


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 February 22, 2022, I served the attached Notice of Hearing before the Board of Supervisors of the County of Fresno for the Classified Conditional Use Permit No. 3655 filed by Daulat Sandhu.
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 2nd day of February 2022 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 29 2021
 CLERK, BOARD OF SUPERVISORS

For Office Use Only
 Date received: 12/29/21
 Copied to: W. Ketter C. Moha, D. Leindel, A. Samaris
 Date copy sent: 1/3/22
 Hearing set for: 2/22/22

NOTICE OF APPEAL OF PLANNING COMMISSION DECISION

Date: 12/29/21

Appeal Fee: \$508 – Due when filing appeal

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

Project Site Address

5064 W. Belmont Ave Fresno 93723 312-390-13
 Number Street City Zip Assessor's Parcel Number

Appellant's Information

Name: DAULAT SANDHU
 Mailing Address: PO BOX 15010
FRESNO CA 93702
 Telephone: (559) 347-4241

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.* _____
 Conditional Use Permit No. 3655
 Director Review and Approval Application No. _____
 Tentative Tract Application No. _____
 Amendment Application No. _____
 Amendment to Text Application No. _____
 Other: _____

Date of Planning Commission Action 12/16/21

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

For Approval of Gas Station and store/
fast food restaurant

[Signature]
 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

Brian Pacheco

District One

Vice-Chairman

Sal Quintero

District Three

Steve Brandau

District Two

Buddy Mendes

District Four

Nathan Magsig

District Five

Bernice E. Seidel

Clerk

Notice of Land Use Appeal

Notice of hearing before the Board of Supervisors of the County of Fresno **CLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3655** and **PROPOSED MITIGATED NEGATIVE DECLARATION** based on **INITIAL STUDY NO. 7664** filed by **DAULAT SANDHU**. Note: On December 16, 2021, the Fresno County Planning Commission denied this application, and on December 29, 2021 an appeal was filed by Appellant 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 February, 2022**, 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:

Allow a Rural Commercial Center consisting of a convenience store/fast-food restaurant and a gasoline fueling facility (fuel island canopy with gasoline pumps) and related improvements on an approximately 1.78-acre portion of a 4.99-acre parcel in the RR (Rural Residential, two-acre minimum parcel size) Zone District. The project site is located on the northwest corner of W. Belmont and N. Cornelia Avenues approximately 2,190 feet south of the nearest city limits of the City of Fresno (APN: 312-390-13) (5064 W. Belmont Avenue) (Sup. Dist. 1).

Please see map on reverse side

For information, contact **Steven E. White**, Department of Public Works and Planning, 2220 Tulare Street, (Corner of Tulare & "M" Streets, Suite A), Fresno, CA 93721, telephone **(559) 600-4497**.

The full text of this Land Use Appeal will be available on the Fresno County website <https://fresnocounty.legistar.com/Calendar.aspx> under the February 22, 2022 meeting at the Meeting Details link by Wednesday, February 16, 2022.

NOTES:

