

CITY OF PERRIS PLANNING COMMISSION AGENDA

November 01, 2017

City Council Chambers
Meeting to convene at 6:00 P.M.
101 North "D" Street
Perris, CA 92570

- 1. CALL TO ORDER:
- 2. ROLL CALL:

Commissioners:

Hammond, Weir, Arras, McCarron,

Vice Chair Shively, Chair Balderrama

- 3. INVOCATION:
- 4. PLEDGE OF ALLEGIANCE: Commissioner Hammond
- 5. PRESENTATION:
- **6. CONSENT CALENDAR:**
 - A. Planning Commission Minutes for October 18, 2017

7. PUBLIC HEARING:

A. Scoping Meeting for an Environmental Impact Report (17-05100) associated with Development Plan Review (DPR) 17-00001 and Tentative Parcel Map 37343 (TPM 17-05163) – Tentative Parcel Map proposal to consolidate two lots into one parcel and Development Plan Review for site plan review and building elevations to facilitate the development of a warehouse building totaling 811,620 square feet on 37 acres of land located at the southeast corner of Patterson Avenue and Markham Street. Applicant: Adam Schmid, Duke Realty Limited Partnership

REQUESTED ACTION: Conduct a public Scoping Meeting to review, discuss, and provide comments regarding the proposed project for the preparation of an Environmental Impact Report

8. PUBLIC COMMENTS:

Anyone who wishes to address the Planning Commission regarding items not on the agenda may do so at this time. Please walk up to the podium and wait for the Chairperson to recognize you. Please speak clearly, give your name, spell your last name, and address for accurate recording in the minutes. Each speaker will be given three (3) minutes to address the Planning Commission.

- 9. COMMISSION MEMBERS ANNOUNCEMENTS OR REPORTS:
- 10. DIRECTOR OF DEVELOPMENT SERVICES REPORTS AND/OR INFORMATION:
- 11. ADJOURNMENT

Planning Commission Agenda

CITY OF PERRIS 11.01.17

Item 6A

October 18, 2017 minutes

CITY OF PERRIS

MINUTES:

Date of Meeting:

October 18, 2017

06:00 PM

Place of Meeting:

City Council Chambers

- 1. CALL TO ORDER: The meeting was called to order at 6:00 p.m.
- 2. <u>ROLL CALL: Commissioners: McCarron, Hammond, Weir, Arras, Vice Chair Shively, Chair Balderrama</u>

Commission Members Present: Commissioner Hammond, Chair Balderrama, Vice Chair Shively, Commissioner Arras, and Commissioner McCarron.

Staff Members Present: Assistant City Manager Miramontes, Planning Manager Phung, Senior Engineer Stadnik, Assistant City Attorney Khuu, Associate Planner Perez, Associate Planner Sbardellati, Assistant Planner Muhu.

- 3. **INVOCATION**:
- 4. PLEDGE OF ALLEGIANCE: Commissioner McCarron
- 5. PRESENTATION:
- 6. CONSENT CALENDAR:
 - A. Planning Commission Minutes for September 20, 2017

The Chair called for a motion.

M/S/C: Moved by Commissioner Arras, seconded by Commissioner Hammond to Approve Planning Commission Minutes for September 20, 2017.

AYES:

Commissioner Hammond, Chair Balderrama, Vice Chair

Shively, Commissioner Arras, Commissioner McCarron.

NOES:

ABSENT:

Commissioner Weir.

ABSTAIN:

7. PUBLIC HEARING:

A. Conditional Use Permit 16-05258 – Proposal to construct a 5,640 s.f. two-story drive-through express carwash on a vacant 1.12 acre parcel adjacent to the existing Arco gas station and convenience store on the northwest corner of Perris Boulevard and Ramona Expressway. Applicant: Amanda Bui REQUESTED ACTION: Adopt Resolution No. 17-10 approving Conditional Use Permit 16-05258, based on the findings contained in the staff report and subject to the Conditions of Approval.

Associate Planner Sbardellati, presented the item, she concluded recommending the Planning Commission Adopt Resolution No. 17-10, approving Conditional Use Permit 16-05258 to develop a new 5,640 square foot automated drive-through carwash on a 1.12 acre site within the Perris Valley Commerce Center Specific Plan, located west of Perris Boulevard and north of Ramona Expressway, based on the findings and information contained in this report and the attached exhibits, and subject to the Conditions of Approval.

Commissioner Arras and Vice Chair Shively stated that they have visited the site.

Commissioner McCarron, commented on project architecture.

Project Architect, Allan Smith, requested Planning Condition No. 29F regarding decorative walkway not be required, No. 9 of Engineering Conditions be deleted regarding open drainage swale as well as the Condition from CIP Manager relating to this matter.

Assistant City Manager, Miramontes, accepted the architect's request if the Commission is to agree as well not to require Planning Condition No. 29 F.

Senior Engineer, Stadnik, stated that the intent of Engineering condition No. 9 is to communicate minimum requirements so if an underground swale is proposed it will meet the intent of Staff Condition. Also, Staff does not find inconsistencies with Engineering and CIP Manager Conditions but staff will review again to confirm.

Architect, Allan Smith, agreed with Commissioner McCarron's request to incorporate window treatments into the west elevation of the Car wash.

Commissioner Hammond and Chair Balderrama, agreed with Commissioner McCarron's comments on architecture and design.

The Chair called for a motion.

M/S/C: Moved by Commissioner Hammond, seconded by Vice Chair Shively to Adopt Resolution No. 17-10, approving Conditional Use Permit 16-05258 to develop a new 5,640 square foot automated drive-through

carwash on a 1.12 acre site within the Perris Valley Commerce Center Specific Plan, located west of Perris Boulevard and north of Ramona Expressway, based on the findings and information contained in this report and the attached exhibits, and subject to the Conditions of Approval. Also, Condition of Approval # 29F shall be removed and, Conditions shall be added requiring Planning review and approval of canvas and/or other materials to be used for vacuum and finishing stalls and, windows shall be added to west elevation of building, and also added to small arch elements on the upper portion of the building on the east and west sides and decorative pilasters shall be added to the perimeter wall located on the west and north property lines.

AYES:

Commissioner Hammond, Chair Balderrama, Vice Chair

Shively, Commissioner Arras, Commissioner McCarron.

NOES:

ABSENT:

Commissioner Weir.

ABSTAIN:

B. Environmental Impact Report 17-05014 (SCH No. 2017011061), Development Plan Review (DPR) 16-00008, and Tentative Parcel Map (37187) 16-05181 – Development Plan Review to construct a 668,681 sq. ft. industrial development on approximately 34.57 gross acres, and a Tentative Parcel Map to consolidate six (6) lots into one parcel located at the southeast corner of Indian Avenue and Markham Street. Applicant: Adam Schmidt, Duke Realty. REQUESTED ACTION: Adopt Resolution No. 17-18 certifying the Final Environmental Impact Report (SCH No. 2017011061) and Resolution No. 17-19 approving Tentative Parcel Map 37187 and Development Plan Review 16-00008, based on the findings contained in the staff report and subject to conditions of approval.

Associate Planner, Perez, presented the item, he concluded recommending the Planning Commission Adopt Resolution No. 17-18 certifying the Final Environmental Impact Report (SHC No. 2017011061), based on the findings of fact and statement of overriding considerations and, Adopt Resolution No. 17-19 to approve Tentative Parcel Map 37187 and Development Plan Review 16-00008, based on the findings contained in the staff report, and subject to the Conditions of Approval.

Environmental Consultant, Stephanie Standerfer, presented an overview of the Environmental Impact Report.

Commissioner McCarron, expressed concern with truck traffic turning left on Gibraltar St. headed to Ramona Expressway.

Applicant, Adam Schmid, responded to Commissioner McCarron's concerns regarding Gibraltar St.

Commissioner McCarron requested Conditions be added stating, a median shall be added on the property forcing all vehicle traffic to turn right on Gibraltar St. from the property and, a right turn only arrow be added to the traffic light and, signs be added stating right turn only from the property on Gibraltar St.

Commissioner Hammond, stated that the condition regarding graffiti should state that graffiti shall be removed within 48 hours.

Chair Balderrama, suggested the City take a more regional approach in addressing truck traffic on Ramona Expressway.

Senior Engineer, Stadnik, made a recommendation to add language to existing Condition stating, the intersection shall be designed to prohibit left turn southbound truck traffic from the property.

Commissioner McCarron and Applicant Adam Schmid, agreed with the addition to Engineering Conditions given that truck traffic only is restricted from making left turns on Gibraltar from the property.

The Chair called for a motion.

M/S/C: Moved by Commissioner Arras, seconded by Commissioner Hammond to Adopt Resolution No. 17-18 certifying the Final Environmental Impact Report (SHC No. 2017011061), based on the findings of fact and statement of overriding considerations.

