

RESOLUTION NO. PC 25-_____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENIFEE, CALIFORNIA APPROVING TENTATIVE TRACT MAP NO. 38625 (PLN22-0294) FOR 325 SINGLE-FAMILY HOMES ON AN APPROXIMATELY 55.4-ACRE PROJECT SITE LOCATED ON THE SOUTHWEST CORNER OF SIMPSON ROAD AND BRIGGS ROAD (APN: 333-200-062).

WHEREAS, on August 12, 2022, the applicant, Louisa Foletto, of MLC Holdings (Applicant), filed a formal application with the City of Menifee for the approval of Tentative Tract Map (TTM) No. 38625 (PLN22-0294), a subdivision for a residential community consisting of 325 single-family condominium lots on 55.4 acres at 5.86 dwelling units per acre (du/ac) pursuant to Senate Bill (SB) 330; and

WHEREAS, the Project will consist of two product types: traditional single-family tract homes and motor court homes, with a 4.9-acre City Park on the southern end of the Project, adjacent to the flood channel, which includes a restroom, picnic tables with shade and BBQ structures, tennis/pickleball combo courts, open turf areas, walking trails with benches, and playground equipment. Additional amenities include a 1.4-acre Homeowners Association (HOA) maintained paseo, stretching from north to south in the middle of the Project that includes meandering walking paths connecting all of the cul-de-sacs to the park to the south and an HOA maintained recreation center that includes a pool, shower and bathroom, BBQ area and shade structures. Two water quality basins are proposed on the east and west sides of the tract; and

WHEREAS, the Applicant proposes to use the provisions of SB330 Housing Crisis Act of 2019, to freeze the Development Impact Fees (DIF) and City of Menifee User Fees (User Fees) for a period of 2.5 years from Project approval; 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, Conditions of Approval have been prepared and attached hereto as Exhibit "A" of the resolution; and

WHEREAS, on September 11, 2024, the Planning Commission continued the Project to date uncertain; and

WHEREAS, on April 9, 2025, the Planning Commission 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 TTM No. 38625 and including the consideration of the IS/MND, which hearing was publicly noticed by a publication in the newspaper of general circulation, an agenda posting, on-site, and notice to property owners within 300 feet of the Project boundaries, and to persons requesting public notice; and

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

NOW, THEREFORE, the Planning Commission of the City of Menifee resolves as follows:

Section 1: The City of Menifee's Planning Commission hereby makes the following findings for TTM No. 38625 (PLN22-0294) in accordance with Title 7, Article 2, Chapter 7.20.090 "Findings for Approval for Tentative Maps" of the City of Menifee Subdivision Code:

Finding 1 - The proposed subdivision and the design and improvements of the subdivision is consistent with the Development Code, General Plan, any applicable specific plan, and the Menifee Municipal Code.

The Project site has a General Plan Land Use Designation of 5.1-8 du/ac. The intent of the designation established in the General Plan is residential development within the 5.1 to 8 du/ac density range. The Project is proposed at a density of 5.86 du/ac, which is consistent with the General Plan land use designations and with the surrounding community.

The Project is consistent with the following City of Menifee General Plan policy:

- *LU-1.2 Provide a spectrum of housing types and price ranges that match the jobs in the City and make it possible for people to live and work in Menifee and maintain a high quality of life.*

The subdivision proposes two housing product types to help reduce the housing costs. The Project will have traditional tract homes and motor court style homes, which provide an additional housing type within the city. Additionally, the Project is utilizing the provisions of SB330 to help reduce DIF and User Fees for the Project.

- *Policy LU-1.6 Coordinate land use, infrastructure, and transportation planning and analysis with regional, county, and other local agencies to further regional and subregional goals for jobs-housing balance.*

The subdivision is conditioned to improve Simpson Road and Briggs Road along the Project frontage. It will also contribute funds through the payment of regional Transportation Uniform Mitigation Fee (TUMF) for the future completion of a bridge over the Salt Creek Channel to connect to Briggs Road on the south side of the channel.

- *Policy C-1.1 Require roadways to: Comply with federal, state and local design and safety standards.*

The TTM proposes improvements for roadways, including Simpson Road, Briggs Road, and internal tract streets, which are consistent with the City's General Plan and the City's Public Works and Engineering Department Standard Details.

- *Policy CD-1.3 Strengthen the identity of individual neighborhoods/communities with entry monuments, flags, street signs, and/or special tree streets, landscaping, and lighting.*

The Project will include enhancements at the entries off Simpson Road and Briggs Road including decorative pavers, landscaped median, entry identification signs along with dedicated HOA amenities for the residents of the tract and a City Park. The conceptual landscape plan includes the entire tract to provide a consistent and unique landscape plan for the entire community.

Consistency with the Zoning Code. The Tentative Tract Map is consistent with the zone designation map.

The Project site is zoned Low Medium Density Residential (LMDR). The TTM proposes to subdivide the Project area into a condo map for 325 single-family homes which is a permitted use within this zone. Additional lots are proposed for open space areas, and internal roads.

