

**RESOLUTION NUMBER 3672**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING A NEGATIVE DECLARATION (2217); TENTATIVE PARCEL MAP 34554 (06-0050) AND CONDITIONAL USE PERMIT 06-0051 FOR THE SUBDIVISION OF 1.18 ACRES IN TWO PARCELS AND THE DEVELOPMENT OF TWO COMMERCIAL BUILDINGS ON THE NORTHSIDE OF RAMONA EXPRESSWAY, EAST OF PERRIS BOULEVARD; AND MAKING FINDINGS IN SUPPORT THEREOF**

**WHEREAS**, on February 6, 2006, the applicant applied Tentative Parcel 34554 (06-0050) and Conditional Use Permit 06-0051; and

**WHEREAS**, on May 17, 2006, the Planning Commission conducted a duly noticed public hearing regarding the proposed Ordinance Amendment and considered testimony and materials in the staff report and other accompanying documents and exhibits and recommended approval of the project; and

**WHEREAS**, on June 13, 2006, the City Council conducted a duly noticed public hearing on the proposed Ordinance Amendment, considered testimony and materials in the staff reports, accompanying documents and exhibits; and

**WHEREAS**, the City Council considered and approved the Initial Study and Negative Declaration (2217) for the project, finding that these documents adequately addressed the impacts of the proposed project, were prepared in accordance with the California Environmental Quality Act, and reflected the independent judgment of the City; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Perris, California, 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 Initial Study and the accompanying environmental information, the City Council finds that:

- A. There is no substantial evidence of potentially significant environmental impacts and a Negative Declaration (2217) has been prepared.

- B. The City has complied with the California Environmental Quality Act (CEQA).
- C. Determinations of the City Council reflect the independent judgment of the City.

**Section 3.** Based on the information contained within the Project Report and the accompanying attachments and exhibits, the City Council hereby finds that:

- A. The proposed project is consistent with General Plan objectives, policies and programs.
- B. The proposed project will not adversely affect the public health, safety and welfare.
- C. The proposed project will not adversely affect the environment.

**Section 4.** The City Council hereby approves Tentative Parcel 34554 (06-0050) and Conditional Use Permit 06-0051 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.

**Section 6.** The Mayor shall sign this Resolution and the City Clerk shall certify to the adoption of this Resolution.

Attachment: Conditions of Approval

**ADOPTED, SIGNED** and **APPROVED** this 13<sup>th</sup> day of June, 2006.

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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 L. Haughney, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 3672 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 13<sup>th</sup> day of June, 2006, and that it was so adopted by the following called vote:

AYES: Yarbrough, Landers, Motte, Rogers, Busch  
NOES:  
ABSENT:  
ABSTAIN:

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City Clerk, Judy L. Haughney

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

**CONDITIONS OF APPROVAL  
(RESOLUTION NUMBER 3672)**

**ORDINANCE AMENDMENT 06-0049  
TENTATIVE PARCEL MAP 34554 (06-0050)  
CONDITIONAL USE PERMIT 06-0051**

*Revised for June 13, 2006*

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**PROPOSAL: Ordinance Amendment 06-0049, Tentative Parcel Map 34554 (06-0050) & Conditional Use Permit 06-0051** to subdivide 1.18 acres into two commercial parcels; and, develop two new commercial buildings, with drive-through operations on the north side of Ramona Expressway, east of Perris Blvd.

Applicant: Atlas Galt Group, LLC.

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- 1. Approval Period.** This approval shall be used within two (2) years of approval date; otherwise it shall become null and void and of no effect whatsoever. By use is meant the beginning of substantial construction contemplated by this approval within the two (2) year period which is thereafter diligently pursued to completion, or the beginning of substantial utilization contemplated by this approval. In accordance with the Subdivision Map Act, the recordation of the final map shall occur within two (2) years from the approval date unless an extension is granted. The applicant may apply for a maximum of five (5) one-year extensions, to permit additional time to record the final map. A written request for extension shall be submitted to the Planning Division at least thirty (30) days prior to the expiration of Tentative Map approval.
- 2. Final Map Submittal.** A final map application shall be submitted to the Planning Division with payment of appropriate fees for City review and approval by the City Council.
- 3. City Codes.** The project shall comply with all disabled access requirements of the American with Disabilities Act and Title 24 of the State Code, and all local requirements of the City of Perris Municipal Code Titles 18 and 19, including all development standards of the Commercial Community (CC) Zoning Ordinance.
- 4. City Engineer.** The proposed project shall adhere to the requirements of the City Engineer as indicated in the in the Conditions of Approval, date April 24, 2006.
- 5. School District.** Prior to issuance of Building Permits, the developer shall submit evidence of payment of required fees to the Val Verde Unified School District.

