

**RESOLUTION NUMBER 6243**

***A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, CERTIFYING AND ADOPTING THE ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE #2021050021), AND THE MITIGATION MONITORING AND REPORTING PROGRAM, AND APPROVING ALTERNATIVE 2 FOR DEVELOPMENT PLAN REVIEW 19-00012 TO FACILITATE THE DEVELOPMENT OF A 304,572 SQUARE FOOT NON-REFRIGERATED INDUSTRIAL WAREHOUSE ON 13.6 ACRES AND A COMMERCIAL DEVELOPMENT TOTALING APPROXIMATELY 6,960 SQUARE FEET ON THE REMAINING 2 ACRES, BASED UPON FINDINGS HEREIN AND SUBJECT TO THE CONDITIONS OF APPROVAL AND THE MITIGATION MONITORING AND REPORTING PROGRAM.***

***WHEREAS***, the applicant, Lars Anderson with PR Partners, LLC., proposes to amend the Perris Valley Commerce Center Specific Plan (“PVCCSP”) to change the zoning designation from Commercial (C) to Light Industrial (LI) and construct the Ramona, Perris and Indian Industrial Development Project, which is a 304,572 sq. ft. non-refrigerated industrial/warehouse building along with the required improvements on a 13.6-acre site, and a commercial development totaling approximately 6,960 square feet on the remaining 2 acres located on the south side of Ramona Expressway between Indian Avenue and Perris Boulevard; and

***WHEREAS***, Specific Plan Amendment 19-05287 (“SPA 19-05287”) and Development Plan Review 19-00012 (“DPR 19-00012”) applications were submitted for consideration of architectural design and site layout and operations for the above-mentioned project (“Project”); and

***WHEREAS***, the proposed SPA 19-05287 and DPR 19-00012 are considered a “project” as defined by the California Environmental Quality Act (“CEQA”); and

***WHEREAS***, pursuant to 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 pursuant to CEQA in order to analyze all potentially significant adverse environmental impacts of the Project, which includes, without limitation, DPR 19-00012 and SPA 19-05287; and

**WHEREAS**, between December 21, 2021 and February 7, 2022, the Draft Environmental Impact Report (EIR) 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 Final EIR and were circulated to responders prior to the public hearing date; and

**WHEREAS**, the Planning Commission conducted a duly noticed regular public hearing on May 18, 2022 regarding the Project, and recommended denial of the Project after considering all oral and written presentations and testimony by members of the public and City staff, including, but not limited to, materials in the staff report and accompanying documents; and made the following findings in support of the denial:

The Planning Commission found that SPA 19-05287 did not satisfy the requirements of Perris Municipal Code Section 19.54.040(b) pertaining to the findings required by Perris Municipal Code Section 19.54.040(b)(1) as follows:

1. The specific plan amendment is consistent with the general plan land use map and applicable general plan objectives, policies, and programs.

The SPA 19-05287 is not consistent with the General Plan Land Use Map. The Project site is designated as “Specific Plan” by the General Plan Land Use Map, which means that SPA 19-05287 must be consistent with the PVCCSP Vision and Objectives. Thus, SPA 19-05287 is inconsistent with the following PVCCSP Vision and Objectives:

- Ensure a balance of land uses that maintain and enhance the City’s fiscal viability, economic diversity and environmental integrity.

*Approximately 180 acres of land has been rezoned from a mix of other land uses to Light Industrial. The PVCCSP is already heavily zoned for LI uses and SPA 19-05287 would create further imbalance of economic diversity and environmental integrity.*

- Require measures to reduce “heat island” effect by mitigating the warming effects of hard surface areas.

*An industrial warehouse of this size will add to the heat island effect due to the large hard surface areas.*

- Encourage project designs that support the use of alternative transportation facilities.

