

**RESOLUTION NUMBER 6267**

***A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ADOPTING THE MITIGATED NEGATIVE DECLARATION NO. 2377 (STATE CLEARINGHOUSE #2022110113), AND THE MITIGATION MONITORING AND REPORTING PROGRAM, AND APPROVING TENTATIVE PARCEL MAP 22-05029 (38386), AND DEVELOPMENT PLAN REVIEW 20-00020, TO DEVELOP A 301,101 SQUARE FOOT NON-REFRIGERATED INDUSTRIAL WAREHOUSE DEVELOPMENT PROJECT ON 20.14 ACRES, BASED UPON FINDINGS HEREIN AND SUBJECT TO THE CONDITIONS OF APPROVAL AND THE MITIGATION MONITORING AND REPORTING PROGRAM.***

***WHEREAS***, the applicant, Michael Johnson of Lake Creek Industrial, LLC., proposes to amend the Perris Valley Commerce Center Specific Plan (“PVCCSP”) to remove Russell Way, a paper/undeveloped street from the PVCCSP Circulation Plan, merge eight (8) existing parcels into one (1) parcel, and construct the Redlands West Industrial Development Project, which is a 301,101 sq. ft. non-refrigerated industrial/warehouse buildings along with the required improvements on a 20.14-acre site located on the west side of Redlands Avenue between Rider Street and Placentia Avenue; and

***WHEREAS***, Specific Plan Amendment (“SPA 22-05052”), Tentative Parcel Map (“TPM 22-05029”), and Development Plan Review (“DPR 20-00020”) applications were submitted for consideration of architectural design and site layout and operations for the above-mentioned project (“Project”); and

***WHEREAS***, the proposed SPA 22-05052, TPM 22-05029 and DPR 20-00020 are considered a “project” as defined by the California Environmental Quality Act (“CEQA”); and

***WHEREAS***, pursuant to CEQA and the State CEQA Guidelines (14 Cal. Code Regs. §15000 *et seq.*), the City is the lead agency for the Project, as it is the public agency with general governmental powers over the Project; and

***WHEREAS***, the City, as lead agency, determined that a Mitigated Negative Declaration (“MND”) should be prepared pursuant to CEQA in order to analyze all potentially significant adverse environmental impacts of the Project, which includes, without limitation, DPR 20-00020, TPM 22-05029 and SPA 22-05052; and

***WHEREAS***, between November 4, 2022 and December 5, 2022, the Draft Mitigated Negative Declaration (MND) was made available for public review and comment during a state-mandated 30-day public review period; and

***WHEREAS***, responses to comments were prepared for inclusion in the Final MND and were circulated to responders prior to the hearing date; and

**WHEREAS**, on January 18, 2023, the Planning Commission conducted a duly noticed public hearing on the project, and at the meeting recommended approval of the project to the City Council after considering all oral and written public testimony and materials in the agenda submittal and accompanying documents with several requested revisions, for the Mitigated Negative Declaration No. 2377 (State Clearinghouse No. 2022110113), Specific Plan Amendment 22-05052, Tentative Parcel Map 22-05029, and Development Plan Review 20-00020; and

**WHEREAS**, on October 10, 2023, the City Council conducted a duly noticed public hearing on the Project, which includes, without limitation, consideration of oral and written testimony from the public and materials in the agenda submittal, including without limitation all attachments/exhibits thereto, and accompanying documents for the Mitigated Negative Declaration No. 2377 (State Clearinghouse No. 2022110113), Specific Plan Amendment 22-05052, Tentative Parcel Map 22-05029, and Development Plan Review 20-00020; and

**WHEREAS**, prior to taking action, the City Council has heard, been presented with, and/or reviewed all of the information and data which constitutes the administrative record, including Mitigated Negative Declaration No. 2377 (State Clearinghouse No. 2022110113) and all oral and written evidence presented to the City during all Project meetings and hearings; and

**WHEREAS**, the City Council's adoption of Mitigated Negative Declaration No. 2377 (State Clearinghouse No. 2022110113) reflects its independent judgment and analysis; and

**WHEREAS**, no comments made in the public hearings conducted by the City Council or any additional information submitted to the City Council 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, 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.