AYES:

Commissioner Hammond, Chair Balderrama, Vice Chair

Shively, Commissioner Arras, Commissioner McCarron.

NOES:

ABSENT:

Commissioner Weir.

ABSTAIN:

The Chair called for a motion.

M/S/C: Moved by Vice Chair Shively, seconded by Commissioner Arras to Adopt Adopt Resolution No. 17-19 to approve Tentative Parcel Map 37187 and Development Plan Review 16-00008, based on the findings contained in the staff report, and subject to the Conditions of Approval and, language be added to Engineering Condition stating the intersection shall be designed to prohibit left turn southbound truck traffic on Gibraltar St. from the property, including striping for right turn only and, Planning Condition #38 shall be modified to include, graffiti shall be removed within 48 hours.

AYES:

Commissioner Hammond, Chair Balderrama, Vice Chair

Shively, Commissioner Arras, Commissioner McCarron.

NOES:

ABSENT:

Commissioner Weir.

ABSTAIN:

C. Ordinance Amendment 17-05199 - To amend chapter 19.02.140 "Home

Occupations" of the Perris Zoning Code to update regulations pertaining to residential home occupations in the City of Perris.

REQUESTED ACTION: Adopt Resolution No. 17-19 recommending approval of Ordinance Amendment 17-05199 to the City Council, based on the findings contained in the Resolution and attached exhibits.

Assistant Planner, Muhu Presented the item, he concluded recommending Planning Commission recommend to the City Council approval of resolution No. 17-20 approving Ordinance Amendment 17-05119, subject to the Findings contained in the Resolution and attached exhibits.

Commissioner Hammond, expressed concern regarding storage of products at the residence, noise complaints and hours of operation and suggested provisions be added specifically referencing the Municipal Code.

Chair Balderrama, suggested adding language stating, no aspect of the operation or use shall be a disturbance or reduce the residential character of the neighborhood.

The Chair called for a motion.

M/S/C: Moved by Commissioner McCarron, seconded by Commissioner Hammond to Adopt Resolution No. 17-20, recommendation to the City Council, approval of Ordinance Amendment 17-05119, subject to the Findings contained in the Resolution and attached exhibits and, under C, #16 a Condition be added stating, no aspect of the land use shall reduce the Character of the residence including noise and disturbances and subject to Chapter 7 of the Municipal Code and Condition #17 be added stating, a valid Business License shall be obtained.

AYES:

Commissioner Hammond, Chair Balderrama, Vice Chair

Shively, Commissioner Arras, Commissioner McCarron.

NOES:

ABSENT:

Commissioner Weir.

ABSTAIN:

8. <u>BUSINESS/WORKSHOP:</u>

A. <u>Update Report on TM 32769 (Faith Circle homes) located westerly of B Street and southerly of W. Eleventh Street.</u>

Assistant City Manager, Miramontes, provided an update on Tract Map 32769, Faith Circle residential project.

Realtor, Orlando Montero, gave a brief presentation on the history of the project.

Property owner, Munoz, gave a brief presentation on the plans for the project.

Commissioner McCarron, suggested the applicant reach out to surrounding property owners to update them on project progress.

9. PUBLIC COMMENTS: Anyone who wishes to address the Planning Commission regarding items not on the agenda may do so at this time. Please walk up to the podium and wait for the Chairperson to recognize you. Please speak clearly, give your name, spell your last name, and address for accurate recording in the minutes. Each speaker will be given three (3) minutes to address the Planning Commission.

10. COMMISSION MEMBERS ANNOUNCEMENTS OR REPORTS:

Commissioner Hammond, commented that Staff and the Commission should start looking into development of more multi-family housing.

Commissioner McCarron, requested the City website be updated as well as current developments and requested staff provide an update on on multi-family developments in the City.

Chair Balderrama, agreed with Commissioner McCarron's comments regarding multi-family housing.

11. <u>DIRECTOR OF DEVELOPMENT SERVICES REPORTS AND/OR</u> INFORMATION:

Assistant City Manager, Miramontes, stated that the City will be holding a Meet, Eat & Greet Fair on October 28th at Monument Park.

Kenneth Phung is now the Planning Manager and will be acting as the Planning Commission Liaison.

The Planning Division has merged with Economic Development and Grace Williams will be the new Director of Development Services.

12. ADJOURNMENT 1 Page 2 of 2

The Chair called for a motion.

M/S/C: Moved by Commissioner Arras, seconded by Commissioner Hammond to Adjourn the Planning Commission Meeting.

AYES: Commissioner Hammond, Chair Balderrama, Vice Chair Shively,

Commissioner Arras, Commissioner McCarron.

NOES:

ABSENT: Commissioner Weir.

ABSTAIN:

Planning Commission Agenda

CITY OF PERRIS

Item

7A

Scoping Meeting for Environmental Impact Report (EIR) 17-05100,

Development Plan Review (DPR) 17-00001 and Tentative Parcel Map 37343 (TPM 17-05163)

PLANNING COMMISSION AGENDA SUBMITTAL

Meeting Date: November 1, 2017

SUBJECT:

Scoping Meeting for an Environmental Impact Report (17-05100) associated with Development Plan Review (DPR) 17-00001 and Tentative Parcel Map 37343 (TPM 17-05163) - Tentative Parcel Map proposal to consolidate two lots into one parcel and Development Plan Review for site plan review and building elevations to facilitate the development of a warehouse building totaling 811,620 square feet on 37 acres of land located at the southeast corner of Patterson Avenue and Markham Street. Applicant: Adam Schmid, Duke Realty Limited Partnership

REQUESTED ACTION:

Conduct a public Scoping Meeting to review, discuss, and provide comments regarding the proposed project for the preparation of an

Environmental Impact Report

CONTACT:

Kenneth Phung, Planning Manager

BACKGROUND/DISCUSSION:

The applicant is proposing to construct an 811,620-sq.-ft. (SF) building with 775,620 SF for warehouse distribution uses and approximately 36,000 SF of supporting office space located at the southeast corner of Patterson Avenue and Markham Street. The building will include approximately 62 dock doors on the eastern side of the building and approximately 55 dock doors on the western side of the building. The Project will provide a total of 370 parking stalls for passenger vehicles consisting of approximately 362 automobile parking stalls and approximately 8 handicapped parking stalls. The Project also includes approximately 246 trailer parking stalls. There will also be approximately 182,000 SF of on-site landscaping as well as two on-site stormwater detention basins that incorporate best management practices (BMP) facilities for stormwater quality treatment and attenuation of peak runoff rates to less than existing flows.

To facilitate the development, a Tentative Parcel Map is requested to consolidate two lots into one parcel and a Development Plan Review is requested to review the architecture and approve the project layout.

The site plan submitted depicts a single warehouse building, with two access points on Markham Street and Webster Avenue. Truck access will be limited to the two access points on Patterson Avenue and the east access point on Markham Street. The west access point on Markham Street will be limited to cars only. The applicant has submitted building elevations. In general, the architectural style consists of modern industrial design, including concrete tilt-up walls with window glazing, scored panel lines, perforated gauge steel frame accents and a gray paint color scheme. Staff is recommending that the design of the building be further enhanced to include a second material, more detailing, pop-out facades and a different color palette. In addition, staff does not recommend the use of perforated gauge steel frame accents, unless it can be determined to provide an appealing aesthetic. Staff will continue to work with the applicant to address architectural detailing, enhancing the entries with additional veneer material (i.e. stone, slate etc.), providing greater variation in roof height and providing a more vibrant color scheme in accordance in the with PVCC Specific Plan.

A Notice of Preparation (NOP) and Initial Study have been prepared (attached) that identifies the need for an Environmental Impact Report (EIR). The public review period for the NOP is from October 4, 2017 to November 2, 2017. As of writing this report, four (4) letters were submitted (Native American Heritage Commission (NAHC), Highland Fairview, Department of the Air Force and Lozeau Drury LLP). The letters are discussed in detail in the attached staff report.

The scoping meeting will allow interested persons, organizations, and agencies to comment on the preliminary assessment of the environmental issues to be further addressed in the Environmental Impact Report. After the scoping meeting, Albert A. Webb Associates will prepare a Draft EIR in compliance with the California Environmental Quality Act (CEQA). Upon completion of the DEIR, staff will respond to comments received during the circulation period of the DEIR, and the Final EIR will be brought back to the Planning Commission for review and approval consideration.

BUDGET (or FISCAL) IMPACT:

Cost for staff preparation of this item, cost of construction and payment of development impact fees are borne by the applicant.

