

Exhibit I
Planning Commission Resolution 13845

City Council Hearing:

Consideration of Conditional Use Permit Application No. P22-03906

**FRESNO CITY PLANNING COMMISSION
RESOLUTION NO. 13845**

The Fresno City Planning Commission, at its regular meeting on April 3, 2024 adopted the following resolution relating to Conditional Use Permit Application No. P22-03906:

WHEREAS, Conditional Use Permit Application No. P22-03906 was filed by Felipe Ceballos, on behalf of Baldev Khela of Circle D, and pertains to an existing ± 2,939 square-foot gas station and convenience store located on a ± 0.60-acre developed site located on the southeast corner of North Fresno Street and East Olive Avenue; and,

WHEREAS, Conditional Use Permit Application No. P22-03906 requests authorization to establish a State of California Alcoholic Beverage Control Type 21 (Off-Sale Beer, Wine, & Distilled Spirits) alcohol license for the Circle D Food & Liquor store; and,

WHEREAS, on April 3, 2024, the Planning Commission conducted a public hearing to review the proposed special permit and considered the Planning and Development Department's report recommending denial of the appeal filed in response to the Director's denial of the special permit; and,

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

WHEREAS, during the April 3, 2024 hearing, the Fresno City Planning Commission, reviewed the subject special permit in accordance with the regulations of Chapter 15, Article 27, Section 15-2706 of the Fresno Municipal Code – Responsible Neighborhood Market Act; and,

WHEREAS, during the April 3, 2024 hearing, the Planning Commission received and considered the Planning and Development Department's report recommending denial of the appeal filed in response to the Director's denial of the special permit and provided the opportunity for consideration of testimony from the applicant and the public; and,

WHEREAS, no members of the public spoke in support of the proposed special permit; and,

WHEREAS, no members of the public spoke in opposition of the proposed special permit; and,

NOW, THEREFORE, BE IT RESOLVED that the Fresno City Planning Commission, based upon information presented at the April 3, 2024 hearing, made a motion to uphold staff's recommendation to deny the appellant's appeal and uphold the action of the Planning and Development Department Director to deny Conditional Use Permit Application No. P22-03906.

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

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

DATED: April 3, 2024



Jennifer Clark, Secretary
Fresno City Planning Commission

Resolution No. 13845
Conditional Use Permit Application No.
P22-03906
Filed by Felipe Ceballos, on behalf of
Baldev Khela of Circle D
Action: Denied