

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

TO: Planning Commission Chairperson and members of the Planning Commission

FROM: Matt Peters, Director of Community Development

DATE OF MEETING: April 2, 2025

PREPARED BY: Scott Cooper, Case Planner

**PROJECT
SUMMARY:**

Planning Application Nos. PA23-0467, a Conditional Use Permit for a Type 47 ABC License, a Modification to a Development Plan (PA23-0499), and a Certificate of Historical Appropriateness (PA23-0500) for exterior and interior modifications to an existing historic building (First National Bank Building) including exterior paint color changes. The project is located at 28645 Old Town Front Street

RECOMMENDATION: Adopt a Resolution approving the project subject to Conditions of Approval

CEQA: Exemption
Section 15061.b.3 (Common Sense Exemption)
Section 15301 (Existing Facilities)

PROJECT DATA SUMMARY

Name of Applicant: Adrian Amosa

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

Zoning Designation: SP-5 (Old Town Specific Plan)

**Existing Conditions/
Land Use:**

Site: Existing Commercial Building / Specific Plan Implementation (SPI)

North: Old Town Front Street, Commercial Building / Specific Plan Implementation (SPI)

South: Main Street, Commercial Building / Specific Plan Implementation (SPI)
 East: Old Town Front Street, Commercial Building / Specific Plan Implementation (SPI)
 West: Commercial Building / Specific Plan Implementation (SPI)

	<u>Existing/Proposed</u>	<u>Min/Max Allowable or Required</u>
Lot Area:	0.09 Acres	0.08 Acres
Total Floor Area/Ratio:	N/A	N/A
Landscape Area/Coverage:	N/A	N/A
Parking Provided/Required:	N/A	N/A

AFFORDABLE/WORKFORCE HOUSING

Located in Housing Element Vacant Sites Inventory? ☐ Yes ☒ No

Located in Affordable Housing Overlay Zone (AHOZ)? ☐ Yes ☒ No

AHOZ Gain/Loss: +/- N/A

BACKGROUND SUMMARY

On November 29, 2023, Adrian Amosa submitted Planning Application PA23-0467, a Conditional Use Permit for a Type 47 Alcoholic Beverage Control (ABC) License. On December 26, 2023, Adrian Amosa submitted Planning Applications PA23-0499 and PA23-0500, a Modification Application and Certificate of Historical Appropriateness for exterior and interior modifications to an existing historic building (First National Bank Building) including exterior paint color changes.

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

ANALYSIS

Certificate of Historical Appropriateness

The Old Town Specific Plan (OTSP) lists the First National Bank Building located at 28645 Old Town Front Street and constructed approximately in 1914 as a historic building. The OTSP requires a Finding of Historical Appropriateness for any designated historic building that is modified or altered in any way, including alterations or modifications to the exterior or interior of the building. The purpose of a Finding of Historic Appropriateness is for the maintenance, retention, and preservation of the historical building form, detailing, materials and architectural features that are important in defining the historic character of the building. The Certificate of Historical Appropriateness will allow for exterior paint color changes to the building and interior

modifications as detailed below with the Modification Application. The OTSP also requires the review of the Historic Appropriateness by the Old Town Local Advisory Committee (OTLAC). The project was presented to the OTLAC on February 27, 2025 where the advisory committee recommended that the Modification and Certificate of Historical Appropriateness be approved by the Planning Commission by a vote of 5-0 with one committee member absent.

Modification

The project is proposing exterior and interior modifications to the existing building that include:

Exterior:

- New paint on the exterior of building including the façade, doors, and window trim using colors from the OTSP Sherwin Williams Preservation Palette
- New accessible entrance on the rear of the building
- Outdoor patio spaces demolished and regraded to meet Americans with Disabilities Act (ADA) requirements.
- New enclosed trash area
- Reconditioning of outdoor patio cover and bar area
- New raised landscape planters along Main Street and Old Town Front Street using plant materials from the OTSP Old Town Plant List

Interior:

