

**STAFF REPORT – PLANNING  
CITY OF TEMECULA  
PLANNING COMMISSION**

**DATE OF MEETING:** January 6, 2021

**TO:** Planning Commission Chairperson and members of the Planning Commission

**FROM:** Luke Watson, Director of Community Development

**PREPARED BY:** Scott Cooper, Case Planner

**PROJECT SUMMARY:** Planning Application No. PA18-0661, a Development Plan to allow for the construction of a 321 unit single family residential community built on 27.86 acres consisting of detached homes and attached townhomes; and PA18-0662, a Tentative Tract Map (TTM 37509) for the creation of 111 single family residential lots, 31 condominium lots and 9 open space lots. The project is located on the southwest corner of Date Street and Ynez Road.

**RECOMMENDATION:** Adopt Resolutions approving the project subject to Conditions of Approval

**CEQA:** No further environmental review required  
Section 15182, Projects Pursuant to a Specific Plan  
Section 15162, Subsequent EIRs and Negative Declarations

**PROJECT DATA SUMMARY**

**Name of Applicant:** MLC Holdings, Inc.

**General Plan Designation:** Specific Plan Implementation (SPI)

**Zoning Designation:** Harveston Specific Plan (SP-13)

**Existing Conditions/  
Land Use:**

Site: Vacant / Specific Plan Implementation (SPI)

North: Temecula Center Drive, Auto Dealership, Vacant Land / Service Commercial (SC)

South: Date Street, Vacant Land / Specific Plan Implementation (SPI)

East: Ynez Road, Single Family Residential / Medium Density Residential (M), Low Medium Density Residential (LM)

West: Temecula Center Drive, Auto Dealership, Vacant Land / Specific Plan Implementation (SPI), Service Commercial (SC)

**Existing/Proposed**

**Min/Max Allowable or  
Required**

**Parking Provided/Required:** 833 Parking Spaces

747 Parking Spaces

**BACKGROUND SUMMARY**

On December 1, 2020 the second amendment to the Harveston Specific Plan was approved by the City of Temecula City Council. As part of that Specific Plan Amendment a Residential Overlay area was established which allows for the development of up to 1,000 residential units on an 87.54 acre portion of Planning Area 12.

On May 7, 2018, MLC Holdings Inc. submitted Planning Application No. PA18-0661, a Development Plan to allow for the construction of a 321 unit single family residential community consisting of detached homes and attached townhomes; and PA18-0662, a Tentative Tract Map (TTM 37509) for the creation of 111 single family residential lots, 31 condominium lots and 9 open space lots. The project is located on the southwest corner of Date Street and Ynez Road.

The project was presented to the City Council Ad Hoc Winchester Hills Subcommittee on November 14, 2017 and June 12, 2018 which at that time consisted of Council Members Jeff Comerchero and Mike Naggar.

Staff has worked with the applicant to ensure that all concerns have been addressed, and the applicant concurs with the recommended Conditions of Approval.

**ANALYSIS**

The project is located in the Residential Overlay Area of Planning Area 12 of the Harveston Specific Plan on 27.86 acres. The project proposes 150 single family homes within twenty-five 3-story, 6-plex townhome buildings, 60 single family homes within fifteen 2-story, 4-plex townhome buildings, and 111 single family detached homes.

The vehicular access to the project is from two separate locations. The main entry which leads directly into the private recreation center is a right in, right out on Ynez Road and the secondary entry is a full movement access on Temecula Center Drive. Both entrances incorporate enhanced paving. Per the Harveston Specific Plan, the project is required to provide 747 parking spaces of which 642 are enclosed within a garage and 105 are uncovered. The project proposes 642 enclosed spaces and 191 uncovered spaces for a total of 833 parking spaces.

