

**DRAFT FOCUSED
ENVIRONMENTAL IMPACT REPORT
FOR WASHINGTON / NUTMEG MULTIFAMILY
DEVELOPMENT PROJECT**

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July 2021

TABLE OF CONTENTS

Chapter 1 – EXECUTIVE SUMMARY

1.1	Background.....	1-1
1.2	Intended Use of this Environmental Impact Report.....	1-2
1.3	Project Objectives.....	1-2
1.4	Project Approvals	1-3
1.5	Impacts	1-3
1.6	Alternatives	1-7
1.7	Areas of Controversy	1-9
1.8	Summary of Impacts and Avoidances, Minimization and Mitigation Measures Discussed in this Draft EIR	1-10

Chapter 2 – INTRODUCTION

2.1	Background.....	2-1
2.2	Purpose and Use of the EIR.....	2-2
2.3	Scope and Content of this EIR	2-24
2.4	Focused EIR Format and Organization.....	2-25
2.5	Availability of the Washington/Nutmeg Multifamily Development Project Focused Draft EIR	2-26
2.6	Review Process.....	2-26

Chapter 3 – PROJECT DESCRIPTION

3.1	Project Location.....	3-1
3.2	Introduction	3-1
3.3	Project Objectives.....	3-2
3.4	Project Characteristics.....	3-3
	3.4.1 Existing Land Use	3-3
	3.4.2 Proposed Land Use.....	3-3
3.5	Other Agencies Whose Approval May Be Required	3-4

Chapter 4 – ENVIRONMENTAL IMPACT EVALUATION

4.1	Introduction to Environmental Analysis	4-1
4.2	Aesthetics	4-3
	4.2.1 Introduction.....	4-3
	4.2.2 Regulatory Setting.....	4-3
	4.2.3 Existing Conditions.....	4-12
	4.2.4 Thresholds of Significance	4-14
	4.2.5 Methodology.....	4-15
	4.2.6 Environmental Impacts.....	4-15
	4.2.7 Mitigation Measures	4-19
	4.2.8 Cumulative Impacts.....	4-19
	4.2.9 Significant and Unavoidable Impacts	4-20

Chapter 5 – ALTERNATIVES

5.1	Introduction	5-1
5.2	Project Objectives.....	5-1
5.3	Significant and Unavoidable Impacts	5-2
5.4	Alternatives Considered and Rejected During the Project Planning Process.....	5-2
5.5	Alternatives Selected for Further Analysis	5-4
5.5.1	No Project / No Development Alternative.....	5-4
5.6	Environmentally Superior Alternative	5-10

Chapter 6 – ADDITIONAL CEQA TOPICAL ISSUES

6.1	Growth-Inducing Impacts.....	6-1
6.2	Significant Irreversible Changes.....	6-3
6.3	Significant Adverse Environmental Impacts	6-4

Chapter 7 – PREPARATION RESOURCES

7.1	Report Preparation	7-1
7.1.1	Lead Agency	7-1
7.1.2	EIR Consultant	7-1
7.1.3	EIR Technical Consultants	7-1
7.2	Bibliography	7-2

Chapter 8 – APPENDICES (*Volume 2 – under separate cover*)

8.1	Initial Study (w/ Appendices)	
8.2	Notice of Preparation / NOP Distribution Lists / Notices	
8.3	NOP Summary Comments / NOP Comment Letters / Summary of Court Cases	
8.4	General Plan Amendment Background Support	
8.5	Fiscal Impact Analysis	

LIST OF TABLES

Table 1.5-1	Summary of Impacts and Avoidance, Minimization and Mitigation Measures Discussed in this Draft EIR	1-11
Table 1.6-1	Tabular Comparison of Project Alternatives	1-8
Table 2-31	Required EIR Contents.....	2-25

LIST OF FIGURES

Figure 3-1	Regional Location
Figure 3-2	Site Location
Figure 3-3	Site Plan
Figure 4.2-1	Relationship of the Site to the Surrounding Developed Property
Figure 4.2-2	Preliminary Site Plan
Figure 4.2-3	Aerial Photo Showing Proximity of the Site to the Santa Rosa Plateau
Figure 4.2-4	Key Map
Figure 4.2-5	North 42000 Yukon Court
Figure 4.2-6	North 23385 Mountain Song Loop
Figure 4.2-7	East 23379 Black Bear Court
Figure 4.2-8	East 41766 Grandview Drive
Figure 4.2-9	East 41742 Grandview Drive
Figure 4.2-10	Three Locations Considered on Nutmeg
Figure 4.2-11	Scenic Vista
Figure 4.2-12	Visual Simulations of the Five Locations (figures are various visual simulations)
	↓
Figure 4.2-27	
Figure 5-1	Visual Simulation of 41766 Grandview Drive

ABBREVIATIONS AND ACROYNMS

BMPs	Best Management Practices
CASQA	California Stormwater Quality Act
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CFD	Community Facilities District
DEIR	Draft Environmental Impact Report
DP	Development Plan
EIR	Environmental Impact Report
FEMA	Federal Emergency Management Agency
FIA	Fiscal Impact Analysis
FIRM	Flood Insurance Rate Map
GHG	Greenhouse Gas
IS/MND	Initial Study / Mitigated Negative Declaration
ITE	Institute for Traffic Engineers
LLA	Lot Line Adjustment
LOS	Level of Service
MF	Multi-Family
MVUSD	Murrieta Valley Unified School District
NAHC	Native American Heritage Commission
NOI	Notice of Intent
NOP	Notice of Preparation
NPA	No-Project Alternative
NPDES	National Pollutant Discharge Elimination System
SB	State Bill
SCAG	Southern California Association of Government
SCAQMD	South Coast Air Quality Management District
SCH	State Clearinghouse
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TDA	Tom Dodson & Associates
TIA	Traffic Impact Analysis
VTPM	Vesting Tentative Parcel Map
WQMP	Water Quality Management Plan

CHAPTER 1 – EXECUTIVE SUMMARY

This Executive Summary for Washington/Nutmeg Multifamily Development Project Draft Environmental Impact Report (DEIR) summarizes the potential environmental effects that are forecast to occur from implementation of the proposed project. It also contains a summary of the project background, project objectives, and project description. A table summarizing potential environmental impacts, mitigation measures, and mitigation responsibility is included at the end of this Executive Summary (Table 1.5-1).

1.1 BACKGROUND

Washington/Nutmeg Multifamily Development, L.P. is proposing to develop a 14.4-acre vacant property into a 210-unit apartment complex at the northeast corner of the Washington Avenue/Nutmeg Street intersection. This document is prepared as a Tier 2 Focused Environmental Impact Report (EIR) to a previously adopted Initial Study/Mitigated Negative Declaration (IS/MND), SCH No. 2005121029 which was completed in April of 2005. Due to the recession development of the site did not proceed over the past 15 years. The Applicant has modified the original approved project design to comply with current design regulations (such as current water quality requirements) and the City intends to consider this Tier 2 Focused EIR as compliance with the California Environmental Quality Act (CEQA) for the revised project. The project modifications/changes are summarized in the following text. Figures 3-1 and 3-2 show the Regional Location and Site Location of the project site. The formal action(s) that may be taken by the City consists of consideration of a new entitlement in place of the original approved project entitlement for the 14.4-acre site. This Focused EIR will consider Development Plan DP-2019-1997 and its potential impacts to scenic vistas of adjacent single-family residents and to public vistas while travelling west on Nutmeg as one approaches Washington Avenue; the project proposed to be evaluated under this Focused EIR will henceforth be known as the Washington/Nutmeg Multifamily Development project.

The previously approved Vesting Tentative Parcel Map 30394 (VTPM 01-194) / Development Plan (01195) consisted of 156 market-rate units and 54 Senior units for a total of 210 units at a density of 14.58 dwelling units per acre (du/acre) on an approximately 14.4-acre site (same site). The original project proposed 430 parking spaces, which met the City's parking requirement, 212 of the spaces were covered garages, 120 were carport spaces and the remainder were uncovered spaces. Access to the project was provided by two gated drives located on Nutmeg Street and Washington Avenue. Off-site improvements that were to be completed as part of the project would have included curb and gutter on adjacent streets, and lighting and landscaping along Washington Avenue and Nutmeg Street on the project side of the street. The 210 units were located in 23 buildings, and 19 of the 22 apartment buildings were planned with second floors.

This Focused EIR evaluates the following modifications to the environment from development of the project's 14.4-acre site. If the proposed site development plan (DP-2019-1997) is approved by the City, the Washington/Nutmeg Multifamily Development would construct 17 apartment buildings containing 210 multi-family housing units (all market-rate apartment units). This includes 88 one-bedroom units; 88 two-bedroom units; and 34 three-bedroom units. There will be 13 two-story buildings and four three-story buildings. A total of 210 garage spaces will be installed; 183 uncovered parking spaces will be installed; 52 guest parking spaces will be installed; and one mail/package loading space will be installed for a total of 446 parking spaces. Due to changes in management of onsite stormwater requirements, the project site design incorporates three onsite bioretention basins to protect downstream water quality and prevent

flood hazards. Off-site improvements to be completed as part of the project would include curb and gutter on adjacent streets, lighting and landscaping along Washington Avenue and Nutmeg Street on the project side of the street, and restriping of the roadways to allow better traffic flow. The developer is seeking to merge the four parcels that exist on the 14.4-acre site into one parcel. The current site plan is shown on Figure 3-3.

Thus, the current plan contains the same number of apartment units and fewer overall buildings; all apartment units will be market rate, with none allocated to seniors; four of the currently proposed 17 buildings will be three stories in height, rather than two stories, and will be located in the center of the project site; and site parking will be provided in 446 spaces instead of 430 spaces, with no covered spaces.

The following amenities will be included as part of the proposed project: clubhouse with open kitchen, BBQ area and fire-pit with seating; swimming pool with spa; exercise room; children's play area with play equipment; dog park; bocce court with BBQ area; outdoor evening movie area; open grass play area; tech room; a leasing office with conference room; and enclosed mail room with dedicated lockers for on-line package delivery.

1.2 INTENDED USE OF THIS ENVIRONMENTAL IMPACT REPORT

This Focused DEIR has been prepared in accordance with the CEQA Statutes and Guidelines, 2020, pursuant to Section 21151 of CEQA. The City of Murrieta is the Lead Agency for the project and has supervised the preparation of this DEIR. This DEIR is an information document which will inform public agency decision makers and the general public of the potential environmental effects, including any significant impacts that may be caused by implementing the proposed project. Possible ways to minimize significant effects of the proposed project and reasonable and feasible alternatives to the project are also identified in this Focused DEIR.

This document assesses the impacts, including unavoidable adverse impacts and cumulative impacts, related to the construction and operation of the proposed project. This Focused DEIR is also intended to support the permitting process of all agencies from which discretionary approvals must be obtained for particular elements of this project. Other California agency approvals (if required) for which this environmental document may be utilized include:

- Filing of a Notice of Intent with the State for a Construction Activity General Permit to address water quality concerns during construction;

1.3 PROJECT OBJECTIVES

The proposed project is a residential apartment project intended to meet the needs of Murrieta residents that cannot or choose not to purchase a residence within the community. Such apartment residences meet the needs of young residents seeking a short-term quality home; young families with children that cannot yet afford home ownership; and older (not necessarily senior residents) residents of the City that no longer seek to retain home ownership. The overall objective of the proposed project is to provide a high-quality apartment complex that can meet all of these needs in a well maintained, pleasant environmental setting.

The following specific objectives have been established for the proposed project and will aid decision makers in its review and decision on this project:

- **Infrastructure:** Provide comprehensive infrastructure improvements for water, sewer, stormwater and circulation systems to meet future infrastructure system needs at the site.
- **Distinctive Design and Appearance:** The project incorporates quality design elements that provide a unified sense of identity. Building and roadway treatments in this area command the same level of investment and quality of design as the surrounding community.
- **Streetscape Improvements:** Consistent roadway design and improvements, including landscape and monumentation and an integrated, seamless approach to ongoing maintenance.
- **Mobility:** Efficiently connect the proposed project uses to freeway access and proximate retail uses while providing safe spaces for pedestrians, cyclists, transit, and motor vehicles along Nutmeg Street and Washington Avenue.

As stated above, the overall purpose of developing the proposed project is to align local and regional development objectives for all residents of the City with a variety of housing alternatives.

1.4 PROJECT APPROVALS

This DEIR will be used as the information source and CEQA compliance document for the following discretionary actions or approvals by the CEQA lead agency, the City of Murrieta. The City of Murrieta will consider entitlements for the project including a Development Permit DP-2019-1997 to permit the proposed project improvements at the site, such as site buildings and landscaping, and a Lot Line Adjustment (LLA) to merge four parcels to coincide with the development plan.

1.5 IMPACTS

Based on the findings of the Notice of Preparation (NOP), the City concluded that an EIR must be prepared to address a single issue identified as a potentially unavoidable significant adverse impact. The single issue of focus is Aesthetics, specifically the adverse modification of scenic vistas from private residences and public views to the Santa Rosa Plateau to the west of the site due to implementation of the Washington/Nutmeg Multifamily Development project.

Based on the data and analysis provided in this DEIR, it is concluded that the proposed project will not result in a significant adverse environmental impact to Aesthetics. Furthermore, all other potential impacts were determined to be less than significant without mitigation or can be reduced to a less than significant level with implementation of the mitigation measures identified in the attached IS/MND provided in Appendix 8.2 to this Focused DEIR. Note that the cumulative significant impacts are identified in this document based on findings that the project's contributions to such impacts are not considered to be cumulatively considerable which is the threshold identified in Section 15130 of the State CEQA Guidelines. Table 1.5-1 summarizes all of the environmental impacts and proposed mitigation and monitoring measures identified in this Focused DEIR and will be provided to the decision-makers prior to finalizing the EIR.

The following issues evaluated in the Focused DEIR have been determined to experience less than significant impacts—either with or without mitigation—based on the facts, analysis and findings in this Focused DEIR and in the Initial Study provided in Chapter 8, Appendix 8.1 to this Focused DEIR.

Aesthetics: As described in Subchapter 4.2 of this DEIR, the proposed Washington/Nutmeg Multifamily Development project will adversely affect existing views from a majority of the 23

residences directly adjacent to the project site. Based on a lack of City policy on private views and the State court decisions regarding private views, the City finds that although private visual access will be adversely modified to these scenic vistas from private residences, this impact does not rise to a level of a significant unavoidable adverse impact in accordance with CEQA. As a result, with no other significant impacts to aesthetics, there will not be any unavoidable project specific or cumulative adverse impacts to aesthetics from implementing the project as proposed.

Agriculture and Forestry Resources: As described in Section II of the Initial Study, the proposed project is not forecast to cause any significant adverse impacts to agricultural or forestry resources or resource values. No unavoidable significant impact to agricultural or forestry resources will result from implementing the proposed project.

Air Quality: As described in Section III of the Initial Study, air pollution emissions from construction of the proposed project were modeled based on a worst-case scenario, and were calculated to be below emissions thresholds for all criteria pollutants. Furthermore, construction of the proposed multi-family development was projected to be below LST Thresholds. Additionally, operation of the Washington/Nutmeg Multifamily Development project was determined to be less than significant. Mitigation measures were identified to control fugitive dust and exhaust emissions. No unavoidable significant impact to air quality will result from implementing the proposed project.

Biological Resources: As described in Section IV of the Initial Study, due to the lack of significant biological resources within the proposed project site, the project is not forecast to cause any direct significant unavoidable adverse impact to sensitive biological resources. This is because all potential impacts to biological resources within the project area would be limited and can be mitigated to a less than significant impact level. Thus, based on the lack of significant onsite biological resources and the mitigation that must be implemented to control potential site-specific impacts on biological resources, the proposed project is not forecast to cause significant unavoidable adverse impacts to biological resources.

Cultural Resources: As described in Section V of the Initial Study, all potential cultural resource impacts associated with the proposed project would be limited and can be mitigated to a less than significant impact level. As a result, there will not be any unavoidable project specific or cumulative adverse impacts to cultural resources from implementing the project as proposed.

Energy: As described in Section VI of the Initial Study, the scenario proposed by the Washington/Nutmeg Multifamily Development project would not engage in wasteful or inefficient uses of energy and aims to achieve energy conservations goals within the State of California. Furthermore, it would not cause or result in the need for additional energy producing facilities or energy delivery systems. As a result, there will not be any unavoidable project specific or cumulative adverse energy impacts from implementing the project as proposed.

Geology and Soils: As described in Section VII of the Initial Study, the existing geology and soil resources and constraints have been evaluated for impact to and from the implementation of the project. No unavoidable significant adverse on-site or off-site geology or soil impacts have been identified. Mitigation, in the form of standard conditions and limited mitigation measures, has been identified that must be implemented to prevent erosion and ensure structural stability (recommended design and construction measures) as outlined in the Geotechnical Investigation for the project. With implementation of the recommended measures, future residents and visitors of the proposed structures can be adequately protected from regional groundshaking. The project

can be implemented without causing or experiencing significant unavoidable geology or soils impacts.

Greenhouse Gas: As described in Section VIII of the Initial Study, the development of the Washington/Nutmeg Multifamily Development project would not exceed GHG emissions thresholds for either construction or operations. GHG impacts from construction and operation are considered individually less than significant as the proposed project would not exceed the screening threshold of 3,000 MT for CO₂(e) GHG emissions. Furthermore, the proposed project would be consistent with the 2008 Scoping Plan and with the City's Climate Action Plan. Thus, no unavoidable significant impact from greenhouse gas emissions will result from implementing the proposed project.

Hazards and Hazardous Waste: As described in Section IX of the Initial Study, the project requires mitigation measures to address potential accidental spills and leakage of petroleum products as well as collection and disposal of such materials. Therefore, though there will be some potential adverse impacts as a result of implementing the project, specific mitigation measures have been identified to reduce potential project specific and cumulative (direct and indirect) effects to a less than significant impact level for hazards and hazardous material issues. Thus, the project is not forecast to cause any unavoidable significant adverse hazards or hazardous material impacts.

Hydrology and Water Quality: As described in Section X of the Initial Study, the proposed project will make unavoidable alterations in site hydrology and the proposed uses have a potential to result in generation of new pollutants from the proposed urban/suburban environment that can degrade water quality. However, through a combination of design measures included in the drainage design, as outlined in the WQMP prepared for the project, and mitigation measures listed in Table 1.5-1, these potential hydrology and water quality impacts can be controlled to a less than significant impact level. The proposed project will not cause unavoidable significant hydrology or water quality impacts.

Land Use and Planning: As described in Section XI of the Initial Study, no significant adverse impacts under land use and planning from the project are anticipated to occur. The project site is designated for multi-family residential use and it is zoned for Multi-Family 1 Residential (MF-1, 10.1-15 du/ac) development, which are the appropriate designations/classifications for the proposed development. The proposed project is consistent with the City of Murrieta plans and policies, and with the surrounding uses. As such, the proposed project will not cause unavoidable significant land use and planning impacts.

Minerals: As described in Section XII of the Initial Study, the project site and surrounding area do not contain any existing mineral development nor any identified potential for mineral resource development. Based on these data, the proposed project has no potential to cause any unavoidable adverse impact to mineral resources or values in the project area.

Noise: As described in Section XIII of the Initial Study, the existing noise setting of the proposed project site will be permanently altered as a result of implementation of the proposed project. The project requires mitigation measures to minimize noise generated during construction and operation, as well as vibration impacts during construction. The project is required to comply with the City of Murrieta standards and ordinances pertaining to noise, and mitigation is implemented to reduce noise impacts below significance thresholds. Based on this finding, the proposed project has no potential to cause any unavoidable adverse noise impacts in the project area.

Population and Housing: As described in Section XIV of the Initial Study, the proposed Washington/Nutmeg Multifamily Development project will develop 17 apartment buildings containing 210 multifamily housing units, which would increase the local population by up to 693 persons. It was determined that, based on a review of local and regional planning documents, the proposed project would not induce population growth beyond that which has been planned for in the City General Plan or SCAG planning documents, or that can be accommodated by the project and the City. Based on these data, the proposed project has no potential to cause any unavoidable adverse impacts to population and housing in the project area.

Public Services: As described in Section XV of the Initial Study, even though the project will cause an unavoidable change or increase in demand for public services from new residential units and the associated population increase, the payment of statutory development impact fees, which is a mandatory requirement, would ensure that no significant deficiencies would occur to area Public Services. This will preclude the project from creating any unavoidable significant adverse impact. The basis for this conclusion is that adequate funding will be generated to offset project-related new demand for public services within the project area.

Recreation: As described in Section XVI of the Initial Study, the existing recreation resources and system in the vicinity of the proposed project would be unavoidably impacted by the cumulative impacts from new residential units and the associated increase in population. Because of the park and recreation resources that would be provided by the proposed project and through the payment of statutory impact fees, which is a mandatory requirement, all potential direct impacts and cumulative impacts of the proposed project are considered to be less than significant. Based on these findings, the proposed project would not cause significant unavoidable adverse impacts to the area recreation resources.

Transportation: As described in Section XVII of the Initial Study, construction is not anticipated to result in a doubling of peak hour traffic, and overall is not anticipated to result in any significant traffic impacts. In the long-term, operational traffic related to the new residences and visitors to the project site requires mitigation to minimize impacts to area roadways due to the existing levels of service (LOS) within area roadways and intersections. Mitigation is deemed sufficient to minimize operational traffic, and reduce transportation impacts below significance thresholds. Based on these findings, the proposed project would not cause significant unavoidable adverse impacts to the area circulation system.

Tribal Cultural Resources: As described in Section XVIII of the Initial Study, the consultation with Pechanga Band of Luiseño Indians indicated that the Tribes believes tribal cultural resources may exist within the project footprint. The proposed Washington/Nutmeg Multifamily Development project can be implemented without any significant impacts to tribal cultural resources with mitigation to ensure that construction is conducted in a manner enabling the Pechanga Band of Luiseño Indians and the Rincon Band of Luiseño Indians to oversee treatment of any potential accidental discovery of tribal cultural resources. Therefore, based on this information, the project would not cause significant unavoidable adverse impacts to tribal cultural resources.

Utilities and Service Systems: As described in Section XIX of the Initial Study, even though the proposed project will cause an unavoidable increase in the demand for water, wastewater, recycled water, electric, telecommunication, natural gas, and solid waste utility systems within the project area, these various systems are anticipated to accommodate this increased demand with existing facilities without causing an unavoidable significant adverse impact. Through compliance with existing regulations, the proposed project's potential water, wastewater, recycled water,

electric telecommunication, natural gas, and solid waste utility systems impacts can be controlled and will be reduced below a level of significance. Based on the facts and findings presented in the Initial Study, the proposed project will not cause unavoidable significant adverse impacts to City's utility service systems.

Wildfire: As described in Section XX of the Initial Study, the proposed project is not located within a Very High Fire Hazard Severity Zone as designated by CAL FIRE, and is not located in a Wildland Fire Protection Agreement Area and it does not contain a heavy fuel load at present. As such, the proposed project is not forecast to cause any significant adverse wildfire impacts as a result of developing multifamily apartments within the City. No unavoidable significant impacts pertaining to wildfires are anticipated to result from implementing the proposed project.

The Executive Summary of potential project impacts is presented in Table 1.5-1.

1.6 ALTERNATIVES

The California Environmental Quality Act (CEQA) and the State CEQA Guidelines require an evaluation of alternatives to the proposed action. Section 15126 of the State CEQA Guidelines indicates that the "discussion of alternatives shall focus on alternatives capable of eliminating any significant adverse environmental effects or reducing them to a level of not significant...." The State Guidelines also indicate that "a range of reasonable alternatives to the project....which could feasibly attain the basic objectives of the project" and "The range of alternatives required in an EIR is governed by 'rule of reason' that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice." The detailed analyses of the alternatives evaluated are provided in Chapter 5 of this DEIR. This evaluation addresses those alternatives for feasibility and range of alternatives required to permit decision-makers a reasoned choice between the alternatives. Refer to Table 1.6-1 for a tabular comparison of alternatives.

Overall, the purpose of developing the proposed project is to align local and regional development objectives for all residents of the City with a variety of housing alternatives. More specifically, the proposed project objectives are as follows:

- **Infrastructure**: Provide comprehensive infrastructure improvements for water, sewer, stormwater drainage, and circulation system to meet future infrastructure demand needs.
- **Distinctive Design and Appearance**: The project incorporates quality design elements that provide a unified sense of identity. Building and roadway treatments in this area command the same level of investment and quality of design as the surrounding community.
- **Streetscape Improvements**: Consistent roadway design and improvements, including landscape and monumentation and an integrated, seamless approach to ongoing maintenance.
- **Mobility**: Efficiently connect the proposed project uses to freeway access while providing safe spaces for pedestrians, cyclists, transit, and motor vehicles along Nutmeg Street and Washington Avenue.

As discussed in Chapter 4 of this DEIR, the proposed project would not result in significant and unavoidable impacts related to the modification of private scenic vistas, and thereby no significant and unavoidable aesthetic impacts are anticipated to occur from implementing the project as proposed in Chapter 3, the project Description.

**Table 1.6-1
 TABULAR COMPARISON OF PROJECT ALTERNATIVES**

	<i>Would the project/Alternative Result in Significant Adverse Impacts to the Resource Issues of ...?</i>		Which Alternative is Environmentally Superior?
	Proposed project	No project Alternative (NPA)	
Aesthetics	No	No	NPA
Agriculture and Forestry Resources	No	No	Alternatives are equal
Air Quality	No	No	NPA
Biological Resources	No	No	NPA
Cultural Resources	No	No	NPA
Energy	No	No	NPA
Geology and Soils	No	No	NPA
Greenhouse Gas / Climate Change	No	No	NPA
Hazards and Hazardous Materials	No	No	NPA
Hydrology and Water Quality	No	No	NPA
Land Use / Planning	No	No	Alternatives are equal
Mineral Resources	No	No	Alternatives are equal
Noise	No	No	NPA
Population / Housing	No	No	NPA
Public Services	No	No	NPA
Recreation	No	No	NPA
Transportation / Traffic	No	No	NPA
Tribal Cultural Resources	No	No	NPA
Utilities and Service Systems	No	No	NPA
Wildfire	No	No	Alternatives are equal
<i>Would Meet project Objectives?</i>	Yes	No	--

No Project Alternative

One of the alternatives that must be evaluated in an EIR is the “no project alternative (NPA),” regardless of whether it is a feasible alternative to the proposed project, i.e. would meet the project objectives or requirements. Under this alternative, the environmental impacts that would occur if the proposed project is not approved and implemented are identified. The NPA assumes the property remains undeveloped. With respect to the NPA, project objectives are not attained because no development is included as a part of the NPA. With respect to the avoidance of significant adverse impacts, there are none, therefore, the NPA would not avoid any unavoidable significant impacts of the proposed project; however, no fees and funding would be provided to upgrade area transportation infrastructure; public services; and utilities. Under the NPA none of the six project objectives would be met.

Conclusion

The No project Alternative is the environmentally superior alternative. However, this alternative does not meet the project objectives; therefore, the proposed project is considered the environmentally superior project among the alternatives considered. This finding is reinforced by the conclusion that the proposed project will not cause any significant adverse impacts.

1.7 AREAS OF CONTROVERSY

A detailed discussion of all comments received on the project in response to the Notice of Preparation is provided in Chapter 2, Introduction. Based on this input the following issues were identified as being controversial:

1. Scenic Vistas/Blocking Views: commenters on the NOP raised concern that the proposed project would develop a 3-story building that would block private views in the vicinity of the project, this was identified as one of the major issues of controversy associated with the proposed project.
2. Transportation: traffic congestion, especially during school hours was one of the main concerns raised by commenters on the NOP, and that additional traffic generated by the project in this area would contribute to the greater congestion in the project area.
3. Hydrology: there was some concern that the proposed project would contribute to an existing flooding condition at the intersection of Washington and Nutmeg.
4. Utilities/Transportation: the community indicated concern over the adequacy of local infrastructure to support the additional demand created by the project.
5. Schools: commenters on the NOP raised concern that the project would adversely impact schools that presently are over capacity to accommodate the City’s population.
6. Public Services: commenters on the NOP raised concern that the proposed multifamily development would adversely impact public services that they believe do not presently have adequate capacity to serve the existing population.
7. Noise: commenters on the NOP raised concern that, due to the higher density of the proposed project in comparison to adjacent single-family homes, excessive noise would be generated by the project.
8. Property Value/Crime: commenters on the NOP raised concern that the proposed development would adversely impact property values in the vicinity of the project, and also raised concerns that the project would result in greater crime in the area as a result of the difference in income levels between single family residences and multi-family residences.

1.8 SUMMARY OF IMPACTS AND AVOIDANCE, MINIMIZATION AND MITIGATION MEASURES DISCUSSED IN THIS DRAFT EIR

Table 1.5-1 (at the end of this chapter) provides a summary of all impacts and mitigation measures identified in the detailed environmental evaluation presented in Chapter 4 of this DEIR and in the Initial Study, Appendix 8.1 of this document. This summary is meant to provide a quick reference to proposed project impacts, but the reader is referenced to Chapter 4 and Appendix 8.1 to understand the assumptions, method of impact analysis and rationale for the findings and conclusions presented in Table 1.5-1.

**Table 1.5-1
 SUMMARY OF IMPACTS AND AVOIDANCE, MINIMIZATION AND MITIGATION MEASURES DISCUSSED IN THIS DRAFT EIR**

Environmental Category / Avoidance, Minimization and Mitigation Measures		Responsible Agency
AESTHETICS AES-1 For future development located in or immediately adjacent to residentially zoned properties, construction documents shall include language that requires all construction contractors to strictly control the staging of construction equipment and the cleanliness of construction equipment stored or driven beyond the limits of the construction work area. Construction equipment shall be parked and staged within the project site, as distant from the residential use, as reasonably possible. Staging areas shall be screened from view from residential properties.		City of Murrieta
AES-2 Construction documents shall include language requiring that construction vehicles be kept clean and free of mud and dust prior to leaving the development site. Streets surrounding the development site shall be swept daily and maintained free of dirt and debris.		City of Murrieta
AES-3 Construction worker parking may be located off-site with prior approval by the City. On-street parking of construction worker vehicles on residential streets shall be prohibited.		City of Murrieta
Impact Description	Impact After Mitigation	
The proposed Washington/Nutmeg Multi-Family Development project will adversely affect existing views from a majority of the 23 residences directly adjacent to the project site. For those existing residences on the northwest edge of the project site the change in view will range from a loss of visual access to the project site and to the loss of views to the existing suburban development to the south and southwest. There will be a minimal loss of visual access due to the proposed project to the background scenic vista defined by the Santa Rosa Plateau and Santa Ana Mountains. Visual simulation of the proposed two- and three-story apartment complex indicated that none of the views that would be obstructed by the proposed project are pristine views due to the high degree of foreground and background man-made development. Furthermore, the City's policies address public views, but are silent on obstruction of private views, and State court decisions regarding private views indicate that no land owner has ownership of a vista. No scenic resources within the site would be damaged as a result of development of the proposed project. While the project will introduce new light sources into the project area, compliance with City requirements would minimize light and glare impacts below significance thresholds. With the City's design elements incorporated in the project, implementation of the proposed project will be consistent with the surrounding urban setting and the potential aesthetic impacts to the site will result in a less than significant impact.	In order to minimize visual impacts during construction, mitigation measures AES-1 through AES-3 are required, each sourced from the City's General Plan. Ultimately, based on the lack of City policy on private views and the State court decisions regarding private views, the City finds that although private visual access will be adversely modified to scenic vistas from private residences, this impact does not rise to a level of a significant unavoidable adverse impact in accordance with CEQA. Therefore, no unavoidable significant aesthetic impacts are anticipated to occur as a result of implementation of the proposed project.	

Environmental Category / Avoidance, Minimization and Mitigation Measures		Responsible Agency
AGRICULTURE AND FORESTRY RESOURCES No Agriculture or Forestry Resource specific mitigations are required.		City of Murrieta
Impact Description	Impact After Mitigation	
No agricultural or forestry resources exist within the project site, and none would be impacted by the project site. As such, no unavoidable significant impact to agricultural or forestry resources will result from implementing the proposed project.	Since the proposed project will not have an adverse impact on significant agricultural resources or resource values, it cannot make a cumulatively considerable contribution to such resources or values.	