Prepared by:

Kenneth Phung, Planning Manager

City Attorney:

N/A

Finance Director:

N/A

Public Scoping Meeting: November 1, 2017

CITY OF PERRIS DEVELOPMENT SERVICES DEPARTMENT PLANNING DIVISION

STAFF REPORT

Cases:	Environmental Impact Report (EIR) 17-05100, Development Plan Review (DPR) 17-00001 and Tentative Parcel Map 37343 (TPM 17-05163)	
Environmental Determination:	Environmental Impact Report in Process; State Clearinghouse No. 2017101009	
Date:	November 1, 2017	
Project Planner:	Kenneth Phung	
Applicant:	Adam Schmid, Duke Realty Limited Partnership 300 Spectrum Center Drive, Suite 1450 Irvine, CA 92618	
Owner:	Same as above	
Location:	Southeast corner of Patterson Avenue and Markham Street	
PROJECT DESCRIPTION:	Tentative Parcel Map to consolidate two lots into one parcel and Development Plan Review for site plar review and building elevations to facilitate development of a warehouse building totaling 811,620 sq. ft. on 37.3 vacant acres.	
Acreage:	37.3 acres	
Related Cases:	N/A	
ZONING AND LAND USE:		
Existing Zoning:	Perris Valley Commerce Center Specific Plan Light Industrial	
Surrounding Zoning:	Perris Valley Commerce Center Specific Plan North: Light Industrial	

South: Light Industrial

West: Light Industrial

East: Business Professional Office

Existing Land Uses:

Vacant land

Surrounding Land Uses:

North: Vacant land

South: Grading of land for industrial development East: Contractor's yard, non-conforming single-

family homes and grading of land for

industrial development.

West: Church, vacant land & equipment sales yard

PROJECT LOCATION

The project site is located at the southeast corner of Patterson Avenue and Markham Street on approximately 37.3 acres of vacant land. The Project site is relatively flat, with a gentle slope downwards to the east-southeast. The area surrounding the site is currently dominated by undeveloped vacant land to the north, south and southeast. Near the northeastern portion of the Project site there is an existing contractor's yard and a residential use. To the west there is a church and an equipment sales yard followed by Interstate 215. Future industrial development has been approved by the City of Perris to the north, south, and east of the project site. The major roads that currently provide access to the site are Patterson Avenue and Markham Street, with the nearest I-215 Freeway interchange at Harley Knox Boulevard.

PROJECT DESCRIPTION

The applicant is proposing to construct an 811,620-sq.-ft. (SF) building with 775,620 SF for warehouse distribution uses and approximately 36,000 SF of supporting office space. The building will include approximately 62 dock doors on the eastern side of the building and approximately 55 dock doors on the western side of the building. The Project will provide a total of 370 parking stalls for passenger vehicles consisting of approximately 362 automobile parking stalls and approximately 8 handicapped parking stalls. The Project also includes approximately 246 trailer parking stalls. There will also be approximately 182,000 SF of on-site landscaping as well as two on-site stormwater detention basins that incorporate best management practices (BMP) facilities for stormwater quality treatment and attenuation of peak runoff rates to less than existing flows.

To facilitate the development, a Tentative Parcel Map is requested to consolidate two lots into one parcel and a Development Plan Review is requested to review the architecture and approve the project layout.

SPECIFIC PLAN AND GENERAL PLAN CONSISTENCY

The proposed project is consistent with the General Plan designation of Perris Valley Commerce Center (PVCC) Specific Plan with the landuse designation of Light Industrial. This landuse designation is intended for an industrial development that supports a wide range of manufacturing and non-manufacturing uses, from large-scale warehouse to warehouse/distribution facilities, including the proposed operation -- a high cube warehouse building.

ANALYSIS AND REVIEW:

SITE DESIGN

The site plan submitted depicts a single warehouse building, with two access points on Markham Street and Webster Avenue. Truck access will be limited to the two access points on Patterson Avenue and the east access point on Markham Street. The west access point on Markham Street will be limited to cars only. Since Markham Street is designated as a visual corridor in the PVCC Specific Plan, staff is recommending a 25-foot landscape buffer from the sidewalk to the parking lot/and or building for enhanced landscaping purposes. Also, any truck yard fronting or visible from the r-o-w is required to be completely screened by a decorative block wall with pilaster columns. Staff is also recommending a minimum 15-foot landscape buffer behind the sidewalk on Patterson Avenue to enhance this landscaping frontage. Also, any truck yard fronting or visible from the r-o-w will be required to be completely screened by a minimum 14-foot high decorative block wall with a 6-foot berm and pilaster columns. In addition, the detention basins shall be landscaped and secured by wrought iron fencing with pilaster columns spaced at minimum of 50 feet apart to help screen the basin from public view.

Buildings over 100,000 sq. ft. are required to provide employee amenities consisting of at least one indoor amenity and two outdoor amenities (consisting of one dining area and one recreation area). Indoor amenities can range from cafeterias to weight rooms. Outdoor amenities can range from basketball courts to volleyball courts, in addition to a required outdoor dining area. The plan currently shows an outdoor basketball court at the southwest corner of the site, but no outdoor dining area is identified for any of the office areas or an indoor amenity. The plans will be updated to show the required outdoor dining area and an indoor amenity.

ZONING CODE COMPLIANCE

The minimum required setbacks for Patterson Avenue (Collector Street) and Markham Street (Secondary Arterial) are 15 feet and 20 feet respectively. The proposed site plan depicts a minimum 158' setback from the property line to the building on Patterson Avenue and 90' on Markham Street, which exceed the setbacks required. The maximum building lot coverage for Light Industrial is fixed at 50 percent. The total building square footage is 811,628 sq. ft. or 50% lot coverage. The project also proposes 370 parking spaces, which exceed the City's requirement as shown in the table below:

Auto Parking Requirement		
Parking Ratio Required	Parking Breakdown Required	
39,000 Manufacturing @ 1 per 500 sf	78 spaces	
1si20K @ 1 per 1,000 sf	20 spaces	
2 nd 20K @ 1 per 2,000 sf	10 spaces	
> 40K + @ 1 per 5,000 sf (732,628 sf)	147 spaces	
TOTAL	255 spaces	
Parking Type Required	Parking Breakdown Required	Spaces Provided
Standard	249 spaces	362 spaces
Handicap	6 spaces	8 spaces
TOTAL	255 spaces	370 spaces

The required handicap spaces are eight (68) spaces for total parking spaces between 301 to 400 parking spaces. The parking lot layout has a total of eight (8) handicap spaces, which complies with the handicap spaces required per the code.

ELEVATIONS

The applicant has submitted building elevations. In general, the architectural style consists of modern industrial design, including concrete tilt-up walls with window glazing, scored panel lines, perforated gauge steel frame accents and a gray paint color scheme. Staff is recommending that the design of the building be further enhanced to include a second material, more detailing, popout facades and a different color palette. In addition, staff does not recommend the use of perforated gauge steel frame accents, unless it can be determined to provide an appealing aesthetic. Staff will continue to work with the applicant to address architectural detailing, enhancing the entries with additional veneer material (i.e. stone, slate etc.), providing greater variation in roof height and providing a more vibrant color scheme in accordance in the with PVCC Specific Plan.

LANDSCAPING

The code requires landscaping to be provided at a minimum rate of 12% for the Light Industrial zone. The conceptual landscape plan shows a total of 182,255 SF of landscaping or 11.2%, which is under the required landscaping requirement. The landscaping will need to be increased to comply with the requirements. Landscaping is proposed around the perimeter buildings. Larger landscaped areas are provided on Patterson Avenue and Markham Street, as they are highly visible major streets. Shade trees will be provided throughout car parking areas at the rate of one tree per every six vehicles, and water quality basins will be fully landscaped to blend with the overall landscape design. Multi-level landscape materials from large trees to ground covers will be utilized to provide an interesting and rich streetscape. Particular emphasis will be placed on enhanced landscaping at all project entries.

AGENCY LETTERS

As of the writing of this report, a letter from the Native American Heritage Commission (NAHC), Highland Fairview, Department of the Air Force and Lozeau Drury LLP were received. The NAHC letter is to inform the City about new requirements regarding consultation with the Indian Tribes. The Highland Fairview letter requests notification of all future public hearing notices for the project. The Department of the Air Force is requesting the DEIR address all potential impacts to its operation from hazardous materials, hydrology, noise and traffic circulation. The letter from Lozeau Drury LLP is on behalf of LIUNA (Laborers International Union of North America) and requests notification of all future public hearing notices for the project. All comments in the letters will be addressed in the EIR, and all commenting agencies will be forwarded a copy of the Draft EIR when it is complete.

