

**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 16, 2025

PREPARED BY: Eric Jones, Case Planner

**PROJECT
SUMMARY:**

Planning Application Nos. PA23-0280, a Zoning Amendment application to change the zoning from Highway Tourist (HT) to Planned Development Overlay (PDO-16); PA23-0204, a Tentative Parcel Map to create two parcels from one existing parcel; PA23-0197, a Development Plan Application to allow for the construction of two structures totaling approximately 4,546 square feet, PA23-0198, a Conditional Use Permit to allow a car wash; and PA24-0348, a Conditional Use Permit to allow a restaurant drive-thru.

RECOMMENDATION: Adopt the proposed Planning Commission Resolutions recommending City Council approval of the project and certification of a Mitigated Negative Declarations and actions related thereto

CEQA: Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program

PROJECT DATA SUMMARY

Name of Applicant: Mark Cooper with Catalyst Commercial Group

**General Plan
Designation:** Highway Tourist (HT)

Zoning Designation: Existing: Highway Tourist (HT)
Proposed: Planned Development Overlay 16 (PDO-16)

**Existing Conditions/
Land Use:** Site: Vacant Lot / Highway Tourist (HT)

North: Bedford Court, Existing Commercial / Highway Tourist (HT)
 South: Existing Residential / High Density Residential (H)
 East: Existing Gas Station / Highway Tourist (HT)
 West: Interstate 15 / N/A

	<u>Existing/Proposed</u>	<u>Min/Max Allowable or Required</u>
Lot Area:	1.88 Acres	0.50 Acres Minimum: Per Proposed PDO-16
Total Floor Area/Ratio:	Parcel 1: 0.06 Parcel 2: 0.03	0.06 Maximum Per Proposed PDO-16
Landscape Area/Coverage:	0.37	0.25 Minimum Per Proposed PDO-16
Parking Provided/Required:	35 Spaces Proposed	26 Spaces Minimum Per Proposed PDO-16

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 May 4, 2023, the applicant submitted Planning Application PA23-0197, a Development Plan to allow for the construction of two structures totaling approximately 4,546 square feet, PA23-0198, a Conditional Use Permit to allow a car wash, PA23-0204, a Tentative Parcel Map to create two parcels from one existing parcel, and PA23-0280, a Zone Change/Planned Development Overlay (PDO). On September 17, 2024, the applicant submitted PA24-0348, a Conditional Use Permit to allow for a drive-thru. The applications would permit the development and operation of a commercial center consisting of two structures that will house a car wash and drive-thru coffee shop.

The applicant conducted two public outreach meetings. These meetings were conducted on October 8th and 9th, 2024. Notices were provided to surrounding property owners beforehand. The meetings were intended to allow the applicant an opportunity to present the project to the community and gather any comments. Neither of these meetings were attended by the public.

A Mitigated Negative Declaration (MND) with a Mitigation Monitoring and Reporting Program was prepared for the project.

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

Zone Change/Planned Development Overlay (PDO-16)

The proposed PDO will provide development standards exclusive to the project. In particular, the City’s Development Code (Section 17.10.020.F.1) requires that car washes shall be located at least two hundred feet (200’) from any residentially zoned property line. The PDO will amend this requirement to state that car washes shall be a minimum of 75 feet from the closest residential property line. Furthermore, the PDO requires that car washes incorporate design features that will ensure compliance with the City’s Noise Ordinance.

The Planned Development Overlay provides other revisions from the original Highway Tourist development standards in effect at the project site. The table below summarizes the revisions.