**Community Amenities**

Per the Harveston Specific Plan, the residents of residential projects developed within the Residential Overlay Area will not have access to the existing private recreational center within Harveston. Each residential development within the overlay shall provide private recreation areas. The project contains a profusion of community amenity spaces that include:

- An approximately 1,134 square foot private recreation center building that includes a breezeway, restrooms, and great room/gathering space that is of a craftsman architectural style
- Pool area at the private recreation center that includes a spa, bbq area, and open turf play area
- Recreation area that includes a play structure, approximately 111'-0" long zip line, bbq with picnic area, and turf play area
- Dog run
- Recreation area that includes a tot lot, picnic area, bocce court, and ping pong tables
- Butterfly garden, paseo areas, and seating areas

In addition to the community amenities the project also offers two different "loops" that can be used for walking and exercise along the sidewalks. There is an outer loop on the outside of the private loop road that is 0.60 miles and an inner loop on the inside of the private loop road that is 0.54 miles long

#### Waste Collection

The applicant has prepared a Waste Collection Plan that ensures on waste collection day that the minimum number of parking spaces required by the Specific Plan are available. In order to accomplish this the project will provide one 60 gallon trash bin and one 60 gallon recycle bin per unit for a total of 642 bins and two community organics enclosures that contains two, three cubic yard bins. In addition, each residential unit is provided with a food scraps containers that may be emptied into the community organics enclosure. Video surveillance and signage are provided at the enclosures detailing that the organics bins are only for organic disposal and may be used for residential landscape waste. The Waste Collection Plan has been reviewed and approved by CR&R Environmental Services.

#### Architecture

The project proposes three (3) architectural styles throughout the project. The architectural styles include Spanish, Craftsman, and Cottage, which are consistent with the Residential Architectural Guidelines specified in the Harveston Specific Plan Design Guidelines.

Staff believes that, with the attached Conditions of Approval, the project meets the intent of the Harveston Specific Plan. The proposed elevations achieve a quality appearance, are compatible with the surrounding residential neighborhoods, and provide variety along the streetscape and within the internal residential area.

The applicant has provided specific details that are unique to each proposed architectural style and elevation. Each of the three proposed styles is distinct through the use of materials and with articulation provided on elevations of the homes. The architectural elements and materials that work to achieve this character are defined below for each specific style:

- Spanish: "S" shape concrete roof tiles, decorative Spanish stile, main hip roof with intersecting gable roofs, 4:12 roof pitch, and wrought iron

- Craftsman: stone columns, porch, vertical upper mullioned windows with divided light, flat concrete tile roof, horizontal lap siding, and outlookers
- Cottage: horizontal lap siding, 6:12 roof pitch, shutters, stone entry elements, 12” roof overhangs, and flat concrete roof tiles

Elevations located in an area that are visible to the public shall be enhanced. Instead of having specific enhanced elevations for the buildings located along Date Street, Ynez Road, Temecula Center Drive, and the internal loop road staff has worked with the applicant in order to ensure that the standard elevations are enhanced in order to provide a quality street scene along those corridors. Additional enhanced elevations are proposed on the single family detached project in specific locations where those elevations are visible to the public from recreation areas, public streets, and interior private streets.

### Landscaping

While there is not a minimum landscape coverage percentage within the Residential Overlay the project does propose an abundance of landscaping within the landscape development zones along Date Street, Ynez Road, and Temecula Center Drive, in the recreational areas, along the parkways of the interior loop road and within the alleys in order to soften the massing of the buildings. Plant types used throughout the project include London Plane Trees, Bradford Pear, Strawberry Tree, Coast Live Oak, Silverberry, Daylily, Asian Jasmine, and Boston Ivy.

### Tentative Tract Map

The Tentative Tract Map (TTM 37509) proposed the creation of 111 single family residential lots, 31 condominium lots and 9 open space lots on 27.86 acres. Per the Harveston Specific Plan the Residential Overlay requires a minimum lot size of 2,000 square feet and an average lot size of 2,500 square feet. The TTM proposed a minimum lot size of 2,639 square feet and an average lot size of 2,989 square feet which exceed the minimum requirements of the overlay area.

### Growth Master Plan/Community Amenities

On March 21, 2000, the City Council adopted the Growth Management Action Plan (GMP) which is intended to serve as the City Council’s policy for the study and implementation of growth management measures in the City of Temecula. The GMP applies when projects involve specific land use decisions including General Plan Amendments and Specific Plan Amendments. Consistent with the Growth Management Plan, the previously approved Specific Plan Amendment (PA18-0660) contains requirements for all future residential projects within the Residential Overlay to provide Community-wide public benefits that provide substantial added value to the entire community and citizens of Temecula commensurate with the scope of the project in order to fulfill the requirements of the City’s GMP. The Community-wide public benefit, as determined by the City Council Ad Hoc Winchester Hills Subcommittee, for the project is a \$750,000.00 payment to the City of Temecula which will in turn be used by the Temecula Community Services Department for city-wide projects that benefit the residents of the City. The payment shall be made prior to the first certificate of occupancy for the project.

