

**RESOLUTION NO. PC 22-\_\_\_\_\_**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENIFEE, CALIFORNIA RECOMMENDING CITY COUNCIL APPROVAL OF GENERAL PLAN AMENDMENT NO. PLN21-0100, CHANGE OF ZONE NO. PLN21-0101, SPECIFIC PLAN AMENDMENT NO. 2019-006, TENTATIVE PARCEL MAP NO. 38156 (PLN21-0205), AND PLOT PLAN NO. 2019-005 FOR THE CONSTRUCTION OF TWO CONCRETE TILT-UP BUILDINGS TOTALING 1,640,130 SQUARE FEET ON APPROXIMATELY 72 NET ACRES LOCATED IN THE MENIFEE NORTH SPECIFIC PLAN, PLANNING AREA 2 (INDUSTRIAL).**

**WHEREAS**, on January 7, 2019, the applicant, Motte Town Center One, LLC, filed a formal application with the City of Menifee for the approval of Specific Plan Amendment No. 2019-006 (fourth amendment to the Menifee North Specific Plan) to modify the boundary of the Menifee North Specific Plan to include APN 331-140-010, 331-140-018, 331-140-021 and 331-110-027 within Planning Area 2 and to provide technical corrections, and Plot Plan No. 2019-005 for the construction of two concrete tilt-up industrial buildings for a total square footage of 1,325,063 square feet on approximately 69.7 net acres located east of Trumble Road, west of Dawson Avenue, south of Ethanac Road, and north of McLaughlin Road; and,

**WHEREAS**, on September 25, 2019, the Project applicant changed from Motte Town Center One, LLC to Core5 Industrial Partners, LLC, represented by Jon Kelly; and

**WHEREAS**, on March 10, 2021, the Project applicant filed a formal application for the approval of General Plan Amendment No. PLN21-0100 and Change of Zone No. PLN21-0101 to change APN 331-140-021 and 331-110-027 from Heavy Industrial (HI) to Specific Plan (SP) and 331-140-021 and 331-140-018 from Business Park (BP) to Specific Plan (SP). The Project site area also increased from 69.7 net acres to 72.12 net acres by incorporating two additional parcels. The total building square footage also increased to 1,640,130 square feet; and

**WHEREAS**, on May 26, 2021, the Project applicant filed a formal application for the approval of Tentative Parcel Map No. 38156 (PLN21-0205) to combine (APNs 331-140-010, 331-140-018, 331-140-021, and 331-140-025) into one parcel for a total of 56 gross acres and a proposal to combine (APNs 331-110-035, 331-110-027, and 331-110-041) into one parcel for a total of 21.79 gross acres; and

**WHEREAS**, collectively, all the applications are referred to as the "Project" or "Menifee Commerce Center"; and

**WHEREAS**, the City of Menifee wishes to protect and preserve the quality of the life throughout the City, through effective land use and planning; and

**WHEREAS**, Conditions of Approval have been prepared and attached hereto as Exhibit "A" of the resolution; and

**WHEREAS**, a detailed visual for General Plan Amendment No. PLN21-0100 has been prepared and attached hereto as Exhibit “B” of the resolution; and

**WHEREAS**, a detailed visual for Change of Zone No. PLN21-0101 has been prepared and attached hereto as Exhibit “C” of the resolution; and

**WHEREAS**, Specific Plan Amendment No. 2019-006 is the fourth proposed amendment to the Menifee North Specific Plan and includes technical corrections and boundary changes to Planning Area 2. The “track changes” document to the Specific Plan has been prepared and attached hereto as Exhibit “D” of the resolution; and

**WHEREAS**, on September 28, 2022, 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 General Plan Amendment No. PLN21- 0100, Change of Zone No. PLN21-0101, Specific Plan Amendment No. 2019-006, Plot Plan No. 2019-005 Tentative Parcel Map No. 38156 (PLN21-0205) and including the consideration of the Final EIR, which hearing was publicly noticed by a publication in the newspaper of general circulation, an agenda posting, and notice to property owners and non-owner residents 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 General Plan Amendment No. PLN21-0100 in accordance with Title 9, Article 2, Chapter 9.50.070 “Findings for Approval” of the City of Menifee Comprehensive Development Code:

