

RESOLUTION NO. 23-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENIFEE,
CALIFORNIA DENYING THE APPEAL (PLN23-0058) OF MAJOR PLOT
PLAN (PLN21-0290) FOR ETHANAC BARNETT WAREHOUSE(S)**

WHEREAS, on August 24, 2021, the applicant, Phelan Development Company filed a formal application with the City of Menifee for a plot plan application (PLN21-0290) for the construction of two (2) concrete tilt-up buildings totaling 251,133 square feet (sq. ft.) on a 13.89 gross acre project site near the southwest corner of Ethanac Road and Barnett Road; 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, on March 8, 2023, at a legally noticed Public Hearing, the Planning Commission voted 4-0-1 to approve Major Plot Plan No. PLN21-0290 for Ethanac and Barnett Warehouse(s); and,

WHEREAS, on March 20, 2023, an application to appeal Planning Commission's approval of Major Plot Plan No. PLN21-0290 was submitted by the City of Perris; and,

WHEREAS, updated Conditions of Approval for the plot plan in response to the appeal have been prepared to prohibit cold storage on-site and Transport Refrigeration Units, attached hereto as Exhibit "A" of the resolution; and

WHEREAS, on May 3, 2023, the City Council of the City of Menifee held a Public Hearing on the appeal of the Planning Commission's approval of Major Plot Plan No. PLN21-0290 and continued the Public Hearing to a date certain, June 7, 2023, to allow for staff to adequately address supplemental comments received the day of the scheduled hearing from the City of Perris; and

WHEREAS, on June 7, 2023, the City Council of the City of Menifee held a Public Hearing on the appeal of the Planning Commission's approval of Major Plot Plan No. PLN21-0290 and Resolution No. PC 23-582, considered all public testimony as well as all materials in the staff report and accompanying documents for the appeal, which hearing was publicly noticed by a publication in *The Press Enterprise*, a newspaper of general circulation, an agenda posting, notice to property owners within 800 feet of the project boundaries, on-site posting at the project site, and to persons requesting public notice.

NOW THEREFORE, the City Council of the City of Menifee hereby approves the following:

1. That the City Council finds that the facts presented within the public record and within the Resolution provide the basis to deny the appeal (PLN23-0058) and uphold the Planning Commission approval of Major Plot Plan No. PLN21-0290 and Planning Commission Resolution No. PC 23-582.

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2. 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 7th day of June 2023.

Bill Zimmerman, Mayor

Attest:

Stephanie Roseen, Acting City Clerk

Approved as to form:

Jeffrey T. Melching, City Attorney