

PC RESOLUTION NO. 2024-

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF TEMECULA APPROVING PLANNING
APPLICATION NO. PA23-0027, A CONDITIONAL USE
PERMIT TO ALLOW A NEW RESTAURANT TO
INCORPORATE A DRIVE-THRU LOCATED AT 29540
RANCHO CALIFORNIA ROAD AND MAKING A FINDING
OF EXEMPTION UNDER THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT (CEQA) (APN 921-320-
061)**

Section 1. Procedural Findings. The Planning Commission of the City of Temecula does hereby find, determine and declare that:

A. On January 17, 2023, Robert Vermeltfoort, on behalf of Ono Hawaiian BBQ, filed Planning Application No. PA23-0027, a Conditional Use Permit Application in a manner in accord with the City of Temecula General Plan and Development Code.

B. The Application was processed including, but not limited to a public notice, in the time and manner prescribed by State and local law.

C. The Planning Commission, at a regular meeting, considered the Application and environmental review on April 17, 2024, at a duly noticed public hearing as prescribed by law, at which time the City staff and interested persons had an opportunity to and did testify either in support or in opposition to this matter.

D. At the conclusion of the Planning Commission hearing and after due consideration of the testimony, the Planning Commission approved Planning Application No. PA23-0027 subject to and based upon the findings set forth hereunder.

E. All legal preconditions to the adoption of the Resolution have occurred.

Section 2. Further Findings. The Planning Commission, in approving the Application hereby finds, determines and declares that:

Conditional Use Permit, Development Code Section 17.04.010.E.1

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

The conditional use will allow for the development of a drive-thru facility in a Community Commercial zoning district. Drive-thru lanes are an allowable use in Community Commercial districts upon the approval of a Conditional Use Permit. Therefore, the conditional use is consistent with the General Plan and Development Code.

B. 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 conditional use permit will allow for the operation of a drive-thru lane. The drive-thru lane will be integrated into the project site. In addition, the drive-thru lane will be shielded from view with appropriate landscaping. Finally, potential impacts from the drive-thru lane was studied by a traffic consultant. This consultant determined that the drive-thru lanes will not adversely affect the adjacent drive aisles or right-of-way. This means the drive-thru lane is designed to be compatible with the nature, condition and development of adjacent uses, buildings and structures. The drive-thru lane will not cause adverse impacts to adjacent uses, buildings or structures.

C. 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 site for the conditional use is located within a fully developed commercial center with a variety of uses. The site's size and shape is large enough to accommodate the conditional use with regard to accommodating the yards, walls, fences, parking and loading facilities, buffer areas, landscaping, and other development features prescribed in the Development Code and required by Planning Commission. The project is required to provide 61 parking spaces but proposes to provide 78 parking spaces. The proposed conditional use meets or exceeds all Development Code requirements with regard to drive-thru and will be well integrated with other uses in the center.

D. 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 and conditioned to ensure consistency with the Building Code, Development Code, and Fire Code. These codes contain provisions designed to ensure uses are not detrimental to the health, safety, and general welfare of the community. Negative Impacts are not anticipated.

E. 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 project is based on substantial evidence in view of the record as a whole before the Planning Commission.

Section 3. Environmental Findings. The Planning Commission hereby makes the following environmental findings and determinations in connection with the approval of the Conditional Use Permit Application:

A. In accordance with the California Environmental Quality Act, the proposed project has been deemed to be categorically exempt from further environmental review (15332, Class 32, In-Fill Development Projects);

The project will allow for the operation of a drive-thru at a proposed quick service restaurant. The site is smaller than five acres within city limits and is surrounded by urban uses. The proposed use is consistent with the General Plan for Temecula as well as applicable zoning regulations. The project site has been fully developed and used as a restaurant for decades and therefore has no value as habitat for endangered, rare, or threatened species. In addition, the site can be serviced by all utilities. The queuing analysis conducted by Trames Solutions, Inc. demonstrated that the drive-thru will not impede traffic in and out of the project site. In addition, the construction of the restaurants with the drive-thru lanes will not result in any significant impacts to traffic, noise, air quality, or water quality.

Section 4. Conditions, Statement of Operations, and Plans. The Planning Commission of the City of Temecula approves Planning Application No. PA23-0027, a Conditional Use Permit to allow a new restaurant to incorporate a drive-thru located at 29540 Rancho California Road, subject to the Final Conditions of Approval set forth on Exhibit A, Statement of Operations set forth on Exhibit B, and the Plans set forth on Exhibit C, attached hereto, and incorporated herein by this reference.

PASSED, APPROVED AND ADOPTED by the City of Temecula Planning Commission
this 17th day of April 2024.

Bob Hagel, Chair

ATTEST:

Luke Watson
Secretary

[SEAL]

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE)ss
CITY OF TEMECULA)

I, Luke Watson, Secretary of the Temecula Planning Commission, do hereby certify that the foregoing PC Resolution No. 2024- was duly and regularly adopted by the Planning Commission of the City of Temecula at a regular meeting thereof held on the 17th day of April 2024, by the following vote:

AYES: PLANNING COMMISSIONERS:

NOES: PLANNING COMMISSIONERS:

ABSTAIN: PLANNING COMMISSIONERS:

ABSENT: PLANNING COMMISSIONERS:

Luke Watson
Secretary