

RESOLUTION NUMBER 6118

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ADOPTING THE MITIGATED NEGATIVE DECLARATION NO. 2373 AND APPROVING SPECIFIC PLAN AMENDMENT 21-05193, TENTATIVE PARCEL MAP 22-05078 (TPM-38393) AND DEVELOPMENT PLAN REVIEW 21-00011 TO ALLOW THE CONSTRUCTION OF 232,575 SQUARE FOOT MULTI-TENANT, NON-REFRIGERATED WAREHOUSE DISTRIBUTION BUILDING ON 13.32 ACRES OF A LARGER 14.93-ACRE PROJECT SITE LOCATED ON THE NORTH SIDE OF RAMONA EXPRESSWAY BETWEEN INDIAN AVENUE AND PERRIS BOULEVARD, BASED ON THE FINDINGS PROVIDED HEREIN AND SUBJECT TO THE CONDITIONS OF APPROVAL AND THE MITIGATION MONITORING AND REPORTING PROGRAM.

WHEREAS, the applicant, Joe McKay with JM Realty, proposes to amend the Perris Valley Commerce Center Specific Plan (“PVCCSP”) to change the zoning designation of 13.32 acres of a larger 14.93-acre parcel from Commercial (C) to Light Industrial (LI) and to subdivide the 14.93-acre parcel into two parcels, a 13.32-acre parcel to facilitate the construction of 232,575-square-foot (sf) non-refrigerated warehouse distribution building and a 1.61-acre parcel for future commercial development, located at the northeast corner of Indian (“Project”); and

WHEREAS, the applicant submitted Specific Plan Amendment (“SPA”) 21-05193, Tentative Parcel Map 22-05078 (TPM 38393) and Development Plan Review (“DPR”) 21-00011 for consideration of architectural design and site layout and operations for the above-mentioned project (“Project”); and

WHEREAS, the proposed SPA 21-05193, Tentative Parcel Map 22-05078 (TPM 38393), and DPR 21-00011 is considered a "project" as defined by the California Environmental Quality Act ("CEQA"); and

WHEREAS, on April 14, 2022, the Riverside County Airport Land Use Commission (ALUC) determined the Project was conditionally consistent with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan (MARB ALUCP) based on findings and Conditions, which are attached and incorporated into the Planning Conditions of Approval; and

WHEREAS, pursuant to CEQA and State CEQA Guidelines, an Initial Study (“IS”) was prepared for the proposed Project and, based upon thereof, Mitigated Negative Declaration (“MND”) 2373 was prepared for the Project; and

WHEREAS, the City of Perris Municipal Code (Zoning Code, Authority and Review Procedures) authorizes the City to approve, conditionally approve, or deny requests for a Specific Plan Amendment, Development Plan Reviews, and Tentative Tract Maps; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing on December 7, 2022 on the Project, and at the meeting recommended denial of the Project to the City Council after considering public testimony and materials in the staff report and accompany documents for the Mitigated Negative Declaration 2373, Development Plan Review 21-00011, and Specific Plan Amendment 21-05193; and

WHEREAS, on January 31, 2023, the City Council conducted a duly noticed public hearing regarding the Initial Study/MND 2373 and the Project, at which time all interested persons were given full opportunity to be heard and to present evidence for the City Council's consideration including all oral and written testimony from members of the public and City staff, including, but not limited to, the City staff reports and accompanying documents and exhibits; and

WHEREAS, the City Council's adoption of the Mitigated Negative Declaration reflects its independent judgment and analysis; and

WHEREAS, no comments made in the public hearings conducted by the City Council or any additional information submitted to the City Council have produced substantial new information requiring recirculation or additional environmental review under State CEQA Guidelines section 15088.5; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PERRIS does resolve as follows:

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

Section 2. Based on the foregoing, and all oral and written statements and reports presented by City staff and members of the public at the public hearing on January 31, 2023, the Initial Study prepared for the Project (including all comments received), substantial evidence in light of the whole record, and in accordance with the City of Perris guidelines for implementing CEQA, the City Council hereby determines pursuant to Section 15074 of the CEQA Guidelines that all potential significant effects on the environment can be reduced to a less than significant level through mitigation measures, the design of the development, the City's Zoning Code, and standard requirements of the City; therefore Mitigated Negative Declaration No. 2373 has been prepared, with findings that:

- A. No significant environmental effects would occur, and there is no substantial evidence, in light of the whole record, that the Project as revised may have a significant effect on

the environment if mitigation measures are implemented pursuant to Mitigated Negative Declaration No. 2373, which has been prepared for this Project.

