



## **CITY OF MENIFEE**

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SUBJECT: Appeal of the Murrieta Road Warehouse Project

MEETING DATE: December 4, 2024

TO: Mayor and City Council

PREPARED BY: Ryan Fowler, Principal Planner

REVIEWED BY: Cheryl Kitzerow, Community Development Director

APPROVED BY: Armando G. Villa, City Manager

APPLICANT: RPD Development, Inc

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### **RECOMMENDED ACTION**

1. Adopt a resolution approving Appeal No. PLN24-0214 overturning the Planning Commission's decision and certifying the Environmental Impact Report (State Clearinghouse No. 2023110162), and adopting the Findings of Fact, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program; and
2. Adopt a resolution approving Appeal No. PLN24-0214 overturning the Planning Commission's decision and approving Plot Plan No. PLN22-0179 generally located south of Floyd Avenue, east of Geary Street, west of Murrieta Road, and north of McLaughlin Road.

### **DISCUSSION**

**Plot Plan (PP) No. PLN22-0179** includes development of an approximately 517,720 square-foot (SF) speculative warehouse building. The environmental analysis, however, includes a development buffer to account for final design changes, equivalent to three percent of the building square footage, or 15,532 SF, which would result in a building area of 533,252 SF and a floor area ratio of 0.50. The 533,252 SF warehouse building would include approximately 20,320 SF of ground floor office space, 7,000 SF of mezzanine office space, 505,932 SF of warehouse space, and would be approximately 55 feet tall. Additional improvements include a parking lot and loading docks, ornamental landscaping, associated onsite infrastructure, and construction of offsite street improvements.

The Project would include 90 dock-high doors and four grade-level truck doors. Approximately 128 trailer parking spaces would be provided in the northern truck court and 64 trailer parking spaces would be provided in the southern truck court, within areas secured by sliding gates. The proposed Project would also provide 390 passenger car parking spaces. Access to the proposed

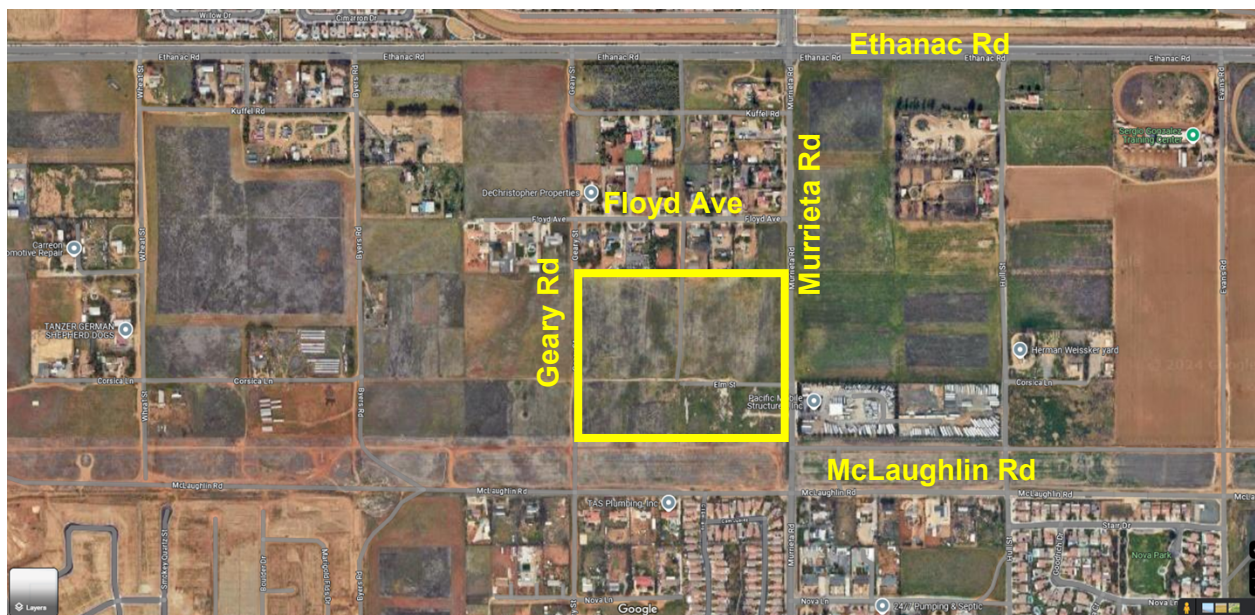
Project would be provided via two driveways from Geary Street and three driveways from Murrieta Road.

