

**PC RESOLUTION NO. 2024-**

**A RESOLUTION OF THE PLANNING COMMISSION OF  
THE CITY OF TEMECULA APPROVING PLANNING  
APPLICATION NO. PA22-0931, VARIANCE TO ALLOW  
FOR PARKING WITHIN THE CREEK SIDE PARKING  
FACILITY SETBACK AND ENCROACHMENT OF THE  
BUILDING OVER THE BUILD-TO LINE ALONG OLD  
TOWN FRONT STREET LOCATED ON THE ON THE  
WEST SIDE OF OLD TOWN FRONT STREET  
APPROXIMATELY 400 FEET SOUTH OF SANTIAGO  
ROAD AND MAKING A FINDING OF EXEMPTION UNDER  
THE CALIFORNIA ENVIRONMENTAL QUALITY ACT  
(APN: 922-100-048)**

Section 1. Procedural Findings. The Planning Commission of the City of Temecula does hereby find, determine and declare that:

A. On August 19, 2022, Sam Mohan filed Planning Application No. PA22-0929 a Development Plan; Planning Application No. PA22-0930 a Minor Exception; and Planning Application No. PA22-0931 a Variance. These applications (collectively “Project”) were filed in a manner in accord with the City of Temecula General Plan and Development Code.

B. The Project was processed including, but not limited to a public notice, in the time and manner prescribed by State and local law.

C. The Planning Commission, at a regular meeting, considered the Project and environmental review on June 19, 2024, at a duly noticed public hearing as prescribed by law, at which time the City staff and interested persons had an opportunity to and did testify either in support or in opposition to this matter.

D. At the conclusion of the Planning Commission hearing and after due consideration of the testimony, the Planning Commission approved Planning Application No. PA22-0931, subject to and based upon the findings set forth hereunder.

E. All legal preconditions to the adoption of the Resolution have occurred.

Section 2. Further Findings. The Planning Commission, in approving the Application hereby finds, determines and declares that:

Variance (Development Code Section 17.04.040.F):

- A. That there are practical difficulties or unnecessary hardships created by strict application of the code due to physical circumstances and characteristics of the property that are not shared by other properties in the zone.

*Due to the narrow depth of the project site, and the requirement for on-site parking, there are very limited options to locate the parking on site and comply with the Old Town Front*

*Street and Murrieta Creek frontage surface parking setbacks. The ground floor street facing retail along Old Town Front Street will encroach beyond the build-to line up to 10 feet in order to provide street facing shopfront & retail of the minimum dimension required/recommended by the Old Town Specific Plan development standards (20' depth required, 50' recommended). Parking is being provided within the setback (required setback is 20' behind the build-to line) adjacent to Murrieta Creek. The creekside parking setback will not be entirely met; there are practical difficulties and/or unnecessary hardships created by strict application of the code due to physical circumstances and characteristics that are unique to this property due to its narrow width and location between Old Town Front Street and Murrieta Creek. Strict adherence to all applicable setbacks required under the Old Town Specific Plan would result in an undevelopable site; not just for this project but for any project requiring parking.*

- B. The circumstances and characteristics for the variance were not created by the applicant.

*Strict adherence to the Old Town Specific Plan build-to line standards and parking setbacks adjacent to Murrieta Creek were not created by the applicant. The applicant is not proposing any changes to the project that would result in a reduction of the size of the parcel. As a result, the applicant is developing the parcel as it is currently configured. The site plan has been developed to meet the majority of these requirements and meets the intent of the Old Town Specific Plan by not allowing parking to be a dominant visual feature on the site or from Murrieta Creek.*

- C. The variance does not grant special privileges which are not otherwise available to surrounding properties and will not be detrimental to the public welfare or to the property of other persons located in the vicinity.

*This is the southernmost parcel of the Old Town Specific Plan on Old Town Front Street. The variance will not grant special privileges which are not otherwise available to surrounding properties and will not be detrimental to the public welfare or to the property of other persons located in the vicinity.*

- D. The variance places suitable conditions on the property to protect surrounding properties.

*The variance for this project will not affect surrounding properties as the proposed use of a hotel is a permitted use per the Old Town Specific Plan and the project is contained fully on the project site. No additional conditions are required as part of the project.*

- E. The variance does not permit uses which are not otherwise allowed in the zone.

*A hotel is a permitted use of the Downtown Core Zoning District of the Old Town Specific Plan therefore the variance is not permitting a use otherwise not allowed in the zoning district.*

Section 3. Environmental Findings. The Planning Commission hereby makes the following environmental findings and determinations in connection with the approval of the Variance Application:

A. In accordance with the California Environmental Quality Act, the proposed project has been deemed to be categorically exempt from further environmental review (Section 15332, In-Fill Development Projects);

(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

*The project is consistent with the applicable General Plan designation because hotels are an allowable use within the Downtown Core zoning designation of the Old Town Specific Plan. The project also meets all applicable General Plan policies and Zoning regulations including General Plan Land Use Policy 7.1 which encourages revitalization of Old Town through implementation of the Old Town Specific Plan.*

(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

*The project is located within City limits and is located on a site that is 0.98 acres in size. The proposed project is substantially surrounded by commercial development, vacant land zoned for commercial development, a major roadway, and Murrieta Creek.*

(c) The project site has no value as habitat for endangered, rare or threatened species.

*The proposed project is located on a project site that is located within an MSHCP criteria cell. As part of the entitlement on this site the project went through the HANS/JPR process with the Regional Conservation Authority in which JPR 23-09-26-01 determined that the project is consistent with other plan requirements and no conservation of land was required. The JPR also determined that the project site did not contain any riparian/riverine/vernal pools on the site. The project site lacks suitable riparian habitat to support riparian birds.*

(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

*The proposed project was required to prepare a Project-Specific Water Quality Management Plan (WQMP) that was reviewed and conceptually accepted for entitlement by City Staff as the WQMP meets the requirements of the City of Temecula. A traffic analysis was not required as part of this project as the proposed use is allowed within the Downtown Core zoning district of the Old Town Specific Plan, and there is nothing unique about this project that would trigger the need for a traffic analysis. Therefore, the project is not anticipated to result in any significant effects relating to traffic, noise, air quality, or water quality as the project is an allowed use per the City of Temecula General Plan and the zoning district.*

(e) The site can be adequately served by all required utilities and public services.

*The project site is surrounded by development and is able to be serviced by all required utilities and public services.*

Section 4. Conditions. The Planning Commission of the City of Temecula approves Planning Application No. PA22-0931, a Variance to allow for parking within the creek side parking facility setback and encroachment of the building over the build-to line along Old Town Front Street located on the west side of Old Town Front Street approximately 400' south of Santiago Road, and makes a finding of exemption under the California Environmental Quality Act (CEQA).

**PASSED, APPROVED, AND ADOPTED** by the City of Temecula Planning Commission this 19th day of June, 2024.

\_\_\_\_\_  
Bob Hagel, Chair

ATTEST:

\_\_\_\_\_  
Matt Peters  
Secretary

[SEAL]

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

I, Matt Peters, Secretary of the Temecula Planning Commission, do hereby certify that the forgoing PC Resolution No. 2024- was duly and regularly adopted by the Planning Commission of the City of Temecula at a regular meeting thereof held on the 19th day of June, 2024, by the following vote:

AYES:           PLANNING COMMISSIONERS:  
  
NOES:           PLANNING COMMISSIONERS:  
  
ABSTAIN:       PLANNING COMMISSIONERS:  
  
ABSENT:        PLANNING COMMISSIONERS:

\_\_\_\_\_  
Matt Peters  
Secretary