Standard	Current Highway Tourist Standard	Proposed Planned Development Overlay Standard
Target Floor Area Ratio	0.30	0.06
Floor Area Ratio Range	0.25-1.0	.03-.06
Minimum Front Yard adjacent to Street	50’	20’
Minimum Car Wash to Closest Residential Property Line	200’	75’
Maximum Building Height	75’	30’
Maximum Percent of Lot Coverage	30%	10%
Minimum Required Landscape Open Space	20%	25%

Tentative Parcel Map

The proposed Tentative Parcel Map will divide one existing parcel totaling 1.88 acres into two parcels to allow for the commercial center. Parcel 1 is adjacent to Interstate 15 and will house the car wash. Parcel 2 is adjacent to an existing gas station and will house the coffee shop. Both newly created parcels will meet all PDO, Municipal Code, and General Plan requirements. The map will create a primary vehicular and pedestrian access point directly from Bedford Court. In addition, the Tentative Parcel Map will be conditioned to record a reciprocal access and parking agreement for both parcels before completion of the Final Map process.

Development Plan

The project site is located on the southern end of Bedford Court. Once on-site, drivers will cross over decorative paving and have the ability to turn right to access the car wash or left to access the coffee shop and its drive-thru. The project requires 26 parking spaces per the proposed PDO and provides 35 spaces.

The car wash totals approximately 3,596 square feet and is located adjacent to Interstate 15. As mentioned previously, the proposed PDO requires a minimum separation between a car wash and residential property to be at least 75 feet. The closest point of the car wash to the existing residential property line is 75 feet. The car wash will feature queuing for approximately 19 vehicles while the tunnel can accommodate up to five vehicles at once. The applicant has designed the project so that vehicles enter the car wash tunnel from the south and exit to the north near the existing commercial uses. This design ensures that dryer blowers are located as far as possible from the existing residential units located along the project's southern border.

The coffee shop totals approximately 950 square feet. This use does not feature the inside seating that is typical for similar establishments. Instead, customers will use the walk-up window or drive-thru to place and collect orders. The design also incorporates an outdoor patio for customers that wish to enjoy their orders on-site.

Landscaping

The project will dedicate 37% of the site to landscaping. This amount exceeds the Development Code requirement of 20% for the underlying Highway Tourist (HT) zone. The amount also exceeds the proposed PDO requirement of 25%. The proposed PDO contains landscape standards for the project that will govern all landscaping. The project will utilize a combination of ground cover, shrubs, and trees to help soften project structures and hardscape. In addition, the applicant has designed the project to ensure an abundance of landscaping along the southern boundary of the project site that is shared with the existing residential units.

Conditional Use Permits (CUP)

Per the proposed PDO and City of Temecula Development Code (Table 17.08.030), restaurants with a drive-thru and car washes require the approval of a Conditional Use Permit. The applicant has submitted two Conditional Use Permit (CUP) applications.

The first CUP is for the proposed coffee shop that will incorporate a drive-thru. The drive-thru will be operational from 5:00 a.m. to 11:00 p.m. Monday through Sunday. The drive-thru is located interior to the project and is surrounded by landscaping that includes bushes and trees. These measures will help ensure that visual impact of the drive-thru will be minimal. The drive-thru meets all requirements of the Temecula Development Code including stacking distance.

The second CUP is for the car wash. This facility will be operational from 7:00 a.m. to 9:00 p.m. Noise is often the most concerning impact for car washes. The drying blowers will be equipped with mufflers to reduce their noise impacts. Per the Noise section of the Mitigated Negative Declaration prepared for the project, car wash operations will not exceed the exterior noise level limit of 70 dBA for high density residential and highway tourist commercial uses. In addition, the

car wash will be located interior to the project site and visually shielded with trees and other plant material.

LEGAL NOTICING REQUIREMENTS

Notice of the public hearing was published in *The Press-Enterprise* on April 3, 2025 and mailed to the property owners within the required 600-foot radius.

ENVIRONMENTAL DETERMINATION

Staff has reviewed the project in accordance with the California Environmental Quality Act (CEQA) and based on an initial study, it has been determined the project will not have a significant impact on the environment; therefore, a Mitigated Negative Declaration has been prepared for the project.

