

CONDITIONAL USE PERMIT APPLICATION FINDINGS

A Conditional Use Permit shall only be granted if the Review Authority determines that the project as submitted or as modified conforms to all of the following criteria. If the decision-maker determines that it is not possible to make all of the required findings, the application shall be denied.

Findings per Fresno Municipal Code Section 15-5306	
<i>A. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Code and all other chapters of the Municipal Code.</i>	
Finding A:	While the proposed use is permitted in the CMX (<i>Corridor/Center Mixed Use</i>) zone district it does not comply with all applicable provisions of the Code; specifically FMC Section 15-2706-E (Location restrictions for New Establishments). The proposed project is located within documented high crime area. Therefore, staff cannot make the required finding A.
<i>B. The proposed use is consistent with the General Plan and any other applicable plan and design guideline the City has adopted.</i>	
Finding B:	The proposed project is in compliance with the Fresno General Plan and the Bullard Community Plan. The proposed use is compatible with the surrounding uses and increases economic development by enhancing the existing commercial area by serving the surrounding neighborhood and regional visitors.
<i>C. The proposed use will not be substantially adverse to the public health, safety, or general welfare of the community, nor be detrimental to surrounding properties or improvements.</i>	
Finding C:	Because the alcohol use is not in compliance with the location restrictions mentioned above and in the staff report, the proposed project is considered to be substantially adverse to the public health, safety, or general welfare of the community, and detrimental to the surrounding properties and improvements. Therefore, staff cannot make the required finding C.
<i>D. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and reasonably foreseeable future land uses in the vicinity.</i>	

Finding D:	The proposed project is surrounded by urban uses, including commercial and residential uses at this developed intersection. The use is compatible with the planned land use for the location and surrounding area, indicating that it will remain compatible for the foreseeable future.
<i>E. The site is physically suitable for the type, density, and intensity of use being proposed, including access, emergency access, utilities, and services required.</i>	
Finding E:	The existing convenience store and proposed off-sale alcohol is consistent with the allowable land use and intensity requirements per the underlying zone district. Adequate access, parking, utilities and services have been provided to serve the property and were reviewed for consistency with the requirements of the CMX (<i>Corridor/Center Mixed Use</i>) planned land use and zone district.