

**RESOLUTION NUMBER 4440**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING THE NOTICE OF NONRENEWAL OF LAND CONSERVATION CONTRACT, CERTIFYING THE ASSESSOR'S AGRICULTURAL PRESERVE CANCELLATION VALUATION, APPROVING AGRICULTURAL DIMINISHMENT 07-0118 (CERTIFICATE OF TENTATIVE PARTIAL CANCELLATION) AND APPROVING DEVELOPMENT PLAN REVIEW 07-0119 FOR THE ESTABLISHMENT OF THE 1.2 MILLION SQUARE FOOT RADOS DISTRIBUTION CENTER ON 61.63 ACRES OF LAND AT THE NORTHEAST CORNER OF WEBSTER AVENUE AND RIDER STREET, AND MAKING FINDINGS IN SUPPORT THEREOF.**

**WHEREAS**, the Rados Distribution Center (“Project”) proposes the development of approximately 1,191,080 square feet of industrial warehouse space, necessary parking, and associated on-and off-site infrastructure improvements on approximately 61.63 gross acres located at the northeast corner of Webster Avenue and Rider Street; and

**WHEREAS**, proposed Zone Change 07-0117, Agricultural Diminishment 07-0118, and Development Plan Review 07-0119 are considered a “project” as defined by the California Environmental Quality Act (“CEQA”) (Public Res. Code, § 21000 *et seq.*);

**WHEREAS**, the City of Perris, as lead agency, determined that an Environmental Impact Report (“EIR”) should be prepared pursuant to CEQA in order to analyze all potential adverse environmental impacts of the Project; and

**WHEREAS**, a Final Environmental Impact Report (“FEIR”) for the Project (State Clearinghouse #2008111080) has been prepared pursuant to CEQA and the State CEQA Guidelines, and incorporates the Draft EIR with changes and revisions thereto, written Responses to Comments made during the CEQA review period, and the Mitigation and Monitoring Program; and

**WHEREAS**, the City of Perris received an application for the diminishment, or partial cancellation, of a land conservation contract (pursuant to the Williamson Act) from the property owner for the project site, which is currently zoned A-1, Light Agriculture, an interim zoning designation; and

**WHEREAS**, the City of Perris received applications for an alternative land use of the project site to include a Zone Change application to convert the present zoning from A-1 (Light Agricultural/Interim Designation) to Light Industrial, and a Development Plan Review application for the proposed Rados Distribution Center Project; and,

**WHEREAS**, the Subject Property lies within the Perris Valley Agricultural Preserve Number 1, Map Number 56, and is subject to a Land Conservation Contract recorded on February 27, 1970 as Instrument No. 19066 (the Land Conservation Contract); and

**WHEREAS**, Government Code Section 51282 permits a landowner to petition the City Council of the City of Perris to cancel a portion of a land conservation contract; and

**WHEREAS**, a Notice of Nonrenewal for a portion of a land conservation contract has been served on the City in accordance with Government Code Section 51245, and this Notice of Nonrenewal was submitted to the County of Riverside Recorder's Office and recorded on February 16, 2010; and

**WHEREAS**, Government Code Section 51282 permits the City Council to grant tentative approval for the cancellation of a land conservation contract (or a portion thereof) where the City Council finds that certain requirements have been satisfied; and,

**WHEREAS**, City of Perris Municipal Code Section 19.74.040 specifies procedures for the tentative cancellation of a land conservation contract; and,

**WHEREAS**, the application to cancel the Land Conservation Contract relative to the Subject Property was accompanied by a proposal for an alternative land use for the Subject Property consisting of the establishment of 1.2 million square feet of light industrial distribution warehouse use with associated trucking courts and site improvements including parking, landscaping and screening for the Rados Distribution Center project; and,

**WHEREAS**, the following information has been submitted to warrant findings that the cancellation of the Land Conservation Contract is consistent with the purposes of the Williamson Act (Government Code Section 51240 et seq.):

1. The Landowner has served a Notice of Nonrenewal relative to the Landowner's Land Conservation Contract on the City in compliance with Government Code Section 51245; and the City accepted Landowner's service of the Notice of Nonrenewal pursuant to the Nonrenewal Documents recorded with the County of Riverside on February 16, 2010.
2. The development of the Subject Property will not likely result in the removal of adjacent lands from agricultural use since a Notice of Nonrenewal (Agricultural Diminishment 07-0087) was previously served on the City of Perris for agricultural land under Land Conservation Contract immediately west of the Subject Property, and Agricultural Diminishments 06-0197 and 98-0067 were previously submitted by the Landowner and processed by the City of Perris for agricultural land under Land Conservation Contract immediately north and east, respectively, of the Subject Property. Adjacent lands (more than 10 acres) remain subject to the existing Land Conservation Contract as part of the contiguous ownership by another Landowner, and are currently leased (together with the Subject Property) to a single operator for sod production.
3. The proposed alternative land use is the Rados Distribution Center, a distribution warehouse facility. The updated 2030 General Plan for the City of Perris adopted

in 2005 envisioned and contemplated the gradual elimination of agricultural land within the City and designated the Subject Property and surrounding lands with a land use designation of Light Industrial in the General Plan. Warehouse distribution uses are consistent with the Light Industrial designation of the City's General Plan.

4. The properties situated east, north and south of the Subject Property are designated for Light Industrial uses by the General Plan Land Use Element. The properties situated north and northeast are currently developed with distribution warehouse uses, and the property to the east is entitled for warehouse development. The proposed partial cancellation anticipates the development of an industrial project as an alternative use to become an integral part of a larger area of existing and proposed industrial development to the east, north and south, continuing the existing pattern of industrial development within the City. The proposed use of the Subject Property with a distribution center will continue the pattern of urban development contemplated by and consistent with the City's General Plan.
5. Agents for the Rados Distribution Center conducted an extensive search throughout Southern California to locate a site of sufficient size to accommodate 1.2 million square feet of building area and related truck and trailer loading and parking areas. Other necessary criteria for the proposed facility include a site which is close to major transportation corridors, including City-designated truck routes, the I-215 Freeway, and the March Air Reserve Global-Port for air cargo with suitable access and visibility, land that can be reasonably acquired and developed in the immediate future, is without major development constraints, and is adequately served by utilities and infrastructure. The Subject Property has been determined by agents for the Rados Distribution Center as the only available site within the Inland Empire or the City which would be suitable for its needs. Accordingly, there are no proximate noncontracted lands within the City, surrounding cities, or in the region that fulfill the necessary criteria for development of the proposed facility.

**WHEREAS**, the City believes it has satisfied both its statutory obligations and its own procedures in finding that the partial cancellation of a Land Conservation Contract relative to the Subject Property is consistent with the purposes of the Williamson Act; and

**WHEREAS**, the City's procedures under Municipal Code Section 19.74.040 are consistent with the procedures required by the Williamson Act; and

**WHEREAS**, the County of Riverside Office of the Assessor, in accordance with Government Code Section 51283, has determined and certified the cancellation value of the subject property as \$1,325,500.00; and,

**WHEREAS**, the project site is located within March Air Reserve Base (MARB) Airport Influence Area II, the proposed zone change is subject to the Riverside County Airport Land Use Commission's (ALUC) recommendation based on the project's consistency with the 1984 Riverside County Airport Land Use Plan; and

**WHEREAS**, at the hearing held on September 10, 2009, the ALUC found the proposed zone change consistent with the Riverside County Airport Land Use Plan, and therefore no further action is required by the City; and

**WHEREAS**, the Planning Commission reviewed the Final EIR and accompanying attachments at a regular public hearing held September 15, 2010, and voted to recommend certification of the Environmental Impact Report and approval of the project (Agricultural Diminishment 07-0118, Development Plan Review 07-0119, and Zone Change 07-0117) to the City Council; and

**WHEREAS**, a duly noticed public hearing has occurred concerning the application for tentative partial cancellation of the Land Conservation Contract and the proposed Development Plan Review with respect to the Subject Property; and

**WHEREAS**, a public hearing was held on October 12, 2010 and July 12, 2011, at which time all interested persons were given full opportunity to be heard and to present evidence; and

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PERRIS** does resolve as follows:

**Section 1.** The above recitals are all true and correct.

**Section 2.** The City Council has reviewed and considered the environmental documentation and information included in the staff report prior to its action on the application for the Nonrenewal and Tentative Partial Cancellation of a Land Conservation Contract and Development Plan Review for the alternative use of the Subject Property, and finds and determines that the proposed use of the Site, based on the Findings of Fact in Support of the Statement of Overriding Considerations, and the required measures of the Mitigation Monitoring Program, fully address the potential environmental impacts to the extent feasible, and that the Declarations reflect the independent judgement of the Planning Commission.

