

Notice of Determination

TO:

Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044
Via CEQA Submit (CEQAnet)

San Bernardino County Clerk
385 N. Arrowhead Avenue #2
San Bernardino, CA 92415

FROM:

Public Agency: City of Hesperia
Address: 9700 Seventh Avenue
Hesperia, CA 92586
Contact Person: Ryan Leonard, Principal Planner
Phone Number: 760-947-1651

SUBJECT: *Filing of Notice of Determination in compliance with Section 21152 of the California Public Resources Code.*

State Clearinghouse Number: 2019110418

Project Title: Hesperia Commerce Center II

Project Applicant: Covington Group

Project Location: 177.8 acres located at the north side of Phelan Road, west of Caliente Road, South of Yucca Terrace Drive and east of the power line utility corridor in Hesperia, San Bernardino County (Assessor Parcel Numbers 3064-351-03, 3064-361-01 & 3064-391-01)

Project Description: Two industrial/warehouse buildings along with office space totaling 2,517,413 square feet and associated improvements, including loading docks, tractor-trailer stalls, passenger vehicle parking spaces, and landscaping. Off-site improvements include street improvements along the Project frontage along Yucca Terrace, Phelan Road, and U.S. Highway 395, along with the construction of a new public roadway. Off-site improvements also include installation of new and upsizing of existing domestic water lines, storm drain lines, and sewer lines in the Project vicinity.

The project is a modification to the previously approved Hesperia Commerce Center II project. On May 17, 2022, the City of Hesperia's City Council approved Conditional Use Permit 19-00010 and Tentative Parcel Map 22-00002 for the Hesperia Commerce Center II project and introduced for first reading Ordinance 2022-09 relating to Development Agreement 22-00001. At that time, the City Council approved Resolution 2022-37 making environmental findings pursuant to the California Environmental Quality Act ("CEQA"), adopting a Statement of Overriding Considerations, certifying a Final Environmental Impact Report (SCH #2019110418), and adopting a Mitigation Monitoring and Reporting Plan for the Hesperia Commerce Center II project. On June 7, 2022, the City Council approved a second reading and adoption of Ordinance 2022-09. On June 8, 2022, the City filed and posted a Notice of Determination regarding these approvals.

This is to advise that on September 18, 2024, the City of Hesperia's Development Review Committee ("DRC") approved a Revised Conditional Use Permit CUPR24-00001 to modify the previously approved site design layout for a portion of the Hesperia Commerce Center II project. In connection with its approval of the Revised Conditional Use Permit CUP24-00001, the DRC considered an Addendum to the EIR and determined based on substantial evidence that the proposed changes to the site design of the previously-approved project did not meet any of the criteria for preparation of a subsequent Environmental Impact Report set forth in 14 Cal. Code Regs. § 15162(a). The bases for this determination are set forth in the Addendum, the DRC's approval letter (dated September 18, 2024), and the administrative record.

The City of Hesperia has previously made the following determinations regarding the above described project:

1. The project will have a significant effect on the environment.
2. An Environmental Impact Report and Addendum to the EIR were prepared for the project, and the Environmental Impact Report previously certified, pursuant to the provisions of the CEQA.
3. Mitigation measures were previously made a condition of the approval of the project.
4. A Mitigation Monitoring and Reporting Plan was previously adopted for this project.

- 5. A statement of Overriding Considerations was previously adopted for the project.
- 6. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Final EIR with comments and responses and the Addendum to the Final EIR and record of project approval is available to the general public at the 9700 Seventh Avenue, Hesperia, California, 92345.



Signature

Ryan Leonard, Principal Planner
Title

9/24/24
Date

Date Received for Filing and Posting at OPR: _____

Authority Cited: Sections 21083, Public Resources Code.
Reference Section 21000-21174, Public Resources Code.