

RESOLUTION NUMBER 3513

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING TENTATIVE PARCEL MAP 33758 FOR THE SUBDIVISION OF A 2.01 ACRE PARCEL INTO TWO LOTS WITH EXISTING DEVELOPMENT AT THE NORTHEAST CORNER OF PERRIS BOULEVARD AND AVOCADO AVENUE; AND MAKING FINDINGS IN SUPPORT THEREOF

WHEREAS, on May 26, 2005, the applicant applied for approval of Tentative Parcel Map 33758 (Case 05-0224) to subdivide 2.01 acres of developed land at the northeast corner of Avocado Avenue and Perris Boulevard; and

WHEREAS, the City Council of the City of Perris adopted a General Plan to guide development throughout the City and a Zoning Ordinance to implement the vision set forth in the General Plan; and,

WHEREAS, on September 7, 2005, the Planning Commission conducted a duly noticed public hearing on the proposed project, considered testimony and materials in the staff report and accompanying documents, and recommended approval of the proposed project; and,

WHEREAS, on September 27, 2005, the City Council conducted a duly noticed public hearing on the proposed project, considered testimony and materials in the staff report, 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, California, as follows:

Section 1. The above recitals are all true and correct and incorporated herein.

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 application for the proposed project and finds that the project could not have a significant impact on the environment as the project is exempt; and

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

Section 3. Based upon the information contained within the Staff Report and accompanying attachments, with respect to Tentative Parcel Map 05-0224, the City Council hereby finds the following:

- A. That the proposed project will not be detrimental to the public health, safety or welfare.
- B. That the proposed is in compliance with the provisions of the Subdivision Map Act.
- C. The proposed project is consistent with the Community Commercial (CC) zoning ordinance.
- D. The proposed project is consistent with existing land uses and zoning designations in the area.
- E. The proposed project is consistent with city standards, ordinances, and policies, including Title 18 and Title 19 of the Perris Municipal Code.
- F. The proposed project is consistent with the General Plan.
- G. The site plan is safe, functional, and environmentally sensitive to surrounding properties.

Section 4. Based on the information contained within the Staff Report and accompanying attachments, the City Council hereby adopts Resolution Number 3513 approving Tentative Parcel Map 33758 for the subdivision of 2.01 acres into two (2) parcels, subject to the information contained in the staff report, supporting exhibits and documentation, and the project Conditions of Approval (Exhibit "A").

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

Attachment: Exhibit "A", Conditions of Approval

ADOPTED, SIGNED, AND APPROVED this 27th day of September, 2005.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Margaret Rey

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

I, Margaret Rey, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 3513 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 27th day of September, 2005, and that it was so adopted by the following called vote:

AYES: Yarbrough, Landers, Motte, Rogers, Busch

NOES:

ABSENT:

ABSTAIN:

City Clerk, Margaret Rey

EXHIBIT "A"
(RESOLUTION NUMBER 3513)

CITY OF PERRIS
DEPARTMENT OF COMMUNITY DEVELOPMENT
PLANNING DIVISION

CONDITIONS OF APPROVAL

Tentative Parcel Map 33758 (Case No. 05-0224)

September 7, 2005

PROJECT: Proposal to subdivide a 2.01 acre parcel with commercial development into two lots. The zoning is Community Commercial (CC). The site is located at the northeast corner of Perris Boulevard and Avocado Avenue. (APN 306-130-011). Applicant: Makbulahamed Patel

1. **Approval Period.** 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 for additional time to record the final map. An application and deposit of fees is required to be submitted to the Planning Division at least thirty (30) days prior to the expiration of the Tentative Map.
2. **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, and Community Commercial (CC) zoning district regulations:
3. **Prior Conditions of Approval.** The project shall conform to the Conditions of Approval for Minor Modification 05-0138, Development Plan Review 03-0258, Administrative Development Plan Review No. 01-0051, Landscape Plan Review 01-0112 and Landscape Plan Review 05-0219.
4. **Reciprocal Access Easement.** A reciprocal access easement shall be prepared and recorded for the newly created parcels to guarantee access to the driveways and on site drive aisles from Perris Boulevard and Avocado Avenue.
5. **City Engineer.** The proposed project shall adhere to the requirements of the City Engineer as indicated in the in the Conditions of Approval dated July 14, 2005.
6. **Building Official/Fire Marshal.** The proposed project shall adhere to all requirements of the Building Official/Fire Marshal. 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.
7. **Required Approvals.** Prior to recordation of the Final Map, the developer shall obtain the following clearances or approvals:

- a. **Planning Division.** Verification that all pertinent conditions of approval have been met for Parcel Map 33758, and prior project Conditions of Approval are in compliance.
 - b. **City Engineer.** The final parcel map shall be submitted for final approval from the City Engineer. Public improvement plans and grading plans were previously approved.
8. **Water Quality Compliance.** The applicant shall adhere to the previous Conditions of approval from the City Engineer relating to compliance with National Pollution Discharge Elimination System requirements. The Storm Water Pollution Prevention Plan identifies water quality management controls and Best Management Practices (BMPs) to control pollutant runoff. The applicant shall comply with approved project Best Management Practices (BMPs).
 9. **Future Development.** A portion of proposed Parcel 1 located immediately at the corner of Perris Boulevard and Avocado Avenue remains undeveloped and is subject to a future development review and land use approval. No expansion of the site or the use shall occur without subsequent reviews and approvals from the Planning Division. No parking is permitted on this undeveloped portion of Parcel 1.
 10. **Fees.** The applicant shall pay any outstanding development processing fees.
 11. **Disclosures.** Prior to recordation of the final map, the applicant shall provide a disclosure to the purchaser of each lot and verification to the City of the following:
 - a. **Dam Inundation Area.** A disclosure shall be recorded for each lot stating that the land is within a dam inundation area and is subject to flooding in the event of a dam failure.
 - b. **Avigation Easement.** An avigation easement shall be recorded in favor of the March Air Reserve Base and the City of Perris.
 12. **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.

APPROVAL DATE

PROJECT PLANNER