



## Fulton Corridor Specific Plan Community Advisory Committee

Meeting Location: Fresno City Hall, City Council Chambers, 2600 Fresno Street, Fresno, CA 93721

### **MEETING MINUTES** Tuesday, October 25, 2011 – 3:10 p.m.

#### **Commission Members Present:**

Joyce Aiken, Alan Allen (Chair), Rosemarie Amaral, Donovan Byrn, Morgan Doizaki, Victoria Gonzales, James Haron, Eric A. Kalkowski, Nancy Marquez, Roger Palomino, Polly Parenti, Timothy Schulz, Cliff Tutelian

Morris Reid sat in at the meeting for Nancy Ayala.

#### **Commission Alternates Present:**

Jan Minami, Beth Paz, Nadar Ali, and Susanne Bertz-Rosa

#### **Members Not Present:**

Nancy Ayala, James J. Connell, Raul De Alba, Evan Hammer, Jr., Gary LanFranco, Maribel Vera-Anaya, Brent Weiner, Allysun Williams

#### **Downtown and Community Revitalization Staff:**

Craig Scharton, Assistant Director  
Elliott Balch, Downtown Revitalization Manager  
Wilma Quan, Urban Planning Specialist

Diana Asami, Recording Secretary

#### **I. CALL TO ORDER & ROLL CALL**

Chair Alan Allen called the meeting to order at 3:10 p.m. and called roll.

#### **II. ADMINISTRATIVE MATTERS**

##### **A. Agenda Approval**

Chair Alan Allen called for approval of the agenda for the meeting. A motion to approve the agenda was made by Rosemarie Amaral, seconded by Donovan Byrn; the motion was carried unanimously (m/s/c 14 yes, 0 no).

## **B. Correction and Approval of Minutes for October 18, 2010 Regular Meeting**

Chair Alan Allen called for approval of minutes of the October 18, 2010 Regular Meeting. A correction was made by Morgan Doizaki to the speaker at the beginning of the second paragraph on Page 4 of from Morgan Doizaki to Donovan Byrn. A motion to approve the minutes was made by Cliff Tutelian, seconded by Joyce Aiken; the motion was carried unanimously (m/s/c 14 yes, 0 no).

## **III. REVIEW OF THE COMMITTEE ROLES AND RESPONSIBILITIES**

Elliott Balch, Downtown Revitalization Manager, briefly reviewed the purposes and goals of the Community Advisory Committee meetings, stating it was important for the Committee to obtain public input and for the Committee to share their thoughts and feedback to the input with the Downtown Community & Revitalization staff, with the goal of ultimately making recommendations to initiate the environmental impact process and adoption process for the Specific Plan and the new Development code; that he had discussed with a couple Committee members before the meeting what information they felt was needed now and what information was not needed now. He stated that this process, as with any Environmental Impact Review process, would take about a year, but that there would be opportunities for public input along the way; that there was still time to make recommendations to be incorporated in the process; but that what was most important now was to make sure the fundamental things, like mixed land use, were right, to know the Plan was headed in the right direction, so they did not have to make major changes down the line or find a new budget for new ideas because they had not taken enough time; that that was the main goal at this stage.

Chair Alan Allen asked whether the Committee would be coming back to the meetings through November 8, 2011, over the next two weeks. Elliott Balch pointed out that under "C" on the agenda, the Committee was given the option of taking action as early as that evening if it chose to do so, but that he would be happy to have all four meetings to deliberate and allow the public to have time to input, if desired. Chair Alan Allen commented that there may be members of the public who were unable to attend this meeting, and that the Committee should give them ample time to comment. Elliott Balch also noted that while the first meetings were held at 3:00 p.m., the last was at 5:30 p.m., so the different times may reach different persons.

Chair Alan Allen asked if there were any further questions for Elliott Balch, with no response, then requested comments and questions from the public.

## **IV. INPUT ON THE DRAFT FULTON CORRIDOR SPECIFIC PLAN AND DRAFT DOWNTOWN DEVELOPMENT CODE**

### **A. COMMENTS AND QUESTIONS FROM MEMBERS OF THE PUBLIC**

Hal Tokmakian, a Fresno citizen involved in city planning since 1958, had several questions for the Committee. His first was whether the meeting minutes were available to the public on the website, and if so, how soon after the meeting they were available.