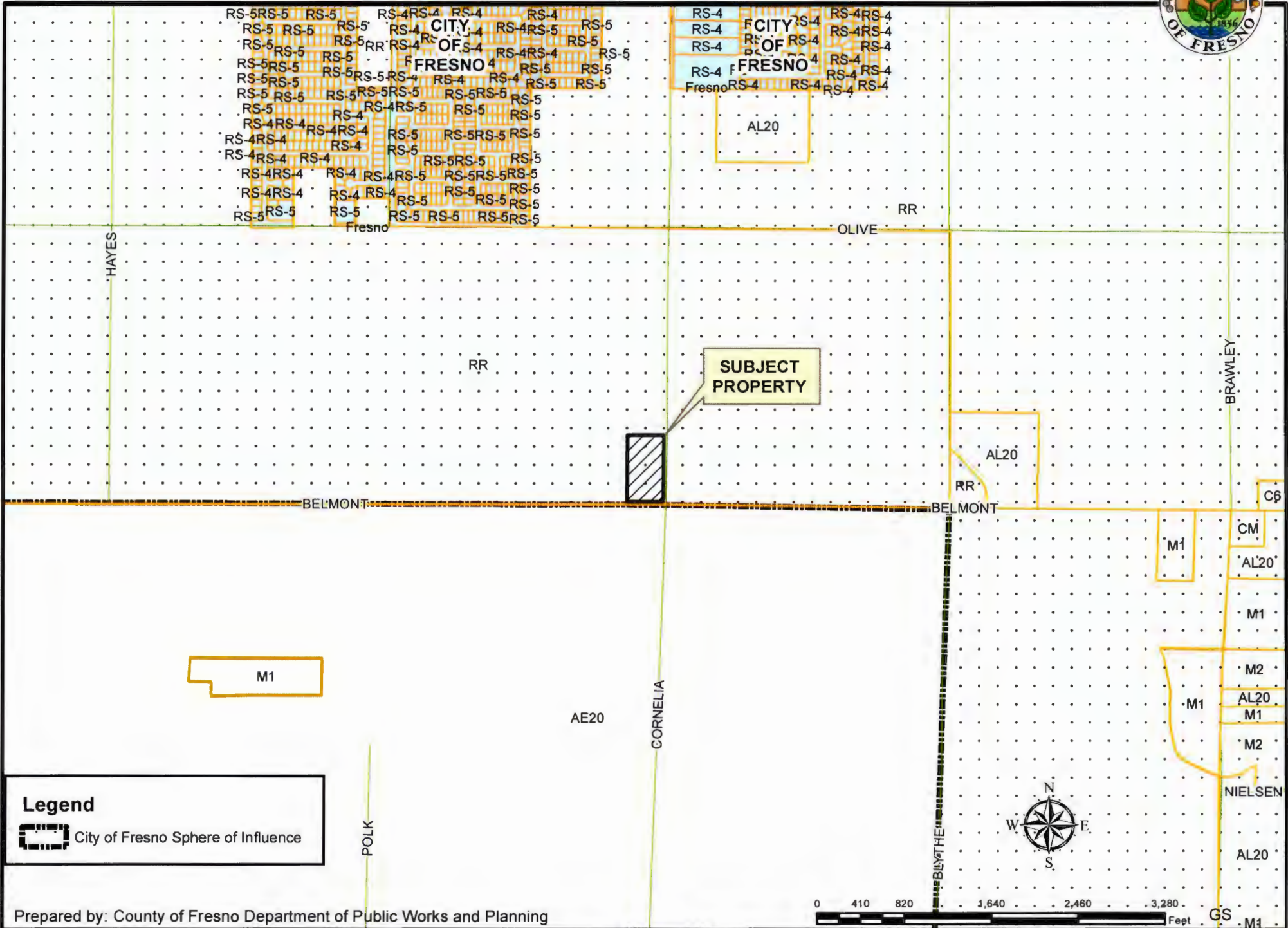
- Anyone may testify, please share this notice with your neighbors or anyone you feel may be interested.
- The Board of Supervisors will also accept written testimony such as letters, petitions, and statements. In order to provide adequate review time for the Board of Supervisors, please submit these 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: February 2, 2022

BERNICE E. SEIDEL
Board of Supervisors

By , Deputy

EXISTING ZONING MAP



Legend
 City of Fresno Sphere of Influence

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

CLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO.
3655

DATE AND TIME OF PUBLIC
HEARING:
FEBRUARY 22, 2022 AT 9:30 AM

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

MISC. NOTICE

STATE OF CALIFORNIA

COUNTY OF FRESNO

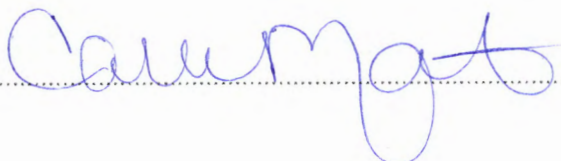
I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of **THE BUSINESS JOURNAL** published in the city of Fresno, County of Fresno, State of California, 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:

FEBRUARY 9, 2022

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

FEBRUARY 9, 2022

ON



Notice of Public Hearing
Notice of hearing before the Board of Supervisors of the County of Fresno on **CLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3655** filed by **DAULAT SANDHU**. On December 16, 2021, the Fresno County Planning Commission denied this application, and on December 29, 2021, an appeal was filed by the Appellant 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, February 22, 2022 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 Rural Commercial Center consisting of a convenience store/fast-food restaurant and a gasoline fueling facility (fuel island canopy with gasoline pumps) and related improvements on an approximately 1.78-acre portion of a 4.99-acre parcel in the RR (Rural Residential, two-acre minimum parcel size) Zone District. The project site is located on the northwest corner of W. Belmont and N. Cornelia Avenues approximately 2,190 feet south of the nearest city limits of the City of Fresno (APN: 312-390-13) (5064 W. Belmont Avenue) (Sup. Dist. 1).

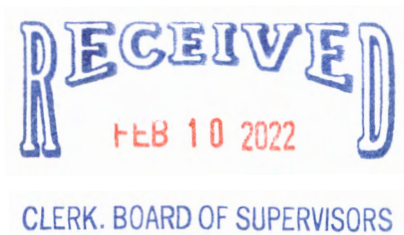
For information, contact Steven E. White, Department of Public Works and Planning, 2220 Tulare Street, (Corner of Tulare & "M" Streets, Suite A), Fresno, CA 93721, telephone (559) 600-4497.

The full text of this Land Use Appeal will be available on the Fresno County website <https://fresnocountylegistar.com/Calendar.aspx> under the February 22, 2022 meeting at the Meeting Details link by Wednesday, February 16, 2022.

Brian Pacheco, Chairman
Board of Supervisors
ATTEST:
BERNICE E. SEIDEL
Clerk, Board of Supervisors
02/09/2022

CUP Application No. 3655
Board of Supervisor's Meeting on February 22, 2022

Bret Rush
5746 West Belmont Avenue
Fresno CA 93723



My name is Bret Rush and I live .8 miles west of the corner of Belmont and Cornelia where a convenience store, CUP Application 3655, is being considered.

I am opposed to the proposed project. This is a rural residential area made up of single-family homes and farmland.

The proposed site is less than 2 miles from 2 convenience stores.

One convenience store is located 1 mile away at Belmont and Brawley. It's the size of a small house and closes at approximately 8pm each night.

The second convenience store is an Arco gas station located 1.9 miles away at Brawley and Whites Bridge. It is open 24 hours a day and is well lit, but it's away from residences and is on a state highway.

Because the proposed site is less than two miles from not one but two convenience stores, it does not meet the requirement in Finding #4.

I believe the proposed gas station/fast food/convenience store does not fit this rural community but more importantly it does not pass all the findings required to be approved.

I request that you **deny the application as recommended by county staff and by a 7-0 vote by the Planning Commission.**

Thank you.

From: Erica Lynn Jones <eljones5673@gmail.com>
Sent: Sunday, February 13, 2022 10:51 AM
To: west.ruralpetition@gmail.com; District 1; Clerk/BOS
Subject: 300% Against Sandhu Truckline for Conditional Use Permit on Belmont & Cornelia

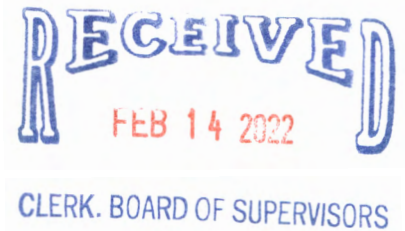
CAUTION!!! - EXTERNAL EMAIL - THINK BEFORE YOU CLICK

I am a homeowner and resident of the Cornelia/Belmont Community and I have lived here for 20+ years. I am 100% Against Sandhu Truckline for Conditional Use Permit on Belmont & Cornelia. Clearly, Sandhu has a business with the economy by having the commercial space developed. Sandhu is not a resident of my community and he nor his family will endure the negative social determinants that come with a Commercial Development that he proposed.

