

ITEM #12  
04/23/2024

**From:** De la Cruz, Dean  
**Sent:** Monday, April 22, 2024 12:59 PM  
**To:** Benjamin, Marc; Hancock, Kelley; Vieira, Alexandria; Cesar, Hana; Nerland, Paul; Espino, Sal; Buck, Samantha; Flores Becker, Amina  
**Cc:** Seidel, Bernice; White, Steven; Jimenez, Bernard; Motta, Chris  
**Subject:** RE: Continuance Request for CUP No. 3751 - 6338 W. Shields Ave., Fresno CA 93723, Board of Supervisors Hearing 4/23/24 Item No. 12  
**Attachments:** Continuance Request for CUP No. 3751 - 6338 W. Shields Ave., Fresno CA 93723

Good Afternoon,

After the Clerk's office received Ms. Spera's email on April 3, Bernard Jimenez with Public Works and Planning informed the Clerk that the item would be on the April 23 BOS agenda, despite the agenda date referred to in Ms. Spera's April 3rd correspondence. Mr. Jimenez also informed the Clerk that the applicant's representative, Dirk Poeschel of Dirk Poeschel Land Development Services, Inc. had been made aware and was informed to appear before the Board at their April 23 meeting to request a continuance in-person. This correspondence, including the emails from Ms. Spera below and attached, will be distributed to the Board for Item No. 12 of tomorrow's Board meeting.

Thank you,

**Dean Dela Cruz | Deputy Clerk II**  
**Board of Supervisors**  
2281 Tulare St., Room 301, Fresno, CA 93721  
Main Office: (559) 600-3529, Option 4  
[deandelacruz@fresnocountyca.gov](mailto:deandelacruz@fresnocountyca.gov)  
The County of Fresno is an Equal Opportunity Employer



**From:** Benjamin, Marc <[mbenjamin@fresnocountyca.gov](mailto:mbenjamin@fresnocountyca.gov)>  
**Sent:** Monday, April 22, 2024 10:43 AM  
**To:** Hancock, Kelley <[khancock@fresnocountyca.gov](mailto:khancock@fresnocountyca.gov)>; De la Cruz, Dean <[deandelacruz@fresnocountyca.gov](mailto:deandelacruz@fresnocountyca.gov)>; Vieira, Alexandria <[avieira@fresnocountyca.gov](mailto:avieira@fresnocountyca.gov)>; Cesar, Hana <[hcesar@fresnocountyca.gov](mailto:hcesar@fresnocountyca.gov)>; Nerland, Paul <[PNerland@fresnocountyca.gov](mailto:PNerland@fresnocountyca.gov)>; Espino, Sal <[sespino@fresnocountyca.gov](mailto:sespino@fresnocountyca.gov)>; Buck, Samantha <[sbuck@fresnocountyca.gov](mailto:sbuck@fresnocountyca.gov)>; Flores Becker, Amina <[afloresbecker@fresnocountyca.gov](mailto:afloresbecker@fresnocountyca.gov)>  
**Subject:** FW: Continuance Request for CUP No. 3751 - 6338 W. Shields Ave., Fresno CA 93723, Board of Supervisors Hearing 4/23/24 Item No. 12  
**Importance:** High

FYI – Continuance for 4.23 item.

**From:** Maria Spera <[Maria@dplds.com](mailto:Maria@dplds.com)>  
**Sent:** Monday, April 22, 2024 10:41 AM  
**To:** District 1 <[district1@fresnocountyca.gov](mailto:district1@fresnocountyca.gov)>; Benjamin, Marc <[mbenjamin@fresnocountyca.gov](mailto:mbenjamin@fresnocountyca.gov)>  
**Cc:** Msamra00@yahoo.com; paul@fresnoccpas.com; Dirk Poeschel <[dirk@dplds.com](mailto:dirk@dplds.com)>; Randall, David A. <[drandall@fresnocountyca.gov](mailto:drandall@fresnocountyca.gov)>; Ahmad, Ejaz <[EAhmad@fresnocountyca.gov](mailto:EAhmad@fresnocountyca.gov)>  
**Subject:** Continuance Request for CUP No. 3751 - 6338 W. Shields Ave., Fresno CA 93723, Board of Supervisors Hearing

4/23/24 Item No. 12

**Importance: High**

CAUTION!!! - EXTERNAL EMAIL - THINK BEFORE YOU CLICK

Good morning Marc,

I hope this email finds you well.

I wanted to inform you that we have an item going before the Board tomorrow morning, Item 12, and wanted to let you know that on April 3<sup>rd</sup>, 2024 a continuance was requested for said item. Attached is a copy of the initial request. We are requesting that the item be continued to the Board meeting scheduled for May 21<sup>st</sup>. I, along with the applicant, will be present at tomorrows hearing to answer any questions regarding the continuance request.

Thank you for your attention to this matter. If you have any questions, please let me know.

Respectfully,

**Maria Spera | Associate Planner**

Land Development Services, Inc.

