

CONDITIONAL USE PERMIT APPLICATION REVIEW FINDINGS

Findings per Fresno Municipal Code Section 15-5306	
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>	
Finding a:	The proposed use of a restaurant with alcohol sales is a permitted use in the O zone district, this request is to upgrade the alcohol license, subject to approval of a Conditional Use Permit, in accordance with Table 15-1302 (Use Regulations – Commercial Districts). The development standards applicable to the proposed use, including special use regulations for Restaurants with Alcohol Sales (Section 15-2751) and Outdoor Dining and Patio Areas have been incorporated into the Conditions of Approval, dated February 28, 2017.
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>	
Finding b:	The restaurant with alcohol sales is an existing use. The upgrade of alcohol license is a conditionally permitted use and the proposed project is consistent with the applicable policies of the Fresno General Plan and the Bullard Community Plan as well as with the office planned land use designation.
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>	
Finding c:	Compliance with the Conditions of Approval, dated February 28, 2017, including those conditions imposed by the Fresno Police Department for security and calls for service standards as well as compliance with the required Alcohol Beverage Control permit, will ensure that the upgrade of alcohol license to the established restaurant will not be detrimental to the public health, safety, or general welfare of the community, and will not be detrimental to surrounding properties or improvements.
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>	
Finding d:	The existing restaurant, including the proposed upgrade of alcohol license, is compatible with the surrounding land uses. Further, restaurants with alcohol sales is an allowed use, subject to a Conditional Use Permit, in the O zone district and is consistent with the office planned land use designation.
e. <i>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 site was previously developed and was established as a restaurant use in 2015 in accordance with the applicable development standards and is physically suitable for the type and intensity of the existing use as well as the proposed upgrade of the alcohol license. Access, emergency access, utilities, and services have been installed and maintained and continue to serve the site at adequate capacities.