

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

TO: Planning Commission Chair and members of the Planning Commission

FROM: Matt Peters, Interim Director of Community Development

DATE OF MEETING: February 19, 2025

PREPARED BY: Jaime Cardenas, Case Planner

PROJECT

SUMMARY: Planning Application No. PA24-0391, a Conditional Use Permit application for *Quiero Brunch*, a future restaurant requesting a Type 47 (on-Sale General- Eating Place) at 27423 Ynez Road, Suite 103.

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

CEQA: Categorically Exempt
Section 15301, Class 1, Existing Facilities
Section 15061(b)(3)

PROJECT DATA SUMMARY

Name of Applicant: German Herrera

General Plan Designation: Community Commercial (CC)

Zoning Designation: Community Commercial (CC)

**Existing Conditions/
Land Use:**

Site: Existing Multi-Tenant Building / Community Commercial

North: Natural Drainage Course / Community Commercial

South: Existing Multi-Tenant Structure / Community Commercial

East: Ynez Road / Community Commercial

West: Tower Plaza Parking Lot/ Community Commercial

	<u>Existing/Proposed</u>	<u>Min/Max Allowable or Required</u>
Lot Area:	0.53 Acres	N/A
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 October 21, 2024, German Herrera submitted Planning Application PA24-0391, a Conditional Use Permit application for Quiero Brunch a Type 47 ABC license. 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

The proposed 2,287 square-foot “Quiero Brunch” Mexican restaurant is located in the Tower Plaza commercial center located on the northwest side of Rancho California and Ynez Road. The restaurant is located at 27423 Ynez Road, Suite 103, a multi-tenant building that shares a space with “The Press Espresso” and “Oboba Tea”. Quiero Brunch (suite 103) is in a tenant space that was formerly operated by two restaurants. The property is currently surrounded by other food and retail uses including the recently remodeled Starbucks (formerly Banner Bank) and Del Taco to the south.

The business owners currently operate other restaurants called Michi Tacos in Lake Elsinore and Menifee. Their proposed restaurant is a different concept from their traditional menu. Quiero Brunch is a full-service restaurant specializing in Mexican culinary traditions with an emphasis on breakfast and lunch options. 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 Monday through Sunday with hours ranging from 8:00 AM to 9:00 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 February 6, 2025 and mailed to the property owners within the required 600-foot radius.

ENVIRONMENTAL EXEMPTION

In accordance with the California Environmental Quality Act, the proposed project has been deemed to be categorically exempt from further environmental review.

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. 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 may have a significant effect on the environment. As noted above, restaurant use is not expanded or altered in any way. Instead, the service of alcohol would be an incidental use to the restaurant's overall operations.

FINDINGS

Conditional Use Permit (Development Code Section 17.04.010 E)

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

Quiero Brunch 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 Community Commercial 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 Community Commercial districts. 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 Quiero Brunch restaurant is proposed within an existing multi-tenant building on a developed lot within the Community Commercial (CC) General Plan land use designation. As conditioned, the proposed use is compatible with the nature, condition and development of adjacent uses, buildings and structures, and the proposed conditional uses will not adversely affect the adjacent uses, buildings or structures. The existing retail center 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 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, 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. Aerial Map
 2. PC Resolution
 3. Exhibit A – Draft Conditions of Approval
 4. Exhibit B - Statement of Operations
 5. Exhibit C - Plan Reductions
 6. Notice of Exemption
 7. Notice of Public Hearing