

Appendix D: NOP and Scoping Comments

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D.1 - Notice of Preparation

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NOTICE OF PREPARATION AND SCOPING MEETING

To: INTERESTED PARTIES

(Agency)

(Address)

Subject: Notice of Preparation for a Draft Environmental Impact Report and Scoping Meeting

Lead Agency:

Agency: City of Fresno, DARM Department

Street Address: 2600 Fresno Street, Room 3076

City/State/Zip: Fresno, California 93721

Contact: Sophia Pagoulatos, Planning Manager

Consulting Firm (if applicable):

Firm Name: FirstCarbon Solutions, Inc.

Street Address: 250 Commerce, Suite 250

City/State/Zip: Irvine, CA 92602

Contact: Jason Brandman, Vice President

The City of Fresno hereby gives notice to the public, agencies, and Native American tribes that the City of Fresno intends to prepare an Environmental Impact Report (EIR) for the Downtown Neighborhoods Community Plan, Fulton Corridor Specific Plan, and Downtown Development Code Project located in the City of Fresno, Fresno County, California.

Project Title: EIR for Downtown Neighborhoods Community Plan, Fulton Corridor Specific Plan, and Downtown Development Code

Project Location: City of Fresno Fresno
City (nearest) County

Project Description (brief): The City of Fresno intends to introduce and adopt a new Downtown Neighborhoods Community Plan (DNCP) for the residential neighborhoods surrounding Downtown and the Fulton Corridor Specific Plan (FCSP) for the core of Downtown, a Downtown Development Code that will apply within the boundaries of the DNCP; make amendments to the City of Fresno General Plan and various Community Plans, and repeal various Community and Specific plans necessary to implement the DNCP and FCSP once adopted. A previous Notice of Preparation for this project was issued in April of 2012. In 2013, work on the Downtown Plans and related EIR was put on hold until the pending General Plan update was completed, deliberated and adopted in December 2014. Since a new General Plan and Master Environmental Impact Report ("MEIR") are now in place, the planning context for the Downtown Plans and Code and related EIR has changed. In addition, after the first NOP was issued the City was awarded a large federal grant to convert the Fulton Mall back into a more traditional street. In February, 2014 the City Council certified an EIR and approved the Fulton Mall Reconstruction Project that will convert the Fulton Mall into a complete street while incorporating all of the artwork and many of the features of the current mall design. The Downtown Plans and Code have been updated to incorporate changes to the planning context, existing conditions since 2012 and any text related to the Fulton Mall,

but their vision and policy direction remains consistent with that established in 2012. This Notice of Preparation is being issued to provide maximum transparency and opportunity to comment given the changes in planning context described above.

The City of Fresno will act as the lead agency in accordance with the California Environmental Quality Act (CEQA). The EIR will be prepared to satisfy requirements of CEQA (Public Resources Code 21000 et seq.) and the State CEQA Guidelines (14 California Code of Regulations 15000 et seq.) (hereinafter, collectively referred to as CEQA unless otherwise specified).

All interested parties are invited to comment on the scope and content of the EIR. Additionally, in compliance with CEQA, this Notice is being sent to notify Responsible Agencies, Trustee Agencies, and involved federal agencies. This Notice is also being sent to those who commented on the previous NOP in 2012.

Comments on the scope of the Draft EIR should focus on what significant environmental issues, reasonable alternatives to the Project and mitigation measures should be identified and analyzed in the Draft EIR. The City of Fresno Development and Resource Management Department shall consider comments received in response to this Notice of Preparation in determining the scope and content of the EIR for this project.

A more detailed project description, location description including diagrams, and statement of the potential environmental effects are contained in the attached materials. A copy of the Initial Study (IS) ☐ is ☒ is not attached.

POTENTIAL ENVIRONMENTAL EFFECTS OF THE PROJECT

Based upon its preliminary evaluation of the Project, the City of Fresno has determined that the Project has the potential to cause significant environmental impacts to the following environmental factors, which will be specifically identified and analyzed in the EIR for this project:

- Aesthetics
- Agricultural Resources
- Air Quality and Greenhouse Gas Emissions
- Cultural Resources, including Tribal Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population and Housing
- Public Services
- Transportation and Traffic
- Utilities and Service Systems

The City of Fresno has determined that there is not a likelihood of potentially significant effects related to the environmental topics listed below. The City proposes that the EIR indicate the reasons why these effects were determined not to be significant and are therefore not going to be addressed in detail in the EIR:

- Biological Resources
- Mineral Resources

The City of Fresno Development and Resource Management Department has made this NOP available to the public online at www.fresnodowntownplans.com. Additionally, hardcopies of this NOP are available for public review at the following civic institutions within the City of Fresno: City Clerk, City Hall (2600 Fresno Street, Room 2133 Fresno, California 93721), Central Library (2420 Mariposa Street, Fresno, California 93721), and West Fresno Branch Library (188 East California Avenue, Fresno California 93706).