Environmental Category / Avoidance, Minimization and Mitigation Measures		Responsible Agency
AIR QUALITY AQ-1 During the site preparation phase, construction equipment greater than 150 horsepower (>150 HP), the Construction Contractor shall ensure that off-road diesel construction equipment that complies with Environmental Protection Agency (EPA)/California Air Resources Board (CARB) Tier 3 emissions standards and shall ensure that all construction equipment is tuned and maintained in accordance with the manufacturer's specifications.		City of Murrieta
AQ-2 During site preparation and grading activity all actively graded areas within the project site shall be watered at 2.1-hour watering intervals (e.g., 4 times per day) or a movable sprinkler system shall be in place to ensure minimum soil moisture of 12% is maintained for actively graded areas. Moisture content can be verified with use of a moisture probe by the grading contractor.		City of Murrieta
Impact Description	Impact After Mitigation	
The project-specific evaluation of emissions presented in the analysis provided in the Initial Study (IS) demonstrates that after implementation of the recommended mitigation measures, neither construction or operation of the proposed project would result in any exceedance of thresholds for a criteria pollutant. Furthermore, the project is consistent with the AQMP; the air quality impact for project-related LST impacts, are considered to be less than significant; and, sensitive receptors would not be subject to a significant air quality impact during project construction or operations.	Construction emissions and LSTs are below the SCAQMD thresholds even before implementation of mitigation. However, implementation of the mitigation measures, including BACMs and Rules can reduce potentially significant construction-related air quality impacts to the greatest extent feasible. No unavoidable significant impact to air quality will result from implementing the proposed project.	

Environmental Category / Avoidance, Minimization and Mitigation Measures		Responsible Agency
<p>BIOLOGICAL RESOURCES</p> <p>BIO-1 Bird nesting season generally extends from February 1 through September 15 in southern California and specifically, April 15 through August 31 for migratory passerine birds. To avoid impacts to nesting birds (common and special status) during the nesting season, a qualified Avian Biologist shall conduct pre-construction nesting bird survey prior to project-related disturbance to identify any active nests. If no active nests are found, no further action would be required. If an active nest is found, the biologist shall set appropriate no-work buffers around the nest which would be based upon the nesting species, its sensitivity to disturbance, nesting stage and expected types, intensity and duration of disturbance. The nests and buffer zones shall be field checked weekly by a qualified biological monitor. The approved no-work buffer zone shall be clearly marked in the field, within which no disturbance activity shall commence until the qualified biologist has determined the young birds have successfully fledged and the nest is inactive.</p>		<p>City of Murrieta</p>
Impact Description	Impact After Mitigation	
<p>Due to the lack of significant biological resources within the proposed project site, the project is not forecast to cause any direct significant unavoidable adverse impact to sensitive biological resources. This is because the conditions on site and surrounding land uses are not suitable to support any of the listed species that have been documented within the project vicinity, including the federally-listed as threatened Coastal California Gnatcatcher (CAGN), and no protocol-level sensitive species surveys are warranted.</p>	<p>Mitigation is required to minimize impacts to nesting birds. This is because although the project site is within an urban environment, it is still potentially suitable to support nesting birds, including open ground nesters such as killdeer (<i>Charadrius vociferus</i>). All potential impacts to biological resources within the project area would be limited and can be mitigated to a less than significant impact level. Thus, based on the lack of significant onsite biological resources and the mitigation that must be implemented to control potential site-specific impacts on biological resources, the proposed project is not forecast to cause significant unavoidable adverse impacts to biological resources.</p>	

Environmental Category / Avoidance, Minimization and Mitigation Measures		Responsible Agency
CULTURAL RESOURCES CUL-1 Should any subsurface or other cultural resources be encountered during construction of these facilities, earthmoving or grading activities in the immediate area of the finds shall be halted and an onsite inspection shall be performed immediately by a qualified archaeologist. Responsibility for making this determination shall be with the City's onsite inspector. The archaeological professional shall assess the find, determine its significance, and make recommendations for appropriate mitigation measures within the guidelines of the California Environmental Quality Act.		City of Murrieta
Impact Description	Impact After Mitigation	
Unanticipated and unknown archaeological resources may be unearthed during construction, which could cause a significant impact to cultural resources. The proposed project's potential to impact significant historical or archaeological resources was determined to be low. However, as such, mitigation is required to prevent a significant impact.	Mitigation will reduce potential impacts by ensuring that the construction earth work will halt in the unlikely event of unearthed archaeological discoveries, and by ensuring that any such resources will be protected in place where possible, or sensitively recovered if preservation in place is not feasible. Additionally, mitigation would reduce the potential for impacts to paleontological resources by requiring monitoring, and placing specific performance measures on certain earth-moving operations. Further, the measure identifies methods for which identification and recovery of unexpected specimens will occur. Implementation of the proposed project is not forecast to cause any direct, significant adverse impact to cultural resources with implementation of identified mitigation measures. The proposed project has no potential to make a cumulatively considerable contribution to cultural resource impacts in the project area or Murrieta in general. Further, based on the character of the proposed project there is no indication of any possible indirect impacts.	

Environmental Category / Avoidance, Minimization and Mitigation Measures		Responsible Agency
ENERGY No Energy specific mitigations are required.		--
Impact Description	Impact After Mitigation	
Based on the analysis provided in the Energy Analysis Report prepared for the project, the proposed project would not result in wasteful or inefficient use of energy during either construct or operations. Energy consumed by the project's operation has been calculated to be comparable to, or less than, energy consumed by other residential and recreational uses of similar scale and intensity that are constructed and operating in California. On this basis, the project would not result in the inefficient, wasteful, or unnecessary consumption of energy. Furthermore, given the availability of energy supplies in the project area, the proposed project would not cause or result in the need for additional energy producing facilities or energy delivery systems.	No mitigation is required to minimize impacts under energy. Since the proposed project will not have an adverse impact on significant energy resources or resource values, it cannot make a cumulatively considerable contribution to such resources or values.	

Environmental Category / Avoidance, Minimization and Mitigation Measures		Responsible Agency
GEOLOGY AND SOILS		
GEO-1	Based upon the geotechnical investigation (Appendix 5 of this document), all of the recommended seismic design parameters identified in Appendix 5 (beginning on Page 9) shall be implemented by the Applicant. Implementation of these specific measures will address all of the identified geotechnical constraints identified at project site, including seismic soil stability on future project-related structures.	City of Murrieta
GEO-2	Stored backfill material shall be covered with water resistant material during periods of heavy precipitation to reduce the potential for rainfall erosion of stored backfill material. If covering is not feasible, then measures such as the use of straw bales or sandbags shall be used to capture and hold eroded material on the project site for future cleanup.	City of Murrieta
GEO-3	All exposed, disturbed soil (trenches, stored backfill, etc.) shall be sprayed with water or soil binders twice a day, or more frequently if fugitive dust is observed migrating from the site within which the Hotel Murrieta is being constructed.	City of Murrieta
GEO-4	Should any paleontological resources be encountered during construction of these facilities, earthmoving or grading activities in the immediate area of the finds shall be halted and an onsite inspection should be performed immediately by a qualified paleontologist. Responsibility for making this determination shall be with the City's onsite inspector. The paleontological professional shall assess the find, determine its significance, and make recommendations for appropriate mitigation measures within the guidelines of the California Environmental Quality Act.	City of Murrieta
Impact Description	Impact After Mitigation	
The proposed project can be developed without encountering significant seismic-related ground rupture or landslide impacts, as well as vertically induced consolidation and lateral spreading potential; however, mitigation is required to minimize these impacts. The Geotechnical Investigation concluded that the soils at the site are sufficiently granular to preclude a potential for significant expansion. Construction at the project site could result in soil erosion when soils are exposed, and further, ground disturbing activities could result in unearthing unknown paleontological resources. Mitigation is required to minimize impacts to the above geological constraints.	Mitigation, in the form of standard conditions and limited mitigation measures, has been identified, that must be implemented to control exposure to potentially significant seismic and soil instability impacts. With implementation of the recommended seismic design measures, structures and future persons residing within these structures, can be adequately protected. The project can be implemented without causing or experiencing significant unavoidable geology or soil impacts.	

Environmental Category / Avoidance, Minimization and Mitigation Measures		Responsible Agency
GREENHOUSE GAS No Greenhouse Gas specific mitigations are required.		--
Impact Description	Impact After Mitigation	
Most individual projects, such as the proposed project, cannot generate enough greenhouse gas emissions to effect a discernible change in global climate. South Coast Air Quality Management District's screening threshold of 3,000 metric tons (MT) of CO ₂ (e) GHG emissions will not be exceeded by the proposed project (the total GHG operational emissions with amortized construction-related emissions are 2,971.29 MTCO ₂ e). Both the construction and operations GHG emissions are below the 3,000 MT CO ₂ (e) advisory threshold for impact significance.	No mitigation is required to minimize GHG emissions below SCAQMD emissions thresholds or to ensure that the project is consistent with AB 32, SB 32, and the City's Climate Action Plan (CAP). Thus, the proposed project would not result in new significant GHG impacts nor would it result in a substantial increase in the severity of Global Climate Change. project-related GHG emissions are not considered to be significant or adverse and would not result in an unavoidable significant adverse impact on global climate change.	

Environmental Category / Avoidance, Minimization and Mitigation Measures		Responsible Agency
HAZARDS AND HAZARDOUS MATERIALS HAZ-1 All spills or leakage of petroleum products during construction activities will be remediated in compliance with applicable state and local regulations regarding cleanup and disposal of the contaminant released. The contaminated waste will be collected and disposed of at an appropriately licensed disposal or treatment facility. This measure will be incorporated into the SWPPP prepared for the project development.		City of Murrieta
Impact Description	Impact After Mitigation	
The proposed project could result in accidental release of petroleum products in sufficient quantity to pose a significant hazard to people and the environment during construction; however, during operation of the proposed apartment development, use of hazardous materials in substantial quantities is not anticipated. The project is not located within one quarter mile of a school, and further is not located on a site that is included on a list of hazardous materials sites that are currently under remediation. Development of the project would not result in wildfire hazards, design hazards, or inadequate emergency access.	Compliance with all Federal, State, and local regulations governing the storage and use of hazardous materials is required, and will ensure that the project operates in a manner that poses no substantial hazards to the public or the environment. The hazards and hazardous materials evaluation in the IS concluded that the identified hazards that may result from project implementation can be adequately mitigated to a level of impact that is less significant.	

Environmental Category / Avoidance, Minimization and Mitigation Measures		Responsible Agency
HYDROLOGY AND WATER QUALITY HYD-1 The project proponent will select best management practices from the range of practices identified by the City and reduce future non-point source pollution in surface water runoff discharges from the site to the maximum extent practicable, both during construction and following development. The Storm Water Pollution Prevention Plan (SWPPP) and Water Quality Management Plan (WQMP) shall be submitted to the City for review and approval prior to ground disturbance and the identified BMPs installed in accordance with schedules contained in these documents.		City of Murrieta
Impact Description	Impact After Mitigation	
With implementation of best management practices (BMPs) specified in the WQMP and SWPPP, the proposed project would not cause a violation of any water quality standards or waste discharge requirements. While the development of the project may result in a slight reduction in the amount of surface runoff recharge associated with natural runoff, this reduction is expected to be off-set/replaced by infiltration from the on-site bioretention basin and porous concrete, as well as the required onsite landscaping; furthermore, project water demand is not anticipated to fall outside of planned supply by the area water agency. The development of the project will, therefore, not substantially interrupt the existing percolation that currently occurs on the site, or any flow of groundwater beneath the project site. The proposed project would not result in stormwater or surface runoff that would result in any significant impacts, and the project is not located in a flood, tsunami, seiche, or other hydrology related hazard zone.	Mitigation would establish a performance standard to ensure that the degree of water quality control is adequate to ensure the project does not contribute significantly to downstream water quality degradation. With implementation of the required mitigation, the hydrology and water quality analysis in the IS concluded that the project can be development without causing significant adverse effects on drainage and water quality resources/ issues.	

Environmental Category / Avoidance, Minimization and Mitigation Measures		Responsible Agency
LAND USE AND PLANNING No Land Use and Planning specific mitigations are required.		--
Impact Description	Impact After Mitigation	
The project site is designated for multifamily residential use and it is zoned for Multifamily 1 Residential (MF-1, 10.1-15 du/ac) development, which are the appropriate designations/classifications for the proposed development. The proposed project is consistent with the City of Murrieta plans and policies, and with the surrounding uses.	No mitigation is required to minimize land use and planning impacts. The proposed project would therefore not result in an adverse impact under land use and planning and therefore cannot cause or contribute to cumulatively considerable impacts thereof.	

Environmental Category / Avoidance, Minimization and Mitigation Measures		Responsible Agency
MINERAL RESOURCES No Mineral Resource specific mitigations are required.		--
Impact Description	Impact After Mitigation	
The project site and surrounding area do not contain any existing mineral development nor any identified potential for mineral resource development. Development of the proposed project will not cause any adverse impacts to mineral resource or values.	The proposed project has no potential to contribute to any cumulative loss of mineral resources or values. The project will have no cumulative adverse impact to mineral resources.	

Environmental Category / Avoidance, Minimization and Mitigation Measures		Responsible Agency
NOISE		
NOI-1	The construction contractor shall provide a 100-foot buffer zone between adjacent occupied, sensitive residential receiver locations and stationary construction equipment.	City of Murrieta
NOI-2	Prior to approval of grading plans and/or issuance of building permits, plans shall include a note indicating that noise-generating project construction activities shall only occur between the hours of 7:00 a.m. to 8:00 p.m. daily, with no activity allowed on Sundays or holidays (City of Murrieta Municipal Code, Section 16.30.130(A)(2)(a)(1)). The project construction supervisor shall ensure compliance with the note and the City shall conduct periodic inspection at its discretion.	City of Murrieta
NOI-3	During all project site construction, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site.	City of Murrieta
NOI-4	The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receivers nearest the project site during all project construction activities (i.e., to the center).	City of Murrieta
NOI-5	The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment (between the hours of 7:00 a.m. to 8:00 p.m. daily, with no activity allowed on Sundays or holidays). The contractor shall design delivery routes to minimize the exposure of sensitive land uses or residential dwellings to delivery truck-related noise.	City of Murrieta
NOI-6	Equipment shall be shut off and not left to idle when not in use.	City of Murrieta
NOI-7	The project proponent shall mandate that the construction contractor prohibit the use of music or sound amplification on the project site during construction.	City of Murrieta
NOI-8	Large loaded trucks and dozers (greater than or equal to 81,500 pounds) shall not be used within 100 feet of the project boundary near receiver locations R1, R2 and R3 if occupied at the time of project construction, as shown on Exhibit ES-B. Instead, smaller, rubber-tired bulldozers (less than 81,500 pounds) shall be used within this area during project construction to reduce vibration effects. If all mobile equipment used during project construction are less than 81,500 this mitigation measure does not need to be implemented.	City of Murrieta

Environmental Category / Avoidance, Minimization and Mitigation Measures		Responsible Agency
NOI-9	The first-floor interior noise level analysis shows that the City of Murrieta 45 dBA CNEL residential interior noise level can be satisfied using standard building construction providing windows and sliding glass doors with minimum STC ratings of 27. The developer shall install windows and sliding glass doors on the first-floor of all units.	City of Murrieta
Impact Description	Impact After Mitigation	
While the project related construction equipment noise levels satisfy the City of Murrieta Municipal Code construction noise level standards of 75 dBA Lmax for mobile equipment, the project noise levels will exceed the 60 dBA Lmax standards for stationary equipment during temporary project construction activities at receiver locations R1, R2 and R3. The project-related vibration impacts will exceed the City of Murrieta 0.01 in/sec RMS threshold, and impacts are considered potentially significant during the construction activities at the project site. The project residential land use is considered a noise-sensitive receiving land use and not as a significant noise generator, and as such would not result in significant adverse operational noise impacts.	With the 100-foot buffer mitigation for stationary equipment construction noise, the noise level at nearby noise sensitive receiver locations will be reduced to 56.6 to 57.3 dBA Lmax. The 100-foot buffer noise mitigation measure for stationary equipment construction satisfies the City of Murrieta 60 dBA Lmax noise level standards. As such, the noise impact due to project construction is considered a less than significant impact with mitigation. A 100-foot buffer for large construction equipment greater than or equal to 81,500 pounds based on information provided in the Caterpillar Performance Handbook, shall be required to reduce vibration levels at nearby receiver locations. Instead, smaller, rubber-tired bulldozers (less than 81,500 pounds) shall be used within this area during project construction to reduce vibration effects. Table XIII-3 shows the mitigated project construction vibration levels will be reduced to 0.004 in/sec RMS and remain below the City of Murrieta 0.01 in/sec RMS threshold, thereby resulting in less than significant vibration impacts with mitigation.	

Environmental Category / Avoidance, Minimization and Mitigation Measures		Responsible Agency
POPULATION AND HOUSING No Population and Housing specific mitigations are required.		--
Impact Description	Impact After Mitigation	
The proposed Washington/Nutmeg Multifamily Development project will develop 17 apartment buildings containing 210 multifamily housing units, which would increase the local population by about 693 persons. It was determined that, based on a review of local and regional planning documents, the proposed project would not induce population growth beyond that which has been planned for in the City General Plan or SCAG planning documents, or that can be accommodated by the project and the City.	No mitigation is required to minimize impacts pertaining to population and housing. The proposed project would therefore not result in an adverse impact such that population growth or existing housing conditions would be exacerbated and therefore the project cannot cause a cumulatively considerable impact thereof.	

Environmental Category / Avoidance, Minimization and Mitigation Measures		Responsible Agency
PUBLIC SERVICES No Public Service specific mitigations are required.		--
Impact Description	Impact After Mitigation	
In general, for public services including fire protection, police protection, school services, park services, and library services, payment of the applicable statutory fee minimizes impacts below significance thresholds and is considered sufficient to offset additional demand on the above public services.	No mitigation is required to minimize impacts related to the additional demand on public services. The basis for this conclusion is that adequate funding will be generated to offset project-related new demand for public services within the project area.	

Environmental Category / Avoidance, Minimization and Mitigation Measures		Responsible Agency
RECREATION No Recreation specific mitigations are required.		--
Impact Description	Impact After Mitigation	
In general, for parks and recreation impacts, payment of the applicable statutory fee minimizes impacts below significance thresholds and is considered sufficient to offset additional demand on the recreational facilities and area parks. Furthermore, the proposed project would contribute park and recreation facilities that would serve residents of the proposed apartments.	No mitigation is required to minimize impacts related to the additional demand on area parks and recreational facilities. Because of the park and recreation resources that would be provided by the proposed project and through the payment of statutory development impact fees, which is a mandatory requirement, all potential direct impacts and cumulative impacts of the proposed project are considered to be less than significant. Based on these findings, the proposed project would not cause significant unavoidable adverse impacts to the area recreation resources.	

Environmental Category / Avoidance, Minimization and Mitigation Measures		Responsible Agency
TRANSPORTATION TRAN-1 Prior to the issuance of building permits, the project Applicant shall participate in the City's Development Impact Fee (DIF) program and the County's Transportation Uniform Mitigation Fee (TUMF) program by paying the requisite DIF and TUMF fees.		City of Murrieta
Impact Description	Impact After Mitigation	
The project would include design measures that would be implemented in conjunction with the development of the site (IS pg. 94-95) and would not contribute significant vehicle miles travelled (VMT) within the City, such that area and regional VMT thresholds would be exceeded. Finally, design of the project would ensure adequate emergency access and no incompatible uses as project access will be designed in accordance with all applicable design and safety standards required by adopted fire codes, safety codes, and building codes established by the City's Engineering and Fire Departments.	With implementation of proposed project improvements, which have been incorporated into project design, as well as the mitigation provided above, the proposed project will not "conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities." Based on these findings, the proposed project would not cause significant unavoidable adverse impacts to the area transportation.	

Environmental Category / Avoidance, Minimization and Mitigation Measures	Responsible Agency
<p>TRIBAL CULTURAL RESOURCES</p> <p>TCR-1 Human Remains. If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to Public Resource Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within the period specified by law (24 hours). Subsequently, the Native American Heritage Commission shall identify the "most likely descendant." The most likely descendant shall then make recommendations and engage in consultation concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.</p>	<p>City of Murrieta</p>
<p>TCR-2 Non-Disclosure of Location Reburials. It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code 6254 (r), parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code 6254 (r).</p>	<p>City of Murrieta</p>
<p>TCR-3 Inadvertent Archeological Find. If during ground disturbance activities, unique cultural resources are discovered that were not assessed by the archaeological report(s) and/or environmental assessment conducted prior to project approval, the following procedures shall be followed. Unique cultural resources are defined, for this condition only, as being multiple artifacts in close association with each other, but may include fewer artifacts if the area of the find is determined to be of significance due to its sacred or cultural importance as determined in consultation with the Native American Tribe(s).</p> <ul style="list-style-type: none"> i. All ground disturbance activities within 100 feet of the discovered cultural resources shall be halted until a meeting is convened between the developer, the archaeologist, the tribal representative(s) and the Community Development Director to discuss the significance of the find. ii. At the meeting, the significance of the discoveries shall be discussed and after consultation with the tribal representative(s) and the archaeologist, a decision shall be made, with the concurrence of the Community Development Director, as to the appropriate mitigation (documentation, recovery, avoidance, etc.) for the cultural resources. iii. Grading of further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional Tribal monitors if needed. iv. Treatment and avoidance of the newly discovered resources shall be consistent with the Cultural Resources Management Plan and Monitoring Agreements entered into with the appropriate tribes. This may include avoidance of the cultural resources through project design, in-place preservation of cultural resources located in native soils and/or re-burial on the project property so they are not subject to further disturbance in perpetuity as identified in Non-Disclosure of Reburial Condition. v. Pursuant to Calif. Pub. Res. Code § 21083.2(b) avoidance is the preferred method of preservation for archaeological resources and cultural resources. If the landowner and the Tribe(s) cannot agree on the significance or the mitigation for the archaeological or cultural resources, these issues will be presented to the City Community Development Director for decision. The City Community Development Director shall make the 	<p>City of Murrieta</p>

Environmental Category / Avoidance, Minimization and Mitigation Measures	Responsible Agency
<p>determination based on the provisions of the California Environmental Quality Act with respect to archaeological resources, recommendations of the project archeologist and shall take into account the cultural and religious principles and practices of the Tribe. Notwithstanding any other rights available under the law, the decision of the City Community Development Director shall be appealable to the City Planning Commission and/or City Council.”</p>	
<p>TCR-4 Cultural Resources Disposition. In the event that Native American cultural resources are discovered during the course of grading (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries:</p> <ul style="list-style-type: none"> a) One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Menifee Community Development Department: <ul style="list-style-type: none"> i. Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place where they were found with no development affecting the integrity of the resources. ii. Reburial of the resources on the project property. The measures for reburial shall include, at least, the following: Measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed, with an exception that sacred items, burial goods and Native American human remains are excluded. Any reburial process shall be culturally appropriate. Listing of contents and location of the reburial shall be included in the confidential Phase IV report. The Phase IV Report shall be filed with the City under a confidential cover and not subject to Public Records Request. iii. If preservation in place or reburial is not feasible then the resources shall be curated in a culturally appropriate manner at a Riverside County curation facility that meets State Resources Department Office of Historic Preservation Guidelines for the Curation of Archaeological Resources ensuring access and use pursuant to the Guidelines. The collection and associated records shall be transferred, including title, and are to be accompanied by payment of the fees necessary for permanent curation. Evidence of curation in the form of a letter from the curation facility stating that subject archaeological materials have been received and that all fees have been paid, shall be provided by the landowner to the City. There shall be no destructive or invasive testing on sacred items, burial goods and Native American human remains. Results concerning finds of any inadvertent discoveries shall be included in the Phase IV monitoring report. 	<p style="text-align: center;">City of Murrieta</p>

Environmental Category / Avoidance, Minimization and Mitigation Measures	Responsible Agency
<p>TCR-5 Archeologist Retained. Prior to issuance of a grading permit the project applicant shall retain a qualified archaeologist to monitor all ground disturbing activities in an effort to identify any unknown archaeological resources.</p> <p>The project Archaeologist and the Tribal monitor(s) shall manage and oversee monitoring for all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, mass or rough grading, trenching, stockpiling of materials, rock crushing, structure demolition and etc. The project Archaeologist and the Tribal monitor(s), shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources in coordination with any required special interest or tribal monitors.</p> <p>The developer/permit holder shall submit a fully executed copy of the contract to the Community Development Department to ensure compliance with this condition of approval. Upon verification, the Community Development Department shall clear this condition.</p> <p>In addition, the project Archaeologist, in consultation with the Consulting Tribe(s), the contractor, and the City, shall develop a Cultural Resources Management Plan (CRMP) in consultation pursuant to the definition in AB52 to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. A consulting tribe is defined as a tribe that initiated the AB 52 tribal consultation process for the project, has not opted out of the AB52 consultation process, and has completed AB 52 consultation with the City as provided for in Cal Pub Res Code Section 21080.3.2(b)(1) of AB52. Details in the Plan shall include:</p> <ul style="list-style-type: none"> a) project grading and development scheduling; b) The project archeologist and the Consulting Tribes(s) shall attend the pre-grading meeting with the City, the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The Training will include a brief review of the cultural sensitivity of the project and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. All new construction personnel that will conduct earthwork or grading activities that begin work on the project following the initial Training must take the Cultural Sensitivity Training prior to beginning work and the project archaeologist and Consulting Tribe(s) shall make themselves available to provide the training on an as-needed basis; c) The protocols and stipulations that the contractor, City, Consulting Tribe(s) and project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resource evaluation. 	<p>City of Murrieta</p>
<p>TCR-6 Native American Monitoring Tribal monitor(s) shall be required on-site during all ground-disturbing activities, including grading, stockpiling of materials, engineered fill, rock crushing, etc. The land divider/permit holder shall retain a qualified tribal monitor(s) from the Pechanga Band of Luiseno Indians. Prior to issuance of a grading permit, the developer shall submit a copy of a signed contract between the above-mentioned Tribe and the land divider/permit holder for the monitoring of the project to the Community Development Department and to the Engineering Department. The Tribal Monitor(s) shall have the authority to temporarily divert, redirect or halt the ground-disturbance activities to allow recovery of cultural resources, in coordination with the project Archaeologist.</p>	<p>City of Murrieta</p>

Environmental Category / Avoidance, Minimization and Mitigation Measures	Responsible Agency
<p>TCR-7 Archeology Report – Phase III and IV. Prior to final inspection, the developer/permit holder shall prompt the project Archeologist to submit two (2) copies of the Phase III Data Recovery report (if required for the project) and the Phase IV Cultural Resources Monitoring Report that complies with the Community Development Department's requirements for such reports. The Phase IV report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting. The Community Development Department shall review the reports to determine adequate mitigation compliance. Provided the reports are adequate, the Community Development Department shall clear this condition. Once the report(s) are determined to be adequate, two (2) copies shall be submitted to the Eastern Information Center (EIC) at the University of California Riverside (UCR) and one (1) copy shall be submitted to the Consulting Tribe(s) Cultural Resources Department(s).</p>	<p>City of Murrieta</p>
Impact Description	Impact After Mitigation
<p>No historical or archaeological resources are known to occur within the project site, but a low potential exists to expose subsurface resources. The consultation with the Pechanga Band of Luiseño Indians and Rincon Band of Luiseño Indians indicated that the Tribes believes tribal cultural resources may exist within the project footprint.</p>	<p>The project can be implemented without any significant impacts to tribal cultural resources with mitigation to ensure that construction is conducted in a manner in enabling the Pechanga Band of Luiseño Indians and Rincon Band of Luiseño Indians to oversee treatment of any potential discovery of tribal cultural resources. Therefore, based on this information, the project would not cause significant unavoidable adverse impacts to tribal cultural resources.</p>

Environmental Category / Avoidance, Minimization and Mitigation Measures	Responsible Agency
<p>UTILITIES AND SERVICE SYSTEMS No Utilities and Service Systems specific mitigations are required.</p>	<p>--</p>
Impact Description	Impact After Mitigation
<p>Even though the proposed project will cause an unavoidable increase in the demand for water, wastewater, recycled water, electric, telecommunication, natural gas, and solid waste utility systems within the project area, these various systems are anticipated to accommodate this increased demand with existing facilities without causing an unavoidable significant adverse impact. Through compliance with existing regulations, the proposed project's potential water, wastewater, recycled water, electric telecommunication, natural gas, and solid waste utility systems impacts can be controlled and will be reduced below a level of significance.</p>	<p>No mitigation is required to minimize impacts related to the additional demand on area and regional utilities systems. The analysis of utility issues in the IS concluded that the existing management system and facilities have adequate capacity to expand to meet the proposed project's demands without causing any significant adverse impact. Based on these findings, the proposed project would not cause significant unavoidable adverse impacts to the area utility and service systems.</p>

Environmental Category / Avoidance, Minimization and Mitigation Measures		Responsible Agency
WILDFIRE No Wildfire specific mitigations are required.		--
Impact Description	Impact After Mitigation	
The proposed project is not located within a Very High Fire Hazard Severity Zone as designated by CAL FIRE, and is not located in a Wildland Fire Protection Agreement Area. The existing project site does not contain a heavy fuel load that would exacerbate conditions that would make the site susceptible to wildfires.	No mitigation is required to minimize wildfire impacts at the project site. The project will comply with City requirements pertaining to fire hazards and is not located on a site that has been delineated as susceptible to wildfire. Based on these findings, the proposed project would not cause or exacerbate significant unavoidable adverse conditions leading to wildfires and related impacts.	

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CHAPTER 2 – INTRODUCTION

2.1 BACKGROUND

Washington/Nutmeg Multifamily Development, L.P. is proposing to develop a 14.4-acre vacant property into a 210-unit apartment complex at the northeast corner of the Washington Avenue/Nutmeg Street intersection. This document is prepared as a Tier 2 Focused Environmental Impact Report (EIR) to a previously adopted IS/MND, SCH No. 2005121029 which was completed in April of 2005. Due to the recession development of the site did not proceed over the past 15 years. The Applicant is proposing to modify the original approved project and the City intends to consider this Tier 2 Focused EIR for the revised project. The project modifications/changes are summarized in the following text. Figures 3-1 and 3-2 show the Regional Location and Site Location of the project site. The formal action(s) that may be taken by the City consists of consideration of a new entitlement in place of the original approved project entitlement for the 14.4-acre site. This Focused EIR will consider Development Plan DP-2019-1997 and its potential impacts to private scenic vistas of adjacent single-family residents and to the public vistas while travelling west on Nutmeg as one approaches Washington Avenue; the project proposed to be evaluated under this Focused EIR will henceforth be known as the Washington/Nutmeg Multifamily Development project.

The previously approved Vesting Tentative Parcel Map 30394 (VTPM 01-194) / Development Plan (01195) consisted of 156 market-rate units and 54 Senior units for a total of 210 units at a density of 14.58 dwelling units per acre (du/acre) on an approximately 14.4-acre site (same site). The original project proposed 430 parking spaces, which met the City's parking requirement, 212 of the spaces were covered garages, 120 were carport spaces and the remainder were uncovered spaces. Access to the project was provided by two gated drives located on Nutmeg Street and Washington Avenue. Off-site improvements that were to be completed as part of the project would have included curb and gutter on adjacent streets, and lighting and landscaping along Washington Avenue and Nutmeg Street on the project side of the street. The 210 units were located in 23 buildings, and 19 of the 22 apartment buildings were planned with second floors.

This Focused EIR evaluates the following modifications to the environment from development of the project's 14.4-acre site. If the proposed site development plan (DP-2019-1997) is approved by the City, the Washington/Nutmeg Multifamily Development project would construct 17 apartment buildings containing 210 multi-family housing units (all market-rate apartment units). This includes 88 one-bedroom units; 88 two-bedroom units; and 34 three-bedroom units. There will be 13 two-story buildings and four three-story buildings. The three-story buildings will be installed in the center of the project site. A total of 210 garage spaces will be installed; 183 uncovered parking spaces will be installed; 52 guest parking spaces will be installed; and one mail/package loading space will be installed for a total of 446 parking spaces. Off-site improvements to be completed as part of the project would include curb and gutter on adjacent streets, lighting and landscaping along Washington Avenue and Nutmeg Street on the project side of the street, and restriping of the roadways to allow better traffic flow. The developer is seeking to merge the existing parcels on the 14.4-acre site into one parcel. The current site plan is shown on Figure 3-3.

Thus, the current plan contains the same number of apartment units and fewer overall buildings; all apartment units will be market rate, with none allocated to seniors; four of the currently

proposed 17 buildings will be three stories in height, rather than two stories; and site parking will be provided in 446 spaces instead of 430 spaces, with no covered spaces.

The following amenities will be included with the proposed project: clubhouse with open kitchen, BBQ area and fire-pit with seating; swimming pool with spa; exercise room; children's play area with play equipment; dog park; bocce court with BBQ area; outdoor evening movie area; open grass play area; tech room; a leasing office with conference room; and enclosed mail room with dedicated lockers for on-line package delivery.