The identified location is directly across the street from an Elderly Care home, which will disturb their convalescence in the home if Sandhu's appeal is approved. We have enough traffic coming through our community diverting the construction on 99 and going to the recently built Commercial Center/gas station on 180/Whitesbridge south of us.

I absolutely do not approve of the building of more commercial space as proposed by Sandhu Trucking in our rural community. I would prefer to see a park, with open walking areas, and perhaps a pet walking area to aid in the health and the wellness of the residents in our thriving community
Specifically, I want my community to be a place where the residents can congregate with family, ride their bikes, and walk their dogs, which is customary on the north-side-of-town.

Erica Jones
5379 W. Belmont Ave Fresno, CA 93723



Item #8
02/22/2022

From: Kris Thompson <kris.thompson@comcast.net>
Sent: Wednesday, February 16, 2022 3:56 PM
To: Clerk/BOS
Subject: Fwd: Board Meeting - February 22
Attachments: Board Meeting 2-22-22.pdf

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

Good afternoon. Attached is my letter in regards to Item #8 Board of Supervisors meeting.

Kris Thompson

Kris Thompson
5104 W. Belmont Ave.
Fresno, CA 93723

February 16, 2022

Brian Pacheco
Supervisor, District 1
2281 Tulare Street
Fresno, CA 93721-2198

Re: CUP Application No. 3655 - Item #8
Board of Supervisor's Meeting - February 22, 2022

Dear Supervisor Pacheco:

I am writing to express my concern about the appeal to the Board of Supervisors for a Conditional Use Permit application to allow a convenience store/fast food restaurant and fueling facility at 5064 W. Belmont Avenue.

I live next door to the proposed Mini Mart and share a common wall with the property. **I am opposed to the proposed project.** This is a rural residential area with single family homes and agriculture. I have contacted my neighborhood and presented a petition to my surrounding neighbors which I am attaching that also requests denial of this application.

Planning Staff Report Commission finding #4 only allows a mini mart/convenience store to be built beyond two miles of another convenience store. This proposal does not meet that criteria.

Mr. Sandu has not contacted myself or any of my neighbors in consideration of this planned proposal and the impact on our neighborhood. When in fact, asked by the Planning Commission if he had contacted us he said he could not get ahold of us. I have met Mr. Sandu and I have documentation that he does indeed have my cell phone and can contact me anytime. Mr. Sandu does not maintain the property and has two unoccupied mobile homes on the property which have had graffiti on them since July 26, 2021. I am providing documentation of my text with Mr. Sandu along with photos of the graffiti.

I request that you deny the appeal that has been submitted and support the Planning Commission's denial of this application.

Thank you.
Kris Thompson

To: Dimpy Sandu

Mon, Jul 26, 6:13 PM



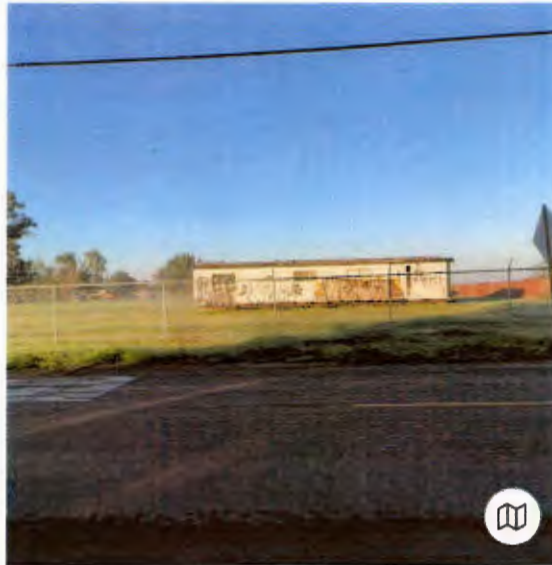
On your property

Yaa I make police report do you know any ideas any buddy you may see

Sorry I do not

They cut Fance Cornelia side and get in

That's too bad.



