

**City of Temecula**  
**Community Development**  
**Planning Division**

**Notice of Intent to Adopt Mitigated Negative Declaration**

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**PROJECT:** Sage Senior Apartments

**APPLICANT:** Willis Development

**LOCATION:** APN 920-110-005 City of Temecula, County of Riverside

**DESCRIPTION:** The Project proposes the construction and operation of a 3-story senior housing apartment community. The proposed development will include an approximately 56,990 square foot (SF) building footprint, 143 dwelling units (DU), and associated amenities. Total floor area of the residential building would be 172,230 SF. The Project proposes a density of 24 DU/acre. While the permitted density is 20 DU/acre, pursuant to California Government Code (CGC) 65915, a 20 percent density bonus can be claimed when a residential project proposes senior living/age-restricted housing. As a part of the density bonus, the Project Applicant is requesting a waiver for the building height pursuant to Temecula Municipal Code (MC) Section 17.10.020(Q)(7). This would allow the Project to exceed the height of the zoning district. In addition to the proposed apartments and amenities, additional improvements and appurtenant infrastructure would be constructed to include, but not be limited to, landscaping, utilities, parking, recreational facilities, storm drain, and other facilities.

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The City of Temecula intends to adopt a Mitigated Negative Declaration for the project described above. This notice is made pursuant to Section 15072 of the California Environmental Quality Act (CEQA). Based upon the information contained in the attached Initial Environmental Study and pursuant to the requirements of CEQA; it has been determined that this project as proposed, revised or mitigated will not have a significant impact upon the environment. As a result, the Planning Commission intends to adopt a Mitigated Negative Declaration for this project.

The mitigation measures required to reduce or mitigate the impacts of this project on the environment are included in the project design and/or the Mitigation Monitoring Program which is attached to this Notice and will be included as part of the Mitigated Negative Declaration for this project.

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As required by Section 15073 of CEQA, the public review and commenting period for this proposed Mitigated Negative Declaration is November 21, 2024 to December 23, 2024. Written comments and responses to this notice should be addressed to the contact person listed below at the following address: City of Temecula, 41000 Main Street, Temecula, CA, 92590.

The public notice of the intent to adopt this Mitigated Negative Declaration is provided through:

The Local Newspaper       Posting the Site       Notice to Adjacent Property Owners

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If you need additional information or have any questions concerning this project, please contact the Project Planner Scott Cooper, at (951) 506-5137 or [scott.cooper@TemeculaCA.gov](mailto:scott.cooper@TemeculaCA.gov).

*Matt Peters*

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Matt Peters  
Interim Director of Community Development

*11/21/24*  
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(Date)

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# Mitigation Monitoring and Reporting Program

## Sage Senior Apartments Project

### A.1 STATUTORY REQUIREMENTS

The purpose of this program is to identify the changes to the project, which the Lead Agency has adopted or made a condition of a project approval, in order to mitigate or avoid significant effects on the environment. The City of Temecula is the Lead Agency that must adopt the mitigation monitoring and reporting program. Section 21069 of the California Environmental Quality Act (CEQA) statute defines Responsible Agency as a public agency, other than the Lead Agency, which has the responsibility for carrying out or approving a project.

CEQA statutes and Guidelines provide direction for clarifying and managing the complex relationships between a Lead Agency and other agencies with respect to implementing and monitoring mitigation measures. In accordance with CEQA Guidelines Section 15091(d) “when making the findings required in subdivision (a)(1) of CEQA, the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.”

Furthermore, Section 15097.d states “each agency has the discretion to choose its own approach to monitoring or reporting; and each agency has its own special expertise.” This discretion will be exercised by implementing agencies at the time they undertake any of the individual improvement projects identified in the Draft IS/MND.

A completed and signed checklist for each measure indicates that a measure has been implemented and fulfills the City’s monitoring requirements with respect to Public Resources Code Section 21081.6.

### A.2 ACRONYMS AND INITIATIONS

AB	Assembly Bill
CDFG	California Department of Fish and Game (now Wildlife)
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CUL	Cultural Resources
BIO	Biological Resources
dB(A)	decibel A-weighted
GEO	Geology and Soils
GP	General Plan
MBTA	Migratory Bird Treaty Act
MM	Mitigation Measure
SOI	Secretary of the Interior
SVP	Society of Vertebrate Paleontology
TCR	Tribal Cultural Resource
USFWS	United States Fish and Wildlife Service

