

Resolution No. 18-758

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENIFEE APPROVING PLANNING APPLICATION NO. 2018-149 FOR SPECIFIC PLAN SUBSTANTIAL CONFORMANCE DETERMINATION NO. 3 TO SPECIFIC PLAN NO 209

Whereas, on June 14, 2018, Sutter Mitland (hereafter referred to as the "Applicant") submitted Planning Application No. 2018-149 for a Specific Plan Substantial Conformance Determination to an approved Specific Plan (SP 209, Audie Murphy Ranch) and a change to the Specific Plan Zoning Ordinance, Change of Zone No. 2018-158; and

Whereas, the Specific Plan Substantial Conformance Determination will allow for modifications to the existing SP 209 Design Guidelines and zoning ordinance in order to increase the requirement for the number of single-story homes for any given neighborhood from no less than 25% to no less than 30% within each Planning Area for Planning Areas 1A, 1B, 4 through 7, 11A, 13, 16 and 17 and increase the maximum allowable lot coverage for Planning Areas 1A, 1B, 4 through 7, 11A, 13, 16 and 17 from a maximum of 50% to a maximum of 60% as a result of this substantial conformance application; and

Whereas, on November 28, 2018, the City of Menifee Planning Commission held a duly noticed public hearing on the Specific Plan Substantial Conformance Determination (Planning Application No. 2018-149), based upon all public testimony as well as materials in the staff report and accompanying documents, which hearing was publicly noticed by a publication in a newspaper of general circulation, an agenda posting, and notice to property owners within 300 feet of the Project boundaries, and to persons requesting public notice; and

Whereas, on November 28, 2018, the City of Menifee Planning Commission recommended that the City Council approve Planning Application No. 2018-149; and,

Whereas, on January 16, 2019, the City Council held a duly noticed public hearing on Specific Plan Substantial Conformance No. 2018-149, 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, and agenda posting, and notice to property owners within 300 feet of the project boundaries, and to persons requesting public notice; and,

NOW, THEREFORE, the City Council of the City of Menifee, California does ordain as follows:

Section 1. With regard to Planning Application No. 2018-149, the City Council hereby makes the following findings:

(A). *Consistency with the General Plan and any applicable Specific Plan. The Specific Plan Substantial Conformance Determination is consistent with the General Plan and Specific Plan.*

The project site is designated Specific Plan (Audie Murphy Ranch Secific Plan) per the City of Menifee's General Plan. The Specific Plan designates the property for single family residential uses, parks, schools and open space. The

Resolution

Audie Murphy Ranch Substantial Conformance Determination No. 3

Planning Application No. 2018-149

uses. The proposed modifications include revisions to the existing Audie Murphy Ranch Specific Plan No. 209 (SP #209) design guidelines in order to increase the existing single-story home requirement for any given neighborhood from no less than 25% to no less than 30% within each Planning Area for Planning Areas 1A, 1B, 4 through 7, 11A, 13, 16 and 17. The maximum allowable lot coverage for Planning Areas 1A, 1B, 4 through 7, 11A, 13, 16 and 17 is also proposed to be increased from a maximum of 50% to a maximum of 60% as a result of this substantial conformance application. These modifications are considered consistent with the Specific Plan land use designations and the intent and purpose of the adopted Specific Plan.

Properties to the north of the affected Specific Plan areas include General Plan designations of 2.1-5 Residential (2.1-5R) and Commercial Retail (CR), properties to the south include the southern portion of SP #209 that lies south of Newport Road, properties to the east include General Plan designations of 2.1-5 Residential (2.1-5R) and Open Space Recreation (OS-R) and the 2.1-5 Residential (2.1-5R) and Commercial Retail (CR) General Plan designations along with properties within the City of Canyon Lake can be found to the west of the affected Specific Plan areas. As the proposed modifications are consistent with the intent of the original specific plan and does not propose any land use changes, the proposal and the Specific Plan remain compatible with the surrounding areas.

The project is consistent with the following City of Menifee General Plan policies:

Land Use

- *LU-1.9 Allow for flexible development standards provided that the potential benefits and merit of projects can be balanced with potential impacts.*

Providing for an increase in the maximum allowable lot coverage allows additional flexibility in the development standards for the specific plan as the plan currently restricts all Planning Areas to a maximum lot coverage of 50% and the modification will increase the maximum lot coverage to 60% for those Planning Areas that have not developed as of yet. The increase in the allowable lot coverage will allow builders additional flexibility in the product types that are chosen for the communities; thereby, improving the street scene for those communities.

Therefore, based on the analysis provided noted above, the proposed Substantial Conformance Application is consistent with the General Plan and Specific Plan.

