

PLANNING COMMISSION
RESOLUTION NO. 2024- XXXX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MURRIETA RECOMMENDING CITY COUNCIL APPROVAL OF THE ENVIRONMENTAL DETERMINATION, APPROVE SPECIFIC PLAN AMENDMENT 2023-00003 (THE TRIANGLE), APPROVE DEVELOPMENT PLAN 2022-2705 (EPL #: DP-2023-00017), AND APPROVE TTM-2022-2706 (EPL#: MAP-2023-00013), ON A 64.3 ACRE AREA LOCATED SOUTH OF MURRIETA HOT SPRINGS ROAD AND GENERALLY BOUNDED BY INTERSTATE 15 AND INTERSTATE 215, MURRIETA, CALIFORNIA.

WHEREAS, the applicant, Tres Estrellas, LLC ("Applicant") (hereafter "Tres Estrellas") on behalf of Tres Estrellas, LLC and Domenigoni Barton Properties, LLC ("DBP") ("Owner") submitted three applications to the City of Murrieta (the "City") for Specific Plan Amendment No. 2 (SP-2023-00003) to Specific Plan 276 (The Triangle), a Tentative Tract Map 38622 (TTM-2022-2706), and a Development Plan 2022-2705 to a 64.3 acre area (the "Project"); and

WHEREAS, the Project site is generally located south of Murrieta Hot Springs Road and between Interstate Highway 15 and 215 in the City of Murrieta and County of Riverside; and

WHEREAS, the project area legal description is described as Parcels 1 through 29 of Parcel Map 28280, in the city of Murrieta, County of Riverside, State of California, as per plat recorded in Book 197, Pages 4 through 16, inclusive of parcels maps, records of said county. APN's 910-390-001 through 910-390-003, 910-390-008 through -018, 910-390-020 through 910-390-022, 910-400-001 through -018 all owned by Tres Estrellas and DBP; and

WHEREAS, Applicant has submitted an application in accordance with Development Code Section 16.56 for Development Plan (DP-2022-2705) proposing the development of a 279,538 square foot regional commercial center on approximately 36.5 acres; and

WHEREAS, Applicant has submitted an application in accordance with Development Code Section 16.94 for Tentative Tract Map 36822 (TTM 2022-2706) proposing a 23-lot subdivision on 64.3 acres; and

WHEREAS, Specific Plan 276 (Murrieta Springs Mall) was originally adopted by the County of Riverside on October 30, 1990 for an indoor retail mall, including uses such as offices, restaurant, entertainment, and hotel with a maximum of 1.7 million square feet, which also included certification of Environmental Impact Report ("EIR") 358; and

WHEREAS, The County of Riverside subsequently entered into a Development Agreement (D.A. No. 54) vesting the Murrieta Springs Mall Specific Plan and upon the City's incorporation, the City of Murrieta amended the Development Agreement, which was recorded on February 23, 1994 and expired on April 23, 2023; and

WHEREAS, on October 15, 2013, the City Council adopted Ordinance 481-13, Specific Plan Amendment (SPA) No. 1, an amendment and restatement to Specific Plan 276, which included changing the name from "Murrieta Springs Mall" to "The Triangle" and alterations to the Specific Plan; and

WHEREAS, the proposed SPA includes Commercial (C) land uses and associated infrastructure; and

WHEREAS, the proposed SPA allows for the development of 1,767,914 square feet of retail commercial, office, entertainment, and restaurant uses; and

WHEREAS, on October 1, 2013, City Council adopted Resolution 13-3151, certifying Subsequent Environmental Impact Report (SEIR), finding that short term and long-term traffic impacts and air quality impacts (operational, cumulative, and AQMP Consistency) associated with the development of the project which could not be reduced to a level of less than significance even with the imposition of feasible mitigation measures. All other project impacts were found to either be less than significant or less than significant with the adoption of mitigation measures; and

WHEREAS, pursuant to the provisions of the California Environmental Quality Act, Public Resources Code Section 21000 *et seq.* ("CEQA") the Project is subject to review under CEQA, and the City of Murrieta as the lead agency, is responsible for assessing the environmental impacts, if any, which may result from the Project; and