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Mitigation Measures	Responsible Party	Timing of Compliance	Signature and Date of Compliance
<b>BIOLOGICAL RESOURCE MEASURES</b>			
<p><b>MM BIO-1: 30-day Burrowing Owl Preconstruction Survey.</b> A pre-construction survey for burrowing owls is required within 30-days prior to initial ground-disturbing activities (e.g., vegetation clearing, clearing and grubbing, grading, tree removal, site watering, equipment staging) to ensure that no owls have colonized the site in the days or weeks preceding the ground-disturbing activities. If burrowing owls have colonized the Project site prior to the initiation of ground-disturbing activities, the Project proponent will immediately inform the City of Temecula and the relevant Wildlife Agencies (e.g., USFWS, CDFW) and will need to coordinate further with City and the Wildlife Agencies, including the possibility of preparing a Burrowing Owl Protection and Relocation Plan, prior to initiating ground disturbance. If ground-disturbing activities occur, but the site is left undisturbed for more than 30 days, a pre-construction survey will again be necessary to ensure that burrowing owl have not colonized the site since it was last disturbed. If burrowing owl is found, the same coordination described above will be necessary.</p>	<p>Project Developer  Qualified Biologist</p>	<p>Prior to Project Grading or Construction Activities</p>	
<p><b>MM BIO-2: Least Bell's Vireo Avoidance Measures.</b> Ground-disturbing activities, including grubbing, grading, clearing, and construction within 300 feet of suitable or occupied habitat shall be scheduled outside of the least Bell's vireo breeding season (March 1st through August 31st). If ground-disturbing or construction activities are scheduled during the least Bell's vireo breeding season, then the follow measures shall be taken:</p> <ol style="list-style-type: none"> <li>1. A biological monitor shall survey suitable habitat adjacent to the Project site to determine the status of least bell's vireo within three (3) days of initiation of construction. If detected, the biological monitor shall be present during any ground disturbance or construction conducted during the breeding season to observe the birds' behavior. The construction supervisor shall be notified if the ground-disturbing or construction activities appear to be altering the birds' normal breeding behavior. Construction activities shall cease until additional minimization measures have been performed. Measures may include, but are not limited to, limitation on the use of certain equipment, placement of equipment, restrictions on the simultaneous use of equipment, installation of sound barrier, or other noise attenuation methods as deemed appropriate by the monitoring biologist. If the birds' behavior is still altered from normal breeding behavior, ground disturbance</li> </ol>	<p>Project Developer  Qualified Biologist  Tenant/Landowner (Post-Construction)</p>	<p>Prior to Project Grading or Construction Activities, if occurring between March 1 and August 31</p>	

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<b>Mitigation Measures</b>	<b>Responsible Party</b>	<b>Timing of Compliance</b>	<b>Signature and Date of Compliance</b>
<p>shall cease until CDFW and USFWS are contacted to discuss alternative methods.</p> <p>If ground disturbance occurs within or adjacent (300-foot) of occupied habitat, a qualified acoustician shall also be retained to determine ambient noise levels and project-related noise levels at the edge of suitable habitat. The need for sound monitoring shall be recommended by the biological monitor based on the presence of nesting individuals and observation of the birds' behavior. Noise levels at the edge of the suitable habitat shall not exceed an hourly average of 60 decibels (dB[A]), or a 3 dB(A) increase in noise levels if ambient noise levels exceed 60 dB(A). If project-related noise levels at the edge of the suitable habitat are above 60 dB(A) or the 3 dB(A) increase in noise occurs, additional minimization measures shall be taken to reduce project-related noise levels to an acceptable level as determined by the biological monitor. If additional measures do not decrease project-related noise levels below the thresholds described above, construction activities shall cease until CDFW and USFWS are contacted to discuss alternative methods.</p> <ol style="list-style-type: none"> <li>2. Construction limits in and around any occupied least Bell's vireo habitat shall be delineated with flags and/or fencing prior to the initiation of any grading or construction activities to clearly identify the limits of the avoidance buffer during the breeding season.</li> <li>3. Prior to grading and construction, a training program shall be developed and implemented by the qualified biologist to inform all workers on the project about the listed species, its habitat, and the importance of complying with avoidance and minimization measures.</li> <li>4. All construction work shall occur during daylight hours. The construction contractor shall limit all construction-related activities that would result in high noise levels according to the construction hours determined by the City of Temecula.</li> <li>5. During any excavation and grading adjacent (300-foot) to occupied habitat, the construction contractors shall install properly operating and maintained mufflers on all construction equipment, fixed or mobile, to reduce construction equipment noise to the maximum extent possible. The mufflers shall be installed consistent with manufacturers' standards. The construction contractor shall also place all stationary construction</li> </ol>			

