

**RESOLUTION NUMBER 4810**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA CERTIFYING THE ENVIRONMENTAL IMPACT REPORT (SCH NO. 2014051065) PREPARED FOR THE INTEGRA DISTRIBUTION CENTER PROJECT, AN 864,000 SQUARE FOOT WAREHOUSE DISTRIBUTION FACILITY, BASED ON THE STATEMENT OF FACTS AND FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS, AND THE MITIGATION MONITORING AND REPORTING PROGRAM.**

**WHEREAS**, the Integra Distribution Center (“Project”) proposes the development of a high-cube or e-commerce distribution warehouse facility of 864,000 square feet with associated parking and other site improvements, and on- and off-site infrastructure improvements, on approximately 43 acres located south of Nance Street, north of Markham Street, between Webster Avenue and Indian Avenue; and

**WHEREAS**, Tentative Parcel Map 36726 (TPM 14-03-0020) is a proposal to merge six existing parcels into one lot in compliance with the requirements of the Subdivision Map Act to facilitate the proposed development; and

**WHEREAS**, Environmental Impact Report (EIR) EIR 14-06-0005 for the Integra Distribution Center Project was certified, and Development Plan Review 14-02-0014 and Tentative Parcel Map 14-03-0020 were unanimously approved (7-0) by the Planning Commission at a regularly scheduled hearing on December 17, 2014; and

**WHEREAS**, the Planning Commission decision regarding the Integra Project was appealed by the California Clean Energy Committee (CCEC) on December 29, 2014; and

**WHEREAS**, the City Council is the hearing body to review the appeal within 30 days of the filing of the Planning Commission’s decision; and

**WHEREAS**, CCEC references its comment letter dated December 23, 2014 as the basis for its appeal, and the City responded in detail to this letter (Letter H) in Section 2.0 of the Final EIR; and

**WHEREAS**, the applicant has responded to these comments in the attached letter and attachments from Allen Matkins, Attorneys at Law dated January 20, 2015; and

**WHEREAS**, the Integra Project would augment the City’s economic base, create employment-generating opportunities for the citizens of the City and surrounding communities, provide a modern, industrial distribution center adjacent to regional transportation corridors that will provide for the storage and distribution of various goods due to the Project’s location; and

**WHEREAS**, proposed Development Plan Review 14-02-0014 and Tentative Parcel Map 36726 (TPM 14-03-0020), are considered a “project” as defined by the California Environmental Quality Act (“CEQA”); and

**WHEREAS**, pursuant to CEQA and the State CEQA Guidelines (14 Cal. Code Regs. § 15000 *et seq.*), the City is the lead agency for the Project, as it is the public agency with general governmental powers over the Project; and

**WHEREAS**, the City, as lead agency, determined that an Environmental Impact Report (“EIR”) should be prepared pursuant to CEQA in order to analyze all potentially significant adverse environmental impacts of the Project; and

**WHEREAS**, a Notice of Preparation (“NOP”) and Initial Study (“IS”) identifying the scope of environmental issues were distributed to numerous State, federal, and local agencies and organizations starting on May 21, 2014 for a period of 30 days ending June 20, 2014, pursuant to State CEQA Guidelines sections 15082(a), 15103 and 15375. Relevant comments received in response to the NOP/IS were incorporated into the DEIR; and

**WHEREAS**, a joint public workshop/public scoping meeting was held with the Planning Commission at the Perris City Hall Council Chambers on June 18, 2104 and no representative of any responsible agency or member of the general public elected to speak at the scoping meeting; and

**WHEREAS**, a Notice of Completion was sent with the DEIR to the State Clearinghouse on August 8, 2014; and

**WHEREAS**, the DEIR was distributed for a 45-day public review period beginning August 8, 2014, with the comment period ending on September 22, 2014. Eight comment letters were received from Federal, State and local agencies, and private groups during the public comment period. The general and specific responses to comments are included in the Final EIR (“Final EIR”); and

**WHEREAS**, public notice of this City Council Appeal hearing was duly provided through publication on January 16, 2015; and

**WHEREAS**, all the requirements of CEQA and the State CEQA Guidelines have been satisfied in the EIR, which is sufficiently detailed so that all of the potentially significant environmental effects of the Project have been adequately evaluated; and

**WHEREAS**, the EIR prepared in connection with the Project sufficiently analyzes both the feasible mitigation measures necessary to avoid or substantially lessen the Project’s

environmental impacts and a range of feasible alternatives capable of eliminating or reducing these effects in accordance with CEQA and the State CEQA Guidelines; and

**WHEREAS**, all of the proposed findings and conclusions recommended by this Resolution are based upon the oral and written evidence presented to the City Council as a whole and not based solely on the information provided in this Resolution; and

**WHEREAS**, the project level and cumulative environmental impacts identified in the Final EIR which the City Council finds to be less than significant and to not require mitigation are described in the Statement of Facts and Findings and Statement of Overriding Considerations are attached hereto and incorporated herein by reference as if set forth in full; and

