



June 7, 2013

**Via Electronic &  
First Class Mail**

Mr. Mark Scott, City Manager  
City of Fresno, City Manager's Office  
City Hall  
2600 Fresno Street  
Fresno, CA 93721-3601

Re: General Plan Update

Dear Mr. Scott:

Thank you for your May 28<sup>th</sup> letter in response to our April 17<sup>th</sup> letter to Councilmember Steve Brandau, which I resent to you on May 9<sup>th</sup> for a status update. The basis of our letter is to provide a written response clarifying the questions you raised in your letter.

**Timeline of Events**

Due to the difficulty you and City staff have had in finding the written correspondences relating to McCaffrey Homes' General Plan Update request(s) that go back to 2011, please allow us to provide a timeline of the events leading up to today, along with enclosed copies of the letters as you requested. It is our hope this timeline will provide additional clarity to our concerns.

**November 21, 2011:** Around November 2011 Mr. Robert McCaffrey and I met with you and Mr. Keith Bergthold to discuss the proposed land use designations for our properties located at the (i) northwest corner of Herndon and Hayes (APN 503-020-09), (ii) northeast corner of Herndon and Hayes (APN 503-020-51), and (iii) southeast corner of Polk and Dante (APN 506-130-31). At your direction, we subsequently sent you a letter dated November 21, 2011 requesting that all three properties be designated Medium Density in connection with the ongoing update to the City's General Plan. Subsequent analysis, as illustrated on the timeline for May 23<sup>rd</sup>, indicated a Medium Low Density designation would be more appropriate on the northeast corner of Herndon and Hayes.

**December, 2011:** After our initial November 2011 letter the General Plan Update issued by the City of Fresno reflected land uses that were inconsistent with our request(s).

**2012:** McCaffrey Homes conducts several face-to-face meetings with Mr. Bergthold in an attempt to work with City staff to determine why they chose to reflect a different land use designation on the City's General Plan Update rather than reflecting the land use designations that we had requested for our properties. Mr. Bergthold assured me City of Fresno staff supported our requests even though the plan illustrated a different Land Use designation(s) than had been discussed in November 2011.

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course of working with City staff, requesting his involvement since the properties are located within District 2. We asked Councilmember Brandau if he could determine why we were not able to obtain an explanation, whether written or oral, as to why City staff would not reflect on the General Plan Update our requested Land Uses since City staff had told us they supported our original request. While we were pleased to see one of the three properties (iii) subsequently received our requested Land Use, we are nonetheless muddled as to why City staff would apply an intensified Land Use designation of Urban Neighborhood at the northwest corner of Herndon and Hayes (i) when the surrounding properties are single family detached and the property does not warrant that use; and a Land Use of Medium at the northeast corner of Herndon and Hayes (ii) when the property has a major Pacific Gas & Electric (PG&E) power line traversing through the property making it virtually undevelopable with the Land Use designation applied. Parenthetically, we also requested written confirmation from City staff that our Land Use densities had indeed been accurately calculated based on our proposed site plans. It is our belief we have accurately calculated the Land Uses, however, we provided our conceptual site plans prepared by our civil engineer with all correspondences so City staff may apply the correct Land Use designation(s) if it is determined our calculations were incorrect.

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### **Our Response to Your Questions**

As illustrated by the above, we understand the timeline of events very well as it took three letters and countless phone calls and meetings to finally receive your May 28, 2013 written response regarding the current status of our 2011 request for a change to the City's General Plan Update Map. In order to attempt to expedite the situation at hand, and provide further clarity, allow us to answer the questions in your most recent correspondence.

**Question:** *With respect to the NW corner of Herndon/Hayes, the draft General Plan map as of August 2012 shows an "Urban Neighborhood" residential designation, which the proposed plan defines as 16 to 30 units per acre, and not 30 to 45 units per acre, as you suggest in your April 17, 2013 letter. As I understand it, you are asking that this corner be considered for Medium Density residential allowing 5 to 12 units per acre. Is that correct?*

**McCaffrey Homes Response:** Yet again, as we have provided in our three previous letters, enclosed are the site plans that include the density we are requesting, however, for clarification, our request is for the 2035 Fresno General Plan Land Use to reflect Land Use designations as follows:

- i. Medium Density on the northwest corner of Herndon & Hayes in lieu of Urban Neighborhood; and
- ii. Medium Low Density on the northeast corner of Herndon & Hayes in lieu of Medium.

We assume this confusion is something we share since City staff has changed the Land Use ranges from its 2025 General Plan to the 2035 General Plan, and thus the reason for your questions in your May 28<sup>th</sup> letter. Additionally, since the City's website is not very user-friendly we continue to ask City staff for written confirmation that the Land Uses have indeed been accurately calculated based on the proposed site plans. It is believed we have accurately calculated the Land Uses, however, please note enclosed for your convenience again are the conceptual site plans, prepared by our civil engineer for the sites in question. Should City staff find them to be incorrect, then we would request they apply and reflect on the 2035 General Plan Update a Land Use that is consistent with the enclosed site plans for all three properties.

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**McCaffrey Homes Response:** All three sites have PG&E power lines traversing through the properties as we have depicted on the site plans so it may facilitate City staff's ability to confirm that our civil engineer has accurately calculated the Land Use designations. As to the second part of your question, over ten years ago we sold our property that was located near the intersection of Herndon and Spruce, which is less than a quarter of a mile from the properties that we are discussing, which had a Land Use designation of Multi Family. The buyer of the property submitted an application to the City for Multi Family and the entire neighborhood came out in full-force to protest the Multi Family Land Use designation, regardless of the fact that the property already had a Land Use designation of Multi Family.

### **McCaffrey Homes' Questions**

Now that we have established a clear timeline and outlined the facts relating to the situation at hand we are inclined, to take your advice and guidance offered in your May 28<sup>th</sup> letter and follow the General Plan

Amendment (GPA) and Rezoning Process. However, prior to proceeding with the request, we would appreciate a written response from you to the following questions:

1. Since the City is in the midst of updating their General Plan, is City staff accepting and processing any GPA and Rezoning applications?
2. Do you and City staff continue to support our Land Use designations as illustrated, as it makes no business sense to continue if you are not going to support our requests?

3. Are the Land Use calculations done by our engineers correct?
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8. And lastly, can we change the Land Uses without having to submit a Tentative Tract Map at this time? Allowing us to maintain flexibility, because while we have done the necessary studies and site plans, which I have shared with you and staff several times, it will eliminate the time and cost associated with additional work should we need to make any minor changes to the site plan in the future.

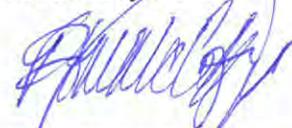
### Conclusion

In conclusion, we hope you and City staff have a better understanding of our frustration and confusion. We do not understand why our requested land use designations in 2011 were never put forward and why it took numerous meetings and letters before we found out well beyond August 2012 that the City had frozen the maps and would not be making any further changes requested to the General Plan Update. This time consuming and confusing process has not been a cost-effective and efficient use of our City's limited resources. Nonetheless, we are here to work with you and City staff and are prepared to sit down with Mr. Mike Sanchez once you have provided clarity to the land use designations in question and answered our questions so we will be better able to plan our future business in the City of Fresno.

Should you have any questions, please do not hesitate to contact me at (559) 256-7000 extension 25.

Sincerely,

**McCaffrey Homes**



Brent M. McCaffrey  
President

Enclosures

Cc: The Honorable Steve Brandau  
Mr. Keith Bergthold  
Mr. Mike Sanchez  
Mr. Robert A. McCaffrey



November 21, 2011

US Postal Service & Electronic Mail

Mr. Mark Scott, City Manager  
City of Fresno  
2600 Fresno Street  
Fresno, CA 93721-3601

Re: General Plan Update

Dear Mr. Scott:

We would first like to take this opportunity to thank you and Mr. Keith Bergthold again for taking time out of your hectic schedules to meet with my father and I to discuss the Land Uses on our various properties located in northwest Fresno. As per your guidance, we're writing to request the City of Fresno's cooperation by including the requested Land Use changes to the following properties in the City's General Plan Update.

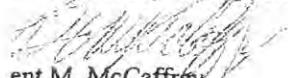
1. Northwest corner of Herndon & Hayes; APN #503-020-09:
  - a. Currently, the General Plan reflects a Land Use of Neighborhood Commercial with a C1 zoning.
  - b. We are requesting the Land Use be changed to Medium Density (4.99-10.37 D.U./acre).
2. Northeast corner of Herndon & Hayes; APN #503-020-51:
  - a. Currently, the General Plan reflects a Land Use of Office.
  - b. We are requesting the Land Use be changed to Medium Density (4.99-10.37 D.U./acre).
3. Southeast corner of Polk & Dante; APN #506-130-31:
  - a. Currently, the General Plan reflects a Land Use of Medium High Density with a R2 zoning.
  - b. We are requesting the Land Use be changed to Medium Density (4.99-10.37 D.U./acre).

It is believed that we have accurately calculated our Land Uses. That said, enclosed for your convenience are the draft conceptual site plans that we had prepared for the abovementioned sites. We would appreciate for an opportunity to meet with staff, at the appropriate time, to confirm that our reflected Land Uses are accurate.

By applying these changes to the City's General Plan Update will bring substantial benefits to the City and the community as a whole by providing residential homes that will provide homeowners the opportunity to "move up" (or down) as their individual situations dictate, and thus remain in the City long term. The projects will also bring significant traffic safety, aesthetic, open space amenities and economic improvements to the area. Again, we thank you for considering our requests and look forward to discussing these projects in more detail.

Of course, should you have any questions, please do not hesitate to contact me at (559) 256-7000, extension 25.

Sincerely,  
The McCaffrey Group, Inc.

  
Robert A. McCaffrey  
President

Closures

Mr. Keith Bergthold & Mr. Robert A. McCaffrey



April 17, 2013

**US Postal Service & Electronic Mail**

The Honorable Steve Brandau  
Councilmember District 2  
City of Fresno  
2600 Fresno Street, Room 2097  
Fresno, CA 93721-3601

Re: General Plan Update

Dear Councilmember Brandau:

Nearly a year-and-a-half ago, we met with City Manager, Mr. Mark Scott, and Assistant Director of Planning, Mr. Keith Bergthold, to discuss the Land Uses on the properties owned by McCaffrey Homes listed below which are located in District 2:

- I. Northwest corner of Herndon & Hayes (APN #503-020-09)
- II. Northeast corner of Herndon & Hayes (APN #503-020-51)
- III. Southeast corner of Polk & Dante (APN #506-130-31)

Per their guidance at that meeting, a written request was sent to their attention requesting the City of Fresno's cooperation by including in the City's General Plan Update a Land Use of Medium Density (5.0-12 D.U./acre) to the northwest corner of Herndon & Hayes and the southeast corner of Polk & Dante, and Medium Low Density (3.5-6 D.U./acre) to northeast corner of Herndon & Hayes. For your convenience, enclosed is a copy of our written request labeled as Exhibit-A.

According to the City of Fresno's most recent version of the 2035 Fresno General Plan Land Use Diagram Draft Figure 2 (Exhibit-B), dated August 8, 2012, located on the City of Fresno's website, the Land Uses for the abovementioned properties reflect Urban Neighborhood (30-45 D.U./acre) to the northwest corner of Herndon & Hayes and Medium Density to the northeast corner of Herndon & Hayes and southeast corner of Polk & Dante. While we are pleased to see one of the three properties received our requested Land Uses, we are nonetheless muddled as to why the City would apply an intensified Land Use of Urban Neighborhood at the northwest corner of Herndon & Hayes when the surrounding properties are single family detached and the property does not warrant that use; and a Land Use of Medium at the northeast corner of Herndon & Hayes when the property has a major Pacific Gas & Electric power line traversing through the property making it virtually undevelopable with such a Land Use designation.

Since we first engaged with the City regarding our request, several ongoing efforts of outreach have been made to Mr. Bergthold to express our concerns and for an explanation as to why the City would reflect a Land Use of Urban Neighborhood rather than Medium Density and a Land Use of Medium rather than Medium Low to our properties as requested. Simply stated, no response, whether oral or written, has been provided thus far. With that in mind, the spirit of this letter is to request your engagement on:

- I. 2035 Fresno General Plan Land Use Diagram to reflect a Land Use of Medium Density on the northwest corner of Herndon & Hayes in lieu of Urban Neighborhood;
- II. 2035 Fresno General Plan Land Use Diagram to reflect a Land Use of Medium Low Density on the northeast corner of Herndon & Hayes in lieu of Medium;
- III. Confirmation of our understanding that Medium Density is accurate on the southeast corner of Polk & Dante; and
- IV. Written confirmation from City staff that the Land Uses have indeed been accurately calculated based on the proposed site plans. It is believed that we have accurately calculated the Land Uses, however, enclosed for your convenience are conceptual site plans, labeled Exhibit-C, prepared by our civil engineer for the abovementioned sites. Should the City's staff find them to be incorrect, then we would request that they apply and reflect on the 2035 General Plan Update a Land Use that is consistent with the enclosed site plans for all three properties.

Application of these changes to the City's General Plan Update will bring substantial benefits to the City and the community as a whole. Providing residential homes that will give homeowners the opportunity to "move up" (or down) as their individual situations dictate, and thus remain in the City long-term. The projects will also bring significant traffic safety, aesthetic qualities, open space amenities and economic improvements to the region.

Should you have any questions, please do not hesitate to contact me at (559) 256-7000 extension 25.

Sincerely,

**McCaffrey Homes**



Brent M. McCaffrey  
President

Enclosures

Cc: Mr. Mark Scott  
Mr. Keith Bergthold  
Mr. Robert A. McCaffrey



May 31, 2013

**Via Electronic and  
First Class Mail**

Mr. Mark Scott, City Manager  
City of Fresno  
2600 Fresno Street, Room 2064  
Fresno, California 93721-3601

Re: General Plan Update

Dear Mr. Scott:

As you know, McCaffrey Homes owns the properties located at the following locations:

1. Northwest corner of Herndon and Hayes (APN 503-020-09)
2. Northeast corner of Herndon and Hayes (APN 503-020-51)
3. Southeast corner of Polk and Dante (APN 506-130-31)

According to the current version of the City of Fresno 2035 General Plan Land Use Diagram Draft Figure 2, dated August 8, 2012, the property located at the northwest corner of Herndon and Hayes is proposed to be designated Urban Neighborhood, which permits a residential density of 16 to 30 dwelling units per acre, and the properties located at the northeast corner of Herndon and Hayes and the southeast corner of Polk and Dante are proposed to be designated Medium Density, which permits a residential density of 5.0 to 12 dwelling units per acre. I have enclosed drawings showing the residential density of our proposed development on each of the properties. As indicated on the drawings, the proposed density for the property located at the northwest corner of Herndon and Hayes is 9.76 dwelling units per acre; the proposed density for the property located at the northeast corner of Herndon and Hayes is 4.01 dwelling units per acre, and the proposed density for the property located at Polk and Dante is 10.09 dwelling units per acre.

I met with you and Keith Bergthold in November 2011 to discuss the proposed land use designations for the above-referenced properties. At your direction, I subsequently sent you a letter dated November 21, 2011 requesting that all three properties be designated Medium Density in connection with the ongoing update to the City's General Plan. Subsequent analysis indicates that a Medium Low Density designation permitting 3.5 to 6 dwelling units per acre is more appropriate on the northeast corner of Herndon and Hayes.

**Page 2 of 2**  
**May 31, 2013**

On May 23, 2013, I met with Keith Bergthold who informed me that the final draft of the General Plan Update will not be completed until January 2014, and hearings before the City Council will not take place until January or February 2014. Mr. Bergthold also informed me that back in November of 2011 City staff supported our proposed land uses and remains in support of our proposed land uses; however, City staff will not be making any further changes to the land use designations on the Draft Land Use Diagram for the General Plan Update but will instead make recommendations for such changes in presentations to the City Council.

The proposed land use designation for the property located at the southeast corner of Polk and Dante is Medium Density in accordance with our request, but it is unclear to me why the land use designation for the properties located at the northwest corner of Herndon and Hayes and the northeast corner of Herndon and Hayes has not been changed from Urban Neighborhood to Medium Density and Medium Density to Medium Low Density when City staff supported and remains in support of our proposed land use, the surrounding properties are developed with single family detached houses, and a higher density of development in these locations is not warranted. It is also unclear why the designation of the property located at the northeast corner of Herndon and Hayes cannot be changed from Medium Density to Medium Low Density when the property is traversed by a major Pacific Gas & Electric power line making development of 5 to 12 dwelling units per acre infeasible. Finally, it is unclear to me why the requested changes cannot be made to the Draft Land Use Diagram at this time since the final draft of the General Plan Update will not be completed for at least another nine months.

I am prepared to meet with you to discuss these issues in more detail at your convenience. In the meantime, please do not hesitate to contact me with any questions at (559) 256-7000 extension 25.

Sincerely,

**McCaffrey Homes**



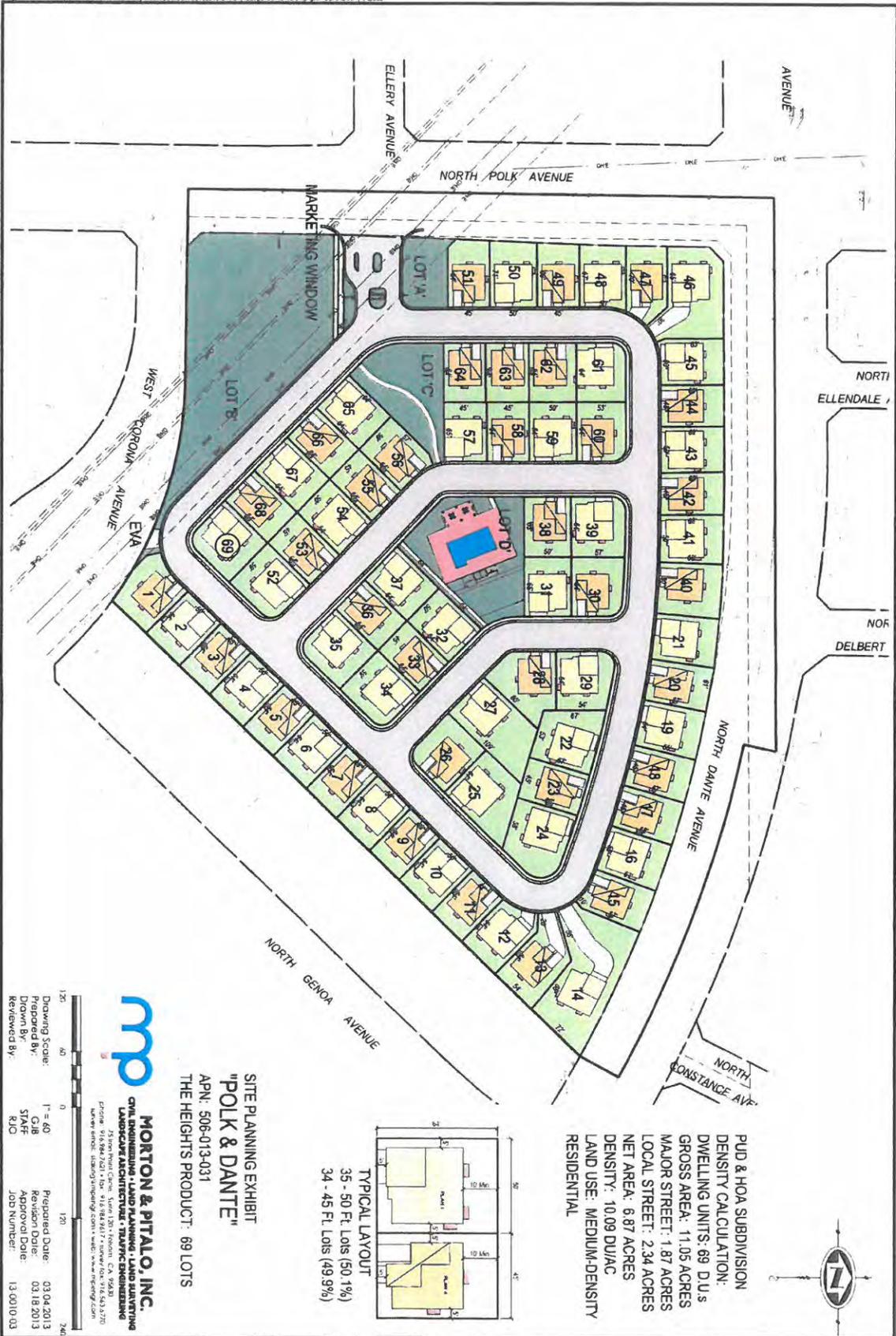
Brent M. McCaffrey  
President

Enclosures

Cc: The Honorable Steve Brandau  
Mr. Keith Bergthold







PUD & HOA SUBDIVISION  
 DENSITY CALCULATION:  
 DWELLING UNITS: 69 D.U.'s  
 GROSS AREA: 11.05 ACRES  
 MAJOR STREET: 1.87 ACRES  
 LOCAL STREET: 2.34 ACRES  
 NET AREA: 6.87 ACRES  
 DENSITY: 10.09 DU/AC  
 LAND USE: MEDIUM-DENSITY  
 RESIDENTIAL



SITE PLANNING EXHIBIT  
 "POLK & DANTE"  
 APN: 506-013-031  
 THE HEIGHTS PRODUCT: 69 LOTS

**mp**  
 CIVIL ENGINEERING • LAND PLANNING • LAND SURVEYING  
 LANDSCAPE ARCHITECTURE • TRAFFIC ENGINEERING  
 25500 TOWN CENTER SUITE 1207 FORT MYERS, FL 34907  
 PHONE: 888.888.8888 FAX: 888.888.8888  
 WWW.MORTON&PITALO.COM

120  
 60  
 0  
 120  
 240

Drawing Scale: 1" = 60'  
 Prepared By: CJB  
 Drawn By: STAFF  
 Reviewed By: RJC

Prepared Date: 03/04/2013  
 Revision Date: 03/18/2013  
 Approval Date:  
 Job Number: 13-0010-03



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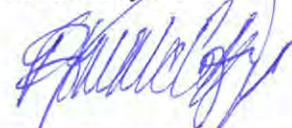
### Conclusion

In conclusion, we hope you and City staff have a better understanding of our frustration and confusion. We do not understand why our requested land use designations in 2011 were never put forward and why it took numerous meetings and letters before we found out well beyond August 2012 that the City had frozen the maps and would not be making any further changes requested to the General Plan Update. This time consuming and confusing process has not been a cost-effective and efficient use of our City's limited resources. Nonetheless, we are here to work with you and City staff and are prepared to sit down with Mr. Mike Sanchez once you have provided clarity to the land use designations in question and answered our questions so we will be better able to plan our future business in the City of Fresno.

Should you have any questions, please do not hesitate to contact me at (559) 256-7000 extension 25.

Sincerely,

**McCaffrey Homes**



Brent M. McCaffrey  
President

Enclosures

Cc: The Honorable Steve Brandau  
Mr. Keith Bergthold  
Mr. Mike Sanchez  
Mr. Robert A. McCaffrey



November 21, 2011

US Postal Service & Electronic Mail

Mr. Mark Scott, City Manager  
City of Fresno  
2600 Fresno Street  
Fresno, CA 93721-3601

Re: General Plan Update

Dear Mr. Scott:

We would first like to take this opportunity to thank you and Mr. Keith Bergthold again for taking time out of your hectic schedules to meet with my father and I to discuss the Land Uses on our various properties located in northwest Fresno. As per your guidance, we're writing to request the City of Fresno's cooperation by including the requested Land Use changes to the following properties in the City's General Plan Update.

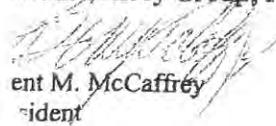
1. Northwest corner of Herndon & Hayes; APN #503-020-09:
  - a. Currently, the General Plan reflects a Land Use of Neighborhood Commercial with a C1 zoning.
  - b. We are requesting the Land Use be changed to Medium Density (4.99-10.37 D.U./acre).
2. Northeast corner of Herndon & Hayes; APN #503-020-51:
  - a. Currently, the General Plan reflects a Land Use of Office.
  - b. We are requesting the Land Use be changed to Medium Density (4.99-10.37 D.U./acre).
3. Southeast corner of Polk & Dante; APN #506-130-31:
  - a. Currently, the General Plan reflects a Land Use of Medium High Density with a R2 zoning.
  - b. We are requesting the Land Use be changed to Medium Density (4.99-10.37 D.U./acre).

It is believed that we have accurately calculated our Land Uses. That said, enclosed for your convenience are the draft conceptual site plans that we had prepared for the abovementioned sites. We would appreciate for an opportunity to meet with staff, at the appropriate time, to confirm that our reflected Land Uses are accurate.

By applying these changes to the City's General Plan Update will bring substantial benefits to the City and the community as a whole by providing residential homes that will provide homeowners the opportunity to "move up" (or down) as their individual situations dictate, and thus remain in the City long term. The projects will also bring significant traffic safety, aesthetic, open space amenities and economic improvements to the area. Again, we thank you for considering our requests and look forward to discussing these projects in more detail.

Of course, should you have any questions, please do not hesitate to contact me at (559) 256-7000, extension 25.

Sincerely,  
The McCaffrey Group, Inc.

  
Robert A. McCaffrey  
President

Enclosures

Mr. Keith Bergthold & Mr. Robert A. McCaffrey



April 17, 2013

**US Postal Service & Electronic Mail**

The Honorable Steve Brandau  
Councilmember District 2  
City of Fresno  
2600 Fresno Street, Room 2097  
Fresno, CA 93721-3601

Re: General Plan Update

Dear Councilmember Brandau:

Nearly a year-and-a-half ago, we met with City Manager, Mr. Mark Scott, and Assistant Director of Planning, Mr. Keith Bergthold, to discuss the Land Uses on the properties owned by McCaffrey Homes listed below which are located in District 2:

- I. Northwest corner of Herndon & Hayes (APN #503-020-09)
- II. Northeast corner of Herndon & Hayes (APN #503-020-51)
- III. Southeast corner of Polk & Dante (APN #506-130-31)

Per their guidance at that meeting, a written request was sent to their attention requesting the City of Fresno's cooperation by including in the City's General Plan Update a Land Use of Medium Density (5.0-12 D.U./acre) to the northwest corner of Herndon & Hayes and the southeast corner of Polk & Dante, and Medium Low Density (3.5-6 D.U./acre) to northeast corner of Herndon & Hayes. For your convenience, enclosed is a copy of our written request labeled as Exhibit-A.

According to the City of Fresno's most recent version of the 2035 Fresno General Plan Land Use Diagram Draft Figure 2 (Exhibit-B), dated August 8, 2012, located on the City of Fresno's website, the Land Uses for the abovementioned properties reflect Urban Neighborhood (30-45 D.U./acre) to the northwest corner of Herndon & Hayes and Medium Density to the northeast corner of Herndon & Hayes and southeast corner of Polk & Dante. While we are pleased to see one of the three properties received our requested Land Uses, we are nonetheless muddled as to why the City would apply an intensified Land Use of Urban Neighborhood at the northwest corner of Herndon & Hayes when the surrounding properties are single family detached and the property does not warrant that use; and a Land Use of Medium at the northeast corner of Herndon & Hayes when the property has a major Pacific Gas & Electric power line traversing through the property making it virtually undevelopable with such a Land Use designation.

Since we first engaged with the City regarding our request, several ongoing efforts of outreach have been made to Mr. Bergthold to express our concerns and for an explanation as to why the City would reflect a Land Use of Urban Neighborhood rather than Medium Density and a Land Use of Medium rather than Medium Low to our properties as requested. Simply stated, no response, whether oral or written, has been provided thus far. With that in mind, the spirit of this letter is to request your engagement on:

- I. 2035 Fresno General Plan Land Use Diagram to reflect a Land Use of Medium Density on the northwest corner of Herndon & Hayes in lieu of Urban Neighborhood;
- II. 2035 Fresno General Plan Land Use Diagram to reflect a Land Use of Medium Low Density on the northeast corner of Herndon & Hayes in lieu of Medium;
- III. Confirmation of our understanding that Medium Density is accurate on the southeast corner of Polk & Dante; and
- IV. Written confirmation from City staff that the Land Uses have indeed been accurately calculated based on the proposed site plans. It is believed that we have accurately calculated the Land Uses, however, enclosed for your convenience are conceptual site plans, labeled Exhibit-C, prepared by our civil engineer for the abovementioned sites. Should the City's staff find them to be incorrect, then we would request that they apply and reflect on the 2035 General Plan Update a Land Use that is consistent with the enclosed site plans for all three properties.

Application of these changes to the City's General Plan Update will bring substantial benefits to the City and the community as a whole. Providing residential homes that will give homeowners the opportunity to "move up" (or down) as their individual situations dictate, and thus remain in the City long-term. The projects will also bring significant traffic safety, aesthetic qualities, open space amenities and economic improvements to the region.

Should you have any questions, please do not hesitate to contact me at (559) 256-7000 extension 25.

Sincerely,

**McCaffrey Homes**



Brent M. McCaffrey  
President

Enclosures

Cc: Mr. Mark Scott  
Mr. Keith Bergthold  
Mr. Robert A. McCaffrey



May 31, 2013

**Via Electronic and  
First Class Mail**

Mr. Mark Scott, City Manager  
City of Fresno  
2600 Fresno Street, Room 2064  
Fresno, California 93721-3601

Re: General Plan Update

Dear Mr. Scott:

As you know, McCaffrey Homes owns the properties located at the following locations:

1. Northwest corner of Herndon and Hayes (APN 503-020-09)
2. Northeast corner of Herndon and Hayes (APN 503-020-51)
3. Southeast corner of Polk and Dante (APN 506-130-31)

According to the current version of the City of Fresno 2035 General Plan Land Use Diagram Draft Figure 2, dated August 8, 2012, the property located at the northwest corner of Herndon and Hayes is proposed to be designated Urban Neighborhood, which permits a residential density of 16 to 30 dwelling units per acre, and the properties located at the northeast corner of Herndon and Hayes and the southeast corner of Polk and Dante are proposed to be designated Medium Density, which permits a residential density of 5.0 to 12 dwelling units per acre. I have enclosed drawings showing the residential density of our proposed development on each of the properties. As indicated on the drawings, the proposed density for the property located at the northwest corner of Herndon and Hayes is 9.76 dwelling units per acre; the proposed density for the property located at the northeast corner of Herndon and Hayes is 4.01 dwelling units per acre, and the proposed density for the property located at Polk and Dante is 10.09 dwelling units per acre.

I met with you and Keith Bergthold in November 2011 to discuss the proposed land use designations for the above-referenced properties. At your direction, I subsequently sent you a letter dated November 21, 2011 requesting that all three properties be designated Medium Density in connection with the ongoing update to the City's General Plan. Subsequent analysis indicates that a Medium Low Density designation permitting 3.5 to 6 dwelling units per acre is more appropriate on the northeast corner of Herndon and Hayes.

**Page 2 of 2**  
**May 31, 2013**

On May 23, 2013, I met with Keith Bergthold who informed me that the final draft of the General Plan Update will not be completed until January 2014, and hearings before the City Council will not take place until January or February 2014. Mr. Bergthold also informed me that back in November of 2011 City staff supported our proposed land uses and remains in support of our proposed land uses; however, City staff will not be making any further changes to the land use designations on the Draft Land Use Diagram for the General Plan Update but will instead make recommendations for such changes in presentations to the City Council.

The proposed land use designation for the property located at the southeast corner of Polk and Dante is Medium Density in accordance with our request, but it is unclear to me why the land use designation for the properties located at the northwest corner of Herndon and Hayes and the northeast corner of Herndon and Hayes has not been changed from Urban Neighborhood to Medium Density and Medium Density to Medium Low Density when City staff supported and remains in support of our proposed land use, the surrounding properties are developed with single family detached houses, and a higher density of development in these locations is not warranted. It is also unclear why the designation of the property located at the northeast corner of Herndon and Hayes cannot be changed from Medium Density to Medium Low Density when the property is traversed by a major Pacific Gas & Electric power line making development of 5 to 12 dwelling units per acre infeasible. Finally, it is unclear to me why the requested changes cannot be made to the Draft Land Use Diagram at this time since the final draft of the General Plan Update will not be completed for at least another nine months.

I am prepared to meet with you to discuss these issues in more detail at your convenience. In the meantime, please do not hesitate to contact me with any questions at (559) 256-7000 extension 25.

Sincerely,

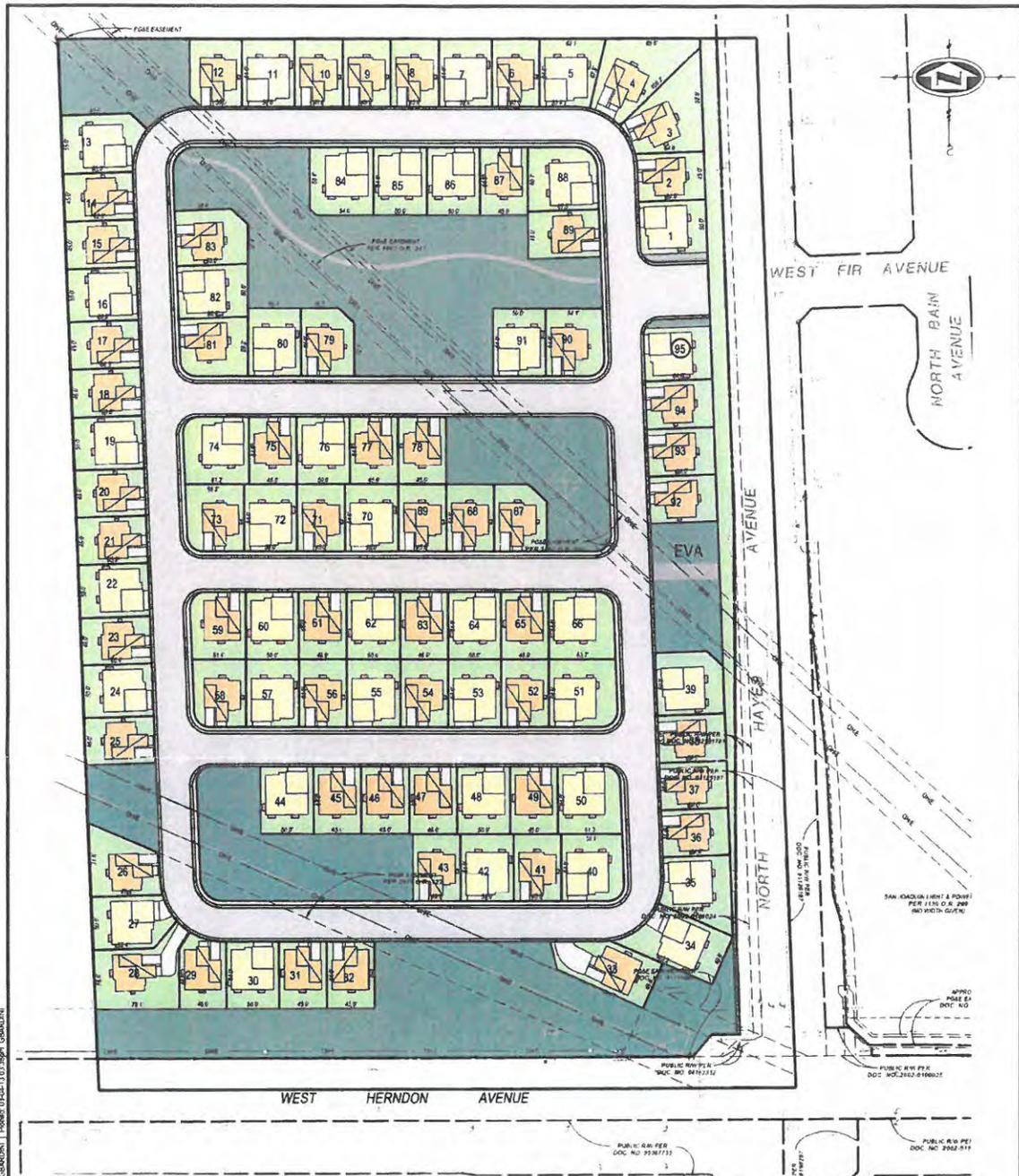
**McCaffrey Homes**



Brent M. McCaffrey  
President

Enclosures

Cc: The Honorable Steve Brandau  
Mr. Keith Bergthold

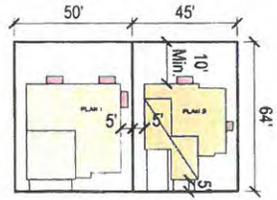


Date: 3/20/13 1:48:20 PM; User: JG; Plot: 100; Scale: 0.148; 11/12/2013; Sheet: 01 of 13; 11/12/2013; 1:03:39 PM; GRADONL



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 CIVIL ENGINEERING • LAND PLANNING • LAND SURVEYING  
 LANDSCAPE ARCHITECTURE • TRAFFIC ENGINEERING  
 75 Van Pelt Circle, Suite 120 • Folsom, CA 95630  
 Phone: 916.984.7421 • Fax: 916.984.9617 • Survey Fax: 916.563.6176  
 Survey Email: slawings@mortp.com • Web: www.mortp.com

Drawing Scale: 1" = 60'  
 Prepared By: GJB  
 Drawn By: STAFF  
 Reviewed By: RJO  
 Prepared Date: 03.12.2013  
 Revision Date: 03.18.2013  
 Approval Date:  
 Job Number: 13-0010-02

