

Exhibit J



Fresno Police Department
Northwest Policing District
3074 W Shaw Ave
Fresno, Ca 93711
(559) 621-6529 –Office

July 3, 2023

Re: P23-00244 – Locked in
3045 W Bullard Ave
Fresno, Ca. 93711 APN: 415-37313

Dear Mr. Erik Young,

This letter is to inform the City of Fresno Planning and Development Department that the Fresno Police Department has received your notification regarding a request by the above licensee (Valarie Richardson) for a change of operating conditions for a type 47 license. *(Restaurant) Authorizes the sale of beer, wine and distilled spirits for consumption on the licenses premises. Authorizes the sale of beer and wine for consumption off the licenses premises. Must operate and maintain the licensed premises as a bona fide eating place. Must maintain suitable kitchen facilities, and must make actual and substantial sales of meals for consumption on the premises. Minors are allowed on the premises.*

The Fresno Police Department has been made aware that the owner of this business is requesting to alter the hours of operation. The Police Department is protesting any changes in hours to this location under its current ABC type 47 License. It is the belief that this location will be operated as a nightclub and not a restaurant if the hours get altered. The applicant wishes to have the location open until 2 am. The owner of this location already regularly uses live entertainment and dancing at this location. Locked IN was issued a Notice and Order Violation (MORPO) from the Fresno Police Department on 9-20-22 for violating its hours of operation as set forth in its current C.U.P., as well as having loud music and fights occurring inside and outside of the business.

A check of the closest residence is less than 165 feet from this location. This is a condo to the SE of the business. We feel this would adversely impact quality of life issues for the residents and thereby increase calls for service to the location for noise and traffic complaints.

A check of nearby restaurants concluded that the average type 47 License in the area on average closes at approximately 10 pm. The locations that were checked are listed below.

Culichitown (Latest operating hours)

Friday – Saturday Closes at Midnight

Texas Roadhouse (Latest operating hours)

Friday – Saturday Closes at 11 pm

Casa Corona (Latest operating hours)

Friday – Saturday Closes at 10 pm

Ovidio Same Parking lot as Locked IN. (Latest operating hours)

Friday – Saturday Closes at 9:30 pm

Elbow Room Bar and Grill (Latest operating hours)

Friday – Saturday closed at 11 pm.

A check of recent calls for service were checked during the time frame of 7-10-22 to 6-7-23. Locked In has a total of 17 calls for service. During the same time, Culichitown had 4, Texas Roadhouse had 3, Casa Corona had 0, Ovidio had 0, and Elbow Room had 1 call for service.

The Fresno Police Department is strongly opposed to altering the hours to this business any later then 10pm. If however new hours past 10 pm are approved by the planning commission, the Fresno Police Department will request further conditions be added to the Conditional use permit.

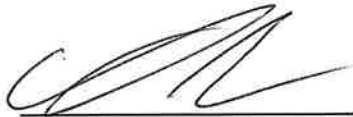
1. The Fresno Police Department request at least two (2) additional cameras at the location. Both are to be on the exterior of the building and one shall be in the alley way to the north of the back door.
2. After 8pm, there shall be at least one (1) per one hundred guests, BSIS uniformed licensed security guards at the business to monitor the inside of the restaurant and the adjacent parking lot. Example 100 guest = 1 BSIS guard 101 to 200 = 2 BSIS guards.
3. There shall be no live entertainment such as a band or DJ on the premises.
4. The kitchen must remain open for a full menu during all business operating hours.
5. At least 51% of all sales shall come from food.

6. There shall be a person on site during all operating hours to have access to video surveillance system.
7. The Fresno Police Department requests a 90 day review of these conditions if approved.

Sincerely,

Detective Hodge

FRESNO POLICE DEPARTMENT



Chris Hodge

Northwest POP Detective



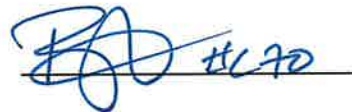
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Northwest Detective SGT



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May 11, 2023

Luke Risner
Development and Resource Management
City of Fresno
2600 Fresno Street, Third Floor
Fresno, CA 93721-3604

SUBJECT: **APPLICATION NO. P23-00244**
3045 W. BULLARD AVE.

Dear Mr. Risner,

In response to the City's request for comments on the pending application referenced above, Fresno Unified School District (FUSD) has the following comments and concerns.

The existing 'Locked In' restaurant located at 3045 West Bullard Avenue is proposing to change the hours of operation from closing at 10:00 p.m. to closing at 2:00 a.m. The operation has a current State of California Alcoholic Beverage Control Type 47 (*Restaurant - sale of beer, wine, and distilled spirits for consumption on or the licensed premises*) alcohol license. It is located within approximately 3,465 feet from Malloch Elementary School.

As per the State of California's Alcohol Beverage Control Act, an alcohol license can be refused by the State if the location is "within at least 600 feet from schools." Per California Business and Professions Code Section 23789(b), "The department is specifically authorized to refuse the issuance, other than renewal or ownership transfer, of any retail license for premises located within at least 600 feet of schools and public playgrounds or nonprofit youth facilities, including, but not limited to, facilities serving Girl Scouts, Boy Scouts, or Campfire Girls. This distance shall be measured pursuant to rules of the department." The District **does not support** the existing alcohol license or the hours of operation expansion request and continues to have concerns regarding potentially dangerous interaction between our students and the proposed operation. FUSD's response on this project is subject to the Alcohol Beverage Control Act and the Fresno Police Department's review and support of the project with regard to the concentration and use of alcohol-related business in close proximity to school sites.

The District levies a commercial/industrial development fee and the current fee rate is \$0.78 per square foot. Any new development on the property will be subject to the development fee prior to issuance of a building permit and fees will be calculated pursuant to the rate effective at the time of payment. However, if no new square footage is constructed no development fee would be charged.

If you have any questions or require additional information regarding our comments and concerns, please contact our office at (559) 437-3066.

Sincerely,

Alex Belanger, Chief Executive
Operational Services

AB:hh

c: Michiko English, Principal, Malloch Elementary School

DWC