6. **Building Official/Fire Marshall.** The proposed project shall adhere to all requirements of the Building Official/Fire Marshall. Fire hydrants shall be located on the project site pursuant to the Building Official. Water, gas, sewer, electrical transformers, power vaults and separate fire/water supply lines (if applicable) must be shown on the final set of construction plans pursuant to the requirements of the Building Official. All conditions of approval shall be listed on building plans.
7. **ADA Compliance.** The project shall conform to all disabled access requirements in accordance with the State of California, Title 24, and Federal Americans with Disabilities Act (ADA).
8. **Southern California Edison.** The applicant shall contact the Southern California Edison area service planner (951) 928-8323 to complete the required forms prior to commencement of construction.
9. **Development Restrictions.** The physical development of all lots shall be reviewed and approved by the City. Any use, activity, and/or development occurring on the site without appropriate City approvals shall constitute a code violation and shall be treated as such.
10. **Required Approvals.** Prior to recordation of the Final Map, the developer shall obtain the following clearances or approvals:
  - a. Verification from the Planning Division that all pertinent conditions of approval have been met;
  - b. Any other required approval from an outside agency.
11. **Required Plans.** Prior to recordation of the Final Map, the developer shall submit and obtain approvals on the following items:
  - a. Public improvement plans to the City Engineer. These plans shall include but not be limited to street, drainage, utility improvements, and dedications in accordance with Municipal Code Title 18.
  - b. On-site grading, parking, paving and drainage plans to the City Engineer. The applicant shall include water quality management controls by specifically identifying Best Management Practices (BMPs) that will be used onsite to control predictable pollutant runoff. The permit applicant shall identify the structural and non-structural measures specified in Supplement A of the Riverside County Drainage Area Management Plan or other equally effective ways of implementing long-term management responsibilities, and locations of structural BMPs.
12. **Formal Agreements.** The developer shall record Cross-Access, Shared-Parking, and Common Maintenance Agreements on the title of both properties. The developer may set forth individual property owner responsibilities in the form of Covenants, Conditions, and Restrictions (CC&Rs). All such documents shall be submitted to the Planning Division and the City Attorney's office for review prior to recordation with the final map.

13. **Water Resources Control Board.** Prior to issuance of building permits, supply a copy of the State Water Resources Control Board permit letter with WDID number.
14. **Landscaping and Inspections.** Prior to issuance of building permits, the developer shall submit three (3) copies of construction level Landscape and Irrigation Plans to the Planning Division, accompanied by the appropriate filing fee. The plans shall be prepared by a registered landscape architect; include the location, number, genus species, and container size of the plants; and shall be consistent with the approved Landscape Concept Plans and Section 19.70 of the Perris Municipal Code. The cover page shall identify the total square footage of landscaped area and note that it shall be maintained in accordance with Section 19.70 of the City Code. Use of water efficient fixtures and drought tolerant plants is required. Landscape and irrigation plans shall include, at a minimum:
  - a. Streetscape landscaping along Ramona Expressway fronting project site.
  - b. Landscaping for parking medians, building entries, along interior walkway, and ornamental landscaping.
  - c. Landscape screening for trash enclosure.
  - d. Landscaping of drainage facilities

The project applicant shall be aware of and inform the on-site construction manager and the landscape contractor of their responsibility to call for landscape inspections. A minimum of three (3) landscape inspections are required in the following order, and the landscape inspection card shall be signed by the City's landscape inspector to signify approval at the following stages of landscape installation:

- 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; and,
  - c. At final inspection, after all plants are installed and the irrigation system is fully operational.
15. **Trash Enclosures.** The project shall provide covered trash enclosures consistent with the approved site plan and be constructed to City standards. The trash enclosure shall be easily accessible to all units, and be screened by landscaping from the public view. The trash enclosure elevations shall be included on final fencing plans for review and approval by the Planning Division.
16. **Graffiti.** Graffiti located on site shall be removed within 72 hours. The site shall be maintained in a graffiti-free state at all times.
17. **Roof Screens.** 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.
18. **Down spouts.** Exterior down spouts are not permitted on the front or side elevations of any building facing the street. Down spouts on other elevations shall not be visible from the public right-of-way.

