

PC RESOLUTION NO. 2025-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TEMECULA APPROVING (1) PLANNING APPLICATION NO. PA23-0467, A CONDITIONAL USE PERMIT FOR A TYPE 47 ABC LICENSE, (2) PA23-0499 A MODIFICATION TO A DEVELOPMENT PLAN, AND (3) PA23-0500 A CERTIFICATE OF HISTORICAL APPROPRIATENESS 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 AND MAKING A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (APN 922-036-011)

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

A. On November 29, 2023, Adrian Amosa filed Planning Application No. PA23-0467, a Conditional Use Permit. On December 26, 2023, Adrian Amosa filed Planning Application Nos. PA23-0499, a Modification to a Development Plan and PA23-0500, A Certificate of Historical Appropriateness. These applications (collectively “the Project”) were filed in a manner in accord with the City of Temecula General Plan and Development Code.

B. The Project 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 Project and environmental review on April 2, 2025, 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 Nos. PA23-0467, PA23-0499, and PA23-0500, 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:

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

A. 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 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.

B. 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.

C. 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 (Development Code Section 17.05.030.E)

A. 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.

B. 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)

A. 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.

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 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 uses 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.

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 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.

D. 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.

E. 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.

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, Modification, and Certificate of Historical Appropriateness Applications:

A. In accordance with the California Environmental Quality Act, the proposed project has been deemed to be categorically exempt from further environmental review (Sections 15301 and 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.

Section 4. Conditions. The Planning Commission of the City of Temecula hereby:

1. Makes a finding of exemption under CEQA Guidelines Section 15301 and 15061(b)(3), and

2. Approves Planning Application No. PA23-0467, Conditional Use Permit for a Type 47 ABC License, subject to the Conditions of Approval (Conditional Use Permit) attached as Exhibit A hereto, and incorporated herein by this reference, and as set forth in Exhibit B (Statement of Operations), and

3. Approves PA23-0499, a Modification to a Development Plan, subject to the Conditions of Approval (Modification) attached as Exhibit C hereto, and incorporated herein by this reference, and as set forth in Exhibit D (Plan Reductions), and

4. Approves PA23-0500, a Certificate of Historical Appropriateness for exterior and interior modification to an existing historic building (First National Bank Building) including exterior paint color changes, subject to the Conditions of Approval (Certificate of Historical Appropriateness) set forth in Exhibit E attached hereto, and incorporated herein by this reference.

PASSED, APPROVED AND ADOPTED by the City of Temecula Planning Commission this 2nd day of April, 2025.

Lanae Turley-Trejo, Chair

ATTEST:

Matt Peters
Secretary

[SEAL]

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

I, Matt Peters, Secretary of the Temecula Planning Commission, do hereby certify that the forgoing PC Resolution No. 2025- was duly and regularly adopted by the Planning Commission of the City of Temecula at a regular meeting thereof held on the 2nd day of April, 2025, by the following vote:

AYES: PLANNING COMMISSIONERS:

NOES: PLANNING COMMISSIONERS:

ABSTAIN: PLANNING COMMISSIONERS:

ABSENT: PLANNING COMMISSIONERS:

Matt Peters
Secretary