**Section 2.** Based on the forgoing, the information contained in the agenda submittal and supporting attachments/exhibits and all oral and written presentations and testimony made by City staff and members of the public at the public hearing on September 26, 2023, Mitigated Negative Declaration No. 2377 (State Clearinghouse No. 2022110113) ("EIR") prepared for the Project (including all comments received), substantial evidence in light of the whole record, and in accordance with the City of Perris ("City") guidelines for implementing the CEQA, the City Council hereby determines pursuant to Section 15090 of the CEQA Guidelines that the final MND was completed in compliance with CEQA, was presented to the decision-making body of the lead agency, and that the decision-making body reviewed and considered the

information contained in the final MND prior to approving the Project, and the final MND reflects the lead agency's independent judgment and analysis. In connection therewith and based upon the forgoing, the City Council finds as follows:

- A. No significant environmental effects would occur that could not be mitigated to a less than significant level; and
- B. A Mitigation Monitoring and Reporting Program was prepared to avoid or substantially lessen significant environmental effects of the Project; and
- C. The lead agency has identified the Planning Division as the custodian of the Mitigation Monitoring and Reporting Program; and

**Section 3.** Based on the forgoing, the information contained on the agenda submittal and supporting attachments/exhibits and all oral and written presentations and testimony made by City staff and members of the public at the public hearing on September 26, 2023, the City Council further finds the following regarding Tentative Parcel Map 22-05029 and Development Plan Review 20-00020:

**Tentative Parcel Map 22-05029 (TPM 38386)**

- A. *The proposed map is consistent with applicable General Plan and Specific Plans.*

The Project proposes a tentative parcel map to consolidate eight (8) existing parcels into one (1) 20.14-acre parcel, consistent with the minimum lot size requirement of 15,000 square feet in the Light Industrial ("LI") zone, to facilitate the construction and operation of a 301,101 square foot industrial warehouse within the LI zone of the PVCCSP which allows for "light industrial uses and related activities including manufacturing, research, warehouse and distribution, assembly of non-hazardous materials and retail related to manufacturing." The Project site is also located in the area designated as Planning Area 3: Agricultural Conversion Area, of the City of Perris General Plan, which notes that the largest land use category within this Planning Area is Light Industrial, and that due to the area's proximity to Interstate I-215, the cargo airport, other industrial and commercial land uses, and an existing rail line along the western edge, future development should be planned to expand industrial and commercial opportunities.

- B. *The design or improvement of the proposed subdivision is consistent with the applicable General Plan and Specific Plan.*

All on-site and off-site improvements have been designed to meet the applicable General Plan and Specific Plan requirements and have been reviewed for consistency and accepted by City staff.

- C. *That the site is physically suitable for the type and density of the proposed development.*

As noted above, the Project proposes a tentative parcel map to consolidate eight (8) existing parcels into one (1) 20.14-acre parcel. The Project has been designed to be consistent with all applicable Code requirements for industrial projects located in the LI

zone of the PVCCSP including lot coverage, floor area ratio, height, setbacks, landscaping, and parking as noted in the staff report. Therefore, the site is physically suitable for the type and density of the proposed development.

- D. That the design of the map or the type of improvements will not cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.*

The potential environmental impacts associated with the Project were evaluated in a Draft Initial Study/Mitigated Negative Declaration (“IS/MND”). It has been determined that all potential effects of the Project on biological resources will be reduced to less than significant levels with implementation of mitigation measures MM BR 1 – MM BR 2 contained within the Project MMRP. The project has been revised significantly since the January 18, 2023 Planning Commission review and an Errata to the IS/MND was submitted along with revisions to the technical studies, all of which indicated fewer impacts than the original project design.

- E. That the design of the map or the type of improvements will not cause serious public health problems.*

The potential environmental impacts associated with the Project were evaluated in a IS/MND. It has been determined that all potential effects of the Project most likely to impact public health such as air quality, hazards and hazardous materials, noise, and traffic and transportation, will be reduced to less than significant levels with implementation of mitigation measures MM Air 1 – MM Air 18, MM Haz 2 – MM Haz 6, and MM Noise 1 – MM Noise 7, contained within the Project MMRP. As noted above, the revised project will have even fewer impacts than the original project design and requires fewer mitigation measures.

- F. That the design of the subdivision or the type of improvements will not conflict with easements of record or easements established by court judgment, acquired by the public at large, for access through or use of, property within the proposed subdivision.*

The proposed design Tentative Parcel Map illustrates all existing easements of record and easement by court judgment, acquired by the public at large, and meets all requirements for access through or use of, as determined by Planning and Engineering staff.

- G. That all the requirements of CEQA have been met.*

See discussion in Section 2 of this Resolution.

- H. That the discharge of waste from the proposed subdivision into an existing community sewer system would NOT result in violation of existing requirements prescribed by a state regional water quality control board pursuant to division 7 (commencing with section 13000) of the Water Code.*

The project is located in an area served by the community sewer system and been reviewed by Engineering and conditioned to provide sewer improvements plans to City Engineering staff, as well as the Riverside County Flood Control and Water Conservation District (RCFCD).

**Development Plan Review 20-00020**

- A. *The location, size, design, density and intensity of the proposed development and improvements are consistent with the City's General Plan, any applicable Specific Plans, 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.*

The Project is located in the Light Industrial zone of the Perris Valley Commerce Center Specific Plan and has been designed to be consistent with all applicable Code requirements for industrial projects located in the LI zone including lot coverage, floor area ratio, height, setbacks, landscaping, and parking as noted in the staff report. Additionally, the Project is consistent with the following General Plan Goals and Policies:

**Goal III (Land Use Element):** Commerce and industry to provide jobs for residents at all economic levels.

**Goal II (Circulation Element):** A well planned, designed, constructed, and maintained street and highway system that facilitates the movement of vehicles and provides safe and convenient access to surrounding developments.

