

**RESOLUTION NUMBER 4192**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING MITIGATED NEGATIVE DECLARATION 2277, DEVELOPMENT PLAN REVIEW 07-09-0003 AND TENTATIVE PARCEL MAP 35735 (07-09-0002) FOR A 58,500 SQUARE FOOT INDUSTRIAL CAMPUS LOCATED AT THE SOUTHEASTERLY CORNER OF 7<sup>TH</sup> AND G STREETS IN THE DOWNTOWN SPECIFIC PLAN; AND MAKING FINDINGS IN SUPPORT THEREOF.**

**WHEREAS**, on September 5, 2007, the applicant, Patrick Crask, filed a Development Plan Review and Tentative Parcel Map; and

**WHEREAS**, the proposed location is in accordance with the objectives of the Zoning Ordinance and the purpose of the LI (Light Industrial) zoning district of the Downtown Specific Plan (DTSP) and the anticipated changes to the DTSP, incorporating the guidelines found in the updated Industrial Zone design guidelines (*code sections 19.44.070 through 19.44.080*), which specifically address site design and architecture concerns for industrial developments; and.

**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, and the City's future plan; and

**WHEREAS**, this Development Plan Review and Tentative Parcel Map has been duly noticed; and

**WHEREAS**, on January 7, 2009, the Planning Commission conducted a duly noticed public hearing on the proposed project, considered public testimony and material in the staff report and accompanying documents, and recommended approval of the proposed project, subject to the following amendments to the Planning Conditions as noted in Bold:

Condition 2 amended as follows:

Approved Plans. Development of the premises, building elevations, colors and materials shall conform substantially to the approved set of plans prepared by William Simpson & Associates, Inc. dated June 23, 2008, and Colored Elevations dated November 5, 2008, or as amended by these conditions **consisting of the amendments noted below**. Any deviation shall require the appropriate Planning Division review and approval.

- a. **One handicapped space shall be provided per building to better distribute handicapped parking spaces.**
- b. **Provide an additional employee picnic area at Building C with a similar trellis treatment provided at the center for architectural and**

**theme consistency.**

Condition 6 eliminated as it is already provided in the Engineering Condition.

~~Utility Poles. All utility poles 66kv and smaller shall be underground.~~

Condition 10 amended as follows:

Property Maintenance/**Home Owners Association (HOA)**. The project shall comply with provisions of Perris Municipal Code 7.06 regarding Landscape Maintenance, and Chapter 7.42 regarding Property Maintenance. **This can be accomplished through a HOA or similar mechanism, which will need to be provided prior to final map recordation. The HOA shall be responsible for the following provisions:**

- a. **Home Owners Association shall be responsible for the maintenance of recreation facilities, drainage easements, drainage facilities, all onsite landscaping, streets, and utility systems;**
- b. **Any modifications or additions of any building structures onsite shall require appropriate City review and approval;**
- c. **All marketing and sales literature, leasing information for this development shall clearly state that this project is complete as built and that no further expansions to building structures are permitted without appropriate City approval.**
- d. **The Home Owners Association shall be responsible for replacing any special pavers or textured/colored concrete that is removed to repair, replace or maintain any underground utilities located within driveways, or easement areas.**

Condition 15.a amended as follows:

Parking Area. All trees shall be a minimum of 15 gallon or larger. Parking lot trees shall be of a type to provide shade, and at least ~~25%~~ 50% of the required parking lot trees shall be 24-inch box in size. One tree shall be provided for every six stalls in the public parking area ~~as show on plans~~. **Planting of 24” box Evergreen Elms trees spaced 30-feet on-center shall be provided in the parkway on 7<sup>th</sup> and “G” Streets.**

Condition 16 amended as follows:

Walls and Fences. A **final** wall and fencing plan shall be submitted for review and approval to the Planning Division **consistent with the conceptual wall and fencing plan with decorative block wall screening between Buildings A and B to assist in screening the truck doors and loading area at Buildings F and E to the rear**. The plan shall include a site plan, elevations, and construction details for all proposed fencing and walls. The wall and fencing plan shall be included with the landscape plan check application submittal.

**WHEREAS**, on February 10, 2009 the City Council conducted a duly noticed public hearing on the proposed project, considered testimony and materials in the staff reports, accompanying documents and exhibits; and,

**WHEREAS**, all legal prerequisites for 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 as if set forth in full.

**Section 2.** The City Council has reviewed and considered the environmental information included in the staff report and accompanying attachments prior to taking action on the applications for the proposed project and finds that based on the Initial Study prepared for the project, the project could not have significant effects on the environment because mitigation measures have been applied to the project and agreed to by the project proponent, therefore a Mitigated Negative Declaration 2277 has been prepared.

The City Council further finds and determines that the City has complied with the California Environmental Quality Act and the City Council determination reflects the independent judgment of the City Council.

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

*Development Plan Review*

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

*Tentative Parcel Map*

1. The proposed Tentative Parcel Map will not result in a significant adverse effect on the environment.
2. The project site is physically suitable for type and density of the proposed Tentative Parcel Map development
3. As conditioned, the proposed Tentative Parcel Map is consistent with City standards, ordinances, and policies.
4. The Tentative Parcel Map is a subdivision for future industrial development that is compatible with the surrounding land uses.
5. The proposed Tentative Parcel Map will not have a negative affect on public health, safety, or general welfare.
6. The proposed Tentative Parcel Map complies with the Subdivision Map Act.

**Section 4.** The City Council hereby adopts Mitigated Negative Declaration 2277, and approves Development Plan Review 07-09-000 and Tentative Parcel Map 35735 (07-09-0002) based on the information and findings presented in the staff report dated January 7, 2009.

**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 6.** 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 10<sup>th</sup> day of February 2009.**

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Mayor, Daryl R. Busch

ATTEST:

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City Clerk, Judy L. Haughney

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

I Judy Haughney, duly elected CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 4192 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held on the 10<sup>th</sup> day of February 2009, by the following vote:

AYES:	COUNCILMEMBERS:	Evans, Rogers, Yarbrough, Landers, Busch
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

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City Clerk, Judy L. Haughney