

**City of Fresno
Planning & Development Department**

**Conditions of Approval
July 22, 2019**

Conditional Use Permit Application No. P18-02804

Supervising Planner: Ralph Kachadourian, 559-621-8172

PROJECT DESCRIPTION

Conditional Use Permit Application No. P18-02804 was filed by James Clark, Operations Director and C.O.O with Quesadilla Gorilla, and pertains to an existing restaurant at 608 East Weldon Avenue, between North Wishon and North Echo Avenues, in the historic Fresno High neighborhood within the Tower District. The applicant requests authorization to establish a State of California Alcoholic Beverage Control Type 41 alcohol license (Restaurant - beer and wine for consumption on or off the premises where sold) for the existing restaurant.

APN: 444-221-01 / ADDRESS: 608 E WELDON AVE. / ZONING: CMS(COMMERCIAL MAIN STREET)

PART A - ITEMS TO BE COMPLETED

The following items are required prior to commencement of the use activity:

Planner to check when completed

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| <input type="checkbox"/> | Approval shall be in accordance with the Operational Statement, Restaurant Operations Narrative, Police Department Conditions of Approval dated March 26, 2019, and the restaurant floor plan diagram (Exhibit F), dated March 19, 2019. |
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PART B - OTHER AGENCY COMMENTS AND CONDITIONS

To be checked when completed where applicable

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| <input type="checkbox"/> | <p>1. Fire Department Review:</p> <ul style="list-style-type: none">• All back checks will be performed between the hours of 1:30 p.m. and 3:00 p.m. Monday – Friday, at Fresno Fire Department located at 911 H Street. No appointment is necessary. Applicants must be at the front counter and sign the log before 3pm or will be required to come back another day.• If there are questions regarding FFD Development Policies, you may access them at: https://www.fresno.gov/fire/fire-prevention-investigation/development-policies. <p>Fire Department back check items require a wet signature from Fire Department staff. Back check items signed by any person other than sworn Fire Department staff are invalid. All revisions to plans shall be called out with a cloud or delta. Show on plans the following:</p> <ul style="list-style-type: none">• Provide minimum 2A:10B:C portable fire extinguisher(s) (per NFPA 10).• One extinguisher is required for each 3,000 square feet or portion thereof of floor space, with travel distance not to exceed 75 feet.• Location(s) of portable fire extinguisher(s) on plan. (2016 CFC, Section 906.3)• Provide square footage for the suite and show exiting.• Provide maximum occupant load, and insure that seating does not exceed this occupancy.• At least one minimum Class 10B:C fire extinguisher shall be provided in kitchen, dining areas, and at locations where flammable or combustible liquids or flammable gases are used, stored, or dispensed. (2016 CFC, Section 3104.12) |
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<input type="checkbox"/>	2. Fresno County Environmental Health: <i>Recommended Conditions of Approval:</i> <ul style="list-style-type: none"> <i>Prior to issuance of building permits, the applicants will be required to submit complete food facility plans and specifications to the Fresno County Department of Public Health, Environmental Health Division, for review and approval. Contact the Consumer Food Protection Program at (559) 600-3357 for more information.</i> <i>Prior to alcohol sales, the applicant shall first obtain their license to sell alcoholic beverages. Contact the California Alcoholic Beverage Control Department at (559) 225-6334 for more information.</i>
<input type="checkbox"/>	3. Police Department Review: <i>See Restaurant ABCUP Conditions of Approval Letter dated March 26, 2019. Comply with all conditions especially the following condition:</i> <ul style="list-style-type: none"> <i><u>The restaurant shall not serve alcoholic beverages until after 4:30 P.M. on days where school is in regular session. Managers will keep the alcohol secured/locked until this time.</u></i>
<input type="checkbox"/>	4. School District: <i>Fresno Unified School District: See response letter dated March 21, 2019.</i>

PART C - PLANNING DEVELOPMENT CODE STANDARDS

1. Special Use Requirements Compliance: This special permit approval is subject to compliance with all applicable provisions of FMC Section 15-2751 of the Citywide Development Code.

Operational Requirements

- Obtain a Type 41 alcohol sales license from the State of California Department of Alcohol Beverage Control (ABC).
- Alcoholic beverages under this approval shall not be served or sold after 10:00 P.M.
- Noise decibel levels shall be monitored by the establishment to ensure compliance with all applicable Noise Standards. Doors and windows shall remain closed, after 10 p.m. to minimize noise, except as needed to allow for the normal entry and exit of patrons to and from the establishment. Emergency access shall be maintained per City standards.
- The owner and/or operator of the establishment is responsible to provide supervision (i.e. security) to prevent loitering in the immediate vicinity of the restaurant.
- The owner and/or operator of the establishment shall make every effort to ensure that customer vehicles do not park or block the driveways to the homes of the nearby and/or adjacent residents..
- The owner and/or operator of the establishment shall ensure that the adjacent area is kept free of clear of trash and debris on a daily basis.