*Though an RTA bus stop is proposed on Ramona Expressway and Indian Avenue, the proposed use relies heavily on truck traffic and does not support alternative transportation facilities.*

**WHEREAS**, on July 26, 2022, the City Council conducted a duly noticed public

hearing on the Project, and continued the project for revisions related to the retention of approximately 2 acres for commercial use on the southwest corner of Ramona Expressway and Perris Boulevard; and

**WHEREAS**, on September 12, 2023, the City Council conducted a duly noticed public hearing on the Project, which includes, without limitation, consideration of oral and written testimony from the public and materials in the agenda report, attachments/exhibits thereto, and accompanying documents for the Environmental Impact Report (State Clearinghouse No. 2021050021), Specific Plan Amendment 19-05287, and Development Plan Review 19-00012; and

**WHEREAS**, prior to taking action, the City Council has heard, been presented with, and/or reviewed all of the information and data which constitutes the administrative record, including the Environmental Impact Report (State Clearinghouse No. 2021050021) 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 Environmental Impact Report (State Clearinghouse No. 2021050021) 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, 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.** Based on the forgoing, the information contained in the agenda submittal and supporting attachments/exhibits and all oral and written presentations and testimony made by City staff and members of the public at the public hearing on September 12, 2023, the Environmental Impact Report (State Clearinghouse No. 2021050021) ("EIR") prepared for the Project (including all comments received), substantial evidence in light of the whole record, and in accordance with the City of Perris ("City") guidelines for implementing the CEQA, the City Council hereby determines pursuant to Section 15090 of the CEQA Guidelines that the final EIR was completed in compliance with CEQA, was presented to the decision-making body of the lead agency, and that the decision-making body reviewed and considered the information contained in the final EIR prior to approving the Project, and the final EIR reflects the lead agency's independent judgment and analysis. In connection therewith and based upon the forgoing, the City Council finds as follows:

- A. No significant environmental effects would occur that could not be mitigated to a less than significant level; and
- B. A Mitigation Monitoring and Reporting Program was prepared to avoid or substantially lessen significant environmental effects of the Project; and
- C. The lead agency has identified the Planning Division as the custodian of the Mitigation Monitoring and Reporting Program; and
- D. A Statement of Overriding Considerations was not prepared for the final EIR as there were no significant and unavoidable impacts identified in connection with the Project.

**Section 3.** Based on the forgoing, the information contained on the agenda submittal and supporting attachments/exhibits and all oral and written presentations and testimony made by City staff and members of the public at the public hearing on August 29, 2023, the City Council further finds the following regarding Development Plan Review 19-00012:

**Development Plan Review 19-00012**

- A. *The location, size, design, density and intensity of the proposed development and improvements are consistent with the City's General Plan, any applicable Specific Plans, the purposes and provisions of this Title, the purposes of the Zone in which the site is located, and the development policies and standards of the City.*

The Project is located in Planning Area Three of the General Plan Land Use Element. Though Planning Area Three is subtitled: Agricultural Preserve Area, the purpose statement of Planning Area Three indicates that the transition of this area from agricultural to commercial and industrial uses should be encouraged to "enhance the economy of the City", due to the proximity to the I-215 freeway, and several distribution centers in the surrounding area. Additionally, there are no lands within the City boundaries designated or zoned for agricultural uses. Further, as part of the 2005 City of Perris General Plan update, it is the General Plan's policy to orderly convert agricultural lands to other approved land uses with the modernization of the City. The change of use from Commercial to Light Industrial is consistent with the General Plan purpose for this area of the Perris Valley Commerce Center Specific Plan (PVCCSP) and can be conditioned to be consistent with the PVCCSP with proposed Specific Plan Amendment (SPA 19-05287).

- B. *The subject 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 subject site is physically suitable to accommodate the Project. The shape, size, access, and availability of utilities and services are all adequate to accommodate the proposed 304,572 square foot industrial warehouse and retention of approximately 2 acres for commercial use on the southwest corner of Ramona Expressway and Perris Boulevard. Additionally, because the site is primarily located in the Accident Potential Zone of the March Air Reserve Base, an industrial use of this nature would ensure that

the Project does not exceed the people per acre allowed in this restrictive zone of the Airport Land Use Compatibility Zone.