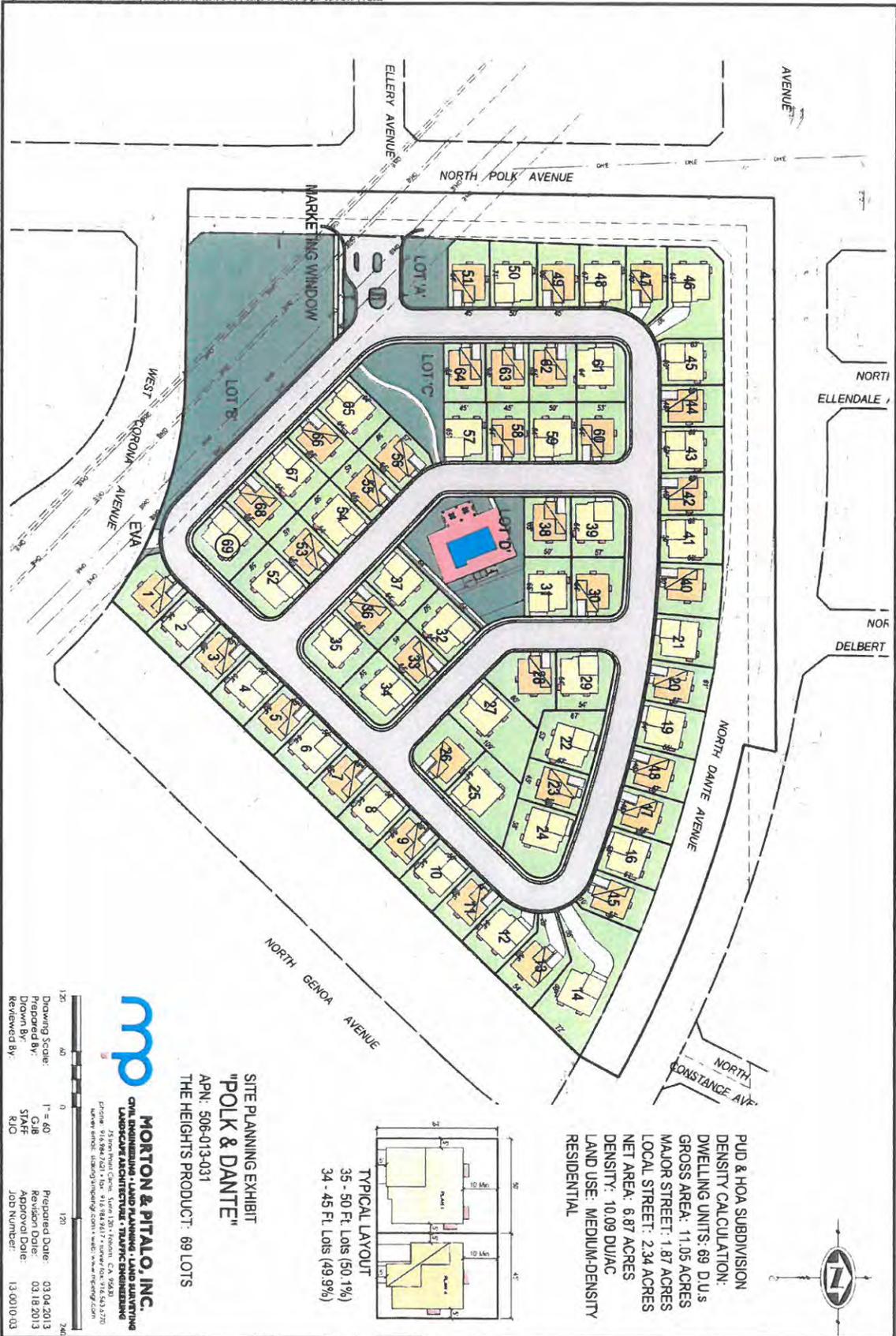


**TYPICAL LAYOUT**  
 39 - 50 Ft. Lots (41%)  
 56 - 45 Ft. Lots (59%)

**PUD & HOA SUBDIVISION**  
**DENSITY CALCULATION:**  
 DWELLING UNITS: 95 D.U.s  
 GROSS AREA: 13.67 ACRES  
 MAJOR STREET: 0.78 ACRES  
 LOCAL STREET: 3.16 ACRES  
 NET AREA: 9.73 ACRES  
 DENSITY: 9.76 DU/AC  
 LAND USE: MEDIUM-DENSITY  
 RESIDENTIAL

**SITE PLANNING EXHIBIT**  
**"HERNDON & HAYES (NWC)**  
 APN: 503-020-009  
 THE HEIGHTS PRODUCT: 95 LOTS





PUD & HOA SUBDIVISION  
 DENSITY CALCULATION:  
 DWELLING UNITS: 69 D.U.'s  
 GROSS AREA: 11.05 ACRES  
 MAJOR STREET: 1.87 ACRES  
 LOCAL STREET: 2.34 ACRES  
 NET AREA: 6.87 ACRES  
 DENSITY: 10.09 DU/AC  
 LAND USE: MEDIUM-DENSITY  
 RESIDENTIAL



**SITE PLANNING EXHIBIT**  
**"POLK & DANTE"**  
 APN: 506-013-031  
 THE HEIGHTS PRODUCT: 69 LOTS

**mp**  
**MORTON & PITALO, INC.**  
 CIVIL ENGINEERING • LAND PLANNING • LAND SURVEYING  
 LANDSCAPE ARCHITECTURE • TRAFFIC ENGINEERING  
 25500 TOWN CENTER SUITE 1207 FORTY FORT, CA 95930  
 PHONE: (916) 438-7221 • FAX: (916) 438-7222 • WWW.MORTONANDPITALO.COM

Drawing Scale: 1" = 60'  
 Prepared By: CJB  
 Drawn By: STAFF  
 Reviewed By: RJC

Prepared Date: 03/04/2013  
 Revision Date: 03/18/2013  
 Approval Date:  
 Job Number: 13-0010-03

## BHC General Plan Recommendations to Change Land Use Designations in Southwest Fresno

Prepared by City of Fresno Long Range Planning Staff based on letter received from BHC on June 21, 2013

December 4, 2013

### *Residential Boundaries:*

1. The area known as Running Horse (Running Horse Estates?) bordered by Valentine and Marks and California and Whites Bridge to retain permanent residential zoning. Per phone conversation with Bob Mitchell on 11/27/2013, no change requested, refer to item 3 below for change request associated with this item. (On attached map see item 3a)
2. The area bordered by Hughes and Marks and Whites Bridge and Kearney Blvd. to retain 3-6 (change to 1-3) density (dwelling) unit/acre with equivalent quality of homes as Running Horse (Running Horse Estates?). Per phone conversation with Bob Mitchell on 11/27/2013, requests the residential low density replace the residential medium and residential urban neighborhood densities while retaining the park as shown on GP Update Land Use Map. (On attached map see item 3b)
3. The area west of Marks to Valentine between Whites Bridge and Madison to be medium low density. Per phone conversation with Bob Mitchell on 11/27/2013, requests the residential low density replace the residential medium and residential urban neighborhood while retaining the park and commercial as shown on GP Update Land Use Map. (On attached map see item 3c)
4. The zoning near Cargill (meat packing plant) should be medium high density. Per phone conversation with Bob Mitchell on 11/27/2013, requests the density to remain residential medium to serve as starter homes for young couples as shown on GP Update Land Use Map. Therefore, no change to the GP Update Land Use Map. (On attached map see item 3d)
5. The area bordered by Annadale and North and Hughes and Marks to remain medium-low density. Per phone conversation with Bob Mitchell on 11/27/2013, requests the density to remain residential medium low, residential urban neighborhood and park as shown on GP Update Land Use Map. Therefore, no change to the GP Update Land Use Map. (On attached map see item 3e)
6. Zoning between Hughes and Marks and Jensen to Annadale shall be medium density. Per phone conversation with Bob Mitchell on 11/27/2013, requests the density to remain residential medium low, residential urban neighborhood, park, school and commercial as shown on GP Update Land Use Map. Therefore, no change to the GP Update Land Use Map. (On attached map see item 3f)
7. Church to Jensen between Hughes and Marks should be medium low density. Per phone conversation with Bob Mitchell on 11/27/2013, requests the residential medium low density replace the residential medium while retaining the residential urban neighborhood and park as shown on GP Update Land Use Map. (On attached map see item 3g)



June 21, 2013

To: Keith Bergthold  
Fresno City Planning Department

From: West Fresno Community Leaders

Dear Keith Bergthold,

Members of the West Fresno Community have met with city officials regarding the Fresno City 2035 General Plan. We support the Building Healthy communities (BHC) Community Planning Values, and the distribution of Affordable Housing options throughout the city of Fresno. Below please find our recommendations for the 2035 General Plan for Southwest Fresno.

Our Vision for Southwest Fresno

Southwest Fresno will be a vibrant and inviting place to live, work, play and visit. This community of choice consists of a range of single family dwellings for medium to upper income families. It offers world-class opportunities for youth and adults through quality education and enhanced employment that's supported by a strong economic base. This clean, safe, healthy community will be surrounded by all necessary amenities – with parks like the Figarden Loop Park, recreation, shopping centers, health care facilities, grocery stores – where neighbors have multiple options without having to leave their community. It is a place where residents are proud to call home.

General Plan Recommendations:

Residential Boundaries:

- Running Horse Estates?*
- 3a 1. The area known as ~~Running Horse~~ bordered by Valentine and Marks and California and Whites Bridge to retain permanent residential zoning.
  - 3b 2. The area bordered by Hughes and Marks and Whites Bridge and Kearney Blvd. to retain 3-6 density unit/acre with equivalent quality of homes as Running Horse. (res. low)
  - 3c 3. The area west of Marks to Valentine between Whites Bridge and Madison to be ~~medium~~ low density.
  - 3d 4. The zoning near Cargill (meat packing plant) ~~should be medium-high density.~~ *remain* (Starter home for young couples)
  - 3e 5. The area bordered by Annadale and North and Hughes and Marks to remain medium-low density.
  - 3f 6. Zoning between Hughes and Marks and Jensen to Annadale shall be medium density
  - 3g 7. Church to Jensen between Hughes and Marks should be medium- low density.

No changes  
3d  
3e  
3f  
3g

same

June 12, 2013

Mr. Keith Bergthold  
Planning and Development Department  
City of Fresno  
2600 Fresno Street, Third Floor  
Fresno, CA 93721

Re: Approximately Ten (10) Acres Located @ Southwest Corner of Kings Canyon Road and  
Minnewawa Avenue (the "Mochizuki Property")

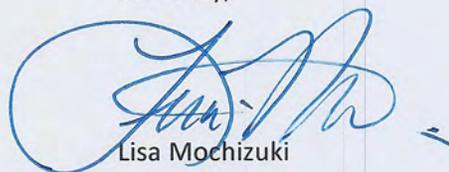
Mr. Bergthold,

The owners of the Mochizuki Property, identified as Parcels 1 and 3 on the enclosed Exhibit A, understand the City of Fresno is currently updating its General Plan. As part of this update procedure, the City welcomes input from citizens that may be impacted as a result of eventual General Plan designations. To that end, the City is willing to consider requests for particular General Plan designations made by various property owners.

When you, Steven Spencer of Spencer Enterprises, and I met on March 12, 2013, I communicated to you my family's desire to have the General Plan indicate a medium-high density residential use for the Mochizuki Property that could ultimately accommodate a multi-family development under R-2 zoning. After some discussion of the City's Development Code Update and its corresponding zones, it is our desire to pursue the Corridor/Center Mixed Use designation ("CMX"). Based on our conversation and a review of the City's General Plan Update literature available on-line, it is my understanding the CMX designation will allow for the development of 16 – 30 units per acre. In addition, the CMX designation appears to offer greater flexibility than a strictly residential land use designation in that commercial uses are also permitted (with the condition that 40% of the land is used for residential use).

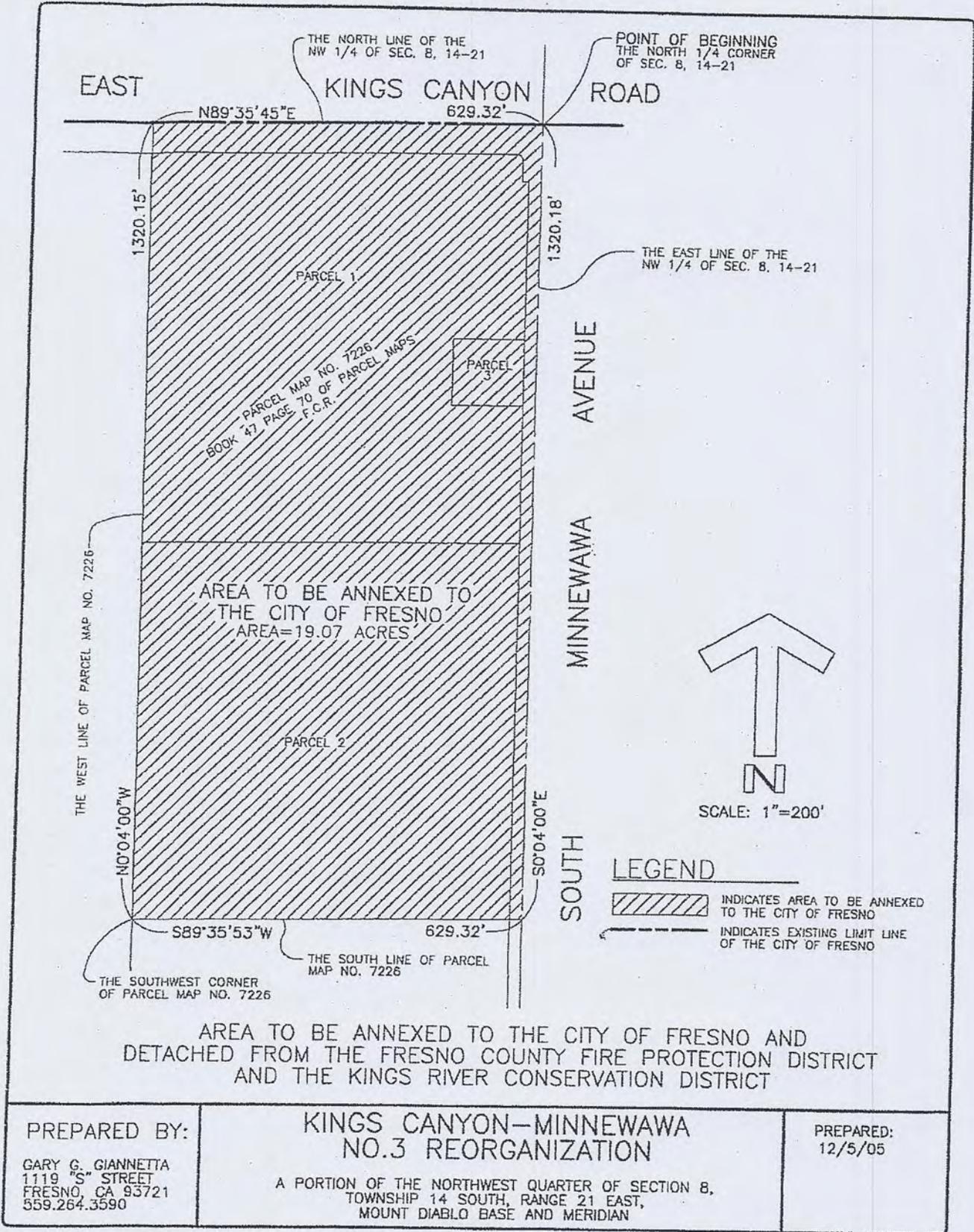
Thank you for your consideration of this request. I look forward to the upcoming workshops concerning the General Plan Update and plan to attend as often as my schedule permits. Should any items discussed herein require clarification, please do not hesitate to contact me.

Sincerely,



Lisa Mochizuki

# EXHIBIT A



November 12, 2013

Keith Bergthold  
Assistant Director, DARM  
City of Fresno  
2600 Fresno Street, Third Floor  
Fresno, California 93721

Dear Mr. Bergthold,

Please accept these revised recommendations of my June 21, 2013 letter to the 2035 Draft General Plan, focusing on Council District Three properties:

1. Darling and Foster Farms located at Belgravia and Fruit Avenues should be relocated to the area by the southeast Regional Water Treatment Plant.
2. The area bounded by Hughes, Whitesbridge, Valentine Avenues and Kearney Boulevard approximately 320 acres, should be changed to match the coming of the current Kearney Estates neighborhood of Medium/Low Density while keeping the parks.
3. The area north of North Avenue between Walnut and West Avenues, approximately 320 acres should be Medium Density and not Medium/Low Density, while also keeping the parks.
4. The Elm Street corridor south of Church Avenue (3-4 acres) has housing at Medium/High Density, which should be replaced with a General Commercial designation to better match the area.
5. Rezone the area north of Whitesbridge and south of Highway 180 from Business Park to General Commercial.
6. The area at Church between Walnut and Martin L King should be moved to Medium/High Density as well as the area from Thorne to Walnut along Church, while keeping the proposed parks, school and Regional Commercial in the area.
7. Reduce the park proposed at Marks to Hughes from 40 acres to 20 acres.
8. The area bounded by California, Hughes, Church, Marks should be Residential Medium from High, but add in the missing ponding basin just east of Marks and California that is missing.

Baines 2035 General Plan Comments  
November 12, 2013  
Page 2 of 2

Thank you for taking my recommendation into consideration. Should you have any questions or comments, please feel free to contact me or my Chief of Staff, Gregory Barfield at any time.

Sincerely,

Oliver L. Baines, III  
Councilmember, District Three

Eisner Family Trust

Betty & Willard Eisner, Trustees

6721 N. Van Ness Boulevard

Fresno, CA 93711-1250

June 25, 2013

Mr. Keith Bergthold, Assistant Director

Development and Resource Management Department

2600 Fresno Street, Rm 3065

Fresno, CA 93721

[Keith.Bergthold@fresno.gov](mailto:Keith.Bergthold@fresno.gov)

RE: 5633 N. Figarden Dr., Fresno, APN 509 290 07

Dear Mr. Bergthold:

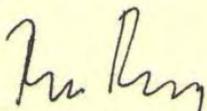
Please accept this letter as our request that APN 509-290-07 be considered for Community Commercial designation on the upcoming 2035 General Plan Update.

Currently the property is zoned CP, and we believe zoning similar to today's C-1 would benefit the future development of the property.

The requested change to Community Commercial designation will be more consistent with the commercial developments on the 3 other corners of the Bullard Ave./Figarden Dr. intersection. Commercial designation should provide greater flexibility to attract business to locate on the property and to the neighborhood.

The current C-P zoning provides for predominantly office uses. Recent office developments to the north of our property along Figarden Drive remain largely vacant and are now lender-owned. It appears to us that the neighborhood has an abundance of office development, and office zoned land, for the foreseeable future.

Thank you for the consideration.



Paul Fourchy, Trustee

Eisner and Fourchy Family Trusts



**CENTRAL UNIFIED SCHOOL DISTRICT**  
 4605 North Polk Avenue • Fresno, CA 93722  
 Phone: (559) 274-4700 • Fax: (559) 271-8200

---

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**SUPERINTENDENT**  
 Michael A. Berg

June 25, 2013

Keith Bergthold, Assistant Director  
 City of Fresno  
 Development & Resource Management Department  
 2600 Fresno Street, Room 3065  
 Fresno, CA 93721-3604

Subject: Fresno General Plan Update Chapter 5: Parks, Open Space and Schools

Dear Mr. Bergthold:

This letter provides our comments on the draft Fresno General Plan Update Chapter 5: Parks, Open Space and Schools. Our comments are as follows.

Figure POSS-2

There are a number of school site designations on this map (and the draft General Plan Land Use Diagram) that need to be modified:

- A special school designation is shown on the east side of Veterans Boulevard, south of Barstow Avenue. The District does not own property or have plans for a school at this location.
- The Deran Koligian Educational Center, located east of Grantland and north of Ashlan Avenue, is designated as a special school. This site should be designated as a high school, middle school and elementary school
- The school site shown at the northwest corner of Grantland and Dakota Avenues should be designated as an elementary school rather than a special school.
- The school site shown on the north side of Shields Avenue between Bryan and Hayes Avenues should be designated as an elementary school rather than a special school.
- The elementary school site shown at the southeast corner of Shields and Valentine Avenues should be removed from the map. The District does not plan to build a school in the vicinity of this intersection.
- The elementary school site shown on the north side of McKinley Avenue between Brawley and Valentine Avenues should be removed from the map. The District owns an elementary

*District Administration*

*Laurel Ashlock, Ed.D., Assistant Superintendent, Educational Services, Chief Academic Officer · Kelly Porterfield, Assistant Superintendent, Chief Business Officer  
 Ketti Davis, Assistant Superintendent, Professional Development · Chris Williams, Assistant Superintendent, Human Resources  
 Jamie Russell, Administrator, Special Education and Support Services · Kevin Wagner, Administrator, Human Resources and Child Welfare & Attendance  
 Paul Birrell, Director, 7-12 and Adult Education · Karen Garlick, Director, K-6 Education*

school site nearby at the northeast corner of Valentine and Weldon Avenues; therefore, the site designation on McKinley is not needed.

- Madison Elementary School, located at the northeast corner of Brawley and Madison Avenues, is designated as a special school. This site should be designated as an elementary school.
- The elementary school site shown on the west side of Brawley Avenue between Belmont and Olive Avenues should be removed from the map. This site is close to another future site shown on the north side of Olive Avenue between Brawley and Blythe Avenues and is not anticipated to be needed.
- The elementary school site shown on the north side of California Avenue between Belmont and Olive Avenues should be removed from the map. This site is close to Madison Elementary and is not anticipated to be needed.

Last Bullet on Page 5-29, Policy POSS-8-b

This policy statement indicates that the City will “[r]equire a General Plan amendment and rezone application when school districts propose a new school site inconsistent with the General Plan, or in a zone where schools are not permitted.” This policy could be problematic for us. Future school sites designated on the General Plan diagram may not be needed for 10-20 years in the future or longer. It is not possible to predict the exact sites the District will be able to acquire so far in the future. In practice, school sites are generally acquired approximately 5 years or less in advance of the need for a school and involve detailed site selection analyses and special studies in order to obtain state site approval. Locking in school site locations in advance of this process almost guarantees the need for a plan amendment for most sites. Unless a site is owned by a district or a district is certain of the location, future school site designations should represent general locations where a school may be needed, with the specific location to be determined closer to the time it is needed.

Thank you for the opportunity to comment. We look forward to working with you and your staff as the General Plan Update preparation and adoption process continues. Please contact me if you have any questions regarding this letter.

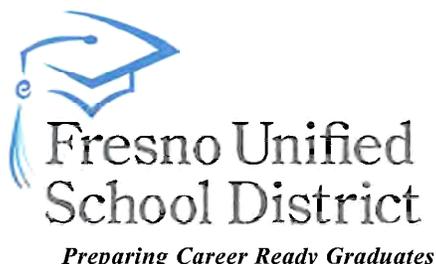
Sincerely,



Kelly Porterfield  
Assistant Superintendent/Chief Business Official

*District Administration*

*Laurel Ashlock, Ed.D., Assistant Superintendent, Educational Services, Chief Academic Officer · Kelly Porterfield, Assistant Superintendent, Chief Business Officer  
Ketti Davis, Assistant Superintendent, Professional Development · Chris Williams, Assistant Superintendent, Human Resources  
Jamie Russell, Administrator, Special Education and Support Services · Kevin Wagner, Administrator, Human Resources and Child Welfare & Attendance  
Paul Birrell, Director, 7-12 and Adult Education · Karen Garlick, Director, K-6 Education*



## Facilities Management & Planning

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## SUPERINTENDENT

Michael E. Hanson

July 2, 2013

Keith Bergthold, Assistant Director  
City of Fresno  
Development & Resource Management Department  
2600 Fresno Street, Room 3065  
Fresno, CA 93721-3604

Subject: Fresno General Plan Update Chapter 5: Parks, Open Space and Schools

Dear Mr. Bergthold:

Thank you for the opportunity to review and comment on the draft Fresno General Plan Update Chapter 5: Parks, Open Space and Schools. Our comments are as follows:

### Third Paragraph on Page 5-24.

This paragraph should be revised as follows:

Most of the city is served by the Fresno Unified School District (FUSD), ~~a consolidated school district that is comprised of seven subdistricts.~~ FUSD is the fourth largest school district in the state with a 2012 CBEDS enrollment of ~~72,357~~ 70,704 students, per the California Department of Education. ~~FUSD operates 95 schools and recently acquired property to construct a new middle school in southwest Fresno. Given its boundaries are established and the area within those bounds are largely urbanized, new school sites are difficult to assemble, which has forced the district to install portable classrooms to accommodate its students. Roughly one third of all classrooms and over one-half of elementary classrooms are currently in portable classrooms. Although the portable classrooms provide a temporary solution, FUSD recently completed~~ adopted a District Facilities Master Plan in 2009 to alleviate overcrowding revise and improve feeder patterns, adjust school boundaries to balance enrollment, improve building and site conditions, reduce the use of portable classrooms, and build new classrooms and facilities where needed. In accordance with the Master Plan, the District is constructing a new middle school in southwest Fresno (Rutherford B. Gaston Sr.), which will open in 2014. The Master Plan also calls for a new high school in the southeast area of the District southern edge of the city, which would help accommodate new growth and help lessen overcrowding at existing high schools.

### Figure POSS-2 (and General Plan Land Use Diagram)

There are a number of modifications that need to be made to Figure POSS-2, with corresponding changes also made to the General Plan Land Use Diagram. These modifications are as follows:

- An elementary school is designated on the west side of Marks Avenue, south of Ashlan Avenue. There is no school at this location.
- Tenaya Middle School, located at the northeast corner of Fruit and Bullard Avenues, is designated as an elementary school.
- Cooper and Fort Miller Middle Schools are designated with a “J”, which, although there is no “J” in the figure legend, denotes a junior high school. For consistency, all middle schools should be denoted with an “M”. (Cooper Middle School is located at the southwest corner of Hughes and Bellaire Avenues and Fort Miller Middle School is located at the southeast corner of Dakota and College Avenues).
- Addicott School, a school for students with disabilities, is shown correctly with a “special school” designation on the General Plan Land Use Diagram but not on Figure POSS-2. Addicott is located on the southwest corner of Chestnut and Dayton Avenues adjacent to Scandinavian Middle School.
- Gaston Middle School, which is under construction at the southeast corner of Church Avenue and Martin Luther King Boulevard, is designated as an elementary school.
- Sunset Elementary School, located at the southeast corner of Crystal and Eden Avenues, should be designated as an elementary school rather than a middle school.
- Two new school sites are shown in future development areas in southwest Fresno, one is shown west of West Avenue and south of California Avenue and the other is shown east of Marks Avenue and south of Kearney Boulevard. These are designated as special schools and should instead be shown as elementary schools.
- Sequoia Middle School, located at the southwest corner of Cedar and Hamilton Avenues, is designated as an elementary school.
- Vang Pao Elementary, located at the southwest corner of Cedar and Heaton Avenues, is not shown.
- Bakman Elementary School, located at the northeast corner of Belmont and Helm Avenues, is not shown.
- An elementary school is shown at the northwest corner of Willow and Belmont Avenues. There is no elementary school at this location.
- No schools are shown in the inset area identified as “The Downtown Planning Area.” Numerous elementary schools, two high schools (Roosevelt and Edison), and Tehipite Middle School are located in this area. The District’s schools in this area should be shown on the map.
- Edison High school, Computech Middle School, and Roosevelt High School are not shown on Figure POSS-2.

Policy POSS-8-b (fifth bullet on page 5-29) and Future School Sites

The fifth bullet under Policy POSS-8-b indicates that the City will “[r]equire a General Plan amendment and rezone application when school districts propose a new school site inconsistent with the General Plan, or in a zone where schools are not permitted.” As noted in the following paragraph, this policy should be flexible when dealing with new sites needed in the long term future.

Two future school sites are designated by the City in areas with future growth potential in southwest Fresno. One of the sites is shown west of West Avenue and south of California Avenue and the other is shown east of Marks Avenue and south of Kearney Boulevard. These sites may not be needed for substantial period of time (10-20 years or longer) and were placed at these locations by City staff. The District has not selected specific sites in these areas. In practice, school sites are generally acquired by school districts approximately 5 years or less in advance of the need for a school and involve detailed site selection analyses and special studies in order to obtain state site approval. Therefore, these longer range sites should be representative of general locations where schools may be needed rather than a specific location. Furthermore, a plan amendment should not be required when the District identifies a specific location, as long as the specific school site selected is located in the general area of the General Plan site designation.

As mentioned in the paragraph on FUSD on page 5-24, the District’s Facilities Master Plan indicates the need for a new high school in the southeast portion of the District. The District has not adopted a specific site for the high school but can identify the general area in which it would likely be located. Therefore, we recommend that Figure POSS-2 show a symbol near the intersection of Church and Peach Avenues with corresponding text that indicates that a new Fresno Unified high school could be located in the general vicinity.

Thank you for the opportunity to comment. Please contact me if you have any questions regarding this letter.

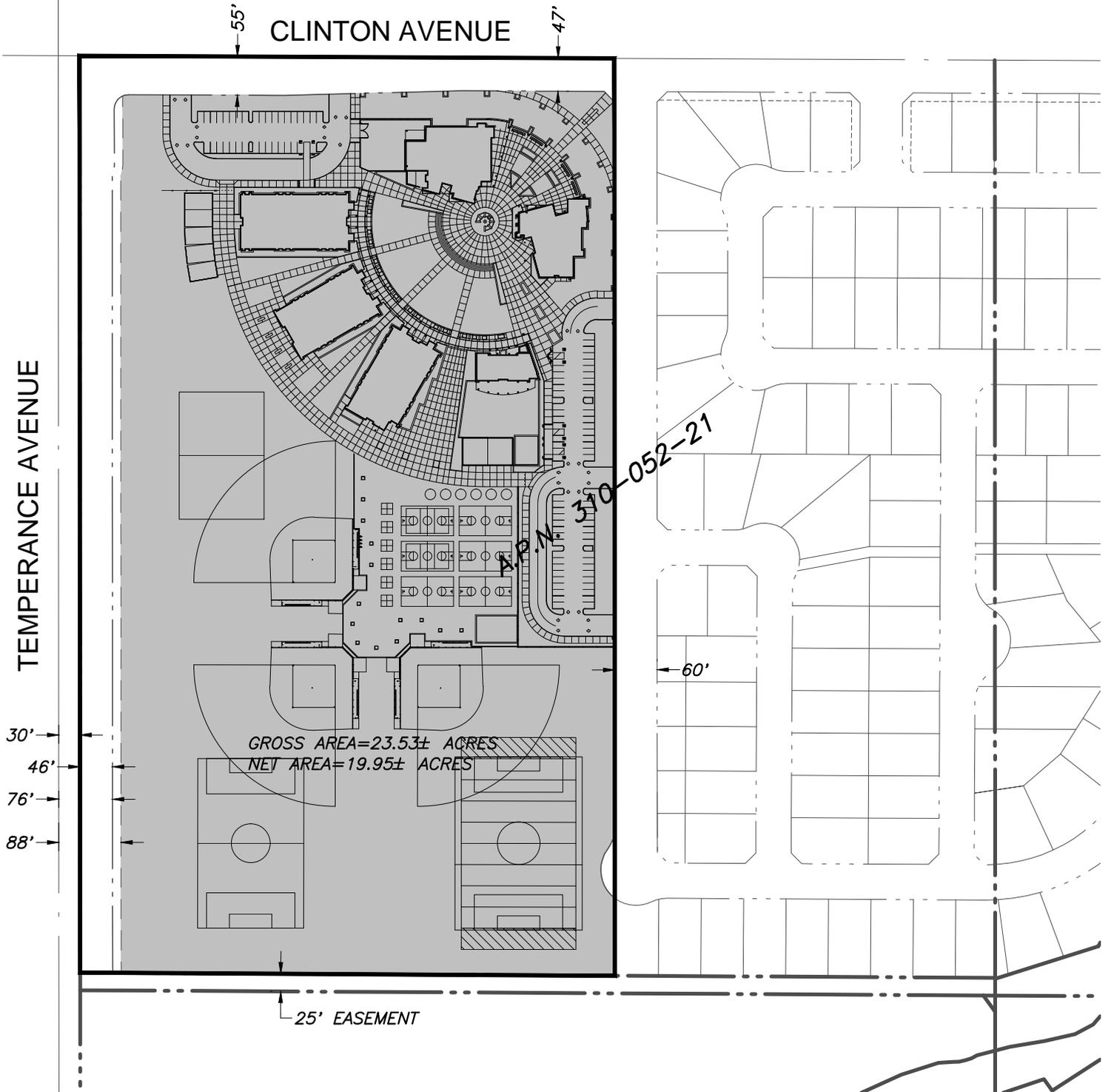
Sincerely,



Lisa LeBlanc, Executive Officer  
Facilities Management & Planning

LL:hh

c: File



SCALE: 1" = 200'

CLOVIS UNIFIED SCHOOL DISTRICT  
 CLINTON/TEMPERANCE  
 ELEMENTARY SCHOOL





August 12, 2013

Keith Bergthold, Assistant Director  
 City of Fresno  
 Development & Resource Management Department  
 2600 Fresno Street, Room 3065  
 Fresno, CA 93721-3604

Subject: Fresno General Plan Update Chapter 5 Follow-up Comment Letter

Dear Mr. Bergthold:

This letter is intended as a follow-up to our May 2013 comment letter on the proposed 2035 Fresno General Plan. It is our understanding that you are agreeable to the recommendations in that letter. In addition, as promised in the May 2013 letter, we have completed an evaluation of the proposed General Plan land uses in the southeast portion of the District with the goal of providing recommendations as to the number of school sites ultimately needed and the general location of the school sites. The basic conclusions/recommendations of the evaluation are as follows:

- Our analysis indicates that full development of the portion of SEGA within the District will likely result in the need for three elementary schools. The proposed Fresno General Plan land use designations in SEGA provide for five elementary school sites in the District: one at the Terry Bradley Educational Center site near Clinton and Leonard Avenues and four stand-alone sites. Therefore, two of the school sites will likely not be needed. Our recommendation would be to eliminate the easterly elementary site shown in the rural area south of Olive Avenue and east of DeWolf Avenue. The other sites could remain to allow future flexibility depending on the magnitude of actual student generation trends in SEGA.
- Our analysis further indicates that full development of the existing City of Fresno service area west of SEGA will likely result in the need for two additional elementary school sites. One of the school sites will be needed in the Shields and Locan area. An additional school site will be needed and probably should be located in the area southwest the intersection of Clinton and Armstrong Avenues. This is an area that was formerly planned largely for light industrial development and is now proposed for residential development. Rather than designating specific sites for these schools, we would recommend including symbols on the map in the desired areas and indicate that elementary schools will be needed in the general vicinity of the symbol locations.
- Regarding the Terry Bradley Educational Center site in SEGA, potential development in the southeast portion of the District (south of the Gould Canal) will generate

**Governing Board**

Sandra A. Bengel  
 Christopher Casado  
 Brian D. Heryford  
 Ginny L. Hovseplan  
 Richard Lake, C.P.A.  
 Elizabeth J. Sandoval  
 Jim Van Volkinburg, D.D.S.

**Administration**

Janet L. Young, Ed.D.  
*Superintendent*  
 Carlo Prandini, Ph.D.  
*Associate Superintendent*  
 Cheryl Rogers, Ed.D.  
*Associate Superintendent*  
 Steve Ward  
*Associate Superintendent*

enough intermediate and high school students to fill this future facility. The District has made a substantial investment in purchasing this site based on City plans that call for development of the southeast portion of our District. Based on our experience with strong demand for development proximate to our other educational centers (Buchanan, Reagan and Clovis North), plans for the development of a Clovis Unified Educational Center in the SEGA area would be a strong incentive to developers in the area. We urge you to consider northern portion of SEGA as a near-term growth area for the City, and we look forward to our educational center becoming an integral community feature for the area.

Thank you for the continuing opportunity to comment and provide input on the proposed General Plan. Please let me know if you have any questions regarding this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Ulrich", written in a cursive style.

Don Ulrich  
Assistant Superintendent  
Facility Services



May 23, 2013

Keith Bergthold, Assistant Director  
 City of Fresno  
 Development & Resource Management Department  
 2600 Fresno Street, Room 3065  
 Fresno, CA 93721-3604

Subject: Fresno General Plan Update Chapter 5: Parks, Open Space and Schools

Dear Mr. Bergthold:

The purpose of this letter is to provide our comments regarding the draft of Chapter 5 of the Fresno General Plan Update pertaining to parks, open space and schools. This chapter provides background information on the school districts within the Fresno General Plan area and the proposed policies regarding schools. Our comments are as follows:

Page 5-24, Fourth Paragraph: The fourth sentence of this paragraph indicates that “CUSD has one educational complex in Fresno that houses an elementary, a middle and a high school.” The educational center being referred to (Clovis North) does not have an elementary school.

Page 5-25, Third Paragraph: This paragraph indicates that the school districts in the General Plan area have a combined capacity for 159,000 K-12 students and an enrollment of 139,000 students. Therefore, space remains for an additional 20,000 students. We believe this information paints a misleading picture of the actual conditions. The numbers given appears to be based on information contained the 2011 Map Atlas background document, which includes a table (18.1) that shows the capacities of all of the school districts. The capacity figures are based on what is termed as “maximum” capacity in various school master plan documents.

In the case of Clovis Unified, three capacity figures appear in our master plan (design capacity, average capacity and maximum capacity) and it is the medium figure or “average capacity” that we use for planning purposes, not the maximum. This is because as a practical matter and as a matter of desirability, the District would not operate all of its campuses at the maximum possible capacity given the geographic, logistical and attendance area constraints. Therefore, the capacity figures in the background document are not reflective of actual way that schools are operated and should be revised. We would be willing to work with you to appropriately revise the information.

Figure POSS-2: In our meeting on April 19, 2013, you indicated that the “SS” (Special School) designation for approximately 40 acres at the northwest corner of Temperance and Olive Avenues was incorrect and it should be designated for a future water treatment plant.

**Governing Board**

Sandra A. Bengel  
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*Associate Superintendent*

The District's Temperance-Kutner Elementary School is located at the southeast corner of the Temperance/Olive intersection, diagonally across from the future water treatment plant site. We would like to have assurance that the treatment plant will be compatible with the school and not pose any hazard or problem to the school. Along these lines, we would expect to be kept in the loop in terms of planning for the plant and to receive any future draft CEQA documents on the treatment plant for our review and comment.

Figure POSS-2 shows two school sites in the rural residential portion of SEGA. One of the sites is on the south side of Olive Avenue between Locan and DeWolf Avenues and the second site is on the south side of Olive Avenue, west of Leonard Avenue. It is unlikely that we would need two school sites in the rural residential area of SEGA, and we therefore request that the site at Olive and Leonard be removed from the General Plan diagram. The site on Olive between Locan and DeWolf could be workable in that it is near a planned mixed use area and areas designated for medium density residential and urban neighborhood use.

Policy POSS-8-b, Appropriate School Locations, Last Bullet: This bullet indicates that the City will "[r]equire a General Plan amendment and rezone application when school districts propose a new school site inconsistent with the General Plan, or in a zone where schools are not permitted."

This proposed policy will be problematic for the District. Future school sites designated on the General Plan diagram may not be needed for 10-20 years in the future or longer. It is not possible to predict the exact sites the District will be able to acquire so far in the future. Unless the District owns the site or is certain of the location, future school site designations should be representative of general locations where schools will be needed rather than a specific site. Future sites should not be locked in stone in the General Plan, virtually guaranteeing that general plan amendments will be needed for most future school sites.

A potential alternative would be to set up a process whereby new development neighborhoods within the General Plan are planned more specifically at a time when development of an area becomes feasible and appropriate. The City, developers, property owners and the District could work together at the appropriate time to plan how best to locate, refine and integrate the various designated land uses, including the schools, without the need for a plan amendment specifically for the school site.

Future Shields/Locan Elementary School site: The District is planning to acquire a site for a new elementary school southwest of the intersection of Shields and Locan Avenues. A precise location for the school has not yet been determined. Our enrollment projections indicate that we will need this elementary school in three to four years so we will need to move ahead with the site acquisition in the near future. We would like to have the General Plan diagram reflect a need for a site at this location.

Overall School Site Needs—Number and Location of Schools: Since the proposed General Plan includes increased densities in the southeast portion of the District and provides for the conversion of land from industrial to residential in the area east of Fowler Avenue between Shields and McKinley Avenues, we will need to take an overall look at the number and location of schools ultimately needed in the area. We will do this analysis as soon as possible and get back to you with our recommendations.

Educational Center Site in SEGA: As you are aware, the District owns an educational center site centrally located within the northern portion of SEGA. The educational center site encompasses 160 acres and will include a high school, intermediate school and elementary school, as well as athletic and recreational facilities. The District made a large investment in purchasing the educational center site to adequately plan for enrollment that would be generated by the SEGA plan and other areas in the southeast portion of the District. We understand that the northern portion of SEGA in which the educational center site is located will likely be one of the first areas in SEGA to be developed. We also understand that there are other growth areas on the west side of the metropolitan area and in the Sanger Unified territory within the existing City service area west of Temperance and north of Jensen that may be developed before SEGA. We would like to emphasize, however, that we are supportive of near term development in our portion of SEGA and are very willing to work with the City and developers in the area so that development occurs as soon as it is feasible. The existence of Clovis Unified schools can be a strong incentive to the development of an area and we look forward to our educational center becoming an integral community focal point for the northern portion of SEGA.

