

Exhibit K

CITY OF FRESNO
 PLANNING AND DEVELOPMENT DEPARTMENT
NOTICE OF ACTION GRANTING
DEVELOPMENT PERMIT APPLICATION NO. P22-04122 & RELATED ENVIRONMENTAL
ASSESSMENT

NOTICE IS HEREBY GIVEN that the Planning and Development Department Director, in accordance with Fresno Municipal Code (FMC) Section 15-5009, has approved Development Permit Application No. P22-04122 and Environmental Assessment No. P22-04122 filed by Living Spaces, pertaining to an 8-acre property located at 7354 North Abby Street, on the east side of North Abby Street, south of East Minarets Avenue. The applicant requests authorization to construct an approximately 104,867 sq. ft. furniture showroom, including on- and off-site improvements including but not limited to parking, landscape, sidewalks, and a trash enclosure. The project also includes a determination that the proposed project is a subsequent project that is not fully within the scope of the PEIR, as provided by the CEQA, as codified in the Public Resources Code Section 21157.1(d) and the CEQA Guidelines Section 15177(c). The property is zoned CR/UGM/cz (*Commercial – Regional/Urban Growth Management/conditions of zoning*). The special permit has been granted subject to compliance with the Conditions of Approval, dated July 24, 2023.*

*This document is available for review at the Planning and Development Department, located at 2600 Fresno Street, 3rd Floor, Fresno, California 93721. Documents are available for viewing at City Hall during normal business hours (Monday-Friday, 8 a.m.-5 p.m.) by appointment only. **Please contact the Planner listed below via e-mail or by phone to request electronic copies or schedule an appointment to view documents.**

Development Permit Application No. P22-04122 was granted subject to the following findings:

Findings per Fresno Municipal Code Section 15-5206	
The Director or Planning Commission may only approve a Development Permit application if it finds that the application is consistent with the purposes of this article and with the following:	
Finding a:	<i>The applicable standards and requirements of this Code.</i>
a. The proposed structure and use is permitted in the CR (<i>Commercial – Regional</i>) zone district and is subject to the development standards of said zone district pursuant to Chapter 15, Article 12 of the FMC. Given the conditions of approval, the project will comply with all applicable standards and requirements of the Code.	
Finding b:	<i>The General Plan and any operative plan or policies the City has adopted.</i>
b. The Fresno General Plan designates the subject site for Commercial – Regional planned land uses and provides objectives to guide in the development of these projects. Development Permit Application No. P22-04122 and Conditional Use Permit No. P22-04472 meets all policies and objectives of the Fresno General Plan. The following are excerpts of such objectives.	
<u>Objective:</u> LU-6: Retain and enhance existing commercial areas to strengthen Fresno’s economic base and site new office, retail, and lodging use districts to serve neighborhoods and regional visitors.	
<u>Implementing Policies:</u> LU-6-a: Foster high quality design, diversity, and a mix of amenities in new development with uses through the consideration of guidelines, consistent with the Urban Form policies of this Plan.	
LU-6-e: Promote economic growth with regional commercial centers.	
The proposed development will enhance the existing surrounding commercial areas that will continue to strengthen Fresno’s economic base. In addition, the new commercial building façade complies with the FMC and provides a high-quality design. The subject property is adjacent to an existing shopping center to the south and will connect to the adjacent developed commercial property to the north providing an extension of an existing regional commercial center.	
Finding c:	<i>Any applicable design guidelines adopted by the City Council.</i>
c. The proposed structure and site layout is consistent with the site design and façade design development standards provided in the CR (<i>Commercial – Regional</i>) zone district, and the design guidelines adopted in the Fresno General Plan.	
Finding d:	<i>Any approved Tentative Map, Conditional Use Permit, Variance, or other planning or zoning approval that the project required.</i>
d. All special conditions required for the proposed project have been incorporated into the Conditions of Approval which shall be met prior to issuance of building permits/occupancy. Furthermore, the applicant is required to submit corrected exhibits, inclusive of all conditions of approval which will ensure that all requirements are met.	

Finding e:	<i>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</i>
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e. The project is located in the Traffic Pattern Zone 7 and the 60 CNEL noise contour. An airport disclosure notice is required as conditioned. The project as proposed complies with the Safety Criteria Matrix of the Fresno County Airport Land Use Compatibility Plan.

The Development Permit will not become effective until 15 days from the date the permit is granted in order to allow time for any interested parties to file an appeal.

In the event you wish to appeal the Director's decision, you may do so by filing a written appeal with the Director. The appeal must include the appellant's interest in, or relationship to, the subject property, the decision or action appealed, specific reason(s) why the appellant believes the decision or action should not be upheld. An \$963.77 fee applies to an appeal by an applicant (no fee applies if member of the public). **The fee is required prior to accepting the appeal, as required by Section 15-5017-A.1 of the FMC and established by the Master Fee Schedule.**

ANY WRITTEN appeal must be submitted to this office prior to close of business on **August 8, 2023**.