**Finding 1 - The amendment is consistent with the intent of the vision, goals and policies of the General Plan as a whole.**

The Project site’s existing land use designation is composed of the following: Menifee North Specific Plan (SP), Business Park (BP), and Heavy Industrial (HI) and an existing zoning of Menifee North SP, Business Park/Light Industrial (BP), and Heavy Industrial/Manufacturing (HI). The proposed Project would be located within Planning Area (PA) 2 which is an area designated Industrial under the Menifee North Specific Plan (SP). As noted above, the Project site is made up of three different land use designations. The majority of the Project site is designated as Industrial under the Menifee North SP. Three parcels make up the majority and the balance of the site is made up of small pockets of land consisting of four parcels (two parcels designated as Heavy Industrial (HI) and two parcels designated Business Park (BP). All three designations (Menifee North SP (Industrial), Heavy Industrial (HI), and Business Park (BP) allow for the development of industrial and warehousing related uses which the proposed Project is consistent with.

However, because four parcels making up a minority of the Project site differ from the Menifee North SP (Industrial) designation, Discretionary Actions and Approvals would be required to consolidate the site's designation to Menifee North SP, and thus, provide for a single set of development and design standards to be uniformly applied to the entirety of the Project site under the Menifee North SP PA 2.

The proposed General Plan Amendment would change the General Plan land use designation of APN 331-140-010 and 331-110-027 from Heavy Industrial (HI) to Specific Plan (SP) and APN 331-140-021 and 331-140-018 from Business Park (BP) to Specific Plan (SP).

When originally adopted, the Menifee North Specific Plan Planning Area 2 boundary excluded several small properties along the outside edges and in the middle of the planning area. It is unknown why these properties were not originally designated as Specific Plan but from a land use planning perspective, incorporating the subject parcels into the Specific Plan allows for concentrated growth, creates place and identity, and provides infrastructure efficiently.

**Finding 2 - The amendment prescribes reasonable controls and standards for affected land uses to ensure compatibility and integrity of those uses with other established uses.**

Incorporating the four parcels is specifically intended to meet the finding to prescribe reasonable controls and standards for affected land uses and to ensure compatibility and integrity of those uses with other established uses. Without the amendment, there would be multiple development standards. The amendment would address this inconsistency and ensure the integrity of the approved specific plan land uses. The Specific Plan was found to be compatible with other established uses in the area.

**Finding 3 - The amendment provides for the protection of the general health, safety and/or welfare of the community.**

The amendment proposed to incorporate four parcels currently designated as Heavy Industrial and Business Park, into the Menifee North Specific Plan. To ensure that the amendment would not affect the general health, safety and/or welfare of the community, an environmental impact report was prepared to analyze potential impacts to the surrounding community. The EIR determined that potential impacts would all be less than significant with the necessary mitigation incorporated, except for significant and unavoidable impacts to Air Quality and Greenhouse Gas. A Statement of Overriding Considerations is included for the EIR stating that the impacts of the project are acceptable and outweighed by the benefits of the project. With the exception of these environmental categories (Air Quality and Greenhouse Gas) 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.

**Section 2:** The City of Menifee's Planning Commission hereby makes the following findings for Change of Zone No. PLN21-0101 in accordance with Title 9, Article 2, Chapter 9.115.070 "Findings for Approval" of the City of Menifee Comprehensive Development Code:

**Finding 1 - The proposed change of zone is consistent with the intent of the goals and policies of the General Plan.**

The land use and zoning designation of the site is Specific Plan, Heavy Industrial and Business Park. The change of zone proposes to change the zoning of APN 331-140-010 and 331-110-027 from Heavy Industrial (HI) to Menifee North Specific Plan and APN 331-140-021 and 331-140-018 from Business Park (BP) to Menifee North Specific Plan. All parcels would be zoned as Menifee North Specific Plan, Planning Area 2 (Industrial).