- Renovate existing restrooms (three locations - ground floor men's & women's and upstairs restroom) including fixture relocations, finish and fixture upgrades for durability, aesthetic & accessibility.
- Reverse door swings to existing restrooms, install new historically appropriately styled doors.
- Interior finish replacement in the main dining room - flooring replacement, paint application on all walls & ceilings
- Replace existing light fixtures with new pendants & walls sconces throughout the first & second floors.
- Interior finish replacement in the second-floor lounge/dining area - flooring replacement, paint application on all walls & ceilings
- Paint all other interior spaces.
- Kitchen hood upgrades & kitchen finish upgrades for health department compliance & new operations
- Refresh existing outdoor bar area for accessible serving area, clean up due to wear.
- Remove nonstructural partition at second floor lounge & dining.

Conditional Use Permit

The business owner/applicant currently operates four (4) other Gaucho Grill locations in Downey, West Covina, Buena Park, and Pasadena as well as seven (7) other food concepts. Gaucho Grill operates as an Argentine steakhouse that provides lunch, dinner, and Sunday brunch menus to their customers. The request for a Type 47 (On-Sale General -Eating Place) license will allow for spirit-based drinks on the menu to accompany the meals.

The proposed hours of operations are Sunday through Monday from 11:00 AM to 10:00 PM and Friday & Saturday from 11:00 AM to 11:30 PM.

Staff has confirmed with ABC that the Planning Commission does not make the finding of Public Convenience or Necessity (PCN) for restaurants. ABC will process the findings of Public Convenience or Necessity upon approval of the Conditional Use Permit after the license application process has been initiated. The applicant must state their case in support of the PCN to ABC rather than the local jurisdiction in the request of a Type 47 On-Sale for Bona Fide Public Eating Place (Restaurant) license. Conditions of approval have been added to the Conditional Use Permit that requires a full menu to be available at all hours that alcohol is served, and that termination of alcohol sales shall be no less than one half hour prior to the closing for all days of operation.

The applicant has not proposed entertainment as part of the application. Staff has informed the applicant that an Entertainment License (subject to Temecula Municipal Code 9.10 Entertainment License) or Temporary Use Permit (subject to Temecula Municipal Code 17.4.020 Temporary Use Permits) are the appropriate application types for any future entertainment.

LEGAL NOTICING REQUIREMENTS

Notice of the public hearing was published in *The Press-Enterprise* on March 20, 2025 and mailed to the property owners within the required 600-foot radius.

ENVIRONMENTAL DETERMINATION

In accordance with the California Environmental Quality Act, the proposed project has been deemed to be exempt from further environmental review (Section 15061.b.3).

Under Section 15301 of the CEQA Guidelines, Class 1, Existing Facilities, licensing and permitting that involves negligible or no changes in use qualify for a categorical exemption. Alcohol sales are incidental uses, and the sale of distilled spirits (on-sale) involves a negligible change in use and the project proposes only minor interior and exterior alterations of the existing building with no additional square footage added to the building. Additionally, all access and public utilities are available to the site, and the use is in conformance with all zoning requirements of the Development Code.

Moreover, the proposed project is also exempt from further environmental review pursuant to CEQA Guidelines Section 15061(b)(3) as it can be seen with certainty that there is no possibility that the sale of alcohol to patrons or the minor building alterations may have a significant effect on the environment.

FINDINGS

Certificate of Historical Appropriateness (Old Town Specific Plan Section III.1.3.a)

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

The General Plan identifies the project site as Specific Plan Implementation (SPI) because it is located within the Old Town Specific Plan. The project will allow for the approval of a Certificate of Historical Appropriateness for exterior and interior modifications to an existing historic building. The project, as conditioned, is also consistent with other applicable requirements of State law and local ordinances, including the California Environmental Quality Act (CEQA) and Building Codes.

The project is designed for the protection of the public health, safety, and general welfare.

The project site is an existing building that has previously operated as a restaurant that was constructed in approximately 1914. The project will meet all California Building Code requirements including ADA requirements with a new accessible entrance and regraded patio spaces. As such, the project is designed for the protection of the public health, safety and general welfare.

That the proposed project is in conformance with the requirements of the Old Town Specific Plan, including the goals, objectives and policies, and architectural guidelines and standards.