WHEREAS, in accordance with CEQA Guidelines (Cal. Code. Regs. Title 14) Section 15164, an Addendum was prepared and determined that the project falls within the scope of the previously certified SEIR as none of the following criteria under CEQA Guidelines Section 15162 have occurred; (1) there are no substantial changes to the Project that require major revisions to the SEIR due to new significant environmental effects, (2) there are no substantial changes with respect to the circumstances under which the Project is considered that involve any new significant environmental effects or substantial increase in the severity of previously identified significant effects, and (3) no new information that shows the Project will have more significant effects not previously discussed, no new significant effects previously examined will be substantially more severe than previously shown, no new mitigation measures are necessary; and

WHEREAS, a public hearing was duly noticed for the Planning Commission meeting of July 24, 2024, by mailing a notice to property owners within a 300-foot radius of the site, publishing the notice in The Press Enterprise newspaper, and posting the Project site on or before July 14, 2024; and

WHEREAS, on July 24, 2024, the Planning Commission held a duly noticed public hearing, and has considered all written and oral reports of staff, public testimony on the matter, and written and oral testimony provided by the applicant and such other matters as are reflected in the record of this matter; and

WHEREAS, pursuant to Development Code section 16.66.080, the Planning Commission is required to make written recommendation to the City Council whether to approve, approve in modified form, or deny the proposed Specific Plan Amendment, based upon the findings contained in Development Code Section 16.66.100, proposed Development Plan based on the findings contained in Development Code Section 16.56.040, and proposed Tentative Tract Map based on the findings contained in Development Code Section 16.94.080; and

WHEREAS, at its meeting of July 24, 2024, the Planning Commission recommended that the City Council adopt an Ordinance/Resolution adopting the project; and

WHEREAS, the Planning Commission used its independent judgment and considered all the reports, recommendations, and testimony set forth above; and

NOW, THEREFORE, the Planning Commission of the City of Murrieta resolves and recommends to City Council as follows:

Based upon the substantial evidence presented at the public hearing on July 24, 2024, and in accordance with 16.66 (Specific Plan Amendments) the Planning Commission recommends the City Council approve Specific Plan Amendment No. 2 (SP-2023-00003) to SP 276 utilizing the same square feet of 1,767,914 (the "Project") in accordance with the following findings pursuant to Section 16.66.100 of the Development Code:

Section 2. Findings and Recommended Approval for Specific Plan Amendment (16.66.100)

This Planning Commission recommends City Council approve and adopt the necessary resolutions and ordinances to implement Specific Plan Amendment (SPA) (2023-00003) in accordance with the following findings pursuant to Sections 16.66.100 of the Development Code:

1. The proposed SPA is consistent with the objectives, policies, general land uses, programs, and actions of all elements of the general plan;

FACTS: SPA No. 2 is consistent with the following objectives, policies, general land uses, programs, and actions of all applicable elements of the general plan. For example, the SPA is consistent or implements the following goals and policies:

General Plan Goal LU-1 - "A complimentary balance of land uses throughout the community that meets the needs of existing residents and businesses as well as anticipated growth, and achieves the community's vision."

- *Policy LU-1.2, Ensure future development provides for a variety of commercial, industry, and housing that serve the spectrum of incomes within the region.*
- *Policy LU-1.3, Establish a range of residential density and non-residential intensities to encourage a wide range of development opportunities.*
- *Policy LU-1.5, Encourage a wide variety of retail and commercial services, such as restaurants, and cultural arts/entertainment, in appropriate locations.*

Goal LU-7 "Economically viable, vital, and attractive commercial centers throughout the City that serve the needs of the community."

- *Policy LU-7.1, Work with property owners of vacant commercially zoned property to develop their sites into appropriate, economically viable projects.*
- *Policy LU7.5, Provide convenient freeway access for regionally-serving commercial centers to attract a regional customer base.*
- *Policy LU-7.6, Focus commercial retail centers adjacent to major transportation corridors*
- *Policy LU-7.8, Encourage consolidation of parking and reciprocal access agreements between adjacent business and commercial center property owners.*
- *Policy LU-7.9, Encourage opportunities for complementary retail and service uses to serve local residents and the daytime employment population.*
- *Policy LU-7.10, Encourage a range of retail uses that serve local residents in the region.*

Goal LU-8—"A community that provides opportunities for mixed use and/or transit-oriented development."

