

**FRESNO CITY PLANNING COMMISSION
RESOLUTION NO. 13474**

The Fresno City Planning Commission, at its regular meeting on July 19, 2017, adopted the following resolution relating to Conditional Use Permit Application No. C-17-013.

WHEREAS, Conditional Use Permit Application No. C-17-013 has been filed with the City of Fresno by Julio Tinajero of Milestone Associates, on behalf of Surina Mann of Figarden Petroleum, and pertains to ±2.41 acres of property; and,

WHEREAS, the subject property is located on the southwest corner of North Figarden Drive and West Bullard Avenue; and,

WHEREAS, Conditional Use Permit Application No. C-17-013 requests authorization to develop a commercial center consisting of a 3,764 square-foot convenience store and requests the establishment of a State of California Alcoholic Beverage Control Type 20 alcohol license (Package Store – sale of beer and wine for consumption off the premises where sold) for the ampm convenience store, an ARCO fuel facility consisting of 8 multi-product fuel dispensers under an overhead canopy, a 4,000 square-foot retail building, and a 3,462 square-foot quick serve restaurant with a drive-through service window; and,

WHEREAS, Planning Staff recommended approval of all of the above, except the Type 20 license.

WHEREAS, Fresno City Planning Commission conducted a public hearing on July 19, 2017 to review the proposed Conditional Use Permit, consider the associated Environmental Assessment No. C-17-013, receive public testimony and consider staff's recommendation; and,

WHEREAS, the Fresno City Planning Commission has reviewed the environmental assessment prepared for this Conditional Use Permit, Environmental Assessment No. C-17-013, dated June 12, 2017; and,

WHEREAS, the Development and Resource Management Department staff prepared a report and recommended the Planning Commission approve Conditional Use Permit Application No. C-17-013 with the exception of the alcohol component, subject to compliance with the Conditions of Approval, dated July 19 2017; and,

WHEREAS, one individual from the public spoke in support of the project and three individuals from the public spoke in opposition of the proposed project.

NOW, THEREFORE, BE IT RESOLVED, that the Fresno City Planning Commission finds and determines that, in accordance with its own independent judgment, that there is no substantial evidence in the record to indicate that Conditional Use Permit Application No. C-17-013 may have a significant effect on the environment with the implementation of the general plan mitigation measures as identified by the Negative Declaration which was prepared for Environmental Assessment No. C-17-013 dated June 12, 2017.

BE IT FURTHER RESOLVED that the Fresno City Planning Commission finds that approval of Conditional Use Permit Application No. C-17-013 is consistent with the Fresno General Plan and

the Bullard Community Plan.

BE IT FURTHER RESOLVED that, after receiving the staff report and testimony, the Fresno City Planning Commission has determined that the findings necessary to grant this development permit, have been met, in accordance with Section 15-5306 of the Fresno Municipal Code and as noted in the accompanying report to the Planning Commission dated July 19, 2017; and hereby approves Conditional Use Permit Application No. C-17-013, including the alcohol component, subject to the Development and Resource Management Department Conditions of Approval dated July 19, 2017 with the added condition that alcohol sales cease at midnight.

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The foregoing Resolution was adopted by the Fresno City Planning Commission, upon a motion by Commissioner Garcia, seconded by Commissioner Bray.

VOTING: Ayes - Garcia, Bray, Vasquez,
 Noes - Torossian
 Not Voting - None
 Absent - None

DATED: July 19, 2017



Jennifer Clark, Secretary
Fresno City Planning Commission

Resolution No. 13474
Conditional Use Permit Application No. C-17-013
Filed by Julio Tinajero of Milestone Associates, on
behalf of Surina Mann of Figarden Petroleum
Action: Approve