

## FINDINGS

*a. 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,*

Per Section 15-1202 of the FMC, the use of restaurants with alcohol sales and bars are permitted by Conditional Use Permit, and the specific provisions for Restaurants with Alcohol Sales, Bars, Nightclubs and Lounges under Section 15-2751 and specific provisions for Outdoor Seating under Section 15-2744.

Section 15-1202 provides that restaurants with alcohol sales are permitted in the CC/EA/UGM/cz District by Conditional Use Permit.

*b. The proposed use is consistent with the General Plan and any other applicable plan and design guideline the City has adopted; and,*

The proposed use is consistent with the General Plan and the Woodward Park Community Plan as neither plans have any policies that would restrict the proposed conditionally permitted use.

*c. 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,*

The surrounding properties within River View are designated and zoned as Community Commercial, and the proposed use, with the condition that the bar cease operation at 12:00 a.m., will not be adverse to public health, safety or general welfare, as several other establishments with alcohol sales are located in the center and the proposed use will operate in accordance with the conditions of approval and the applicable Fresno Municipal Code provisions.

*d. 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,*

The proposed activity, with alcohol service and sales to end at 12:00 a.m. to address safety concerns that include excessive police calls, is compatible with the existing uses within River View and those future uses that may be established within the retail/commercial center and will be consistent with the planned land use designation.

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

The site is physically suitable for the type, density, and intensity of the use being proposed, as the site property and the surrounding properties within River View have adequate access, emergency access, utilities and services currently in place to serve the existing multi-tenant shopping center.

