

**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: May 6, 2026

PREPARED BY: Marcella Mills, Case Planner

PROJECT SUMMARY: Planning Application No. PA26-0032, a Conditional Use Permit application for Ducks in a Row to obtain a Type 47 ABC license (On-Sale General - Eating Place) at a new restaurant located at 41923 2nd Street, Suite 107

RECOMMENDATION: Adopt A Resolution Approving a Conditional Use Permit to Permit for Ducks in a Row to Obtain a Type 47 Alcoholic Beverage Control License and Make a Finding of Exemption of Environmental Review

CEQA: Categorically Exempt
Section 15301, Class 1 Existing Facilities

PROJECT DATA SUMMARY

Name of Applicant: Regan Schneider

General Plan Designation: Specific Plan Implementation (SPI)

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

**Existing Conditions/
Land Use:**

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

North: Existing Parking Garage, Mercedes Street / SPI (Specific Plan Implementation)

South: 2nd Street, Existing Commercial Building / SPI (Specific Plan Implementation)

East: Vacant Lot / SPI (Specific Plan Implementation)

West: Vacant Lot / SPI (Specific Plan Implementation)

	<u>Existing/Proposed</u>	<u>Min/Max Allowable or Required</u>
Lot Area:	0.48 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 January 21, 2026, Regan Schneider submitted Planning Application PA26-0032, a Conditional Use Permit, to allow for a California Alcoholic Beverage Control (ABC) Type 47 (On-Sale General – Eating Place) license for a new restaurant. The restaurant will be located at 41923 2nd Street, Suite 107.

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 1,800 square-foot Ducks in a Row restaurant is located in the Downtown Core District of the Old Town Specific Plan within the Truax commercial building.

The suite is currently surrounded by other food, retail and general services uses, including Margarita’s Cocina y Cantina, Oak Grove Culinary Creations, and The Goat & Vine. The business in the suite adjacent, Corbeaux Wine and Tea House, is also owned and operated by Regan Schneider.

Ducks in a Row will be a full-service restaurant operating Monday and Tuesday from 11:00 AM to 10:00 PM, Wednesday and Thursday from 11:00 AM to 11:00 PM, Friday and Saturday from 11:00 AM to 11:59 PM and Sunday from 11:00 AM to 11:00 PM. The restaurant will offer an intimate “Old Hollywood inspired” dining experience with elevated and experimental cuisine and an apothecary-style retail storefront expected to sell candles, skin and body care, house-made butters, and flowers.

The approval for an ABC Type 47 (On-Sale General -Eating Place) license will allow the restaurant to sell beer, wine, and distilled spirits for consumption on the licensed premises and authorizes the sale of beer and wine for consumption off the licensed premises.

The restaurant must operate and maintain the licensed premises as a bona fide eating place. The restaurant must also maintain suitable kitchen facilities and must make actual and substantial sales of meals for consumption on the premises. Minors are allowed on the premises. This license type is subject to Responsible Beverage Service (RBS) requirements and requires alcohol servers and managers of alcohol servers to be RBS certified.

A Public Convenience and Necessity (PCN) determination is required when ABC finds that there is an oversaturation of alcohol beverage outlets in a particular census tract. State law prohibits ABC from issuing or transferring alcohol licenses in areas that are determined to be oversaturated, unless the local governing body finds that the public interest is served and issues a PCN determination.

Staff has confirmed with ABC that the Planning Commission does not need to make findings of Public Convenience or Necessity (PCN) determination for an ABC Type 47 license. ABC will process the findings of a PCN determination upon the approval of the Conditional Use Permit after the license application process has been initiated.

The applicant must state their case in support of a PCN determination to ABC rather than to the local jurisdiction in the request of a Type 47(On-Sale General -Eating Place) 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 or Temporary Use Permit is the appropriate application for any future entertainment.

LEGAL NOTICING REQUIREMENTS

Notice of the public hearing was published in *The Press-Enterprise* on April 23, 2026, 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 (Section 15301, Class 1, Existing Facilities) because the project involves the operation of a permitted use and the operation will not result in significant changes to the existing structure and involves negligible or no expansion of use beyond that existing at the present time and therefore, no further environmental review is required.

The request for a Conditional Use Permit is for a restaurant to provide the incidental sale of beer, wine, and distilled spirits within an existing building with no expansion proposed. The Old Town Specific Plan conditionally permits restaurants serving distilled spirits within the Downtown Core District where Ducks in a Row is proposed. Additionally, the site is adequate in size and shape to accommodate the yards, walls, fences, and other development features, and the use is in conformance with all General Plan and zoning requirements.

- ATTACHMENTS:**
1. Aerial Map
 2. PC Resolution
 3. Exhibit A – Draft Conditions of Approval
 4. Exhibit B – Statement of Operations
 5. Exhibit C - Plans
 6. Notice of Exemption
 7. Notice of Public Hearing