19. **Signage.** The applicant shall submit a sign program application for review and approval by the Planning Division prior to the issuance of building permits.
20. **Waste Hauling.** The developer shall use only the City-approved waste hauler for all construction and other waste disposal.
21. **Lighting.** The applicant shall submit a lighting plan to the Planning Division for review and approval. Full cutoff fixtures shall be used to prevent light and glare above the horizontal plane of the bottom of the lighting fixture. A minimum of one (1) foot-candle of light shall be provided in parking and pedestrian areas.
22. **Construction Practices.** To reduce potential noise and air quality nuisances, the following items shall be listed as "General Notes" on the construction drawings:
  - a. Construction activity and equipment maintenance is limited to the hours between 7:00 a.m. and 7:00 p.m., on weekdays. Construction may not occur on weekends or State holidays, without prior consent of the Building Official. Non-noise generating activities (e.g., interior painting) are not subject to these restrictions.
  - b. Stationary construction equipment that generates noise in excess of 65 dB CNEL at the project boundaries must be shielded and located at least 100 feet from occupied residences. The equipment area with appropriate acoustic shielding shall be designated on building and grading plans. Equipment and shielding shall remain in the designated location throughout construction, as feasible.
  - c. Construction routes are limited to City of Perris designated truck routes.
  - d. Water trucks or sprinkler systems shall be used during clearing, grading, earth moving, excavation, or transportation of cut and fill materials to prevent dust from leaving the site and to create a crust after each day's activities cease. At a minimum, this would include wetting down such areas in the later morning, after work is completed for the day, and whenever wind exceeds 15 miles per hour.
  - e. A person or persons shall be designated to monitor the dust control program and to order increased watering as necessary to prevent transport of dust off-site. The name and telephone number of such persons shall be provided to the City.
23. **Fees.** Prior to the issuance of building permits, the developer shall pay the Stephen's Kangaroo Rat Mitigation fee, Multiple Species Habitat Conservation Plan (MSHCP) fee, Transportation Uniform Mitigation fee, Development Impact fees, School fees, and any outstanding development processing fees.
24. **Property Liens.** The applicant shall pay all liens owed to the city prior to the issuance of building permits.
25. **Assessment Districts.** Prior to recordation of the Final Map, the developer shall post an

adequate maintenance performance bond to be retained by the City as required, and annex into the following maintenance districts:

- a. The North Perris Community Facilities Assessment District
- b. The Landscape Maintenance District
- c. The Street Lighting Maintenance District
- d. The Flood Control Maintenance District
- e. The Park Maintenance District
- f. The North Perris Fire Facilities District

- 26. Indemnification/Hold Harmless.** 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. City shall promptly notify the developer/applicant of any claim, action, or proceeding for which indemnification is sought and shall further cooperate fully in the defense of the action.
- 27. Public Right-of-Way Improvements.** The applicant shall have all right-of-way improvements and associated landscaping, street lighting and irrigation installed and in good working order prior to final release.
- 28. Street Improvement Plans.** Two copies of street improvement plans shall be concurrently submitted to the Planning Division for reference purposes.
- 29. Water Quality Management Plan (WQMP).** Development of the premises and buildings, and implementation of on-site operations and procedures including all site design, source control, and treatment control BMP's shall conform substantially to the approved Preliminary Water Quality Management Plan and the associated Conditions of Approval dated June 7, 2006. Any deviation shall require the appropriate Department of Community Development, City Engineering, and Public Works review and approval. A Final WQMP shall be approved prior to issuance of building permits. It shall include site design, source control, and treatment control best management practices, and must be prepared by registered civil engineer.
- 31. Disclosure Statements.** The developer shall record a disclosure on each parcel indicating that the project is within a dam inundation area and is subject to flooding in the event of a dam failure. The disclosure shall also indicate the potential noise impacts from March Air Reserve Base. Each disclosure shall be included on the Final Map prior to recordation.