- C. The proposed development and the conditions under which it would be operated or maintained is 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.*

The Project site is located approximately 8,300 feet southeast of the southerly end of Runway 14-32 of the March Air Reserve Base/Inland Port Airport and is subject to its Airport Land Use Compatibility Plan (ALUCP). The Project site is within Zone B1 – APZ II (Inner Approach/Departure Zone), and Zone C1 (Primary Approach/Departure Zone) within which industrial uses of this type are not prohibited or discouraged due to safety risks. The B1 – APZII zone limits average intensity to 50 people per acre and no more than 100 people per acre, and the C1 zone limits average intensity to 100 people per acre, and no more than 250 people per acre. The Project as revised has been reviewed and conditionally approved by ALUC on January 12, 2023, and would therefore not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

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

As conditioned, the Project's proposed architecture for the warehouse meets or exceeds the design standards for the PVCCSP Light Industrial (LI) Zone, as it was designed to provide architectural elements mimicking commercial frontage. The Project proposes an architecturally enhanced building with varying roofline heights, steel canopy awnings, glazed glass building elements along street facing elevation at consistent intervals to mimic a commercial facade. Finishes on the exterior of the building include wood cement board siding, concrete panels, blue glazed spandrel and vision glass, and paint in shades of white and grey concrete walls. Additionally, 2 acres on the southwest corner have been retained for commercial use, which will be approved separately under a Conditional Use Permit application.

- E. The landscaping plan ensures visual relief and provides an attractive environment for the public's enjoyment.*

Good quality landscaping is provided throughout the Project site, including street trees along Ramona Expressway, Indian Avenue, and Perris Boulevard. Multi-layered, drought-tolerant landscaping including flowering trees and shrubs will be provided in large landscape areas along and within the setback areas of the site. Approximately 16% of the Project site will be landscaped which exceeds the 12% coverage required in the PVCCSP.

- F. The safeguards necessary to protect the public health, safety and general welfare have been required for the proposed project.*

An Environmental Impact Report (State Clearinghouse No. 2021050021), memorandums related to the pursual of EIR Alternative 2 – Lower Intensity Industrial, and Mitigation Monitoring and Reporting Program (“MMRP”) have been prepared for the purpose of mitigating any potential impacts of the Project to a level that is less than significant. Rezoning the property to Light Industrial for an industrial warehouse development would not be injurious to the public health, safety and general welfare and is conditioned and mitigated to reduce any potential impacts for the proposed industrial use.

**Section 4.** Based on the forgoing, the information contained on the agenda submittal and supporting attachments/exhibits and all oral and written presentations and testimony made by City staff and members of the public at the public hearing on August 29, 2023, the City Council hereby certifies and adopts the Environmental Impact Report (State Clearinghouse No. 2021050021) and the MMRP.

**Section 5.** Based on the forgoing, the information contained on the agenda submittal and supporting attachments/exhibits and all oral and written presentations and testimony made by City staff and members of the public at the public hearing on September 12, 2023, the City Council hereby approves Alternative 2 for Development Plan Review 19-00012 subject to the Mitigation Monitoring and Reporting Program and Conditions of Approval, which are attached hereto and incorporated herein by this reference.

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

***ADOPTED, SIGNED and APPROVED*** this 12<sup>th</sup> day of September, 2023.

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Mayor, Michael M. Vargas

ATTEST:

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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 6243 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held on the 12<sup>th</sup> day of September 2023, by the following called vote:

AYES: ROGERS, RABB, VARGAS

NOES: NAVA, CORONA

ABSENT: NONE

ABSTAIN: NONE

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City Clerk, Nancy Salazar

**Attachments:** Conditions of Approval (Planning, Engineering, Public Works, and Building, and the Mitigation Monitoring and Reporting Program)  
Environmental Impact Report:  
[https://www.cityofperris.org/departments/development-services/planning/environmental-documents-for-public-review/-folder-269#docan1206\\_1313\\_479](https://www.cityofperris.org/departments/development-services/planning/environmental-documents-for-public-review/-folder-269#docan1206_1313_479)