2.2 PURPOSE AND USE OF AN EIR

The California Environmental Quality Act (CEQA) was adopted to assist with the goal of maintaining the quality of the environment for the people of the State. Compliance with CEQA, and its implementing guidelines, requires that an agency making a decision on a project (defined as an action that can change the physical environment) must consider its future potential environmental effects/impacts before granting any approvals or entitlements. Further, the State adopted a policy "that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects." Thus, an agency, in this case the City of Murrieta, must examine feasible alternatives and identify feasible mitigation measures as part of the environmental review process. CEQA also states "that in the event specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof." (§21002, Public Resources Code)

When applied to a proposed project, such as the proposed 210-unit apartment complex, the reviewing agency is required to identify the potential environmental impacts of implementing the project; and, where potentially significant impacts are identified, must determine whether there are feasible mitigation measures or alternatives that can be implemented to avoid or substantially lessen significant environmental effects of a project. The first step in this process—determination that an EIR is required and issuance of a Notice of Preparation (NOP)—has been completed for the Washington/ Nutmeg Multifamily Development project. This constitutes the "project being considered for approval and implementation" by the City of Murrieta. A Focused EIR has been selected as the appropriate document for compliance with CEQA based on the attached Initial Study (Appendix 8.1 of this document) which determined that all potential impacts of the proposed project but one, is either less than significant with no mitigation or with implementation of mitigation.

The following issues will not be analyzed in this Focused EIR: Aesthetics (except scenic vista impacts), Agriculture and Forestry Resources, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Greenhouse Gases/Climate Change, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning (Environmental Justice), Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation/Traffic, Tribal Cultural Systems, Utilities and Service Systems, and Wildfire. This Focused EIR will consider Development Plan DP-2019-1997 and its potential impacts to scenic vistas of adjacent single-family residents and travelers driving west on Nutmeg Street.

City of Murrieta (City) prepared and circulated a NOP for the proposed project. The NOP public review period through the State Clearinghouse began on June 16, 2020 and ended on July 15, 2020. Respondents were requested to submit their input as to the scope and content of

environmental information and issues that should be addressed in the Focused EIR no later than 30 days after receipt of the NOP. The NOP was distributed to interested agencies, the State Clearinghouse (SCH), and a list of interested parties compiled by the City, and the cooperating agencies. Due to the Covid-19 virus a decision was made not to hold a public scoping meeting. To compensate for this, the City notified all residents within 500-feet of the project site that a Focused EIR was being prepared for the project, and referred or directed local residents to the City's website to access a copy of the NOP and supporting Initial Study. Forty-seven individual comments were received by the City in response to the NOP, all by e-mail. Commentor Christy Fernandez (Comment #8) included a petition with 953 comments, of which all but one or two are in opposition to the proposed project. Comments are summarized below, and a brief response to each issue organized by environmental topic is provided following the summary of comment letters. A copy of each NOP comment is provided in Appendix 8.1. The location where the issues raised in the comments are addressed (Initial Study or EIR) is described in the following text.

NOP Comments Received

Comment #1 from Office of Planning and Research (dated 7/15/20) in summary states: The Nutmeg NOP was made available to State Agencies during the 30-day public review period, from 6/16/20 through 7/15/20. The State assigned this project the following State Clearinghouse (SCH) Number: 2020060294. Only one State Agency, California Native American Heritage Commission, submitted comments on the proposed project. No additional comments were provided through the State Clearinghouse.

Comment #2 from the Native American Heritage Commission (NAHC, dated 6/16/20) in summary states: The NAHC provides guidance to the City on how to comply with AB 52 requirements. In this case the City has already conducted a site-specific cultural resources evaluation and consulted with the local Native American tribes. Mitigation is contained in the Initial Study (Appendix 8.1 of this document, Sections IV and XVIII) that outlines how the project will incorporate Native American monitoring to ensure that project implementation will not cause substantial adverse impacts on Tribal Cultural Resources.

Comment #3 Brett Bennett, P.E. (July 10, 2020) in summary states: This comment addresses the hydrology study and Section IX of the Initial Study, particularly hydromodification. The comment claims that the hydrology analysis prepared by DRC Engineering, Inc. does not demonstrate that the project meets the City's Jurisdictional Runoff Management requirements. In response to these comments the following response is provided by DRC Engineering:

- 1. Mr. Bennett claims "All 60" lines bypass the bioretention basins and discharge to significantly smaller lines..." This statement misinterprets the actual drainage system design regarding how water flows through the project subdrain system. The project bioretention basin discharges through subdrains into manholes with weir and orifice structures inside. The combination of weirs and orifices restrict the outflow of water and causes the backup into our 60-inch (60") detention pipe. The pipes have been sized appropriately to allow water to back up at the same flowrate as they would pass through the bioretention basin.*
- 2. Mr. Bennett also claims the size of the structural bioretention basins are inconsistent between the plan set and hydrology. Again, this is a misunderstanding of the actual system. Mr. Bennett is confusing the project's total detention volume with the volume provided by the bioretention basins. These are two different volumes. The bioretention*

volume is a treatment volume which when added to the underground (60" pipe) volume equals the total detention volume.

- 3. This comment did identify a typo in the hydromod calculator, which will be corrected. However, this error does not pose any impact to the project drainage design. In the hydromod calculator the existing site is labeled as soil type 'c' and the proposed site as soil type 'd'. This typo actually leads our hydromod design to have been slightly more conservative than necessary. The flood volumes in our hydrology study were governing the retention volumes, so ultimately the design itself will not need to be modified.*
- 4. Mr. Bennett questions vector control at the project bioretention basins. This appears to be because a drawdown time was not provided in our report as it was not requested during the project review by the City. The basins were sized based on the Riverside County spread sheet and therefore the 96-hour drawdown time has already been accounted for. This is a WQMP issue and it was addressed, and it is not clear that Mr. Bennett reviewed this report.*
- 5. Mr. Bennett requested clarification on how the site will meet trash capture requirements. The California Stormwater Quality Act (CASQA) identifies bioretention basins as a full trash capture device. The proposed development drains to three bioretention basins and therefore meets the trash capture requirements.*
- 6. Mr. Bennett indicates that the intersection of Washington and Nutmeg is already prone to flooding. This is a City maintenance issue unrelated to the proposed project. The development will meet criteria set forth by the County to mitigate site stormwater discharge to pre-development conditions. Thus, the project site will not exacerbate the existing condition at the intersection.*
- 7. Mr. Bennett also commented that the project "detention system amounts are extraordinarily large for such a small site." It should be noted that the project site detains between 4,800 and 6,000 cubic feet of water per acre, which falls within industry standards for a development of this site.*

Comment #4 Aisa Winkle (June 30, 2020) in summary states: Expresses interest in the project; concerned about the adequacy of local infrastructure to support the project; and wishes to be kept informed about the project.

Regarding adequacy of local infrastructure, please refer to the Initial Study in Appendix 8.1 of this Draft EIR. Based on the data, analysis and findings in the Initial Study, adequate infrastructure capacity exists for the project. Specifically, drainage is discussed in Section IX of the Initial Study; public services in Section XV; transportation in Section XVII; and utilities and service systems in Section XIX. Please refer to these sections for the detailed evaluation of infrastructure. The City will place you on the list for future notifications.

Comment #5 Brett Bennett, P.E. (July 15, 2020) in summary states: Mr. Bennett identifies concerns regarding pedestrian and bicycle use in the project area. He also identified two traffic issues of concern: 1) asking the City to consider additional access across Murrieta Creek, particularly to address emergency access during fires in the hills, and 2) traffic congestion during morning school hours.

The proposed project will install sidewalks and bike paths along the frontage on Washington and Nutmeg, thereby providing more safety for pedestrians and bicycles along both roadways. Regarding the City providing additional crossings of Murrieta Creek in the project area, this is an issue beyond the scope of the proposed project and should be addressed directly to the City. Regarding traffic congestion during travel to and from schools, this also appears to be an issue

that should be addressed to the City and the Murrieta Unified School District. However, additional information is provided on this topic in Response to Comment No. 6.

Comment #6 Brian Treat (July 5, 2020) in summary states: Mr. Treat mentions several issues including: schools, traffic, and property values.

Regarding schools, the developer must pay school mitigation fees for each residence (210 residences) and the State has determined by statute that this is adequate mitigation. This requirement is pursuant to State law (SB50 and Proposition 1A). The project proponent will be required to pay school impact fees to the Murrieta Valley Unified School District (MVUSD), the payment of which, by statute, are deemed sufficient to offset impacts associated with new development and its impact on area schools. Per SB 50, the payment of the statutory school fees constitutes full mitigation of potential impacts upon the affected school district(s). Although the payment of mitigation fees by this project is considered its fair share under CEQA, every added school student will occur in the current overcrowded situation. Options available to MVUSD to address the current overcrowded situation include additional portable classrooms, year-round schedules, single- and multi-track year-round education. If MVUSD deems overcrowding conditions warrant, it can adopt a school Facilities Needs Analysis and impose Level 2 fees on new residential development. Regarding traffic congestion, refer to the traffic study which indicates the proposed project's traffic will not cause substantial additional traffic congestion impacts. Finally, regarding property value issues, please refer to the Fiscal Impact Analysis (FIA) provided in Appendix 8.5 that addresses a variety of fiscal effects from the proposed project, including the effects of comparable apartment projects on surrounding property values in the Murrieta/Temecula area. The FIA analysis documents the minimal adverse effects of quality apartment projects on housing values that surround such developments.

Comment #7 Cheryl Madrigal/Rincon Band of Luiseno Indians (June 30, 2020) in summary states: The Rincon Band has no comments at this time, but asks the City to continue with notifications to the Band so they can further participate in review of this proposed project.

The City appreciates input from the Rincon Band and will provide the Band with notification of future steps in the review process for the Washington/Nutmeg Multifamily Development project.

Comment #8 Christy Fernandez (July 11, 2020) in summary states: The project has been approved by the City; the project will adversely impact overcrowded healthcare facilities, overcrowded schools; and congested roads; and the area infrastructure is inadequate to support the project. Ms. Fernandez circulated a petition opposing the project and received 953 responses, mostly from area residents. The petition will be discussed at the end of this review of comments.

Ms. Fernandez's statement about the project having been approved is not correct. The City has accepted the applicant's application for review and is currently in the process of conducting the project review under CEQA. Murrieta has an estimated current population of approximately 113,000 residents. Using the City's average population per residence, 3.3 persons, the project's proposed 210 apartments would generate 693 new residents. Due to a mix of one-, two-, and three-bedroom apartments this is probably a high estimate (refer to Section XIV of the Initial Study for more detailed information). Assuming 693 new residents, this project represents 0.6% of the City's current population and is estimated to represent about 3.5% of the remaining planned growth in the City until buildout, approximately 20,000 more residents. The proposed project site has been designated Multi-Family Residential on the City's General Plan since 1999 and this designation was maintained in the 2011 General Plan Update by the City. This designation has

also been retained in the 2020 General Plan Update approved in July 2020. Regarding adequacy of local infrastructure, please refer to the Initial Study in Appendix 8.1 of this Draft EIR. Based on the data, analysis and findings in the Initial Study, adequate infrastructure capacity exists for the project. Specifically, drainage is discussed in Section IX of the Initial Study; public services in Section XV; transportation in Section XVII; and utilities and service systems in Section XIX. Please refer to these sections for the detailed evaluation of infrastructure and substantiation that infrastructure is adequate to meet the demands of the proposed project. Regarding healthcare, the City currently has three major medical facilities and healthcare is readily available for local residents. Regarding schools, the developer is required to pay the State mandated fees (SB 50) which the Legislature has deemed adequate to mitigate a project's impacts on the local education system and specifically prohibits any jurisdiction from imposing additional requirements to mitigate school impacts. Refer to Response to Comment No. 6. The traffic issue is further addressed in Response to Comment No. 46.

Comment #9 Corey Semrow (July 15, 2020) in summary states: Three-story structures do not occur in western Murrieta and questions the installation of such structures at the project site. Asks what the traffic analysis says about traffic impacts. What about the power lines that exist along Washington and Nutmeg? What about the wash/bioswale that exists on the property and any waters impacts? Has CEQA been performed, such as any critical habitat? Is blocking a view a non-mitigable impact under CEQA? Indicates that the proposed structures appear "prison-like." project's "mass population" will increase traffic; congest schools, generate additional crime, and change landscape of western Murrieta.

Three-story units (with a maximum height of 50') are permitted on land designated for Multi-Family Residential land use. The proposed three-story structures will not exceed 45 feet in height and have been located in the middle of the project site. The property is zoned for Multi-Family 1 Residential (MF-1, 10.1-15 du/ac) development. The project proposes a total of 210 units at a density of 14.58 dwelling units per acre (du/acre) on the approximately 14.4-acre site. The Traffic Impact Analysis (TIA) is summarized in the Initial Study and provided as Appendix 9 of the Initial Study. It concludes that with the roadway improvements identified, the project impacts on the circulation system would be less than significant. The power lines will be undergrounded adjacent to the property. Regarding the shallow depression on the property it was constructed when the site was previously graded to capture onsite runoff. It is not a stream or water of the United States, and it will be replaced with a new onsite drainage system that will include three bioswales. This document is part of the CEQA process which is currently in progress under the City's entitlement review process. Refer to the analysis in Subchapter 4.2 of this Draft EIR for an analysis of visual impacts. The comment regarding the site design is noted. Regarding traffic and schools refer to comments and responses numbers 6 and 8 above and #46 below. Regarding generation of crime, please refer to the Fiscal Impact Analysis and accompanying information in Appendix 8.5. Finally, the changing landscape meets the City's vision for the buildout of the City as expressed in the General Plan, most recently updated in 2011 and 2020.

Comment #10 Cynthia Nordskog (July 15, 2020) in summary states: She opposes the project and feels the three-story apartment buildings will adversely impact adjacent single-family residences. The project will negatively impact traffic and she believes there is inadequate retail shopping resources in the area.

Please review the evaluation in Subchapter 4.2 of this Draft EIR regarding impacts of three-story structures on adjacent residences. Refer to the Initial Study and Appendix 9 of the Initial Study regarding project impacts on the adjacent circulation system. Several commenters have indicated

that retail shopping in the area is overcrowded. But note that retail shopping is not a governmental service, and such shopping is available in other nearby areas and can be expanded by private developers at any time based on demand. If demand for retail services is so high, at some point the retail markets in the area will adjust to this demand and the City has no authority to impose expansion of such retail services. The proposed project will add some incremental demand, but there are sufficient retail services in the general area (including surrounding communities) to meet such demand.

Comment #11 Dana Eng (June 29, 2020) in summary states: The Washington/Nutmeg intersection is already busy when school opens and closes and adding traffic will make it worse. A signal may have to be installed at Washington and Alexandra due the traffic increase. The supermarket has a hard-time stocking groceries for the neighborhood, and the additional residents will make it difficult to find parking and get fuel. The development will eliminate the habitat of the coyotes and property values will be reduced.

The Traffic Impact Analysis (TIA) is summarized in the Initial Study and provided as Appendix 9 of the Initial Study. It concluded that with the roadway improvements identified, the project impacts on the circulation system would be less than significant. Regarding a signal at Washington and Alexandra, this is an issue that should be taken up with the City. Note that retail shopping is not a governmental service, and such shopping is available in other nearby areas and can be expanded by private developers at any time based on demand. If demand for retail services is so high, at some point the retail markets in the area will adjust to this demand. However, the City has no authority to impose expansion of such retail services and must await applications by private parties to expand retail services. The project area is a suburban neighborhood and coyotes are wild animals and their presence is not healthy for either them or humans and their pets. The project site is not a core area for coyotes because it is not near natural habitat (such as Murrieta Creek or the open space at the Santa Rosa Plateau) where they can escape. Regarding property values, please refer to the discussion provided in the Fiscal Impact Analysis of the proposed project, which can be found in Appendix 8.5.

Comment #12 David Moore-1 (July 15, 2020) in summary states: Opposed to the project; his home will be directly affected by the proposed project; home value will be negatively impacted; concerned about noise impact; and increased crime due to low-income housing being placed in the middle of a medium single-family residential community. Three-story buildings will destroy views of the Santa Rosa Plateau; bring congestion; and more lines at the neighborhood shopping center; and disappointed that the developer will not modify project three-story structures. Assumes that the zoning of the property will be changed; and site could function as a park. Wants to be notified of future meeting for this project and requests a planning department organization chart and city members involved with the decision process.

Please review the evaluation in Subchapter 4.2 of this Draft EIR regarding impacts of the proposed project structures on adjacent residences existing scenic views. As can be seen in the visual simulations, scenic views will be impacted, but the three-story structures do not contribute significantly to changes in the scenic vista. Regarding property values, please refer to the discussion provided in the Fiscal Impact Analysis of the proposed project and supporting data, which can be found in Appendix 8.5. A detailed noise study was prepared for the proposed project and it is summarized in the Initial Study in Section XIII. Please refer to the findings in this section of the Initial Study which substantiate that the proposed project will not cause a significant noise impact on adjacent residences and the surrounding community. The proposed Washington/Nutmeg Multifamily Development project does not contain low-income housing. The apartments

will be leased at prevailing market rates and will be of high quality. For reference, please see other apartment complexes in the general project area that are built, owned and operated by the applicant (Crescent Heights Apartments, 40800 Sunflower Road Murrieta (175 units) and Hilltop at Winchester Creek, 26900 Winchester Creek Road, Murrieta (184 units)). The Traffic Impact Analysis (TIA) is summarized in the Initial Study and provided as Appendix 9 of the Initial Study. It concluded that with the roadway improvements the project impacts on the circulation system would be less than significant. Also, refer to Response to Comment No. 46. Note that retail shopping is not a governmental service, and such shopping is available in other nearby areas and can be expanded by private developers at any time based on demand. If demand for retail services is so high in the local area, at some point the retail markets in the area will adjust to this demand and the City has no authority to impose expansion of such retail services. The General Plan land use designation and the zone designation for the site is Multi-Family Residential. Thus, no zone change will be required for the proposed project to be implemented. Regarding use of the site for park development, a General Plan amendment would be required and a zone change would also be required. Should the City conclude that a park is the appropriate land use for this site, the City would have to acquire the property at its fair market value and then identify a mechanism to fund its purchase, such as a Community Facilities District (CFD), and the surrounding community would have to tax itself to fund the CFD to acquire the property. This is currently a speculative idea that the City decision-makers would have to vote to support. Since the outcome of such a vote is speculative it will not be given further consideration in this document's Alternative Chapter, Chapter 5. (An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative.) (State CEQA Guidelines (2020) 15126.6 f (3)). Your name has been placed on the project notification list and you will be contacted when future meetings are proposed. A copy of an organization chart for the City has been provided to Mr. Moore.

Comment #13 David Moore-2 (July 20, 2020) in summary states: Did the City receive his previous e-mail.

Yes. The City did receive Mr. Moore's previous e-mail.

Comment #14 Deana Crisp (June 30, 2020) in summary states: Opposes project and any other multi-family development on the project site. Wildlife displacement is of concern as it may come into the developed neighborhoods creating hazards for residents, including children. Is the site home to any endangered species, including the Stephen's kangaroo rat. Traffic will be worsened and impact to schools will be negative. Previously informed that multi-family development would not proceed and would not have purchased home if this site was to be developed with apartments. Home value will be reduced and who makes up this effect on area homeowners.

The stated opposition is now part of the project's administrative record for consideration by City decision-makers. Wildlife at the site is very limited due to the site being surrounded by suburban development and two major roads. When the site is cleared, any fauna will migrate away from human development, most probably towards the open areas to the south and then west towards Murrieta Creek. Please refer to the Appendix 2 (biology survey of the site) and Section IV in the Initial Study. No endangered species were observed at the site and the developer must pay a fee to mitigate impacts to Stephen's kangaroo rats, a fee imposed on all development of open land in the area. The Traffic Impact Analysis (TIA) is summarized in the Initial Study and provided as Appendix 9 of the Initial Study. It concluded that with the roadway improvements the project impacts on the circulation system would be less than significant. Also, refer to Response to Comment No. 46. The proposed project site has been designated Multi-Family Residential on

the City's General Plan since 1999 and this designation was maintained in the 2011 General Plan Update by the City and the 2020 General Plan Update approved in July 2020. The information regarding multifamily development has been available in the City General Plan since 1999. Regarding property values, please refer to the discussion provided in the Fiscal Impact Analysis of the proposed project, which can be found in Appendix 8.5.

Comment #15 Deborah Tambollo (June 30, 2020) in summary states: Previously informed that the project site was zoned for single-family residential use. The project site cannot accommodate the number of residents the apartments will bring. Traffic will be a nightmare. When was the traffic study performed? Approval will cause congestion, extreme discontent of area residents and reflect negatively on City Planning. Opposes the project.

The proposed project site has been designated Multi-Family Residential on the City's General Plan since 1999 and this designation was maintained in the 2011 and 2020 General Plan Updates by the City. This information has been available in the City General Plan since 1999. Please refer to the discussion regarding City population and project impacts in Section XIV of the Initial Study. Using the City's average population per residence, 3.3 persons, the project's proposed 210 apartments would generate 693 new residents. Due to a mix of one-, two-, and three-bedroom apartments this is probably a high estimate (refer to Section XIV of the Initial Study for more detailed information). Regardless, assuming 693 new residents, this project represents 0.6% of the City's current population and is estimated to represent about 3.5% of the remaining allowable growth in the City until buildout, approximately 20,000 more residents. The Traffic Impact Analysis (TIA) is summarized in the Initial Study and provided as Appendix 9 of the Initial Study. It concludes that with the roadway improvements identified, the project impacts on the circulation system would be less than significant. The Traffic Impact Analysis (TIA) was performed in November 2019, pre-Covid and school was in session. Also, refer to Response to Comment No. 46. The stated opposition is now part of the project's administrative record for consideration by City decision-makers.

Comment #16 Western Municipal Water District (July 9, 2020) in summary states: "Western has reviewed the Initial Study and related EIR documents for this project and has no comments."

Comment noted and the information will be provided to the City decision-makers prior to considering the application for decision.

Comment #17 E Stitt (July 10, 2020) in summary states: Opposed to the project. Too many people and too much growth leading to negative changes in the City of Murrieta.

The stated opposition is now part of the project's administrative record for consideration by City decision-makers.

Comment #18 Feloria Christakis (July 15, 2020) in summary states: Opposed to the project. The General Plan designation in 1999 was Rural/Estate Living. Site was in a flood zone then. Hydrology report is insufficient and inconsistent. project will negatively affect traffic. Impact report was done too late and does not have appropriate demographics. Loss of scenic vistas. Schools impacted and over capacity. Follow the desires of existing residents; build homes for first time buyers.

Comment noted and the information will be provided to the City decision-makers prior to considering the application for decision. According to the FEMA Firm Flood Hazard maps, the

project site is no longer in a flood zone. Please refer to the response to Comment #3 above, and Section IX and Appendix 7 of the Initial Study for the detailed information regarding site hydrology and the proposed drainage system at the site. The Traffic Impact Analysis (TIA) is summarized in the Initial Study and provided as Appendix 9 of the Initial Study. It concludes that with the roadway improvements identified, the project impacts on the circulation system would be less than significant. Also, refer to Response to Comment No. 46. The Traffic Impact Analysis (TIA) was performed in November 2019, pre-Covid and school was in session. This environmental assessment is being performed in a timely manner consistent with requirements of CEQA as part of the City's review of entitlements for the proposed project. Regarding scenic vistas refer to the analysis in Subchapter 4.2 of this Draft EIR for an analysis of aesthetic impacts on scenic vistas. Regarding schools, the developer must pay school mitigation fees for each residence (210 residences) as outlined in detail in response to comment number 6. Comment noted and the suggestion to build first time buyer homes will be provided to the City decision-makers prior to considering the application for decision. Please note: This would require a change to the General Plan and the Murrieta Development Code, and since the possibility of this change is unknown, it is considered to be speculative; therefore, no further analysis of this alternative will be considered. (An EIR need not consider an alternative whose effect cannot be reasonable ascertained and whose implementation is remote and speculative. (State CEQA Guidelines (2020) 15126.6 f (3)).

Comment #19 Fred and Sherry Janssen (July 14, 2020) in summary states: Opposed to the project.

Comment noted and the information will be provided to the City Decision-makers prior to considering the application for decision.

Comment #20 Geoff McBreen (July 12, 2020) in summary states: Opposed to the project. Traffic would be negatively impacted by the project. Consider a park.

Comment noted and the information will be provided to the City decision-makers prior to considering the application for decision. The Traffic Impact Analysis (TIA) is summarized in the Initial Study and provided as Appendix 9 of the Initial Study. It concluded that with the roadway improvements identified, the project impacts on the circulation system would be less than significant. Also, refer to Response to Comment No. 46. Should the City conclude that a park is the appropriate land use for this site, the City would have to acquire the property at its fair market value and then identify a mechanism to fund its purchase, such as a Community Facilities District (CFD), and the surrounding community would have to tax itself to fund the CFD to acquire the property. This is currently a speculative idea that the City decision-makers would have to vote to support. Since the outcome of such a vote cannot be known (is speculative) it will not be given further consideration in this document's Alternative Chapter. (An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative. (State CEQA Guidelines (2020) 15126.6 f (3)).

Comment #21 Jane Woods (July 15, 2020) in summary states: The proposed project is too large for the immediate area and it will negatively impact traffic and the local intersection. Three story structures would be unsightly and inconsistent with single family residences in the area. The project will add to noise and disruption to the area. Reconsider this project's design and approve a smaller number of units.

Three-story units (with a maximum height of 50 feet) are permitted on land designated for Multi-Family Residential land use in the General Plan. The property is zoned for Multi-Family 1

Residential (MF-1, 10.1-15 du/ac) development. The project proposes a total of 210 units at a density of 14.58 dwelling units per acre (du/acre) on the approximately 14.4-acre site. The Traffic Impact Analysis (TIA) is summarized in the Initial Study and provided as Appendix 9 of the Initial Study. It concluded that with the roadway improvements identified, the project impacts on the circulation system would be less than significant. Also, refer to Response to Comment No. 46. Refer to the detailed discussion of aesthetics in the Initial Study (Section I) and this Draft EIR, Subchapter 4.2. A detailed noise study was prepared for the proposed project and it is summarized in the Initial Study in Section XIII. Please refer to the findings in this section of the Initial Study which substantiate that the proposed project will not cause a significant noise impact on adjacent residences and the surrounding community. Regarding revision of the project, this comment is noted and the information will be provided to the City decision-makers prior to considering the application for decision.

Comment #22 Janiece Hewitson (July 15, 2020) in summary states: City is continuing to process the proposed project. Local elementary school is overcrowded and this harms learning. School District is not capable of building another school or add to current buildings. Concerned about additional traffic due to three schools in the area. Concerned about the City considering the project during the pandemic where citizens cannot participate effectively.

Once an application has been submitted and accepted by the City, the City is obligated to process it until a decision is reached. Regarding participation in the process, please note that more than 900 residents participated, either with direct comments to the City (47) or submitted as part of a petition (with over 900 participants) opposing the project. To date, citizen participation in the decision-making process has been extensive. Regarding schools, the developer must pay school mitigation fees for each residence (210 residences) and for more detail refer to response to comment No. 6. The Traffic Impact Analysis (TIA) is summarized in the Initial Study and provided as Appendix 9 of the Initial Study. It concludes that with the roadway improvements identified, the project impacts on the circulation system would be less than significant. Also, refer to Response to Comment No. 46.

Comment #23 Jodi Carrithers (July 7, 2020) in summary states: Concerned about the impact of three-story apartments on the area. Traffic congestion already exists; the higher density of the project will conflict with low density environment that makes Murrieta attractive; and project may impact property values.

Of the 17 proposed apartment buildings, only four will be three stories in height, and these structures are located in the central portion of the site. Refer to the evaluation of project impacts on scenic vistas in Subchapter 4.2 of this Draft EIR for an evaluation of this issue and the contribution to visual impacts of the three-story structures. The Traffic Impact Analysis (TIA) is summarized in the Initial Study and provided as Appendix 9 of the Initial Study. It concludes that with the roadway improvements identified, the project impacts on the circulation system would be less than significant. Also, refer to Response to Comment No. 46. The project will install new sidewalks and bike paths along the southwest and southeast perimeter (Washington and Nutmeg) of the project site which will provide pedestrians and bicyclists with greater safety than presently exists. Regarding conflict with surrounding properties, this comment is noted and the information will be provided to the City decision-makers prior to considering the application for decision. Regarding property value issues, please refer to the Fiscal Impact Analysis (FIA) provided in Appendix 8.5 that addresses a variety of fiscal effects from the proposed project, including the effects of comparable apartment projects on surrounding property values in the

Murrieta/Temecula area. The FIA analysis documents the minimal adverse effects of quality apartment projects on housing values of homes that surround such developments.

Comment #24 Jody Ohlwiler (July 15, 2020) in summary states: Opposed to the project due to size and the impact of the number of residents to our street corner and immediate community.

Comment noted and the information will be provided to the City Decision-makers prior to considering the application for decision. The Traffic Impact Analysis (TIA) is summarized in the Initial Study and provided as Appendix 9 of the Initial Study. It concluded that with the roadway improvements the project impacts on the circulation system would be less than significant. Also, refer to Response to Comment No. 46. Murrieta has an estimated current population of approximately 113,000 residents. Using the City's average population per residence, 3.3 persons, the project's proposed 210 apartments would generate 693 new residents. Due to a mix of one-, two-, and three-bedroom apartments this is probably a high estimate (refer to Section XIV of the Initial Study for more detailed information). Regardless, assuming 693 new residents, this project represents 0.6% of the City's current population and is estimated to represent about 3.5% of the remaining allowed growth in the City until buildout, approximately 20,000 more residents. The proposed project site has been designated Multi-Family Residential on the City's General Plan since 1999 and this designation was maintained in the 2011 and 2020 General Plan updates by the City.

Comment #25 John Christakis (July 14, 2020) in summary states: Expresses concern that the City is ignoring the concerns of residents and then finds the proposed project unacceptable. The area lacks the infrastructure to handle the proposed project. This comment also identified unsafe travel conditions; noise; and poor air quality as concerns. Prefers single-family homes rather than the proposed project.

Comment regarding project acceptability and preference for single-family homes is noted and the information will be provided to the City Decision-makers prior to considering the application for decision. Actually, the 2005 project was approved as described in the Background section of the 2020 Initial Study project Description, Appendix 8.1 to this Draft EIR. The proposed project site has been designated Multi-Family Residential on the City's General Plan since 1999 and this designation was maintained in the 2011 and 2020 General Plan updates by the City. Three-story units (with a 50' maximum height) are permitted on land designated for Multi-Family Residential land use in the General Plan and Murrieta Development Code. The property is zoned for Multi-Family 1 Residential (MF-1, 10.1-15 du/ac) development. The project proposes a total of 210 units at a density of 14.58 dwelling units per acre (du/acre) on the approximately 14.4-acre site. Like any property owner in the City, an owner can submit an application for entitlements to develop the property as long as the application meets the Murrieta Development Code requirements. Once it is accepted by the City, the application must be processed by the City, but the final decision is made by the City's decision makers, the Planning Commission and/or the City Council. The City is currently in the middle of this process; no decision has been made on this project's entitlements; and your comments on the CEQA Notice of Preparation (NOP) process reflects the City's efforts to integrate community input/concerns as part of the review process. Regarding adequacy of local infrastructure, please refer to the Initial Study in Appendix 8.1 of this Draft EIR. Based on the data, analysis and findings in the Initial Study, adequate infrastructure capacity exists for the project. Specifically, drainage is discussed in Section IX of the Initial Study; public services (including schools) in Section XV; transportation in Section XVII; and utilities and service systems in Section XIX. Please refer to these sections for the detailed evaluation of infrastructure. The project will install new sidewalks and bike paths along the southwest and southeast perimeter

(Washington and Nutmeg) of the project site which will provide pedestrians and bicyclists with greater safety than presently exists. A detailed noise study was prepared for the proposed project (Initial Study, Appendix 8.1) and it is summarized in the Initial Study in Section XIII. Please refer to the findings in this section of the Initial Study which substantiate that the proposed project will not cause a significant noise impact on adjacent residences and the surrounding community. Air emissions were evaluated in the Initial Study and both construction and occupancy emissions were found to be well below South Coast Air Quality Management District (SCAQMD) significance thresholds. Please refer to the Geology technical study (Appendix 5) and Section VII of the Initial Study which substantiate that the project site is not located on an earthquake fault.

Comment #26 Karin Voyles (July 1, 2020) in summary states: The commenter assumes the City has approved and supports the project. Opposes any apartment complex because they impact traffic, schools, and bring more crime. Asserts adolescents will be left unattended and contribute to crime.

Like any property owner in the City, an owner can submit an application for entitlements to develop the property as long as the application meets the Murrieta Development Code requirements. Once it is accepted by the City, the application must be processed by the City, but the final decision is made by the City's decision makers, the Planning Commission and/or the City Council. The City is currently in the middle of this process; no decision has been made on this project's entitlements; and your comments on the CEQA Notice of Preparation (NOP) process reflects the City's efforts to integrate community input/concerns as part of the review process. Comment regarding project acceptability is noted and the information will be provided to the City decision-makers prior to considering the application for decision. Regarding adequacy of local infrastructure, please refer to the Initial Study in Appendix 8.1 of this Draft EIR. Based on the data, analysis and findings in the Initial Study, adequate infrastructure capacity exists for the project. Specifically, drainage is discussed in Section IX of the Initial Study; public services (including schools) in Section XV; transportation in Section XVII; and utilities and service systems in Section XIX. Please refer to these sections for the detailed evaluation of infrastructure. Regarding generation of crime, please refer to the Fiscal Impact Analysis and accompanying information in Appendix 8.5. Regarding conflict with surrounding properties, this comment is noted and the information will be provided to the City decision-makers prior to considering the application for decision.