(B). *Consistency with the Zoning Code.*

The project is zoned Specific Plan (SP 209-Audie Murphy Ranch). The modifications to the percentage of single-story homes required within a given neighborhood and the maximum allowable lot coverage are considered to be consistent with the existing zoning and applicable development standards of the Specific Plan.

Resolution

Audie Murphy Ranch Substantial Conformance Determination No. 3
Planning Application No. 2018-149

Surrounding zoning designations include General Commercial (C-1/C-P), Residential Agricultural (R-A) and One Family Dwellings (R-1) to the north, SP 209 to the south, One Family Dwellings (R-1) to the east and the City of Canyon Lake to the west. The project proposes modifications to an approved Specific Plan that was previously found to be consistent with the surrounding zoning designations. As the proposed modifications are consistent with the intent of the original Specific Plan, the surrounding zoning classifications remain compatible with the Specific Plan zone of the project site.

(C). *Consistent with the Findings Required for a Specific Plan Substantial Conformance Determination pursuant to Ordinance No. 348.*

A Specific Plan Substantial Conformance Determination may consist of a non-substantial modification of a condition of approval, diagram or text of the specific plan that does not change the basic design or improvements required and is consistent with the original resolution adopting the Specific Plan, the conditions of approval and the specific plan text.

The proposed revisions to the single-story home and lot coverage requirements are not considered substantial modifications to the Specific Plan text as they only slightly deviate from the existing requirements and are considered to be consistent with the basic design of the specific plan. The proposed modifications remain consistent with the intent and purpose of the Specific Plan and are consistent with the findings and conclusions contained in the resolution adopting the Specific Plan.

(D). *Surrounding Uses. Approval of the application will not 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.*

Surrounding uses include single-family residences that either exist or are under construction and some vacant land in all directions. Scattered, existing commercial uses can be found to the west the affected Specific Plan areas in the City of Canyon Lake.

The planned residential uses and those that are currently under construction will be developed on similarly sized lots and will be required to comply with similar development standards that will also be applied to the homes built within the project area. The proposed project is compatible with the surrounding land uses, General Plan land use designations and zoning classifications. Therefore, the project is 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.

(E). *Compliance with CEQA. Processing and approval of the plot plan application are in compliance with the requirements of the California Environmental Quality Act.*

All impacts related to the Substantial Conformance Determination and the associated Change of Zone were previously analyzed in Environmental Impact

Resolution

Audie Murphy Ranch Substantial Conformance Determination No. 3
Planning Application No. 2018-149

Report No. 436 (SCH 2001101080), which was prepared for the original Specific Plan No. 209 and adopted by the Riverside County Board of Supervisors. Subsequent Addendums to the EIR have also been adopted with the latest Addendum No. 6 being adopted by the Menifee City Council in 2014. Staff has reviewed Addendum No. 6 to EIR No. 436 and the EIR and based on staff's review, all impacts related to the Substantial Conformance Determination No. 3 and Change of Zone were analyzed in the EIR and Addendum and no new environmental impacts have been identified. The previously prepared EIR and Addendum are still accurate and acceptable for this approval; therefore no further environmental review is required.

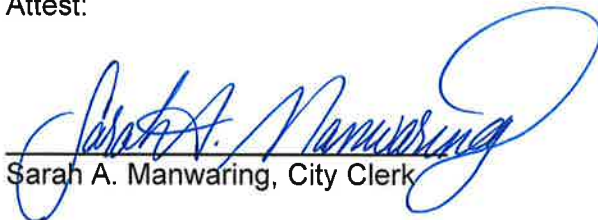
Section 2. The City Council of the City of Menifee hereby approves Planning Application No. 2018-149-Substantial Conformance Determination No. 3 for the Audie Murphy Ranch Specific Plan (SC 2018-149).

PASSED, APPROVED AND ADOPTED this the 16th day of January, 2019



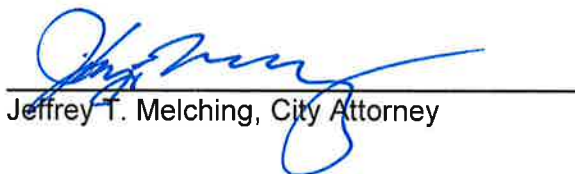
Bill Zimmerman, Mayor

Attest:



Sarah A. Manwaring, City Clerk

Approved as to form:



Jeffrey T. Melching, City Attorney



STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss
CITY OF MENIFEE)

I, Sarah A. Manwaring, City Clerk of the City of Menifee, do hereby certify that the foregoing Resolution No. 18-758 was duly adopted by the City Council of the City of Menifee at a meeting thereof held on the 16th day of January, 2019 by the following vote:

Ayes: Deines, Liesemeyer, Sobek, August, Zimmerman
Noes: None
Absent: None
Abstain: None



Sarah A. Manwaring, City Clerk