He was informed by Elliott Balch that the minutes are available on the website, and were posted quickly once they had been approved by the Committee.

Hal Tokmakian questioned the interrelationship between the Form-Based Code and the Specific Plan. He stated that a development code cannot be implemented without a specific plan having been adopted first and asked for verification that the development code would apply regardless of which alternative was selected. Elliott Balch confirmed that what he had stated was true. Chair Alan Allen verified that by "alternative," Hal Tokmakian was referring to the three Fulton Mall options, and he confirmed he was.

Hal Tokmakian next discussed the requirement by state and local planning codes to have a land use element within them, asking the staff whether there was in fact a land use portion within the Specific Plan as he had not seen one. Elliott Balch replied that the Code was the implementation part, and that there was a chapter on the development framework for the Specific Plan area. Chair Alan Allen interjected that the Plan was available for public review on the City's website and asked Hal Tokmakian if he had read it. Mr. Tokmakian stated he had seen the development code, but did not see a land use plan within it. He stated Elliott's response was a non-answer to his question, because land use and a development code were two different things. Hal Tokmakian stated he wanted to know how well the development code was going to be understood and discussed by the Committee. Chair Alan Allen responded that the Specific Plan and the Downtown Development Code had just been received by members of the Committee the prior week; that they were in the process of digesting it; and that they would begin discussion of the documents at the end of the public comments at the meeting.

Hal Tokmakian commented that he knew from past experience there were many complications involved in development regulations, and he knew the regulations were subject to compromise, conflicts and litigation. He stated that form-based codes were far different from the zoning ordinances used here over the last years; that they can be controversial and administratively difficult with lack of experience and understanding. He urged the Committee to pay special attention to the Code and how it would be administered.

Sylvester Itson, Jr., 1474 Fresno Street, Apt. #6, Fresno, CA, stated he is new to Fresno, CA; that he does not know the whole Plan but does know downtown. He asked whether Chinatown was part of the Fulton Corridor Plan; whether there would be added access to Chinatown; and asked about the high speed rail. Elliott Balch assured him that Chinatown is included as part of in the downtown plan, and that plans for the high speed rail station include plans for both sides of the tracks.

Kathy Omachi, President of Chinatown Revitalization, has addresses of both 759 "F" Street in Reedley, CA, and 914 "F" Street in Chinatown, Fresno, CA. Chinatown Revitalization has hosted two meetings on high-speed rail for Chinatown, downtown and West Fresno, and informed the high speed people of the Chinatown underground so that the new proposal is now a bit away from Chinatown so as not to jeopardize Chinatown. She also discussed a long-range plan by Redevelopment that designates Chinatown for only very low income housing, stating that single-room occupancies, or SRO's, have been horrendous for Chinatown; that because of them they are now dealing with drugs, prostitutes and alcoholism, and asks that SROs should not be allowed.

Marjorie Charon first moved to Fresno in the late 1960's, when Fresno was known as an All American City, largely due to the Fulton Mall. She used to shop on the Fulton Mall, but quit shopping on the mall when the quality stores moved away from the Fulton Mall. She stated that it is the quality of stores on the Mall that is the Mall's problem; that the mall itself is beautiful when kept up; and asked the Committee please not to destroy it.

Bob Dwyer, a Fresno CPA and Chairman of 1,000 Friends of Fresno, asked the Committee to keep the Mall the way it is, stating that it is a gem, but is not taken care of or promoted properly. He cited a poll taken by the Fresno Business Journal in which 48% of responders felt the mall should not be taken out and only 46.5% felt it should be. He stated the money spent to tear out the Mall could be better spent to fix it up. He passed a picture book, *Malls of the World*, out to the Committee members, pointing out that Fresno had not promoted its mall; that Fresno has lots of foreign tourists that would enjoy the Mall; that the Mall has a lot of activities.

Sharon Morgan from Chowchilla agrees with the supporters of the mall who have spoken. She recalls when the Fulton Mall had major stores and when she worked on the mall, and it was a wonderful place. She does not think the streets are the problem, but that the question is what is going to be put there to draw a large bunch of people to the mall, no matter the nationality.