The project will allow for exterior and interior modifications to an existing historical building. The proposed exterior paint color changes adhere to the OTSP Sherwin Williams Preservation Palette. This is in conformance with Land Use/Economics Objective 3 of the OTSP. This objective is designed to upgrade underutilized parcels that are currently functioning at less than their market potential and encourage their highest and best use. The modifications to the existing vacant building will make the building more viable to a tenant.

Modification of Development Plan (Section 17.05.030.E)

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

The Modification of the Development Plan will allow for exterior and interior modifications to an existing building. The use will not be impacted by this Modification. Therefore, it will remain consistent with the General Plan for Temecula, the OTSP, and with all applicable requirements of State law and other Ordinances of the City. Additionally the project meets Policy 6.3 Economic

Development Element of the General Plan by expanding Old Town's role in local tourism and improve its attractiveness and economic viability by occupying a vacant building with a restaurant.

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

The overall design of the project and proposed exterior and interior modifications is consistent with, and intended to protect the health and safety of those working and living in and around the site as the project adheres to the development standards of the OTSP. The project has been reviewed for, and as conditioned, has been found to be consistent with all applicable policies, guidelines, standards and regulations intended to ensure that the development will be constructed and function in a manner consistent with the public health, safety, and welfare.

Conditional Use Permit (Development Code Section 17.04.010 E)

The proposed conditional use is consistent with the General Plan and Development Code.

Gaucha Grill restaurant will operate as a full-service restaurant with the primary purpose of offering a full menu of food within a restaurant building. The proposed conditional use is consistent with the Downtown Core OTSP land use designation which conditionally allows restaurants to operate with a Type 47 On-Sale General license for Bona Fide Public Eating Place (Restaurant). The project is consistent with the General Plan because a restaurant is an allowable use within the OTSP. Therefore, the proposed project is in conformance with the General Plan. The sale of distilled spirits would serve as an incidental use to the establishment's operations.

The proposed conditional use is compatible with the nature, condition and development of adjacent uses, buildings and structures and the proposed conditional use will not adversely affect the adjacent uses, buildings or structures.

The Gaucha Grill restaurant is proposed within an existing vacant building on a developed lot within the Downtown Core zoning district of the OTSP. As conditioned, the proposed use is compatible with the nature, condition and development of adjacent uses, buildings and structures, and the proposed conditional use will not adversely affect the adjacent uses, buildings or structures. Old Town contains other retail and alcohol-serving restaurant uses that are compatible with the proposed use.

The site for a proposed conditional use is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, buffer areas, landscaping, and other development features prescribed in this development code and required by the planning commission or council in order to integrate the use with other uses in the neighborhood.

The application will allow for a Type 47 On-Sale General license for a bona fide public eating place at a restaurant. The site for the proposed conditional use is adequate in size and shape to accommodate the yards, walls, fences, buffer areas, landscaping, and other development features prescribed in the Development Code and OTSP and required by the Planning Commission or City Council in order to integrate the use with other uses in the neighborhood.

The nature of the proposed conditional use is not detrimental to the health, safety and general welfare of the community.

As conditioned, the project meets all requirements of the General Plan, Development Code, OTSP, Fire Code and the Building Code which provide safeguards for the health, safety and general welfare of the community. Therefore, the project is not anticipated to be detrimental to the health, safety and general welfare of the community.

The decision to approve, conditionally approve, or deny the application for a Conditional Use Permit be based on substantial evidence in view of the record as a whole before the Planning Commission or City Council on appeal.

The decision to conditionally approve the application for a Conditional Use Permit has been based on substantial evidence in view of the record as a whole before the Planning Commission.

- ATTACHMENTS:**
1. Vicinity Map
 2. PC Resolution
 3. Exhibit A - Draft Conditions of Approval – Conditional Use Permit
 4. Exhibit B – Statement of Operations
 5. Exhibit C – Draft Conditions of Approval - Modification
 6. Exhibit D – Plan Reductions
 7. Exhibit E – Draft Conditions of Approval – Certificate of Historical Appropriateness
 8. Notice of Exemption
 9. Notice of Public Hearing