

**CITY OF FRESNO - DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT
REQUEST FOR COMMENTS, CONDITIONS, ENVIRONMENTAL ASSESSMENT,
AND ENTITLEMENT APPLICATION REVIEW OF
PLAN AMENDMENT APPLICATION NO. A-13-008 and
CONDITIONAL USE PERMIT APPLICATION NO. C-13-160**

Return Completed Form to:

Sophia Pagoulatos

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Development & Resource Management

2600 Fresno Street, Third Floor

Fresno CA 93721-3604

PROJECT DESCRIPTION AND LOCATION:

Plan Amendment Application No. A-13-008, and Conditional Use Permit Application No. C-13-160 were filed by Development and Resource Management Department Director Jennifer Clark, on behalf of the City of Fresno, and pertain to 7.18± acres of property located on the Fulton Mall in downtown Fresno. **Plan Amendment Application No. A-13-008** proposes to amend the 2025 Fresno General Plan Land Use Element to remove the Open Space/Pedestrian Mall land use designation of the Fulton Mall; amend the Circulation Element to designate the portions of Fulton Street, Kern Street, Mariposa Street, and Merced Street (collectively known as the Fulton Mall) to local street designation; and amend the Central Area Community Plan, respectively. **Conditional Use Permit Application No. C-13-160** proposes to relocate two tot lots currently on the Fulton Mall to an area near the intersection of Mariposa Street and Congo Alley. The property is located in the C-4 (Central Trading) zone district.

APN: 466-172-12 et al

ZONING: C-4

ADDRESS: 800 – 1400 FULTON

DATE ROUTED: January 2, 2014

COMMENT DEADLINE: January 15, 2014

If no response is received by the comment deadline, it will be assumed you have no comments to submit.

WILL THIS PROJECT AFFECT YOUR AGENCY/JURISDICTION? (If yes, specify.)

SUGGESTION(S) TO REDUCE IMPACTS/ADDRESS CONCERNS:

REQUIRED CONDITIONS OF APPROVAL:

IS ANY ADDITIONAL INFORMATION NEEDED FOR YOU TO COMPLETE YOUR REVIEW? (Be specific):

REVIEWED BY: _____

Name and Title

Telephone Number

Date

Council District 3; Central Area Community Plan

Master Application Form #: A-13-008 and C-13-160

Check all that apply:

<input checked="" type="checkbox"/>	Plan Amendment	<input type="checkbox"/>	Site Plan Review	<input type="checkbox"/>	Amendment	<input type="checkbox"/>	Major	<input type="checkbox"/>	Minor
<input type="checkbox"/>	Rezone	<input type="checkbox"/>	Variance	<input type="checkbox"/>	Revised Exhibit	<input type="checkbox"/>	Major	<input type="checkbox"/>	Minor
<input type="checkbox"/>	Conditional Use Permit	<input type="checkbox"/>	Minor Deviation	<input type="checkbox"/>	Easement Encroachment				
<input type="checkbox"/>	Tentative Tract Map	<input type="checkbox"/>	Tentative Parcel Map	<input type="checkbox"/>	Lot Line Adjustment				
<input type="checkbox"/>	Voluntary Parcel Merger	<input type="checkbox"/>	Fresno Green Project	<input type="checkbox"/>	Public Art Project				
<input type="checkbox"/>	Annexation	<input type="checkbox"/>	Other:						

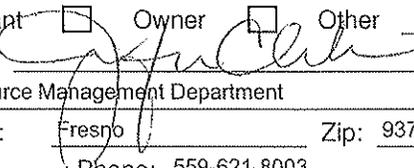
Project Name: Fulton Mall Reconstruction Project
 Project Address: 800-1400 Fulton Street A.P.N. 466-172-12 et al
 Size of Site: _____ Sq. Ft. 7.18 +/- Ac. Historical Project? (Building on registry and/or over 50 yrs. old) N/A
 Project Description (attach additional pages if necessary):
see attached

Zoning Designation: N/A General Plan Designation: See attached
 List all previously approved and/or pending entitlements, associated with this project/site (provide application number(s), if available): _____

Please read carefully before signing or filing.