The intent of the Specific Plan general plan land use designation is to recognize areas where an existing specific plan is in place and to provide policies, standards and criteria for the development or redevelopment of these areas. All three designations (Menifee North SP "Industrial", Heavy Industrial, and Business Park) allow for the development of industrial and warehousing related uses which the proposed project is consistent. However, because four parcels making up a minority of the Project site differ from the Menifee North SP designation, Discretionary Actions and Approvals are being required to consolidate the site's designation to Menifee North SP, and thus, provide for a single set of development and design standards to be uniformly applied to the entirety of the Project site under the Menifee North SP PA 2. The project is consistent with the development standards and design guidelines of the Menifee North Specific Plan and therefore consistent with the General Plan.

**Finding 2 - The proposed change of zone prescribes reasonable controls and standards to ensure compatibility with other established uses.**

The project site is generally bounded by Ethanac Road to the north, a flood control channel, Southern California Edison Easement and McLaughlin Road to the south, Trumble Road to the west, and Dawson Road to the east. The proposed change of zone as described above, is compatible with the surrounding established uses. Surrounding uses include non-conforming residential uses, commercial establishments, and other industrial uses. The Project site is surrounded by business park zoning, public utility corridor zoning, or other parts of the Menifee North Specific Plan, Planning Area 2. The Project has been designed to include reasonable controls and standards such as increased setbacks, screen walls, shielded lighting, and landscape buffers to ensure compatibility with

established uses. The Project complies with all other established controls and standards outlined in the Menifee North Specific Plan.

**Finding 3 - The proposed change of zone provides reasonable property development rights while protecting environmentally sensitive land uses and species.**

The property development rights are compatible and consistent with surrounding developments and the adopted City of Menifee Municipal Code and Menifee North Specific Plan. All proposed properties that are proposed with the change of zone are directly adjacent to existing areas of the Menifee North Specific Plan. Planning Area 2 in the Menifee North Specific Plan would be increased by 6.4 acres from 138.8 acres to 145.2 acres (4.6% increase).

Biological reports were conducted to determine sensitive plant and animal species onsite and applicable mitigation measures included in the EIR were included for their protection. The EIR also includes additional reports to determine consistency with the Western Riverside County Multiple Species Habitat Conservation Plan (WR-MSHCP) such as riparian/riverine areas, vernal pools, narrow endemic plant species, burrowing owl, and fairy shrimp. Review and mitigation coordination occurred with the applicable state and federal wildlife agencies. Therefore, the change of zone provides reasonable property development rights while protecting environmentally sensitive land uses and species.

**Finding 4 - The proposed zone or amendments to this Title ensures protection of the general health, safety and welfare of the community.**

The Change of Zone will not result in conditions detrimental to the public health, safety, or general welfare as designed and conditioned. The associated entitlements have been reviewed and conditioned by the City of Menifee Community Development, Engineering, Building and Safety and Fire Departments to ensure that it will not create conditions materially detrimental to the surrounding uses. Conditions of approval include landscaping, roadway improvements consistent with the General Plan, expanded sidewalks and a network of bike lanes and to encourage non-vehicular travel, fire infrastructure, and drainage improvements that will benefit the Project site and surrounding areas.

In addition, environmental impacts resulting from the implementation of the Project and associated Change of Zone have been analyzed in the Menifee Commerce Center Environmental Impact Report (EIR). The EIR determined that potential impacts would all be less than significant with the necessary mitigation incorporated, except for significant and unavoidable impacts to Air Quality and Greenhouse Gas. A Statement of Overriding Considerations is included for the EIR stating that the impacts

of the project are acceptable and outweighed by the benefits of the project. With the exception of these environmental categories (Air Quality, and Greenhouse Gas) 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.