The Project would also include approximately 137,363 SF of ornamental landscaping that would cover 11.0 percent of the site. The proposed Project includes an approximately 14-foot-high retaining and screen wall along the interior of the northern and southern truck courts (outside facing wall would be eight feet high with a landscaping berm), which would taper to a six-foot-high screen wall along the northern property line outside of the truck court. The Project would include approximately 4.5 acres (approximately 1.5 linear miles) of construction improvements in the form of roadway and utility improvements.

### Location

The Project is generally located south of Floyd Avenue, east of Geary Street, west of Murrieta Road, and north of McLaughlin Road within the City of Menifee (City), County of Riverside, State of California (Assessor Parcel Numbers [APNs]: 330-210-010, -011, -013, and -062, 330-560-001 through 330-560-040, 330-570-001 through 330-570-033, and 330-571-001 through 330-571-005).

### *Project Location*



### Planning Commission Hearing - October 23, 2024

On October 23, 2024, the Planning Commission held a duly noticed public hearing. At the hearing, the Commission expressed concern regarding impacts related to traffic (including cumulative traffic impacts), Greenhouse Gas (GHG) emissions, air quality, noise, drainage and flooding, and the land use compatibility with the immediately adjacent residences. Commissioners expressed concern with the amount of warehousing and distribution facilities recently proposed and/or approved within the Economic Development Corridor – Northern Gateway (EDC-NG), stating that having one predominate use, instead of a mix of uses, within the

EDC-NG was not the intent of the General Plan when it was created. Ultimately, the Commission was unable to adopt the Statement of Overriding Considerations (SOOC) required to certify the Environmental Impact Report (EIR) as individuals disagreed that the benefits of the Project outweighed the impacts generated by the Project.

In the end, the Commission made a motion to approve the Project entitlements (i.e., PP No. PLN22-0179) and certify the EIR; however, that motion failed to pass by a 2-3 vote.

#### **Appeal No. PLN 24-0214**

On October 31, 2024, an application to appeal the Planning Commission's decision to not approve PP No. PLN22-0179 and not certify the EIR was submitted by the Project Applicant's representative, Allen Matkins Leck Gamble Mallory & Natsis, LLP (Appeal No. PLN24-0214).

#### **Tract Map No. 31856**

Tract Map No. 31856 was recorded within the boundaries of the current Project site in August 2018. However, subsequent to that recordation, the Project Applicant received approval of a Tentative Parcel Map (TPM) No. 38469 on April 14, 2023 which proposed to consolidate Tract Map No. 31856 (Lots 1-78), as well as Parcel Map (PM) No. 7285 (Lot 1 through 4). In the "Project Location" image below, these property lines appear. However, as a condition of approval of this Project, prior to any development of the Project site, the existing maps (i.e., TM31856 and PM7285) must be consolidated into a single parcel encompassing the whole site.

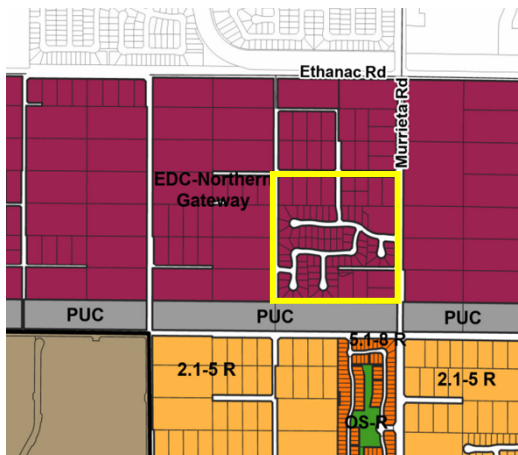
#### **General Plan**

The General Plan land use designation for the Project site is EDC-NG which is intended to provide economic vitality and flexibility in land use options to promote economic development along the City's major corridors. Surrounding Land Use designations and existing uses can be found below in Table 1. The Project's proposed industrial use is consistent with the existing land use designation.

