

Proof of Service by Mail

(Code of Civil Procedure § 1013a)

I, Alexandria Vieira, declare as follows:

1. I am over 18 years of age and not a party to the matter connected with this proof of service.
2. I am employed by the County of Fresno in the office of the Clerk of the Board of Supervisors, at 2281 Tulare Street, Room 301, in Fresno, California 93721.
3. On October 4, 2024, I served the attached Notice of Hearing before the Board of Supervisors of the County of Fresno for the **INITIAL STUDY NO. 8307, GENERAL PLAN AMENDMENT APPLICATION NO. 566, AMENDMENT APPLICATION NO. 3850, TENTATIVE TRACT MAP APPLICATION NO. 6420, and VARIANCE APPLICATION NO. 4140** filed by **Elegante Estates LLC** aka **VINTAGE ON THE BLUFF**.
4. I served the documents by enclosing them in an envelope and placing the envelope for collection and mailing following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.
5. The envelopes were addressed and mailed to each of the owners at their addresses, as shown on the current Fresno County Assessment Roll and on the property list compiled from said rolls, as set forth on the attached.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on this 4th day of October, 2024, in Fresno, California.



Deputy, Clerk of the Board

The original proof of service, including the list of persons and their addresses to whom notice was mailed, is maintained by Public Works staff.



RECEIVED
JUL 24 2024

CLERK. BOARD OF SUPERVISORS

For Office Use Only

Date received: 7-24-24
Copied to: W. Kettler, C. Motta, D. Randall
Date copy sent: 7-24-24 A. Samarin
Hearing set for: 10/22/24

NOTICE OF APPEAL OF PLANNING COMMISSION DECISION

Date: 07/22/24

Appeal Fee: \$508 – Due when filing appeal

APPELLANT FILL IN BELOW THIS LINE, THIS SIDE ONLY – PLEASE PRINT OR TYPE

Project Site Address

12760	N. Friant Ave	Fresno	93650	579-060-55 and -37
Number	Street	City	Zip	Assessor's Parcel Number

Appellant's Information

Name: Vintage on the Bluff, LLC

Mailing Address: 228 N. Fairfax Avenue
Clovis, CA 93612

Telephone: 559.251.5592

Applicant's Information ☒ check if same as Appellant)

Name: _____

Mailing Address: _____

Telephone: _____

Subject of Appeal

I wish to appeal the Planning Commission's decision to ☐ Approve ☒ Deny

Variance Application No.* 4140
Conditional Use Permit No. _____
Director Review and Approval Application No. _____
Tentative Tract Application No. 6420
Amendment Application No. 3850
Amendment to Text Application No. _____
Other: GPA 566

Date of Planning Commission Action July 18, 2024

Reason(s) for Appeal (Attach additional sheets if necessary)

The project received staff recommendation for approval

The planning commission voted in favor and consistent with staff recommendation: 4 yes votes to 3 no votes

Only having seven commissioners present at the hearing the item received a majority but technically denied thus requiring an appeal

Appellant's Signature

* Fresno County Zoning Ordinance § 877(c) requires that any appellant, other than the applicant, County Department Director, or Board of Supervisors member, must be a property owner within a certain distance from the Variance Application property. The Department of Public Works and Planning will verify that the ordinance requirements are met. If the requirements are not met, the appeal fee will be returned and no date for appeal hearing before the Board of Supervisors will be set.

Please return completed form to Clerk of the Board, 2281 Tulare Street, Room 301, Fresno, CA 93721.



County of Fresno

BOARD OF SUPERVISORS

Chairman
Nathan Magsig
District Five

Vice Chairman
Buddy Mendes
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Brian Pacheco
District One

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District Two

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District Three

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Clerk

Notice of Land Use Appeal

Notice of hearing before the Board of Supervisors of the County of Fresno on **INITIAL STUDY NO. 8307, GENERAL PLAN AMENDMENT APPLICATION NO. 566, AMENDMENT APPLICATION NO. 3850, TENTATIVE TRACT MAP APPLICATION NO. 6420, and VARIANCE APPLICATION NO. 4140** filed by **Elegante Estates LLC aka VINTAGE ON THE BLUFF**.

Note: On July 18, 2024, the Fresno County Planning Commission denied this application, and on July 24, 2024, an appeal was filed by Vintage on the Bluff, LLC to the Fresno County Board of Supervisors for consideration.