**Section 3.** The City Council finds and determines that the partial cancellation of the Landowner's Land Conservation Contract relative to the Subject Property is consistent with the purposes of the Williamson Act based on the following findings:

Agricultural Diminishment 07-0118

1. The cancellation is for land for which a Notice of Nonrenewal has been served pursuant to Government Code Section 51245;
2. The cancellation is not likely to result in the removal of adjacent lands for agricultural use;
3. The cancellation is for the alternative use which is consistent with applicable provisions of the City's General Plan;
4. The cancellation will not result in discontinuous patterns of urban development; and

5. There is no proximate non-contracted land which is both available and suitable for the use to which the Subject Property is proposed, and, that development of the Subject Property will provide more contiguous patterns of urban development than development of proximate non-contracted land.

**Section 4.** Pursuant to Government Code Section 51283, the City Council hereby certifies the cancellation fee of \$1,325,500.00, which is 12½ percent of the total cancellation value as determined by the County of Riverside Office of the Assessor, that the Landowner shall pay to the County Treasurer prior to final Cancellation.

**Section 5.** The City Council hereby finds that the provisions of the City of Perris Municipal Code Section 19.74.040, Agricultural Preserve Procedures, have been satisfied.

**Section 6.** The City Council further finds, based upon the information contained within the staff report and accompanying attachments, with respect to the Ridge Commerce Center II Project, the following:

Development Plan Review 07-0119

1. The location, size, design, density and intensity of the proposed development and improvements are consistent with the City's General Plan, 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.
2. 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.
3. 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.
4. The architecture proposed is compatible with community standards and protects the character of adjacent development.
5. The landscaping plan ensures visual relief and provides an attractive environment for the public's enjoyment.
6. The safeguards necessary to protect the public health, safety and general welfare have been required for the proposed project.

**Section 7.** For the foregoing reasons the City Council approves the Nonrenewal and Tentative Partial Cancellation of Land Conservation Contract 07-0118 and Development Plan Review 07-0119 for the Rados Distribution Center Project, based on the information and findings presented in the staff report and supporting exhibits, and subject to the attached Conditions of Approval.

**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 and the City Clerk shall certify to the passage and adoption of this Resolution.

**ADOPTED, SIGNED, and APPROVED** this 12<sup>th</sup> day of July 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, City Clerk of the City of Perris do hereby certify that the foregoing Resolution Number 4440 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held on the 12<sup>th</sup> day of July 2011, by the following vote:

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

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

**CITY OF PERRIS  
DEPARTMENT OF DEVELOPMENT SERVICES  
PLANNING DIVISION**

**CONDITIONS OF APPROVAL**

**Zone Change 07-0117**

**Agricultural Diminishment 07-0118**

**Development Plan Review 07-0119**

**City Council: July 12, 2011**

**Planning Commission: September 15, 2010**

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**Project:** Development of the Rados Distribution Center, a 1.2 million square foot high cube warehouse to be located at the northeast corner of Webster Avenue and Rider Street. An Agricultural Diminishment will convert approximately 59 acres under an agricultural land conservation contract (Williamson Act) to light industrial use, with a change of zone from A1 to Light Industrial (LI) in compliance with the General Plan land use designation. The Development Plan Review addresses the project site design and architecture. The site is located south of an existing linear Metropolitan Water District (MWD) parcel. Owner: Rados T.I.C.

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**General Conditions:**

1. **Approvals.** The following approvals are granted for a high-cube distribution warehouse building at the northeast corner of Webster Avenue and Rider Street:
  - (a) **Zone Change 07-0117** to convert the zoning of approximately 59 gross acres from A1-Light Agriculture to Light Industrial; and
  - (b) **Agricultural Diminishment 07-0118** to remove the site in its entirety from a Land Conservation Contract; and
  - (c) **Development Plan Review 07-0119** for architectural and site plan review of one warehouse building of approximately 1.2 million square feet. The facility will lease 2.6 acres of a MWD parcel north of the site, and will include two truck courts, parking lots, office space, landscaping, sidewalks, water quality basins and related infrastructure.
  
2. **Building Occupancy.** High-cube warehousing shall not be used for manufacturing or labor-intensive purposes, nor exceed the ratio of 25 employees per acre.
  
3. **Requirements for Agricultural Diminishment 07-0118.** The following steps are required to remove the project site from the Land Conservation Contract:
  - (a) **Recordation.** The Certificate of Tentative Partial Cancellation of Land Conservation Contract shall be recorded with the County Recorder; and
  - (b) **Tentative Partial Cancellation.** The Tentative Cancellation shall be approved by the City Council based on the required findings.
  - (c) **Final Partial Cancellation.** Prior to scheduling the approval of the Final Partial Cancellation of Land Conservation Contract before the City Council, the following Conditions of Approval shall be met:
    - i. The alternative use (DPR 07-0119) shall be approved.
    - ii. The Cancellation Fee of \$1,325,500.00 shall be paid upon approval of the

proposed project by City Council, within one year of the recordation of the Tentative Cancellation, or the cancellation fee will be recalculated.

iii. The Final Partial Cancellation of Land Conservation Contract shall be recorded with the County Recorder.

4. **Future Obligation of Buyers and Lessees.** All future buyers and lessees shall be informed of their obligation to comply with these Conditions of Approval. The applicant shall further inform the buyer or lessee of their obligation to maintain compliance with all local and City ordinances, including but not limited to an annual fire inspection and maintenance of a City business license.
5. **Expansion of Use.** No expansion of the site or the use shall occur without subsequent reviews and approvals from the Planning Division.

**Conformance to Approved Plans.** Development of the project site, building elevations, and conceptual landscaping shall conform substantially to the approved set of plans prepared by Albert A. Webb Associates, Riverside, CA dated February 11, 2009, and the architectural elevations, colors and materials board prepared by HPA, Irvine, CA dated July 28, 2008, and as approved by the City Council on May 10, 2011, or as amended by these conditions. Any deviation shall require appropriate Planning Division review and approval.