We trust that these comments will be helpful as you move ahead with the revision of draft General Plan chapters and the overall adoption process. We stand ready to work with you and City staff to provide for the best schools and neighborhoods possible. Please let me know if you have any questions on this letter or any other matters pertaining to Clovis Unified schools.

Sincerely,



Don Ulrich  
Assistant Superintendent  
Facility Services

cc: Mark Scott, City Manager



# SANGER UNIFIED SCHOOL DISTRICT

1905 SEVENTH STREET • SANGER, CA 93857

(559) 524-6521 FAX 875-0311

MARCUS P. JOHNSON, SUPERINTENDENT

May 1, 2013

Keith Bergthold, Assistant Director  
 City of Fresno  
 Development & Resource Management Department  
 2600 Fresno Street, Room 3065  
 Fresno, CA 93721-3604

Subject: Fresno General Plan Update Chapter 5: Parks, Open Space and Schools

Dear Mr. Bergthold:

Thank you for the opportunity to review and comment on the draft of Fresno General Plan Update Chapter 5: Parks, Open Space and Schools. Our comments are provided below.

First Paragraph on Page 5-25

The first sentence of this paragraph indicates that Sanger Unified School District “has experienced modest growth in comparison to CUSD and Central given that its boundaries do not extend into Fresno’s urbanized area.” Both points in this sentence are incorrect. First, the growth of all three districts was similar during the past five years: Sanger Unified enrollment increased by 7.8%, Clovis Unified increased by 8.4% and Central Unified increased by 7.6%. If you include the past ten years, the enrollment increase for Sanger was 32.9%, Clovis 17.2% and Central 35.2%. Second, Sanger Unified does extend into Fresno’s urbanized area. More than two square miles of substantially urbanized land in southeast Fresno is within Sanger Unified. This can be clearly seen by looking at the location of Sanger Unified’s territory in southeast Fresno on an aerial photograph.

Figure POSS-2

This figure shows the District’s new high school/middle school site at the northeast corner of Jensen and Fowler Avenues as a “Special School.” This site should be designated as a site for a high school and middle school. Similarly, the District’s Sequoia Elementary School on Armstrong Avenue, south of Church Avenue, is also labeled as a “Special School.” This site should instead be labeled as an elementary school.

Figure POSS-2 shows numerous elementary school site designations in the Sanger Unified portion of SEGA: 12 in the portion of SEGA between Tulare and Jensen Avenues and 5 in the portion of SEGA south of Jensen and west of Temperance. We have understood from our previous interactions that these sites are conceptual in nature and that the precise site locations would to be worked out nearer to the time when the sites would be needed.

————— *“A Tradition of Excellence”* —————

Trustees: Peter R. Filippi Ismael (Mike) Hernandez James D. Karle Kenneth R. Marcantonio  
 Marcy Masumoto Jesse Vasquez Tammy Wolfe

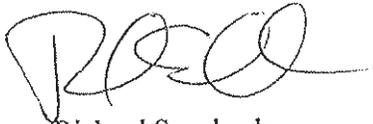
Keith Bergthold  
April 25, 2013  
Page 2

Last Bullet on Page 5-29, Policy POSS-8-b

This policy statement indicates that the City will “[r]equire a General Plan amendment and rezone application when school districts propose a new school site inconsistent with the General Plan, or in a zone where schools are not permitted.” This would appear to differ from our understanding that precise school site locations would be determined nearer to the time when the sites would be needed. These sites may not be needed for 10-20 years or longer and it is not possible to predict exact locations this far in the future. In practice, school sites are generally acquired approximately 5 years in advance of the need for a school and involve detailed site selection analyses and special studies in order to obtain state site approval. Locking in school site locations in advance of this process almost guarantees the need for a plan amendment for most sites. Unless a site is owned by a district or a district is certain of the location, future school site designations should represent general locations where a school may be needed.

We look forward to working closely with you and the City planning staff as the General Plan Update preparation and adoption process continues. Please let me know if you have any questions regarding this letter.

Sincerely,

A handwritten signature in black ink, appearing to read 'R Sepulveda', with a stylized flourish at the end.

Richard Sepulveda  
Chief Operations Officer

Cc: Mark Scott, City Manager



FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

File 170.21  
400.21

July 23, 2013

Mr. Keith Bergthold, Assistant Director  
City of Fresno, Planning and Development Department  
2600 Fresno Street, Room 3065  
Fresno, CA 93721



Dear Mr. Bergthold,

**FMFCD Comments on the City of Fresno Proposed Policies from General Plan Working Papers and a Listing of FMFCD Projects that may be of Interest to the City of Fresno and the General Plan Update**

This letter is sent as a follow up to the District's letter dated January 13, 2012 titled "FMFCD Comments on the City of Fresno Existing Policies for the 2035 General Plan Update". Per your request, the District is providing the City with additional comments and a listing of projects that may be of interest and/or have an impact on the 2035 General Plan Update.

**Objective/Policy Comments**

These comments are directed at the "Proposed Policies from the General Plan Working Papers" posted on the City's website.

In general, the District has no concern for the City's objective to move towards smart and sustainable growth in a cost effective manner as outlined in objective/policy ED-9. The General Plan's goals and policies should promote the implementation of water conservation and infrastructure as outlined in ED-22 and the District will continue to design our system to support that effort.

The District would like to reiterate, that in general, areas where no drainage facilities have been constructed the drainage plans can be revised to accommodate new land uses and pipe alignments that respect the City's General Plan Update. For areas that have existing drainage facilities, changing to land uses that generate more runoff than originally planned as indicated in Objective/Policies UF-3, UF-11, RC-11, and RC-12 will require some type of mitigation, such as parallel pipes, to accommodate the increased flow and/or on-site retention or expansion of the basin facility to accommodate increased runoff volume.

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**Mr. Keith Bergthold**  
**City of Fresno**  
**Planning and Development Department**  
**July 23, 2013**  
**Page 2 of 5**

While the District's review didn't observe any problems with the plan to increase densities in areas where the storm drainage system exists, some of the infill areas that may fall into this category are the proposed bus rapid transit corridors along Kings Canyon, Blackstone Avenue, Shaw Avenue and the downtown area.

In regards to Objective/Policies that have impacts on streets/trail circulation, the District views the streets/trails system as an integral part of the drainage facilities. Street alignments set drainage patterns by collecting and conveying drainage to the storm drain inlets. Street/trails are also useful to convey surface flows from large storms. They are also the place where the underground infrastructure must plan for and construct storm drainage pipelines within the public ROW.

The District encourages and supports the City's proposed policies that pertain to improving the connectivity within and between neighborhoods, through use of open space trailways and streets as indicated in Objective/Policies UF-4, UF-5, UF-8, UD-G-7, UD-P-5 and UD-G-13. This connectivity affords more flexibility for the planning and construction of the storm drainage system.

The District does have a concern with Objective/Policies UD-P-14 "Minimizing Pavement Widths". The street width plays a role in the transport/flow of storm water within the community. The reduction in street widths may reduce the ability to convey major storm flows and/or impact the ability to locate all of the underground infrastructure within a street. The District would like to have an opportunity to review the changes to street widths and would request that narrow street widths be conditioned upon approval of storm flow and infrastructure construction. It may be possible to develop a policy that refers to these criteria for street width.

Combining UD-G-14 with objective/policies as outlined in UD-P-27 and UD-P-28 "Streetscapes and Building-to-Street Interface" also presents some concerns to the District in the context of building finish floor elevations, street flow capacity, major storm flows and flood safety. Buildings with ground level entries that have direct access to streets that convey major storm flows or are lower than the elevation of the overflow point during large storm events may be at risk of flooding during major storm events and will need to be elevated and protected.

The District supports and encourages strategies and programs designed to reduce and/or prevent storm water pollutants through source control as outlined in Objective/Policy RC-26 and T-1 in order to complement the District's regional system of storm water quality basins.

**Mr. Keith Bergthold**  
**City of Fresno**  
**Planning and Development Department**  
**July 23, 2013**  
**Page 3 of 5**

### **Proposed Basin Location Comments**

The proposed basin locations, as shown on the Draft 2035 General Plan, are based on the adopted Storm Drainage and Flood Control Master Plan. The Master Plan takes into account topography, land use, existing street and proposed street alignments, pipeline collection system layout, natural and manmade improvements, other planimetric features and the cost to benefit when siting a basin. The proposed location is based on the most current information available and represents a reasonable attempt to site the storm water basin. However, these locations are tentative and subject to revision as circumstances dictate. The 2035 General Plan Update should continue to include language to allow for an alternate zoning should the proposed basin site be purchased in an alternate location. The General Plan should also include a policy that allows the basin site to move within a radius of one mile from its proposed location without the need for a General Plan Amendment. The proposed basin sites are shown on the attached District Map and are color coded in red to denote that they are proposed basin facilities.

### **On Going Work at the District that may be of Interest**

The following is a listing of planned or existing projects that may be of interest to the City. This is not a comprehensive listing of all District projects and is intended just for your reference.

Basin "BL" - The District is in the process of acquiring approximately 6.5 acres of additional land to the east to expand this basin facility in order to provide for the revised and expanded Basin "BL" drainage area. This expansion is also designed to accommodate the portion of SEGA land within Basin "BL" drainage area.

Basin "AU" - The City has concerns over this proposed basin location due to its close proximity to the existing land fill and possible impacts on ground water quality. A suitable basin location will need to be worked out between the City and District.

Basin "AX" - The District is in the process of evaluating the feasibility of expanding the service area southerly to include the unplanned area inside of the City's Sphere of Influence. This facility may be expanded pending the outcome of this study.

Drainage Area "AV" - The District is in the process of evaluating a new location for proposed Basin "AV". It is intended to move the basin from its currently planned location (joint use with an existing FID basin) to approximately 1000' northeast of the Central and Fir Avenue intersection. This location will impact the proposed unnamed east west connector street alignment.

**Mr. Keith Bergthold**  
**City of Fresno**  
**Planning and Development Department**  
**July 23, 2013**  
**Page 4 of 5**

Basin “NN” – The majority of this system was designed around the “Running Horse Development Proposal”, which land uses were adopted and indicated on the approved 2025 General Plan. The proposed City 2035 General Plan Update changes most of the adopted land uses and in most areas the densities are increasing. One issue with increased densities in this area is that the downstream collection system was constructed as a result of the new Veteran’s Facility. A 24” storm drain was installed within the California Avenue Veteran’s road frontage. A 42” storm drain was installed within the Marks Avenue Veteran’s road frontage. Both of these pipelines will be undersized to serve the proposed land uses through the 2035 General Plan Update. The basin site that has not been purchased yet will have to increase in size to accommodate the increased storage capacity necessary for the higher density land uses. The District is studying this drainage area to determine what must be done to accommodate the densities and existing facilities.

Basin “AS” – (northwest corner of California & Valentine) The 2035 General Plan Update shows a portion of existing Basin “AS” as “Low Density Residential” and “Elementary School”. These designations need to be removed and “PB” for Ponding Basins needs to be inserted.

Basin “EN” – There are some higher land use densities proposed in the 2035 General Plan Land Use along the Shaw Avenue corridor than those previously adopted and Master Planned. Fortunately, the collection system that serves these areas has not yet been constructed and the basin site has not been purchased. The basin capacity will need to be adjusted slightly and the Master Plan system will need to be reevaluated to correct its sizing.

Basin “EM” – a portion of land along the south side of the Barstow alignment between Grantland Avenue and the Veteran’s Blvd. is proposed to increase in density from MHD-R to “Regional Mixed Use”. The 42” storm drain that will serve this land is already existing. Therefore, mitigation may be required when this land rezones and develops.

Basin “AI” – There are increased land densities proposed along the north and south sides of the Shaw Avenue corridor between Hayes Avenue and FWY 99. The 66” diameter main storm drain trunkline that serves most of this land is existing. The need for mitigation when these properties rezone and develop may be imposed or they will be required to construct parallel downstream facilities. The basin site has been purchased, fenced and partially excavated. If new land uses are approved, the basin capacity and design must be revisited.

**Mr. Keith Bergthold**  
**City of Fresno**  
**Planning and Development Department**  
**July 23, 2013**  
**Page 5 of 5**

Basins “CD” and “CG” – The land uses proposed with the 2035 General Plan Update along Grantland Avenue and Veteran’s Blvd, between Gettysburg and Shields, are higher densities than those approved with the 2025 General Plan. These areas include the “Westlake Development” and areas south of the new Central High school. The District has worked with the developer of the “Westlake Development” and will accommodate the higher land use densities once he has an approved “EIR” and “CEQA”. The District is prepared to change these Master Plan systems and relocate Basin “CD” in order to conform to the 2035 General Plan Update for these areas. But this is only conditional until the Developer first gets the approvals of the “EIR” and “CEQA”.

Thank you for your consideration of these comments and for allowing us to be a part of the General Plan Update process. We continue to look forward to working with you and the City of Fresno on the update process.

Very Truly Yours,



Alan Hofmann  
Assistant District Engineer/Design

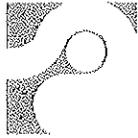
AH/lrl

Keith,

The District requests that the City's General Plan Update include the following changes to the "Ponding Basin" land use as depicted on the three attached basin diagrams.

FYI

We are also studying three additional areas that may result in the need to request further changes and/or additions. Two of the areas are in SEGA, "DS" & "DV" and would result in new drainage facilities. The third area, "AV", is a replanning effort and would result in the relocation of a previously planned basin facility on the northeast corner of Elm Avenue and the Muscat Alignment to be relocated in the vicinity north of Central and Fig Avenues. I don't know if we will be able to furnish you with the necessary information in order to meet the City's timeline.



FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

File 170.21  
400.21

October 9, 2013

Mr. Keith Bergthold, Assistant Director  
City of Fresno, Planning and Development  
2600 Fresno Street, Room 3065  
Fresno, CA 93721

Dear Mr. Bergthold,

**Additional FMFCD Comments on Drainage Related Policy Issues in Regards to the City of Fresno General Plan Update**

This letter is being sent pursuant to our recent meeting with you requesting additional language regarding drainage related policy issues. The City may use this information to formulate specific language into the General Plan and Development Code Update. Also refer to the letter previously sent to the City on June 13, 2013 for more general comments.

**Proposed Basin Location**

Proposed ponding basin locations, as shown on the City's General Plan, are based on the preliminary and/or adopted Storm Drainage Master Plan and take into consideration topography, land use, existing street and proposed street alignments, pipeline collection system layout, natural and manmade improvements, and other planimetric features. The drainage system and basin location is adopted by the District based upon a cost to benefit study. The proposed basin locations are established using the most current information available in order to site the storm water basin facility in its most likely location for acquisition. As development or District funds become available, the District reviews the proposed basin locations to evaluate the factors previously considered for any new information and begin property acquisition. During the acquisition circumstances may warrant moving the proposed ponding basin location to an adjacent parcel or to a nearby location, typically the basin location will be within a ½ mile radius of the proposed location and the basin size and/or basin configuration may be changed to better fit the parcel(s) being acquired and/or existing or planned storm water needs.

**Policy statement regarding the relocation of proposed basin sites**

*Proposed basin sites are shown in their most probable location, but the plan only represents a probable basin placement diagram and the basin may be relocated or purchased in an alternate location. The basin location is consistent with the General Plan as long as the basin is located within a ½ mile radius of the General Plan diagram.*

NOTE:  
THIS MAP IS SCHEMATIC  
DISTANCES ARE APPROXIMATE.



### LEGEND

-  Limit Of Ponding Basin Land Use (PB)
-  Limit Of Proposed Ponding Basin Expansion Area (±2.8 Ac.)



1" = 400'

## BASIN "CK" CITY OF FRESNO LAND USE DIAGRAM DRAINAGE AREA "CK"

EXHIBIT NO. 2



FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

NOTE:  
THIS MAP IS SCHEMATIC  
DISTANCES ARE APPROXIMATE.



## LEGEND

 Limit Of Ponding Basin Landuse (PB)

 Limit Of Proposed Ponding Basin  
Expansion Area (±1.9 Ac.)



1" = 500'

### **BASIN "CH" CITY OF FRESNO LANDUSE DIAGRAM DRAINAGE AREA "CH"**

EXHIBIT NO. 1



**FRESNO METROPOLITAN FLOOD CONTROL DISTRICT**

Prepared by: wadet  
Date: 10/2/2013

Path: K:\Autocad\DWGS\0EXHIBIT\BASINS\CH\CH Expansion (City Copy).mxd

NOTE:  
THIS MAP IS SCHEMATIC  
DISTANCES ARE APPROXIMATE.



## LEGEND

 Limits Of Ponding Basin Land Use (PB)



1" = 300'

## BASIN "CP" CITY OF FRESNO LAND USE DIAGRAM DRAINAGE AREA "CP"

EXHIBIT NO. 3



FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

Prepared by: wadet  
Date: 10/1/2013

Path: K:\Autocad\DWGS\0EXHIBIT\BASINS\CP\Basin CP (City Copy).mxd



Entitlements • Planning • Processing • Consulting • Representation • Public Relations

September 11, 2012

Keith Bergthold, Assistant Director  
Development & Resource Management Department  
Fresno City Hall  
2600 Fresno Street  
Fresno, CA 93721

Subject: 2035 General Plan Update land use designation  
SWC West Herndon and North Milburn Avenues

Dear Keith:

The master-planned development at the southwest corner of West Herndon and North Milburn Avenues east of the BNSF rail lines consists of approximately 30 acres. Approximately 12 acres at the immediate corner is developed as a shopping center anchored by a Save Mart grocery store. The configuration of the shopping center is approximately a square leaving two triangular shaped pieces west and south of the shopping center. A George Brown Fitness Center ("GB3") is currently under construction west of the shopping center. A commercial development (CUP/Site Plan Review) has been previously approved for the triangular piece south of the shopping center, including a pad fronting on Milburn with a CUP approved drive-thru. Sol Development represents, and this letter is submitted on behalf of, the master-developers of the site, who currently continue to own property within the triangular sites referenced above.

The current General Plan designates the corner occupied by the existing shopping center as Community Commercial and the triangular properties to the south and west as Light Industrial. The Community Commercial property is currently zoned C-2, the Light Industrial property to the south is currently zoned CM and the Light Industrial property to the west is currently zoned M-1. As previously noted, all of the above properties have multiple approved Site Plan Review and CUP entitlements, and the entire site is subject to recorded reciprocal access and utility agreements.

The most recent draft of the 2035 General Plan Update map designates the entire area between Herndon, Milburn and the railroad tracks as Community Commercial. Please see the enclosed portion of the Draft 2035 General Plan Update land use map.

Recognizing that the new land use designations are yet to be fully described for the 2035 General Plan Update, it is nevertheless of great concern to our client, particularly with respect to the westerly triangular site referenced above, that existing zoning (M-1) and other entitlements, including CUP/Site Plan Review approvals for a project currently under construction, may turn out to be inconsistent with the new Community Commercial land use designation in the 2035 General Plan Update. More specifically, our client's position is that while the new Community Commercial designation may very well be highly suitable for the southerly triangular site (currently zoned C-M), which has excellent frontage on, access to and visibility from North Milburn Avenue, the M-1 zoned westerly site, with no street-frontage access and limited visibility, should retain its M-1 zoning and be designated with a land-use category compatible with M-1 zoning and light industrial uses.

Our client is quite proud that, over several years in close collaboration with City staff, this challenging site is emerging as a well-designed master-planned commercial development with a vibrant mix of uses and effective site-wide pedestrian and vehicular circulation. Through this letter we respectfully request that City staff consider these comments and appropriately adjust the land-use designations in the 2035 General Plan Update to protect the careful planning that has gone into this project by the owners and the City over several years.

If you have any questions or require additional information regarding this matter please contact me at 497-1900.

Respectfully submitted,

A handwritten signature in black ink that reads "Bill Robinson". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

William V. Robinson, Principal

Enclosures

# DRAFT FIGURE 2

## Initiation Purposes

### August 9, 2012

SWC  
HERNDON &  
MILBURN

Bryan

Hayes

Poik

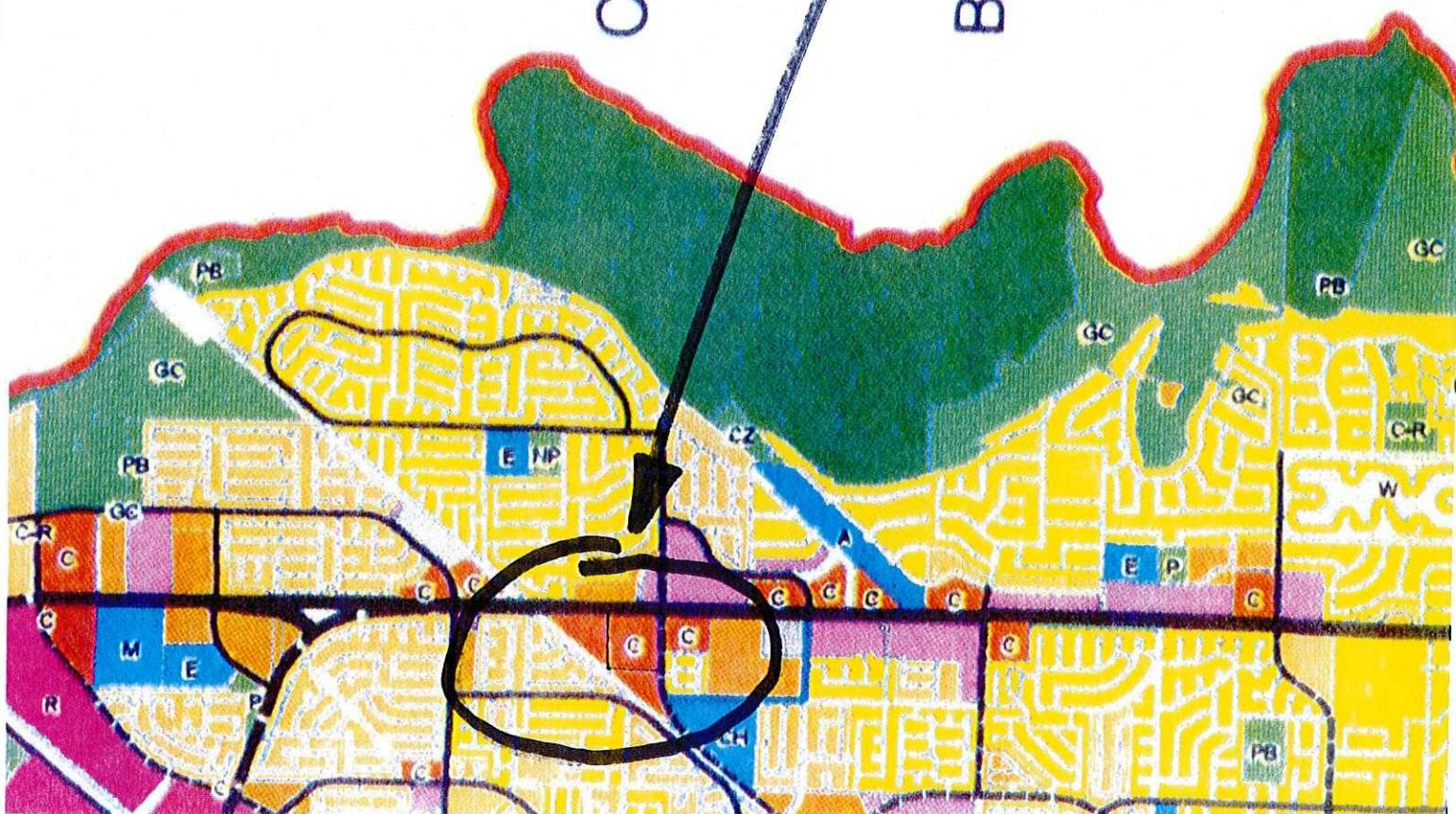
Cornelia

Blythe

Brawley

Valentine

Marks



**From:** Martin Weil [\[mailto:mweil0777@aol.com\]](mailto:mweil0777@aol.com)

**Sent:** Monday, April 09, 2012 1:39 PM

**To:** Keith Bergthold; [mark@mwsteele.com](mailto:mark@mwsteele.com); Darrell Unruh; Mark Scott; [rginder@ginderdevelopment.com](mailto:rginder@ginderdevelopment.com); [bill@soldevelopment.com](mailto:bill@soldevelopment.com); [nleaves@precisioneng.net](mailto:nleaves@precisioneng.net)

**Subject:** Fresno General Plan Update -- Horizon 40-acre Property

Keith and Mark:

At a break in last week's City Council hearing, I spoke to Mark Steele about a property-specific concern regarding a 40+/- acre parcel owned by my partnership, Horizon Enterprises, for which the 2035 General Plan Update Concept Maps for Alternatives B, C and D indicate a reduction in residential density below the property's current designation of Medium High Density in the 2025 General Plan and its current zoning of R-2.

Mark suggested that similar property-specific discrepancies had been presented by other property owners to staff for review and that the GPU process still has flexibility to address such issues -- but he urged me to promptly submit my concerns and information about the property and our development in writing to staff (i.e. Keith Bergthold).

Following up on the above, I hereby submit, on behalf of the property owner, Horizon Enterprises (for the record and to receive responses from staff and/or consultants), the following comments/concerns/proposals and the input included in the attached pdf:

The subject property is:

- Located immediately north of the Herndon Canal and south of West Barstow Avenue, east of North Grantland Avenue. The Veterans Boulevard alignment cuts diagonally through the east part of the property.
- An approximately 40-acre parcel owned by Horizon Enterprises.
- Currently designated Medium High Density Residential (10,38 to 18.15 du/ac) in the 2025 General Plan and currently zoned R-2.
- Located within the footprint of a Potential Activity Center in the 2025 General Plan.
- Indicated as Urban Residential (7 to 15 du/ac) in the Draft Concept Map for Alternative A of the 2035 General Plan Update.
- Indicated as Suburban Residential (4 to 10 du/ac) in the Draft Concept Maps for Alternatives B through D of the 2035 General Plan Update.

Issues and property owner comments:

- GPU Alternatives B through D would actually reduce the planned density of this property, reducing the yield by at least 200 dwelling units. Horizon Enterprises (the property owner) opposes this result and any reduction in planned density for this property.
- GPU Alternatives Analysis Report sketch (included in attached pdf) indicates some commercial potential at the major intersection, which is supported by the property owner (see attached pdf).
- Attached pdf depicts, in schematic form, a site plan (proposed by the property owner) emphasizing various elements of Urban Residential development with supporting and complementary commercial development that leverages community access provided by Veterans Boulevard and buffers residential from this 6-lane roadway..
- Horizon Enterprises supports the depiction (in all of the 2035 GPU Concept Map Alternatives) of a park location south of the Herndon Canal and adjacent to the Activity Center to optimize the linkage of open space and recreation to the Activity Center.

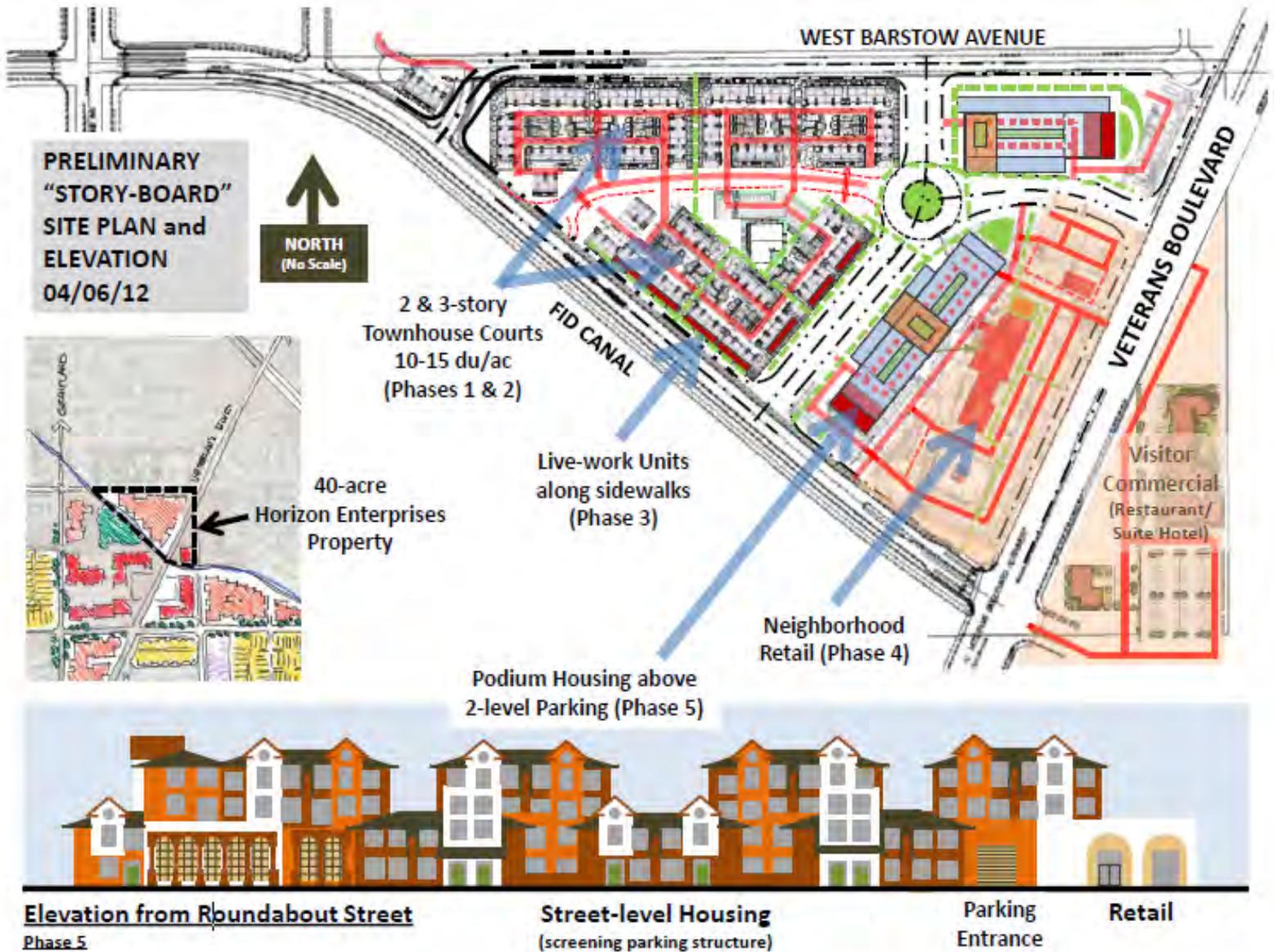
Thank you for your consideration of the above and the information in the attached pdf. Please feel free to contact me with any questions or comments. A response to this email, at your earliest convenience, would be greatly appreciated.

(Note: Please ignore the name Martin Weil listed with my email address -- that's my father's name, and we share this email address.)

Thank you.

Steve Weil  
General Partner, Horizon Enterprises

Tel. (559) 449-1775





**PRELIMINARY  
"STORY-BOARD"  
SITE PLAN and  
ELEVATION  
04/06/12**



**40-acre  
Horizon Enterprises  
Property**

**2 & 3-story  
Townhouse Courts  
10-15 du/ac  
(Phases 1 & 2)**

**FID CANAL**

**Live-work Units  
along sidewalks  
(Phase 3)**

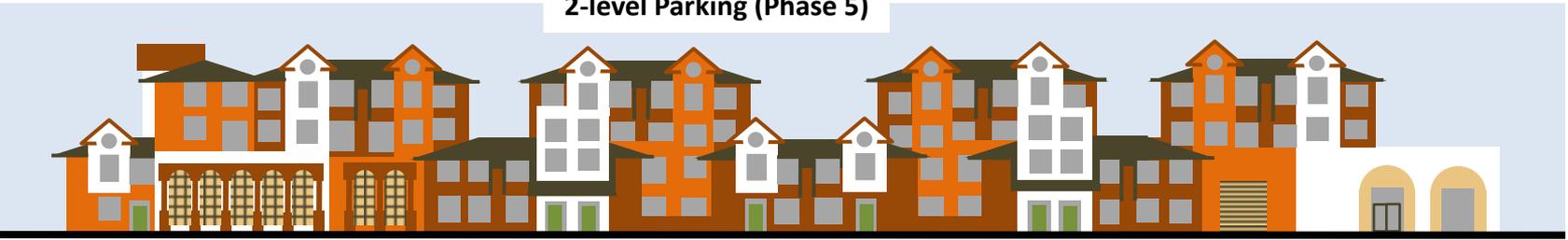
**Neighborhood  
Retail (Phase 4)**

**Podium Housing above  
2-level Parking (Phase 5)**

**Visitor  
Commercial  
(Restaurant/  
Suite Hotel)**

**WEST BARSTOW AVENUE**

**VETERANS BOULEVARD**



**Elevation from Roundabout Street  
Phase 5**

**Street-level Housing  
(screening parking structure)**

**Parking  
Entrance**

**Retail**



Entitlements • Planning • Processing • Consulting • Representation • Public Relations

August 29, 2012

Keith Bergthold  
Assistant Director  
Development & Resource Management Department  
Fresno City Hall  
2600 Fresno Street  
Fresno, CA 93721

Subject: SWC West Barstow Avenue and North Veterans Boulevard  
APN: 505-060-08  
Owner-Horizon Enterprises

Dear Keith:

On behalf of the owner of the parcel referenced above, we are hereby submitting the enclosed exhibits to request a clarification of the proposed land use designation of CMX-Corridor Mixed Use and consideration of the land uses depicted on the exhibits.

Since the new land use designations are yet to be refined for the 2035 General Plan Update it is unclear how the CMX land use designation may be executed with the various types of projects that may be allowed. It is anticipated the location of the parcel adjacent to the Veterans Boulevard alignment will limit the location of successful residential components of a project on the parcel.

Fearing the CMX land use designation will require the entire parcel west of the Veterans alignment to be developed with integrated residential and commercial uses, we propose the land uses as shown on the enclosed exhibits. If the goal of the mixed use designation is to bring residential and commercial uses closer together we offer an "Urban Neighborhood" project on the western portion of the parcel and the "Corridor Mixed Use" on the eastern portion of the parcel. This would place the heaviest commercial use along the frontage of Veterans, elevated housing near the commercial and a more traditional multi-family housing on the west side of the parcel, all within close proximity of each other.

It is yet to be seen how the housing market will accept commercial-elevated housing outside of the central city area and whether the financial market will react favorably to a true integration of commercial and residential uses. It is for these reasons we feel a project that aims to accomplish a mixed use environment utilizing closely adjacent residential and commercial uses along with some transitional mix of the two will have a greater probability of success.

Please review the enclosed exhibits and we would appreciate your comments as soon as convenient. If the concepts presented here are acceptable we can provide land use boundaries in GIS format for inclusion in future General Plan Update maps.

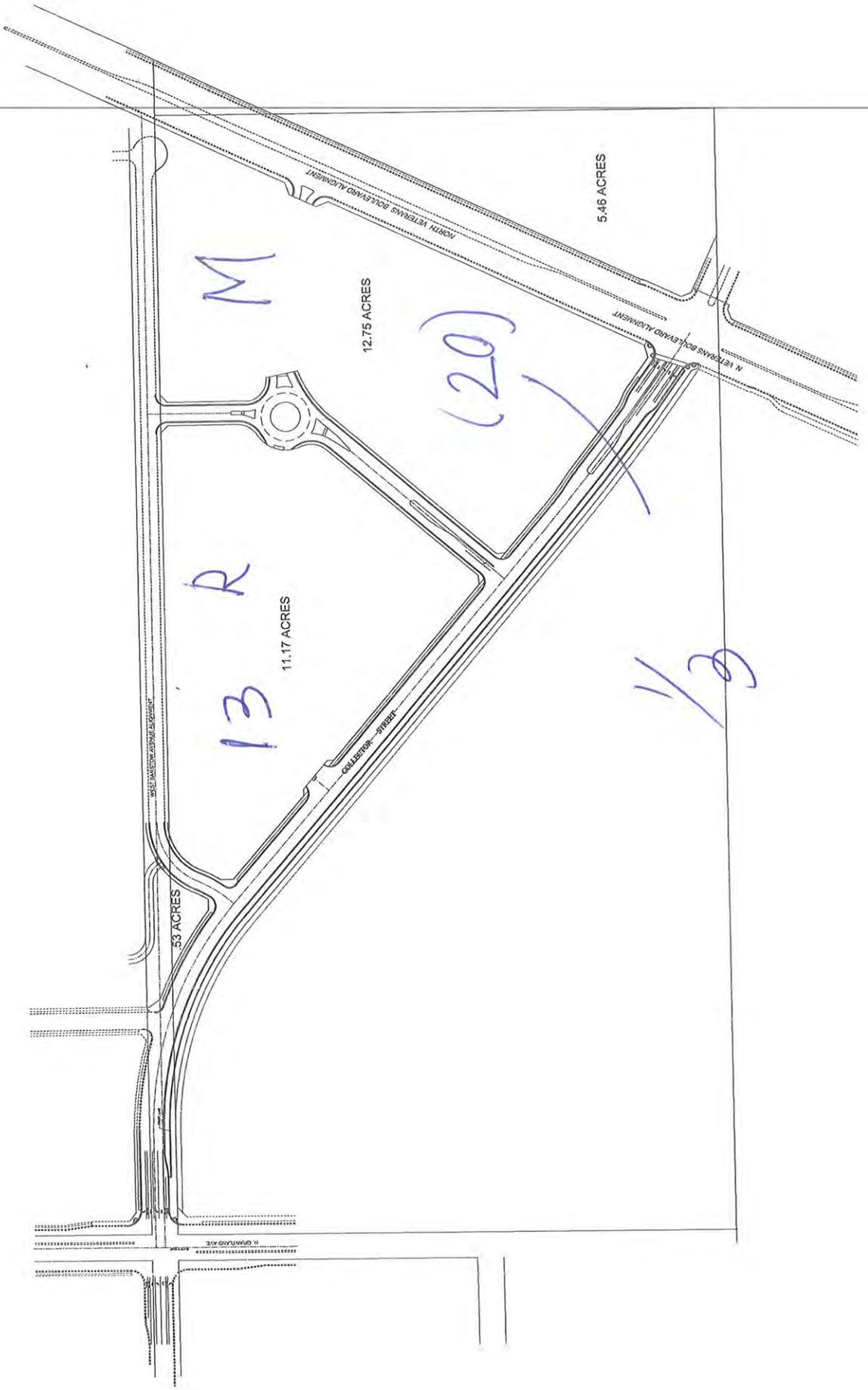
If you have any questions or require additional information regarding this matter please contact me at 497-1900.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "William V. Robinson". The signature is fluid and cursive, with a large initial "W" and "R".