Comment #27 Katrina McBreen (July 12, 2020) in summary states: Opposes the project and finds to be an eyesore to the neighborhood. Concerned about traffic and school impacts of the project.

Comment regarding project opposition and design is noted and the information will be provided to the City decision-makers prior to considering the application for decision. Regarding adequacy of local traffic and school infrastructure, please refer to the Initial Study in Appendix 8.1 of this Draft EIR. Based on the data, analysis and findings in the Initial Study, adequate infrastructure capacity exists for the project. Also, refer to Response to Comment No. 46 regarding traffic and Response to Comment No. 6 regarding schools. Specifically, public services (including schools) is addressed in Section XV; and transportation in Section XVII. Please refer to these sections for the detailed evaluation of infrastructure. The General Plan land use designation and the zone designation for the site is Multi-Family Residential. Thus, no zone change will be required for the proposed project to be implemented. Regarding use of the site for park development, a General Plan amendment would be required and a zone change would also be required. Should the City conclude that a park is the appropriate land use for this site, the City would have to acquire the

property at its fair market value and then identify a mechanism to fund its purchase, such as a Community Facilities District (CFD), and the surrounding community would have to tax itself to fund the CFD to acquire the property. This is currently a speculative idea that the City decision-makers would have to vote to support. Since the outcome of such a vote is unforeseeable and speculative, it will not be given further consideration in this document's Alternative Chapter. (An EIR need not consider an alternative whose effect cannot be reasonable ascertained and whose implementation is remote and speculative. (State CEQA Guidelines (2020) 15126.6 f (3)).

Comment #28 Riverside County Department of Waste Resources (June 18, 2020) in summary states: Th project should estimate the solid waste to be generated by the project and provide a discussion of the area landfills that may be utilized by the City's solid waste contractor.

Please refer to the analysis of the solid waste in Section XIX of the Initial Study. The volume of waste is forecast in this Section and the availability of adequate landfill capacity is summarized. The project impacts on solid waste facilities were found to be less than significant, but based on the comments from Department of Waste Resources, mitigation has been added to ensure the proposed project will comply with AB 1826.

Comment #29 Leonard Stack (July 5, 2020) in summary states: Commenter lives next door and opposes the project. The project site is better suited for a low-density project and would be better located near the freeway. References other developments in the area.

Comment regarding project opposition and density is noted and the information will be provided to the City decision-makers prior to considering the application for decision. Like any property owner in the City, an owner can submit an application for entitlements to develop the property as long as the application meets the Murrieta Development Code requirements. Once it is accepted by the City, the application must be processed by the City, but the final decision is made by the City's decision makers, the Planning Commission and/or the City Council. The City is currently in the middle of this process; no decision has been made on this project's entitlements; and your comments on the CEQA Notice of Preparation (NOP) process reflects the City's efforts to integrate community input/concerns as part of the review process. Where cumulative impacts can occur, impact forecasts either include these projects in the evaluation (traffic) or the ability of service or utility provider to meet the cumulative demand.

Comment #30 Mayra Gomez (July 15, 2020) in summary states: Opposed to the project. Reasons for opposition include: pedestrian safety; property values; project scale; and consistency with the City Development Code

Comment regarding project opposition and creation of "tenement housing" is noted and the information will be provided to the City decision-makers prior to considering the application for decision. The Traffic Impact Analysis (TIA) is summarized in the Initial Study and provided as Appendix 9 of the Initial Study. It concludes that with the roadway improvements identified, the project impacts on the circulation system would be less than significant. Also, refer to Response to Comment No. 46. The project will install new sidewalks and bike paths along the southwest and southeast perimeter (Washington and Nutmeg) of the project site which will provide pedestrians and bicyclists with greater safety than presently exists. Regarding property value issues and drain on public resources, please refer to the Fiscal Impact Analysis (FIA) provided in Appendix 8.5 that addresses a variety of fiscal effects from the proposed project, including the effects of comparable apartment projects on surrounding property values in the Murrieta/Temecula area. The FIA analysis documents the minimal adverse effects of quality

market-rate apartment projects on housing values that surround such developments. Regarding evaluation of property values in environmental documents, CEQA focuses on environmental issues (specifically physical changes in the environment), not economic issues (except under very rare circumstances). The FIA focuses on a project's effects on the ability to support services in the City to verify that a project will not adversely impact the City's ability to provide such services (which are part of the urban environment). The proposed project site has been designated Multi-Family Residential on the City's General Plan since 1999 and this designation was maintained in the 2011 and 2020 General Plan updates by the City. Three-story units are permitted on land designated for Multi-Family Residential land use in the General Plan. The property is zoned for Multi-Family 1 Residential (MF-1, 10.1-15 du/ac) development. The project proposes a total of 210 units at a density of 14.58 dwelling units per acre (du/acre) on the approximately 14.4-acre site. Therefore, this proposed project is consistent with the Murrieta Development Code. Please review the evaluation in Subchapter 4.2 of this Draft EIR regarding visual impacts of the proposed project structures on adjacent resident's existing scenic views. As can be seen in the visual simulations scenic views will be impacted, but the three-story structures do not contribute significantly to changes in the scenic vista.

Comment #31 Melissa Remp (June 30, 2020) in summary states: Opposed to the project. Adding the proposed project will worsen traffic and make parking worse. The project will adversely impact the City's ability to provide emergency services.

Comment regarding project opposition is noted and the information will be provided to the City decision-makers prior to considering the application for decision. The Traffic Impact Analysis (TIA) is summarized in the Initial Study and provided as Appendix 9 of the Initial Study. It concludes that with the roadway improvements identified, the project impacts on the circulation system would be less than significant. Also, refer to Response to Comment No. 46. A total of 210 resident garage spaces will be installed; 183 resident uncovered parking spaces will be installed; 52 guest parking spaces will be installed; and 1 mail/package delivery space will be installed for a total of 446 parking spaces. The project site provides parking that meets the City's standards and the project is not anticipated to require offsite parking capacity. A Fiscal Impact Analysis (FIA) focuses on a project's effects on the ability to support services in the City to verify that a project will not adversely impact the City's ability to provide such services (which are part of the urban environment). The proposed project site has been designated Multi-Family Residential on the City's General Plan since 1999 and this designation was maintained in the 2011 and 2020 General Plan updates by the City. Three-story units (with a maximum height of 50') are permitted on land designated for Multi-Family Residential land use in the General Plan and zoned Multi-family. The property is zoned for Multi-Family 1 Residential (MF-1, 10.1-15 du/ac) development. The project proposes a total of 210 units at a density of 14.58 dwelling units per acre (du/acre) on the approximately 14.4-acre site. Therefore, this proposed project is consistent with the Murrieta Development Code and General Plan and its cumulative contribution has been taken into consideration relative to all public services, including emergency services, as the City grows to its ultimate build-out population. The cumulative impacts to City infrastructure are evaluated in the General Plan EIR and that EIR concluded that infrastructure and public service impacts would be a less than significant impact based on full build-out of the City.

Comment #32 Norman and Ada Hale (July 14, 2020) in summary states: Opposed to the project. Traffic is presently bad and the proposed project will make it worse. The scale of the project will overwhelm the neighborhood.

Comment regarding project opposition is noted and the information will be provided to the City decision-makers prior to considering the application for decision. The Traffic Impact Analysis (TIA) is summarized in the Initial Study and provided as Appendix 9 of the Initial Study. It concludes that with the roadway improvements defined, the project impacts on the circulation system would be less than significant. Also, refer to Response to Comment No. 46. The proposed project site has been designated Multi-Family Residential on the City's General Plan since 1999 and this designation was maintained in the 2011 and 2020 General Plan updates by the City. Three-story units are permitted on land designated for Multi-Family Residential land use in the General Plan. The property is zoned for Multi-Family 1 Residential (MF-1, 10.1-15 du/ac) development. The project proposes a total of 210 units at a density of 14.58 dwelling units per acre (du/acre) on the approximately 14.4-acre site. Therefore, this proposed project is consistent with the Murrieta Development Code and General Plan and it meets the vision of the City for this important intersection in the City.

Comment #33 Orrin J. Lupello (June 29, 2020) in summary states: Opposed to the project and is primarily concerned with the project's impacts on traffic.

Comment regarding project opposition is noted and the information will be provided to the City decision-makers prior to considering the application for decision. The Traffic Impact Analysis (TIA) is summarized in the Initial Study and provided as Appendix 9 of the Initial Study. It concludes that with the roadway improvements identified, the project impacts on the circulation system would be less than significant. Also, refer to Response to Comment No. 46.

Comment #34 Patty Raven (July 14, 2020) in summary states: Opposed to the project and is primarily concerned with the project's impacts on traffic.

Comment regarding project opposition is noted and the information will be provided to the City decision-makers prior to considering the application for decision. The Traffic Impact Analysis (TIA) is summarized in the Initial Study and provided as Appendix 9 of the Initial Study. It concludes that with the roadway improvements identified, the project impacts on the circulation system would be less than significant. Also, refer to Response to Comment No. 46.

Comment #35 Paul Huizenga (June 28, 2020) in summary states: Supports the project. Appreciates the added parking which will keep residents from having to park on the street.

Comment regarding project support is noted and the information will be provided to the City decision-makers prior to considering the application for decision.

Comment #36 Randall Toburen (July 7, 2020) in summary states: Opposed to the project and questions the need for more apartments in Murrieta. Expresses concern for worse traffic and non-tax paying residents being a drain on public resources, particularly emergency services and lowering residential property values. Also, long term property owners will be forced to sell and leave the area.

Comment regarding project opposition and density is noted and the information will be provided to the City decision-makers prior to considering the application for decision. Like any property owner in the City, an owner can submit an application for entitlements to develop the property as long as the application meets the Murrieta Development Code requirements. Once it is accepted by the City, the application must be processed by the City, but the final decision is made by the City's decision makers, the Planning Commission and/or the City Council. The City is currently

in the middle of this process; no decision has been made on this project's entitlements; and your comments on the CEQA Notice of Preparation (NOP) process reflects the City's efforts to integrate community input/concerns as part of the review process. Regarding property value issues and drain on public resources, please refer to the Fiscal Impact Analysis (FIA) provided in Appendix 8.5 that addresses a variety of fiscal effects from the proposed project, including the effects of comparable apartment projects on surrounding property values in the Murrieta/Temecula area. The FIA analysis documents the minimal adverse effects of quality market-rate apartment projects on housing values that surround such developments. Regarding evaluation of property values in environmental documents, CEQA focuses on environmental issues (specifically physical changes in the environment), not economic issues (except under very rare circumstances). The FIA focuses on a project's effects on the ability to support services in the City to verify that a project will not adversely impact the City's ability to provide such services (which are part of the urban environment). This also applies to the nearby shopping center. There is no evidence that small businesses will suffer negatively from a general increase in demand for goods and services.

Comment #37 Richard Meis (July 12, 2020) in summary states: Opposed to the project and wants to keep the area the way it is. Concerned about traffic noise, crime, high density and a decline in home values.

Comment regarding project opposition and density is noted and the information will be provided to the City decision-makers prior to considering the application for decision. Like any property owner in the City, an owner can submit an application for entitlements to develop the property as long as the application meets the Murrieta Development Code requirements. Once it is accepted by the City, the application must be processed by the City, but the final decision is made by the City's decision makers, the Planning Commission and/or the City Council. The City is currently in the middle of this process; no decision has been made on this project's entitlements; and your comments on the CEQA Notice of Preparation (NOP) process reflects the City's efforts to integrate community input/concerns as part of the review process. The Traffic Impact Analysis (TIA) is summarized in the Initial Study and provided as Appendix 9 of the Initial Study. It concluded that with the roadway improvements the project impacts on the circulation system would be less than significant. Also, refer to Response to Comment No. 46. Refer to the detailed discussion of aesthetics in the Initial Study (Section I) and this Draft EIR, Subchapter 4.2. A detailed noise study was prepared for the proposed project and it is summarized in the Initial Study in Section XIII. Please refer to the findings in this section of the Initial Study which substantiate that the proposed project will not cause a significant noise impact on adjacent residences and the surrounding community. Regarding property value issues, please refer to the Fiscal Impact Analysis (FIA) provided in Appendix 8.5 that addresses a variety of fiscal effects from the proposed project, including the effects of comparable apartment projects on surrounding property values and crime in the Murrieta/Temecula area. The FIA analysis documents the minimal adverse effects of quality market-rate apartment projects on housing values and crime that surround such developments. Regarding evaluation of property values in environmental documents, CEQA focuses on environmental issues (specifically physical changes in the environment), not economic issues (except under very rare circumstances). The FIA focuses on a project's effects on the ability to support services in the City to verify that a project will not adversely impact the City's ability to provide such services (which are part of the urban environment). This also applies to the nearby shopping center. There is no evidence that small businesses will suffer negatively from a general increase in demand for goods and services.

Comment #38 Robert and Judi Creed (June 28, 2020) in summary states: Lives on the west side of Washington across from the project site and is concerned that the change in view from his property will create an unsightly obstruction of this view. Concerned about the project's negative impact on home values. Identifies the project as "affordable housing." Opposed to the project and suggests seeking an alternative location for this project.

Based on a review of the City's General Plan, the project site is not identified as having any important visual qualities, such as found in the Los Alamos Hills or the Santa Rosa Plateau. The site does not contain any notable visual features (major trees, rock outcrops, or man-made features) and resembles most other highly disturbed open spaces in the City that are dominated by ruderal (weedy) plants. Also, the background of the view referenced in this comment consists of standard single-family tract homes that occur at most locations in the City. Thus, with the change in the visual setting of the project site when developed, this change in visual setting does not conflict with any City policies. Based on the importance attributed to this site in this comment, the information will be provided to the City decision-makers prior to considering the application for decision. Regarding property value issues, please refer to the Fiscal Impact Analysis (FIA) provided in Appendix 8.5 that addresses a variety of fiscal effects from the proposed project, including the effects of comparable apartment projects on surrounding property values and crime in the Murrieta/Temecula area. The FIA analysis documents the minimal adverse effects of quality market-rate apartment projects on housing values and crime that surround such developments. Regarding evaluation of property values in environmental documents, CEQA focuses on environmental issues (specifically physical changes in the environment), not economic issues (except under very rare circumstances). The FIA focuses on a project's effects on the ability to support services in the City to verify that a project will not adversely impact the City's ability to provide such services (which are part of the urban environment). The proposed Washington/Nutmeg Multifamily Development project does not contain affordable housing. The apartments will be leased at prevailing market rates and will be of high quality. For reference, please see other local apartment complexes in the general project area that are built, owned and operated by the applicant. For reference, please see other apartment complexes in the general project area that are built, owned and operated by the applicant (Crescent Heights Apartments, 40800 Sunflower Road Murrieta (175 units) and Hilltop at Winchester Creek, 26900 Winchester Creek Road, Murrieta (184 units)). Refer to Chapter 5 of the Draft EIR for a discussion of alternative sites.

Comment #39 Rod Crisp (July 8, 2020) in summary states: Concerned that the changes due to high density projects in Murrieta will create a "nightmare" similar to Temecula. The proposed project will increase the amount of traffic and noise. Concerned that high density development will cause more crime and loss in home value. Opposes the project; does not want to look at a high-density apartment complex; and requests the site be re-zoned to single family residential.

Comment regarding project opposition and density is noted and the information will be provided to the City decision-makers prior to considering the application for decision. project will increase noise and traffic congestion. The Traffic Impact Analysis (TIA) is summarized in the Initial Study and provided as Appendix 9 of the Initial Study. It concludes that with the roadway improvements identified, the project impacts on the circulation system would be less than significant. Also, refer to Response to Comment No. 46. A detailed noise study was prepared for the proposed project and it is summarized in the Initial Study in Section XIII. Please refer to the findings in this section of the Initial Study which substantiate that the proposed project will not cause a significant noise impact on adjacent residences and the surrounding community. Regarding property value issues, please refer to the Fiscal Impact Analysis (FIA) provided in Appendix 8.5 that addresses a variety

of fiscal effects from the proposed project, including the effects of comparable apartment projects on surrounding property values and crime in the Murrieta/Temecula area. The FIA analysis documents the minimal adverse effects of quality market-rate apartment projects on housing values and crime that surround such developments. Regarding evaluation of property values in environmental documents, CEQA focuses on environmental issues (specifically physical changes in the environment), not economic issues (except under very rare circumstances). The FIA focuses on a project's effects on the ability to support services in the City to verify that a project will not adversely impact the City's ability to provide such services (which are part of the urban environment). The proposed Washington/Nutmeg Multifamily Development project does not contain affordable housing. The apartments will be leased at prevailing market rates and will be of high quality. For reference, please see other local apartment complexes in the general project area that are built, owned and operated by the applicant. For reference, please see other apartment complexes in the general project area that are built, owned and operated by the applicant (Crescent Heights Apartments, 40800 Sunflower Road Murrieta (175 units) and Hilltop at Winchester Creek, 26900 Winchester Creek Road, Murrieta (184 units)). Refer to Chapter 5 of the Draft EIR for a discussion of alternative sites.

Comment #40 Rosemarie Meis (July 10, 2020) in summary states: Opposed to the project. Assumes it will have negative impacts on traffic, noise, pollution, crime and property values. Three-story buildings may adversely impact existing views of the Santa Rosa Plateau.

Comment regarding project opposition and density is noted and the information will be provided to the City decision-makers prior to considering the application for decision. project will increase noise and traffic congestion. The Traffic Impact Analysis (TIA) is summarized in the Initial Study and provided as Appendix 9 of the Initial Study. It concluded that with the roadway improvements the project impacts on the circulation system would be less than significant. Also, refer to Response to Comment No. 46. A detailed noise study was prepared for the proposed project and it is summarized in the Initial Study in Section XIII. Please refer to the findings in this section of the Initial Study which substantiate that the proposed project will not cause a significant noise impact on adjacent residences and the surrounding community. A detailed air quality study was prepared for the proposed project and it is summarized in the Initial Study in Section III. Please refer to the findings in this section of the Initial Study which substantiate that the proposed project will not cause a significant air pollution impact on adjacent residences and the surrounding community. Regarding property value issues, please refer to the Fiscal Impact Analysis (FIA) provided in Appendix 8.5 that addresses a variety of fiscal effects from the proposed project, including the effects of comparable apartment projects on surrounding property values and crime in the Murrieta/Temecula area. The FIA analysis documents the minimal adverse effects of quality market-rate apartment projects on housing values and crime that surround such developments. Regarding evaluation of property values in environmental documents, CEQA focuses on environmental issues (specifically physical changes in the environment), not economic issues (except under very rare circumstances). The FIA focuses on a project's effects on the ability to support services in the City to verify that a project will not adversely impact the City's ability to provide such services (which are part of the urban environment). The proposed Washington/Nutmeg Multifamily Development project does not contain affordable housing. The apartments will be leased at prevailing market rates and will be of high quality. For reference, please see other local apartment complexes in the general project area that are built, owned and operated by the applicant. For reference, please see other apartment complexes in the general project area that are built, owned and operated by the applicant (Crescent Heights Apartments, 40800 Sunflower Road Murrieta (175 units) and Hilltop at Winchester Creek, 26900 Winchester Creek Road, Murrieta (184 units)). Regarding schools, the project must pay fees to the School

District that the State Legislature has determined reduce a project's impacts to a less than significant impact and refer to response to comment No 6 for more detail. Finally, please refer to Subchapter 4.2 of this Draft EIR for a detailed description of project impacts on scenic views. Scenic vistas will be impacted, but primarily by the two-story structures adjacent to the property boundary, not three-story buildings.

Comment #41 Sheri Anzevino (July 11, 2020) in summary states: References the total number of parking spaces (445) and expresses concern about increased traffic. Residents may exceed 700-800 persons. Three-story buildings will block views and increase fire hazards due to nearby wildland areas. Recommends alternatives be considered for the site.

Actually, the project will generate about 1,560 total trips per day, but a maximum of 118 during peak hours. The Traffic Impact Analysis (TIA) is summarized in the Initial Study and provided as Appendix 9 of the Initial Study. It concludes that with the roadway improvements identified, the project impacts on the circulation system would be less than significant. Also, refer to Response to Comment No. 46. Murrieta has an estimated current population of approximately 113,000 residents. Using the City's average population per residence, 3.3 persons, the project's proposed 210 apartments would generate 693 new residents. Due to a mix of one-, two-, and three-bedroom apartments this is probably a high estimate (refer to Section XIV of the Initial Study for more detailed information). Regardless, assuming 693 new residents, this project represents 0.6% of the City's current population and is estimated to represent about 3.5% of the remaining growth allowed in the City until buildout, approximately 20,000 more residents. Finally, please refer to Subchapter 4.2 of this Draft EIR for a detailed description of project impacts on scenic views. Scenic vistas will be impacted, but primarily by the two-story structures nearest to the property boundary, not three-story buildings.

The proposed project site has been designated Multi-Family Residential on the City's General Plan since 1999 and this designation was maintained in the 2011 and 2020 General Plan updates by the City. Three-story units are permitted on land designated for Multi-Family Residential land use in the General Plan. The property is zoned for Multi-Family 1 Residential (MF-1, 10.1-15 du/ac) development. The project proposes a total of 210 units at a density of 14.58 dwelling units per acre (du/acre) on the approximately 14.4-acre site. Therefore, this proposed project is consistent with the Murrieta Development Code and General Plan and it meets the vision of the City for this important intersection in the City. Refer to Chapter 4 of this Draft EIR for a discussion of alternatives.

Comment #42 Stacey Osborne (June 16, 2020) in summary states: Does the project contain a parking structure.

No, the project does not include a parking structure. The project planner, James Atkins, also responded directly to this question.

Comment #43 Vanessa Gibson (July 9, 2020) in summary states: Opposed to the project. Shopping center is quite busy and ingress and egress is often difficult. Concerned about impacts to schools. Also, concerned about project's effect on home values. Opposed to project and does not support the use of the site for apartments. Suggests alternative locations.

Comment regarding project opposition and use of the site for apartments is noted and the information will be provided to the City decision-makers prior to considering the application for decision. project will increase noise and traffic congestion. The Traffic Impact Analysis (TIA) is

summarized in the Initial Study and provided as Appendix 9 of the Initial Study. It concludes that with the roadway improvements identified, the project impacts on the circulation system would be less than significant. Also, refer to Response to Comment No. 46. Several commenters have indicated that retail shopping in the area is overcrowded. But note that retail shopping is not a governmental service, and such shopping is available in other nearby areas and can be expanded by private developers at any time based on demand. If demand for retail services is so high, at some point the retail markets in the area will adjust to this demand. Please note the City has no authority to impose expansion of such retail services. The proposed project will add some incremental demand, but there are sufficient retail services in the area to meet such demand. Regarding traffic congestion during travel to and from schools, this also appears to be an issue that should be addressed to the City and the Murrieta Unified School District. Also, refer to Response to Comment No. 46. Regarding schools, the developer must pay school mitigation fees for each residence (210 residences) and the State has determined that this is adequate mitigation. Also, refer to Response to Comment No. 6. Regarding property value issues, please refer to the Fiscal Impact Analysis (FIA) provided in Appendix 8.5 that addresses a variety of fiscal effects from the proposed project, including the effects of comparable apartment projects on surrounding property values and crime in the Murrieta/Temecula area. The FIA analysis documents the minimal adverse effects of quality market-rate apartment projects on housing values and crime that surround such developments. Regarding evaluation of property values in environmental documents, CEQA focuses on environmental issues (specifically physical changes in the environment), not economic issues (except under very rare circumstances). The FIA focuses on a project's effects on the ability to support services in the City to verify that a project will not adversely impact the City's ability to provide such services (which are part of the urban environment). Refer to Chapter 4 of this Draft EIR for a discussion of alternatives.

Comment #44 Christy Fernandez (July 10, 2020) in summary states: Presents an additional petition with 85 more signatures.

Refer to response to comment #8.

Comment #45 Michael James Schaaf (July 15, 2020) in summary states: Opposed to the project. Concerned about the project traffic and views to both the west and to the east.

The Traffic Impact Analysis (TIA) is summarized in the Initial Study and provided as Appendix 9 of the Initial Study. It concludes that with the roadway improvements identified, the project impacts on the circulation system would be less than significant. Also, refer to Response to Comment No. 46. Please refer to Subchapter 4.2 of this Draft EIR for a detailed description of project impacts on scenic views. Scenic vistas will be impacted, but primarily by the two-story structures nearest to the property boundary, not three-story buildings. The proposed project site has been designated Multi-Family Residential on the City's General Plan since 1999 and this designation was maintained in the 2011 and 2020 General Plan updates by the City. Three-story units are permitted on land designated for Multi-Family Residential land use in the General Plan. The property is zoned for Multi-Family 1 Residential (MF-1, 10.1-15 du/ac) development. The project proposes a total of 210 units at a density of 14.58 dwelling units per acre (du/acre) on the approximately 14.4-acre site. Therefore, this proposed project is consistent with the Murrieta Development Code and General Plan and it meets the vision of the City for this important intersection in the City. Refer to Chapter 5 of this Draft EIR for a discussion of alternatives. Based on a review of the City's General Plan, the project site is not identified as having any important visual qualities, such as found in the Los Alamos Hills or the Santa Rosa Plateau. The site does not contain any notable visual features (major trees, rock outcrops, or man-made features) and

resembles most other highly disturbed open spaces in the City that are dominated by ruderal (weedy) plants. Also, the background of the view referenced in this comment consists of single-family tract homes that occur at many locations in the City. Thus, with the change in the visual setting of the project site when developed, this change in visual setting does not conflict with any City policies. The commenter requests notification of future project-related public meetings and will be included on the list for notification.

Comment #46 Kathryn Elliott (July 13, 2020) in summary states: Identifies concerns for three issues: increased traffic during school drop-off/dismissal hours; resident parking in surrounding neighborhoods; and the aesthetic/appearance impacts of the project from the street and surrounding neighborhoods.

The referenced Table 3-2 is the roadway segment analysis which looks at 2-way traffic/not the peak hour operations of the individual turning movements and is over a 24-hour period. Table 3-1 is the peak hour operations analysis for existing conditions of the intersection itself. Note that the two movements identified in the comment are just two movements of 12. The peak hour operations results are based on the average delay of all movements over a 1-hour period. Typically, with school related congestion, the high levels of traffic associated with drop-offs and pick-ups are concentrated within a 15- to 20-minute period of the hour, so definitely not congestion that is occurring over an entire hour. The operations analysis for existing conditions shows LOS D (definitely not representing that there are no issues at this intersection), although LOS D is considered acceptable by the City's standards.

The trip generation developed and evaluated for this project are based on trip generation rates supplied in the Institute for Traffic Engineers (ITE) Trip Generation Manual (a national trip generation rate source). The trip distribution patterns developed for the project were reviewed with and approved by City staff through the scoping process. Of the 210 apartments 88 units will be one-bedroom and unlikely to generate any new students. The remaining 122 units may generate between 100 to 379 students.

Again, the roadway segment analysis is an analysis based on an average daily (24-hour total) traffic volume and is more planning level. The peak hour operations analysis evaluated the morning peak hour (the one peak hour between 7-9 AM) and the evening peak commute hour (the one peak hour between 4-6 PM) consistent with the City's guidelines. While we acknowledge there are often certain times of the day when certain uses (such as schools) may peak outside of these morning and evening peak periods, the background (or adjacent street traffic) during those same times are not as high as during the peak commute hours. For this reason, evaluating the morning and evening peak hours would result in the evaluation of the most conservative traffic volumes and would yield the most conservative results. As such, the analysis of mid-day peak hours is not common, and was not done for this project.

The 3-lane section that is being referenced is two westbound lanes and one eastbound lane in front of the project along Nutmeg. There are no physical pavement recommendations, however, the project will be restriping the lanes along Nutmeg to accommodate a 2nd westbound through lane (there is currently a short right turn pocket at the intersection of Washington and Nutmeg).

The report text is incorrect – Driveway 2 on Nutmeg should be and was evaluated assuming right-in/right-out access only. Driveway 1 on Washington is the only full access driveway. Again, this was done because of the City's concerns related to accommodating a back-to-back left into the project at Driveway 2 with the westbound left turn lane at Washington on Nutmeg due to the

existing queues for that movement. As such, the driveway was restricted and evaluated with right-in/right-out access only. This requires a text modification only and all analysis results presented in the report are accurate.

Regarding parking, the project site provides a total of 445 parking spaces, this is more than twice the number of apartments (210). The assumption that there would be substantial offsite parking appears to be based on speculation regarding the adequacy of on-site parking spaces and an assumption that residents will use garages for storage rather than actual car parking. There is a further assumption that residents will walk the approximate ¼ mile to park on local residential streets. The Murrieta Development Code has been developed based on conservative parking assumptions for various uses, including multi-family land uses. This potential impact is not considered significant and adverse. Further, should future apartment residents park in existing neighborhoods, residents can request parking be limited to local residents with stickers to minimize such parking impacts.

Regarding aesthetics, the following information is provided. The proposed project site has been designated Multi-Family Residential on the City's General Plan since 1999 and this designation was maintained in the 2011 and 2020 General Plan updates by the City. Three-story units are permitted on land designated for Multi-Family Residential land use in the General Plan. The property is zoned for Multi-Family 1 Residential (MF-1, 10.1-15 du/ac) development. The project proposes a total of 210 units at a density of 14.58 dwelling units per acre (du/acre) on the approximately 14.4-acre site. Therefore, this proposed project is consistent with the Murrieta Development Code and General Plan and it meets the vision of the City for this important intersection in the City. Comment regarding project design of apartments and suggestion that the project be redesigned is noted and the information will be provided to the City decision-makers prior to considering the application for decision. Refer to Chapter 5 of this Draft EIR for a discussion of alternatives. Based on a review of the City's General Plan, the project site is not identified as having any important visual qualities, such as found in the Los Alamos Hills or the Santa Rosa Plateau. The site does not contain any notable visual features (major trees, rock outcrops, or man-made features) and resembles most other highly disturbed open space vacant lots in the City that are dominated by ruderal (weedy) plants. Also, the background of the view referenced in this comment consists of single-family tract homes that occur at many locations in the City. Thus, with the change in the visual setting of the project site when developed, this change in visual setting does not conflict with any City policies.

Comment #46 was the last item submitted separately for consideration. The petition referenced can be found in NOP Comment #8. The City evaluated the comments on this opposition petition and they fall into ten general categories of potential impact. These are:

- Traffic, Congestion, Safety/Accidents, Adequacy of Circulation System Infrastructure, Emergency Access
- Bicycle and Pedestrian Activity
- School Capacity, Overcrowded Schools
- Insufficient Local Services (Retail, Law Enforcement, Medical Facilities, etc.)
- Alternatives (Park, Retail Services, Single-Family Residential, School, Location and Reduced Size)
- Community Quality/Character Including: Three-Story Buildings, View Impacts, Poor Planning, Land Use Conflicts (Multi-Family Residential and Single Family Residential)
- Opinions about Design
- Crime and Law Enforcement

- Property Value Design
- Noise and Air Quality

To review the specific number of comments on each topic, please refer to the summary in Appendix 8.3 and the detailed comments also found in Appendix 8.3. The preceding responses address all of these generic issues identified in the petition and the reader is referred to the preceding detailed responses for an evaluation these issues.

A copy of the Notice of Preparation and NOP Distribution list are provided in Appendix 8.2 of this Draft EIR. A copy of the referenced comment letters/comments is provided in Appendix 8.3 of this Draft EIR.

The Focused Draft EIR has been prepared in order to address the single issue identified as a potentially unavoidable significant adverse impact. The single issue of focus is adverse modification of public and private scenic vistas from private residences to the Santa Rosa Plateau to the west of the site due to implementation of the Washington/Nutmeg Multifamily Development project.

CEQA requires that City consider the environmental information in the project record, including the Initial Study and Focused Draft EIR, prior to making a decision on the proposed project. The City must consider and decide whether to approve the site Development Plan and recommend approval by the cooperating agencies/entities as proposed and described in Chapter 3, project Description of this Focused Draft EIR. The City also has the authority to consider modifications to the Development Plan based on input provided during the public review process for the Focused Draft EIR.

As stated above, the City will serve as the CEQA Lead Agency pursuant to the CEQA Guidelines Section 15051(b)(1). The Focused Draft EIR was prepared by Tom Dodson & Associates (TDA). TDA was authorized to assist the City to perform the independent review of the project required by CEQA before the Focused Draft EIR is released. The City has reviewed the content of the Focused Draft EIR and concurs in the conclusions and findings contained herein.

