

RESOLUTION NO. 24-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENIFEE, CALIFORNIA APPROVING APPEAL NO. PLN 24-0214 OVERTURNING PLANNING COMMISSION'S DECISION THEREBY APPROVING PLOT PLAN NO. PLN22-0179 FOR THE 517,720 SQUARE-FOOT SPECULATIVE WAREHOUSE BUILDING ON APPROXIMATELY 28.27 ACRES LOCATED SOUTH OF FLOYD AVENUE, EAST OF GEARY STREET, WEST OF MURRIETA ROAD, AND NORTH OF MCLAUGHLIN ROAD

WHEREAS, on July 12, 2022, the applicant, IPT Menifee CC LLC ("Applicant"), filed a formal application with the City of Menifee for the approval of Plot Plan (PP) No. PLN22-0179 for the construction of a 517,720 square-foot (SF) speculative warehouse building on an approximately 28.27-acre site. This environmental analysis 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 Project site 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 (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); and

WHEREAS, collectively, all the applications are referred to as the "Project" or "Murrieta Road Warehouse Project"; and

WHEREAS, Conditions of Approval for PP No. PLN22-0179 have been prepared and attached hereto as Exhibit "A" of the resolution; and

WHEREAS, on October 23, 2024, at a legally noticed public hearing, the Planning Commission made a motion to approve the Project entitlements (i.e., PP No. PLN22-0179) and certify the Environmental Impact Report (EIR); however, that motion failed to pass by a 2-3 vote; and

WHEREAS, on October 31, 2024, an application to appeal Planning Commission's decision to not approve the 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); and

WHEREAS, on December 4, 2024, the City Council of the City of Menifee held a public hearing on the Project, considered all public testimony as well as all materials in the staff report and accompanying documents for the Project including the consideration of the Final EIR (FEIR), which hearing was publicly noticed by a publication in *The Press Enterprise*, a newspaper of general circulation, an agenda posting, notices placed on the Project site, notice to property owners and non-owner residents within 500 feet of the Project boundaries, notice to all relevant agencies and to persons requesting notification; and

WHEREAS, all other legal prerequisites to the adoption of this resolution have occurred.

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

Section 1: The City of Menifee's City Council hereby makes the following findings for PP No. PLN22-0179 in accordance with Title 9, Article 2, Chapter 9.80.70, "Findings for Approval for Plot Plans" of the City of Menifee Comprehensive Development Code:

Finding 1 - The proposed design and location of the Plot Plan is consistent with the adopted General Plan and any applicable specific plan.

The Project site has a General Plan land use designation of Economic Development Corridor – Northern Gateway (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. All development and design standards of the City of Menifee Development Code have been uniformly applied to the entirety of the Project, and the Project is consistent with the General Plan.

In addition, the Project is consistent with the following City of Menifee General Plan policies:

- *LU-1.1: Concentrate growth in strategic locations to help preserve rural areas, create place and identity, provide infrastructure efficiently, and foster the use of transit options.*

The proposed industrial Project is in close proximity to Ethanac Road, a designated truck route per the City's General Plan. Ethanac Road directly connects to the I-215 freeway interchange. The location is well suited for industrial development to promote easily accessible routes for employees and delivery personnel and the location helps concentrate activity and development near the major transit corridors of the City as opposed to the rural areas or traveling through residential areas.

- *LU-1.5: Support development and land use patterns, where appropriate, that reduce reliance on the automobile and capitalize on multimodal transportation opportunities.*

The Project's infrastructure improvements include new roadways, roadway widening, intersection improvements, and sidewalks. All these improvements will help promote multimodal transportation opportunities for employees and residents surrounding the Project site.

- *CD-3.5 Design parking lots and structures to be functionally and visually integrated and connected; off-street parking lots should not dominate the street scene.*

Perimeter landscaping have been provided to visually screen the parking lots, truck court, and drive aisles from surrounding roadways.

- *CD-3.9 Utilize Crime Prevention through Environmental Design (CPTED) techniques and defensible space design concepts to enhance community safety.*

The Project is required to include security cameras at the entrances as well as within the property and the site has been designed to limit concealed areas to allow for greater visibility and security.

- *CD-3.12: Utilize differing but complementary forms of architectural styles and designs that incorporate representative characteristics of a given area.*

The proposed Project utilizes industrial architecture which focuses on efficiency for processing goods and products. The building is designed to prioritize employee safety and functionality. Nonetheless,

the building is still designed to meet the City's Industrial Good Neighbor Policies, as well as City of Menifee Design Guidelines such as building form, roof form, massing and articulation, materials and colors, windows, doors, and entries.