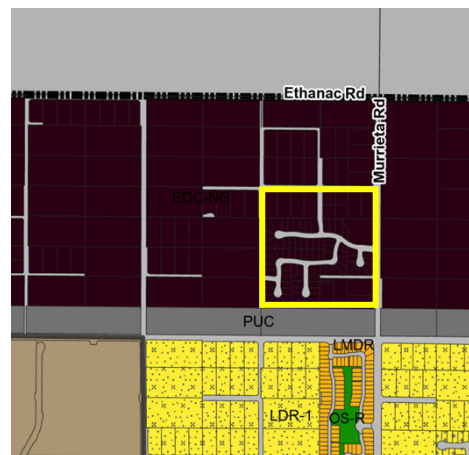
#### **Zoning**

The underlying zoning classification is EDC-NG. The existing zoning of the Project site allows for the development of industrial and warehousing-related uses with which the proposed Project is consistent.

***General Plan Map***



***Zoning Map***



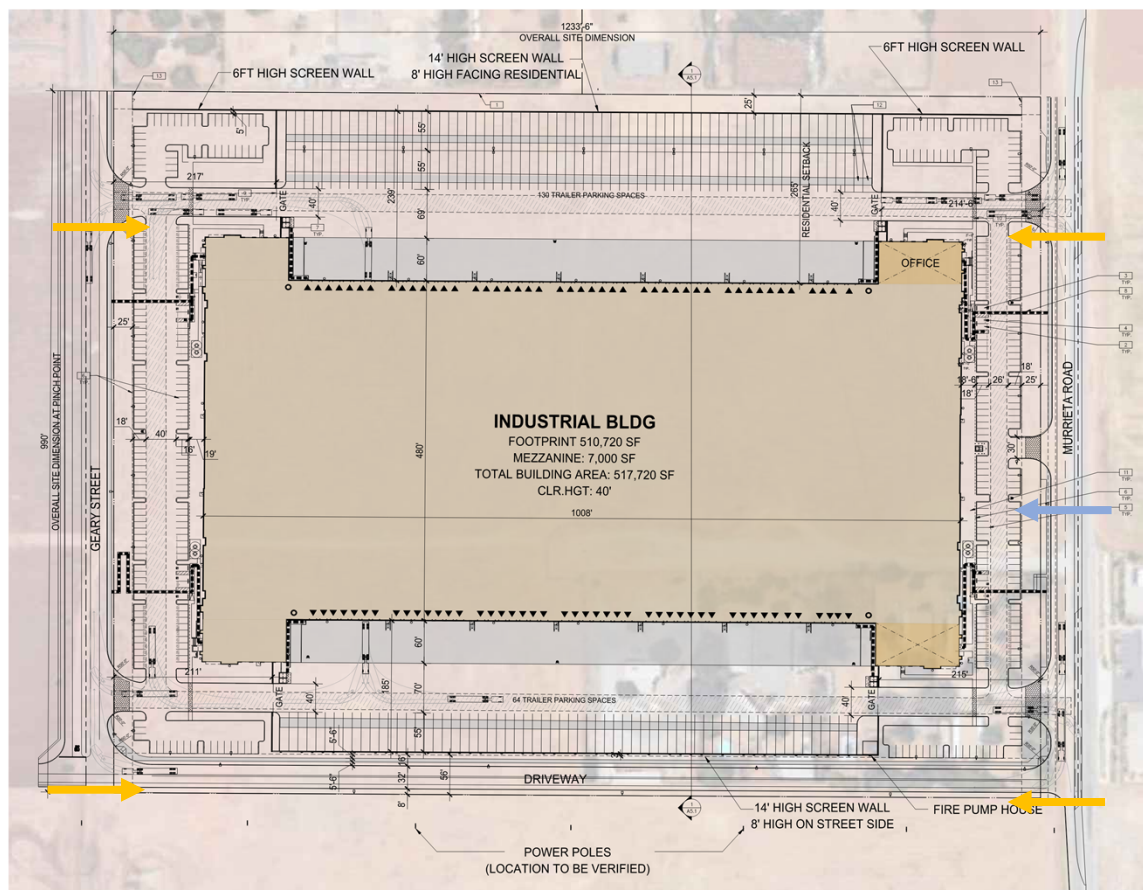
### TABLE 1 – SURROUNDING LAND USES

Location	Existing Land Use	General Plan Land Use	Zoning Classification
North	Approx. ½-acre to 1-acre single-family residential	EDC-NG	EDC-NG
East	Vacant undeveloped land and a modular office building dealer	EDC-NG	EDC-NG
South	Southern California Edison (SCE) utility corridor	Public Utility Corridor (PUC)	Public Utility Corridor (PUC)
West	Vacant undeveloped land	EDC-NG	EDC-NG

## Proposed Project

The Project Applicant (IPT Menifee CC LLC) is proposing the development of an approximately 517,720 SF speculative warehouse building.