A Mitigated Negative Declaration (MND) was prepared under staff's direction by DeNovo Planning Group and was distributed to responsible agencies, interested groups, and organizations. The Draft MND was made available for public review and comment for a period of 30 days. The public review and comment period for the Draft MND commenced on January 14, 2025, and concluded on February 13, 2025. Notices were mailed to surrounding property owners, a sign was placed on the property, and a notice was placed in the local paper to provide the 30 day noticing period for the public. The City of Temecula received four written comments and responded to each comment in the Final MND, which includes all timely received written comments and responses thereto. Comments were provided by Riverside County Flood Control, Riverside Transit Agency (RTA), California Department of Transportation, and Southern California Gas.

The environmental analysis identified 16 areas where impacts were found to be less than significant or had no impact at all. These areas are: Aesthetics, Hydrology and Water Quality, Noise, Recreation, Utilities and Service Systems, Agriculture and Forestry Resources, Greenhouse Gasses, Land Use and Planning, Population and Housing, Transportation, Wildfire, Air Quality, Energy, Hazards and Hazardous Materials, Mineral Resources, and Public Services. The MND recommends feasible mitigation measures for those environmental impacts that can be mitigated to a less than significant impact. These are located in the following areas: Biological Resources, Geology and Soils, Cultural Resources, and Tribal Cultural Resources.

NO NET LOSS LAW

The project is identified in the City's Housing Element site inventory. The Housing Element identified that APN 922-210-421 is anticipated to produce 28 moderate income units. The project is proposing to construct no above moderate income units and, therefore, there is a shortfall of 28 moderate income units from what was projected in the Housing Element.

Government Code section 65863(b)(1) states that "No city, county, or city and county shall, by administrative, quasi-judicial, legislative, or other action, reduce, or require or permit the reduction of, the residential density for any parcel identified to meet its current share of the regional housing need or any unaccommodated portion of the regional housing need from the prior planning period to, or allow development of any parcel at, a lower residential density, as defined in paragraphs (1)

and (2) of subdivision (g), unless the city, county, or city and county makes written findings supported by substantial evidence of both of the following:

The reduction is consistent with the adopted General Plan, including the housing element.

The remaining sites identified in the housing element are adequate to meet the requirements of Section 65583.2 and to accommodate the jurisdiction's share of the regional housing need pursuant to Section 65584. The finding shall include a quantification of the remaining unmet need for the jurisdiction's share of the regional housing need at each income level and the remaining capacity of sites identified in the housing element to accommodate that need by income level.”

The City’s RHNA allocation identified that the City needed to plan for 658 extremely low income unit, 671 very low income units, 702 low income units, 757 moderate income units and 1,249 above moderate income units for a total of 4,034 housing units. The City’s Housing Element identified that there is a surplus of 757 moderate income units. Therefore, the 28-unit deficit in moderate income units created by the approval of the proposed project can be accommodated by the surplus. As such, there will be no net loss in the residential capacity by the approval of the project.

FINDINGS

Zone Change/Planned Development Overlay

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

The proposed Zone Change/Planned Development Overlay Ordinance conforms to the City of Temecula General Plan Land Use Element. The proposed Zone Change/Planned Development Overlay Ordinance directly responds to Goal 1 Policies LU-1.1, and LU-1.6 of the General Plan Land Use Element.

In addition to employing the City’s planned development overlay zoning district tool, the proposed project is also consistent with the above General Plan Land Use Element goals and policies in that it: provides a mix of community-serving commercial uses; has been planned and evaluated for consistency with the General Plan and its implementing programs (e.g., the planned development overlay zoning district); and has been designed to minimize impacts on surrounding land uses and infrastructure through required design guidelines, building orientation, circulation and access improvements, and other features and requirements of proposed Planned Development Overlay 16. Additionally, mitigation measures are identified in the Mitigation Monitoring and Reporting Program to further reduce the potential for impacts to surrounding uses and infrastructure.