- *CD-3.14 Provide variations in color, texture, materials, articulation, and architectural treatments. Avoid long expanses of blank, monotonous walls or fences.*

The architecture of the Project incorporates varied colors, recesses, varied roof lines, wall plane changes, glazing, and other architectural treatments that break up wall areas to avoid long expanses of blank, monotonous walls. Screen walls have also been designed to incorporate architectural elements from the building for compatibility. Additionally, dense perimeter landscaping is proposed to reduce the visual height of the building and truck court walls from the public view and to provide a visually pleasing street scene.

Finding 2 - The proposed project meets all applicable standards for development and provisions of this title.

Per Section 9.80.020 "Applicability" of the Development Code, new construction of non-residential projects of more than 2,500 square feet of floor area requires the processing of a PP. The PP is for the site and architectural review, to allow for the construction of one 517,720 SF warehouse building.

The Project was reviewed against the City's Development Code, Industrial Good Neighbor Policies, and Design Guidelines. The design of the Project is consistent with the development standards of the Development Code and the Industrial Good Neighbor Policies and Industrial Design Guidelines.

Under Section 9.215.070 of the City's Development Code ("Alternative Programs for Parking"), an industrial project is allowed to provide for

alternative programs which reduce parking demand in return for a reduction in the number of off-street parking spaces required up to a maximum reduction of 15 percent of the required parking standard. The Project Applicant is requesting a 10 percent reduction. A total of 433 spaces are required (390 spaces with the 10 percent reduction [43-space reduction]) and 390 passenger car parking spaces are provided. The Project implements multiple alternative programs allowed under Section 9.215.070 including the provision of lot consolidation (five percent) and renewable energy (five percent) (i.e., photovoltaic system). In addition, the Project's Mitigation Monitoring and Reporting Program (MMRP) requires preferential parking spaces for employees who participate in a carpool or vanpool (two-space reduction for every one space marked for preferential parking).

Therefore, the proposed design and location of the PP meets all applicable standards of development and operation of the City's Zoning Code, including any applicable specific use regulations.

Finding 3 - The establishment, maintenance, or operation of the proposed project will not be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of such use or to the general welfare of the City.

To ensure the Project would not affect the general health, safety and/or welfare of the community, an EIR was prepared to analyze potential impacts to the surrounding persons residing or working in the community. The EIR examined the Project including planning, construction and operation and determined potential impacts would all be less than significant with the necessary mitigation incorporated, except for significant and unavoidable impacts to Greenhouse Gas (GHG) Emissions and Noise. A Statement of Overriding Conditions (SOOC) is included for the EIR stating the impacts of the Project are outweighed by the benefits of the Project. With the exception of these environmental categories (GHG Emissions and Noise), the proposed entitlements are not anticipated to create conditions materially detrimental to the public health, safety and general welfare or injurious to or incompatible with other properties or land uses in the project vicinity.

In addition, the Project incorporates quality architecture and landscaping which will enhance the surrounding area. The Project has been reviewed by a variety of Departments to ensure compliance with applicable regulations, including, but not limited to City of Menifee Community Development, Engineering and Public Works, Office of the Fire Marshall, Police, Riverside County Environmental Health, Eastern Municipal Water District, Riverside County Flood Control District, California Department of Transportation, California Fish and Wildlife, and United States Department of Fish and Wildlife Resources. Some of these Departments have provided conditions of approval as appropriate to ensure compliance with applicable regulations.

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 Project will be subject to the payment of fees consistent with Menifee Municipal Code 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.

NOW THEREFORE, the City Council of the City of Menifee hereby approves the following:

1. That the City Council determine that the "Findings" set out above are true and correct.
2. That the City Council determine the environmental review has been completed for the Project in accordance with State and local laws, and CEQA guidelines.
3. That the City Council, pursuant to a separate Resolution, finds the facts presented within the public record provide the basis to certify the Murrieta Road Warehouse Project FEIR, adopt the Findings of Fact and a SOOC, and MMRP, which have been completed for the Project.
4. That the City Council finds the facts presented within the public record and within the City Council Resolution provide the basis to approve Appeal No. PLN 24-0214 overturning Planning Commission's decision thereby approving PP No. PLN22-0179, and that the City Council approve said entitlements.
5. The documents and materials that constitute the record of proceedings on which this resolution has been based are located at the Community Development Department – Planning Division, 29844 Haun Road, Menifee, CA 92586. This information is provided in compliance with Public Resources Code section 21081.6.

Murrieta Road Warehouse Project - Entitlements
December 4, 2024

PASSED, APPROVED AND ADOPTED this 4th day of December 2024.

Bill Zimmerman, Mayor

Attest:

Stephanie Roseen, Acting City Clerk

Approved as to form:

Jeffrey T. Melching, City Attorney