

**PC RESOLUTION NO. 2020-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TEMECULA APPROVING PLANNING APPLICATION NO. PA19-1524, A CONDITIONAL USE PERMIT MODIFICATION TO ALLOW FOR EXTENDED HOURS OF RESTAURANT OPERATIONS, INCLUDING THE HOURS FOR LIVE INDOOR ENTERTAINMENT WITHIN THE FUTURE BE GOOD RESTAURANT LOCATED AT 28636 OLD TOWN FRONT STREET, SUITE 109, AND MAKING A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

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

A. On November 20, 2019, Anthony Bennett, on behalf of Be Good Restaurant, filed Planning Application No. PA19-1524, 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 May 6, 2020, 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. PA19-1524 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 Permits, Development Code Section 17.04.010.E

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

*The business operates as a full-service restaurant with the primary purpose of offering a full menu of food within an existing building. The Conditional Use Permit approved under PA18-1610 allows for the sale of distilled spirits and live indoor entertainment. This Conditional Use Permit modification proposes to extend the hours of operation consistent with the General Plan and the Old Town Specific Plan (Land Use/Economics- Objective 5) to “Promote and recognize*

*Old Town's potential as a "24-hour" destination by attracting a mix of daytime and nighttime uses into the area, including restaurants, commercial retail uses, hotels and residential development." Furthermore, the General Plan (Economic Development- Policy 6.3) emphasizes "Continuing to expand Old Town's role in local Tourism and improve its attractiveness, accessibility, and economic vitality, as well as it's interaction with other local attractions."*

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 business operates within an existing building. As conditioned, the proposed conditional use for extended restaurant hours and hours of live entertainment is compatible with the nature, condition and development of adjacent uses, buildings and structures because the surrounding area includes similar uses such as restaurant and retail establishments. These types of uses are commonly grouped together. Additionally, this project is conditioned to adhere to the noise ordinances codified in the Temecula Municipal Code (Chapter 9.20). The proposed conditional use will not adversely affect the adjacent uses, buildings or structures because the surrounding buildings are designed for restaurant and retail uses.*

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 the Development Code and required by the planning commission or council in order to integrate the use with other uses in the neighborhood.

*The existing building was constructed in conformance with the Development Code, Building Code, and Fire Code. Therefore, 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 required by the Planning Commission 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.

*The project meets all the requirements of the Development Code, Fire Code and 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.*

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 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.*

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 (Section 15301, Class 1, Existing Facilities);

*The request for a Conditional Use Permit for extended restaurant hours and hours of live entertainment for the future Be Good restaurant. The use will be conducted in an existing building and involves a negligible expansion of the existing and expected uses. All access to public utilities are available to the site. The proposed use, with issuance of a Conditional Use Permit, is in conformance with all zoning requirements contained in the Development Code.*

Section 4. Conditions. The Planning Commission of the City of Temecula approves Planning Application No. PA19-1524, a Conditional Use Permit modification to allow for extended hours of restaurant operations including the hours for live indoor entertainment within the future Be Good Restaurant, located at 28636 Old Town Front Street, #109, subject to the Conditions of Approval set forth on Exhibit A, attached hereto, and incorporated herein by this reference.

Section 5. **PASSED, APPROVED AND ADOPTED** by the City of Temecula Planning Commission this 6th day of May, 2020.

---

Lanae Turley Trejo, Chairman

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 forgoing PC Resolution No. 2020-        was duly and regularly adopted by the Planning Commission of the City of Temecula at a regular meeting thereof held on the 6th day of May, 2020, by the following vote:

AYES:                    PLANNING COMMISSIONERS:

NOES:                    PLANNING COMMISSIONERS:

ABSTAIN:                PLANNING COMMISSIONERS:

ABSENT                  PLANNING COMMISSIONERS:

---

Luke Watson  
Secretary