2.3 SCOPE AND CONTENT OF THIS EIR

As stated previously, the Focused Draft EIR evaluates the environmental effects of the proposed project based on Appendix G of the State CEQA Guidelines. In addition to evaluating the single environmental issue referenced above, the Focused Draft EIR contains all of the sections mandated by the CEQA and CEQA Guidelines. Table 2.3-1 provides a list of the content required by CEQA in an EIR along with a reference to the chapter and page number where these issues can be reviewed in the document. This Focused Draft EIR is contained in two volumes. Volume 1 contains the CEQA mandated sections and some essential appendices. Volume 2 contains the technical appendices.

**Table 2.3-1
 REQUIRED EIR CONTENTS**

Required Section (CEQA)	Section in EIR	Page Number
Table of Contents (Section 15122)	same	li
Summary (Section 15123)	Chapter 1	1.1
project Description (Section 15124)	Chapter 3	3.1
Environmental Setting (Section 15125)	Chapter 4	Beginning 4.1
Significant Environmental Effects of Proposed project (Section 15126a); Environmental Impacts	Chapter 4	Beginning 4.1
Unavoidable Significant Environmental Effects (Section 15126b)	Chapter 4	Beginning 4.1
Mitigation Measures (Section 15126c)	Chapter 4	Beginning 4.1
Cumulative Impacts (Section 15130)	Chapter 4	Beginning 4.1 and 6.2
Alternatives to the Proposed Action (Section 15126d)	Chapter 5	Beginning 5.1
Growth-Inducing Impacts (Section 15126g)	Chapter 6	6.1
Irreversible Environmental Changes (Section 15126f)	Chapter 6	6.1
Effects Found Not to be Significant (Section 15128)	Chapter 2 & 8	2.1
Organizations and Persons Consulted (Section 15129)	Chapter 7	7.1
Appendices	Chapter 8	8.1

2.4 FOCUSED EIR FORMAT AND ORGANIZATION

The Focused EIR contains eight chapters in Volume 1 and a set of technical appendices in Volume 2, which, when considered as a whole, provide the reviewer with an evaluation of the potential significant adverse environmental impact from implementing the proposed project. The following paragraphs provide a summary of the content of each chapter of the Focused Draft EIR.

Chapter 1 contains the Executive Summary for the Focused Draft EIR. This includes an overview of the proposed project and a tabular summary of the potential adverse impacts and mitigation measures.

Chapter 2 provides the reviewer with an Introduction to the document and additional summary information about the project. This chapter of the document describes the background of the proposed project, its purpose, and its organization. The CEQA process to date is summarized and the scope of the Focused Draft EIR is identified.

Chapter 3 contains the project Description used to forecast environmental impacts. This chapter describes for the reviewer how the existing environment will be altered by the proposed project. Chapter 3 sets the stage for conducting the environmental impact forecasts contained in the succeeding several chapters.

Chapter 4 presents the environmental impact forecasts for the issues considered in the Focused Draft EIR. For the environmental issue identified in Section 2.3, the following impact evaluation is provided for the reviewer: the potential impacts forecast to occur if the project is implemented; proposed mitigation measures; unavoidable adverse impacts; and cumulative impacts.

Chapter 5 contains the evaluation of alternatives to the proposed project. Included in this section is an analysis of the No project Alternative and any other “feasible” or “reasonable” project alternatives (15126.6(a)).

Chapter 6 presents the topical issues that are required in an EIR. These include any significant irreversible environmental changes; cumulative impacts; and growth inducing effects of the proposed project.

Chapter 7 describes the resources used in preparing Focused Draft EIR. This includes persons and organizations contacted; list of preparers; and bibliography.

Chapter 8 contains those materials referenced as essential appendices to the Focused Draft EIR, such as the Initial Study, NOP and comments on the NOP. Technical Appendices are provided in Volume 2 of the Focused Draft EIR, under separate cover. All Appendix material is referenced at appropriate locations in the text of this document.

2.5 AVAILABILITY OF THE WASHINGTON/NUTMEG MULTIFAMILY DEVELOPMENT PROJECT FOCUSED DRAFT EIR

The Focused Draft EIR has been distributed directly to all public agencies and interested persons identified in the NOP mailing list (see Appendix 8.1), the State Clearinghouse, as well as any other requesting agencies or individuals. All reviewers will be provided 45 days to review the EIR and submit comments to the City for consideration and response. The Focused Draft EIR is also available for public review at City’s website at www.murrietaca.gov/290/Public-Notices and at the following locations (upon request) during the 45-day review period:

Mr. James Atkins, Associate Planner
City of Murrieta
1 Town Square, Murrieta, CA 92562
Phone: (951) 461-6061 and Email: JAtkins@MurrietaCA.gov

Tom Dodson & Associates
P.O. Box 2307, San Bernardino, CA 92406 (mailing address)
Phone: (909) 882-3612 and Email: tda@tdaenv.com

2.6 REVIEW PROCESS

After receiving comments on the Focused Draft EIR, the City will prepare a Final EIR for certification prior to making a recommendation to the City decision-makers regarding approval of the Development Plan DP-2019-1997. Information concerning the EIR public review schedule and City meetings for this project can be obtained by contacting M. James Atkins. Questions and comments submitted by mail shall be addressed to:

Mr. James Atkins, Associate Planner
City of Murrieta
1 Town Square, Murrieta, CA 92562
Phone: (951) 461-6061
JAtkins@MurrietaCA.gov

Certain aspects of the proposed project may be subject to review and approval by other agencies. The following summarizes those agency approvals that have been identified to date. This list may be expanded as the environmental review proceeds, so it should not be considered exhaustive.

- Notice of Intent (NOI) to the State Water Resources Control Board (SWRCB) for a National Pollutant Discharge Elimination System (NPDES) general construction stormwater discharge permit. This permit is granted by filing of a Notice of Intent (NOI) to the SWRCB, but is enforced through a Storm Water Pollution Prevention Plan (SWPPP) that identifies construction best management practices (BMPs) for the site. In the project area, the San Diego Regional Water Board, Riverside County and City enforce the BMP requirements contained in the NPDES permit by ensuring construction activities adequately implement the SWPPP. Implementation of the SWPPP is carried out by the construction contractor under contract to project developer, with the Regional Board, County and City providing enforcement oversight.

This is considered to be a complete list of other permitting agencies for future implementation of this site-specific project.

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CHAPTER 3 – PROJECT DESCRIPTION

3.1 PROJECT LOCATION

The Washington/Nutmeg Multifamily Development project (proposed project) is located north of the intersection of Nutmeg Street and Washington Street in the City of Murrieta, Riverside County, California. The site is located Section 7, Township 7 South, Range 3 West SBM as found on the USGS – Murrieta Quadrangle, 7.5 Minute Series topographic. The geographic coordinates are as follows: 33.573887, -117.234522 (Please refer to Figures 3-1 and 3-2 for project location depicted at a regional and site level).

3.2 INTRODUCTION

This document is prepared as a Tier 2 Focused Environmental Impact Report (EIR) to a previously adopted IS/MND, SCH No. 2005121029 which was completed in April of 2005. Due to the recession development of the site did not proceed over the past 15 years. The Applicant is proposing to modify the original approved project and the City intends to consider this Tier 2 Focused Draft EIR for the revised project. The project modifications/changes are summarized in the following text. Figures 3-1 and 3-2 show the Regional Location and Site Location of the project site. The formal action(s) that may be taken by the City consists of approval of new entitlements for the 14.4-acre site. This Focused Draft EIR will consider Development Plan DP-2019-1997 and its potential impacts to scenic vistas of adjacent single-family residents and views from Nutmeg Street traveling west as one approaches Washington Avenue; the project proposed to be evaluated under this Focused Draft EIR will henceforth be known as the Washington/Nutmeg Multifamily Development project.

The previously approved Vesting Tentative Parcel Map 30394 (VTPM 01-194) / Development Plan (01195) consisted of 156 market-rate units and 48 Senior units for a total of 204 units at a density of 14.17 dwelling units per acre (du/acre) on an approximately 14.4-acre site (same site). The original project proposed 430 parking spaces, which met the City's parking requirement, 212 of the spaces were covered garages, 120 were carport spaces and the remainder were uncovered spaces. Access to the project was provided by two gated drives located on Nutmeg Street and Washington Avenue. Off-site improvements that were to be completed as part of the project would have included curb and gutter on adjacent streets, and lighting and landscaping along Washington Avenue and Nutmeg Street on the project side of the street. The 204 units were located in 23 buildings, and 19 of the 23 apartment buildings were planned with second floors.

Project Modifications Considered in this Initial Study

This Focused Draft EIR evaluates the following modifications to the development of this 14.4-acre site. If the proposed site development plan (DP-2019-1997) is approved, the revised Washington/Nutmeg Multifamily Development project would construct 17 apartment buildings (instead of 23) containing 210 multi-family housing units (all market-rate apartment units). This includes 88 one-bedroom units; 88 two-bedroom units; and 34 three-bedroom units. There will be 13 two-story buildings and four three-story buildings. A total of 210 garage spaces will be installed; 183 uncovered parking spaces will be installed; 52 guest parking spaces will be installed; and 1 mail/package deliver space will be installed for a total of 446 parking spaces. Due to changes in management of onsite stormwater requirements, the project site design incorporates three

onsite bioretention basins to protect downstream water quality and prevent downstream flood hazards. It does this by capturing onsite stormwater runoff; treating it; and discharging stormwater at a rate equivalent or less than occurs under present conditions. Off-site improvements to be completed as part of the project would include curb and gutter on adjacent streets, and lighting and landscaping along Washington Avenue and Nutmeg Street on the project side of the street. The developer is seeking to merge the four parcels that exist on the 14.4-acre site into one parcel. The proposed site plan is shown on Figure 3-3.

The proposed site development plan contains the same number of apartment units and fewer overall buildings; all apartment units will be market rate, with none allocated to seniors; four of the currently proposed 17 buildings will be three stories in height, rather than two stories, with the three-story buildings occupying the center of the project site; and site parking will be provided in 446 spaces instead of 430 spaces.

The following amenities will be included with the proposed project: clubhouse with open kitchen, BBQ area and fire-pit with seating; swimming pool with spa; exercise room; children's play area with play equipment; dog park; bocce court with BBQ area; outdoor evening movie area; open grass play area; a leasing office with conference room and tech room; and enclosed mail room with dedicated lockers for on-line packaging delivery.

3.3 PROJECT OBJECTIVES

The proposed project is a residential apartment project intended to meet the needs of Murrieta residents that cannot or choose not to purchase a residence within the community. Such apartment residences meet the needs of young residents seeking a short-term quality home; young families with children that cannot yet afford home ownership; and older (not necessarily senior residents) residents of the City that no longer seek home ownership. The objective of the proposed project is to provide a high-quality apartment complex that can meet all of these needs in a well maintained, pleasant environmental setting.

The following objectives have been established for the proposed project and will aid decision makers in its review and decision on this project:

- **Infrastructure:** Provide comprehensive infrastructure improvements for water, sewer, stormwater and circulation system to meet future infrastructure system needs.
- **Distinctive Design and Appearance:** The project incorporates quality design elements that provide a unified sense of identity. Building and roadway treatments in this area command the same level of investment and quality of design as the surrounding community.
- **Streetscape Improvements:** Consistent roadway design and improvements, including landscape and monumentation and an integrated, seamless approach to ongoing maintenance.
- **Mobility:** Efficiently connect the proposed project uses to freeway access while providing safe spaces for pedestrians, cyclists, transit, and motor vehicles along Nutmeg Street and Washington Avenue.

Overall, the purpose of developing the proposed project is to align local and regional development objectives for all residents of the City with a variety of housing alternatives.

3.4 PROJECT CHARACTERISTICS

3.4.1 EXISTING LAND USES

The project site consists of a roughly rectangular parcel of land that is bounded northwest by Washington Avenue and on the southeast by Nutmeg Street; single-family residential uses bound the property to the west (across Washington Avenue), north and east. To the south is Nutmeg Street and an undeveloped parcel of land south of Nutmeg. The project site is highly disturbed from past grading and other disturbances. The site topography can be described as essentially flat with a shallow slope to the south towards the Washington/Nutmeg intersection. The project site contains ruderal (weedy) vegetation and no onsite structures. The overall setting is that of a suburban location with a vacant undeveloped lot to the south. Refer to the aerial photograph in Figure 3-2 for a representation of the existing project site and its immediate environs.

3.4.2 PROPOSED LAND USES

The City General Plan designation for the property is:

Existing: Multiple-Family Residential
Proposed: No change in General Plan designation propose

The City Zone classification for the property is:

Existing: Multi-Family 1, Residential
Proposed: No change in zone classification proposed

The application being considered by the City is Development Permit DP-2019-1997: Required to permit the proposed project improvements at the site, such as apartment site buildings and landscaping.

In summary, the proposed project envisions replacing the existing undeveloped (vacant) lot with the multi-family apartment complex summarized in the preceding text.

Construction Scenario

The anticipated construction sequence is as follows, but may be adjusted to conform to specific conditions at the time of actual construction:

1. Clear and grub (remove vegetation from the site);
2. Preparation of subgrade (loosen the existing soils on the project site);
3. Mass-grade site and road beds (shape and compact the ground to be ready for final grading;
4. Installation of the storm drain systems;
5. Installation of public sewer systems;
6. Installation of public water systems;
7. Fine grade to prepare for surface improvements;
8. Installation of building foundations;
9. Install private utilities, including water quality infrastructure;
10. Install curb, gutters, sidewalks and first asphalt lift;

11. Surface improvements on Washington Avenue and Nutmeg Street (grading, paving, curb, gutter and sidewalk) and the roads will be restriped to provide the required roadway improvements;
12. Complete construction of buildings;
13. Install landscaping; place final lift of asphalt; and
14. Install signage and striping.

Most of the preceding construction activities are self-explanatory. The buildings will be developed with wood framing, and the exterior will be stucco, similar to surrounding residential structures. Construction should be initiated in late-2021 in one phase and the project should open for occupancy in 2022 or 2023. The project site will require about 52,173 cubic yards of cut and fill, with import of approximately 40,000 cubic yards. Construction details are discussed in the Air Quality evaluation in Appendix 1 of the Initial Study (Chapter 8, Appendix 8.1) of this DEIR.

3.5 OTHER AGENCIES WHOSE APPROVAL MAY BE REQUIRED

Based on an evaluation of the specific project location, the proposed project will not require any permits from other agencies to support development of the site as proposed by the Washington/Nutmeg Development, L.P. applications. The amount of area to be disturbed by the whole project will be greater than one acre; therefore, the developer will be required to file a Notice of Intent (NOI) for a General Construction permit to comply with the National Pollutant Discharge Elimination System (NPDES) requirements. The NOI is filed with the State Water Resources Control Board and enforced by the San Diego Regional Water Quality Control Board. A Stormwater Pollution Prevention Plan (SWPPP) must be implemented in conjunction with construction activities. No other permits or agency requirements have been identified in association with the proposed project.

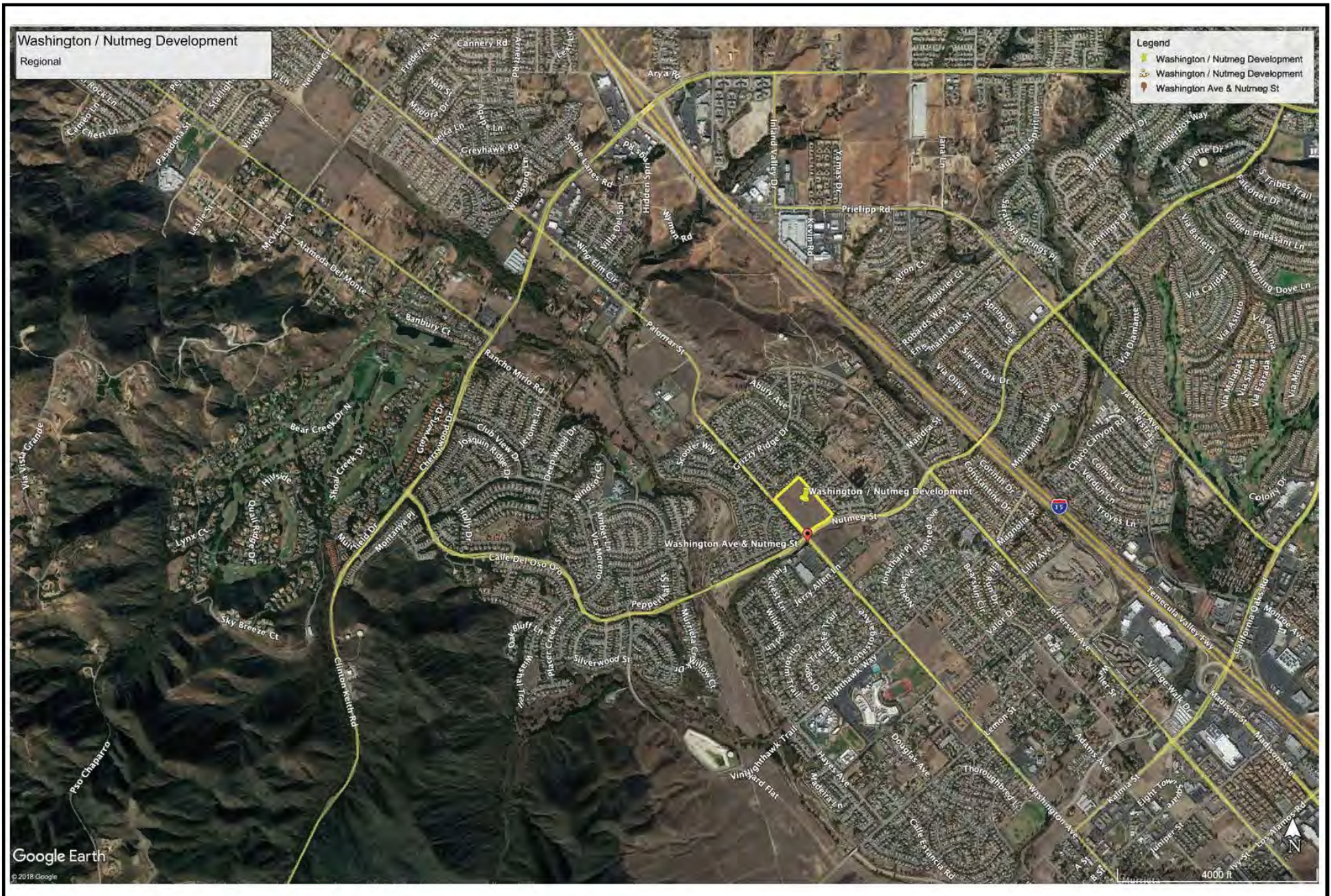


FIGURE 3-1

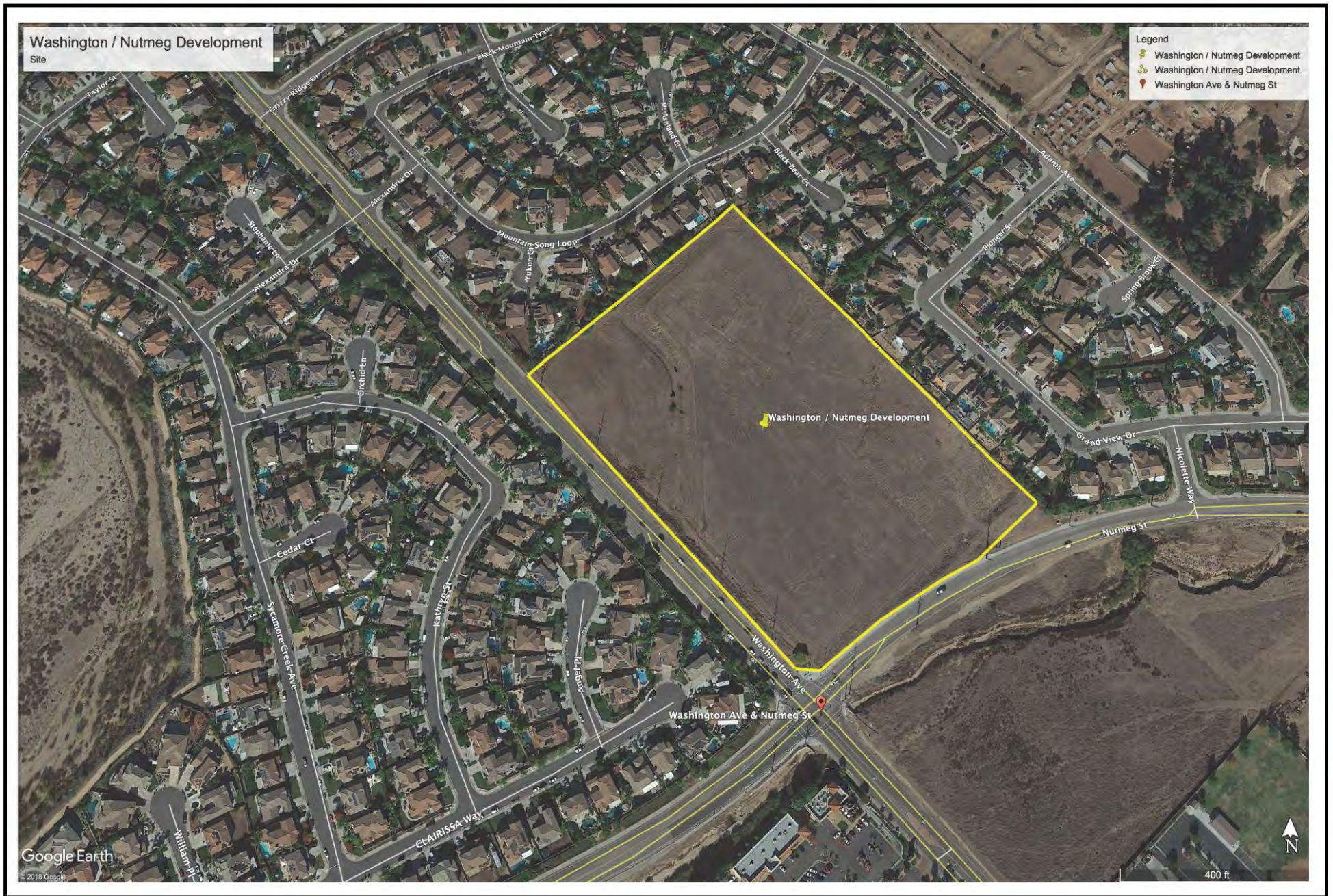
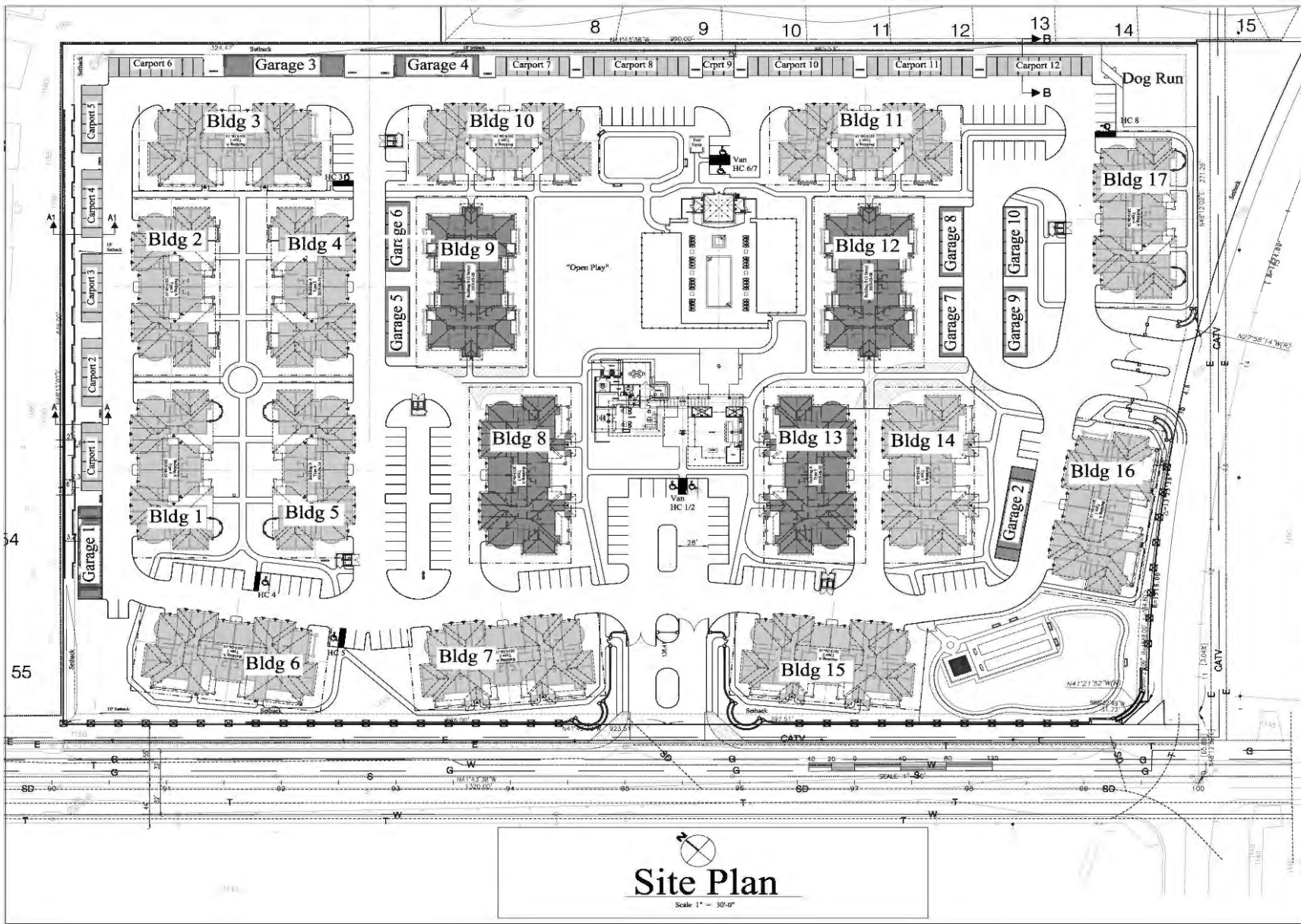


FIGURE 3-2




Site Plan
 Scale 1" = 30'-0"

John Watson
 Architects, Inc.
 726 Chelham Way
 Santa Barbara
 CA 93108
 (805)-969-7280

A 210 Unit Apartment Complex for:
 Nutmeg Washington Development, L.P.
 Washington Street @ Nutmeg Road
 Murrieta, CA



Copyright

DATE
 March 11, 2019

SITE PLAN

A1.0

CHAPTER 4 – ENVIRONMENTAL IMPACT EVALUATION

4.1 INTRODUCTION TO ENVIRONMENTAL ANALYSIS

The City of Murrieta has prepared this project Environmental Impact Report (EIR) to evaluate the potential significant environmental impacts that may result from implementing Washington/Nutmeg Multifamily Development project. This Focused EIR evaluates the following modifications to the environment from development of the project's 14.4-acre site. If the proposed site development plan (DP-2019-1997) is approved by the City, the Washington/Nutmeg Multifamily Development would construct 17 apartment buildings (two- and three-story buildings) containing 210 multi-family housing units (all market-rate apartment units).

Chapter 4 evaluates the significant environmental effects of the proposed project, which is described in Chapter 3, project Description. The following subchapter in this chapter analyzes the environmental topic as identified in the Notice of Preparation (NOP): Subchapter 4.2 Aesthetics, specifically the scenic vista changes as identified under the Aesthetic issue: *a) Have a substantial effect on a scenic vista?* During the City's preliminary review of the proposed project, adjacent single-family residents expressed concerns that the proposed two- and three- story apartment community would adversely impact existing private scenic views to the Santa Rosa Plateau that provides the background scenic vista to the west of the City. After considering this input, the City determined that the issue of scenic vista modification should be evaluated as an issue in a Draft EIR. All other issues evaluated in the Initial Study were concluded to have less than significant adverse environmental impacts, either with or without mitigation.

The Scenic Vista evaluation includes the following sections:

Introduction: Summarizes the specific issues of concern, as identified in the NOP scoping process.

Regulatory Setting: Describes applicable federal, state and local plans, policies and regulations that the proposed project must address as part of the project evaluation.

Existing Conditions: Describes the existing environmental setting for the physical resource (environmental baseline) related to the topic being analyzed. Existing conditions are determined as of the date of the release of the project's Notice of Preparation ("NOP"), which is June 16, 2020.

Thresholds of Significance: Sets forth the thresholds of significance used to determine whether impacts are "significant."

Methodology: Describes the methods used to analyze the impact and determine whether it would be significant or less than significant.

Environmental Impacts: Analyzes the potential direct and indirect impacts of the proposed project, identifies the need (if any) for mitigation measures, and identifies the ultimate significance determination (after the incorporation of mitigation) for each threshold of significance.

The analysis contained within this chapter is based in part on visual simulations, prepared in support of the Draft Focused EIR. The information used and analyses performed to make impact forecasts are provided in depth in this chapter to allow reviewers to follow a chain of logic for each impact conclusion and to allow the reader to reach independent conclusions regarding the significance of the potential impacts described in the following subchapter.

4.2 AESTHETICS

4.2.1 INTRODUCTION

This subchapter evaluates the environmental impacts to a single aesthetic issue from implementation of the proposed project. The City proposes to analyze the following environmental issue as a potentially significant impact in the Focused Draft EIR: aesthetics, specifically modification of existing scenic vistas from adjacent single-family residences to the Santa Rosa Plateau and the public view for those traveling west on Nutmeg Street to the Santa Rosa Plateau. The Santa Rosa Plateau forms the western background visual setting for the City of Murrieta. This issue will be discussed below as set in the following framework:

- Introduction
- Regulatory Setting
- Existing Conditions
- Thresholds of Significance
- Methodology
- Environmental Impacts
- Mitigation Measures
- Cumulative Impacts
- Significance of Impact(s)

The comments received regarding this issue from the public in response to the Notice of Preparation (NOP) were negative, i.e., that the visual effect of the proposed apartment structures that will back-up to existing residences will adversely impact resident's scenic vista(s) to the Santa Rosa Plateau and Santa Ana Mountains. Refer to Chapter 2 of this DEIR for a summary of all comments on the NOP and refer to Appendix 8.3 of this DEIR for detailed comments. The intensity (density of units) of development proposed by the project is addressed in the Land Use section of the Initial Study, Section XI, which is provided in Chapter 8, Appendix 8.1 of this Draft EIR. The proposed project site plan documents that the density of units on this site is consistent with the General Plan.

4.2.2 REGULATORY SETTING

State and local laws, regulations, plans, or guidelines that are applicable to the proposed project's potential impact to private and public access to scenic views are summarized below.

State

California Building Code: Building Energy Efficiency Standards

Energy conservation standards for new residential and non-residential buildings were adopted by the California Energy Resources Conservation and Development Commission (now the California Energy Commission) ("CEC") in June 1977 and revised in 2020 (Title 24, Part 6, of the California Code of Regulations). Title 24 requires the design of building shells and building components to conserve energy. The standards are updated periodically to allow for consideration and possible incorporation of new energy efficiency technologies and methods. On June 10, 2015, the CEC adopted the 2016 Building Energy Efficiency Standards, which went into effect on January 1, 2020. Title 24 requires outdoor lighting controls to reduce energy usage; in effect, this reduces outdoor lighting. Furthermore, the City of Murrieta has comprehensive site lighting standards

designed to minimize overall light intensity and which includes use of “sharp cutoff” fixtures to reduce or eliminate any light spillage from the fixture directly onto adjoining properties.

California Scenic Highways Program

The California Scenic Highways program was established in 1963 to “preserve and protect scenic highway corridors from change which would diminish the aesthetic value of lands adjacent to highways.” The state laws governing the Scenic Highway Program are found in the Streets and Highway Code, Section 260, *et seq.* No State designated or eligible scenic highways exist within the project area.

California Supreme Court

The question regarding guarantee of private views is one of the few qualitative environmental issues that the California Supreme Court has addressed. The California Supreme Court addressed this issue in the later 19th century in the case of *Kennedy v. Burnap* when it made the following ruling: “*The simplest rule that is best suited to a country like ours, in which changes are taking place in the ownership and the use of lands, is that no right [to views] can be acquired without the express grant of an interest in, or covenant relating to, the lands over which the right is claimed.*” According to an article by Attorney David Swedelson (undated) “*one’s ownership of land does not imply a right to force owners of land to refrain from obstructing the view from the land or the light and air reaching the land. This law has not changed all that much since the case was decided in 1898.*”

Other State Courts

On the other-hand several lower court cases have addressed “view” or “vista” issues of potential impacts to views or vistas in the context of CEQA. These cases have concluded that if a public or private development may create a significant alteration (impact) to an existing view (which is part of the existing physical environment), then an EIR must be prepared, analyzing the potential impacts and the EIR must provide possible mitigation measures or alternatives, where appropriate. The three pertinent court cases regarding impacts to views/vistas are:

- *Ocean View Estates Homeowners Association, Inc. v. Montecito Water District (2004) 116 Cal.App.4th 396*
- *Quail Botanical Gardens Foundation, Inc. v. City of Encinitas (1994) 29 Cal.App.4th 1597*
- *Mira Mar Mobile Community v. City of Oceanside (2004) 119 Cal.App.4th 477*

Please refer to Chapter 8, Appendix 8.3 for a summary of these court cases. The first issue of focus regarding potential view impacts discussed in these court cases is whether a view is public or private. Based on the information presented in Chapter 8, Appendix 8.3, the lead agency preparing the EIR has the discretion to determine what qualifies as a significant visual impact, a process that usually occurs during the preparation of or revision to the jurisdiction’s General Plan. In general, public views are given higher priority of importance, but a lot depends on what priority a lead agency assigns within its policy documents, such as a General Plan. To quote a portion of the text: “the lead agency preparing the EIR has discretion as to what qualifies as a “significant” impact, based on the nature of the affected area.” “In exercising its discretion, a lead agency must necessarily make a policy decision in distinguishing between substantial and insubstantial adverse environmental impacts based, in part, on the setting.” *Id.* at 493.