IMG_4900

Look Up - Landmark

Friday • Dec 10, 2021 • 7:47 AM

Adjust

IMG_4900



Sharing and content updates contribute to victory. [Take action now.](#)



Go to my petition's dashboard

West Rural Support Needed



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
STEVEN E. WHITE, DIRECTOR

NOTICE OF PUBLIC HEARING FRESNO COUNTY PLANNING COMMISSION

A public hearing will be held on **CLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3656** and **PROPOSED MITIGATED NEGATIVE DECLARATION** based on **INITIAL STUDY NO. 7884** filed by **DAULAT BANGHU** proposing to:

Allow a Rural Commercial Center consisting of a convenience store/fast-food restaurant and a gasoline fueling facility (fuel island canopy with gasoline pumps) and related improvements on an approximately 1.78-acre portion of a 4.99-acre parcel in the RR (Rural Residential, two-acre minimum parcel size) Zone District. The project site is located on the northwest corner of W Belmont and N Cornelia Avenue approximately 2,100 feet south of the nearest city limits of the City of Fresno (APN: 512-380-13) (5084 W Belmont Avenue) (Sup. Dist. 1).

The Planning Commission hearing will be at 8:45 a.m. on December 15, 2021 (or as soon thereafter as possible) in Room 301 Hall of Records, 2281 Tulare Street (Tulare & "M" Streets), Fresno, CA.

The Agenda and Staff Report will be on the Fresno County web site <http://www.co.fresno.ca.us/PlanningCommission> by Saturday, December 11, 2021, 6:00 a.m.

45 have signed. Let's get to 100!



At 100 signatures, this petition is more likely to be featured in recommendations!



West Rural Support Needed

[Share on Facebook](#)

[Send an email to friends](#)

[Tweet to your followers](#)

[Copy link](#)

[Kris Thompson](#) started this petition

There is a proposed convenience store/fast food restaurant and a gasoline fueling facility being proposed at Cornelia & Belmont. There is a hearing regarding this issue on Thursday, December 15, 2021, at 8:45 am at the Hall of Records. We need your input to not allow this to happen. Building this will change the dynamic of our quiet neighborhood as well as bring down property values and create additional traffic, congestion and smog. Please sign this petition, send a letter to the Planning Commission or email west.rural.petition@gmail.com with your concerns or if you would like to help get the word out. We need to be heard!

Petition Against Mini Mart at Belmont & Cornelia

Name	City	Signed On
1 MADELINE SHELDON	Fresno	12/10/2021
2 Kris Thompson	Fresno	12/10/2021
3 Taranvir Manrai	Fresno	12/11/2021
4 Bret Rush	Fresno	12/12/2021
5 Shelley Goulart	Fresno	12/12/2021
6 Sherry Bullard	Fresno	12/12/2021
7 Ryn Lewis	Fresno	12/12/2021
8 Alayna Wright	Fresno	12/12/2021
9 Rebeca Medina	Fresno	12/13/2021
10 Molly Portillo	Fresno	12/13/2021
11 Kristi Bolin Cornelious	Fresno	12/13/2021
12 Lynda Wickham	Fresno	12/13/2021
13 Jacob Sweet	Fresno	12/13/2021
14 Paul Thompson	Fresno	12/13/2021
15 Jessica Jones	Fresno	12/13/2021
16 Paul Goulart	Fresno	12/13/2021
17 Victor Mendoza	Fresno	12/13/2021
18 Denisse Fernandez	Fresno	12/13/2021
19 Reta Yirga	Fresno	12/13/2021
20 Ashley Elliott	Fresno	12/13/2021
21 Bob Gilbert	Fresno	12/13/2021
22 Zach Mucha	Fresno	12/13/2021
23 Melissa Blankinship	Fresno	12/13/2021
24 Leota Martin	Fresno	12/13/2021
25 Felice Lewaine	Fresno	12/14/2021
26 LUCY DELAO	Fresno	12/14/2021
27 Katie Gonzalez	Fresno	12/14/2021
28 Art flores	Fresno	12/14/2021
29 Melinda Flores	Fresno	12/14/2021
30 Melina Muñoz	Fresno	12/14/2021
31 Terri McGowan	Fresno	12/14/2021
32 Art Huggins	Fresno	12/14/2021
33 Eric Robertson	Fresno	12/14/2021
34 Dorsheria Tatum	Fresno	12/14/2021
35 Alexis Wyse	Fresno	12/14/2021
36 Jake Thompson	Fresno	12/15/2021
37 Nathan Sayavong	Fresno	12/15/2021
38 Brad Jones	Fresno	12/15/2021
39 Kay Bishop	Fresno	12/15/2021
40 Jason Sayavong	Fresno	12/15/2021
41 Abraham Dinkale	Fresno	12/15/2021
42 Kelly Pettus	Fresno	12/15/2021
43 Nastassja Magliba	Fresno	12/15/2021
44 Todd Porterfield	Fresno	12/15/2021
45 David Rod	Fresno	12/15/2021
46 Petra Wilkinson	Fresno	12/15/2021
47 Eloy Coronado	Fresno	12/15/2021
48 Cecilia Avila	Fresno	12/15/2021
49 Bill Martin	Fresno	12/15/2021