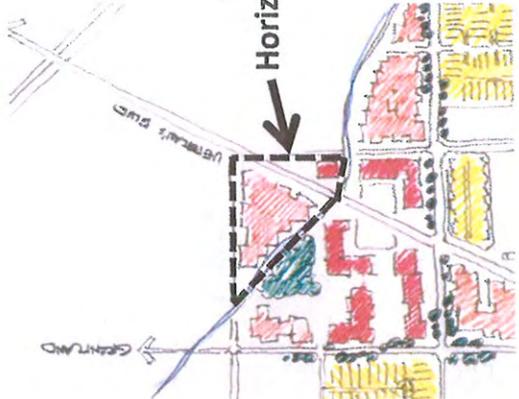
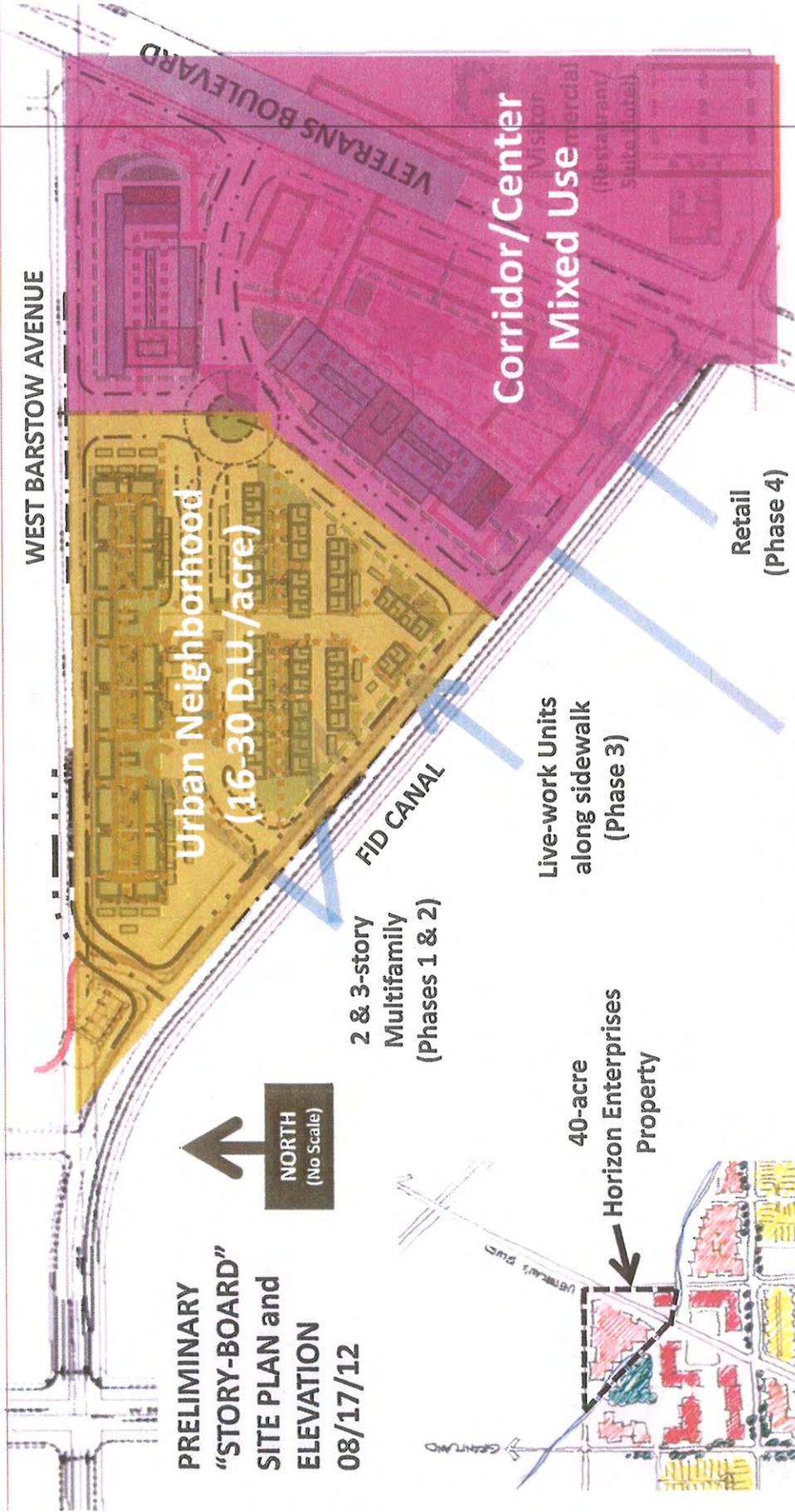
William V. Robinson  
Principal

Enclosures





**PRELIMINARY  
"STORY-BOARD"  
SITE PLAN and  
ELEVATION  
08/17/12**



**Elevation from Roundabout Street  
Phase 5**

**Street-level Housing  
(screening parking structure)**

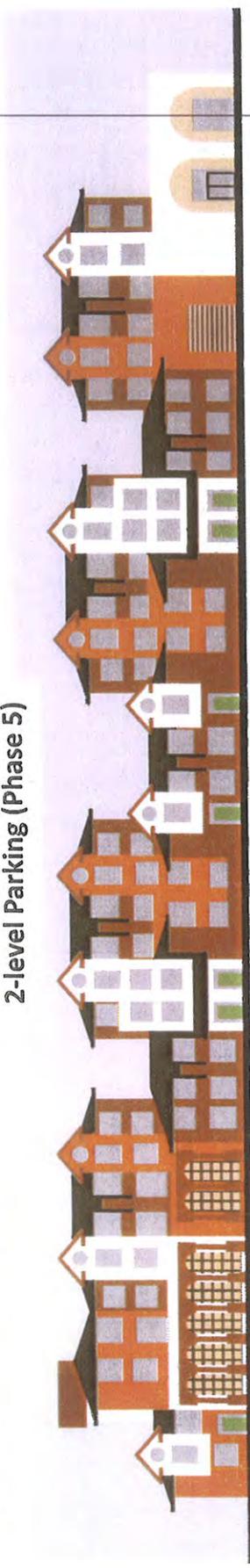
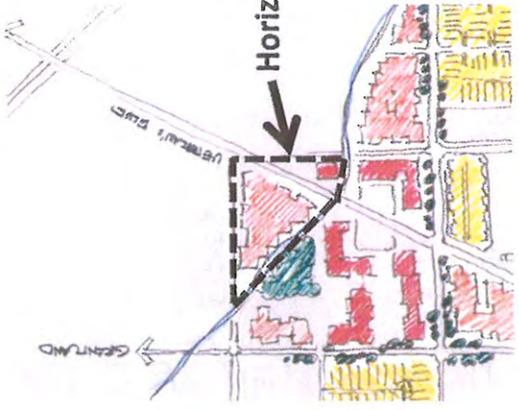
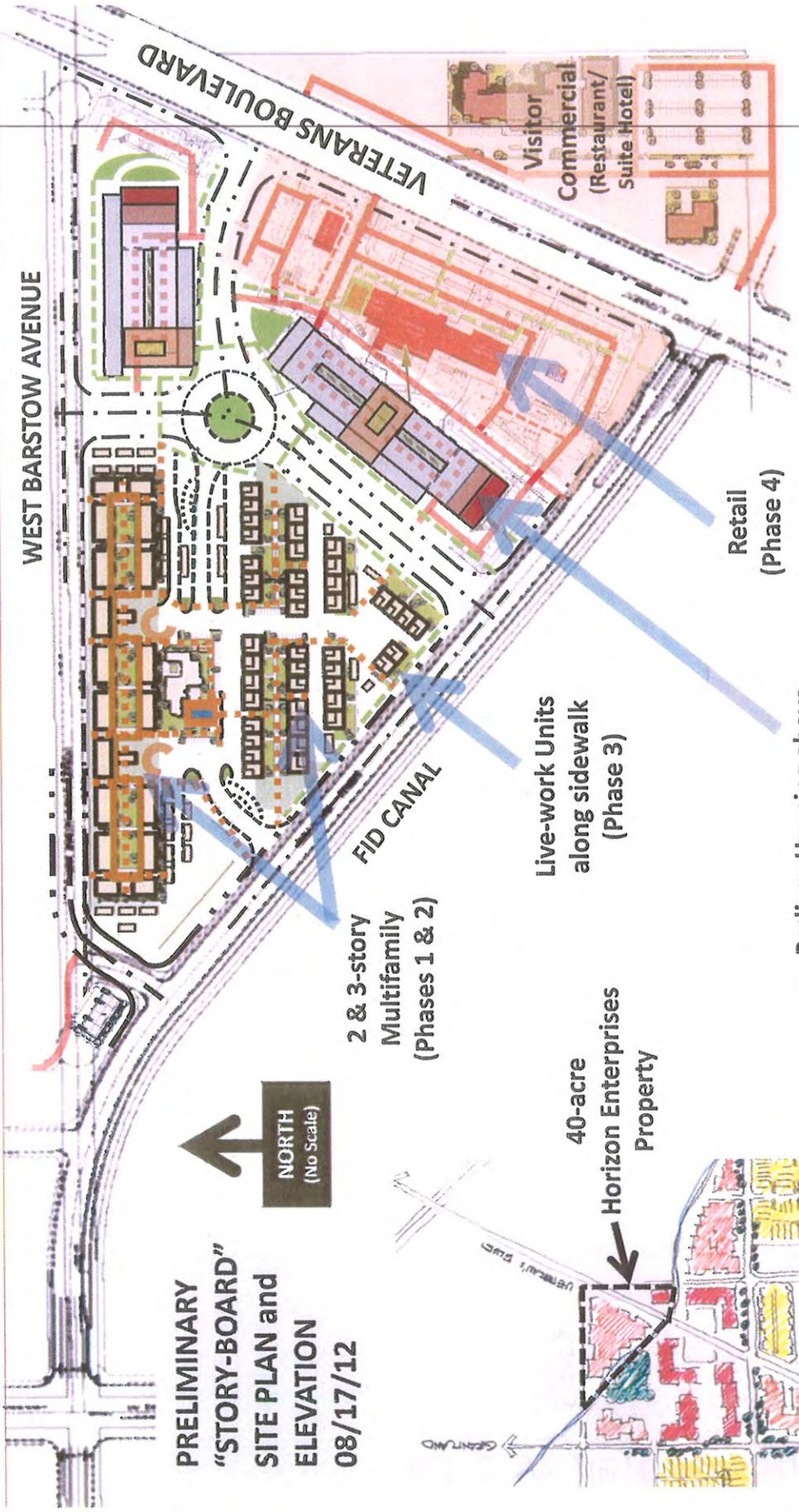
**Podium Housing above  
2-level Parking (Phase 5)**

**Retail  
(Phase 4)**

**Parking  
Entrance**

**Retail**

**PRELIMINARY  
"STORY-BOARD"  
SITE PLAN and  
ELEVATION  
08/17/12**



**Elevation from Roundabout Street**

Phase 5

**Street-level Housing**  
(screening parking structure)

**Parking Entrance**

**Retail**

**Retail (Phase 4)**

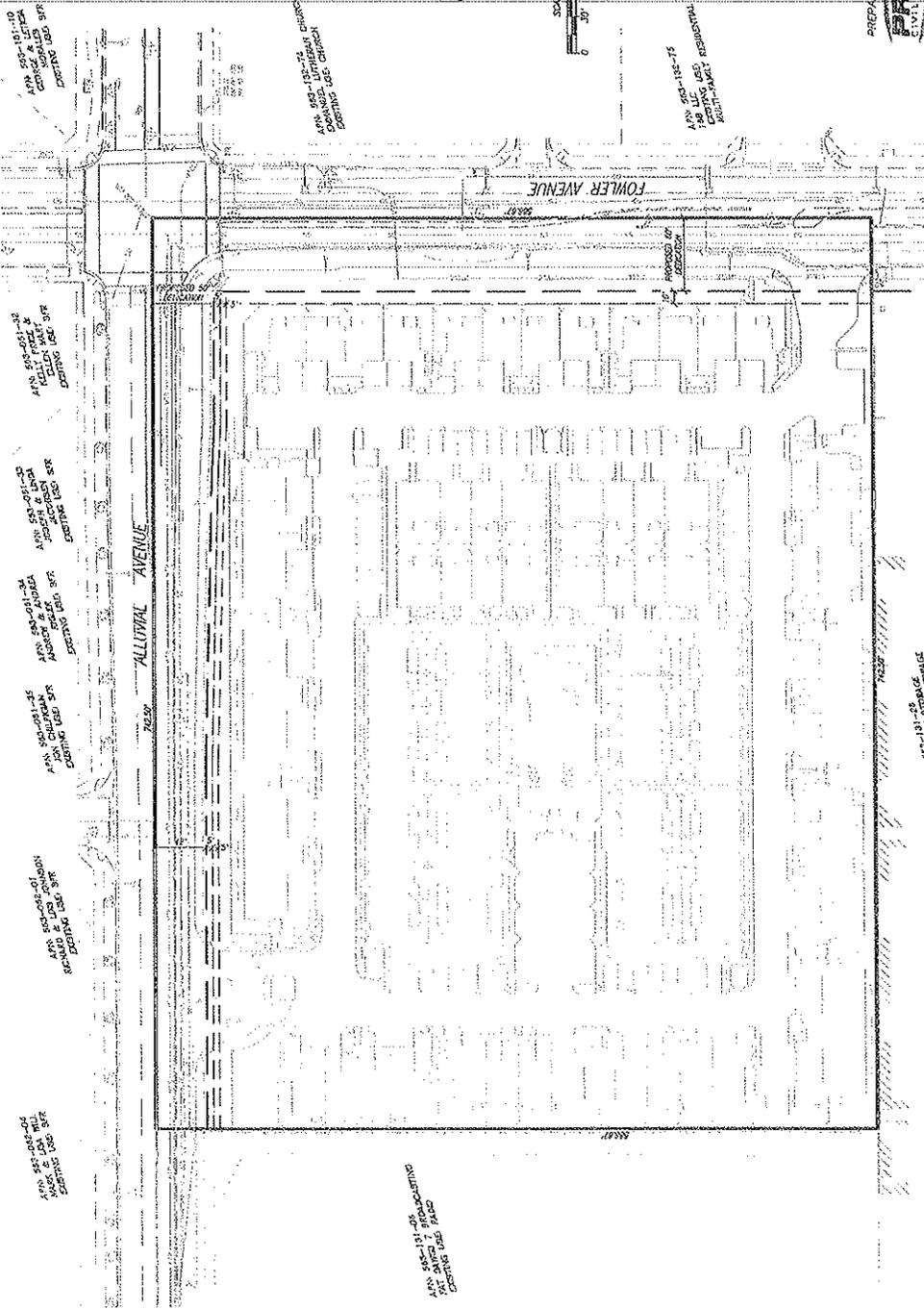
**Live-work Units along sidewalk (Phase 3)**

**2 & 3-story Multifamily (Phases 1 & 2)**

**Podium Housing above 2-level Parking (Phase 5)**

**Visitor Commercial (Restaurant/Suite Hotel)**

NET AREA: 8.49 ACRES  
 UNITS: 100  
 DENSITY: 11.78



SCALE 1" = 60'



APN 99-191-10  
 CITY OF AUSTIN  
 DISTRICT 10

APN 99-191-74  
 DOMINUS LEO CHURCH  
 DISTRICT 10

APN 99-191-75  
 CITY OF AUSTIN  
 DISTRICT 10

APN 99-051-32  
 CITY OF AUSTIN  
 DISTRICT 10

APN 99-051-33  
 CITY OF AUSTIN  
 DISTRICT 10

APN 99-051-34  
 CITY OF AUSTIN  
 DISTRICT 10

APN 99-051-35  
 CITY OF AUSTIN  
 DISTRICT 10

APN 99-051-36  
 CITY OF AUSTIN  
 DISTRICT 10

APN 99-051-37  
 CITY OF AUSTIN  
 DISTRICT 10

APN 99-191-76  
 CITY OF AUSTIN  
 DISTRICT 10

APN 99-191-77  
 CITY OF AUSTIN  
 DISTRICT 10



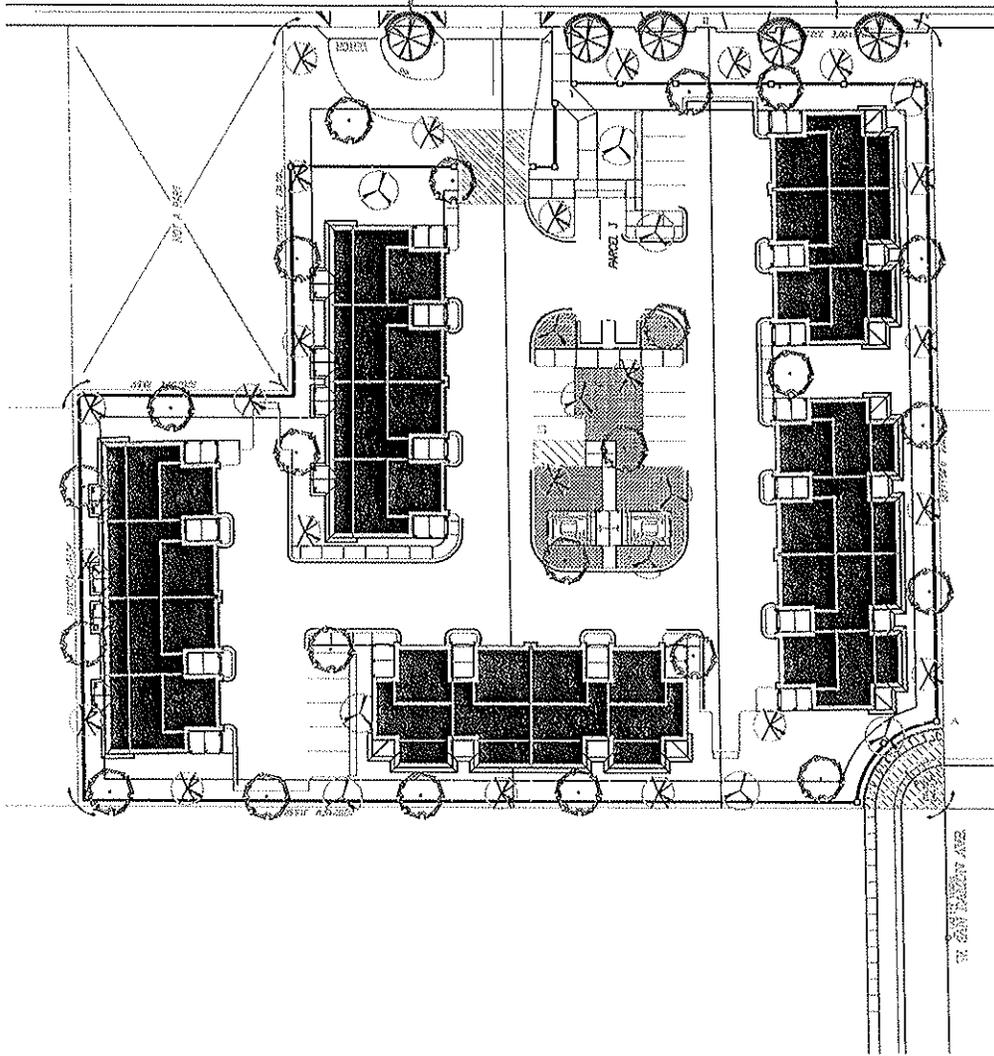
PREPARED BY:  
 PRECISION  
 ENGINEERING & SURVEYING, INC.  
 11000 N. MOPAC EXPRESSWAY, SUITE 200  
 AUSTIN, TEXAS 78758-4815  
 PHONE: 512.452.1234

PROJECT: 200819-171 DOWNTOWN DEVELOPMENT

NET AREA: 1.87 ACRES  
UNITS: 19  
DENSITY: 10.1 UNITS/ACRE

E. 50TH STREET

N. MARINA AVE









**GRUBB & ELLIS.**  
Pearson Commercial

Pearson Commercial  
7480 N. Palm Avenue, Suite 101  
Fresno, CA 93711

559.432.6200 main  
559.432.2938 fax  
[www.pearsonrealty.com](http://www.pearsonrealty.com)  
CA License # 00020875  
*Independently Owned and Operated*

August 10, 2012

Keith Bergthold  
Assistant Planning Director  
City Hall  
2600 Fresno Street  
Fresno, CA 93721

Re: SWC W. Sierra and N. Polk Avenue

Dear Keith:

On behalf of the owner, Waterford Foundation, of the 4± acre corner parcel, we would request that you designate the property Urban Neighborhood Density <16-30 du/ac. as part of the pending General Plan update.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "DE" followed by a stylized flourish.

Dick Ellsworth  
*Senior Vice President*  
Land Division  
559.447.6247  
[dellsworth@pearsonrealty.com](mailto:dellsworth@pearsonrealty.com)  
CA Lic # 00330607

DE/lv  
Cc: Farid Assemi

## MetroScan / Fresno (CA)

<b>Owner</b> : Waterford Foundation Inc	<b>Parcel</b> : 506 130 04 S	
<b>CoOwner</b> :	<b>Land</b> : \$506,664	
<b>Site</b> : *no Site Address*	<b>Struct</b> :	
<b>Mail</b> : 1396 W Herndon Ave #101 Fresno Ca 93711	<b>Other</b> :	
<b>Xfered</b> : 12/27/2006 <b>Doc #</b> : 269452	<b>Total</b> : \$506,664	
<b>Price</b> :	<b>Exempt</b> :	
<b>LoanAmt</b> :	<b>Type</b> :	
<b>Lender</b> :	<b>% Imprv</b> :	
<b>Vesting</b> : Corporation	<b>% Owned</b> : 100	
<b>MapGrid</b> :	<b>TaxArea</b> : 005568	
<b>LandUse</b> : C000R-P Com,Vacant	<b>11-12 Tax</b> : \$6,490.36	
<b>Census</b> : Tract : 42.11 <b>Block</b> : 1	<b>Phone</b> :	

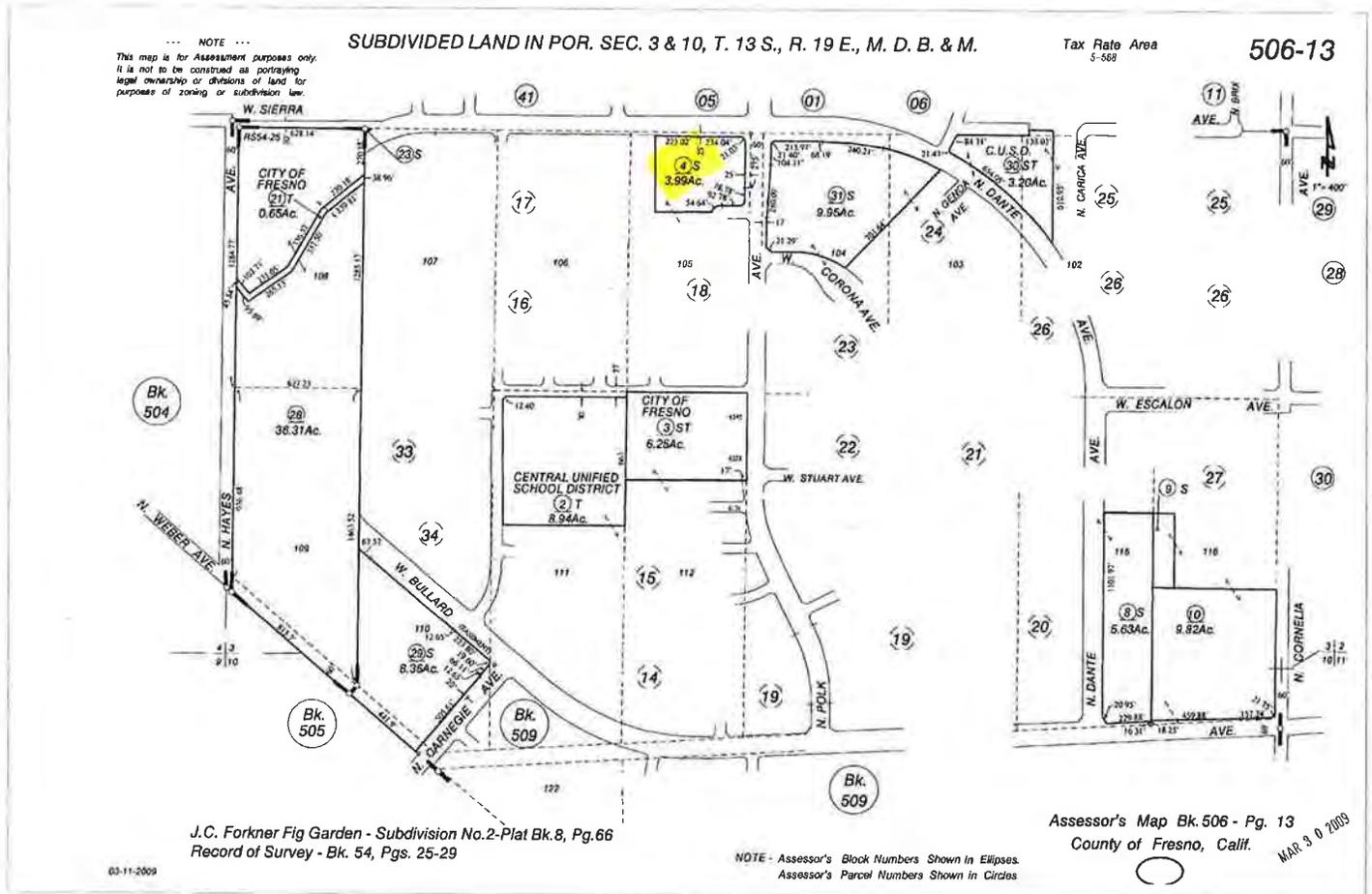
  

<b>Bedrooms</b> :	<b>Bldg SqFt</b> :	<b>Lot Acres</b> : 3.99
<b>Bathrooms</b> :	<b>1st Flr SqFt</b> :	<b>Lot SqFt</b> : 173,804
<b>Fireplace</b> :	<b>2nd Flr SqFt</b> :	<b>Lot Dimen</b> :
<b>Air Cond</b> :	<b>BasementSF</b> :	<b>Year Built</b> :
<b>Units</b> :	<b>Garage Type</b> :	<b>Bldg Matl</b> :
<b>Stories</b> :	<b>Garage SqFt</b> :	<b>Bldg Shape</b> :
<b>Pool</b> :	<b>AddRm SqFt</b> :	<b>Bldg Class</b> :

### Additional Features

1.	3.
2.	4.





Grubb & Ellis | Pearson Commercial  
 7480 N. Palm Avenue, Suite 101  
 Fresno, CA 93711

September 4, 2012

559.432.6200 main

559.432.2938 fax

[www.pearsonrealty.com](http://www.pearsonrealty.com)

CA License #00020875

*Independently Owned and Operated*

Mark Scott  
 City Manager  
 City of Fresno  
 2600 Fresno Street  
 Fresno, CA 93727

**RE: GP Initiation Draft/Land Use Classifications  
 APN 504-080-8S, 44, and 81/Corner of Veterans Blvd. and Bryan Ave.**

Dear Mark:

I represent the owners of the above parcel of land off of Bryan Avenue and Veterans Boulevard. I have been monitoring the updating of the City-wide General Plan and have reviewed the current GP Initiation Draft and Land Use Classifications.

Based on the review of the document as well as the user response from years of marketing this parcel of land, I believe the current suggested land use of "Highway and Auto" is too restrictive and would preclude many of the users who have expressed interest in this property and area. I believe the "Highway and Auto" designation should either be expanded to include retail and office or mixed-use, in order to allow for tenants such as Cabelas, Costco, Home Depot, Bass Pro, Sam's Club, Regal Cinema, etc. or the designation for this area should be changed to "Regional Mixed Use", which will allow these uses by right under the current proposed description. The current plan also shows a small portion of my client's property as "Urban Neighborhood". I believe a designation of "Commercial" for that 3.52 acres, or "Regional Mixed Use" for the whole area would provide the opportunity to include some high density residential in this area; thus the "Urban Neighborhood" designation would not be required, however this does not pose as strong of an objection as the use of "Highway and Auto" for the balance.

I believe the City has an opportunity to establish a well-planned regional mixed-use commercial area on the vacant land next to the El Paseo Marketplace and between two interchanges with Highway 99.

Thank you,

A handwritten signature in black ink, appearing to read "Dick Ellsworth".

Dick Ellsworth  
 Senior Vice President  
 Land Division  
 559.447.6247  
[dellsworth@pearsonrealty.com](mailto:dellsworth@pearsonrealty.com)  
 CA Lic # 00330607

NOTE  
 This map is for assessment purposes only. It is not to be construed as portraying legal ownership or divisions of land for purposes of zoning or subdivision law.

SUBDIVIDED LAND IN P.O.R. SEC. 4, T.13S., R.193., M.D.B.&M.

Tax Rate Area  
 5-348 62-028  
 5-566

504-08

1"=400'

17-10-2011 DK



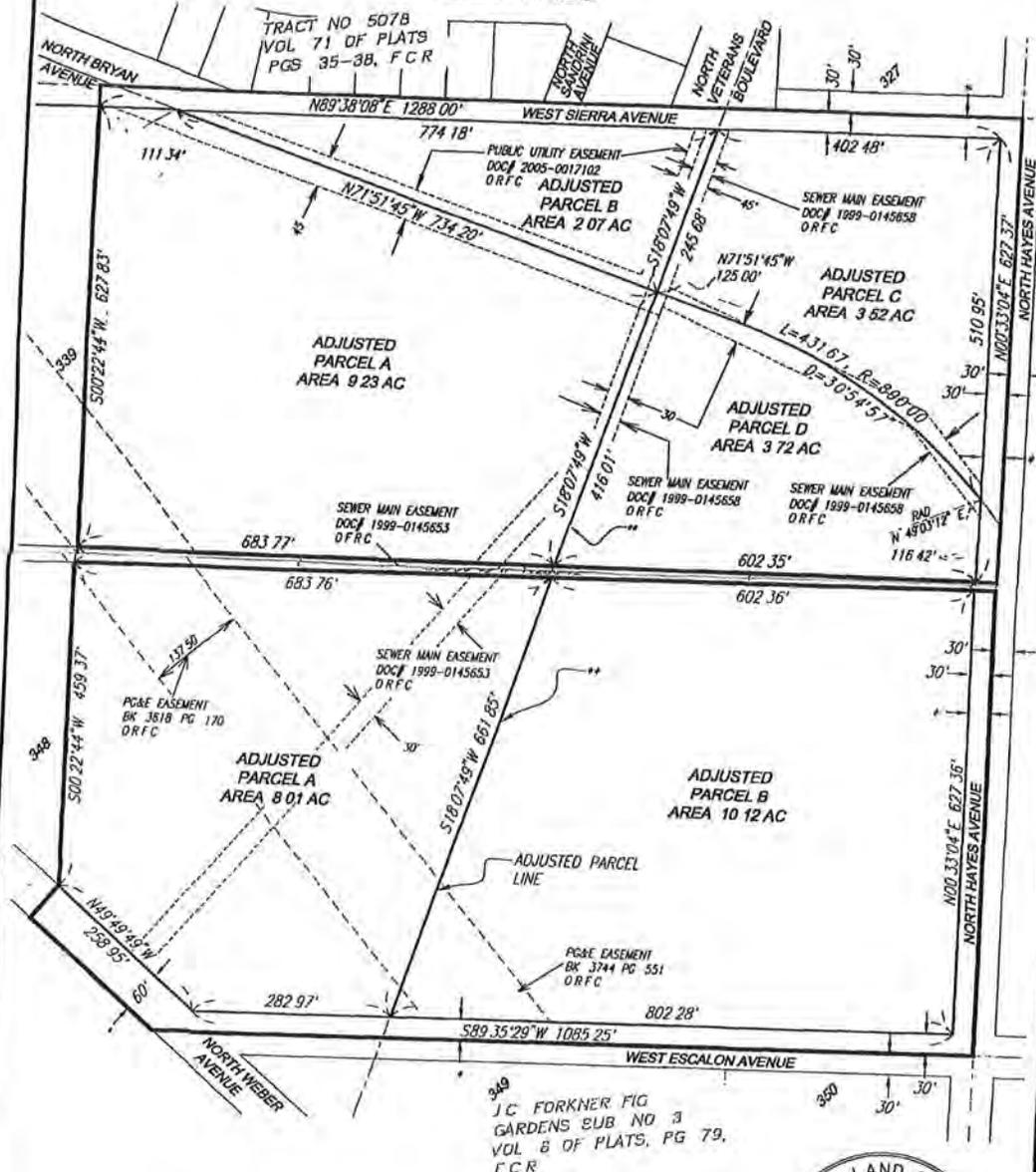
J.C. Forkner Fig Gardens No. 3 - Plat Bk. 8, Pg. 79  
 J.C. Forkner Fig Gardens No. 7 - Plat Bk. 10, Pg. 17  
 Parcel Map No. 5209 - Bk. 34, Pg. 12  
 Parcel Map No. 5609 - Bk. 35, Pg. 20  
 Parcel Map No. 5610 - Bk. 35, Pg. 25

Parcel Map No. 5611 - Bk. 35, Pg. 26  
 Record of Survey - Bk. 42, Pg. 47  
 Record of Survey - Bk. 54, Pg. 25-29

NOTE - Assessor's Block Numbers Shown in Ellipses.  
 Assessor's Parcel Numbers Shown in Circles.

Assessor's Map Bk. 504 - Pg. 08  
 County of Fresno, Calif.  
 DEC 14 2011

**EXHIBIT A**  
 LOT LINE ADJUSTMENT NO 2010-10  
 ADJUSTED PARCELS



**LEGEND.**  
 ——— EXISTING PARCEL LINE  
 ——— SUBJECT PROPERTY BOUNDARY

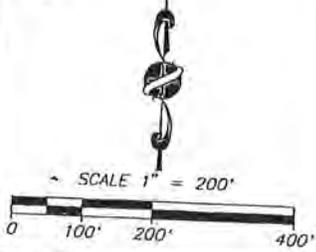
\* PUBLIC STREET EASEMENT PREVIOUSLY DEDICATED PER J.C. FORKNER FIG GARDENS SUBDIVISION NO 3, VOL 8 OF PLATS, PG 79, F.C.R.  
 \*\* OFFICIAL PLAN LINE CENTERLINE VETERANS BOULEVARD, VOL 8 OF PRECISE PLANS, PGS 34-55, F.C.R.

**NOTE**  
 DISTANCES AND BEARINGS ARE EITHER CALCULATED FROM OR SHOWN ON MAP RECORDED IN BK 54 OF RECORD OF SURVEYS AT PGS 25-29, F.C.R.

**APPROVED**  
**LOT LINE ADJUSTMENT**  
 LLA NO. 2010-11  
 BY J.B.  
 DATE 8-22-11  
**PLANNING AND DEVELOPMENT**  
**DEPARTMENT**  
**CITY OF FRESNO**



*Peter D. Cohrs*



PLANNING • SURVEYING • CIVIL ENGINEERING  
 853 W FALLBROOK AVE, #101, FRESNO CALIFORNIA 93711  
 PHONE (559) 449-4500 FAX (559) 449-4515

PROJECT NAME  
 LOT LINE ADJUSTMENT NO 2010-11  
 EXHIBIT A

10/04/2010

10-055

8



**FANCHER CREEK PROPERTIES, LLC**

265 E. River Park Circle, Suite 150  
Fresno, CA 93720  
559-438-4800

November 16, 2012

Via: Reg. Mail

Mr. Keith Bergthold, Assistant Director  
Development and Resource Management  
City of Fresno  
2600 Fresno Street, Room 3065  
Fresno, CA 93721

**RE: 2035 General Plan Update**

Dear Mr. Bergthold,

As you know, we have together been working on the Fancher Creek Town Center, Village Center and Business Park for some time. As part of the process for the 2035 General Plan Update you have asked for comments and requests to be submitted. As such, we respectfully request that the following items be included;

1. The Fancher creek Parkway & Trail.
2. The North/East Corner of the Fowler/Fancher Creek Drive intersection be shown as a "C" for commercial.
3. APN 313-02-2T and 313-02-3 we would like shown as a Transit Station and Police Substation
4. A Water Recharge Basin shown on our property adjacent to Clovis Avenue.

In addition, for the purposes of clarity I have attached an exhibit to illustrate our above stated requests. Also, can you please confirm that our request will be added into the 2035 General Plan. If I can be of any assistance or answer any questions, please do not hesitate to contact me.

Very truly yours,



Salvador Gonzales  
Chief Operating Officer

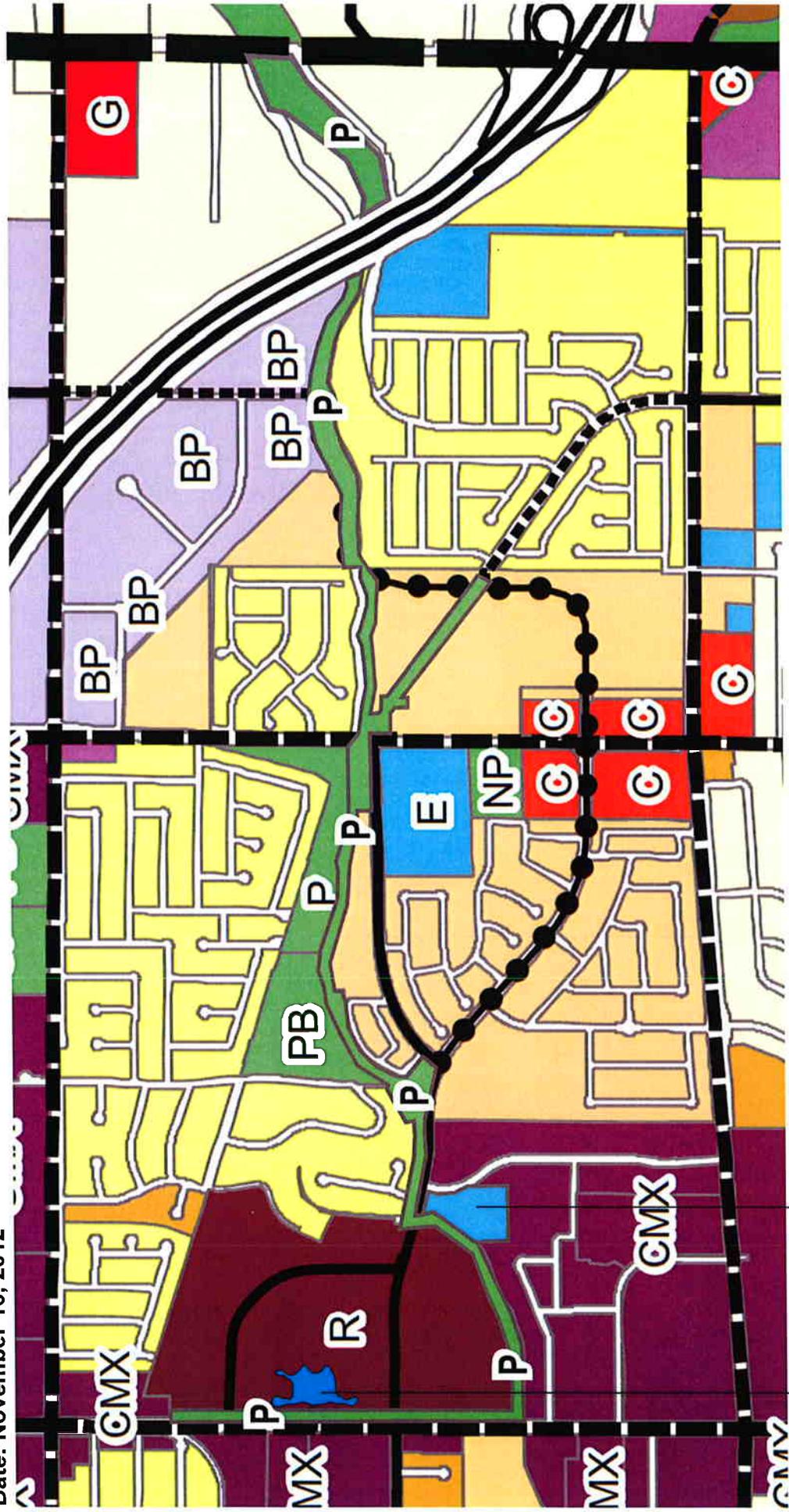
SG/lc

cc: Honorable Sal Quintero, Councilmember District 5  
Mr. Mark Scott, City Manager  
Mr. Scott Mozier, Assistant Director of Public Works  
Mr. Mike Sanchez, Planning Manager

Encl.