The following text, abstracted from the *Mir Mar* appellate court decision, characterizes the flexibility and constraints that a local jurisdiction has when considering significance of scenic vista impacts from a CEQA perspective.

Based on this evidence, plaintiffs assert the City abused its discretion by certifying the Final SEIR without analyzing the impacts the project would have on views from their adjacent private property.

Under CEQA, the question is whether a project will affect the environment of persons in general, not whether a project will affect particular persons. (Association for Protection etc. Values v. City of Ukiah (1991) 2 Cal.App.4th 720, 734.) Additionally, California landowners do not have a right of access to air, light and view over adjoining property. (Wolford v. Thomas (1987) 190 Cal.App.3d 347, 358.) Plaintiffs concede this authority, but claim they are merely attempting to enforce CEQA's requirement that the City identify and mitigate the significant environmental effects of a project before approving it. (CEQA Guidelines, §§ 15002, 15021.)

An EIR must identify the "significant environmental effects" of a proposed project. (§ 1100, subd. (b)(1); CEQA Guidelines, § 5126, subd. (a).) For purposes of CEQA, "environment" means physical conditions existing "within the area which will be affected by a proposed project, including land, air, water, minerals, flora, fauna, noise, objects of historic or aesthetic significance." (§ 21060.5.) Thus, aesthetic issues, such as public and private views, are properly studied in an EIR to assess the impacts of a project. (§ 21100, subd. (d); Ocean View Homeowners Ass'n, Inc. v. Montecito Water Dist. (2004) 116 Cal.App.4th 396, 402-403.) However, a lead agency has the discretion to determine whether to classify an impact described in an EIR as "significant," depending on the nature of the area affected. (CEQA Guidelines, § 15064, subd. (b); National Parks & Conservation Assn. v. County of Riverside (1999) 71 Cal.App.4th 1341, 1357 [varying thresholds of significance may apply depending on nature of area affected].) In exercising its discretion, a lead agency must necessarily make a policy decision in distinguishing between substantial and insubstantial adverse environmental impacts based, in part, on the setting. (CEQA Guidelines, § 15064, subd. (b).) Where the agency determines that a project impact is insignificant, an EIR need only contain a brief statement addressing the reasons for that conclusion. (CEQA Guidelines, § 15128.)

Based on the threshold criteria for significance presented in the Final SEIR, the City concluded the project would have no significant effects on "Aesthetics/Landform Alteration." Plaintiffs challenge this conclusion, claiming the significance criteria set forth in the Final SEIR did not distinguish between public and private views and the City abused its discretion because substantial evidence revealed that Mira Mar residents would lose their ocean view. While use of the term "scenic vista" in the Final SEIR could possibly refer to views from both public and private vantage points, review of the underlying plans and policies reveal that the City drew a distinction between public and private views, determined that only impairment of the former would constitute a significant impact.....

The Final SEIR indicated that the project was within the river specific plan, specifying that visual qualities must be considered and protected as a resource of public importance. After reviewing the project from four public vantage points, the Final SEIR concluded that the project complied with the City's policy "in that [it] has been designed and sited to protect public views." Because Mira Mar is not a "public vantage point," the Final SEIR concluded that any impact on plaintiffs' private views was not significant and that the project conformed to the policies regarding impact on public views and would have no significant adverse impact on visual quality.....

Moreover, as the City indicated in its written response to public comments, neither state nor local law protects private views from private lands and the rights of one private landowner cannot prevail over the rights of another private landowner except in accordance with uniformly applied standards and policies as expressed in the City's general plan, redevelopment plan, local coastal program and zoning ordinances. Because the City applied the policies contained in the local coastal program, we conclude it did not abuse its discretion by concluding that the project would have no significant effects on aesthetics, including views.

Local

An in-depth review of the City's General Plan was conducted to identify those goals or policies that discuss or describe the City's policy regarding private or public scenic views or scenic vistas.

Each of the General Plan Elements and the Introduction to the General Plan are reviewed for references or discussions of these topics.

City of Murrieta: General Plan

Chapter 1: Introduction

p.1-4

Murrieta sits below the Santa Rosa Plateau of the Santa Ana Mountains. The Hogbacks Ridge runs through the northeastern part of the City. Other mountain ranges are visible in the distance: the San Jacinto Mountains to the east, and the Santa Margarita and Agua Tibia ranges to the south.

This text identifies important visual resources and focuses on protecting them as resources. It does not focus on either public or private views of these resources.

Section 1.5: Community Priorities

pp.1-16 & 1-17

During the General Plan Update, community members were afforded a number of ways to share their thoughts about Murrieta today and Murrieta in the future. The ten community priorities below describe the vision that members of the public provided for the future of their community, which guided the goals and policies in the City's current General Plan, as well as a summary of comments from the workshops.

Sustainable Economy. Pursue economic vitality and longevity by attracting higher education and growing a base of clean industry, while maintaining the current housing affordability.

Transportation. Improve roadway networks to reduce traffic, and provide a citywide system of bicycle lanes and recreational trails that improve accessibility without a car.

Infrastructure and Services. Improve health care within the City, and continue to provide excellent school, police, fire, library, and recreation services.

Community Character. Protect and foster a strong sense of community and safety, as well as the "small town" feeling.

Governance. Promote community involvement and provide for a fiscally sound future.

Recreation and Culture. Provide abundant parks and facilities for recreational activities, and cultural amenities.

Natural Environment. Protect the natural beauty of the mountains, hills, and waterways.

Historic Downtown Murrieta. Create a vibrant, prosperous Historic Downtown that serves as a community center and provides a variety of quality shopping and dining experiences.

Youth Amenities. Provide ample activities for all ages of youth, and jobs for teens.

Rural Areas. Preserve elements of Murrieta's rural heritage.

Community priorities did not focus on views or vistas, but instead focused on protecting the natural beauty of the natural resources (mountains, hills, and waterways) themselves, i.e., changes in the beauty of the natural resources themselves.

Natural Environment: Protect the natural beauty of the mountains, hills, and waterways.

p.1-20

Community members value the natural beauty and clean air of Murrieta. Mountains, hills, and waterways were listed as treasures, with several calling out the Santa Rosa Plateau in particular. Participants cited open space as a treasure, and participants including youth expressed that natural areas should be retained in the future.

Participants identified that preservation would need to be balanced with development and the need to prevent flooding around waterways. Participants also identified property rights as a concern as it relates to preservation.

A workshop group that focused on open space and trails cited several benefits of quality of life, property values, sense of community, recreation, and wildlife preservation. This group suggested that connections between open space should be designed to work for people as well as for wildlife, and proposed a park with trails along the river from Wildomar to Temecula; they also suggested removing cement from the riverbed to allow groundwater recharge.

This description of the important natural resources in the area within and surrounding the City of Murrieta also focuses on protecting the actual resources without addressing public or private views to them.

Chapter 2: Vision

p.2-1

Visioning Workshops during the General Plan Update process confirmed that residents' value the "sense of community" and "quality of life" in Murrieta because of the advantages it offers, including:

- Accessibility
- Educated Workforce
- High Quality Schools
- Growing Regional Technology and Medical Hub
- Range of Housing
- Safety
- Quality of Life

The summary of resident values did not include private or public views as a high priority value of the community.

Chapter 3: Land Use Element

p.3-1

One of the community priorities cited on this page includes: Protect the natural beauty of the mountains, hills, and waterways.

Community priorities did not focus on views or vistas, but instead focused on protecting the natural beauty of the natural resources (mountains, hills, and waterways) themselves.

Natural Resources
pp.3-68 & 3-69

Goal LU-22 Natural and visual resources are valued resources to maintain the rural character of the Los Alamos Hills

Policies LU-22.1 Encourage the preservation of natural and visual resources within Los Alamos Hills, such as rock outcroppings and scenic views of the local hills and valleys, to the greatest degree practicable.

Goal LU-22 and Policy LU-22.1 did not focus on views or vistas to the Los Alamos Hills, but instead focused on protecting the natural visual and rural character of the geographical area itself.

Chapter 4: Economic Development Element

This Element of the General Plan does not contain any discussion of views or vistas.

Chapter 5: Circulation Element

This Element of the General Plan does not contain any discussion of views or vistas.

Chapter 6: Infrastructure Element

This Element of the General Plan does not contain any discussion of views or vistas.

Chapter 7: Healthy Community Element

This Element of the General Plan does not contain any discussion of views or vistas.

Chapter 8: Conservation Element

p.8-1

The purpose of the Conservation Element is to provide direction regarding the conservation, development, and utilization of natural and cultural resources. It serves as a guide for the City of Murrieta, its residents, and its businesses to understand what natural or other resources exist in the City, how development impacts these resources, and methods to maintain, preserve, or conserve these resources.

The following Community Priorities relate most directly to this Element: Protect the natural beauty of the mountains, hills, and waterways.

It is in the Conservation Element that most of the City's policies regarding important scenic resources are discussed and the policies regarding scenic vistas are identified.

Hills and Ridges

p.8-4

Murrieta's natural setting offers views and vistas of features that have both scenic and ecological value. A variety of rolling hillsides, mountain ranges, the Valley floor, and varied natural vegetation contributes to the unique visual character of Murrieta, as well as the surrounding region.

The Hogbacks are a prominent visual feature within the Murrieta landscape that can be seen from many vantage points. This ridgeline crosses the eastern portion of the City and supports areas of relatively undisturbed natural vegetation along the western slope.

Views to the Santa Rosa Plateau occur along the I-15 and I-215 Freeways, as well as from lands located to the west of the Hogbacks. Views from these locations also include the largely undisturbed ridgelines that extend to the north and south of the Plateau, combined with hillside areas supporting chaparral habitat. Oak woodland habitat and a variety of canyons are also present along the foothills of the Santa Ana Mountains and add to the existing visual character.

The Murrieta *Municipal Code* establishes guidelines for future development proposed along the City's hillsides. Section 16.24, Hillside Development, provides measures for the long-term protection of existing natural topography and scenic character whenever feasible through the regulation of grading activities, intensity, and density of development proposed, structural massing, building height, and other characteristics in order to minimize potential impacts on the existing viewshed, not views.

Scenic Corridors

Views from the major freeways traversing Murrieta play a large part in defining the community's identity for people passing through the area. Both freeways have been recognized as possessing scenic qualities.

Interstate 15 is included in the Master Plan of State Highways Eligible for Official Scenic Highway Designation, and Interstate 215 was previously shown on the County's Master Plan of Scenic Highways as being eligible for official designation as a County Scenic Highway.

Public views to the Santa Rosa Plateau and Santa Ana Mountains are highlighted in the preceding text, particularly from the freeways that traverse the City from north to south. The focus of the Conservation Element is on the means to minimize modifications to the scenic resource itself, with no mention of preserving views from private residences, only public views.

Built Environment

p.8-7

Murrieta's built environment interacts with the natural environment by drawing on resources like soil and energy and creating new resources such as farmland, historic structures, and products that can be re-used or recycled. The community also seeks to integrate the natural world into the urban fabric by preserving open space and introducing parks and trees. Developing the City while enhancing the functioning of natural systems is a prudent way to maintain and benefit from available natural resources.

No specific reference under the "Build Environment" to preserving private scenic vistas or views from this environment to the view resources.

p.8-13

Under Setting the Vision: Key Concepts and Vision for the General Plan Hills and Ridges; Murrieta's hills and ridges offer scenic and biological values, and are considered to be a community treasure. The City has regulations that protect hillside topography and scenic characteristics and prevent slope erosion, and seeks to preserve habitat areas such as the foothills of the Santa Ana Mountains under the MSHCP.

Scenic corridors through Murrieta allow enjoyment of these views. With formal designation of these corridors, the scenic qualities of Murrieta could be recognized at the County and State level as a community amenity.

The focus in this discussion on "Key Concepts" is on protecting the scenic resources from significant modification and on protecting scenic corridors, primarily public views from freeways, to the Santa Rosa Plateau and Santa Ana Mountains. Protecting private views is not discussed.

Hills and Ridges

pp.8-19 & 8-20

Goal CSV-5 Hills and ridges are protected for their environmental and aesthetic values.

- Policies*
- CSV-5.1 Promote compliance with hillside development standards and guidelines to maintain the natural character and the environmental and aesthetic values of sloped areas.
 - CSV-5.2 Incorporate significant landform features into City parks and open space, where appropriate.
 - CSV-5.3 Maintain a register of cultural resources that includes landforms with cultural significance.

Focus in these policies is on protection of the scenic resource itself with no mention of protecting private views to these resources.

Chapter 9: Recreation and Open Space Element

Open Space

p.9-16

Goal ROS-7 Open space areas are planned to protect, conserve, and utilize resources of unique character and value for the community.

- Policies*
- ROS-7.2 Designate open space to preserve habitat and scenic views of natural areas.

This is the only discussion of scenic views in the Recreation and Open Space Element (Chapter 9 of the General Plan). Again, the focus is on preserving scenic resources as open space to maintain scenic value of such resources. No discussion is provided in this policy or the remainder of the Element about protecting either public or private scenic views of these resources in this section.

City of Murrieta: Development Code

This section provides no policy guidance nor specific regulation regarding public or private scenic views and their protection related to multi-family residential development.

MDC Section 16.08.40: 1. Site Character

Existing natural amenities (e.g., views, mature trees, topographic features) and other amenities (e.g., structures of architectural significance and cultural resources) unique to the site shall be preserved and incorporated into the project's design whenever possible.

This section refers to onsite values "unique" to the site, not scenic views and their consideration during design.

MDC Section 16.16: The Combining and Overlay Districts explains the Scenic Highway Overlay (SHO) – but it does not appear to have been implemented within the City.

This section of the MDC provides guidance for creation of scenic highway overlays which would address public scenic views/vistas, but not private scenic views and vistas.

MDC Section 16.24: This section discusses development within the Hillside Development District. There are many references to views, but the focus is within the District, not about ensuring areas outside the District maintain their views of the hillsides. Visual impact studies may be required of development within the District to ensure that a proposed development will not have a significant adverse impact on a hillside scenic resource.

This section of the MDC also establishes a precedent for considering the visual impact of new development, on existing residential views, but it solely addresses impacts on a scenic resource within the Hillside Development District, not scenic views or vistas from existing residential areas to a scenic resource.

MDC Section 16.24-070A2B: "A significant public vista, skyline, open space corridor, or vertical open space corridor as seen from an interstate, an arterial, or a secondary street should be a major design element in the site planning process."

Washington and Nutmeg are designated as "Secondary" streets. None of the adjacent residences are located on streets identified under this section and the focus of this section is on "public vistas" along a roadway (linear corridor) not on private views. However, this section requires an evaluation of views along Nutmeg and Washington to determine whether they have a significant public vista, and if they do, whether the proposed project would substantially alter such a view.

MDC 16.24-070C2: "The design of the structure should give consideration to the lot's size and configuration in order to avoid the appearance of overbuilding and to minimize the blocking of views."

This section comes the closest to offering some protection of private views to important scenic resources. Without being specific it references building design to avoid the appearance of overbuilding and minimizing the blocking of views. However, this section is found under Hillside Development, not Multi-Family development, and is therefore not relevant to this project.

MDC 16.42.40 Tree Preservation: Scenic resources may include entry statements to the City, scenic corridors along the freeway, and or specific rural, natural, or historical areas. Natural resources may include natural woodlands, riparian habitat, and/or drainage areas.

This definition is provided in the Tree Preservation section, but it does not directly address what constitutes a scenic resource. However, the text does not provide any guidance regarding how to address views to scenic vistas, only the intent to preserve the resources that are part of the scenic resource.

MDC 16.106 (Dedications, Reservations, and Development Fees) indicates that subdividers may be required to grant scenic easements without specifying what this means.

Not applicable to the project because it is not being subdivided.

The preceding sections provide both general and specific guidance regarding the City's policies on scenic resources, scenic vistas, and scenic views from existing developed sites. Based on an assessment of the preceding statements of City policy for vistas and scenic resources, it appears that the Murrieta General Plan and Murrieta Development Code contain specific policies for protection for the scenic resource itself; limited protection for identified scenic corridors and public views; but no identified specific policies for protection of private views to those scenic resources.

In sharp contrast the City of Malibu has established General Plan policies that assign a high value to private views. These policies are not only incorporated in the General Plan, but have been implemented into Malibu's Development Code. This approach is in sharp contrast to the City of Murrieta where limited protections are allocated to public views to scenic resources and no discussion of protecting private views is included in the City General Plan policies.

4.2.3 EXISTING CONDITIONS

The project site is located on an undeveloped, rectangular-shaped parcel of land. The proposed project is located in the City of Murrieta and is designated on the City General Plan for Multi-Family Residential use and zoned for the same use. Figure 4.2-1 contains an aerial photograph of the project site which shows the relationship of the site to the surrounding developed property. This property has been previously graded and contains a non-native (ruderal) vegetation cover at the present time. The proposed development is shown on Figure 4.2-2. It consists of 17 apartment buildings with 13 proposed two-story buildings and four (4) proposed three story buildings. The three-story buildings are shown as the dark grey shaded structures (Buildings 8, 9, 12, and 13) on Figure 4.2-2. The configuration of the building site plan has some bearing on the potential impacts of the proposed project on scenic vistas. Finally, Figure 4.2-3 establishes the final component of the foundation for analyzing potential modifications of scenic vistas from adjacent properties to the Santa Rosa Plateau. The scenic view access from the adjacent residences to the Plateau is shown on this aerial photo.

Figure 4.2-3 illustrates the land uses surrounding the project site. Existing land uses surrounding the site include the following:

Northeast:	Immediately adjacent, single-family residential properties
Southeast:	Immediately by Nutmeg Road, vacant property
Southwest:	Immediately by the Washington Avenue/Nutmeg Road intersection, and then a commercial shopping center, vacant property and a Verizon Facility

Northwest: Immediately by Washington Avenue, single-family residential properties (west side of street)

Based on feedback from the local residents, the City concluded that the expressed concerns regarding loss of private scenic vistas could result in a significant adverse impact and the City would evaluate the potential impact of the proposed project on private resident scenic views to the Santa Rosa Plateau. An estimated 23 private residences occupy parcels directly adjacent to the project site. Single-family residences “in the second row” beyond these 23 parcels do not have similar views to the Plateau because of the 23 residences adjacent to the site already block such views. Therefore, the focus of this existing evaluation is specifically for these 23 parcels adjacent to the project site where private scenic views may be impacted.

The first step in this review was to identify the potential views from the 23 adjacent properties, i.e., what scenic view do residents actually have. To accomplish this a visual simulation consulting firm (FORMA) was retained to collect and compile these data. FORMA performed scaled visual simulations for the proposed project. Scaled simulations reflect the actual future height and location of structures based on the site engineering and architectural plans. Therefore, the actual future views from individual properties can be forecast with a reasonable degree of accuracy.

FORMA sent out a representative to the field who selected five sites on adjacent properties to represent existing private views to the Santa Rosa Plateau. A sixth view was taken from Nutmeg Street, looking west to the Santa Rosa Plateau, to represent the current public view in the project area to the Plateau. Views on Washington, except from the Washington/Nutmeg intersection, are blocked by residential development north of Nutmeg. The local residents were very accommodating to the FORMA photographer and Figure 4.2-4 shows the locations from where the photographs were taken using a professional, scaled camera. The five representative residences are located at the following addresses: 42000 Yukon Court; 23385 Mountain Song Loop; 23379 Black Bear Court; 41766 Grandview Drive; and 41742 Grandview Drive. The existing views from each residence are provided in the following descriptions of existing views.

42000 Yukon Court

The backyard of the residence at 42000 Yukon Court is bounded by a brick wall and existing onsite and offsite landscape vegetation. These existing features limit access to the Santa Rosa Plateau scenic vista from this property. Refer to Figure 4.2-5.

23385 Mountain Song Loop

The backyard of the residence at 23385 Mountain Song Loop has landscaping and a see-through fence that does allow views to the southwest. Visible in the foreground and middle ground is the project site and adjacent residences to the northeast of the site (northeast of Nutmeg), and in the background view is a ridge further to the southwest. No view of the Santa Rosa Plateau occurs from this property. Refer to Figure 4.2-6.

23379 Black Bear Court

The backyard of the residence at 23379 Black Bear Court provides a scenic view that includes the Santa Rosa Plateau as a scenic vista. The foreground view consists of a see-through fence, site landscaping, and the project site. In the midground is the commercial shopping center located at the southwest corner of Nutmeg and Washington. In the background is a portion of the Santa Rosa Plateau. The existing view contains elements of both the man-made development southwest of Washington and the Plateau in the background view framing the scenic vista from this property. Refer to Figure 4.2-7.

41766 Grandview Drive

The backyard of the residence at 41766 Grandview Drive captures the full width vista of the Santa Rosa Plateau and Santa Ana Mountains scenic vista in the background. A see-through fence and the project site occupy the foreground view. The suburban residential and commercial setting along Washington and Nutmeg (and related landscaping) dominate the middle ground view. The Plateau and Santa Ana Mountains form the defining background view from this site. The Santa Rosa Plateau is an important scenic vista for this property. Refer to Figure 4.2-8.

41742 Grandview Drive

The backyard of the residence at 41742 Grandview Drive captures a segment of the Santa Rosa Plateau and Santa Monica Mountains scenic vista. The foreground view consists of a trellis, patio furniture, landscaping, a swimming pool, a see-through fence, and the project site. Middle ground views are dominated by suburban residential and commercial development along Washington and Nutmeg. A segment of the Plateau and Santa Ana Mountains form the background view from this site. The Plateau and Santa Ana Mountains are an important scenic vista for this site, somewhat modified by the foreground and middle ground urban development. Refer to Figure 4.2-9.

Public View: Nutmeg Street Traveling West

The final view was created by selecting a view accessible to all residents and visitors (public) to the City. Three locations along Nutmeg Street, east of the Washington Avenue intersection, were considered for this public view evaluation. Figure 4.2-10 shows the three locations considered on Nutmeg. Station C was selected because it provides the best location for examining the impact of the proposed project on the public views along Nutmeg to the Plateau and Santa Ana Mountains. The scenic vista from this location is shown on Figure 4.2-11. The foreground view from Nutmeg consists of the open space on the southwest (left side of the photo) and the roadway, power lines and a portion of the vacant project site on the northeast (right side of photo). The middle ground views consist of suburban development, including the commercial center on the southwest corner of Nutmeg and Washington and the residential neighborhoods extending west to the base of the Plateau and Santa Ana Mountains. The Plateau and Mountains form the background view along the Nutmeg view corridor, i.e., scenic vista.

Summary

The photos demonstrate that there are some good quality views to the Santa Rosa Plateau and the Santa Ana Mountains from the private residences adjacent to the site and the Nutmeg view corridor. However, none of the views can be considered “pristine or unobstructed.” Man-made landscapes are a part of each “scenic vista,” and these components of the vistas diminish the overall scenic quality of the vistas. However, the Plateau and Mountains form an important background scenic vista that defines the western boundary of the City of Murrieta as a community from several of the view locations, both public and private.

4.2.4 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project could have a significant effect on the environment if the project would:

- a) Have a substantial adverse effect on a scenic vista.

4.2.5 METHODOLOGY

The assessment of aesthetic impacts is subjective by nature. Aesthetics generally refer to the identification of visual resources and the quality of what can be seen, as well as an overall visual perception of the environment shown in a view. This analysis attempts to identify and objectively examine factors that contribute to the perception of aesthetic impacts. Potential aesthetic impacts can be evaluated by considering proposed grade separations, landform alteration, building setbacks, scale, massing, building height, and landscaping features associated with the design of a project. However, as previously described in the valuation of importance assigned to views by the City of Murrieta, it should be noted that the City of Murrieta has not adopted locally designated or defined standards or methodologies (such as are found for quantitative emission thresholds) for the assessment of aesthetic impacts. Since there are no State or County standards that apply here, the only criteria for evaluating impacts to scenic vistas in the City of Murrieta are the City's policies as defined in the General Plan and the Murrieta Development Code (MDC). These policies and regulations were thoroughly identified above and will now be applied in the following evaluation of scenic views.

4.2.6 ENVIRONMENTAL IMPACTS

a) Would the project have a substantial effect on a scenic vista?

The "scenic vista" of concern in this evaluation is the one currently available to certain of the 23 immediately adjacent residences to the project site (as presented in the preceding section) and that available to persons driving west on Nutmeg Street as depicted on Figure 4.2-11. The process of evaluating the potential change in scenic vistas consists of three steps. The first step consists of developing a visual simulation of the structures and landscaping at the project site as shown on Figure 4.2-2 and then integrating them into the photos to show the virtual changes in the scenic vista after development. The second step is to review, assess, and characterize the resulting visual simulation from each of the photo locations without regard to City Policies and Ordinances. The third and final step is to determine whether any changes in views rise to a "CEQA Level of Significance," given the Goals and Policies of Murrieta's General Plan and regulations of the Zoning Ordinance. Based on this forecast methodology of future changes in view, the potential impact to the existing scenic vista can be assessed and a level of impact can then be assigned.

Based on discussions, the City Staff concluded five residential locations adjacent to the project site were selected to evaluate potential changes in the scenic vista caused by the proposed project. As previously noted, there are an estimated 23 residences that border the proposed project site to the northwest and northeast. Refer to Figure 4.2-4. The five residences were selected randomly to depict scenic views from various residence locations and are considered representative of the views of all 23 residences.

42000 Yukon Court

The apartment buildings on the project site that will modify the southerly views at 42000 Yukon Court are depicted in Figure 4.2-12. Shown on this visual simulation are the apartment silhouettes as they would appear when construction is completed. Note that the buildings in the foreground of the simulation are two stories in height. The next visual simulation, Figure 4.2-13, shows how these simulated two-story structures would impact the existing view from the Yukon Court residence (which faces the southwest), without including the project's landscaping. Only the tops of the two-story buildings can be seen over the boundary fence in this simulation. Figure 4.2-14,

the final graphic for this site, shows both the existing view and the future simulated view from the residence across the backyard, including the project's landscaping. **ASSESSMENT:** Due to the configuration of the landscaping of this yard (primarily the block wall fence), there are currently no future no scenic views accessible from this residence. In the "After" photo, the buildings have been painted the anticipated colors and landscape vegetation is shown as grown to maximize the change in the views. Although this southwest facing residence will not experience any scenic vista impacts, the existing view will change to a developed suburban residential visual setting, from the current undeveloped setting. Such a change would occur whether the project site is developed with the apartments or two-story single-family residences.

23385 Mountain Song Loop

The apartment building silhouettes on the project site that will modify the southerly views at 23385 Mountain Song Loop are depicted in Figure 4.2-15. Note that the buildings in the foreground of the simulation are two-stories in height. The next visual simulation, Figure 4.2-16, shows how these simulated two-story structures would impact the existing view from the residence, which faces the southwest, without benefit of the project's landscaping being shown. The mass of the apartment buildings will dominate the existing view to the southwest from this property. This view consists of the project site's undeveloped lot, but it does not include the Santa Rosa Plateau. Figure 4.2-17, the final graphic shows both the existing view and the future simulated view from the residence's backyard. In this instance the buildings have been painted the anticipated color when developed and landscape vegetation is shown as grown to maximize the change in the views. Unlike the view at 42000 Yukon Court, this southwest facing residence will experience a distinct change in the existing view of the project site and ridge to the south. However, this particular view is not identified or considered an important scenic vista in any City Policy Document or Ordinance, and the loss of this view is not considered the loss of an important scenic vista. The existing view consists of open space with background suburban development to a foreground developed suburban residential visual setting. Such a change would occur whether the project site is developed with the apartments or two-story single-family residences. However, in the case of the apartments the building masses are larger than individual single-family residences would be.

23379 Black Bear Court

The apartment buildings on the project site that will modify the southerly views at 23379 Black Bear Court are depicted in Figure 4.2-18. Shown on this visual simulation are apartments as they would appear when construction is completed. Note that the buildings in the foreground of the simulation are two-stories in height. The next visual simulation, Figure 4.2-19, shows how these simulated two-story structures would impact the existing view from the residence. The mass of the apartment buildings will dominate the view to the west-southwest from this property. This view consists of the undeveloped project site in the foreground; suburban development in the middle ground; and the Santa Rosa Plateau and Santa Ana Mountains in the background. Figure 4.2-20, the final graphic shows both the existing view and the future simulated view from the residence's backyard. In this instance the buildings have been painted the anticipated color when developed and landscape vegetation is shown as grown to maximize the change in the views. **ASSESSMENT:** Unlike the view at 42000 Yukon Court, this west-southwest facing residence will experience a distinct change in the existing view of the project site (foreground), suburban development (middle ground), and the existing limited view to the Plateau and Mountains. This particular modified view is a transition from the southwest views from the first two residences to the last two residences with clear, unrestricted visual access to the scenic vista. As shown on Figure 4.2-20, all but a minor portion of the Plateau is obscured by the proposed apartment building mass. Such a change would occur whether the project site is developed with the

apartments or two-story single-family residences. However, in the case of the apartments the building masses are larger than individual single-family residences would be. This transitional view is considered a substantial change in a private scenic vista.

41766 Grandview Drive

The apartment buildings on the project site that will modify the westerly views at 41766 Grandview are depicted in Figure 4.2-21. Shown on this visual simulation are apartments as they would appear when construction is completed. Note that the buildings in the foreground of the simulation are two stories in height. The next visual simulation, Figure 4.2-22, shows how these simulated two-story structures would impact the existing view from the residence. The mass of the two-story apartment buildings will frame the existing view to the west. Two three-story buildings are shown on the left and the right of the simulation with minimal impact due to the setback from the property. This view consists of the project site open space in the foreground; project park like landscaping in the middle-ground; and the Santa Rosa Plateau and Santa Ana Mountains scenic vista in the background. Figure 4.2-23, the final graphic shows both the existing view and the future simulated view from the residence's backyard. In this instance the buildings have been painted the anticipated color when developed and landscape vegetation is shown as grown to maximize the change in the views. **ASSESSMENT:** This west facing residence will experience a distinct change in the existing view of the project site (foreground), suburban development (middle ground, all obscured), and the existing visual access to the Plateau and Mountains will be substantially reduced. This particular modified view represents a maximum impact to the Plateau and Mountain scenic vista. As shown on Figure 4.2-22, all but the highest elevations of the Plateau and Mountains are obscured by the proposed apartment buildings mass. Such a change might occur whether the project site is developed with the apartments or two-story single-family residences. With a single-family residential development, it would be rare to have a large open space as depicted here, so it is probable that the scenic view from this lot would be worse with a single-family residence than with this apartment project. This change in the scenic vista is considered a substantial change.

41742 Grandview Drive

The apartment buildings on the project site that will modify the westerly views at 41742 Grandview are depicted in Figure 4.2-24. Shown on this visual simulation are apartments as they would appear when construction is completed. Note that the buildings in the foreground of the simulation are two-stories in height. Figure 4.2-25, shows how these simulated two-story structures would impact the existing view from the residence. The mass of the apartment buildings will impact the existing view to the west. This view consists of the project site open space in the foreground; suburban development in the middle ground; and the Santa Rosa Plateau and Santa Ana Mountains scenic vista in the background. Figure 4.2-26, the final graphic shows both the existing view and the future simulated view from the residence's backyard. In this instance the buildings have been painted the anticipated color when developed and landscape vegetation is shown as grown to maximize the change in the views. **ASSESSMENT:** This west facing residence will experience a distinct change in the existing view of the project site (foreground), suburban development (middle ground, all obscured), and the existing visual access to the Plateau and Mountains will be substantially modified. This particular modified view represents a maximum impact to the Plateau and Mountain scenic vista. As shown on Figure 4.2-26, all but the highest elevations of the Plateau and Mountains are obscured by the proposed apartment buildings mass. Such a change would occur whether the project site is developed with the apartments or two-story single-family residences. However, in the case of the apartments the building masses are larger than individual single-family residences and could obscure more of the scenic vista. This change in the scenic vista is considered a substantial change.