Douglas Richert of 1458 W. Chennault, Fresno, CA, thanked the Committee for its efforts. He is in favor of Option #3 of the Fulton Corridor Specific Plan. He asked the Committee to look closely at the figures in the Plan, taking a hard look at the case studies, for one reason because of the cities cited; that the cities are so different from Fresno they are not comparable. For example, 6 of 10 cities cited used data from over 20 years ago; 7 had declining population, versus Fresno's exploding population; 8 cities had population of under 25% of Fresno's population; etc. He stated that these discrepancies caused him great concern; that data from cities not comparable to Fresno should cause a warning flag to the Committee members; that if the data in the Plan was faulty, the predictions were faulty.

Douglas Richert also warned the Committee to pay attention to the Plan's small print. He pointed out on page 8-13 the though the Plan stated that no major retail centers were going to be developed in the area through 2016, it noted that it did not account for Fancher Creek Town Center in its data, which has caused Douglas Richert great concern, because Fancher Creek was a huge competitor to the Fulton Mall. He further stated that the most damaging omission by GPG was on page 8-12, that GPG has not conducted or tested existing data for Fresno's current conditions, even after being paid the seven figures for this Plan. Douglas Richert suggests the figures should be looked at very, very closely. He supports Option #3 concerning the Fulton Mall because he feels it is the only that is economically feasible.

Linda Zachritz, who has had an office on the Fulton Mall since 1988, supports Option #3. She stated that there are assumptions made in the Plan that should be addressed, particularly the initial premise of the entire Plan, that being whether the Fulton Mall is even feasible as a major retail center, and stated there is no evidence of that feasibility in the Plan. She pointed out that with banks, EEOC, the Health Department, the Housing Authority, the IRS, and other governmental entities along the Mall, it was currently more of a civic area than a retail area; not that there could not be retail, just

that it be supportive retail. She stated that if the main premise is unfounded, any plan based on it would fall off a cliff.

Chair Alan Allen asked for further public comments; there were none.

#### B . Comments and Questions from Committee Members

Chair Alan Allen commented that he felt the documents making up the Plan were superb, with all its aspects and the three options; that this format is being used by other cities successfully.

Donovan Byrn commented he did not see in Section 4, speaking to where the artwork is going to be moved to, there is nothing about where the mosaic tiles and benches would be moved if the "rip it out" option goes; that that needed to be addressed.

Donovan Byrn commented that in the section regarding the Civic Center it talked about a lively street scene, but with only government buildings there that closed up at 5:00 p.m., there was nothing addressed about any relocation of housing or evening life. Elliott Balch asked whether he was talking about Civic Center specifically; he confirmed he was.

Donovan Byrn discussed that the figures and cost estimates in the three options were an issue to people he had spoken with, and that Juan, the Project Manager, had said he was going to nail those figures down; that he felt it was important the figures be tightened up before getting into the report that went out to the public. Elliott Balch responded that there was no way to generate precise figures just by sitting at a desk, that that could not be done until they moved past this stage. Donovan Byrn commented that though he understood costs were difficult to estimate because of not knowing what would be found until actually in the project, there seemed to be concern by the public that more current data needed to be obtained so that the numbers would be as accurate as possible based on current data and current prices.

Joyce Aiken brought up the Open Space Improvements, commenting that on page 8-10, the Eaton Plaza was shown as only a tiny little corner in the Plaza improvements, whereas she believed Eaton Plaza filled the whole block. Elliott Balch stated would be open to getting direction from the Committee about that issue, whether that was the right vision or they wanted that entire block to be open. He pointed them to page 3-13, the vision for Mariposa Mall, showing it developing over time into a sort of boulevard that went all the way to City Hall. Joyce Aiken asked if the Committee was being asked to make an immediate decision; Elliott Balch said he no. Chair Alan Allen asked for the page being referred to; Joyce Aiken responded the page was 8-10, "Open Space Improvement," and that number 3 is the code for Eaton Plaza. Elliott Balch commented that 8-10 may be imprecise as shown, that there is existing open space, but the rest is parking. Joyce Aiken reiterated her understanding that Eaton Plaza went all the way to Fresno Street.

