

Exhibit D-2

Recirculated Notice of Intent to Take Action

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

**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 special permits for a use described below. For these types of permits, 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 permits. 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 applications below:

Applications: Conditional Use Permit Application No. P23-00835 and Planned Development Permit Application No. P23-02080

Applicant: Robert Vermeltfoort of Vermeltfoort Architects Inc.

Location: 820 EAST CHURCH AVENUE, FRESNO, CA 93706 [APN: 479-050-14]

Description: **Conditional Use Permit Application No. P23-00835** requests authorization to construct a ± 5,781 square foot multi-tenant shell building with a drive-thru; and fully develop the site with a 168-car parking lot, landscaping, trash enclosures, and pad for a future building.

Planned Development Permit Application No. P23-02080 requests authorization to deviate from FMC Section 15-2728(G)(2) which requires drive-through elements to be placed to the side or rear of the building.

The project qualifies for an Addendum to Environmental Assessment Nos. A-17-007/R-17-010/TPM-17-06/ANX-17-005 in accordance with Section 15164 of the California Environmental Quality Act (CEQA) Guidelines.

Zone District: CC – Commercial Community

Response Deadline: **Monday, August 7, 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 (CC 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:

Monday, August 7, 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 regarding this project, contact Planner Steven Martinez, Planning and Development Department, 2600 Fresno Street, Fresno, California 93721-3604, by phone at (559) 621-8047 or via e-mail at 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.*

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

Dated: Friday, July 28, 2023

Assessor's Parcel No: 479-050-14

SEE MAP ON REVERSE SIDE

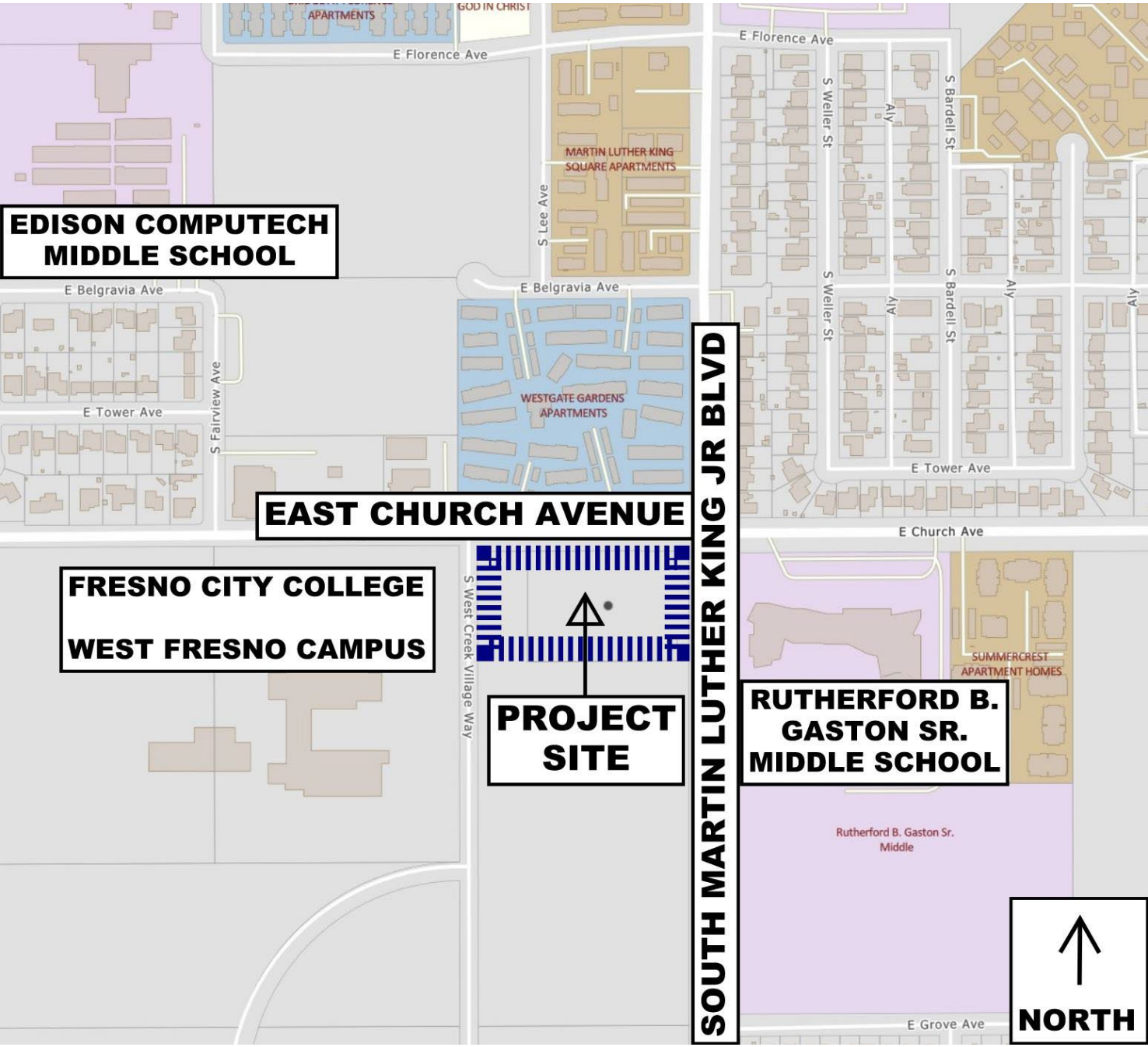


Steven Martinez - Planner
Planning & Development Department
2600 Fresno Street, Room
Fresno, Ca 93721-3604

THIS IS A LEGAL NOTICE REGARDING:
Special Permits P23-00835 & P23-02080
[820 East Church Avenue,
Fresno, Ca 93706]

VICINITY MAP

820 EAST CHURCH AVENUE, FRESNO, CA 93706 [APN: 479-050-14]



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