

Appendix N
Responses to Comments

Final
Initial Study/Mitigated Negative Declaration No. 2369

FIRST HARLEY KNOX INDUSTRIAL
DPR 20-00014

Lead Agency:

City of Perris
Planning Division
135 N. "D" Street
Perris, California 92570

February 2022

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SECTION 1.0 INTRODUCTION

Pursuant to the Guidelines for Implementation of the California Environmental Quality Act (*CEQA Guidelines*) § 15073, the Initial Study/Mitigated Negative Declaration (IS/MND) for the First Harley Knox Industrial was circulated to the State Clearinghouse, Responsible Agencies, and interested parties for a 30-day period that commenced on January 5 and concluded on February 4, 2022 for public review and comment.

SECTION 2.0 COMMENT LETTERS AND RESPONSES TO COMMENTS

CEQA Guidelines § 15074 requires the decision-making body to consider the proposed IS/MND together with any comments received during the public review process. There is no requirement for a formal response to each of the comments received (unlike the requirement for a Final Environmental Impact Report). However, in order to provide the City of Perris Planning Commission with additional information upon which to base their decision whether to approve or deny the proposed Project, the following Responses to Comments has been prepared. Each comment letter is labeled alphabetically with each individual comment identified by a number. The responses are provided following each letter. All written comments have been made a part of the public record.

LIST OF PERSONS, ORGANIZATIONS AND AGENCIES THAT COMMENTED ON THE INITIAL STUDY

Letter	Commenting Party	Date
A	Riverside County Airport Land Use Commission	January 5, 2022
B	City of Moreno Valley	January 11, 2022
C	Riverside Transit Agency	January 17, 2022

In response to comment from the City of Moreno Valley, minor clarifications to the text and figures of the Final IS/MND were made.

The clarifications to the text and figures in the Final IS/MND do not constitute “substantial revision” as defined in State *CEQA Guidelines* Section 15073.5(b); therefore, recirculation of the IS/MND is not required.

Comment Letter A – Riverside County Airport Land Use Commission

Comment letter A commences on the next page.

From: Vega, Jaqueline <JaVega@RIVCO.ORG>
Sent: Wednesday, January 5, 2022 2:32 PM
To: Nathan Perez
Cc: Paul Rull
Subject: RE: DPR20-00014

Sorry Nathan,

Please disregard email below.

Although your proposed project is located within zone D of March AIA, the City of Perris is consistent with the March ALUCP, and therefore review by ALUC is not required. The City of Perris should be able to conduct review.

Should you have any questions, please call me.

From: Vega, Jaqueline
Sent: Wednesday, January 5, 2022 1:53 PM
To: Nathan Perez <NPerez@cityofperris.org>
Cc: Rull, Paul <PRull@RIVCO.ORG>
Subject: DPR20-00014

A-1

Hello Nathan,

Thank you for transmitting the above mentioned to ALUC for review. Please note that the proposed project is located within zone D of March AIA, and review by ALUC is required because the City of Perris is not yet consistent with the March ALUCP.

Should you have any questions, please contact our office.

Jackie Vega
Student Intern



Riverside County Airport Land Use Commission
4660 Limon Street, 14th Floor
Riverside, Ca 92501
1951-955-4962
JaVega@RIVCO.ORG
www.rcaluc.org

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[County of Riverside California](#)

Response to Comment Letter A – Riverside County Airport Land Use Commission

Response to Comment A-1:

The comment provided by the Riverside County Airport Land Use Commission (ALUC) is noted. ALUC corrected an earlier comment, confirmed that the City of Perris is consistent with the March ALUCP. And stated that ALUC review is not required.

The City appreciates ALUC review of the IS/MND and participation in the CEQA process. No new environmental issues are raised in this comment and no revisions are necessary.

Comment Letter B – City of Moreno Valley

Comment letter B commences on the next page.

From: Sean P. Kelleher <seanke@moval.org>
Sent: Tuesday, January 11, 2022 3:31 PM
To: Nathan Perez <NPerez@cityofperris.org>
Cc: Manuel A. Mancha <manuelm@moval.org>; Chris Ormsby <chriso@moval.org>
Subject: First Harvey Knox Industrial (DPR20-00014) -

Good Afternoon Mr. Perez,

Please find enclosed City Comments on the proposed First Harvey Knox Industrial (DPR20-00014) that were provided to Ms. Miramontes on October 7, 2020 and June 9, 2016 regarding the subject project site. Additionally, the City of Moreno Valley is in receipt of your Notice of Intent and may provide additional comments regarding the environmental documents currently available for public review.