Timothy Schulz referred to page 4-14 that shows three options and their existing conditions, citing concern he had heard from Committee members and the public and the strong support voiced at the meeting for Option #3. Looking at the gross retail sales, he pointed out the huge discrepancy in construction costs of a low of \$8 million and the high of \$16 million. For existing conditions, the page reflects a 26% vacancy currently.

Option #3 only decreased the ground floor vacancy rate by 6%, so that, with \$8 million in extra construction costs, of the three it does the least to improve that rate. Elliott Balch responded that Option 3 inherently has more uncertainty than the others because of the uncertainty in what will be found to be working, what not. If everything needed to be rebuilt, the figure would be on the high end. Regarding the vacancies, the differences in those numbers comes out of the economic study of the options and an expectation of what would result.

Timothy Schulz asked where funding was going to come from, though to his understanding EIR fund was already budgeted for, and asked where funding for the Fulton Mall options was coming from, if the Committee knew, whether there were existing grants available and/or grants that they were hoping would become available. Elliott Balch replied that it was closer to the second choice; that the choice of an option had to move in a specific direction; that once the decision moved in a certain direction, that funding possibilities would open up.

Douglas Richert mentioned Measure C as a possible source of money. Elliott Balch agreed, stating that there were sources of money for public works for all kinds, including state, federal, even redevelopment, which would also be a natural fit for funding.

Morgan Doizaki asked whether there was a way to obtain the pre-1964 vacancy figures, before the Fulton Mall, when traffic was going through. Elliott Balch stated he certainly would be interested in seeing them. Chair Alan Allen commented that though he could not say exactly, his recollection of pre-1964, before the Fulton Mall, was that Fulton was a vibrant place and he recalled full occupancy. Maribel Vera-Anaya asked what the current vacancy rate was of the Fulton Mall versus other areas; Elliott Balch replied that an exhaustive study had not been done of every space, but one study found 71% vacancy on the Mall versus 35% a couple of blocks from the Mall, though that was a survey of historic buildings, not ground-floor retail space.

Jan Minami commented that Section 6.4, on page 6-10, identified land use, going specifically by zones. She further commented on the economic study done for the retail numbers in the Plan, relating that she had worked with the man who did that study; that he was a nationally recognized expert in predicting urban area retail sales; that he does it for a living, so has good data from which to build his numbers, so his figures are based on solid statistics.

Morgan Doizaki referenced Kathy Omachi's discussion of Chinatown's tunnels and asked whether if they did find tunnels, whether there was a plan to deal with them and how to deal with them concerning the high speed rail station. He further questioned whether the 0 to 3 years addressed in Section 5.2 referred to three years after the EIR adoption, which Elliott Balch confirmed it did. Morgan Doizaki stated it was important to preserve our history as much as possible. Elliott Balch commented it would be helpful for the Committee to weigh in on preserving Chinatown's tunnels; that the Plan was not just for today but for the future, to 2035; that the Plan was intended to determine what to do with marginal dollars that may be available in the future, what the City should do with its resources. He asked suggested that those Committee members interested in Chinatown should give direction on that subject; what the vision should be.

Polly Parenti stated her interest in Chinatown's two alleyways, requesting that the Form-based Code continue to allow the businesses to face the alleyways along Fagan Alley, as it was part of Chinatown's charm.

Jan Minami made the comment that there were tunnels on both side of the tracks. She further suggested that the Committee should be comfortable with how historical preservation was addressed in the Plan. Elliott Balch interjected that at the Historical Preservation meeting the prior evening, they were viewing the Specific Plan and Development Code, and on 11/14/11 they will reconvene to get that Committee's feedback after they have had a chance to look at it.

Timothy Schulz discussed the "Development Strategies," on page 6-3, under 6.2.4, the Plan called to increase the number of creative industry businesses downtown and that .5 referred to attracting and intensifying the presence of government tenants, then questioned whether a high density of governmental tenants conflicted with an interest in the retail vision in .6. Elliott Balch agreed that whether to encourage government tenancy over retail was a question that needed to be dealt with.

