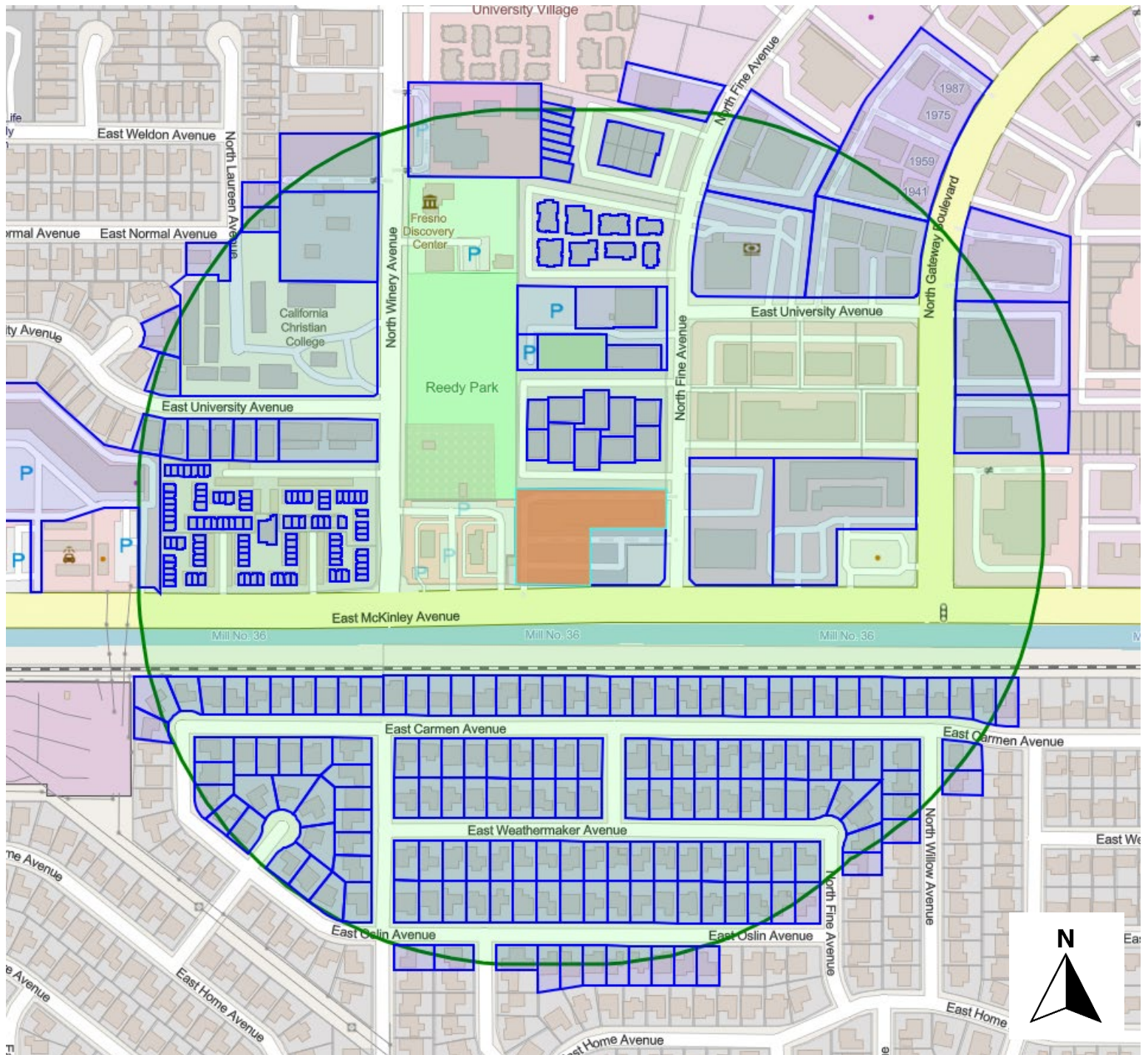


## Exhibit K

# NOTICING MAP (1,000 FEET)



**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:** Conditional Use Permit Application No. P23-02631

**Applicant:** Xiamy Ly-Lang of Rivendell Community Inc

**Location:** 4927 E McKinley Avenue, Fresno, CA, 93727, USA

**Description:** The applicant requests to establish a Banquet Hall in an existing 10,000 square foot building. The proposed hours of operation for the Banquet Hall hours on the weekdays are from 6:00 p.m. to 11:00 p.m. and on weekends the proposed hours are from 6:00 p.m. to midnight. The project is exempt from California Environmental Quality Act (CEQA) analysis through a Class 1 Categorical Exemption.