## ***Proposed Site Plan***





### Circulation and Parking

Regional Project access would be from I-215 via Ethanac Road. Local access would be provided via Geary Road and Murrieta Road. Project site ingress and egress would be via two driveways on Geary Road and three driveways on Murrieta Road. The two southernmost and two northernmost driveways would provide full access for both trucks and automobiles (shown with orange arrows above), while the middle access point on Murrieta Road would provide access to passenger vehicles only (shown with the blue arrow). While there are shared access points, trucks would not be allowed circulate through the majority of the passenger vehicle parking areas. The City of Menifee Development Code outlines the parking requirements for the Project. As demonstrated in Table 2, the Project meets the City's parking requirements.

**TABLE 2 – PARKING SUMMARY**

<b>Development Code Parking Requirements</b>	
Office: 1/300 SF (20,320 SF)	68
Warehouse (1 <sup>st</sup> 100K SF): 1/1,000 SF (100,000 SF)	100
Warehouse (100K – 500K SF): 1/1,500 SF (397,400)	265
<b>Required</b>	<b>433</b>
<b>Required (with 10% reduction per Section 9.215.070)</b>	<b>390</b>
<b>Total Spaces Provided</b>	<b>390</b>

Using the City's Parking and Loading Standards, the warehouse building would require 433 off-street parking spaces. The Project includes a total of 390 proposed off-street parking spaces. (Note truck/trailer parking is not included within these totals.) Section 9.215.070 ("Alternative Programs for Parking") allows for a reduction in the required number of off-street parking stalls if specific alternative programs/improvements are provided.

This Section allows for parking reductions to be combined for a maximum reduction of 15 percent of the required parking standard. The proposed Site Plan would only need a reduction of 10 percent (433 required, 390 provided). The Applicant is requesting this 10 percent reduction. This would be allowed under Section 9.215.070, because the Project provides roadway improvements and/or dedication that exceed those recommended by a traffic study (i.e., the Project's southerly corridor) (five percent reduction credit) and the Project involves lot consolidation totaling a minimum of five acres (five percent reduction credit). In addition, the Project's mitigation measures require the Project operator to prepare a Transportation Demand Management (TDM) program to reduce the use of single-occupant vehicles by employees. This shall include a transportation information center and an on-site TDM coordinator, bicycle parking and storage, self-service bicycle repair areas, a ride-matching service (e.g., bulletin boards, website, smartphone application) to connect carpool participants and provide preferential parking for rideshare vehicles to support carpool/vanpool/rideshare transportation modes, and posting of Riverside Transportation Authority schedules and referencing Riverside Transportation Authority schedules when creating employees' operating schedules.

The 10 percent reduction results in a total requirement of 390 spaces; therefore, with the 10 percent reduction, the Project would meet its parking requirement.

## **Infrastructure Improvements**

### Onsite and Frontage Improvements

The Project Applicant would be responsible for the construction of public infrastructure improvements. Murrieta Road would be improved along the Project frontage to a secondary (four-lane with striped) designation. The improvement will include the necessary offsite transitions. The northern driveway exiting Murrieta Road will include a signal if the developer/property owner chooses to have a left movement toward Ethanac Road. If no signal is installed, the driveway will be restricted to right-in and right-out. Turning movements at the southern driveway will be required to right-in/right-out movements only.

Geary Street would be improved along the Project frontage to an Industrial Collector (two-lane) designation. The improvement will include the necessary offsite transitions. All driveways along Geary Street will have full access, utilizing a two-way left turn along the Geary Street improvements in the ultimate condition.

The Project will include a westbound truck route along the southern Project frontage to the ultimate width of 32 feet (curb-to-curb) for a total of 54 feet with landscaping and setbacks, with parkway as shown on the site plan. This traffic shall be restricted to westbound movement only. This truck route is required to facilitate truck circulation in the Northern Gateway and would be dedicated by the developer.

