

RESOLUTION NO. PC 22-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENIFEE RECOMMENDING TO THE CITY COUNCIL ADOPTION OF AN ORDINANCE APPROVING PLN22-071, FIRST AND SECOND AMENDMENT TO DEVELOPMENT AGREEMENT NO. 2012-116, AND FINDING THE AMENDMENT IS CONSISTENT WITH THE GENERAL PLAN

WHEREAS, On November 20, 2013, the City Council adopted Ordinance No. 2013-133 approving Development Agreement No. 2012-116 for property which was known as Commerce Pointe I and Commerce Pointe II; and

WHEREAS, on March 30, 2022, Scott Road Partners LLC filed a formal application (PLN22-071) with the City of Menifee for the approval of an amendment to Development Agreement No. 2012-116 for the Commerce Pointe project within the City; and

WHEREAS, the request is to amend the existing Commerce Pointe Development Agreement (DA 2012-116) by extending the term for the original vested rights/buildings an additional five years to December 19, 2028, as well as extend the term for uses under the I-P zone for the useful life of the buildings, with associated public benefits; and

WHEREAS, on June 8, 2022, the Planning Commission held a duly noticed public hearing in order to make a recommendation to the City Council on whether the development agreement is consistent with the general plan and in compliance with other applicable laws, considered public testimony and materials in the staff report and accompanying documents, which hearing was publicly noticed by a publication in the newspaper of general circulation, an agenda posting, and notice to property owners within 300 feet of the project site boundaries; and

WHEREAS, on June 8, 2022, the Planning Commission continued Development Agreement No. 2012-116 to June 22, 2022, to allow the applicant and the City additional time to finalize the deal points; and

WHEREAS, on June 22, 2022, the Planning Commission continued Development Agreement No. 2012-116 to July 13, 2022, to allow the applicant and the City additional time to finalize the deal points; and

WHEREAS, on July 13, 2022, the Planning Commission continued Development Agreement No. 2012-116 to July 27, 2022, to allow the applicant and the City additional time to finalize the deal points; and

WHEREAS, the project was re-noticed to the August 10, 2022, Planning Commission public hearing, and the Commission found that:

1. The proposed development agreement is consistent with the General Plan Land Use Map and applicable General Plan objectives, policies, and programs;
2. The proposed development agreement will not be detrimental to the health, safety and general welfare within the City.

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3. The proposed development agreement will not adversely affect the orderly development of the property and surrounding area. or the preservation of property values.
4. The proposed development agreement will promote and encourage the development of the proposed project by providing a greater degree of requisite certainty for the developer.

NOW, THEREFORE, the Planning Commission of the City of Menifee recommends to the City Council as follows:

1. The Findings set out above are true and correct.
2. The Amendments to the Development Agreement are consistent with the general plan and in compliance with other applicable laws.
3. That all impacts related to the Development Agreement and previous development approvals were analyzed in an Environmental Impact Report (SCH 2006121062) prepared for the original plot plan applications (PP21452/22280/2009-006), which was adopted by the City of Menifee City Council on November 20, 2013.
4. That the City Council finds that the facts presented within the public record and within the Planning Commission Resolution provide a basis to approve PLN 22-071.

PASSED, APPROVED AND ADOPTED this 10th day of August 2022.

David White, Chairman

Attest:

Rachel Valencia, Acting Deputy City Clerk

Approved as to form:

Thai Phan, Assistant City Attorney