**RECOMMENDED CHANGES TO INCLUDE FANCHER CREEK PARKWAY**

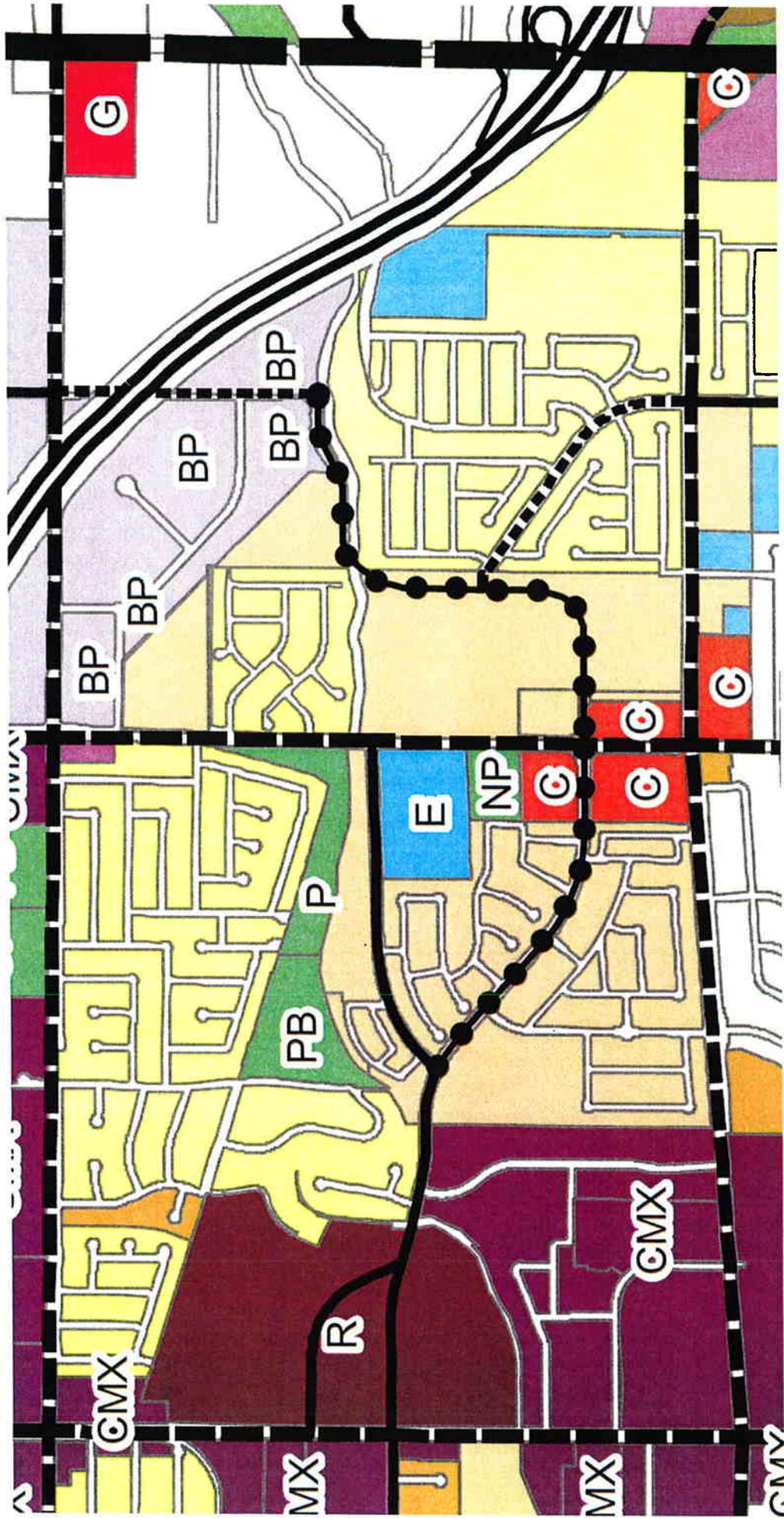
City of Fresno Draft General Plan Update  
Land Use Map/Diagram (for Initiation Purposes)  
Date: November 16, 2012



Recharge Basin

Transit Station / Police Substation

City of Fresno Draft General Plan Update  
Land Use Map/Diagram (for Initiation Purposes)  
Date: August 8, 2012



March 22, 2013

City of Fresno  
Development Services  
2600 Fresno St.  
Fresno, CA 93721

Attention: Arnolando Rodriguez  
Planning Manager

Re: APN ~~471-30-228~~ <sup>460-26-364</sup>

My name is Ken Nguyen. I recently acquired the above property which is right now zoned R-1. We plan to build a commercial complex that will accommodate a restaurant, liquor store, gas station, etc. There is no objection from ABC as far as liquor license acquisition is concern in that area. In this respect, we would like to request your good office to consider rezoning the above property to fulfill our plan to build this neighborhood commercial complex. We hope it will meet your requirement as you move forward in updating the General Plan. We would greatly appreciate if you consider our request.

If you have any questions, Please email me at [Ngk123@rocketmail.com](mailto:Ngk123@rocketmail.com) or call me at (559) 217-1436

Thank you.

Sincerely yours,

Ken Nguyen

March 22, 2013

City of Fresno  
Development Services  
2600 Fresno St.  
Fresno, CA 93721

Attention: Arnoldo Rodriguez  
Planning Manager

Re: APN 471-30-228

My name is Ken Nguyen. I recently acquired the above property which is right now zoned R-2. We plan to build a multiple unit apartment to this 1.93 ac lot . We would like to request your good office to consider rezoning the above property from R2 to R3 as the neighboring apartments are already zoned R-3. I understand you are in the process of updating the General Plan and would greatly appreciate if you consider our request.

If you have any questions, Please email me at [Nqk123@rocketmail.com](mailto:Nqk123@rocketmail.com) or call me at (559) 217-1436

Thank you.

Sincerely yours,

Ken Nguyen

Trai and Keith,

Attached is a property our company is marketing for the owners. During our research of the property we found an unusual zoning dilemma that makes marketing and the eventual development of the property very improbable. As you will see the parcel is zoned both C-6 and R-A and the zoning has divided the property lengthwise. This dual zoning is problematic first because the parcel dimensions, particularly the width, is only 320'. Because of the narrowness of the parcel it will be challenging to develop within City standards with one zoning designation much less two.

We would like you to consider the benefits of zoning the entire parcel C-6 within the General Plan update for the following reasons;

- 1) The property owners have been paying property taxes for years at a assessed value that is more consistent with commercially zoned property than R-A.
- 2) The property is within the City limits making the R-A zoning really irreverent.
- 3) A C-6 zoning would allow for the highest and best development use for the property. It would allow for a commercial retail development that is sorely lacking in this neighborhood. It could well provide the services and employment opportunities for this area as well as generating a much needed tax base.

After your assessment it would be much appreciated if you would give us some direction. Timing is important as we actually seem to have some retail interest that would consider this area. Obviously we can not represent that this property has commercial opportunity with the current situation.

Thank you much for your consideration and look forward to talking with you soon.

Best regards,

Jeff

Jeff A. Wolpert  
Land Division  
Grubb & Ellis | Pearson Commercial  
7480 North Palm Avenue, Suite 101 | Fresno CA 93711  
PH: 559.447.6295 | FAX: 559.256.7395  
[jwolpert@pearsonrealty.com](mailto:jwolpert@pearsonrealty.com)  
[www.pearsonrealty.com](http://www.pearsonrealty.com)  
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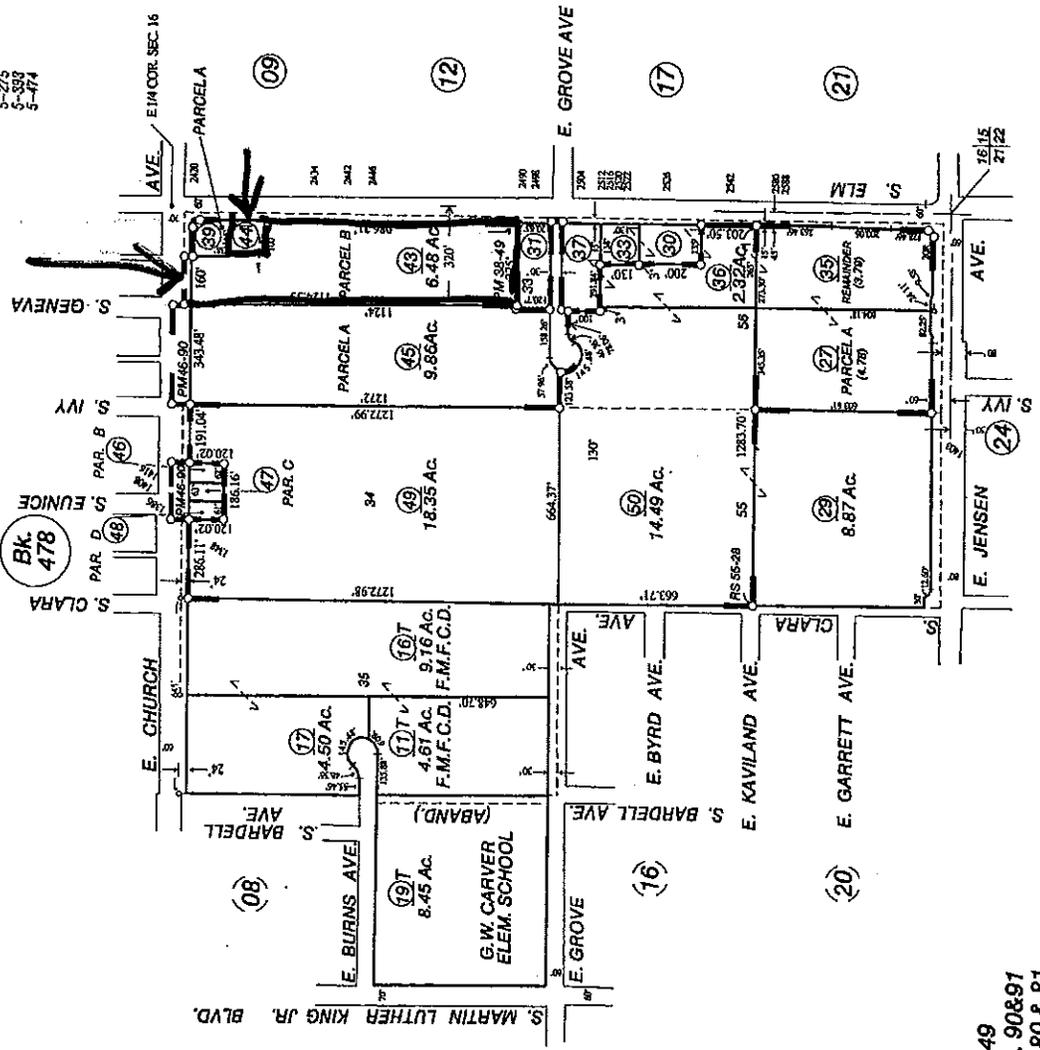


NOTE  
 This map is for Assessment purposes only.  
 It is not to be construed as portraying  
 legal ownership or divisions of land for  
 purposes of zoning or subdivision law.

SUBDIVIDED LAND IN POR. SEC. 16, T.14S., R.20E., M.D.B.&M.

479-02

Tax Rate Area  
 5-001  
 5-230  
 5-275  
 5-333  
 5-474



Fresno Colony - Plat Bk. 2, Pg. 8  
 Parcel Map No. 81 - 45, Bk. 38, Pg. 49  
 Parcel Map No. 85 - 59, Bk. 46, Pgs. 90&91  
 Parcel Map No. 2006-18, Bk.67, Pg.80 & 81  
 Record of Survey - Bk. 55, Pgs. 28-31

07-19-2011 SH

NOTE - Assessor's Block Numbers Shown in Ellipses.  
 Assessor's Parcel Numbers Shown in Circles.

Assessor's Map Bk. 479 - Pg. 02  
 County of Fresno, Calif. AUG 15 2011



Entitlements • Planning • Processing • Consulting • Representation • Public Relations

May 6, 2013

Mark Scott  
City Manager/Planning Director  
Fresno City Hall  
2600 Fresno Street  
Fresno, CA 93721

Subject: Atlanta Holdings, MC Property  
Westside of South Elm Avenue between East Church and East Grove Avenues  
APN's 479-020-43 & 44, Total of 6.73 acres

Dear Mark:

On behalf of the owner of the parcels referenced above, Daryn Davis, we sent the enclosed letter to Keith Bergthold on April 24, 2013 and it was copied to you. We met with Keith on April 29, 2013 and discussed in detail a proposed commercial development of the parcels. The property owner wishes to develop a commercial project on the two parcels without modification to the existing C-6 zoning on the parcel with Elm Avenue frontage. But the scope of the proposed commercial development will require a change in zoning on the second parcel from R-A to C-6.

A real estate broker assisting Mr. Davis, Jeff Wolpert of Grubb & Ellis, attempted to schedule a meeting with Councilmember Oliver Baines, in whose district the parcels are located, but it was declined because the Councilmember stated he is in full support of commercial development of the subject parcels and saw no need for a meeting. On April 30, 2013, I received a call from Gregory Barfield, of Councilmember's office, who wanted to assure me the Councilmember was in full support of a commercial project on the parcels.

In my meeting with Keith, he indicated there are a number of requests like ours for changes in land use designation to the 2035 General Plan Update draft map. I realize it is a touchy situation for you in determining whether to accept all of the requested changes, none of them, or select a few for approval. I believe this proposed change is unique since one half of the property owned by Mr. Davis for his proposed project is currently zoned appropriately for the use and it is allowed by right and he is ready to move forward with submitting an entitlement application subject to approval of the required land use designation for the second parcel in the 2035 General Plan Update. Additionally, the Councilmember for the area is in favor of the proposed project and the alternative of processing a parallel 2025 General Plan Amendment /Rezone is lengthy, costly and may kill the project.

I would like to meet with you at your earliest convenience to further discuss this matter with you.

Very Truly Yours,



Al Solis, AICP  
Principal

Cc: Councilmember Baines  
Keith Bergthold, Asst. Planning Director  
Daryn Davis, Property Owner

Enclosures





August 15, 2014

Jennifer Clark, Director  
Development and Resource Management Department  
City of Fresno  
2600 Fresno St., Room 3065  
Fresno, CA 93721

Subject: 2035 General Plan Update - Comments

Dear Ms. Clark,

Thank you for the opportunity to provide public comment on the City of Fresno's 2035 General Plan Update. Enclosed please find our comments on both the General Plan narrative and on the 2035 Land Use Map.

We have divided our General Plan narrative comments into two sections. First we have provided "General Comments", which apply to the process and the narrative as a whole. Second, we have provided page-by-page specific comments and questions.

The Land Use Map changes enclosed were previously submitted to the City in draft form, and are being resubmitted to the City in final form here. These changes include a table that identifies and specifies the land use changes requested, and is accompanied by a series of 2035 Land Use Map reproductions for property we own, that identify and relate to – in map format – the changes specified in the table.

If you have any questions, please feel free to call me at (559) 436-0900.

Best regards,

A handwritten signature in blue ink, appearing to read "Darius Assemi".

Darius Assemi

cc: Ashley Swearingin, Mayor  
Bruce Rudd, City Manager, City of Fresno  
Steve Brandau, Council President

*Home Building • Land Development & Urban Infill • Farming*

**Address:** 1396 West Herndon Avenue, Suite 101 Fresno, CA 93711

**Corporate:** 559.436.0900 **Established:** 1977 **Websites:** gvhomes.com • gvurban.com

August 15, 2014  
Granville Homes Inc.  
General Plan 2035 Update  
Narrative Comments

## GENERAL ANALYSIS

1. The process has been less than transparent and is difficult to track since the GPU, EIR, and Code are on separate timeframes. The "Project", as identified in the Public Notice released by the City on July 23, 2014, says that there are two parts to the process: The General Plan Update, and the Development Code Update. Since the Development Code Update hasn't been released for public comment, how can the public review it as it relates and affects the General Plan, and also make sense of the documents that will implement the plan? The City needs to provide an additional comment period for the General Plan and the MEIR with a 90-day public review period of the entire "project" package once the Development Code Update is released and/or made available to the public for review.
2. The General Plan update and Code "Replacement" is a process driven by staff, not the market and not the residents of the community with the history of developing the community, expanding the economy and working with land use and zoning codes.
3. The plan references future narratives i.e. downtown plans, and the downtown development code, that have yet to be approved. Staff should delete these references, as lack of approval renders them useless at this point.
4. The Draft Plan sets the stage for inconsistencies between the Plan designations and the "new" zone districts/existing zone districts or a city wide scale. It will immediately create a situation where 100% of the properties in the City have a land use designation that is inconsistent with the zoning.
5. The Land Use designations proposed by the City change existing land use currently developed and approved by the City, making several existing and/or approved development inconsistent with the Land Use designation. The City does not have a fool proof plan for ensuring that these changes do not affect development in a detrimental manner, therefore each change in land use needs to be re-examined.
6. Plan says that the SOI will not be expanded past the boundaries in place as of 12-31-2012. This should be reconsidered.
7. The latest population estimates do not require the city to plan or change the land uses within the current SOI.
8. The draft General Plan is the full of inaccurate comments that give the reader the false impression that the adoption of the documents can "cure" many of society's problems, creating what M. Steele calls a "utopia".
9. The Draft Plan has words that limit the number of times the plan can be modified through the amendment process for certain land uses. This is unnecessary and has been tried before with no success. It artificially adds time (and cost) to development specific comments.
10. The Draft Plan sets the stage for future staff driven "policies" which will make doing business in the City more difficult.
11. The Narrative is at various and many times derogatory towards developers. If the City truly means to be Business Friendly Fresno, this language should be deleted throughout the Plan, as identified, but not limited to the areas below.
12. The Plan makes many statements without providing factual data. City staff should read the narrative in detail and delete any sentences that are emotional and subjective in nature.
13. The Plan lists many goals i.e. Main Street on Kings Canyon, new and infill Parks/Recreation areas, etc., with no viable funding source. The plan should not identify goals that will never materialize.
14. The main "architects" of the general plan have all left the employment of the City.

## OPTIONAL ELEMENT (CHAPTER 1)

### **Page 1-11**

1. Re: Environmental Justice
  - What is meant by: “The issues of environmental justice that the general plan can address include procedural inequities and geographic inequities”? This sentence should be deleted or re-worded

### **Page 1-19**

2. “Alternative A with Modifications”
  - Narrative should provide detailed information on the difference between Alt A w/ Modifications, and the original Alt A; AND provide information on why modifications were approved by Council
  - While, the modifications were meant to remove stigma on single family housing development as originally identified in Alt A, the balance of the GP narrative does not follow that direction given by Council.
3. Narratives states that the “preservation of the SOI boundary” will “increase the value of land in Downtown and established neighborhoods” but doesn’t provide any factual data or research.

## OPTIONAL ELEMENT (CHAPTER 2)

### **Page 2-3**

4. Confusing wording: what is "fair" and what does the over saturation of a single type of housing mean?

### **Page 2-11**

5. “Downtown Revitalization: A Positive Impact”
  - Provide proof/research relative to Fresno: “A revitalized Downtown creates jobs, incubates small businesses, reduces sprawl.....”

### **Page 2-13**

6. “Defining an Economic Development Strategy”
  - Residential Development is labeled a “secondary industry” unjustly without merit; says “do not tend to drive the major improvements needed in the local economy, such as lowering unemployment or improving wage levels” – not factual

### **Page 2-19**

7. Fiscal Sustainability: Confusing wording: the city should remain committed to proactive management, eliminating developer subsidies for infrastructure funded through the local sales tax transportation program which had historically paid for roads to growth areas. Wording should be removed.

### **Page 2-20**

8. First paragraph under “Link between Land Use and Fiscal Condition of the City” is ambiguous and far reaching, and has hard to understand language.

### **Page 2-21**

9. Narrative says that if Fresno has “overly permissive land use or development standards [this] will not encourage net new growth if they result in an urban landscape that is unappealing, one-dimensional, discontinuous, or neglectful of established neighborhoods”
  - Unjustly places blame on Fresno’s residential development

**Page 2-21**

10. Link between Land Use and Fiscal Condition of the City: The wording creates a reason for a future City staff person to oppose "Big Box" development: " An over emphasis on creating additional capacity for revenue generating land uses, such as " Big Box" retail will not necessarily improve the cities long term health.

**Page 2-24**

11. ED-3-a: Questionable wording in the Business Expansion and attraction program only for "desirable businesses": "Create, Adopt, and implement programs to expand existing and attract new businesses." What is a "desirable business" defined as? Desirable businesses that don't create significant impacts on the environment, or require public investment beyond infrastructure already available? The wording is very subjective and can be interpreted varyingly. Who makes the decision whether or not a business is desirable?

**Page 2-27**

12. Implementing Policy (ED-5-b): "Require new residential development ... to pay its fair share and proportional share of needed community improvements"
  - This policy will require residential projects that require annexation to fully fund ongoing public facility and infrastructure maintenance and public safety and public service cost.
  - Additionally, developers already pay there fare share via Master Fee Schedule – Including it here makes it seem like developers don't currently pay fair share

## REQUIRED ELEMENT (CHAPTER 3)

**Page 3-3**

13. Land Use: Relationship to General Plan Goals #7 – diversity of housing should NOT include listing of affordable housing
14. Italics notes included in #8: "intentionally plan ... rather than collections of subdivisions" is derogatory against developers doing business in Fresno
15. reference to "affordable housing" in #9 italics should be deleted
16. Inclusion of #12 public infrastructure should be deleted – doesn't fit in this chapter

**Page 3-4**

17. Delete reference to the Downtown as the "Primary Activity Center of the City" as a goal - Change it to "Primary Government Activity Center of the City"
18. Relationship to General Plan Goals: "Emphasize the City as a role model for efficient processing and permit streamlining." "Improve the credibility of the City to pursue policies that would prevent new unincorporated community development which compete with and threaten the success of sustainable policies and development practices in Fresno." This needs to be removed.

**Page 3-5**

19. Delete subjective reference of Fresno's "the way of life", as this can be construed in too many different ways, as to be just one.
20. Delete reference to the Downtown as the "Primary Activity Center of the City" as a goal – Change it to "Primary Government Activity Center of the City"

**Page 3-6**

21. "Making the most of existing Conditions"
  - The 3<sup>rd</sup> paragraph in regards to infill opportunities states these infill development opportunities will "recast" Fresno – In reality there are no infill lots available for large scale development that can make this change occur and at that scale.

**Page 3-6**

- Narrative also states that land use policies should include “development of complete communities in growth areas”, makes it seem like developers don’t already do this, when in reality they are. If City wants to make this point clearer, then City needs to identify a definition of “complete communities”.
  - The last paragraph in this section is ambiguous and far reaching, and has hard to understand language.
22. “Major Strategic Directions for Future Growth”
- Narrative says that the city is “dominated by suburban growth” – this language is derogatory against developers doing business in Fresno

**Page 3-7**

23. New focused intensity on Shaw – but Shaw is mostly fully built out, where would this intensity go?
24. Language in the last paragraph says “areas have been traditionally been served...by proposed BRT corridors” is incorrect and should be deleted until the construction is completed.

**Page 3-8**

25. First Paragraph – references limiting City’s SOI to that in existence in 2025 GP, not good for balanced growth, should be reconsidered

**Page 3-9**

26. Infill Incentives
- “Infill has many positive attributes compared with development on the urban fringe” – narrative is very subjective, does not have any analysis or research, is derogatory and should be deleted
  - Infill Development Act should be expanded and/or actually implemented

**Page 3-10**

27. Reference to better accessibility between retail/commercial and residential, should be included in Design Guidelines update, it may not be so far

**Page 3-11**

28. Connectivity and Walkability – the words in the discussion blame the cul-de-sac for making neighborhoods “isolated and disconnected” this language should be deleted, as these are highly desirable lots for homebuyers.

**Page 3-12**

29. First paragraph narrative states that Complete Streets...”improve social interaction, and generally improve adjacent property values” – this is not proven with research or data, should be deleted. Additionally, City needs to identify a definition of “complete streets”.
30. Implementing Policy - Diverse Neighborhoods. "This policy envisions reducing long term farmland conversion." What does this mean?

**Page 3-13**

31. Paragraph UF-1-c in regards to “Legible City Structure” is unclear and ambiguous, and has hard to understand language.
32. Paragraph UF-1-d “Range of Housing Types” – the City doesn’t clearly and fully understand the market and cannot provide information based on “market-based options”.
- Additionally, reference to affordable housing should be deleted

**Page 3-14**

33. References to affordable housing should be deleted

**Page 3-15**

34. Objective UF-3 stats “Downtown to be the economic and cultural heart of Fresno and the region” this is a very subjective approach to goal setting and should be deleted, or at the very least, the City should be realistic as it is infeasible that Downtown will one day be the “economic” center of the regions.
35. UF-5 States that the plan should promote a greater concentration of buildings and people in downtown – yet the New Development Code and downtown plan will limit the floors/height of buildings downtown, plus design standards such as set back requirements, and historic preservation limit the development of downtown at a higher density.
36. High Speed Train system “to help revitalize the Downtown neighborhoods” – doesn’t provide any research or analysis of how this will be accomplished. In reality, trains may make these neighborhoods blighted with noise.

**Page 3-17**

37. Plan to develop Kings Canyon into a Main Street – may be infeasible without eminent domain
38. Recommendation: delete references to favored developers or projects: i.e. Fancher Creek
39. Plan to develop Shaw into a mixed-use infill street with a variety of building types and sizes – may be infeasible without eminent domain.

**Page 3-18**

40. Policy UF-12: Locate roughly ½ of future residential development in-infill areas. This implies a 50% in-fill ratio. The objective also states that the Director will “recommend” appropriate policy amendments and also new implementation strategies necessary to meet this goal. This policy gives any Director the ability to slow down or stop non-infill development until it is at a 50/50 balance. None of the so-called potential and future policy amendments have been vetted or environmentally assessed, therefore should not be alluded to in this General Plan. The reference to the ratio should be deleted.
41. Identification of missing uses includes adding recreation – may be infeasible due to funding constraints

**Page 3-19**

42. Commentary on Policy UF-12-b (Activity Centers) identifies the goal to build within activity centers at up to 45 dwelling units per acre – City should be realistic about the density development based on historic experience, demand, neighborhood acceptance in the Fresno area (not other areas).
43. Policy UF-12-e in regards to access to activity centers, identifies the need to “Promote adoption and implementation of standards supporting pedestrian activities....” what exactly does this mean?
44. Policy UF-12-f in regards to Mixed-Use Activity Centers identifies goals to allow for “multi-story and underground parking facilities” – City staff should realize underground parking facilities are difficult to build in Fresno.

**Page 3-20**

45. Reference to distribution only within 2012 City Limits should be deleted.
46. Concept Planning (continued on Page 3-21) will unfairly burden developers with planning that may never be feasible or implemented, it is a very unworkable idea and should be deleted.

**Page 3-21**

47. Transit Village reference at Grantland between Shields and Ashlan??

**Page 3-22**

48. Grantland-East Communities – Planning for these communities and quarter section planning will unfairly burden developers, and may never be feasible to implement.
49. The draft General Plan references quarter mile streets. Are these “connector” streets? City had advised public that connector streets would be deleted from the plan, thus City should delete this reference.

**Page 3-24**

50. Veteran's Transit Village at/near Mission Ranch. Delete this reference/narrative per Mission Ranch area owner.
51. "higher density at MLK Village" – has the neighboring residents/Council man been involved in this decision making?

**Page 3-25**

52. Figure UF-2 - Southwest Development Area Land Use Diagram: Does not reflect the land uses the land owner wants for the "Mission Ranch" project area, thus the figure should be adjusted.

**Page 3-26**

53. Discussion of "delays" for SEGA roll out should be documented/explained better to understand the issues behind it. For example, how much time and money was spent on this effort?
54. Discussion of SEGA, now SEDA. There are a lot of concerns about the elements of SEGA; i.e.: Permanent Buffer; land owner agreements to achieve the scale and intensity required to support independent district type financing structures.
55. In SEGA, narrative discusses the proposed "property owner agreement to achieve scale and intensity required to support independent district type financing structures for necessary public infrastructure" – obtaining property owner agreements will be highly infeasible particularly for those property owners on small ranch type housing.

**Page 3-28**

56. Objective: Locate roughly ½ of the future development in the Growth areas...which are to be developed with Complete Neighborhoods with mixed use centers, etc. Since there is not a definition of a complete street, does a definition exist for a complete neighborhood?
  - This objective could be 'abused' by some future staff person wanting slow down development in a Growth area.

**Page 3-29**

57. Objective UF-14 "multi-modal connectivity, and it's relation to creating urban form should be explained better.
58. Implementing Policies UP-14-a -
  - List of Items in Commentary bullet point:
    - Items listed i.e fences, walls, deletion of cul-de-sacs, deletion of dead end streets, wider streets etc are infeasible and will be difficult if not impossible to impose on private property owners, therefore entire list should be re-written or deleted.
    - Delete derogatory reference to cul-de-sacs as detrimental to connectivity
    - Delete reference to need of sidewalks for connectivity.
    - Delete reference to long sidewalks discouraging walking, as it sounds to be unfounded

**Page 3-31**

59. Land Use Map did not incorporate any changes as requested by developers, these will have further changes from Granville Homes under separate cover.
60. Also, the legend (density range) for Low Density is incorrect, should be 1 – 3.5 dwelling units per acre and are inconsistent with the current code.

**Page 3-35**

61. Density and Intensity: third paragraph – narrative identifies possible exception and special situation projects for which the Code and/or General Plan may not be applied verbatim. The idea can be very subjective and may be applied inconsistently without parameters.

**Page 3-36**

62. Citywide Standard for Density – These are inconsistent with the current code.

**Page 3-37**

63. The new land use classifications - these should not be put in place for the entire city.

**Page 3-38**

64. Under “medium high” density, the meaning of “fine-grain pedestrian scale” is not clear.

**Page 3-42**

65. Neighborhood Mixed-Use – is not going to permit automobile oriented uses. This should be changed to be allowable with proper design or eliminated.
66. Foot note at bottom of the page is very arbitrary and discusses future policies that have not yet been determined. This type of language should be deleted from the narrative as they do not provide opportunity for adequate public comment or clear direction on how policies will be enforced/implemented.

**Page 3-45**

67. Limiting buildings in some areas of downtown to 5 stories (3 stories in Chinatown) may constrain future development
68. Cultural Arts District – seems to imply that ground floor residential living will no longer be allowed. This should be deleted.

**Page 3-48**

69. Table identifies proposed zone districts, but the updated zoning code has not been made available, so the public cannot make an informed comment. Additionally, all of these new districts are truly unnecessary changes. All of the uses contemplated by the plan can be built with the currently existing code.

**Page 3-49**

70. Narrative in regards to repealing of plans is confusing. The hierarchy of what will remain is confusing. Should be explained better.

**Page 3-50**

71. City should reconsider the permitting of expanding the SOI. The original discussion was had by leaders and staff members who are no longer at the City, and thus should be re-evaluated. It is unknown today what opportunities may come along in the future, and how, where and when the City may want to expand the SOI.
72. The City should re-examine its current role in the San Joaquin Valley Blueprint (and Smart Valley Places) to ensure the narrative is still relevant.

**Page 3-51**

73. LU-1-c: delete (or re-word) policy referencing orderly land use development in regards to the provision of public services, as the development community already is required to do this. Inserting it here gives the impression that the development community does not follow this goal already.
74. 3-51: Annexation Continued: "The city of Fresno also seeks to develop a sub-regional cooperate planning and development strategy with all City, County and special district jurisdictions in Fresno, Madera, Tulare, and King counties in order to better achieve increased air quality, lower G4G emissions, farmland preservation etc. etc. What is this? Who will set this up?
75. Objective LU-1: What does the Term Equitable use of resources and infrastructure mean? The term should be clearly defined, or deleted.

**Page 3-51**

76. Policy LU-1-a: This policy means that any city development that wasn't annexed on or before 12-31-12, shall not be "promoted". Granville recently received entitlement and approval for the Westlake Project. City shall ensure the Westlake project is included in annexation map.

**Page 3-52**

77. LU-1-d: "Orderly Transition of Existing Uses" re: along the BRT Corridors – delete as the City likely will not themselves be developing along the BRT thereby making goals for orderly transition seems out of place.
78. LU-1-e: delete Commentary in regards to City likely opposing Annexations unless the applications come from the City staff themselves (i.e. developer-initiated).
79. LU-1-f: delete policy in regards to forcing County land development to comply with City standards
80. LU-1-g: delete policy limiting growth to current SOI boundaries. This proposed limit on SOI expansion is not appropriate for a long term general plan.

**Page 3-53**

81. LU-2-a: Delete reference to Affordable Housing. If City wishes to enforce affordable housing programs it should be done through the Housing Element. A process which has already been completed and did not provide for these types of policies.

**Page 3-55**

82. LU-5-a: Delete reference to only allowing low density where there is low density already. The policy is too restrictive and does not allow for mix of densities.

**Page 3-56**

83. LU-5-a: delete reference to Housing offering amenities. This policy states that the City WILL NOT support housing that does not have the amenities listed in the Plan.
84. LU-5-f: delete reference to affordable housing

**Page 3-57**

85. LU-6-d: policies using the word "will" instead of is encouraged, in this case is too restrictive and may be difficult to implement, particularly in regards to attracting commercial business

**Page 3-60**

86. LU-9-a:
- These policies collectively give the City the ability to oppose almost any and every project in downtown.
  - Downtown as a regional retail shopping convenient destination is virtually impossible to implement
87. LU-9-e: limiting new construction to preserve the downtown sightline is too restrictive.
88. LU-10-a: Regional Land use and Transportation Planning Program: This is an idea that has not started but will be based upon the City's apparent desire to plan for growth outside their SOI.
89. LU-IO-b: Encourage neighboring entities to support the integrity and implementation of the General Plan. This goal is overly optimistic and should be deleted.

**Page 3-62**

90. LU-11-a: delete reference to developing regional juvenile justice system program, it is out of place in this Plan

**Page 3-63**

91. First paragraph: delete reference to "desirable guidance" as it is very subjective and difficult to interpret.
92. Delete reference to "Iron Bird Lofts" as it makes it seem as derogatory.

**Page 3-63**

93. Implementing Policy - D-1-c: How does the City plan to get private developers to create private open space when you can't maintain with a CFD, and you have to fight the City for Park Fee Credits?

**Page 3-64**

94. D-1-g: delete policy to reduce surface parking – parking structures are financially infeasible, and difficult to maintain (i.e. spiral parking)

95. D-1-h: Screening of Parking. This policy needs to be eliminated tenants and banks will not support this.

**Page 3-66**

96. D-3-d: Undergrounding Utilities is a high priority, but cost restrictive.

**Page 3-67**

97. D-4-g: Development Code Update for Design Concepts – although the Code has not been made available, putting in place to many restrictions will not foster higher density housing. Delete references here to design guidelines that require land unnecessarily.

98. D-4-H: Metal Building – delete policy or reword to ensure metal buildings are acceptable.

**Page 3-68**

99. References to cultural neighborhoods and the fostering of development of these, is virtually impossible with the high mix of cultures, ethnicities and languages in Fresno, and no distinct pocket or enclave

**Page 3-69**

100. D-7-a: By repealing the LPPO, will there continue to be consistency requirement between the land use designation and zoning or, will we go back to the "Pre-LPPO" days?

101. Community and Specific Plans, and there deletion or non-deletion is too confusing.

**REQUIRED ELEMENT (CHAPTER 4)**

**Page 4-4**

102. Complete Streets: "There is no standard design template for a complete street." This is important to know because if staff (in the future) states that the street is not developed as a "complete street", then they are incorrect.

103. Complete Streets – 3<sup>rd</sup> paragraph – items needed for complete streets i.e bike lanes, wide shoulders, and others ONLY contribute higher costs, lower density, less homes.

**Page 4-6**

104. Comprehensive Connectivity for bike lanes – 2<sup>nd</sup> paragraph – Add “cyclists also prefer a physical separator between them and cars for safety”

**Page 4-8**

105. end of Second Paragraph in regards to Roadways and Automobiles – narrative is derogatory – Urban freeway system and bedroom communities have continued to spread of urbanization onto productive agricultural land – delete

106. The wording refers to the City of Sanger as a "Bedroom community". This should be re-worded or deleted.

**Page 4-10**

107. Connector Streets: This classification of road does not exist and is not needed.

**Page 4-19**

108. City seems to only utilize the option of sidewalks for walkability – should consider other options.

**Page 4-20**

109. Eliminate the policies that require sidewalks or private streets. Sidewalks on both sides of the street should not be required.

**Page 4-26**

110. MT-1-e: "Ensure interconnectivity across land uses." This policy will not be appropriate in most cases where private property is involved, thus should be deleted.

**Page 4-27**

111. MT-1-h: Since there is not a required template for a "complete street", how do you update the standard? This is inconsistent with state law and unnecessary, thus should be deleted.

**Page 4-28**

112. MT-1-k: What does this narrative/language mean? It is difficult to read and should be re-worded.

**Page 4-32**

113. MT-2-i: Transportation Impact Studies: This policy requires a TIS for any project with a plan amendment. This should be changed to a project that generates an "increase" in traffic over that designated by the plan.

**Page 4-36**

114. MT-4-6: Consider changing the base rock requirements under the bike lanes.

**Page 4-38**

115. Policy MT-5-b: Delete references to requiring sidewalks on both sides of the streets (public and private)

- Bullet point in this policy references approving no sidewalks under certain conditions – one of the conditions should be meeting a to be determined density threshold
- Eliminate Private streets from this policy.

**Page 4-41**

116. Delete favoring language to specific projects (see MT-6-i)

**Page 4-42**

117. Policy MT-6-m – City should delete guidance to limit crossing along paths and trails, as this historically has been found to be too restrictive.

**Page 4-46**

118. Policy MT-10-d – parking maximums should be considered in all City areas where it is applicable, and not just the BRT corridors.

## REQUIRED ELEMENT (CHAPTER 5)

### **Page 5-9**

119. Last paragraph – Narrative uses divisive language in dichotomizing the city into south and north of Shaw, prolonging and engraving in history the tale of two cities. City should re-word this paragraph to delete abrasive language.

### **Page 5-12**

120. Delete any reference to requiring 5 acres of park per 1,000 residents as this is too restrictive and costly
121. Narrative on 3<sup>rd</sup> paragraph references “specific conditions” that can be met were the City can allow alternate park siting or development. Narrative should either identify sample specific conditions, or delete this vague sentence.

### **Page 5-13**

122. City identifies the need to charge park Fees, but the reference implies that developers don’t provide these fees now – delete these derogatory references.
123. Delete bullet point that references “Cultural Park” – as these are not clearly defined and may seem derogatory.

### **Page 5-30**

124. In regards to the Valley Arboretum – Delete narrative identifying the future use of Measure C funds to build the Arboretum as this should be considered a priority use of these funds.

### **Page 5-33**

125. Again, delete derogatory remarks towards developers “Through ...residential and urban development....these species [biological etc.] are being diminished and marginalized.

