



City of Menifee

AUG 23 2024

RECEIVED

CITY OF MENIFEE
APPEAL APPLICATION

PLN 22-0041 and PLN 21-0370

Decision to be appealed: _____

APPELLANT/REPRESENTATIVE City of Perris; Rafael Garcia, Principal PlannerPHONE NO. 951-943-5003 LAST FAX NO. _____ FIRST E-MAIL rgarcia@cityofperris.org MI.ADDRESS Development Services, 135 North "D" Street, City of Perris, CA 92570-1998

STREET

CITY

STATE

ZIP

PROPERTY OWNER City of Perris

(if different)

LAST

FIRST

MI.

PHONE NO. 951-943-5003 FAX NO. _____ E-MAIL rgarcia@cityofperris.orgADDRESS 135 North "D" Street, City of Perris, CA 92570-1998

STREET

CITY

STATE

ZIP

Name of Project, APN/Address: CADO Menifee Industrial Warehouse Project, APNs: 330-190-002 to-05 and 330-190-010 to -13.Appealing the decision of (Specify Community Development Director, Building and Safety Director City Manager, Planning Commission): Planning CommissionAction and Date: Wednesday August 14, 2024Explain specify what action or decision is being appealed: Adoption of Resolutions adoptingFinal Environmental Impact Review, Tentative Parcel Map No. PLN 22-0041, and Plot Plan No PLN 21-0370.Do you have additional evidence not already presented? ☒ Yes ☐ No. If Yes, please attach.What result to you want? Denial of the Project

Applicant's Signature

Date:

8/23/24

Owner Certification: I certify under the penalty of the laws of the State of California that I am the property owner of the property that is the subject matter of this appeal application. I am authorizing and hereby do consent to the filing of this application and acknowledge that the final approval by the City of Menifee, if any, may result in restrictions, limitations and construction obligations being imposed on this real property.

Owner's Signature: _____ Date: _____

Print Name: _____

Written authorization from the legal property owner is required. An authorized agent for the owner must attach a notarized letter of authorization from the legal property owner.

No application will be accepted until is complete and the fee paid.

Once complete, you will receive confirmation and a hearing date as well as additional appeal information. For questions, please contact the City Clerk at (951) 672-6777.

August 23, 2024

VIA HAND DELIVERY

Honorable Mayor and City Council
City of Menifee
29844 Haun Road
Menifee, CA 92584

Re: APPEAL OF MENIFEE TENTATIVE PARCEL MAP NO. PLN22-0041 AND PLOT PLAN NO. PLN21-0370 - CADO MENIFEE INDUSTRIAL WAREHOUSE PROJECT - LOCATED NORTH OF CORSICA LANE, SOUTH OF KUFFEL ROAD, WEST OF BYERS ROAD AND EAST OF WHEAT STREET (APNs. 330-190-002, 330-190-003, 330-190-004, 330-190-005, 330-190-010, 330-190-011, 330-190-012, 330-190-013)

Dear Honorable Mayor and City Councilmembers:

On behalf of the City of Perris, this letter is submitted in objection to and constitutes an appeal of the City of Menifee Planning Commission's August 14, 2024 decision (1) approving Tentative Parcel Map No. PLN22-0041 and Plot Plan No. PLN21-0370 to permit the construction and operation of the CADO Menifee Industrial Warehouse, a proposed concrete tilt-up warehouse in the City of Menifee ("Menifee") totaling approximately 700,037 square feet on approximately 40.03 acres of land located north of Corsica Lane, south of Kuffel Road, west of Byers Road and east of Wheat Street ("Project") and (2) certification of a Final Environmental Impact Report ("EIR") for the Project.

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INTRODUCTORY STATEMENT

The City of Perris ("Perris") submits this appeal following the Menifee Planning Commission's improper approval of the Project due to non-compliance with the California Environmental Quality Act ("CEQA") regarding the environmental impacts of the Project. The Project square footage will include approximately 10,000 square feet of office space and 690,037 square feet of warehouse space. The proposed warehouse would also contain 49 dock doors on the northern portion of the building and 49 dock doors on the southern portion of the building for a total of 98 dock doors. Most dock doors are predominately high dock doors, with several drive thru doors. The height of the proposed building would be 45 feet, 6 inches high and would include 499 automobile parking spaces and 245 truck trailer parking spaces.

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The Project is south of the Green Valley Specific Plan ("GVSP") within the City of Perris, where a multi-family development has been approved for construction north of Ethanac Road,

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01006.0003/1009810.2

which is a proposed trucking route for the Project. The GVSP is a master-planned community totaling 1,269 acres of land envisioned to have 3,460 single-family detached homes, 750 multi-family units, 42.3 acres of business and professional office space, 72.7 acres of commercial retail, 108.7 acres of industrial, 24 acres for three school sites, and 51.1 acres of public parks.

There are six residential tracts comprised of 1,241 residential units within the GVSP, which were in construction in phases this year. As of the date of this letter, approximately 150 homes have been constructed and are currently occupied within the portion of the GVSP located directly across from the Project, north of Ethanac Road. No industrial development in the City of Perris is allowed to utilize Ethanac Road as a truck route due to the sensitivity of residential land uses along these two roadways. Additionally, the Project is surrounded with single-family residences within the City of Menifee, located 90 feet to the north, 100 feet to the west, 100 feet to the east, and 180 feet to the south of the Project.

Perris has provided comments to Menifee regarding the Project throughout the comment and review period on the Project. On December 22, 2021, Perris submitted an initial comment letter to Menifee commenting on the Project, which was previously named the "Capstone Industrial Project." Notably, Perris identified many of the same concerns at issue in this appeal, including concerns with land use consistency, traffic and trucking, and noise. On May 16, 2022, Perris submitted a comment letter on the Notice of Preparation ("NOP") for the Project, further detailing its concerns stated in the December 22, 2021 letter. On April 27, 2024, Perris submitted a comment letter to Menifee commenting on the Draft EIR for the Project, identifying many of the same concerns at issue in this appeal. On August 14, 2024, Perris submitted a comment letter to Menifee commenting on the Final EIR ("FEIR") for the Project, again identifying many of the same concerns at issue in this appeal that were not addressed after Perris' April 27 letter. Menifee provided a response to Perris' December 21, May 16, and April 27 comment letters as part of the FEIR ("Menifee Response"); however, the concerns raised by Perris in its comment letters were not adequately addressed by the Menifee Response. Additionally, the Perris City Attorney's Office submitted public comment on Perris' behalf in support of its April 27 and August 14 comment letters at the August 14, 2024 Menifee Planning Commission meeting. The December 22, 2021 letter, May 16, 2022 letter, April 27, 2024 letter, and August 14, 2024 letter along with Menifee's Response are attached hereto as Exhibit A and are incorporated herein by this reference.

Therefore, City of Perris submits this appeal due to the inadequacy of the Final EIR, the Project's unaddressed impacts on the City of Perris' and City of Menifee's residential neighborhoods, and increased truck traffic on Ethanac Road. Specifically, the City of Perris appeals as set forth below.

STATEMENT OF ISSUES APPEALED

I. Deficiencies in the Final EIR

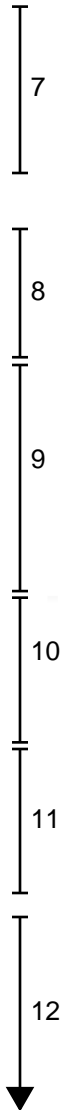
A. Incomplete Project Description

In both its April 26 and August 14 comment letters, Perris identified multiple aspects of the Project which were not identified in the Project Description and associated potential impacts that were not evaluated. Failing to adequately identify and assess potential environmental impacts does not meet Menifee’s burden to evaluate the whole of the Project and its impacts under CEQA.

Perris’ April 26 letter commented that the Draft EIR’s Transportation and Traffic section shows that the Project would cause traffic signal warrants to be met at the intersections of Wheat Street and Ethanac Road and Byers Road and Ethanac Road. As such, the required signals should be provided by the Project and identified in the Project Description. In addition, Table 4.13 of the Transportation and Traffic section shows that the westbound left turn lane at Byers Road and Ethanac Road would need to be extended to 350 feet to accommodate the truck traffic associated with the Project. However, Perris’ comments mentioned that these improvements were not included in the Project Description nor properly assessed in the FEIR. Menifee Response G6¹ and Response G7, instead of addressing Perris’ concerns, mischaracterized Perris’ comments as related to automobile delay or “Level of Service” (discussed further below) and dismissed such comments as raising concerns not within the scope of CEQA. However, Perris’ comments address infrastructure improvements that will be provided by the Project, which do raise concerns within the scope of CEQA. These unassessed improvements have been included as part of the Project via Engineering/Grading/Transportation Condition of Approval 208, which has been approved by the City of Menifee. Because these intersections are shared with the City of Perris and the existing median is located completely within the City of Perris, the City of Perris will be a Responsible Agency under CEQA for the approval of the intersection and turn lane construction and implementation.

Implementation of these off-site infrastructure improvements would result in potential impacts associated with air pollutant emissions, energy demand/use, greenhouse gas emissions, and construction noise levels. The EIR is required under CEQA to evaluate the whole of the action. As discussed in the following comments, the implementation of these parts of the Project were not identified and the associated impacts were not evaluated in the Draft or Final EIRs. As such,

¹ All references to numbered Responses refer to the Menifee Response to Perris’ December 21, May 16, and April 26 letters, which are included in the FEIR.



the City of Menifee has complied with the CEQA requirements to evaluate all potential impacts associated with the Project.

Additionally, South Coast Air Quality Management District commented in its April 17, 2024 comment letter to Menifee that the warehouse building would require the installation, maintenance, and regular testing of one or more emergency fire water pumps pursuant to the California Fire Code (California Code of Regulations, Title 24, Part 9). Perris re-iterated these concerns in its August 14 comment letter. Menifee Response E16 and E17 to South Coast Air Quality Management District's April 17 comment letter states that the Project has no plans at this time to install emergency generators or other permitted stationary equipment since the warehouse is speculative, but do not address the installation, maintenance, and regular testing of emergency fire water pumps.

Where provided, fire water pumps for fire protection systems shall be installed in accordance with Section 913 of the California Fire Code and the National Fire Protection Association ("NFPA") 20, Standard for the Installation of Stationary Pumps for Fire Protection. Fire water pumps are generally powered by diesel engines and, as such, would generate regional and localized emissions including health risks associated with diesel particulate emissions. According to the National Fire Protection Association, diesel fire pumps must be tested on a weekly basis for a minimum of 30 minutes. This requirement is not speculative. The emissions from this equipment would increase the regional and localized emissions and potential health risks identified in the Draft EIR. The fact that the diesel fire pumps are subject to permit approval from the South Coast Air Quality Management District does not excuse the evaluation of impacts associated with this equipment from the EIR. Additionally, the Final EIR did not evaluate the additional energy demand associated with this equipment. As such, the City of Menifee has not complied with the CEQA requirement to evaluate all potential impacts of the Project.

B. Insufficient Analysis of Transportation Impacts

CEQA requires that the environmental analysis performed for the Project analyze potentially significant traffic safety impacts associated with transportation, including whether a Project substantially increases hazards due to a geometric design feature such as intersection queuing. Perris raised multiple concerns in its April 26 and August 14 letters regarding the insufficiency of the EIR's Traffic Study, as the Project insufficiently analyzes multiple intersections within the City of Perris, and as such inadequately assesses potentially significant impacts related to traffic safety. Further, Perris has raised that the preparation of the site-specific traffic study for the CADO Warehouse Project is premature in that the overall traffic study for the Menifee Economic Development Corridor ("MEDC") needs to be completed first in order to master plan the entire MEDC area which encompasses the CADO Warehouse Project. A more comprehensive

review of the entire area along Ethanac Road needs to be completed before site-specific studies can be prepared for individual projects. Nonetheless, a Traffic Impact Analysis prepared by RK Engineering in June 2023 demonstrates adverse environmental impacts caused by increased truck traffic along Ethanac Road that are not properly reflected in the Project Traffic Study (discussed further below).

Finally, as commented in Perris' April 26 and August 14 letters, the traffic study fails to consider the City of Perris's impact criteria despite analyzing multiple intersections and roadway segments located partially or fully within the City of Perris. The study should be fully updated to adhere to both the City of Menifee and the City of Perris LOS analysis methodologies/impact criteria and City of Perris Circulation Element to fully assess potentially significant traffic safety impacts related to the Project.

Safety Concerns and Measure of Significance

Perris understands that pursuant to Public Resources Code ("PRC"), section 21099(b)(2), automotive delay as measured by various factors including level of service, is no longer considered an environmental impact for purposes of CEQA. However, PRC, section 21099(c) states this fact does not relieve a public agency of the requirement to analyze a project's potentially significant transportation impacts related to air quality, noise, safety or any other impact associated with transportation. Level of Service ("LOS") remains a useful tool in determining whether automobile and truck trips generated by a project results in reasonably foreseeable direct or cumulatively significant traffic safety impacts. Additionally, under CEQA, a significant impact can occur if a project substantially increases hazards due to a geometric design feature (e.g., intersection queuing). The Menifee Response letter repeatedly incorrectly asserts that queuing analysis is outside the scope of the EIR. As such, the City of Menifee has not complied with the CEQA requirement to evaluate the Project's potentially significant transportation impacts related to traffic safety.

Specifically, Perris has previously noted concerns about the Project's traffic safety impact to queuing/progression along Ethanac Road at the I-215 interchange. A simulation analysis should be conducted to identify any queuing deficiencies, and if applicable, improvements should be identified. Menifee Response G31 incorrectly states that queuing analysis is outside the scope of the EIR. The FEIR fails to analyze the queuing/progression along Ethanac Road at the I-215 interchange. Due to these closely-spaced intersections, queuing issues exist and the FEIR needs to address how the Project contributes to these traffic safety issues. Perris has also previously noted concerns about the Project's impacts to queuing/progression at the Case/Ethanac and Barnett/Ethanac intersections, expanded upon further below. Further, Menifee Planning Commissioner Long commented at the public hearing on the Project, held during the August 14

Menifee Planning Commission meeting, regarding the increased trucking along Ethanac Road and potential traffic safety concerns related to the increased trucking. Commissioner Long specifically raised Project traffic impacts effected by the residential developments along Ethanac Road, queuing at the Barnett Road/Ethanac Road and Case Road/Ethanac Road intersections, and the unimproved portions of Ethanac Road as potential traffic safety concerns. Additionally, Commissioner Long expressed strong concerns regarding the current traffic levels on Ethanac Road, the traffic safety hazards it is creating now, and the fear that this Project along with other warehouse projects within and around the MEDC will seriously exacerbate these traffic safety hazards. For this reason, Commissioner Long, to his credit, voted against the approval of this Project. The EIR concludes the Project will result in less than significant transportation impacts, without mitigation. For the reasons below, Perris does not believe those conclusions are supported with an adequate Traffic Impact Study, are not supported by an adequate assessment of potentially significant traffic safety impacts, and therefore are not supported with substantial evidence.

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Premature Site-Specific Traffic Study

Perris' April 26 letter commented that a site-specific traffic study for the CADO Warehouse is premature due to the preparation of a global Traffic Study for the MEDC. Menifee Response G16 acknowledged that a global Traffic Study is being prepared, and goes on to explain that the traffic study analyzes a "worst-case" scenario assuming 100% of truck traffic entering/exiting the site from Ethanac Road. Assuming this is a worst-case scenario is not necessarily correct and additional analysis would be needed to verify this. While the addition of a truck corridor may improve the overall traffic flow in the area, individual movements at certain intersections will be more heavily impacted, possibly causing new traffic safety issues. Since the traffic study only analyzes truck traffic entering/exiting from Ethanac Road, certain traffic safety considerations have been underestimated, or not analyzed entirely. The transportation analysis needs to be consistent with the analysis in the forthcoming MEDC global study, otherwise the Project may contribute towards traffic safety issues that are not currently analyzed.

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Existing Traffic Volumes

Perris' April 26 letter commented that the traffic counts utilized in the Project's traffic study were collected in October 2021 and January 2022. These counts are both well over two years old and may be negatively influenced by the coronavirus pandemic and stay-at-home orders. Therefore, newer traffic counts should be provided at those locations in order to accurately analyze the project under current conditions. Menifee Response G27 states that the traffic counts were compared with traffic counts and LOS results from more recent traffic studies with overlapping study intersections, which had more recent traffic counts (February 2023), and

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that they are “comparable.” However, the traffic study does not provide a comparison between the traffic counts to validate this claim. Instead, the traffic study utilizes outdated traffic counts which may be negatively influenced by the coronavirus pandemic and stay-at-home orders, thereby under-estimating the Project’s traffic safety impact in the traffic study, and fails to adequately assess potentially significant traffic safety impacts caused by the Project’s traffic safety impacts.

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Project Trip Generation

A combination of trip rates from ITE Trip Generation Manual (11th Edition), ITE Trip Generation Manual (10th Edition), and the City of Fontana Truck Trip Generation Study were all used to calculate the project’s trip generation forecast. The Fontana study is now over 20 years old and is widely discouraged from being used in general. The truck axle splits from SCAQMD are now generally favored in lieu of the splits from the Fontana study. Also, it is unclear why a mix of 10th and 11th edition ITE trip rates are being used, all rates should come from the 11th edition. Because Menifee has not provided any analysis or explanation as to why the combination of these trip rates were used in the traffic study, and has failed to utilize the most current information available, again, the traffic analysis is flawed, not credible and therefore does not constitute substantial evidence. Again, utilizing outdated trip rates to calculate the Project’s trip generation forecast, thereby inaccurately estimating traffic safety impact in the Project’s traffic study, fails to adequately assess the Project’s potentially significant traffic safety impacts.

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Intersection Operations and Traffic Control

Insufficient Analysis of Intersection Operations

The Project’s traffic study provides insufficient analysis of both future and existing intersections that will be impacted by the Project. The traffic study does not analyze the future intersection of Green Valley Parkway and Ethanac Road. This intersection is anticipated to have deficiencies in the future due to the large amount of traffic it is anticipated to serve. As such, the traffic study needs to analyze the potentially significant traffic safety impacts on this intersection, and determine what fair share contribution will be needed. Additionally, the southbound approach to Intersection 11 has been analyzed assuming three approach lanes. However, based on recent field observations, it appears the southbound approach only has been reduced to two existing approach lanes. Additionally, pedestrian walk and clearance intervals analyzed throughout the traffic study are generally underestimated or just incorrect. The LOS results could be significantly underestimated by using lower pedestrian timings than what is needed. Ped timings need to be calculated based on the HCM methodology: $[(\text{Length of Crosswalk} / 3.5 \text{ ft/sec}) + 7 \text{ seconds}]$. Also, pedestrian timings should be zeroed out for any leg that does not have a corresponding crosswalk. Again, while LOS is no longer considered an environmental impact for

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purposes of CEQA, LOS remains a useful tool in determining whether automobile and truck trips generated by a project results in reasonably foreseeable direct or cumulatively significant traffic safety impacts.

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As Perris addressed in its April 26 and August 14 letters, Study Intersection #13 actually consists of two separate (offset) intersections (Barnett Road & Case Road) and is incorrectly analyzed as a single, integrated intersection. Both of these intersections should be analyzed separately from an LOS and queuing standpoint to adequately assess the Project's potentially significant traffic safety impacts on the two intersections. Menifee Response G25 incorrectly states that queuing analysis is outside the scope of the EIR and that the intersection of Barnett Road/Case Road at Ethanac Road operates as one intersection and should be analyzed as one for analysis purposes. These are two separate intersections and need to be analyzed as such. As currently analyzed, the results for these two intersections are significantly underestimated. The offset nature of these two intersections presents several geometric design issues of concern leading to potentially significant traffic safety impacts, especially given the high amount of truck traffic planning to pass through these intersections. Furthermore, a "no right-turn on red" sign is present for the southbound approach along Case Road and the analysis should account for this accordingly.

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As detailed in the *City of Perris Complete Streets Safety Assessment (CSSA)*, dated August 2018, prepared by the ITS Technology Transfer Program, 13 collisions occurred at these two offset intersections between the years of 2015-2017. Accident data was obtained through SWITRS. Additionally, based on a recent review of the Transportation Injury Mapping System (TIMS), an additional 5 accidents resulting in possible injury occurred between the years 2020-2023. Based on this accident history, it is imperative that the traffic study analyze these two intersections accurately (i.e., as two offset intersections) to ensure the addition of project traffic will not increase serious collisions, thereby creating potentially significant traffic safety impacts.

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A letter was previously prepared in June 2023 providing supplemental comments in support of the City of Perris' appeal of Plot Plan No. PLN 21-0290 (Ethanac and Barnett Speculative Warehouses), located south of Ethanac Road and west of Barnett Road. This letter raised several traffic safety concerns relating to the current design of the intersections of Case Road/Ethanac Road & Barnett Road/Ethanac Road and the fundamental flaws of the accompanying traffic analysis (which also analyzed these offset intersections as one aligned intersection). The comments made in this letter also apply directly to the CADO Project as well. In fact, the CADO Project will generate significantly more trips than the Plot Plan No. PLN 21-0290 project (Ethanac and Barnett Speculative Warehouses), causing more of a direct impact to these offset intersections comparatively. As such, Perris re-iterates its existing traffic safety concerns

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relating to the current design of the intersections of Case Road/Ethanac Road & Barnett Road/Ethanac Road and Meniffee's flawed analysis of these intersections.

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Additionally, there appears to be decreases in delay between Existing & Existing + Project traffic conditions at several study intersections. The Project is forecast to generate a large amount of traffic, and the traffic study does not provide any analysis or explanation as to the decrease in delay. It is unclear why there would be a decrease in delay at any intersection with the inclusion of Project traffic, which further undermines Meniffee's assertion that the Project's traffic impacts will be less than significant and supports Perris' concerns that traffic safety impacts have not been adequately assessed and supported with substantial evidence.

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The traffic study needs to be updated to appropriately analyze these offset intersections from an overall traffic safety perspective. Recommended improvements should be made involving realigning Barnett Road with Case Road (and other associated intersection improvements if necessary), and should include any improvements attributed to the decrease in delay at Project intersections. The Project shall pay a fair share contribution towards this realignment, or 100% of the cost if the Project directly impacts these intersection(s).

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Direct Project Impacts

Perris' April 26 comment letter noted that the Project shall be 100% responsible for all necessary improvements installed to mitigate direct project impacts upon City of Perris transportation facilities (or mitigated via some other defined improvement program) prior to Project occupancy. Based on Table 4 of the traffic study, Intersections #9, #10, and #15 are considered to be directly impacted by the Project. However, traffic study still does not identify which impacts are "directly" caused by the Project. It is unclear how these improvements would be implemented and who would be responsible for providing the required improvements. Additional detail is needed on the funding mechanisms that will be utilized to make these required improvements.

