

EXHIBIT E

FMC Findings

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CITY OF FRESNO
DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT
CONDITIONAL USE PERMIT APPLICATION NO. C-16-033

Conditional Use Permit Application No. C-16-033 is subject to the following findings:

Findings per Fresno Municipal Code Section 15-5306	
<p>a. <i>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; and,</i></p>	
<p>Finding a:</p>	<p>In accordance with Table 15-1202 (Land Use Regulation – Commercial Districts) of the FMC, the proposed Johnny Quik convenience store/automobile service station with alcohol sales is a permitted use in the CG (<i>Commercial-General</i>) zone district subject to approval of a Conditional Use Permit. Conditional Use Permit Application No. C-16-033 will comply with the CG zone district and with all applicable codes, given that the special conditions of project approval issued for the project will be complied with prior to the construction of the structures and development of the site.</p>
<p>b. <i>The proposed use is consistent with the General Plan and any other applicable plan and design guideline the City has adopted; and,</i></p>	
<p>Finding b:</p>	<p>The proposed project is consistent with the General Commercial planned land use designation for the project site and is therefore in compliance with the Fresno General Plan. The project is within the Tower District Specific Plan; however, the Development Director has allowed for the site layout to differ from the Tower District Design Guidelines. Under the Tower District Design Guidelines, the proposed structure would be located closer to Belmont and the parking lot and fuel stations located to the rear, however, for safety and design, the proposed site layout is acceptable. In general, 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.</p>
<p>c. <i>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; and,</i></p>	
<p>Finding c:</p>	<p>The proposed Johnny Quik convenience store/automobile service station with alcohol sales will not be substantially adverse to the public health, safety, or general welfare of the community, nor have a negative impact on either the subject site or neighboring properties given the amended conditions of approval. Approval of the special permits would be in accordance with applicable provisions of the FMC, including the determination that all findings have been made relative to the issuance of a conditional use permit for the proposed project.</p>
<p>d. <i>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; and,</i></p>	
<p>Finding d:</p>	<p>The proposed convenience store which includes the sale of grocery and household goods will provide an amenity for those residents living in the existing Medium density residential neighborhoods south and west of the subject property. Therefore, 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.</p>

e. The site is physically suitable for the type, density, and intensity of use being proposed, including access, emergency access, utilities, and services required.

Finding e:	The proposed Johnny Quik convenience store/automobile service station with alcohol sales is consistent with the allowable land use and intensity requirements per the underlying zone district. Adequate access, parking, utilities and services shall be provided to serve the property and were reviewed for consistency with the requirements of the CG (Commercial-General) zone district.
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