



CITY OF MENIFEE

SUBJECT: Menifee Commerce Center Industrial Development

MEETING DATE: October 19, 2022

TO: Mayor and City Council

PREPARED BY: Brett Hamilton, Senior Planner

REVIEWED BY: Cheryl Kitzerow, Community Development Director

APPROVED BY: Armando G. Villa, City Manager

RECOMMENDED ACTION

1. Adopt a resolution certifying the Environmental Impact Report, adopt the Findings of Fact and Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program and direct staff to file a Notice of Determination; and
2. Adopt a resolution approving General Plan Amendment No. PLN21-0100; and
3. Introduce an ordinance approving Change of Zone No. PLN21-0101; and
4. Introduce an ordinance approving Specific Plan Amendment No. 2019-006; and
5. Adopt a resolution approving Tentative Parcel Map No. 38156 (PLN21-0205) subject to the attached conditions of approval and based upon the findings and conclusions incorporated in the staff report; and
6. Adopt a resolution approving Plot Plan No. 2019-005 subject to the attached conditions of approval and based upon the findings and conclusions incorporated in the staff report.

DISCUSSION

At the September 28, 2022 Planning Commission meeting, the Planning Commission voted unanimously adopting Resolution No. PC22-572, recommending the City Council certify the Environmental Impact Report (EIR), adopt the Finding of Fact and Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program, and adopted Resolution No. PC22-573 recommending the City Council approve all of the entitlements for the project. Six people spoke in support of the project. There were no speakers in opposition. The City received comment letters/emails from: 1) Thomas Giedroyce; 2) Golden State Environmental Justice Alliance; and, 3) South Coast Air Quality Management District. The City also met with the California Department of Fish and Wildlife.

Under the California Environmental Quality Act (CEQA), the City is not required to respond to comments on the Final Environmental Impact Report (FEIR). However, staff reviewed each of the letters, consulted with legal counsel and the environmental consultant and determined that no additional information or substantial evidence was provided by any of the commenters that would require changes to the EIR. Staff and the Planning Commission's assessment affirms that the FEIR fully complies with the provisions of CEQA and is complete and adequate.

Project Description

General Plan Amendment No. PLN21-0100 proposes to 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).

Specific Plan Amendment No. 2019-006 proposes to modify the boundary of the Specific Plan No. 260 (Menifee North Specific Plan) to include APN 331-140-010, 331-140-018, 331-140-021 and 331-110-027 within Planning Area 2 ("Industrial").

Change of Zone No. PLN21-0101 proposes to change the zoning classification of APN 331-140-010 and 331-140-027 from Heavy Industrial (HI) and APN 331-140-018 and 331-140-021 from Business Park (BP) to Specific Plan No. 260, Planning Area 2 ("Industrial").

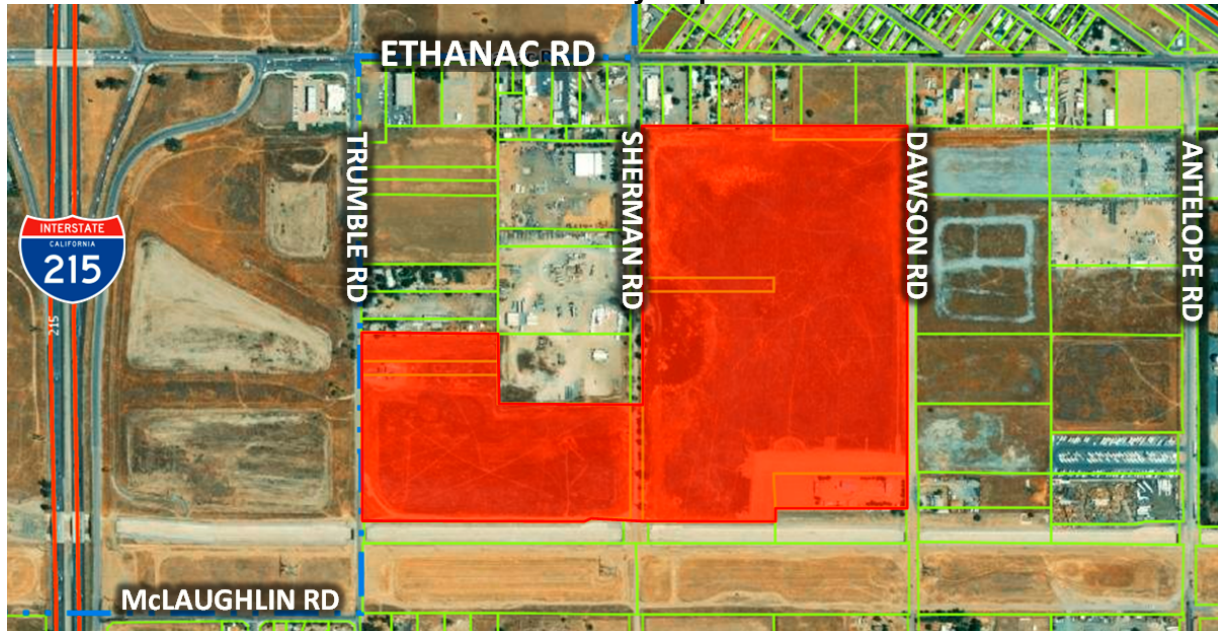
Tentative Parcel Map No. 38156 (PLN21-0205) proposes to combine four parcels (APNs 331-140-010, 331-140-018, 331-140-021, and 331-140-025) into one parcel for a total of 56 gross acres and a proposal to combine three parcels (APNs 331-110-035, 331-110-027, and 331-110-041) into one parcel for a total of 21.79 gross acres.