**Goal V (Circulation Element):** Efficient goods movement.

**Policy V.A (Circulation Element):** Provide for safe movement of goods along the street and highway system.

**Policy VIII.B (Circulation Element):** Identify Transportation System Management (TSM) strategies that will assist in mitigating traffic impacts and that will maintain the desired level of service along the street and highway system.

- B. *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.*

The Project exceeds all of the required development standards for the Light Industrial zone including parcel size and access and is located in an area with existing infrastructure for all required utilities and services.

- C. *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.*

An Initial Study/Mitigated Negative Declaration was prepared for the project and determined that all potentially significant impacts created by the project could be mitigated to less than significant levels. A Mitigation Monitoring and Reporting Program was prepared to track the progress of all required mitigation measures. Additionally, the project was revised at the request of the planning commission and comments from neighboring residents to provide a larger setback from the block wall along the western property line and a larger landscape buffer with sufficient trees to provide screening from the residential properties to the west, a reorientation of the building and replacement of cross docks with single dock plan, fewer dock doors, additional enhancements to the architectural elements of the building, revision to the proposed truck circulation providing ingress from the northern driveway and egress from the southern driveway. Revisions to the Air Quality, Greenhouse Gas, Energy, Health Risk Assessment and Noise Impact Analysis technical studies all resulted in fewer potential project related impacts.

*D. The architecture proposed is compatible with community standards and protects the character of adjacent development.*

As conditioned, the Project's proposed architecture for the warehouse meets or exceeds the design standards for the PVCCSP Light Industrial (LI) Zone. The Project proposes an architecturally enhanced building with complementary colors and materials to distinguish the building's base, body, and cap as required by the PVCCSP. The building's design elements include a combination of varying rooflines, decorative cornice (roof cap) treatment, window glazing, and recessed panels to create both horizontal and vertical variations for visual interest. The proposed color palette includes a variation of grey shades, white color, and elements framing the office areas was revised from rust colored to grey bricks and additional brick accents were added to the rear of the building facing the residential properties to the west of the project site. Rooftop equipment will be screened and not visible from the street.

*E. The landscaping plan ensures visual relief and provides an attractive environment for the public's enjoyment.*

Good quality landscaping is provided throughout the Project site, including street trees along Redlands Avenue and within the landscape buffer along the western property line. Multi-layered, drought-tolerant landscaping including a row of Afghan Pines planted 20' on center and shrubs will be provided in large landscape areas along and within the setback areas of the site. Approximately 17.03% of the Project site will be landscaped which exceeds the 12% coverage required in the PVCCSP.

*F. The safeguards necessary to protect the public health, safety and general welfare have been required for the proposed project.*

Mitigated Negative Declaration No. 2377 (State Clearinghouse No. 2022110113) and Mitigation Monitoring and Reporting Program ("MMRP") have been prepared for the purpose of mitigating any potential impacts of the Project to a level that is less than

significant, and the project has been conditioned to reduce any potential impacts for the proposed industrial use.

**Section 4.** Based on the forgoing, the information contained on the agenda submittal and supporting attachments/exhibits and all oral and written presentations and testimony made by City staff and members of the public at the public hearing on September 26, 2023, the City Council hereby adopts Mitigated Negative Declaration No. 2377 (State Clearinghouse No. 2022110113) and the MMRP.

**Section 5.** Based on the forgoing, the information contained on the agenda submittal and supporting attachments/exhibits and all oral and written presentations and testimony made by City staff and members of the public at the public hearing on October 10, 2023, the City Council hereby approves Tentative Parcel Map 22-05029 and Development Plan Review 20-00020 subject to the Mitigation Monitoring and Reporting Program and Conditions of Approval, which are attached hereto and incorporated herein by this reference.

**Section 6.** 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 8.** The Mayor shall sign this Resolution and the City Clerk shall certify to the adoption of this Resolution.

***ADOPTED, SIGNED and APPROVED*** this 10<sup>th</sup> day of October, 2023.

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Mayor, Michael M. Vargas

ATTEST:

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City Clerk, Nancy Salazar

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

I, **Nancy Salazar**, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 6267 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held on the 10<sup>th</sup> day of October 2023, by the following called vote:

AYES: RABB, ROGERS, VARGAS

NOES: CORONA, NAVA

ABSENT: NONE

ABSTAIN: NONE

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City Clerk, Nancy Salazar

**Attachments:** Conditions of Approval (Planning, Engineering, Public Works, Fire, and Building, and the project MND-MMRP)