6. **Approval Period for Development Plan Review 07-0119.** In accordance with PMC Section 19.50.080, Expiration and Extension of Time, this approval shall expire three (3) years from the date of City Council approval. Within three years, the applicant shall demonstrate the beginning of substantial construction as contemplated by this approval within the three (3) year period, which shall thereafter be diligently pursued to completion, or substantial utilization. A maximum of three (3) one-year extensions may be requested to demonstrate substantial construction or utilization. A written request for extension shall be submitted to the Planning Division at least ten (10) days prior to the initial (and any subsequent extension) expiration of the Development Plan Review.
7. **Building Official/Fire Marshal.** The project shall adhere to all requirements of the Building Official/Fire Marshal. Fire hydrants shall be located on the project site pursuant to the Fire Marshal, and a fire access and fire underground plan submitted for approval prior to submittal of construction drawings. Water, gas, sewer, electrical transformers, power vaults and separate fire/water supply lines (as applicable) shall be shown on the final set of construction plans. See the City of Perris website, Office of the Fire Marshal: [www.cityofperris.org](http://www.cityofperris.org).
8. **City Engineer.** The project shall adhere to the requirements of the City Engineer as indicated in the attached revised Conditions of Approval dated February 6, 2009, revised February 9, 2009, revised October 5, 2009, revised September 14, 2010, and revised **October 13, 2010**. On and off-site improvement plans shall be submitted for review and approval by the City Engineer. All on-site utilities shall be placed underground.
9. **Indemnification.** The developer/applicant shall indemnify, protect, defend, and hold harmless, the City and any agency or instrumentality thereof, and/or any of its officers,



employees and agents from any and all claims, actions, or proceedings against the City, or any agency or instrumentality thereof, or any of its officers, employees and agents, to attack, set aside, void, annul, or seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voters of the City concerning Environmental Impact Report (SCH #2008111080), Zone Change 07-0117, Agricultural Diminishment 07-0118, and Development Plan Review 07-0119. The City shall promptly notify the applicant of any claim, action, or proceeding for which indemnification is sought, and shall further cooperate fully in the defense of the action.

10. **Southern California Edison (SCE).** The applicant shall contact the Southern California Edison for Savings by Design information (Technical Specialist at 909 357-6509 to explore energy conservation benefit options, and), and the SCE area service planner (951 928-8323) to complete the required forms prior to commencement of construction. No grading permits shall be issued until a letter from SCE is received by the City Engineer indicating electrical service will be underground.
11. **Waste Hauling and Disposal.** The project shall use only the City-approved waste hauler for all construction and other waste disposal.
12. **Property Maintenance.** The project shall comply with the Perris Municipal Code Chapter 7.42 regarding Property Maintenance. The site shall be maintained graffiti-free state at all times. Existing graffiti located on the site shall be removed within 48 hours.
13. **Utilities.** All utility facilities attached to buildings, including meters and utility boxes, shall be painted to match the wall of the building to which they are affixed. These facilities shall also be screened from the public right-of-way by landscaping.
14. **Performance Standards.** The applicant shall comply with all Performance Standards listed in Chapter 19.44.070.
15. **Glazing.** Highly-reflective glass shall not be utilized for architectural elevations.
16. **Roof Parapet.** The height of the roof parapet shall fully screen any roof-mounted equipment. All vent pipes and similar devices shall be painted to match the building.
17. **Downspouts.** Exterior downspouts are not permitted on the front elevations of any building facing Webster Avenue, Indian Avenue, or Rider Street. Interior downspouts are required for these elevations.

**Project Specific Requirements:**

18. **Environmental Impact Report Mitigation Monitoring Program.** The project shall at all times comply with all provisions of the adopted Mitigation Monitoring and Reporting Program (MMRP) of the certified Environmental Impact Report (SCH #2008111080), as incorporated herein, and as may be modified by these conditions.

19. **Construction Practices.** To reduce potential traffic, noise, and air quality impacts, the mitigation measures listed in the EIR Mitigation Monitoring and Reporting Plan (MMRP) shall be listed and included with the "General Notes" on the construction drawings, and implemented in accordance with the timeline, reporting and monitoring intervals listed in the MMRP.
20. **Dam Inundation Disclosure.** The owner shall disclose to future buyers and/or tenants that the project site is located close to a dam inundation area, and may be subject to flooding in the event of dam failure. *(Added by Planning Commission 9-15-2010)*
21. **Linear Trail.** The developer shall construct a regional bicycle/pedestrian trail within the MWD (Metropolitan Water District) parcel adjoining the development site extending from Indian Avenue to the western boundary at Webster Avenue per the City's approved trail plan. At the City's discretion, the applicant may pay an in-lieu fee to fund future construction of the trail section adjacent to the project site. Access to the trail shall be provided in convenient locations from the northern portions of the site. Trees are not permitted within the MWD parcel to protect the aqueduct.
22. **Solar Panels.** The project shall be designed with load bearing capacity for the roof top installation of photovoltaic arrays of at least 1.5 megawatts.
23. **Meandering Sidewalk.** The applicant shall install a meandering public sidewalk along Webster Avenue, Rider Street and Indian Avenue.
24. **Parking Stall Configuration.** Design of parking stalls shall comply with PMC 19.69.030C.5b (double striping). Premium parking stalls provided voluntarily or as required for LEED (or other green building rating system) for Low Emission Vehicles (LEV)/Zero Emission Vehicles (ZEV) and carpools shall be designated as such.
25. **Payment of State Fish and Game Fees.** Within three (3) days of City Council approval, the applicant shall submit a check to the City payable to "Riverside County Clerk-Recorder", in the amount of \$2,903.25 for payment of the State Fish and Game fee. No project shall be operative, vested, or final until the filing fees have been paid (State Fish and Game Code Section 711.4).
26. **Mid-County Parkway.** The applicant acknowledges that an alternate alignment of the future Mid-County Parkway has the potential to impact this project along Rider Street. The applicant shall inform future buyers and lessees of this circumstance.
27. **Green Building Practices.** The following sustainable ("green") building practices contribute to an energy-efficient, healthy, economical and environmentally responsible building, over and beyond California building code requirements. The following green compliant options shall be considered collaboratively among the design and construction team very early in the design phase:

**BUILDINGS**

- a. Install "Cool Roof" roofing to keep buildings cool.

- b. Use "Energy Star" and high efficiency equipment.
- c. Use higher "R" value insulation and glazing beyond Code requirements to minimize electricity loads.
- d. Use a highly efficient HVAC system (heat pump, variable air handling unit, evaporative cooler for dry climates).
- e. Use renewable energy (solar photovoltaics, "green" utility power) for electricity.
- f. Incorporate passive daylighting design techniques (clerestory windows, skylights).
- g. Use passive ventilation (ceiling fans, floor and ceiling vents) for a healthier indoor environment.
- h. Shade openings during summer and allow sun to enter during winter.
- i. Install architectural elements (fins, light shelves, awnings, overhands, etc.) that look attractive and serve a green building purpose.
- j. Specify products created with rapidly renewable materials (bamboo, cork, cotton batt insulation, etc.).
- k. Specify Forest Stewardship Council (FSC) Certified wood products (sustainably managed forests per the FSC).

#### INTERIORS

- l. Install ultra-low flow fixtures that use less water than required by code (sinks & water closets).
- m. Install insta-hot water heaters to minimize water usage and electrical demands.
- n. Install lighting controls (motion/day lighting sensors) to turn off lights when not needed.
- o. Use high efficiency light fixtures and lamps (such as CFLs and LEDs) to minimize electrical demands.
- p. Use paints & adhesives with low V.O.C.s (volatile organic compounds); also composite wood products (cabinetry) with low V.O.C.s.

#### SITE

- q. Use water efficient landscaping and irrigation, such as using reclaimed water where available.
- r. Provide features that encourage alternative transportation, such as bike racks and public transportation stops.
- s. Provide preferred parking for carpools and hybrid, electric and alternative fuel vehicles.
- t. Orient building to take advantage of natural resources such as sunlight, wind, views, drainage, etc.
- u. Provide on-site recyclable collection areas.
- v. Utilize site features to absorb and filter storm water run-off such as permeable asphalt or grass swales (bioswales).

#### CONSTRUCTION

- w. Recycle & salvage construction waste to minimize waste.
- x. Reuse existing site or building as much as possible in remodels to minimize waste.
- y. Use recycled-content (fly ash in concrete, steel, gypsum board).