**Section 3:** The City of Menifee's Planning Commission hereby makes the following findings for Specific Plan Amendment No. 2019-006 in accordance with Title 9, Article 2, Chapter 9.100.070 "Findings for Approval" of the City of Menifee Comprehensive Development Code:

**Finding 1 - The specific plan amendment is consistent with the intent of the goals and policies of the General Plan and is not inconsistent with any element thereof.**

The Project site's existing land use designation is composed of the following: Menifee North Specific Plan (SP), Business Park (BP), and Heavy Industrial (HI) and an existing zoning of Menifee North SP, Business Park/Light Industrial (BP), and Heavy Industrial/Manufacturing (HI). The proposed Project would be located within Planning Area (PA) 2 which is an area designated Planning Area 2: Industrial, under the Menifee North Specific Plan (SP). As noted above, the Project site is made up of three different land use designations. The large majority of the project site (over 90%) is designated as Industrial under the SP. Three parcels make up the majority and the balance of the site is made up of small pockets of land consisting of four parcels (two parcels designated as Heavy Industrial (HI) and two parcels designated Business Park (BP). All three designations (Menifee North SP (Industrial), Heavy Industrial (HI), and Business Park (BP) allow for the development of industrial and warehousing related uses which the proposed Project is consistent with.

However, because four parcels making up a minority of the Project site differ from the Menifee North SP Industrial designation, Discretionary Actions and Approvals would be required to consolidate the site's designation to Menifee North SP, and thus, provide for a single set of development and design standards to be uniformly applied to the entirety of the Project site under the Menifee North SP PA 2.

The proposed Specific Plan Amendment would change the boundary of the Menifee North Specific Plan, Planning Area 2, to incorporate APN 331-140-010, 331-140-018, 331-140-021 and 331-110-027, thereby increasing the total acreage of Planning Area 2 from 138.8 acres to 145.2 acres, an approximately 4.6% increase.

The small size of the existing four parcels that are proposed to be incorporated into the Specific Plan are not of a sufficient size to have a viable Heavy Industrial or Business Park use developed. By incorporating

the properties into the specific plan, consistency with General Plan policies is achieved by concentrating growth in strategic locations, creating place and identity, and providing infrastructure efficiently. The Specific Plan Amendment would also support development that reduces reliance on the automobile and capitalizes on multimodal transportation opportunities by providing approximately 1 mile of new paved sidewalk infrastructure on Trumble Road, Sherman Road, and Dawson Road and bike lanes on Trumble Road and Sherman Road. The Project would provide connection points for residents that are currently unimproved dirt roads. This Project also complies with the General Plan policies to require roadways to comply with federal, state and local design and safety standards and to provide aesthetically appealing street trees on the roadways.

The Project site is not identified in the City's Housing Element as a Housing Opportunity Site for residential. The Housing Element did not assume the site would contribute any dwelling units. The Project would, therefore, not conflict with any density range anticipated in the Housing Element for the site. For these reasons, the Project is not inconsistent with and of the City's General Plan elements and is consistent with its objectives, policies, and programs.

**Finding 2 - The specific plan amendment prescribes reasonable controls and standards for affected land uses to ensure compatibility and integrity of those uses with other established uses.**

The Project site is generally bounded by Ethanac Road to the north, a flood control channel, Southern California Edison Easement and McLaughlin Road to the south, Trumble Road to the west, and Dawson Road to the east. The proposed specific plan amendment as described above, is compatible with the surrounding established uses. Surrounding uses include non-conforming residential uses, commercial establishments, and other industrial uses. The Project site is surrounded by business park zoning, public utility corridor zoning, or other parts of the Menifee North Specific Plan, Planning Area 2. The Project has been designed to include reasonable controls and standards such as increased setbacks, screen walls, shielded lighting, and landscape buffers to ensure compatibility with established uses. The Project complies with all other established controls and standards outlined in the Menifee North Specific Plan to ensure compatibility and integrity of the Project with other established uses.