B-1

Thank you,

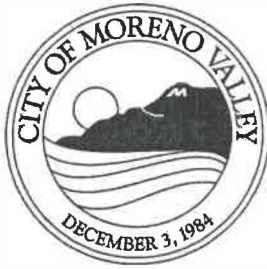
Sean P. Kelleher
Planning Division Manager/Planning Official
Community Development
City of Moreno Valley
p: 951.413.3215 | e: seanke@moval.org w: www.moval.org
14177 Frederick St., Moreno Valley, CA 92553



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Community Development Department
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3310
FAX: 951.413.3210

October 7, 2020

Clara Miramontes
City of Perris
Development Services Department
135 North "D" Street
Perris, CA 92570

Re: Proposed City of Perris Industrial Warehouse Project

Dear Ms. Miramontes:

On June 9, 2016, the City of Moreno Valley provided a comment letter to the City of Perris related to a previously proposed warehouse facility to be located at the northwest corner of Redlands Avenue and Harley Knox Boulevard (please see attachment). That letter outlined the City of Moreno Valley's position on a number of items. Of specific importance was the need to reach an accord on project impacts, taxes, improvements, and the need for a Master Agreement addressing additional parcels.

The City's position on the items discussed in the June 9, 2016 letter remains unchanged for any project in this same general area. However, please note that in addition to the annexation and environmental review application and deposit previously referenced, applications and documentation for a General Plan amendment and Zoning Map change with associated deposits (\$3,500.00 each) would also be required.

We understand that a new project is interested in developing in a similar fashion to the prior project and is conducting due diligence. As such, MoVal staff is available to meet with staff from the City of Perris to finalize the discussions on the items outlined in the previous letter. You can contact me at manuelm@moval.org or by phone at 951-413-3214 to schedule a meeting to discuss further.

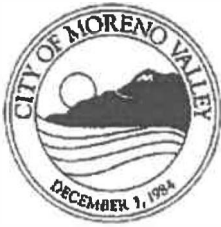
Sincerely,

A handwritten signature in blue ink that reads "Manuel A. Mancha". The signature is fluid and cursive.

Manuel A. Mancha
Community Development Director

Attachment: June 9, 2016 letter

CC: Nathan Perez, City of Perris
Mike Lee, City Manager
Michael Wolfe, Assistant City Manager/City Engineer
Marshall Eyerman, Assistant City Manager/Chief Financial Officer
Patty Nevins, Planning Official
Jeanette Olko, Electric Utility Manager
Michael Lloyd, Assistant City Engineer



**Community Development Department
Planning Division**
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

June 9, 2016

Clara Miramontes
City of Perris
Development Services Department
Planning Division
135 North "D" Street
Perris, CA 92570

Re: Additional Comments on a Proposed City of Perris Industrial Warehouse Project;
located on the northwest corner of Redlands Avenue and Harley Knox Boulevard

Dear Ms. Miramontes:

On April 26, 2016, the City of Moreno Valley ("Moreno Valley") provided a comment letter to the City of Perris ("Letter") on a 385,000 square foot warehouse facility proposed to be located at the northwest corner of Redlands Avenue and Harley Knox Boulevard ("Project"). The purpose of this correspondence is to provide an update on some of the key components in the Letter and highlight next steps associated with keeping the Project moving and reaching a mutual agreement on the necessary annexation of parcels.

Project Background

The Project will involve the merger of eight (8) separate parcels, four (4) of which are located in Moreno Valley. The 4 parcels currently located within Moreno Valley, proposed to be de-annexed therefrom and annexed into the City of Perris will be referred to herein as the "4 Parcels." Annexation of the 4 Parcels into the City of Perris is a necessary and vital component to the construction of the Project. The total Project area is 17.03 acres. The City of Perris is planning to pre-zone the 4 Parcels as Light Industrial within the Perris Commerce Specific Plan, which is consistent with the current Moreno Valley industrial land use designation. Further, the 4 Parcels have a combined size of slightly more than 2.5 acres (approximately 110,000 square feet), which in acres is approximately 15% of the total Project area.

