

RESOLUTION NUMBER 6323

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING MAJOR MODIFICATION 22-05265 OF DEVELOPMENT PLAN REVIEW DPR 08-04-0006 FOR THE APPROVED PERRIS LOGISTICS CENTER SOUTH, SITE 2 PROJECT ON 195 NET ACRES TO REDUCE THE TOTAL NUMBER OF WAREHOUSE/DISTRIBUTION BUILDINGS FROM FOUR (4) TO THREE (3), REDUCE THE OVERALL SQUARE FOOTAGE OF THE BUILDINGS FROM 3,448,734 SQUARE FEET TO 3,316,317 SQUARE FEET; AND APPROVE TENTATIVE PARCEL MAP 23-05248 (TPM 38518) TO MODIFY A PREVIOUSLY APPROVED MAP TO REDUCE THE NUMBER OF PARCELS FROM SIX (6) TO THREE (3) PARCELS AND A LETTER LOT "A" AND ADOPT AN ADDENDUM (23-05252) TO THE PREVIOUSLY CERTIFIED FINAL ENVIRONMENTAL IMPACT REPORT (SCH. NO. 2008071060) AS THE PROJECT WILL NOT RESULT IN ADDITIONAL SIGNIFICANT IMPACTS, SUBJECT TO CONDITIONS OF APPROVAL AND THE FINDINGS NOTED HEREIN.

WHEREAS, the project applicant, Brian Caris, IDI Logistics, proposes a Major Modification of Development Plan Review ("DPR") 08-04-0006 for the approved Perris Logistics Center ("PLC") South, Site 2 project, on approximately 195 net acres, to reduce the total number of warehouse/distribution buildings from four buildings to three buildings, reduce the overall square footage of the buildings from 3,448,734 square feet to 3,316,317 square feet, reduce the number of parcels, previously approved under TPM 35886, from six to three parcels and create Lot "A" for open space. The project site is located on the southwest corner of Mapes Road and Goetz Road; and

WHEREAS, on July 13, 2010, the City of Perris ("City") City Council approved the South Perris Industrial Project ("Original Project"), which was submitted by FR/Cal Ellis, LLC, and approved a related Development Plan Review ("DPR") 08-04-0006 for Site 2 as well as Development Agreement 10-04-0009 in accordance with Perris Municipal Code ("PMC") Section 18.19.010 and Government Code Section 65864 *et seq.* ("DA10-04-0010"); and

WHEREAS, the Original Project involved three non-contiguous sites and the current action affects only the southernmost of the three non-contiguous sites of approximately 195 acres at the southwest corner of Mapes Road and Goetz Road ("site" or "Site II"); and

WHEREAS, the site is located within the General Industrial (GI) Zone; and

WHEREAS, since the approval of the Original Project, there has not been development on Site II, but additional infrastructure in the area has been constructed, and the surrounding area has generally become more developed/urbanized; and

WHEREAS, the City has received an application for a Major Modification (MM 22-05265) to Development Plan Review (DPR 08-04-0006) to amend the Original Project relating to Site 2 of the South Perris Industrial Project to include the following: 1) reduce the total number of warehouse/distribution buildings from four (4) buildings to three (3) buildings; 2) reduce the overall square footage of the buildings from 3,448,734 square feet to 3,345,217 square feet; and 3) a Tentative Parcel Map 23-05248 (TPM 38518) which proposes a Revised Tentative Parcel Map to modify a previously approved map reducing the number of parcels from six (6) to three (3) parcels and creation of letter Lot "A." (collectively, the "Amended Original Project" or "Project"); and

WHEREAS, Major Modification (MM 22-05265) includes various off-site improvements as well as direct roadway improvements and additional street dedication to Mapes and Goetz Road, as well as the completion of Watson Street; and

WHEREAS, the Amended Original Project is partially located in Western Riverside Multiple Species Habitat Conservation Plan ("MSHCP") Criteria Cell No. 3470 and will need to participate in the Habitat Evaluation and Acquisition and Negotiation Strategy ("HANS") negotiation process for Site II required by the MSHCP and City Resolution No. 3162 to determine appropriate conservation areas for habitat preservation; and

WHEREAS, the MSHCP Compliance Report will be reviewed by the City, the Riverside County Regional Conservation Authority ("RCA"), and the US Fish and Wildlife Service and the California Department of Fish and Game (the "Wildlife Agencies") through the Joint Project Review process and the RCA; and

WHEREAS, on July 13, 2010, the City certified the South Perris Industrial Final Environmental Impact Report (SCH No. 2008071060) ("EIR") for the Original Project pursuant to CEQA and the State CEQA Guidelines by adopting City Council Resolution No. 4323, and which incorporates the Final EIR, the Draft EIR with changes and revisions thereto, written Responses to Comments made during the CEQA review period, and the Mitigation and Monitoring Program; and