Submission of this application does not imply approval of this permit by the Planning and Development Department. Application approval will become null and void if it is determined that approval was based on omissions or inaccurate information submitted by the applicant.

PRIMARY CONTACT, check all that apply

Applicant Owner Other _____
 Name: Jennifer Clark Signature: 
 Company/Organization: City of Fresno Development and Resource Management Department
 Address: 2600 Fresno Street City: Fresno Zip: 93721
 Email: jennifer.clark@fresno.gov Phone: 559-621-8003

Check all that apply Applicant Owner Other _____
 Name: _____ Signature: _____
 Company/Organization: _____
 Address: _____ City: _____ Zip: _____
 Email: _____ Phone: _____

Check all that apply Applicant Owner Other _____
 Name: _____ Signature: _____
 Company/Organization: _____
 Address: _____ City: _____ Zip: _____
 Email: _____ Phone: _____

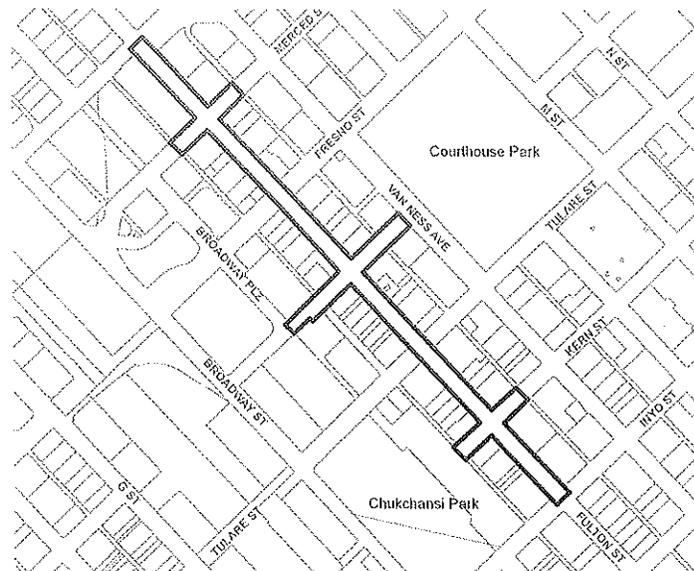
Note: This application will not be accepted for processing without the mandatory attachments. Please see the corresponding **Application Submittal Requirements** for the checklist(s) of required documents.

FOR INTERNAL USE ONLY

Received By:	<u>W. Quan</u>	Date:	<u>11-15-13</u>
Verification By:		Date:	
Application Fee:		EA Fee:	
PZ No:	<u>13-02000008 and</u>	Zone District:	<u>C-4 (Central Trading)</u>

FULTON MALL RECONSTRUCTION PROJECT OPERATIONAL STATEMENT

Project Description: The City of Fresno is proposing the Fulton Mall Reconstruction Project to improve parking and vehicle access to local businesses on Fulton Street in order to maximize sustainable development and economic productivity in conjunction with other downtown redevelopment projects. The Project includes the reintroduction of vehicle traffic along the former City streets of Fulton, Mariposa, Merced, and Kern. The City is proposing two build alternatives for the Project: Alternative 1-Reconnect the Grid on Traditional Streets, and Alternative 2-Reconnect the Grid with Vignettes. The Project also includes relocation of two tot lots, funded with State and federal grant monies, which are currently located in the Fulton Mall. These tot lots will be relocated near the intersection of Mariposa Street and Congo Alley.



Potential Environmental Effects: Based on the findings in the Initial Study, the City has determined that a Project EIR in accordance with Section 15161 of the State CEQA Guidelines will be prepared and will focus on the significant and unavoidable impacts associated with the project. The issues found to result in no impact, less than significant impact, and less than significant after the incorporation of mitigation are considered adequately addressed in the Initial Study. The significant and unavoidable impacts that will be addressed in the Project EIR include historical resources and short-term aesthetics.