Summary of Key Project Components

The following summarizes Moreno Valley's understanding of some of the key points included in the Letter and follow-up e-mail provided to you on May 5, 2016:

- **Property Tax** – As part of the annexation proposal, Moreno Valley and the City of Perris would negotiate and enter into a Property Tax Sharing Agreement. With regard to the property tax component of the agreement, Moreno Valley proposes that its share, which shall be collected in perpetuity, be based on a factor of

Comment Letter to City of Perris
June 9, 2016
Page 2

fifteen percent (15%) of the Assessed Land Value, and twenty-eight and one-half percent (28.5%) of the Assessed Improvement Value of the Total 8 Parcels.

It is understood that the City of Perris would prefer to take an approach that separates the financial (e.g. Tax Sharing) items from the technical items. With regard to the Property Tax Sharing Agreement, your counter proposal to the Letter is for Moreno Valley to receive 50% of the property tax revenue derived from Assessed Land Value, and 50% of the property tax derived from the Assessed Improvement Value for only the 2.5 acres currently in Moreno Valley. The City of Perris is also in the process of checking with the developer to see if appraisal information or estimates can be shared.

- **Sales Tax** – As part of the annexation proposal, Moreno Valley and the City of Perris would negotiate and enter into a Sales Tax Sharing Agreement. Moreno Valley understands the position from the City of Perris to not enter into a Sales Tax Sharing Agreement.
- **Master Agreement** –The current jurisdictional boundary between Moreno Valley and City of Perris in the general area is not limited to the 4 Parcels. There are other parcels existing in Moreno Valley that extend to Perris Boulevard. Rather than address de-annexation and annexation of this area in a piecemeal fashion, Moreno Valley is open to working with the City of Perris to address the boundary in a comprehensive fashion, which should be included in the LAFCO application request.

Moreno Valley understands that the Master Agreement would include parcels required for the Project and those that remain up to Perris Boulevard. It is understood that a Master Agreement is of interest to the City of Perris, but the approach would not meet the interest of the developer as they feel the approach could delay an overall entitlement process for the Project.

- **Other Potential Project Impacts** – Many transportation and drainage issues were recognized and provided in the Letter. This includes access to Perris Boulevard and Harley Knox Boulevard, modification of the Redlands Avenue configuration to connect with Kitching Street, the need for a traffic study addressing impacts associated with the reconfiguration of Harley Knox Boulevard and truck traffic and verification of storm drain connections on Redlands Avenue.

It is understood that the City of Perris Public Works/Transportation staff, in particular, would be looking into the Kitching Street improvement/connection and will provide information to Moreno Valley. The City of Perris would also be considering the transportation and drainage issues and addressing potential impacts and any required mitigation measures in the environmental document that will be prepared for the Project.

Comment Letter to City of Perris
June 9, 2016
Page 3

Next Steps

There are two crucial next steps or key components involved in considering the items listed above. First, an application for the proposed annexation of the 4 Parcels must first be submitted to the City of Moreno Valley. The City of Perris would need to complete the application form and submit a deposit fee in the amount of \$5,000 to Moreno Valley. An annexation map, including a delineation of the 4 Parcels, dimensions, and acreage must also be provided to Moreno Valley.

A second step or component of the proposed Project is to establish meetings to discuss the items included above, with the end result of reaching agreements that are mutually agreeable to each party. This includes agreement on property tax, sales tax and the need for a Master Agreement to address additional Moreno Valley parcels that may be needed for future projects by the City of Perris.

It is important to note that all of the items included in the Letter are negotiable once an application for annexation is submitted and future meetings are scheduled and established.

Conclusion

In summary, the key project components highlighted in this letter require initial submittal of an application for annexation and further dialog regarding components of an agreement that will be mutually agreeable by the two jurisdictions. The City of Moreno Valley is supportive of the proposed 385,000 square foot industrial project, and looks forward to working with the City of Perris team as the project progresses. Please keep the City apprised of when an application will be submitted for the proposed annexation.

Should you have any questions or concerns regarding this letter, please contact Mark Gross, Senior Planner at (951) 413-3215.

Sincerely,



Richard J. Sandzimier
Planning Official

Attachment – Moreno Valley Project Application Form

c: Nathan Perez, City of Perris Development Services Department
Michelle Dawson, City Manager
Thomas M. DeSantis, Assistant City Manager
Allen Brock, Community Development Director
Marshall Eyerman, Chief Financial Officer
Ahmad Ansari, Public Works Director
Jeannette Olko, Electric Utility Manager
Michael Lloyd, Interim Land Development Manager
Mark Gross, Senior Planner



Community & Economic Development Department
 Planning Division
 14177 Frederick Street
 P.O. Box 88005
 Moreno Valley, CA 92552-0805
 (951) 413-3206
 (951) 413-3210 FAX

PROJECT APPLICATION

No.:

Application must be completely filled out to be accepted.

