

# **Exhibit D**

## **Notice of Intent to Take Action**

### **City Council Hearing:**

Consideration of Conditional Use Permit Application No. P22-03906

**CITY OF FRESNO  
PLANNING AND DEVELOPMENT DEPARTMENT  
NEIGHBORHOOD NOTIFICATION**

**PLEASE NOTE:** You are receiving this notice because you own property within 1,000 feet of a property that has requested a special permit for a use described below. For this type of permit, the Fresno Municipal Code (FMC) requires that the City give notice to surrounding property owners to provide the opportunity to express concerns or protest the special permit. Further information is provided below. If you have no concerns regarding the permit, no response is needed.

**NOTICE IS HEREBY GIVEN** that the Planning and Development Department Director, in accordance with Common Procedures of the FMC, Section 15-5007, will take action on the application below:

**Application:** Alcohol Beverage Conditional Use Permit Application No. P22-03906

**Applicant:** Felipe Ceballos on behalf of Baldev Khela and Circle D Food & Liquor

**Location:** 2520 EAST OLIVE AVENUE, FRESNO, CA 93701 (APN: 452-081-17S)

**Description:** The applicant requests to establish a State of California Alcohol Beverage Control (ABC) Type 21 Alcohol License (Off-Sale General) to sell beer, wine and distilled spirits at the proposed Circle D Food & Liquor.

**Zone District:** CG (*Commercial General*)

**Response Deadline:** **September 25, 2023 at 5:00 P.M.**

The purpose of this notice, at this time, is only to solicit public input and provide members of the public with opportunity to communicate comments or concerns for consideration prior to the Director making a final determination for project action. In the event you wish to provide comments for consideration, you may do so by written letter sent via post mail to the address below or via written email to [PublicCommentsPlanning@fresno.gov](mailto:PublicCommentsPlanning@fresno.gov) (CC [Steven.Martinez@fresno.gov](mailto:Steven.Martinez@fresno.gov)). Comments must include your interest in, or relationship to, the subject property and specific reason(s) why you believe the project should or should not be approved.

ANY WRITTEN comments, concerns or requests for notification of final project action must be submitted to this office prior to close of business on:

**September 25, 2023 at 5:00 P.M.**

If you wish to be notified of the Director's final action in order to be provided opportunity to formally appeal said action, you must specify in your written comments that you wish to be notified of final project action. If no written request for notification of final project action is included in the written comments, you will not be notified of the Director's final action and no further communication or notice will be sent.

Once the Director takes final action there will be a 15-day appeal period. Unless otherwise specified in governing state or federal law, all formal appeals shall be filed with the Director in writing, within 15 days of the date of the Director's final project action, decision, CEQA determination, motion, or resolution from which the final action is taken. Failure to object to the Director's final action and / or state said reasons prior to the decision shall potentially bar any later court challenge to the project approval.

All documents related to this project are available for public review at the Planning and Development Department at the address listed below or electronic copies may be requested by contacting the Planner at the number listed below. Documents are available for viewing at City Hall during normal business hours (Monday - Friday, 8:00 A.M. - 5:00 P.M.) by appointment only. **Please contact the Planner listed below via e-mail or by phone to request electronic copies or to schedule an appointment to view documents.**

For additional information, contact Steven Martinez, Planning and Development Department, by phone at (559) 621-8047 or via e-mail at [Steven.Martinez@fresno.gov](mailto:Steven.Martinez@fresno.gov). *Si necesita información en Español, comuníquese con Jose Valenzuela al teléfono (559) 621-8070 o por correo electrónico a [Jose.Valenzuela@fresno.gov](mailto:Jose.Valenzuela@fresno.gov).*

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

**Dated:** September 15, 2023

**Assessor's Parcel No:** 452-081-17S

**SEE MAP ON REVERSE SIDE**

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



STEVEN MARTINEZ - PLANNER  
PLANNING & DEVELOPMENT DEPARTMENT  
2600 FRESNO STREET  
FRESNO, CA 93721-3604

**THIS IS A LEGAL NOTICE REGARDING:**  
Conditional Use Permit P22-03906  
2520 East Olive Avenue

**VICINITY MAP**

**2520 EAST OLIVE AVENUE, FRESNO, CA 93701 [APN: 452-081-17S]**

