

**RESOLUTION NUMBER 4958**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA APPROVING DEVELOPMENT PLAN REVIEW 12-10-0005, STREET VACATION 13-05-0018, TENTATIVE PARCEL MAP 13-05-0017 (TPM 36512) AND TENTATIVE PARCEL MAP 13-05-0016 (TPM 36582) TO FACILITATE THE CONSTRUCTION OF TWO WAREHOUSE BUILDINGS TOTALING 1,455,781 SQUARE FEET LOCATED NORTH OF RAMONA EXPRESSWAY BETWEEN THE I-215 FREEWAY AND WEBSTER AVENUE, SUBJECT TO CONDITIONS OF APPROVAL AND THE FINDINGS NOTED HEREIN.**

**WHEREAS**, the Optimus Logistics Center I (“Project”) proposes to construct two warehouse buildings, totaling 1,455,781 square feet with associated parking and other site improvements, and on and off-site infrastructure improvements on 68.99 acres located north of Ramona Expressway between the I-215 Freeway and Ramona Expressway; and

**WHEREAS**, a Development Plan Review application (*DPR 12-10-0005*) was submitted for consideration of architectural design and site layout; and

**WHEREAS**, Tentative Parcel Map 36512 (TPM 13-05-0017) and Tentative Parcel Map 36582 (TPM 13-05-0016) applications were submitted to allow the two industrial buildings to sit on their own parcels; and

**WHEREAS**, a Street Vacation (ST VAC 13-05-0018) application was submitted to eliminate a section of Patterson Avenue and unimproved Perry Street.

**WHEREAS**, the proposed Development Plan Review 12-10-0006, Tentative Parcel Map 36512 (TPM 13-05-0017), Tentative Parcel Map 36582 (TPM 13-05-0016) and Street Vacation 13-05-0018 (collectively, the “Project”) are considered a “project” as defined by the California Environmental Quality Act (“CEQA”); and

**WHEREAS**, the City Council has certified the Environmental Impact Report (*EIR/State Clearinghouse #2012111003*) for the Project; and

**WHEREAS**, on May 6, 2015, the Planning Commission conducted a duly noticed public hearing on the Project and at the meeting recommended approval of the Project after considering public testimony and materials in the staff report and accompanying documents; and

**WHEREAS**, on June 9, 2015, the City Council conducted a duly noticed public hearing on the project and after the hearing was closed, voted 4-0 to continue the project after considering public testimony and materials in the staff report and accompanying documents; and

**WHEREAS**, at the time of the hearing on June 9, 2015, one position on the City Council was vacant. A new Councilmember was elected to fill that vacancy and was sworn into office on December 8, 2015. The new Councilmember has reviewed all of the written materials, public testimony, and discussion from the hearing on June 9, 2015; and

**WHEREAS**, on January 12, 2016, the City Council conducted a duly noticed public hearing on the Project, at which time all interested persons were given full opportunity to be heard 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 reference.

**Section 2.** City Council Resolution Number 4957 found that all the requirements of the California Environmental Quality Act (“CEQA”), the State CEQA Guidelines and the City’s Local CEQA Guidelines have been satisfied in the EIR, which is sufficiently detailed so that all of the significant environmental effects of the Project have been adequately evaluated, and certified the EIR.

**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 public hearing, with respect to the Optimus Logistics Center I, the following regarding Tentative Parcel Map 36512, Tentative Parcel Map 36582, Street Vacation 13-05-0018 and Development Plan Review 12-10-0005:

TPM 36512 and 36582; Street Vacation 13-05-0018 Findings:

(a) Tentative Parcel Maps 36512 and 36582 are consistent with the Specific Plan land use designation of Light Industrial all other applicable General Plan policies, as amended; and

(b) Tentative Parcel Maps 36512 and 36582 are consistent with the Specific Plan land use designation of Light Industrial and all other applicable Zoning Code standards, as amended; and

(c) Tentative Parcel Maps 36512 and 36582 are in compliance with the Subdivision Map Act; and

(d) The site is physically suitable to restructure lot lines and vacate streets to facilitate the industrial development; and

(e) The design of Tentative Parcel Maps 36512 and 36582 and the type of improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, other than as addressed by the adopted Statement of Overriding Considerations of Environmental Impact; and

(f) The design of Tentative Parcel Maps 36512 and 36582 and the type of improvements are unlikely to cause serious public health problems; and

(g) The design of Tentative Parcel Maps 36512 and 36582 and the type of improvements 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; and

(h) The discharge of waste from implementation of Tentative Parcel Maps 36512 and 36582 will not result in violation of existing requirements prescribed by a California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the California Water Code.

Development Plan Review Findings:

(a) Development Plan Review 12-10-0005, is consistent with the Specific Plan land use designation (Light Industrial) and other applicable General Plan policies, including the location, size, design, and intensity of the development and related improvements; and

(b) Development Plan Review 12-10-0005, including the location, size, design, density and intensity of the development and related improvements, is consistent with the Zoning designation of Light Industrial and all other applicable Zoning Code standards, as amended; and

(c) All requirements of the California Environmental Quality Act have been met; and

(d) The site is physically suitable for the location, size, design, density, and intensity of the plotting and architectural design for the type of industrial development; and

(e) Development Plan Review 12-10-0005, including the location, size, design, density and intensity of the development and related improvements, is consistent with the Sustainable Community Element of the General Plan, in that the Project supports the City's commitment to protect the environment, improve quality of life, and promote sustainable development by incorporating certain measures into the design, construction, and maintenance of the buildings and overall project development.

(f) 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 light industrial development proposed with Development Plan Review 12-10-0005; and

(g) Development Plan Review 12-10-0005 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; and

(h) The architecture of Development Plan Review 12-10-0005 is compatible with community standards and protects the character of other City industrial developments; and

(i) The landscaping plan of Development Plan Review ensures visual relief and provides an attractive environment for the public's enjoyment; and

(j) The safeguards necessary to protect the public health, safety and general welfare have been required for Development Plan Review 12-10-0005.

**Section 4.** The City Council hereby approves Tentative Parcel Map 36512 (TPM 13-05-0017), Tentative Parcel Map 36582 (TPM 13-05-0016), Street Vacation 13-05-0018 and Development Plan Review 12-10-0005 for the Optimus Logistics Center I Project, based on the information and findings presented in the staff report and supporting exhibits, as well as all written and oral testimony presented at the public hearing, and subject to the attached Conditions of Approval.

**Section 5.** 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 7.** 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 January, 2016.

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Mayor, Daryl R. Busch

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 4958 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 12<sup>th</sup> day of January 2016, by the following called vote:

AYES: ROGERS, YARBROUGH, BUSCH

NOES: BURKE, RABB

ABSENT: NONE

ABSTAIN: NONE

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City Clerk, Nancy Salazar

**Attachments:** Conditions of Approval (*Planning, Engineering & Public Works*)