### Fiscal Impact Analysis

The City’s fiscal policies requires that a Fiscal Impact Analysis (FIA) be completed for any development that proposes an increase in residential density from what is currently allowed in

the General Plan. The previously approved General Plan Amendment (PA18-0659) changed the land use of the Residential Overlay from Service Commercial (SC) to Specific Plan Implementation (SPI) in order to allow for future residential development. However it was unknown, at the time, the size of the residential projects that would be proposed so it was not possible to prepare an FIA without individual projects to analyze. The Harveston Specific Plan, as amended, requires that any residential projects within the Residential Overlay prepare a FIA. The Harveston Specific Plan provides that the FIA is to evaluate the recurring General Fund revenues and expenditures generated by the project by estimating the fiscal impact on the General Fund resulting from the development of the proposed project over a 20-year time period. If the FIA determines that the increased cost to the City of providing public safety and other municipal services to the project area will substantially exceed the municipal revenue from the project ("City Services Deficit"), the project shall be conditioned to require the payment of funds to the City for negative impact on the General Fund, that is, the project shall be conditioned to pay the City the loss to General Fund revenues created by the project as determined by the FIA. Here, the applicant prepared a FIA in compliance with this requirement. The FIA found that the project would result in a City Services Deficit. The owners of the property within the Project, and their successors in interest, shall pay the City a minimum sum of Four Hundred and One Dollars (\$401.00) per Occupied Residential Property each year as mitigation for the City Services Deficit, with an increase in such payment each fiscal year in an amount of nine and four tenths percent (9.4%) of the previous year's payment, as such increase may be adjusted as part of the yearly assessment or special tax levy as provided in a funding mechanism that may be approved by the City. "Occupied Residential Property" means an assessor's parcel in the Specific Plan area for which a building permit for residential construction has been issued as may be further defined in the City approved funding mechanism. Twenty years after the date of the first certificate of occupancy or final inspection is issued for a home in the Project, the owners of the properties may request that the City re-evaluate the yearly payments for the City Services Deficit and prepare an updated FIA to analyze the continuing impacts of the Project to the City's budget. The cost of the updated FIA shall be paid for by the owners of the properties within the Project.

Owner and its successors to the property within the Project may fulfill this recurring financial obligation to the City through a community facilities district established by the City pursuant to the Mello Roos Community Facilities District Act of 1982, Government Code Section 53311, et seq., or other appropriated financing mechanism approved by the City; provided, however, the obligation of each owner and their successors to pay the City Services Deficit payment under this Condition remains an obligation of the owner and its successors regardless of the financing mechanism used to pay it and regardless of whether there is a financing mechanism to pay it.

### Community Meetings

There were two community meetings in which the proposed project was presented to the surrounding property owners, residents of the Harveston community and Home Owner's Association. The first community meeting was held on June 19, 2018 at which 12 people filled out sign-in sheets. The meeting was held in a charrette format with the applicant team providing information to the public, taking notes, and answering questions. The second community meeting was held on February 20, 2020 at which 41 people filled out sign-in sheets. The

applicant made a presentation based on the questions, concerns, and comments received from the previous meeting followed by a question and answer session.

## **LEGAL NOTICING REQUIREMENTS**

The notice of the public hearing was published in the *U-T San Diego* on December 23, 2020 and mailed to the property owners within 600-foot radius.

