

**RESOLUTION NUMBER 4402**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING STREET VACATION 11-03-0003 AND DEVELOPMENT PLAN REVIEW 11-03-0010 TO FACILITATE A NEW FIRE STATION ON THE SOUTHEAST CORNER OF SAN JACINTO AVENUE AND F STREET; AND MAKING FINDINGS IN SUPPORT THEREOF.**

**WHEREAS**, On March 7, 2011, the applicant filed a Street Vacation; and

**WHEREAS**, On March 29, 2011, the applicant filed a Development Plan Review;

**WHEREAS**, the proposed location of the use is in accordance with the objectives of the Zoning Ordinance and the purpose of the Downtown Specific Plan (Specific Plan) zoning district;

**WHEREAS**, the proposed project is consistent with the City's General Plan and conforms to all zoning standards and other Ordinances and Resolutions of the City;

**WHEREAS**, this Development Plan Review and Street Vacation have been duly noticed;

**WHEREAS**, a public hearing before the City of Perris Planning Commission was held on April 20, 2011, at which time all interested persons were given full opportunity to be heard and to present evidence; and

**WHEREAS**, a public hearing before the City of Perris City Council was held on April 26, 2011, at which time all interested persons were given full opportunity to be heard and to present evidence.

**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.

**Section 2.** The City Council has reviewed and considered the environmental documentation for the project prior to taking action on the applications. Based on the analysis contained in the staff report, the City Council finds that:

- A. The proposed project is exempt pursuant to Section 15332, Class 32 of the California Environmental Quality Act for in-fill development.

- B. All required utilities and public services will be adequately provided, and approval of the project would not result in a significant effect on the environment.
- C. Affected agencies and nearby property owners have been notified of the subject vacation request;
- D. There is substantial evidence to support the conclusion that the subject alley to be vacated has never and will not be needed for vehicular or pedestrian traffic, and is unnecessary for present or future public use;
- E. Determinations of the Planning Commission reflect the independent judgment of the City.

**Section 3.** Based on the information contained in the staff report and supporting exhibits and plans, this Commission finds:

- A. The location size, design, density 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.
- 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.
- 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.
- D. The architecture proposed is compatible with the community standards and protects the character of adjacent development.
- E. The safeguards necessary to protect the public health, safety and general welfare have been required for the proposed project.

**Section 4.** For the foregoing reasons the City Council hereby approves Development Plan Review 11-03-0010 and Street Vacation 11-03-003, based on the information and findings presented in the staff report 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.

**PASSED, APPROVED, AND ADOPTED**, this 26th day of April 2011.

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Daryl R. Busch, Mayor

ATTEST:

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Judy L. Haughney, C.M.C., City Clerk

STATE OF CALIFORNIA )  
COUNTY OF RIVERSIDE ) §  
CITY OF PERRIS )

I Judy L. Haughney, duly elected City Clerk of the City of Perris do hereby certify that the foregoing Resolution Number 4402 was duly and regularly adopted by the City Council of the City of Perris at a special meeting thereof held on the 26th day of April 2011, by the following vote:

AYES: EVANS, ROGERS, YARBROUGH, LANDERS, BUSCH  
NOES: NONE  
ABSENT: NONE  
ABSTAIN: NONE

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Judy L. Haughney, C.M.C, City Clerk