

RESOLUTION NUMBER 6570

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, OVERTURNING THE PLANNING COMMISSION'S DECISION THEREBY ADOPTING THE FOURTH ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT REPORT OF THE GREEN VALLEY SPECIFIC PLAN PREPARED FOR VESTING PARCEL MAP 38814 (VPM23-05059), CONDITIONAL USE PERMIT (CUP) 23-05047, DEVELOPMENT PLAN REVIEW (DPR) 23-00013, DEVELOPMENT PLAN REVIEW (DPR) 23-00014, CONDITIONAL USE PERMIT (CUP) 23-05208, AND CONDITIONAL USE PERMIT (CUP) 23-05210 TO FACILITATE THE CONSTRUCTION OF CASE ROAD MIXED-USE PROJECT CONSISTING OF AN INDUSTRIAL WAREHOUSE BUILDING, COMMERCIAL SHOPPING CENTER, SELF-STORAGE RV PARKING FACILITY, AND HOTEL ON 44.9 ACRES GENERALLY LOCATED NORTH OF ETHANAC ROAD, SOUTH OF WATSON ROAD BETWEEN GREEN VALLEY PARKWAY AND CASE ROAD, BASED UPON THE FINDINGS NOTED HEREIN

WHEREAS, the project applicant, Derek Barbour, Richland Communities, proposes to construct a 498,000 sq. ft. industrial warehouse building, commercial shopping center, self-storage RV parking facility, and four-story hotel on 44.9 acres generally located north of Ethanac Road, south of Watson Road between Green Valley Parkway and Case Road; and

WHEREAS, the applicant submitted: 1) Vesting Parcel Map 23-05059 (VPM 38814) to subdivide two (2) parcels into seven (7) parcels totaling 44.9 acres; 2) Conditional Use Permit (“CUP”) 23-05047 for the review of site plan and building elevations for a 498,000 square foot industrial building on 23.7 acres; 3) Conditional Use Permit 23-05208 for the review of site plan and building elevations for a self-storage and outdoor RV parking facility on 9.633 acres; 4) Conditional Use Permit 23-05210 to allow two (2) 2,300 square-foot drive-through restaurants on 1.82 acres; 5) Development Plan Review (“DPR”) 23-00013 for the review of site plan and building elevations for a four-story hotel on a 3.8-acres; and 6) Development Plan Review 23-00014 for the review of the site plan and building elevations for a 21,600 square foot commercial retail shopping center on 2.8 acres (collectively, the “Project”); and

WHEREAS, the proposed Vesting Parcel Map 38814, CUP 23-05047, DPR 23-00013, DPR 23-00014, CUP 23-05208, and CUP 23-05210 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, a Fourth Addendum to the Final Environmental Impact Report (Final EIR) of the Green Valley Specific Plan (State Clearinghouse (SCH) No. 1989032707) was prepared for the Project, which includes, without limitation, Vesting Parcel Map 38814, CUP 23-05047, DPR 23-00013, DPR 23-00014, CUP 23-05208, and CUP 23-05210 in accordance with CEQA; and

WHEREAS, on January 25, 2022, the City Council adopted the 2021-2029 Housing Element, which included housing opportunity sites 6.1 and 6.2 within the Project site consisting of a potential of 107 lower income dwelling units, 107 moderate-income dwelling units, 328 above moderate-income dwelling units for a total of 542 potential max housing units; and

WHEREAS, on June 5, 2024, a duly noticed Planning Commission public hearing was held where the Planning Commission voted to continue the Project off calendar after all interested persons were given full opportunity to be heard and to present evidence to allow the applicant additional time to address the Planning Commission's concerns; and

WHEREAS, a duly noticed Planning Commission public hearing was scheduled for August 7, 2024, for the Project, and at the meeting, the Planning Commission voted 3-2 to deny the Project based on the following findings: 1) The industrial component of the Project is not compatible with the vision of the Business Professional Zone of the City's Green Valley Specific Plan; 2) The industrial component of the Project is not compatible with the permitted uses in the Business Professional Zone of the Green Valley Specific Plan; and 3) The industrial component of the Project will have impacts related to traffic, air quality, and noise on the surrounding community; and