Notice is hereby given that the Board of Supervisors of the County of Fresno has set this hearing for **Tuesday, the 22nd day of October, 2024**, at the hour of **9:30 A.M. (or as soon thereafter as possible)**, in the **Board of Supervisors Chambers**, Room 301, Hall of Records, 2281 Tulare St., Fresno, California, as the time and place for holding a public hearing on the following matter:

Adopt a Mitigated Negative Declaration including the Mitigation Monitoring and Reporting Program based on Initial Study No. 8307; Amend the Land Use Element of the Fresno County General Plan by changing the land use designation of a 15.24-acre parcel and a 21.18-acre parcel from Agriculture to Rural Residential; rezone said parcels from the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District to the R-R (Rural Residential, two-acre minimum parcel size) Zone District to allow the creation of 16 lots (Tract 6420) from the subject parcels; approve a Tentative Tract Map for the creation of a 16 lot residential development with an exception for private road width and minimum centerline road curve radius per County Ordinance Code 17.72.333-A.; and a Variance to waive the public road frontage requirement and the 4 to 1 lot depth to lot width ratio requirement for the lots.

The subject parcels are located on the southwest corner of Friant Road and Willow Avenue, approximately 1,870 feet north of the City of Fresno boundary (APN: 579-060-37; 55) (12760 and 12762 N. Friant Road) (Sup. Dist. 2).

Please see the attached map

For information, contact **Ejaz Ahmad**, Department of Public Works and Planning, 2220 Tulare Street, (Corner of Tulare & "M" Streets, Suite A), Fresno, CA 93721, telephone **(559) 600-4204**.

The full text of this Land Use Appeal will be available on the Fresno County website <https://fresnocounty.legistar.com/Calendar.aspx> under the October 22, 2024 meeting at the Meeting Details link by Wednesday, October 16, 2024.

PROGRAM ACCESSIBILITY AND ACCOMMODATIONS: The Americans with Disabilities Act (ADA) Title II covers the programs, services, activities, and facilities owned or operated by state and local governments like the County of Fresno ("County"). Further, the County promotes equality of opportunity and full participation by all persons, including persons with disabilities. Towards this end, the County works to ensure that it provides meaningful access to people with disabilities to every program, service, benefit, and activity, when viewed in its entirety. Similarly, the County also works to ensure that its operated or owned facilities that are open to the public provide meaningful access to people with disabilities.

To help ensure this meaningful access, the County will reasonably modify policies/ procedures and provide auxiliary aids/services to persons with disabilities. If, as an attendee or participant at the meeting, you need additional accommodations such as an American Sign Language (ASL) interpreter, an assistive listening device, large print material, electronic materials, Braille materials, or taped materials, please contact the Current Planning staff as soon as possible during office hours at **(559) 600-5473** or at ecalvillo@fresnocountyca.gov. Reasonable requests made at least 48 hours in advance of the meeting will help to ensure accessibility to this meeting. Later requests will be accommodated to the extent reasonably feasible.

NOTES:

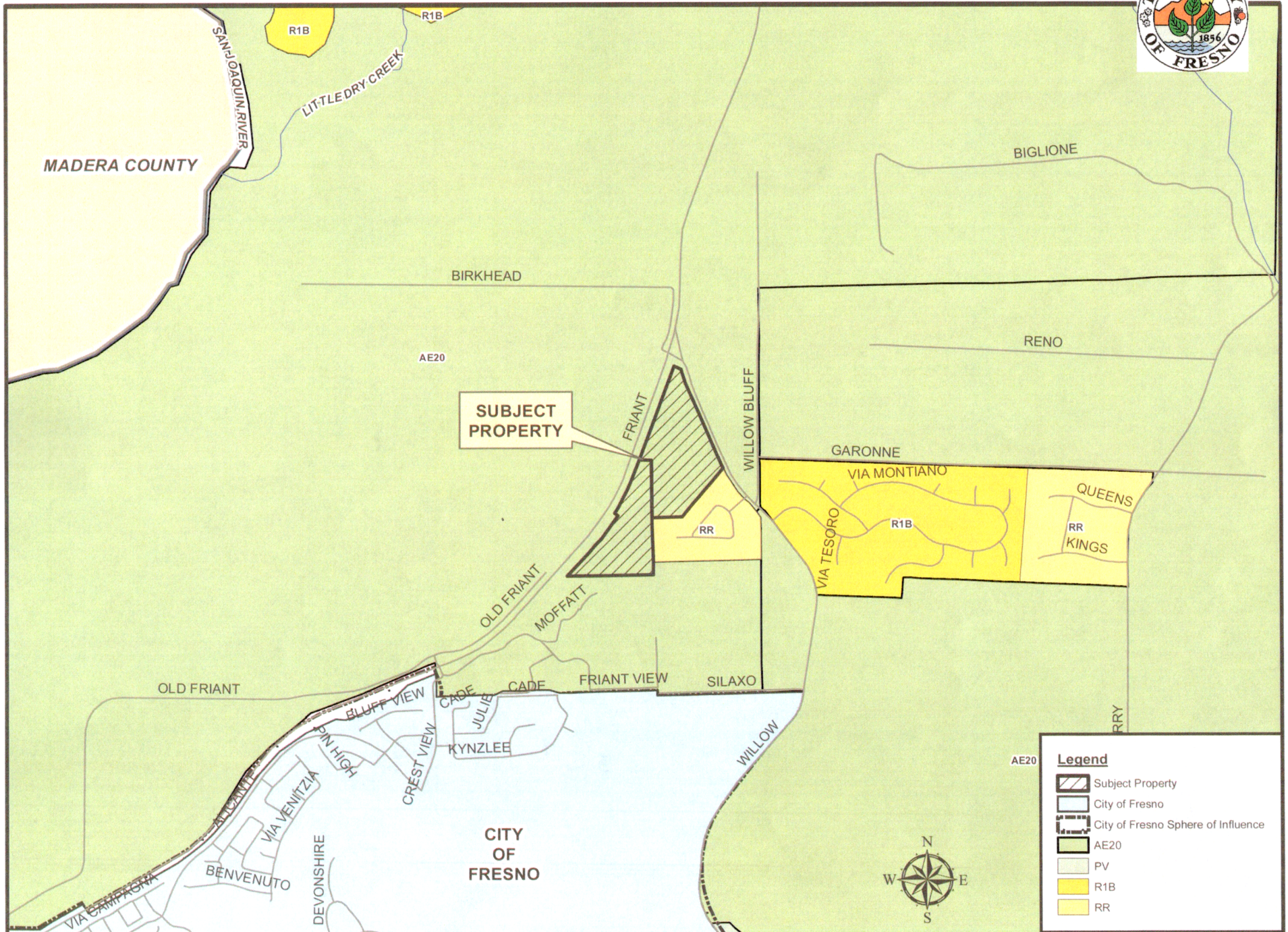
- Anyone may testify, please share this notice with your neighbors or anyone you feel may be interested.
- The Board of Supervisors will also accept written testimony such as letters, petitions, and statements. In order to provide adequate review time for the Board of Supervisors, please submit these documents to the Clerk to Board prior to the hearing date.
- If at some later date you challenge the final action on this matter 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 Board of Supervisors at, or prior to, the public hearing.

DATED: October 4, 2024

BERNICE E. SEIDEL
Board of Supervisors

By Alexander Vein, Deputy

EXISTING ZONING MAP



October 21, 2024

Item #15
10/22/2024

Board of Supervisors

2220 Tulare St., 6th Floor
Fresno, CA 93721

Gentlemen:

Prior communications from Monte Verdi interested parties with respect to developments before the Board of Supervisors present information and, through analyses, issues, both positive and unknown, which can be evaluated and must be recognized. Now the Board is facing its next steps, specifically related to the Elegant Estates Vintage on the Bluffs development, and more broadly, area-wide development affecting a wider range of interests.

The following two requests for Board consideration are based on how the proposed development, Elegante Estates' Vintage on the Bluff, can potentially lead to lowering the County's risks associated with approving development not just for the specific developer and the County but also potentially impact the City of Fresno positively and those living in the areas nearby the development now under consideration and in those in the future.

First, given that Elegante Estates' Vintage on the Bluff is (effectively) adjacent to a City of Fresno water system serving Copper River and perhaps, in the near-term future, nearby homes within the city limits and since both Fresno County and the City of Fresno may wish to reduce risks from potential future well failures due to excessive use of existing groundwater resources in the immediate vicinity of the proposed development, a negotiated mutually beneficial plan between Fresno County and the City of Fresno to provide emergency water supply may offer both parties benefits from continued development within their own jurisdictions/political subdivisions.