B. The City has complied with CEQA.

C. Determinations of the City Council reflects the independent judgment of the City.

Section 3. Specific Plan Amendment (SPA) 21-05193. Based on the foregoing and all oral and written statements and reports presented by City staff and members of the public, including, but not limited to, all such statements and reports (including all attachments and exhibits) presented at its public hearing on January 31, 2023, the City Council finds with respect to Specific Plan Amendment 21-05193, that:

1) *The Specific Plan Amendment is consistent with the General Plan Land Use Map and applicable General Plan objectives, policies, and programs.*

The PVCCSP sets specific goals to achieving the vision established by the Perris General Plan Goal III which states, “Commerce and industry to provide jobs for residents at all economic levels” with Policy III.A adding: “Accommodate diversity in the local economy”. The proposed Light Industrial land use and operation will help to ensure that adequate jobs are available at all skill levels of employment in the City of Perris. The pay for warehouse jobs ranges from minimum wage to professional wages. Warehouse jobs are available to City of Perris residents at any time, and public transportation is also available. Employees living close to the Project site have the option to bicycle to work; as such, the Project has been designed to provide bicycle racks consistent with the California Building Code.

2) *The Specific Plan Amendment provides adequate text and diagrams to adequately address the following issues in detail.*

a. *The distribution, location, and extent of the uses of land, including open space, within the area covered by the Plan.*

The proposed Specific Plan Amendment is a logical extension of the existing Light Industrial zoning pattern to the north and west, which are developed with similar warehouse facilities. The provision for open space is not applicable to industrial or business park development, and there is no land set aside for parks in the PVCCSP. However, park fees have been adopted for industrial development, and will be collected at issuance of building permits for an industrial project in the PVCCSP to pay for renovation and expansion of parks that, through their attraction of workers, may indirectly contribute to population growth in the city and necessitate additional park construction. Further, the installation a Class I Multipurpose Trail (behind the curb) at the Ramona Expressway intersections per the Perris Bikeway Master Plan. Since the Rider Street Bike Trail runs east to west from Ramona Expressway to East Frontage Road and would be accessible from the Project site to further

encourage employee use of this trail, twenty bike racks will to be installed adjacent to the primary office area and main entrances.

b. The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the Plan and needed to support the land uses described in the Plan.

The Specific Plan contains an Infrastructure Plan for major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities. The Infrastructure Plan identifies necessary improvements for development. Light Industrial is a less intense use than Commercial; thus, the infrastructure plan is designed to accommodate the proposed land use change.

The PVCCSP Amendments will modify Figure 2.0-1 Specific Plan Land Use Designation, and Table 2.0-1, Land Use Comparison to reflect a change in land use designation of 13.32-acres from Commercial to Light Industrial (LI) for the property bound by Indian Avenue to the west and Ramona Expressway to the South.

c. Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.

The Specific Plan contains standards and criteria by which development will proceed and standards for the conservation, development, and utilization of natural resources. An IS/MND with a Mitigation, Monitoring and Reporting Program (MMRP) was prepared for the Project and adequately provides for the conservation, development, and utilization of natural resources, as applicable.

d. A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out the provisions contained in paragraphs a, b, and c above.

Development under the proposed land use change will require implementation measures including regulation, programs, public works projects, and financing measures necessary to carry out the provisions contained in paragraphs a, b, and c above.

