

RESOLUTION NUMBER 6571

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, OVERTURNING THE PLANNING COMMISSION'S DECISION THEREBY APPROVING VESTING PARCEL MAP 38814 (VPM 23-05059), 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 HEREIN AND SUBJECT TO CONDITIONS OF APPROVAL.

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, Section 66411 of the California Government Code (Subdivision Map Act) vests in the legislative bodies of local agencies the regulation and control of the design and improvement of subdivisions; 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, on January 14, 2025, the City Council conducted a duly noticed public hearing regarding 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 adopting 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 incorporated herein by reference.

Section 2. Based upon the forgoing, all oral and written communication submitted by members of the public and City staff to the City Council on January 14, 2025, public hearing (including, but not limited to, all staff reports and supporting exhibits), the City Council further finds the following:

Vesting Parcel Map 38814 (VPM 23-05059)

1. *The proposed map is consistent with the applicable General Plan and Specific Plans.*

The design and improvements required for Vesting Parcel Map 38814 are consistent with the City's General Plan and the Green Valley Specific Plan ("GVSP")_ Commercial and Business and Professional zoning with respect to minimum required development standards, including lot width, depth, and size. The lots created by the Vesting Parcel Map will provide adequate building sites and appropriate vehicular access. Further, necessary water and sewer services are available to serve the Project site, and the development is required through conditions of approval and mitigation measures to pay its fair share and construct transportation, drainage, and other improvements to serve the Project site. Therefore, the Vesting Parcel Map is consistent with the City's General Plan, Zoning Ordinance, and GVSP.

2. *The site is physically suitable for the type and density of the proposed development.*

As noted above, the Project proposes a Vesting Parcel Map to subdivide the 44.9-acre Project site into seven (7) parcels. Parcels 1 through 3 are proposed to be developed with the commercial center, Parcel 4 into a hotel, and Parcels 5 and 6 into a self-storage facility. Parcel 7 is proposed to be developed with an industrial warehouse facility. The Project has been designed to be consistent with all applicable Perris Municipal Code requirements for industrial and commercial projects located in the Commercial and Business and Professional Zones of the GVSP, including lot coverage, floor area ratio, height, setbacks, landscaping, and parking, as noted in the staff report.

3. *That the map's design or the type of improvements will not cause substantial environmental damage or unavoidably injure fish or wildlife or their habitat.*

The potential environmental impacts associated with the Project were evaluated in the Fourth Addendum to the Final Environmental Impact Report (Final EIR) of the GVSP. It has been determined that all possible effects of the Project will be reduced to less than significant levels.

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

The proposed Vesting Parcel Map will not have a negative effect on public health, safety, or general welfare. The potential environmental impacts associated with the Project were evaluated in the Fourth Addendum to the Final Environmental Impact Report (Final EIR) of the GVSP. The design of the Vesting Parcel Map is in conformance with the City's General Plan, GVSP, and Subdivision Ordinance. As conditioned, the developer must pay its fair share towards or construct improvements to comply with all applicable City ordinances, codes, and standards, which are intended to protect the public safety, health, and welfare. Adequate services are available and in close proximity to serve the subdivision, and no hazardous situations are created through the subdivision. As such, the Vesting Parcel Map will not have a negative effect on public health, safety, or the general welfare of the City of Perris residents.

Conditional Use Permits 23-05047, 23-05208, and 23-05210

1. *The location of the conditional use, size, design, density, and intensity of the proposed development and improvements are consistent with the City's General Plan, applicable Specific Plan, Title 19 of the Perris Municipal Code, the purposes of the Zone in which the site is located, and the development policies and standards of the City.*

The Project site is in the GVSP Commercial and Business and Professional zoning designations. The Commercial zone allows fast-food restaurants with drive-thru service subject to the approval of a Conditional Use Permit. Business and Professional allows industrial warehousing, self-storage, and outdoor RV parking subject to the approval of a Conditional Use Permit. The proposed uses' location, size, design, density, and intensity are consistent with the City's General Plan, the purpose and provisions of Title 19 of the Perris Municipal Code, and the Green Valley Specific Plan.

