

**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: January 20, 2021

PREPARED BY: Eric Jones, Case Planner

**PROJECT
SUMMARY:**

Planning Application Number PA16-0966, a Conditional Use Permit for Hilton Garden Inn to obtain a Type 70 ABC License (On Sale General – Restrictive). The site is located approximately 900 feet north of Rancho California Road on Jefferson Avenue.

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

CEQA: Categorically Exempt
Section 15301, Class 1, Existing Facilities
Section 15061(b)(3)

PROJECT DATA SUMMARY

Name of Applicant: Anthony Yang on Behalf of Hilton Garden Inn

**General Plan
Designation:** Specific Plan Implementation (SPI)

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

**Existing Conditions/
Land Use:**

Site: Hotel Under Construction/Specific Plan Implementation (SPI)

North: Existing Commercial Center / Specific Plan Implementation (SPI)

South: Vacant Lot / Specific Plan Implementation (SPI)

East: Existing Hotel / Specific Plan Implementation (SPI)

West: Jefferson Avenue, Existing Commercial / Specific Plan Implementation.

	<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 July 5, 2016, Anthony Yang, on behalf of Hilton Garden Inn, submitted Planning Application PA16-0966, a Conditional Use Permit (CUP) to allow for a California Alcoholic Beverage Control Type 70 (On-Sale General – Restrictive Service) license for the Hilton Garden Inn. The hotel is currently under construction.

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 Hilton Garden Inn is a 104 room hotel currently under construction along Jefferson Avenue in the Uptown Specific Plan. The applicant is pursuing a California Alcoholic Beverage Control Type 70 (On-Sale General – Restrictive) license to allow alcohol to be served to hotel guests. This license permits the sale of beer, wine, and distilled spirits and is typically issued to “suite-type” hotels and motels. Live entertainment is not proposed as part of this application.

The applicant intends to offer alcohol at the hotel’s restaurant and bar. Hours of operations for the restaurant and bar are 11:00 A.M. until midnight. Alcohol can also be purchased by guests as part of room service for consumption in their room during normal restaurant and bar operating hours.

Staff has contacted the California Department of Alcoholic Beverage Control (ABC) to determine if the City is required to process Public Convenience and Necessity Findings for the project. ABC informed staff that their agency will process these findings for the project.

LEGAL NOTICING REQUIREMENTS

Notice of the public hearing was published in the *SD Union Tribune* on January 7, 2021 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 pursuant to Section 15301, Class 1, Existing Facilities and Section 15061(b)(3).

The Conditional Use Permit for a Type 70 (On-Sale General - Restrictive) license involves a negligible expansion of a previously approved use (Hotel). These license types are common at hotels and motels. There will not be any physical changes made to the structure or site as part of this project. In addition, live entertainment is not proposed as part of this application. Therefore, the proposed project is exempt from further environmental review pursuant to CEQA Guidelines Section 15301.

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 hotel patrons may have a significant effect on the environment. As noted above, the hotel use is not expanded or being altered in any way. Instead, the service of alcohol would be an incidental use to the hotel's operations.

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 70 (On-Sale General - Restrictive) license. In addition, the project is in conformance with the Uptown Temecula Specific Plan. This Specific Plan allows the proposed use upon approval of a Conditional Use Permit. The sale of beer, wine, and distilled spirits would serve as an incidental use to the hotel'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.

As conditioned, the proposed conditional use for a Type 70 (On-Sale General – Restrictive) 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 also serve alcohol. The proposed conditional use will not adversely affect the adjacent uses, buildings or structures as the alcohol will only be served on-site to hotel patrons.

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 is being constructed in conformance with the Building Code, Development 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 Uptown Temecula Specific Plan and required by the Planning Commission in order to integrate the use with other uses in the neighborhood. The proposed conditional use to allow the service of alcohol will not physically alter the site.

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 Building Code, Development Code, and Fire 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.

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. Notice of Public Hearing
 7. Draft Notice of Exemption for County Clerk