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Meniffee Response G32 states that implementation of improvements will be based on direct discussion between City staff and the Applicant and would be imposed via the Conditions of Approval process. Any improvements to portions of intersections or roadways shared with the City of Perris would be coordinated between the City of Meniffee and City of Perris prior to final engineering for the Project. If an improvement is deemed to be caused directly by the project, a fair-share contribution by itself will not be adequate under CEQA.

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C. Insufficient Analysis of Greenhouse Gas Emissions Impacts

Perris re-iterates its concerns regarding the unassessed and unevaluated improvements to the intersections of Wheat Street/Ethanac Road and Byers Road/Ethanac Road, and the installation, maintenance, and regular testing of one or more emergency fire water pumps pursuant to the California Fire Code (California Code of Regulations, Title 24, Part 9) as they relate to the Project's Greenhouse Gas Analysis.

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Further, the City of Menifee used an outdated model to estimate the greenhouse gas emissions associated with the project. The Greenhouse Gas Emissions Assessment was prepared in March 2024 and the quantification of greenhouse gas emissions was modeled on August 30, 2022 using CalEEMod version 2020.4.0. The South Coast Air Quality Management District recommended that all air quality analyses conducted after December 21, 2022 use the latest version of CalEEMod. Due to the different emission factor model and different calculation methodologies, CalEEMod version 2022.1 estimates some emissions higher than version 2020.4.0. Therefore, the City of Menifee should have used the current version of CalEEMod to quantify the greenhouse gas emissions associated with the project and the EIR likely underestimates the emissions and potential greenhouse gas emissions impacts associated with the Project.

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D. Insufficient Analysis of Air Quality Impacts

As noted previously, the Conditions of Approval for the Project require improvements to the intersections of Wheat Street and Ethanac Road and Byers Road and Ethanac Road. These improvements were not identified in the Draft and Final EIRs, even though they were identified by the City of Perris in its April 26 and August 14 comment letters. Construction of these improvements would generate regional and localized air pollutant emissions that were not evaluated in the Draft and Final EIRs. Therefore, the City of Menifee has not complied with the CEQA requirements for the approval of these aspects of the Project.

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Further, the unmitigated operational project emissions identified in the Draft EIR exceed the daily threshold of significance for nitrogen oxides (NO_x). The EIR reduces this impact to a less than significant level through the implementation of two mitigation measures. Mitigation measure MM AQ-3 requires the project operator to prepare and submit a Transportation Demand Management (TDM) program detailing strategies that would reduce the use of single-occupant vehicles by employees by increasing the number of trips by walking, bicycle, carpool, vanpool, and transit. However, the mitigation measure does not provide any performance standards that identify the necessary reduction in vehicle trips required to reduce the emissions to a less than significant levels. Further, it does not require that the project operator ensure that

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employees participate in the Transportation Demand Management program. As such, this significant and unavoidable impact has not been adequately mitigated by the City of Menifee.

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E. Insufficient Analysis of Noise Impacts

Perris re-iterates its concerns regarding the unassessed and unevaluated improvements to the intersections of Wheat Street/Ethanac road and Byers Road/Ethanac Road as they relate to the Project's Noise Analysis.

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Further, Menifee's evaluation of cumulative off-site traffic noise impacts is based on an incorrect threshold and methodology. Under CEQA, an EIR is required to determine whether a significant cumulative impact would occur. If the cumulative impact is significant, the EIR is required to determine if the contribution of the project is considerable. In the case of this project and EIR, the 3.0 dB increase over "Existing" conditions and the resulting noise level exceeds the applicable exterior standard at a sensitive use is the appropriate threshold to determine if a significant cumulative impact would occur. As shown, in Table 4.11-13 on page 4.11-26 of the Draft EIR, cumulative noise levels increases of more than 3 dB would occur along Ethanac Road between Wheat Street and Evans Road. The Draft EIR then concludes that the cumulative impact is not significant because the Project's contribution is less than 1 dB, even though the increase between Wheat Street and Murrieta Road is 0.99 dB. This is incorrect and inconsistent with CEQA. The EIR should have concluded that a significant cumulative impact would occur along Ethanac Road between Wheat Street and Evans Road. This cumulative impact would affect residents in both Menifee and Perris, and Menifee has not required any mitigation measures to reduce such impact. While the contribution of the Project might not be considerable, the City of Menifee has not acknowledged the significant cumulative impact and has not informed the public about the significant cumulative noise impact. This in violation of CEQA.

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F. Inadequate Project Alternatives Analysis

An EIR is required to describe a range of reasonable alternatives to the project which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project. (CEQA Guidelines, section 15126.6(a).) In addition to the required "No Project" alternative, the EIR contains only one other alternative, Alternative 2 – Reduced Square Feet on Two Buildings Alternative (15 Percent Reduction). Analyzing only one additional alternative in the Draft EIR fails consider a reasonable range of potentially feasible alternatives as required under CEQA.

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Honorable Mayor and City Council
August 23, 2024
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The EIR is required to contains alternatives that “avoid or substantially lessen” a project’s significant impacts. The EIR fails in this regard and also fails to explain why it is unable to provide such alternatives. The alternatives analysis is also defective as it fails to consider alternatives that would avoid or substantially lessen the other significant impacts of the project, without mitigation, as required by CEQA. As such, the alternatives analysis fails to comply with CEQA.

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CONCLUSION

The City of Perris asks that the Menifee City Council reverse the Planning Commission decision and deny Tentative Parcel Map No. PLN22-0041 and Plot Plan No. PLN21-0370 in light of the significant deficiencies in the Project and Final EIR described above. The City of Perris looks forward to working with the Menifee to facilitate the preparation and consideration of a Project and proper Final EIR that meets the requirements described above.

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Sincerely,

ALESHIRE & WYNDER, LLP



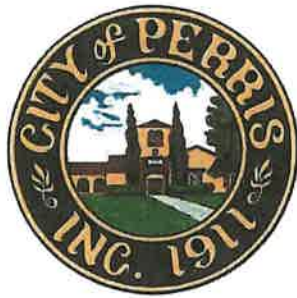
John Fox

JWF

Attachment: Exhibit A

EXHIBIT "A"

CITY OF PERRIS COMMENT LETTER
DATED 12-22-2021



CITY OF PERRIS

DEVELOPMENT SERVICES DEPARTMENT PLANNING DIVISION

135 N. "D" Street, Perris, CA 92570-2200
TEL: (951) 943-5003 FAX: (951) 943-8379

December 22, 2021

Ryan Fowler
City of Menifee
Planning Division
29714 Haun Road
Menifee, CA 92586

SUBJECT: City of Perris initial comments for the Capstone Industrial Project - Menifee Planning Case No. Plot Plan No. PLN21-0370 and Development Code Update No. PLN21-0260 (i.e., the application filed with the Northern Gateway Commerce Center I and II project for the Menifee North Economic Development Corridor Plan)

Dear Mr. Fowler:

The City of Perris appreciates the opportunity to comment on the "Capstone Industrial" ("Proposed Project") proposal to construct an industrial building totaling 700,037 sq. ft. on a 36.8 gross acre project site located approximately 300-feet south of Ethanac Road between Wheat Street and Bryers Road within the City of Menifee. The Proposed Project is located just south of Ethanac Road adjacent to the Green Valley Specific Plan (GVSP) within Perris limits. The GVSP is a master-planned community totaling 1,269 acres of land envisioned to have 3,460 single-family detached homes, 750 multi-family units, 42.3 acres of business and professional office space, 72.7 acres of commercial retail, 108.7 acres of industrial, 24 acres for three school sites, and 51.1 acres of public parks.

Although there are some industrial zones in the GVSP, they are located adjacent to the Perris Valley Airport north of the San Jacinto River, which has land use density limitations. All the development in the GVSP south of the San Jacinto River to Ethanac Road is residential, with some commercial development towards the I-215 Freeway. Therefore, no industrial development in the City of Perris is allowed to utilized Ethanac Road as a truck route due to the sensitivity of residential land uses along this roadway.

There are two single-family residential tracts in the GVSP totaling 314 single-family dwelling units nearing construction completion along Ethanac Road. In addition, there are six residential tracts comprised of 1,241 residential units, which are anticipated to start next year in phases.

The City is significantly concerned with the proposed Project as it is out of character with the surrounding residential areas in Menifee and the City of Perris. The City provides the below comments in light of the Project's proximity to the City of Perris residential neighborhood and concerns with potential truck traffic on Ethanac Road:

1. **California Environmental Quality Act (CEQA).** The Project needs to address the cumulative impact of all the proposed projects within a 1.5-mile radius of the proposed site to analyze, mitigate, and disclose all environmental impacts from the Proposed Project pursuant to the California Environmental Quality Act (CEQA). Perris staff is aware of Northern Gateway Commerce Centers I & II Industrial project (i.e., 2.4M SF in two industrial buildings) and the Barnett Warehouse Project (i.e., 250K SF industrial) in the Menifee North Economic Development Corridor (Menifee North EDC) Plan that should be incorporated into the CEQA analysis. The CEQA document should particularly evaluate how the Project will address mitigating impacts of the Project on being close to residential land uses land use compatibility, truck circulation, traffic impacts, and noise impacts. In addition, a health risk assessment, as further identified in this letter, is required.
2. **Land Use Inconsistency with Surrounding Areas / Development Code Update No. PLN21-0260** - The proposed industrial development is incompatible with the residential development in both the City of Perris and Menifee on the south side of McLaughlin Road, north of Ethanac Road, and west of Goetz Road, which is designated for residential development. The appropriate land use would be Business Park Development which is identified in the Menifee North EDC Plan, which would be more compatible with the residential land uses nearby. Therefore, the City is concerned with the development code update to create an industrial overlay to include development standards and a map amendment to add the boundary to the overlay, which is being processed with the Northern Gateway Centers I and II project that would apply to this property. Because the Northern Gateway Centers I and II project timing could be slower than this Project, the proposed Project should also include the same Development Code application to accurately reflect the proposed Project.
3. **Truck Circulation Route** – The developer should be required to prepare a Truck Circulation Plan. According to the site layout, it is presumed the developer proposing to utilize Ethanac Road as truck access. However, any truck access should be on McLaughlin Road to Barrett Avenue to Ethanac Road to access the I-215 Freeway due to proximity to residential land uses on the north side of Ethanac Road. In addition, it should be noted that the existing median on Ethanac Road is within Perris City limits and is not designed for truck queuing.

4. **Case Road and Barnett Avenue Alignment.** With the truck route noted above, Barnett Avenue and Case Road will need to align, as envisioned in the City's of Perris Circulation Element. Also, as the east side of Barnett Avenue is in the City of Perris, it should be built to a secondary arterial street designation of 94-ft right-of-way (r-o-w) to be consistent with the designation on Case Road.
5. **Traffic Impact Analysis/Truck Route.** The City of Perris has concerns related to traffic impacts to the Freeway interchange at I-215 and Ethanac Road. The Traffic Impact Analysis should include the following:
 - Evaluation of intersections/road segments in the City of Perris: Ethanac Road and Case Road/Barrett Avenue, and I-215 freeway and Ethanac Road (on-ramp and off-ramp).
 - Determine the fair share contribution to the Ethanac Road at the I-215 Interchange.
 - Evaluate all truck routes and traffic counts during AM and PM peak times.
 - Incorporate a truck route enforcement plan as part of the TIA, which includes: on-site signage (provide a depiction of signage) of truck routes and truck driver/dispatcher education on truck routes.

Upon completion of the Draft Traffic Impact Analysis, please provide the City with a copy to review and comment.

6. **Noise.** An acoustical/noise analysis shall be prepared to mitigate noise impacts from the Project resulting from construction and operation in proximity to the residential development surrounding the site along Ethanac Road and Barnett Avenue.
7. **Health Risk Assessment Study.** A Health Risk Assessment is required under the *Sierra Club v. City of Fresno* case to evaluate health impacts on nearby residents.
8. **CEQA.** Please provide future notices prepared for the Project pursuant to the California Environmental Quality Act ("CEQA") under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law which includes: notices of any public hearing held pursuant to CEQA, and notices of any scoping meeting held pursuant to Public Resources Code Section 21083.9.

The City of Perris thanks you for considering these comments. Please feel free to contact me at (951) 943-5003, ext. 257, if you have any questions or would like to discuss the above concern in further detail.

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Sincerely,



Kenneth Phung
Director of Development Services

Cc: Clara Miramontes, City Manager
Eric Dunn, City Attorney
Stuart McKibbin, City Engineer

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**CITY OF PERRIS COMMENTS ON THE NOTICE
OF PREPARATION FOR THE CADO INDUSTRIAL
PROJECT - DATED 5-16-2022**



CITY OF PERRIS

DEVELOPMENT SERVICES DEPARTMENT PLANNING DIVISION

135 N. "D" Street, Perris, CA 92570-2200
TEL: (951) 943-5003 FAX: (951) 943-8379

May 16, 2022

Ryan Fowler
City of Menifee
Planning Division
29714 Haun Road
Menifee, CA 92586

SUBJECT: City of Perris Comments on the Notice of Preparation for the Cado Industrial Project - Menifee Planning Case No. Plot Plan No. PLN21-0370 and Tentative Parcel Map No. 22-041.

Dear Mr. Fowler:

The City of Perris appreciates the opportunity to comment on the Notice of Preparation (NOP) for the "Cado Industrial" ("Proposed Project") proposal to construct an industrial building totaling 700,037 sq. ft. on a 36.8 gross acre project site located approximately 300-feet south of Ethanac Road between Wheat Street and Bryers Road within the City of Menifee. The Proposed Project is located just south of Ethanac Road adjacent to the Green Valley Specific Plan (GVSP) within Perris limits. The GVSP is a master-planned community totaling 1,269 acres of land envisioned to have 3,460 single-family detached homes, 750 multi-family units, 42.3 acres of business and professional office space, 72.7 acres of commercial retail, 108.7 acres of industrial, 24 acres for three school sites, and 51.1 acres of public parks.

The NOP comment letter reiterates many of the comments provided during the agency transmittal period on December 22, 2021, stating that the City of Perris is significantly concerned with the proposed Project as the following concerns will need to be addressed:

- 1. California Environmental Quality Act (CEQA).** The Project needs to address the cumulative impact of all the proposed projects within a 1.5-mile radius of the proposed site to analyze, mitigate, and disclose all environmental impacts from the Proposed Project pursuant to the California Environmental Quality Act (CEQA). Perris staff is aware of Northern Gateway

Commerce Centers I & II Industrial projects (i.e., 2.4M SF in two industrial buildings), the Barnett Warehouse Project (i.e., 250K SF industrial), and the McLaughlin Warehouse Project (i.e., 276,682 SF Industrial) in the Menifee North Economic Development Corridor (Menifee North EDC) Plan that should be incorporated into the CEQA analysis. The CEQA document should particularly evaluate how the Project will address mitigating impacts of the Project on being close to residential land uses land use compatibility, truck circulation, traffic impacts, and noise impacts. In addition, a health risk assessment, as further identified in this letter, is required.

2. **Land Use Inconsistency with Surrounding Areas** - The proposed industrial development is incompatible with the residential development in both the City of Perris and Menifee on the south side of McLaughlin Road, north of Ethanac Road, and west of Goetz Road, which is designated for residential development. Although there are some industrial zones in the GVSP, they are located adjacent to the Perris Valley Airport north of the San Jacinto River, which has land use density limitations. All the development in the GVSP south of the San Jacinto River to Ethanac Road is residential, with some commercial development towards the I-215 Freeway. Therefore, no industrial development in the City of Perris is allowed to utilized Ethanac Road as a truck route due to the sensitivity of residential land uses along this roadway.

There are two single-family residential tracts in the GVSP totaling 314 single-family dwelling units nearing construction completion along Ethanac Road. In addition, there are six residential tracts comprised of 1,241 residential units, which are anticipated to start next year in phases.

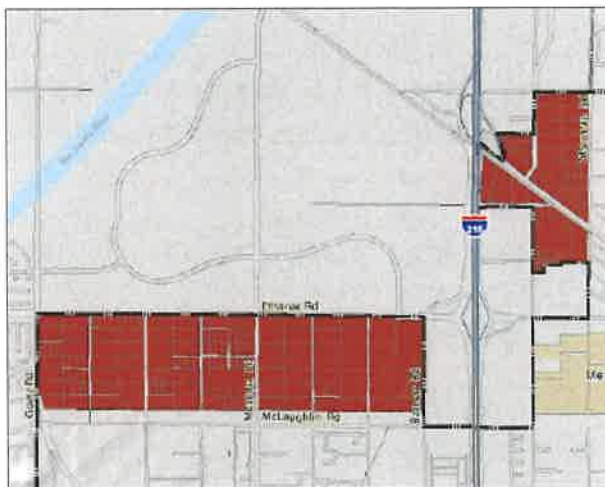
3. **Menifee Economic Developer Corridor Zoning.** The appropriate land use would be Business Park Development which is identified in the Menifee North EDC Plan (see YELLOW highlight below from the North EDU zoning map), which would be more compatible with the residential land uses nearby.

EXHIBIT LU-B2B: EDC NORTHERN GATEWAY (594 ACRES)

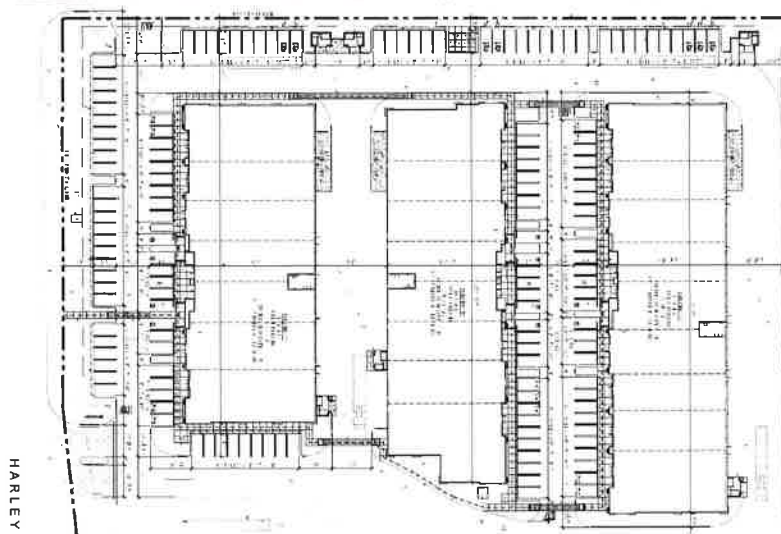
Preferred Mix of Land Uses

Residential	5%
Industrial	95%

Envisioned as an employment center at Menifee's northern gateway that focuses on providing opportunity for **business park development** and more traditional industrial (less office) than envisioned for the Southern Gateway (Scott Road) EDC area. Limited residential development may be appropriate between new business park uses and existing single-family homes, or in places where residential projects have already been approved. Emphasis should be on job creation and creating connections to regional transportation corridors, including I-215 and the railroad.



Below is an example of the Business Park Development architecture and site plan that has been proposed in Perris as an example.



4. **Truck Circulation Route** – The developer should be required to prepare a Truck Circulation Plan. According to the site layout, it is presumed the developer proposing to utilize Ethanac Road as truck access. However, any truck access should be on McLaughlin Road to Barrett Avenue to Ethanac Road to access the I-215 Freeway due to proximity to residential land uses on the north side of Ethanac Road. In addition, it should be noted that the existing median on Ethanac Road is within Perris City limits and is not designed for truck queuing.
5. **Case Road and Barnett Avenue Alignment.** With the truck route noted above, Barnett Avenue and Case Road will need to align, as envisioned in the City's of Perris Circulation Element. Also, as the east side of Barnett Avenue is in the City of Perris, it should be built to a secondary arterial street designation of 94-ft right-of-way (r-o-w) to be consistent with the designation on Case Road.
6. **Traffic Impact Analysis/Truck Route.** The City of Perris has concerns related to traffic impacts to the Freeway interchange at I-215 and Ethanac Road. The Traffic Impact Analysis should include the following:

- Evaluation of intersections/road segments in the City of Perris: Ethanac Road and Case Road/Barrett Avenue, and I-215 freeway and Ethanac Road (on-ramp and off-ramp).
- Determine the fair share contribution to the Ethanac Road at the I-215 Interchange.
- Evaluate all truck routes and traffic counts during AM and PM peak times.
- The Ethanac Road interchange and the truck access route shall operate at an acceptable level with the opening day projection.
- Incorporate a truck route enforcement plan as part of the TIA, including on-site signage (provide a depiction of signage) of truck routes and truck driver/dispatcher education on truck routes.

Upon completion of the Draft Traffic Impact Analysis, please provide the City with a copy to review and comment.

7. **Noise.** An acoustical/noise analysis shall be prepared to mitigate noise impacts from the Project resulting from construction and operation in proximity to the residential development surrounding the site along Ethanac Road and Barnett Avenue.
8. **Health Risk Assessment Study.** A Health Risk Assessment is required under the *Sierra Club v. City of Fresno* case to evaluate health impacts on nearby residents.
9. **CEQA.** Please provide future notices prepared for the Project pursuant to the California Environmental Quality Act ("CEQA") under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law which includes: notices of any public hearing held pursuant to CEQA, and notices of any scoping meeting held pursuant to Public Resources Code Section 21083.9.
10. **1,200-Foot Property Owners Notification.** Due to nearby sensitive uses, it is requested that property owner notification within 1,200-feet of the project site is provided to ensure that all individuals who the development may impact are provided an opportunity to comment.

The City of Perris thanks you for considering these comments. Please feel free to contact me at (951) 943-5003, ext. 257, if you have any questions or would like to discuss the above concern in further detail.

Sincerely,



Kenneth Phung
Director of Development Services

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Attachment: City of Perris Comment Letter dated December 22, 2021

Cc: Clara Miramontes, City Manager
Eric Dunn, City Attorney
Stuart McKibbin, City Engineer

**CITY OF PERRIS COMMENTS ON THE DRAFT
ENVIRONMENTAL IMPACT REPORT (EIR) PREPARED FOR
THE CADO MENIFEE INDUSTRIAL WAREHOUSE PROJECT -
PLOT PLAN NO. PLN21-0370 AND TENTATIVE PARCEL MAP
NO. PLN22-0041 - DATED 04-26-2024**



CITY OF PERRIS

DEVELOPMENT SERVICES DEPARTMENT PLANNING DIVISION

135 N. "D" Street, Perris, CA 92570-2200
TEL: (951) 943-5003 FAX: (951) 943-8379

April 26, 2024

Ryan Fowler
City of Menifee
Community Development Department
29844 Haun Road
Menifee, CA 92586

**SUBJECT: CITY OF PERRIS COMMENTS ON THE DRAFT ENVIRONMENTAL
IMPACT REPORT (EIR) PREPARED FOR THE CADO MENIFEE
INDUSTRIAL WAREHOUSE PROJECT - PLOT PLAN NO. PLN21-0370 AND
TENTATIVE PARCEL MAP NO. PLN22-0041**

Dear Mr. Fowler:

The City of Perris appreciates the opportunity to comment on the Draft EIR prepared for the proposed CADO Menifee Industrial Warehouse Project ("Project") consisting of a 700,037-square-foot industrial building on 36.81 net acres, located approximately 700 feet south of Ethanac Road between Wheat Street and Bryers Road within the City of Menifee. The Green Valley Specific Plan (GVSP) planning area is within the limits of the City of Perris and is located north of Ethanac Road across from the project site. The GVSP is a master-planned community totaling 1,269 acres of land envisioned to be developed with 3,460 single family detached homes, 750 multi-family units, 42.3 acres of business and professional office space, 72.7 acres of commercial retail, 108.7 acres of industrial, 24 acres for three school sites, and 51.1 acres of public parks.