Plot Plan No. 2019-005 proposes the construction of two concrete tilt-up buildings. Building 1 would total approximately 1,254,160 square feet (SF) of warehouse, inclusive of 144,220 SF of mezzanine, and 14,500 SF of office space. Building 1 would be 50 feet high and would include 679 automobile parking spaces and 369 truck trailer parking spaces. Building 2 would total approximately 385,970 SF of warehouse, inclusive of 10,000 SF of office space. Building 2 would be 47 feet high and would include 232 automobile parking spaces and 154 truck trailer parking spaces. Additional parapet wall height above 50 feet would be provided to completely screen all rooftop equipment and provide roof height offsets for enhanced building façades.

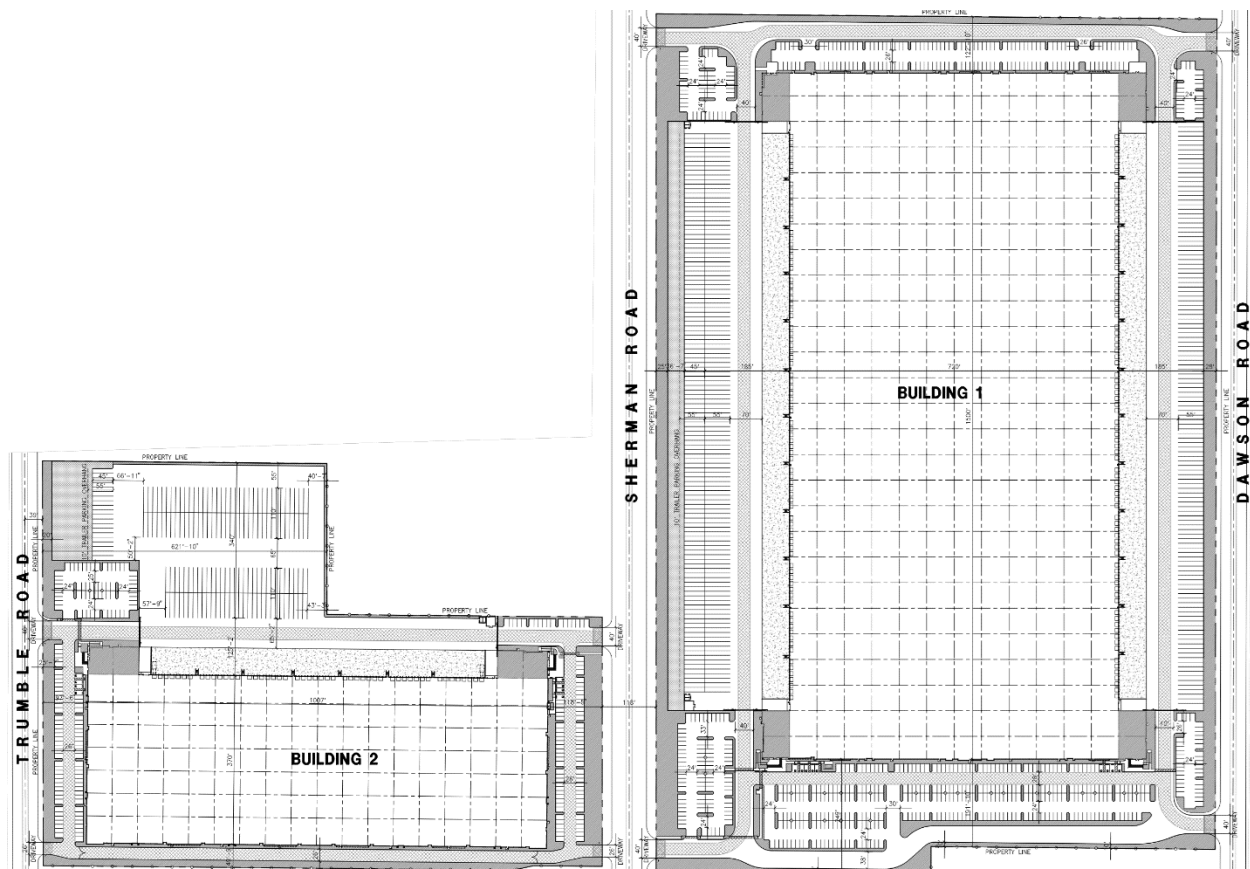
Project Location

The project is generally bounded by a Riverside County Flood Control Channel, a Southern California Edison (SCE) easement and McLaughlin Road to the south, Ethanac Road to the north, Dawson Road to the east, and Trumble Road to the west, in the northeastern part of the City of Menifee, County of Riverside, State of California.

