



Legislation Details (With Text)

File #:	ID16-1240	Version:	1	Name:	
Type:	Action Item	Status:		Agenda Ready	
File created:	10/14/2016	In control:		Planning Commission	
On agenda:	10/19/2016	Final action:			
Title:	<p>Consideration of Conditional Use Permit Application No. C-15-182, located at the northeast corner of North Peach and East Olive Avenues. Based on the evaluation contained in this report, and appeals received regarding the Circle K project, staff recommends that the Planning Commission take the following action:</p> <ol style="list-style-type: none">1. UPHOLD the appeal and DENY Conditional Use Permit Application No. C-15-182 based on the following:<ol style="list-style-type: none">a. Based on substantial evidence detailed in this staff report, staff has determined that Finding c contained in Section 12-405-A-2, of the Fresno Municipal Code, cannot be made, therefore the Conditional Use Permit cannot be approved. <p>If the Planning Commission decides to grant approval of the proposed project, staff recommends that the Planning Commission take the following actions:</p> <ol style="list-style-type: none">1. APPROVE the environmental finding of a Class 32 Categorical Exemption from the requirements of the California Environmental Quality Act (CEQA) dated March 10, 2016.2. DENY the appeal and UPHOLD the action of the Development and Resource Management Department Director approving Conditional Use Permit Application No. C-15-182, authorizing the construction of a 4,968 sq. ft. convenience store (Circle K) to include the sales of beer/wine and distilled spirits (Type 21 ABC License), gas station with 10 dispensers which can serve 20 vehicles at one time and a 1,262 sq. ft. automatic carwash, subject to the Conditions of Approval dated March 10, 2016. <ul style="list-style-type: none">- Roosevelt Community Plan- Council District 4 (Councilmember Caprioglio)- Staff Recommendation: Uphold appeal, deny application- Staff Member: Israel Trejo- May be considered by the City Council on appeal				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	1. Item VIII.A.pdf				

Date	Ver.	Action By	Action	Result
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Subject

Consideration of Conditional Use Permit Application No. C-15-182, located at the northeast corner of North Peach and East Olive Avenues. Based on the evaluation contained in this report, and appeals received regarding the Circle K project, staff recommends that the Planning Commission take the following action:

1. **UPHOLD** the appeal and **DENY** Conditional Use Permit Application No. C-15-182 based on the following:

- a. Based on substantial evidence detailed in this staff report, staff has determined that Finding c contained in Section 12-405-A-2, of the Fresno Municipal Code, cannot be made, therefore the Conditional Use Permit cannot be approved.

If the Planning Commission decides to grant approval of the proposed project, staff recommends that the Planning Commission take the following actions:

1. **APPROVE** the environmental finding of a Class 32 Categorical Exemption from the requirements of the California Environmental Quality Act (CEQA) dated March 10, 2016.
2. **DENY** the appeal and **UPHOLD** the action of the Development and Resource Management Department Director approving Conditional Use Permit Application No. C-15-182, authorizing the construction of a 4,968 sq. ft. convenience store (Circle K) to include the sales of beer/wine and distilled spirits (Type 21 ABC License), gas station with 10 dispensers which can serve 20 vehicles at one time and a 1,262 sq. ft. automatic carwash, subject to the Conditions of Approval dated March 10, 2016.

- Roosevelt Community Plan
- Council District 4 (Councilmember Caprioglio)
- Staff Recommendation: Uphold appeal, deny application
- Staff Member: Israel Trejo
- May be considered by the City Council on appeal