

PC RESOLUTION NO. 2020-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TEMECULA APPROVING PLANNING APPLICATION NO. PA20-0192, A CONDITIONAL USE PERMIT TO ALLOW FOR ANTICA ITALIA RESTAURANT TO OBTAIN AN ABC TYPE 47 LICENSE (ON-SALE GENERAL – EATING PLACE) AT 28475 OLD TOWN FRONT STREET, 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 January 31, 2020, Alessandro Prestifilippo filed Planning Application No. PA20-0192 a Conditional Use Permit 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 20, 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. PA20-0192, 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 Conditional Use Permit hereby finds, determines and declares that:

Conditional Use Permit, Development Code Section 17.04.010.E

A. The proposed 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 proposed conditional use is consistent with the City of Temecula General Plan, which identifies that the site is located in the Specific Plan Implementation (SPI) land use category. The Development Code states that restaurants that serve distilled spirits are conditionally permitted uses. The sale of distilled spirits under a Type 47 (On-Sale General for a Bona Fide Public Eating Place) License 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.

As conditioned, the proposed conditional use for a Type 47 (On-Sale General - Eating Place) License is compatible with the nature, condition and development of adjacent uses, buildings and structures because the surrounding area includes similar uses such as restaurants that serve distilled spirits. The proposed conditional use will not adversely affect the adjacent uses, buildings or structures because the surrounding buildings are designed for restaurant uses and the site is currently approved for a restaurant 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 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 has been approved for a restaurant use and 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 Old Town Specific Plan, 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.

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:

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, Existing Facilities);

The Conditional Use Permit will allow an existing restaurant within Old Town to obtain an ABC Type 47 (On-Sale General – Eating Place) License. The use is located within an

existing structure. 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 and Old Town Specific Plan. As a result, the conditional use represents a negligible expansion of the restaurant use.

Section 4. Conditions. The Planning Commission of the City of Temecula approves Planning Application No. PA20-0192, a Conditional Use Permit to allow for Antica Italia restaurant to obtain an ABC Type 47 License (On-Sale General – Eating Place) at 28475 Old Town Front Street, and makes a finding of exemption under the California Environmental Quality Act (CEQA), subject to the Conditions of Approval set forth on Exhibit A, attached hereto, and incorporated herein by this reference.

PASSED, APPROVED AND ADOPTED by the City of Temecula Planning Commission
this 20th day of May, 2020.

Lanae Turley-Trejo, Chairperson

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 20th day of May, 2020, by the following
vote:

AYES: PLANNING COMMISSIONERS:

NOES: PLANNING COMMISSIONERS:

ABSTAIN: PLANNING COMMISSIONERS:

ABSENT: PLANNING COMMISSIONERS:

Luke Watson
Secretary