**WHEREAS**, the project level and cumulative environmental impacts identified in the Final EIR which the City Council finds to be mitigated to a level of less than significant through the imposition of feasible mitigation measures identified in the Final EIR and set forth therein are described in the Statement of Facts and Findings and Statement of Overriding Considerations attached hereto and incorporated herein by reference as if set forth in full; and

**WHEREAS**, the project level and cumulative environmental impacts identified in the Final EIR which the City Council finds cannot be mitigated to a level of less than significance despite the imposition of all feasible mitigation measures identified in the Final EIR and set forth therein are described in the Statement of Facts and Findings and Statement of Overriding Considerations attached hereto and incorporated herein by reference as if set forth in full; and

**WHEREAS**, the potential for growth inducing impacts described in the Draft EIR which the City Council finds to be less than significant are described in the Statement of Facts and Findings and Statement of Overriding Considerations attached hereto and incorporated herein by reference as if set forth in full; and

**WHEREAS**, irreversible environmental impacts as a result of the project's impacts to air quality, greenhouse gas emissions, traffic, and agricultural resources are identified in the Draft EIR, which the City Council approves for the reasons described in Section 7 of the Statement of Facts and Findings and Statement of Overriding Considerations attached hereto as Exhibit A and incorporated herein by reference as if set forth in full; and

**WHEREAS**, the Mitigation Monitoring and Reporting Program to address project level and cumulative environmental impacts identified in the Draft EIR which the City Council finds to be mitigated to a level of less than significant through the imposition of feasible mitigation measures are set forth therein and described in Section 4.0 of the Final EIR attached hereto as Exhibit B and incorporated herein by reference as if set forth in full; and

**WHEREAS**, alternatives to the Project that might eliminate or reduce significant environmental impacts of the project are set forth therein and described in Section 5.4 of the Statement of Facts and Findings and Statement of Overriding Considerations attached hereto and incorporated herein by reference as if set forth in full; and

**WHEREAS**, a public appeal hearing was duly noticed and held on January 27, 2015, at which time all interested persons were given full opportunity to be heard and to present evidence; 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, including the Final EIR and all oral and written evidence presented to the City during all Project meetings and hearings; and

**WHEREAS**, the City Council's certification of the Final EIR reflects its independent judgment and analysis; and

**WHEREAS**, no comments made in the public hearings conducted by the City Council or any additional information submitted to the City Council have produced substantial new information requiring recirculation or additional environmental review under State CEQA Guidelines section 15088.5; and

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

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PERRIS** does resolve as follows:

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

**Section 2.** Appeal 14-000103 is denied, and the Planning Commission decisions of December 17, 2014 to certify EIR 14-06-0005, and approve DPR 14-02-0014 and TPM 14-03-0020 are upheld.

**Section 3.** The majority of potentially significant environmental impacts of the Project identified in the Final EIR have been determined to be less than significant or mitigated to a level of less than significance.

**Section 4.** Certain impacts associated with air quality (operational and cumulative), greenhouse gas emissions (cumulative), traffic (cumulative intersection, roadway segment, freeway segment and ramp impacts), and agricultural resources (project and cumulative impacts related to conversion of Farmland to non-agricultural use) identified in the Final EIR have been determined to be significant and unavoidable. The specific impacts are set forth in the Statement of Facts and Findings and Statement of Overriding Considerations (see Attachment 5 - Planning Commission Packet). Based on specific economic, social, technical and/or other considerations, the City Council finds those effects acceptable with adoption of the Statement of Facts and Findings and Statement of Overriding Considerations.

**Section 5.** The City Council finds that the Final EIR has been completed in compliance with CEQA and the State CEQA Guidelines, and certifies the Final EIR as complete and adequate.

**Section 6.** The City Council hereby adopts the Statement of Facts and Findings and Statement of Overriding Considerations attached hereto as Exhibit “A” and incorporated herein by reference as if set forth in full.

**Section 7.** The City Council hereby adopts the Mitigation Monitoring and Reporting Program attached hereto as Exhibit “B” and incorporated herein by reference as if set forth in full.

**Section 8.** Based on the above findings, the City Council hereby certifies the Final EIR for the Project (SCH# 2014051065).

**Section 9.** 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 9.** The Mayor shall sign this Resolution and the Clerk shall certify to the adoption of this Resolution.

**ADOPTED, SIGNED and APPROVED** this 27<sup>th</sup> day of January, 2015.

\_\_\_\_\_  
Daryl R. Busch, Mayor

ATTEST:

\_\_\_\_\_  
Nancy Salazar, City Clerk

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

I, Nancy Salazar, City Clerk of the City of Perris do hereby certify that the foregoing Resolution Number 4810 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held on the 27<sup>th</sup> day of January 2015, by the following vote:

AYES: RABB, RODRIGUEZ, ROGERS, BURKE, BUSCH  
NOES: NONE  
ABSENT: NONE  
ABSTAIN: NONE

---

Nancy Salazar, City Clerk

Attachments: Exhibit A - Statement of Facts and Findings and Statement of Overriding Considerations  
Exhibit B - Mitigation Monitoring and Reporting Program