### **Page 5-35**

126. POSS-5-g – references raised grant funds, but grants funds typically aren’t raised, they are applied to and awarded, needs to be reworded.

## ELEMENTS NOT IDENTIFIED AS REQUIRED OR NOT (CHAPTER 6)

### **Page 6-16**

127. PU-2-g: "Mandate CFO'S to fund staffing operations and maintenance of primary response fire stations." This is a very expensive proposition!

### **Page 6-17**

128. PU-3-d: Include fire fees to be used in-lieu of off-site work on a 1:1 basis, and no other requirements needed.

### **Page 6-22**

129. PU-5-6: New Regional Treatment: "Oppose the use of any community wastewater disposal system adjacent to the Metropolitan area." This seems like an attack on Kerman's/Sanger/County's ability to grow, as Fresno uniformly will oppose this type of growth.

## REQUIRED ELEMENT (CHAPTER 7)

### **Page 7-10**

130. Policy RC-1-c: the commentary states that downtown projects will be priorities over “conversion of active farmland to urban uses” – City should reconsider this type of prioritizing, and reword derogatory language towards suburban applicants.

### **Page 7-11**

131. R-c-2a: Promote mixed use higher density infill development in multi-modal corridors and ...  
question- If you don't have one of these projects- will the City discourage its development?

### **Page 7-12**

132. RC-2-6: "Provide infrastructure for mixed use and infill and ... Discourage investment in infrastructure that would not meet criteria" – whatever that may be. Wow!- this is strongly worded against new development, City should reword/edit, or delete.

### **Page 7-35**

133. Narrative includes a goal of no longer lining canals. This doesn't work in reality, as water is lost to leakage, and FID or other agencies may be strongly against these type of measures. City should delete this narrative.

### **Page 7-36**

134. Policies RC-6-e and RC-6-f: both policies use harsh wording that “opposes” certain projects. To follow business friendly efforts, narrative should be reworded to include cooperating with applicants to ensure projects meet these certain requirements.

### **Page 7-37**

135. Policy RC-6-i: Narrative includes a goal of no longer lining canals. This doesn't work in reality, as water is lost to leakage, and FID or other agencies may be strongly against these type of measures. What input has the City received from these owner agencies?

### **Page 7-38**

136. Policy RC-7-a: second bullet points identifies adopting and implementing policies for lake development, but doesn't clarify what the policies will be intended to do. Therefore delete the bullet point since it doesn't provide clear direction or motive.

### **Page 7-40**

137. Third paragraph states “Newer development in Fresno uses energy at higher rates than older land uses” without providing proof, Therefore delete the assumption, or provide clarification that newer development may actually be more energy efficient with new energy codes, solar, etc.

### **Page 7-44**

138. Section 7.6 Farmland –states "Long term Farmland Conservation is likely best achieved by protecting area from further encroachment." This means Fresno wants to restrict Sanger, the County, or Clovis from making their own independent decisions on land use within their jurisdiction? This section should be re-worded or deleted.
139. Second paragraph is derogatory towards development by saying that urban uses is a “threat” to farmland and agriculture. Delete this harsh comment.

**Page 7-46**

140. Policy RC-9-b - "Oppose development in unincorporated areas that would make it difficult or infeasible to implement the General Plan." This doesn't make any logical sense and should be deleted, otherwise City staff will blame all of the inadequacies in this plan on development proposals outside the sphere.
141. Last two bullet points are subjective and open to interpretation: delete policy that says staff will oppose development contributing to premature conversion of farmland and delete policy that says staff will oppose development that constitute a detriment to resources.

**Page 7-49**

142. Objective "Strive to reduce the solid waste going to landfills to zero by 2035". How will this be accomplished? Why have an objective that is infeasible?

**OPTIONAL ELEMENT (CHAPTER 8)**

**Page 8-12**

143. Policy HCR-2-g: Current policy has historic preservation manager reviewing all building permits? These is time and resource consuming, and a detriment to Business Friendly Fresno Goals. Delete.
144. Policy HCR-2-1: Delete recommendation to convene Historic Preservation Team as it is time and resource consuming, and a detriment to Business Friendly Fresno.

**REQUIRED ELEMENT (Chapter 9)**

**Page 9-20**

145. Policy NS-1-g: Lists mitigation measures to reduce noise levels that are too costly and detrimental to both industrial and residential development. These restrictions should be deleted.

**Page 9-21**

146. Policy NS-1-i: Lists mitigation measures to reduce noise levels that are too costly and detrimental to both industrial and residential development. These restrictions should be deleted.

**OPTIONAL ELEMENT (CHAPTER 10)**

**Page 10-4**

147. In regards to "A Healthy California Community" and "Efficient Development Patterns",
- Delete reference to affordable housing.
  - Development needs a certain economies of scale to support walking and biking support, therefore delete narrative here as it is not realistic nor doable.

**Page 10-11**

148. Paragraph 2 says that "it is not uncommon or produce from the county to be sold to a distributor who ships it out..." then send the product back to the Valley at a higher price. Without data this statement is unfounded and derogatory towards local farmers. Either delete or provide statistics.

**Page 10-20**

149. The plan references food deserts, yet the development code doesn't make it simple to build grocery stores. Has the old or new code been discussed with larger grocery store developers to include their issues when developing grocery stores?

**Page 10-32**

150. HC-2-a: If a neighborhood is desired without a land use plan that allows for walking to local stores, can and will the City support it? If this type of neighborhood will be approved, then it has to be clearly identified in this narrative.

**Page 10-33**

151. Policy HC-3-a: Universal Design standards for all development is too restrictive, and is costly. Should be deleted.

**Page 10-35**

152. HC-3-f: Drive Thru: Looks like the city doesn't want them anymore. This will be troublesome in attractive investors and new commerce. This should be re-worded or deleted.

**Page 10-37**

153. HC-5-b: Is the support of the Food stamp program something that the General Plan should get involved with? This seems out of the purview of the General Plan and should be deleted.

**Page 10-40**

154. HC-7-c: Funding for Open Space Maintenance. This is too important to leave alone. The city is doing less green space maintenance every year.

**REQUIRED ELEMENT (Chapter 11)**

155. In general, City should edit all the references to the RDA as they are mostly out of place and not needed.  
156. No new housing element may expose the City to litigation.  
157. Zone district Equivalency Matrix: If it's so close why are we changing the zone districts?

**OPTIONAL ELEMENT (CHAPTER 12)**

**Page 12-8**

158. Overview: "This states that the GP will be evaluated every 5 years to determine land use needs and future SOI changes." This is inconsistent with earlier statements in the Draft Plan text.

**Page 12-11**

159. Infill Development Act is not being implemented. Delete, or provide specific funding sources to implement the Act.

**Page 12-14**

160. Modify the City's Fee Program: What projects get cut? This could be very hurtful?

**Page 12-19**

161. Zoning regulations: a discussion of an interim zoning ordinance doesn't make any logical sense. Why not process everything at once to enable public to make one coherent well-read and thought-out comment?

**Page 12-25**

162. Prioritizing certain downtown neighborhoods should be revisited. Delete paragraph based on DARM director feedback saying there is not going to be prioritizing or fast tracking of these types of projects (7/22/14).

**2035 General Plan Land Use Update – Workbook of Planned Land Use Requests**

**Granville Homes Inc.**

**August 15, 2014**

Property Location	Size	GP update PLU	Change Requested To:
<b>a. Copper River</b>			
1. Outlot M	20.52 acres	High	Urban Neighborhood
2. Outlot P	17.63 acres	Medium High	<ul style="list-style-type: none"> <li>Urban Neighborhood – see map (3+/- acres)</li> <li>Balance of Outlot P - leave Medium High</li> </ul>
3. 3a: Outlot Q	16.49 acres	Medium and Medium Low	Medium Low (All)
3b. Village I	30.09 acres	Medium Low	Low
3c: Outlot LL	2.95 acres	Medium High	Medium Low
4. Outlot Y	10.08 acres	Medium High	Medium
5. Outlot X	12.85 acres	Medium High	Medium Low
6. CRR owned lot adjacent to Lanier lot	5.27 acres	Open Space	Medium
7. Outlot OO	26.82 acres	Medium High	Medium
8. Outlot NN	9.32 +/- acres	<ul style="list-style-type: none"> <li>Medium High</li> <li>Commercial</li> </ul>	<ul style="list-style-type: none"> <li>Street to be realigned directly southerly</li> <li>Medium</li> </ul>
9. Outlot PP	22 +/- acres	Commercial	<ul style="list-style-type: none"> <li>Commercial (10 acres)</li> <li>Medium High to the north (12 acres)</li> </ul>
10. Park and Surrounding – NW Chestnut/Copper	14.5 +/- acres	<ul style="list-style-type: none"> <li>Park (4.88 acres)</li> <li>Medium High (4.48 acres)</li> <li>Medium (5.14 acres)</li> </ul>	<ul style="list-style-type: none"> <li>All Medium Low (14.5 +/- acres)</li> <li>Eliminate Park (4.88 acres)</li> <li>Eliminate Medium High (4.48 acres)</li> </ul>
11. Outlot JJ (Portion)	3.5 acres	Commercial	Medium Low
<b>Approved / Finished Developments (Copper River)</b>			
12. Village A (T 5205 Terrabella)	28.44 acres	Medium	Medium Low
13. Village D	36.21 acres	Medium Low	Low
14. Village E (T 5271 Links)	26.71 acres	Medium Low	Low
15. Village G (T 5892, 6045, 6065)	32.80 acres	Medium Low	Medium
16. 16a. Village F	13.07 acres	Medium	Low
16b. The Top portion of Village F	0.5 +/- acres	Medium	Golf Course/Open Space
17. T5963	23.69 acres	Medium Low	Medium

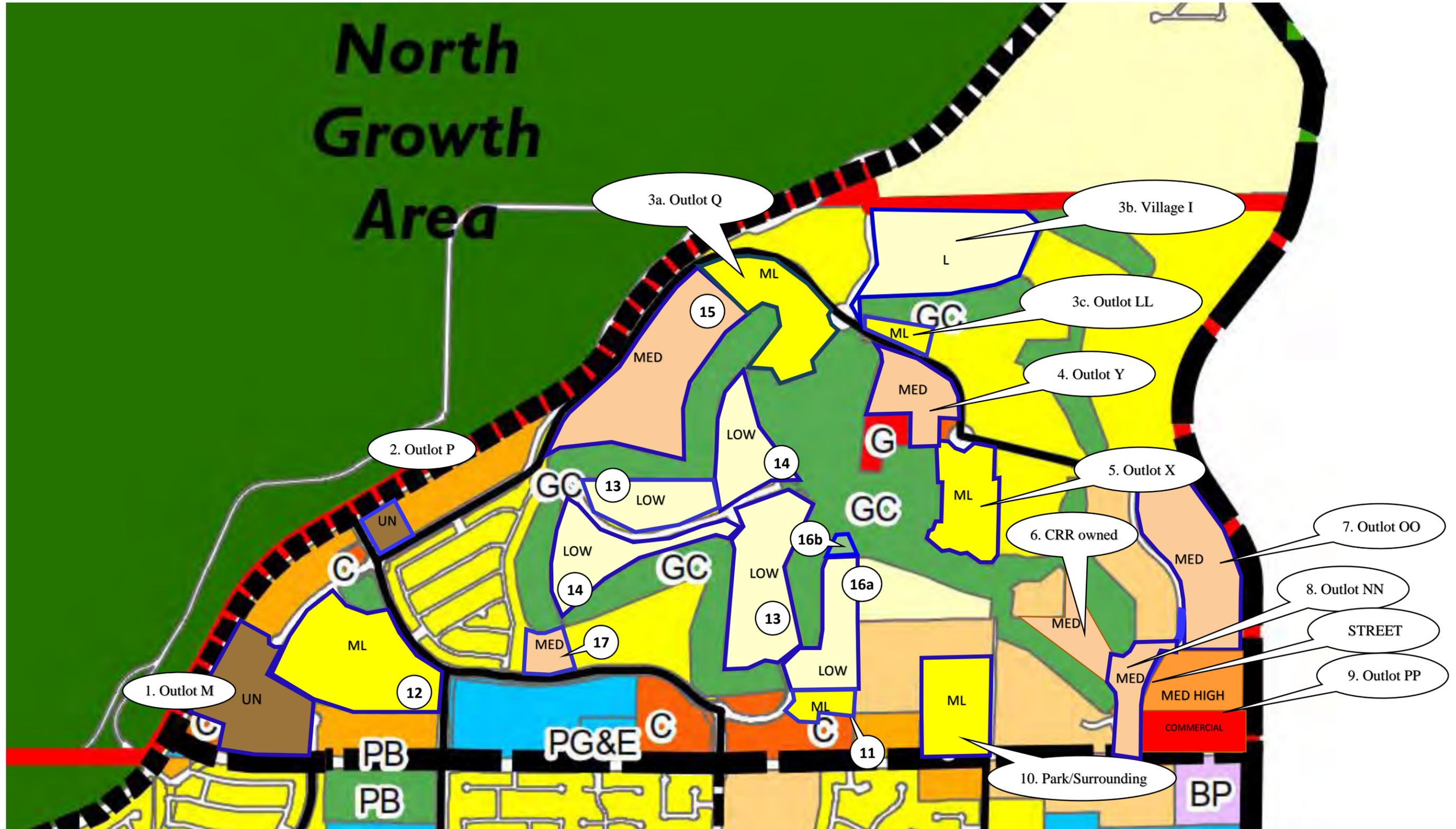
<b>b. Tract 5717 and 6033 –Section Fowler/Shields</b>			
1. APN 310-041-38 (T6033)	35.5 +/- acres	<ul style="list-style-type: none"> <li>• Urban Neighborhood</li> <li>• Business Park</li> </ul>	A. Commercial 1 acre (SE corner of Princeton/Fowler) - Ensure can incorporate Live Work Units on this property B. Medium (3.23 acres) C. Medium Low (balance – see T6033 Map) 30.6 acres
2. APN 310-041-39	2.18 acres	<ul style="list-style-type: none"> <li>• Commercial</li> <li>• Urban Neighborhood</li> </ul>	D. Commercial Only
3. APN 310-740-07	4.87 acres	Business Park	E. Commercial 1 acre (north east corner of Princeton and Fowler) – Ensure can incorporate Live Work Units on this property F. Keep similar to current Light Industrial CM zoning (as is under 2025 General Plan and existing zoning code)
4. APN 310-740-08 and 09	14.02 +/- acres	Business Park	G. Urban Neighborhood
<b>c. North side of Bullard near Bryan - to HWY 99 (T5584)</b> APN 504-080-16S			
	9.51 acres	Res. Medium High	Medium
<b>d. North side Clinton –Bet. Polk/Hayes – Tract 5560</b> (APN 312-061-18)			
	20 acres	Res. Medium	Res. Medium Low
<b>e. Grantland – South of Dakota Alignment</b> (APN 512-141-33)			
	19.56 ac	High	Medium
<b>f. NE Grantland/Barstow</b> (APN 505-281-16, 17 and 18)			
	3.93 acres	Urban Neighborhood	Community Commercial
<b>g. Artisan Square Area – NE Ashlan/Bryan/Hayes - Tract 5891</b>			
	160 acres	Medium Park Commercial	<ul style="list-style-type: none"> <li>• Commercial on corner of Ashlan/Bryan (1 Acre)</li> <li>• Medium High to East/Adjacent (5 Acres)</li> <li>• Medium Low (balance of ¼ section SW corner)</li> <li>• Medium (balance of section)</li> <li>• REMOVE PARK DESIGNATION(S)</li> </ul>
<b>h. Bryan, between Ashlan and Dakota</b> (APN: 512-050-89)			
	12+/- acres	Urban Neighborhood (portion)	<ul style="list-style-type: none"> <li>• Medium - see map attached (12 +/- acres)</li> <li>• Remove Quarter Mile Streets</li> </ul>

<b>i. Mission Ranch</b>			
1. Change all to Medium Low Density			
2. Eliminate Connector Street(s)			Medium Low
3. Eliminate Urban Neighborhood			Medium Low
4. Eliminate all High Density			Medium Low
5. Eliminate all Parks			Medium Low
6. Eliminate all commercial			Medium Low
7. Eliminate all Low Density			Medium Low
<b>j. Westlake – Tract 5915 (Gettysburg, Grantland, Shields, and Garfield)</b>			
1. Eliminate Connector Streets and replace with “Special Collector” streets			
2. Consider this area “Annexed” and “Priority Development Area” #1			
3. Eliminate CMX and replace with Medium Density	Unknown	CMX	Medium
4. Reduce size of Commercial (Ashlan and Grantland)	Unknown	Commercial	Commercial (12.5 acres) Medium
5. Reduce size of Urban Neighborhood	Unknown	Urban Neighborhood	Urban Neighborhood (13.35 acres) Medium
6. Commercial on Shields and Grantland	Unknown	Commercial	Commercial (6 acres)
<b>RECORDED FINAL MAPS/UNDER CONSTRUCTION/ALREADY DEVELOPED</b>			
1. SW Church/Fowler – Tract 5450	13.24 acres 4.83 acres	Urban Neighborhood Medium High	Medium
2. SE Sunnyside/Church – Tracts 5458/5477	86.87 acres	Medium	Medium Low
3. NE Bullard/Grantland – Tract 5357	36.22 acres	Medium	Medium Low
4. 4179/4171 W. Sample – Tract 5278	17.41 acres	Medium Low	Low
5. NE Garfield and Barstow – Tract 5597 (Now APN 505-321-01 thru 22, 505-322-01 thru 08, 505-331-01 thru 13, 505-332-01 thru 19)	27.91 acres	Medium High	Medium Low

Copper River Ranch  
2035 LAND USE DESIGNATIONS



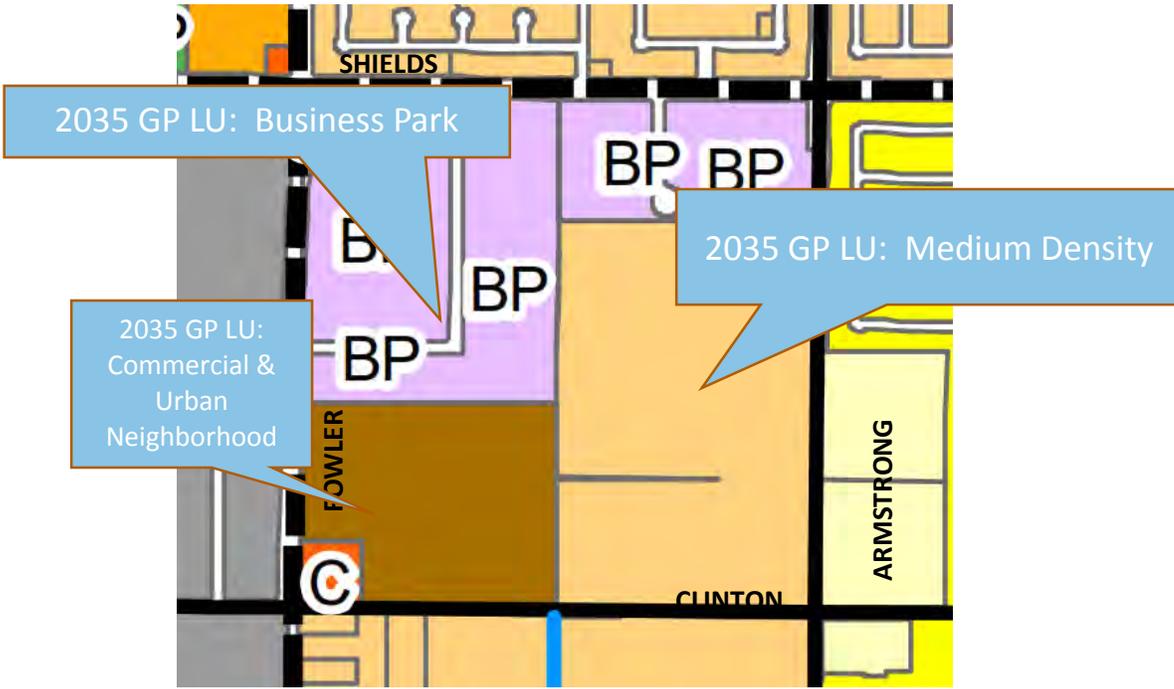
LAND USE DESIGNATION CHANGES REQUIRED



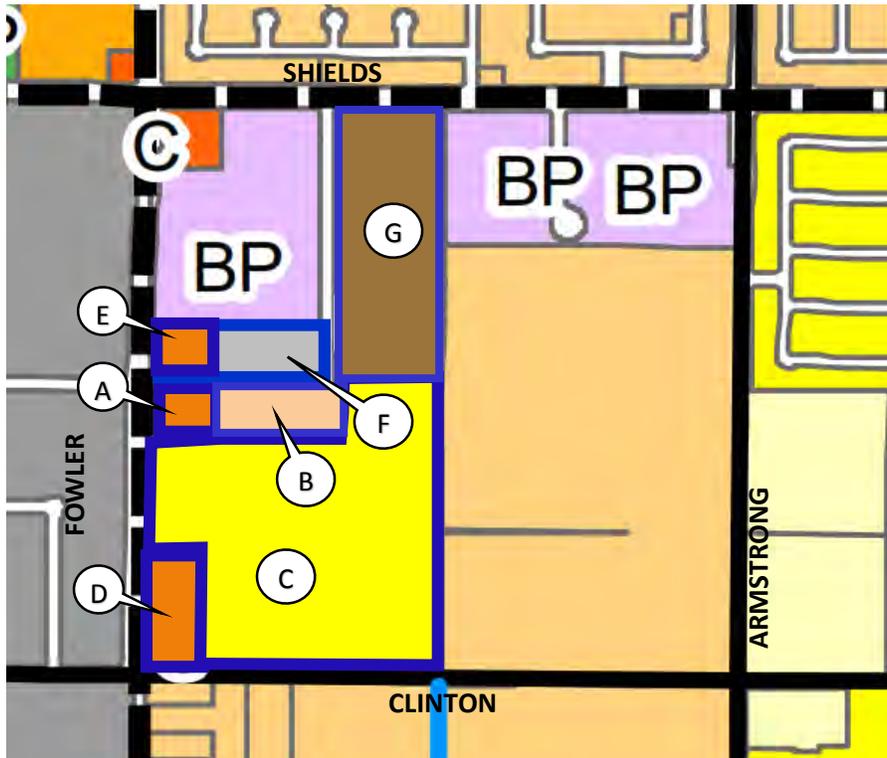
# Fowler and Shields

T6033 and T5717 (APNS: 310-041-38; 310-041-39; 310-740-07; 310-740-08; 310-740-09)

## 2035 PROPOSED LAND USE DESIGNATIONS



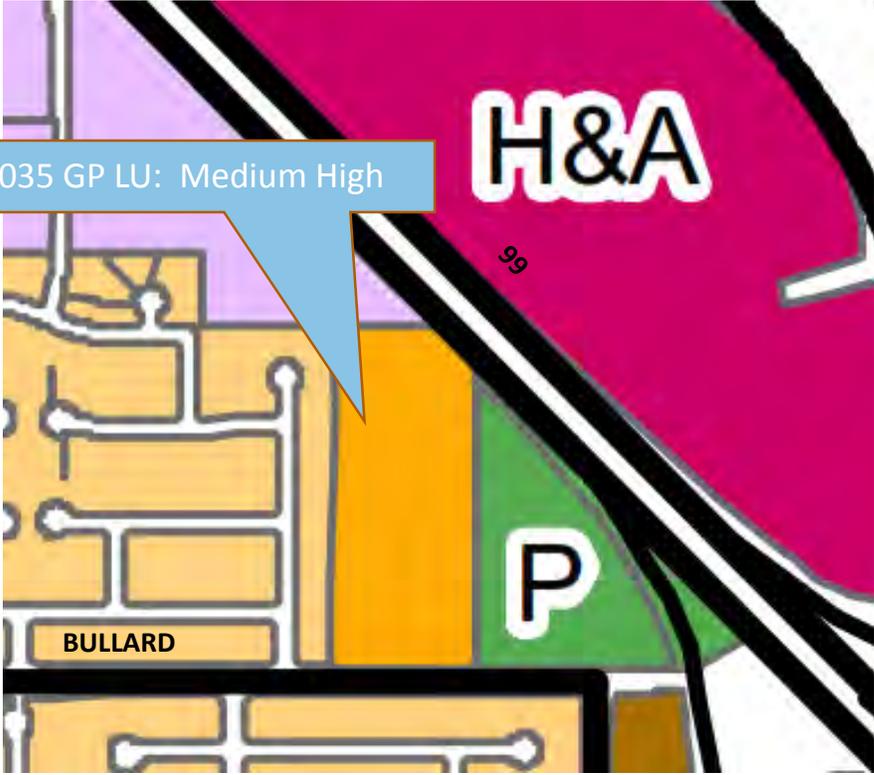
## LAND USE DESIGNATION CHANGES REQUESTED



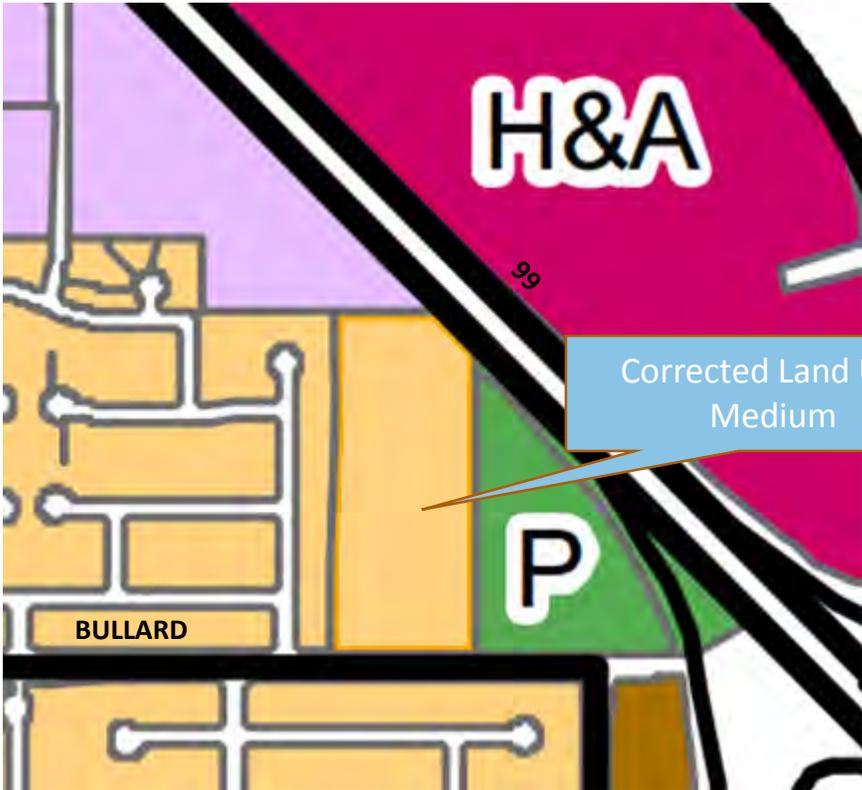
**Bullard near Bryan Alignment (At HWY 99)**

Tract 5584, APN: 504-080-16S

2035 GP LU: Medium High

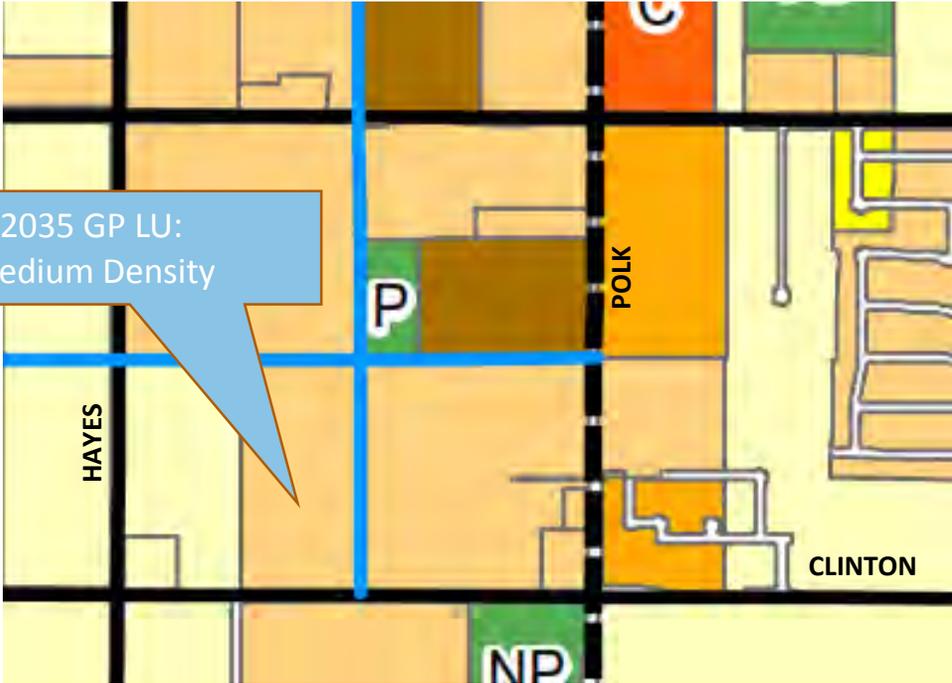


Corrected Land Use:  
Medium

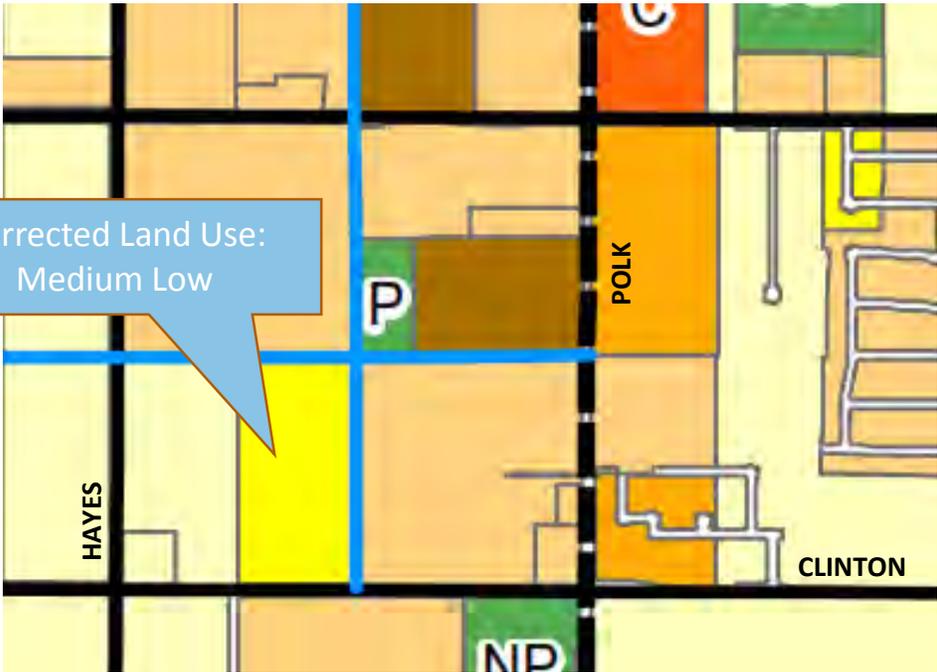


**Tract 5560 (APN: 312-061-18)**

2035 GP LU:  
Medium Density



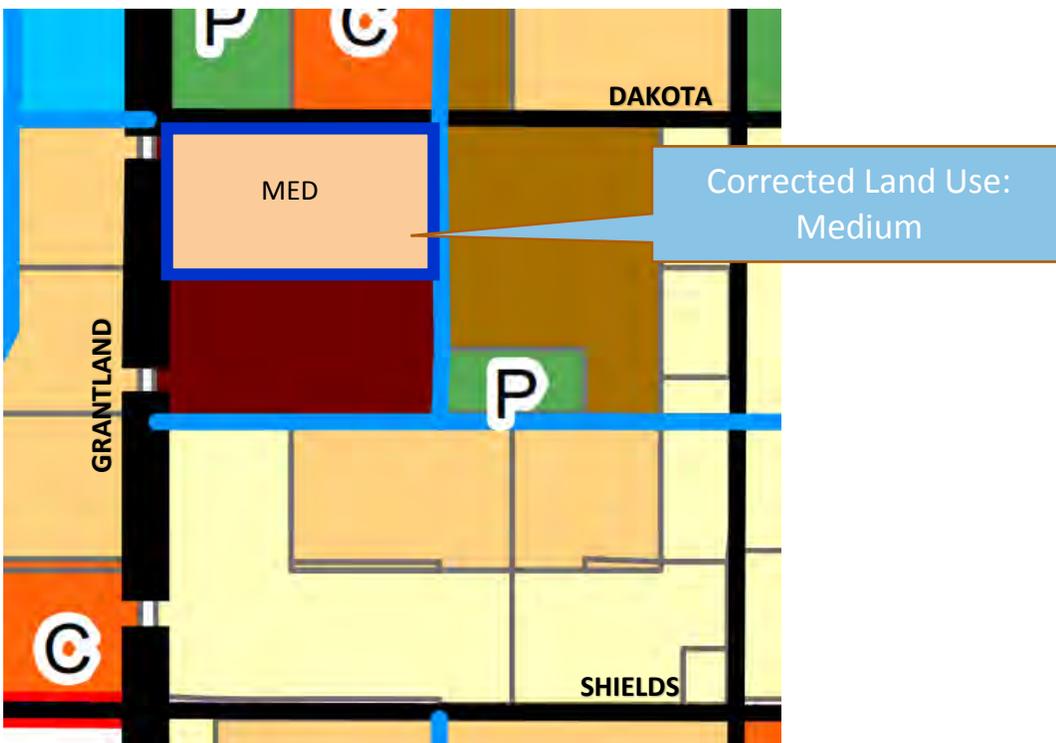
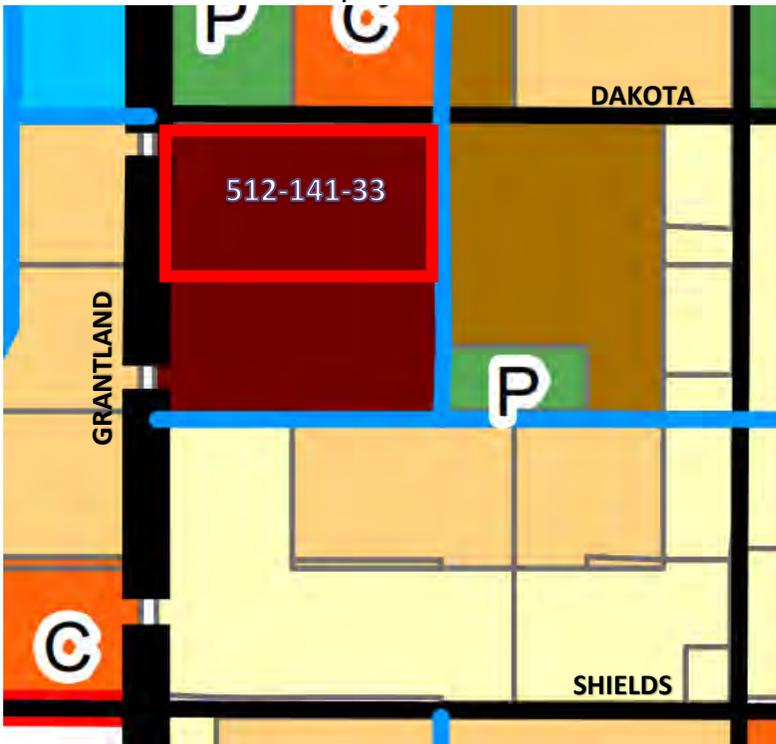
Corrected Land Use:  
Medium Low



# Grantland and Dakota Area

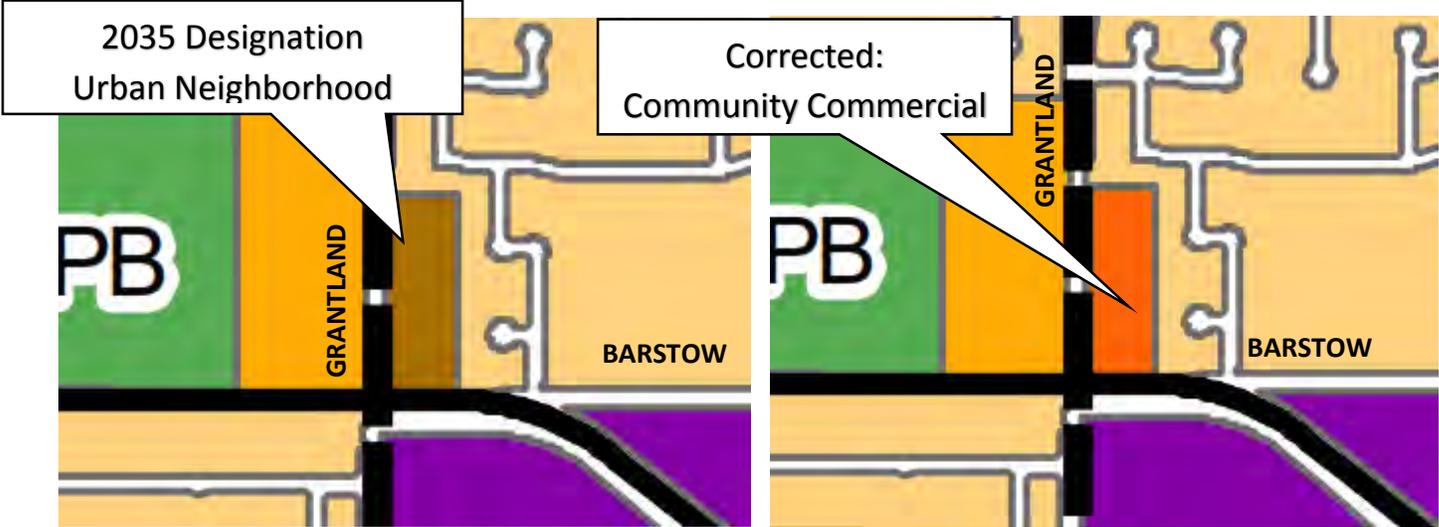
APN: 512-141-33

2035 General Plan Proposed Land Use

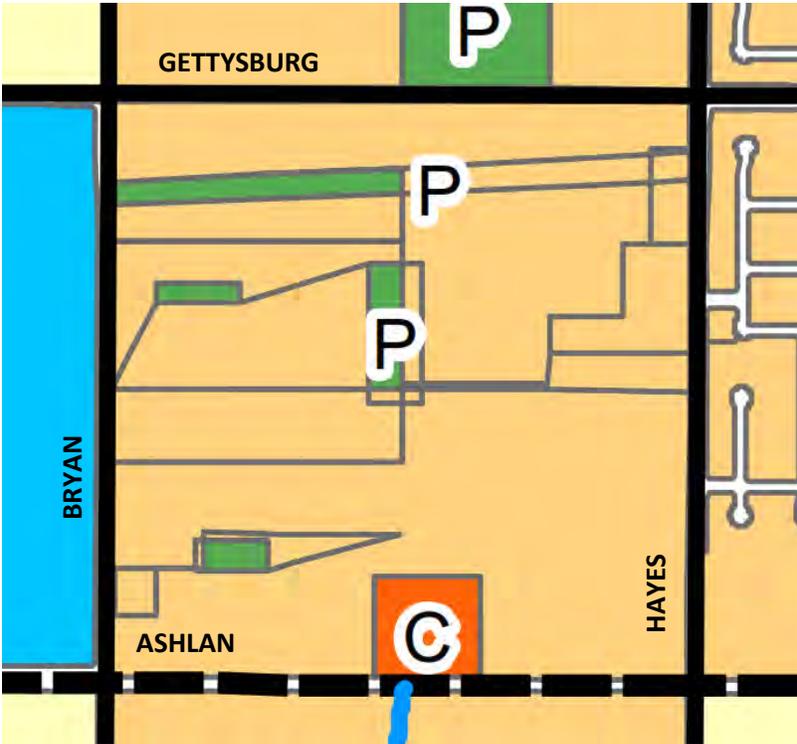


**Northeast Corner of Grantland and Barstow**

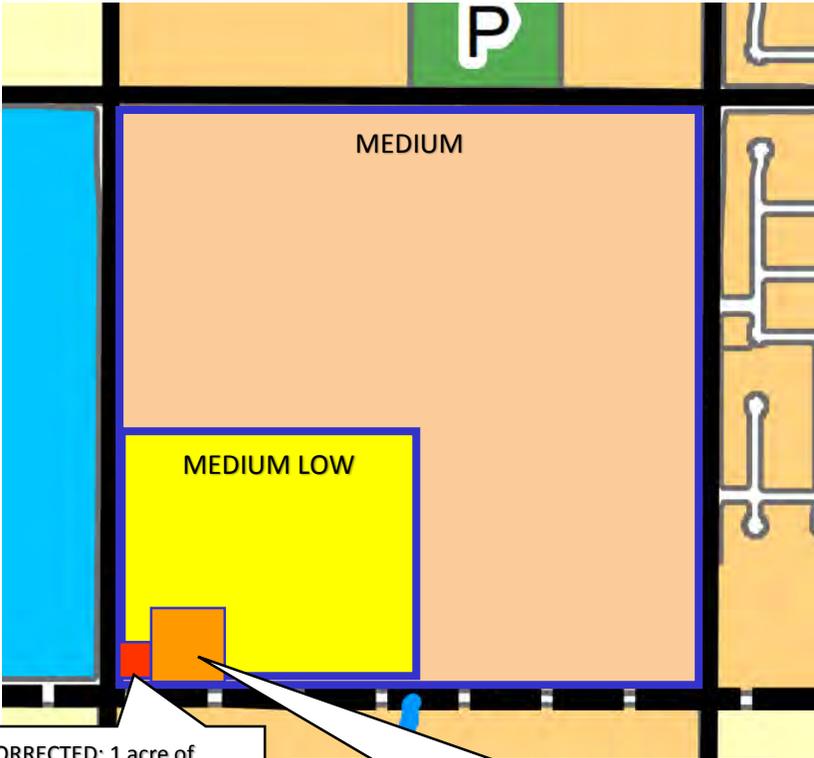
(APN: 505-281-16, 17, 18)