Item #8
02/22/2022

From: Bonnie & Lennart Kullberg <elkbbk@gmail.com>
Sent: Thursday, February 17, 2022 2:27 PM
To: Clerk/BOS
Subject: Letter for west rural area hearing, Feb. 22, 2022

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

Historical Heartstrings

(Disclaimer: I am the former owner of the property at 5064 W. Belmont.)

In 2018 my brother, Steve Becker and I, sold the property at 5064 W. Belmont which had belonged to our family for over 100 years. Our grandfather, Anders Becker, purchased the land upon arrival from Sweden, planted acres of Thompson grapes and figs, built an iconic white farmhouse complete with tank house and barn, and transformed the NW corner of Belmont and Cornelia into a thing of beauty. He joined the owners of neighboring properties in pride and contentment of having established themselves as landowners in the tranquility and promise of rural westside Fresno.

Unfortunately, soon after the transfer of ownership, the grand white farmhouse mysteriously burned to the ground. But miraculously, the two stately palm trees planted by Grandpa Anders upon his arrival from the 'old country' survived.

May these symbols of the tenacity of nature serve as a beacon of hope and resolve for those possibly in attendance of the hearing today, that aesthetics of the rural countryside should never be disrupted or encroached upon for the mere sake of commercialism.

With warm regards,

Bonnie Becker Kullberg
559-449-3621

Item #8
02/22/2022

From: Pasco Simone <PSimone@communitymedical.org>
Sent: Monday, February 21, 2022 11:14 AM
To: Clerk/BOS; District 1
Cc: thompson@westruralarea.com
Subject: Att: Bernice E. Seidel and Brian Pacheco (decline the gas station on Belmont and Cornelia)

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

Good morning

My name is Pasco Simone. I live at 5705 W. Belmont just west of the proposed gas station build site on Belmont and Cornelia. There is absolutely no need for a gas station or convenience/fast food store at this location.

In the past year there have been (3) new gas stations and convenience/fast food stores built or currently under construction in the area. Building another gas station in the area will only draw in more unwanted traffic to this intersection and surrounding residential areas. These type of buildouts increase unwanted transient and gang activity to the surrounding area. This is a proven statement not just an opinion. You only have to drive through or by these new establishments to see it for yourself.

I vote No for this for this so called improvement/change of land use. The lot should remain zoned for a single family home and only allow a single family home to be built on it indefinitely.

Please let me know if there is anything else that I or my neighbors can do to keep more of these commercial type of developments from encroaching on our quiet country neighborhoods.

Thank you

Pasco Simone
559-374-9133

----- WARNING/CONFIDENTIAL: -----

This email, including attachments, may contain information that is privileged, confidential, and/or exempt from disclosure under applicable law (including, but not limited to, protected health information). It is not intended for transmission to, or receipt by, any unauthorized persons. If the reader of this message is not the intended recipient you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you believe this email was sent to you in error, do not read it. Reply to the sender informing them of the error and then destroy all copies and attachments of the message from your system.
Thank you.