Second, if a phased approach to developing Elegante Estates is adopted, Fresno County could reduce the risks of depleting groundwater supplies currently serving other nearby homes by testing two or three newly drilled wells to identify their impact on the two existing wells serving Fresno County CSA 44-D and on the numerous other nearby individual wells as well as enforce water use as planned by Elegante Estates for its parcels. Limitations on the pumping capacity of Vintage on the Bluff's parcels' private wells and a requirement that landscaping of the proposed 16 lots is identified and strictly enforced according to a mandatory plan to minimize potential impairment of groundwater supply to adjacent and area homes is key to successful development and continued substantial valuation of surrounding homes as well as those in Vintage on the Bluff.

These two suggested considerations may be helpful in reducing the County's risks associated with approving development of Vintage on the Bluff and its potential impact on existing groundwater resources and the area's current and future homeowners. Thank you.

Yours truly,

Paul W Lerro 3391 E Via Montiano Avenue Clovis CA 93619-8391

FENNEMORE.
DOWLING AARON

Daniel C. Stein
Director
dstein@fennemorelaw.com
8080 N Palm Avenue, Third Floor
Fresno, California 93711
PH (559) 446-3285 | FX (559) 432-4590
fennemorelaw.com

October 15, 2024

Ejaz Ahmad
County of Fresno
2220 Tulare Street, Sixth Floor
Fresno, California 93721
eahmad@fresnocountyca.gov

Re: WITHDRAWAL OF ALL PRIOR OBJECTIONS TO STUDY NO. 8307, GENERAL PLAN AMENDMENT APPLICATION NO. 566, AMENDMENT APPLICATION NO. 3850, TENTATIVE TRACT MAP APPLICATION NO. 6420, and VARIANCE APPLICATION NO. 4140 filed by Elegante Estates LLC aka VINTAGE ON THE BLUFF

Dear Mr. Ahmad:

As you know, my office represents represent Peter Simonian, M.D. ("Dr. Simonian"), who is a homeowner located at 2800 E. Silaxo Rd, Clovis CA, a portion of which is adjacent to the above referenced project. I previously sent you comments and objections to the approval of this project, which were also reiterated at the County Planning Commission hearing on the project.

Since that time, both myself and my client have been meeting with the project proponents to discuss ways in which those concerns could be addressed. To their credit, the project proponents have been willing to have open and fair discussions about this project, its potential impacts on the surrounding properties, and address our prior concerns. I am happy to report that the parties have reached an agreement in this regard. As a result, this letter will confirm Dr. Simonian's support for the project and that all of the prior objections raised to this project by my client and/or myself have been resolved to our mutual satisfaction and are hereby withdrawn.

FENNEMORE.
DOWLING AARON

Ejaz Ahmad
County of Fresno
October 15, 2024
Page 2

Please let me know if you have any questions and thank you in advance for your courtesies and cooperation in this regard.

Sincerely,

FENNEMORE DOWLING AARON

A handwritten signature in blue ink, appearing to read 'C. Stein', with a long horizontal flourish extending to the right.

Daniel C. Stein

DCST/csua

THE BUSINESS JOURNAL

FRESNO | KINGS | MADERA | TULARE

P.O. Box 126

Fresno, CA 93707

Telephone (559) 490-3400

(Space Below for use of County Clerk only)

IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA

Notice of Public Hearing

INITIAL STUDY NO. 8307, GENERAL PLAN AMENDMENT APPLICATION NO. 566, AMENDMENT APPLICATION NO. 3850, TENTATIVE TRACT MAP APPLICATION NO. 6420, and VARIANCE APPLICATION NO. 4140

DATE AND TIME OF PUBLIC HEARING:
OCTOBER 22, 2024 AT 9:30 AM

DECLARATION OF PUBLICATION (2015.5 C.C.P.)