### Offsite Improvements

The Project Applicant is required to construct Geary Street beyond the northern frontage of the Project to Ethanac Road to an interim condition of two 12-foot lanes, with six-foot paved shoulders, as detailed in the tentative site plans. The Project Applicant is also required to improve the intersection of Murrieta Road and Ethanac Road to a condition that allows for adequate turning movements for ingress and egress. This includes the extension of the westbound left-turn pocket to 350 feet, widening at the southwest corner to allow for adequate turning movements southbound and northbound, and any right-of-way acquisition with these improvements.

### Road and Bridge Benefit District (RBBD), Fair Share Contributions, and Other Improvements

The Project has also been conditioned to participate in a RBBD that will be established for the area. The Applicant is required to pay the RBBD fees based on the designated land use and areas prior to the issuance of a building permit.

Fair share cost participation would be required for off-site intersections including Murrieta Road/Ethanac Road intersection and Case/Barnett Road and Ethanac Road intersection. Utility improvements would be constructed which include new water lines, recycled water lines, sewer, and storm drain lines.

## **Landscaping**

Landscape standards for the Project are outlined in the City's Development Code. Irrigated onsite landscaped areas for the Project site would total approximately 137,363 SF (11 percent of the site) and would be comprised of drought-tolerant shrubs and groundcover and evergreen and deciduous trees. The conceptual landscape plan includes trees at the perimeter, street frontages, parking areas, and adjacent to the building to soften the edges of the development and the proposed building. Note the Applicant has agreed to install 48-inch box trees along the northerly

boundary adjacent to the truck court screen walls to more quickly buffer the Project site from adjacent uses. In addition, the landscape and architectural plans feature site amenities that coordinate and compliment the proposed Project, including outdoor break areas, benches, tables, bike racks, and trash receptacles. The trailer parking areas are screened from Geary Road and Murrieta Road by large, landscaped setbacks and intervening passenger car parking areas as can be seen in the image below.

## Conceptual Landscape Plan

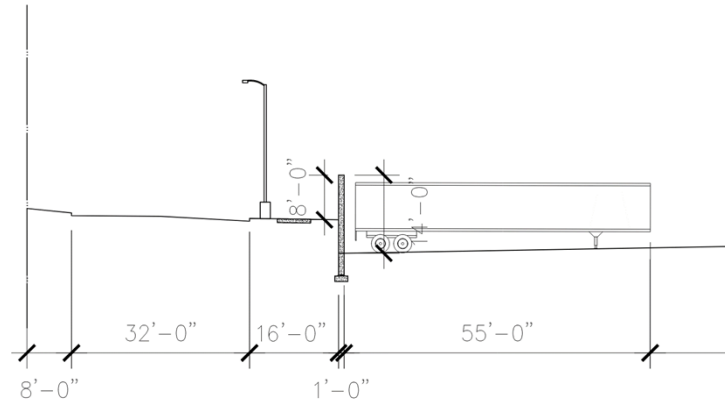


## Screening

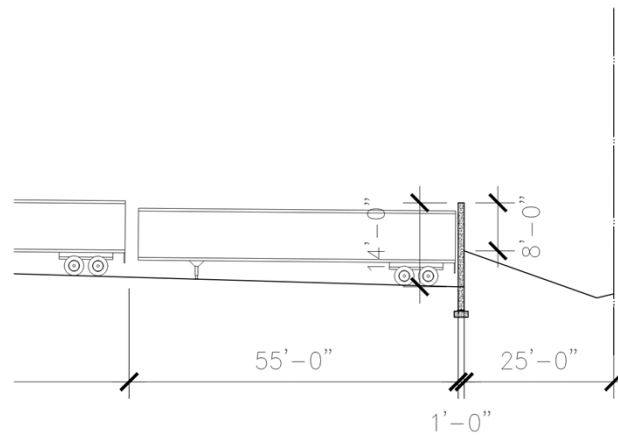
On the Project's northerly and southerly sides of the warehouse building, 14-foot-tall decorative concrete walls would be constructed to screen all loading areas, trucks, and trailers from public view. The visual height of the walls will be reduced as viewed from the outside through the use of landscaped berms, perimeter screening trees, and the truck courts' lower elevations. As shown in the conceptual landscape plan, the intent is to provide landscape coverage with a variety of trees, shrubs and ground cover to soften the wall and to provide a more aesthetically pleasing street scene.