WHEREAS, pursuant to CEQA and State CEQA Guidelines, a third Addendum to the EIR has been prepared for the Amended Original Project ("EIR Addendum #3") in relation to the Amended Original Project and it has been determined that no new or more severe significant impacts than those addressed in the Final EIR and EIR Addendum #1 and Addendum #2 result from the Amended Original Project, which reduces the square footage that will be developed on the site when compared with the Original Project, therefore reducing a number of associated impacts on the environment compared to those impacts addressed in the Final EIR and EIR Addendum #1 and Addendum #2; and

WHEREAS, the Planning Commission held a duly noticed public hearing on October 18, 2023, at which the Commission voted to continue the Project to the November 1, 2023, Planning Commission hearing at the request of the applicant; and

WHEREAS, the Planning Commission held a duly noticed public hearing on November 1, 2023, at which time all interested persons were given full opportunity to be heard and to present evidence and then voted to continue the item to the December 6, 2023 Planning Commission meeting in order to give the applicant time to address Planning Commission concerns and meet with the Ad Hoc Committee; and

WHEREAS, the Planning Commission held a duly noticed public hearing on December 6, 2023, at which time all interested persons were given full opportunity to be heard and to present evidence, and then voted to recommend that the City Council approve Addendum # 3 to the Final EIR and approve the Project; and

WHEREAS, prior to taking action, the City Council has heard, been presented with, and/or reviewed all of the information and data which constitutes the administrative record for the above-mentioned approvals, including all oral and written evidence from City staff and members of the public presented at all Project meetings and public hearings, including the previously certified Final EIR and EIR Addendum #3 for the Amended Original 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.

1) The City of Perris is the lead agency for the Amended Original Project and Original Project as determined by CEQA and State CEQA Guidelines.

2) On July 13, 2010, the City certified the South Perris Industrial Final Environmental Impact Report SCH No. No. 2008071060 (“EIR”) for the Original Project pursuant to CEQA and the State CEQA Guidelines by adopting City Council Resolution No. 4323, and which incorporates the Final EIR, the Draft EIR with changes and revisions thereto, written Responses to Comments made during the CEQA review period, and the Mitigation and Monitoring Program.

3) City Council Resolution No. 4323 found that all the requirements of CEQA and the State CEQA Guidelines have been satisfied in the Final EIR for the Original Project. Addendum #3 to the Final EIR, which is sufficiently detailed so that all of the significant environmental effects of the Project have been adequately evaluated, has met all the requirements of CEQA and State CEQA Guidelines. Based upon the forgoing, including but not limited to the EIR Addendum #3 to the Final EIR prepared for the Project and the accompanying technical studies and all oral and written communications from City staff and members of the public presented at the January 30, 2024, public hearing, the Planning Commission finds that:

a. There are no substantial changes to the Original Project or the circumstances under which the Original Project will be carried out that will require major revisions to the previously certified EIR and adopted EIR Addendum #1 and Addendum #2,

and that the previously certified EIR and adopted EIR Addendum #1 and Addendum#2 remain relevant.

b. The Project will not result in new significant environmental effects or substantial increases in the severity of previously identified significant effects.

c. There is no new information substantial importance, which was known or could have been known with the exercise of reasonable diligence at the time the previous EIR was certified and EIR Addendum #1 and EIR Addendum #2 were adopted.

d. The Project will not have any significant effects that are not identified and discussed in the previously certified EIR and adopted EIR Addendum #1 and Addendum #2, and there are no newly feasible, or considerably different, mitigation measures or alternatives which would substantially reduce one or more significant effects of the Project which the Project proponent declines to adopt.

Section 3. Tentative Parcel Map (TPM 21-05119)

Based upon the forgoing and all oral and written statements and reports presented by City staff and members of the public, including but not limited to, such statements and reports presented at its public hearing on January 30, 2024, the City Council makes the following findings regarding Tentative Parcel Map 38518 (TPM 23- 05248):

A. The proposed map is consistent with applicable general and specific plans.

Tentative Parcel Map 23-05248 has been reviewed by the City Engineering Department and the Planning Division to ensure compliance with the city codes and all other applicable regulations. The Project site is not located within a specific plan but has land use and zoning designations of “GI” (General Industrial). The proposed warehouses are permitted in the “GI” zone. According to the General Plan, the proposed development is located in Planning Area 8 “Perris Valley Airport” which is primarily designated for General and General Industrial land uses. Therefore, City staff has determined that subject sites created by TPM 38518 are consistent with the applicable general and specific plan designations.

B. That the site is physically suitable for the type and density of the proposed development.

The proposed Project site is relatively flat and is physically suitable in terms of parcel size, shape, access and availability to utilities and services, as the site is located at the northeast corner of Ellis and Redlands Avenues, which allows for adequate two-way access from both frontages and provides for the logical extension of infrastructure to service the site. Since the approval of the Amended Original Project, there has not been development on Site II, but additional infrastructure in the area has been constructed, and the surrounding area has generally become more developed/urbanized. Utility service connections are available to service the site and will be designed, installed and maintained consistent with City and service agency requirements.

C. That the design of the map or the type of improvements will not cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.

