

Exhibit O  
PowerPoint Presentation

# CONSIDERATION OF CONDITIONAL USE PERMIT APPLICATION NO. P20-00545

- REQUESTS AUTHORIZATION TO:
  - Construct a 3,131 sq. ft. 7-Eleven convenience store and service station at the northwest corner of Tulare and Cedar Avenues, which will include four fueling dispensers, a fuel island canopy, a trash enclosure, and six parking spaces.
  - A request for a CUP to authorize an Alcoholic Beverage Control (ABC) License is not included in the current application.
- Neighborhood Mixed Use (NMX) Districts allow Service Stations subject to a Conditional Use Permit.



# COMMUNITY CONCERNS

- Opposition to another service station being constructed in the neighborhood in relation to the existing number of service stations nearby
- Proximity to the high school
- Crime that could potentially occur
- Traffic danger from fueling trucks
- The sale of tobacco products
- The lack of fresh food provided by the store
- The desire for a park to be constructed on the site instead

# FINDINGS PER FMC SEC 15-5306

- *Conditional Use Permit shall only be granted if the Review Authority 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.*
- The proposed service station and convenience store is permitted in the NMX (Neighborhood Mixed Use) zone district by Conditional Use Permit and is conditioned to comply with all applicable provisions of the Code.
- **See Exhibit H for detailed findings for approval**

# STAFF RECOMMENDATION

- Based upon the evaluation contained in this report, staff recommends that the City Council take the following actions:
- **ADOPT** Environmental Assessment No. P20-00545 dated July 23, 2020, a determination that the proposed project is exempt from the California Environmental Quality Act (CEQA) through a CEQA Guidelines 15332/Class 32 Categorical Exemption (In-fill development).
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- **ADOPT** the finding pursuant to Government Code Section 65863(b)(2) that there is substantial evidence in the record that remaining sites identified in the Housing Element can accommodate the City of Fresno's share of the Regional Housing Needs Assessment (RHNA).
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- **DENY** the appeal and **UPHOLD** the Planning Commission's and Planning and Development Director's actions on approval of Conditional Use Permit Application No. P20-00545 which requested authorization to develop a 3,131-square-foot 7-11 convenience store and service station, subject to compliance with the Conditions of Approval dated July 23, 2020.