The City of Perris has expressed concerns with the proposed Project on the agency transmittal and during the NOP comment period. After reviewing the Draft EIR and technical reports, the City believes the Project has not adequately addressed the potential environmental impacts related to air quality, project alternatives, energy, greenhouse gas emissions, land use, noise, and transportation. Thus, the City continues to have concerns with the Project as detailed in the comments provided below.

Draft EIR

Project Description

1. The proposed project is generically described as an approximately 700,037-square-foot industrial warehouse building. Several of the potential impacts evaluated in the Draft EIR, such

as air quality, energy, greenhouse gas emissions, noise, and transportation are based in part on the trip generation numbers provided in the Traffic Study prepared for the project. The Traffic Study trip generation rates are based on the building being used as a high-cube fulfillment center (ITE land use 155). However, use of the building as a high-cube fulfillment center is not specified anywhere within the Draft EIR. In fact, page 1-1 of the Draft EIR states that the proposed building's end user is speculative in nature. Therefore, it cannot be assured that the building would only be operated as a high-cube fulfillment center if the project is approved.

As pointed out in CARE CA's NOP comments for the project (included in Appendix A to the Draft EIR), different types of industrial warehouse use have unique operational characteristics that result in different types/levels of environmental impacts. For instance, fulfillment centers typically have higher employee ratios and therefore cause increased vehicular trip generation impacts with fewer heavy-duty truck related effects. Distribution centers and parcel hubs, on the other hand, create more truck-related impacts but typically have substantially fewer employees and reduced passenger vehicle impacts. Meanwhile, cold storage warehouses demand more energy and create more greenhouse gas emissions than non-refrigerated warehouses along with increased truck-related impacts including use of transportation refrigerated units (TRUs) during project operation.

The Draft EIR had the opportunity to specify the use that is being evaluated and did not do so. Unless the EIR specifically states that the building would be restricted to non-refrigerated uses, it should be revised to evaluate the potential impacts associated with the possible operation of all or some portions of the building as a refrigerated facility. This is particularly important to the City of Perris because residents of the GVSP area to the immediate north of Ethanac Road would be affected by the project. Additionally, while the GVSP is included in the list of cumulative projects identified in the Draft EIR, the project fails to adequately analyze the reasonably foreseeable environmental impacts on the future residents of the residential units planned for construction within the GVSP throughout the Draft EIR.

2. Page 4.13-25 of the Transportation and Traffic section of the Draft EIR shows that the project would cause traffic signal warrants to be met at the intersections of Wheat Street and Ethanac Road and Byers Road and Ethanac Road. The required signals should be provided by the project and identified in the Project Description. Because these intersections are shared with the City of Perris, the City of Perris will be a Responsible Agency under CEQA for the approval of the intersection construction and implementation.
3. Table 4.13 of the Transportation and Traffic section of the Draft EIR_section shows that the westbound left turn lane at Byers Road and Ethanac Road would need to be extended to 350 feet to accommodate the truck traffic associated with the project. However, this improvement is not identified as part of the off-site project improvements in the Project Description and should be included as such. Because the northern traffic lanes and the median are located within the City of Perris, the City of Perris will be a Responsible Agency under CEQA for the approval of the turn lane construction and implementation.

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Air Quality

4. As discussed above, the proposed project could generate more traffic than what is assumed in the Draft EIR if any portions of the proposed building are occupied by refrigerated uses. This would result in greater operational air pollutant emissions than what are identified in the Draft EIR. In addition, the trucks traveling to and from the refrigerated uses would have TRUs which would be an additional source of air pollutants.
5. The evaluation of diesel particulate health risk impacts appears to be based on the emissions generated by mobile sources within the project site and experienced at nearby existing receptor locations. However, this analysis needs to confirm the evaluation of, or be revised to evaluate, the emissions from the diesel sources at the project site and traveling along the roadways between the project site and I-215. In addition, the analysis needs to identify the potential health risk impacts to the residents of the GVSP area to the immediate north of Ethanac Road.

Project Alternatives

6. Section 6.0 of the Draft EIR considers and analyzes only two alternatives to the project; No Project Alternative and Reduced Square Feet on Two Buildings Alternative. The EIR is to include a range of reasonable alternatives in compliance with the CEQA Guidelines, section 15126.6. An EIR is required to assess a no-project alternative under the CEQA Guidelines; as such, analyzing only one additional alternative in the Draft EIR fails to consider a reasonable range of potentially feasible alternatives.

Energy

7. As discussed above, the proposed project could also generate more traffic than what is assumed in the Draft EIR if any portions of the proposed building are occupied by refrigerated uses. In addition, the trucks traveling to and from the refrigerated uses would have TRUs. The energy evaluation should be revised to address these additional energy demands.

Greenhouse Gas Emissions

8. The Draft EIR utilizes 3000 MTCO₂e as a threshold of significance throughout the Greenhouse Gas Analysis. However, 3000 MTCO₂e is not supported with substantial evidence as a threshold of significance for greenhouse gas emissions, as required by CEQA Guidelines sections 15064(b) and 15064.7(c).
9. As discussed above, the proposed project could also generate more traffic than what is assumed in the Draft EIR if any portions of the proposed building are occupied by refrigerated uses. In addition, the trucks traveling to and from the refrigerated uses would have TRUs. Each of these sources would result in greater operational greenhouse gas emissions than what are identified in the Draft EIR.

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Land Use Inconsistency with Surrounding Areas

10. The proposed industrial development is incompatible with the residential development in the City of Menifee on the north side of Kuffel Road, south side of McLaughlin Road, south side of Ethanac Road, and west of Goetz Road, as well as the residential development in the City of Perris on the north side of Ethanac Road. Although there are some industrial zones in the GVSP area, they are located adjacent to the Perris Valley Airport north of the San Jacinto River, which has land use density limitations. All the development in the GVSP area south of the San Jacinto River to Ethanac Road is residential, with some commercial development towards the I-215 Freeway. Therefore, no industrial development in the City of Perris is allowed to utilize Ethanac Road as a truck route due to the sensitivity of residential land uses along this roadway. As such, all of the truck traffic along Ethanac Road west of Case Road would be associated with industrial development within the City of Menifee.

Noise

11. The City of Perris' noise ordinance is not assessed as part of the project's noise generation, despite the Project's proximity to sensitive receptors within the City of Perris. This is of particular concern due to the anticipated increase in cumulative and incremental traffic noise along Ethanac Road, which is directly south of the anticipated residential development within the GVSP area.

Transportation and Traffic

Traffic Study Scope Concerns

12. The preparation of the site-specific Traffic Study for the CADO Menifee Industrial Warehouse Project is premature in that the overall traffic study for the Menifee Economic Development Corridor (MEDC) needs to be completed first in order to master plan the entire MEDC area, which includes the CADO Menifee Industrial Warehouse Project. A more comprehensive review of the entire area along Ethanac Road needs to be completed before site-specific studies can be prepared for individual projects. This is of particular concern because the Traffic Study identified a number of roadways and intersections improvements that need to occur to accommodate cumulative development – most of which is within the MEDC area but the mechanisms and timing for the necessary improvements have not been identified.
13. Sixteen (16) out of the twenty-eight (28) study area intersections analyzed in the Traffic Study are located within the City of Perris. For these intersections, along with any study roadway segments, the City of Perris will be a Responsible Agency under CEQA for the approval of any improvements and Perris' traffic impact criteria must be utilized (see Appendix A). This includes a comparison of Existing to Existing Plus Project conditions to determine whether the proposed project would have a direct or cumulative impact. If the project has a direct impact, then the project will be responsible for completing the required improvements unless a funding mechanism can be identified (e.g., TUMF fees, DIF fees, completed by other development, etc.). The failure to utilize the City of Perris' traffic impact criteria for the intersections and roadway segments within or shared with its jurisdiction means that the City of Perris cannot

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utilize the City of Menifee's EIR to approve any identified improvements. A separate subsequent environmental review by the City of Perris would be required.

14. Trucks should avoid traveling on Ethanac Road west of Barnett Road and Case Road due to the proximity to residential land uses within the Green Valley Specific Plan area north of Ethanac Road in the City of Perris. Additionally, the existing median on Ethanac Road is within the Perris city limits and was not designed for truck queuing. Extending the westbound left turn pocket at Byers Road to 350 feet in length would allow queuing of two (2) trucks. Queuing for additional trucks would impact the through travel lanes along Ethanac Road.
15. It is our understanding that the Master Plan for the MEDC will be providing roadway connections for trucks that will not impact City of Perris roadways. This must be considered as part of the Traffic Study and the analysis should be revised accordingly.
16. The Traffic Study will need to clearly identify what improvements are necessary, whether they have a direct or indirect impact on the project, and how they will be implemented. Again, direct impacts will be determined for City of Perris intersections and roadway segments based upon the City of Perris traffic criteria.
17. Table 4.13 of the Transportation and Traffic section of the Draft EIR shows that the westbound left turn lane at Byers Road and Ethanac Road would need to be extended to 350 feet to accommodate the truck traffic associated with the project. This is not identified as part of the off-site project improvements in the Project Description. As such, the City of Perris has no idea of when this necessary improvement will be implemented. Any left-turning trucks that cannot enter the turn lane without stopping would impede the left westbound traffic lane. Because the northern traffic lanes and the median are located within the City of Perris, the City of Perris will be a Responsible Agency under CEQA for the approval of the turn lane construction and implementation. The City of Perris considers any potential blocking of a traffic lane by trucks to substantially increase hazards due to a dangerous intersection (Impact 4.13-3). This is a potentially significant impact that is not identified on page 4.13-14 of the Draft EIR. The Draft EIR needs to be revised to evaluate this impact. Unless the westbound left turn lane is extended prior to project operation, the impact will be significant and unavoidable and, because the impact would occur entirely within the City of Perris, this is not an impact that can be overridden by the City of Menifee.

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Specific Traffic Study Comments

18. Title Page. The traffic study needs to be signed and stamped by the PE/TE in responsible charge of the study.
19. Page 1 – Introduction, First Paragraph. The study will also need to follow City of Perris intersection/roadway segment analysis requirements and impact criteria. This would include an evaluation of Existing versus Existing Plus Project impacts to determine whether the project has a direct or indirect impact on the deficient transportation facilities.
20. Pages 4 & 5 – Study Locations. The traffic study shall identify whether the intersections and roadway segments are located within the City of Menifee, Perris, or both.

21. Page 6 – Figure 3A. Existing Lane Configuration and Traffic Control. Study Intersection #13 actually consists of two separate (offset) intersections (Barnett Road & Case Road). As listed and detailed in the Draft DEIR, Study Intersection #13 appears to have been analyzed as a single, aligned intersection. Both intersections should be analyzed separately (from a LOS and queuing standpoint), and the recommended improvements should involve realigning Barnett Road with Case Road (and other associated intersection improvements if necessary). The project shall pay a fair share contribution towards this realignment, or 100% of the cost if the project directly impacts these intersection(s).
22. Page 10 – Roadway Capacity Requirements. For segments located within the City of Perris, the maximum two-way traffic volume capacity should be based upon City of Perris requirements identified in the City's General Plan.
23. Page 15 – Existing Traffic Volumes. Counts taken in October 2021 would still be influenced by the coronavirus pandemic and stay-at-home orders. Therefore, newer traffic counts should be provided at those locations. Also, it is unclear how the 2021 and 2022 counts were grown to reflect Existing (Year 2023) traffic conditions. The City of Perris utilizes a 3% per year annual growth rate for transportation facilities within the City of Perris.
24. Page 21 – Figure 7: Project Trip Distribution. The project distribution needs to be updated to show both the passenger vehicle and truck turning percentages at each intersection. Currently, it is unclear how project traffic enters/exits the project site. No trucks should be allowed on Ethanac Road west of Barnett Road and Case Road, Goetz Road north of Ethanac Road, or on Murietta Road north of Ethanac Road for the reasons stated on item #14 above.
25. Page 28 – Table 4 – Summary of Intersection Operations – Existing Plus Project. This table needs to include what jurisdiction each study intersection is located within to determine which intersections are considered directly impacted per City of Perris criteria.
26. Page 32 - Table 6: Summary of Cumulative Projects. The City of Perris Planning Department will need to review and confirm that the list of cumulative projects is comprehensive and accurate.
27. Page 47 - Storage Capacity at Left-Turn Pockets. The City of Perris is concerned about the project's impact to queuing/progression along Ethanac Road at the I-215 interchange. A simulation analysis should be conducted to identify any queuing deficiencies, and if applicable, improvements should be identified.
28. Page 47 - Recommended Improvements. For direct project impacts of City of Perris transportation facilities, the project shall be 100% responsible that all necessary improvements are installed to mitigate these impacts (or via some other defined improvement program) prior to project occupancy. It is also unclear how these improvements would be implemented and who would be responsible for providing the required improvements. Additional detail is needed on the funding mechanisms that will be utilized to make these required improvements.

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29. Table 13 – Summary of Roadway Segment Analysis with Improvements – Opening Year 2024 Cumulative Plus Project shows that the recommended configuration for Ethanac Road is a 6-Lane Urban Arterial. This is generally consistent with the City of Perris General Plan Circulation Element which classifies this roadway as a 6-lane Expressway. The segment of Ethanac Road from Goetz Road to Barnett Road is shared by the cities of Perris and Menifee.

30. Several years ago, Ethanac Road was only a 2-lane Primary Arterial and the City of Perris consulted with the City of Menifee regarding roadway and median improvements along of Ethanac Road to accommodate future development in the area – particularly the GVSP area. The City of Menifee chose not to participate in the improvement process. Since that time, the City of Perris has improved the segment of Ethanac Road from Goetz Road to Barnett Road as a 4-lane Primary Arterial with a median. The westbound two lanes, the median, and the northern eastbound lane are all located within the City of Perris and the northern lanes have been constructed to the ultimate width from the roadway centerline. Only the southern eastbound lane is located within the City of Menifee. This means that the ultimate expansion of Ethanac Road to a 6-lane Urban Arterial or Expressway, including the relocation and reconstruction of the roadway median, will be the responsibility of the City of Menifee. All expansion will occur along the southern side of Ethanac Road and would likely require the removal of the existing homes along the southern side of Ethanac Road. Because the overall traffic study for the MEDC has not been prepared, it is not known if this expansion has been considered in the current proposal for development within the MEDC area.

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CEQA.

31. Please provide future notices prepared for the Project pursuant to the California Environmental Quality Act (“CEQA”) under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law which includes: notices of any public hearing held pursuant to CEQA, and notices of any scoping meeting held pursuant to Public Resources Code Section 21083.9.

Property Owners Notification

32. Due to nearby sensitive uses, it is requested that property owner notification within 1,200-feet of the project site is provided to ensure that all individuals who the development may impact are provided an opportunity to comment. It is recommended that in the future notices include a comment period ending on a weekday to allow the public and agencies the maximum allowable time to comment on a project. The comment period for this project ended on Saturday, April 27, 2024; thus, comments related to this project had to be sent a day early.

The City of Perris thanks you for considering these comments. Please feel free to contact me at (951) 943-5003, ext. 355 or pbrenes@cityofperris.org, if you have any questions or would like to discuss the above concern in further detail.

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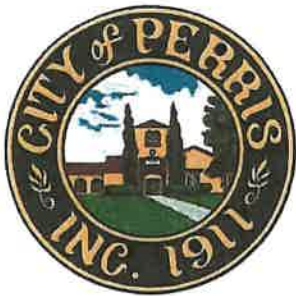
Sincerely,



Patricia Brenes
Planning Manager

Attachments: City of Perris Response to Agency Transmittal - Dated December 22, 2021
City of Perris Response to NOP – Dated May 16, 2022

cc: Clara Miramontes, City Manager
Wendell Bugtai, Assistant City Manager
Robert Khuu, City Attorney
John Pourkazemi, City Engineer
Kenneth Phung, Director of Development Services



CITY OF PERRIS

DEVELOPMENT SERVICES DEPARTMENT PLANNING DIVISION

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TEL: (951) 943-5003 FAX: (951) 943-8379

December 22, 2021

Ryan Fowler
City of Menifee
Planning Division
29714 Haun Road
Menifee, CA 92586

SUBJECT: City of Perris initial comments for the Capstone Industrial Project - Menifee Planning Case No. Plot Plan No. PLN21-0370 and Development Code Update No. PLN21-0260 (i.e., the application filed with the Northern Gateway Commerce Center I and II project for the Menifee North Economic Development Corridor Plan)

Dear Mr. Fowler:

The City of Perris appreciates the opportunity to comment on the "Capstone Industrial" ("Proposed Project") proposal to construct an industrial building totaling 700,037 sq. ft. on a 36.8 gross acre project site located approximately 300-feet south of Ethanac Road between Wheat Street and Bryers Road within the City of Menifee. The Proposed Project is located just south of Ethanac Road adjacent to the Green Valley Specific Plan (GVSP) within Perris limits. The GVSP is a master-planned community totaling 1,269 acres of land envisioned to have 3,460 single-family detached homes, 750 multi-family units, 42.3 acres of business and professional office space, 72.7 acres of commercial retail, 108.7 acres of industrial, 24 acres for three school sites, and 51.1 acres of public parks.

Although there are some industrial zones in the GVSP, they are located adjacent to the Perris Valley Airport north of the San Jacinto River, which has land use density limitations. All the development in the GVSP south of the San Jacinto River to Ethanac Road is residential, with some commercial development towards the I-215 Freeway. Therefore, no industrial development in the City of Perris is allowed to utilize Ethanac Road as a truck route due to the sensitivity of residential land uses along this roadway.

There are two single-family residential tracts in the GVSP totaling 314 single-family dwelling units nearing construction completion along Ethanac Road. In addition, there are six residential tracts comprised of 1,241 residential units, which are anticipated to start next year in phases.

The City is significantly concerned with the proposed Project as it is out of character with the surrounding residential areas in Menifee and the City of Perris. The City provides the below comments in light of the Project's proximity to the City of Perris residential neighborhood and concerns with potential truck traffic on Ethanac Road:

1. **California Environmental Quality Act (CEQA).** The Project needs to address the cumulative impact of all the proposed projects within a 1.5-mile radius of the proposed site to analyze, mitigate, and disclose all environmental impacts from the Proposed Project pursuant to the California Environmental Quality Act (CEQA). Perris staff is aware of Northern Gateway Commerce Centers I & II Industrial project (i.e., 2.4M SF in two industrial buildings) and the Barnett Warehouse Project (i.e., 250K SF industrial) in the Menifee North Economic Development Corridor (Menifee North EDC) Plan that should be incorporated into the CEQA analysis. The CEQA document should particularly evaluate how the Project will address mitigating impacts of the Project on being close to residential land uses land use compatibility, truck circulation, traffic impacts, and noise impacts. In addition, a health risk assessment, as further identified in this letter, is required.
2. **Land Use Inconsistency with Surrounding Areas / Development Code Update No. PLN21-0260** - The proposed industrial development is incompatible with the residential development in both the City of Perris and Menifee on the south side of McLaughlin Road, north of Ethanac Road, and west of Goetz Road, which is designated for residential development. The appropriate land use would be Business Park Development which is identified in the Menifee North EDC Plan, which would be more compatible with the residential land uses nearby. Therefore, the City is concerned with the development code update to create an industrial overlay to include development standards and a map amendment to add the boundary to the overlay, which is being processed with the Northern Gateway Centers I and II project that would apply to this property. Because the Northern Gateway Centers I and II project timing could be slower than this Project, the proposed Project should also include the same Development Code application to accurately reflect the proposed Project.
3. **Truck Circulation Route** – The developer should be required to prepare a Truck Circulation Plan. According to the site layout, it is presumed the developer proposing to utilize Ethanac Road as truck access. However, any truck access should be on McLaughlin Road to Barrett Avenue to Ethanac Road to access the I-215 Freeway due to proximity to residential land uses on the north side of Ethanac Road. In addition, it should be noted that the existing median on Ethanac Road is within Perris City limits and is not designed for truck queuing.

4. **Case Road and Barnett Avenue Alignment.** With the truck route noted above, Barnett Avenue and Case Road will need to align, as envisioned in the City's of Perris Circulation Element. Also, as the east side of Barnett Avenue is in the City of Perris, it should be built to a secondary arterial street designation of 94-ft right-of-way (r-o-w) to be consistent with the designation on Case Road.
5. **Traffic Impact Analysis/Truck Route.** The City of Perris has concerns related to traffic impacts to the Freeway interchange at I-215 and Ethanac Road. The Traffic Impact Analysis should include the following:
 - Evaluation of intersections/road segments in the City of Perris: Ethanac Road and Case Road/Barrett Avenue, and I-215 freeway and Ethanac Road (on-ramp and off-ramp).
 - Determine the fair share contribution to the Ethanac Road at the I-215 Interchange.
 - Evaluate all truck routes and traffic counts during AM and PM peak times.
 - Incorporate a truck route enforcement plan as part of the TIA, which includes: on-site signage (provide a depiction of signage) of truck routes and truck driver/dispatcher education on truck routes.

Upon completion of the Draft Traffic Impact Analysis, please provide the City with a copy to review and comment.

6. **Noise.** An acoustical/noise analysis shall be prepared to mitigate noise impacts from the Project resulting from construction and operation in proximity to the residential development surrounding the site along Ethanac Road and Barnett Avenue.
7. **Health Risk Assessment Study.** A Health Risk Assessment is required under the *Sierra Club v. City of Fresno* case to evaluate health impacts on nearby residents.
8. **CEQA.** Please provide future notices prepared for the Project pursuant to the California Environmental Quality Act ("CEQA") under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law which includes: notices of any public hearing held pursuant to CEQA, and notices of any scoping meeting held pursuant to Public Resources Code Section 21083.9.

The City of Perris thanks you for considering these comments. Please feel free to contact me at (951) 943-5003, ext. 257, if you have any questions or would like to discuss the above concern in further detail.

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Sincerely,

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke.