The City of Fresno Development and Resource Management Department considers comments received in response to this Notice of Preparation in determining the scope and content of the EIR for this project. Any comments provided should identify specific topics of environmental concern and your reason for suggesting the study of these topics in the EIR. **The 30-day public comment period for this NOP is from Tuesday, September 8, 2015 through Thursday October 8, 2015.**

The City of Fresno will host a public scoping meeting for this proposed project's EIR scope at City Hall in the Council Chambers, 2600 Fresno Street, 2nd Floor, Fresno, California, 93721 on Thursday September 29, 2015 at 5:30 PM. This public scoping meeting will provide a brief overview of CEQA and its processes as they pertain to the proposed project as well as provide a venue to solicit comments from the public and other governmental entities regarding the scope and content of the EIR.

Please provide your NOP comments in writing to:

City of Fresno Development and Resource Management Department
Attention: Sophia Pagoulatos, Planning Manager
2600 Fresno Street, Room 3076
Fresno, California 93721

Thank you for your participation in the environmental review of this project.

Date: September 4, 2015

Signature:

Title:

Telephone:

Planning Manager

(559) 621-8062

DOWNTOWN NEIGHBORHOODS COMMUNITY PLAN (DNCP) AND FULTON CORRIDOR SPECIFIC PLAN (FCSP)

1.1 - Project Location and Boundaries

Fresno is located in the heart of California's San Joaquin Valley, approximately 190 miles southeast of San Francisco and 220 miles northwest of Los Angeles. The San Joaquin Valley is one of the largest and most productive farming regions in the world. Fresno, the regional city for the central San Joaquin Valley, is also the gateway to Yosemite National Park, Sierra National Forest, Kings Canyon National Park, and Sequoia National Park. Regional access to Fresno from the north and south is provided by State Routes 99 and 41, from the west by State Route 180, and from the east by State Routes 168 and 180.

The Downtown Neighborhoods Community Plan (DNCP) area is located within the southern portion of the City as shown in Figure 1 (Location of DNCP and FCSP within City of Fresno) and covers 7,290 acres. It is generally bounded to the east by Chestnut Avenue, to the south by Church Avenue, to the west by Thorne, West, and Marks Avenues, and to the north by State Route 180 as shown in Figure 2 (DNCP and FCSP Boundaries). Along the western side of the Plan Area, the boundaries extend as far north as Clinton Avenue. The project area is divided by State Routes 99, 41, and 180, as well as the Union Pacific and BNSF railroad right-of-ways.

Within the boundaries of the DNCP is the Fulton Corridor Specific Plan (FCSP) as shown in Figure 2 (DNCP and FCSP Boundaries). The FCSP area covers approximately 655 acres and is generally bounded to the north by Divisadero Street, to the west by State Route 99, to the south by State Route 41, and to the east by N Street, O Street, and the alley between M and N Streets. The Plan Area is divided by the Union Pacific railroad right-of- way.

The Downtown Development Code is a form-based code that contains most of the standards and requirements for development and land use activity within the boundaries of the DNCP and FCSP. It enables the variety of intended outcomes described in the Project Vision of each plan and would apply to all property within the boundaries of the DNCP and the FCSP.