Because the truck court is set lower compared to the neighboring properties on the Project boundary, the decorative concrete screen wall is proposed to be eight feet tall. In addition, the conceptual landscape plans propose screen trees along the wall, which are anticipated to grow above the height of the wall and further screen views into the facility. In addition, evergreen shrubs and vines are proposed along the exterior of the screen walls.

### ***South Perimeter Screening***



### ***North Perimeter Screening***



### ***Screen Wall***



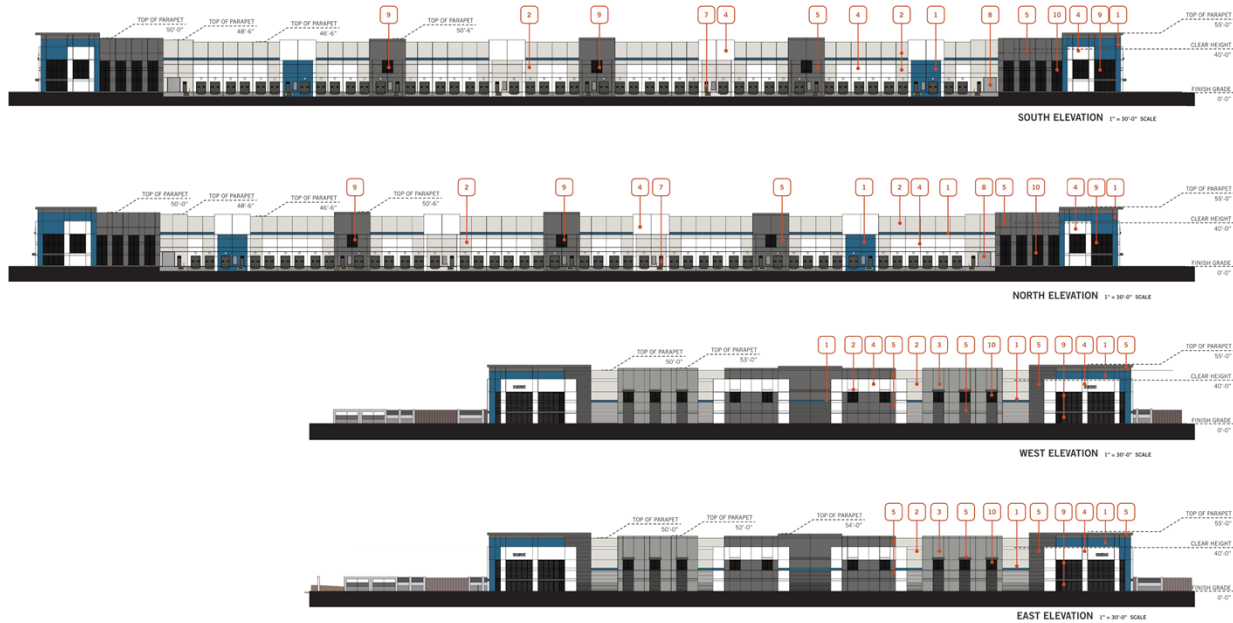
### **Elevations**

The proposed building has unique design features as well as shared architectural elements with approved industrial developments within the northern section of the City to provide for cohesive development. There are complementing roof forms, colors, and materials. The various colors include white, deep blue, and multiple variations of gray. The building will include significant



glazing with clear aluminum mullions. Visual interest is maintained throughout the Project by enhancing architectural detailing and facade articulation along all building elevations.

### Project Elevations



#### KEYNOTES

1	SW6517 REGATTA	5	SW7674 PEPPERCORN	9	HIGH PERFORMANCE GLAZING W/ CLEAR ANODIZED ALUMINUM MULLION
2	SW7658 GRAY CLOUDS	6	CONCRETE PANEL W/ HORIZONTAL REVEALS	10	SPANDREL GLASS
3	SW7076 CITYSCAPE	7	METAL DOOR, TYP		
4	SW7757 REFLECTIVE WHITE	8	12'X14' OVERSIZED DOCK DOOR		

### Industrial Good Neighbor Policies

On March 2, 2022, the City Council adopted the *Industrial Good Neighbor Policies*. The focus of the policies can be summarized in three sections:

1. Minimize impacts to sensitive uses (residential, schools, parks, nursing homes, hospitals)
2. Protect public health, safety and welfare by regulating design, location and operations
3. Protect neighborhood character of adjacent residential communities

When reviewing the proposed Project, the *Industrial Good Neighbor Policies* were referenced to ensure a compliant project. Implemented policies include added landscape buffers, screen walls, improved building design, community outreach, increased building and loading dock setbacks, on-site truck queuing, on-site signage, and environmental mitigation measures.

