

PC RESOLUTION NO. 2024-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TEMECULA APPROVING PLANNING APPLICATION NO. PA24-0254, A CONDITIONAL USE PERMIT APPLICATION FOR A TYPE 47 ABC LICENSE FOR LANDEROS MEXICAN GRILL AND CANTINA LOCATED AT 41925 FIFTH STREET, SUITE 102 AND TO MAKE FINDINGS OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) (APN: 922-024-012)

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

A. On July 2, 2024, Veronica Landeros filed Planning Application No. PA24-0254, 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 October 2, 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. PA24-0254 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)

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.

Landeros Mexican Grill & Cantina 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 Old Town Specific Plan which conditionally allows for restaurants to operate with a Type 47 On-Sale General license for Bona Fide Public Eating Place (Restaurant). The project is consistent with the applicable General Plan designation because a restaurant is an allowable use within the Downtown Core Planning Area of the Old Town Specific

Plan. 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, building, and structures and the proposed conditional use will not adversely affect the adjacent uses, buildings, or structures.

Landeros Mexican Grill & Cantina restaurant is proposed within an existing mix-use building on a developed lot within the SPI 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.

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 City 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.

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 Planned Development Overlay, 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.

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 (15301, Class 1, Existing Facilities) 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. The existing restaurant currently holds a Type 41 license which allows for the sale of beer and wine. 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.

Section 4. Conditions. The Planning Commission of the City of Temecula approves Planning Application No. PA24-0254, a Conditional Use Permit application for a Type 47 ABC license for Landeros Mexican Grill and Cantina located at 41925 Fifth Street, Suite 102, subject to the Final Conditions of Approval set forth on Exhibit A, Statement of Operations set forth on Exhibit B, and the Plan Reductions 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 2nd day of October 2024.

Bob Hagel, Chair

ATTEST:

Matt Peters
Secretary

[SEAL]

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

I, Matt Petters, 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 2nd day of October 2024, by the following vote:

- AYES: PLANNING COMMISSIONERS:
- NOES: PLANNING COMMISSIONERS:
- ABSTAIN: PLANNING COMMISSIONERS:
- ABSENT: PLANNING COMMISSIONERS:

Matt Peters
Secretary