



## Legislation Details

<b>File #:</b>	ID 23-386	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Action Item	<b>Status:</b>		Agenda Ready	
<b>File created:</b>	2/28/2023	<b>In control:</b>		Pending Approval	
<b>On agenda:</b>	3/15/2023	<b>Final action:</b>		3/15/2023	
<b>Title:</b>	Consideration of an appeal filed regarding Conditional Use Permit Application No. P22-02534 and related Environmental Assessment, for property located at 2840 Tulare Street; Located on the southeast side of Tulare Street between "R" Street and "S" Street." (Council District 3) - Planning and Development Department				

Based upon the evaluation contained in this report and the appeals received from the appellants, staff recommends that the Planning Commission take the following actions:

1. CONSIDER Environmental Assessment No. P22-02534 dated January 18, 2023, a determination that the proposed project is exempt from the California Environmental Quality Act (CEQA) through a Section 15332/Class 32 Categorical Exemption.
2. DENY the appeal and UPHOLD the action of the Planning and Development Department Director in the approval of Conditional Use Permit Application No. P22-02534 authorizing the construction of a ± 2,406 square foot Starbucks shell building with a ± 840 square foot patio, a drive-through with capacity for seventeen (17) vehicles, and full improvements to the site with a new parking lot and landscaping.

**Sponsors:** Planning and Development Department

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit A - Aerial Photo & Zoning Map, 2. Exhibit B - Project Information Tables, 3. Exhibit C - Project Operational Statement, 4. Exhibit D - Project Site Plan, 5. Exhibit E - Project Landscape Plan, 6. Exhibit F - Project Elevations, 7. Exhibit G - Notice of Intent to Take Action, 8. Exhibit H - Notice of Action, 9. Exhibit I - Larry Taylor Appeal Letter, 10. Exhibit J - Sean Boyd Appeal Letter, 11. Exhibit K - Notice of Public Hearing, 12. Exhibit L - Indirect Source Review & Air Impact Assessment, 13. Exhibit M - SJVAPCD Letter [11-7-22], 14. Exhibit N - Fresno Municipal Code Findings, 15. Exhibit O - Environmental Assessment - Categorical Exemption, 16. Exhibit P - Conditions of Approval, 17. Exhibit Q - Letters of Support, 18. Exhibit R - Vehicle Miles Travelled Analysis

Date	Ver.	Action By	Action	Result
3/15/2023	1	Planning Commission	RECOMMENDED FOR DENIAL	Pass