Figure 1: Location of DNCP and FCSP within the City of Fresno

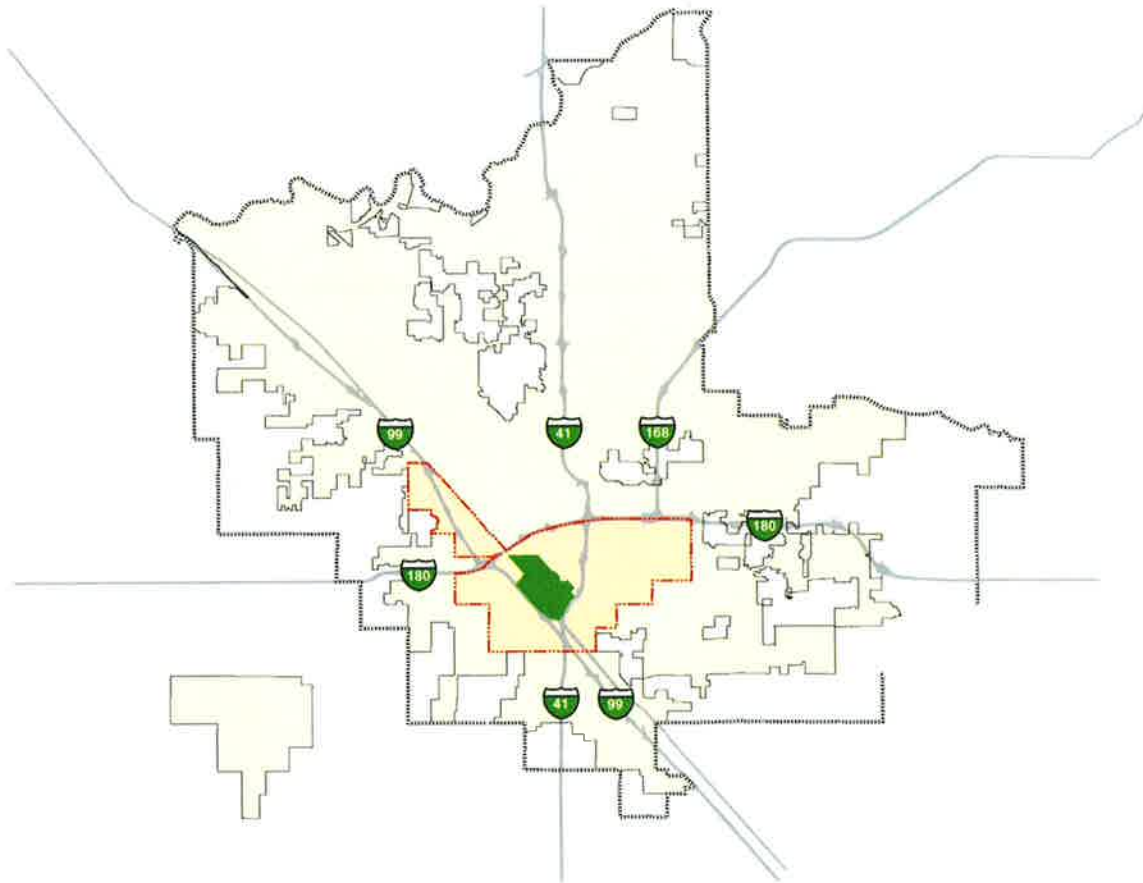
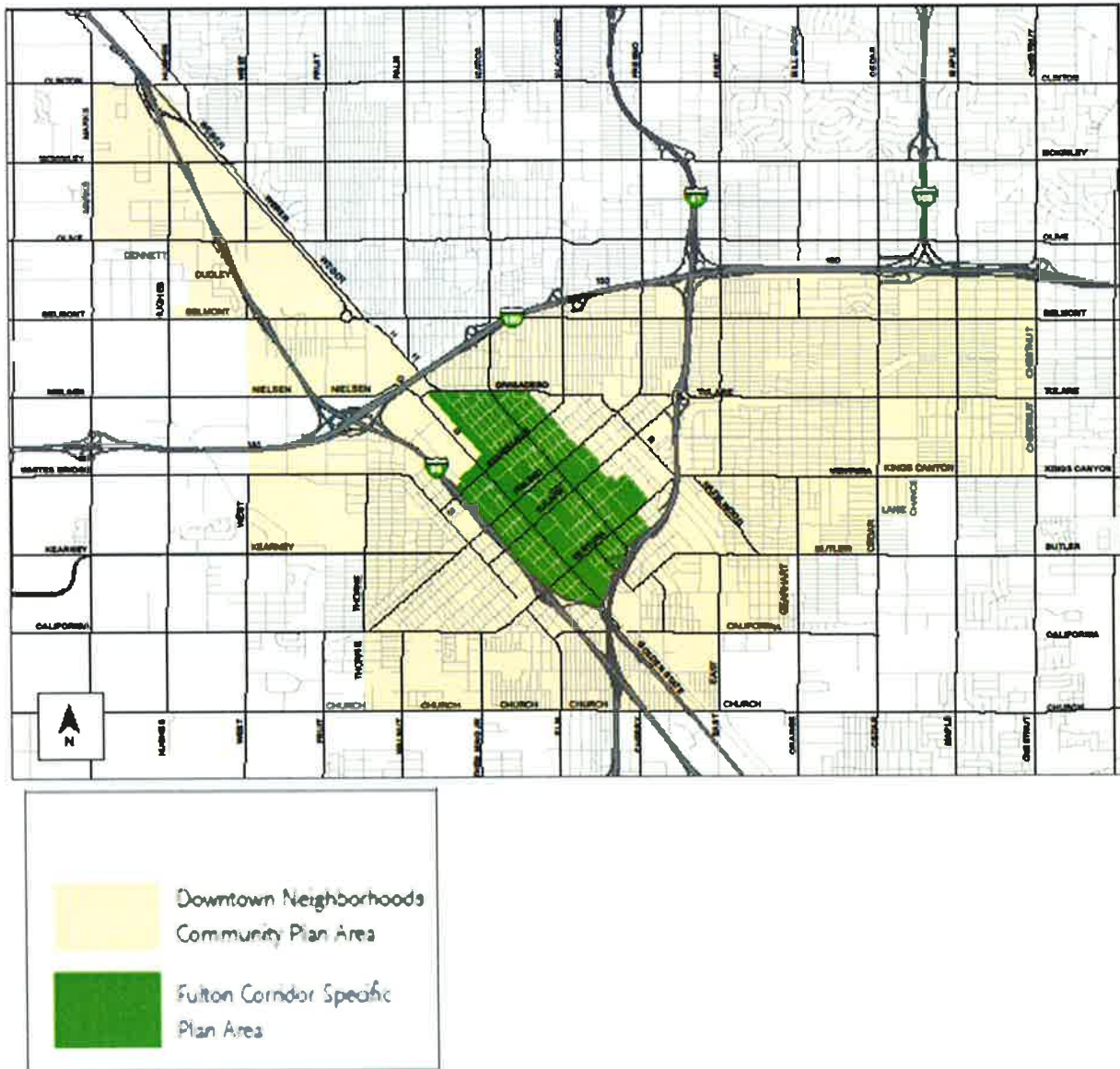