MISC. NOTICE

STATE OF CALIFORNIA

COUNTY OF FRESNO

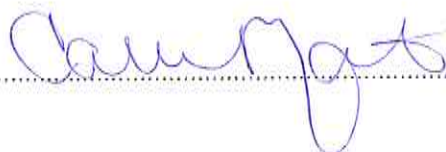
I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of **THE BUSINESS JOURNAL** published in the city of Fresno, County of Fresno, State of California, Monday, Wednesday, Friday, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Fresno, State of California, under the date of March 4, 1911, in Action No. 14315; that the notice of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

OCTOBER 11, 2024

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Fresno, California,

OCTOBER 11, 2024

ON



Notice of Public Hearing
Notice of hearing before the Board of Supervisors of the County of Fresno on INITIAL STUDY NO. 8307, GENERAL PLAN AMENDMENT APPLICATION NO. 566, AMENDMENT APPLICATION NO. 3850, TENTATIVE TRACT MAP APPLICATION NO. 6420, and VARIANCE APPLICATION NO. 4140 filed by Elegante Estates LLC aka VINTAGE ON THE BLUFF. On July 18, 2024, the Fresno County Planning Commission denied this application, and on July 24, 2024, an appeal was filed by Vintage on the Bluff, LLC to the Fresno County Board of Supervisors for consideration.
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For information, contact Ejaz Ahmad, Department of Public Works and Planning, 2220 Tulare Street, (Corner of Tulare & "M" Streets, Suite A), Fresno, CA 93721, telephone (559) 600-4204 or email eahmad@fresnocountyca.gov.
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Nathan Magsig, Chairman
Board of Supervisors
ATTEST:
BERNICE E. SEIDEL
Clerk, Board of Supervisors
Published in the Fresno Business Journal on Friday, October 11, 2024
10/11/2024

THE BUSINESS JOURNAL

FRESNO | KINGS | MADERA | TULARE

P.O. Box 126

Fresno, CA 93707

Telephone (559) 490-3400

(Space Below for use of County Clerk only)

IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA

PUBLIC NOTICE

ADOPTED ORDINANCE NO. R-504-3850

DATE OF ADOPTION:

October 22, 2024

DECLARATION OF PUBLICATION (2015.5 C.C.P.)

MISC. NOTICE

STATE OF CALIFORNIA

COUNTY OF FRESNO

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of **THE BUSINESS JOURNAL** published in the city of Fresno, County of Fresno, State of California, Monday, Wednesday, Friday, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Fresno, State of California, under the date of March 4, 1911, in Action No.14315; that the notice of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

OCTOBER 28, 2024

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Fresno, California,

OCTOBER 28, 2024

ON

PUBLIC NOTICE
ADOPTED ORDINANCE NO. R-504-3850

SUMMARY
NOTICE is hereby given that at its regularly scheduled meeting on October 22, 2024, the Fresno County Board of Supervisors adopted Ordinance No. R-504-3850, an Ordinance of the County of Fresno, State of California.

SUMMARY OF ORDINANCE
On July 18, 2024, the Fresno County Planning Commission recommended approval (4 to 3, two

Commissioners absent) to change the zoning district of the properties thereby affected in accordance with the provisions of the Zoning Divisions of the Ordinance Code of Fresno County, and to amend the zone map established by said division accordingly for the properties situated in the unincorporated area of the County of Fresno, State of California and are described as follows: That portion of the Northwest quarter of the Southeast quarter of Section 1, Township 12 South, Range 20 East, Mount Diablo Base and Meridian, in the County of Fresno, State of California, according to the official plat thereof, lying East of the center line of the Friant Road, and that portion of Section 1, Township 12 South, Range 20 East, of the Mount Diablo Base and Meridian, in the County of Fresno, State of California, as described in the Grand Deed to Ike D. Ball recorded in Book 1674 Page 194, Official Records, Fresno County Records (Document No. 2023-0110535; Recording Date. 12/01/2023) which heretofore has been classified with a 15.24-acre and a 21.18-acre parcels of land from the AE-20

(Exclusive Agricultural, 20-acre minimum parcel size) Zone District, pursuant to the Zoning Division of the Ordinance Code of Fresno County, located on the southeast corner of Friant Road and Willow Avenue, approximately 1,870 feet north of the City of Fresno boundary is hereby changed to the RR (Rural Residential) Zone District.

The full text of this Ordinance is available online at <https://fresnocounty.legistar.com/Calendar.aspx> under the October 22, 2024, meeting date, or at the office of the Clerk to the Board of Supervisors, 2281 Tulare Street, Room 301, Fresno, California.

This Ordinance was adopted by the following vote:

AYES: Supervisors Brandau, Magsig,

Mendes, Pacheco

NOES: None

ABSENT: None

RECUSED: Supervisor Quintero

ATTEST:

Bernice E. Seidel

Clerk, Board of Supervisors

10/28/2024