- *Policy LU-8.1, Encourage integrated development that incorporates a mix of uses (residential, commercial, office) in mixed use or transit-oriented development areas.*
- *Policy LU-8.6, Encourage higher density residential, commercial, and employment development near a future Metrolink or High Speed Rail Station, along other major public transportation routes, and at other suitable locations.*

Goal LU-12 –“A focused development and economic development strategy that emphasizes specialized land use policies within identified Focus Areas.”

- *Policy LU-12.1, Provide for the highest level of retail and job-creating uses in areas adjacent to the I-15 and I-215 freeways. This includes the North Murrieta Business Corridor, Golden Triangle North (Central Murrieta), and South Murrieta Business Corridor Focus Areas.*

Goal ED-1- *“A highly visible and attractive commercial mixed-use regional hub located at the confluence of the I-15 and I-215 freeways in central Murrieta”* and policies ED-1.1 & ED-1.3. The project provides the opportunity for a variety of commercial uses including retail, food/restaurant, and service uses which is conveniently located near two major freeways that will serve the region and the local residents. The planned additional services, employment opportunities, and potential fiscal revenue sources are intended to bring further balance to the existing and planned future residential uses in the city. The Specific Plan allows for a higher intensity of development and the Development Plan represents a phase within the specific plan with additional vacant land remaining for future development.

Other specific goals and policies the Project is consistent with are: General Plan Goal CIR-1. *“A circulation system that serves the internal circulation needs of the City, while also addressing the inter-community or through travel needs and corresponding policies”* (Policy CIR-1.1, CIR-1.2, CIR-1.3, CIR-1.10), Goal CIR-6 *“Alternative travel modes and facilities are available to serve residents and employers/employees and reduce vehicle miles traveled”.* (Policy CIR-6.8, CIR-6.9, and CIR-6.13).

The project is limited to two main access drives and a restricted turning movement for the third access drive. The project is conditioned to provide a bus stop (turnout), shelter, and bench and is required to provide a Trip Reduction Plan prior to occupancy. Murrieta Hot Springs Road has a bike lane and the project is designed with bike lanes on the primary drive access. Additionally, a landscaped area will be provided between the road and the sidewalk along Murrieta Hot Springs Road.

The project meets Infrastructure Element Goal INF-1, *“New development and redevelopment is coordinated with the provision of adequate infrastructure for water, sewer, storm water, and energy.”* and corresponding policies INF-1.1, INF-1.4, and INF-1.21. The project will construct facilities both on- and off-site to support the area and help protect off-site areas from inundation. These facilities will be constructed by the developer and then dedicated to the appropriate public agency for ownership.

2. The proposed SPA is necessary and desirable in order to implement the general plan;

FACTS: The amendment is necessary and desirable in order to implement the general plan as the amendment allows greater flexibility in implementing the specific plan while maintaining the objectives and goals of the Specific Plan and General Plan. Many of the

requested changes involve reduced landscape setbacks; however, the proposed setbacks are still equivalent or exceed city standards.

3. The proposed SPA would not adversely affect the public convenience, health, safety, or general welfare, or result in an illogical land use pattern;

FACTS: Adopted SPA No. 1 was determined to not adversely affect the public convenience, health, safety, or general welfare, or result in an illogical land use pattern. This proposed second amendment is not proposing any changes that would affect the original determination as the development standards still meet or exceed city requirements and the proposed changes to the uses are primarily consistent with the Regional Commercial zone. The project site currently has a General Plan designation of Commercial (C) and acknowledges SP 276 as a commercial development of up to 1.76 million square feet.

4. The development standards contained in the SPA would result in a superior development to that which would occur using standard zoning and development regulations;

FACTS: The development standards in the amendment results in an elevated development design to that which would occur using standard zoning and development regulations. For example, the Plan accounts for greater landscape setbacks, pedestrian connectivity between Planning Areas, and an enhanced drive aisle design. In addition, any development of the project area would be completed in accordance with the provisions of The Triangle Specific Plan and Triangle Design Guidelines and would require a Development Plan application for City review and approval. Common project theme/elements would be prevalent in development throughout the center, including landscape palate, site lighting, paving features, benches, signage, and other site amenities.