ENVIRONMENTAL IMPACT REPORT

An EIR will be prepared for the project which shall contain the following items: (1) a detailed project description, (2) a map identifying the location of the project site and surrounding land uses,

- (3) a description of the existing environmental setting, (4) project-specific impacts, (5) cumulative impacts, (6) mitigation measures to reduce potentially significant impacts to less than significant levels and (7) an alternatives analysis. It is anticipated that the EIR will focus on the below issues:
 - A. Air Quality. The Project site is located within the South Coast Air Basin (Basin). Air quality in the Basin is administered by the South Coast Air Quality Management District (SCAQMD). Impacts related to the potential violation of any air quality standard, cumulatively considerable net increase of any criteria pollutant, and potential exposure to sensitive receptors to substantial pollutant concentrations will be addressed in the Draft EIR.
 - B. **Biological Resources.** Site-specific biological resource surveys have been prepared for the Project site to assess existing biological conditions. The results of these surveys will be discussed in the Draft EIR. The Draft EIR will also address:
 - 1. The impacts to the ephemeral drainage, which bisects and flows from west to east through the project site and
 - 2. Consistency with the applicable habitat conservation plans such as the Western Riverside County Multiple Species Habitat Conservation Plan and the Stephen's Kangaroo Rat Habitat Conservation Plan.
 - C. Cultural Resources. The proposed Project could potentially cause a substantial adverse change in the significance of an archaeological resource; indirectly destroy a unique paleontological resource, site, or unique geologic feature; or potentially disturb currently unknown human remains. In order to evaluate potential impacts to cultural resources, historical/archaeological resources and paleontological resources reports will be prepared for the Project. Impacts to cultural resources will be addressed in the forthcoming Draft EIR.
 - D. Greenhouse Gas Emissions. The Draft EIR will evaluate the potential for the Project to generate substantial greenhouse gas emissions and/or be inconsistent with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.
 - E. Hydrology and Water Quality. The Draft EIR will address compliance with the established National Pollution Discharge Elimination System and water quality standards and the creation of runoff.
 - F. Land Use and Planning. The Draft EIR will evaluate the Project's impacts with regard to conflicts with applicable land use plans, policies, or regulations. The Project's consistency with applicable habitat conservation/natural community conservation plans such as the Western Riverside County Multiple Species Habitat Conservation Plan and the Stephen's Kangaroo Rat Habitat Conservation Plan will be addressed in the Biological Resources section of the Draft EIR.

- G. Noise. The Draft EIR will identify existing and future noise levels in the Project vicinity and evaluate the potential impacts of the proposed Project. Noise issues to be addressed include construction noise, operational noise, exposure of people to airport noise, and noise levels in excess of noise standards.
- H. *Transportation*. The Draft EIR will describe existing and future traffic conditions, and will assess potential Project-specific and cumulative impacts based on a Project-specific traffic study. The Draft EIR will also evaluate Project consistency with adopted policies and plans.
- I. *Utilities and Service Systems*. The Draft EIR will evaluate impacts associated with providing utilities and service systems on-site.

After the scoping meeting, Albert A. Webb Associates will prepare a Draft EIR in compliance with the California Environmental Quality Act. Upon completion of the DEIR, Staff will respond to comments received during the circulation period of the DEIR, and the Final EIR will be brought back to the Planning Commission for approval consideration.

RECOMMENDATION:

Staff recommends that the Planning Commission conduct a public Scoping Meeting to review, discuss and provide direction to staff regarding the proposed project, and provide feedback for integration into the Draft Environmental Impact Report for Environmental Impact Report (EIR) 17-05100, Development Plan Review (DPR) 17-00001 and Tentative Parcel Map 37343 (TPM 17-05163).

Attachments: Exhibit A: Vicinity Map

Exhibit B: Aerial Map

Exhibit C: PVCC Specific Plan Map

Exhibit D: Agency Letters (Native American Heritage Commission, Highland

Fairview, Department of the Air Force and Lozeau Drury LLP)

Exhibit E: Notice of Preparation

Exhibit F: Site Plan and Colored Elevations

Full Size Plans

Initial Study and Associated Studies on File with the Planning Department and available on line at:

http://www.cityofperris.org/city-hall/departments/development/planning.html

VICINITY MAP



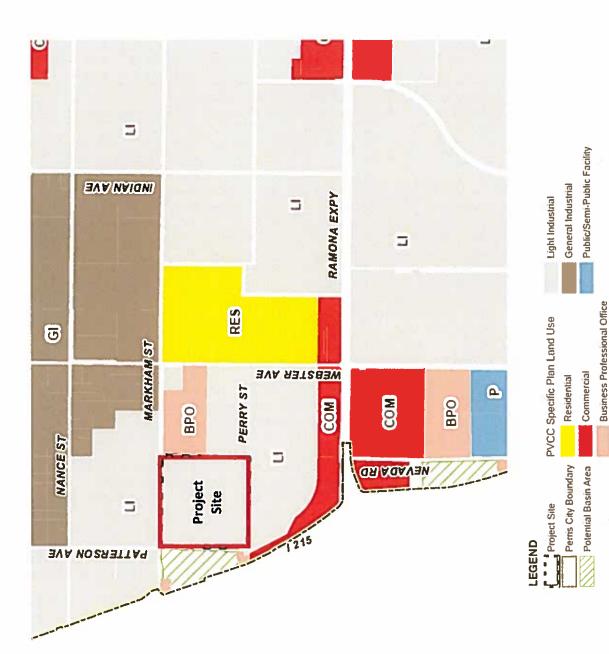




EXHIBIT C – Duke @ Patterson

NATIVE AMERICAN HERITAGE COMMISSION

Environmental and Cultural Department 1550 Harbor Blvd., Suite 100 West Sacramento, CA 95691 Phone (916) 373-3710



October 10, 2017

Kenneth Phung City of Perris 135 North D Street Perris, CA 92570-1998

Sent via e-mail: kphung@cityofperris.org

RE:

SCH# 2017101009; Duke Warehouse at Patterson Avenue and Markham Street Project, City of Perris;

Riverside County, California

Dear Mr. Phung:

The Native American Heritage Commission has received the Notice of Preparation (NOP) for Draft Environmental Impact Report for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code § 21000 et seq.), specifically Public Resources Code section 21084.1, states that a project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, § 15064.5 (b) (CEQA Guidelines Section 15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared. (Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd. (a)(1) (CEQA Guidelines § 15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a <u>separate category of cultural resources</u>, "tribal cultural resources" (Pub. Resources Code § 21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment (Pub. Resources Code § 21084.2). Please reference California Natural Resources Agency (2016) "Final Text for tribal cultural resources update to Appendix G: Environmental Checklist Form," http://resources.ca.gov/ceqa/docs/ab52/Clean-final-AB-52-App-G-text-Submitted.pdf. Public agencies shall, when

http://resources.ca.gov/ceqa/docs/ab52/Clean-final-AB-52-App-G-text-Submitted.pdf. Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code § 21084.3 (a)). AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015. If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). Both SB 18 and AB 52 have tribal consultation requirements. If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. § 800 et seq.) may also apply.

The NAHC recommends lead agencies consult with all California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments. Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

- 1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
 - a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code § 21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code § 21073).
- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code § 21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or environmental impact report. (Pub. Resources Code § 21080.3.1(b)).
 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18). (Pub. Resources Code § 21080.3.1 (b)).
- 3. <u>Mandatory Topics of Consultation If Requested by a Tribe</u>: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
 - a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code § 21080.3.2 (a)).
- 4. <u>Discretionary Topics of Consultation</u>: The following topics are discretionary topics of consultation:
 - a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code § 21080.3.2 (a)).
- 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code § 21082.3 (c)(1)).
- 6. <u>Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:</u> If a project may have a significant Impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code § 21082.3 (b)).

- 7. <u>Conclusion of Consultation</u>: Consultation with a tribe shall be considered concluded when either of the following occurs:
 - a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code § 21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code § 21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code section 21084.3 (b). (Pub. Resources Code § 21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:
 - a. Avoidance and preservation of the resources in place, including, but not limited to:
 - i. Planning and construction to avoid the resources and protect the cultural and natural context.
 - II. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - I. Protecting the cultural character and integrity of the resource.
 - ii. Protecting the traditional use of the resource.
 - III. Protecting the confidentiality of the resource.
 - c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d. Protecting the resource. (Pub. Resource Code § 21084.3 (b)).
 - e. Please note that a federally recognized California Native American tribe or a nonfederally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code § 815.3 (c)).
 - f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code § 5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An environmental impact report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
 - a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
 - b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code § 21082.3 (d)).

This process should be documented in the Cultural Resources section of your environmental document.

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires **local governments** to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code § 65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf

Some of SB 18's provisions include:

- 1. <u>Tribal Consultation</u>: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe. (Gov. Code § 65352.3 (a)(2)).
- 2. No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.
- 3. Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code section 65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code sections 5097.9 and 5097.993 that are within the city's or county's jurisdiction. (Gov. Code § 65352.3 (b)).
- 4. Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: http://nahc.ca.gov/resources/forms/

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

- Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have been already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
- 2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.

