Exhibit O

FRESNO CITY PLANNING COMMISSION
RESOLUTION NO. 13842

The Fresno City Planning Commission, at its regular meeting on March 6, 2024, adopted the following resolution relating to Conditional Use Permit Application No. P21-06064.

WHEREAS, Conditional Use Permit Application No. P21-06064 was filed by Samer Sabbah of Westgate Construction & Development Inc. and pertains to the 1.33 acres of property located at 4390 West Ashlan Avenue, located at the northeast corner of West Ashlan and North Blythe Avenues; and,

WHEREAS, Conditional Use Permit Application No. P21-06064 requested to establish a State of California Alcoholic Beverage Control (ABC) Type 20 alcohol license (Off-sale – beer and wine for consumption off the premises where sold) for a new ±3,800 square-foot Arco AM/PM convenience retail store; and,

WHEREAS, the Planning and Development Department Director denied Conditional Use Permit Application No. P21-06064 on December 11, 2023, as the proposed project did not satisfy the required findings of approval for Conditional Use Permits per Section 15-5306 and did not comply with the Responsible Neighborhood Market Act pursuant to Section 15-2706 of the Fresno Municipal Code; and,

WHEREAS, the Director's decision to deny Conditional Use Permit Application No. P21-06064 which requested authorization to establish a State of California Alcohol Beverage Control (ABC) Type 20 alcohol license was appealed on December 21, 2023; and,

WHEREAS, pursuant to Section 15-5303 of the Fresno Municipal Code, the Fresno City Planning Commission conducted a noticed public hearing on March 6, 2024; received testimony from the applicant's representative, and considered the Planning and Development Department's report recommending denial of the appeal and upholding the action of the Planning and Development Department Director to deny Conditional Use Permit Application No. P21-06064; and,

WHEREAS, the applicant's representative spoke in support of the project and one individual from the public spoke in opposition of the proposed project; and,

WHEREAS, the Fresno City Planning Commission reviewed the subject conditional use permit application in accordance with the policies of the Fresno General Plan, West Area Community Plan, and the Fresno Municipal Code; and,

NOW, THEREFORE, BE IT RESOLVED that a motion was made to uphold staff's recommendation to deny the appeal which resulted in a 6-0 vote therefore, the appeal was denied in accordance with Section 15-5017-E of the Fresno Municipal Code and the original denial of Conditional Use Permit Application No. P21-06064 on December 11, 2023 by the Planning and Development Department Director stands, denying the request to establish a State of California Alcohol Beverage Control (ABC) a Type 20 alcohol license.

The foregoing Resolution by the Fresno City Planning Commission was made upon a motion by Vice Chair Hardie, seconded by Commissioner Lyday.

VOTING:	Ayes -	Hardie, Lyday, Bray, Criner, Diaz, and Vang
	Noes -	None
	Not Voting -	None
	Absent -	Wagner

DATED: March 7, 2024

Jennifer Clark, Secretary
Fresno City Planning Commission

Resolution No. 13842
Conditional Use Permit Application No. P21-06064
Filed by Samer Sabbah of Westgate Construction & Development Inc.
Action: Deny the appeal and Uphold Action of the Director to Deny the project