2. *The proposed plan is consistent with the City's General Plan and conforms to all specific plans, zoning standards, applicable subdivision requirements, and other city ordinances and resolutions.*

The industrial warehousing, self-storage, and outdoor RV parking components of the Project are located within the Business Professional zoning designation of the GVSP, which allows such uses subject to the approval of a Conditional Use Permit. The industrial warehousing, self-storage, and outdoor RV parking components of the Project are conformance with all applicable provisions of the City's Zoning regulations. Also, the two (2) proposed drive-thru restaurants are located within the Commercial designation of the GVSP, which allows such use subject to the approval of a Conditional

Use Permit. The proposed drive-thru restaurants are further in conformance with all applicable provisions of the City's Zoning regulations. The proposed Project conforms to the goals of the General Plan, GVSP, and Zoning Code by complying with the development standards of the proposed Business Professional and Commercial zones.

3. *The proposed development and the conditions under which it would be operated 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.*

As conditioned, the proposed Project will not be detrimental to the public health, safety, or welfare or injurious to property and improvements in the vicinity or to the City's general welfare in that the Project is designed in conformance with the City's Zoning Code and GVSP. Therefore, the Project will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

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

The architecture conforms to all City standards and has been reviewed by City staff for conformance to said standards and compatibility with the character of the surrounding land uses. The industrial warehouse building, self-storage, outdoor RV parking, and drive-through architectures are harmonious with the neighborhood's character and meet all pertinent standards. The Project site is also compatible with the surrounding existing commercial uses that operate similarly to the anticipated operations of the future shopping center. Overall, the industrial warehouse building, self-storage, outdoor RV parking, and drive-through elevations include architectural features that define the building's base, body, and cap, consistent with the City's architectural standards.

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

The City's landscape standards ensure the industrial component will visually buffer the surrounding land uses while providing an attractive environment for business patrons as well as those living in the community who would see this Project daily. The proposed hotel component proposes 38.2% landscape coverage and the commercial retail center proposes 31.6% landscape coverage. Therefore, the hotel and commercial retail shopping center exceed the Commercial Zone landscape standards of 15%. The industrial warehouse proposes 17.6% landscape coverage, and the outdoor storage component proposes 16.5% landscape coverage. Therefore, industrial warehouse and outdoor storage RV exceeds the Business and Professional Zone landscape standards of 15%. Therefore, as proposed, the Project landscaping palette for the industrial warehouse building, self-storage, outdoor RV parking, and drive-through not only exceeds the minimum landscape coverage requirement, but the selection of plant materials will help create an attractive environment the public will enjoy.

1. *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 location, size, design, density, and intensity of the proposed hotel and commercial shopping center development and improvements of the Project are consistent with the City's General Plan, the GVSP, the purposes and provisions of the Perris Municipal Code, the purposes of the Zones in which the site is located, and the development policies and standards of the City. The GVSP permits business park uses in the Business and Professional Zone, as allowed by the Business Park Zone in Chapter 19.44 of the Zoning Code, which permits warehouses and warehouse distribution centers, subject to the granting of a Conditional Use Permit (CUP). The proposed industrial warehouse use complies with the development standards of the Business Park Zone and the City adopted truck routes.

2. *The proposed Project 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 hotel and commercial shopping center components of the Project are in accordance with the standards of the underlying zones. Adequate access, utilities, and services are provided on-site. The commercial buildings are desirable for the community and ensure compatibility with surrounding uses. The site is surrounded by the EMWD water and reclamation treatment plant to the north across Watson Road; vacant land, approved to be developed with multi-family residential development, to the west; the I-215 freeway and commercial development to the east; and the Perris Crossing Shopping Center and vacant land across Ethanac Road within the City of Menifee limits to the south. Currently, Watson Road and the easterly segment of Green Valley Parkway, from Murrieta Road to Ethanac Road, are unimproved

3. *The proposed Project 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.*

The proposed Project will not be detrimental to public health, safety, or welfare or materially injurious to properties or improvements in the vicinity. The Project was analyzed through the preparation of a 4th EIR addendum to protect public health from the environmental effects of the Project. Also, concerning safety, the traffic study for the Project concluded that all the study area intersections are anticipated to operate at acceptable levels of service after the Project is operating.