**Finding 3 - The specific plan provides reasonable property development rights while protecting environmentally sensitive land uses and species.**

The property development rights are compatible and consistent with surrounding developments and the adopted City of Menifee Municipal Code and Menifee North Specific Plan. All proposed properties that are

proposed with the specific plan amendment are directly adjacent to existing areas of the Menifee North Specific Plan. Planning Area 2 in the Menifee North Specific Plan would be increased by 6.4 acres from 138.8 acres to 145.2 acres (4.6% increase).

Biological reports were conducted to determine sensitive plant and animal species onsite and applicable mitigation measures included in the EIR were included for their protection. The EIR also includes additional reports to determine consistency with the Western Riverside County Multiple Species Habitat Conservation Plan (WR-MSHCP) such as riparian/riverine areas, vernal pools, narrow endemic plant species, burrowing owl, and fairy shrimp. Review and mitigation coordination occurred with the applicable state and federal wildlife agencies. Therefore, the specific plan amendment provides reasonable property development rights while protecting environmentally sensitive land uses and species.

**Finding 4 - The specific plan provides for the protection of the health, safety, and/or general welfare of the community.**

The specific plan amendment will not result in conditions detrimental to the public health, safety, or general welfare as designed and conditioned. The associated entitlements have been reviewed and conditioned by the City of Menifee Community Development, Engineering, Building and Safety and Fire Departments to ensure that it will not create conditions materially detrimental to the surrounding uses. Conditions of approval include landscaping, roadway improvements consistent with the General Plan, expanded sidewalks and a network of bike lanes to encourage non-vehicular travel, fire infrastructure, and drainage improvements that will benefit the Project site and surrounding areas.

In addition, environmental impacts resulting from the implementation of the Project and associated specific plan amendment have been analyzed in the Menifee Commerce Center Environmental Impact Report (EIR). The EIR determined that potential impacts would all be less than significant with the necessary mitigation incorporated, except for significant and unavoidable impacts to Air Quality and Greenhouse Gas. A Statement of Overriding Considerations is included for the EIR stating that the impacts of the project are acceptable and outweighed by the benefits of the project. With the exception of these environmental categories (Air Quality, and Greenhouse Gas) 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.



**Section 4:** The City of Menifee’s Planning Commission hereby makes the following findings for Tentative Parcel Map No. 38156 (PLN21-0205) 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 is designated Specific Plan (SP), Heavy Industrial (HI), and Business Park (BP) according to the City of Menifee General Plan. The Project is proposing to change the General Plan land use designation and zone of four of the seven project site parcel to Menifee North Specific Plan for consistency across the entire Project site. The proposed Tentative Parcel Map would combine APNs 331-140-010, 331-140-018, 331-140-021, and 331-140-025 into one parcel totaling 56 gross acres and combine APNs 331-110-035, 331-110-027, and 331-110-041 into one parcel totaling 21.79 gross acres. The majority of the Project site is vacant and undeveloped. Two of the existing parcels contain legal non-conforming residential units. Street access is provided for both parcels via Trumble Road, Sherman Road, and Dawson Road. These roadways would provide the necessary fire access roads between the parcels. The Project meets the requirements of the Development Code, General Plan, and the Menifee North Specific Plan.

Furthermore, staff has reviewed and conditioned the subdivision for consistency with subdivision ordinance requirements for lot sizes and dimensions, streets, domestic water, fire protection, sewage disposal, and other applicable requirements. The subdivision is consistent with 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 tentative map does not propose to divide land which is subject to 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 proposed Project includes the proposal for a tentative parcel map; the subject site is relatively flat and does not contain steep slopes or other features that would be incompatible with the proposed development. The surrounding area is also relatively flat. The Project site has a natural drainage pattern to the southwest. The Project proposes to preserve the

existing drainage pattern. Therefore, the site is physically suitable for the type of development and the proposed land use of the site.