Pursuant to the California Environmental Quality Act and the Guidelines for Implementation of the California Environmental Quality Act, an EIR (State Clearinghouse No. 2008071060) was prepared for the Project that determined that less than significant impacts to wildlife and their habitat would occur as a result of the Project with implementation of the required mitigation measures. The site consists of vacant land consisting of mixed tilled soils and overgrown vegetation. The Mitigation Monitoring and Reporting Program is included in the Conditions of Approval, attached to the Final EIR, and is available for review at the City of Perris Development Services Department or on the City website.

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

The Final EIR determined that less than significant impacts to people would occur as a result of the project, except for certain identified environmental impacts that will result from the construction and operation of the proposed Project, even with implementation of mitigation measures. See the EIR, EIR Addendum #1, EIR Addendum #2 and EIR Addendum #3 for the Amended Original Project.

Section 4. Major Modification (MM 22-005265).

Based upon the forgoing and all oral and written statements and reports presented by City staff and members of the public, including but not limited to, such statements and reports presented at its public hearing on January 30, 2024, the City Council makes the findings required by PMC Section 19.54.040(f) for approval of the Major Modification (MM 22-05265) of Development Plan Review (“DPR 08-04-0006”) as follows:

1) *The Amended Original Project (Major Modification 22-05265) is consistent with the findings for the Original Project because location, size, design, and density and intensity of the proposed Project is consistent with the City’s General Plan (GI), any applicable Specific Plans (none), the purposes and provisions of the City’s Zoning Code, the purposes of the Zone (General Industrial) in which the site is located, and the development policies and standards of the City.*

There is no change in the size of the site, the architectural design and site circulation have been improved, and the square footage of the Project is substantially reduced from the Amended Original Project. The proposed development is consistent with the General Plan zoning General Industrial (GI) designation on the site, and with the existing land uses in the area. The Project as conditioned meets or exceeds all design and development criteria of the underlying GI zoning district, which implements the development standards and policies of the City.

2) *The proposed Project site is physically suitable, including but not limited to parcel size, shape, access, and availability of utilities and services, for the type of development proposed.*

The proposed Project is physically suitable in terms of parcel size, shape, access and availability to utilities and services, as the site is located at the northeast corner of Ellis and Redlands Avenues, which allows for adequate two-way access from both frontages and provides for the logical extension of infrastructure to service the site. Since the approval of the Original Project, there has not been development on Site II, but additional infrastructure in the area has been constructed, and the surrounding area has generally become more developed/urbanized.

Utility service connections are available to service the site and will be designed, installed and maintained consistent with City and service agency requirements.

3) *The proposed Project and the conditions under which it would be operated or maintained is compatible with abutting properties and will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.*

The Project is adjacent to other general industrial, governmental and recreational uses that are compatible with the e-commerce/warehousing uses proposed on the site. The Project would augment the City's economic base, create employment-generating opportunities for the citizens of Perris and surrounding communities, and provide modern industrial distribution centers that allow for the efficient storage and distribution of various goods due to the Project's location adjacent to regional transportation corridors and rail lines.

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

As designed, the proposed architecture meets or exceeds the intent of the architectural design standards in the General Industrial Zone. The architecture proposed is an upgrade and update from the architecture approved for the Amended Original Project. Additionally, the proposed architecture will be compatible with and protect the character of the existing and future general industrial uses through the application of enhanced development standards, landscaping, setbacks, site design and improvements, which aesthetically enhance the site and protects the character of the adjacent development.

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

The proposed Project meets or exceeds the on-site and off-site landscape standards for the General Industrial (GI) zoning district as outlined in Section 19.70 of the Zoning Code, by providing a mix of specimen native and drought-tolerant trees, shrubs, ground cover and annual color throughout the site to ensure visual relief and effectively frame, soften and embellish access points, building entries, parking areas and trash enclosures. As required, all areas not covered by structures, drive aisles, parking or hardscape have been landscaped, which will provide an attractive environment for the public's enjoyment.

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

The proposed Project provides the safeguards necessary to protect the public health, safety, and general welfare through the conditions of approval and mitigation measures, which will ensure that the project is developed in compliance with City and affected service agency codes and policies and mitigate potential impacts to the environment.

Section 4. Based upon the preceding, the Final Environmental Impact Report (SCH: 2008071060), and all oral and written communication submitted by members of the public and City staff to the City Council at the January 30, 2024, public hearing (including, but not limited to, all staff reports and supporting exhibits), the City Council approves Major Modification (MM 22-05265) to Development Plan Review (DPR 08-04-0006), Tentative Parcel Map 23-05248 (TPM 38518) and EIR Addendum #3 (Addendum 23-05252).

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 the adoption of this Resolution.

ADOPTED, SIGNED, and APPROVED on this 30th day of January 2024.

Mayor, Michael M. Vargas

ATTEST:

City Clerk, Nancy Salazar

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

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 6323 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held on the 30th day of January 2024, by the following called a vote:

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

City Clerk, Nancy Salazar

Attachment: -Conditions of Approval (Planning, Engineering, Fire, Public Works, Community Services, Building and Safety)
 -EIR Addendum # 3
 Due to the size of the documents, they are on file in the City Clerk's office and Development Services

ATTACHMENT 1