- z. Use regional materials (concrete, C.M.U., roof tiles), products that are created with local raw materials, and locally manufactured.
28. **Green Building Rating System/LEED.** The project applicant has indicated the Rados Distribution Center will pursue **LEED Silver** certification. If LEED Silver certification is not ultimately granted by the USGBC, the project shall comply with the requirements for a LEED Certified building, in accordance with the edition of the USGBC New Construction (NC) Reference Manual in effect at time of project registration.
29. **Compliance with LEED Categories and Credits.** The successful implementation of the performance standards described in the New Construction (NC) reference guide result in LEED Certification at the chosen level. LEED success is dependent upon the collaboration and cooperation of all members of the project team very early in the design process, with oversight by LEED-accredited professionals. In some sections, City codes will facilitate compliance. See the current US Green Building Council NC Rating System reference guide, or the guide in effect at time of project registration. The building(s) and facilities shall be maintained in the condition that awarded LEED certification.
30. **Preliminary Water Quality Management Plan (PWQMP) 07-0119.** A Preliminary WQMP was prepared for the proposed project site. All PWQMPs were determined to be in substantial compliance, in concept, with the Riverside County WQMP Manual requirements. Additional Engineering Department review is required to determine if the proposed retention basin is adequately sized to meet the minimum 100 year storm event volumes. The following two conditions apply:
- a. The development shall be subject to all provisions of City of Perris Ordinance Number 1194, which establishes stormwater/urban runoff management and discharge controls to improve water quality and comply with federal regulations, and any subsequent amendments, revisions, or ordinances pertaining thereto.
  - b. The structural BMPs selected for this project have been approved in concept. The owner shall submit a final WQMP including plans and details providing the elevations, slopes, and other details for the proposed structural BMPs including the Retention Basin. The Public Work Department shall review and approve the final WQMP text, plans and details.
31. **March Air Reserve Base.** In accordance with recommendations by the Airport Land Use Commission, the following measures shall be implemented to address the project's location within Airport Influence Area II:
- a. An aviation easement shall be executed and conveyed to the March Joint Powers Authority and the City of Perris.
  - b. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
  - c. The following uses shall be prohibited:
    - i) Any use that would direct a steady light or flashing light of red, white, green or amber toward an aircraft in takeoff or final approach.

- ii) Any use that would generate excessive smoke or water vapor, or which would attract large concentrations of birds or otherwise affect safe air navigation.
  - iii) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or straight final approach towards landing at an airport.
  - iv) Any use that would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
- d. A "Notice of Airport in the Vicinity" shall be provided to all potential purchasers and tenants.
  - e. Noise attenuation measures shall be incorporated into office areas of the building construction as necessary to ensure interior noise levels from aircraft operations are at or below 45 CNEL.
  - f. Any retention basin shall be designed so as to provide a maximum 48-hour detention period for the design storm (may be less but not more), and to remain totally dry between rainfalls. Vegetation in and around the retention basin that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.

**Prior to the Issuance of Grading Permits:**

- 32. **Precise Grading Plans.** Precise grading plans shall be submitted to the City for review and approval. Grading plans shall be consistent with approved development plans.
- 33. **Traffic Control Plan.** A Traffic Control Plan shall be submitted for approval to the City Engineer.
- 34. **Final WQMP.** Water Quality Management Plan (WQMP) No. 07-0119 shall be approved by the City Engineer.

**Prior to the Issuance of Building Permits:**

- 35. **Landscape and Irrigation Plans.** Three (3) complete sets of landscape plans (as listed below) shall be submitted to the Planning Division, accompanied by the appropriate landscape plan check filing fee. The landscape plans shall be prepared and stamped by a California licensed landscape architect and include the following:
  - a. Landscape Design Plan (including Planting Details per the City's Technical Manual for Landscape Design).
  - b. Irrigation and Maintenance Plan.
  - c. Soil Management Plan.
  - d. Grading Design Plan, including Water Quality Management Plan (WQMP) site design BMP's.
- 36. **Landscape plans shall adhere to the following:**
  - a. **Reclaimed Water.** A non-potable water source shall be used for landscape irrigation, including public areas and medians. If not yet available at the



location, appropriate irrigation equipment (“purple pipe”) shall be installed for future conversion and connection to the reclaimed water source. Contact John Worth, EMWD, at 951 928-3777, ext. 4334.

- b. **The landscape design** shall promote continuity of the streetscape design along Webster Avenue, Indian Avenue and Rider Street through utilization of meandering sidewalks and river rock-accented median.
- c. **Accent landscaping.** The following treatments, consistent with the conceptual landscape plan or as conditioned herein, are required:
  - i. Tiered landscaping planting and mature trees (36” to 24” box) shall be planted within water quality swales and basins, and along the project boundary, adjacent to the meandering sidewalk.
  - ii. Specimen box trees (48” to 24”) are required for monumentation at the northeast corner of Webster Avenue and Rider Street, and the northwest corner of Rider Street and Indian Avenue.
  - iii. Large trees (36” to 24” box) shall contribute to the landscape design at driveway entrances to the project site.
- d. **Employee Amenity Areas.** Outdoor employee break areas shall be landscaped and include shade coverings architecturally tied to the building.
- e. **Parking Area Buffer.** A minimum 3-foot high hedge or dense landscaping is required to screen non-truck parking areas from the right of ways.
- f. **Parking Area Landscaping.** A minimum of one tree per 6 parking stalls, or the number of trees necessary based on the species, to ensure 50% shade cover in non-truck parking areas within five (5) years shall be provided. A minimum of 25% of parking area trees shall be 24” box-sized
- g. **Trees for Shade and Energy Conservation.** It is recommended that buildings reduce energy costs and site heat island effects by taking advantage of the shade potential of properly located trees:
  - i. **Energy conservation.** Plant non-deciduous (evergreen) trees on the west and south sides of buildings for shade to reduce the interior air-conditioning load, and deciduous trees on north and east sides of buildings to conserve energy through heat gain in winter.
  - ii. **Shade benefits.** Non-deciduous shade trees planted adjacent to hardscape in any sunny location on the site will lessen the heat island effect.
- h. **Berming** is required in front of the screen wall along Rider Street. All water quality swales should transition into berms.
- i. **All street trees** shall be 24-inch box size or larger, and planted a maximum of 30 feet on center within the parkway.
- j. **Specialty paving** (accent colors, textures, and patterns) shall indicate building entrances and pedestrian pathways.
- k. **Water Quality BMPs** (vegetated swales, retention basin, etc.) shall be indicated on the landscape plans with appropriate planting and irrigation.
- l. **Maintenance.** Parkway landscaping and irrigation shall be maintained by the applicant and/or future property owners or tenants in a viable growth condition.

37. **Landscape Code Compliance.** Landscaping and irrigation plans shall be consistent with Perris Municipal Code Sections 19.70, 19.71 (Urban Forestry) and appendices. Water

conservation requirements are mandatory (Section 19.70.030). Three (3) complete sets of landscape plans prepared and stamped by a California licensed landscape architect shall be submitted to the Planning Division for review, accompanied by the appropriate landscape plan check filing fee, as follows:

- a. **Landscape Design Plan** (including Planting Details per the City's Technical Manual for Landscape Design)
- b. **Irrigation and Maintenance Plan**
- c. **Soil Management Plan**
- d. **Grading Design Plan** (including WQMP site design BMP's)

38. **Additional Landscape Plan Requirements:**

- a. **Linear Trail.** The project shall plant drought tolerant vines and shrubs within a landscape buffer adjacent to the MWD property.
- b. **Conceptual Landscape Plan.** The formal landscaping plans shall substantially conform to the conceptually approved landscape plan.
- c. **Eastern Municipal Water District (EMWD).** Applicant shall also submit landscape plans to EMWD for approval after the City's approval, and comply with required EMWD requirements and inspections.

39. **Inspections.** A minimum of three landscape inspections by the City of Perris shall be arranged, in the following order:

- a. At installation of irrigation equipment, when the trenches are still open,
- b. After soil preparation, when plant materials are positioned and ready to plant;
- c. At final inspection, when all plant materials are installed and the irrigation system is fully operational.