TYPE OF APPLICATION

(One Application Form Required for Each Type of Application)

- | | | |
|---|---|--|
| <input type="checkbox"/> Administrative Plot Plan | <input type="checkbox"/> Development Agreement | <input type="checkbox"/> Specific Plan |
| <input type="checkbox"/> Administrative Variance | <input type="checkbox"/> Development Code Amendment | <input type="checkbox"/> Specific Plan Amendment |
| <input type="checkbox"/> Amended Conditional Use Permit | <input type="checkbox"/> Extension of Time | <input type="checkbox"/> Tentative Parcel Map |
| <input type="checkbox"/> Amended Plot Plan | <input type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Tentative Tract Map |
| <input type="checkbox"/> Change of Zone | <input type="checkbox"/> Plot Plan | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Pre-Application Review | <input type="checkbox"/> Other _____ |

APPLICATION INFORMATION

Project/Business Name (if any): _____

Project Description: _____

Property Address/Location: _____

Assessor's Parcel Number(s): _____

Gross Area:	Net Area:	Proposed # of Lots/Parcels:	Proposed # of Residential Units:
Related Application(s):	Specific Plan Name/No. :		

CONTACT PERSONS

APPLICANT Name:	Telephone: ()
Address:	Fax No. ()
City:	State: Zip: E-mail Address:
Contact Person:	
OWNER Name:	Telephone: ()
Address:	Fax No. ()
City:	State: Zip: E-mail Address:
Contact Person:	
REPRESENTATIVE Name:	Telephone: ()
Address:	Fax No. ()
City:	State: Zip: E-mail Address:
Contact Person:	

APPLICATION CONTINUES ON REVERSE

PROJECT INFORMATION	
Existing Zoning and General Plan Designations	
Proposed Zoning and General Plan Designations (if applicable)	
Existing Uses and/or Structures on Site	
Surrounding Uses:	North _____
	South _____
	East _____
	West _____
Lot Size(s) (Sq. Ft.) (Smallest/Largest)	Graded Area (sq. ft.)
Total Building Size (Sq. Ft.)	Impervious area (sq. ft.)
Setbacks: Front	Flood Zone
Side (interior)	
Side (street side)	
Rear	
Maximum Building Height	
Total No. of Parking Stalls:	
Standard	
Handicapped	

APPLICATION PROCESSING

Each application must be submitted with the required processing fee and all applicable submittal requirements. Additional information or materials may be needed before an application is accepted as complete. An incomplete application may be closed if it remains inactive for 180 days or more.

OWNER'S SIGNATURE

I, _____ am the owner of the property described in this application and hereby authorize

 Print Name
 _____ to act on my behalf on matters pertaining to this application.
 Applicant/Representative Name

 Property Owner's Signature

 Date

Note: If more than one owner, a separate page must be attached, listing the names and addresses of all persons (if a corporation, list officers and principals) having interest in the property ownership.

APPLICANT'S SIGNATURE

I certify under penalty of perjury that all the foregoing information is true and correct, and recognize that any false or misleading information shall be grounds for denial of this application. I also acknowledge that I am aware of and agree to indemnify the City in any legal proceedings pertaining to this request for discretionary land use approval. Section 9.02.310 of the Moreno Valley Municipal Code.

 Applicant's Signature

 Date

Response to Comment Letter B – City of Moreno Valley

Response to Comment B-1:

This comment from the City of Moreno Valley, which makes reference to previous Moreno Valley comment letters dated October 7, 2020 (included as Comment Letter B Attachment 1) and June 9, 2016, (included as Comment Letter B Attachment 2), is noted.

Comment B-1 states that Moreno Valley may provide additional comments regarding the Initial Study/Mitigated Negative Declaration No. 2369 (IS/MND); however, as of the close of the public comment period, the City of Perris has not received any comments from Moreno Valley regarding the IS/MND.

Responses to Moreno Valley's October 7, 2020 and June 9, 2020 letter are provided below as Response to Comment Letter B, Attachment 1 and Response to Comment Letter B, Attachment 2, respectively. However, since Moreno Valley included these prior letters, it appears that Moreno Valley may be under the impression that the Project proposes development within Moreno Valley.

