

RESOLUTION NO. 24-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENIFEE, CALIFORNIA ADOPTING A MITIGATED NEGATIVE DECLARATION FOR GENERAL PLAN AMENDMENT NO. PLN23-0173, SPECIFIC PLAN AMENDMENT NO. PLN23-0175, CHANGE OF ZONE NO. PLN23-0174, AND PLOT PLAN NO. PLN23-0171 FOR THE ETHANAC BUSINESS PARK INDUSTRIAL WAREHOUSE.

WHEREAS, on October 2, 2023, the applicant, Core5 Industrial Partners, LLC (“Applicant”), filed a formal application with the City of Menifee for the approval of General Plan Amendment (GPA) No. PLN 23-0173 to change the land use designation of one parcel APN 331-110-023 from Heavy Industrial (HI) to Specific Plan (SP), more specifically the Menifee North SP, Specific Plan Amendment (SPA) No. PLN23-0175 to change the boundary of the Menifee North SP to include APN 331-110-023 and designate it as Planning Area 2-Industrial, Zone Change (ZC) No. PLN23-0174 to change to zoning designation of APN 331-110-023 from HI to Menifee North SP, and Plot Plan (PP) No. PLN23-0171 for the construction of an approximately 264,710 square-foot warehouse/industrial building with 10,000 square feet of office space and 254,710 square feet of warehouse space on an 11.47-acre site. The Project site is generally located north of McLaughlin Road, south of Ethanac Road, east of Trumble Road, and west of Sherman Road within the City of Menifee (City), County of Riverside, State of California (APNs: 331-110-038, 039, and 023); and

WHEREAS, collectively, all the applications are referred to as the “Project” or “Ethanac Business Park”; and

WHEREAS, pursuant to the requirements of the California Environmental Quality Act (CEQA), an Initial Study (IS) and Mitigated Negative Declaration (MND) have been prepared to analyze and mitigate the Project’s potentially significant environmental impacts; and

WHEREAS, between September 25, 2024 and October 14, 2024, the 20-day public review period for the Draft IS/MND took effect, which was publicly noticed by a publication in a newspaper of general circulation, noticed to owners within 800 feet of the Project site boundaries, related agencies and government agencies, and to persons requesting public notice; and

WHEREAS, on October 23, 2024, the Planning Commission of the City of Menifee held a public hearing on the Project, considered all public testimony as well as all accompanying documents to recommend to City Council the adoption of the IS/MND for GPA No. PLN23-0173, SPA No. PLN23-0175, ZC No. PLN23-0174, and PP No. PLN23-0171; and which hearing was publicly noticed by a publication in *The Press Enterprise*, a newspaper of general circulation, an agenda posting, notice to property owners within 800 feet of the Project boundaries, on-site posting at the Project site, and to persons requesting public notice; and

WHEREAS, at the October 23, 2024 Planning Commission public hearing, based upon the materials in the staff report and accompanying documents, public comments, and Planning Commission discussion, the City of Menifee Planning Commission recommended the City Council adopt the IS/MND and Mitigation Monitoring and Reporting Program (MMRP); and

WHEREAS, on November 20, 2024, the City Council held a duly noticed public hearing on the Project, considered all public testimony as well as all materials in the staff

report and accompanying documents for the Project, which hearing was publicly noticed in *The Press Enterprise*, a newspaper of general circulation, an agenda posting, on-site posting, notice to property owners within 800 feet of the Project boundaries, and to persons requesting public notice; and

WHEREAS, the City Council of the City of Menifee has read and considered all environmental documentation comprising the IS/MND and MMRP, has found that the IS/MND and MMRP considers all potentially significant environmental impacts of the proposed Project and is complete and adequate, and fully complies with all requirements of CEQA; and

WHEREAS, the City has complied with CEQA and the IS/MND is an accurate and objective statement that fully complies with CEQA, the CEQA Guidelines and represents the independent judgment of the City; and

WHEREAS, the City of Menifee has two active conservation plans within the City's boundary, the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), and the Stephen's Kangaroo Rat Habitat Conservation Plan (SKR-HCP). The subject site is within the jurisdiction of the SKR-HCP and the Western Riverside County MSHCP. The Project site is located inside the SKR-HCP (*Dipodomys stephensi*) Fee Area. The proposed Project is located within the boundaries of the Western Riverside County MSHCP; however, the Project is not located within a Criteria Cell or Cell Group. The biology report prepared for this Project notes the Project's consistency with the findings of the MSHCP. The Project will be subject to the payment of fees consistent with MMC Chapter 17.03 as adopted by the City of Menifee. Therefore, the Project will not conflict with the provisions of the adopted HCP, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan and the impact is considered less than significant; and

WHEREAS, no evidence of new significant impacts, as defined by CEQA Guidelines Section 15088.5, have been received by the City after circulation of the Draft IS/MND which would require re-circulation.

NOW, THEREFORE, the City Council of the City of Menifee resolves as follows:

- Section 1:** The City Council finds on the basis of the evidence presented and the whole record before it, including the IS/MND, which is attached hereto as Exhibit "A", and any comments received, that there is no substantial evidence that the Project, as mitigated, will have a significant effect on the environment.
- Section 2:** The MMRP and a copy of which is attached hereto as an appendix to Exhibit "B" and incorporated herein by reference, will assure compliance with the mitigation measures during Project implementation.
- Section 3:** The City Council further finds that the adoption of the MND reflects the City Council's independent judgment and analysis.
- Section 4:** The MND, all documents referenced in the MND, and the record of proceedings on which the City Council's decision is based are located at City of Menifee City Hall at 29844 Haun Road, Menifee, CA 92586 and the custodian of record of proceedings is the City of Menifee City Clerk.

Ethanac Business Park – IS/MND
November 20, 2024

PASSED, APPROVED AND ADOPTED this the 20th day of November 2024.

Bill Zimmerman, Mayor

Attest:

Stephanie Roseen, Acting City Clerk

Approved as to form:

Jeffrey T. Melching, City Attorney