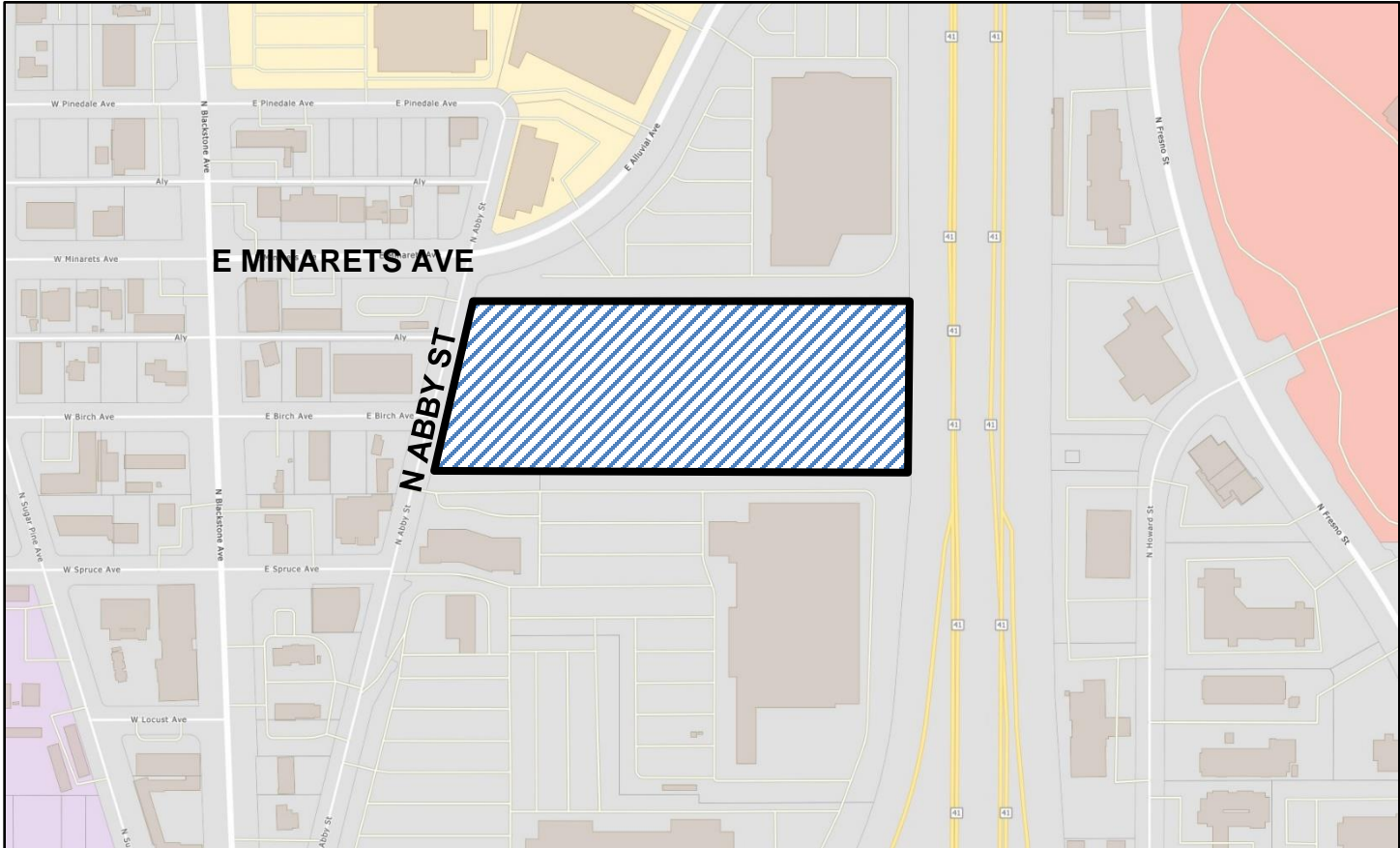
For additional information regarding this project, contact **Rob Holt**, Planning and Development Department, by telephone at **(559) 621-8056** or via e-mail at Robert.Holt@fresno.gov. **Si necesita información en Español, comuníquese con Jose Valenzuela al teléfono (559) 621-8070.**

PLANNING AND DEVELOPMENT DEPARTMENT
Jennifer K. Clark, AICP, HDFP, Director

Dated: July 24, 2023

Assessor's Parcel No(s). 303-201-27

SEE MAP BELOW



LEGEND

 **Subject Property**



**Planning and Development Department
2600 Fresno Street, Room 3043 · Fresno, CA 93721 · Phone (559) 621-8277**