## **ENVIRONMENTAL DETERMINATION**

On August 14, 2001, the City Council certified the Program Environmental Impact Report for the Harveston Specific Plan (SCH #99041033). Amendment No. 1 to the Harveston Specific Plan (SP 13) was approved on August 26, 2003 by the adoption of Resolution No. 03-110. A Subsequent Environmental Impact Report (SEIR) was prepared and certified on December 1, 2020 in connection with the second amendment to the Harveston Specific Plan that allowed for the creation of the residential overlay zone. The proposed project has been determined to be consistent with the previously adopted Harveston SEIR. Staff has determined that the project is exempt from CEQA pursuant to CEQA Guidelines Section 15182 as the proposed residential development is in conformity with the Harveston Specific Plan, as amended. Staff has reviewed the SEIR and has determined that the proposed project does not require the preparation of a subsequent Environmental Impact Report as none of the conditions described in Section 15162 of the CEQA Guidelines (14 Cal. Code Regs. 15162) exist. Specifically, there are no substantial changes proposed by the proposed project that will require major revisions of the previous SEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; no substantial changes have occurred with respect to the circumstances under which the proposed project are undertaken that will require major revisions of the previous SEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous SEIR was adopted, showing that: (a) the proposed project will have one or more significant effects not discussed in the SEIR; (b) there are significant effects previously examined that will be substantially more severe than shown in the SEIR; (c) there are mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the proposed project, but the City declines to adopt the mitigation measure or alternative; or (d) mitigation measures or alternatives which are considerably different from those analyzed in the SEIR would substantially reduce one or more significant effects on the environment, but the City declines to adopt the mitigation measure or alternative. The applications for a development plan for a 321 unit single family residential community and tentative tract map for 111 single family lots, 31 condominium lots, and 9 open space lots are consistent with the project that was analyzed by the SEIR. The proposed project is required to meet all requirements and mitigation contained in SEIR.

## **FINDINGS**

### Development Plan (Code Section 17.05.010.F)

The proposed use is in conformance with the General Plan for Temecula and with all applicable requirements of State law and other Ordinances of the City.

*The proposed project consists of the construction of a single family residential community. The General Plan and Harveston Specific Plan allow for a single family residential community at the project site. Therefore, the project is consistent with the General Plan for Temecula and the Harveston Specific Plan. The project, as conditioned, is also consistent with other applicable requirements of State law and local Ordinances, including the California Environmental Quality Act (CEQA), the Citywide Design Guidelines, and Fire and Building codes.*

The overall development of the land is designed for the protection of the public health, safety, and general welfare.

*The overall design of the project, including the site, building, parking, circulation and other associated site improvements, is consistent with, and intended to protect the health and safety of those working and living in an around the site as the project is consistent with the General Plan, City Wide Design Guidelines, Harveston Specific Plan and Development Code. The project has been reviewed for, and as conditioned, has been found to be consistent with all applicable policies, guidelines, standards and regulations intended to ensure that the development will be constructed and function in a manner consistent with the public health, safety, and welfare.*

#### Tentative Tract Map, Development Code Section 16.09.140

The proposed subdivision and the design and improvements of the subdivision are consistent with the Development Code, General Plan, any applicable specific plan, and the City of Temecula Municipal Code.

*The maximum number of residential units allowed within the Residential Overlay of the Harveston Specific Plan is 1,000. The proposed project proposes the creation of 111 single family residential lots, 31 condominium lots, and 9 open space lots. As such, the total number of residential units are below what is allowed per the Specific Plan. Furthermore, the proposed Tentative Map is consistent with the design requirements of the Harveston Specific Plan. Therefore, the proposed subdivision and the design and improvements of the subdivision are consistent with the Development Code, General Plan, the City of Temecula Municipal Code, and the Harveston Specific Plan.*

The Tentative Map does not propose to divide land, which is the subject to a contract entered into pursuant to the California Land Conservation Act of 1965, or the land is subject to a Land Conservation Act contract but the resulting parcels following division of the land will not be too small to sustain their agricultural use.

*The proposed property has not been used as agricultural land and has never been subject to any Williamson Act contracts.*

The site is physically suitable for the type and proposed density of development proposed by the Tentative Map.

