

## **RESOLUTION NO. PC 23-\_\_\_**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENIFEE, CALIFORNIA APPROVING MAJOR MODIFICATION NO. PLN23-0015 AND REVISION TO TENTATIVE PARCEL MAP NO. 37624 (2017-091), FOR PHASE II OF MCCALL SQUARE SHOPPING CENTER LOCATED NORTH OF MCCALL BOULEVARD, SOUTH OF EAST HERITAGE LAKE DRIVE, EAST OF JUNIPERO ROAD, AND WEST OF MENIFEE ROAD WITHIN MENIFEE, RIVERSIDE COUNTY, CA (APNS: 333-070-092, -093)**

**WHEREAS**, on February 15, 2023, applicant, Dan Long, filed a formal application with the City of Menifee requesting to modify the previously approved Plot Plan (“PP”) No. 2017-090 and Tentative Parcel Map (“TPM”) No. 37624 (2017-091) located in Phase II of the McCall Square Shopping Center, previously approved as Heritage Square Shopping Center (collectively, “Project” or “Major Modification”). The Major Modification proposes to replace the pharmacy with a quick serve restaurant and drive-thru, modify the circulation and parking around the grocer, and add Pad E, which is approximately 4,000 square feet of building area. The updated parking count for Phase II is approximately 360 parking stalls. Phase II will decrease the total building area by 6,730 square feet; and

**WHEREAS**, the McCall Square Commercial Retail Shopping Center, formerly Heritage Square Shopping Center, was originally approved by the City of Menifee City Council under PP No. 2017-090, TPM No. 37624 (2017-091), Conditional Use Permit (“CUP”) No. 2017-089, and CUP No. 2018-250, on January 16, 2019, which was approved for a commercial retail shopping center which included 150,541 square foot self-storage facility, 6,100 square feet of restaurants, 3,500 square foot quick serve restaurant, with drive-thru, a 3,500 square foot gas station with a 4,855 square foot fueling canopy, and convenience store including drive-thru carwash, and a 14,600 square foot pharmacy including drive-thru on 15.58 acres; and

**WHEREAS**, on September 27, 2023, the City of Menifee Planning Commission held a public hearing on the Project, considered all public testimony as well as all materials in the staff report and accompanying documents for Major Modification No. PLN23-0015 for which a hearing was publicly noticed by publication in the Press Enterprise, a newspaper of general circulation, an agenda posting, on-site posting, and notice to property owners within 300 square feet of the project boundaries, and to persons requesting public notice; and

**WHEREAS**, at the September 27, 2023, Planning Commission public hearing, based upon the materials in the staff report and accompanying documents, public comments, and Planning Commission discussion, the City of Menifee Planning Commission recommended approval of the Major Modification revisions to McCall Square Shopping Center.

**NOW, THEREFORE BE IT RESOLVED**, the Planning Commission of the City of Menifee makes the following Findings:

Per the Menifee Municipal Code (MMC), a Major Modification to a previously approved project does not require new Findings to be made. The originally approved project Findings as provided in Resolutions Nos. 18-760 (TPM No. 37624), 18-761 (PP), 18-762 (CUP), and 18-763 (CUP), still apply to the Project for McCall Square, previously

approved as Heritage Square Shopping Center under PP No. 2017-090, TPM No. 37624 (2017-091), CUP No. 2017-089, and CUP No. 2018-250.

**Section 1:** *Consistency with the General Plan. The Major Modification is consistent with the General Plan Land Use Map and applicable General Plan objectives, policies, and programs.*

The proposed Major Modification will amend the previously approved shopping center by reducing the overall amount of building square footage by 6,730 square feet, with the most prominent changes being Pad D from a pharmacy use to a quick serve restaurant with a drive through, and the addition of Pad E which will provide shopping and restaurant uses. The previously approved overall architectural design of the shopping center did not change from what was approved; however, the proposed quick serve restaurant proposed for Pad D will be consistent with the existing colors, materials, and texture palette of the project site. The General Plan is designated Commercial Retail (CR). This designation encourages commercial service and commercial retail related uses that support neighboring residential communities. The existing surrounding General Plan Land Use designations are 8.1-14 Residential dwelling units per acre to the north, Menifee Valley Ranch Specific Plan to the east, and Commercial Retail to the west and south of the Phase II project site. Phase I shall remain as approved and consistent with the General Plan.

The Major Modification (PLN23-0015) requested under the application submittal is consistent with the justifiable allowances within the MMC and is consistent with the general plan land use designation of Commercial Retail (CR).

### **Project Design**

- **CD-3.5** – Design parking lots and structures to be functionally and visually integrated and connected; off-street parking lots should not dominate the street scene.

The proposed shopping center will have approximately 427 parking spaces throughout the Project site, but more specifically, 360 parking spaces within Phase II of the Project. The proposed parking areas will be adequately screened from neighboring roadways through a combination of landscaping and wall/fencing elements. The shopping center will also incorporate various pieces of art throughout the complex. Below are images of the proposed architectural design of the Major A Market, shops, restaurants, and the proposed quick-serve drive-thru restaurant proposed for Pad D.

### **Building Design**

- **CD-3.10** – Employ design strategies and building materials that evoke a sense of quality and permanence.

The design materials proposed for the shopping center will keep with the original approval of the Project proposing earth tones for base, building

and accent colors. Stone veneer along the base and on column features. Awnings and landscape trellis elements will be utilized to break up building massing. Tower elements will utilize decorative bracing features which will give the appearance of supporting tower elements. Exterior walls and roofing elements will consist of various shades of tan and brown.

### **Enhanced Landscape Corridors**

- **CD-4.2** – Design new and when necessary, retrofit existing streets to improve walkability, bicycling, and transit integration; strengthen connectivity; and enhance community identity through improvements to the public right-of-way such as sidewalks, street trees, parkways, curbs, street lighting, and street furniture.