Vicinity Map



Site Plan



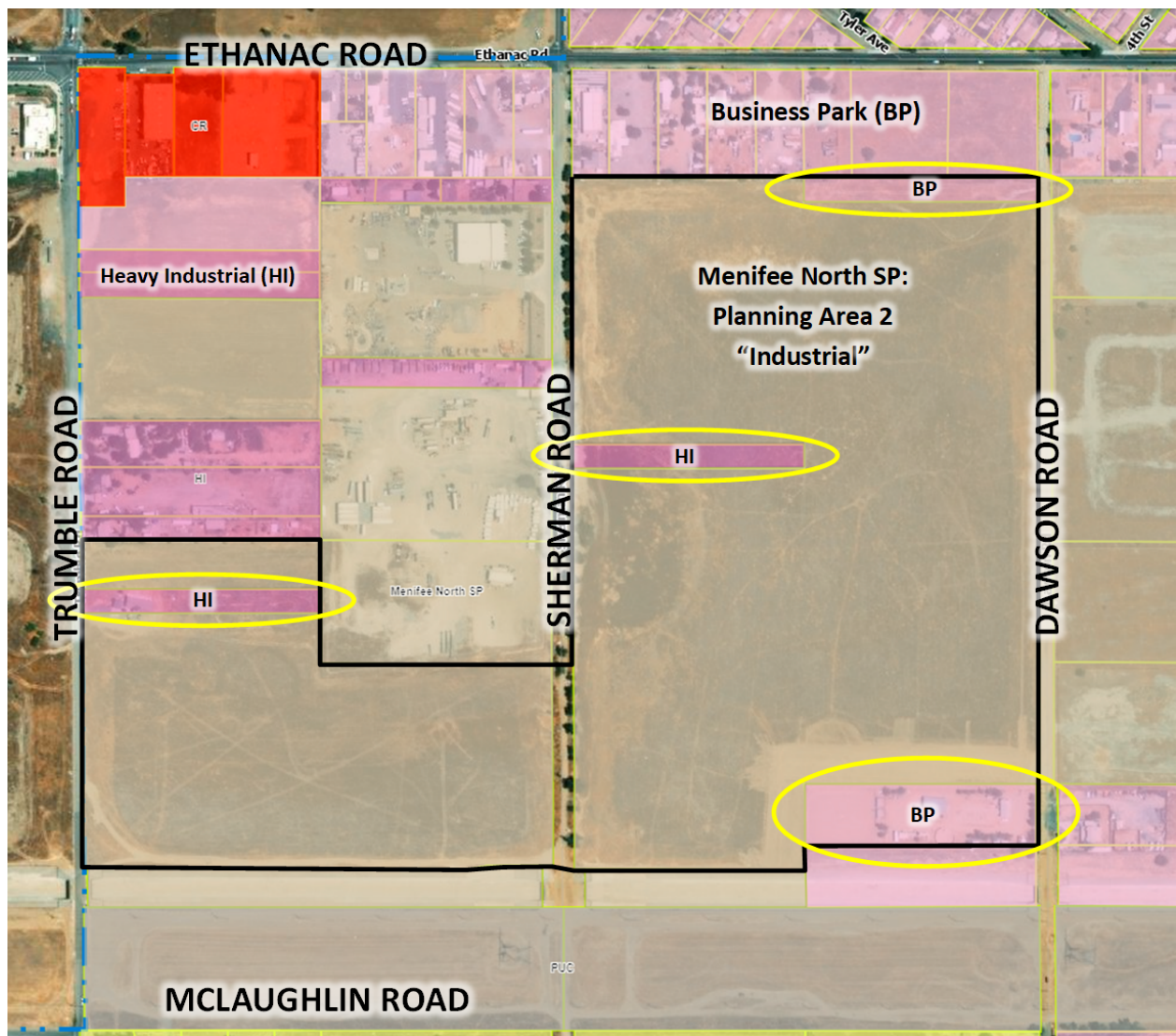
General Plan & Zoning

The General Plan land use designation and zoning for the project site includes Menifee North Specific Plan (SP), Heavy Industrial (HI) and Business Park (BP). The project includes the proposal to change APN 331-140-010 and 331-110-027 from Heavy Industrial (HI) to Menifee North Specific Plan (SP) and to change APN 331-140-021 and 331-140-018 from Business Park (BP) to Menifee North Specific Plan (SP). The four parcels would all be added to Planning Area 2 in the Menifee North Specific Plan, Planning Area 2 which is intended for Industrial development.

All three designations (Menifee North SP "Industrial", Heavy Industrial, and Business Park) allow for the development of industrial and warehousing related uses which the proposed project is consistent. However, because four parcels making up a minority of the Project site differ from the Menifee North SP designation, modifications are being required to consolidate the site's designation to Menifee North SP, and provide for a single set of development and design standards to be uniformly applied to the entirety of the Project site.

Specific Plan Amendment

The purpose of the Menifee North Specific Plan Amendment No. 4 (SP260A4), is to modify the boundary and acreage for Planning Area 2 to provide consistency with the proposed Plot Plan (PP 2019-005) and Tentative Parcel Map (TPM 38156) which are being processed concurrently with SP260A4. Change of Zone PLN21-0101 and General Plan Amendment No. PLN21-0100 are also being processed currently to ensure consistency among the Specific Plan and the City's General Plan Land Use Designation and Zoning Maps. SP260A4, specifically proposes to change the boundary of Planning Area 2 currently designated Industrial. Planning Area 2 would increase in size from 138.8 acres to 145.2 acres. Additionally, SP260A4 makes clear the Planning Areas that were removed under the third amendment to the Menifee North Specific Plan (SP260A3) as a result of the City's incorporation and provides a total acreage of those areas that lie within the City of Menifee. It also provides a correction for acreage that was incorrectly identified for Planning Area 2. Hence, SP260A4 will provide technical corrections for errors and omissions resulting from SP260A3.



Circulation

Regional Project access would be from I-215 via Ethanac Road. Local access would be provided via Trumble Road, McLaughlin Road, Sherman Road, and Dawson Road. Project site ingress and egress for Building 1 would be via two driveways on Sherman Road and two driveways on Dawson Road. Access to Building 2 would be via two driveways on Trumble Road and two driveways on Sherman Road.

Parking

The Menifee North Specific Plan outlines the parking requirements for the project. As demonstrated in Table 1, the Project meets all the parking requirements.