Proposed Entitlements -

Plan Amendment No. A-13-008 which proposes to:

- Amend the 2025 General Plan Land Use Element to remove the Open Space/Pedestrian Mall land use designation for the current Fulton Mall area.
- Amend the Circulation Element of the 2025 General Plan from open space/pedestrian mall to local street.
- Amend the Central Area Community Plan (CACP) by making the modifications proposed on the attached document (Central Area Community Plan Amendment.doc), which includes inserting an excerpt entitled the “2013 – Update and Modification to the Central Area Community Plan” at the bottom of page 16 within the CACP. The amendment to the CACP also includes additions and amendments to various objectives and policies to the CACP as shown under #2 on attached document (Central Area Community Plan Amendment.doc).

Conditional Use Permit (filed at a later date) proposes to:

- Establish the new location for the tot lots.

1,772 square foot area) at the Fresno County Economic Opportunities Commission campus near the intersection of Mariposa and Congo Alley.

2.3.2 - Project Option 2

Option 2 consists of reconnecting the street grid similar to Option 1, but would include rebuilding distinctive elements of the Fulton Mall in five to six specific locations, known as “vignettes,” in their exact current size and configuration. The vignettes are intended to preserve existing shade trees and features of the historic Eckbo design, and would include many of the existing elements (sculptures, fountains, pavement pattern, trees, and so on). To accomplish this, the street would have gentle curves that would allow for greater preservation of historic features including fountains, art and existing shade trees. One 11-foot-wide vehicle travel lane would run in each direction and would curve through the vignettes. Outside the vignette areas, the street would straighten, and the landscape would include, where possible, an 8-foot-wide parallel parking lane, as well as a pedestrian-only walking, seating, vegetation, and public art area that varies between 14 and 44 feet wide each side of the street. Within the vignettes, there would be no parking lane, and the existing Fulton Mall landscape elements would be kept intact as much as possible. A total of 52 on-street vehicle parking spaces would be reintroduced along the length of the Fulton Mall, plus 30 new spaces along cross streets. The remaining space on each side of the street would be dedicated to pedestrian travel, seating, vegetation, and artwork. There are existing street rights-of-way adjacent to the new streets within the Mall that would include minor public infrastructure improvements such as new curb locations, traffic signal improvements, and lane stripping. These improvements would provide transitional streetscape to accommodate the project. Under Option 2, the two tot lots present, one located near the corner of Merced and Fulton, and the other located near the corner of Kern and Fulton, would be consolidated into one larger tot lot (approximately 1,772 square foot area) at the Fresno County Economic Opportunities Commission campus near the intersection of Mariposa and Congo Alley.

2.4 - Intended Use of this EIR and Approvals Needed

This EIR prepared for the Fulton Mall Reconstruction Project would be used by Lead Agency (City of Fresno) and the Responsible Agencies (National Park Service through the California Department of Parks and Recreation and the California Department of Parks and Recreation [State Parks Office of Grants and Local Services]). This EIR will be used as the supporting environmental documentation for the following project approvals.

City of Fresno

- General Plan Circulation and Land Use Elements Amendment - An amendment to the 2025 Fresno General Plan Circulation Element is required to designate the portions of Fulton Street, Kern Street, Mariposa Street, and Merced Street that are collectively known as Fulton Mall to Local Streets. Currently, Fulton Mall does not have a roadway classification on the City of Fresno Circulation Element Map. An amendment to the 2025 Fresno General Plan Land Use Element Land Use Map is required to remove the “Open Space” designation for the Fulton Mall.

