

RESOLUTION NUMBER 6227

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ADOPTING THE MITIGATED NEGATIVE DECLARATION NUMBER 2388 AND APPROVING SPECIFIC PLAN AMENDMENT 22-05173 AND CONDITIONAL USE PERMIT 22-05172 TO FACILITATE THE CONSTRUCTION AND OPERATION OF TRUCK AND TRAILER STORAGE FACILITY LOCATED AT THE NORTHEAST CORNER OF PERRIS BLVD AND MARKHAM STREET, BASED ON THE FINDINGS PROVIDED HEREIN AND SUBJECT TO THE CONDITIONS OF APPROVAL AND THE MITIGATION MONITORING AND REPORTING PROGRAM.

WHEREAS, the applicant, Bobby Nassir with Truck Terminal Properties, LLC, proposes to amend the Perris Valley Commerce Center Specific Plan (“PVCCSP”) to rezone 8.3 acres from Business Park Office (“BPO”) to Light Industrial (“LI”) to facilitate the construction and operation of a truck and trailer storage facility located at the northeast corner of Perris Blvd and Markham Street, which is located in the PVCCSP (“Project”); and

WHEREAS, the applicant submitted a Specific Plan Amendment (“SPA”) 22-05173 and Conditional Use Permit (“CUP”) 22-05172 to rezone and design review consideration of the Project; and

WHEREAS, proposed SPA 22-05173 and CUP 22-05172 are considered a “project” as defined by the California Environmental Quality Act (“CEQA”); and

WHEREAS, on February 9, 2023, the Riverside County Airport Land Use Commission (ALUC) determined that the Project was 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 No. 2388 (SCH #2023040093) was prepared for the Project and was publicly reviewed for a thirty (30) day period in accordance with CEQA, from April 7, 2023, to May 8, 2023; 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 and Development Plan Reviews; and

WHEREAS, the Planning Commission held a duly noticed public hearing on June 7, 2023, 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 accompanying documents for the Mitigated Negative Declaration 2388, CUP 22-05172 and SPA 22-05173; and

WHEREAS, on July 25, 2023, the City Council conducted a duly noticed public hearing regarding the Initial Study/MND 2388 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. Environmental Analysis. 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 July 25, 2023, the City Council hereby determines pursuant to Section 15070 of the CEQA Guidelines that, based upon on the Initial Study prepared for the Project in accordance with City of Perris guidelines for implementing CEQA, 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 zoning code, and standard requirements of the City; therefore Mitigated Negative Declaration No. 2388 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. 2388, which has been prepared for this Project.
- B. The City has complied with CEQA.

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

Section 3. Specific Plan Amendment 22-05173. 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 July 25, 2023, the City Council finds, with respect to Specific Plan Amendment 22-05173, that:

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

The proposed amendment to the Perris Valley Commerce Center Specific Plan land use map is consistent with the General Plan and surrounding zoning designations of Light Industrial (LI) and surrounding industrial land uses. In addition, the proposed Specific Plan Amendment promotes Goal II and Goal III of the General Plan Land Use Element.

Goal II: New development consistent with infrastructure capacity and municipal services capabilities.

Goal III: Commerce and industry to provide jobs for residents at all economic levels.

B. The Specific Plan provides adequate text and diagrams to adequately address the following issues in detail:

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

The Project proposes to 1) Amend the land use designation of 8.3 acres from Business Professional Office (BPO) to Light Industrial (LI); and 2) Allow the operation of a truck and trailer storage facility as a conditionally permitted use in the Light Industrial (LI) zone of the Perris Valley Commerce Center Specific Plan located at the northeast corner of Perris Blvd and Markham Street and will not impact areas designated as open space.

2. 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.

A Mitigated Negative Declaration was prepared for the Project and determined that there would be no impacts to major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other

essential facilities in the area that could not be mitigated to a level that is less than significant.

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

The Project does not include changes to standards and criteria by which development will proceed, or standards for conservation, development, and utilization of natural resources.

4. *A program of implementation measures including regulation, programs, public works projects, and financing measures necessary to carry out the provisions contained in paragraphs 1, 2, and 3 above.*

The Project provides adequate text and diagrams to adequately address all established programs of implementation measures, including regulation programs, public works projects, and financing measures.

Section 4. Conditional Use Permit 22-05172. 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 July 25, 2023, the City Council finds, with respect to Conditional Use Permit 22-05172, that:

A. *The proposed location of the conditional use is in accord with the objectives of the Zoning Code and the purposes of the zone in which the site is located.*

The Project proposes to 1) Amend the land use designation of 8.3 acres from Business Professional Office (BPO) to Light Industrial (LI); and 2) Allow the operation of a truck and trailer storage facility as a conditionally permitted use in the Light Industrial (LI) zone of the Perris Valley Commerce Center Specific Plan. The Project is consistent with the surrounding industrial developments and land uses and the development regulations contained in the Zoning Code and the PVCCSP.

B. *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 Project is consistent with the General Plan which designates the Project site within Planning Area 1: North Industrial. Planning Area 1 is generally made up of industrial land uses. The Project proposes to amend the PVCCSP to change the zoning of the subject site from BPO to LI to allow the operation of a truck and trailer storage facility. The Project will also comply with the LI zone development standards, ordinance, and resolutions of the City. No subdivision is proposed as part of the Project.

- C. *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.*

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 general welfare of the City. The Project is surrounded by industrial developments and land uses and has been designed and conditioned to protect the public health, safety and welfare and other properties in the vicinity. Additionally, an Initial Study and Mitigated Negative Declaration was prepared for the Project and reduced any potential impacts of the development to a less than significant level.

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

As conditioned, the proposed architecture for the Project meets or exceeds the design standards for the PVCCSP Light Industrial (LI) Zone. The Project proposes a small guard shack building with a pitched roof and the exterior will be treated with stucco and stone finishes in neutral color schemes. Additionally, the development will be surrounded by decorative block walls and landscaping to adequately screen the truck and trailer parking facility views from the public right-of-way.

- E. *The 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 is required, and the Project is proposing 14%. It provides a mix of native and drought-tolerant trees, shrubs, ground cover, and annual color throughout the site to ensure visual relief and soften and embellish access points, building entries, parking areas, and trash enclosures.

Section 5. 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 July 25, 2023, the City Council hereby adopts Mitigated Negative Declaration No. 2388 and Mitigation Monitoring and Reporting Program attached hereto as Attachment B and incorporated herein by reference as if set forth in full.

Section 6. 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 July 25, 2023, the City Council hereby determines that the Project is covered under Mitigated Negative Declaration No. 2388, approves the Project (Specific Plan Amendment (SPA) 22-05173 and Conditional Use Permit (CUP) 22-05172) to amend the Perris Valley

Commerce Center Specific Plan (PVCCSP) to rezone 8.3 acres from Business Park Office (BPO) to Light Industrial (LI) to facilitate the construction and operation of a truck and trailer storage facility located at the northeast corner of Perris Blvd and Markham Street; subject to the Planning Division, Building, Fire, Public Works and Engineering Departments' Conditions of Approval (COA) attached hereto as Attachment A, and incorporated herein by this reference).

Section 7. 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 8. The Mayor shall sign this Resolution, and the City Clerk shall certify the adoption of this Resolution.

ADOPTED, SIGNED, and APPROVED this 25th of July 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 6227 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held on the 25th of July 2023, by the following called vote:

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

City Clerk, Nancy Salazar

Exhibits: On File in the City Clerk's Office

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