40. **Additional Plan Requirements.** The following additional plans shall be reviewed and approved by the appropriate City departments:

- a. **Trash Enclosures.** Covered trash enclosures constructed to the City standard shall be easily accessible to all tenants in office areas of the building, and be screened by landscaping from the public view. The trash enclosure shall be treated with an overhead trellis treatment, and elevations shall be included on final landscape and fencing plans for review and approval by the Planning Division.
- b. **Site Lighting.** A site lighting plan shall be approved that complies with the City's Outdoor Lighting Regulations. The lighting plan shall include photometrics, fixture details, and light standard elevations. High efficiency fixtures with full-cut off shields shall be used to prevent light and glare above the horizontal plane of the bottom of the lighting fixture.
- c. **Fencing and Screen Walls.** Decorative screen walls shall screen views into truck courts from the public right of way (Rider Street) and adjacent uses. The plans and details for the screen wall shall be included in the landscape plan check submittal package for review and approval by the Planning Division. The following shall apply:

- i. **Architecture.** The design of the screen walls shall be architecturally tied to the building, significantly articulated, and include base, body and cap elements.
      - ii. **Height.** The decorative screen wall screening the truck loading area shall be between 10 and 14 feet in height.
      - iii. **Fencing and gates** surrounding the leased MWD truck parking area and providing pedestrian access to the linear trail shall be constructed of tubular steel in a color complementary to the building.
      - iv. **Chain link** fencing shall not be visible to public areas.
    - d. **Knox boxes** are required for all gates, and shall be approved by the Fire Marshal and issued by the Building Division.
    - e. **Graffiti.** All block walls shall be treated with a graffiti resistant coat.
- 41. **Construction Plans.** All Planning Division and Engineering Department Conditions of Approval, proposed employee amenities, LEED requirements that are included with the EIR Mitigation Monitoring and Reporting Plan, and the Mitigation Monitoring Plan itself shall be reproduced in full on construction drawings and grading plans, immediately following the cover sheet of such plans. Applicant shall annotate each Condition on the construction plans to indicate the manner by which has been met (i.e., sheet and detail numbers).
- 42. **Planning Clearance.** The applicant shall first obtain clearance from the Planning Division verifying that relevant Conditions of Approval have been met.
- 43. **Assessment and Community Facilities Districts.** The project shall be annexed into any assessment, community facilities, or similar district that provides funding for maintenance, services, or public improvements that benefit the project. The costs and benefits shall be described in the applicable district and annexation documents. The developer shall complete all actions required to complete such annexation prior to issuance of a Certificate of Occupancy. This condition shall apply only to districts existing at the time the project is approved (or all requirements have been met for a certificate of occupancy, as applicable). Such districts may include but are not limited to the following:
  - a. Landscape Maintenance District No. 1;
  - b. Flood Control Maintenance District No. 1;
  - c. Maintenance District No. 84-1;
  - d. North Perris Community Facilities Assessment District;
  - e. Ramona Mobility Group District;
  - f. Road and Bridge Benefit District; and
  - g. Future Fire Protection Community Facilities District.
- 44. **Fees.** The developer shall pay the following fees according to the timeline noted.  
Prior to the issuance of building permits, the applicant shall pay:
  - a. Stephen's Kangaroo Rat Mitigation Fees of \$500.00 per acre;
  - b. Multiple Species Habitat Conservation Plan fees currently in effect;



- c. Current statutory school fees to all appropriate school districts;
- d. Any outstanding liens and development processing fees owed to the City;

Prior to issuance of the Certificate of Occupancy, the applicant shall pay:

- e. Appropriate City Development Impact Fees in effect at the time of development; and
- f. Appropriate Transportation Uniform Mitigation Fees (TUMF) in effect at the time of development, or
- g. Appropriate Road and Bridge Benefit District fees.

**Prior to the Issuance of Occupancy Permits:**

- 45. **Final Planning Inspection.** The applicant shall obtain occupancy clearance from the Planning Division by scheduling a final Planning inspection after final sign-offs from the Building Division and Engineering Department. Planning Staff shall verify that all Conditions of Approval have been met, and all required paving, parking, walls, site lighting, landscaping and automatic irrigation is installed and in good condition.
- 46. **Maintenance Agreement.** The applicant shall provide a recorded document in the form of a Covenant Declaration and/or a Maintenance Agreement to the Development Services Department that specifies maintenance responsibilities for on-site improvements not dedicated to public use including, but not limited to, walkways, decorative pavement, landscaping, storage areas, fences and walls, signage, lighting fixtures, detention basins and water quality BMP's.
- 47. **Final Technical Reports.** Any required final monitoring and mitigation reports concerning items recovered as part of a cultural or paleontological investigation shall be submitted to the appropriate lead agency (City of Perris), and will signify satisfactory completion of the project program to mitigate impacts to any paleontological resources.

July 12, 2011  
CITY COUNCIL APPROVAL DATE

  
PROJECT PLANNER



# CITY OF PERRIS

HABIB MOTLAGH, CITY ENGINEER

## CONDITIONS OF APPROVAL

P8-983

February 6, 2009, Revised February 9, 2009, Revised October 5, 2009,  
Revised September 14, 2010, Revised October 13, 2010  
DPR 07-0119 - Rados

With respect to the Conditions of Approval for the above referenced project, the City of Perris requires that the developer provide the following street improvements and/or road dedication in accordance with the City of Perris Municipal Code Title 18. It is understood that the site plan correctly shows all existing and proposed easements, traveled ways, rights-of-way, and drainage courses with appropriate Q's and that their omission may require the map to be resubmitted for further consideration. These Ordinances and the following conditions are essential parts and requirement occurring in ONE is as binding as though occurring in all. They are intended to be complimentary and to describe the conditions for a complete design of the improvements. Unless otherwise noted, all offsite improvements as conditioned shall be installed prior to issuance of any occupancy permits. All questions regarding the true meaning of the conditions shall be referred to the City Engineer's office.

1. This project is located within the limits of the Perris Valley area drainage plan for which drainage fees have been adopted. Drainage fees shall be paid to the City of Perris prior to issuance of a permit. Fees are subject to change and shall be in the amount adopted at the time of issuance of the permit.
2. The project's grading shall be in a manner to perpetuate existing drainage patterns, any deviation from this, concentration or increase in runoff must have approval of adjacent property owners. Drainage easements shall be obtained from effected property owners or if within this site, shall be shown on the final map. The applicant shall accept the offsite runoff and convey to acceptable outlet.
3. The incremental increase in runoff between developed and undeveloped state (100-year) and the nuisance runoff shall be retained within onsite private detention basin(s) and discharged to adequate outlet as approved by City and pursuant to Riverside County Flood Control standards.
4. Onsite landscape area(s) shall be designed in a manner to collect the onsite nuisance runoff in compliance with WQMP Standards.

**DEPARTMENT OF ENGINEERING**

170 WILKERSON AVE., SUITE D, PERRIS, CA 92570-2200  
TEL.: (951) 943-6504 - FAX: (951) 943-8416

5. Prior to issuance of any permit, the developer shall sign the consent and waiver forms to join the lighting and landscape districts. The developer shall maintain all on and offsite landscaping with exception of median improvements which will be included in landscape maintenance. The proposed offsite streetlights and portions of existing and new signals (Harley Knox Blvd. intersections with Indian and Patterson and the new signal at Rider and Indian and at Webster Intersection with Morgan shall be maintained by City and cost paid for by the property owners through annexation to lighting and landscaping districts. In the event RCFC does not maintain the proposed offsite drainage facilities, it shall be annexed to Flood control District for maintenance.
6. Existing power poles within the project site or along the project boundary (under 65kv), if any, shall be removed and cables undergrounded. All other utility poles, if any, shall be removed and utilities undergrounded.
7. Streetlights shall be installed along Rider Street, Webster Avenue and Indian Avenue as approved by City Engineer per Riverside County and Southern California Edison standards.
8. This project is located within EMWD's water and sewer service area. The applicant shall install water and sewer facilities as required by EMWD and Fire Department.
9. The applicant shall submit to City Engineer the following for his review:
  - a. Street Improvement Plans
  - b. Signing, Striping, and Signal Plans
  - c. Onsite Grading Plans, SWPPP, and Erosion Control Plan
  - d. Water and Sewer Plans
  - e. Drainage Plans, Hydrology and Hydraulic Reports
  - f. Streetlight Plan
  - g. Final WQMP

The project's design shall be in compliance with EMWD, Riverside County Flood Control and Riverside County Standards and coordinated with approved plans for adjacent developments.