5. The proposed specific plan amendment would be in compliance with the provisions of the CEQA; and

FACTS: In accordance with CEQA Guidelines (Cal. Code. Regs. Title 14) Section 15164, an Addendum was prepared and determined that the project falls within the scope of the previously certified SEIR as none of the following criteria under CEQA Guidelines Section 15162 have occurred; (1) there are no substantial changes to the Project that require major revisions to the SEIR due to new significant environmental effects, (2) there are no substantial changes with respect to the circumstances under which the Project is considered that involve any new significant environmental effects or substantial increase in the severity of previously identified significant effects, and (3) no new information that shows the Project will have more significant effects not previously discussed, no new significant effects previously examined will be substantially more severe than previously shown, no new mitigation measures are necessary. The Project is subject to the previous Mitigation Measures identified in the Mitigation Monitoring and Reporting Program (MMRP).

6. The proposed SPA would not create internal inconsistencies within the specific plan and is consistent with the purpose and intent of the specific plan it is amending.

FACTS: The SPA would not create internal inconsistencies within the Plan and is consistent with the purpose and intent of the original Specific Plan (SP 276).

Section 3. Findings and Recommended Approval for Development Plan (16.56.040)

In accordance with Specific Plan Section 4.2.1 and Development Code Section 16.56.040 of the Murrieta Municipal Code, and based upon the facts, testimony and information provided and of record in these proceedings, the Planning Commission makes the following findings regarding Development Plan 2022-2705:

1. The proposed use is allowed within the subject zoning district and complies with all applicable provisions of this development code (specific plan).

FACTS: The proposed Project is consistent with the SP 276 (The Triangle) zone and the development standards as modified by Specific Plan Amendment 2023-00003. The Development Plan complies with The Triangle Specific Plan requirements including but not limited to setbacks, building height, parking, landscape requirements, and building design. For example, the project is required to provide a minimum landscape percentage of 20% and is providing 28%. The project is required to provide 1438 parking spaces based on the uses identified on the project plans and the project is providing 1,675 parking spaces. The parking lots meet the minimum shading requirements and the project meets all landscape setback requirements along the perimeter of the project and along Murrieta Hot Springs Road.

2. The proposed use would be consistent with the objectives, policies, general land uses and programs of the General Plan and any applicable specific plan.

FACTS: The specific plan identifies the various objectives and how it meets or implements the City's General Plan goals and policies and is contained in Section 1 of the Specific Plan. The project (Specific Plan Amendment/Tentative Tract Map/Development Plan) is consistent with and implements many of the City's General Plan goals and policies.

General Plan Goal LU-1 - "A complimentary balance of land uses throughout the community that meets the needs of existing residents and businesses as well as anticipated growth, and achieves the community's vision."

- Policy LU-1.2, Ensure future development provides for a variety of commercial, industry, and housing that serve the spectrum of incomes within the region.
- Policy LU-1.3, Establish a range of residential density and non-residential intensities to encourage a wide range of development opportunities.
- Policy LU-1.5, Encourage a wide variety of retail and commercial services, such as restaurants, and cultural arts/entertainment, in appropriate locations.

Goal LU-7 "Economically viable, vital, and attractive commercial centers throughout the City that serve the needs of the community."

- Policy LU-7.1, Work with property owners of vacant commercially zoned property to develop their sites into appropriate, economically viable projects.
- Policy LU7.5, Provide convenient freeway access for regionally-serving commercial centers to attract a regional customer base.
- Policy LU-7.6, Focus commercial retail centers adjacent to major transportation corridors
- Policy LU-7.8, Encourage consolidation of parking and reciprocal access agreements between adjacent business and commercial center property owners.
- Policy LU-7.9, Encourage opportunities for complementary retail and service uses to serve local residents and the daytime employment population.

- Policy LU-7.10, Encourage a range of retail uses that serve local residents in the region.

Goal LU-8 –“A community that provides opportunities for mixed use and/or transit-oriented development.”

- Policy LU-8.1, Encourage integrated development that incorporates a mix of uses (residential, commercial, office) in mixed use or transit-oriented development areas.
- Policy LU-8.6, Encourage higher density residential, commercial, and employment development near a future Metrolink or High Speed Rail Station, along other major public transportation routes, and at other suitable locations.