Timothy Schulz pointed out on page 1.3 to two bird's eye views, one showing downtown in 2010 and one showing how it could exist in 2035, both involving the high speed rail system. He questioned the rail's sustainability; that he personally hears more negative than positive feedback regarding high speed rail, one point being the demolition dollars that could be better spent elsewhere. Elliott Balch responded that the City of Fresno did not have control over whether the high speed rail would happen or where the track would be laid; that the Administration's perspective is that Fresno needs to be ready either way, to make downtown great for either alternative. He also noted that people would not want to stop in Fresno on the high speed rail if there was not a vibrant downtown.

Morgan Doizaki discussed Section 5.2 of the Plan, where it states the Fulton Mall was to be the center of downtown activity, asking if that was set in stone. Elliott Balch replied that it was a fundamental part of this Plan.

Jan Minami commented that a good example of a mixed use governmental tenant building existed on the corner of "M" Street and Kern, with several restaurants, a flower shop, Kinko's and other retailers on the ground floor, and the IRS on the top, a good use of a government tenant building.

Morris Reid commented that the revitalization of Fresno has to be done with the Fulton Mall; that better restaurants and hotels would attract conventions to the downtown area.

Cliff Tutelian asked whether guidelines could be included in the documents under which exceptions could be entertained, to facilitate flexibility, stating that with any plan he had dealt with, including the General Plan, questions always come up that need to be addressed; that when looking into the future, it cannot be predicted now what will be needed; that the bottom line was to do their best possible job, but was it possible to put in some guidelines that would allow, for example, a large retailer without triggering a complicated process.

Wilma Quan pointed out that Section 1.9 of the Downtown Development code addressed the process of amending the Specific Plan by the Committee; that it would be the same

process as was now done with the General Plan amendments. Cliff Tutelian summarized if that was so, then as long as a use fits within the parameters of the allowable uses, it was then not an issue. Wilma Quan added that new zoning districts also expanded the uses allowed. Elliott Balch stated that the Form-Based Code is rigid, and is intended to be so, in terms of design, but relatively open in terms of uses in order to encourage a mix uses in proximity to one another.

Cliff Tutelian asked how the Plan contemplates critical mass to attract large retail sales entities, for example the high speed rail station's large concern of residential and retail businesses around the station, and would the City be able to create enough critical mass for the next critical step, beyond the next three to five years. Elliott Balch responded there was an even more fundamental question, that being how the Committee members see the vision for the high speed train station area without the Plan; that if more retail is envisioned around the station, that plan needs to be fleshed out. He further stated that an important part of the station's location is being so close to the Mall, so that people can get off the train and walk to the Mall, studies having shown there was a limit to how far people are generally willing to walk. Elliott Balch requested some specific ideas from the Committee, stating that it was best to use this planning process to make the Code right the way it was, rather than think of ways it might be changed in the future.

Chair Alan Allen asked Cliff to clarify what is meant by "critical mass" and the area being referred to specifically. Cliff Tutelian stated that he was not specifically thinking of the Fulton Mall but the retail industry he hoped to attract. He listed the stadium, the Civic Center, the government buildings, the hospital district, etc., stating that there would be predictable activities that would grow around those areas. He felt one big component that would become significant was the location of the high speed rail station, which he thought would become as significant as the airport; that from the retailers' perspective, to attract citizenry and retailers, high speed rail is important relative to the mall, to allow it to be to be enough mass to bring people in. Elliott Balch replied that there is a lot of flexibility with the use; that different large retailers like Target are experimenting with different frontage store types that fit in an urban context and encourage pedestrian access, and the Plan aims to ensure this kind of design to support the downtown economy.

Cliff Tutelian discussed the concept of the hospital, conventional center, high speed rail, Fulton Mall, trying them to Roeding Park, being a collection of areas, rather than treated as separate areas, and having more of an impact on visitors that way. He further discussed that people working at the high speed rail station would need offices, retail stores and residential areas. All these areas would develop their own personality.

Chair Alan Allen discussed how to tie this Plan to the Code and address that to older, existing buildings that do not meet the Code's requirements, some way to address existing buildings. Elliott Balch suggested one think of an actual existing building and ideas one might have about that building and ask whether the Code works for the building or not; to contribute ways that the Code could work better. Cliff Tutelian added that the Plan was very workable, with defined uses, a big improvement and that the Code, rather than talking in technical language, gives examples, so that an existing building only needed to be compliant.

Elliott Balch called the attention of Chair Alan Allen to the time of 4:48 p.m.