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<p>equipment, so that emitted noise is directed away from the occupied least Bell's vireo habitat.</p> <p>6. The construction contractor shall stage equipment in areas that will create the greatest distance between construction-related noise sources and occupied habitat during all project construction occurring during the breeding season.</p> <p>Post Construction</p> <p>1. Access to occupied habitat areas shall be restricted.</p> <p>2. All night lighting associated with the development shall be directed away from occupied or suitable habitat areas. The Project shall be designed to minimize exterior night lighting while remaining compliant with local ordinances related to street lighting. Any necessary lighting (e.g., to light up equipment for security measures) shall be shielded or directed away from the occupied or suitable habitat areas and are not to exceed City of Temecula standards.</p>			
<p><b>MM BIO-3: Nesting Bird Preconstruction Surveys.</b> Regulatory requirement for potential direct/indirect impacts to nesting common and sensitive bird species will require compliance with the MBTA and CDFG Code Section 3503, 3503.5, and 3513. Construction outside the nesting season (between September 1st and January 31st) does not require pre-removal nesting bird surveys. If construction is proposed between February 1st and August 31st, a qualified biologist will conduct a preconstruction nesting bird survey, raptor survey, and a survey for sensitive riparian bird species that have the potential to occur adjacent to the impact area no more than three (3) days prior to initiation of grading to document the presence or absence of nesting birds within or directly adjacent to the Project Site.</p> <p>The survey(s) will focus on identifying any bird nests that would be directly or indirectly affected by construction activities. If active nests are documented, species-specific measures will be prepared by a qualified biologist and implemented to prevent abandonment of the active nest. At a minimum, grading in the vicinity of a nest will be postponed until the young birds have fledged. The perimeter of the nest setback zone will be fenced or adequately demarcated with stakes and flagging at 20-foot intervals, and construction personnel and activities restricted from the area. A survey report by a qualified biologist verifying that no active nests are present, or that the young have fledged, will be submitted to the City of Temecula for review and approval prior to initiation of</p>	<p>Project Developer</p> <p>Qualified Biologist</p>	<p>Prior to Project Grading or Construction Activities, if occurring between February 1 and August 31</p>	

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grading in the nest-setback zone. The qualified biologist will serve as a construction monitor during those periods when construction activities occur near active nest areas to ensure that no inadvertent impacts on these nests occur. A final monitoring report of the findings, prepared by a qualified biologist, will be submitted to the City of Temecula documenting compliance with the MBTA and CDFG Code. Any nest permanently vacated for the season would not warrant protection pursuant to the MBTA and CDFG Code.			
<b>CULTURAL RESOURCE MEASURES</b>			
<b>MM CUL-1: Archaeological Monitoring.</b> Prior to the commencement of ground disturbing activities, an archaeologist the meets Secretary of Interior (SOI) professional qualifications (Qualified Archaeologist) and who is approved by the City of Temecula Planning Department shall be retained by the Project Applicant or Proponent to monitor all ground disturbing activities. The Qualified Archaeologist shall be present during all initial grading operations and is not required to be present once the maximum extent of grading has occurred. Should any cultural resources be discovered during Project implementation, the Qualified Archaeologist shall notify the City of the discovery and evaluate the find for potential significance and make a recommendation to the City. For any resource of Native American origin, the City shall contact the consulting Tribe(s) to evaluate the resource's potential as a Tribal Cultural Resource (TCR), as noted in <b>MM TCR-1</b> . Should the City determine the resource is significant and/or a TCR, the Qualified Archaeologist shall draft a treatment plan for review and approval by the City. For any resources of Native American in origin, consulting Tribes shall be given the opportunity to comment on the treatment plan prior to implementation. All final site records, reports, etc. associated with the discovery, evaluation, and treatment of cultural resources discovered during Project implementation shall be submitted to the applicable California Historical Resources Information System information center, as directed by Office of Historic Preservation.	Project Developer  Project Construction Superintendent  Qualified Archaeologist	During all phases of Project Construction	
<b>MM CUL-2: Phase IV Report.</b> Prior to final inspection, the Project Archeologist is to submit two (2) copies of the Phase IV Cultural Resources Monitoring Report that complies with the Planning 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 City shall review the reports to determine adequate mitigation compliance. Provided the reports are adequate, the City shall clear this condition. Once the report(s) are determined to be adequate, two (2) copies shall be submitted to	Qualified Archaeologist	Prior to final inspection by City	