Section 4. Tentative Parcel Map 22-05078 (TPM 38393). Based on the foregoing and all oral and written statements and reports presented by City staff and members of the public, including, but not limited to, all such statements and reports (including all attachments and exhibits) presented at its public hearing on January 31, 2023, the City Council finds with respect to Tentative Parcel Map 22-05078 (TPM-38393), that:

- 1) *The proposed map is consistent with applicable general and specific plans.*

The proposed tentative parcel map has been reviewed by the City Engineering Department and the Planning Division to ensure compliance with the city codes and all other applicable regulations, subject to the land use change proposed by the SPA that would amend the PVCCSP by changing 13.32-acres of the 14.93-acre site from Commercial to Light Industrial to build a warehouse project. The proposed map would create a 13.32-acre parcel for the warehouse project and a smaller 1.61-acre parcel, which will remain zoned as Commercial for future commercial development. All necessary adjacent roadway improvements construction, along with payment of development impact fees, are required for the project to support the extension of utility infrastructure, build roads, and improve the freeway interchange and Ramona Expressway. Thus, Tentative Parcel Map (TPM) 38393 is consistent with the Perris Valley Commerce Center Specific Plan Light Industrial provisions and policies, in that the map configuration meets the intent of the relevant Specific Plan provisions.

- 2) *The design or improvement of the proposed subdivision is consistent with applicable general and specific plans.*

The proposed change to the PVCCSP land use designation from Commercial to Light Industrial would reduce the overall density and intensity of the use on the Project site. The Project was evaluated by ALUC and found to be conditionally consistent. Thus, the proposed TPM-38393 is consistent with the goals and policies of the Land Use Element of the General Plan and the Perris Valley Commerce Center Specific Plan land use designation of Light Industrial, in that it meets the intent of the General Plan policies as well as the development and subdivision design standards relating to lot size, configuration, dimensions and access that were established for the underlying Light Industrial Zone District within the Specific Plan.

- 3) *The site is physically suitable for the type of future development.*

The proposed TPM-38393, as conditioned, is physically suitable for future Light Industrial development, in that it has been designed to be consistent with city standards, ordinances, and policies, as adequate and safe access are available for each proposed parcel; lot sizes are adequate to facilitate future light industrial development; and appropriate improvements will be constructed to mitigate impacts to adjacent roadways.

- 4) *The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.*

The proposed TPM-38393 project will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat as the site has been disturbed.

Further, the proposed subdivision has been evaluated as part of the IS/MND 2373 and, mitigation measures ensure that the project will not cause substantial environmental damage or be injurious to fish or wildlife or their habitat.

5) *The design of the subdivision or the type of improvements will not cause serious public health problems.*

The proposed TPM-38393 project will not affect health, safety, and welfare, in that utilities and services are readily available to serve the site and required improvements will be in accordance with applicable city and affected agency policies and regulations.

6) *The design of the subdivision or the type of improvement will not conflict with easements of record or easements established by court judgment, acquired by the public at large, for access through or use of, property within the proposed subdivision.*

The proposed TPM-38393 project will not conflict with existing easements of record or easements established by court judgment or the public for access through or use of the property as the map has been designed to prevent easement conflict and meets subdivision design requirements relating to access and service easements.

7) *All requirements of CEQA have been met.*

The proposed Project has undergone a CEQA review and an IS/MND No. 2373 was prepared for the Project, which includes mitigation measures.

8) *The discharge of waste from the proposed subdivision into an existing community sewer system will not result in violation of existing requirements prescribed by a state regional water quality control board pursuant to division 7 (commencing with section 13000) of the Water Code.*

Tentative Parcel Map No. 38393 will not violate State Regional Water Quality Control Board (SRWQCB) requirements, as it is conditioned to meet all regional SRWQCB regulations.

