

PC RESOLUTION NO. 2021-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TEMECULA APPROVING PLANNING APPLICATION NO. PA21-0823, A CONDITIONAL USE PERMIT TO ALLOW FOR A CALIFORNIA ALCOHOLIC BEVERAGE CONTROL (ABC) TYPE 47 (ON-SALE GENERAL – EATING PLACE) LICENSE LOCATED AT 29363 RANCHO CALIFORNIA ROAD AND MAKING A FINDING OF EXEMPTION UNDER SECTION 15332 OF 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 June 14, 2021, Nina Raey filed Planning Application No. PA21-0823, 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 November 17, 2021, 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. PA21-0823 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 Permit, Development Code Section 17.04.010.E

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

LongHorn Steakhouse will operate as a full-service restaurant with the primary purpose of offering a full menu of food within a restaurant building. The proposed conditional use is consistent with the City of Temecula General Plan for this site, and conditionally allows for restaurants to operate with a Type 47 On-Sale General license for Bona Fide Public Eating Place (Restaurant). The sale of distilled spirits 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.

LongHorn Steakhouse will operate as a restaurant within the Rancho Highlands Specific Plan area. As conditioned, the proposed conditional use for a Type 47 On-Sale General license for Bona Fide Public Eating Place (Restaurant) is compatible with the nature, condition and development of adjacent uses, buildings and structures because the surrounding area includes similar uses such as restaurant, commercial, and high density residential uses. 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 and the nearest residential use is located over 400' from the proposed building.

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 application will allow for a Type 47 On-Sale General license for a Bona Fide Public Eating Place at a restaurant. The site is consistent with the requirements of the Rancho Highlands Specific Plan, and is adequate to accommodate the proposed use as prescribed in the Specific Plan and as 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 Rancho Highlands 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 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 15332, Class 32, In-Fill Development Projects)

(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

The project is consistent with the applicable General Plan designation because a restaurant use is an allowable use within Planning Area 2 of the Rancho Highlands Specific Plan. The project also meets all applicable General Plan and Zoning policies and regulations.

(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

The project is located within City limits and is located on a site that is 1.51 acres in size. The proposed project is substantially surrounded by commercial buildings, residential development, and major roadways.

(c) The project site has no value as habitat for endangered, rare or threatened species.

The project site is not located within a Multi Species Habitation Conservation Strategy (MSHCP) criteria cell and therefore is not required by the Regional Conservation Authority and State and Federal agencies to take place in the Joint Project Review process. Therefore, the project site has no value as habitat for endangered, rare or threatened species.

(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

The proposed project was required to prepare a Project-Specific Water Quality Management Plan (WQMP) that was reviewed and conceptually accepted for entitlement by City Staff as the WQMP meets the requirements of the City of Temecula. A traffic analysis was not required as part of this project as the proposed use is allowed within the zoning district, and there is nothing unique about this project that would trigger the need for a traffic analysis. Furthermore, the previous building located on this project site was a restaurant that was larger in size than what is proposed. Therefore, the project is not anticipated to result in any significant effects relating to traffic, noise, air quality, or water quality as the project is an allowed use per the City of Temecula General Plan, and the zoning district.

(e) The site can be adequately served by all required utilities and public services.

The project site is surrounded by development and is able to be serviced by all required utilities and public services.

Section 4. Conditions. The Planning Commission of the City of Temecula approves Planning Application No. PA21-0823, a Conditional Use Permit to allow for a California Alcoholic Beverage Control (ABC) Type 47 (On-Sale General – Eating Place) and making a finding of exemption under Section 15332 of 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 17th day of November, 2021.

Gary Watts, 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. 2021- was duly and regularly adopted by the Planning Commission of the City of Temecula at a regular meeting thereof held on the 17th day of November 2021, by the following vote:

AYES: PLANNING COMMISSIONERS:

NOES: PLANNING COMMISSIONERS:

ABSTAIN: PLANNING COMMISSIONERS:

ABSENT: PLANNING COMMISSIONERS:

Luke Watson
Secretary