**Zone District:** IL (*Employment - Light Industrial*)

**Response Deadline:** **Monday, December 4, 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 [Saul.Perez@fresno.gov](mailto:Saul.Perez@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, December 4, 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 Saul Perez, Planning and Development Department, 2600 Fresno Street, Fresno, California 93721-3604, by phone at (559) 621-8321 or via e-mail at [Saul.Perez@fresno.gov](mailto:Saul.Perez@fresno.gov). *Si necesita información en Español, comuníquese con Valeria Ramirez al teléfono (559) 621-8046 o por correo electrónico a [Valeria.Ramirez@fresno.gov](mailto:Valeria.Ramirez@fresno.gov).*

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

**Dated:** Wednesday, November 22, 2023

**Assessor's Parcel No:** 494-291-10

**SEE MAP ON REVERSE SIDE**



P23-02631  
[4927 E MCKINLEY AVE,  
FRESNO, CA, 93727, USA]

The map displays the Gateway Business Complex area. Key features include:

- North Fine Plaza:** A cluster of buildings with addresses ranging from 1735 to 1795.
- Reedy Park:** A green area located to the west of North Fine Plaza.
- Triangle Burger:** A building located south of Reedy Park.
- Proposed Banquet Hall:** A large rectangular area outlined in red, situated between North Fine Plaza and E McKinley Ave.
- Streets:** N Winery Ave, N Fine Ave, E McKinley Ave, and E Carmen Ave are labeled.
- Other Landmarks:** Gateway Business Complex, Mill No. 36, and various other buildings with addresses like 4909, 4915, 4927, 4933, 4939, 4961, 4969, 4991, 4993, 4995, 4997, 4999, 4903, 4907, 4911, 4915, 4919, 4923, 4927, 4931, 4935, 4939, 4943, 4947, 4951, 4955, 4959, 4963, 4967, 4971, 4973, 4975, 4977, 4979, 4981, 4983, 4985, 4987, 4989, 4991, 4993, 4995, 4997, 4999.
- North Arrow:** Located in the bottom right corner, pointing North.

CITY OF FRESNO  
PLANNING AND DEVELOPMENT DEPARTMENT  
**NOTICE OF ACTION**  
**CONDITIONAL USE PERMIT APPLICATION NO. P23-02631**

NOTICE IS HEREBY GIVEN that the Director of the Planning and Development Department, in accordance with Special Permit Procedure of the Fresno Municipal Code Section 15-5009, has denied Conditional Use Permit Application No. P23-02631. Conditional Use Permit Application No. P23-02631 was filed by Xiamy Ly-Yang of Rivendell Community Inc. and pertains to an approximately 1.57-acre parcel located at 4927 East McKinley Avenue, on the northwest corner of East McKinley Avenue and North Fine Avenue. The applicant requests authorization to establish and operate an approximately 8,384 square foot banquet hall.

\*This document is available for review at the Planning and Development Department, located at 2600 Fresno Street, 3<sup>rd</sup> Floor, Fresno, California 93721. Documents are available for viewing at City Hall during normal business hours (Monday-Friday, 8 a.m.-5 p.m.) by appointment only. **Please contact the Planner listed below via e-mail or by phone to request electronic copies or schedule an appointment to view documents.**

Conditional Use Permit Application No. P23-02631 was denied due to the following findings:

<b>Findings per Fresno Municipal Code Section 15-5306</b>
<b>A.) The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Code and all other chapters of the Municipal Code.</b>
Finding (a) cannot made for the following reason: The project proposes a Banquet Hall with approximately 6,764 square feet of assembly area. Pursuant to Table 15-1302 of the Fresno Municipal Code (FMC), Banquet Halls are a permitted use in the CC ( <i>Commercial Community</i> ) zone district subject to the approval of a Conditional Use Permit. Pursuant to Sec 15-2409 of the Fresno FMC, 1 on-site parking space is required for each 5 permanent seats in main assembly area, or 1 for every 50 sq. ft. of assembly area for group activities or where temporary or moveable seats are provided, whichever is greater. 135 on-site parking spaces are required.
Parcel A, the property where the banquet hall is proposed, has approximately 54 existing parking spaces. Three of the existing parking spaces are proposed to be removed in order to provide a painted path of travel aisle. Parcel B (APN: 494-291-05) has approximately 41 existing parking spaces. In total, the proposed use is short by approximately 43 parking spaces. Therefore, the project does not comply with all applicable provisions of the development code.
<b>B.) The proposed use is consistent with the General Plan and any other applicable plan and design guideline the City has adopted.</b>
The Fresno General Plan and McLane Community Plan designate the subject site for Community Commercial planned land uses which is intended for commercial development that primarily serves local needs such as convenience shopping and small offices. Many of the city's current commercial districts fall into this designation.
The proposed facility has been found to be consistent with the McLane Community Plan and the applicable Goals and Policies of the Fresno General Plan as follows:



Goal No. 1: Increase opportunity, economic development, business and job creation. Use urban form, land use, and Development Code policies to streamline permit approval, promote local educational excellence and workforce relevance, significantly increase business development and expansion, retain and attract talented people, create jobs and sustained economic growth, strategically locate employment lands and facilities, and avoid over-saturation of a single type of housing, retail or employment.
<p><b>C.) The proposed use will not be substantially adverse to the public health, safety, or general welfare of the community, nor be detrimental to surrounding properties or improvements.</b></p> <p>Finding (c) cannot be made for the following reason: Overflow parking caused by the proposed banquet hall could be detrimental to the surrounding properties. Since street parking is not allowed along East McKinley Avenue and North Fine Avenue, event guests are likely to park on adjacent properties. If guests were to park their vehicles within the northbound and southbound bike lanes along North Fine Avenue, it could create safety issues for cyclists.</p>
<p><b>D.) The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and reasonably foreseeable future land uses in the vicinity.</b></p> <p>Finding (d) cannot be made for the following reason: Although the design and location of the proposed use are compatible with the surrounding Community Commercial and Light Industrial land use designations, the size and operating characteristics are not compatible with the surrounding area. The existing on-site parking area is not large enough to accommodate the number of anticipated guests for the banquet hall. Should Parcel B develop in the future, it is reasonable to anticipate an additional reduction in the number of available on-site parking spaces for the proposed use.</p>
<p><b>E.) The site is physically suitable for the type, density, and intensity of use being proposed, including access, emergency access, utilities, and services required.</b></p> <p>Finding (e) cannot be made for the following reason. The project was reviewed by the Police Department, Fire Department, and Department of Public Utilities. The existing site has the appropriate access, emergency access, utilities, and services required. However, the site does not have enough on-site parking spaces to accommodate a Banquet Hall.</p>
<p><b>F.) The proposed use is consistent with the Fresno County Airport Land Use Compatibility Plan (as may be amended) adopted by the Fresno County Airport Land Use Commission pursuant to California Public Utilities Code Sections 21670 - 21679.5.</b></p> <p>The proposed use is consistent with the Fresno County Airport Land Use Compatibility Plan (ALUCP). The project is within the boundaries of Traffic Pattern Safety Zone 6 of the Fresno Yosemite International Airport, which restricts non-residential use to no more than 300 persons per acre, hazards to flight, outdoor stadium, and similar uses of very high intensity. ALUC review is required for any proposed object taller than 100 feet above ground level. The proposed commercial use will occur within an existing commercial tenant space within a one-story building. Therefore, the proposed project use and height are consistent with the ALUCP.</p>

NOTE: A Notice of Intent to Take Action (Neighborhood Notification) was sent to surrounding property owners pursuant to the requirements of Section 15-5007 of the FMC on November 22, 2023.

In the event you wish to appeal the Director's decision, you may do so by filing a written appeal with the Director. The appeal must include the appellant's interest in, or relationship to, the subject property, the decision or action appealed, specific reason(s) why the appellant believes the decision or action should not be upheld. A \$1,002.32 fee applies to an appeal by an applicant (no fee applies if member

of the public). **The fee is required prior to accepting the appeal, as required by Section 15-5017-A.1 of the FMC and established by the Master Fee Schedule.**

ANY WRITTEN appeal must be submitted to this office prior to close of business on **April 7, 2025.**

For additional information regarding this project, contact **Saul Perez**, Planning and Development Department, by phone at (559) 621-8321 or via e-mail at [Saul.Perez@fresno.gov](mailto:Saul.Perez@fresno.gov). ***Si necesita información en Español, comuníquese con Valeria Ramirez al teléfono (559) 621-8046 o por correo electrónico a [Valeria.Ramirez@fresno.gov](mailto:Valeria.Ramirez@fresno.gov).***

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

Dated: March 21, 2025

Assessor's Parcel No(s). 494-291-10

**SEE MAP BELOW**

The map displays the Gateway Business Complex area in St. Louis, Missouri. Key features include:

- Proposed Banquet Hall:** Indicated by a red dashed rectangle, located between N Fine Ave and N Winery Ave, and between E McKinley Ave and E Carmen Ave.
- North Fine Plaza:** Located to the north of the proposed site, featuring several buildings with lot numbers such as 1755, 1765, 1775, 1785, 1795, 1705, 1715, 1725, 1735, 1745, and 1750.
- Reedy Park:** A green area located to the west of the proposed site, with lot numbers 1736 and 1750.
- Triangle Burger:** A building located to the southwest of the proposed site, with lot numbers 4909 and 4915.
- Gateway Business Complex:** Located to the east of the proposed site, featuring buildings with lot numbers such as 4980, 4991, 4993, 4995, 4997, 4999, 4961, 4969, 4971, 4973, 4975, 4977, 4979, 4981, 4983, 4985, 4987, 4989, 4991, 4993, 4995, 4997, 4999, 4961, 4969, 4971, 4973, 4975, 4977, 4979, 4981, 4983, 4985, 4987, 4989, 4991, 4993, 4995, 4997, 4999.
- Streets:** N Winery Ave, N Fine Ave, E McKinley Ave, and E Carmen Ave are labeled.
- Mill No. 36:** A blue line representing the millage district boundary runs horizontally across the map.
- North Arrow:** Located in the bottom right corner, pointing towards the top of the map.



**CITY OF FRESNO  
PLANNING AND DEVELOPMENT DEPARTMENT  
NOTICE OF PUBLIC HEARING  
CONDITIONAL USE PERMIT NO. P23-02631**

NOTICE IS HEREBY GIVEN that the Fresno City Planning Commission, in accordance with Sections 65090 and 65091 (Planning and Zoning Law) of the Government Code and in accordance with the procedures of Article 50, Chapter 15, of the Fresno Municipal Code, will conduct a public hearing to consider the items below, filed by Xiamy Ly-Yang of Rivendell Community Inc., pertaining to approximately 1.57 acres of property located at 4927 East McKinley Avenue, on the northwest corner of East McKinley Avenue and North Fine Avenue.

- 1. **Conditional Use Permit No. P23-02631:** Requests authorization to establish and operate an approximately 8,384 square foot banquet hall.

**FRESNO CITY PLANNING COMMISSION**

**Date/Time:** Wednesday, May 7, 2025, at 6:00 p.m., or thereafter

**Place:** City Hall Council Chamber, 2<sup>nd</sup> Floor, 2600 Fresno Street, Fresno, CA 93721; or, watch the live broadcast via the Zoom link located on the Planning Commission agenda found here: <https://fresno.legistar.com/Calendar.aspx>

Any interested person may also watch the meeting electronically during the public hearing through instructions provided on the Planning Commission Agenda, and present written testimony at least 24 hours in advance of the Planning Commission agenda item being heard, via e-comment or by email to [PublicCommentsPlanning@fresno.gov](mailto:PublicCommentsPlanning@fresno.gov) (cc [Saul.Perez@fresno.gov](mailto:Saul.Perez@fresno.gov)), pursuant to the Planning Commission rules and procedures and the instructions provided on the Planning Commission Agenda, or they may be excluded from the administrative record of proceedings.

If you challenge the above applications in court, you may be limited to raising only those issues, you, or someone else, raised at the public hearing described in this notice, or in written correspondence delivered to the Development Services Division of the Planning and Development Department and/or Planning Commission at, or prior to, the public hearing. The Planning Commission action on the proposed Conditional Use Permit will be final, unless appealed to the City Council.

NOTE: This public hearing notice is being sent to surrounding property owners within 1,000 feet of the project site pursuant to the requirements of FMC Section 15-5007.

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 a.m.-5 p.m.) by appointment only. **Please contact the Planner listed below via e-mail or by phone to request electronic copies or schedule an appointment to view documents.**

For additional information, contact **Saul Perez**, Planning and Development Department, by telephone at **(559) 621-8321**, or via e-mail at [Saul.Perez@fresno.gov](mailto:Saul.Perez@fresno.gov). ***Si necesita información en Español, comuníquese con Valeria Ramirez al teléfono (559) 621-8046.***

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

**Dated:** April 25, 2025  
**Assessor's Parcel No:** 494-291-10

**SEE MAP ON REVERSE SIDE**

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

**THIS IS A LEGAL NOTICE REGARDING**  
CUP NO. P23-02631

VICINITY MAP