Artisan Square



Land Use Changes Required

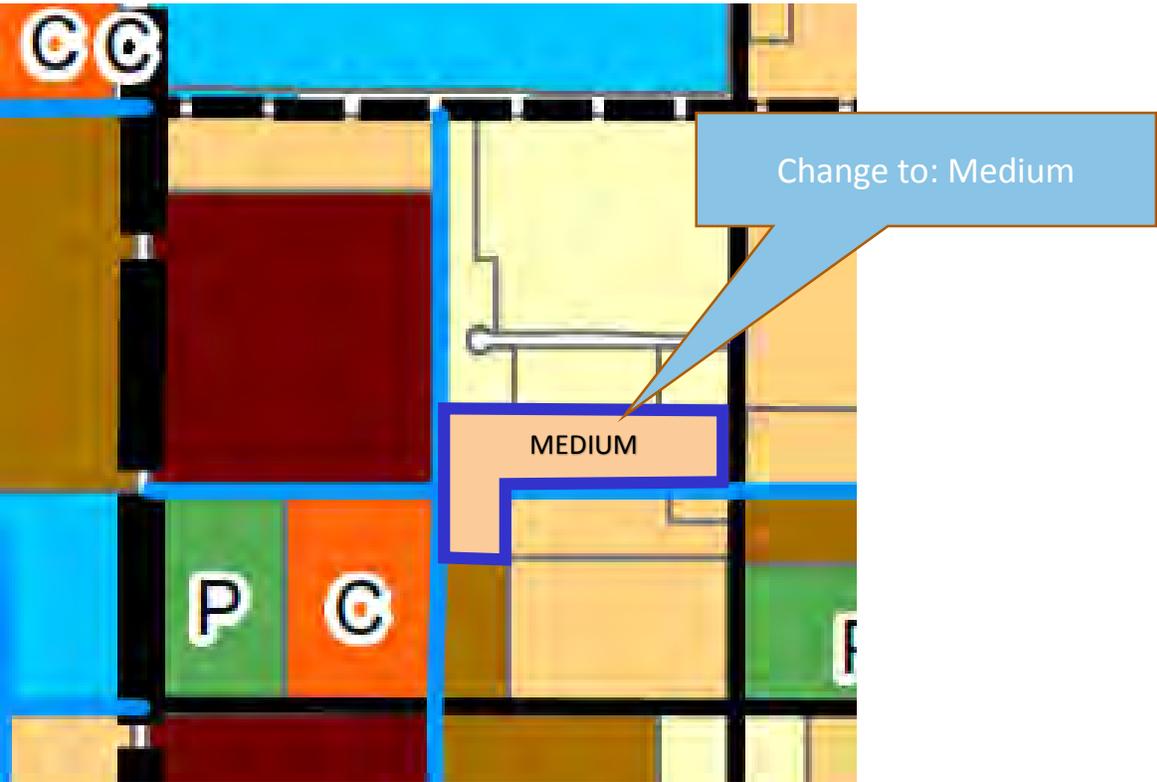
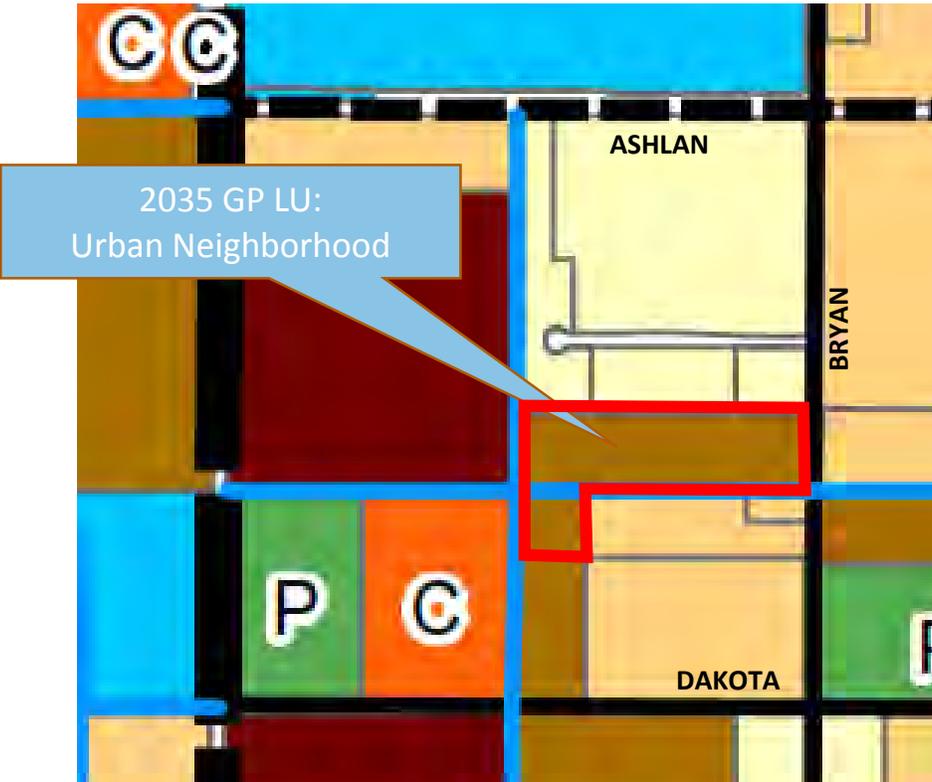


CORRECTED: 1 acre of Commercial

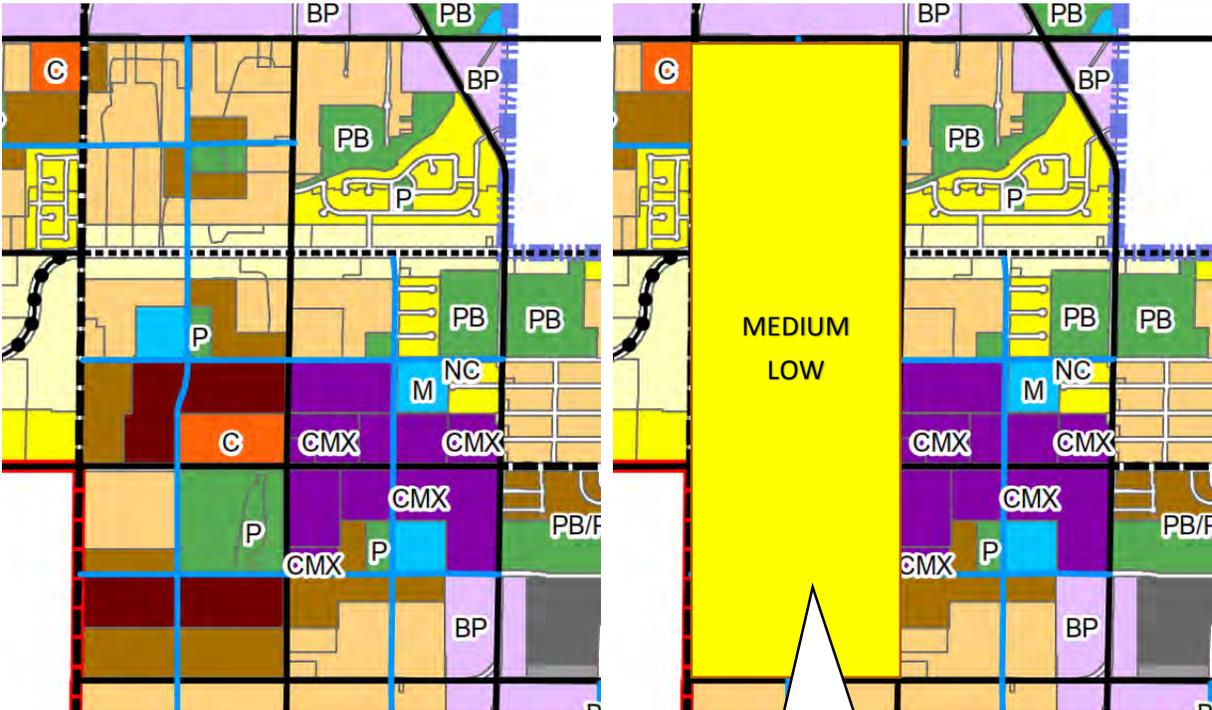
CORRECTED: 5 acres of Medium High

**Bryan, Between Ashlan and Dakota**

(APN: 512-050-89)



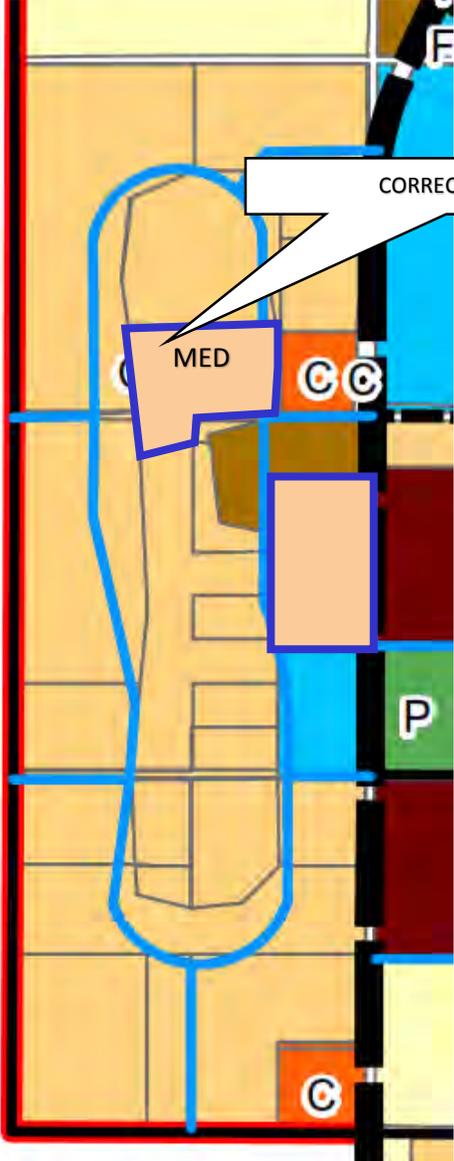
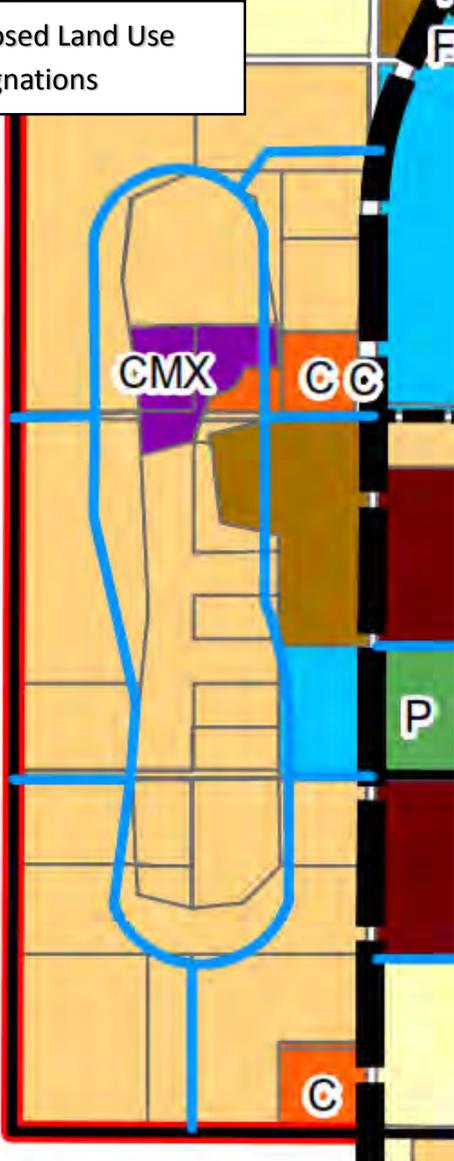
**Mission Ranch**



CORRECTED: All Medium Low

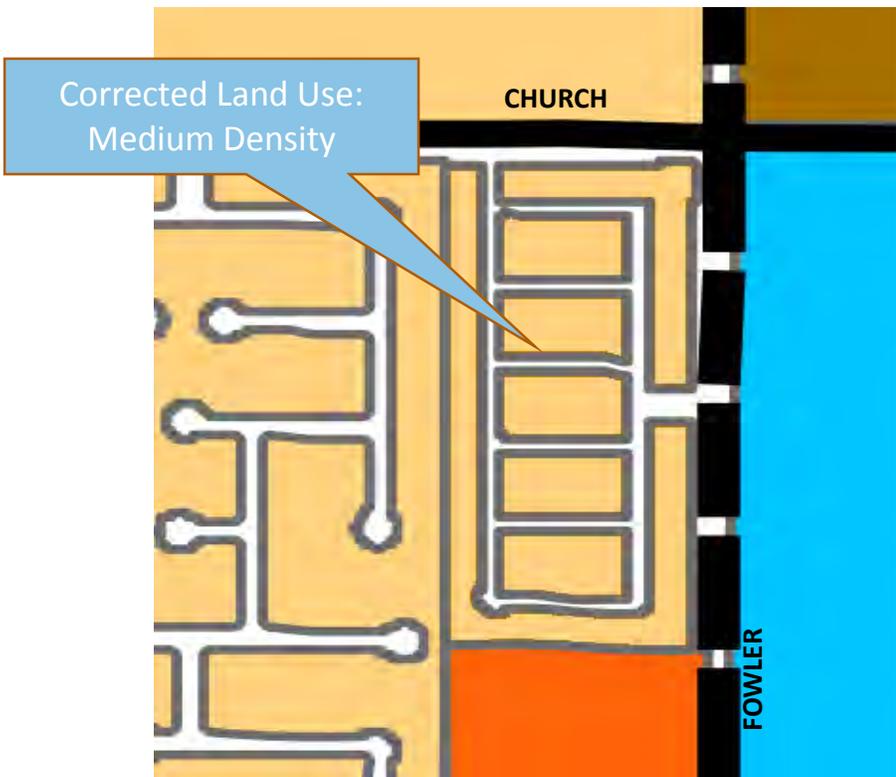
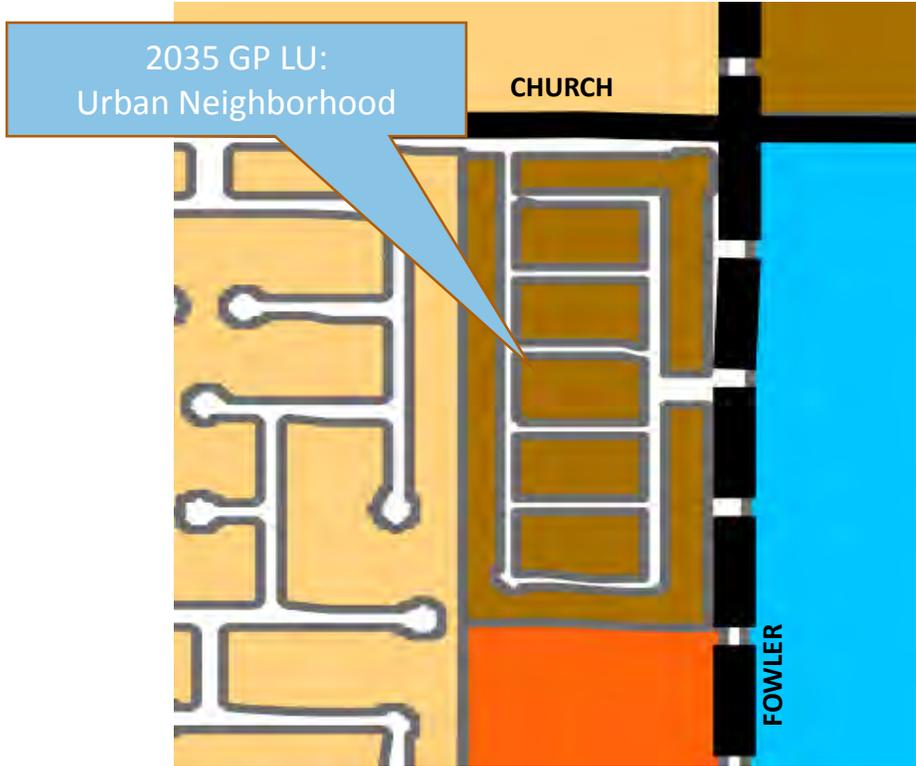
# Tract 5915 – Westlake

2035 Proposed Land Use Designations

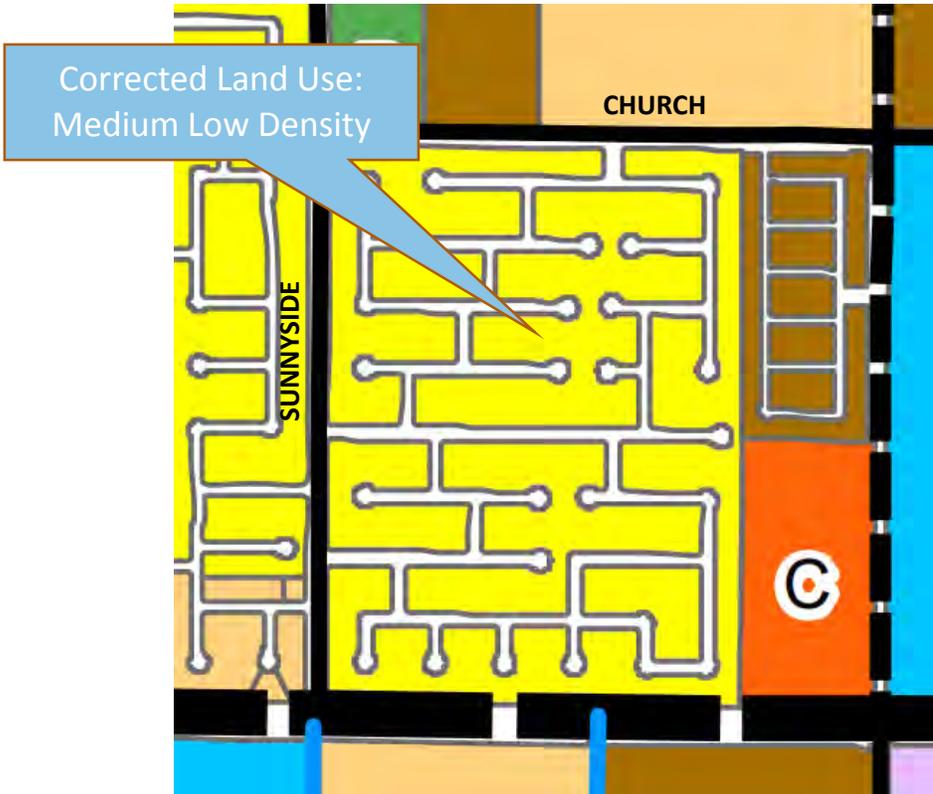
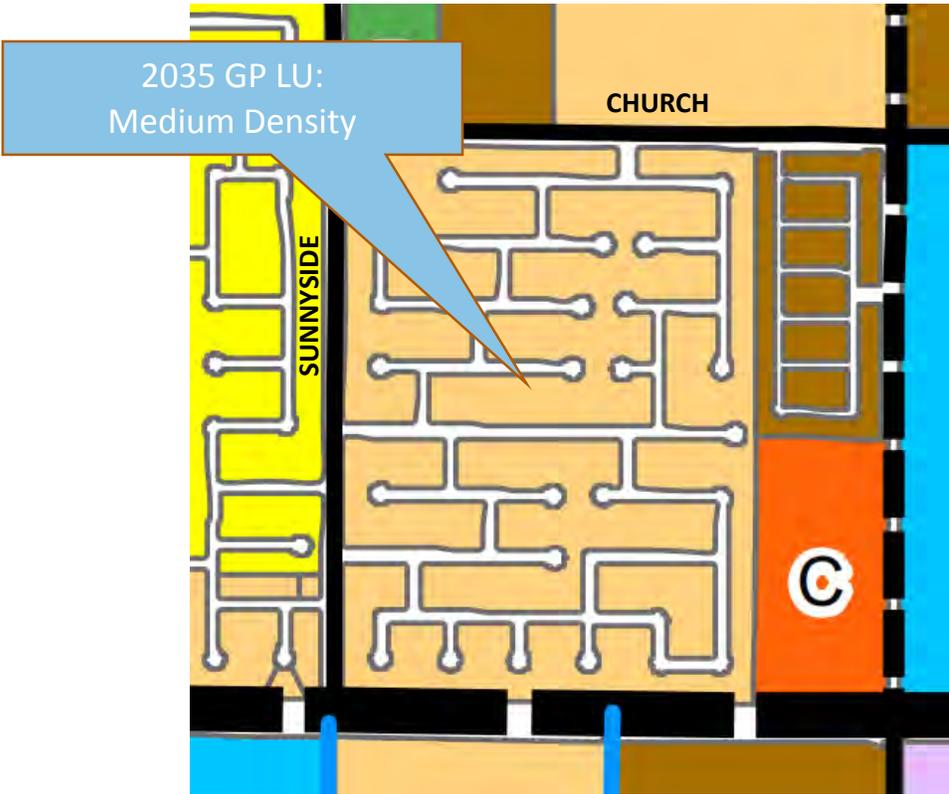


# PROJECTS UNDER CONSTRUCTION OR ALREADY DEVELOPED

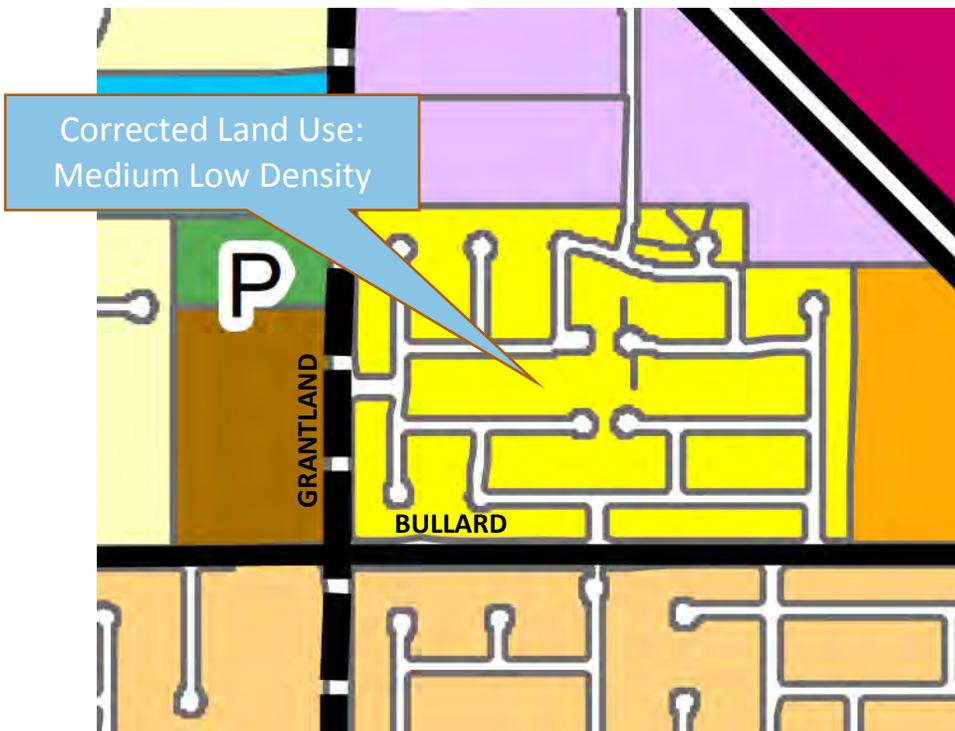
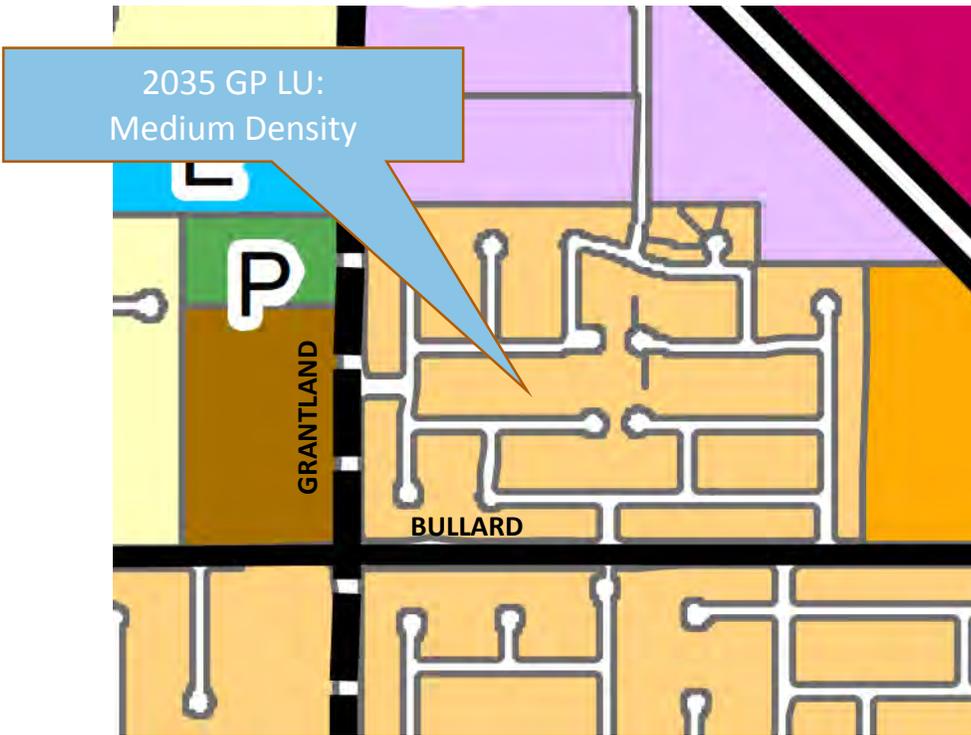
Tract 5450 – Southwest corner of Church and Fowler



Tract 5458 / Tract 5477



# Tract 5357 RECORDED MAP



Tract 5278 (APN: 507-360-15S and 16S)  
Property at 4179 & 4171 W Sample Ave.

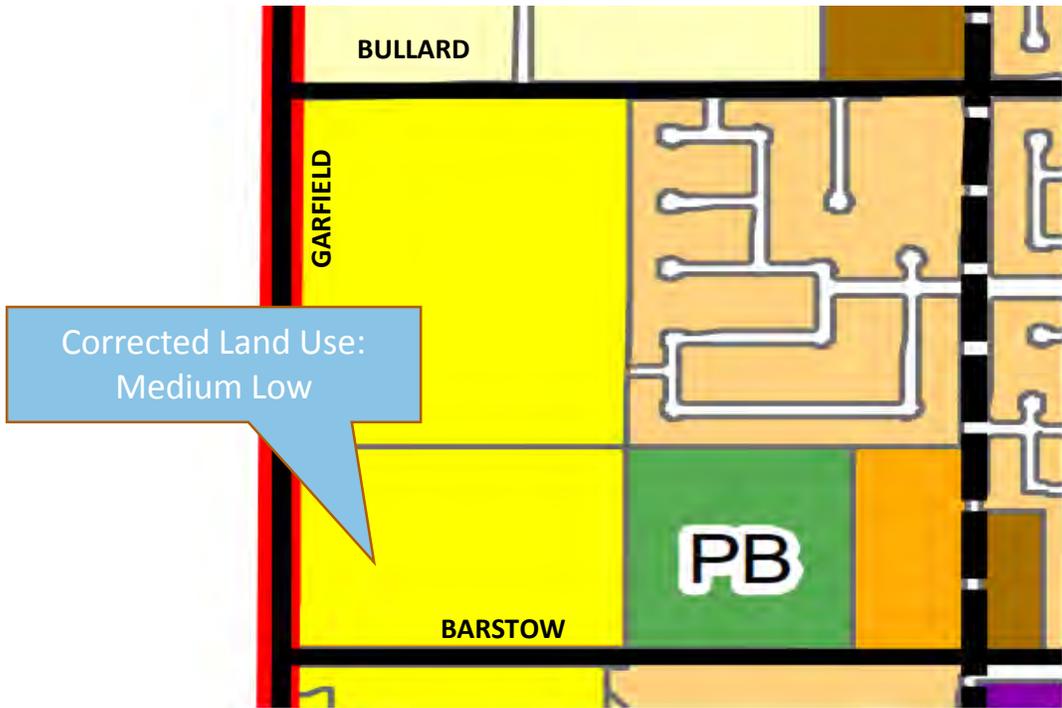
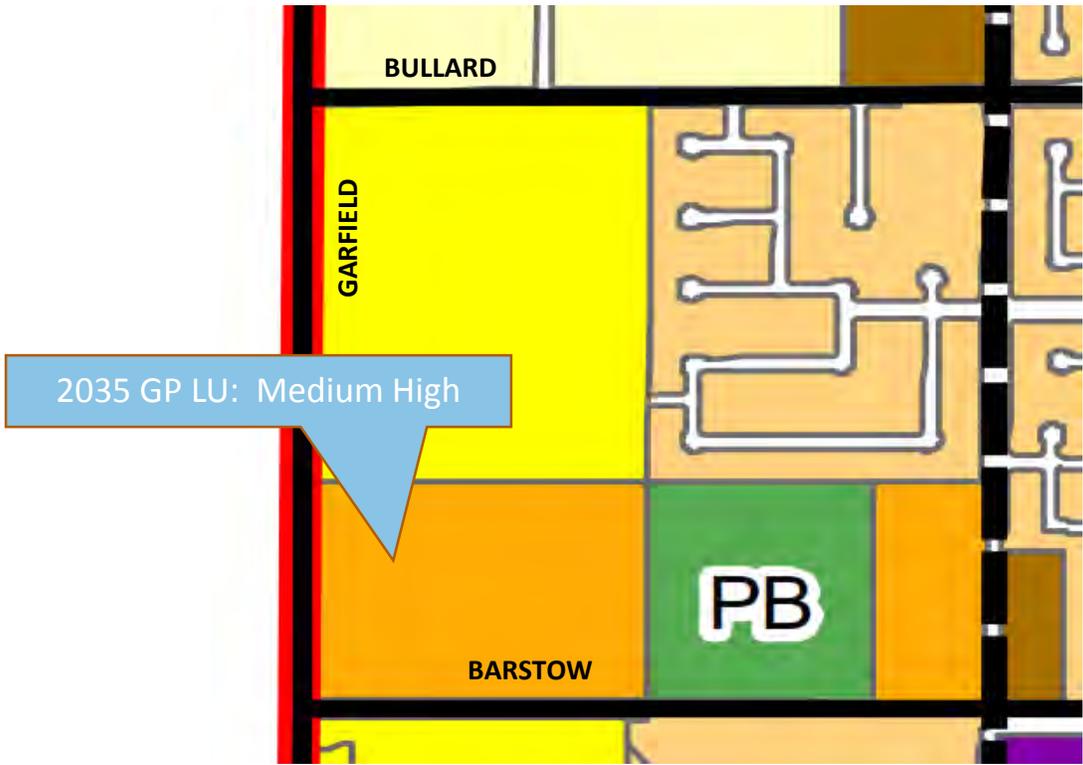
2035 GP LU:  
Medium Low Density



Corrected Land Use:  
Low Density

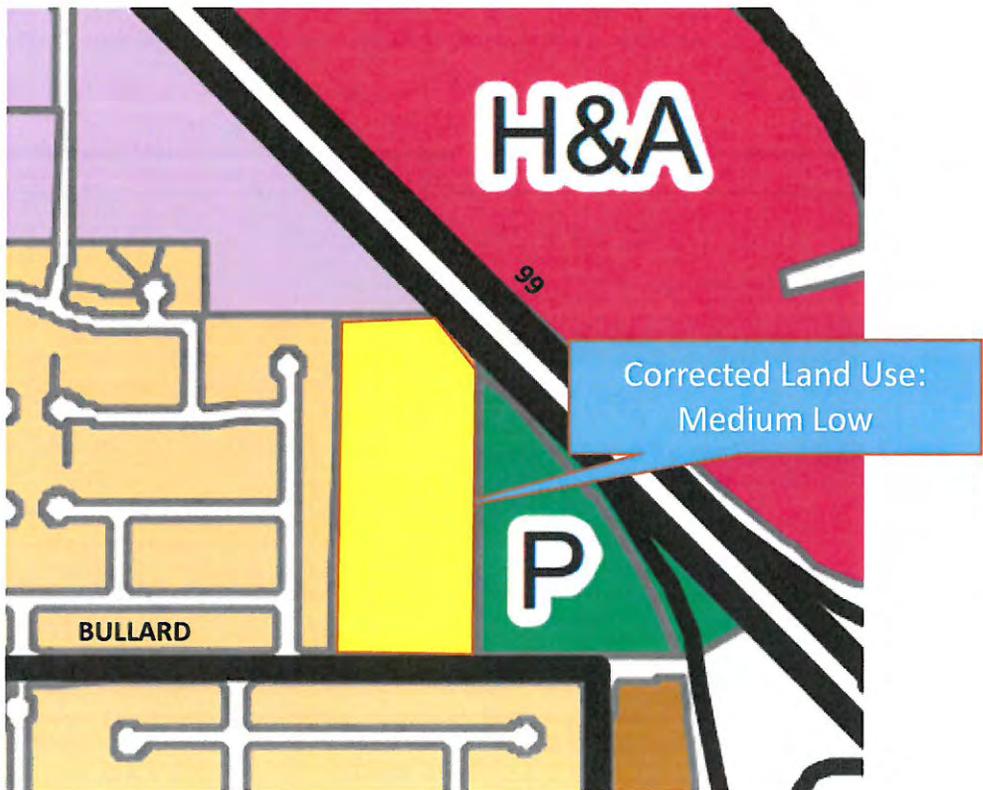
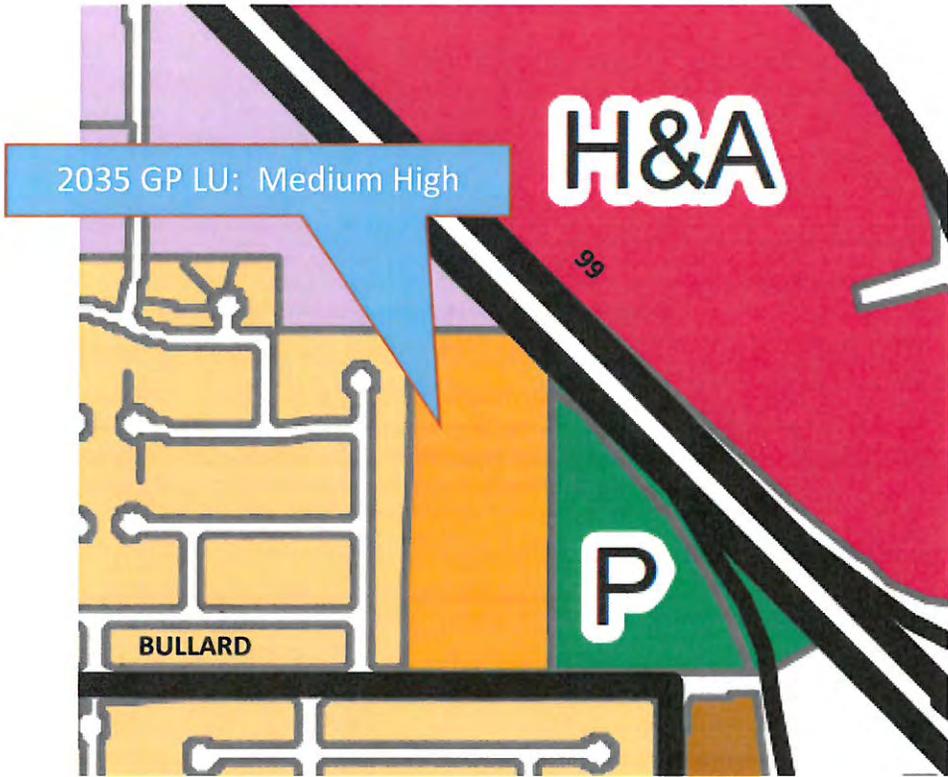


Tract 5597  
(APN 505-321-01 to 22, 505-322-01 to 08,  
505-331-01 to 13, 505-332-01 to 19)



