

RESOLUTION NO. 22-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENIFEE, CALIFORNIA APPROVING GENERAL PLAN AMENDMENT NO. PLN21-0100, WHICH AMENDS THE GENERAL PLAN LAND USE DESIGNATION OF APN 331-140-021 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).

WHEREAS, on March 10, 2021, the applicant, Core5 Industrial Partners, LLC filed a formal application with the City of Menifee for the approval of General Plan Amendment No. PLN21-0100 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); and

WHEREAS, the application for the General Plan Amendment is being processed concurrently with applications for a change of zone (PLN21-0101), specific plan amendment (2019-006), tentative parcel map (PLN21-0205) and a plot plan (2019-005) for the construction of two concrete tilt-up industrial buildings for a total square footage of 1,640,130 square feet on approximately 72.12 net acres located east of Trumble Road, west of Dawson Avenue, south of Ethanac Road, and north of McLaughlin Road. Collectively, all the applications are referred to as the "Project" or "Menifee Commerce Center"; and,

WHEREAS, on September 28, 2022, the Planning Commission held a duly noticed public hearing on General Plan Amendment No. PLN21-0100, considered all public testimony as well as all materials in the staff report and accompanying documents, which hearing was publicly noticed by a publication in *The Press Enterprise*, an agenda posting, notices placed on the Project site, and notice to property owners and non-owner residents within 300 feet of the Project boundaries as well as to persons requesting public notice; and

WHEREAS, at the September 28, 2022 Planning Commission public hearing, based upon the materials in the staff report and accompanying documents, public comment, and Planning Commission discussion, the City of Menifee Planning Commission recommended that the City Council approve General Plan Amendment No. PLN21-0100; and,

WHEREAS, on October 19, 2022, the City Council held a duly noticed public hearing on General Plan Amendment No. PLN21-0100, considered all public testimony as well as all materials in the staff report and accompanying documents, which hearing was publicly noticed by *The Press Enterprise*, an agenda posting, notices placed on the Project site, 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 City Council of the City of Menifee resolves as follows:

Section 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.

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.

In addition, the General Plan Amendment 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.

For these reasons, the General Plan Amendment is consistent with the City's General Plan objectives, policies, and programs.

Section 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

from three different land use and zoning designations. 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.

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

The amendment proposes 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 4: CEQA Compliance. The City Council hereby determines that the Menifee Commerce Center Environmental Impact Report (Project EIR) has been completed for the Project in accordance with the California Environmental Quality Act, State and local CEQA guidelines and pursuant to a separate Resolution, finds that the facts presented within the public record provide the basis to certify the Project EIR, adopt the Findings of Fact and Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program, which have been completed for the project.

Section 5: Approval of the General Plan Amendment. The City Council finds that the facts present within the public record and within this Resolution provide the basis to approve General Plan Amendment No. PLN21-0100 amending the General Plan Land Use Map as shown in the attached exhibit provided in this resolution.

Section 6: 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 19th DAY OF OCTOBER 2022.

Bill Zimmerman, Mayor

Attest:

Stephanie Roseen, Acting City Clerk

Approved as to form:

Jeffrey T. Melching, City Attorney