

RESOLUTION NUMBER 6152

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA CERTIFYING THE ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE 2022040023) PREPARED FOR THE RAMONA GATEWAY PROJECT TO CONSTRUCT A 950,224 SQUARE-FOOT, REFRIGERATED WAREHOUSE DISTRIBUTION FACILITY, AND COMMERCIAL DEVELOPMENT INCLUDING 1) TENTATIVE PARCEL MAP TO SUBDIVIDE 49.17 ACRES INTO EIGHT (8) PARCELS, RANGING IN SIZE FROM 0.80 TO APPROXIMATELY 42.22 ACRES; 2) DEVELOPMENT PLAN REVIEW FOR THE SITE PLAN AND BUILDING ELEVATIONS; AND 3) CONDITIONAL USE PERMIT TO PERMIT A VEHICLE FUEL STATION WITH A CONVENIENCE STORE, CAR WASH, FOUR DRIVE-THROUGHS ESTABLISHMENTS WITHIN THE PROPOSED COMMERCIAL DEVELOPMENT, AND ADOPTING THE PROPOSED MITIGATION MONITORING AND REPORT PROGRAM AND A STATEMENT OF OVERRIDING CONSIDERATIONS, BASED UPON THE STATEMENT OF FACTS AND FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS, AND THE MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, the applicant, Daniel Sachs, of Perris Land Co, LLC, proposes to construct a 950,224-square-foot, refrigerated warehouse distribution facility and 37,215 square-foot commercial development; and

WHEREAS, the applicant submitted 1) Tentative Parcel Map (“TPM”) 38292 to subdivide 49.17 acres into eight (8) parcels, ranging in size from 0.80 to approximately 42.22 acres; 2) Development Plan Review (“DPR”) 20-000013 for the site plan and building elevations; and 3) Conditional Use Permit (“CUP”) 21-05216 to permit a vehicle fuel station with a convenience store, car wash, four drive-throughs establishments within the proposed commercial development for the above-mentioned project (the “Project”); and

WHEREAS, the proposed TPM 38292, DPR 20-00013, and CUP 21-05216 are considered a “project” as defined by the California Environmental Quality Act (“CEQA”); and

WHEREAS, under CEQA and the State CEQA Guidelines (14 Cal. Code Regs. § 15000 *et seq.*), the City is the lead agency for the Project, as it is the public agency with general governmental powers over the Project; and

WHEREAS, the City, as lead agency, determined that an Environmental Impact Report (“EIR”) should be prepared under CEQA in order to analyze all potentially significant adverse environmental impacts of the Project; and

WHEREAS, between October 28, 2022, and December 12, 2022, the Environmental Impact Report (“EIR”) (State Clearinghouse No. 2022040023) was made available for public review and comment during a state-mandated 45-day public review period; and

WHEREAS, responses to comments were prepared for inclusion in the EIR and were circulated to responders prior to the hearing date; and

WHEREAS, on February 15, 2023, the Planning Commission conducted a duly noticed public hearing on the project and, at the meeting, recommended certification of the EIR to the City Council after considering public testimony and materials in the staff report and accompanying documents for the Statement of Overriding Consideration of Environmental Impacts, the Environmental Impact Report (State Clearinghouse 2022040023), Tentative Parcel Map (TPM-38292), Conditional Use Permit (CUP) 21-05216, Development Plan Review (DPR) 21-00013; and

WHEREAS, on March 14, 2023, the City Council conducted a duly noticed public hearing on the project and, at the meeting, certified the EIR after considering public testimony and materials in the staff report and accompanying documents for the Statement of Overriding Consideration of Environmental Impacts, the Environmental Impact Report (State Clearinghouse 2022040023), Tentative Parcel Map (TPM-38292), Conditional Use Permit (CUP) 21-05216, Development Plan Review (DPR) 21-00013, and

WHEREAS, all the requirements of CEQA and the State CEQA Guidelines have been satisfied in the EIR, which is sufficiently detailed so that all of the potentially significant environmental effects of the Project have been adequately evaluated; and

WHEREAS, the EIR prepared in connection with the Project sufficiently analyzes both the feasible mitigation measures necessary to avoid or substantially lessen the Project's environmental impacts and a range of feasible alternatives capable of eliminating or reducing these effects by CEQA and the State CEQA Guidelines; and

WHEREAS, all of the proposed findings and conclusions recommended by this Resolution are based upon the oral and written evidence presented to the City Council as a whole and not based solely on the information provided in this Resolution; and