TABLE 1 – Parking Summary			
	Building 1	Building 2	Total
Office: 1/250 SF	58	40	98
Warehouse: 1/2,000 SF	620	188	808
Total Required	678	228	906
Total Provided	679	232	911

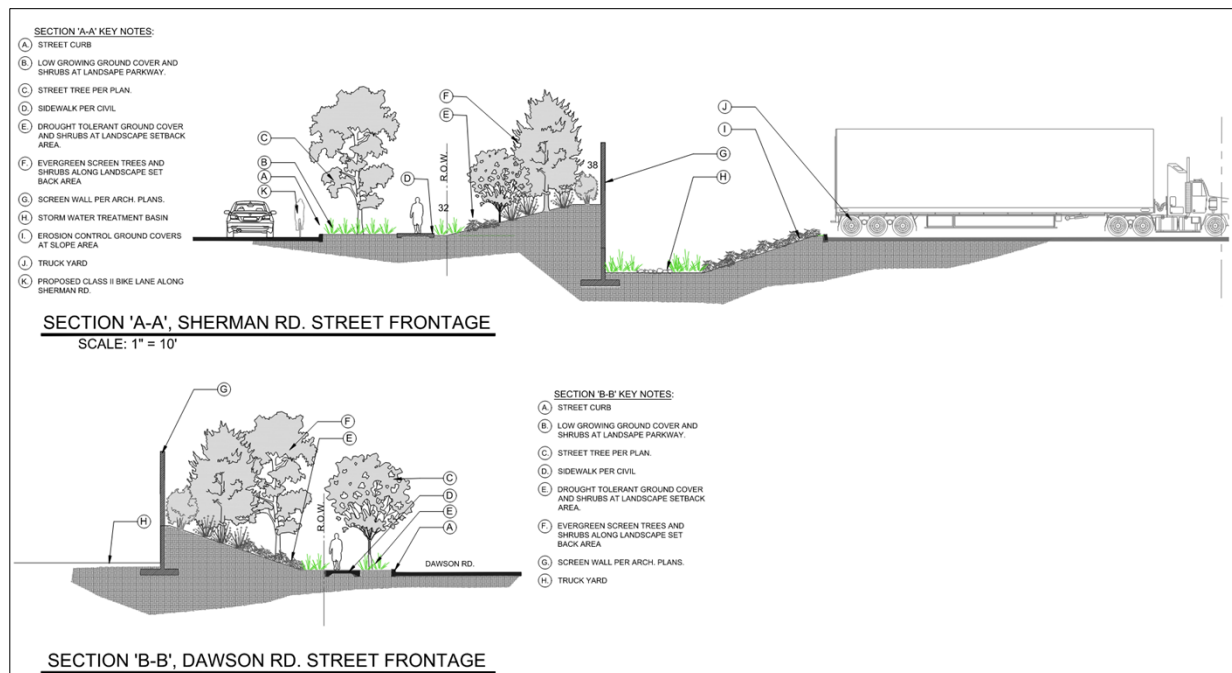
Infrastructure Improvements

The project would construct a large amount of public infrastructure improvements as part of project development. This report will highlight a few of the larger improvements. Sherman Road and Dawson Road are currently dirt roads. Both roads would be constructed to the ultimate half width along the entire frontage of the project with curb, sidewalk, bike lane, plus an additional 12 feet past the centerline of the road. Additional roadway pavement would be provided on these roads beyond the project boundary to provide sufficient circulation routes to and from the project. Ethanac Road would be widened to two through lanes in each direction, spanning from Sherman Road to I-215 northbound ramps. Roadway paving would be added south of the project boundary on Sherman Road to McLaughlin Road and then a two-lane roadway on McLaughlin Road between Sherman Road and Trumble Road. This segment of McLaughlin Road currently doesn't exist so adjacent property would need to be acquired before the roadway construction could begin. New traffic signals would be installed on Ethanac at Sherman Road and at Dawson Road, along with several other improvements at multiple intersections to achieve acceptable turning movements in all directions. Utility improvements would be constructed which include new water lines, recycled water lines, sewer, and storm drain lines.

