

RESOLUTION NO. PC 22-____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENIFEE, CALIFORNIA APPROVING PLOT PLAN NO. PLN21-0253, FOR O'REILLY AUTO PARTS LOCATED SOUTH OF NEWPORT ROAD AND WEST OF MENIFEE ROAD (APN: 364-030-009)

WHEREAS, on July 27, 2021, the applicant, Caitlyn Adkins, on behalf of Vaquero Ventures, filed a formal application with the City of Menifee for the approval of Plot Plan No. PLN21-0253 for new construction of a new 7,228 square foot commercial retail building (O'Reilly) and full site improvements (including site landscaping and parking lot); and

WHEREAS, on September 28, 2022, the Planning Commission of the City of Menifee held the public hearing on Plot Plan No. PLN 21-0253, considered all public testimony as well as all materials in the staff report and accompanying documents for Plot Plan No. PLN21-0253, which hearing was publicly noticed by a publication in *The Press Enterprise*, a newspaper of general circulation, an agenda posting, and notice to property owners within 300 feet of the Project boundaries, and to persons requesting public notice and on-site posting.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Menifee makes the following findings:

Section 1: *The proposed project is consistent with the adopted General Plan and any applicable specific plan.*

Consistency with General Plan

The project site zoning classification and General Plan land use designation is Menifee Village Specific Plan, Planning Area 2-11. Planning Area 2-11 is intended for neighborhood-oriented commercial, and office uses that support residential communities and development in the vicinity of this major traffic corridor. The commercial retail establishment will serve the adjacent residential communities and local businesses. The project is consistent with the General Plan land use designation and is compatible with surrounding General Plan land uses.

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

Project Design/ Building Design

- *CD-3: Projects, developments, and public spaces that visually enhance the character of the community and are appropriately buffered from dissimilar land uses so that differences in type and intensity do not conflict.*

The Newport Road Corridor is intended to provide neighborhood-oriented commercial uses that support the adjacent residential development. The property is located within an existing commercial center. No residential development is immediately adjacent to the project and the project proposes high quality architecture and site design.

- *CD-6: Attractive landscaping, lighting, and signage that conveys a positive image of the community.*
- *CD-3.17: Encourage the use of creative landscape design to create visual interest and reduce conflicts between different land uses.*

The public parkway and on-site landscaping in the form of low shrubs and trees will assist in screening on-site parking and vehicular activity. Perimeter landscaping is consistent with existing perimeter landscaping in the center and has been included to visually screen the on-site traffic, parking and vehicular headlights from surrounding roadways.

A masonry block trash enclosure consistent with city standard and conditioned to match existing trash enclosures on-site is proposed in the rear of the building to screen trash bins from public view. All mechanical roof equipment will be hidden behind the decorative parapet feature. All proposed structures will utilize complementary colors, materials, and architectural features consistent with the existing center and, therefore, will be functionally and visually integrated.

Community Design Features - Lighting

- *CD-6.4 Require that lighting and fixtures be integrated with the design and layout of a project and that they provide a desirable level of security and illumination.*
- *CD-6.5 Limit light leakage and spillage that may interfere with the operations of the Palomar Observatory.*

The project is required to include lighting that is consistent with existing on-site lighting fixtures and 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.

Adequate onsite lighting will be provided for security and visibility. The project has been conditioned for all lighting fixtures to comply with Ordinance No. 2009-24, "Dark Sky Ordinance", which will have the effect of limiting leakage and spillage of light and will utilize similar lighting fixtures as the existing center.

Section 2: *Consistency with the Development Code. The Plot Plan meets all applicable standards for development and provisions of the Development Code:*

The zoning classification and General Plan land use designation for the site is Menifee Village Specific Plan, Planning Area 2-11. As previously stated, the Newport Road subarea is intended for neighborhood-oriented commercial and office uses that support residential communities and development in the vicinity of this major traffic corridor. Commercial retail is a permitted use in the specific plan. The General Plan Land Use Designation and Zoning classification of the Menifee Village Specific Plan, Planning Area 2-11 are consistent and compatible with one another.

The Project meets all the Development Code standards of Title 9, including but not limited to, parking requirements, setbacks, landscape coverage, floor area ratio (FAR) and height requirements of the Menifee Village Specific Plan and Menifee Municipal Code.

The project is compatible with the surrounding commercial land uses. The project incorporates architecture and landscaping which will enhance the area.

Section 3: *Surrounding Uses. 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.*

The Project is compatible with the surrounding land uses, and is adequately sized, shaped, and designed to accommodate the proposed uses. As noted above in sections 1 and 2, the Project includes a use that is compatible with adjacent commercial uses and will serve surrounding residents and businesses.

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 Department, Engineering and Public Works Department, Fire Department, Menifee Police Department, and Riverside County Environmental Health Department. These Departments have also provided conditions of approval as appropriate to ensure compliance with applicable regulations.

Therefore, the project would not 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. The project is consistent with the zoning code.

Section 4: *Compliance with CEQA. Processing and approval of the permit application are in compliance with the requirements of the California Environmental Quality Act.*

The project is Categorically Exempt under Section 15303, "New Construction or Conversion of Small Structures" under the California Environmental Quality Act (CEQA) and CEQA Guidelines. This exemption is for the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel. Examples of this exemption include but are not limited to: c) A store, motel, office, restaurant or similar commercial or institutional structure not involving the use of significant amounts of hazardous substances, and not exceeding 2,500 square feet in floor area. In urbanized areas, the exemption also applies to up to four such commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use, if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available, and the surrounding area is not environmentally sensitive. The proposed structure does not exceed 10,000 square feet and the commercial retail use will not involve the use of significant amounts of hazardous substances nor is the project located within an environmentally sensitive area. Lastly, public services and facilities will be available to the proposed project.

THEREFORE, BE IT FURTHER RESOLVED, the Planning Commission of the City of Menifee hereby approves Plot Plan No. PLN21-0253 subject to the following:

1. The Findings set out above are true and correct.
2. Plot Plan No. PLN21-0253 is hereby approved subject to the Conditions of Approval set forth in Exhibit "A" of this Resolution.

PASSED, APPROVED AND ADOPTED this the 28th day of SEPTEMBER, 2022.

David White, Chairman

Attest:

Rachel Valencia, Acting Deputy City Clerk

Approved as to form:

Thai Phan, Assistant City Attorney