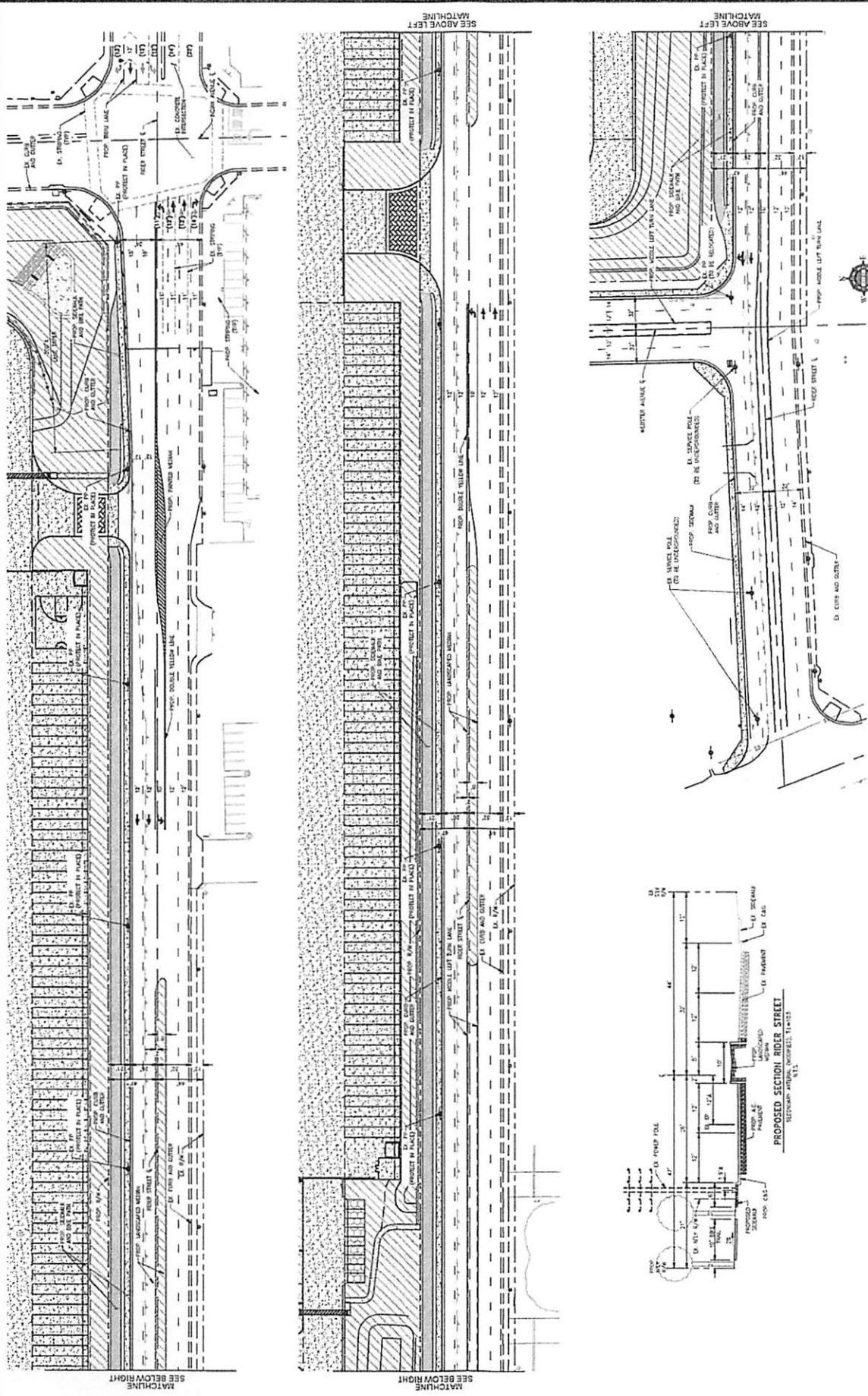
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SHEET
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 OF 1

1" = 40'
 0 20 40

1" = 120'
 0 60 120



MODIFIED RIDER STREET SECTION AND STRIPING