- **b.** The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.
- Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
- 4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, section 15064.5(f) (CEQA Guidelines section 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code section 7050.5, Public Resources Code section 5097.98, and Cal. Code Regs., tit. 14, section 15064.5, subdivisions (d) and (e) (CEQA Guidelines section 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

Please contact me if you need any additional information at gayle.totton@nahc.ca.gov.

Sincerely.

Gayle Totton, M.A., PhD.

Associate Governmental Program Analyst

(916) 373-3714

cc: State Clearinghouse



14225 Corporate Way Moreno Valley, CA 92553 Tel: 951.867.5300

October 20, 2017

Kenneth Phung, Project Planner City of Perris Planning Division 135 North D Street Perris, California 92570

SUBJECT: Notification regarding Duke Warehouse project

(EIR 17-05100, TPM 17-05163, DPR 17-00001)

Dear Mr. Phung,

Highland Fairview hereby requests to be added to the list to receive any and all public notifications regarding the Duke Warehouse project, including the EIR and all associated entitlement applications.

Please forward all such notifications to the following mailing address and/or e-mail address:

Mailing address:

Wayne Peterson Vice President, Community Planning 14225 Corporate Way Moreno Valley, California 92553

E-mail address:

wpeterson@highlandfairview.com

Thank you for your assistance.

Sincerely,

Wayne Reterson

Vice President, Community Planning



DEPARTMENT OF THE AIR FORCE AIR FORCE RESERVE COMMAND



23 October 2017

MEMORANDUM FOR CITY OF PERRIS
ATTN: KENNETH PHUNG, PROJECT PLANNER
CITY OF PERRIS PLANNING DIVISION
135 NORTH "D" STREET
PERRIS, CA 92570

FROM: 452d Mission Support Group/Civil Engineers

Base Operating Support 610 Meyer Drive, Bldg. 2403 March ARB CA 92518-2166

REF: Notice of Preparation - Draft EIR (Duke Warehouse Patterson/Markham) (04 October 2017)

SUBJECT: Response to a Notice of Preparation (NOP) for Draft Environmental Impact Report (DEIR) – Duke Warehouse at Patterson Avenue and Markham Street (EIR; TPM 37343 [Case No. 17-05163] and DPR 17-00001).

- 1. Thank you for the opportunity to comment on the subject project. March Air Reserve Base (MARB) personnel has reviewed the Notice of Preparation for the Draft Environmental Impact Report (DEIR) and provide comments below.
- 2. Section 5 of the NOP and Initial Study indicates probable effects of the project to the environment. The areas of most concern to MARB personnel are the following sections, and therefore we request the DEIR address the following:
- 3. Hazards and Hazardous Materials (Initial Study Section 5.8). MARB personnel understands that the DEIR will address this area as indicated in Section 5.8(e) of the initial study, and agree with the initial assessment that there are potentially significant impacts for the project. We request that particular emphasis be placed in the areas of hazards associated with proximity to the base and its operations, to include but not limited to: hazards created due to close proximity to Accident Potential Zone I (APZ I); hazards that would occur due to operations generated by the underlying land use (i.e. creation of dust, steam, smoke, light, etc.) that could pose a risk to flight operations; and hazards that would be created due to building and structure heights. If the developer has plans to include the use of any photovoltaic or solar panel system, the effects of glare should also be analyzed.
- 4. Hydrology and Water Quality (Initial Study Section 5.9). Analysis should include Bird/Wildlife Aircraft Strike Hazard (BASH) concerns, including proper infiltration of detained storm water runoff. Exposed storm water detention basins should be completely drained within 48 hours of a rain event and have a rock filled bottom, or be underground and covered to mitigate and BASH conditions. Additional information about reduction of BASH hazards can be found in AFPAM 91-212, Bird/Wildlife Aircraft Strike Hazard (BASH) Management Techniques, dated February 1, 2004. MARB requests that the DEIR evaluate the design for storm water conveyance and detention as well

BREAKING BARRIERS...SINCE 1947

as landscaping to mitigate or eliminate any hazards, and jointly approve designs with MARB. Additionally, March ARB staff request that the DEIR study the effects of the project as it impacts surface water and storm drainage patterns, and offer mitigation measures to reduce any impacts to the base as much as possible.

- 5. Noise (Initial Study Section 5.12). As indicated within the Initial Study, environmental noise impacts have the potential to be significant. The site is located within an area that is exposed to elevated levels of noise from the base's flying operations; reference the AlCUZ for MARB for the noise contours for this area. A more recent model can be found within the Airport Land Use Compatibility Plan (ALUCP) adopted by the Riverside County Airport Land Use Commission (RCALUC) dated November 13, 2014. The document titled, "Background Data: March Air Reserve Base/Inland Port Airport Environs," is an insert to the ALUCP. Referencing Exhibit MA-4 from the aforementioned insert. It would appear the majority of this project resides within an area that is subject to 60 dB Community Noise Equivalent Level (CNEL) and borders an area subject to 65 dB CNEL. In addition, the site is situated in an area where aircraft flying arrivals and departures from Runway 32 will overfly the proposed facility at relatively low altitudes. These aircraft will be at a high power setting and will generate significant noise. MARB staff requests analysis and mitigation measures to be implemented to help reduce these effects.
- 6. Transportation (Initial Study Section 5.16). Section 5.16(D) of the Initial Study states that there is a potential significant impact to streets and intersection in the vicinity of the proposed project. MARB personnel is concerned with increased truck and vehicular traffic in the area, especially around the Clear Zone of runway 14-32. Any evaluation should consider analyzing traffic created by the project, especially as it impacts traffic within the clear zone, and mitigations to include routing any traffic away from the clear zone should be included in the analysis as well as a mitigation to minimize any impacts.
- 7. Thank you for the opportunity to review and comment on this proposed development. If you have questions, please contact Mr. Daniel "Rock" Rockholt, AICP at (951) 655-2236.

CARLOS ŠOTO-LORENZO Deputy Base Civil Engineer

Calan later



T 510.836.4200 F 510.836.4205 410 12th Street, Suite 250 Oakland, Ca 94607

www.lozeaudrury.com richard@lozeaudrury.com

Via Email and U.S. Mail

October 24, 2017

Kenneth Phung, Project Planner Planning Division City of Perris 135 North D Street Perris, CA 92570 kphung@cityofperris.org

Nancy Salazar, Clerk of the Board Perris City Hall 101 North D Street Perris, CA 92570-1998 Cityclerk@cityofperris.org Clara Miramontes, Director of Development Services City of Perris 135 North D Street Perris, CA 92570-1998 cmiramontes@cityofperris.org

Re: CEQA and Land Use Notice Request for the Duke Warehouse at Patterson Avenue and Markham Street Project – SCH2017101009

Dear Mr. Phung, Ms. Miramontes, and Ms. Salazar:

I am writing on behalf of the Laborers International Union of North America, Local Union 1184 and its members living in the County of Riverside and/or City of Perris ("LIUNA"), regarding the Duke Warehouse at Patterson Avenue and Markham Street Project aka SCH2017101009, including all actions related or referring to the construction and operation of a 811,620 square feet high-cube, non-refrigerated warehouse including approximately 36,000 square feet of office space on a 37.3-acre area located on the Southeastern corner of Patterson Avenue and Markham Street in the City of Perris ("Project").

We hereby request that the City of Perris ("City") send by electronic mail, if possible or U.S. Mail to our firm at the address below notice of any and all actions or hearings related to activities undertaken, authorized, approved, permitted, licensed, or certified by the City and any of its subdivisions, and/or supported, in whole or in part, through contracts, grants, subsidies, loans or other forms of assistance from the City, including, but not limited to the following:

 Notice of any public hearing in connection with the Project as required by California Planning and Zoning Law pursuant to Government Code Section 65091. CEQA and Land Use Notice Request for the Duke Warehouse at Patterson Avenue and Markham Street Page 2 of 2

- Any and all notices prepared for the Project pursuant to the California Environmental Quality Act ("CEQA"), including, but not limited to:
 - Notices of any public hearing held pursuant to CEQA.
 - Notices of determination that an Environmental Impact Report ("EIR") is required for a project, prepared pursuant to Public Resources Code Section 21080.4.
 - Notices of any scoping meeting held pursuant to Public Resources Code Section 21083.9.
 - Notices of preparation of an EIR or a negative declaration for a project, prepared pursuant to Public Resources Code Section 21092.
 - Notices of availability of an EIR or a negative declaration for a project, prepared pursuant to Public Resources Code Section 21152 and Section 15087 of Title 14 of the California Code of Regulations.
 - Notices of approval and/or determination to carry out a project, prepared pursuant to Public Resources Code Section 21152 or any other provision of law.
 - Notices of approval or certification of any EIR or negative declaration, prepared pursuant to Public Resources Code Section 21152 or any other provision of law.
 - Notices of determination that a project is exempt from CEQA, prepared pursuant to Public Resources Code section 21152 or any other provision of law.
 - Notice of any Final EIR prepared pursuant to CEQA.
 - Notice of determination, prepared pursuant to Public Resources Code Section 21108 or Section 21152.

