

PROJECT INFORMATION TABLES

PROJECT SUMMARY

PROJECT	See Executive Summary in Staff Report for Conditional Use Permit Application No. P20-00808.	
APPLICANT	Davinder Singh, of Tower Beer & Wine mini mart	
LOCATION	441 West Olive Avenue, Suite 105 & 106; Located on the southeast corner of West Olive and North Fruit Avenues in Fresno (APNs: 450-183-23) (Council District 3, Council Member Arias)	
SITE SIZE	±0.33 Acres	
PLANNED LAND USE	Existing-	Main Street Commercial (Convenience store w/ Type 20 alcohol license)
	Proposed-	No Change (Convenience store w/ Type 21 alcohol license)
ZONING	CMS (<i>Commercial - Main Street</i>)	
HOUSING ELEMENT SITE	The subject property is not located on a site listed in the Housing Element Sites Inventory (2013-2023 RHNA).	
PLAN DESIGNATION AND CONSISTENCY	Conditional Use Permit Application No. P20-00808 is proposed in accordance with the Main Street Commercial planned land use designation identified in the Tower District Specific Plan, Fresno High – Roeding Community Plan and Fresno General Plan. The Main Street Commercial planned land use designation is consistent with the subject property's underlying CMS (<i>Commercial - Main Street</i>).	

ENVIRONMENTAL FINDING	<p>No environmental findings are necessary to adopt a staff recommendation for denial for the project. However, should the Planning Commission make the required findings in accordance with FMC Section 15-5306 and grant approval of the request to upgrade a Type 21 ABC license then adoption of a Section 15301/Class 1 Categorical Exemption, pursuant to the State of California Environmental Quality Act (CEQA) Guidelines, is considered appropriate in accordance with the following.</p> <p>Therefore, if the Planning Commission resolves to approve the proposed project, a determination of a Categorical Exemption under Section 15301/Class 31 of the CEQA Guidelines may be considered appropriate for the proposed project; and, the attached Categorical Exemption which was prepared for Environmental Assessment No. P20-00808 and dated August 5, 2020 (Exhibit O) may be adopted.</p>
PLAN COMMITTEE RECOMMENDATION	The Council District 3 Project Review Committee reviewed this project on April 28, 2020 and unanimously voted (6-0-0) to deny it with no additional comments and/or recommendations.
STAFF RECOMMENDATION	<p>DENY the applicant's appeal and UPHOLD the action of the Planning and Development Department Director to deny Conditional Use Permit Application No. P20-00808 requesting to upgrade the Tower Beer & Wine Type 20 Off-Sale Beer & Wine alcohol sales license to a Type 21 Off-Sale General License to include distilled spirits.</p> <p>If the Planning Commission decides to grant approval of the proposed project, the Commission must find that there is substantial evidence in the administrative record that the project can be excepted from the location restrictions pursuant to FMC Section 15-2706-E and make the required findings of FMC Section 15-5306. Should the Planning Commission make the required findings, approval of the conditional use permit application shall be subject to the applicant's compliance with the Draft Conditions of Approval dated August 5, 2020.</p>

BORDERING PROPERTY INFORMATION

	Planned Land Use	Existing Zoning	Existing Land Use
North	Main Street Commercial	CMS (<i>Commercial - Main Street</i>)	Tobacco Shop & Restaurant w/ Alcohol
South	Medium Density Residential	RS-5 (<i>Single Family Residential, Medium Density</i>)	Single Family Residential Neighborhood

East	Main Street Commercial	CMS (<i>Commercial - Main Street</i>)	Vacant Commercial Building & Single Family Residential Home
West	Main Street Commercial	CMS (<i>Commercial - Main Street</i>)	Water Well Pump Station