Kenneth Phung
Director of Development Services

Cc: Clara Miramontes, City Manager
Eric Dunn, City Attorney
Stuart McKibbin, City Engineer

Cont.
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CITY OF PERRIS

DEVELOPMENT SERVICES DEPARTMENT PLANNING DIVISION

135 N. "D" Street, Perris, CA 92570-2200
TEL: (951) 943-5003 FAX: (951) 943-8379

May 16, 2022

Ryan Fowler
City of Menifee
Planning Division
29714 Haun Road
Menifee, CA 92586

SUBJECT: City of Perris Comments on the Notice of Preparation for the Cado Industrial Project - Menifee Planning Case No. Plot Plan No. PLN21-0370 and Tentative Parcel Map No. 22-041.

Dear Mr. Fowler:

The City of Perris appreciates the opportunity to comment on the Notice of Preparation (NOP) for the "Cado Industrial" ("Proposed Project") proposal to construct an industrial building totaling 700,037 sq. ft. on a 36.8 gross acre project site located approximately 300-feet south of Ethanac Road between Wheat Street and Bryers Road within the City of Menifee. The Proposed Project is located just south of Ethanac Road adjacent to the Green Valley Specific Plan (GVSP) within Perris limits. The GVSP is a master-planned community totaling 1,269 acres of land envisioned to have 3,460 single-family detached homes, 750 multi-family units, 42.3 acres of business and professional office space, 72.7 acres of commercial retail, 108.7 acres of industrial, 24 acres for three school sites, and 51.1 acres of public parks.

The NOP comment letter reiterates many of the comments provided during the agency transmittal period on December 22, 2021, stating that the City of Perris is significantly concerned with the proposed Project as the following concerns will need to be addressed:

- 1. California Environmental Quality Act (CEQA).** The Project needs to address the cumulative impact of all the proposed projects within a 1.5-mile radius of the proposed site to analyze, mitigate, and disclose all environmental impacts from the Proposed Project pursuant to the California Environmental Quality Act (CEQA). Perris staff is aware of Northern Gateway

Commerce Centers I & II Industrial projects (i.e., 2.4M SF in two industrial buildings), the Barnett Warehouse Project (i.e., 250K SF industrial), and the McLaughlin Warehouse Project (i.e., 276,682 SF Industrial) in the Menifee North Economic Development Corridor (Menifee North EDC) Plan that should be incorporated into the CEQA analysis. The CEQA document should particularly evaluate how the Project will address mitigating impacts of the Project on being close to residential land uses land use compatibility, truck circulation, traffic impacts, and noise impacts. In addition, a health risk assessment, as further identified in this letter, is required.

2. **Land Use Inconsistency with Surrounding Areas** - The proposed industrial development is incompatible with the residential development in both the City of Perris and Menifee on the south side of McLaughlin Road, north of Ethanac Road, and west of Goetz Road, which is designated for residential development. Although there are some industrial zones in the GVSP, they are located adjacent to the Perris Valley Airport north of the San Jacinto River, which has land use density limitations. All the development in the GVSP south of the San Jacinto River to Ethanac Road is residential, with some commercial development towards the I-215 Freeway. Therefore, no industrial development in the City of Perris is allowed to utilized Ethanac Road as a truck route due to the sensitivity of residential land uses along this roadway.

There are two single-family residential tracts in the GVSP totaling 314 single-family dwelling units nearing construction completion along Ethanac Road. In addition, there are six residential tracts comprised of 1,241 residential units, which are anticipated to start next year in phases.

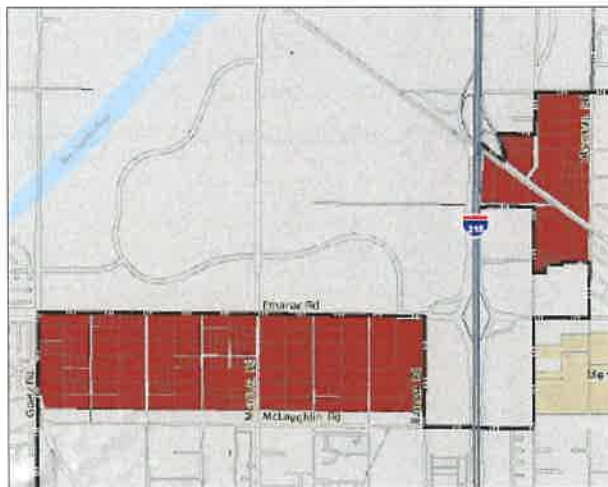
3. **Menifee Economic Developer Corridor Zoning.** The appropriate land use would be Business Park Development which is identified in the Menifee North EDC Plan (see YELLOW highlight below from the North EDU zoning map), which would be more compatible with the residential land uses nearby.

EXHIBIT LU-B2B: EDC NORTHERN GATEWAY (594 ACRES)

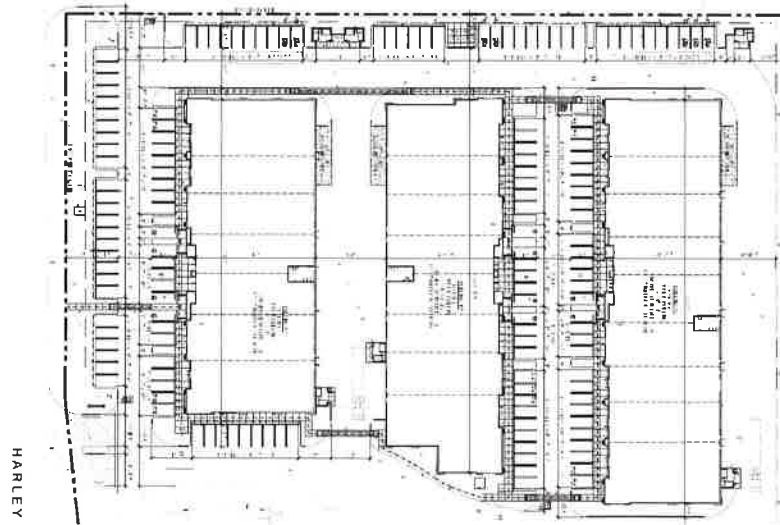
Preferred Mix of Land Uses

Residential	5%
Industrial	95%

Envisioned as an employment center at Menifee's northern gateway that focuses on providing opportunity for **business park development** and more traditional industrial (less office) than envisioned for the Southern Gateway (Scott Road) EDC area. Limited residential development may be appropriate between new business park uses and existing single-family homes, or in places where residential projects have already been approved. Emphasis should be on job creation and creating connections to regional transportation corridors, including I-215 and the railroad.



Below is an example of the Business Park Development architecture and site plan that has been proposed in Perris as an example.



4. **Truck Circulation Route** – The developer should be required to prepare a Truck Circulation Plan. According to the site layout, it is presumed the developer proposing to utilize Ethanac Road as truck access. However, any truck access should be on McLaughlin Road to Barrett Avenue to Ethanac Road to access the I-215 Freeway due to proximity to residential land uses on the north side of Ethanac Road. In addition, it should be noted that the existing median on Ethanac Road is within Perris City limits and is not designed for truck queuing.
5. **Case Road and Barnett Avenue Alignment.** With the truck route noted above, Barnett Avenue and Case Road will need to align, as envisioned in the City's of Perris Circulation Element. Also, as the east side of Barnett Avenue is in the City of Perris, it should be built to a secondary arterial street designation of 94-ft right-of-way (r-o-w) to be consistent with the designation on Case Road.
6. **Traffic Impact Analysis/Truck Route.** The City of Perris has concerns related to traffic impacts to the Freeway interchange at I-215 and Ethanac Road. The Traffic Impact Analysis should include the following:

- Evaluation of intersections/road segments in the City of Perris: Ethanac Road and Case Road/Barrett Avenue, and I-215 freeway and Ethanac Road (on-ramp and off-ramp).
- Determine the fair share contribution to the Ethanac Road at the I-215 Interchange.
- Evaluate all truck routes and traffic counts during AM and PM peak times.
- The Ethanac Road interchange and the truck access route shall operate at an acceptable level with the opening day projection.
- Incorporate a truck route enforcement plan as part of the TIA, including on-site signage (provide a depiction of signage) of truck routes and truck driver/dispatcher education on truck routes.

Upon completion of the Draft Traffic Impact Analysis, please provide the City with a copy to review and comment.

7. **Noise.** An acoustical/noise analysis shall be prepared to mitigate noise impacts from the Project resulting from construction and operation in proximity to the residential development surrounding the site along Ethanac Road and Barnett Avenue.
8. **Health Risk Assessment Study.** A Health Risk Assessment is required under the *Sierra Club v. City of Fresno* case to evaluate health impacts on nearby residents.
9. **CEQA.** Please provide future notices prepared for the Project pursuant to the California Environmental Quality Act ("CEQA") under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law which includes: notices of any public hearing held pursuant to CEQA, and notices of any scoping meeting held pursuant to Public Resources Code Section 21083.9.
10. **1,200-Foot Property Owners Notification.** Due to nearby sensitive uses, it is requested that property owner notification within 1,200-feet of the project site is provided to ensure that all individuals who the development may impact are provided an opportunity to comment.

The City of Perris thanks you for considering these comments. Please feel free to contact me at (951) 943-5003, ext. 257, if you have any questions or would like to discuss the above concern in further detail.

Sincerely,



Kenneth Phung
Director of Development Services

Cont.
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Attachment: City of Perris Comment Letter dated December 22, 2021

Cc: Clara Miramontes, City Manager
Eric Dunn, City Attorney
Stuart McKibbin, City Engineer

**CITY OF PERRIS COMMENTS ON THE FINAL
ENVIRONMENTAL IMPACT REPORT (EIR) PREPARED FOR
THE CADO MENIFEE INDUSTRIAL WAREHOUSE PROJECT -
PLOT PLAN NO. PLN21-0370 AND TENTATIVE PARCEL MAP
NO. PLN22-0041 (TPM 38139) - DATED 8-14-24**



CITY OF PERRIS

DEVELOPMENT SERVICES DEPARTMENT PLANNING DIVISION

135 N. "D" Street, Perris, CA 92570-2200
TEL: (951) 943-5003 FAX: (951) 943-8379

August 14, 2024

Ryan Fowler, Principal Planner
City of Menifee
Community Development Department
29844 Haun Road
Menifee, CA 92586

**SUBJECT: CITY OF PERRIS COMMENTS ON THE FINAL ENVIRONMENTAL
IMPACT REPORT (EIR) PREPARED FOR THE CADO MENIFEE
INDUSTRIAL WAREHOUSE PROJECT - PLOT PLAN NO. PLN21-0370
AND TENTATIVE PARCEL MAP NO. PLN22-0041 (TPM 38139)**

Dear Mr. Fowler:

Perris staff appreciates the opportunity to comment on the Notice of Hearing for the City of Menifee Planning Commission to consider the Final EIR prepared for the proposed CADO Menifee Industrial Warehouse Project ("Project") consisting of a 700,037-square-foot industrial building on 36.81 net acres, located approximately 700 feet south of Ethanac Road between Wheat Street and Bryers Road within the City of Menifee. The Project is just south of the Green Valley Specific Plan (GVSP) in the City of Perris, which is a master-planned community totaling 1,269 acres of land envisioned to be developed with 3,460 single-family detached residences, 750 multi-family residential units, 42.3 acres of business and professional office space, 72.7 acres of commercial retail, 108.7 acres of industrial, 24 acres for three school sites, and 51.1 acres of public parks.

Although the notice of the Public Hearing was sent by certified mail on August 2, 2024, Perris staff also requested notifications to be provided electronically on June 11, 2024 (see Attachment 1 – Email dated 6.11.24 requesting electronic notification) as the City Hall Campus has multiple buildings with different addresses. In addition, the Notice of Hearing was sent via FedEx to a City-owned building at 11 S. D Street (see Attachment 2 - Copy of Certified mail sent to 11 S. D Street), across the street from the City Hall campus instead of the Development Services Department located at 135 N. D Street. As such, City staff was not provided adequate time to prepare comprehensive comments on the Final EIR for this project.

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The City of Perris has expressed concerns with the proposed Project on the agency transmittal and during the Notice of Preparation and Notice of Availability public comment periods. After reviewing the Final EIR, technical reports, and recommended Conditions of Approval, the City believes the Project has not adequately addressed the potential environmental impacts related to air quality, energy, greenhouse gas emissions, land use, noise, and transportation. Thus, the City continues to have concerns with the Project as detailed in the comments provided below. **Furthermore, it is worrisome that many of the Planning Conditions of Approval (COA) for this project provided on the City's website were cut off and therefore are not legible (COA 7-21, 30-31, 38-40, 57-68, and 75-77). As such, this project should be continued to allow additional time to review the required Conditions of Approval.**

Draft EIR

Project Description

1. As stated in our previous comments on the Draft EIR, page 4.13-25 of the Transportation and Traffic section shows that the project would cause traffic signal warrants to be met at the Wheat Street/ Ethanac Road intersection and Byers Road/ Ethanac Road intersection. As such, the required signals should be provided by the project and identified in the Project Description. In the Response to Comment G6, the Final EIR states that our previous comment does not raise concerns within the scope of CEQA because automobile delays are no longer an environmental impact under CEQA. The City of Perris agrees that automobile delay or Level of Service (LOS) is no longer considered to be an environmental impact under CEQA. Our comment did not address automobile delay or LOS. It addresses infrastructure improvements that should be provided by the project. As a Condition of Approval (Engineering/Grading/Transportation Condition of Approval 208), these improvements are part of the project that would be approved by the City of Menifee. They are not mitigation measures for an impact under CEQA. Because these intersections are shared with the City of Perris, the City of Perris will be a Responsible Agency under CEQA for the approval of the intersection construction and implementation.
2. As stated in our previous comments on the Draft EIR, Table 4.13 of the Transportation and Traffic section shows that the westbound left turn lane at Byers Road and Ethanac Road would need to be extended to 350 feet to accommodate the truck traffic associated with the project. In the Response to Comment G7, the Final EIR states that our previous comment does not raise concerns within the scope of CEQA because automobile delays are no longer an environmental impact under CEQA. The City of Perris agrees that automobile delay or LOS is no longer considered to be an environmental impact under CEQA. Our comment did not address automobile delay or LOS. It addresses an infrastructure improvement that should be identified as part of the off-site project improvements in the Project Description. As a Condition of Approval (Engineering/Grading/Transportation Condition of Approval 208), this improvement is part of the project that would be approved by the City of Menifee. It is not a mitigation measure for an impact under CEQA. Because the existing median is located completely within the City of Perris, the City of Perris will be a Responsible Agency under CEQA for the approval of the turn lane construction and implementation.

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Air Quality, Energy, Greenhouse Gas Emissions, and Noise

3. In its Responses to Comments E16 and E17, the Final EIR state that the project has no plans at this time to install emergency generators or other permitted stationary equipment since the warehouse is speculative. The City of Perris agrees that the proposed warehouse may not need emergency backup generators or other stationary equipment for general operation. However, the warehouse building would require the installation, maintenance, and regular testing of one or more emergency fire water pumps pursuant to the California Fire Code (California Code of Regulations, Title 24, Part 9). Where provided, fire water pumps for fire protection systems shall be installed in accordance with Section 913 of the California Fire Code and the National Fire Protection Association (NFPA) 20, Standard for the Installation of Stationary Pumps for Fire Protection. Fire water pumps are generally powered by diesel engines. **According to the National Fire Protection Association, diesel fire pumps must be tested on a weekly basis for a minimum of 30 minutes.** This requirement is not speculative and the analyses of air pollutant emissions, diesel health risks, energy demand, and greenhouse gas emissions should be revised accordingly. The fact that the diesel fire pumps are subject to permit approval from the South Coast Air Quality Management District does not excuse the evaluation of impacts associated with this equipment from the EIR. The EIR is required under CEQA to evaluate the whole of the action.
4. As stated in our previous comments on the Draft EIR and discussed above, Table 4.13 of the Transportation and Traffic section shows that the westbound left turn lane at Byers Road and Ethanac Road would need to be extended to 350 feet to accommodate the truck traffic associated with the project. This is not identified as part of the off-site project improvements in the Project Description. In the Response to Comment G21, the Final EIR states that our previous comment does not raise concerns within the scope of CEQA because automobile delay is no longer an environmental impact under CEQA. The City of Perris agrees that automobile delay or LOS is no longer considered to be an environmental impact under CEQA. Our comment did not address automobile delay or LOS. It addresses an infrastructure improvement that should be identified as part of the off-site project improvements in the Project Description and evaluated in the EIR. As a Condition of Approval (Engineering/Grading/Transportation Condition of Approval 208), this improvement is part of the project that would be approved by the City of Menifee. It is not a mitigation measure for an impact under CEQA.

The Response to Comment G21 also states that mention of this off-site improvement is not required to be included in the Project Description since it addresses a topic outside of CEQA and does not involve significant construction that would impact any of the analyses or conclusions in the EIR. This is not correct. Implementation of this part of the project as a Condition of Approval would result in additional construction-related air quality, energy, greenhouse gas emissions, and noise impacts that were not evaluated in the Draft EIR. Because the existing median is located completely within the City of Perris, the City of Perris will be a Responsible Agency under CEQA for the approval of the turn lane construction and implementation. The potential noise impacts associated with the

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implementation of this component of the project need to be evaluated based on the City of Perris Municipal Code noise standards.

Land Use Inconsistency with Surrounding Areas

5. The proposed industrial development is incompatible with the residential development in the City of Menifee on the north side of Kuffel Road, south side of McLaughlin Road, south side of Ethanac Road, and west of Goetz Road, as well as the residential development in the City of Perris on the north side of Ethanac Road. Although there are some industrial zones in the GVSP area, they are located adjacent to the Perris Valley Airport north of the San Jacinto River, which has land use density limitations. All the development in the GVSP area south of the San Jacinto River to Ethanac Road is residential, with some commercial development towards the I-215 Freeway. Therefore, no industrial development in the City of Perris is allowed to utilize Ethanac Road as a truck route due to the sensitivity of residential land uses along this roadway. As such, all the truck traffic along Ethanac Road west of Case Road would be associated with industrial development within the City of Menifee.

Project Alternatives

6. Section 6.0 of the Draft EIR considers and analyzes only two alternatives to the project; No Project Alternative and Reduced Square Feet on Two Buildings Alternative. The EIR is to include a range of reasonable alternatives in compliance with the CEQA Guidelines, section 15126.6. An EIR is required to assess a no-project alternative under the CEQA Guidelines; as such, analyzing only one additional alternative in the Draft EIR fails to consider a reasonable range of potentially feasible alternatives.

Transportation and Traffic

7. Response G16 – The responses acknowledges that a global Traffic Study for the Menifee Economic Development Corridor (MEDC) area is being prepared. The response goes on to explain that the traffic study analyzes a “worst-case” scenario assuming 100% of truck traffic entering/exiting the site from Ethanac Road. Assuming this is a worst-case scenario is not necessarily correct and additional analysis would be needed to verify this. While the addition of a truck corridor may improve the overall traffic flow in the area, individual movements at certain intersections will be more heavily impacted, resulting in reasonably foreseeable new traffic safety issues. The transportation analysis should be consistent with the analysis in the forthcoming MEDC global study, otherwise the project may contribute towards safety issues that are not currently analyzed.
8. Response G17 – The response states that the recommended improvements noted in the Project Traffic Study at deficient study intersections and roadway segments would cause the study locations to operate at an acceptable LOS, would more than offset the project-related effect, and would address the City of Perris significance criteria. However, the traffic study still does not identify which impacts are “directly” caused by the project. For all direct project impacts, the project shall be 100% responsible for the construction/cost

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of the improvements necessary to offset the project's impact, and detail how these improvements will be implemented.

9. Response G25 – The response states that queuing analysis is outside the scope of the EIR. This is not correct as under CEQA, a significant impact can occur if a project substantially increases hazards due to a geometric design feature (e.g., intersection queuing). The response also states that the intersection of Barnett Road/Case Road at Ethanac Road operates as one intersection and should be analyzed as one for analysis purposes. This is also not correct. These are two separate intersections and need to be analyzed as two separate intersections. The offset nature of these two intersections presents several geometric design issues of concern, especially given the high amount of truck traffic planning to pass through these intersections.
10. Response G27 – The response states that the traffic counts were compared with traffic counts and LOS results from more recent traffic studies with overlapping study intersections, which had more recent traffic counts (February 2023), and that they are “comparable.” The City of Perris requests that this existing volume comparison be included in the FEIR so this statement can be verified.
11. Response G31 - The response states that queuing analysis is outside the scope of the EIR. This is not correct as under CEQA, a significant impact can occur if a project substantially increases hazards due to a geometric design feature (e.g., intersection queuing). The FEIR fails to analyze the queuing/progression along Ethanac Road at the I-215 interchange. Due to these closely spaced intersections, queuing issues exist and the FEIR needs to address how the project contributes to these traffic safety issues.
12. Response G32 – The response states that implementation of improvements will be based on direct discussion between City staff and the Applicant and would be imposed via the Conditions of Approval process. Any improvements to portions of intersections or roadways shared with the City of Perris would be coordinated between the City of Menifee and City of Perris prior to final engineering for the Project. If an improvement is deemed to be caused directly by the project, a fair-share contribution by itself will not be adequate.
13. Additional Comments - The widths of the rights-of-way and alignments of Ethanac Road, Evans Road, Hull Street, Murrieta Road, Byers Road, Wheet Street and Goetz Road shall be coordinated with the roadway designation as classified per City of Perris' General Plan. The correlation shall be incorporated and analyzed in order to determine the extent of roadways and intersections improvements.

The traffic study assumes 100% of trucks entering/exiting the site from Ethanac Road, which will likely contradict the conclusions from the forthcoming MEDC Master Circulation Plan study. While the addition of a truck corridor may improve the overall traffic flow in the area, individual movements at certain intersections will be more heavily impacted, possibly causing new safety issues. The transportation analysis should be consistent with the analysis in the forthcoming MEDC global study, otherwise the project may contribute towards safety issues that are not currently analyzed.

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The FEIR still fails to recognize Barnett Road/Case Road at Ethanac Road as currently two separate intersections. The analysis assumes this as one intersection, significantly underestimating the traffic conditions. If analyzed correctly as two separate intersections, the analysis would likely confirm the need for improvements (i.e., aligning these two intersections), forcing a fair-share contribution to be paid.

Page 2.0-70 of the FEIR denotes which study intersections are located entirely or a majority within the City of Perris. Based on Tables 4 & 9 of the traffic study, Intersection #15 (I-215 NB Ramps at Ethanac Road) is considered to be directly impacted by the project. As such, the project should be responsible for 100% of whichever improvements are identified to offset the project's direct impact, as opposed to the 15.9% identified in the COA's. The project should then make a fair-share contribution to all additional improvements identified (those that are not necessarily needed to offset the project's direct impact, but those needed in addition to bring the intersection's cumulative LOS to an acceptable level).

As noted in the introduction to this letter, the City of Perris has requested notifications be provided electronically and via regular mail. In this instance, a Notice of Hearing regarding this project was sent via FedEx to a City-owned building at 11 S. D Street instead of to the Development Services Department located at 135 N. D Street. As such, City staff was not provided adequate time to prepare comprehensive comments on the Final EIR for this project.

