Exhibit K

FINDINGS PER FRESNO MUNICIPAL CODE SECTION 15-5306	
a. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Code and all other chapters of the Municipal Code; and,	
Finding a:	Finding (a) cannot made for the following reason: The proposed Johnny Quik with alcohol sales, as approved under Conditional Use Permit P19-04594 (authorizing Type 20 ABC license) does not comply with FMC Section 15-2706-F.1 (Near Sensitive Uses). Furthermore, none of the exceptions to the location restrictions pursuant to FMC Section 15-2706-F.6 apply. A daycare is located 408 feet to the north and the establishment is not considered a General Market.
b. The proposed use is consistent with the General Plan and any other applicable plan and design guideline the City has adopted; and,	
Finding b:	Finding (b) cannot be made for the following reason: The Johnny Quik Food Store and Gas Station w/ alcohol sales is consistent w/ the current General Plan land use designation of Commercial – Community; however, the requested change (proposed alcohol license upgrade) will not reduce current adverse impacts on adjacent properties and/or on the general public and will be inconsistent with general plan goals to promote healthy communities and improve quality of life in established neighborhoods, and to protect and improve public health and safety. As noted within the Public Utilities and Services section of the Fresno General Plan, the location and prevalence of off-sale alcohol sales and high exposure to the easy availability of alcohol sales affects public health, safety, and quality of life in a neighborhood. In public meetings held during the development of the General Plan, concerns regarding market saturation, fear of crime, and danger to schools were raised. Furthermore, alcohol sales outlets or the establishment of outlets that are in close proximity to sensitive uses (day care) further increases the perceived lack of safety in a neighborhood and can contribute to a variety of health and safety problems; thus the proposed project has the potential to cause deleterious effects and nuisances on surrounding neighborhoods and businesses, especially when the establishment are concentrated near a day care.
c. The proposed use will not be substantially adverse to the public health, safety, or general welfare of the community, nor be detrimental to surrounding properties or improvements; and,	
Finding c:	Finding (c) cannot be made for the following reason: As described in Finding (b) above, the proposed use will not reduce current substantially adverse to the public health, safety, or general welfare of the community in that its location will be detrimental to surrounding properties or improvements. Areas in which there are sensitive uses nearby can contribute to a variety of health and safety problems. As noted within the Public Utilities and Services section of the Fresno General Plan, the location and prevalence of off-sale alcohol sales can have a negative effect on neighborhood health. Alcohol sales establishments possess certain characteristics that have the potential to cause deleterious effects and nuisances on surrounding neighborhoods and businesses, especially when such establishments are near sensitive uses.

d. *The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and reasonably foreseeable future land uses in the vicinity; and,*	
Finding d:	Finding (d) cannot be made for the following reason: The proposed use (alcohol license upgrade for Johnny Quik) is within close proximity to existing single family residences and a day care facility. The location and operating characteristics of the proposed Johnny Quik service station and convenience store with Type 21 ABC license is incompatible with the surrounding vicinity and land uses given the project is located near a day care. Furthermore, the proposed project conflicts with the Fresno General Plan goals to promote healthy communities and improve quality of life in established neighborhoods, and to protect and improve public health and safety.
e. *The site is physically suitable for the type, density, and intensity of use being proposed, including access, emergency access, utilities, and services required.*	
Finding e:	While the type and intensity of the use proposed may be suitable with respect to access, the proposed Johnny Quick w/ Type 21 ABC license which is to be located near a day care has the potential to contribute to a variety of safety problems including drunken driving accidents and pedestrian injuries which result in increased calls for police and emergency services. Therefore, the project is not suitable based on the services required to address public safety concerns.
f. The proposed use is consistent with the Fresno County Airport Land Use Compatibility Plan (as may be amended) adopted by the Fresno County Airport Land Use Commission pursuant to California Public Utilities Code Sections 21670-21679.5.	
Finding f:	The proposed use is not located within an area of influence of the Fresno County Airport Land Use Compatibility Plan.