

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

### **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENIFEE, CALIFORNIA ADOPTING A MITIGATED NEGATIVE DECLARATION FOR TENTATIVE TRACT MAP NO. (37692) PLN 21-0057 LOCATED ON THE WESTSIDE OF GOETZ ROAD, EAST OF WILLIAMS DRIVE, NORTH OF PALM DRIVE SOUTH OF RANCHO DRIVE (APNS: 341-060-002, 341-060-010, 341-060-011, 350-245-004).**

**WHEREAS**, on February 16, 2021, the applicant, Paul Onufer of JPMB Investments, filed a formal application with the City of Menifee for the approval of Tract Map No. (37692) PLN 21-0057 a subdivision for a gated community consisting of 130 detached single-family homes with a minimum lot size of 5,000 square feet on a 44.7-acre site with a density of 2.9 dwelling units per acre. The tract will consist of 11.7 acres of undisturbed open space, 1.9-acre tot lot, 1.1-acre dog park, and a 1.8-acre detention basin. The tot lot will incorporate a dual half-court basketball court, picnic shelter, playground equipment, drinking fountain and splash pad; 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**, the twenty-day public review period for the IS/MND occurred between October 6, 2022 to October 26, 2022. The public review period was publicly noticed by a publication in a newspaper of general circulation, notice to owners within 300 feet of the Project site boundaries, on-site posting and notice to related agencies and government agencies. The project was also required to be transmitted to the State Clearinghouse for review by State agencies; and

**WHEREAS**, on October 26, 2022, the Planning Commission of the City of Menifee continued the public hearing to November 9, 2022, at the request of the applicant, Paul Onufer, JPMB Investments; and

**WHEREAS**, on November 9, 2022, the Planning Commission of the City of Menifee continued the public hearing to December 14, 2022, at the request of the applicant, Paul Onufer, JPMB Investments; and

**WHEREAS**, on December 14, 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, which hearing was publicly noticed by a publication in the newspaper of general circulation, an agenda posting, onsite sign postings, and notice to property owners and occupants within 300 feet of the project boundaries, and to persons requesting public notice; and

**WHEREAS**, the City has complied with CEQA and the IS/MND is an accurate and objective statement that fully complies with CEQA, the CEQA Guidelines and represents the independent judgment of the City; and

**WHEREAS**, no evidence of new significant impacts or increased severity of environmental impacts, as defined by CEQA Guidelines Section 15088.5, have been received by the City after circulation of the draft IS/MND which would require re-circulation.

**NOW, THEREFORE,** the Planning Commission of the City of Menifee makes the following findings as established by the CEQA:

**Section 1.** The Planning Commission finds on the basis of the evidence presented and the whole record before it, including the Draft IS/MND, and any comments received, that there is no substantial evidence that the project, as mitigated, will have a significant effect on the environment.

**Section 2.** The Planning Commission finds that the mitigations incorporated in the final Mitigated Negative Declaration which is attached hereto as Exhibit "A" and incorporated herein by reference, will assure compliance during project implementation.

**Section 3.** The Planning Commission finds that the adoption of the IS/MND reflects the Planning Commission's independent judgment and analysis.

**Section 4.** The IS/MND, all documents referenced in the MND, and the record of proceedings on which the Planning Commission's decision is based, are located at City of Menifee City Hall at 29844 Haun Road, Menifee, CA 92586 and the custodian of record of proceedings is the City of Menifee City Clerk.

**Section 5.** The Planning Commission adopts an IS/MND for the project including but not limited to the Mitigation and Monitoring Plan as attached to the IS/MND.

PASSED, APPROVED AND ADOPTED this 14<sup>th</sup> of December, 2022.

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David White, Chair

Attest:

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Rachel Valencia, Acting Deputy City Clerk

Approved as to form:

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V. Thai Phan, Assistant City Attorney