

RESOLUTION NUMBER 3648

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING A NEGATIVE DECLARATION (#2213), AND DEVELOPMENT PLAN REVIEW #P05-0425 TO CONSTRUCT PHASE I OF THE DOWNTOWN MULTI-MODAL TRANSIT CENTER, INCLUDING THE RTA BUS TERMINAL, A 141 STALL PARKING LOT, BUS PLAZA WITH 8 LOADING BAYS, AND METROLINK PLATFORM, AT THE SOUTH EAST CORNER OF SAN JACINTO AVENUE AND C STREET AND MAKING FINDINGS IN SUPPORT THEREOF

WHEREAS, on December 6, 2005, the applicant applied for Development Plan Review Permit #P05-0425 to develop Phase I of the Downtown Multi-Modal Transit Center, consisting of the RTA Bus Terminal, 141-stall parking lot, bus plaza with 8 loading bays, Metrolink platform, structural water quality treatment control BMP's, landscaping, lighting, fencing, and temporary restroom facilities on the southeast corner of San Jacinto Avenue and "C" Street; and

WHEREAS, an initial study has been prepared for Development Plan Review Permit #P05-0425 and Street Vacation #06-0063, and based upon the environmental information staff finds that the project could not have significant effects on the environment because revisions in the project have been agreed to and made by the project proponent, therefore a Negative Declaration (#2213) has been prepared; and

WHEREAS, on April 5, 2006, 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, subject to the following amendments:

Planning Conditions of Approval:

- ◆ Condition No. 5 amend Exhibits "E"- "G" (Site Plan, Elevations, and Conceptual Landscape Plan) as indicated in Conditions of Approval No.16 through 33; and
- ◆ Condition No. 8 include phrase "and related antennae;" and
- ◆ Condition No. 14 change date to April 3, 2006; and
- ◆ Condition No. 46 make Flood Control District annexation language consistent with Lighting District annexation language in Engineering Conditions of Approval; and
- ◆ Condition No. 51 delete second sentence; and

Engineering Conditions of Approval:

- ◆ Condition No. 5 strike in its entirety; and
- ◆ Condition No. 8 include phrase “along San Jacinto and 5’ wide along ‘C’ Street;” and
- ◆ Condition No. 10 strike the original third sentence in its entirety; and add new third and a fourth sentences to read, “RCTC/RTA may elect to directly be responsible for maintenance of streetlights by keeping the meter(s) for streetlights under their name,” and, “Also, that portion of storm drain facilities in public right-of-way can be maintained by RCTC/RTA,” respectively; and

Planning Staff Report:

- ◆ Staff Report (record) to include Development Services Department Memorandum, to Chairperson and Commission, dated April 5, 2006; and
- ◆ Staff Report (record) to include Riverside County Transportation Commission letter dated April 4, 2006; and
- ◆ Staff Report first paragraph in Background section change 138 to “141”; and
- ◆ Staff Report page 3, third paragraph, change restaurant to “project”; and

WHEREAS, this Development Plan Review Permit #P05-0425, and Negative Declaration (#2213) have been duly noticed; and

WHEREAS, on May 30, 2006, the City Council considered and approved the Initial Study and Negative Declaration (2213) for the project, finding that these documents adequately addressed the impacts of the proposed project, were prepared in accordance with the California Environmental Quality Act, and reflected the independent judgment of the City; and

WHEREAS, a public hearing was held on May 30, 2006, at which time all interested persons were given full opportunity to be heard and to present evidence; and

WHEREAS, on May 30, 2006, the City Council conducted a duly noticed public hearing on the proposed project, considered testimony, and materials in the staff reports, 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.

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 analysis contained in the Initial Study and the accompanying environmental information, the City Council finds that:

- A. There is no substantial evidence of potentially significant environmental impacts and a Negative Declaration (#2213) has been prepared.
- 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 information contained within the Staff Report dated May 30, 2006, and the accompanying attachments and exhibits, the City Council hereby finds that:

- A. The proposed location, size, design, density and intensity of the proposed development and improvements are consistent with the City's General Plan, Downtown Specific Plan, purposes and provisions of the Title 19, purposes of the zone in which the site is located, development policies and standards of the City.
- 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.
- 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.
- D. The architecture proposed is compatible with the community standards and protects the character of adjacent development.
- E. The landscaping plan ensures visual relief and provides an attractive environment for the public's enjoyment.
- F. The safeguards necessary to protect the public health safety and general welfare have been required for the proposed project.

Section 4. The City Council hereby adopts Negative Declaration #2213 and approves Development Plan Review Permit #P04-0425, based on the information and findings

presented in the Staff Report, supporting studies, exhibits and plans, and subject to the attached Conditions of Approval.

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

ADOPTED, SIGNED and APPROVED this 30th day of May, 2006.

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 3648 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 30th day of May, 2006, and that it was so adopted by the following called vote:

AYES: Rogers, Yarbrough, Landers, Motte, Busch
NOES:
ABSENT:
ABSTAIN:

City Clerk, Margaret Rey

Attachment: Conditions of Approval

5/30/06