Please note that we are requesting notices of CEQA actions and notices of any public hearings to be held under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law. This request is filed pursuant to Public Resources Code Sections 21092.2 and 21167(f), and Government Code Section 65092, which requires agencies to mail such notices to any person who has filed a written request for them with the clerk of the agency's governing body.

Please send notice by email, if possible or U.S. Mail to:

Richard Drury
Daniel Charlier-Smith
Lozeau Drury LLP
410 12th Street, Suite 250
Oakland, CA 94607
510 836-4200
richard a lozeaudrury.com
daniel a lozeaudrury.com

Please call if you have any questions. Thank you for your attention to this matter.

X MM

Daniel Charlier-Smith

Paralegal

Sincerely.

Lozeau Drury LLP



NOTICE OF PREPARATION DRAFT ENVIRONMENTAL IMPACT REPORT

To:

From:

(Potential Responsible, Trustee, Federal and Local Agencies and nearby property owners) City of Perris
Development Services Department
135 North "D" Street
Perris CA, 92570

CEQA LEAD AGENCY:

Staff Contact: Kenneth Phung, Project Planner

Planning Division

City of Perris, 135 North "D" Street

Perris, California 92570

Phone (951) 953-5003 ext. 279, FAX (951) 943-8379

Email: kphung@cityofperris.org

SUBJECT: DUKE WAREHOUSE AT PATTERSON AVENUE AND MARKHAM STREET PROJECT – DRAFT ENVIRONMENTAL IMPACT REPORT (EIR 17-05100); TENTATIVE PARCEL MAP 37343 (TPM 17-05163); and DEVELOPMENT PLAN REVIEW (DPR 17-00001)

The City of Perris is commencing preparation of a Draft Environmental Impact Report (EIR) for the Duke Warehouse at Patterson Avenue and Markham Street Project described herein. The City wants to know the views of your agency as to the scope and content of the environmental information germane to your agency's statutory responsibilities. As a responsible or trustee agency, your agency may need to use the EIR prepared by the City when considering issuance of a permit or other approval for the Project. The City also wants to know the issues of concerns to the nearby property owners. Information gathered during the NOP comment period will be used to shape and focus future analyses of environmental impacts.

NOP COMMENT PERIOD:

The City invites you to submit written comments describing your specific environmental concerns. If you are representing a public agency, please identify your specific areas of statutory responsibility if applicable. Written comments are desired at the earliest possible date, but due to the time limits mandated by State law, your response must be sent no later than 30 days after receipt of this notice. The NOP public comment period begins on October 4, 2017 and ends on November 2, 2017. A public scoping meeting is scheduled for 6:00 p.m., November 1, 2017 in the City Council Chambers of the City of Perris, 101 North "D" Street. Please send your written comments to the City staff contact identified above, and please include your name, address, and contact information in your correspondence.

The Project description, location, and the potential environmental effects are contained in the attached materials. An Initial Study was prepared for the proposed Project and is also available at http://www.cityofperris.org/departments/development/planning.html.

September 27, 2017 Page 2 of 11

Duke Warehouse at Patterson Boulevard and Markham Street Project Notice of Preparation

Project Title: Duke Warehouse at Perris Boulevard and Markham Street Project

Project Applicant: Adam Schmid

Duke Realty Limited Partnership

300 Spectrum Center Drive, Suite 1450

Irvine, CA 92618

Contact: Mr. Adam Schmid

(949) 797-7050

Date: September 27, 2017

Signature:

Kenneth Phung, Project Planner

I. PROJECT LOCATION

The proposed Project site is generally located in the northern portion of the City of Perris, at the southeast corner of Patterson Avenue and Markham Street, and west of N Webster Avenue. (Figure 1). The site consists of two parcels (314-170-001 and 314-170-017) totaling approximately 37.3 acres. The Project site is located approximately 0.5 miles to the south of March Air Reserve Base (MARB). (Figure 2 illustrates the limits of the proposed Project site).

The Project site is relatively flat, with a gentle regional slope downwards to the east-southeast, and is situated at an elevation approximately 1,498 feet above mean sea level. The area surrounding the Project site is currently dominated by undeveloped vacant land to the north, south and southeast. Near the northeastern portion of the Project site there is existing commercial development and a residential use, as well as commercial and residential development to the west followed by Interstate 215. Future industrial development has been approved by the City of Perris to the north, south, and east of the project site. The major roads that currently provide access to the site are Patterson Avenue and Markham Street, with the nearest I-215 interchanges at Ramona Expressway and Harley Knox Boulevard.

The City of Perris General Plan designates the Project site as Specific Plan. The Project site is within the Perris Valley Commerce Center Specific Plan (PVCCSP), which was adopted by the City of Perris on January 10, 2012. The Project site is currently zoned Light Industrial (LI) in the PVCCSP.

Figure 1: Regional and Project Location

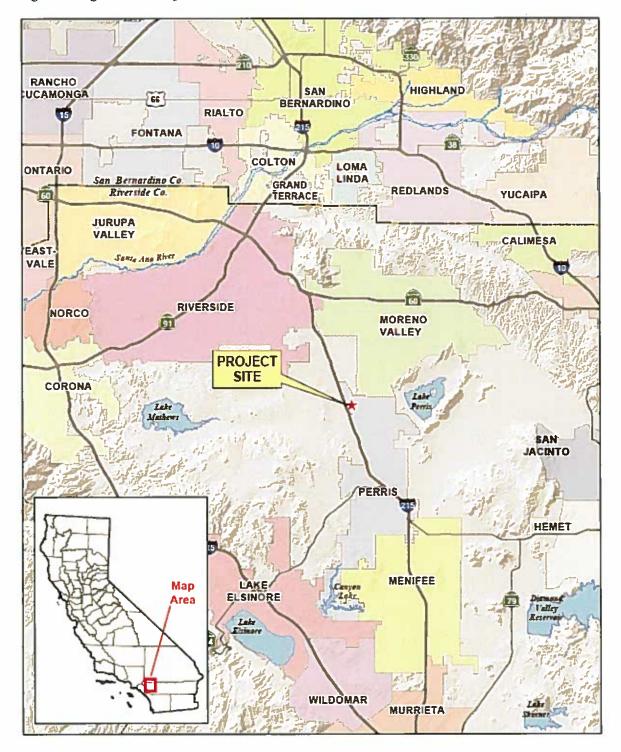
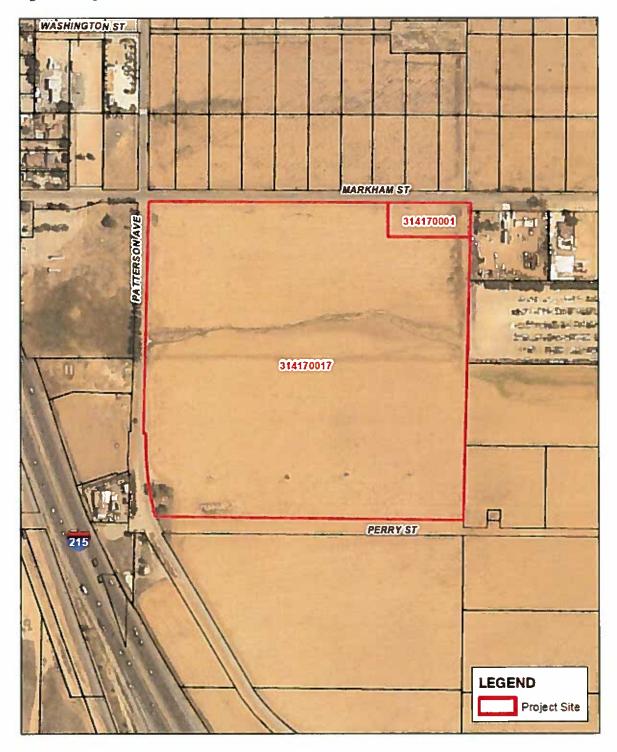


Figure 2: Project Limits



II. PROJECT DESCRIPTION

The Proposed Project includes the construction of an 811,620-square-foot building (SF) building with 775,620 SF for warehouse distribution uses and approximately 36,000 SF of supporting office space (see Figure 3 on page 7). The building will include approximately 62 dock doors on the eastern side of the building and approximately 55 dock doors on the western side of the building.

