

RESOLUTION NUMBER 24-15

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, CERTIFYING ENVIRONMENTAL IMPACT REPORT (SCH NO. 2024010850) AND APPROVING CONDITIONAL USE PERMIT 22-05002, CONDITIONAL USE PERMIT 22-05003, AND VARIANCE 24-05022 TO FACILITATE THE CONSTRUCTION OF A TRAVEL CENTER ON 14.4 ACRES, LOCATED ON THE NORTHWEST CORNER OF ETHANAC ROAD AND TRUMBLE ROAD IN THE COMMERCIAL COMMUNITY ZONE INCLUDING: 1) CONDITIONAL USE PERMIT FOR A TRAVEL CENTER CONSTING OF A 2,228 SQUARE FOOT DRIVE-THRU RESTAURANT, AN 11,752 SQUARE FOOT CONVENIENCE STORE, AND FUELING FACILITIES FOR TRUCKS AND PASSENGER VEHICLES; 2) CONDITIONAL USE PERMIT FOR AN 8,452 SQUARE FOOT TRUCK SHOP; AND 3) A VARIANCE TO ALLOW A FREEWAY ORIENTED SIGN BASED UPON THE FINDINGS NOTED HEREIN AND SUBJECT TO CONDITIONS OF APPROVAL.

WHEREAS, the applicant, Alan Robertson with Ethanac Travel Center, LLC, proposes to construct a travel center consisting of a 2,228 square foot drive-thru restaurant, an 11,752 square foot convenience store, fueling facilities for trucks and passenger vehicles, an 8,452 square foot truck shop, and a freeway-oriented sign on 14.4 acres located on the northwest corner of Ethanac Road and Trumble Road in the Commercial Community (CC) Zone (the “Project”); and

WHEREAS, the proposed uses are in accordance with the objectives of the Commercial Community Zone; and

WHEREAS, the proposed use is consistent with the City's General Plan and conforms to all zoning standards and other relevant ordinances and resolutions of the City; and

WHEREAS, the applicant submitted the following entitlement applications: Conditional Use Permit (“CUP”) 22-05002, Conditional Use Permit (“CUP”) 22-05003, and Variance 24-05022 for the Project for consideration of architectural design and site layout; and

WHEREAS, an Environmental Impact Report (“EIR”) (State Clearing House No. 2024010850) was prepared for the Project and was publicly reviewed for a forty-five (45) day period in accordance with the California Environmental Quality Act (“CEQA”) from August 6, 2024, to September 20, 2024; and

WHEREAS, the Planning Commission held a duly noticed public hearing on October 16, 2024, at which time all interested persons were given full opportunity to be heard and to present evidence regarding the Project; and

WHEREAS, Chapter 19.54 of the Perris Municipal Code (“PMC”) (Zoning Code, Authority and Review Procedures) authorizes the City to approve, conditionally approve, or deny requests for Conditional Use Permits and Variances; and

WHEREAS, prior to taking action, the Planning Commission has heard, been presented with, and reviewed all of the information and data that constitutes the administrative record for the above-mentioned approval, including all oral and written evidence presented to the City during all Project meetings and hearings related to the Project; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF PERRIS does resolve as follows:

Section 1. Recitals. The above recitals are all true and correct and are incorporated herein by this reference.

Section 2. Environmental Analysis. Based upon 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 October 16, 2024, the Planning Commission hereby finds:

- A. An Environmental Impact Report (SCH 2024010850) has been completed in compliance with the California Environmental Quality Act (CEQA) Guidelines. The EIR concludes that all impacts have generally been reduced to less than significant or have been reduced to below the level of significance with the implementation of mitigation measures, except for impacts related to air quality and GHG emissions, which have been identified as significant and unavoidable. The specific significant and unavoidable impacts are outlined in the Statement of Overriding Considerations attached hereto. Based on significant economic, social, and technological benefits, as outlined in the Statement of Overriding Considerations, the Planning Commission finds those effects acceptable.
- B. The City has complied with CEQA.
- C. Determinations of the Planning Commission reflect the independent judgment of the City.

Section 3. Based upon 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 this public hearing on October 16, 2024, the Planning Commission further finds the following:

Conditional Use Permits 22-05002 and 22-05003:

1. *The proposed location of the conditional use is in accord with the objectives of this Title and the purposes of the zone in which the site is located.*

The Project site is located in the Commercial Community (CC) Zone, which allows a travel center with a drive-thru restaurant, a convenience store with fueling facilities, and a truck

shop with a Conditional Use Permit. The proposed travel center is in accordance with the objectives of the Conditional Use Permit provisions of the City's Zoning Code, Chapter 19.61 – Conditional Use Permits, in that the proposed travel center is desirable for the community and an appropriate use that is compatible with surrounding uses.

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 ordinances and resolutions of the City.*

The proposed location of the Project is in accordance with the goals and policies of the General Plan, as the proposed travel center is consistent with the General Plan Policy III.A, by providing a new travel center to provide jobs for all economic levels within the city. The Project also meets the intent of the Commercial Community Zone in that the proposed travel center is a desirable use for the community and has been designed to meet setbacks, building height, and landscape requirements as stated in the development standards for the Commercial Community Zone.