10. All pads shall be graded to be a minimum of 1' above 100-year calculated water surface or adjacent finished grade.
11. All grading and drainage improvements shall comply with NPDES and Best Management Practices. Erosion control plans shall be prepared and submitted to Water Quality Board and the City as part of the grading plans. Catch basins shall be installed at all intersections and driveways to eliminate nuisance runoff.
12. 6' concrete sidewalk, handicap ramps, and driveways shall be installed pursuant to Riverside County and ADA standards. All driveway approaches shall be constructed per Riverside County standards for Commercial Driveway (Std. 207A) and comply with the ADA requirements.

13. Construction of Master Planned Underground Drainage Facilities (Laterals H-5) along Rider Street as shown on adopted master plan to Perris Valley Channel will be required. Prior to start of design of these facilities, the applicant's engineer shall meet with Flood Control to understand to design criteria established by Flood Control for such facilities. All such improvement plans and drainage reports shall be reviewed and approved by RCFC and City of Perris. Installation of catch basins and connection to Master Planned Facilities at the intersection of all new driveways and all existing and proposed intersections along Rider Street, Indian Avenue, and Webster Street shall be required and to eliminate nuisance runoff from cross-gutters. In the event construction of Lateral "H-5" and downstream underground facility is not feasible at the time of development of this project, construction of adequately sized underground facilities and extension easterly along Rider to Perris Valley Channel will be required. In this event, the applicant shall secure Flood Control's approval for diversion.
14. All onsite drainage runoff shall be collected via onsite underground facilities and connected to onsite basin(s) and conveyed to master planned facilities.
15. This and other similar projects will significantly impact the transportation infrastructure within the City of Perris and adjacent communities. For this reason, the following transportation related improvements are required to mitigate the initial and the ongoing impact to the transportation facilities. This project shall join the City of Perris RBBB.
16. Prior to issuance of occupancy permit, the applicant shall pay the City \$500,000 for their contribution towards implementation of interim and ultimate improvements to I-215/Ramona Expressway interchange and Harley Knox Blvd. interchange and other improvements. This one time contribution is above and beyond TUMF, DIF, RBBB and other City fees and is not reimbursable.
17. Rider Street from Frontage Road to the intersection of Indian Avenue within 94' full width dedicated right-of-way shall be improved with minimum of 66' of paving along both sides, curb/gutter located 35' on either side of centerline and sidewalk along the north side. Existing pavement along north side shall be removed and replaced, existing pavement along south side shall be grind/over by 0.15'. The existing curb and gutter along south side shall remain in place and incorporated with new improvements.
18. Webster Avenue from Rider Street to northerly right-of-way of MWD shall be improved with minimum of 66' new paving, curb/gutter and sidewalk located 35' on either side of centerline within 94' full width dedicated right-of-way.

Existing pavement along Webster from MWD's northerly right-of-way to Morgan Street may require 0.15' grind/overlay as determined by City.



19. Indian Avenue along the both sides from Rider Street to northerly right-of-way of MWD shall be improved with minimum of 66' new paving, curb/gutter located 35' on either side of centerline within 94' full width dedicated right-of-way. Indian Avenue along the east side from MWD's northerly right-of-way to Morgan Street shall be improved with minimum of 33' of new pavement, curb/gutter located 35' from centerline within 47' half-width dedicated right-of-way.

Existing pavement along Indian Avenue from MWD's northerly right-of-way to Morgan Street may require 0.15' grind/overlay as determined by City.

20. Construction of 14' landscaped median along Indian, Rider and Webster Avenue shall be required adjacent to the site except for transition at driveways and intersections. The landscaped median along Indian Avenue shall be installed from Rider to Morgan Street. Nuisance underground drainage pipe and connection to on and/or offsite drainage facility will be required.
21. Harley Knox Blvd. from Indian Avenue to I-215 shall be fully improved along both sides including curb/gutter to general plan standards within 128' dedicated right-of-way. The intersection of Harley Knox Blvd. with Indian and Patterson Avenue shall be improved to general plan standards (all legs and directions) with 2 left turn pockets all legs and directions, minimum 2 through lanes and one dedicated right turn.
22. Traffic index of 10.5 shall be used for any work on Rider, Indian, and Harley Knox Blvd. and 9.0 for Webster Avenue.
23. The intersections of rider with Indian Avenue and the intersection of Harley Knox Blvd. with Patterson Avenue shall be improved with concrete section to withstand the truck traffic.
24. Right-of-way acquisition. All right-of-way property area necessary for construction of the street and traffic improvements including any utility and construction easements, not under Applicant's ownership shall be acquired by the Applicant, at Applicant's sole cost. If Applicant is unsuccessful in negotiating any right-of-way acquisition with third party owners after a 30 day period, then City shall conduct the necessary analysis to determine in its sole discretion whether to attempt to acquire the right-of-way by exercise of its power of eminent domain; provided, however, that nothing herein shall be deemed a prejudgment or commitment with respect to condemnation.
25. Reimbursement of costs. Applicant and City shall cooperate to ensure that Applicant receives, to the greatest extent practicable, reimbursement for all of Applicant's eligible costs of constructing all of the street and traffic improvements. Reimbursement agreement or some similar agreement between Applicant and the City and/or establishment of a RBBB community facilities district or other assessment district that will fund the costs of such construction. Notwithstanding the forgoing, City shall have no obligation to reimburse or credit Applicant from any source

of City funding other than under the local Development Impact Fee program as adopted by the City. Other sources of reimbursement may include the Transportation Uniform Mitigation Fee (TUMF) program, future developers who benefit from the improvements constructed by the Applicant, and/or participants in a community facilities or assessment district created to fund such improvements and other improvements in the vicinity of Applicant's project.

26. New traffic signals shall be installed at intersection of Indian with Rider and Morgan Street and Webster Avenue with Morgan Street. The existing signals at intersection of Harley Knox Blvd. with Indian and Patterson Avenue shall be upgraded to accommodate the requested improvements.
27. This project is located within the RBBB District and shall complete the improvements as conditioned and receive the appropriate credit per RBBB study and ordinance.
28. Driveways shall be installed per Riverside County Standard No. 207A. 3 driveways shall be constructed on Rider Street, the most easterly driveway shall be right in and out only. One driveway each for Webster Avenue and Indian Avenue shall be provided.
29. Minimum of one RTA stop shall be provided along perimeter streets as determined by the City Engineer and RTA.
30. Intersection of Rider with Indian Avenue shall be improved to accommodate one left turn lane, 2 through lanes, and one dedicated right turn lane (all legs and directions). The intersection of Rider with Frontage Road shall be improved to provide for a left turn, a dedicated right lane, one north, one south, and 2 east bound lanes.
31. Lot merger and/or final maps if required shall be filed and recorded prior to issuance of any permit.