Landscaping

Landscape standards for the Project are outlined in the Menifee North Specific Plan. Irrigated landscaped areas for the Project site would be comprised of 337,034 square feet of on-site landscaping (approximately 12% of the Project site) and 43,118 SF of off-site landscaping. Landscaping would be comprised of drought-tolerant shrubs and ground cover and evergreen and deciduous trees. 990 trees are proposed to be planted. In addition, the landscape plans feature site amenities that coordinate and compliment the proposed project, including outdoor break areas, benches, bike racks, lighting, and trash receptacles.

On both Sherman Road and Dawson Road, 14 foot tall decorative concrete walls would be constructed to screen all loading areas, trucks, and trailers from public view. The visual height of the walls will be reduced on the public street side through the use of landscaped berms. Approximately eight feet of the screen wall would be visible from Sherman Road and Dawson Road. As shown in the conceptual landscape plans, the intent is to provide dense landscape coverage with a variety of trees, shrubs and ground cover to soften the wall and to provide an aesthetically pleasing street scene.



Elevations

The proposed buildings have unique design features that help give each building its own identity. There are also shared architectural elements to provide for a cohesive development. There is a blend of roof forms, color, and materials. Visual interest is maintained throughout the project by enhancing architectural detailing and façade articulation along all building elevations. Conceptual renderings of each proposed building are provided below.

Building 1 (1,254,160 S.F.) - Southwest Corner



Building 2 (385,970 S.F.) - Northeast Corner



Industrial Good Neighbor Policies

On March 2, 2022, the City Council adopted the *Industrial Good Neighbor Policies*. The focus of the policies can be summarized in three sections:

1. Minimize impacts to sensitive uses
2. Protect public health, safety and welfare by regulating the design, location and operation of industrial facilities
3. Protect neighborhood character of adjacent residential communities

When reviewing the proposed project, the *Industrial Good Neighbor Policies* were referenced to ensure a compliant project. Implemented policies include added landscape buffers, screen walls, improved building design, community outreach, increased building and loading dock setbacks, on-site truck queuing, on-site signage, and environmental mitigation measures.

Environmental Information

Notice of Preparation (NOP)

On June 11, 2021, the City of Menifee publicly noticed its decision to prepare an EIR and hold a public scoping meeting for the Project by noticing the California Governor's Office of Planning and Research (State Clearinghouse), and distributed the NOP to various agencies and surrounding property owners and residents in accordance with the California Environmental Quality Act (CEQA) requirements. The NOP comment period was from June 11, 2021 to July 12, 2021. On June 29, 2021, the City of Menifee held a duly noticed public scoping meeting at City Hall regarding the preparation of the EIR and provided an opportunity for members of the public to comment on the scope of environmental issues to be addressed in the EIR.

EIR Impacts

Within the EIR that has been prepared for the Menifee Commerce Center Project (State Clearinghouse No. 2021060247), mitigation measures are provided under the categories of Air Quality, Biological Resources, Geology and Soils, Greenhouse Gas Emissions, Hazards, Hydrology and Water Quality, Noise, and Transportation. The EIR determined that the Project could result in significant and unavoidable impacts under the categories of Air Quality and Greenhouse Gases based on the analysis and findings in the Draft EIR (DEIR), and requires

adoption of a Statement of Overriding Considerations (SOOC). A brief description of these impacts is as follows:

- Air Quality: As described in the Air Quality subchapter of the DEIR, the project would result in significant and unavoidable impacts relating to operational Volatile Organic Compounds (VOC) and Nitrogen Oxides (NO_x) emissions under Scenario 1 and NO_x emissions under Scenario 2. Each scenario is further explained within the EIR. Approximately 99 percent of the Project's NO_x emissions are derived from vehicle usage which cannot be directly regulated by the City. The majority of on-site operational VOC emissions are derived from consumer products. For analytical purposes, consumer products include cleaning supplies, aerosols, cosmetics, and toiletries. As such, the Project cannot meaningfully control the use of consumer products by future building users via mitigation.
- Greenhouse Gases (GHG): Construction and operation of the Project would generate a total of 20,078.73 MTCO₂e/yr under Scenario 1 and a total of 12,722.54 MTCO₂e/yr under Scenario 2. Even with the Project's compliance with applicable rules, adherence to standard conditions and requirements, and the imposition of all feasible mitigation measures, the Project's operational GHG would exceed the applicable regional thresholds of significance under both Scenarios. Approximately 90 percent of the Project's GHG emissions under Scenario 1 and 85 percent of the Project's GHG emissions under Scenario 2 are derived from vehicle usage which cannot be directly regulated by the City. Therefore, GHG emissions under both scenarios are considered significant and unavoidable.