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APPROVAL DATE

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PROJECT PLANNER



# CITY OF PERRIS

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

**HABIB MOTLAGH, CITY ENGINEER**

## CONDITIONS OF APPROVAL (RESOLUTION NUMBER 3672)

P8-874

April 24, 2006, **Revised Planning Commission May 17, 2006**

Tentative Parcel Map 34554 (CUP 06-0051)

With respect to the Conditions of Approval for the above referenced Tentative Parcel Map, the City of Perris requires that the land divider 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 Tentative Map 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. All questions regarding the true meaning of the Conditions shall be referred to the City Engineers' office.

The required improvements shall be completed or a Performance security in lieu thereof shall be posted in accordance with City of Perris Ordinances prior to recordation of the final map.

1. Drainage and flood control facilities and improvements shall be provided in accordance with Riverside County Flood Control and Water Conservation District and the City of Perris requirements and standards. The following drainage related conditions are the requirements of this project:
  - a. This tract is located within the limits of the Perris Valley Area Drainage Plan for which drainage fees have been adopted by the City. Prevailing applicable drainage fees shall be paid to the City as part of the filing for record of the subdivision final map.

- b. The property's street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area. No ponding or concentration of water to upstream and downstream properties shall be permitted. All pads shall be graded to be minimum ~~42~~ **12"** above the higher of the 100-year calculated water surface elevation or adjacent existing grade.
  - c. Drainage easements shall be obtained from the affected property owners for the release of concentrated or diverted storm flows onto the adjacent property. A copy of the drainage easements shall be submitted to the City for review prior to its recordation.
  - d. All drainage facilities shall be designed to convey the 100-year storm runoff.
  - e. A detailed hydrology report and hydraulic calculation shall be submitted to the City for review and approval. The report shall address the offsite flow, accumulative onsite runoff and the impact to adjacent downstream properties.
  - f. All grading and drainage improvements shall comply with NPDES, SWPPP, and Best Management Practices. Water Quality Management Plan (WQMP) shall be submitted to the City for review and approval prior to issuance of grading permit.
  - g. Onsite first flush basin within landscaped area shall be provided. The existing interim open channel drainage facilities along Ramona Expressway from existing driveway west of Parcel I to easterly property line for existing parcel **4 2** shall be cleared, graded, and re-constructed with a 4' wide concrete gutter at the bottom. The channel from this point east shall be re-graded to ~~an acceptable outlet as determined by the City Engineer~~ **get the water to drain to the approval of the City Engineer.**
  - h. Onsite drainage facilities located outside of road right-of-way shall be contained within drainage easements.
  - i. Drainage facilities outletting sump conditions shall be designed to convey the tributary 100-year storm flows. Additional emergency escape shall also be provided.
  - j. All necessary permits shall be acquired from all appropriate agencies.
2. Access shall be restricted along Ramona Expressway to existing driveways and so noted on final map.

3. The street design and improvement concept of this project shall be coordinated with the adjacent businesses.
4. Prior to issuance of grading permit, the Developer shall obtain NPDES permit and prepare SWPPP. Erosion control plans shall be prepared and submitted to Water Quality Board and the City as part of the grading plans.
5. The proposed development is in the service area of Eastern Municipal Water District. The applicant shall provide water and sewer facilities to this development and comply with EMWD, Fire Department and Health Department requirements.
6. Prior to issuance of any permit or recordation of the map, the developer shall sign the consent and waiver forms to join the Flood Control and Lighting Districts. The developer shall maintain the landscaping along Ramona Expressway including the channel and pay for maintenance of streetlights and proportionate share of existing traffic signal.
7. Existing power poles within the project site or along the project boundary (under 65 kv), if any, shall be removed and cables undergrounded. All other utility poles, if any, shall be removed and utilities undergrounded.
8. On and off-site street, drainage, water, sewer, striping, signing, and grading plans along with hydrology and hydraulic reports shall be submitted to City Engineer's office for review and approval.
9. The offsite landscaping shall be reviewed and approved by Planning Department prior to issuance of any permit.
10. ***The pavement that is part of the existing access roads adjacent to the project area shall be repaired to the approval of the City Engineer.***

**Habib Motlagh**

Habib Motlagh

**City Engineer**