The City of Perris thanks you for considering these comments. Please feel free to contact me at (951) 943-5003, ext. 355 or pbrenes@cityofperris.org, if you have any questions or would like to discuss the above concern in further detail.

Sincerely,



Patricia Brenes
Planning Manager

Attachments: 1. Email dated 6.11.24 requesting electronic notification
2. A copy of certified mail envelop sent to 11 S. D Street instead of 135 D Street
3. City of Perris Response to Agency Transmittal - Dated December 22, 2021
4. City of Perris Response to NOP without Exhibits – Dated May 16, 2022
5. City of Perris Response to NOA without Exhibits – Dated April 26, 2024

cc: Clara Miramontes, City Manager
Wendell Bugtai, Assistant City Manager
Robert Khuu, City Attorney
John Pourkazemi, City Engineer
Kenneth Phung, Director of Development Services

ATTACHMENT 1

**Email Dated 6.11.24 Requesting
Electronic Notification**

From: Kenneth Phung
Sent: Tuesday, June 11, 2024 12:35 PM
To: Cheryl Kitzerow <ckitzerow@cityofmenifee.us>; Orlando Hernandez <ohernandez@cityofmenifee.us>
Cc: smanwaring@cityofmenifee.us; sroseen@cityofmenifee.us; Patricia Brenes <pbrenes@CityofPerris.org>
Subject: Lovett Industrial - Major Plot Plan 23-0040 - 398K Industrial

Hi Cheryl and Orlando,

We appreciate receiving the hard copy notice of upcoming projects in Menifee, such as the Lovett Industrial project (<https://cityofmenifee.us/DocumentCenter/View/20609/Final-NOA-Northern-Gateway-Logistics-Center-EIR>) that I received yesterday.

However, we request that we also receive email notices of upcoming projects sent to Patricia Brenes, pbrenes@CityofPerris.org, our Planning Manager, and I can be cc'd on the email. We primarily want to know about large-scale projects or projects that potentially impact Perris.

This ensures we have project information early to begin our review, as sometimes the mail notice is delayed due to staff flex schedules and our city hall campus being in multiple buildings.

Thank you.

Kenneth Phung
Director of Development Services
City of Perris
135 North "D" Street
Perris, CA 92570
(951) 943-5003, ext. 257
kphung@cityofperris.org

ATTACHMENT 2

**Copy of Certified Mail Envelope Sent to
11 S. D Street Instead of 135 D Street**

05/10/24 12:18



This envelope is only for FedEx Express® shipments.
You can help us get your package safely to its destination by packing your items securely. Need help? Go to [fedex.com/packaging](https://www.fedex.com/packaging) for packing tips.

Check your FedEx Express shipping document, the current FedEx Service

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REYNA NAVARRO
KIMLEY-HORN
3801 UNIVERSITY AVENUE
SUITE 300
RIVERSIDE, CA 92501
UNITED STATES US

SHIP DATE: 01AUG24
ACTWGT: 0.25 LB
CAD: 254401967/WSX13500

BILL SENDER

TO **ATTN: KENNETH PHUNG**
CITY OF PERRIS PLANNING DIV
11 S D ST

PERRIS CA 92570

(951) 943-5003
INV: JOB CHARGEABLE
PO:

REF: 094991014.3.700

DEPT:



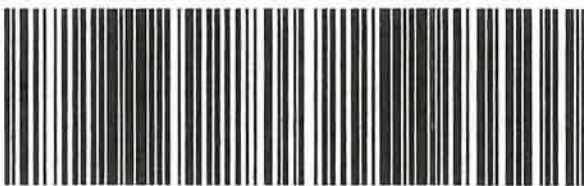
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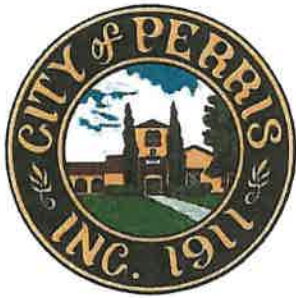
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ATTACHMENT 3

City of Perris Response to Agency Transmittal – Dated December 22, 2021



CITY OF PERRIS

DEVELOPMENT SERVICES DEPARTMENT PLANNING DIVISION

135 N. "D" Street, Perris, CA 92570-2200
TEL: (951) 943-5003 FAX: (951) 943-8379

December 22, 2021

Ryan Fowler
City of Menifee
Planning Division
29714 Haun Road
Menifee, CA 92586

SUBJECT: City of Perris initial comments for the Capstone Industrial Project - Menifee Planning Case No. Plot Plan No. PLN21-0370 and Development Code Update No. PLN21-0260 (i.e., the application filed with the Northern Gateway Commerce Center I and II project for the Menifee North Economic Development Corridor Plan)

Dear Mr. Fowler:

The City of Perris appreciates the opportunity to comment on the "Capstone Industrial" ("Proposed Project") proposal to construct an industrial building totaling 700,037 sq. ft. on a 36.8 gross acre project site located approximately 300-feet south of Ethanac Road between Wheat Street and Bryers Road within the City of Menifee. The Proposed Project is located just south of Ethanac Road adjacent to the Green Valley Specific Plan (GVSP) within Perris limits. The GVSP is a master-planned community totaling 1,269 acres of land envisioned to have 3,460 single-family detached homes, 750 multi-family units, 42.3 acres of business and professional office space, 72.7 acres of commercial retail, 108.7 acres of industrial, 24 acres for three school sites, and 51.1 acres of public parks.

Although there are some industrial zones in the GVSP, they are located adjacent to the Perris Valley Airport north of the San Jacinto River, which has land use density limitations. All the development in the GVSP south of the San Jacinto River to Ethanac Road is residential, with some commercial development towards the I-215 Freeway. Therefore, no industrial development in the City of Perris is allowed to utilize Ethanac Road as a truck route due to the sensitivity of residential land uses along this roadway.

There are two single-family residential tracts in the GVSP totaling 314 single-family dwelling units nearing construction completion along Ethanac Road. In addition, there are six residential tracts comprised of 1,241 residential units, which are anticipated to start next year in phases.

The City is significantly concerned with the proposed Project as it is out of character with the surrounding residential areas in Menifee and the City of Perris. The City provides the below comments in light of the Project's proximity to the City of Perris residential neighborhood and concerns with potential truck traffic on Ethanac Road:

1. **California Environmental Quality Act (CEQA).** The Project needs to address the cumulative impact of all the proposed projects within a 1.5-mile radius of the proposed site to analyze, mitigate, and disclose all environmental impacts from the Proposed Project pursuant to the California Environmental Quality Act (CEQA). Perris staff is aware of Northern Gateway Commerce Centers I & II Industrial project (i.e., 2.4M SF in two industrial buildings) and the Barnett Warehouse Project (i.e., 250K SF industrial) in the Menifee North Economic Development Corridor (Menifee North EDC) Plan that should be incorporated into the CEQA analysis. The CEQA document should particularly evaluate how the Project will address mitigating impacts of the Project on being close to residential land uses land use compatibility, truck circulation, traffic impacts, and noise impacts. In addition, a health risk assessment, as further identified in this letter, is required.
2. **Land Use Inconsistency with Surrounding Areas / Development Code Update No. PLN21-0260** - The proposed industrial development is incompatible with the residential development in both the City of Perris and Menifee on the south side of McLaughlin Road, north of Ethanac Road, and west of Goetz Road, which is designated for residential development. The appropriate land use would be Business Park Development which is identified in the Menifee North EDC Plan, which would be more compatible with the residential land uses nearby. Therefore, the City is concerned with the development code update to create an industrial overlay to include development standards and a map amendment to add the boundary to the overlay, which is being processed with the Northern Gateway Centers I and II project that would apply to this property. Because the Northern Gateway Centers I and II project timing could be slower than this Project, the proposed Project should also include the same Development Code application to accurately reflect the proposed Project.
3. **Truck Circulation Route** – The developer should be required to prepare a Truck Circulation Plan. According to the site layout, it is presumed the developer proposing to utilize Ethanac Road as truck access. However, any truck access should be on McLaughlin Road to Barrett Avenue to Ethanac Road to access the I-215 Freeway due to proximity to residential land uses on the north side of Ethanac Road. In addition, it should be noted that the existing median on Ethanac Road is within Perris City limits and is not designed for truck queuing.

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4. **Case Road and Barnett Avenue Alignment.** With the truck route noted above, Barnett Avenue and Case Road will need to align, as envisioned in the City's of Perris Circulation Element. Also, as the east side of Barnett Avenue is in the City of Perris, it should be built to a secondary arterial street designation of 94-ft right-of-way (r-o-w) to be consistent with the designation on Case Road.
5. **Traffic Impact Analysis/Truck Route.** The City of Perris has concerns related to traffic impacts to the Freeway interchange at I-215 and Ethanac Road. The Traffic Impact Analysis should include the following:
 - Evaluation of intersections/road segments in the City of Perris: Ethanac Road and Case Road/Barrett Avenue, and I-215 freeway and Ethanac Road (on-ramp and off-ramp).
 - Determine the fair share contribution to the Ethanac Road at the I-215 Interchange.
 - Evaluate all truck routes and traffic counts during AM and PM peak times.
 - Incorporate a truck route enforcement plan as part of the TIA, which includes: on-site signage (provide a depiction of signage) of truck routes and truck driver/dispatcher education on truck routes.

Upon completion of the Draft Traffic Impact Analysis, please provide the City with a copy to review and comment.

6. **Noise.** An acoustical/noise analysis shall be prepared to mitigate noise impacts from the Project resulting from construction and operation in proximity to the residential development surrounding the site along Ethanac Road and Barnett Avenue.
7. **Health Risk Assessment Study.** A Health Risk Assessment is required under the *Sierra Club v. City of Fresno* case to evaluate health impacts on nearby residents.
8. **CEQA.** Please provide future notices prepared for the Project pursuant to the California Environmental Quality Act ("CEQA") under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law which includes: notices of any public hearing held pursuant to CEQA, and notices of any scoping meeting held pursuant to Public Resources Code Section 21083.9.

The City of Perris thanks you for considering these comments. Please feel free to contact me at (951) 943-5003, ext. 257, if you have any questions or would like to discuss the above concern in further detail.

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Sincerely,



Kenneth Phung
Director of Development Services

Cc: Clara Miramontes, City Manager
Eric Dunn, City Attorney
Stuart McKibbin, City Engineer

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ATTACHMENT 4

City of Perris Response to NOP without Exhibits – Dated May 16, 2022



CITY OF PERRIS

DEVELOPMENT SERVICES DEPARTMENT PLANNING DIVISION

135 N. "D" Street, Perris, CA 92570-2200
TEL: (951) 943-5003 FAX: (951) 943-8379

May 16, 2022

Ryan Fowler
City of Menifee
Planning Division
29714 Haun Road
Menifee, CA 92586

SUBJECT: City of Perris Comments on the Notice of Preparation for the Cado Industrial Project - Menifee Planning Case No. Plot Plan No. PLN21-0370 and Tentative Parcel Map No. 22-041.

Dear Mr. Fowler:

The City of Perris appreciates the opportunity to comment on the Notice of Preparation (NOP) for the "Cado Industrial" ("Proposed Project") proposal to construct an industrial building totaling 700,037 sq. ft. on a 36.8 gross acre project site located approximately 300-feet south of Ethanac Road between Wheat Street and Bryers Road within the City of Menifee. The Proposed Project is located just south of Ethanac Road adjacent to the Green Valley Specific Plan (GVSP) within Perris limits. The GVSP is a master-planned community totaling 1,269 acres of land envisioned to have 3,460 single-family detached homes, 750 multi-family units, 42.3 acres of business and professional office space, 72.7 acres of commercial retail, 108.7 acres of industrial, 24 acres for three school sites, and 51.1 acres of public parks.

The NOP comment letter reiterates many of the comments provided during the agency transmittal period on December 22, 2021, stating that the City of Perris is significantly concerned with the proposed Project as the following concerns will need to be addressed:

- 1. California Environmental Quality Act (CEQA).** The Project needs to address the cumulative impact of all the proposed projects within a 1.5-mile radius of the proposed site to analyze, mitigate, and disclose all environmental impacts from the Proposed Project pursuant to the California Environmental Quality Act (CEQA). Perris staff is aware of Northern Gateway

Commerce Centers I & II Industrial projects (i.e., 2.4M SF in two industrial buildings), the Barnett Warehouse Project (i.e., 250K SF industrial), and the McLaughlin Warehouse Project (i.e., 276,682 SF Industrial) in the Menifee North Economic Development Corridor (Menifee North EDC) Plan that should be incorporated into the CEQA analysis. The CEQA document should particularly evaluate how the Project will address mitigating impacts of the Project on being close to residential land uses land use compatibility, truck circulation, traffic impacts, and noise impacts. In addition, a health risk assessment, as further identified in this letter, is required.

2. **Land Use Inconsistency with Surrounding Areas** - The proposed industrial development is incompatible with the residential development in both the City of Perris and Menifee on the south side of McLaughlin Road, north of Ethanac Road, and west of Goetz Road, which is designated for residential development. Although there are some industrial zones in the GVSP, they are located adjacent to the Perris Valley Airport north of the San Jacinto River, which has land use density limitations. All the development in the GVSP south of the San Jacinto River to Ethanac Road is residential, with some commercial development towards the I-215 Freeway. Therefore, no industrial development in the City of Perris is allowed to utilized Ethanac Road as a truck route due to the sensitivity of residential land uses along this roadway.

There are two single-family residential tracts in the GVSP totaling 314 single-family dwelling units nearing construction completion along Ethanac Road. In addition, there are six residential tracts comprised of 1,241 residential units, which are anticipated to start next year in phases.

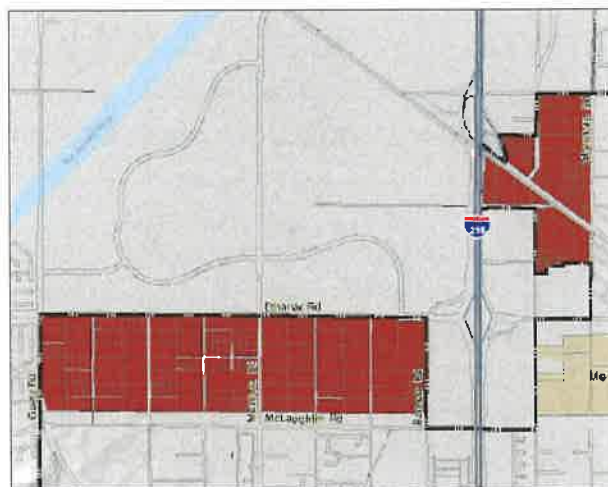
3. **Menifee Economic Developer Corridor Zoning.** The appropriate land use would be Business Park Development which is identified in the Menifee North EDC Plan (see YELLOW highlight below from the North EDU zoning map), which would be more compatible with the residential land uses nearby.

EXHIBIT LU-B2B: EDC NORTHERN GATEWAY (594 ACRES)

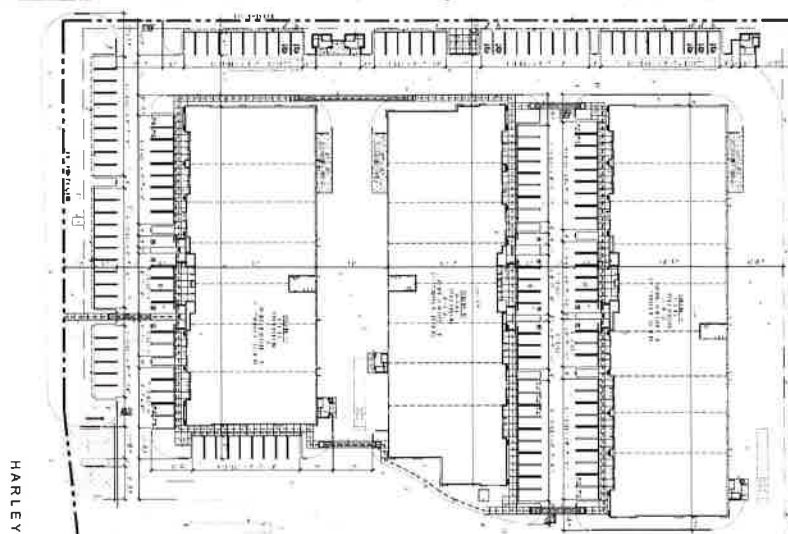
Preferred Mix of Land Uses

Residential	5%
Industrial	95%

Envisioned as an employment center at Menifee's northern gateway that focuses on providing opportunity for business park development and more traditional industrial (less office) than envisioned for the Southern Gateway (Scott Road) EDC area. Limited residential development may be appropriate between new business park uses and existing single-family homes, or in places where residential projects have already been approved. Emphasis should be on job creation and creating connections to regional transportation corridors, including I-215 and the railroad.



Below is an example of the Business Park Development architecture and site plan that has been proposed in Perris as an example.



4. **Truck Circulation Route** – The developer should be required to prepare a Truck Circulation Plan. According to the site layout, it is presumed the developer proposing to utilize Ethanac Road as truck access. However, any truck access should be on McLaughlin Road to Barrett Avenue to Ethanac Road to access the I-215 Freeway due to proximity to residential land uses on the north side of Ethanac Road. In addition, it should be noted that the existing median on Ethanac Road is within Perris City limits and is not designed for truck queuing.
5. **Case Road and Barnett Avenue Alignment.** With the truck route noted above, Barnett Avenue and Case Road will need to align, as envisioned in the City's of Perris Circulation Element. Also, as the east side of Barnett Avenue is in the City of Perris, it should be built to a secondary arterial street designation of 94-ft right-of-way (r-o-w) to be consistent with the designation on Case Road.
6. **Traffic Impact Analysis/Truck Route.** The City of Perris has concerns related to traffic impacts to the Freeway interchange at I-215 and Ethanac Road. The Traffic Impact Analysis should include the following:

- Evaluation of intersections/road segments in the City of Perris: Ethanac Road and Case Road/Barrett Avenue, and I-215 freeway and Ethanac Road (on-ramp and off-ramp).
- Determine the fair share contribution to the Ethanac Road at the I-215 Interchange.
- Evaluate all truck routes and traffic counts during AM and PM peak times.
- The Ethanac Road interchange and the truck access route shall operate at an acceptable level with the opening day projection.
- Incorporate a truck route enforcement plan as part of the TIA, including on-site signage (provide a depiction of signage) of truck routes and truck driver/dispatcher education on truck routes.

Upon completion of the Draft Traffic Impact Analysis, please provide the City with a copy to review and comment.

7. **Noise.** An acoustical/noise analysis shall be prepared to mitigate noise impacts from the Project resulting from construction and operation in proximity to the residential development surrounding the site along Ethanac Road and Barnett Avenue.
8. **Health Risk Assessment Study.** A Health Risk Assessment is required under the *Sierra Club v. City of Fresno* case to evaluate health impacts on nearby residents.
9. **CEQA.** Please provide future notices prepared for the Project pursuant to the California Environmental Quality Act ("CEQA") under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law which includes: notices of any public hearing held pursuant to CEQA, and notices of any scoping meeting held pursuant to Public Resources Code Section 21083.9.
10. **1,200-Foot Property Owners Notification.** Due to nearby sensitive uses, it is requested that property owner notification within 1,200-feet of the project site is provided to ensure that all individuals who the development may impact are provided an opportunity to comment.

The City of Perris thanks you for considering these comments. Please feel free to contact me at (951) 943-5003, ext. 257, if you have any questions or would like to discuss the above concern in further detail.

Sincerely,



Kenneth Phung
Director of Development Services

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Attachment: ~~City of Perris Comment Letter dated December 22, 2021~~

Cc: Clara Miramontes, City Manager
Eric Dunn, City Attorney
Stuart McKibbin, City Engineer

ATTACHMENT 5

City of Perris Response to NOA without Exhibits – Dated April 26, 2024



CITY OF PERRIS

DEVELOPMENT SERVICES DEPARTMENT PLANNING DIVISION

135 N. "D" Street, Perris, CA 92570-2200
TEL: (951) 943-5003 FAX: (951) 943-8379

April 26, 2024

Ryan Fowler
City of Menifee
Community Development Department
29844 Haun Road
Menifee, CA 92586

**SUBJECT: CITY OF PERRIS COMMENTS ON THE DRAFT ENVIRONMENTAL
IMPACT REPORT (EIR) PREPARED FOR THE CADO MENIFEE
INDUSTRIAL WAREHOUSE PROJECT - PLOT PLAN NO. PLN21-0370 AND
TENTATIVE PARCEL MAP NO. PLN22-0041**

Dear Mr. Fowler:

The City of Perris appreciates the opportunity to comment on the Draft EIR prepared for the proposed CADO Menifee Industrial Warehouse Project ("Project") consisting of a 700,037-square-foot industrial building on 36.81 net acres, located approximately 700 feet south of Ethanac Road between Wheat Street and Bryers Road within the City of Menifee. The Green Valley Specific Plan (GVSP) planning area is within the limits of the City of Perris and is located north of Ethanac Road across from the project site. The GVSP is a master-planned community totaling 1,269 acres of land envisioned to be developed with 3,460 single family detached homes, 750 multi-family units, 42.3 acres of business and professional office space, 72.7 acres of commercial retail, 108.7 acres of industrial, 24 acres for three school sites, and 51.1 acres of public parks.

The City of Perris has expressed concerns with the proposed Project on the agency transmittal and during the NOP comment period. After reviewing the Draft EIR and technical reports, the City believes the Project has not adequately addressed the potential environmental impacts related to air quality, project alternatives, energy, greenhouse gas emissions, land use, noise, and transportation. Thus, the City continues to have concerns with the Project as detailed in the comments provided below.

Draft EIR

Project Description

1. The proposed project is generically described as an approximately 700,037-square-foot industrial warehouse building. Several of the potential impacts evaluated in the Draft EIR, such

as air quality, energy, greenhouse gas emissions, noise, and transportation are based in part on the trip generation numbers provided in the Traffic Study prepared for the project. The Traffic Study trip generation rates are based on the building being used as a high-cube fulfillment center (ITE land use 155). However, use of the building as a high-cube fulfillment center is not specified anywhere within the Draft EIR. In fact, page 1-1 of the Draft EIR states that the proposed building's end user is speculative in nature. Therefore, it cannot be assured that the building would only be operated as a high-cube fulfillment center if the project is approved.

As pointed out in CARE CA's NOP comments for the project (included in Appendix A to the Draft EIR), different types of industrial warehouse use have unique operational characteristics that result in different types/levels of environmental impacts. For instance, fulfillment centers typically have higher employee ratios and therefore cause increased vehicular trip generation impacts with fewer heavy-duty truck related effects. Distribution centers and parcel hubs, on the other hand, create more truck-related impacts but typically have substantially fewer employees and reduced passenger vehicle impacts. Meanwhile, cold storage warehouses demand more energy and create more greenhouse gas emissions than non-refrigerated warehouses along with increased truck-related impacts including use of transportation refrigerated units (TRUs) during project operation.