A letter from the Project applicant, First Industrial Realty (dated January 31, 2022) is included on the following page stating that the Project has been designed so that none of the development will take place on any portion of the property within Moreno Valley and will not utilize any roads, services, or utilities from Moreno Valley to support the project.

Even though there is a footnote on page 10 of the IS/MND that states:

¹² Approximately 1.22 acres will be graveled for weed abatement in the City of Moreno Valley. Additionally, 0.21 acres of Redlands Avenue will be dedicated as right of way

In order to further clarify that the Project does not entail development within Moreno Valley, clarifying text has been added to the Final IS/MND on pages 3, 10, 17, 54, and 121 and **Figure 2 – Aerial Map, Figure 7A – Proposed Site Plan, Figure 7B – DPR No.20-00014, and Figure 9 – Landscape Plan** have been revised to clarify that none of the Project site is within Moreno Valley.

The clarifications to the text and figures in the Final IS/MND do not constitute “substantial revision” as defined in State *CEQA Guidelines* Section 15073.5(b); therefore, recirculation of the Draft IS/MND is not required.

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First Industrial Realty Trust, Inc.
898 N. Pacific Coast Highway, Suite 175
El Segundo, CA 90245
T: (310) 414-5400
F: (310) 648-3137
www.firstindustrial.com

Nathan Perez
Senior Planner
City of Perris
Department of Development Services - Planning Division
135 N. "D" Street
Perris, CA 92570

January 31, 2022

RE: First Harvey Knox Industrial (DPR20-00014)
Response to The City of Moreno Valley Comment letters of; June 9, 2016 & October 7, 2020

Dear Nathan, in response to the letters sent by The City of Moreno Valley on June 9, 2016 & October 7, 2020, First Industrial. LP the owners and developers of the property, have designed this project so that none of the development will take place on any portion of the property within the City limits of Moreno Valley. Furthermore, the development does not utilize any roads, services or utilities from The City of Moreno Valley to support the project.

We look forward to our Planning Commission hearing TBD, and hope we have addressed all comments and concerns that you and the City of Perris have.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Paul Loubet', with a long horizontal line extending to the right.

Paul Loubet
First Industrial Realty Trust
Entitlement Officer

Response to Comment Letter B, Attachment 1:

This letter references a June 9, 2016 letter to the City of Perris. which is included as Comment Letter B Attachment 2).

This letter also references a prior project that may have entailed development within Moreno Valley. Subsequent to receipt of this letter from Moreno Valley and prior to circulation of the IS/MND for public review, the Project applicant revised the Project. Refer to the January 31, 2022 letter from First Industrial Realty and Response to Comment B-1.

The October 10, 2020 letter from Moreno Valley does not raise any environmental issues.

Response to Comment Letter B, Attachment 2:

The June 9, 2016 letter to the City of Perris provides comments on a proposed 385,000 square foot warehouse facility on approximately 17 acres at the northwest corner of Redlands Avenue and Harley Knox Boulevard. The project referenced in the June 2016 letter would have involved the merger of eight parcels, four of which (approximately 2.5 acres) are in Moreno Valley.

The proposed Project is substantially different than what Moreno Valley commented on in 2016. The Project applicant proposes a 158,550 square foot warehouse building on an approximately 8.1 acre site, which is less than one-half the size of the project referenced in the June 2016 letter. Additionally, as discussed in Response to Comment B-1, the proposed Project does not entail any development within Moreno Valley.

The June 9, 2016 letter from Moreno Valley does not raise any environmental issues germane to the proposed Project.

Comment Letter C – Riverside Transit Agency

Comment letter C commences on the next page.

From: Mauricio Alvarez <malvarez@riversidetransit.com>
Sent: Monday, January 17, 2022 10:36 AM
To: Nathan Perez
Subject: First Harley Knox Industrial DPR20-00014

Hello Nathan,

RTA has reviewed the plans you have sent and have no comments regarding this particular project.

C-1

Thank you,

Mauricio Alvarez, MBA

Planning Analyst
Riverside Transit Agency
p: 951.565.5260 | e: malvarez@riversidetransit.com
[Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#)
1825 Third Street, Riverside, CA 92507

Response to Comment Letter C – Riverside Transit Agency

Response to Comment C-1:

The comment provided by Riverside Transit Agency (RTA) is noted. RTA states that they have reviewed the plans and have no comments regarding the Project. Therefore, no action is required.

The City appreciates RTA's review and participation in the CEQA process. No environmental issues are raised in this comment.