



Legislation Details

**File #:** ID19-11058    **Version:** 1    **Name:**

**Type:** Action Item    **Status:** Agenda Ready

**File created:** 7/22/2019    **In control:** Planning Commission

**On agenda:** 8/7/2019    **Final action:**

**Title:** Consider the appeal of Conditional Use Permit Application Nos. P18-02233 and P19-00458, located at the northeast corner of South Orange and East North Avenues. (Council District 3) - Planning and Development Department.

Based upon the evaluation contained in this report, staff recommends that the Planning Commission take the following actions:

1. ADOPT Mitigated Negative Declaration prepared for Environmental Assessment No. P18-02233 dated May 22, 2019.
2. APPROVE Conditional Use Permit Application No. P18-02233 to authorize the construction, in two phases:
  - Phase 1
    - 1) Development of a 3,062-square foot convenience retail and service station with 12 fueling positions.
    - 2) Development of a 2,227-square foot restaurant without alcohol sales, with a drive-through facility.
  - Phase 2
    - 1) Development of a 5,000 square-foot retail building with one drive-through facility.
    - 2) Development of a 3,000 square foot fast food building with one drive-through facility.
3. DENY the appeal and UPHOLD the Director's Approval of Conditional Use Permit Application No. P19-00458 to authorize a 3,062 square foot service station to establish a State of California Alcohol and Beverage Control Type 21 alcohol license, subject to compliance with the Conditions of Approval dated August 7, 2019.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit A Vicinity Map, 2. Exhibit B Planned Land Use and Zoning Map, 3. Exhibit C Noticing Map, 4. Exhibit D - Project Information Tables, 5. Exhibit E Operational Statement, 6. Exhibit F Site Plan, 7. Exhibit G Floor Plan, 8. Exhibit H Elevations, 9. Exhibit I Conditions of Approval dated August 7, 2019, 10. Exhibit J Fresno Municipal Code Findings, 11. Exhibit K Environmental Assessment, 12. Exhibit L Appeal Letter dated June 13, 2019

Date	Ver.	Action By	Action	Result
8/7/2019	1	Planning Commission	continued	Pass