Goal LU-12 –“A focused development and economic development strategy that emphasizes specialized land use policies within identified Focus Areas.”

- Policy LU-12.1, Provide for the highest level of retail and job-creating uses in areas adjacent to the I-15 and I-215 freeways. This includes the North Murrieta Business Corridor, Golden Triangle North (Central Murrieta), and South Murrieta Business Corridor Focus Areas.

Goal ED-1- “A highly visible and attractive commercial mixed-use regional hub located at the confluence of the I-15 and I-215 freeways in central Murrieta” and policies ED-1.1 & ED-1.3. The project provides the opportunity for a variety of commercial uses including retail, food/restaurant, and service uses which is conveniently located near two major freeways that will serve the region and the local residents. The planned additional services, employment opportunities, and potential fiscal revenue sources are intended to bring further balance to the existing and future residential uses in the city. The specific plan allows for a higher intensity of development and the Development Plan represents a phase within the specific plan with additional vacant land remaining for future development.

Other specific goals and policies the Project is consistent with are: General Plan Goal CIR-1. “A circulation system that serves the internal circulation needs of the City, while also addressing the inter-community or through travel needs and corresponding policies” (Policy CIR-1.1, CIR-1.2, CIR-1.3, CIR-1.10), Goal CIR-6 “Alternative travel modes and facilities are available to serve residents and employers/employees and reduce vehicle miles traveled”. (Policy CIR-6.8, CIR-6.9, and CIR-6.13).

The project is limited to two main access drives and a restricted turning movement for the third access drive. The project is conditioned to provide a bus stop (turnout), shelter, and bench and is required to provide a Trip Reduction Plan prior to occupancy. Murrieta Hot Springs Road has a bike lane, and the project is designed with bike lanes on the primary drive access. Additionally, a landscaped area will be provided between the road and the sidewalk along Murrieta Hot Springs Road.

The project meets Infrastructure Element Goal INF-1, “*New development and redevelopment is coordinated with the provision of adequate infrastructure for water, sewer, storm water, and energy.*” and corresponding policies INF-1.1, INF-1.4, and INF-1.21. The project will construct facilities both on- and off-site to support the area and help protect off-site areas from inundation. These facilities will be constructed by the developer and then dedicated to the appropriate public agency for ownership.

3. The proposed use is in compliance with the provisions of the California Environmental Quality Act and there would be no potentially significant negative impacts upon

environmental quality and natural resources that could not be properly mitigated and monitored.

FACTS: In accordance with CEQA Guidelines (Cal. Code. Regs. Title 14) Section 15164, an Addendum was prepared and determined that the project falls within the scope of the previously certified SEIR as none of the following criteria under CEQA Guidelines Section 15162 have occurred; (1) there are no substantial changes to the Project that require major revisions to the SEIR due to new significant environmental effects, (2) there are no substantial changes with respect to the circumstances under which the Project is considered that involve any new significant environmental effects or substantial increase in the severity of previously identified significant effects, and (3) no new information that shows the Project will have more significant effects not previously discussed, no new significant effects previously examined will be substantially more severe than previously shown, no new mitigation measures are necessary. The Project is subject to the previous Mitigation Measures identified in the MMRP.

4. The location, size, design and operating characteristics of the proposed use would be compatible with existing land uses within the general area in which the proposed use is to be located.

FACTS: The location, size, design and operating characteristics of the proposed use is compatible to the surrounding properties as it is surrounded by two freeways to the east, south, and west and a major circulation street to the north, Murrieta Hot Springs Road. There is currently commercial development on the north side of Murrieta Hot Springs Road and the proposed Development Plan proposes retail development similar in nature to what is in proximity to the project site.

5. The site of the proposed use is physically suitable for the type and density/intensity of development being proposed.

FACTS: The site is physically suitable for development and is compatible with the surrounding properties. The property fronts a General Plan circulation element public street, Murrieta Hot Springs Road, and is located in close proximity to two state freeways (I-15 and I-215). The development is adequate in size to accommodate the proposed commercial uses while complying with or exceeding the specific plan's development standards. The General Plan EIR acknowledges future development in the project area. The project site is not located within a Subsidence Susceptibility Map area, Alquist Priolo Earthquake Fault Zone, liquefaction, FEMA flood zone, or dam inundation hazard area.

