
Conditional Use Permit No. P19-02593

Findings per Fresno Municipal Code Chapter 15, Article 53, Section 15-5306

A Conditional Use Permit shall only be granted if the decision-maker 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.

Finding 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;</i>
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The proposed use is identified within the Community Commercial zone district as Bars/Nightclubs/Lounges is a use classification that is permitted after review and approval of a Conditional Use Permit, and a use classification that is subject to additional development code standards for specific uses and activities for Bars/Nightclubs/Lounges, including alcohol sales to ensure that the use can be operated in a manner that will not interfere with the use and enjoyment of the surrounding uses and properties in the neighborhood or to adversely affect the City's ability to provide public safety services.

Finding b:	<i>The proposed use is consistent with the General Plan and any other applicable plan and design guideline the City has adopted;</i>
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The proposed use as a bar/nightclub/lounge is consistent with the General Plan land use designation of Community Commercial.

Finding c:	<i>The proposed use will be substantially adverse to the public health, safety, or general welfare of the community, and will be detrimental to surrounding properties or improvements in that;</i>
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Public safety concerns were addressed by the Fresno Police Department regarding the proposed use and the issuance of an alcohol license by citing a large number of service calls by the previous bar/nightclub involving violent patrons, fights, and disturbances; a shooting that resulted in a homicide (FPO Case # 14-21254), a stabbing (FPO Case #39502); and concerns raised by the surrounding neighborhood regarding nuisance activities from the prior use such as; loitering, litter, loud music from vehicles/patrons, vandalism, open containers of alcohol and drunkenness. These public safety concerns and other nuisance related activities may not be adequately addressed and therefore, the proposed use may continue to be a detriment to the surrounding community.

Finding 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>
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The location and operating characteristics of a bar/nightclub and the public safety concerns made and identified by the Fresno Police Department will make this use incompatible with the surrounding vicinity and land uses.

Finding 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>
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The type and intensity of the use proposed is not suitable for the site based on the public safety concerns identified by the Fresno Police Department.