DEIR Public Review

The City distributed the DEIR for public review from June 7, 2022 and ending on July 21, 2022. During the public review period, comments on the Draft EIR were received from the following agencies, groups, or individuals:

1. Riverside Transit Agency
2. California Department of Fish and Wildlife
3. Blum Collins & Ho, LLP Attorneys at Law
4. Adams Broadwell Joseph & Cardozo
5. Advocates for the Environment
6. City of Perris
7. Peggy Tuttle
8. Linda Jones
9. Adam Salcido

The City prepared a FEIR, consisting of all of the comment letters received during the 45-day public review and comment period on the DEIR, written responses to those comments, and revisions and errata to the Draft EIR. The FEIR was distributed to the DEIR commenters prior to the Planning Commission hearing. The FEIR, and DEIR, including technical appendices can be accessed for review on the City website at <https://www.cityofmenifee.us/325/Environmental-Notices-Documents>.

Findings of Fact and Statement of Overriding Considerations

Because the EIR identified unavoidable significant adverse impacts that could not be mitigated below the level of significance, Findings of Fact and a Statement of Overriding Consideration (SOOC) is required to approve the project. The Findings of Fact and SOOC is included within the resolution for the EIR for consideration by the City Council.

According to the SOOC the following social, economic, and environmental benefits of the project independent of the other benefits, outweigh the potential significant unavoidable adverse impacts and render acceptable each of the unavoidable adverse environmental impacts:

1. All feasible mitigation measures have been imposed to lessen Project impacts to less than significant levels; alternatives to the Project are infeasible because while they have similar or less environmental impacts, they do not provide the economic benefits of the Project, or are otherwise socially or economically infeasible when compared to the Project.
2. The Project is consistent with and will contribute to achieving the goals and objectives established by the General Plan.
3. The Project would create employment-generating opportunities for citizens of Menifee and surrounding communities through construction, operation, and indirect jobs off-site within the City.
4. The Project would attract businesses that can expedite the delivery of essential goods to consumers and businesses in Menifee and beyond the City boundary.
5. There would be an increase in property taxes through development of vacant and unused parcels, payment of development impact fees (DIFs), investment in infrastructure spurring growth leading to more permanent City jobs and increased economic output.
6. The Project would provide improved infrastructure that would enhance the quality of life for the City's residents by linking land use, transportation and infrastructure development.
7. The Project would provide a high quality and sustainable development by meeting CalGreen Building Code energy efficiency requirements.

Community Outreach

In addition to all of the City set public notices, the project applicant conducted community outreach efforts through phone calls and door-to-door canvassing of the properties directly adjacent to and in the vicinity of the project.

Public Notice

Public notices were distributed on October 9, 2022 for the October 19, 2022 City Council hearing. Notices were published in *The Press Enterprise* and notices were sent to owners and non-owner residents within 300 feet of the Project site boundaries and to all relevant agencies and interested parties. On-site postings were provided.

STRATEGIC PLAN OBJECTIVE

Livable & economically prosperous community.

FISCAL IMPACT

There is no fiscal impact to the City's General Fund associated with the recommended action.

ATTACHMENTS

1. Project Summary Table
2. Project Plans & Exhibits
3. Resolution – Environmental Impact Report (EIR)
4. Exhibit A – Findings and SOOC
5. Exhibit B – MMRP
6. Exhibit C – DEIR and FEIR Virtual Location
7. Resolution – General Plan Amendment (GPA)
8. Resolution GPA Exhibit
9. Ordinance – Change of Zone (CZ)
10. Ordinance Change of Zone Exhibit
11. Ordinance – Specific Plan Amendment (SPA)
12. Ordinance SPA Exhibit
13. Resolution – Tentative Parcel Map (TPM)
14. TPM Conditions of Approval
15. Resolution – Plot Plan (PP)
16. PP Conditions of Approval
17. Public Hearing Notice
18. Correspondence Received