Project Description

- Plans and Specifications - Approval of the plans and specifications for the street improvements.
- Construction funds - Approval of allocating construction funds
- Central Area Community Plan (CACP) Amendment - Amend the narrative and policies found on pages 84 through 93 of the CACP related to keeping the Fulton Mall a pedestrian mall to provide for complete streets.
- Conditional Use Permit - Approval of a conditional use permit is required for the construction and use of a new Tot Lot that will replace the Tot Lots currently on the Fulton Mall.
- Property Acquisition - Approval is required for the acquisition of the small parcel on which the new Tot Lot will be located.
- Fresno Municipal Code (FMC) Amendments - Amendments to various FMC sections regulating the Fulton Mall, including FMC, sections 14-1801 et seq., will be required to allow for the access and uses contemplated by the project.

National Park Service through the California Department of Parks and Recreation

In addition to the above project approvals, the following approval is required from the National Park Service through the California Department of Parks and Recreation.

- Relocation and Consolidation of Tot Lots - Administrative approval for the modifications of the two existing tot lot properties previously funded through the Land and Water Conservation Fund and consolidate both tot lots located within Fulton Mall into one larger tot lot at the Fresno County Economic Opportunities Commission campus near the intersection of Mariposa and Congo Alley.

California Department of Parks and Recreation (State Parks Office of Grants and Local Services)

The following approval is also required by the California Department of Parks and Recreation.

- Relocation and Consolidation of Tot Lots - Approval is required to modify the two existing tot lot properties previously funded with Proposition 40 funds and consolidate both tot lots within Fulton Mall into one larger tot lot at the Fresno County Economic Opportunities Commission campus near the intersection of Mariposa and Congo Alley.

**City of Fresno Fulton Mall Reconstruction Project
General Plan Amendment Application No. A-13-008**

Proposed Changes to the Central Area Community Plan

1. Insert after page 16 – end of Background section:

2.7 2013 – Update and Modification to Central Area Community Plan

The City of Fresno adopted the Central Area Community Plan in 1989, at the midpoint in the life of the Fulton Mall from 1964 to the present. Most of the pedestrian malls that would be installed in American downtowns had by then been constructed and, as the 1989 Plan language alludes to, some malls that were unsuccessful had already started being reopened. This trend continued briskly in the years after the 1989 Plan adoption. A 2013 pedestrian mall survey by the Downtown Fresno Partnership, which includes 70 malls known to have been reopened, finds that 17 had been reopened by 1989, 38 were reopened in 1990 or later, and 15 others were reopened at a date uncertain. Planners and community members may or may not have anticipated the trend continuing and accelerating in the late 1980s, but it is unmistakable in retrospect today.

The 1989 Plan indicated that the success or failure of American and European pedestrian malls “is not determined by the presence or absence of motor vehicles, but rather, by the overall economic health of the area in which a mall is located, and the relationship between the pedestrian area and various significant activity centers.” But in recent years, surveys and interviews with downtown managers around the country have revealed that projects to reopen pedestrian malls to vehicular traffic have, in various cases, either been a response to depressed economic conditions on and around a mall, or accompanied the economic reawakening of a downtown area, or both, such that the reopening was a key catalyst to the overall revitalization of the urban center.

Events of the late 1980s left the Fulton Mall economy in a “deep freeze” that planners and community members may also not have fully foreseen in 1989. Following the 1970 closure of the Mall’s Montgomery Ward store and the 1986 closure of the JC Penney store, in 1988, Gottschalk’s closed its original, flagship store on the Fulton Mall. Despite the clear downward trend, when the Central Area Community Plan was adopted in 1989, planners and community members could not have known how long or how deep the economic impact of this last closure would be on the entire Mall. Fulton Mall properties lost 90% of their value in the early 1990s and were often picked up at bargain prices. Incredibly, on a per-square-foot basis, Fulton Mall commercial buildings that were supposed to be revenue-producing could be bought for a fraction of the price of typical Fresno single-family homes, which were generally not supposed to be revenue-producing.