## **Environmental Determination**

### Notice of Preparation (NOP)

On November 7, 2023, the City of Menifee publicly noticed its decision to prepare an EIR and hold a public scoping meeting for the Project by noticing the California Governor's Office of Planning and Research (State Clearinghouse [SCH]) and distributed the NOP to various agencies and surrounding property owners and residents in accordance with California Environmental Quality Act (CEQA) requirements. The NOP review period was from November 7, 2023 to December 7, 2023. On November 28, 2023, the City of Menifee held a duly noticed public scoping meeting at City Hall regarding the preparation of the Draft EIR and provided an opportunity for members of the public to comment on the scope of environmental issues to be addressed in the EIR.

### EIR Impacts

Within the EIR that has been prepared for the Project (SCH No. 2023110162), mitigation measures are provided under the categories of Biological Resources, Cultural Resources, Geology and Soils, GHG Emissions, and Tribal Cultural Resources. The EIR determined that the Project could result in significant and unavoidable impacts under the category of GHG Emissions and Noise based on the analysis and findings in the Draft EIR and requires adoption of a Statement of Overriding Considerations (SOOC). A brief description of these impacts is as follows:

### GHG Emissions

With implementation of mitigation measures contained in the Draft EIR related to GHG emissions, construction and operation of the Project would generate a total of 4,796.13 MTCO<sub>2</sub>e/yr. There are no feasible Project measures that would reduce substantially vehicular emissions, and more than 86 percent of all GHG emissions (by weight) would be generated by Project mobile sources (vehicle trips).

Neither the Project Applicant nor the City of Menifee can substantively or materially affect reductions in Project mobile-source emissions beyond regulatory requirements imposed by the federal or State governments or the South Coast Air Quality Management District (SCAQMD). Emissions associated with heavy duty trucks involved in goods movements are generally controlled by technology and through fleet turnover of older trucks and engines to newer and cleaner trucks and engines.

The Project would install electric vehicle supply equipment in accordance with the California Building Code which would allow charging stations to be supplied based on demand; however, the timing of this demand and corresponding availability is uncertain. Therefore, though the Project would implement mitigation measures to mitigate its GHG emissions to the maximum extent feasible, impacts related to GHG emissions would be significant and unavoidable

### Noise

The Project's off-site traffic noise level increases at adjacent noise sensitive land uses are considered a significant and unavoidable impact along the following impacted roadway segments:

- Murrieta Road s/o Ethanac Road
- Geary Street s/o Ethanac Road

- Ethanac Road e/o Murrieta Road (identified as experiencing significant/unavoidable traffic noise increase by 2013 General Plan EIR)

The proposed Project would generate a substantial increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

### **Draft EIR Public Review**

The City distributed the Draft EIR for public review beginning May 24, 2024 and ending July 8, 2024. During the public review period, comments on the Draft EIR were received from the following agencies, organizations, or individuals:

#### Agencies

- Agua Caliente Band of Cahuilla Indians
- Airport Land Use Commission
- City of Perris
- Riverside County Department of Waste Resources
- Southern California Gas
- SCAQMD

#### Organizations

- Adams Broadwell Joseph & Cardozo, on behalf of Coalition for Californians Allied for a Responsible Economy
- Center for Community Action and Environmental Justice
- Golden State Environmental Justice Alliance

#### Individuals

- Adrienne Vendor
- Bob Powell
- Kimberly and Moo Tang

The City prepared a Final Environmental Impact Report (FEIR), consisting of all the comment letters received during the 45-day public review and comment period on the Draft EIR, written responses to those comments, and revisions and errata to the Draft EIR. The FEIR was distributed to the Draft EIR commenters 10 days prior to the Planning Commission hearing.