WHEREAS, on August 14, 2024, the applicant Derek Barbour representing Richland Real Estate Fund submitted Appeal Application 24-05197 to appeal the Planning Commission's decision to deny Vesting Parcel Map 23-05059 (VPM 38814), Conditional Use Permits (CUPs) 23-05047, 23-05208, 23-05210, and Development Plan Reviews (DPRs) 23-00013 and 23-00014; and

WHEREAS, on November 12, 2024, the City Council conducted a duly noticed public hearing to consider an appeal from the applicant of the Planning Commission's denial of the Project, and at which time the City Council continued the item to the January 14, 2025 City Council meeting; and

WHEREAS, the City Council is the designated hearing body to review the appeal of the Planning Commission's decision; and

WHEREAS, on January 14, 2025, the City Council conducted a duly noticed public hearing regarding Appeal Application for the Project, at which time all interested persons were given full opportunity to be heard and to present evidence for the City Council’s consideration (including all oral and written testimony from members of the public and City staff, including, but not limited to, the City staff reports and accompanying documents and exhibits); and

WHEREAS, before acting, the City Council has heard, been presented with, and reviewed all of the information and data which constitutes the administrative record for the Project approval, including all oral and written evidence presented to the City by members of the public and City staff during all Project meetings and hearings; 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 and are incorporated herein by this reference.

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 forgoing, the Fourth Addendum to the Final Environmental Impact Report for the Green Valley Specific Plan (“GVSP”) for the proposed Project (State Clearinghouse (SCH) No. 1989032707), it was determined that the Project will not result in any new or more severe significant environmental impacts than were previously disclosed and analyzed in the Final EIR. Specifically, based upon the above and the staff report, supporting exhibits, and all written and oral testimony presented at the January 14, 2025, public hearing, the City Council finds that:

- A. As the lead agency under the California Environmental Quality Act (CEQA), the City of Perris has determined that, in accordance with Sections 15162 and 15164 of the State CEQA Guidelines, the proposed changes to the development pattern and other minor changes from the development scenario described in the Final EIR for the GVSP warrant the preparation of a Fourth Addendum to update the analysis provided in the 1990 Final EIR, but do not warrant the preparation of a subsequent or supplemental EIR, because the amendments do not result in any new or more severe significant impacts than previously evaluated and disclosed in the 1990 Final EIR. This determination is evidenced in detail throughout Chapter 4 of the Fourth Addendum and supporting technical appendices.

Because no subsequent or supplemental EIR was required or prepared, the City need not make full CEQA findings with respect to impacts resulting from the Project. While all effects will remain at their same respective levels of impact as they were determined in the certified 1990 Final EIR, mitigation measures have been updated in

the Fourth Addendum to account for more modern data, methodology, changes in rules and regulations, and physical improvements and infrastructure that have been completed since 1990.

- 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 foregoing and all oral and written statements and reports presented by City staff and members of the public, including, but not limited to, all such statements and reports (including all attachments and exhibits) presented at its public hearing on January 14, 2025, the City Council has hereby considered and hereby adopts the fourth Addendum to the 1990 Final Green Valley Specific Plan Environmental Impact Report and supplemental Mitigation Monitoring and Reporting Program attached hereto and incorporated by this reference as if set forth in full.

Section 4. 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 5. The Mayor shall sign this Resolution, and the City Clerk shall certify the adoption of this Resolution.

ADOPTED, SIGNED, and APPROVED this 14th of January 2025.

Mayor, Michael M. Vargas

ATTEST:

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 6570 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held on the 14th of January 2025, by the following called vote:

AYES: CORONA, RABB, VARGAS

NOES: VALLEJO, NAVA

ABSENT: NONE

ABSTAIN: NONE

City Clerk, Nancy Salazar

Exhibits:

Fourth Addendum to Final EIR for GVSP and Mitigation Monitoring and Reporting Program (*due to the size of the files, the documents are located at the following webpage link*) or in the Development Services Department or the City Clerk's Office:

https://www.cityofperris.org/departments/development-services/planning/environmental-documents-for-public-review/-folder-436#docan1206_1313_479