923 Van Ness Ave., Suite 200

Fresno, Ca. 93721

Phone: 559-445-0374 ext. 2

[maria@dplds.com](mailto:maria@dplds.com)

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**From:** Maria Spera <Maria@dplds.com>  
**Sent:** Wednesday, April 3, 2024 2:29 PM  
**To:** Clerk/BOS  
**Cc:** Ahmad, Ejaz; Randall , David A.; Dirk Poeschel; Msamra00@yahoo.com;  
paul@fresnocpas.com  
**Subject:** Continuance Request for CUP No. 3751 - 6338 W. Shields Ave., Fresno CA 93723  
**Importance:** High

Good afternoon,

Please receive this as a request to continue CUP No. 3751 from the Board of Supervisor's hearing scheduled for April 9<sup>th</sup>, 2024. We request a 45 day continuance from the April 9<sup>th</sup> date. There are project details that still need to be addressed.

Thank you and please let me know if you have any questions.

Respectfully,

**Maria Spera | Associate Planner**  
Land Development Services, Inc.  
923 Van Ness Ave., Suite 200  
Fresno, Ca. 93721  
Phone: 559-445-0374 ext. 2  
[maria@dplds.com](mailto:maria@dplds.com)

# 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

UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION  
NO. 3751 and INITIAL STUDY NO. 8286

DATE AND TIME OF PUBLIC  
HEARING:  
APRIL 23, 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:

APRIL 12, 2024

Notice of Public Hearing  
Notice of hearing before the Board of Supervisors of the County of Fresno on UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3751 and INITIAL STUDY NO. 8286 filed by CV ALLIANCE, LLC. On December 14, 2023, the Fresno County Planning Commission denied this application, and on December 22, 2023, an appeal was filed by Dirk Poeschel 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, April 23, 2024, at the hour of 9:30 am (or as soon thereafter as possible), at 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 matters:

Allow a high intensity park with related improvement for weddings, receptions, birthdays, anniversaries, and similar special outdoor events appropriate and incidental to parks on an approximately 3.3-acre portion of a 16.75-acre parcel in the RR (Rural Residential) Zone District. The subject parcel is located on the north side of Shields Avenue, approximately 642 feet east of N. Bryan Avenue, and 1,322 feet west of the City of Fresno (APN: 512-160-20) (6338 W. Shields Avenue).

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 April 23, 2024 meeting at the Meeting Details link by Wednesday, April 17, 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) 600-4230 or at [jpotthast@fresnocountyca.gov](mailto:jpotthast@fresnocountyca.gov).

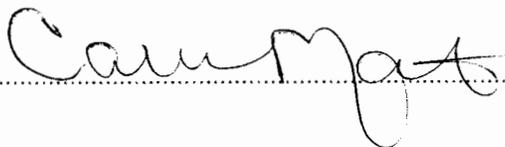
Reasonable requests made at least 48 hours in advance of the meeting will help to ensure accessibility to this meeting. Later requests will be accommodated to the extent reasonably feasible.

Nathan Magsig, Chairman  
Board of Supervisors  
ATTEST:  
BERNICE E. SEIDEL  
Clerk, Board of Supervisors  
04/12/2024

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

APRIL 12, 2024

ON .....



## Proof of Service by Mail

(Code of Civil Procedure § 1013a)

I, Hana Cesar, 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 April 3, 2024, I served the attached Notice of Hearing before the Board of Supervisors of the County of Fresno for Unclassified Conditional Use Permit Application No. 3751 and Initial Study No. 8286 filed by CV Alliance, LLC.
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 3<sup>rd</sup> day of April 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  
DEC 22 2023

CLERK, BOARD OF SUPERVISORS

For Office Use Only	
Date received:	12-22-2023
Copied to:	Will Kettler, Chris Motta, David Randal, Alison Samarin
Date copy sent:	12-22-2023
Hearing set for:	<del>4/23/24</del> 4/23/24

**NOTICE OF APPEAL OF PLANNING COMMISSION DECISION**

Date: 12/22/23

Appeal Fee: \$508 – Due when filing appeal

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

**Project Site Address**

<u>6338 W. Shields Ave.</u>	<u>Fresno, CA.</u>	<u>93723</u>	<u>512-160-20</u>
Number	Street	City	Zip
			Assessor's Parcel Number

**Appellant's Information**

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_

**Applicant's Information**  check if same as Appellant)

Name: CV Alliance, LLC.

Mailing Address: 6338 W. Shields Ave.  
Fresno, CA. 93723

Telephone 559-445-0374

**Subject of Appeal**

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

Variance Application No.\* \_\_\_\_\_

Conditional Use Permit No. 3751

Director Review and Approval Application No. \_\_\_\_\_

Tentative Tract Application No. \_\_\_\_\_

Amendment Application No. \_\_\_\_\_

Amendment to Text Application No. \_\_\_\_\_

Other: \_\_\_\_\_

Date of Planning Commission Action 12/14/23

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

SEE ATTACHED

Dirk Paeschel  
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.



Chairman  
**Nathan Magsig**  
District Five

Vice Chairman  
**Buddy Mendes**  
District Four

**Brian Pacheco**  
District One

**Steve Brandau**  
District Two

**Sal Quintero**  
District Three

**Bernice E. Seidel**  
Clerk

## Notice of Land Use Appeal

Notice of hearing before the Board of Supervisors of the County of Fresno on **UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3751** and **INITIAL STUDY NO. 8286** filed by **CV ALLIANCE, LLC.**

Note: On December 14, 2023, the Fresno County Planning Commission denied this application, and on December 22, 2023, an appeal was filed by CV Alliance, 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 23rd day of April 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:

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Please see 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**.

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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: April 3, 2024

BERNICE E. SEIDEL  
Board of Supervisors

By , Deputy

# EXISTING ZONING MAP