Staff has reviewed and conditioned the subdivision for consistency with subdivision ordinance requirements streets, domestic water, fire protection, sewage disposal, and other applicable requirements. The subdivision is consistent with the Development Code and the Subdivision Ordinance requirements.

Finding 2 - The tentative map does not propose to divide land which is subject to a contract entered into pursuant to the California Conservation Act of 1965, or the land is subject to a Land Conservation Act contract but the resulting parcels following division of the land will be of an adequate size to sustain their agricultural use:

The proposed Project site is not under a contract entered into pursuant to the California Land Conservation Act of 1965.

Finding 3 - The site is physically suitable for the type of development and the proposed land use of the development.

The site is bounded by residential developments to the north and west, vacant land to the east and the existing Salt Creek Flood Channel. The site is relatively flat, is suitable for a tract development and is compatible with surrounding land uses. Additionally, the site has been designed to be physically suitable to accommodate the development with the proposed number of lots as well as all other proposed improvements. Therefore, the site is considered physically suitable for the type of development and the proposed land use of the site.

The Project has been reviewed by the development Departments to ensure compliance with applicable regulations, including, but not limited to City of Menifee Community Development, Engineering and Public Works, and Office of the Fire Marshal. These Departments have also provided

Conditions of Approval as appropriate to ensure compliance with applicable regulations.

Finding 4 - The design of the subdivision and the proposed improvements, with conditions of approval, are either:

- 1. Not likely to cause significant environmental damage or substantially and avoidable injure fish or wildlife of their habitat; or**
- 2. Subject to an environmental impact report under which a finding has been made pursuant to Public Resources Code Section 21081(a)(3) that specific economic, social, or other considerations make infeasible mitigation measures or project alternatives identified in the environmental impact report.**

The TTM will not result in conditions detrimental to the public health, safety, or general welfare as designed and conditioned. An IS/MND was prepared for TTM No. 38625 and no significant impacts were identified with incorporation of standard conditions of approval and mitigation measures (as listed in the Mitigation Monitoring and Reporting Program {MMRP}). The map has been reviewed and conditioned by the City of Menifee Community Development and Engineering Departments and the Office of the Fire Marshal to ensure that it will not create conditions materially detrimental to the surrounding uses.

Consistency with Multiple Species Habitat Conservation Plan (MSHCP)

The City of Menifee has two active conservation plans within the City's boundary, the Western Riverside County 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 Stephen's Kangaroo Rat (SKR) (*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. However, the Project is anticipated to impact up to 0.09 acres of Riparian/Riverine Habitat due to the construction of storm drain outfall structures into the Salt Creek Flood Channel, which is considered a Riverine Area under the MSHCP. With the implementation of Mitigation Measure BIO-1, potential impacts to the Riverine Area would be reduced to less than significant levels. 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.

Finding 5 - The design of the subdivision and the type of improvements are not likely to cause serious public health problems.

The public health, safety and general welfare are protected through project design, conditions of approval, and mitigation measures. The Project site is surrounded by existing single-family residences to the north and west along with vacant residential land to the east, and the Salt Creek Flood Channel to the south.

The Project has been reviewed and conditioned by the City of Menifee Community Development, Engineering, and Police Departments and the Office of the Fire Marshal to ensure that it will not create conditions materially detrimental to the surrounding uses, nor will be detrimental to the public health, safety and general welfare or incompatible with other properties or land uses in the project vicinity.

Finding 6 - The design of the subdivision provides for future passive or natural heating or cooling opportunities in the subdivision to the extent feasible.

The Project will be designed with passive or natural heating opportunities. The Project will be consistent with the Development Code and the requirements of California Code of Regulations of Title 24, including requirements for energy efficiency, thermal insulation, and solar panels.

Finding 7 - The design of the subdivision and the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision, or the design of the alternate easements which are substantially equivalent to those previously acquired by the public will be provided.

The subdivision makes provisions for all existing and future easements for all utilities and public use purposes. Therefore, no conflicts with easements will occur with the design of the subdivision.

Finding 8 - The subdivision is consistent with the City's parkland dedication requirements (per the Quimby Act) as applicable, in accordance with Chapter 7.75 (Parkland Dedication and fees).

The proposed subdivision will fulfill Quimby obligations through the payment of fees or dedication of Park land as determined by the Community Services Department. Fees or dedication of Park land are required for consistency with the Quimby Act.

NOW, THEREFORE, The Planning Commission of the City of Menifee makes the following findings:

1. That the Findings set out above are true and correct.
2. That the facts presented within the public record and within this resolution provide a basis to approve TTM No. 38625 subject to the Conditions of Approval set forth in Exhibit "A" to this Resolution.
3. Resolution Regarding Custodian of Record: 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.

Salt Creek - TTM No. 38625
April 9, 2025

PASSED, APPROVED AND ADOPTED this the 9th day of April 2025.

Randy Madrid, Chairman

Attest:

Rachel Valencia, Administrative Assistant

Approved as to form:

Thai Phan, Assistant City Attorney