

RESOLUTION NO. 4258

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (SCH #2007071134) AND MITIGATION MONITORING PROGRAM, AND ADOPTING THE STATEMENT OF FACTS IN SUPPORT OF FINDINGS REGARDING THE SIGNIFICANT ENVIRONMENTAL EFFECTS RESULTING FROM THE RIDGE COMMERCE CENTER II PROJECT, ESTABLISHING 2 MILLION SQUARE FEET OF LIGHT INDUSTRIAL WAREHOUSE USE IN TWO BUILDINGS ON 96.25 ACRES OF LAND AT THE NORTHEAST CORNER OF INDIAN AVENUE AND RIDER STREET.

WHEREAS, the Ridge Commerce Center II project would consist of the establishment of 2,005,118 square feet of light industrial, high-cube distribution warehouse use in two buildings on approximately 96.25 gross acres of land located east of Indian Avenue, south of Morgan Street, west of Perris Boulevard and north of Rider Street, as more particularly described as Assessor's Parcel Numbers 303-080-005; and 303-090-002 through 303-090-020; 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 also 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 distribution center (Ridge Commerce Center II Project); and,

WHEREAS, pursuant to the California Environmental Quality Act ("CEQA") (Public Res. Code, § 21000 et seq.), and the State CEQA Guidelines (14 CCR § 15000 et seq.) and the City of Perris is the lead agency for the Project, as the public agency with general governmental powers; and

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 Draft Environmental Impact Report ("Draft EIR") for the Project was prepared and circulated on March 12, 2009 for a 45-day public review period pursuant to the California Environmental Quality Act ("CEQA"), Public Resources Code Section 21000 et seq., and State and Agency Guidelines adopted pursuant thereto; and

WHEREAS, the Draft EIR includes a Statement of Facts in Support of the Findings Regarding the Significant Environmental Effects Resulting from the Ridge Commerce Center II, and includes a Statement of Overriding Considerations and the “Mitigation and Monitoring Program” for the Project; and

WHEREAS, a Final Environmental Impact Report (“FEIR”) for the Project (State Clearinghouse #2007071134) 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 Planning Commission reviewed the Final EIR and accompanying attachments at a regular public hearing held July 15, 2009, at which time all interested persons were given full opportunity to be heard and to present evidence, and the Commission voted 6-0-1 to recommend certification of the Environmental Impact Report and approval of the project to the City Council; and

WHEREAS, the City Council of the City of Perris held a public hearing to consider the Project, the FEIR, and staff recommendations, on August 25, 2009; and

WHEREAS, as contained herein, the City has endeavored in good faith to set forth the basis for its decision on the Project; and

WHEREAS, all the requirements of CEQA, the State CEQA Guidelines and procedures for implementing CEQA have been satisfied in the EIR, which is sufficiently detailed so that all of the potentially significant environmental effects of the Project have been adequately evaluated; and

WHEREAS, prior to taking action, the City has heard, been presented with, reviewed, and considered all of the information and data in the administrative record, including the Final EIR, and all oral and written evidence presented to it during all meetings and hearings; and

WHEREAS, the Final EIR reflects the independent judgment of the City Council of the City of Perris and is deemed adequate for purposes of making decisions on the merits of the Project; and

WHEREAS, no comments made in the public hearings conducted by the City or any additional information submitted to the City have produced substantial new information requiring recirculation or additional environmental review under State CEQA Guidelines Section 15088.5; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

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 hereby certifies the Final EIR for the Project and the Statement of Facts in Support of the Findings Regarding the Significant Environmental Effects Resulting from the Ridge Commerce Center II, which includes the Statement of Overriding Considerations, and the “Mitigation and Monitoring Program” for the Project hereby incorporated in this Resolution by reference, based on the following:

a. The Final EIR for the Project has been completed in compliance with CEQA and the State CEQA Guidelines;

b. The information contained in the Final EIR for the Project provides an adequate assessment of the potentially significant impacts allowed by the Project;

c. The Findings contained in that document entitled Statement of Facts in Support of the Findings Regarding the Significant Environmental Effects Resulting from the Ridge Commerce Center II are supported by substantial evidence, in compliance with CEQA;

d. The Findings required by CEQA Guidelines Section 15091 are made in that document entitled Statement of Facts in Support of the Findings Regarding the Significant Environmental Effects Resulting from the Ridge Commerce Center II for each potentially significant impact, and the rationale and substantial evidence supporting the Findings are contained in the Final EIR, Administrative Record, and Statement of Overriding Considerations, each of which are incorporated into the Statement of Facts (attached); and

e. The Mitigation Monitoring Program will result in the elimination of significant environmental impacts to the extent feasible, and the Project Requirements and Mitigation Measures contained therein are adopted and incorporated as Conditions of Approval (attached).

Section 3. 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 4. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Resolution.

ADOPTED, SIGNED, and APPROVED this 25th day of August, 2009.

Daryl R. Busch, Mayor

ATTEST:

Judy Haughney, City Clerk

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

I, Judy Haughney, City Clerk of the City of Perris do hereby certify that the foregoing Resolution Number 4258 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held on the 25th day of August 2009, by the following vote:

AYES: Councilmembers: Landers, Rogers, Yarbrough, Busch
NOES: Councilmembers:
ABSENT: Councilmembers: Evans
ABSTAIN: Councilmembers:

Judy Haughney, City Clerk

Attachments: Findings of Fact in Support of the Statement of Overriding Considerations
Planning Division and Engineering Department Conditions of Approval