Even today, some 25 years later, the Fulton Mall economy has not substantially recovered from the loss of its anchor stores. A 2012 urban decay study found the vacancy rates of office and major retail space along the Fulton Mall are 46.1% and 34.9%, respectively, which are

more than triple the rates for the Downtown office market and the nearby Kings Canyon retail corridor. A 2010 survey found historic buildings are 71% vacant along the Mall, versus 35% elsewhere in Downtown. These high vacancies harm the image and the reality of activity in the area. The 2012 study also found that office lease rates along the Mall average \$1.03 per sq. ft. per month, much lower than the average citywide (\$1.68) and Downtown (\$1.41). The study found retail sales on the Mall are \$79 per sq. ft. per year, much lower than on the Kings Canyon corridor (\$203) or citywide (\$274). Such low revenues harm Mall business owners and yield less working capital for building upkeep.

The Mall has suffered by other measures as well. The rate of reported graffiti incidents per acre during a six-month period in 2012 was 3.2 times greater along the Fulton Mall than in the rest of Downtown. The 2012 urban decay study found the rate of reported larceny/theft crimes per acre in the Fulton Mall area was 19 times greater than the citywide average.

Downtown Fresno and the Fulton Mall district today face very different challenges from those confronted by the local civic and business leaders in the late 1950s and early 1960s who boldly undertook the pedestrian mall experiment. Then, the challenge was one of fortifying a successful, well known urban “Main Street” from suburban competition. At the debut of the “Fresno Mall” and in the years following, visitors from throughout the region were being asked to continue coming to a place they had grown up with, whose stores they knew well, now in a setting redesigned to mirror the tranquil, suburban shopping mall experience that customers seemed newly to be craving.

Today Downtown leaders face the challenge of reintroducing the Fulton Mall and its buildings and businesses to a Fresno community and region that largely has grown accustomed, over the course of two generations, to avoiding the area on most days of the year. This challenge is not unique to Fresno; it is the same one American cities have faced time and again in the 25 years since 1989, in response to the post-World War II suburban development boom. But it is a challenge that requires doing things differently. Being serious about attracting new visitors and customers means making businesses and buildings along the Mall accessible and visible to the greatest possible array of Fresnoans, not just the most intrepid, who arrive and browse by the mix of travel modes that reflects their lives generally. Relieving Fresnoans of their reliance on automobiles is an important goal in light of local air quality and obesity challenges, but even among cities with more advanced public transit systems and widespread transit use, multimodal streets are the norm, and pedestrian malls that exclude automobiles are rare.