The Draft EIR had the opportunity to specify the use that is being evaluated and did not do so. Unless the EIR specifically states that the building would be restricted to non-refrigerated uses, it should be revised to evaluate the potential impacts associated with the possible operation of all or some portions of the building as a refrigerated facility. This is particularly important to the City of Perris because residents of the GVSP area to the immediate north of Ethanac Road would be affected by the project. Additionally, while the GVSP is included in the list of cumulative projects identified in the Draft EIR, the project fails to adequately analyze the reasonably foreseeable environmental impacts on the future residents of the residential units planned for construction within the GVSP throughout the Draft EIR.

2. Page 4.13-25 of the Transportation and Traffic section of the Draft EIR shows that the project would cause traffic signal warrants to be met at the intersections of Wheat Street and Ethanac Road and Byers Road and Ethanac Road. The required signals should be provided by the project and identified in the Project Description. Because these intersections are shared with the City of Perris, the City of Perris will be a Responsible Agency under CEQA for the approval of the intersection construction and implementation.
3. Table 4.13 of the Transportation and Traffic section of the Draft EIR_section shows that the westbound left turn lane at Byers Road and Ethanac Road would need to be extended to 350 feet to accommodate the truck traffic associated with the project. However, this improvement is not identified as part of the off-site project improvements in the Project Description and should be included as such. Because the northern traffic lanes and the median are located within the City of Perris, the City of Perris will be a Responsible Agency under CEQA for the approval of the turn lane construction and implementation.

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Air Quality

4. As discussed above, the proposed project could generate more traffic than what is assumed in the Draft EIR if any portions of the proposed building are occupied by refrigerated uses. This would result in greater operational air pollutant emissions than what are identified in the Draft EIR. In addition, the trucks traveling to and from the refrigerated uses would have TRUs which would be an additional source of air pollutants.
5. The evaluation of diesel particulate health risk impacts appears to be based on the emissions generated by mobile sources within the project site and experienced at nearby existing receptor locations. However, this analysis needs to confirm the evaluation of, or be revised to evaluate, the emissions from the diesel sources at the project site and traveling along the roadways between the project site and I-215. In addition, the analysis needs to identify the potential health risk impacts to the residents of the GVSP area to the immediate north of Ethanac Road.

Project Alternatives

6. Section 6.0 of the Draft EIR considers and analyzes only two alternatives to the project; No Project Alternative and Reduced Square Feet on Two Buildings Alternative. The EIR is to include a range of reasonable alternatives in compliance with the CEQA Guidelines, section 15126.6. An EIR is required to assess a no-project alternative under the CEQA Guidelines; as such, analyzing only one additional alternative in the Draft EIR fails to consider a reasonable range of potentially feasible alternatives.

Energy

7. As discussed above, the proposed project could also generate more traffic than what is assumed in the Draft EIR if any portions of the proposed building are occupied by refrigerated uses. In addition, the trucks traveling to and from the refrigerated uses would have TRUs. The energy evaluation should be revised to address these additional energy demands.

Greenhouse Gas Emissions

8. The Draft EIR utilizes 3000 MTCO₂e as a threshold of significance throughout the Greenhouse Gas Analysis. However, 3000 MTCO₂e is not supported with substantial evidence as a threshold of significance for greenhouse gas emissions, as required by CEQA Guidelines sections 15064(b) and 15064.7(c).
9. As discussed above, the proposed project could also generate more traffic than what is assumed in the Draft EIR if any portions of the proposed building are occupied by refrigerated uses. In addition, the trucks traveling to and from the refrigerated uses would have TRUs. Each of these sources would result in greater operational greenhouse gas emissions than what are identified in the Draft EIR.

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Land Use Inconsistency with Surrounding Areas

10. The proposed industrial development is incompatible with the residential development in the City of Menifee on the north side of Kuffel Road, south side of McLaughlin Road, south side of Ethanac Road, and west of Goetz Road, as well as the residential development in the City of Perris on the north side of Ethanac Road. Although there are some industrial zones in the GVSP area, they are located adjacent to the Perris Valley Airport north of the San Jacinto River, which has land use density limitations. All the development in the GVSP area south of the San Jacinto River to Ethanac Road is residential, with some commercial development towards the I-215 Freeway. Therefore, no industrial development in the City of Perris is allowed to utilize Ethanac Road as a truck route due to the sensitivity of residential land uses along this roadway. As such, all of the truck traffic along Ethanac Road west of Case Road would be associated with industrial development within the City of Menifee.

Noise

11. The City of Perris' noise ordinance is not assessed as part of the project's noise generation, despite the Project's proximity to sensitive receptors within the City of Perris. This is of particular concern due to the anticipated increase in cumulative and incremental traffic noise along Ethanac Road, which is directly south of the anticipated residential development within the GVSP area.

Transportation and Traffic

Traffic Study Scope Concerns

12. The preparation of the site-specific Traffic Study for the CADO Menifee Industrial Warehouse Project is premature in that the overall traffic study for the Menifee Economic Development Corridor (MEDC) needs to be completed first in order to master plan the entire MEDC area, which includes the CADO Menifee Industrial Warehouse Project. A more comprehensive review of the entire area along Ethanac Road needs to be completed before site-specific studies can be prepared for individual projects. This is of particular concern because the Traffic Study identified a number of roadways and intersections improvements that need to occur to accommodate cumulative development – most of which is within the MEDC area but the mechanisms and timing for the necessary improvements have not been identified.
13. Sixteen (16) out of the twenty-eight (28) study area intersections analyzed in the Traffic Study are located within the City of Perris. For these intersections, along with any study roadway segments, the City of Perris will be a Responsible Agency under CEQA for the approval of any improvements and Perris' traffic impact criteria must be utilized (see Appendix A). This includes a comparison of Existing to Existing Plus Project conditions to determine whether the proposed project would have a direct or cumulative impact. If the project has a direct impact, then the project will be responsible for completing the required improvements unless a funding mechanism can be identified (e.g., TUMF fees, DIF fees, completed by other development, etc.). The failure to utilize the City of Perris' traffic impact criteria for the intersections and roadway segments within or shared with its jurisdiction means that the City of Perris cannot

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utilize the City of Menifee's EIR to approve any identified improvements. A separate subsequent environmental review by the City of Perris would be required.

14. Trucks should avoid traveling on Ethanac Road west of Barnett Road and Case Road due to the proximity to residential land uses within the Green Valley Specific Plan area north of Ethanac Road in the City of Perris. Additionally, the existing median on Ethanac Road is within the Perris city limits and was not designed for truck queuing. Extending the westbound left turn pocket at Byers Road to 350 feet in length would allow queuing of two (2) trucks. Queuing for additional trucks would impact the through travel lanes along Ethanac Road.
15. It is our understanding that the Master Plan for the MEDC will be providing roadway connections for trucks that will not impact City of Perris roadways. This must be considered as part of the Traffic Study and the analysis should be revised accordingly.
16. The Traffic Study will need to clearly identify what improvements are necessary, whether they have a direct or indirect impact on the project, and how they will be implemented. Again, direct impacts will be determined for City of Perris intersections and roadway segments based upon the City of Perris traffic criteria.
17. Table 4.13 of the Transportation and Traffic section of the Draft EIR shows that the westbound left turn lane at Byers Road and Ethanac Road would need to be extended to 350 feet to accommodate the truck traffic associated with the project. This is not identified as part of the off-site project improvements in the Project Description. As such, the City of Perris has no idea of when this necessary improvement will be implemented. Any left-turning trucks that cannot enter the turn lane without stopping would impede the left westbound traffic lane. Because the northern traffic lanes and the median are located within the City of Perris, the City of Perris will be a Responsible Agency under CEQA for the approval of the turn lane construction and implementation. The City of Perris considers any potential blocking of a traffic lane by trucks to substantially increase hazards due to a dangerous intersection (Impact 4.13-3). This is a potentially significant impact that is not identified on page 4.13-14 of the Draft EIR. The Draft EIR needs to be revised to evaluate this impact. Unless the westbound left turn lane is extended prior to project operation, the impact will be significant and unavoidable and, because the impact would occur entirely within the City of Perris, this is not an impact that can be overridden by the City of Menifee.

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Specific Traffic Study Comments

18. Title Page. The traffic study needs to be signed and stamped by the PE/TE in responsible charge of the study.
19. Page 1 – Introduction, First Paragraph. The study will also need to follow City of Perris intersection/roadway segment analysis requirements and impact criteria. This would include an evaluation of Existing versus Existing Plus Project impacts to determine whether the project has a direct or indirect impact on the deficient transportation facilities.
20. Pages 4 & 5 – Study Locations. The traffic study shall identify whether the intersections and roadway segments are located within the City of Menifee, Perris, or both.

21. Page 6 – Figure 3A. Existing Lane Configuration and Traffic Control. Study Intersection #13 actually consists of two separate (offset) intersections (Barnett Road & Case Road). As listed and detailed in the Draft DEIR, Study Intersection #13 appears to have been analyzed as a single, aligned intersection. Both intersections should be analyzed separately (from a LOS and queuing standpoint), and the recommended improvements should involve realigning Barnett Road with Case Road (and other associated intersection improvements if necessary). The project shall pay a fair share contribution towards this realignment, or 100% of the cost if the project directly impacts these intersection(s).
22. Page 10 – Roadway Capacity Requirements. For segments located within the City of Perris, the maximum two-way traffic volume capacity should be based upon City of Perris requirements identified in the City's General Plan.
23. Page 15 – Existing Traffic Volumes. Counts taken in October 2021 would still be influenced by the coronavirus pandemic and stay-at-home orders. Therefore, newer traffic counts should be provided at those locations. Also, it is unclear how the 2021 and 2022 counts were grown to reflect Existing (Year 2023) traffic conditions. The City of Perris utilizes a 3% per year annual growth rate for transportation facilities within the City of Perris.
24. Page 21 – Figure 7: Project Trip Distribution. The project distribution needs to be updated to show both the passenger vehicle and truck turning percentages at each intersection. Currently, it is unclear how project traffic enters/exits the project site. No trucks should be allowed on Ethanac Road west of Barnett Road and Case Road, Goetz Road north of Ethanac Road, or on Murietta Road north of Ethanac Road for the reasons stated on item #14 above.
25. Page 28 – Table 4 – Summary of Intersection Operations – Existing Plus Project. This table needs to include what jurisdiction each study intersection is located within to determine which intersections are considered directly impacted per City of Perris criteria.
26. Page 32 - Table 6: Summary of Cumulative Projects. The City of Perris Planning Department will need to review and confirm that the list of cumulative projects is comprehensive and accurate.
27. Page 47 - Storage Capacity at Left-Turn Pockets. The City of Perris is concerned about the project's impact to queuing/progression along Ethanac Road at the I-215 interchange. A simulation analysis should be conducted to identify any queuing deficiencies, and if applicable, improvements should be identified.
28. Page 47 - Recommended Improvements. For direct project impacts of City of Perris transportation facilities, the project shall be 100% responsible that all necessary improvements are installed to mitigate these impacts (or via some other defined improvement program) prior to project occupancy. It is also unclear how these improvements would be implemented and who would be responsible for providing the required improvements. Additional detail is needed on the funding mechanisms that will be utilized to make these required improvements.

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29. Table 13 – Summary of Roadway Segment Analysis with Improvements – Opening Year 2024 Cumulative Plus Project shows that the recommended configuration for Ethanac Road is a 6-Lane Urban Arterial. This is generally consistent with the City of Perris General Plan Circulation Element which classifies this roadway as a 6-lane Expressway. The segment of Ethanac Road from Goetz Road to Barnett Road is shared by the cities of Perris and Menifee.

30. Several years ago, Ethanac Road was only a 2-lane Primary Arterial and the City of Perris consulted with the City of Menifee regarding roadway and median improvements along of Ethanac Road to accommodate future development in the area – particularly the GVSP area. The City of Menifee chose not to participate in the improvement process. Since that time, the City of Perris has improved the segment of Ethanac Road from Goetz Road to Barnett Road as a 4-lane Primary Arterial with a median. The westbound two lanes, the median, and the northern eastbound lane are all located within the City of Perris and the northern lanes have been constructed to the ultimate width from the roadway centerline. Only the southern eastbound lane is located within the City of Menifee. This means that the ultimate expansion of Ethanac Road to a 6-lane Urban Arterial or Expressway, including the relocation and reconstruction of the roadway median, will be the responsibility of the City of Menifee. All expansion will occur along the southern side of Ethanac Road and would likely require the removal of the existing homes along the southern side of Ethanac Road. Because the overall traffic study for the MEDC has not been prepared, it is not known if this expansion has been considered in the current proposal for development within the MEDC area.

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CEQA.

31. Please provide future notices prepared for the Project pursuant to the California Environmental Quality Act (“CEQA”) under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law which includes: notices of any public hearing held pursuant to CEQA, and notices of any scoping meeting held pursuant to Public Resources Code Section 21083.9.

Property Owners Notification

32. Due to nearby sensitive uses, it is requested that property owner notification within 1,200-feet of the project site is provided to ensure that all individuals who the development may impact are provided an opportunity to comment. It is recommended that in the future notices include a comment period ending on a weekday to allow the public and agencies the maximum allowable time to comment on a project. The comment period for this project ended on Saturday, April 27, 2024; thus, comments related to this project had to be sent a day early.

The City of Perris thanks you for considering these comments. Please feel free to contact me at (951) 943-5003, ext. 355 or pbrenes@cityofperris.org, if you have any questions or would like to discuss the above concern in further detail.

Sincerely,



Patricia Brenes
Planning Manager

Attachments: ~~City of Perris Response to Agency Transmittal – Dated December 22, 2021~~
~~City of Perris Response to NOP – Dated May 16, 2022~~

cc: Clara Miramontes, City Manager
Wendell Bugtai, Assistant City Manager
Robert Khuu, City Attorney
John Pourkazemi, City Engineer
Kenneth Phung, Director of Development Services

Cont.
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MENIFEE RESPONSE TO PERRIS COMMENT LETTERS

Comment Letter G – City of Perris – Development Services Department Planning Division
Patricia Brenes, Planning Manager



CITY OF PERRIS

DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION
135 N. "D" Street, Perris, CA 92570-2200
TEL: (951) 943-5003 FAX: (951) 943-8379

April 26, 2024

Ryan Fowler
City of Menifee
Community Development Department
29844 Haun Road
Menifee, CA 92586

**SUBJECT: CITY OF PERRIS COMMENTS ON THE DRAFT ENVIRONMENTAL
IMPACT REPORT (EIR) PREPARED FOR THE CADO MENIFEE
INDUSTRIAL WAREHOUSE PROJECT - PLOT PLAN NO. PLN21-0370 AND
TENTATIVE PARCEL MAP NO. PLN22-0041**

Dear Mr. Fowler:

The City of Perris appreciates the opportunity to comment on the Draft EIR prepared for the proposed CADO Menifee Industrial Warehouse Project ("Project") consisting of a 700,037-square-foot industrial building on 36.81 net acres, located approximately 700 feet south of Ethanac Road between Wheat Street and Bryers Road within the City of Menifee. The Green Valley Specific Plan (GVSP) planning area is within the limits of the City of Perris and is located north of Ethanac Road across from the project site. The GVSP is a master-planned community totaling 1,269 acres of land envisioned to be developed with 3,460 single family detached homes, 750 multi-family units, 42.3 acres of business and professional office space, 72.7 acres of commercial retail, 108.7 acres of industrial, 24 acres for three school sites, and 51.1 acres of public parks.

The City of Perris has expressed concerns with the proposed Project on the agency transmittal and during the NOP comment period. After reviewing the Draft EIR and technical reports, the City believes the Project has not adequately addressed the potential environmental impacts related to air quality, project alternatives, energy, greenhouse gas emissions, land use, noise, and transportation. Thus, the City continues to have concerns with the Project as detailed in the comments provided below.

Draft EIR

Project Description

1. The proposed project is generically described as an approximately 700,037-square-foot industrial warehouse building. Several of the potential impacts evaluated in the Draft EIR, such

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G3

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Page 2 of 8

as air quality, energy, greenhouse gas emissions, noise, and transportation are based in part on the trip generation numbers provided in the Traffic Study prepared for the project. The Traffic Study trip generation rates are based on the building being used as a high-cube fulfillment center (ITE land use 155). However, use of the building as a high-cube fulfillment center is not specified anywhere within the Draft EIR. In fact, page 1-1 of the Draft EIR states that the proposed building's end user is speculative in nature. Therefore, it cannot be assured that the building would only be operated as a high-cube fulfillment center if the project is approved.

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As pointed out in CARE CA's NOP comments for the project (included in Appendix A to the Draft EIR), different types of industrial warehouse use have unique operational characteristics that result in different types/levels of environmental impacts. For instance, fulfillment centers typically have higher employee ratios and therefore cause increased vehicular trip generation impacts with fewer heavy-duty truck related effects. Distribution centers and parcel hubs, on the other hand, create more truck-related impacts but typically have substantially fewer employees and reduced passenger vehicle impacts. Meanwhile, cold storage warehouses demand more energy and create more greenhouse gas emissions than non-refrigerated warehouses along with increased truck-related impacts including use of transportation refrigerated units (TRUs) during project operation.

G4

The Draft EIR had the opportunity to specify the use that is being evaluated and did not do so. Unless the EIR specifically states that the building would be restricted to non-refrigerated uses, it should be revised to evaluate the potential impacts associated with the possible operation of all or some portions of the building as a refrigerated facility. This is particularly important to the City of Perris because residents of the GVSP area to the immediate north of Ethanac Road would be affected by the project. Additionally, while the GVSP is included in the list of cumulative projects identified in the Draft EIR, the project fails to adequately analyze the reasonably foreseeable environmental impacts on the future residents of the residential units planned for construction within the GVSP throughout the Draft EIR.

G5

2. Page 4.13-25 of the Transportation and Traffic section of the Draft EIR shows that the project would cause traffic signal warrants to be met at the intersections of Wheat Street and Ethanac Road and Byers Road and Ethanac Road. The required signals should be provided by the project and identified in the Project Description. Because these intersections are shared with the City of Perris, the City of Perris will be a Responsible Agency under CEQA for the approval of the intersection construction and implementation.

G6

3. Table 4.13 of the Transportation and Traffic section of the Draft EIR section shows that the westbound left turn lane at Byers Road and Ethanac Road would need to be extended to 350 feet to accommodate the truck traffic associated with the project. However, this improvement is not identified as part of the off-site project improvements in the Project Description and should be included as such. Because the northern traffic lanes and the median are located within the City of Perris, the City of Perris will be a Responsible Agency under CEQA for the approval of the turn lane construction and implementation.

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Page 3 of 8

Air Quality

4. As discussed above, the proposed project could generate more traffic than what is assumed in the Draft EIR if any portions of the proposed building are occupied by refrigerated uses. This would result in greater operational air pollutant emissions than what are identified in the Draft EIR. In addition, the trucks traveling to and from the refrigerated uses would have TRUs which would be an additional source of air pollutants. G8
5. The evaluation of diesel particulate health risk impacts appears to be based on the emissions generated by mobile sources within the project site and experienced at nearby existing receptor locations. However, this analysis needs to confirm the evaluation of, or be revised to evaluate, the emissions from the diesel sources at the project site and traveling along the roadways between the project site and I-215. In addition, the analysis needs to identify the potential health risk impacts to the residents of the GVSP area to the immediate north of Ethanac Road. G9

Project Alternatives

6. Section 6.0 of the Draft EIR considers and analyzes only two alternatives to the project; No Project Alternative and Reduced Square Feet on Two Buildings Alternative. The EIR is to include a range of reasonable alternatives in compliance with the CEQA Guidelines, section 15126.6. An EIR is required to assess a no-project alternative under the CEQA Guidelines; as such, analyzing only one additional alternative in the Draft EIR fails to consider a reasonable range of potentially feasible alternatives. G10

Energy

7. As discussed above, the proposed project could also generate more traffic than what is assumed in the Draft EIR if any portions of the proposed building are occupied by refrigerated uses. In addition, the trucks traveling to and from the refrigerated uses would have TRUs. The energy evaluation should be revised to address these additional energy demands. G11

Greenhouse Gas Emissions

8. The Draft EIR utilizes 3000 MTCO₂e as a threshold of significance throughout the Greenhouse Gas Analysis. However, 3000 MTCO₂e is not supported with substantial evidence as a threshold of significance for greenhouse gas emissions, as required by CEQA Guidelines sections 15064(b) and 15064.7(c). G12
9. As discussed above, the proposed project could also generate more traffic than what is assumed in the Draft EIR if any portions of the proposed building are occupied by refrigerated uses. In addition, the trucks traveling to and from the refrigerated uses would have TRUs. Each of these sources would result in greater operational greenhouse gas emissions than what are identified in the Draft EIR. G13

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Land Use Inconsistency with Surrounding Areas

10. The proposed industrial development is incompatible with the residential development in the City of Menifee on the north side of Kuffel Road, south side of McLaughlin Road, south side of Ethanac Road, and west of Goetz Road, as well as the residential development in the City of Perris on the north side of Ethanac Road. Although there are some industrial zones in the GVSP area, they are located adjacent to the Perris Valley Airport north of the San Jacinto River, which has land use density limitations. All the development in the GVSP area south of the San Jacinto River to Ethanac Road is residential, with some commercial development towards the I-215 Freeway. Therefore, no industrial development in the City of Perris is allowed to utilize Ethanac Road as a truck route due to the sensitivity of residential land uses along this roadway. As such, all of the truck traffic along Ethanac Road west of Case Road would be associated with industrial development within the City of Menifee.

G14

Noise

11. The City of Perris' noise ordinance is not assessed as part of the project's noise generation, despite the Project's proximity to sensitive receptors within the City of Perris. This is of particular concern due to the anticipated increase in cumulative and incremental traffic noise along Ethanac Road, which is directly south of the anticipated residential development within the GVSP area.

G15

Transportation and Traffic

Traffic Study Scope Concerns

12. The preparation of the site-specific Traffic Study for the CADO Menifee Industrial Warehouse Project is premature in that the overall traffic study for the Menifee Economic Development Corridor (MEDC) needs to be completed first in order to master plan the entire MEDC area, which includes the CADO Menifee Industrial Warehouse Project. A more comprehensive review of the entire area along Ethanac Road needs to be completed before site-specific studies can be prepared for individual projects. This is of particular concern because the Traffic Study identified a number of roadways and intersections improvements that need to occur to accommodate cumulative development – most of which is within the MEDC area but the mechanisms and timing for the necessary improvements have not been identified.

