

PC RESOLUTION NO. 2021-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TEMECULA APPROVING PLANNING APPLICATION NO. 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 LOCATED ON THE SOUTHWEST CORNER OF DATE STREET AND YNEZ ROAD, AND MAKING A FINDING THAT THE PROJECT IS NOT SUBJECT TO FURTHER ENVIRONMENTAL REVIEW UNDER SECTIONS 15182 AND 15162 OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

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

A. On May 7, 2018, MLC Holdings, Inc filed two Planning Applications: No. 18-0661, a Development Plan and No. PA18-0662, a Tentative Tract Map (TTM 37509). 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 January 6, 2021, 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. PA18-0662, 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:

Tentative Tract Map, Development Code Section 16.09.140

A. 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.

B. 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.

C. 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.

D. 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..

E. 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.

F. 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.

G. 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.

H. 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.

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

A. In accordance with the California Environmental Quality Act, it has been determined that no further environmental review of the proposed project is required (Section 15182, Projects Pursuant to a Specific Plan and Section 15162, Subsequent EIRs and Negative Declarations);

1. 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 application for a tentative tract map for 111 single family lots, 31 condominium lots, and 9 open space lots is consistent with the project that was analyzed by the SEIR. The proposed project is required to meet all requirements and mitigation contained in SEIR.

Section 4. Conditions. The Planning Commission of the City of Temecula approves Planning Application No. 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 located on the southwest corner of Date Street and Ynez Road, subject to the Conditions of Approval set forth on Exhibit A, attached hereto, and incorporated herein by this reference.

PASSED, APPROVED AND ADOPTED by the City of Temecula Planning Commission
this 6th day of January, 2021.

Lanae Turley-Trejo, Chairperson

ATTEST:

Luke Watson
Secretary

[SEAL]

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

I, Luke Watson, Secretary of the Temecula Planning Commission, do hereby certify that the
forgoing PC Resolution No. 2021- was duly and regularly adopted by the Planning Commission of
the City of Temecula at a regular meeting thereof held on the 6th day of January, 2021, by the
following vote:

AYES: PLANNING COMMISSIONERS:

NOES: PLANNING COMMISSIONERS:

ABSTAIN: PLANNING COMMISSIONERS:

ABSENT: PLANNING COMMISSIONERS:

Luke Watson
Secretary