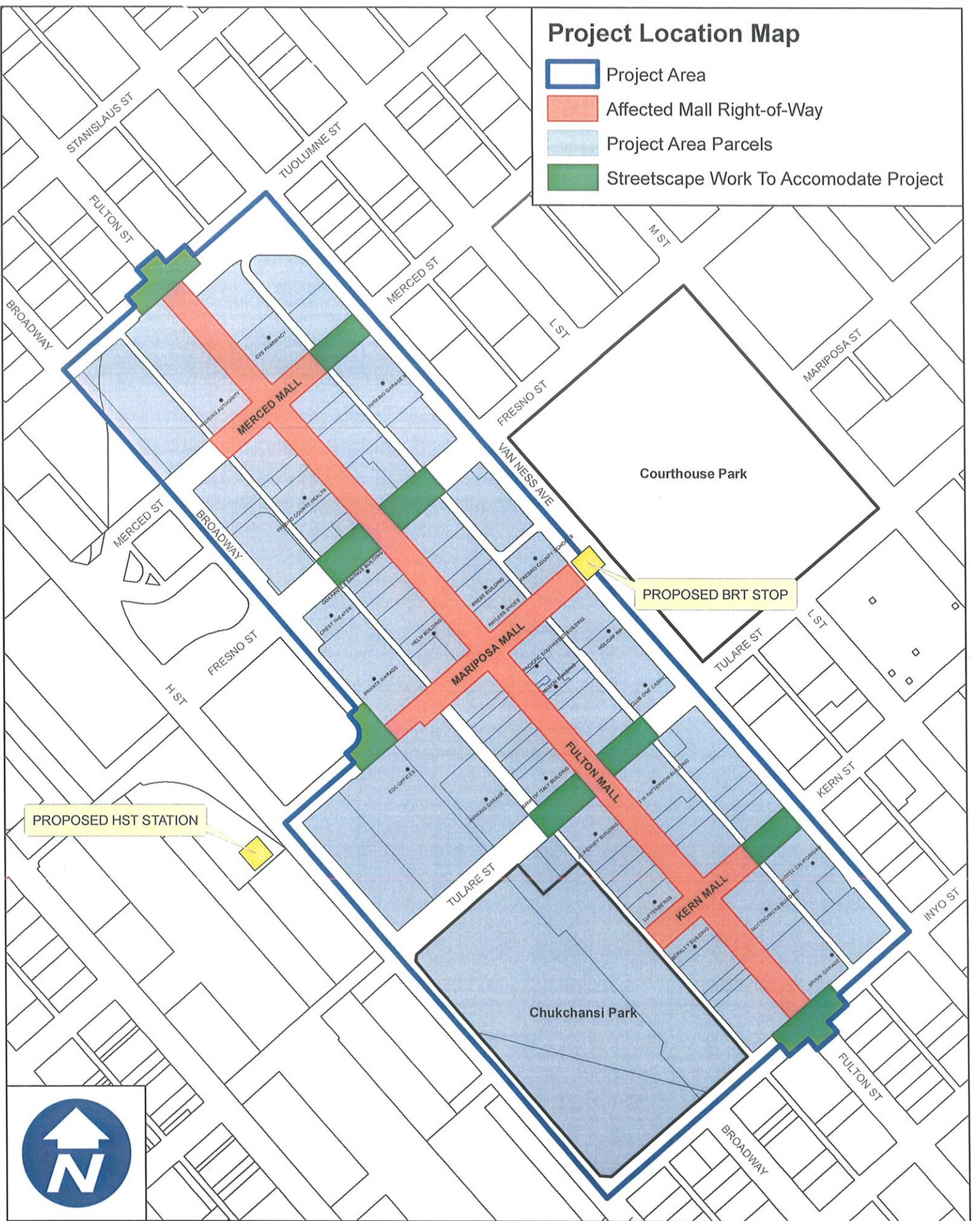
Pedestrian mall surveys reveal that over and over, cities have found that the reintroduction of a mix of vehicle, bicycle, and pedestrian travel modes on their Main Streets, alongside public transit, has been an important component in successful efforts to reawaken economic activity, foot traffic, and investment in their downtowns. These cities have discovered that despite — or perhaps because of — the proliferation of suburban amenities such as monolithic shopping centers, Americans love their Downtowns and find unique value in the bustle and walkability of a vibrant Main Street. In fact, stories of mall developers remodeling their properties to replicate an urban, mixed-use, multimodal street character have begun appearing in the suburban areas of cities across the country.

2. The following are additional proposed changes to the Central Area Community Plan:

- Page 38, amend to refer to redesigned street.
- Page 52 - delete “support pedestrian malls”
- Page 52 – add COM 1-2 a. “return vehicles to Fulton Mall.”
- Page 53 – delete from COM 2-4 “pedestrian malls”
- Page 53 – delete from COM 2-5 “pedestrian malls”
- Page 82- Add TRA 2-7 “reintroduce vehicles to Fulton Mall”
- Page 160- Delete Urb 5-4
- Page 182 - Add Eco 4-8 “reintroduce vehicles to Fulton Mall”
- Pages 209 through 244 - Delete all of Section 12.3 from Chapter 12.
- To the extent that any other goal, policy, procedure, chapter, section, subsection, provision, clause, sentence, word of the Central Area Community Plan conflicts with the City’s policy to reintroduce vehicle traffic to the Fulton Mall it shall be considered unlawful and considered severed.

Project Location Map

-  Project Area
-  Affected Mall Right-of-Way
-  Project Area Parcels
-  Streetscape Work To Accomodate Project



PROPOSED HST STATION

PROPOSED BRT STOP



Miles