WHEREAS, the project level and cumulative environmental impacts identified in the Final EIR, which the City Council finds to be less than significant and not to require mitigation, are described in the Statement of Facts and Findings and Statement of Overriding Considerations are attached hereto, and incorporated herein by reference as if outlined in full; and

WHEREAS, the project level and cumulative environmental impacts identified in the Final EIR, which the City Council finds to be mitigated to a group of less than significant through the imposition of feasible mitigation measures identified in the Final EIR and set forth therein, are described in the Statement of Facts and Findings and Statement of Overriding Considerations attached hereto and incorporated herein by reference as if outlined in full; and

WHEREAS, the project level and cumulative environmental impacts identified in the Final EIR, which the City Council finds cannot be mitigated to a level of less than significance despite the imposition of all feasible mitigation measures identified in the Final EIR and set forth therein, are described in the Statement of Facts and Findings and Statement of Overriding Considerations attached hereto and incorporated herein by reference as if outlined in full; and

WHEREAS, irreversible environmental impacts as a result of the project's operational air quality impact, cumulative air quality impact, and cumulative traffic impacts are identified in the Draft EIR, which the City Council approves for the reasons described in Section 7 of the Statement of Facts and Findings and Statement of Overriding Considerations attached hereto and incorporated herein by reference as if outlined in full; and

WHEREAS, the Mitigation Monitoring and Reporting Program to address project level and cumulative environmental impacts identified in the Draft EIR, which the City Council finds to be mitigated to a level of less than significant through the imposition of feasible mitigation measures are set forth therein and described in the Final EIR and incorporated herein by reference as if outlined in full; and

WHEREAS, alternatives to the Project that might eliminate or reduce significant environmental impacts of the project are set forth therein and described in the Statement of Facts and Findings and Statement of Overriding Considerations attached hereto and incorporated herein by reference as if outlined in full; and

WHEREAS, before taking action, the City Council has heard, been presented with, and reviewed all of the information and data which constitutes the administrative record, including the Final EIR and all oral and written evidence presented to the City during all Project meetings and hearings; and

WHEREAS, the City Council's certification of the Final EIR 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 other environmental review under State CEQA Guidelines section 15088.5; and

WHEREAS, all other legal prerequisites to adopting this Resolution have occurred; and

WHEREAS, the Environmental Impact Report (State Clearinghouse 2022040023) was prepared in accordance with Sections 21000 through 21177 of the California Public Resources Code and Sections 15000 through 15387 of the California Code of Regulations (*CEQA Guidelines*); and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Perris as follows:

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

Section 2. The majority of potentially significant environmental impacts of the Project identified in the Final EIR have been determined to be insignificant or mitigated to a less than significance level.

Section 3. Certain impacts associated with operational air quality impact, cumulative air quality impact, and cumulative traffic impacts Final EIR have been determined to

be significant and unavoidable. The specific impacts are outlined in the Statement of Facts and Findings and Statement of Overriding Considerations attached hereto. Based on specific economic, social, technical, and other considerations, the City Council finds those effects acceptable by adopting the Statement of Facts and Findings and Statement of Overriding Considerations.

Section 4. The City Council finds that the Final EIR has been completed in compliance with CEQA and the State CEQA Guidelines and certifies the Final EIR as complete and adequate.

Section 5. The City Council hereby adopts the Statement of Facts and Findings and Statement of Overriding Considerations attached hereto and incorporated herein by reference as if outlined in full.

Section 6. The City Council hereby adopts the Mitigation Monitoring and Reporting Program attached hereto and incorporated herein by reference as if set forth in full.

Section 7. Based on the above findings, the City Council certifies the Final EIR for Project (State Clearinghouse 2022040023).

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 because 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 the adoption of this Resolution.

ADOPTED, SIGNED, and APPROVED this 14th day of March 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 6152 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held on the 14th day of March 2023, by the following called a vote:

AYES: ROGERS, CORONA, RABB, VARGAS

NOES: NAVA

ABSENT: NONE

ABSTAIN: NONE

City Clerk, Nancy Salazar

Attachments: Environmental Impact Report
Findings of Fact
Statement of Overriding Considerations
Mitigation Monitoring and Reporting Program

Due to the size of the documents, only the Resolution is included as a hard copy, the Attachments are available online at:

https://www.cityofperris.org/departments/development-services/planning/environmental-documents-for-public-review/-folder-329#docan1206_1313_479