6. There are adequate provisions for sanitation, water, and public utilities to ensure public convenience, health, safety, and general welfare.

FACTS: The Eastern Municipal Water District will provide sewer and water services; electricity by Southern California Edison Company; and gas by Southern California Gas Company. These facilities will require extensions within Murrieta Hot Springs Road to the project site.

Section 4. Findings and Recommended Approval for Tentative Tract Map (MMC 16.94.080)

In accordance with Section 16.94.080 of the Murrieta Municipal Code, and based upon the facts, testimony and information provided and of record in these proceedings, the Planning Commission makes the following findings regarding Tentative Tract Map 38622 (Case No. TTM-2022-2706):

1. The proposed map, design or improvement is consistent with the objectives, policies, general land uses, and programs of the general plan and any applicable specific plans and all applicable provisions of the Murrieta Development Code.

FACTS: The Specific Plan identifies the various objectives and how it meets or implements the City's General Plan goals and policies and is contained in Section 1 of the Specific Plan. The project (Specific Plan Amendment/Tentative Tract Map/Development Plan) is consistent with and implements many of the City's General Plan goals and policies.

General Plan Goal LU-1 - "A complimentary balance of land uses throughout the community that meets the needs of existing residents and businesses as well as anticipated growth, and achieves the community's vision."

- Policy LU-1.2, Ensure future development provides for a variety of commercial, industry, and housing that serve the spectrum of incomes within the region.
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- Policy LU-7.8, Encourage consolidation of parking and reciprocal access agreements between adjacent business and commercial center property owners.
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Goal LU-8 – "A community that provides opportunities for mixed use and/or transit-oriented development."

- Policy LU-8.1, Encourage integrated development that incorporates a mix of uses (residential, commercial, office) in mixed use or transit-oriented development areas.
- Policy LU-8.6, Encourage higher density residential, commercial, and employment development near a future Metrolink or High Speed Rail Station, along other major public transportation routes, and at other suitable locations.

Goal LU-12 – "A focused development and economic development strategy that emphasizes specialized land use policies within identified Focus Areas."

- Policy LU-12.1, Provide for the highest level of retail and job-creating uses in areas adjacent to the I-15 and I-215 freeways. This includes the North Murrieta Business Corridor, Golden Triangle North (Central Murrieta), and South Murrieta Business Corridor Focus Areas.

Goal ED-1- “A highly visible and attractive commercial mixed-use regional hub located at the confluence of the I-15 and I-215 freeways in central Murrieta” and policies ED-1.1 & ED-1.3. The project provides the opportunity for a variety of commercial uses including retail, food/restaurant, and service uses which is conveniently located near two major freeways that will serve the region and the local residents. The planned additional services, employment opportunities, and potential fiscal revenue sources are intended to bring further balance to the existing and future residential uses in the city. The specific plan allows for a higher intensity of development and the Development Plan represents a phase within the specific plan with additional vacant land remaining for future development.

Other specific goals and policies the Project is consistent with are: General Plan Goal CIR-1. “A circulation system that serves the internal circulation needs of the City, while also addressing the inter-community or through travel needs and corresponding policies” (Policy CIR-1.1, CIR-1.2, CIR-1.3, CIR-1.10), Goal CIR-6 “Alternative travel modes and facilities are available to serve residents and employers/employees and reduce vehicle miles traveled”. (Policy CIR-6.8, CIR-6.9, and CIR-6.13).

The project is limited to two main access drives and a restricted turning movement for the third access drive. The project is conditioned to provide a bus stop (turnout), shelter, and bench and is required to provide a Trip Reduction Plan prior to occupancy. Murrieta Hot Springs Road has a bike lane, and the project is designed with bike lanes on the primary drive access. Additionally, a landscaped area will be provided between the road and the sidewalk along Murrieta Hot Springs Road.

The project meets Infrastructure Element Goal INF-1, “*New development and redevelopment is coordinated with the provision of adequate infrastructure for water, sewer, storm water, and energy.*” and corresponding policies INF-1.1, INF-1.4, and INF-1.21. The project will construct facilities both on- and off-site to support the area and help protect off-site areas from inundation. These facilities will be constructed by the developer and then dedicated to the appropriate public agency for ownership.

