

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

TO: Planning Commission Chairperson and members of the Planning Commission

FROM: Luke Watson, Director of Community Development

DATE OF MEETING: November 6, 2019

PREPARED BY: Jaime Cardenas, Case Planner

PROJECT SUMMARY: Planning Application Number PA19-0997, a Conditional Use Permit for a Type 74 (Craft Distiller) and Type 23 (Small Beer Manufacturer) ABC license for the proposed brewery, distillery and restaurant to operate at 27901 Jefferson Avenue.

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

CEQA: Categorically Exempt
Section 15301, Class 1, Existing Facilities

PROJECT DATA SUMMARY

Name of Applicant: Burley Wright

General Plan Designation: Specific Plan Implementation (SPI)

Zoning Designation: Uptown Temecula Specific Plan (SP-14); Uptown Center (UC)

**Existing Conditions/
Land Use:**

Site:	Via Montezuma and Jefferson Avenue/ Specific Plan Implementation (SPI)
North:	Existing Commercial/ Specific Plan Implementation (SPI)
South:	Existing Commercial/ Specific Plan Implementation (SPI)
East:	Existing Parking Lot, Existing Commercial/ Specific Plan Implementation (SPI)
West:	Existing Commercial/ Specific Plan Implementation (SPI)

	<u>Existing/Proposed</u>	<u>Min/Max Allowable or Required</u>
Lot Area:	1.55 Acres Existing	N/A

Total Floor Area/Ratio:	N/A	N/A
Landscape Area/Coverage:	N/A	N/A
Parking Provided/Required:	65 Parking Spaces	59 Parking Spaces (Minimum)

BACKGROUND SUMMARY

On July 16, 2019, Burley Wright, on behalf of Hendo's Brewing & Spirits, LLC, submitted Planning Application PA19-0997, a Conditional Use Permit to allow a new restaurant to obtain a ABC Type 74 License (Craft Distiller) and Type 23 license (Small Beer Manufacturer).

Prior to the submittal of this application the applicant submitted a minor modification application on June 26, 2019 under PA19-0928 (administrative approval per Table 2-1 of the Uptown Temecula Specific Plan) that includes façade improvements, an outdoor dining patio, new landscaping and site improvements for a future restaurant, Hendo's Barrel House.

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 Hendo's Barrel House is a proposed restaurant located within the Uptown Temecula Specific Plan. The restaurant totals approximately 4,950 square feet (3,132 square feet outdoor and 2,812 square feet of indoor seating). A menu for the proposed kitchen is attached to this staff report. The kitchen will be active during the full operational hours. The restaurant will be open seven (7) days a week and be open from 11:00 a.m. through 10:00 p.m. Sunday through Thursday and 11:00 a.m. through 1:00 a.m. on Friday and Saturday.

The Conditional Use Permit will allow the applicant to obtain a Type 74 license (Craft Distiller) and Type 23 license (Small Beer Manufacturer). A Type 74 license allows for the manufacturing of up to 100,000 gallons of distilled spirits and may also allow packaging, rectifying, mixing, flavoring, coloring, labeling and export by the licensee. This licensee may also sell all beers, wines, brandies or distilled spirits to consumers for consumption on the premises in a bona fide eating place located on the licensed premise. Type 23 license allows for the operation of a small brewery within a restaurant where the beer licensee's product is sold in draft form exclusively on its premises. Minors will be allowed on the premises.

The applicant intends to serve beer and craft cocktails. According to the California Department of Alcoholic Beverage Control (ABC), the City does not need to process findings of Public Convenience or Necessity (PCN). The project has been conditioned to ensure the kitchen will provide full menu service while the bar is open (COA No. 13).

LEGAL NOTICING REQUIREMENTS

Notice of the public hearing was published in the *U-T San Diego* on October 24, 2019 and mailed to the property owners within the required 600-foot radius.

ENVIRONMENTAL DETERMINATION

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).

The Conditional Use Permit will allow a new restaurant within the Uptown Temecula Specific Plan to obtain ABC Type 74 (Craft Distiller) and Type 23 (Small Beer Manufacturer) licenses. The restaurant will be located within an existing structure. All access to public utilities are available to the site. The project consists of the operation and maintenance of an existing private structure involving a negligible kitchen and dining mezzanine expansion not exceeding a 2,500 square foot expansion nor 50% of the floor area. The project site is not located in and environmentally sensitive area. The proposed use, with issuance of a Conditional Use Permit, will be in conformance with all zoning requirements contained in the Development Code and the Uptown Temecula Specific Plan. As a result, the restaurant represents a negligible addition to the commercial district.

FINDINGS

Conditional Use Permit (Development Code Section 17.04.010.E)

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

The business will operate as a full-service restaurant with the primary purpose of offering a full menu of food within an existing building. The Type 23 and Type 74 ABC Licenses will allow for onsite and off-site consumption of alcoholic beverages and wholesale. The proposed conditional use will be consistent with the City of Temecula General Plan, which identifies that the site is located in the Uptown Temecula Specific Plan. The Uptown Temecula Specific Plan provides that restaurants that serve alcohol and have an ancillary light manufacturing component are conditionally permitted uses in the Uptown Center (UC). The sale of distilled spirits under a Type 74 (Craft Distiller) and beer under a Type 23 (Small Beer Manufacturer) license 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 business will operate within an existing building. As conditioned, the proposed conditional use for the Type 74 (Craft Distiller) and Type 23 (Small Beer Manufacturer) licenses will be compatible with the nature, condition and development of adjacent uses, buildings and structures because the surrounding area includes similar uses such as restaurants and retail establishments. The proposed conditional use will not adversely affect the adjacent uses, buildings or structures because the surrounding buildings are designed for restaurant, retail, light manufacturing, and other commercial uses in the vicinity of the project.

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 the 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 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 the Development Code and the Uptown Temecula Specific Plan and required by the Planning Commission in order to integrate the use with other uses in the commercial area because the existing and proposed expansion meets all the requirements of the Development Code and Specific Plan.

The nature of the proposed conditional use is not detrimental to the health, safety and general welfare of the community.

The project will meet all the requirements of the Development Code, Fire Code and the Building Code, which provided 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.

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 Director of Community Development, 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. Vicinity Map
2. Plan Reductions
3. PC Resolution
4. Exhibit A - Draft Conditions of Approval
5. Statement of Operations
6. Kitchen Menu
7. Notice of Public Hearing