

## **Exhibit K-2**

### **Planning Commission Resolution**

**CITY COUNCIL HEARING:** Conditional Use Permit Application No. P23-00835, Planned Development Permit Application No. P23-02080, and related Environmental Assessment

**FRESNO CITY PLANNING COMMISSION  
RESOLUTION NO. 13827**

The Fresno City Planning Commission, at its regular meeting on January 3, 2024 adopted the following resolution relating to Conditional Use Permit Application No. P23-00835 and Planned Development Application No. P23-02080:

WHEREAS, Conditional Use Permit Application No. P23-00835 and Planned Development Application No. P23-02080 was filed by Robert Vermeltfoort of VAI on behalf of Jim Shehadey of 2500 MLK, LLC and Starbucks, and pertains to ± 2.98 acres of property located at the southwest corner of East Church Avenue and South Martin Luther King, Jr. Boulevard; and,

WHEREAS, Conditional Use Permit Application No. P23-00835 proposes to construct a ± 5,781 square foot multi-tenant shell building with Starbucks Café with drive-thru; and fully develop the site with associated parking lot, landscaping, trash enclosures, and pad for a future building to be entitled under separate permit.; and,

WHEREAS, Planned Development Permit Application No. P23-02080 proposes to modify façade and drive-through property development standards for drive-through facilities, and allow the portion of the subject site zoned as RM-1 (Residential Multi-Family) to be developed under the CC (Commercial Community) development standards; and,

WHEREAS, on January 3, 2024, the Planning Commission conducted a public hearing to review the proposed special permits and considered the Planning and Development Department's report recommending approval of the proposed special permits subject to conditions of approval; and,

WHEREAS, during the January 3, 2024 hearing, the Fresno City Planning Commission, reviewed the subject special permits in accordance with the policies of the Fresno General Plan; and,

WHEREAS, during the January 3, 2024 hearing, the Planning Commission received and considered the Planning and Development Department's report recommending the Planning Commission approve of the Conditional Use Permit Application No. P23-00835 and Planned Development Application No. P23-02080 and provided the opportunity for consideration of testimony from the applicant and the public; and,

WHEREAS, two members of the public spoke in support of the proposed special permits; and,

WHEREAS, two members of the public spoke in opposition of the proposed special permits; and,

NOW, THEREFORE, BE IT RESOLVED that the Fresno City Planning Commission, based upon information presented at the January 3, 2024 hearing, made a motion to

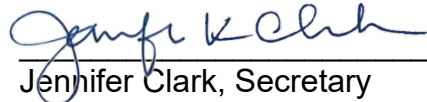
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uphold staff's recommendation to approve Conditional Use Permit Application No. P23-00835 and Planned Development Application No. P23-02080.

The foregoing Resolution was adopted by the Fresno City Planning Commission upon a motion by Commissioner Criner, seconded by Commissioner Diaz.

VOTING:           Ayes - Criner, Bray, Diaz, Hardie (Vice Chair), Lyday, Vang (Chair),  
                      Noes - None  
                      Not Voting -  
                      Absent - Wagner

DATED: January 3, 2024

A handwritten signature in blue ink, appearing to read "Jennifer Clark", is written over a horizontal line.

Jennifer Clark, Secretary  
Fresno City Planning Commission

Resolution No. 13827  
Conditional Use Permit Application No.  
P23-00835 and Planned Development  
Application No. P23-02080  
Filed by Robert Vermeltfoort of VAI on  
behalf of Jim Shehadey of 2500 MLK, LLC  
and Starbucks  
Action: Approved