2. The site is physically suitable for the type or density of development proposed.

FACTS: The site is physically suitable for development and is compatible with the surrounding properties. The property fronts a General Plan circulation element public street, Murrieta Hot Springs Road, and is in close proximity to two state freeways (I-15 and I-215). The development is adequate in size to accommodate the proposed commercial uses while complying with or exceeding the specific plan’s development standards. The General Plan EIR acknowledges future development in the project area. The project site is not located within a Subsidence Susceptibility Map area, Alquist Priolo Earthquake Fault Zone, liquefaction, FEMA flood zone, or dam inundation hazard area.

3. The design of the subdivision or the proposed improvements are unlikely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

FACTS: The design of the tentative map is unlikely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The site is primarily disturbed land and contains very little area of native undisturbed land. No sensitive or protected wildlife was found on the site.

In accordance with CEQA Guidelines (Cal. Code. Regs. Title 14) Section 15164, an Addendum was prepared and determined that the project falls within the scope of the previously certified SEIR as none of the following criteria under CEQA Guidelines Section 15162 have occurred; (1) there are no substantial changes to the Project that require major revisions to the SEIR due to new significant environmental effects, (2) there are no substantial changes with respect to the circumstances under which the Project is considered that involve any new significant environmental effects or substantial increase in the severity of previously identified significant effects, and (3) no new information that shows the Project will have more significant effects not previously discussed, no new significant effects previously examined will be substantially more severe than previously shown, no new mitigation measures are necessary. The Project is subject to the previous Mitigation Measures identified in the MMRP.

4. The proposed project will not adversely affect the public health, safety and welfare, nor be materially detrimental to the use, enjoyment, or valuation of persons or other property in the surrounding area.

FACTS: The proposed subdivision was analyzed through the application process and the project is not located within a designated High Fire Hazard Area, on any known areas of Alquist-Priolo Earthquake Fault Zone, dam inundation, subsidence, FEMA flood plain, or liquefaction study zone. The proposed project will not adversely affect the public health, safety and welfare, nor be materially detrimental to the use, enjoyment, or valuation of persons or other property in the surrounding area.

5. The design of the subdivision and the type of improvements would not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

FACTS: The proposed subdivision is conditioned to establish reciprocal access, parking and utility easements for each of the parcels. The improvements are conditioned through the Tentative Map. The proposed subdivision will not impact any easements or any other use of the property.

6. The proposed Tentative Tract Map is consistent with the Murrieta Municipal Code and the Subdivision Map Act and complies with all applicable requirements of state law and local ordinances.

FACTS: The proposed Tentative Tract Map is consistent with the Specific Plan, Murrieta Municipal Code and the Subdivision Map Act and complies with all applicable requirements of state law and local ordinances. Parcels meet the specific plan development requirements for commercial parcels in terms of minimum lot size and access. All the parcels have access to public streets through the site's interior driveway design and reciprocal access agreements. The tentative tract map includes the dedication of access easements to ensure public and utility access to all the parcels.

SECTION 4. Pursuant to the above findings, the Planning Commission hereby recommends to the City Council adoption of the environmental determination that the project falls within the scope of the adopted SEIR and an Addendum will be prepared under the CEQA Guidelines Section 15164, approve proposed SPA 2023-00003 (The Triangle), Development Plan 2022-2705 subject to the attached conditions of approval contained in the attached Exhibit B "Conditions of Approval", Tentative Tract Map 38622 subject to the attached conditions of approval contained in attached Exhibit C, and the mitigation requirements of the certified SEIR for the Project.

PASSED, APPROVED AND ADOPTED THIS 24th DAY OF JULY, 2024.

Planning Commission, Chairperson

ATTEST:

Carl Stiehl, City Planner

I, Carl Stiehl, City Planner, City of Murrieta, California do hereby certify under penalty of perjury that the foregoing Resolution was duly adopted at a regular meeting of the Planning Commission on the _____ day of _____, 2024 by the following roll call vote:

MOTION MADE BY COMMISSIONER _____

SECONDED BY COMMISSIONER _____

AYES: _____

NOES: _____

ABSENT: _____

ABSTAINED: _____

Carl Stiehl, City Planner