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the applicable California Historical Resources Information System information center, as directed by Office of Historic Preservation, and one (1) copy shall be submitted to the Pechanga Cultural Resources Department.			
<b>GEOLOGY AND SOIL MEASURES</b>			
<b>MM GEO-1: Site Preparation.</b> The Project will adhere to the conclusions and recommendations found in Section 9 of the Geotechnical Engineering Investigation report by Salem Engineering Group, Inc. (2022), or as otherwise approved by a Qualified Geotechnical Engineer and/or the City of Temecula Building and Safety Department.	Project Developer  City of Temecula Building and Safety Department  Design Engineer in responsible charge	Prior to issuance of building and grading permits	
<b>MM GEO-2: Inadvertent Finds of Paleontological Resources.</b> In the event an unanticipated fossil or other paleontological resource discovery is made during Project development, in accordance with Society of Vertebrate Paleontology (SVP) 2010 guidelines, a qualified professional Paleontologist should be retained in order to examine the find and to determine if further paleontological resources mitigation is warranted. The Paleontologist monitoring mass grading for the Project shall be empowered to temporarily halt or redirect construction activities to ensure avoidance of adverse impacts to paleontological resources. During monitoring, samples shall be collected and processed to recover microvertebrate fossils. Processing shall include wet screen washing and microscopic examination of the residual materials to identify small vertebrate remains. Upon encountering a large deposit of bone, salvage of all bone in the area shall be conducted in accordance with modern paleontological techniques.	Project Developer  Qualified Paleontologist	During all phases of Project Construction	
<b>TRIBAL CULTURAL RESOURCE MEASURES</b>			
<b>MM TCR-1: Native American Monitoring.</b> Prior to the issuance of a grading permit, the Developer shall secure agreements with the Pechanga Band of Indians for tribal monitoring. The City is also required to provide a minimum of 30 days advance notice to the tribes of all mass grading and trenching activities. The Native American Tribal Representatives shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed.	Project Developer  Project Construction Superintendent  Pechanga Band of Indians Tribal Monitor	Prior to issuance of grading permits	



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<p><b>MM TCR-2: Inadvertent Finds.</b> 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). Tribal cultural resources are excluded from the definition of unique cultural resources as those resources are defined by the tribal values ascribed to them by their affiliated communities. Treatment of tribal cultural resources inadvertently discovered during the project’s ground-disturbing activities shall be subject to the consultation process required by state law and AB 52.</p>	<p>Project Developer  Project Construction Superintendent  Qualified Archaeologist  Pechanga Band of Indians Tribal Monitor</p>	<p>During all phases of Project Construction involving ground disturbance</p>	
<p><b>MM TCR-3: Final Disposition.</b> 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: 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 Temecula Community Development Department:</p> <ul style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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</li> </ul>	<p>Project Developer  Project Construction Superintendent  Qualified Archaeologist  Pechanga Band of Indians Tribal Monitor</p>	<p>During all phases of Project Construction involving ground disturbance</p>	

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<p>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. Evidence of compliance with this mitigation measure, if a significant archaeological resource is found, shall be provided to City of Temecula upon the completion of a treatment plan and final report detailing the significance and treatment finding.</p>			
<p><b>MM TCR-4: Human Remains.</b> If human remains are discovered, no further disturbance shall occur in the affected area until the County Coroner has made necessary findings as to origin. If the County Coroner determines that the remains are potentially Native American, the California Native American Heritage Commission shall be notified within 24 hours of the published finding to be given a reasonable opportunity to identify the “most likely descendant.” The “most likely descendant” shall then make recommendations and engage in consultations concerning the treatment of the remains (California Public Resources Code 5097.98). (GP Objective 23.3, CEQA).</p>	<p>County Coroner  Project Developer  Project Construction Superintendent</p>	<p>During all phases of Project Construction involving ground disturbance</p>	
<p><b>MM TCR-5: Non-Disclosure.</b> 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 7927.000, 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 7927.000.</p>	<p>Project Developer  Project Construction Superintendent  Qualified Archaeologist  Pechanga Band of Indians Tribal Monitor</p>	<p>During all phases of Project Construction involving ground disturbance</p>	

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<p><b>MM TCR-6: LSA-WDV2201-I-1.</b> Prior to the start of ground-disturbing activities, temporary site number LSA-WDV2201-I-1 shall be collected and stored in a secure location on-site to ensure project work does not destroy the resource. Final disposition of the resource shall be determined in correspondence with any inadvertent finds and protected from all future ground-disturbing activity via an enforceable legal instrument such as a conservation easement or other restrictive binding upon successive owners of the relocation area as described in <b>MM TCR-3.</b></p>	<p>Project Archaeologist  City of Temecula Planning Department</p>	<p>Prior to the issuance of grading permits</p>	