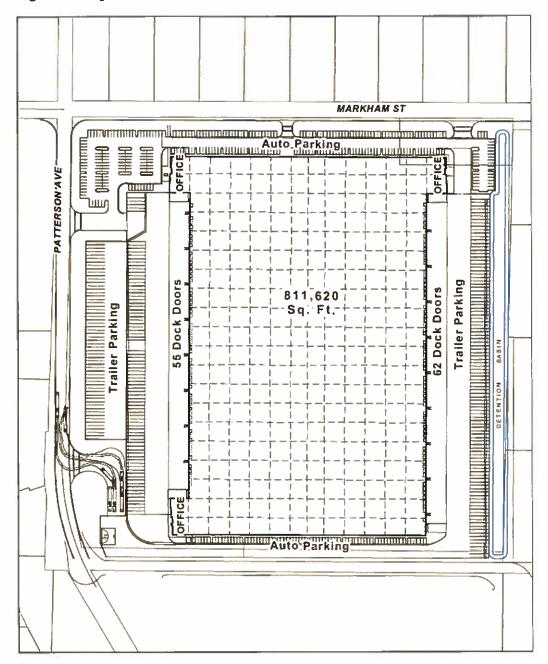
The Project will provide a total of 370 parking stalls for passenger vehicles consisting of approximately 362 automobile parking stalls and approximately 8 American Disabilities Act-compliant (ADA) handicapped parking stalls. The Project also includes approximately 246 trailer parking stalls. There will be approximately 182,000 SF of on-site landscaping as well as two on-site stormwater detention basins that incorporates best management practices (BMP) facilities for stormwater quality treatment and attenuation of peak runoff rates to less than existing flows.

The Project also proposes the following street improvements:

- 10-foot widening of Markham Street and the addition of a curb, gutter and sidewalk on the southern edge of the right-of-way along the Project site frontage;
- Patterson Avenue including a curb, gutter and sidewalk on the east side of the street along the building site frontage; and
- On the west side of Patterson Avenue, a curb and gutter will be added.

Water (potable and recycled) and sewer service are provided to the Project site from the Eastern Municipal Water District (EMWD). The proposed Project will involve construction of an on-site storm drain that will originate at the west side of the property, run south, and then east to tie into the Line F storm drain. The Optimus1 project (south of the proposed Project site) includes constructing the Line F storm drain in the vacated unimproved alignment of Perry Street; the proposed Project storm drain will tie into Line F at the southeastern edge of the Project property. Sanitary sewer service would be provided via construction of a new sewer line on the Project site, then to the north off-site 2,400 linear feet to tie into an existing sewer main in Webster Avenue. Potable water will be accessed from existing water lines in Patterson Avenue and Markham Street. A recycled water line is proposed to tie in from the Project's northeastern boundary to Markham Street, running north to Nance Street in Webster Avenue.

Figure 3: Proposed Site Plan



III. REQUIRED PERMITS/ACTIONS

The following permits and discretionary actions are required by the City of Perris as to implement the proposed Project:

- Certification of an EIR with the determination that the EIR has been prepared in compliance with the requirements of CEQA;
- Tentative Parcel Map 37343 (TPM 17-05163) to merge two existing parcels into one parcel and vacate unimproved Perry Street, and
- Development Plan Review (DPR 17-0001) to allow the development of the 37.3-acre site with a 811,620 square foot warehouse distribution facility and 36,000 sf for supporting offices

Other non-discretionary actions anticipated to be taken by the City at the staff level for the proposed Project include:

- Review and approval of all off-site infrastructure plans, including street and utility improvements pursuant to the conditions of approval;
- Review all on-site plans, including grading and on-site utilities; and
- Approval of a Preliminary Water Quality Management Plan (PWQMP) to mitigate postconstruction runoff flows.

Approvals and permits that may be required by other agencies include:

- A National Pollutant Discharge Elimination System (NPDES) permit from the Regional Water Quality Control Board (RWQCB) to ensure that construction site drainage velocities are equal to or less than the pre-construction conditions and downstream water quality is not worsened; and
- Approval of water and sewer improvement plans by the Eastern Municipal Water District.
- Approval of drainage plan by RCFCWCD.

IV. PROBABLE ENVIRONMENTAL EFFECTS OF THE PROJECT

The Draft EIR shall contain a detailed Project description, a map identifying the location of the Project site and surrounding land uses, a description of the existing environmental setting, Project-specific impacts, cumulative impacts, mitigation measures to reduce potentially significant impacts to less than significant levels, and an alternatives analysis. It is anticipated that the Draft EIR will focus on the following issues:

- A. Air Quality. The Project site is located within the South Coast Air Basin (Basin). Air quality in the Basin is administered by the South Coast Air Quality Management District (SCAQMD). Impacts related to the potential violation of any air quality standard, cumulatively considerable net increase of any criteria pollutant, and potential exposure to sensitive receptors to substantial pollutant concentrations will be addressed in the Draft EIR.
- B. Biological Resources. Site specific biological resource surveys have been prepared for the Project site to assess existing biological conditions. The results of these surveys will be discussed in the Draft EIR. The Draft EIR will also address the impacts to the ephemeral drainage which bisects and flows from west to east through the project site and consistency with the applicable habitat conservation plans such as the Western Riverside County Multiple Species Habitat Conservation Plan and the Stephen's Kangaroo Rat Habitat Conservation Plan.
- C. Cultural Resources. The proposed Project could potentially cause a substantial adverse change in the significance of an archaeological resource; indirectly destroy a unique paleontological resource, site, or unique geologic feature; or potentially disturb currently unknown human remains. In order to evaluate potential impacts to cultural resources, historical/archaeological resources and paleontological resources reports will be prepared for the Project. Impacts to cultural resources will be addressed in the forthcoming Draft EIR.
- D. Greenhouse Gas Emissions. The Draft EIR will evaluate the potential for the Project to generate substantial greenhouse gas emissions and/or be inconsistent with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.
- E. Hydrology and Water Quality. The Draft EIR will address compliance with the established National Pollution Discharge Elimination System and water quality standards and the creation of runoff.
- F. Land Use and Planning. The Draft EIR will evaluate the Project's impacts with regard to conflicts with applicable land use plans, policies, or regulations. The Project's consistency with applicable habitat conservation/natural community conservation plans such as the Western Riverside County Multiple Species Habitat Conservation Plan and the Stephen's Kangaroo Rat Habitat Conservation Plan will be addressed in the Biological Resources section of the Draft EIR.
- G. Noise. The Draft EIR will identify existing and future noise levels in the Project vicinity and evaluate the potential impacts of the proposed Project. Noise issues to be addressed include construction noise, operational noise, exposure of people to airport noise, and noise levels in excess of noise standards.
- H. Transportation. The Draft EIR will describe existing and future traffic conditions, and will assess potential Project-specific and cumulative impacts based on a Project-specific traffic study. The Draft EIR will also evaluate Project consistency with adopted policies and plans.

I. Utilities and Service Systems. The Draft EIR will evaluate impacts associated with providing on-site.

V. FUTURE PUBLIC MEETINGS

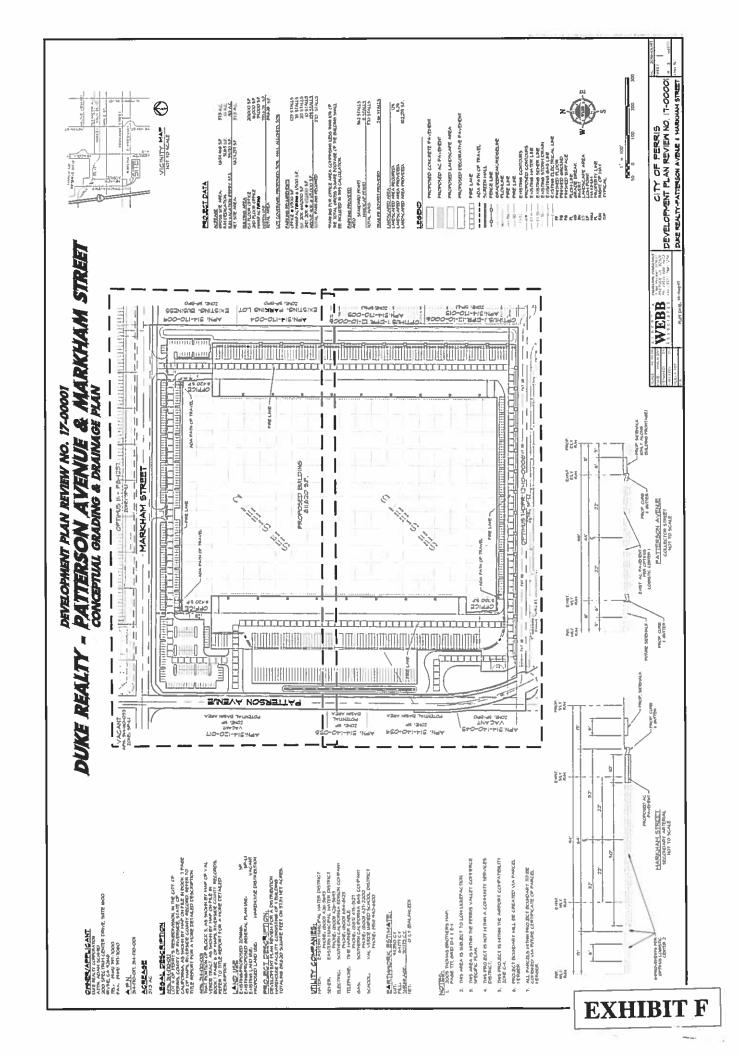
As noted earlier, the City of Perris will hold a public scoping meeting with the City of Perris Planning Commission on November 1, 2017 for the proposed Project. The City will provide background information on Environmental Impact Reports, solicit public input, respond to questions, and focus the document on issues of public concern.