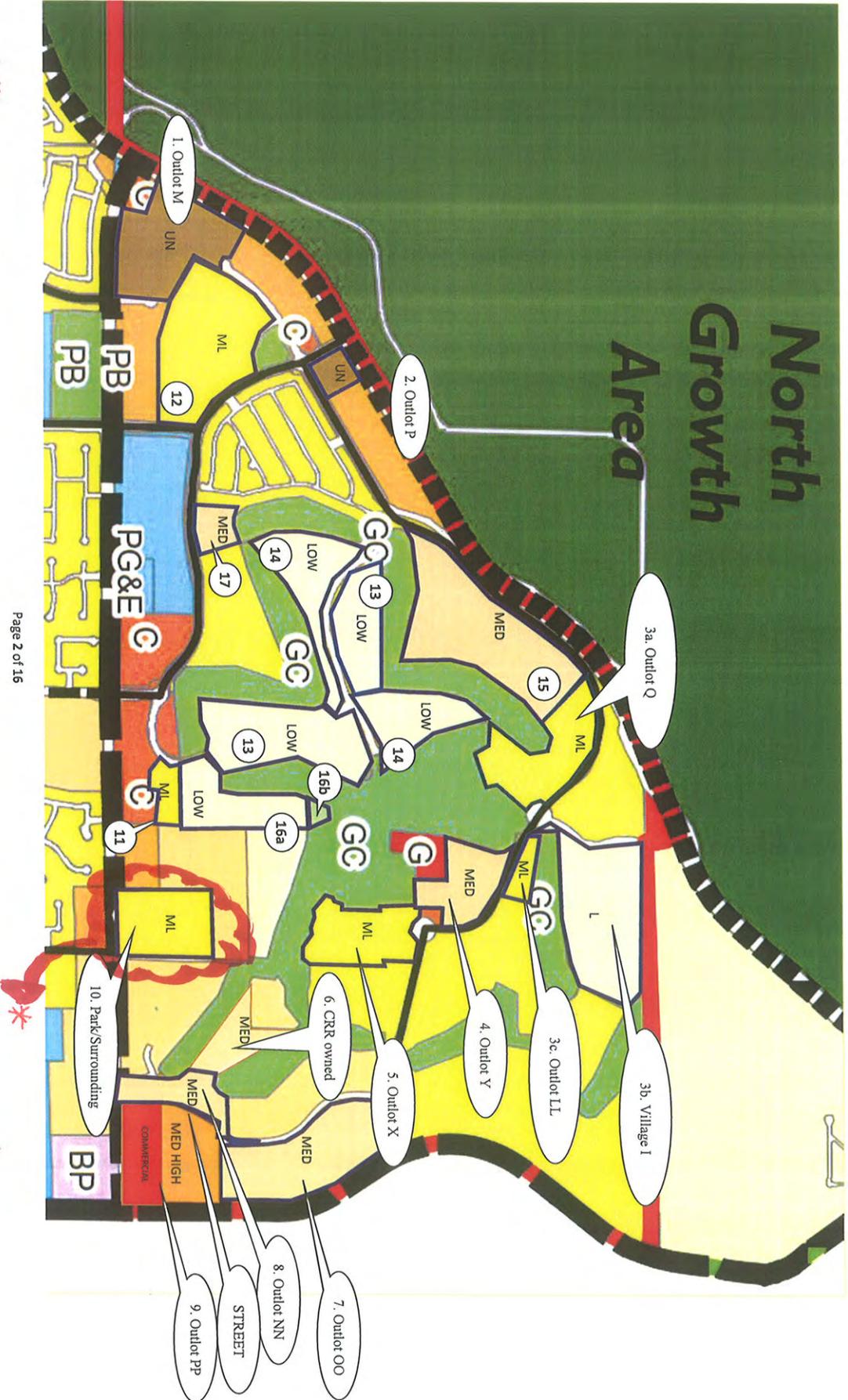
**Bullard near Bryan Alignment (At HWY 99)**

Tract 5584, APN: 504-080-16S



b. Tract 5717 and 6033 –Section Fowler/Shields					
1.	APN 310-041-38 (T6033)	35.5 +/- acres	<ul style="list-style-type: none"> <li>Urban Neighborhood</li> <li>Business Park</li> </ul>	<p>A. Commercial 1 acre (SE corner of Princeton/Fowler) - Ensure can incorporate Live Work Units on this property</p> <p>B. Medium (3.23 acres)</p> <p>C. Medium Low (balance – see T6033 Map) 30.6 acres</p> <p>D. Commercial Only</p> <p>E. Commercial 1 acre (north east corner of Princeton and Fowler) – Ensure can incorporate Live Work Units on this property</p> <p>F. Keep similar to current Light Industrial CM zoning (as is under 2025 General Plan and existing zoning code)</p> <p>G. Urban Neighborhood</p>	
2.	APN 310-041-39	2.18 acres	<ul style="list-style-type: none"> <li>Commercial</li> <li>Urban Neighborhood</li> </ul>		
3.	APN 310-740-07	4.87 acres	Business Park		
4.	APN 310-740-08 and 09	14.02 +/- acres	Business Park		
c.	North side of Bullard near Bryan - to HWY 99 (T5584) APN 504-080-165	9.51 acres	Res. Medium High	Medium Low	
d.	North side Clinton – Bet. Polk/Hayes – Tract 5560 (APN 312-061-18)	20 acres	Res. Medium	Medium Low	
e.	Grantland – South of Dakota Alignment (APN 512-141-33)	19.56 ac	High	Medium	
f.	NE Grantland/Barstow (APN 505-281-16, 17 and 18)	3.93 acres	Urban Neighborhood	Community Commercial	
g.	Artisan Square Area – NE Ashlan/Bryan/Hayes - Tract 5891	160 acres	Medium Park Commercial	<ul style="list-style-type: none"> <li>Commercial on corner of Ashlan/Bryan (1 Acre)</li> <li>Medium High to East/Adjacent (5 Acres)</li> <li>Medium Low (balance of ¼ section SW corner)</li> <li>Medium (balance of section)</li> <li>REMOVE PARK DESIGNATION(S)</li> </ul>	
h.	Bryan, between Ashlan and Dakota (APN: 512-050-89)	12+/- acres	Urban Neighborhood (portion)	<ul style="list-style-type: none"> <li>Medium - see map attached (12 +/- acres)</li> <li>Remove Quarter Mile Streets</li> </ul>	

LAND USE DESIGNATION CHANGES REQUIRED



Page 2 of 16

10-31-14  
 Staff is processing T-6087 at the highlighted location (NWC of Coppy/Chartrand), which proposes 46 lots on 13.84ac (density of 3.32 du/ac). The use has not yet been formally accepted for processing.  
 I. Trejo



Entitlements • Planning • Processing • Consulting • Representation • Public Relations

July 27, 2012

Keith Bergthold  
Assistant Director  
Development & Resource Management Department  
Fresno City Hall  
2600 Fresno Street  
Fresno, CA 93721

Subject: Maple Estates, Tract 5231, C-01-225  
West side of North Maple between East Perrin and East Shepherd  
APNs: 567-260-01s through 48s  
9303 North Maple Avenue

Dear Keith:

This is a request for a change of the land designation in the 2035 General Plan Update for the property referenced above. The entire property is owned by our client, Maple Estates, LLC.

Zoning for the +/- 4.50 acre property is R-1-C/UGM-CZ (R-00-02) and it has been completely developed as a 48 unit condominium complex subdivided as Tract Map 5231, with a Conditional Use Permit (C-01-225).

The current 2025 General Plan has a planned land use designation of Medium Low Density Residential but the current land use is actually Medium High Density Residential.

The inconsistencies between the existing land use and the planned land use, as well as, between the existing land use and the existing zoning are causing difficulties when the property owners are dealing with financing matters. Potential lenders conduct due diligence and have taken issue with the Zone District and current General Plan land use designation not being consistent with how the property has been developed regardless of the CUP. This will become a greater issue when the individual units are sold as condominiums and a number of lenders become involved with the various units.

A number of exhibits have been included herewith:

1. Street map with subject property indicated
2. Aerial photo with subject parcel indicated
3. Current General Plan Land Use Designation Map = Medium Low Density
4. Existing Land Use Map = Medium High Density
5. Existing Zone District = R-1-C Medium Low Density
6. Assessors Parcel Map from Planning Counter Book with entitlements indicated
7. Current Assessors Parcel Map with condo APN's

Therefore, on behalf of Maple Estates LLC, we hereby request that the planned land use designation for the property be changed from Medium Low Density to Medium High Density in the 2035 General Plan Update. The owner understands the Zone District will then also need to be changed to be consistent with the new 2035 General Plan land use designation.

If you have any questions or require additional information regarding this matter please contact me at 497-1900.

Respectfully submitted,



William V. Robinson  
Principal

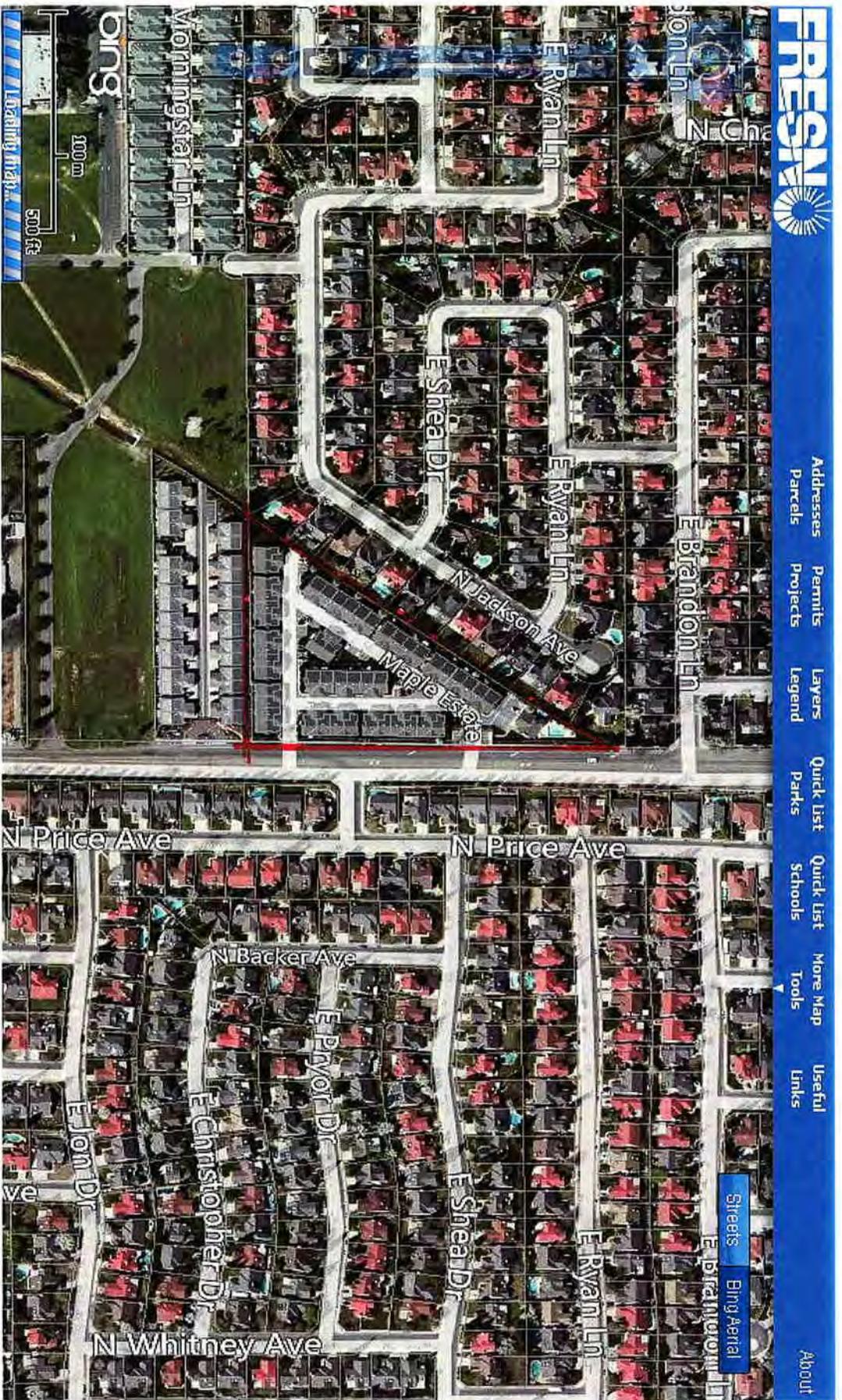
Enclosures

Cc: Councilmember Lee Brand  
Planning Director Mark Scott



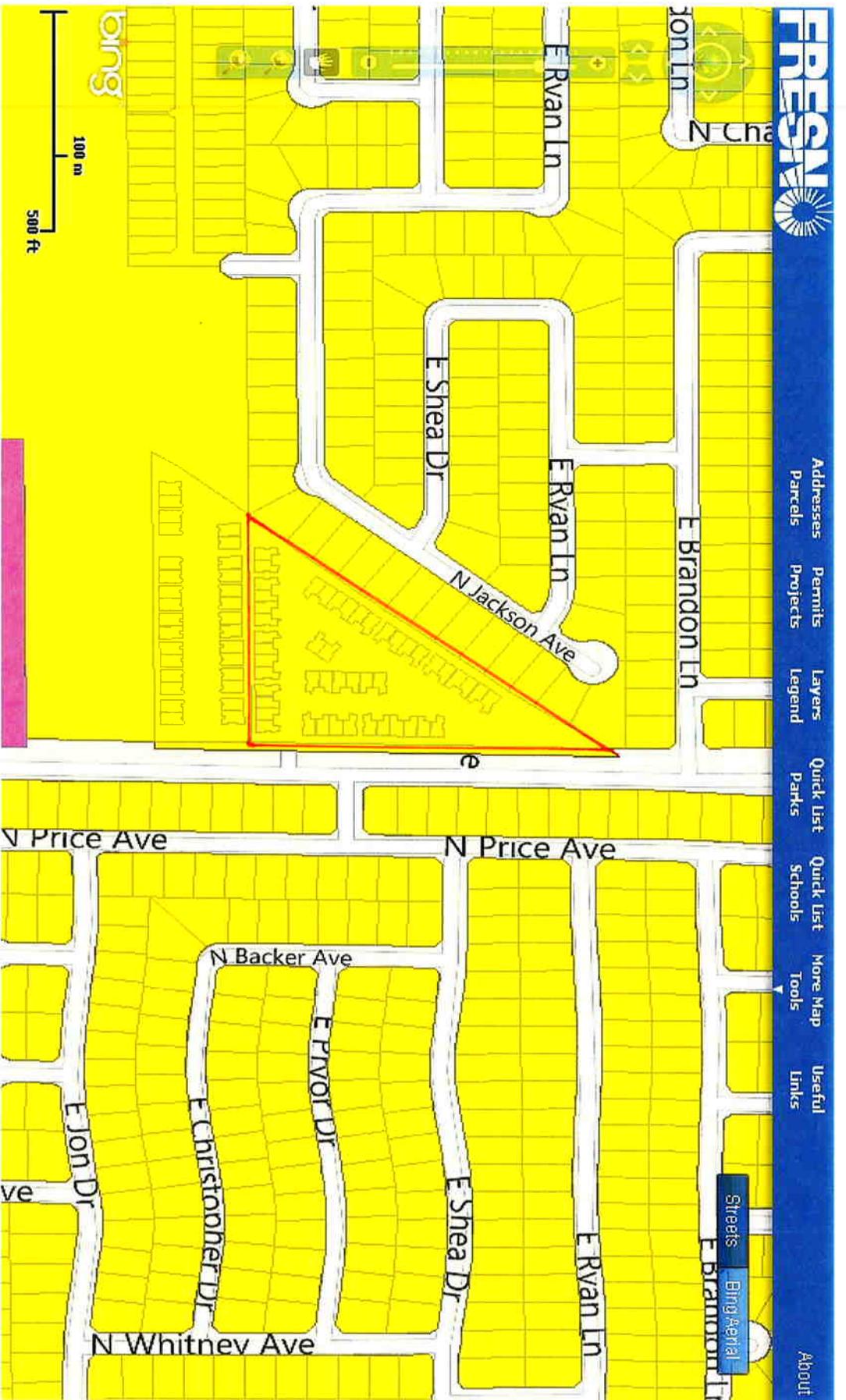
SUBJECT PROPERTY

EXT: 1.



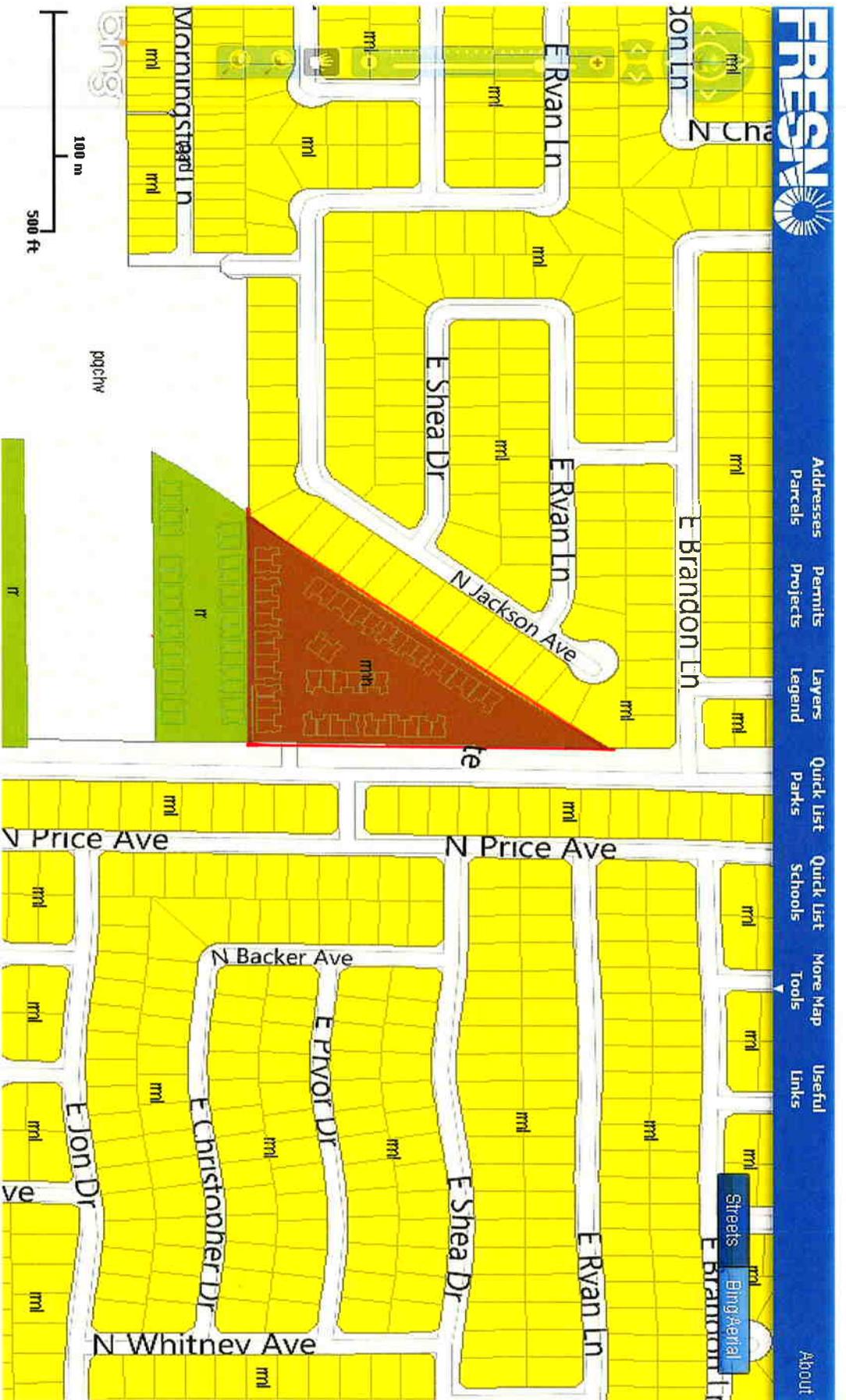
SUBJECT PROPERTY

EXT: ②



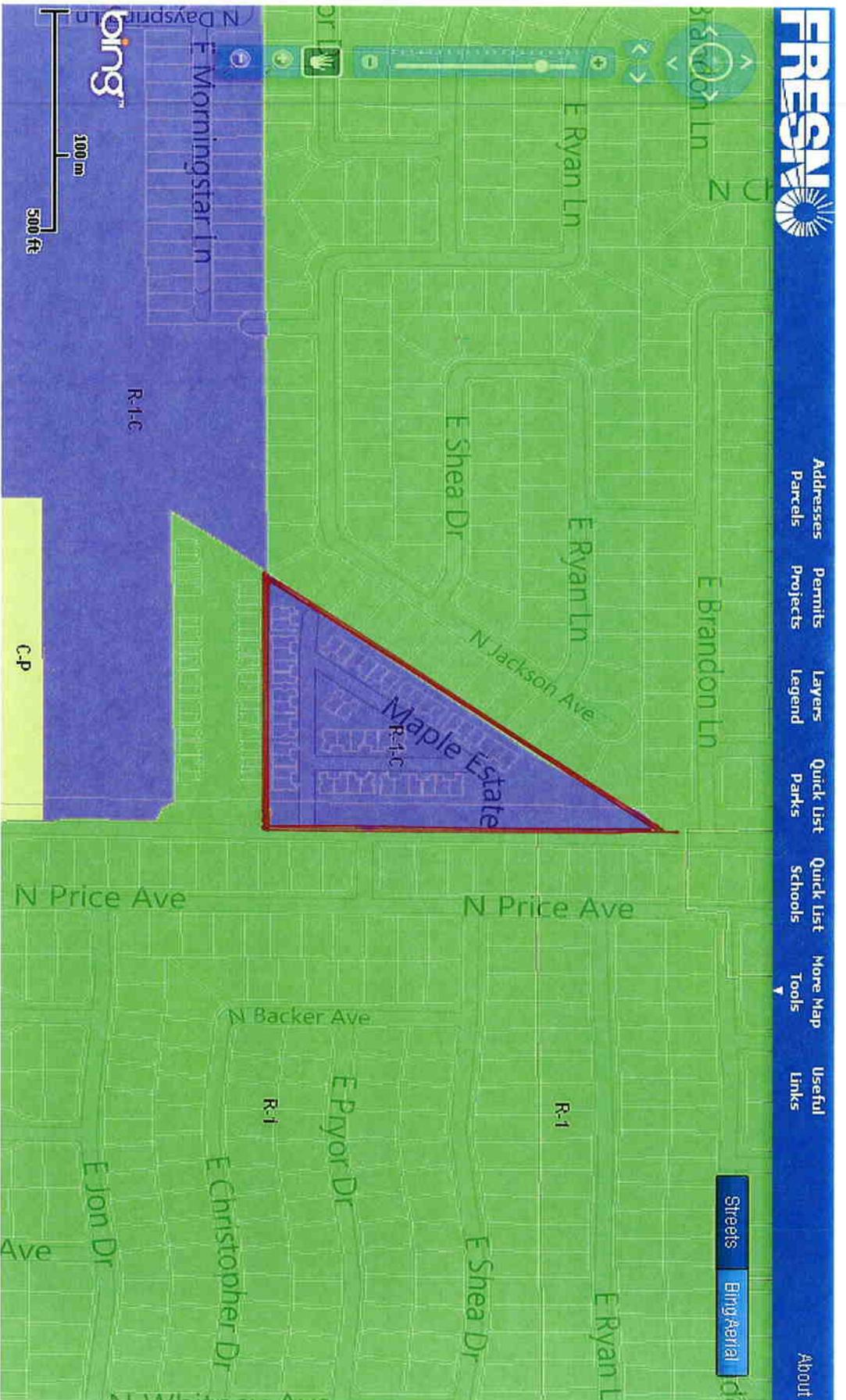
CORRECT PLANNED USE = MEDIUM LOW DENSITY RESIDENTIAL

EXT. (3.)



EXISTING LAND USE = MEDIUM HIGH DENSITY RESIDENTIAL

EXT. (4)



EXISTING ZONE = R-1-C

EXT. (S)

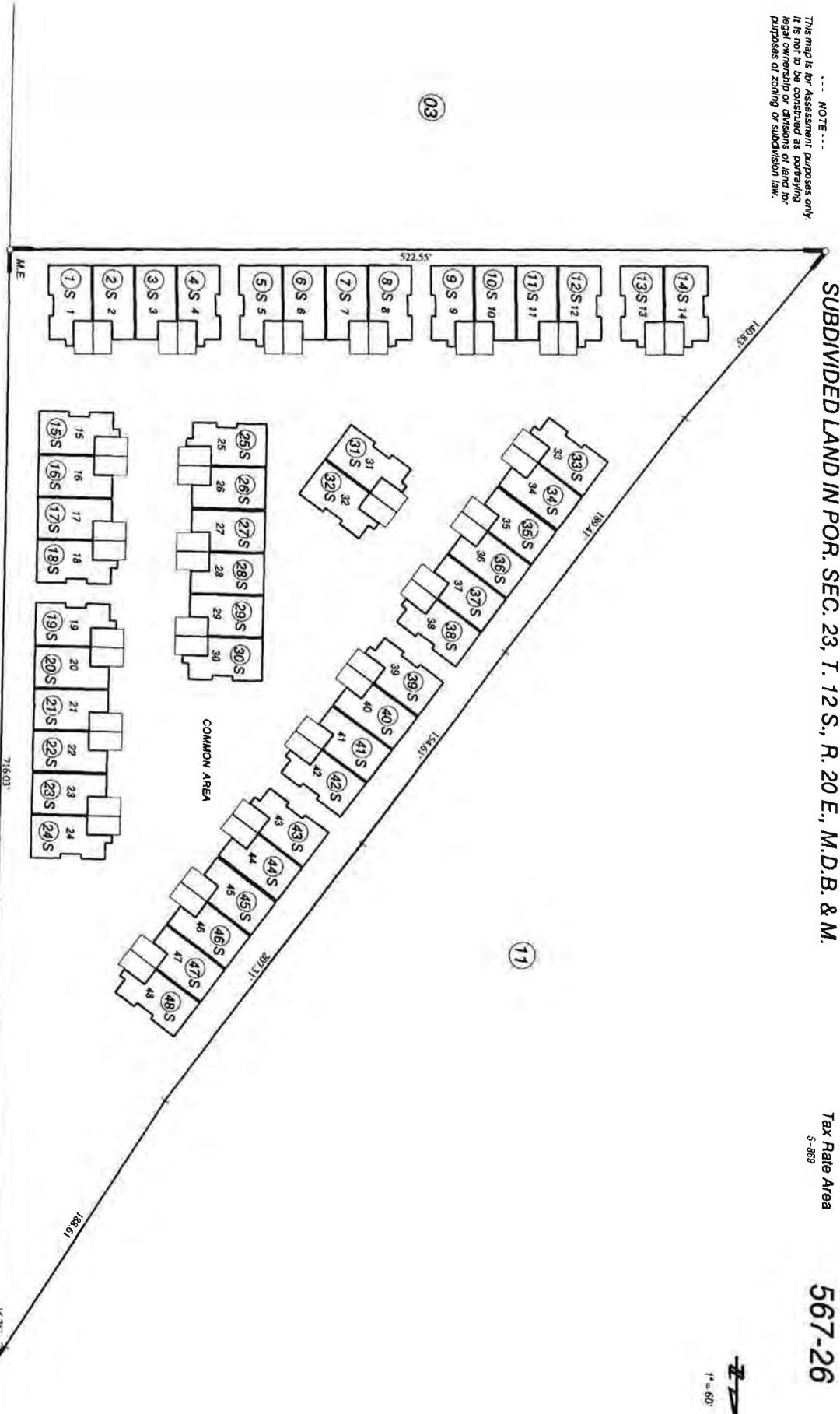


NOTE: This map is for assessment purposes only. It is not to be construed as portraying legal ownership or divisions of land for purposes of zoning or subdivision law.

SUBDIVIDED LAND IN P.O.R. SEC. 23, T. 12 S., R. 20 E., M.D.B. & M.

Tax Rate Area  
5-689

567-26



N. MAPLE  
Condominium Plan For Maple Estates - Lot 1 of Tract No. 5231 - Plat Bk. 80, Pgs. 92-94

Bk.  
568

NOTE: Assessor's Block Numbers Shown in Ellipses.  
Assessor's Parcel Numbers Shown in Circles.

Assessor's Map Bk. 567 - Pg. 26  
County of Fresno, Calif.



EXT. 7.

02-26-2009



Entitlements • Planning • Processing • Consulting • Representation • Public Relations

December 30, 2013

Keith Bergthold, Assistant Director  
DARM  
Fresno City Hall  
2600 Fresno Street  
Fresno CA 93721

Re: F.C. APN #449-030-63 (8.77 acres)  
SWC N. Valentine and W. McKinley Avenues

Sol Development Associates has represented Hui Kuang Tsai, owner of 449-030-63, since 2005 and he has been interested in developing an R-1 subdivision on this parcel since that time. The parcel is approximately ½ mile west of the nearest Fresno City Limit near N. Marks and W. McKinley Avenues. He has not pursued the project in the past due to the difficulty of annexing 11 rural lot size parcels that lie between his parcel and the city limits.

Mr. Tsai believes a medium density residential land use designation would be appropriate for the parcel as part of the City of Fresno 2035 General Plan Update and the City's desire to increase densities within the city's Sphere of Influence.

We hereby request the City of Fresno consider changing the current 2035 General Plan low density residential designation on the parcel to medium density as part of the 2035 General Plan Update. Please feel free to contact us if any additional information is needed.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Al Solis", is written over a light blue horizontal line.

Al Solis, AICP  
Principal

Attachment

Cc: Hui Kuang Tsai

SUBDIVIDED LAND IN POR. SEC. 36, T.13 S., R. 19E. M.D.B. & M.

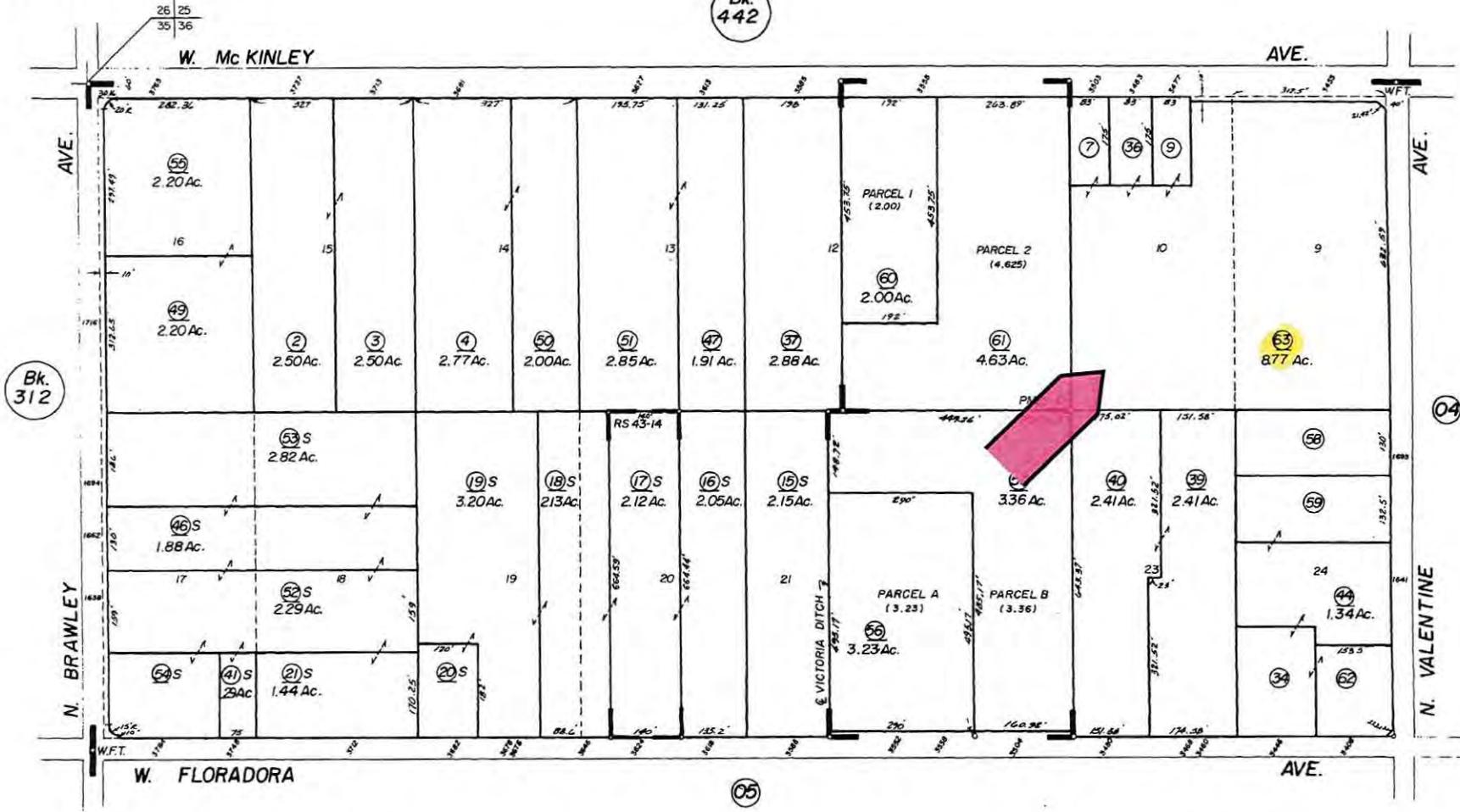
Tax Rate Area  
62-026

449-03

— NOTE —

This map is for Assessment purposes only.  
It is not to be construed as portraying legal  
ownership or divisions of land for purposes  
of zoning or subdivision law.

Bk.  
442



Bk.  
312

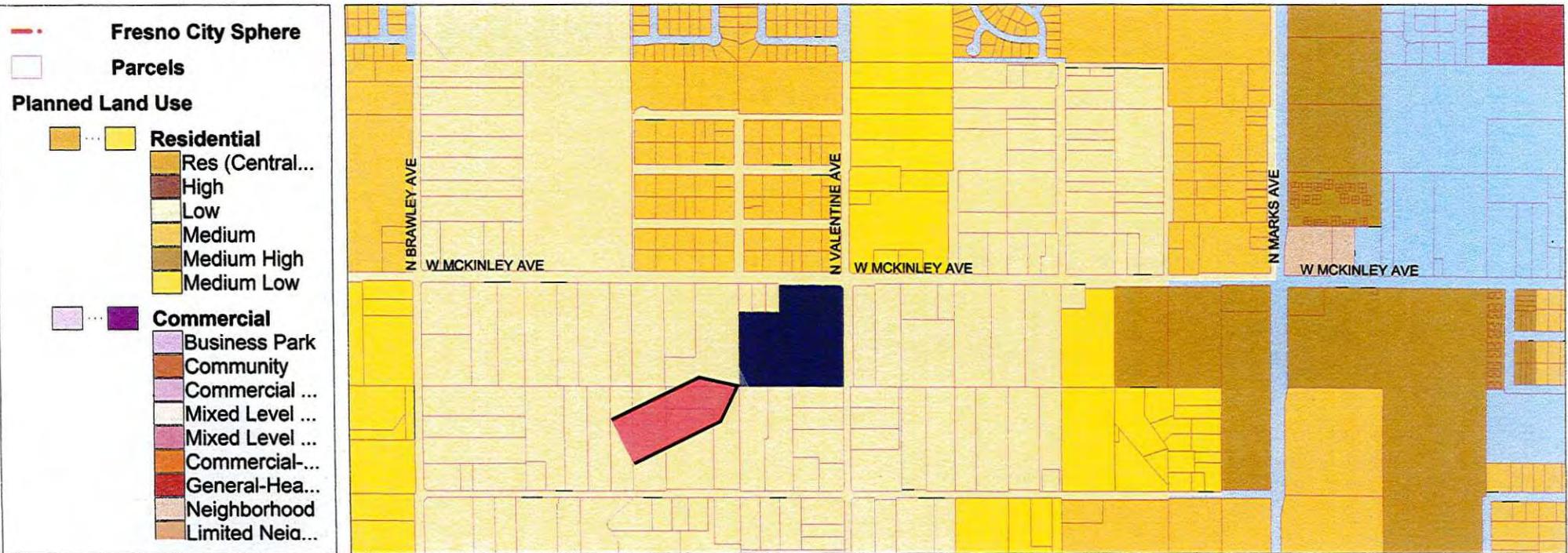
West Fresno Tract - R. S. Bk. 3, Pg. 17  
Parcel Map No. 2093 - Bk. 13, Pg. 3  
Parcel Map No. 4133 - Bk. 29, Pg. 10  
Record of Survey - Bk. 43, Pg. 14

Assessor's Map Bk. 449 - Pg. 03  
County of Fresno, Calif.

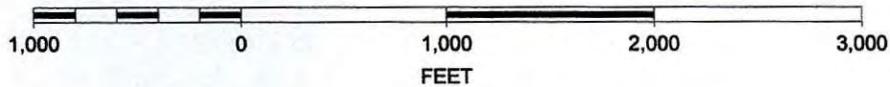
NOTE - Assessor's Block Numbers Shown in Ellipses.  
Assessor's Parcel Numbers Shown in Circles.

Yr - 1975

# City of Fresno, Development Map Tsai



SCALE 1 : 10,965



THE KASHIAN GROUP, LTD  
265 E. River Park Circle, Suite 270  
Fresno, California 93720  
Phone (559) 438-4812 Facsimile (559) 438-4802

September 25, 2013

Mr. Keith Bergthold,  
Planning and Development Assistant Director  
Development and Resource Management  
2600 Fresno Street, Room 3065  
Fresno, CA 93721

**RE: General Plan Update, Shaw and 99**

Dear Mr. Bergthold;

This letter is to request the City of Fresno reclassify APN# 508-030-06 from Community Commercial to Regional Mixed Use in the 2035 General Plan Update. The City of Fresno should also consider changing APN# 508-030-05 and APN# 508-030-04 to the Regional Mixed Use classification as well.

Very truly yours,



John Kashian

Arnoldo:

Please confirm you received my email below, dated 10/5/14.

Paul Fourchy  
Eisner-Fourchy  
5245 N. Gates Ave.  
Fresno, CA 93722  
**559.906.7517** (cell)  
559.274.1437 (fax)

**From:** Paul Fourchy [mailto:paul.efd@sbcglobal.net]  
**Sent:** Sunday, October 05, 2014 6:41 PM  
**To:** 'Arnoldo Rodriguez'  
**Cc:** 'Mike Sanchez'; 'christine smith'; 'Hugo Kevorkian'; 'ron sawl'; 'Willard Eisner'; 'Mitchell Eisner'  
**Subject:** FW: proposed zoning designations

Mr. Arnoldo Rodriguez  
Via email: [Arnoldo.rodriguez@fresno.gov](mailto:Arnoldo.rodriguez@fresno.gov)  
Cc: Mike Sanchez, Asst. Development Director, City of Fresno

**RE: (APN 506-130-28)**

Dear Mr. Rodriguez:

I am writing regarding a +- 38 acres parcel (APN 506-130-28) we own in partnership near the future Veterans Blvd. Currently we are in the process of selling +- 3 acres to City of Fresno (COF) for a road, which is to be constructed by COF on a portion of the property. Once the road is constructed, we will end up with 3 pieces of property on various sides of the road. (See attachment.)

One of the three portions of the property is currently planned for **Highway and Auto** land use designation. Please accept this letter as our request that all three portions of APN 506-130-28 be considered for **Urban Neighborhood** land use designation on the upcoming 2035 General Plan Update.

The requested change to Urban Neighborhood designation will be consistent with the other two sections of our property. Moreover, it is our belief as the long-time owners of the property that Highway and Auto designation will keep the property undeveloped for the foreseeable future. It appears to us that there is an abundance of industrial land available along Golden State Blvd. and nearby.

Thank you for the consideration.

Paul Fourchy, Officer  
Abbey Office Furnishings, Inc.  
5245 N. Gates Ave., 93722  
559.906.7517