The Project has been reviewed by various Departments to ensure compliance with applicable regulations, including, but not limited to City of Menifee Building and Safety, Engineering and Public Works, and Riverside County Fire. These Departments have 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 or 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.**

Pursuant to the California Environmental Quality Act (CEQA), an Environmental Impact Report (EIR) was prepared for the project. In the EIR, it was found that with implementation of mitigation measures, the proposed project would not result in any significant impacts related to biological resources such as plant and animal species or their habitat. A Mitigation Monitoring and Reporting Plan (MMRP) was prepared and identifies all mitigation measures that will be required for the project.

Biological reports were conducted to determine sensitive plant and animal species onsite and applicable mitigation measures included in the EIR were included for their protection. The EIR also includes additional reports to determine consistency with the Western Riverside County Multiple Species Habitat Conservation Plan (WR-MSHCP) such as riparian/riverine areas, vernal pools, narrow endemic plant species, burrowing owl, and fairy shrimp. Review and mitigation coordination occurred with the applicable state and federal wildlife agencies.

The MSHCP does not identify any covered or special-status fish species as potentially occurring on the Project site. Further, no fish or hydrogeomorphic features (e.g., perennial creeks, ponds, lakes, reservoirs) that would provide suitable habitat for fish were observed on or within the vicinity of the Project site. Therefore, no fish are expected to occur and are presumed absent from the Project site. In addition, the EIR discusses amphibians, reptiles, birds, mammals, and invertebrates. Any significant impacts associated with biological resources has been mitigated to less than significant. In addition, standard conditions of approval pertaining to burrowing owl, nesting birds, Stephens kangaroo rat and cultural resources still apply in this case and shall be addressed

as part of standard monitoring in the conditions of approval. As such, the subdivision will not cause environmental damage or injure fish, wildlife, or their habitat.

The Menifee Commerce Center Environmental Impact Report (State Clearinghouse No. 2021060247) has been completed for the Project and recommended for certification by the City Council pursuant to a separate Resolution. The tentative parcel map at issue is consistent with the EIR, which the Planning Commission has considered as part of its proceedings. The EIR includes a finding made pursuant to California 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.

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

The proposed subdivision is being proposed concurrently with Plot Plan No. 2019-005. The Project has been reviewed and conditioned by the City of Menifee Planning, Engineering, Police, and Fire Departments to ensure that it will not create conditions materially detrimental to the surrounding uses. In addition, environmental impacts resulting from the implementation of the Project and associated subdivision have been analyzed in the Menifee Commerce Center Environmental Impact Report (EIR). The EIR determined that potential impacts would all be less than significant with the necessary mitigation incorporated, except for significant and unavoidable impacts to Air Quality and Greenhouse Gas. A Statement of Overriding Considerations is included for the EIR stating that the impacts of the project are acceptable and outweighed by the benefits of the project. With the exception of these environmental categories (Air Quality, and Greenhouse Gas) 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.

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

This tentative parcel map would create two separate parcels for construction of industrial buildings pursuant to Plot Plan No. 2019-005. The Project will be designed with passive or natural heating opportunities such as solar amenities. Energy efficiency/energy conservation attributes of the Project would be complemented by increasingly stringent state and federal regulatory actions addressing enhanced building/utilities energy efficiencies mandated under California building codes (e.g., California Code of Regulations Title 24, including requirements for energy efficiency, thermal insulation, and solar panels and California Green

Building Standards Code). Compliance itself with applicable Title 24 standards would ensure that the Project energy demands would not be inefficient, wasteful, or otherwise unnecessary.

**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 to avoid any conflict.

**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).**

This project is for the subdivision of a proposed industrial development and does not include residential units. For this reason, no Quimby Act fees or dedications are required.