*Habib Motlagh*  
Habib Motlagh  
City Engineer

RECORDING REQUESTED BY:

FOR COUNTY RECORDER'S USE

City of Perris  
City Clerk's Office  
101 North D Street  
Perris, CA 92570-1998

Exempt Per Government Code 6103

WHEN RECORDED MAIL TO:

City of Perris  
City Clerk's Office  
Judy Haughney, City Clerk  
101 North "D" Street  
Perris, California 92570-1998

**Agricultural Preserve Program  
Notice of Non-Renewal of  
Land Conservation Contract**

I certify that that on April 13, 2007, the original application regarding Notice of Non-Renewal of Land Conservation Contract No. 07-0118 was submitted to the City of Perris Development Services Department and processing fees paid, and on January 7, 2010, the revised application regarding Notice of Non-Renewal of Land Conservation Contract No. 07-0118 as attached hereto and incorporated herein by reference, was resubmitted to the City of Perris Development Services Department for a portion of land under Land Conservation Contract (Williamson Act) in the Perris Valley Agricultural Preserve No. 1 (Map No. 56), as further described below, and was determined to comply with all applicable requirements of the State of California and the City of Perris.

**DESCRIPTION**

The property is described in the legal description, Exhibit A, attached hereto and incorporated herein by reference, and depicted on the plat map, Exhibit B, attached hereto and incorporated herein by reference. (Also known as Assessor's Parcel Number 303-050-002)

The property is a part of the Perris Valley Agricultural Preserve No. 1 (Map No. 56), a Land Conservation Contract dated January 1, 1970 and recorded on February 27, 1970 as Instrument No. 19066 in the Official Records of the County of Riverside, California, as reformed and restated in that certain Reformed and Corrected Land Conservation Contract dated January 1, 1985, and recorded on January 18, 1985 as Instrument No. 11676 in the Official Records of the County of Riverside, California.

**Exhibit B**

**Name and Address of Landowner:**

Rados Properties T.I.C.  
Stephen S. Rados, Owner  
2002 E. McFadden Avenue  
Santa Ana, CA 92735

I certify that I have reviewed the parcels for **Notice of Non-Renewal of Land Conservation Contract** and have determined that the Notice of Non-Renewal complies with all applicable requirements of the State of California and the City of Perris.

\_\_\_\_\_  
Habib M. Motlagh  
City Engineer  
City of Perris

\_\_\_\_\_  
Richard Belmudez  
City Manager  
City of Perris

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

On this \_\_\_\_ day of September, 2010, before me, the City Clerk of the City of Perris, a city within the said County and State, personally appeared Habib Motlagh, known to me to be the City Engineer of the City of Perris and Richard Belmudez, known to me to be the City Manager of the City of Perris, and both known to me to be the persons who executed the within instrument on behalf of said public corporation, agency or political subdivision, and acknowledged to me that such City executed the same.

\_\_\_\_\_  
Judy Haughney  
City Clerk

Att: Notice of Nonrenewal  
Exhibit A  
Exhibit B



**EXHIBIT "A"**

That portion of the south half of the southwest quarter of Section 7, Township 4 South, Range 3 West, San Bernardino Meridian, described as follows:

**BEGINNING** at the southwest corner of said Section 7, said corner also being the intersection of the centerline of Webster Avenue (60.00 feet wide) with the centerline of Rider Street (60.00 feet wide) as shown on Record of Survey on file in Book 86 of Records of Survey at pages 72 through 76 inclusive thereof, Records of Riverside County, California;

**Thence** North 00°03'45" East along the west line of said section and along said centerline of Webster Avenue, a distance of 933.41 feet to a point on the southerly line of that certain parcel of land conveyed to Metropolitan Water District of Southern California as shown on said Record of Survey;

**Thence** South 88°33'09" East along said southerly line, a distance of 2755.16 feet to a point on the east line of said south half of the southwest quarter of said Section 7, said line also being the centerline of Indian Avenue as shown on said Record of Survey;

**Thence** South 00°03'59" West along said east line and along said centerline, a distance of 932.51 feet to the southeast corner of said southwest quarter of Section 7, said corner also being on said centerline of Rider Street;

**Thence** North 88°34'16" West along the south line of said Section 7 and along said centerline of Rider Street, a distance of 2755.07 feet to the **POINT OF BEGINNING**.

Containing 58.99 acres, more or less.

SEE PLAT ATTACHED HERETO AS EXHIBIT "B" AND MADE A PART HEREOF.

PREPARED UNDER MY SUPERVISION

Matthew E. Webb  
Matthew E. Webb, L.S. 5529

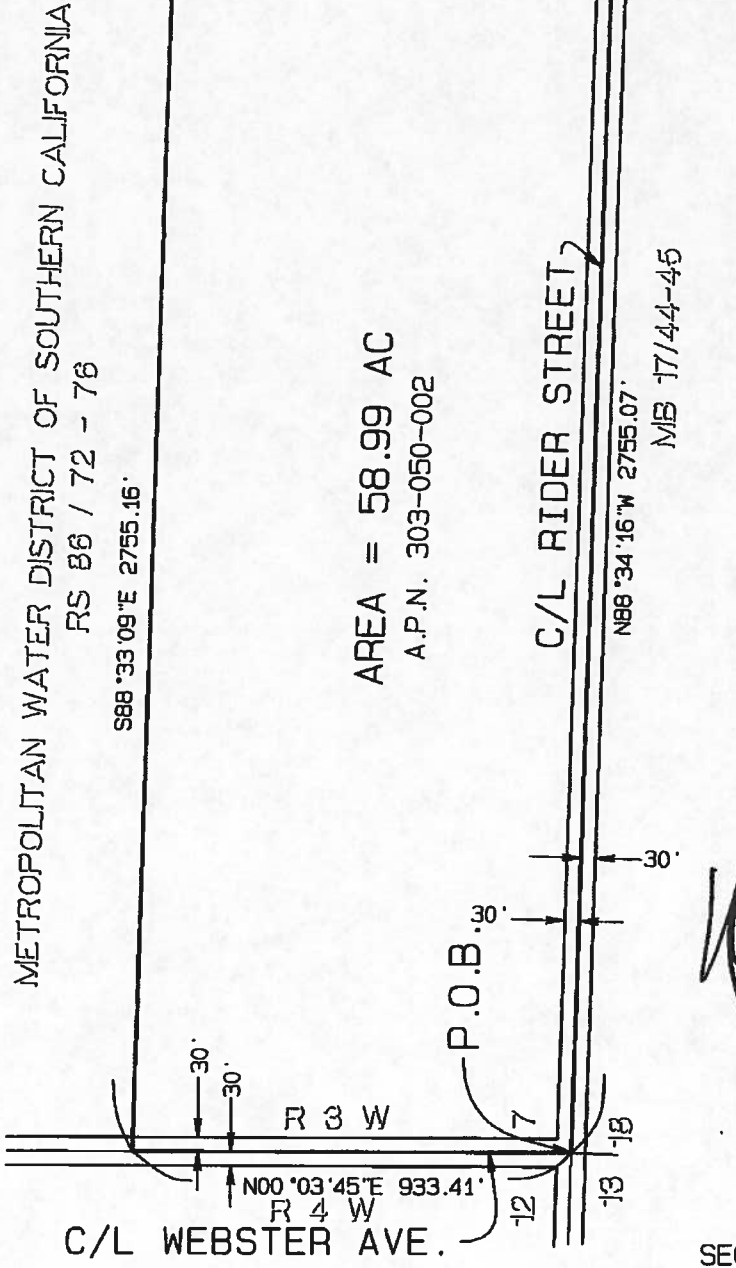
6/17/09  
Date

Prepared by: JB  
Checked by: J



# EXHIBIT "B"

MB 17/44-45  
C/L INDIAN AVE.  
500°03'59"W 932.51'



SECTION 7, T4S, R3W, SBM

G:\2005\06-0001\SITE EXHIBIT FOR NNP.DWG

ALBERT A.  
**WEBB**  
ASSOCIATES

THE RADOS COMPANIES

DATE PREPARED: JUNE 17, 2009

THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE ATTACHED DOCUMENT.