Phase II of the shopping center as well as the entire shopping center will provide adequate pedestrian, vehicular pathways and circulation and an efficient landscape concept within the interior and perimeter of the development. Additionally, a Class II bike lane is proposed along McCall Boulevard and Menifee Road and the site proposes 35+ parking spaces for bicycles throughout the development.

### **Policies**

- **ED-2.1** – Promote retail development by locating needed goods and services in proximity to where residents live to improve quality of life, retain taxable spending by Menifee residents, and attract residents from outside the city to shop in Menifee.
  - Locate businesses providing convenience goods and services in retail centers that are on arterials adjacent to neighborhoods and communities throughout the city but not in rural residential areas.
  - Encourage comparison goods businesses to locate in larger retail centers located on major arterials near freeway interchanges, because businesses that provide comparison goods tend to draw customers from larger areas.

The Phase II portion of the commercial retail shopping center proposes a 46,800 square foot market, 9,300 square feet of retail shops, 4,270 square foot quick serve restaurant with drive through, and 4,000 square feet of shopping and restaurant space. The proposed commercial shopping center will provide a variety of additional retail options and serve as a convenience to the surrounding existing and proposed residential communities.

- **ED-2.2** – Require regional districts to provide entertainment and dining in addition to retail sales and services to create destinations prepared to withstand e-commerce's increasing capture of retail spending. These districts should create a pedestrian-friendly human-scale atmosphere with street furniture, shading, and gathering spaces that enhance the experience of shopping and socializing.
  - Local retail centers (primarily intended to serve Menifee residents), need not necessarily provide dining and

entertainment, but shall provide street furniture, shading pedestrian-circulation, and gathering spaces that enhance the experience of shopping.

The shopping center will include a major market and retail commercial located adjacent to the major market and to Pad E at the southwest portion of Phase II. Pad D proposes a quick serve restaurant including drive-thru. The proposed landscaping concept meets the City's standards for parking lot shading and provides pedestrian connectivity throughout the Project site. The proposed Project includes gathering areas with seating, fountains and building artwork to enhance the shopping experience.

- N-1.1 – Assess the compatibility of proposed land uses with the noise environment when preparing, revising, or reviewing development project applications.
- N-1.2 – Require new projects to comply with the noise standards of local, regional, and state building code regulations, including but not limited to the MMC, Title 24 of the California Code of Regulations, the California Green Building Code, and subdivision and development codes.

During the environmental review of the Project, an acoustical analysis which analyzed impacts on surrounding sensitive land uses (residential, educational, churches, etc.) determined that the impacts generated during the construction and operational phases of the Project would be less than significant pursuant to the California Environmental Quality Act ("CEQA"). The Project includes conditions to comply with the recommendations of the acoustical analysis and Mitigation Monitoring and Reporting Plan ("MMRP").

#### Consistency with Multiple Species Habitat Conservation Plan ("MSHCP")

The City of Menifee has two active conservation plans within the City's boundary, the Western Riverside County MSHCP, and the Stephens' Kangaroo Rat Habitat Conservation Plan ("SKR-HCP"). The subject site is within the jurisdiction of the SKR-HCP and the Western Riverside County MSHCP. The Project site is located inside the Stephen's Kangaroo Rat (*Dipodomys stephensi*) ("SKR") Fee Area. The proposed Project is located within the boundaries of the Western Riverside County MSHCP; however, the Project is not located with a Criteria Cell or Cell Group. The Project will be subject to the payment of fees for a commercial project consistent with Riverside County Ordinance Nos. 663 and 810.2 as adopted by the City of Menifee. Therefore, the Project will not conflict with the provisions of the adopted SKR-HCP, the MSHCP, or other approved local, regional, or State conservation plan and the impact is considered less than significant.

**Section 2:** *Consistency with the Zoning Code. The Major Modification is consistent with the zone designation, and applicable development standards within the zone designation.*

The Project is for the Phase II portion of a retail shopping center which includes a major market, shops, restaurants, and quick serve restaurants with drive-thru. The zoning for the site is Commercial Retail (CR) and is intended for neighborhood-oriented commercial retail uses, which is consistent with the General Plan designation of Commercial Retail (CR). Surrounding zoning classifications include developed areas of Medium Density Residential (MDR) to the north, Menifee Valley Ranch Specific Plan to the east, and Commercial Retail (CR) to the south and west of the Project site. Therefore, the Project meets all the development standards required by the MMC and is consistent with the zoning classification and General Plan Land Use designation.

**Section 3:** *Compliance with CEQA. Processing and approval of the permit application are in compliance with the requirements of CEQA.*

A final Initial Study and Mitigated Negative Declaration ("IS/MND") was prepared for McCall Square Shopping Center, PP No. 2017-090, CUP No. 2017-089, CUP No. 2018-250, and TPM No. 37624 (2017-091) and was adopted by the Planning Commission on January 16, 2022. Based on CEQA Guidelines, Sections 15162 through 15164, staff has determined that the previously adopted IS/MND has adequately identified the impacts associated with McCall Square Shopping Center, and that no previously reviewed impact areas have changed and therefore, no additional analysis is required.

In addition, the Project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (California Department of Toxic Substances Control list of various hazardous sites).

The Planning Commission of the City of Menifee approves Major Modification No. PLN23-0015 subject to the Conditions of Approval in the attached resolution.

**PASSED, APPROVED AND ADOPTED** this the 27th day of September 2023.

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Jeff LaDue, Chairman

Attest:

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Rachel Valencia, Administrative Assistant

Approved as to form:

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Thai Phan, Assistant City Attorney