**Section 5:** The City of Menifee's Planning Commission hereby makes the following findings for Plot Plan No. 2019-005 in accordance with Title 9, Article 2, Chapter 9.80.070 "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 intent of the Specific Plan general plan land use designation is to recognize areas where an existing specific plan is in place and to provide policies, standards and criteria for the development or redevelopment of these areas. All three designations (Menifee North SP "Industrial", Heavy Industrial, and Business Park) allow for the development of industrial and warehousing related uses which the proposed project is consistent. However, because four parcels making up a minority of the Project site differ from the Menifee North SP designation, Discretionary Actions and Approvals are being required to consolidate the site's designation to Menifee North SP, and thus, provide for a single set of development and design standards to be uniformly applied to the entirety of the Project site under the Menifee North SP PA 2. The Project is consistent with the development standards and design guidelines of the Menifee North Specific Plan and therefore 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 (approximately 1/2 mile) to the I-215 freeway Ethanac Road 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 projects infrastructure improvements including roadways, intersection improvements such as traffic signals and turn lanes, bike lanes and sidewalks will help promote multimodal transportation opportunities for employees and residents surrounding the Project site.

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

The proposed industrial 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 Menifee North Specific Plan architectural guidelines as well as City of Menifee Design Guidelines such as building form, roof form, massing and articulation, materials and colors, windows, door 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, material changes, varied roof lines, wall plane changes, accent materials, and other architectural treatments that break up wall areas to avoid any long expanses of blank, monotonous walls. Screen walls have also been designed to incorporate architectural elements from the building for compatibility. Additionally, densely landscaped berms are proposed to reduce the visual height of the walls from the public right of way 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 Plot Plan. The Plot Plan is for the

site and architectural review, to allow for the construction of the two building, 1,640,130 square foot industrial Project.

The project was reviewed against the City's Development Code and the Menifee North Specific Plan. The design of the Project is consistent with the development standards of the Development Code where not detailed in the Specific Plan. Therefore, the proposed design and location of the Plot Plan 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 that the Project would not affect the general health, safety and/or welfare of the community, an environmental impact report (EIR) was prepared to analyze potential impacts to the surrounding persons residing or working in the community. The EIR examined all phases of the Project including planning, construction and operation and determined that potential impacts would all be less than significant with the necessary mitigation incorporated, except for significant and unavoidable impacts to Air Quality and Greenhouse Gas. A Statement of Overriding Considerations is included for the EIR stating that the impacts of the project are acceptable and outweighed by the benefits of the project. With the exception of these environmental categories (Air Quality and Greenhouse Gas) 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 Building and Safety, Planning, Engineering and Public Works, Riverside County Fire, 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. These Departments have provided conditions of approval as appropriate to ensure compliance with applicable regulations.

**NOW THEREFORE**, the Planning Commission of the City of Menifee hereby recommends to the City Council the following:

1. That the City Council determine that the “Findings” set out above are true and correct.
2. That the City Council determine that the Menifee Commerce Center EIR has been completed for the Project in accordance with the California Environmental Quality Act, State and local CEQA guidelines.
3. That the City Council, pursuant to a separate Resolution, finds that the facts presented within the public record provide the basis to certify the Menifee Commerce Center Environmental Impact Report, adopt a Statement of Overriding Consideration, a Mitigation Monitoring and Reporting Program, and a Statement of Facts and Findings, which have been completed for the project.
4. That the City Council finds that the facts presented within the public record and within the Planning Commission Resolution provide the basis to approve General Plan Amendment No. PLN2100, Change of Zone No. PLN21-0101, Specific Plan Amendment No. 2019-006, Tentative Parcel Map No. 38156 (PLN21-0205) and Plot Plan No. 2019-005, and that the 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.

**PASSED, APPROVED AND ADOPTED** this the 28<sup>th</sup> day of September, 2022.

\_\_\_\_\_  
David White, Chairman

Attest:

\_\_\_\_\_  
Rachel Valencia, Acting Deputy City Clerk

Approved as to form:

\_\_\_\_\_  
Thai Phan, Assistant City Attorney