VI. RESPONSE TO THIS NOTICE OF PREPARATION

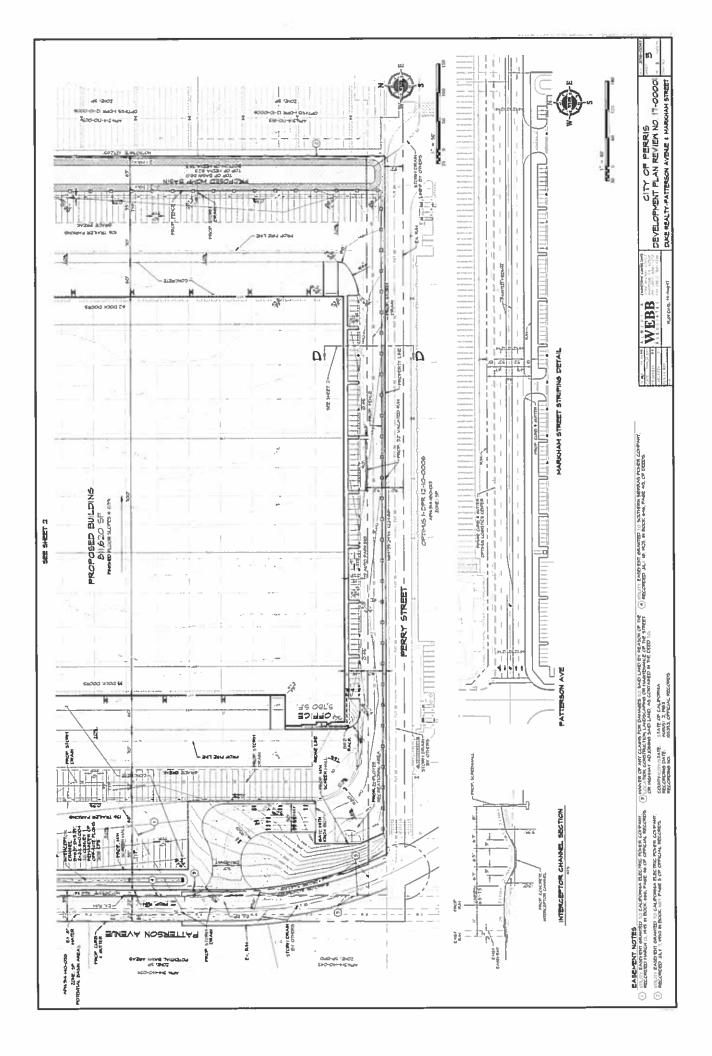
Please provide written comments to the City of Perris no later than 30 days from receipt of this Notice of Preparation. According to Code Section 15082(b) of the CEQA Guidelines, your comments should address the scope and content of environmental information related to your agency's area of statutory responsibility. More specifically, your response should identify the significant environmental issues and reasonable alternatives and mitigation measures that your agency will need to have explored in the Draft EIR; and, whether your agency will be a responsible agency or a trustee agency, as defined by California Environmental Quality Act (CEQA) Code Sections 15381 and 15386, respectively. Please return all comments to the following address:

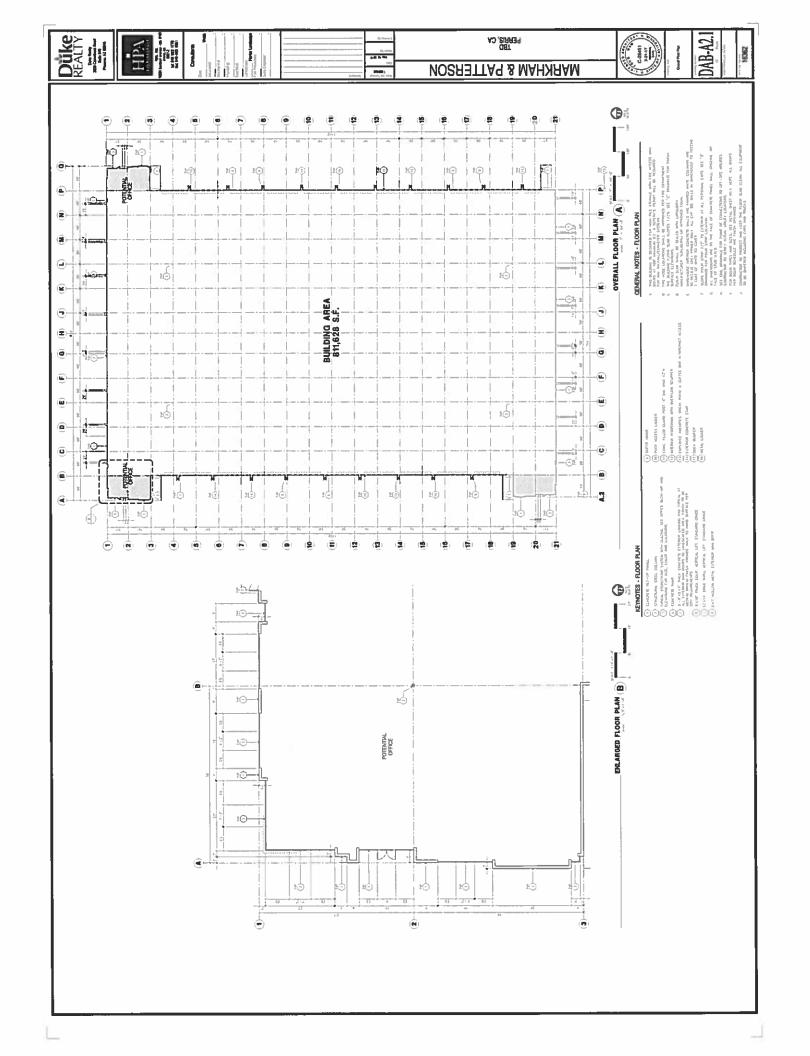
Kenneth Phung, Project Planner City of Perris Development Services Department 135 North "D" Street Perris CA, 92570

The City of Perris appreciates your conscientious attention to this Notice of Preparation.



K III E BAD







Markham Street Elevation - North



Patterson Avenue Elevation - West



South Elevation



East Elevation

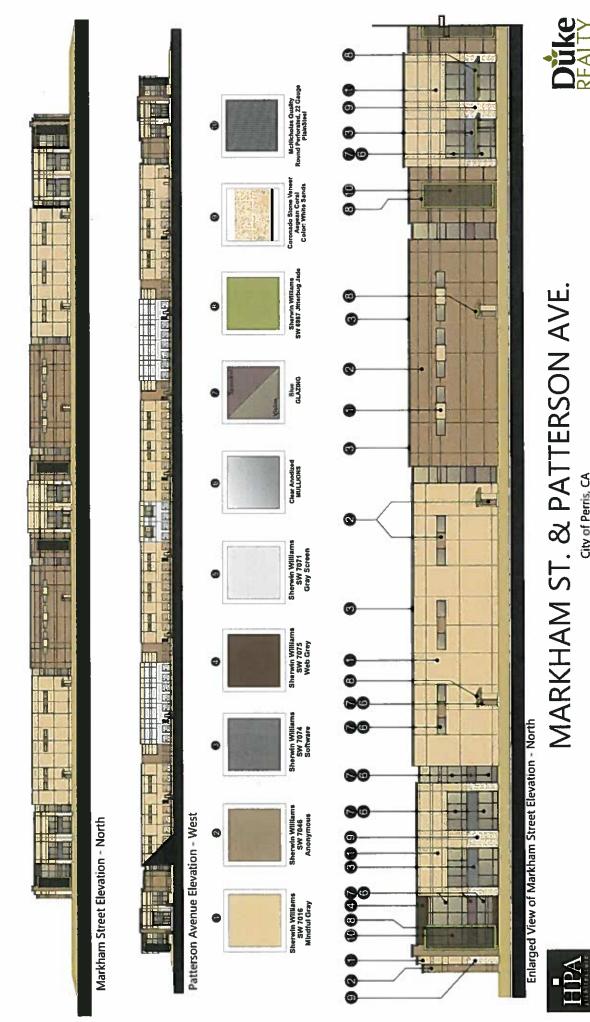


Job No. 17077.00

MARKHAM ST. & PATTERSON AVE.

City of Perris, CA









City of Perris, CA