SHEET 1 OF 1

W.O. 06-0001

SCALE: 1" = 400'

DRWN BY *JE*  
CHKD BY *SM*

DATE *6/17/09*  
DATE *6/17/09*

SUBJECT: PLAT

RECORDING REQUESTED BY:

FOR COUNTY RECORDER'S USE

City of Perris  
City Clerk's Office  
Judy Haughney, City Clerk  
101 North "D" Street  
Perris, CA 92570-1998

Exempt Per Govnmt Code 6103

WHEN RECORDED MAIL TO:

City of Perris  
City Clerk's Office  
Judy Haughney, City Clerk  
101 North "D" Street  
Perris, California 92570-1998

**CERTIFICATE OF TENTATIVE CANCELLATION OF LAND CONSERVATION CONTRACT  
(California Government Code Section 51283.4)**

I certify that on September 28, 2010 the City Council of the City of Perris, Riverside County, State of California, adopted Resolution Number \_\_\_\_ approving **Agricultural Preserve Diminishment No. 07-0118** for a partial tentative cancellation of a land contract in the Perris Valley Agricultural Preserve No. 1, Map 56, as further described below. Per California Government Code Section 51283.4, a final certificate of cancellation will be issued and recorded at such time as the conditions and contingencies stated herein are satisfied.

**1. Name and Address of Landowner:**

Rados Properties T.I.C.  
Stephen S. Rados, Owner  
2002 E. McFadden Avenue  
Santa Ana, CA 92735

**2. Description of Property:**

The property is described in the legal description, Exhibit A, attached hereto and incorporated herein by reference, and depicted on the plat map, Exhibit B, attached hereto and incorporated herein by reference. (Also known as Assessor's Parcel Number 303-050-002)

The property is located within Perris Valley Agricultural Preserve No. 1 (Map No. 56).

**3. Description of Land Conservation Contract:**

Land Conservation Contract dated January 1, 1970, and recorded on February 27, 1970, as Instrument No. 19066 in the Official Records of the County of Riverside, California, as reformed and restated in that certain Reformed and Corrected Land Conservation Contract dated January 1, 1985 and recorded on January 18, 1985 as Instrument No. 11676 in the Official Records of the County of Riverside, California.

**4. Contingencies and conditions to be satisfied prior to final cancellation of said contract:**

- A. The cancellation fee of \$1,325,500.00, computed under the provisions of Government Code Section 51283(a), which was determined and certified by the City Council, shall be paid in full prior to the issuance of building permits. If the fee is not paid within one year from the date of the recording of the certificate of tentative cancellation, such fee shall be re-computed as of the date of notice when the landowner notifies the City Council that he has satisfied the conditions and contingencies enumerated in this Section 8.
- B. The Landowner shall obtain approval of Zone Change 07-0117, and Development Plan Review 07-0119 (the discretionary permits necessary to commence the project), and shall obtain the grading permits necessary to commence grading of the project.

A final certificate of cancellation will be issued and recorded at such time as the conditions and contingencies stated herein are satisfied.

**5. Method of approval:**

Per Resolution No. \_\_\_\_ duly adopted by the City Council on September 28, 2010.

---

Judy Haughney  
City Clerk



COUNTY OF RIVERSIDE  
 ASSESSOR-COUNTY CLERK-RECORDER  
 BOX SPRINGS DISTRICT OFFICE  
 6221 BOX PRINGS BLVD  
 RIVERSIDE CA 92507  
 (951) 486-6777

CATHY COLT  
 ASSISTANT  
 Administrative Division

TAUNA MALLIS  
 ASSISTANT  
 County Clerk-Recorder Division

FRIT SWAIN  
 ASSISTANT  
 Valuation Division

LARRY W. WARD  
 Assessor-County Clerk-Recorder

JULY 13, 2009

Diane Sbardellati - ASSOCIATE PLANNER  
 City of Perris  
 135 North D Street, Perris, CA 92571

Diane Sbardelatti:

Re: AP Cancellation Valuation PERRIS NO 1, MAP NO 56 County of Riverside, CA

Notice is hereby given that a valuation was done by the Riverside County Assessor's Office to determine the cancellation value for agricultural preserve (CLCA) parcels in Agricultural Preserve PERRIS NO 1, MAP NO 56 (City of Perris, Riverside County, CA). The effective date of this valuation was 07/13/2009. The results of this valuation are as follows:

Assessor's Parcel # (SEE DETAILS ON ATTACHED PAGE)	Valuation
1 PARCEL 303-050-002-1 (55.81 ACRES)	\$ <u>10,604,000.00</u>
Total Cancellation Valuation	\$ <u>10,604,000.00</u>
Cancellation Fee: @ 12.5%	\$ 1,325,500.00

Under California law effective Jan 1, 2005, you have the right to request a formal review of the valuation if you disagree with it, and you have 45 days from the date of receipt of this notice to reply.

Yours truly,

Larry W. Ward  
 Assessor-Clerk-Recorder

James Harlow  
 Supervising Appraiser  
 Agricultural Section



RECORDING REQUESTED BY:

FOR COUNTY RECORDER'S USE

City of Perris  
City Clerk's Office  
Judy Haughney, City Clerk  
101 North "D" Street  
Perris, CA 92570-1998

Exempt Per Govmnt Code 6103

---

WHEN RECORDED MAIL TO:

City of Perris  
City Clerk's Office  
Judy Haughney, City Clerk  
101 North "D" Street  
Perris, California 92570-1998

**CERTIFICATE OF TENTATIVE CANCELLATION OF LAND CONSERVATION CONTRACT  
(California Government Code Section 51283.4)**

I certify that on September 28, 2010 the City Council of the City of Perris, Riverside County, State of California, adopted Resolution Number \_\_\_\_ approving **Agricultural Preserve Diminishment No. 07-0118** for a partial tentative cancellation of a land contract in the Perris Valley Agricultural Preserve No. 1, Map 56, as further described below. Per California Government Code Section 51283.4, a final certificate of cancellation will be issued and recorded at such time as the conditions and contingencies stated herein are satisfied.

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Stephen S. Rados, Owner  
2002 E. McFadden Avenue  
Santa Ana, CA 92735

**2. Description of Property:**

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The property is located within Perris Valley Agricultural Preserve No. 1 (Map No. 56).

**3. Description of Land Conservation Contract:**

Land Conservation Contract dated January 1, 1970, and recorded on February 27, 1970, as Instrument No. 19066 in the Official Records of the County of Riverside, California, as reformed and restated in that certain Reformed and Corrected Land Conservation Contract dated January 1, 1985 and recorded on January 18, 1985 as Instrument No. 11676 in the Official Records of the County of Riverside, California.

**4. Contingencies and conditions to be satisfied prior to final cancellation of said contract:**

- A. The cancellation fee of \$1,325,500.00, computed under the provisions of Government Code Section 51283(a), which was determined and certified by the City Council, shall be paid in full prior to the issuance of building permits. If the fee is not paid within one year from the date of the recording of the certificate of tentative cancellation, such fee shall be re-computed as of the date of notice when the landowner notifies the City Council that he has satisfied the conditions and contingencies enumerated in this Section 8.
- B. The Landowner shall obtain approval of Zone Change 07-0117, and Development Plan Review 07-0119 (the discretionary permits necessary to commence the project), and shall obtain the grading permits necessary to commence grading of the project.

A final certificate of cancellation will be issued and recorded at such time as the conditions and contingencies stated herein are satisfied.

**5. Method of approval:**

Per Resolution No. \_\_\_\_\_ duly adopted by the City Council on July 12, 2011.

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Judy Haughney  
City Clerk