The proposed Ordinance is consistent with the Municipal Code and Development Code for the City of Temecula;

The proposed Zone Change/Planned Development Overlay Ordinance is internally consistent with the Municipal Code and the Development Code in terms of referencing key components of these documents.

Development Plan (Section 17.05.010)

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

The proposed uses are in conformance with the General Plan. This is because the underlying General Plan Land Use designation is Highway Tourist (HT). Car washes and restaurants with drive-thru facilities are conditionally permitted uses in HT zones. The project is also pursuing Conditional Use Permits for these uses. The site is properly planned and zoned, and as conditioned, is physically suitable for the type of development proposed. The project, as conditioned, is also consistent with other applicable requirements of State law and local Ordinances, including the California Environmental Quality Act (CEQA), the Citywide Design Guidelines, and Fire and Building codes.

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, including the site, building, parking, circulation and other associated site improvements, is consistent with, and intended to protect the health and safety of those working and living in and around the site. 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.

Tentative Map (Section 16.09.140)

The proposed subdivision and the design and improvements of the subdivision are consistent with the Development Code, General Plan, any applicable Specific Plan and the City of Temecula Municipal Code.

As designed and conditioned, the proposed map is consistent with the Subdivision Ordinance, Temecula General Plan, and the City of Temecula Municipal Code. This is because it is consistent with size, setbacks, water quality, and other applicable standards.

The Tentative Map does not propose to divide land which is subject to a contract entered into pursuant to the California Land Conservation Act of 1965, or the land is subject to a Land Conservation Act contract but the resulting parcels following division of the land will not be too small to sustain their agricultural use.

The proposed map does not impact land designated for conservation or agricultural use.

The site is physically suitable for the type and proposed density of development proposed by the Tentative Map.

The proposed map subdivides 1.88 acres into two parcels to allow for commercial uses. The two resulting sites are physically suitable for the proposed carwash and restaurant drive thru uses .

The design of the subdivision and the proposed improvements, with conditions of approval, are not likely to cause significant environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The project consists of a Tentative Parcel Map on vacant property. A Mitigated Negative Declaration (MND) has been prepared for the project. As conditioned, the project is not likely to cause significant environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The design of the subdivision and the type of improvements are not likely to cause serious public health problems.

The project has been reviewed and conditioned by the Fire, Public Works, Planning, and Building and Safety Departments. As a result, the project is consistent or has been conditioned to be consistent with Fire and Building Codes and the City's General Plan and Municipal Code which contain provisions to protect the health, safety, and welfare of the public.

The design of the subdivision provides for future passive or natural heating or cooling opportunities in the subdivision to the extent feasible.

The design of the subdivision provides for future passive or natural heating or cooling opportunities to the extent feasible. All development must meet all appropriate Building and Fire Code requirements as they relate to passive or natural heating or cooling opportunities.

The design of the subdivision and the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision, or the design of the alternate easements which are substantially equivalent to those previously acquired by the public will be provided.

All acquired rights-of-way and easements have been provided on the Tentative Map. The City has reviewed these easements and has found no potential conflicts.

The subdivision is consistent with the City's parkland dedication requirements (Quimby Act).

The project involves the construction of a commercial development. No residential units are proposed that will be subject to the Quimby Act.

Conditional Use Permit (Car Wash) (Section 17.04.010.E)

The proposed conditional uses are consistent with the General Plan and the Development Code.

The conditional use will consist of a carwash. This use is permitted upon the approval of a Conditional Use Permit per the proposed Zone Change/Planned Development Overlay and underlying land use designation of Highway Tourist (HT). Car washes are allowed on properties with the HT Land Use Designation upon approval of a Conditional Use Permit.

The proposed use is consistent with the Development Code. Per the City of Temecula Development Code, the proposed car wash will be screened from the public right-of-way. In addition, the use will be supervised by several employees during operating hours. The proposed operating hours are consistent with Development Code requirements.