*The site is physically suitable for the type and proposed density of development proposed by the Tentative Map. The proposed Tentative Map is in accordance with what is allowed by the*

*previously approved Residential Overlay within the Harveston Specific Plan which allows for 1,000 residential units. Specifically, Planning Area 12 allows for a maximum of 1,000 residential units with a minimum lot size of 2,000 square feet and average lot area of 2,500 square feet. The Tentative Map proposes an average lot size of 2,989 square feet and a minimum lot size of 2,639 square feet. As such, the site is suitable for this development proposed.*

The design of the subdivision and the proposed improvements, with Conditions of Approval, are either:

1. Not likely to cause significant environmental damage or substantially and avoidably injure fish or wildlife or their habitat, or
2. An environmental impact report has been prepared and a finding has been made, pursuant to Public Resources Code Section 21081(a)(3), finding that specific economic, social, or other considerations make infeasible mitigation measures or project alternatives identified in the environmental impact report.

*A Subsequent Environmental Impact Report (SEIR) was prepared and certified on December 1, 2020 in connection with the second amendment to the Harveston Specific Plan that allowed for the creation of the residential overlay zone (EIR No. SCH# 2019070974). The SEIR identified seven (7) areas where no impacts were discovered. These areas are: Aesthetics, Agriculture and Forestry, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Mineral Resources, and Wildfire. The analysis identified seven (7) areas where impacts were not considered to be significant. These areas include: Energy, Greenhouse Gas Emissions and Climate Change, Land Use and Planning, Population and Housing, Public Services, Recreation, and Utilities and Service Systems. The SEIR recommended feasible mitigation measures for environmental impacts that can be mitigated to a less than significant impact in the following areas: Biological Resources, Cultural Resources, Noise, Transportation, and Tribal Cultural Resources. A Mitigation Monitoring and Reporting Program was adopted in connection with the SEIR. Consequently, the Tentative Map, which implements the second amendment to the Harveston Specific Plan, is not likely to cause significant environmental damage or substantially and avoidably injure fish or wildlife or their habitat, based on the analysis in the SEIR. In addition, while the SEIR identified Air Quality as creating significant and unavoidable impacts, in accordance with Section 15093 of the State CEQA Guidelines, a Statement of Overriding Considerations was adopted stating that the significant adverse project effects are acceptable because the expected project benefits outweigh unavoidable adverse environmental impacts. In addition, the City Council adopted Findings of Facts in Support of Findings that identify that, with respect to Air Quality, specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final SEIR. The Findings of Fact in Support of Findings are incorporated herein as if set forth in full. Because the Tentative Map implements the Harveston Specific Plan as amended, these same considerations and findings apply here.*

The design of the subdivision and the type of improvements are not likely to cause serious public health problems.



*The design of the subdivision and the type of improvements are not likely to cause serious public health problems because the proposed development is consistent with all applicable building, development and fire codes, which include provisions to safeguard public health, and will be further reviewed and inspected by City staff for compliance with all applicable building, development and fire codes prior to issuance of any grading, building, or occupancy permits.*

The design of the subdivision provides for future passive or natural heating or cooling opportunities in the subdivision to the extent feasible.

*The design of the subdivision provides for future passive or natural heating or cooling opportunities. The project has been designed to ensure that all setbacks have been met and that light and air access is available to the extent possible. In addition, the construction will be required to conform to all state energy efficiency codes as well.*

The design of the subdivision and the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision, or the design of the alternate easements which are substantially equivalent to those previously acquired by the public will be provided.

*The subdivision was designed, and the improvements being proposed including the residential lots will not conflict with existing or future easements acquired by the public at large for access through or use of property within the proposed subdivision. The project is being conditioned to grant all required easements and dedications.*

The subdivision is consistent with the City's parkland dedication requirements (Quimby Act).

*The subdivision is consistent with the City's parkland dedication requirements (Quimby Act) because payment of Quimby fees has been included as a condition of approval of the project.*

- ATTACHMENTS**
1. Aerial Map
  2. Plan Reductions – Development Plan
  3. Plan Reductions – Tentative Tract Map
  4. PC Resolution – Development Plan
  5. Exhibit A - Draft Conditions of Approval
  6. PC Resolution – Tentative Tract Map
  7. Exhibit A – Draft Conditions of Approval
  8. Fiscal Impact Analysis
  9. Final Subsequent Environmental Impact Report (SEIR) which can be downloaded at: <https://temeculaca.gov/362/Environmental-Review-CEQA>
  10. Notice of Determination
  11. Notice of Public Hearing