James Haron asked that if he wanted to make changes to the Draft (i.e. regarding gateways and trees) what the process would be and whether vote by the Committee would be necessary. Elliott Balch replied that comments were being taken this evening from the lectern, in the emails up to the time of the meeting, and in any other way received; that each comment was looked at by staff to see whether it was reasonable and could be incorporated into the Plan. He added that having the Committee vote was very helpful, getting feedback from people in the area who are stakeholders.

Joyce Aiken commented that before the meeting was over the other members of the public sitting in the audience should be given a chance to be heard. Chair Alan Allen called the public to comment.

## **V. UNSCHEDULED COMMUNICATIONS**

### **A. Remarks from Members of the Public**

Hal Tokmakian returned to the lectern, asking about the way in which the Fulton Corridor Specific Plan and the Development Code were going to be adopted by the council, whether by resolution or ordinance. Elliott Balch responded that it was their intention to have them adopted by ordinance. Hal Tokmakian stated adoption by ordinance rather than by resolution meant they both would have the standing of law, making them much stronger and less flexible than if they had been adopted by resolution.

Hal Tokmakian discussed that high speed rail and the Specific Plan should be integrated; that the high speed rail is going through its own environmental process, so they are roughly on a parallel timetable; and that he would like the Committee to give real consideration of the two in terms of impact, regarding such things as street closures.

Hal Tokmakian asked that the Committee consider the effect of the Plan on utilities, stating that the utilities system downtown needs upgrading, and asking if there is a significant degree of difference in use, how will the difference between residential and, for example, a parking structure be dealt with; he stated lack of understanding could result in large costs for the City.

Hal Tokmakian strongly suggested an immediate project at the north end of the Fulton Mall be tackled, at Tuolumne, to link the frontage road there. Chair Alan Allen replied he believed it was one of the priorities after adoption of the Plan.

Linda Zachritz thanked Joyce Aiken for bringing up the Eaton Plaza issue. She stated that a Master Plan for Eaton Plaza had been adopted by the City Council; that the Specific Plan should be altered to reflect that Master Plan version of Eaton Plaza, as Eaton Plaza was not just a parking lot and a little corner; and urged the Committee that it needed to ask questions when reading their Plan.

Kathy Omachi of Fresno Chinatown suggested the Committee speak to legal counsel to see which plan supersedes the other, as the high speed rail plan may well supersede the Fulton Corridor Specific Plan. She then discussed vertical development in Salt Lake City and downtown Los Angeles where shopping was on the upper levels.

## **B. Remarks from Committee Members**

Morgan Doizaki asked what government agency was in charge of the high speed rail project and how far along they were in their process. Elliott Balch stated that the agency was the State High Speed Rail Authority and that they had issued draft EIRs for sections going through Fresno, but were redoing the Fresno to Bakersfield section. Morgan Doizaki asked whether the State was going to be finished with their project before the FCSPCAC was finished; Elliot Balch responded that the High Speed Rail Authority's federal funding required that they begin construction in 2012, which put them on a very tight schedule to get moving, so their EIR work was further along than ours.

## **VI. NEXT MEETING**

Chair Alan Allen announced the next meeting of the FCSPCAC to be on November 1 at 3:00 p.m., then asked for a motion to adjourn.

## **VII. CLOSING COMMENTS**

Elliott Balch gave closing statements, asking that the Committee members not let their hours at the meetings be the only time they deal with these issues; rather, encouraging them to meet with others for input on such big picture questions as the high speed train station, the desirability of governmental or retail tenants, protecting Chinatown's underground, and the vision of the Civic Center and Eaton Plaza; that these are issues he would like to hear from the Committee about as they go into the next step of the process.

Chair Alan Allen asked Elliott Balch whether he would email the Committee members guidelines on how to meet with him; Elliott Balch replied he would. A Committee member asked whether it was all right to meet outside of the meetings to discuss issues, to which Elliott replied that it was, and even to include non-committee members, as long as there were 10 committee members or fewer present.

A motion to adjourn the meeting was put forth by Morris Reid and seconded by Donovan Byrn; the motion passed unanimously (m/s/c 14 yes, 0 no).

## **VIII. ADJOURNMENT**

The meeting was adjourned at 5:05 p.m.