3. *The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.*

As conditioned, the Project will not be detrimental to the public health, safety, or welfare or injurious to property and improvements in the vicinity or to the general welfare of the City, as the Project is subject to and will comply with the development standards of the Zoning Code and will also comply with fire accessibility requirements.

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

The architecture of the Project 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 community. The proposed architecture utilizes different colors and materials to distinguish the building's base, body, and cap. The building's design elements utilize a combination of varying roofline heights, vertical and horizontal materials, and parapets to conceal all rooftop mechanical equipment from public view. The architecture is harmonious with the surrounding development and 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 Project will visually buffer the surrounding land uses while providing an attractive environment for business patrons as well as those living in the community. The Project meets the City's landscape standards and provides landscape plantings covering 23.7% of the Project lot. As a result, it provides sufficient landscape plantings and space to make an attractive environment for the public to enjoy. Also, as conditioned, the site plan fully conforms to the requirements of the Perris Municipal Code.

Variance 24-05022:

1. *There are unique physical circumstances applicable to the subject land, including size, shape, topography, location, and surroundings.*

Without approval of Variance 24-05022, the proposed 65 foot high freeway-oriented sign will have limited visibility from the northbound and southbound Interstate 215 freeway, as the existing conditions including mature landscaping and the geometry of the Interstate 215 freeway, will restrict the visibility of the sign. Although the Perris Municipal Code allows freeway oriented signs up to 25 feet high and up to 150 square feet in size, having a sign area of 650 square feet will broaden the visibility of the freeway-oriented sign from the freeway and surrounding streets.

2. *The strict application of zoning standards deprives the property of the right to use the land in a manner enjoyed by other conforming property in the vicinity under identical zoning standards.*

The strict application of the freeway sign standards would limit the visibility of the sign. As mentioned above, the freeway oriented sign will have minimal visibility because of the Ethanac Road overpass. The application of freeway-oriented sign standards would deprive this property of rights enjoyed by other similar properties in the area. Therefore, increasing the sign height to 65 feet and the sign area to 650 square feet for the travel center sign will broaden its visibility from the freeway and surrounding streets.

3. *The granting of the variance and any appropriate conditions of approval shall not constitute a grant of special privileges which other conforming property properties in the vicinity do not enjoy under identical zoning standards.*

The proposed travel center sign has been designed with colors and materials that are consistent with the architectural style of the building. A larger sign is justified given the limited visibility the tenant signs would have from the Interstate 215 freeway, as compared to surrounding signs. Therefore, the granting of this Variance does not constitute a special grant or special privileges.

4. *The granting of the variance will not adversely affect the objectives, policies, and programs contained in the City's General Plan.*

The granting of the variance will not adversely affect the objectives, policies and programs contained in the City of Perris General Plan, since the approval is to exceed the allowable height and sign area for a freeway oriented sign on a freeway adjacent parcel.

Section 4. Based upon the forgoing, and all oral and written communication submitted by members of the public and City staff to the Planning Commission at the October 16, 2024 public hearing (including, but not limited to, all staff reports and supporting exhibits), the Planning Commission has considered and hereby certifies the Environmental Impact Report and adopts the Mitigation Monitoring

and Reporting Program and Statement of Overriding Considerations, which are attached here to and incorporated herein by this reference.

Section 5. Based upon the preceding, the Final Environmental Impact Report (SCH: 2024010850), and all oral and written communication submitted by members of the public and City staff to the Planning Commission at the October 16, 2024 public hearing (including, but not limited to, all staff reports and supporting exhibits), the Planning Commission hereby approves Conditional Use Permit 22-05002, Conditional Use Permit 22-05003, and Variance 24-05022, subject to the Mitigation Monitoring and Reporting Program and Conditions of Approval attached to this Resolution and incorporated herein by this reference.

Section 6. The Planning Commission 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 Chairperson shall sign, and the Secretary shall certify the passage and adoption of this Resolution.

ADOPTED, SIGNED, and APPROVED this 16th day of October 2024.

CHAIRPERSON, PLANNING COMMISSION

ATTEST:

Secretary, Planning Commission

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

I, Patricia Brenes, Designee Secretary of the Planning Commission of the City of Perris, do hereby certify that the foregoing Resolution Number 24-15 was duly adopted by the Planning Commission of the City of Perris at a regular meeting thereof held on the 16th day of October 2024, by the following vote:

AYES: 4
NOES: 0
ABSTAIN: 1
ABSENT:

Secretary of the Planning Commission

Attachment: 1. Conditions of Approval (Planning, Engineering, Public Works, and Building & Safety)

2. Final Environmental Impact Report (SCH: 2024010850), Statement of Overriding Considerations and Findings of Fact, Mitigation Monitoring and Reporting Program, Associated Technical Studies, and Response during NOA comment period.

https://www.cityofperris.org/departments/development-services/planning/environmental-documents-for-public-review/-folder-418#docan1206_1313_479