

**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: December 2, 2020

PREPARED BY: Eric Jones, Case Planner

PROJECT SUMMARY: Planning Application Number PA20-0566, a Conditional Use Permit to allow a proposed wedding and event center to sell beer, wine, and distilled spirits with a Type 47 License and offer live entertainment and convert the use into a bona fide eating establishment at a future date and making a finding of exemption under Section 15301 of the California Environmental Quality Act. The project is located 27535 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: Steve Rawlings

General Plan Designation: Specific Plan Implementation (SPI)

Zoning Designation: Specific Plan No. 14 (Uptown Temecula)

**Existing Conditions/
Land Use:**

Site: Existing Commercial Structure/Specific Plan Implementation (SPI)

North: Existing Commercial/Specific Plan Implementation (SPI)

South: Overland Drive, Existing Commercial/Specific Plan Implementation (SPI)
 East: Existing Commercial, Jefferson Avenue/Specific Plan Implementation (SPI)
 West: Existing Commercial/Specific Plan Implementation (SPI)

	<u>Existing/Proposed</u>	<u>Min/Max Allowable or Required</u>
Lot Area:	N/A	N/A
Total Floor Area/Ratio:	N/A	N/A
Landscape Area/Coverage:	N/A	N/A
Parking Provided/Required:	N/A	N/A

AFFORDABLE HOUSING

Located in Affordable Housing Overlay Zone (AHOZ)? ☐ Yes ☒ No

AHOZ Gain/Loss: N/A

BACKGROUND SUMMARY

On May 1, 2020, Steve Rawlings, submitted Planning Application PA20-0566, a Conditional Use Permit (CUP) to allow a proposed wedding and event center located 27535 Jefferson Avenue to obtain a California Alcoholic Beverage Control Type 47 License (On-Sale General - Eating Place) and allow for live entertainment. A wedding and event center is a permitted use under the Uptown Temecula Specific Plan.

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 Conditional Use Permit will allow the applicant to obtain a Type 47 (On-Sale General – Eating Place) License. The Type 47 License will allow for the sale of beer, wine, and distilled spirits. Minors are allowed on-site with this license type. Staff has confirmed with the California Department of Alcoholic Beverage Control (ABC) that a Type 47 License is the appropriate license type for this proposed use. This is because ABC has determined that business will operate similar to a bona fide eating establishment during events. The applicant has stated that food service will be required for every event offering the consumption of alcohol.

The facility intends to be operational seven days a week from 6:00 AM to 12:00 AM. The applicant also proposes live entertainment consisting of DJs with dancing for event guests. Live

entertainment is requested from noon to midnight. All entertainment will be performed indoors on the areas shown on the attached site plan.

According to the California Department of Alcoholic Beverage Control (ABC), three On-Sale licenses are permitted within Census Tract 512 before the Tract is considered “over concentrated”. Currently, eighty-three active licenses exist within the tract. ABC will process Findings of Public Convenience or Necessity (PC or N) since the business will be classified as a bona fide eating establishment.

The applicant has expressed interest in converting the wedding/event center into a traditional restaurant (bona fide eating establishment) once COVID-19 restrictions have been officially lifted. The Type-47 License pursued for this CUP can be applied to any future restaurant establishment. This license Type has been identified by ABC as being appropriate for restaurants intending to serve beer, wine, and distilled spirits. A condition of approval has been placed on the project to ensure the use is not open to the public while it is operating as a wedding/event center.

LEGAL NOTICING REQUIREMENTS

Notice of the public hearing was published in the *SD Union Tribune* on November 19, 2020 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 for a California Alcoholic Beverage Control Type 47 License and live entertainment involves the negligible expansion of the existing use. Wedding/event centers are a permitted use at the project site. Type 47 Licenses and live entertainment are also permitted uses upon the approval of a Conditional Use Permit. In addition, the live entertainment and alcohol service will only occur indoors and during limited hours. Finally, there will not be any physical changes to the structure or site as part of this application. As such, this project represents no expansion of the structure, site, or allowable uses.

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 proposed conditional use is consistent with the City of Temecula General Plan, which specifies Specific Plan Implementation (SPI) for this site, and conditionally allows establishments to operate with a Type 47 (On-Sale General – Eating Place) and live entertainment. In addition, the project is in conformance with the Uptown Temecula Specific Plan because this document allows the proposed use upon approval of a Conditional Use Permit. The project will continue to be consistent with the General Plan, Development Code, and Uptown Specific Plan if the use is

converted to a restaurant in the future because restaurants are permitted uses. The Conditional Use Permit for a Type-47 License with live entertainment can be applied to any future restaurant use at the project location.

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 Permit for a Type 47 (On-Sale General – Eating Place) and live entertainment is compatible with the nature, condition and development of adjacent uses, buildings and structures because the surrounding area includes similar uses where people congregate such as a hookah lounge and bowling alley. The proposed conditional use will not adversely affect the adjacent uses, buildings or structures even if it is converted to a restaurant. This is because the proposed use will be conducted within a building designed for such uses and because restaurants serving alcohol and offering live entertainment are permitted upon the approval of a Conditional Use Permit. With regard to live entertainment, the entertainment will only be conducted indoors.

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 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 Uptown Temecula Specific Plan and Development Code and required by the Planning Commission in order to integrate the use with other uses in the neighborhood. This will continue to hold true if the use is converted to a restaurant in the future. In addition, the live entertainment and alcohol service will only occur indoors.

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 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. This will continue to hold true if the use is converted to a restaurant in the future.

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/Menu
 6. Notice of Public Hearing
 7. Draft Notice of Exemption for County Clerk