Comments on the Final EIR were received from the following agencies, organizations, or individuals

#### Agencies

- Southern California Gas
- Riverside County Flood Control District
- City of Perris

#### Organizations

- Golden State Environmental Justice Alliance

Individuals

- Sanda Powell
- Fernand & Kim DeChristopher
- Adrienne Vender
- Linda Fitzgerald

The FEIR, and Draft EIR, including technical appendices can be accessed for review on the City website at <https://www.cityofmenifee.us/325/Environmental-Notices-Documents>.

**Findings of Fact and SOOC**

Because the Draft EIR identified unavoidable significant adverse impacts that could not be mitigated below the level of significance, Findings of Fact (Findings) and a SOOC are required to approve the Project. The Findings and SOOC are included within the resolution for the EIR for consideration by the Planning Commission.

According to the SOOC the following economic, legal, social, or technological benefits, independent of the other benefits, override the potential significant unavoidable adverse impacts and render acceptable each of these unavoidable adverse environmental impacts:

1. **The Project enhances the local economy.** The Project enhances the local economy by providing additional jobs, and business development opportunities commensurate with forecasted growth.
2. **The Project facilitates economic development.** The Project is intended to facilitate the economic development of the City by creating an expanded employment base, providing new employment opportunities, and attracting new businesses.
3. **The Project provides both traditional and alternative transportation mode benefits.** The Project would implement roadway, pedestrian, and infrastructure improvements that would provide social and other benefits to the City's residents.
4. **The Project transforms an underutilized site.** The Project would develop the underutilized site with an economically viable development consistent with the General Plan objectives for the EDC-NG and combines employment opportunities, truck routes, and freeway access.
5. **The Project creates a high-quality development.** The Project proposes a high-quality warehouse building within the EDC-NG that will attract businesses and provide a variety of employment opportunities in the community of Menifee, thereby reducing the need for members of the local workforce to commute outside the area for employment.
6. **The Project would be developed in line with the City General Plan.** The Project would result in development pursuant to the site's General Plan land use designation and zoning. Consistent with the General Plan, the Project facilitates the economic development of the City by creating an expanded employment base by creating building space and providing new diverse employment opportunities.
7. **The Project would implement employment generating uses along the I-215 corridor.** The Project would result in development of an industrial warehouse use along the I-215 corridor, which would facilitate goods movement in Southern California.

Although significant impacts will remain, the City will mitigate any significant adverse impacts to GHG emissions and Noise to the maximum extent practicable. In its decision to approve the



Project, the Planning Commission has considered the Project benefits to override the environmental impacts.

### **Community Outreach**

The Applicant's team engaged in multiple community meetings and outreach throughout the entitlement process, including some meetings in coordination with the City. In addition, conversations with several area residents were conducted and the Applicant's team has reached out to several property owners in the Project vicinity regarding the development and area-wide improvements/infrastructure. The Applicant's team has been active with multiple Project proponents (of industrial projects within the City).

City staff held an environmental scoping meeting on Tuesday, November 28, 2023 at City Hall to discuss the Project and to receive comments from the public. A total of 10 comment letters were received in response to the environmental scoping. For the Draft EIR 45-day comment period and public hearings, property owners and non-owner residents within 500 feet of the Project boundary were mailed notices at each step of the Project (scoping meeting, Draft EIR comment period, public hearing).

### **Findings**

Findings for the EIR and PP No. PLN22-0179 are included in the attached Resolutions.

### **Public Notice**

The proposed Project was noticed on November 24, 2024 for the December 4, 2024 City Council public hearing. A public notice was published in *The Press Enterprise* and notices were mailed to property owners and non-owner residents within a 500-foot radius of the Project site. The proper public notice was posted on-site, and in addition, all relevant public agencies and those requesting notification were notified of the public hearing.

### **STRATEGIC PLAN OBJECTIVE**

Thriving Economy

### **FISCAL IMPACT**

There is no fiscal impact associated with the recommended action.

### **ATTACHMENTS**

1. Project Plans & Exhibits
2. Resolution – EIR
3. Exhibit A – FEIR
4. Exhibit B - MMRP
5. Exhibit C - Findings of Fact and the SOOC
6. Resolution - Project Entitlements
7. Exhibit A – COAs
8. Appeal Application
9. October 23, 2024 Planning Commission Staff Report
10. October 23, 2024 Planning Commission Correspondence
11. Public Hearing Notice