Section 5. Development Plan Review (DPR) 21-00011 Based on the foregoing and all oral and written statements and reports presented by City staff and members of the public, including, but not limited to, all such statements and reports (including all attachments and exhibits) presented at its public hearing public hearing on January 31, 2023, the City Council finds with respect to Development Plan Review 21-00011, that:

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 the Perris Municipal Code ("PMC"), the purposes of the Zone in which the site is located, and the development policies and standards of the City.*

The Light Industrial land use provides for the development of industrial uses, which support a

wide range of manufacturing and non-manufacturing uses, from large-scale warehouses and warehouse/distribution facilities to outdoor industrial activities. The proposed Project is consistent with the General Plan and Perris Valley Commerce Center Specific Plan (“PVCCSP”), as well as the proposed LI zoning designation on the site, and the existing land uses in the area. The Project, as conditioned, meets or exceeds all design and development criteria of the proposed underlying LI zoning, which implements the development standards and policies of the City and the PVCCSP.

2) The proposed Project 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 located at the northeast corner of Indian Avenue and Ramona Expressway, which allows for adequate access and provides for the logical connection to infrastructure to service the site. Utility service connections are available to service the site.

3) The proposed Project and the conditions under which it would be operated or maintained are 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 Project will not be detrimental to the public health, safety or welfare, or injurious to property and improvements in the vicinity or to the City's general welfare, in that the Project is designed in conformance with the City's Zoning Code. Further, the proposed Project meets or exceeds the design and development standards of the PVCCSP and, therefore, will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity. These standards include setbacks, building height, parking, and landscape and will integrate into the existing fabric of industrial development that is contemplated for the area.

4) The proposed project's architecture includes updated and enhanced architecture that is compatible with community standards and protects the character of adjacent development.

The proposed Project will not have an impact on health, safety, or welfare or materially injurious to properties or improvements in the vicinity. These standards include setbacks, building height, parking, and landscape and will integrate into the existing fabric of industrial development that is contemplated for the area.

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

The proposed Project meets and exceeds the on-site and off-site landscape standards for the Light Industrial (LI) zoning district as outlined in the PVCCSP. A minimum of 12% coverage,

and the Project is proposing 13.5%. It provides a mix of native and drought-tolerant trees, shrubs, ground cover, and annual color throughout the site to ensure visual relief and effectively frame, soften, and embellish access points, building entries, parking areas and trash enclosures.

6) The safeguards necessary to protect 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 are attached hereto and incorporated herein by this reference as Attachment A, and mitigation measures found in Mitigated Negative Declaration No. 2373, which are incorporated herein by this reference, which will ensure that the Project is developed in compliance with City and affected service agency codes and policies and mitigates potential impacts to the environment.

Section 6. Based on the foregoing and all oral and written statements and reports presented by City staff and members of the public, including, but not limited to, all such statements and reports (including all attachments and exhibits) presented at its public hearing on January 31, 2023, the City Council hereby adopts Mitigated Negative Declaration No. 2373 and Mitigation Monitoring and Reporting Program attached hereto as Attachment B and incorporated herein by reference as if set forth in full.

Section 7. Based upon the foregoing and all oral and written statements and reports presented by City staff and members of the public, including, but not limited to, all such statements and reports (including all attachments and exhibits) presented at its public hearing on January 31, 2023, the City Council hereby approves the Development Plan Review 21-00011 and TPM 38393 to construct a 232,575 square foot industrial building on approximately 13.32 acres of land located at the northeast corner of Indian Avenue and Ramona Expressway, in the Perris Valley Commerce Center Specific Plan, subject to the Conditions of Approval from the Planning Division, Building & Safety Division, Fire Department, Public Works Department, and Engineering Department, attached hereto as Attachment A, and Mitigation Monitoring and Reporting Program, attached hereto as Attachment B, and incorporated herein by this reference.

Section 8. 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 9. The Mayor shall sign this Resolution and the City Clerk shall certify to the adoption of this Resolution.

ADOPTED, SIGNED, and APPROVED this 31st of January 2023.

Michael M. Vargas, Mayor

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 Resolution Number 6118 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 31st Day of January 2023, by the following called vote:

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

City Clerk, Nancy Salazar

Exhibits:

- A. Conditions of Approval (Planning, Engineering, Public Works, Building & Safety, Fire, and Community Services) (On file in Development Services Department)
- B. Mitigation Monitoring and Reporting Program (On file in Development Services Department)