

RESOLUTION NUMBER 5091

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ADOPTING MITIGATED NEGATIVE DECLARATION 2327 AND APPROVING PLAN DEVELOPMENT OVERLAY (PDO) 14-00093 AND TENTATIVE TRACT MAP 14-00091 (TTM 37038) TO SUBDIVIDE 14.5 ACRES OF VACANT LAND INTO A 111-UNIT PLANNED RESIDENTIAL DEVELOPMENT WITH COMMON OPEN SPACE AMENITIES AND TO APPLY A PLAN DEVELOPMENT OVERLAY ZONE LOCATED AT THE SOUTHWEST CORNER OF ORANGE AVENUE AND DUNLAP ROAD; AND MAKING FINDINGS IN SUPPORT THEREOF.

WHEREAS, the City of Perris received applications for Plan Development Overlay (PDO) 14-00093 and Tentative Tract Map 14-00091 (TTM 37038) to subdivide 14.5 acres of vacant land into a 111-unit planned unit development with common open-space amenities and to apply a Plan Development Overlay zone located at the southwest corner of Orange Avenue and Dunlap Road; and

WHEREAS, a Plan Development Overlay (PDO 14-00093) was submitted to allow flexibility in design to create a gated residential community with common open-space amenities, including a 10% density bonus based on the merits of the project providing a superior residential environment as evidenced by the provision of open space amenities that are readily accessible to the dwelling units; and

WHEREAS, Tentative Tract Map 14-00091 (TPM 37038) was submitted to subdivide 14.5 acres of vacant land into a 111-unit planned unit development; and

WHEREAS, the proposed PDO 14-00093 and TPM 37038 (collectively, the “Project”) are considered a “project” as defined by the California Environmental Quality Act (“CEQA”); and

WHEREAS, on December 7, 2016, the Planning Commission conducted a public hearing on PDO 14-00093 and TPM 37038 and considered public testimony and materials in the staff reports and accompanying document and exhibits; and unanimously recommended approval of the Project subject to amending Planning Conditions No. 1 and 33 to (1) provide additional architectural treatment to the second floor rear elevations for the Craftsman and Spanish Architecture; (2) enlarge the open space recreation by eliminating two lots, and to permit construction of a 2,000 sf. single-story clubhouse; and (3) consider a seven-foot-tall perimeter wall height along Dunlap Drive for further screening of the tent farming operation across the street; and

WHEREAS, on February 28, 2017, the City Council conducted a duly noticed public hearing on the Project, at which time all interested persons were given full opportunity to heard and to present evidence; 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 for the above-mentioned approvals, including all oral and written evidence presented to the City during all Project meetings and hearings; 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 this reference.

Section 2. The City Council has determined that although the proposed project could have a significant effect on the environment, there would not be an adverse effect by this project because revisions in the project have been made by or agreed to by the project proponent, and a Mitigated Negative Declaration has been prepared pursuant to the California Environmental Quality Act (CEQA).

Section 3. The City Council further finds, based upon the information contained within the staff report and accompanying attachments, as well as any written or oral testimony presented at the City Council's February 28, 2017 public hearing, the following regarding Plan Development Overlay and Tentative Tract Map:

Planned Development Overlay Zone 14-00093 with Ten Percent Density Bonus

- A. The proposed project is well designed and will create a superior environment than could otherwise be achieved by strict application of the underlying conventional zone.
- B. The project incorporates appropriate amenities necessary to create and maintain a desirable environment for residents (e.g., clubhouse, tot-lot, splash pad, common area landscaping, enhanced architectural standards, etc.).
- C. The proposed planned development is harmonious with surrounding development and does not create internal incompatibilities due to improper design, allowed land uses, or density/intensity of development.
- D. The proposed circulation system is adequate to carry the anticipated traffic volume.
- E. The existing or proposed public infrastructure is suitable to meet the needs of the planned development, and does not create capacity issues in other areas of the community.
- F. The proposed density increase is compatible with surrounding land uses as it will maintain a detached residential product and will not adversely affect the public health, safety, welfare, comfort, or convenience.

- G. Suitable infrastructure either exists or will be concurrently constructed to serve the proposed project (i.e., streets, water, sanitary sewer, power, drainage facilities, etc.).
- H. The project is in close proximity to schools, shopping, and related residential support services.
- I. The project is well planned, exhibiting excellence in architectural, site and landscape design.
- J. The project creates a superior residential environment as evidenced by the provision of open space that is readily accessible to dwelling units.

Tentative Parcel Map 37038 (TPM 14-00091)

- A. The proposed Tentative Tract Map will not result in a significant adverse effect on the environment.
- B. As conditioned, the design of the proposed Tentative Tract Map is consistent with the General Plan and the R-6,000 density requirements subject to a PDO zone to allow greater flexibility in lot size, lot shape and design.
- C. The project site is physically suitable for type and density of the approved Tentative Tract Map.
- D. As conditioned, the proposed Tentative Tract Map is consistent with City standards, ordinances, and policies.
- E. The proposed Tentative Tract Map is compatible with the surrounding land uses and zoning designations in the area.
- F. The proposed Tentative Tract Map will not have a negative effect on public health, safety, or general welfare.
- G. The proposed Tentative Tract Map is in compliance with the Subdivision Map Act.

Section 7. The City Council hereby adopts Mitigated Negative Declaration 2327 and approves Plan Development Overlay (PDO) 14-00093 and Tentative Tract Map 14-00091 (TTM 37038) for the Citrus Court Project located at the southwest corner of Orange Avenue and Dunlap Road, based on the information and findings presented in this Resolution and in the staff report, including accompanying attachments and any written or oral testimony presented at the City Council's February 28, 2017 public hearing, and subject to the attached Conditions of Approval and Mitigation Monitoring Program. The City Council further finds that these documents adequately addressed the impacts of the proposed project were prepared in accordance with the California Environmental Quality Act, and reflects the independent judgment of the City Council; and,

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 passage and adoption of this Resolution.

ADOPTED, SIGNED, and APPROVED this 28th day of February 2017.

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, DO HEREBY CERTIFY that the foregoing Resolution Number 5091 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held on the 28th day of February 2017, by the following vote:

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

City Clerk, Nancy Salazar