4. *The architecture of the proposed Project includes updated and enhanced architecture which is compatible with community standards and protects the character of adjacent development.*

The commercial portion of the Project proposes an architecturally superior project as compared to surrounding commercial uses, and the industrial portion of the Project proposes an architecturally enhanced concept with varying roofline angles and heights, including stone, tile, horizontal cement panels and glass building accents. Colors on the façades range from varied shades of grey and white hues to a mild dark blue color to contrast the lighter colors, which all meet the development standards of the GVSP. The landscaping plan ensures visual relief and an attractive environment for the public's enjoyment.

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

The City's landscape standards ensure the industrial component will visually buffer the surrounding land uses while providing an attractive environment for business patrons as well as those living in the community who would see this Project daily. The hotel component proposes 38.2% landscape coverage and the commercial retail center proposes 31.6% landscape coverage. Therefore, the hotel and commercial retail shopping center exceed the Commercial Zone landscape standards of 15%. The industrial warehouse proposes 17.6% landscape coverage, and the outdoor storage component proposes 16.5% landscape coverage. Therefore, industrial warehouse and outdoor storage RV exceeds the Business and Professional Zone landscape standards of 15%. Therefore, as proposed, the Project landscaping palette for the hotel, industrial warehouse building, self-storage, outdoor RV parking, and drive-through not only exceeds the minimum landscape coverage requirement, but the selection of plant materials will help create an attractive environment the public will enjoy.

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

The proposed Project provides the safeguards necessary to protect the public health, safety, and general welfare through the conditions of approval, which are attached hereto and incorporated herein by this reference as Attachment 1, which will ensure that the Project is developed in compliance with City and affected service agency codes and policies, and mitigate potential impacts to the environment.

Section 4. The City's 2021-2029 Housing Element provides a dwelling unit surplus consisting of 135 lower-income dwelling units, 171 moderate-income dwelling units, and 1,335 above-moderate-income dwelling units. The Project is located within housing opportunity sites 6.1 and 6.2, which consist of 107 lower-income dwelling units, 107 moderate-income dwelling units, and 328 above-moderate-income dwelling units, for a total of 542 potential max units. The Project would result in a net remaining surplus of 28 lower-income dwelling units, 64 moderate-income dwelling units, and 1,077 above-moderate-income dwelling units.

Section 5. Based upon the forgoing, the Fourth Addendum to the 1990 Final Green Valley Specific Plan Environmental Impact Report as adopted by a separate City Council resolution, and all oral and written communication submitted by members of the public and City

staff to the City Council at the January 14, 2025, public hearing (including, but not limited to, all staff reports and supporting exhibits), the City Council approves Vesting Parcel Map 23-05059 (VPM 38814), Conditional Use Permit 23-05208, Conditional Use Permit 23-05210, Conditional Use Permit 23-05047, Development Plan Review 23-00013, and Development Plan Review 23-00014 subject to the Conditions of Approval.

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 7. The Mayor shall sign this Resolution, and the City Clerk shall certify the adoption of this Resolution.

ADOPTED, SIGNED, and APPROVED on this 14th day 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 6571 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held on the 14th day of January 2025, by the following called a vote:

AYES: CORONA, RABB, VARGAS
NOES: VALLEJO, NAVA
ABSENT: NONE
ABSTAIN: NONE

City Clerk, Nancy Salazar

Attachment: Conditions of Approval (Planning, Engineering, Public Works, Community Services, Building and Safety)-Due to size on file in Development Services or City Clerk's Office