G16

13. Sixteen (16) out of the twenty-eight (28) study area intersections analyzed in the Traffic Study are located within the City of Perris. For these intersections, along with any study roadway segments, the City of Perris will be a Responsible Agency under CEQA for the approval of any improvements and Perris' traffic impact criteria must be utilized (see Appendix A). This includes a comparison of Existing to Existing Plus Project conditions to determine whether the proposed project would have a direct or cumulative impact. If the project has a direct impact, then the project will be responsible for completing the required improvements unless a funding mechanism can be identified (e.g., TUMF fees, DIF fees, completed by other development, etc.). The failure to utilize the City of Perris' traffic impact criteria for the intersections and roadway segments within or shared with its jurisdiction means that the City of Perris cannot

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utilize the City of Menifee's EIR to approve any identified improvements. A separate subsequent environmental review by the City of Perris would be required.

G17
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14. Trucks should avoid traveling on Ethanac Road west of Barnett Road and Case Road due to the proximity to residential land uses within the Green Valley Specific Plan area north of Ethanac Road in the City of Perris. Additionally, the existing median on Ethanac Road is within the Perris city limits and was not designed for truck queuing. Extending the westbound left turn pocket at Byers Road to 350 feet in length would allow queuing of two (2) trucks. Queuing for additional trucks would impact the through travel lanes along Ethanac Road.

G18

15. It is our understanding that the Master Plan for the MEDC will be providing roadway connections for trucks that will not impact City of Perris roadways. This must be considered as part of the Traffic Study and the analysis should be revised accordingly.

G19

16. The Traffic Study will need to clearly identify what improvements are necessary, whether they have a direct or indirect impact on the project, and how they will be implemented. Again, direct impacts will be determined for City of Perris intersections and roadway segments based upon the City of Perris traffic criteria.

G20

17. Table 4.13 of the Transportation and Traffic section of the Draft EIR shows that the westbound left turn lane at Byers Road and Ethanac Road would need to be extended to 350 feet to accommodate the truck traffic associated with the project. This is not identified as part of the off-site project improvements in the Project Description. As such, the City of Perris has no idea of when this necessary improvement will be implemented. Any left-turning trucks that cannot enter the turn lane without stopping would impede the left westbound traffic lane. Because the northern traffic lanes and the median are located within the City of Perris, the City of Perris will be a Responsible Agency under CEQA for the approval of the turn lane construction and implementation. The City of Perris considers any potential blocking of a traffic lane by trucks to substantially increase hazards due to a dangerous intersection (Impact 4.13-3). This is a potentially significant impact that is not identified on page 4.13-14 of the Draft EIR. The Draft EIR needs to be revised to evaluate this impact. Unless the westbound left turn lane is extended prior to project operation, the impact will be significant and unavoidable and, because the impact would occur entirely within the City of Perris, this is not an impact that can be overridden by the City of Menifee.

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Specific Traffic Study Comments

18. Title Page. The traffic study needs to be signed and stamped by the PE/TE in responsible charge of the study.

G22

19. Page 1 – Introduction, First Paragraph. The study will also need to follow City of Perris intersection/roadway segment analysis requirements and impact criteria. This would include an evaluation of Existing versus Existing Plus Project impacts to determine whether the project has a direct or indirect impact on the deficient transportation facilities.

G23

20. Pages 4 & 5 – Study Locations. The traffic study shall identify whether the intersections and roadway segments are located within the City of Menifee, Perris, or both.

G24

Page 6 of 8

21. Page 6 – Figure 3A: Existing Lane Configuration and Traffic Control. Study Intersection #13 actually consists of two separate (offset) intersections (Barnett Road & Case Road). As listed and detailed in the Draft DEIR, Study Intersection #13 appears to have been analyzed as a single, aligned intersection. Both intersections should be analyzed separately (from a LOS and queuing standpoint), and the recommended improvements should involve realigning Barnett Road with Case Road (and other associated intersection improvements if necessary). The project shall pay a fair share contribution towards this realignment, or 100% of the cost if the project directly impacts these intersection(s). G25
22. Page 10 – Roadway Capacity Requirements. For segments located within the City of Perris, the maximum two-way traffic volume capacity should be based upon City of Perris requirements identified in the City's General Plan. G26
23. Page 15 – Existing Traffic Volumes. Counts taken in October 2021 would still be influenced by the coronavirus pandemic and stay-at-home orders. Therefore, newer traffic counts should be provided at those locations. Also, it is unclear how the 2021 and 2022 counts were grown to reflect Existing (Year 2023) traffic conditions. The City of Perris utilizes a 3% per year annual growth rate for transportation facilities within the City of Perris. G27
24. Page 21 – Figure 7: Project Trip Distribution. The project distribution needs to be updated to show both the passenger vehicle and truck turning percentages at each intersection. Currently, it is unclear how project traffic enters/exits the project site. No trucks should be allowed on Ethanac Road west of Barnett Road and Case Road, Goetz Road north of Ethanac Road, or on Murietta Road north of Ethanac Road for the reasons stated on item #14 above. G28
25. Page 28 – Table 4 – Summary of Intersection Operations – Existing Plus Project. This table needs to include what jurisdiction each study intersection is located within to determine which intersections are considered directly impacted per City of Perris criteria. G29
26. Page 32 - Table 6: Summary of Cumulative Projects. The City of Perris Planning Department will need to review and confirm that the list of cumulative projects is comprehensive and accurate. G30
27. Page 47 - Storage Capacity at Left-Turn Pockets. The City of Perris is concerned about the project's impact to queuing/progression along Ethanac Road at the I-215 interchange. A simulation analysis should be conducted to identify any queuing deficiencies, and if applicable, improvements should be identified. G31
28. Page 47 - Recommended Improvements. For direct project impacts of City of Perris transportation facilities, the project shall be 100% responsible that all necessary improvements are installed to mitigate these impacts (or via some other defined improvement program) prior to project occupancy. It is also unclear how these improvements would be implemented and who would be responsible for providing the required improvements. Additional detail is needed on the funding mechanisms that will be utilized to make these required improvements. G32

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29. Table 13 – Summary of Roadway Segment Analysis with Improvements – Opening Year 2024 Cumulative Plus Project shows that the recommended configuration for Ethanac Road is a 6-Lane Urban Arterial. This is generally consistent with the City of Perris General Plan Circulation Element which classifies this roadway as a 6-lane Expressway. The segment of Ethanac Road from Goetz Road to Barnett Road is shared by the cities of Perris and Menifee.

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30. Several years ago, Ethanac Road was only a 2-lane Primary Arterial and the City of Perris consulted with the City of Menifee regarding roadway and median improvements along of Ethanac Road to accommodate future development in the area – particularly the GVSP area. The City of Menifee chose not to participate in the improvement process. Since that time, the City of Perris has improved the segment of Ethanac Road from Goetz Road to Barnett Road as a 4-lane Primary Arterial with a median. The westbound two lanes, the median, and the northern eastbound lane are all located within the City of Perris and the northern lanes have been constructed to the ultimate width from the roadway centerline. Only the southern eastbound lane is located within the City of Menifee. This means that the ultimate expansion of Ethanac Road to a 6-lane Urban Arterial or Expressway, including the relocation and reconstruction of the roadway median, will be the responsibility of the City of Menifee. All expansion will occur along the southern side of Ethanac Road and would likely require the removal of the existing homes along the southern side of Ethanac Road. Because the overall traffic study for the MEDC has not been prepared, it is not known if this expansion has been considered in the current proposal for development within the MEDC area.

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CEQA

31. Please provide future notices prepared for the Project pursuant to the California Environmental Quality Act (“CEQA”) under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law which includes: notices of any public hearing held pursuant to CEQA, and notices of any scoping meeting held pursuant to Public Resources Code Section 21083.9.

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Property Owners Notification

32. Due to nearby sensitive uses, it is requested that property owner notification within 1,200-feet of the project site is provided to ensure that all individuals who the development may impact are provided an opportunity to comment. It is recommended that in the future notices include a comment period ending on a weekday to allow the public and agencies the maximum allowable time to comment on a project. The comment period for this project ended on Saturday, April 27, 2024; thus, comments related to this project had to be sent a day early.

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The City of Perris thanks you for considering these comments. Please feel free to contact me at (951) 943-5003, ext. 355 or pbrenes@cityofperris.org, if you have any questions or would like to discuss the above concern in further detail. G37

Sincerely,



Patricia Brenes
Planning Manager

Attachments: City of Perris Response to Agency Transmittal - Dated December 22, 2021
City of Perris Response to NOP – Dated May 16, 2022

cc: Clara Miramontes, City Manager
Wendell Bugtai, Assistant City Manager
Robert Khun, City Attorney
John Pourkazemi, City Engineer
Kenneth Phung, Director of Development Services

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CITY OF PERRIS

DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION
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December 22, 2021

Ryan Fowler
City of Menifee
Planning Division
29714 Haun Road
Menifee, CA 92586

SUBJECT: City of Perris initial comments for the Capstone Industrial Project - Menifee Planning Case No. Plot Plan No. PLN21-0370 and Development Code Update No. PLN21-0260 (i.e., the application filed with the Northern Gateway Commerce Center I and II project for the Menifee North Economic Development Corridor Plan)

Dear Mr. Fowler:

The City of Perris appreciates the opportunity to comment on the "Capstone Industrial" ("Proposed Project") proposal to construct an industrial building totaling 700,037 sq. ft. on a 36.8 gross acre project site located approximately 300-feet south of Ethanac Road between Wheat Street and Bryers Road within the City of Menifee. The Proposed Project is located just south of Ethanac Road adjacent to the Green Valley Specific Plan (GVSP) within Perris limits. The GVSP is a master-planned community totaling 1,269 acres of land envisioned to have 3,460 single-family detached homes, 750 multi-family units, 42.3 acres of business and professional office space, 72.7 acres of commercial retail, 108.7 acres of industrial, 24 acres for three school sites, and 51.1 acres of public parks.

Although there are some industrial zones in the GVSP, they are located adjacent to the Perris Valley Airport north of the San Jacinto River, which has land use density limitations. All the development in the GVSP south of the San Jacinto River to Ethanac Road is residential, with some commercial development towards the I-215 Freeway. Therefore, no industrial development in the City of Perris is allowed to utilize Ethanac Road as a truck route due to the sensitivity of residential land uses along this roadway.

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Page 2 of 4

There are two single-family residential tracts in the GVSP totaling 314 single-family dwelling units nearing construction completion along Ethanac Road. In addition, there are six residential tracts comprised of 1,241 residential units, which are anticipated to start next year in phases.

The City is significantly concerned with the proposed Project as it is out of character with the surrounding residential areas in Menifee and the City of Perris. The City provides the below comments in light of the Project's proximity to the City of Perris residential neighborhood and concerns with potential truck traffic on Ethanac Road:

1. **California Environmental Quality Act (CEQA).** The Project needs to address the cumulative impact of all the proposed projects within a 1.5-mile radius of the proposed site to analyze, mitigate, and disclose all environmental impacts from the Proposed Project pursuant to the California Environmental Quality Act (CEQA). Perris staff is aware of Northern Gateway Commerce Centers I & II Industrial project (i.e., 2.4M SF in two industrial buildings) and the Barnett Warehouse Project (i.e., 250K SF industrial) in the Menifee North Economic Development Corridor (Menifee North EDC) Plan that should be incorporated into the CEQA analysis. The CEQA document should particularly evaluate how the Project will address mitigating impacts of the Project on being close to residential land uses land use compatibility, truck circulation, traffic impacts, and noise impacts. In addition, a health risk assessment, as further identified in this letter, is required.
2. **Land Use Inconsistency with Surrounding Areas / Development Code Update No. PLN21-0260** - The proposed industrial development is incompatible with the residential development in both the City of Perris and Menifee on the south side of McLaughlin Road, north of Ethanac Road, and west of Goetz Road, which is designated for residential development. The appropriate land use would be Business Park Development which is identified in the Menifee North EDC Plan, which would be more compatible with the residential land uses nearby. Therefore, the City is concerned with the development code update to create an industrial overlay to include development standards and a map amendment to add the boundary to the overlay, which is being processed with the Northern Gateway Centers I and II project that would apply to this property. Because the Northern Gateway Centers I and II project timing could be slower than this Project, the proposed Project should also include the same Development Code application to accurately reflect the proposed Project.
3. **Truck Circulation Route** – The developer should be required to prepare a Truck Circulation Plan. According to the site layout, it is presumed the developer proposing to utilize Ethanac Road as truck access. However, any truck access should be on McLaughlin Road to Barrett Avenue to Ethanac Road to access the I-215 Freeway due to proximity to residential land uses on the north side of Ethanac Road. In addition, it should be noted that the existing median on Ethanac Road is within Perris City limits and is not designed for truck queuing.

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4. **Case Road and Barnett Avenue Alignment.** With the truck route noted above, Barnett Avenue and Case Road will need to align, as envisioned in the City's of Perris Circulation Element. Also, as the east side of Barnett Avenue is in the City of Perris, it should be built to a secondary arterial street designation of 94-ft right-of-way (r-o-w) to be consistent with the designation on Case Road.

5. **Traffic Impact Analysis/Truck Route.** The City of Perris has concerns related to traffic impacts to the Freeway interchange at I-215 and Ethanac Road. The Traffic Impact Analysis should include the following:

- Evaluation of intersections/road segments in the City of Perris: Ethanac Road and Case Road/Barrett Avenue, and I-215 freeway and Ethanac Road (on-ramp and off-ramp).
- Determine the fair share contribution to the Ethanac Road at the I-215 Interchange.
- Evaluate all truck routes and traffic counts during AM and PM peak times.
- Incorporate a truck route enforcement plan as part of the TIA, which includes: on-site signage (provide a depiction of signage) of truck routes and truck driver/dispatcher education on truck routes.

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Upon completion of the Draft Traffic Impact Analysis, please provide the City with a copy to review and comment.

6. **Noise.** An acoustical/noise analysis shall be prepared to mitigate noise impacts from the Project resulting from construction and operation in proximity to the residential development surrounding the site along Ethanac Road and Barnett Avenue.

7. **Health Risk Assessment Study.** A Health Risk Assessment is required under the *Sierra Club v. City of Fresno* case to evaluate health impacts on nearby residents.

8. **CEQA.** Please provide future notices prepared for the Project pursuant to the California Environmental Quality Act ("CEQA") under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law which includes: notices of any public hearing held pursuant to CEQA, and notices of any scoping meeting held pursuant to Public Resources Code Section 21083.9.

The City of Perris thanks you for considering these comments. Please feel free to contact me at (951) 943-5003, ext. 257, if you have any questions or would like to discuss the above concern in further detail.

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Page 4 of 4

Sincerely,



Kenneth Phung
Director of Development Services

Cc: Clara Miramontes, City Manager
Eric Dunn, City Attorney
Stuart McKibbin, City Engineer

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CITY OF PERRIS

DEVELOPMENT SERVICES DEPARTMENT
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May 16, 2022

Ryan Fowler
City of Menifee
Planning Division
29714 Haun Road
Menifee, CA 92586

SUBJECT: City of Perris Comments on the Notice of Preparation for the Cado Industrial Project - Menifee Planning Case No. Plot Plan No. PLN21-0370 and Tentative Parcel Map No. 22-041.

Dear Mr. Fowler:

The City of Perris appreciates the opportunity to comment on the Notice of Preparation (NOP) for the "Cado Industrial" ("Proposed Project") proposal to construct an industrial building totaling 700,037 sq. ft. on a 36.8 gross acre project site located approximately 300-feet south of Ethanac Road between Wheat Street and Bryers Road within the City of Menifee. The Proposed Project is located just south of Ethanac Road adjacent to the Green Valley Specific Plan (GVSP) within Perris limits. The GVSP is a master-planned community totaling 1,269 acres of land envisioned to have 3,460 single-family detached homes, 750 multi-family units, 42.3 acres of business and professional office space, 72.7 acres of commercial retail, 108.7 acres of industrial, 24 acres for three school sites, and 51.1 acres of public parks.

The NOP comment letter reiterates many of the comments provided during the agency transmittal period on December 22, 2021, stating that the City of Perris is significantly concerned with the proposed Project as the following concerns will need to be addressed:

1. **California Environmental Quality Act (CEQA).** The Project needs to address the cumulative impact of all the proposed projects within a 1.5-mile radius of the proposed site to analyze, mitigate, and disclose all environmental impacts from the Proposed Project pursuant to the California Environmental Quality Act (CEQA). Perris staff is aware of Northern Gateway

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Commerce Centers I & II Industrial projects (i.e., 2.4M SF in two industrial buildings), the Barnett Warehouse Project (i.e., 250K SF industrial), and the McLaughlin Warehouse Project (i.e., 276,682 SF Industrial) in the Meniffee North Economic Development Corridor (Meniffee North EDC) Plan that should be incorporated into the CEQA analysis. The CEQA document should particularly evaluate how the Project will address mitigating impacts of the Project on being close to residential land uses land use compatibility, truck circulation, traffic impacts, and noise impacts. In addition, a health risk assessment, as further identified in this letter, is required.

2. **Land Use Inconsistency with Surrounding Areas** - The proposed industrial development is incompatible with the residential development in both the City of Perris and Meniffee on the south side of McLaughlin Road, north of Ethanac Road, and west of Goetz Road, which is designated for residential development. Although there are some industrial zones in the GVSP, they are located adjacent to the Perris Valley Airport north of the San Jacinto River, which has land use density limitations. All the development in the GVSP south of the San Jacinto River to Ethanac Road is residential, with some commercial development towards the I-215 Freeway. Therefore, no industrial development in the City of Perris is allowed to utilized Ethanac Road as a truck route due to the sensitivity of residential land uses along this roadway.

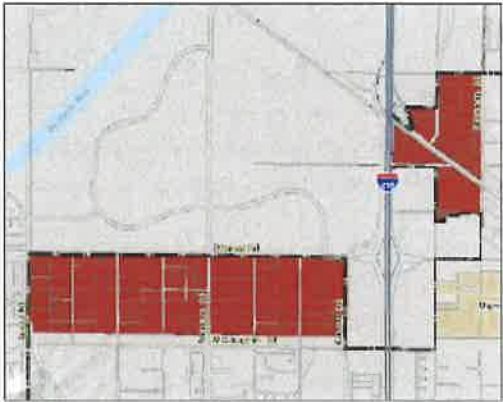
There are two single-family residential tracts in the GVSP totaling 314 single-family dwelling units nearing construction completion along Ethanac Road. In addition, there are six residential tracts comprised of 1,241 residential units, which are anticipated to start next year in phases.

3. **Meniffee Economic Developer Corridor Zoning.** The appropriate land use would be Business Park Development which is identified in the Meniffee North EDC Plan (see YELLOW highlight below from the North EDU zoning map), which would be more compatible with the residential land uses nearby.

EXHIBIT LU-B2B: EDC NORTHERN GATEWAY (594 ACRES)

Preferred Mix of Land Uses	
Residential	5%
Industrial	95%

Envisioned as an employment center at Meniffee's northern gateway that focuses on providing opportunity for business park development and more traditional industrial (less office) than envisioned for the Southern Gateway (Scott Road) EDC area. Limited residential development may be appropriate between new business park uses and existing single-family homes, or in places where residential projects have already been approved. Emphasis should be on job creation and creating connections to regional transportation corridors, including I-215 and the railroad.

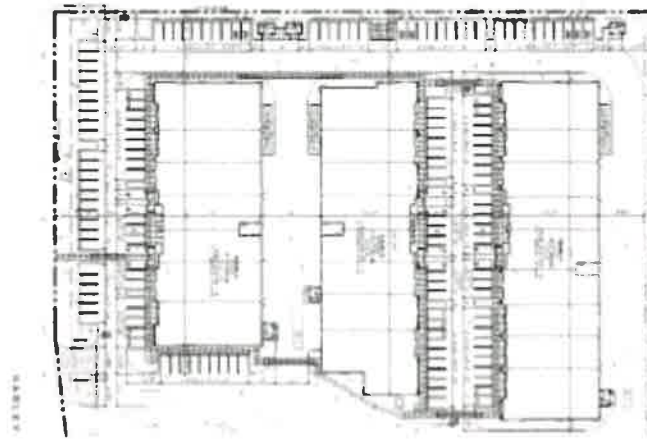


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Below is an example of the Business Park Development architecture and site plan that has been proposed in Perris as an example.



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4. **Truck Circulation Route** – The developer should be required to prepare a Truck Circulation Plan. According to the site layout, it is presumed the developer proposing to utilize Ethanac Road as truck access. However, any truck access should be on McLaughlin Road to Barrett Avenue to Ethanac Road to access the I-215 Freeway due to proximity to residential land uses on the north side of Ethanac Road. In addition, it should be noted that the existing median on Ethanac Road is within Perris City limits and is not designed for truck queuing.
5. **Case Road and Barnett Avenue Alignment.** With the truck route noted above, Barnett Avenue and Case Road will need to align, as envisioned in the City's of Perris Circulation Element. Also, as the east side of Barnett Avenue is in the City of Perris, it should be built to a secondary arterial street designation of 94-ft right-of-way (r-o-w) to be consistent with the designation on Case Road.
6. **Traffic Impact Analysis/Truck Route.** The City of Perris has concerns related to traffic impacts to the Freeway interchange at I-215 and Ethanac Road. The Traffic Impact Analysis should include the following:

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- Evaluation of intersections/road segments in the City of Perris: Ethanac Road and Case Road/Barrett Avenue, and I-215 freeway and Ethanac Road (on-ramp and off-ramp).
- Determine the fair share contribution to the Ethanac Road at the I-215 Interchange.
- Evaluate all truck routes and traffic counts during AM and PM peak times.
- The Ethanac Road interchange and the truck access route shall operate at an acceptable level with the opening day projection.
- Incorporate a truck route enforcement plan as part of the TIA, including on-site signage (provide a depiction of signage) of truck routes and truck driver/dispatcher education on truck routes.

Upon completion of the Draft Traffic Impact Analysis, please provide the City with a copy to review and comment.

7. **Noise.** An acoustical/noise analysis shall be prepared to mitigate noise impacts from the Project resulting from construction and operation in proximity to the residential development surrounding the site along Ethanac Road and Barnett Avenue.
8. **Health Risk Assessment Study.** A Health Risk Assessment is required under the *Sierra Club v. City of Fresno* case to evaluate health impacts on nearby residents.
9. **CEQA.** Please provide future notices prepared for the Project pursuant to the California Environmental Quality Act ("CEQA") under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law which includes: notices of any public hearing held pursuant to CEQA, and notices of any scoping meeting held pursuant to Public Resources Code Section 21083.9.
10. **1,200-Foot Property Owners Notification.** Due to nearby sensitive uses, it is requested that property owner notification within 1,200-feet of the project site is provided to ensure that all individuals who the development may impact are provided an opportunity to comment.

The City of Perris thanks you for considering these comments. Please feel free to contact me at (951) 943-5003, ext. 257, if you have any questions or would like to discuss the above concern in further detail.