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 proposed project will be surrounded by Highway Tourist and High-Density residential uses. The car wash will be separated from the nearby residential use by seventy-five feet per the proposed PDO. In addition, drying blowers will have mufflers to control noise. Therefore, the car wash 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 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 City Council in order to integrate the use with other uses in the neighborhood.

The site has been reviewed and determined to be adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, buffer areas, landscaping, and other development features prescribed in the Development Code and proposed Zone Change/Planned Development Overlay and required by the Planning Commission and City Council in order to integrate the use with other uses in the neighborhood. The project meets or exceeds all requirements of the proposed PDO requirements. For example, the proposed PDO requires that a project site provide landscape coverage of 25% and the project proposes to offer 37% of landscape coverage. In addition, the proposed PDO requires 26 parking spaces while the actual project will provide 35 parking spaces.

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

The conditional use has been reviewed in order to ensure compliance with all requirements of the Development, Building, and Fire Codes. These codes contain provisions designed to ensure the health, safety, and general welfare of the community. No negative impacts are anticipated.

That 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 Director, Planning Commission, or City Council on appeal.

The decision to conditionally approve the applications will be based on substantial evidence in view of the record as a whole before the City Council.

Conditional Use Permit (Drive-Thru Facility) (Section 17.04.010.E)

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

The conditional use consists of a drive-thru facility. These uses are permitted upon the approval of a Conditional Use Permit per the City of Temecula Development Code and the proposed Zone Change/Planned Development Overlay.

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 proposed project will be surrounded by Highway Tourist and High-Density Residential uses. The drive-thru will be located adjacent to Bedford Court and is screened by landscaping and a structure. Therefore, the 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 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 City Council in order to integrate the use with other uses in the neighborhood.

The site has been reviewed and determined to be adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, buffer areas, landscaping, and other development features prescribed in the Development Code and proposed Zone Change/Planned Development Overlay and required by the Planning Commission and City Council in order to integrate the use with other uses in the neighborhood. The project meets or exceeds all requirements of the proposed PDO requirements. For example, the proposed PDO requires that a project site provide 25% landscape coverage and the project proposes to offer 37% of landscape coverage. In addition, the proposed PDO requires 26 parking spaces while the actual project will provide 35 parking spaces.

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

The conditional use has been reviewed in order to ensure compliance with all requirements of the Development, Building, and Fire Codes. These codes contain provisions designed to ensure the health, safety, and general welfare of the community. No negative impacts are anticipated.

That 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 Director, Planning Commission, or City Council on appeal.

The decision to conditionally approve the application will be based on substantial evidence in view of the record as a whole before the City Council.

- ATTACHMENTS:**
1. Vicinity Map
 2. Plan Reductions
 3. Statement of Operations for Dutch Bros. & Quick Quack Car Wash
 4. PC Resolution Approving the MND and Mitigation Monitoring and Reporting Program
Exhibit A – City Council Resolution
Mitigation Monitoring and Reporting Program
 5. PC Resolution – Zone Change/Planned Development Overlay
Exhibit A – City Council Ordinance
 6. PC Resolution – Tentative Parcel Map
Exhibit A – City Council Resolution
Exhibit B – Draft Conditional of Approval
 7. PC Resolution – Conditional Use Permit (Car Wash)
Exhibit A – City Council Resolution
Exhibit B – Draft Conditions of Approval
 8. PC Resolution – Conditional Use Permit (Drive-Thru)
Exhibit A – City Council Resolution
Exhibit B – Draft Conditions of Approval
 9. PC Resolution – Development Plan
Exhibit A – City Council Resolution
Exhibit B – Draft Conditions of Approval
 10. Draft Mitigated Negative Declaration with Appendices which can be downloaded at www.TemeculaCA.gov/CEQA
 11. Final MND which be downloaded at www.TemeculaCA.gov/CEQA
 12. Mitigation Monitoring Reporting Plan
 13. Notice of Public Hearing
 14. Notice of Determination