Public View – Nutmeg Street Traveling West

Figure 4.2-27 shows the before photograph and the after-view photo simulation. Figure 4.2-10 shows that existing development along Washington Avenue obscure some of the existing views to the Santa Ana Mountains. Figure 4.2-27 shows that there is an existing view of these Mountains across the project site from Nutmeg, with suburban development in the foreground/middle ground and both the Santa Rosa Plateau and the Santa Ana Mountains in the background. With development of the proposed project the after-view simulation shows that this particular modified view represents a partial impact to the Plateau and Mountain scenic vista for the short distance from the southeastern boundary of the project site (see the brick wall) to the Washington/Nutmeg intersection. **ASSESSMENT:** As shown on Figure 4.2-26, all but the highest elevations of the Mountains are obscured by the proposed apartment buildings and fully developed plant landscaping. Such a change would occur whether the project site is developed with the apartments (all two-story buildings along Nutmeg (refer to Figure 4.2-2), or two-story single-family residences as is consistent with most development in the immediate area. However, in the case of the apartments, the building masses are larger than individual single-family residences and could obscure more of the northern portion of this scenic vista. This change in the scenic vista is considered substantial, but much of the public view to the Santa Rosa Plateau (the uninterrupted view along the Nutmeg/Calle de Oso Oro corridor) would remain intact.

Summary of Findings

The proposed Washington/Nutmeg Multi-Family Development project will adversely affect existing scenic vistas from a majority of the 23 residences directly adjacent to the project site. For those existing residences on the northwest edge of the project site the change in view will range from a loss of visual access to the project site and to the loss of views to the existing suburban development to the south and southwest. There will be a minimal loss of visual access due to the proposed project to the background scenic vista defined by the Santa Rosa Plateau and Santa Ana Mountains. According to the project architect, the height of the two-story apartment structures will be approximately 32' 6", while the height of the three-story apartments will be approximately 42' 6". Single-family structures are allowed to be constructed to a maximum of 35 feet for both the ER-3 and SF-1 zones (the single-family zone districts abutting the project development where the 23 housing properties are located). Therefore, the alternative of developing the site with single family residences is forecast to have the same general effect on existing views from the immediately adjacent residences to this scenic vista. Actually, due to the setback from the existing residences from including parking single-family residences could be located right at the setback lines, which are ten-feet from the property line, whereas the Applicant has placed the single-story garages on the setback lines and the nearest two-story buildings are approximately 55 feet from the property line to minimize the impact on the adjacent residences. Furthermore, the three-story apartment buildings were placed in the center of the project site to avoid massing these structures along Nutmeg Street, Washington Avenue, or near the adjacent residences to minimize their impact on the adjacent neighboring properties and to those that drive by.

All three of the visual simulations from backyards that face west show that the loss or obstruction of views is almost totally caused by the two-story apartment buildings that will be built closest to these existing residences. The proposed three-story apartment buildings in the center of this apartment complex (refer to Figure 4.2-2) have either no or minimal impact on the existing scenic vistas of the residences. Beginning with the residence at 23379 Black Bear Court and continuing south along Grandview Drive, the proposed project will modify or substantially interfere with views to the background scenic vista defined by the Santa Rosa Plateau and Santa Ana Mountains. Thus, the proposed project clearly has an adverse effect on the existing scenic vista views (not

the scenic vista itself). The significance of these project-related changes in private views is evaluated in the next section.

Evaluation of Scenic Vista Impacts

In accordance with the evaluative methodology identified in the preceding text, the following findings can be made based on the collective analysis of the visual simulations:

1. The first step was to identify representative scenic views and create the virtual visual simulations. This has been done on Figures 4.2-12 through 4.2-27.
2. The second step was to review each visual simulation to define the degree of change in the scenic vistas and then to assess and characterize the change in the scenic view. Based on the referenced visual simulations, most of the residences along the northeast property boundary will experience a substantial loss of visual access to the current scenic view to the Santa Rosa Plateau. Some of the residences may not have access to this view due to back yard walls and landscaping, but most will incur substantial disruption to the existing scenic vistas. However, these private views are not pristine (unobscured) due to the high degree of foreground and background man-made development within the scenic vistas, such as the commercial center and residential development extending to the base of the Plateau. The public view (scenic vista on the Nutmeg Street corridor, Figure 4.2- 27) is highly cluttered by development along Washington Avenue in the foreground and middle ground on the north and south sides of Nutmeg. The view along the Nutmeg corridor will not be substantially altered by the proposed project.
3. A detailed evaluation of the City's General Plan and Murrieta Development Code and State Court findings regarding visual/aesthetic policies as they relate to CEQA has been provided to assist the City decision-makers and the public. The City's policies address public views, including those from the freeways and major roadways to the Santa Rosa Plateau. The City documents also identify potential changes in the visual resource, i.e., protection against changes within Santa Rosa Plateau and Santa Ana Mountains, as important/significant policy issues. However, the General Plan Goals and Policies are silent regarding private views to these scenic resources and/or scenic vistas. Based on this lack of City policy on protection of private scenic vista views and the State court decisions regarding private views, the City finds that although private visual access will be adversely modified to these scenic vistas from the adjacent private residences, this impact does not rise to a level of a significant unavoidable adverse impact in accordance with CEQA.

4.2.7 MITIGATION MEASURES

Since the finding of this evaluation is that there are no significant adverse impacts on scenic vistas, no mitigation is required of the project to reduce the impacts of the proposed project on private views to scenic vistas.

4.2.8 CUMULATIVE IMPACTS

Cumulative impacts are focused on all the potential impacts on the environment based on past projects, current projects, and known future projects being considered within a given "cumulative universe." From an aesthetic/visual impact standpoint, the cumulative visual setting consists of the immediate project area, elements of the landscape that may be altered within the project's

foreground, middle ground and background visual setting. The proposed project's existing visual setting includes urban/suburban development in all directions, except due south, where a large undeveloped parcel exists. Single-Family Residential (SFR) uses occur west, north and east of the project along Washington Avenue, and are thus a part of the immediate area existing visual setting. At the southwest corner of Washington and Nutmeg is an area commercial center which is also part of the immediate area existing visual setting. A large undeveloped remainder parcel exists directly south of Nutmeg, east of Washington. No development is presently proposed for this location, and it is designated for SFR use on the City's current General Plan. Overall, the visual setting in the immediate project area is urban/suburban which extends west to the Santa Rosa Plateau and Santa Ana Mountains, which form the background view of the project area to the west.

As far as is known, no other changes in the area visual setting are forecast to occur in the near-term future. Thus, there will be no other cumulative modifications to the visual setting that defines the proposed project area. The proposed project site is designated for Multi-Family uses at a density up to 15 units per acre. The proposed project will implement the General Plan's current vision for the project site and the proposed multi-family development is consistent with the urban/suburban visual setting in the project area. These findings and the fact that there are no other developments proposed that could alter the visual setting for the adjacent residences to the Santa Rosa Plateau and Santa Ana Mountains, minimize potential for cumulative change in the visual setting. Based on these findings, the proposed project will not make a cumulatively considerable contribution to the Aesthetic resource impacts within the vicinity of the property. Cumulative Aesthetic impacts are considered less than significant.

4.2.9 SIGNIFICANT AND UNAVOIDABLE IMPACTS

The preceding evaluation demonstrates that the proposed project will not result in any significant unavoidable adverse aesthetic impacts in the project area, including impacts to either public or private existing scenic vistas.

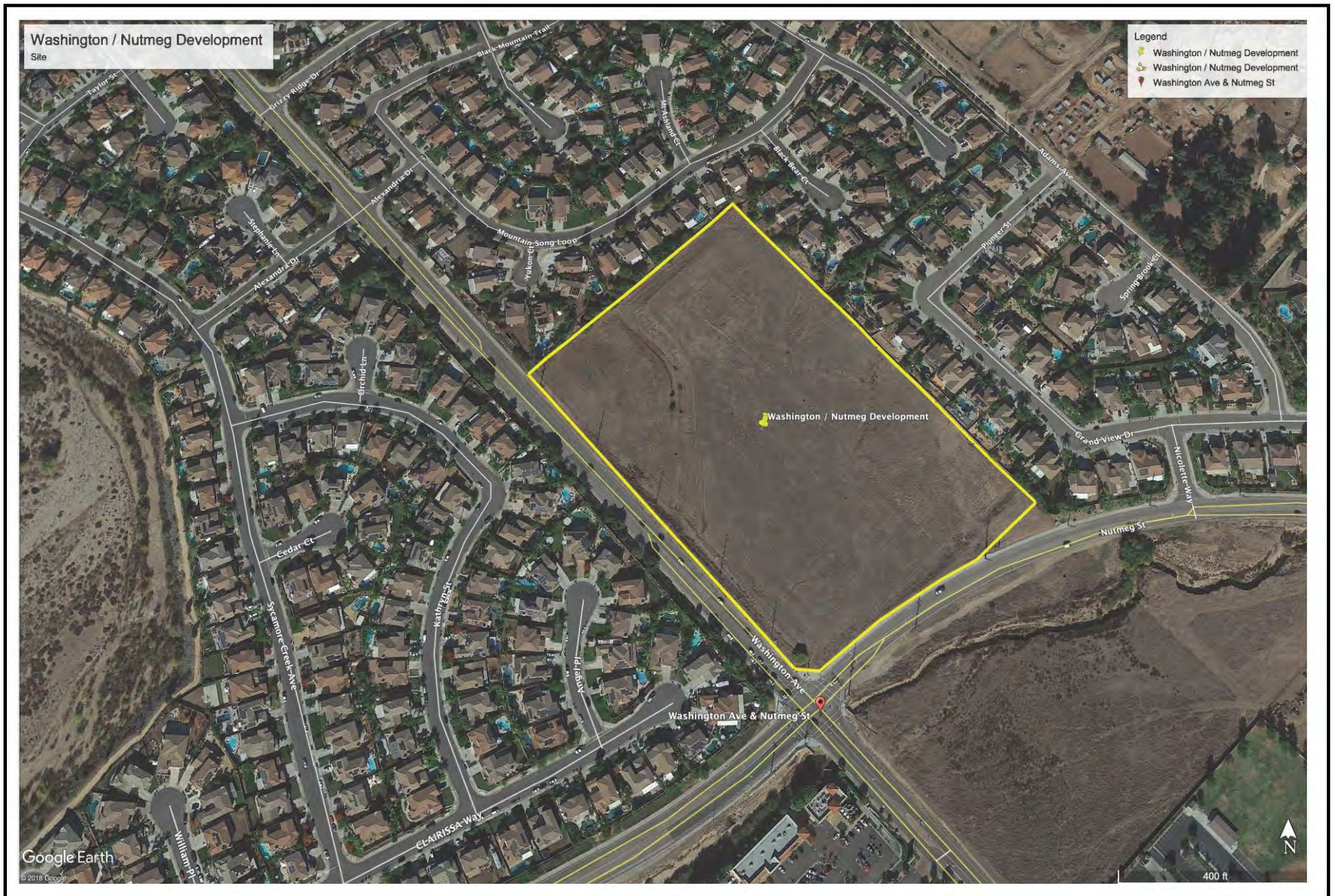
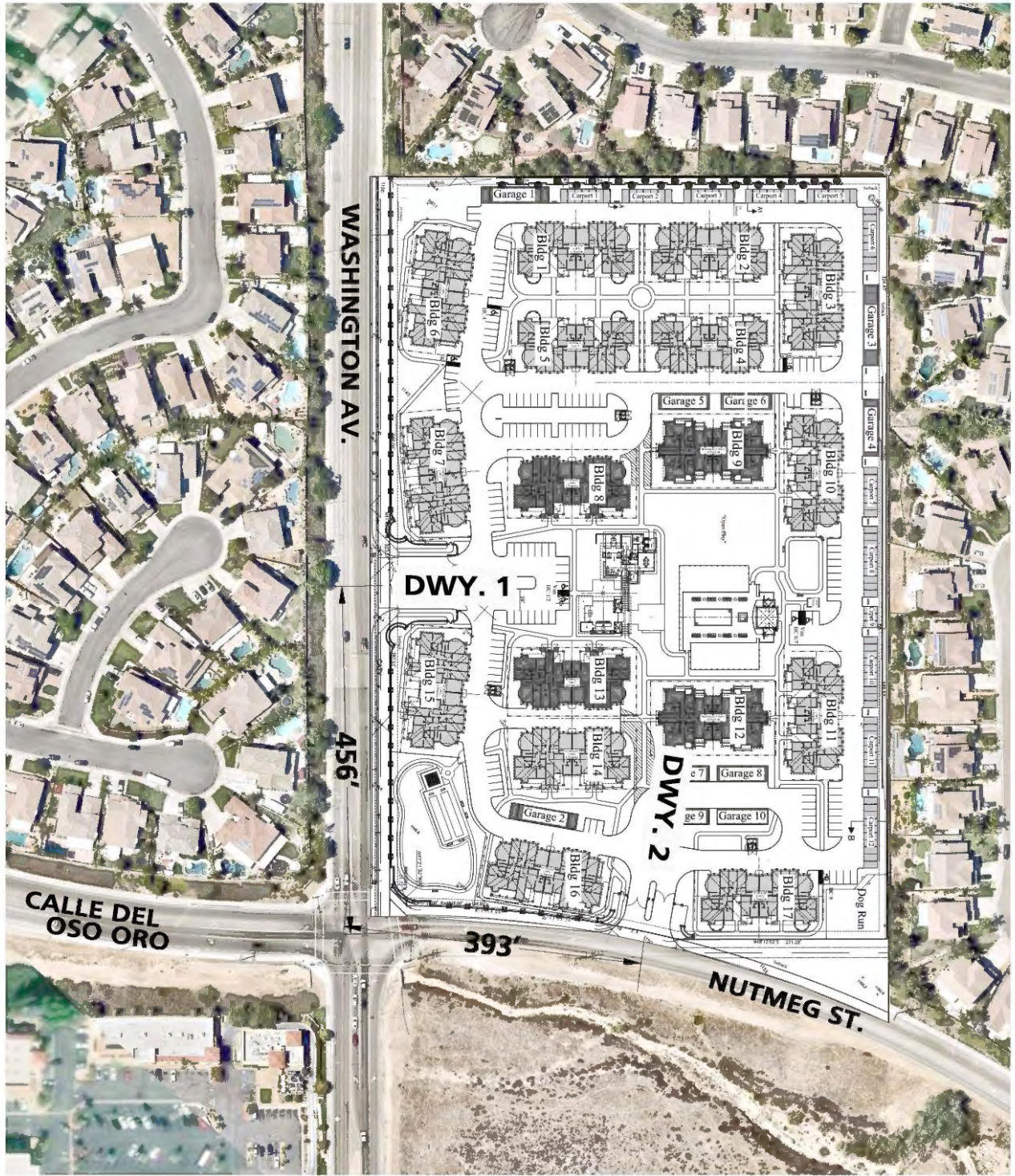


FIGURE 4.2-1



SOURCE: Focused Traffic Impact Analysis prepared by Urban Crossroads, September 2019

FIGURE 4.2-2

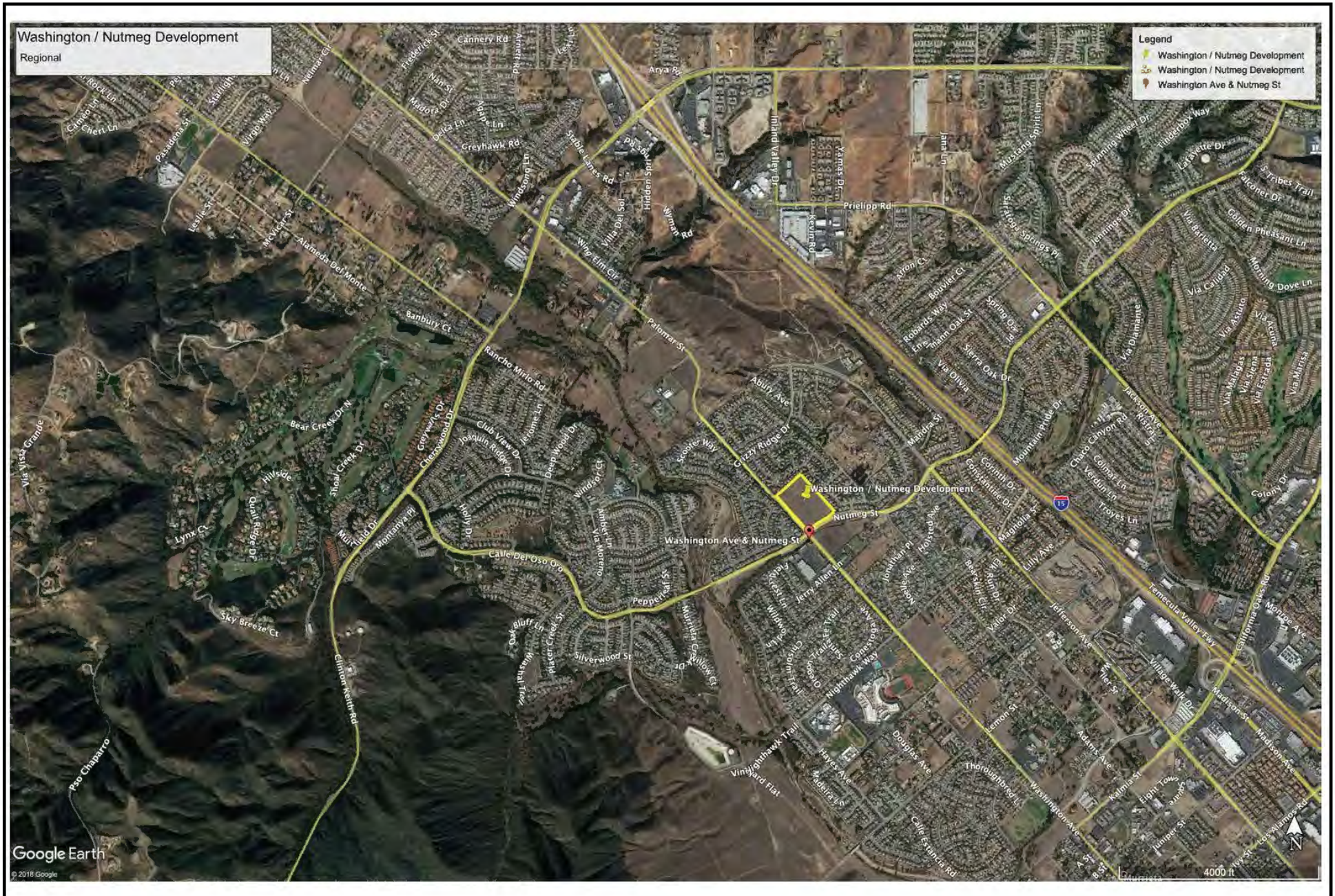


FIGURE 4.2-3

Tom Dodson & Associates
Environmental Consultants

**Aerial Photo Showing Proximity of the Site
to the Santa Rosa Plateau**



Nutmeg Apartment Project
City of Murrieta

Exhibit 1 Key Map

Architect: John Watson **FORMA**

NORTH 42000 YUKON COURT



NORTH 23385 MOUNTAIN SONG LOOP



EAST 23379 BLACK BEAR COURT



EAST 41766 GRANDVIEW DR



EAST 41742 GRANDVIEW DR



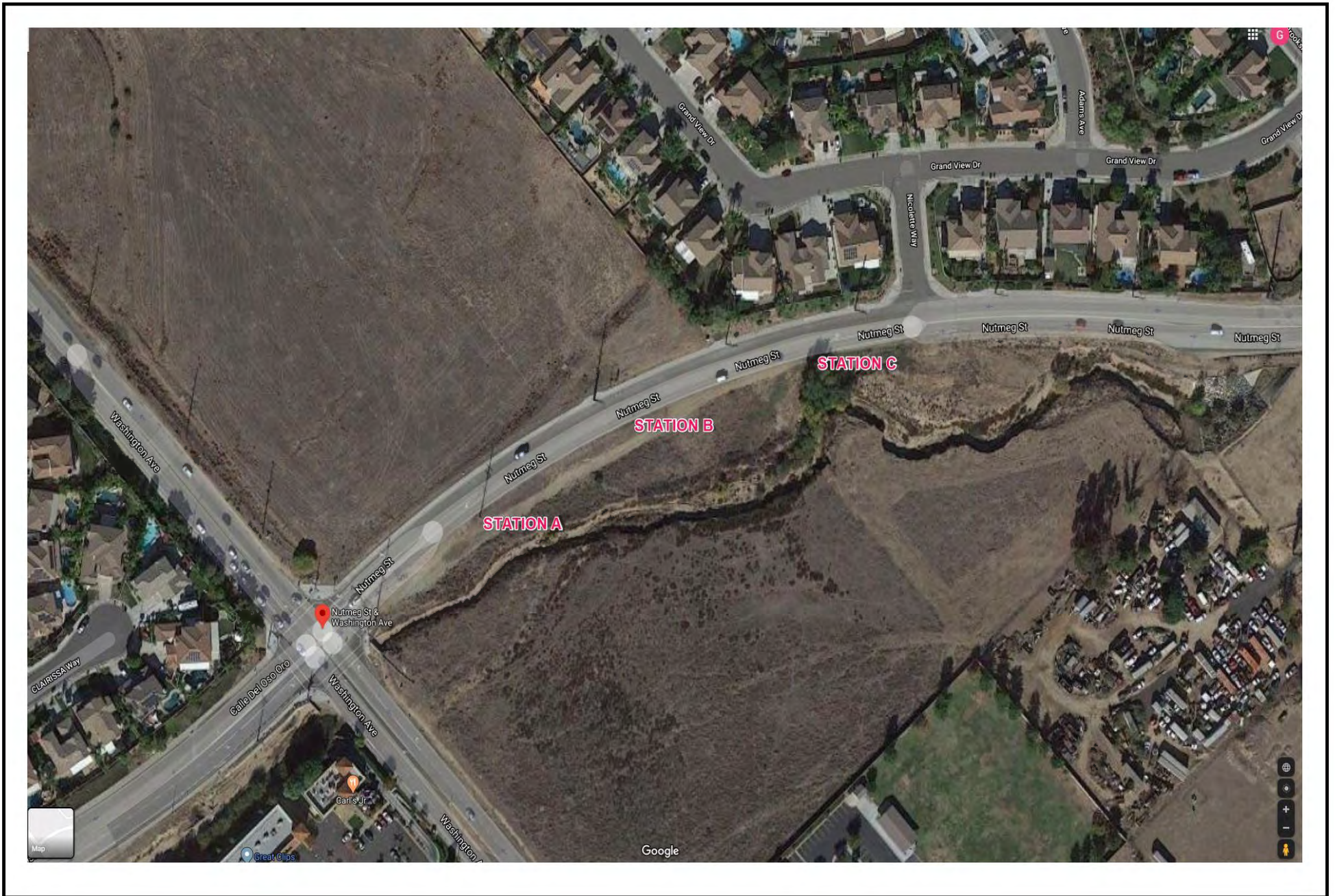


FIGURE 4.2-10



NORTH 42000 YUKON COURT



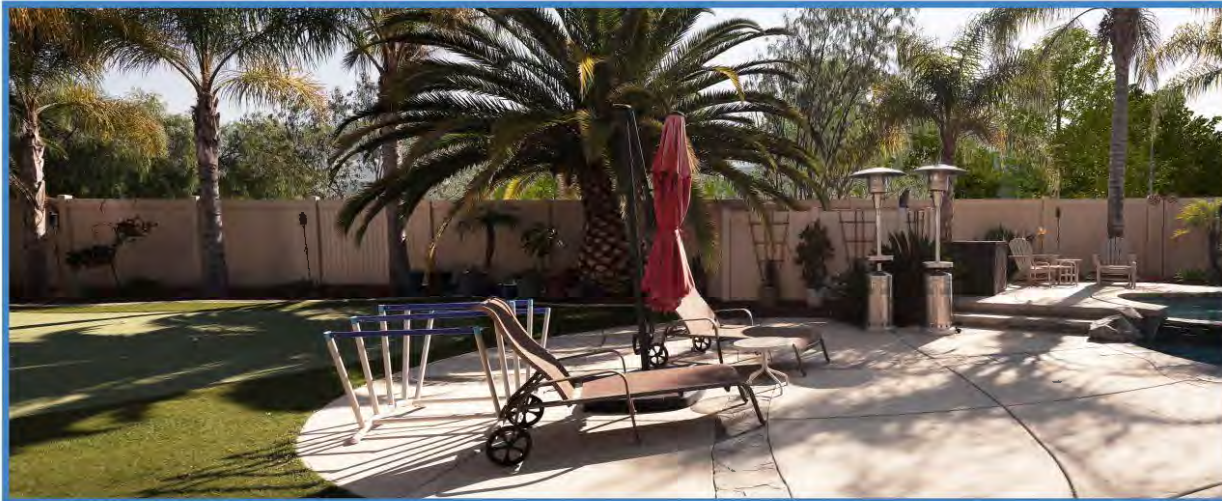
NORTH 42000 YUKON COURT



Before



After



Nutmeg Apartment Project

City of Murrieta

Exhibit 2
42000 Yukon Court

Architect: John Watson **FORMA**

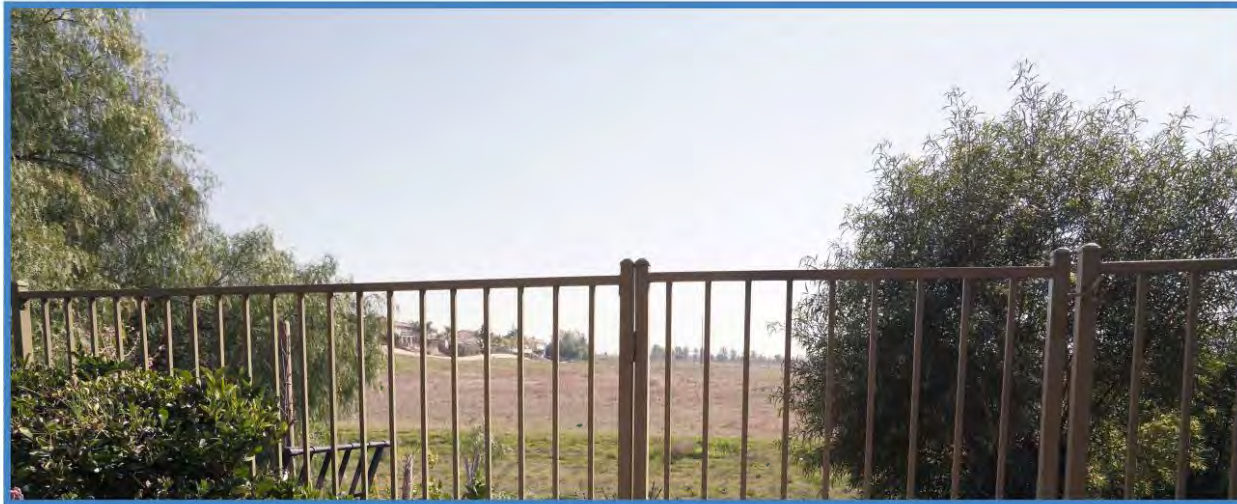
NORTH 23385 MOUNTAIN SONG LOOP



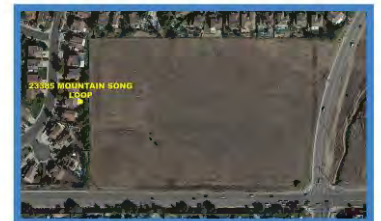
NORTH 23385 MOUNTAIN SONG LOOP



Before



After



Nutmeg Apartment Project
City of Murrieta

Exhibit 3
23385 Mountain Song Loop

Architect: John Watson **FORMA**

EAST 23379 BLACK BEAR COURT



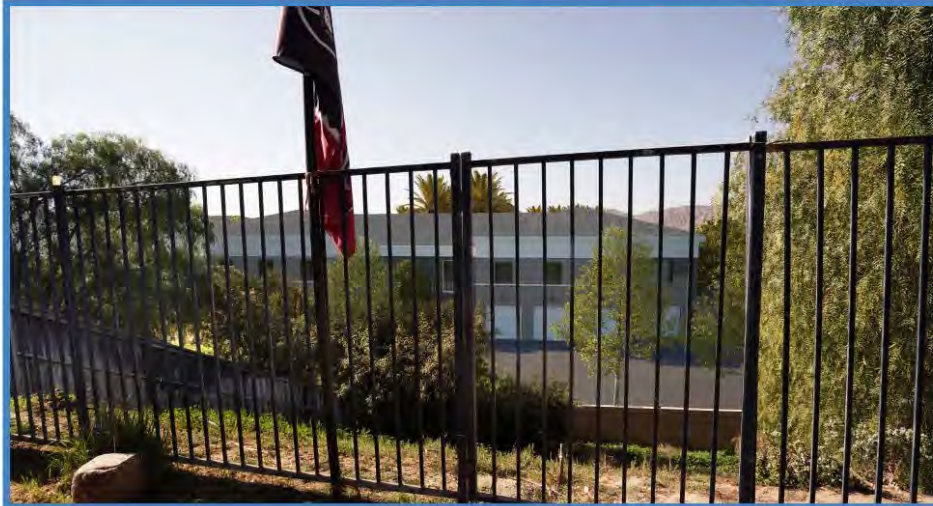
EAST 23379 BLACK BEAR COURT



Before



After



Nutmeg Apartment Project

City of Murrieta



Exhibit 6
23379 Black Bear Court

Architect: John Watson

FORMA

EAST 41766 GRANDVIEW DR



EAST 41766 GRANDVIEW DR



Before



After



Nutmeg Apartment Project
City of Murrieta

Exhibit 5
41766 Grandview Drive

Architect: John Watson **FORMA**

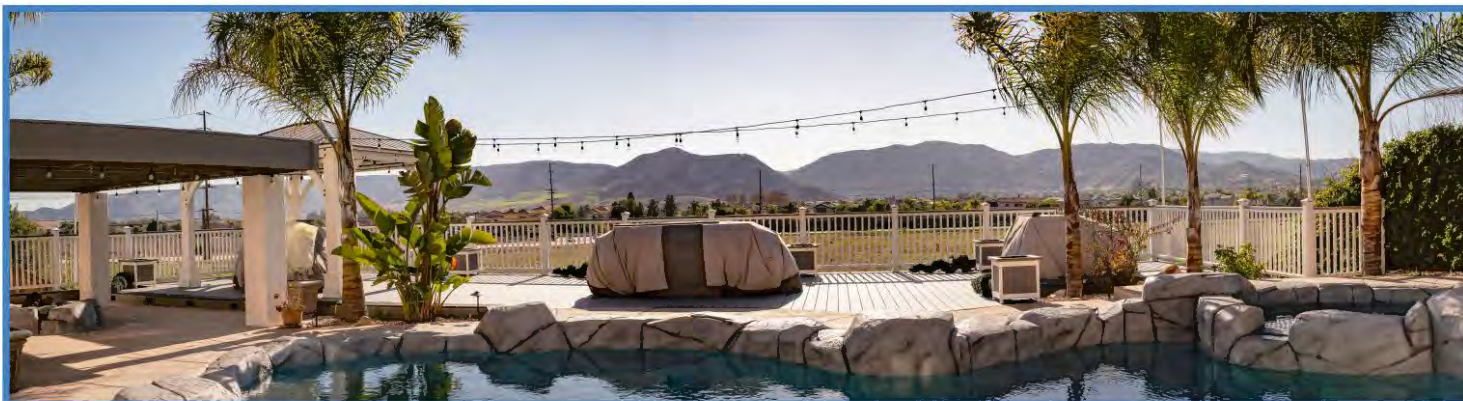
EAST 41742 GRANDVIEW DR



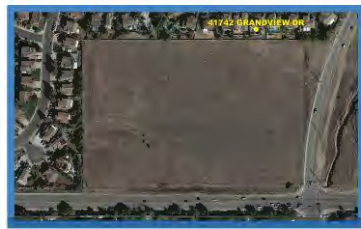
EAST 41742 GRANDVIEW DR



Before



After



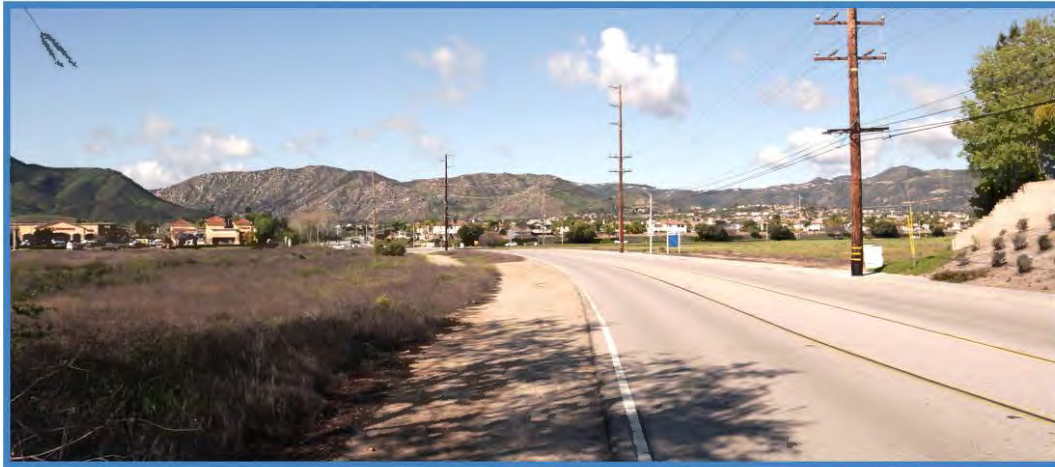
Nutmeg Apartment Project

City of Murrieta

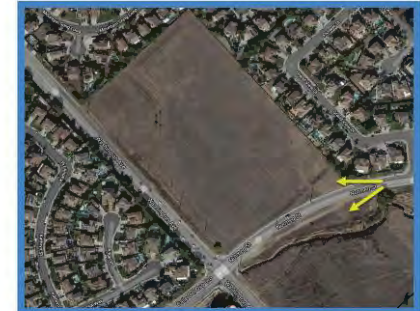
Exhibit 4
41742 Grandview Drive

Architect: John Watson **FORMA**

Before



After



Nutmeg Apartment Project

City of Murrieta

Exhibit 7
Nutmeg Street View West

Architect: John Watson **FORMA**

CHAPTER 5 – ALTERNATIVES

5.1 INTRODUCTION

The California Environmental Quality Act (CEQA) and the State CEQA Guidelines require an evaluation of alternatives to the proposed action. The purpose of the Alternatives evaluation under CEQA is to determine whether one or more feasible alternatives is capable of reducing potentially significant impacts of a preferred project to a less than significant level. The applicable text in the State CEQA Guidelines occurs in Section 15126 as follows:

Section 15126.6 (a): Alternatives to the Proposed project. An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation.