Sincerely,



Kenneth Phung
Director of Development Services

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***Responses to Comment Letter G – City of Perris, Development Services Department Planning Division
Patricia Brenes, Planning Manager***

- G1** This comment includes introductory statements, a brief description of the Project, and a description of the Green Valley Specific Plan (GVSP) planning area. Comments have been noted and no further response is warranted.
- G2** The commenter states that the Project EIR has not adequately addressed the potential environmental impacts related to air quality, project alternatives, energy, greenhouse gas emissions, land use, noise, and transportation. This portion of the comment does not raise specific concerns and therefore no further responses is warranted. Responses to the City of Perris' specific concerns regarding the inadequacy of the Draft EIR are provided below.
- G3** The Project is analyzed as a high cube fulfillment center, which from a traffic perspective is a worst- case scenario. Fulfillment Center Warehouse (Sort) facility has a higher overall daily trip generation rate than other industrial uses, 6.44 trips per thousand square feet (as opposed to a typical warehouse trip generation rate of 1.71 [ITE 150] trips per thousand square feet), as defined in the ITE Trip Generation Manual 11th Edition. Because of the conservative trip count, the Project's TIA analyzes a "worst case scenario" transportation analysis and therefore the analysis accounts for impacts that would be caused by other types of warehouses. Additionally, because ITE 155 was used to determine the trip generation rate (which was reasonable to get a most conservative transportation analysis), that same trip rate was used in the Air Quality, Greenhouse Gas, Health Risk, and Noise Assessments so all studies would have a consistent baseline.
- G4** As noted throughout the Draft EIR (and in particular, in Section 4.2, Air Quality, and Section 4.8, Greenhouse Gas Emissions), the Project does not include cold storage. Therefore, the analysis modeled the warehouses as unrefrigerated, and the Project would not include emissions from transport refrigeration units (TRUs). Pursuant to **MM GHG-2**, the City will confirm the Project does not include cold storage equipment for warehousing purposes. Additionally, the Project would be conditioned to not allow for refrigerated uses.
- G5** Refer to Responses G3 and G4, above, regarding the fact that the Project does not include cold storage. The remainder of the comment claims that the Draft EIR fails to adequately analyze the reasonably foreseeable environmental impacts on the future residents within the GVSP. This comment is general in nature and does not identify specific deficiencies in the Draft EIR's analysis. Therefore, no response can be provided.
- G6** Under CEQA Guidelines Section 15064.3, automobile delay no longer is considered an environmental impact under CEQA, and therefore this comment does not raise concerns within the scope of CEQA. The analysis included in the Draft EIR concerning LOS, including traffic signal warrants, was provided for informational purposes only for the City's use in evaluating the Project and considering conditions of approval outside of CEQA's framework.

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Notwithstanding that this comment raises issues outside the scope of CEQA, the following response is provided. Based on the analysis in the TIA, as described in more detail in the Draft EIR Section 4.13: Transportation pages 4.13-21 it is recommended that the northbound shared lane on Wheat Street at Ethanac Road (intersection #9) be modified to be right-in-right-out (RIRO) access. With this improvement, the intersection operates at an acceptable level of service (LOS). Therefore, no other improvements are recommended at intersection #9 in order to meet the City's LOS standards. Also based on the analysis in the TIA, it is recommended that a traffic signal be installed at the intersection of Ethanac Road at Byers Road (intersection #10). The implementation of these improvements to address automobile delay will be based on direct discussion between City staff and the Applicant and would be imposed via the Conditions of Approval process, not through CEQA.

- G7** Additionally, under CEQA Guidelines Section 15064.3, automobile delay no longer is considered an environmental impact under CEQA, and therefore this comment does not raise concerns within the scope of CEQA.

The analysis included in the Draft EIR concerning this proposed improvement was provided for informational purposes only for the City's use in evaluating the Project and considering conditions of approval outside of CEQA's framework. The implementation of this improvement would be based on direct discussion between City staff and the Applicant and would be imposed via the Conditions of Approval process, not through CEQA. Pursuant to CEQA Guidelines Section 15124, a Project description should not supply extensive detail beyond that needed for evaluation and review of the environmental impact. Since this improvement would be imposed outside of CEQA and was provided for information purposes pursuant to automobile delay, the Project Description does not need to be updated to include this proposed improvement. Nevertheless, any improvements to portions of intersections or roadways shared with the City of Perris would be coordinated between the City of Meniffee and City of Perris prior to final offsite engineering for the Project. Additionally, the improvements associated with the proposed Project are not considered intensive construction work that would expand the scope of project construction impacts already discussed thoroughly in the Draft EIR.

- G8** The commenter states that the Project could generate more traffic than what is assumed if any portion of the building is occupied by refrigerated uses. **MM GHG-2** prohibits the Project from including cold storage. In addition, City has conditioned the site to prohibit cold storage. Therefore, the Project would not include additional truck traffic or additional emissions from TRUs, and as such, the Draft EIR did not need to analyze the potential effect of refrigerated trucks.
- G9** The commenter states that health risk impacts appear to be based on the emissions generated by mobile sources within the project site and states that the analysis needs to confirm the evaluation of sources traveling along roadways and I-215. The commenter also states that the analysis needs to identify potential impacts to residents north of Ethanac Road.

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As shown in the HRA appendix (see Draft EIR Appendix B2), diesel emission sources include trucks traveling down Wheat Street, Byers Road, Ethanac Road and the on-ramps and off-ramps accessing I-215. In addition, the HRA includes diesel emissions from on-site truck circulation, truck idling, and heavy construction equipment used during Project construction. The Project does not involve any other potential diesel sources onsite. Modeling for the HRA extends approximately 603 feet north of Ethanac Road which includes the GVSP area identified by the commenter. The HRA analyzed the receptor of maximum exposure, which is identified as a house along Kuffel Road, and determined that impacts would be less than significant with the imposition of **MM HRA-1**, which requires the use of Tier 4 construction equipment or incorporation of CARB Level 3 Verified Diesel Emission Control Strategy. As a result, health risks for all other receptors (which are at a greater distance than the receptor of maximum exposure) have been determined to be less than this, including residents in the GVSP located north of Ethanac Road. Accordingly, the Draft EIR already analyzes the subjects raised by this comment and no further analysis is needed.

- G10** Review of CEQA Guidelines Section 15126.6 requires that a project range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not *consider every conceivable alternative* to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. The City deemed that having two alternatives for the Project provides an adequate range of alternatives pursuant to CEQA Guidelines Section 15126.6 because those were the alternatives determined which could reduce the Project's significant effects while still meeting most of the basic Project objectives.
- G11** The commenter states that if the Project includes refrigerated uses it would consume more energy than what was analyzed in the EIR. As stated previously, **MM GHG-2** prohibits the Project from including cold storage. In addition, City has conditioned the site to prohibit cold storage. Accordingly, the additional requested analysis is not needed.
- G12** The commenter notes that the EIR uses the 3,000 MTCO₂e threshold for GHG significance but states that this threshold is not supported by substantial evidence. As discussed in Draft EIR page 4.7-15, the City utilized SCAQMD's 3,000 MTCO₂e recommended threshold in the Draft EIR because SCAQMD's thresholds are supported with substantial evidence from an expert agency. Based on the supporting analysis outlined in SCAQMD's draft GHG guidance and meeting notes, the 3,000 MTCO₂e per year threshold would capture 90 percent of GHG emissions from projects in the region. This type of market capture analysis captures a substantial fraction of the GHG emissions from future development to accommodate for future population and job growth and excludes small development projects that would contribute a relatively small fraction of the cumulative statewide GHG emissions.

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The City thus relies on use of the 3,000 MTCO₂e per year threshold to evaluate the potential for the Project to result in a significant GHG emissions impact under CEQA because it has been recommended by SCAQMD and SCAQMD is an expert agency in the Southern California region. Further, the SCAQMD provides substantial evidence that the thresholds are consistent with policy goals and 2050 GHG emissions reduction targets set by the State. Specifically, the thresholds were set at levels that capture 90 percent of the GHG emissions from the above-described uses, consistent with EO S-3-05 target of reducing GHGs to 80 percent below 1990 levels by 2050.

G13 Refer to Response G8, above. The commenter states that if the Project includes refrigerated uses it would generate more GHG than what was analyzed in the EIR. As stated previously, **MM GHG-2** prohibits the Project from including cold storage. In addition, City has conditioned the site to prohibit cold storage.

G14 This comment contends that the Project's warehouse use is not compatible with the GVSP and residential land uses in the surrounding area. This comment does not raise any specific reasons why a warehouse use cannot be compatible with nearby areas that are used for residential purposes. Notwithstanding the lack of specificity of this comment, the following information is provided.

As shown in Draft EIR Table 2-2 (page 2-2), the Project site and surrounding area has a land use and zoning designation of Economic Development Corridor-Northern Gateway (EDC-NG), respectively. The EDC-NG designation allows for the development of industrial uses, and therefore the proposed industrial uses are permitted within the site and surrounding area. In regards to the Project's impacts to the residential land uses located in the City of Perris, the Project will comply with the City's Industrial Good Neighbor Policies which requires that warehouse, logistics, and distribution to minimize impacts to sensitive uses, protect of public health, safety, and welfare by regulating the design, location and operation of facilities; and protect neighborhood character of adjacent communities. As further discussed in Draft EIR Section 4.2, Air Quality, the Project's localized emissions during construction and operational activity would be less than significant with the implementation of **MMs AQ-1** through **AQ-3**. (pages 4.2-26 through 4.2-29). Additionally, CO hotspots would not be experienced at any vicinity intersections resulting from 4,508 additional vehicle trips attributable to the Project and less than significant impacts were determined. As shown in Draft EIR Table 4.2-14, the Project's HRA determined that with implementation of **MM HRA-1**, impacts concerning carcinogenic risk from Diesel Particulate Matter would be reduced below SCAQMD's maximum cancer risk threshold (page 4.2-34). Lastly, as discussed in the Draft EIR at page 4.2-21, Ethanac Road is designated as a truck corridor in the City of Meniffee's General Plan. As such, trucks utilizing Ethanac Road for access is appropriate.

G15 The commenter states that the City of Perris' noise ordinance is not assessed as part of the Project's noise analysis. Because the Project is located within the City of Meniffee, standards developed by the City of Meniffee were utilized to analyze impacts. This is common practice in CEQA documents throughout California. In any event, the City of Perris and the City of Meniffee both use 60 dBA as the normally acceptable standard for residential single-family land uses based

on land use compatibility. As shown in Table 4.11-11 of the Draft EIR, 60 dBA is identified as the normally acceptable standard and the greatest increase in traffic noise along Ethanac Road would not be perceptible over existing conditions and therefore would not result in a significant impact. As a result, noise impacts from the Project would remain the same, regardless of which City's standards were used.

G16 Acknowledged. This comment does not raise a deficiency with the Draft EIR's analysis and therefore no technical response is warranted. It should be noted that a global Traffic Study for the Menifee Economic Development Corridor (MEDC) area, including the addition of a truck corridor south of Ethanac Road, is currently being prepared in coordination with the City of Menifee and the City of Perris. The Project Traffic Study analyzes trucks utilizing Ethanac Road as a worst-case scenario for recommended improvements along Ethanac Road. The Project Traffic Study also analyzes both Project-specific and cumulative impacts with the inclusion of Cumulative Project traffic in the surrounding area. Therefore, the Project Traffic Study includes an area-wide analysis.

G17 As noted in Response to Comment G6, under CEQA Guidelines Section 15064.3, automobile delay no longer is considered an environmental impact, and therefore this comment does not raise concerns within the scope of CEQA. The analysis included in the Draft EIR concerning LOS was provided for informational purposes only for the City's use in evaluating the Project and considering conditions of approval outside of CEQA's framework.

Notwithstanding that this comment raises issues outside the scope of CEQA, the following response is provided. Based on the City of Perris *LOS Standards and Traffic Criteria for Traffic Studies* (not dated), below are the current City of Perris LOS standards and criteria:

Level of Service Standards

The City of Perris has established the following standards regarding minimum acceptable level LOS:

- LOS "D" along all City maintained roads (including intersections) and LOS "D" along I-215 and SR-74 (including intersections with local streets and roads). An exception to the local road standard is LOS "E" at intersections of any Arterials and Expressways with SR-74, the Ramona-Cajalco Expressway, or at I-215 freeway ramps.
- LOS "E" may be allowed within the boundaries of the Downtown Specific Plan Area to the extent that it would support transit-oriented development and walkable communities. Increased congestion in this area will facilitate an increase in transit ridership and encourage development of a complementary mix of land uses within a comfortable walking distance from light rail stations.

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Thresholds of a Traffic Impact

The City of Perris standards include that a project would be considered to have a project-related effect based on the following criteria:

- A project-related traffic effect is considered direct when a study intersection operates at an acceptable Level of Service for existing conditions (without the project) and the addition of 50 or more AM or PM peak hour project trips causes the intersection delay to increase by 2 seconds or more and causes the intersection to operate at an unacceptable Level of Service for existing plus project conditions.
- A project-related traffic effect is considered direct when a study intersection operates at an unacceptable Level of Service for existing conditions (without the project) and the addition of 50 or more AM or PM peak hour project trips causes the intersection delay to increase by 2 seconds or more.
- A cumulative effect is considered direct when a study intersection is forecast to operate at an acceptable Level of Service without the project and with the addition of 50 or more AM or PM peak hour project trips causes the intersection delay to increase by 2 seconds or more and causes the intersection to operate at an unacceptable Level of Service.
- A cumulative effect is considered an indirect traffic effect when a study intersection is forecast to operate at an unacceptable Level of Service with the addition of cumulative/background traffic and the project contributes 50 or more AM or PM peak hour project trips and causes the intersection delay to increase by 2 seconds or more.

Based on review of the study intersections, below are study intersections located within Caltrans right-of-way (ROW) or located entirely or a majority within the City of Perris:

1. Goetz Road at Case Road (City of Perris)
2. Murrieta Road at Case Road (City of Perris)
3. Goetz Road at Mapes Road (City of Perris)
4. I-215 SB Ramps/SR-74 at Bonnie Drive (Caltrans)
5. I-215 NB Ramps at SR-74 (Caltrans)
6. Goetz Road at Fieldstone Drive (City of Perris)
7. Goetz Road at Ethanac Road (City of Perris)
13. Barnett Road/Case Road at Ethanac Road (City of Perris)
14. I-215 SB Ramps at Ethanac Road (Caltrans)
15. I-215 NB Ramps at Ethanac Road (Caltrans)
16. Trumble Road at Ethanac Road (City of Perris)

Based on review of the City of Perris significance criteria and applicable intersections located within or adjacent to the City of Perris, the recommended improvements noted in the Project Traffic Study at deficient study intersections and roadway segments would cause the study locations to operate at an acceptable LOS, would more than offset the project-related effect, and would address the City of Perris significance criteria.

- G18** Ethanac Road is currently a truck route. As noted in Response to Comment G16, a global Traffic Study for the MEDC area, including the addition of a truck corridor south of Ethanac Road, is currently being prepared in coordination with the City of Meniffee and the City of Perris. Since the global Traffic Study for the MEDC area has not been completed, the Project Traffic Study analyzes trucks utilizing Ethanac Road as a worst-case scenario for recommended improvements along Ethanac Road. The analysis for this Project cannot speculate about alternative truck routes that might later be identified.

Based on the findings in the Project Traffic Study, a 350-foot westbound left-turn pocket is adequate to accommodate the anticipated westbound left-turn volumes at the intersection of Ethanac Road at Byers Road under Opening Year 2024 Cumulative Plus Project with Improvement conditions. Any improvements to portions of intersections or roadways shared with the City of Perris would be coordinated between the City of Meniffee and City of Perris prior to final engineering for the Project. See Response to Comment G21 regarding how there are no safety impacts with the 350-foot westbound left-turn pocket due to Ethanac Road being generally straight and flat with good visibility, long sight distance, no visual obstructions, and no sharp curves.

- G19** See Response to Comment G18.

- G20** See Response to Comment G17.

- G21** Refer to Response to Comment G7. The implementation of this improvement is based on direct discussion between City staff and the Applicant via the Conditions of Approval process as a means to address traffic congestion, not through CEQA since traffic congestion is no longer a significant impact under CEQA. The Applicant will construct the 350-foot westbound left-turn pocket as a Condition of Approval for the Project. Because this improvement addresses a topic outside of CEQA and does not involve significant construction that would impact any of the analyses or conclusions in the EIR, mention of this off-site improvement is not required to be included in the Project Description. However, any improvements to portions of intersections or roadways shared with the City of Perris would be coordinated between the City of Meniffee and City of Perris prior to final engineering for the Project.

Ethanac Road is generally a straight and flat road with good visibility, long sight distance, no visual obstructions, and no sharp curves. As a result, there is no safety impact from vehicles or trucks queuing in the westbound left-turn pocket at the intersection of Ethanac Road at Byers Road, whether or not the 350-foot westbound left-turn pocket is built. Therefore, there is no evidence that traffic congestion, if it were to occur, would create hazards due to geometric design features.

- G22** As shown in Section 3.0, Errata to the Draft EIR, A P.E. stamp and signature has been added to the Project Traffic Study title page.

- G23** See Response to Comment G17.

- G24** The study locations on pages 4 and 5 of the Project Traffic Study have been updated accordingly.
- G25** This comment calls for a LOS and queuing analysis for Barnett Road/Case Road at Ethanac. In the first instance, traffic congestion no longer a significant impact for purposes of CEQA, and therefore a LOS and queuing analysis are outside the scope of the EIR. Notwithstanding that further response to this comment is not required, the intersection of Barnett Road/Case Road at Ethanac Road operates as one intersection and should be analyzed as one for analysis purposes. Based on the Project Traffic Study, the intersection would operate at an acceptable Level of Service with the addition of Project traffic. Therefore, no recommended improvements are required for the proposed project at the noted intersection.
- G26** See Response to Comment G17. The recommended improvements noted in the Project Traffic Study at deficient roadway segments would cause the study locations to operate at an acceptable LOS, would more than offset the Project-related effect, and would address the City of Perris roadway capacity criteria.
- G27** The traffic data collection and volume development approach for the Project Traffic Study was determined based on consultation with City of Meniffee staff during the Traffic Scoping Agreement process. Traffic counts and Level of Service (LOS) results under Existing Conditions for the Project Traffic Study were compared with traffic counts and LOS results from more recent traffic studies with overlapping study intersections, which had more recent traffic counts (February 2023). It was observed that the traffic counts for the Project Traffic Study were comparable to the traffic counts in the more recent traffic studies. The LOS results under Existing Conditions between the Project Traffic Study and more recent traffic studies generally remained the same. Therefore, the traffic counts in the Project Traffic Study are considered reasonable.
- G28** Detailed turning movement percentages at each study intersection for both passenger car and truck project trips is provided in Appendix F of the Project Traffic Study. No Project trucks were assumed to use Goetz Road north of Ethanac Road or Murrieta Road north of Ethanac Road.
- Ethanac Road is currently a truck route. As noted in Response to Comment G16, a global Traffic Study for the MEDC area, including the addition of a truck corridor south of Ethanac Road, is currently being prepared in coordination with the City of Meniffee and the City of Perris. Since the global Traffic Study for the MEDC area has not been completed, the Project Traffic Study analyzes trucks utilizing Ethanac Road as a worst-case scenario for recommended improvements along Ethanac Road. The analysis for this Project cannot speculate about alternative truck routes that might later be identified.
- G29** Table 4 has been updated accordingly. As noted earlier, based on review of the City of Perris significance criteria and applicable intersections located within or adjacent to the City of Perris, the recommended improvements noted in the Project Traffic Study at deficient study intersections and roadway segments would cause the study locations to operate at an acceptable

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LOS, would more than offset the Project-related effect, and would address the City of Perris significance criteria.

- G30** The Traffic Scoping Agreement, including a list of Cumulative Projects (including development projects within the City of Perris) as noted on Table 6, was sent to the City of Perris. The City of Perris did not provide comments on the Traffic Scoping Agreement. It should be noted that the City of Perris provided a NOP Comment Letter (dated May 16, 2022), which include comments regarding Transportation, but did not provide comments with regards to cumulative projects within the City of Perris to be included as part of the Traffic Study.

- G31** As noted in Response to Comment G6, under CEQA Guidelines Section 15064.3, automobile delay no longer is considered an environmental impact, and therefore this comment does not raise concerns within the scope of CEQA. The analysis included in the Draft EIR concerning LOS was provided for informational purposes only for the City's use in evaluating the Project and considering conditions of approval outside of CEQA's framework.

Notwithstanding that this comment raises issues outside the scope of CEQA, the following response is provided. The recommended improvements at the Ethanac Road/I-215 interchange were based on the DRAFT Preliminary Engineering Study Report for Ethanac Road Gap Closure Report (Revised January 2016). Queuing and progression for improvements along Ethanac Road at the I-215 interchange would be reviewed during the design and implementation phase for interchange improvements in the future.

- G32** As noted in Response G6, under CEQA Guidelines Section 15064.3, automobile delay no longer is considered an environmental impact under CEQA, and therefore this comment does not raise concerns within the scope of CEQA. The analysis included in the Draft EIR concerning LOS, including traffic signal warrants, was provided for informational purposes only for the City's use in evaluating the Project and considering conditions of approval outside of CEQA's framework.

Notwithstanding that this comment raises issues outside the scope of CEQA, the following response is provided. The Project Traffic Study only provides recommended improvements to study intersections and roadway segments that would cause the deficient study locations to operate at an acceptable LOS and would more than offset the Project-related effect. The implementation of improvements is based on direct discussion between City staff and the Applicant and would be imposed via the Conditions of Approval process. Any improvements to portions of intersections or roadways shared with the City of Perris would be coordinated between the City of Menifee and City of Perris prior to final engineering for the Project. The developer/property owner shall pay fair share costs for off-site improvements as detailed in the Project Traffic Study prior to issuance of a certificate of occupancy. The fair share cost estimates shall be based on conceptual exhibits prepared by the developer, reviewed and approved by the Public Works Director / City Engineer.

- G33** Acknowledged, and no further response is warranted.

- G34** Acknowledged. As noted in Response to Comment G18, a global Traffic Study for the MEDC area, including the addition of a truck corridor south of Ethanac Road, is currently being prepared in coordination with the City of Meniffee and the City of Perris. The Project Traffic Study analyzes trucks utilizing Ethanac Road as a worst-case scenario for recommended improvements along Ethanac Road.
- G35** The City will provide all future notices of the Project to the Commenter. No further response is warranted.
- G36** Comments regarding the property owner notification within 1,200 feet have been noted. The Notice of Availability (NOA) for the Project met the 45-day review period requirements under CEQA Guidelines Section 15202(d). Letters received within that review period, regardless ending on a Saturday, are included within this FEIR.
- G37** This comment includes conclusionary statements and therefore, no further response is warranted.
- G38** The Commenter's letter of initial comments on the Project have been noted.
- G39** The Commenter's letter of comments on the Notice of Preparation have been noted. The environmental issues brought up in the Commenter's NOP were taken into consideration during the Draft EIR's environmental impact analysis.

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