Section 15126.6 (b) Purpose. Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives or would be more costly.

Even though the Draft EIR does not identify any unavoidable significant adverse environmental impacts, this Chapter examines reasonable/feasible alternatives to the proposed project that could reduce potential adverse aesthetic impacts.

5.2 PROJECT OBJECTIVES

The project objectives are defined in Chapter 3 as follows:

The following objectives have been established for the proposed project and will aid decision makers in its review and decision on this project:

- Infrastructure: Provide comprehensive infrastructure improvements for water, sewer, stormwater drainage, and circulation system to meet future infrastructure demand needs.
- Distinctive Design and Appearance: The project incorporates quality design elements that provide a unified sense of identity. Building and roadway treatments in this area command the same level of investment and quality of design as the surrounding community.
- Streetscape Improvements: Consistent roadway design and improvements, including landscape and monumentation and an integrated, seamless approach to ongoing maintenance.
- Mobility: Efficiently connect the proposed project uses to freeway access while providing safe spaces for pedestrians, cyclists, transit, and motor vehicles along Nutmeg Street and Washington Avenue.

Overall, the purpose of developing the proposed project is to align local and regional development objectives for all residents of the City with a variety of housing alternatives.

5.3 SIGNIFICANT AND UNAVOIDABLE IMPACTS

As discussed in Chapter 4 of this DEIR, the proposed project would not result in significant and unavoidable impacts related to the modification of private scenic vistas. Scenic vistas will be modified by the proposed project, but City policy (General Plan and Development Code) does not support protection of private views across adjacent private property as an important “value or right” to be protected within the City of Murrieta.

5.4 ALTERNATIVES CONSIDERED AND REJECTED DURING THE PROJECT PLANNING PROCESS

Several alternatives were considered but rejected during the project planning process for the reasons outlined below. The following alternatives were identified in response to the Notice of Preparation (refer to Chapter 2 discussion of comments and responses) including the following: retain the site as opens space, perhaps a park; single-family residential; neighborhood retail commercial; s new school; alternative location; and reduced size of the project (number of units). The basis for rejecting these alternatives is provided in the following discussion following a restatement of the proposed project’s description.

If the proposed site development plan (DP-2019-1997) is approved, the revised Washington/Nutmeg Multifamily Development would construct 17 apartment buildings (instead of 23) containing 210 multi-family housing (all market-rate) apartment units. This includes 88 one-bedroom units; 88 two-bedroom units; and 34 three-bedroom units. There will be 13 two-story buildings and four three-story buildings. A total of 210 garage spaces will be installed; 183 uncovered parking spaces will be installed; 52 guest parking spaces will be installed; and 1 mail/package delivery space will be installed for a total of 446 parking spaces. Off-site improvements to be completed as part of the project would include curb and gutter on adjacent streets, and lighting and landscaping along Washington Avenue and Nutmeg Street on the project side of the street. The developer is seeking to merge the four parcels that exist on the 14.4-acre site into one parcel. The proposed site plan is shown on Figure 3.

The proposed plan contains the same number of apartment units and fewer overall buildings; four of the currently proposed 17 buildings will be three stories in height, rather than two stories; and site parking will be provided in 446 spaces instead of 430 spaces. All three-story units will be located in the Center of the development as shown on Figure 3.

The following amenities will be included with the proposed project: clubhouse with open kitchen; BBQ area and fire-pit with seating; swimming pool with spa; exercise room; children’s play area with play equipment; dog park; bocce court with BBQ area; outdoor evening movie area; open grass play area; a leasing office with conference room and tech room; and enclosed mail room with dedicated lockers for on-line package delivery.

The proposed project site has been designated Multi-Family Residential on the City’s General Plan since 1999 (refer to Chapter 8, Appendix 8.4 for background support for this finding). This multifamily designation was in place when the City approved the 2005 project and it was maintained in the 2011 General Plan Update by the City. This designation has also been retained in the 2020 General Plan Update approved in July 2020. The current land use designation allows

up to 15 units per acre and the project proposes 14.58 units per acre. The Murrieta Development Code allows structures within this land use designation up to three stories and a maximum height of 50 feet. All project structures are less than 45 feet in height.

As outlined at the beginning of this chapter, the primary tests for consideration of an alternative are whether an alternative is reasonable or feasible. For all of the alternative land uses identified in the NOP comments, each one would require a change in the in the General Plan to a different land use designation. For example, to designate the project site for a park would require a change in land use designation on the General Plan to “Parks and Open Space.” For each of the alternatives offered in the NOP comments (with one exception, reduced density, but the same Multi-Family use), a General Plan Amendment would be required. Any change in the land use designation is inherently speculative because it is not possible to foresee or make assumption on how the City Council will act. This becomes even more speculative due to the new requirements from Senate Bill 330 (SB 330). This is because Government Code Section 66300(b)(1)(A) stipulates that agencies shall not “chang[e] the general plan land use designation, specific plan land use designation, or zoning...to less intensive use...below what was allowed under the land use designation and zoning ordinances in effect on January 1, 2018”. Based on the preceding information, the City concludes that the alternatives proposed that require amendments to the City General Plan are too speculative (uncertain) and are not considered feasible alternatives to the proposed project. This is evidenced in the following quote from Section 15126.6(f)(3) of the State CEQA Guidelines: “*An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative.*”

The City also discussed whether the original apartment project designed and approved for the site in 2005 should be considered as an alternative to the proposed project. However, due to the passage of time and changes in development requirements over the intervening 16 years, this prior project could not be built today. The basis for concluding that the 2005 project is not a feasible alternative include the following facts.

- Since the 2005-approved prior project, the State has adopted a requirement that 100% of the storm water be retained onsite and/or very slowly be discharged into the public storm drain system. These rules are codified in the State’s Water Quality Management Plan (“WQMP”) regulations. The current project plan has only two possible locations for the necessary above-ground WQMP basins: one in the northwest corner of the property (where former Building #1 was to be built) and another in the southwest corner of the property (where former Building #5 was to be built). As a result, the prior site plan is not possible to construct because the referenced two buildings cannot be situated in their previously approved locations, and there is no minor adjustment that could be made to the site plan that would enable these basins to be located in these corners. Including these basins would significantly alter the site plan, probably resulting in a plan similar to what is being proposed for the current project.
- The City of Murrieta Fire Department allowed the 2005-approved prior project to locate former Building #23 within the large open space of the “market rate” portion of the site. When assessing how a fire hose might be run, the location of this building requires a fire hose run of approximately 235 feet from both the parking area near the Leasing office **and** from the drive aisle between Buildings 20 and 21. The current Fire Department regulations require the project applicant to stay around 175 feet, subject to an absolute maximum of 200 feet. The prior project site plan will not permit the required distance to get down to or under 200 feet.

- The prior 2005 project is not needed as a visual alternative. The project applicant has proposed an alternative where the roof slopes of the buildings are lowered from a 4:12 roof to a 2.5:12 roof. When the 2005 Building Type C2's rear elevation is compared to the current Building Type A3 Building (the building types used along the northeast side of the project), the 2005 elevation is only 1'-0"± lower than the current elevation. As shown in Figure 5-1 (a visual simulation of the original project from 41766 Grandview Drive), this height difference is insignificant since both the prior project's roof and the current project's roof heights vary along their respective lengths (in some locations the 2005 buildings are higher than the current buildings); and when the totality of the visual experience is considered (*i.e.*, the "wall of buildings" for the 2005 project versus the significant opening between current buildings), the CEQA requirement of "significantly lessening" the impact is not met.

A potential alternative may be found legally infeasible if implementation would violate statutes specifically limiting alternatives or mitigation measures that the lead agency may adopt when approving a project. For example, a reduced density alternative for a housing project was determined to be infeasible because no finding could be made under Government Code section 65589.5 of an adverse impact on health and safety. (*Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715-716; see also 14 Cal. Code of Regs., § 15041(c).)

The State CEQA Guidelines make the following statement regarding alternative locations: Section 15126.6(f)(2)(A) "*Key Question. The key question and the first step in analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR.*" Based on the analysis in the Draft EIR, there are no significant adverse environmental impact that would require an alternative location to be considered. The proposed project will modify private views from some of the adjacent residences, but City policy documents (General Plan and Murrieta Development Code) do not assign any significance to the loss of such private views. Therefore, alternative locations will not be given further consideration in this Chapter.

5.5 ALTERNATIVES SELECTED FOR FURTHER ANALYSIS

Based on the criteria listed above, and in addition to the alternatives considered and rejected, the following alternative has been determined to represent a reasonable range of alternatives for consideration. This alternative is analyzed in detail in the following text.

5.5.1 NO PROJECT / NO DEVELOPMENT ALTERNATIVE

The No project Alternative (NPA) is required under CEQA to evaluate the environmental effects associated with no action on the part of the Lead Agency. The NPA includes continued use of the undisturbed site as unfenced open space and no additional changes to the existing land uses. This alternative evaluates the environmental impacts resulting from a hypothetical continuance of the existing land use. The project site has been disturbed in the past by grading, weed abatement, and trespass, and currently consists of open space that has been invaded by weedy vegetation, termed ruderal vegetation. There are no structures on the project site.

Aesthetic Resources

The NPA would not result in any change to the current aesthetics of the project site. The open space would remain unchanged as a visual setting and would not block views to any scenic vistas. As stated in Subchapter 4.2 of this DEIR, the proposed project can be implemented in conformance with the City's Design Guidelines and extensive development to urban uses has already occurred in the area surrounding the project to the north of Nutmeg Street. The proposed project's contribution to the change in visual setting within the project area has been evaluated as a less than significant adverse visual change or modification to private scenic views. Aesthetic impacts from the NPA would be substantially less than that of the proposed project.

Agricultural and Timberland Resources

The NPA would retain the property in its current use and no adverse impact to any agricultural or timberland resources would occur under this alternative. There are no agricultural or timberland resources on the site. The proposed project will convert approximately 14.4 acres of the project site to more intense urban/suburban uses. Based on the data and the analysis performed in the Initial Study (Chapter 8, Appendix 8.1), the value of the soils and agricultural productivity of this site was determined to be relatively low. No prime farmland or farmland of Statewide Importance would be lost. Thus, the NPA alternative has no impact on agricultural or timberland resources which is comparable to the findings for the proposed project.

Air Quality

Since no construction activity would occur and the site would not be occupied by future residents, the NPA would not have any short-term or long-term impacts on air quality other than that associated with the open space site. No new long-term sources of air pollution would result from increased traffic or increased use of energy resources at the site. The proposed project will generate air emissions, but the detailed air emission analysis provided in the Initial Study indicates that these emissions will not exceed the significance thresholds established by the South Coast Air Quality Management District. According to the evaluation in Section III of the Initial Study, the greatest project-related air quality concern derives from the new vehicle trips that will be generated by residential uses at project completion. Overall, air quality emissions from the NPA would be less than that of the proposed project, but neither alternative will cause significant adverse air quality impact.

Biological Resources

The NPA would not result in any change to the existing biology of the project site. Based on the biological resources survey, the project site is totally disturbed and does not contain any native plant communities or sensitive biological resources. The biology information presented in Section IV of the Initial Study indicates this proposed project is consistent with the MSHCP based on implementation of specific mitigation measures. No sensitive habitat, including riparian habitat, was identified on the property. Therefore, based on this information, the NPA would have less overall impact to biological resources than the proposed project, but neither alternative would have any significant biological resource impacts.

Cultural Resources

The NPA would not result in a change to any existing cultural resources of the project site and would not introduce large numbers of people into the area which can cause indirect impacts to cultural resources. The cultural resources information presented in Section V of the Initial Study indicates the proposed project can be implemented without significant cultural resource impacts based on implementation of contingency mitigation measures. Therefore, based on this information, the NPA would have less potential overall impact to cultural resources than the proposed project, but neither alternative would have any significant adverse cultural resource impacts.

Energy

The NPA would not result in routine consumption of energy. Periodically, activities like weed control could consume minor quantities of energy. The energy information presented in Section VI of the Initial Study indicates the proposed project can be implemented without significant energy impacts, but it will consume energy during construction and based on implementation of contingency mitigation measures. Therefore, based on this information, the NPA would have less potential overall impact to cultural resources than the proposed project, but neither alternative would have any significant adverse cultural resource impacts.

Geology and Soils

The NPA would not involve additional development on the site; therefore, no people or structures are subject to onsite geological constraints, such as groundshaking. The proposed project includes a geotechnical study that identifies the project area as susceptible to seismic and geological hazards, such as groundshaking. According to the geotechnical study summarized for the project site in Section VII, the proposed project development at the project site is feasible from a geotechnical standpoint with mitigation. No severe onsite geologic or soil-related hazards or constraints were identified that would preclude development of the site. The addition of people to the area would expose structures and humans to risk, but the nature of these geologic risks can be mitigated to a less than significant impact level. The NPA reduces overall risk to structures and future residents, but neither alternative would have any significant geology and soil impacts.

Greenhouse Gas / Climate Change

Since no construction activity would occur, the NPA would not have any short-term impacts on Greenhouse Gas (GHG) emissions, other than that caused by possible future agricultural operations, such as plowing and harvesting. Under the NPA no new permanent sources of GHG emissions would result from increased traffic or increased use of energy resources at the site.

According to the evaluation in Section VIII of the Initial Study, the proposed project will not generate sufficient GHG emissions to exceed applicable regional thresholds. Overall, GHG emission impacts from the proposed project are considered less than significant, but emissions from the NPA will be lower than the proposed project. Neither alternative would have any significant GHG impacts.

Hazards and Hazardous Materials

With the exception of potential trespass disposal of waste at the project site, the NPA would have no adverse impact on hazards or hazardous materials. According to the evaluation in Section IX of the Initial Study, the proposed project will change the land use on the project site and create a potential for certain adverse impacts regarding hazards and hazardous material issues. However, specific mitigation measures have been identified to reduce these potential project-specific and cumulative (direct and indirect) effects to a less than significant impact level for hazards and hazardous material issues. Therefore, hazards and hazardous materials resources impacts from the NPA would be less than those of the proposed project, but neither alternative would have any significant hazard/hazardous material impacts.

Hydrology and Water Quality

Under the No project Alternative, the existing open space use on site would remain and the site would not be converted to residential uses. The current hydrology would remain the same; however, pollutants are not being treated on site and runoff can exit the site untreated under heavy precipitation, which is the continuation of a negative impact. The proposed project will make unavoidable alterations in the project site hydrology and the proposed uses will result in generation of new pollutants from the proposed urban/suburban environment that can also degrade water quality. However, through a combination of design measures included in the drainage design and the required mitigation measures, these potential project-related hydrology and water quality impacts can be controlled to a less than significant impact level. Therefore, hydrology/water quality resources (primarily water quality) resources impacts from the NPA may be equal or greater than that of the proposed project, but neither alternative would have any significant hydrology/water quality impact.

Land Use / Planning

Under the No project Alternative, the existing open space use onsite would remain and the current land use designations and actual land use would remain unchanged and unfulfilled. The project site would not be converted to multi-family residential uses.

As described in Section X of the Initial Study, development of the proposed project will result in a change of the land use (relative to the existing open space use) which is consistent with the current General Plan designation of the project area. Approval of the proposed project will cause an intensification of development greater than that which presently occurs on the site. This change in land use was found to be a less than significant adverse impact of the proposed project in the Initial Study. Therefore, land use impacts from the NPA would be less than that of the proposed project because there would be no physical change in the use of the site; however, the existing use (vacant land) is not consistent with the General Plan land use designation, Multi-Family Residential. Neither the proposed project nor the NPA would result in a significant land use impact.

Mineral Resources

The evaluation in Section XI of the Initial Study concluded that the project site does not contain any mineral resources of any value to society. Based on this finding, neither implementation of the NPA or of the proposed project has any potential to cause adverse impacts to such resources.

Noise

Since no construction activity would occur, the NPA would not generate any short-term construction noise impacts. Under the NPA, long-term noise could continue to be generated from random use of mowing and site maintenance equipment in the future. This is a minimal impact and would occur only during site maintenance activities.

According to the evaluation in Section XII, the existing noise setting of the proposed project site will be permanently altered as a result of implementation of the proposed project. The intensification of development greater than that which presently exists onsite and in the surrounding area results in an adverse noise impact of the immediate project area after development. Extensive mitigation can reduce both onsite noise impacts and offsite traffic impacts but construction activities will adversely affect the nearest residences. Along roadways that provide access to the site Washington and Nutmeg, the proposed project will make a cumulatively less than significant contribution to noise impacts. Therefore, noise impacts from the NPA would be less than that of the proposed project. Neither the proposed project nor the NPA would result in a significant noise impact.

Population / Housing

With the NPA, none of the 17 residential buildings would be built, and the projected population increase in the local area of approximately 693 persons from the proposed project would not occur. In Section XIII, the proposed project was determined to have a less than significant change in the local population within the City of Murrieta. The NPA would not contribute any future residences that would meet the future housing needs of the City and the proposed project would contribute to meeting these housing needs. Even though the NPA does have adverse population and housing effects, these effects, like the proposed project, are less than significant.

Public Services

The NPA would not result in the creation of additional demand for law enforcement and fire department services. The City Police Department and County Fire Department response times would remain relatively unaffected by development on the project site. The payment of established development impact fees for police and fire department facilities would not occur under the NPA. Since existing response times are adequate to meet the needs and standards for the City, this impact would be less than those of the proposed project. Neither alternative would cause a significant impact on fire and police services, but impacts from the NPA would be less than demand by the proposed project.

The NPA would not result in the creation of additional demand for school capacity. School operations would remain unaffected by development on the project site. The payment of State-established development impact fees would not occur under this Alternative. Neither alternative would cause a significant impact on school system services, but impacts from the NPA would be less than the proposed project.

The NPA would not create any additional demand upon existing library services within the project area. Neither alternative would cause significant impacts on library services, but the NPA impact would be less than that of the proposed project.

Recreation Resources

The continued use of the project site as open space, under the NPA, would create no additional demand for parks, trails, and recreation facilities. Under this alternative the approximate 14.4 acres would remain open with no access constraints. As outlined in Section XVI of the Initial Study, the proposed project is constructing and/or paying for onsite recreation facilities to serve the future site residents and visitors. Therefore, even though the NPA would have no adverse impact on existing recreational facilities, recreation resources impact from the NPA when compared to the proposed project could be greater. Neither alternative would result in a significant adverse impact to existing recreation resources.

Transportation / Traffic

The NPA would not increase site-generated traffic above current levels and therefore, would not contribute to the need for local road improvements. According to Section XVII of the Initial Study, implementing the project will generate about 9,881 new trips at buildout. Although traffic volumes can change as a result of future events (such as fuel price increases reducing trip generation, and use of alternative modes of transportation) for planning purposes the unavoidable changes to the circulation system were evaluated as being a less than significant adverse effect of the project. With implementation of the identified planned for roadway improvements, the long-term, project specific and cumulative local circulation system impacts are not forecast to rise to the level of a significant unavoidable adverse impact if these improvements are implemented. Therefore, transportation/traffic resources impact from the NPA would be substantially less than those of the proposed project but neither alternative would result in a significant adverse impact to existing recreation resources.

Utilities and Service Systems

The NPA would not create an increase in the amount of solid waste generated on the project site beyond what is currently being generated (green waste from maintaining the property to minimize fire hazards). Under the proposed project, solid wastes will increase as a result of implementing the construction of 210 residences. Any solid waste impacts from the proposed project can be mitigated to a less than significant level. Still, due to the scale of the proposed project, the overall impacts will be greater than the No project Alternative. Therefore, utilities – solid waste resources impact from the NPA would be less than those of the proposed project.

The NPA will continue the open space use of the project site, and no additional use of water would result from implementing this alternative. Since no structures would occur on the project site, the NPA alternative would also not generate any wastewater requiring management. Under the proposed project, water and sewer usage will increase with the implementation of the proposed project. Any capacity demand impacts from the proposed project can either be accommodated by the existing utility systems, or be mitigated to a less than significant level. Still, the proposed project's overall utility system impacts will be substantially greater than the NPA. Therefore, utilities – water and sewer resources impact from the NPA would be less than those of the proposed project, but neither alternative would cause a significant adverse impact to these utility systems

The NPA will continue site use without the need for natural gas and electricity services for future open space purposes. Under the proposed project, natural gas and electricity demand will increase as a result of the construction and occupancy of the proposed project. Any impacts from

the proposed project can be mitigated to a less than significant level. Still, the overall impact to these systems will be substantially greater than the No project Alternative. Therefore, utilities – natural gas and electricity impacts from the NPA would be less than those of the proposed project, but neither alternative would cause a significant adverse impact to these utility systems.

Tribal Cultural Resources

The NPA eliminates ground disturbing activities that could adversely impact any unknown Tribal Cultural Resources. Therefore, when compared to the proposed project it would reduce potential such impacts. Regardless, neither alternative would result in a significant adverse impact to any Tribal Cultural Resources located on the project site but mitigation is required to achieve this level of impact for the proposed project.

Wildfire

The proposed project has been evaluated as having a less than significant exposure to wildfire hazards at the project site following development. The NPA would allow open space use to continue at the project site, but this activity would not cause or expose the site to greater wildfire hazards than presently exist. Thus, under either development alternative the wildfire impacts would be less than presently existing, but the NPA would have less impact due to fewer humans being exposed to this potential hazard.

Conclusion

With respect to the NPA, project objectives are not attained because no development is included as a part of the NPA. With respect to the avoidance of significant adverse impacts, there are none, therefore, the NPA would not avoid any unavoidable significant impacts of the proposed project; however, no fees and funding would be provided to upgrade area transportation infrastructure; public services; and utilities. Under the NPA none of the six project objectives would be met.

5.6 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

The No project Alternative is the environmentally superior alternative. However, this alternative does not meet the project objectives; therefore, the proposed project is considered the environmentally superior project among the alternatives considered. This finding is reinforced by the conclusion that the proposed project will not cause any significant adverse impacts.



Nutmeg Apartment Project
City of Murrieta

41766 Grandview Drive

Architect: John Watson



FIGURE 5-1

CHAPTER 6 – ADDITIONAL CEQA TOPICAL ISSUES

6.1 GROWTH-INDUCING IMPACTS

CEQA requires a discussion of the ways in which a project could be growth-inducing. (Pub. Resources Code, §21100, subd.(b)(5); CEQA Guidelines, §§15126, subd.(d), 15126.2, subd.(d)) The CEQA Guidelines identify a project as growth-inducing if it would foster economic or population growth or the construction of additional housing, either directly or indirectly, in the surrounding environment. Under CEQA, growth inducement is not considered necessarily detrimental or beneficial. (CEQA Guidelines §15126.2, subd.(d))

A project may indirectly induce growth by reducing or removing barriers to growth, or by creating a condition that attracts additional population or new economic activity. projects that induce growth directly could include commercial or industrial development that hire new employees and residential development that provides housing. These direct forms of growth have a secondary effect of expanding the size of local markets and inducing additional economic activity in an area. Growth inducement may also occur if a project provides infrastructure or service capacity that accommodates growth beyond the levels currently permitted by local or regional land use plans. However, a project's potential to induce growth does not automatically result in growth. Growth only happens when the private or public sector responds to a change in the underlying development potential of an area with capital investment.

Typically, significant growth is induced in one of three ways. In the first instance, a project developed in an isolated area may bring sufficient urban infrastructure to cause new or additional development pressure on the intervening and surrounding land. This type of induced growth leads to conversion of adjacent acreage to higher intensity uses, either unexpectedly or through accelerated development. This conversion occurs because the adjacent land becomes more suitable for development and, hence, more valuable because of the availability of the new infrastructure. This type of growth inducement is termed "leap frog" or "premature" development because it creates an island of higher intensity developed land within a larger area of lower intensity land use.

The second type of significant growth inducement is caused when development of a large-scale project, relative to the surrounding community or area, produces a "multiplier effect" resulting in substantial indirect community growth, although not necessarily adjacent to the development site or of the same type of use as the project itself. This type of stimulus to community growth is typified by the development of major destination facilities, such as Disney World near Orlando, Florida, or around military facilities, such as the Marine Corps Air Ground Combat Center, near Twentynine Palms.

A third, and more subtle, type of significant growth inducement occurs when land use plans are established that create a potential for growth because the available land and the land uses permitted result in the attraction of new development. This type of growth inducement is also attributed to other plans developed to provide the infrastructure necessary to meet the land use objectives, or community vision, contained in the governing land use agency's general plan. In this type of growth inducement, the ultimate vision of future growth and development within a project area is established in the City General Plan or other comprehensive land use plans, such as a Specific Plan. The net effect of a new plan's land use designations is to establish a set of expectations regarding future land use and growth that may or may not occur in the future,

depending upon the actual demand and other circumstances when development is proposed. Thus, a plan may assign an area 100,000 square feet of commercial space, but if actual development does not ultimately generate demand for this much retail square footage, it will never be established.

Under present circumstances the proposed project site is vacant and it is surrounded by existing mixed land uses (single-family residential, commercial and undeveloped property). The proposed project site is located within an area of the City identified on the General Plan Land Use Map as Multi-Family Residential. Development of the proposed project will result in substantial change of the land use on the vacant site, but the changes are fully consistent with the land use and planning designations of the General Plan which establishes the cumulative land use framework for the City of Murrieta. Approval of the proposed project will cause an intensification of development greater for the project area but the increase in population at the site will not exceed that allowed or envisioned by the City. The proposed project would contribute to implementation of the General Plan vision for the project site.

As discussed in subchapter 4.14, Population and Housing, the project proposes 210 multi-family. The City of Murrieta estimates that there are on average 3.3 persons per household within the City. Residences with larger numbers of bedrooms obviously appeal to larger households, while smaller multi-family residential units will typically have fewer occupants. Ultimately, the projected population generation rate of a particular development is an estimate based upon the best available assumptions. Based on this analysis, the proposed 210 residences would have an estimated build-out population of approximately 693 people based on the City's average occupancy.

As discussed in the Initial Study (Chapter 8, Appendix 8.1 of this document), Land Use and Planning, the proposed project is consistent with General Plan designation for the site and the policies and ordinances governing development within the City; therefore, the population that would be generated by the project is already calculated into the assumptions of the City General Plan, including the Housing Element. The increases in population and employment associated with the proposed project are also within the growth assumptions estimated by SCAG for the City of Murrieta.

New population from residential development represents a direct form of growth. Direct forms of growth have a secondary effect of expanding the size of local markets and inducing additional economic activity in an area. However, due to the previous development in the project area, all of the infrastructures already exist adjacent to the property. The intensity of the proposed development would require minimal investment in infrastructure improvements (primarily roads and undergrounding electric lines). However, the project would not require introducing infrastructure into an area where it is not currently available in a manner that would be considered premature or leap frog development. Infrastructure would be extended into the parcel to be developed, but it would not be extended or expanded in a manner which may cause adjacent land to become more suitable for development and may lead to conversion of adjacent acreage to higher intensity uses, either unexpectedly or through accelerated development.

The proposed project is not a large-scale project, relative to the surrounding area, that would have the potential of producing a "multiplier effect" resulting in substantial indirect community growth. The proposed project would not drive or force regional growth. Therefore, the proposed project is not considered a "large project" that would indirectly drive new area growth due to its presence.

Also, the proposed project does not include any changes to the underlying land use designations on off-site properties. Thus, any future development proposed on adjacent to the south would be required either to be consistent with the existing land use designations or to apply for approvals to alter land use designations. No growth beyond that which is provided for in the City land use policies and plans could occur without subsequent review, including a separate environmental analysis, of land use policy. To reiterate, any future development that might be proposed for the undeveloped land in the vicinity of the proposed project (generally south of Nutmeg) would require subsequent environmental review, including review for consistency with the general plan. Similarly, any change in land use designations that might be proposed for land in the vicinity of the proposed project would require subsequent environmental review.

In summary, the proposed project has a potential to minimally induce growth by providing housing. However, the proposed project would not induce population growth beyond that which has been planned for in the City General Plan or SCAG planning documents.

Thus, implementation of the proposed project would not result in substantial or substantial growth-inducement. Implementation of the proposed project would not result in the extension of major infrastructure into an area not currently served, and therefore, would not indirectly induce population growth by extending infrastructure which may cause adjacent land to become more suitable for development. The proposed project would not be a new large project with the potential to create a “multiplier effect” that has not already been provided for in the local land use planning documents and that could induce growth beyond that anticipated in those planning documents. Finally, the project would not create or change a land use plan that might cause a potential for growth because the available land and the land uses permitted result in the attraction of new development. Thus, while the proposed project would minimally induce growth, it would not be substantially growth inducing.

6.2 SIGNIFICANT IRREVERSIBLE CHANGES

Section 15126.2(c) of the CEQA Guidelines requires that an Environmental Impact Report (EIR) describe any significant irreversible environmental changes that would be caused by the proposed project should it be implemented:

Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irrecoverable commitments of resources should be evaluated to assure that such current consumption is justified.

In the case of the proposed project, its implementation would involve a land use, development, and implementation framework to support the proposed multi-family residential uses. No significant irreversible changes have been identified in conjunction with the project.

- Construction activities that would require the commitment of nonrenewable and/or slowly renewable energy resources; human resources; and natural resources such as lumber and other forest products, sand and gravel, asphalt, steel, copper, lead, other metals, water, and fossil fuels. None of these uses would be considered significant.

- Operation that would require the use of natural gas and electricity, petroleum-based fuels, fossil fuels, and water. The commitment of resources required for the construction and operation of the project would limit the availability of such resources for future generations or for other uses during the life of the project. However, the level of use of such resources has not been identified as significant.
- An increased commitment of social services and public maintenance services (e.g., police, fire, sewer, and water services) to serve the project's new residents may be considered irreversible, but again less than significant impact.
- Long-term irreversible commitment of vacant parcels of land in the City of Murrieta.

Given the low likelihood that the land would revert to lower intensity uses or to its current form, the proposed project would generally commit future generations to these environmental changes. However, the project area is already identified for future development, and served by existing infrastructure. The commitment of resources to the proposed project is not unusual for or inconsistent with projects of this type and scope. However, once these commitments are made, it is improbable that the project area would revert back to its current condition. Thus, the proposed project would not result in significant irreversible changes to the environment throughout the lifespan of the structures.

6.3 SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS

Based on the analysis in the Initial Study (Chapter 8, Appendix 8.1 of this document) and the Focused EIR, implementation of the proposed project will not cause any significant or significant unavoidable adverse environmental impacts.

CHAPTER 7 – PREPARATION RESOURCES

7.1 REPORT PREPARATION

7.1.1 LEAD AGENCY

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Christine Camacho

7.1.3 EIR TECHNICAL CONSULTANTS

- Air Quality – Urban Crossroads, Inc.
- Biology – Jacobs Engineering Group
- Cultural – CRM TECH
- Energy – Urban Crossroads, Inc.
- Fiscal Impact – The Natelson Dale Group, Inc.
- Geotechnical – EEI Engineering Solutions
- Greenhouse Gases – Urban Crossroads, Inc.
- Hydrology – DRC Engineering, Inc.
- Noise – Urban Crossroads, Inc.
- Traffic / CAP Consistency / VMT – Urban Crossroads, Inc.
- Visual Simulations – FORMA

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