Figure 2: DNCP and FCSP Bowtdaries



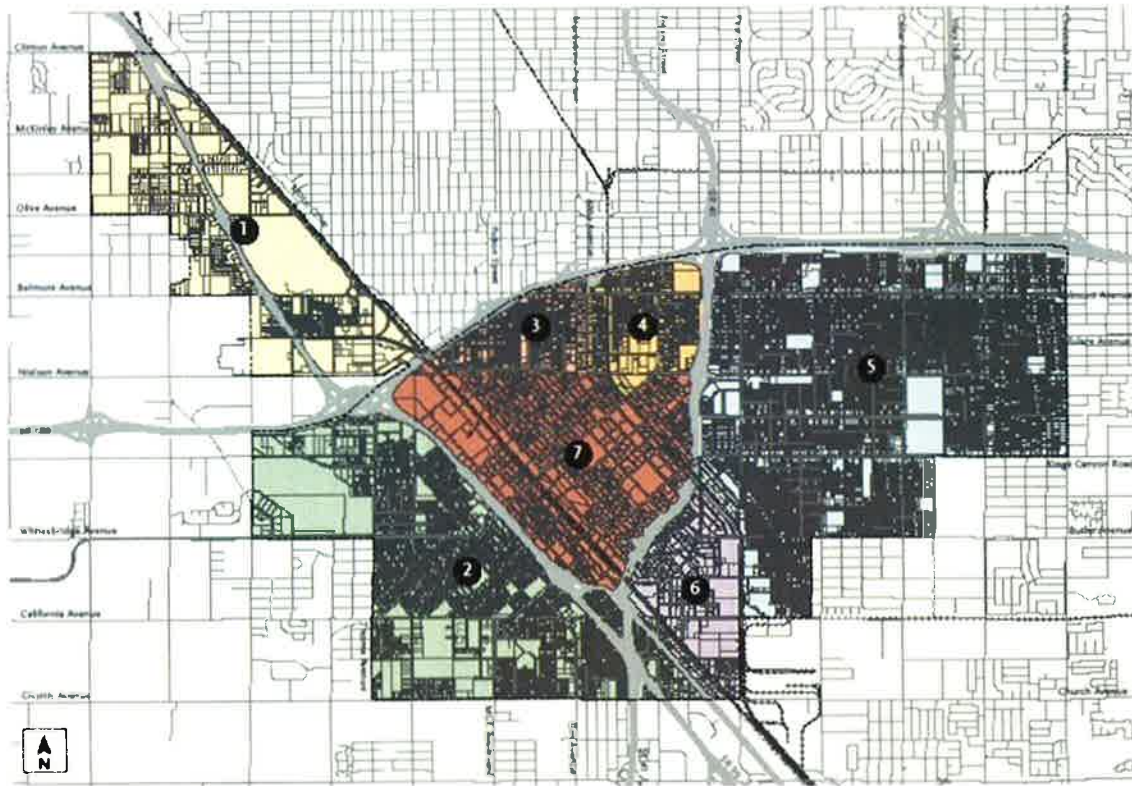
1.2 - DNCP Subareas

In order to effectively deal with the large geographic area and comprehensive social challenges of the Community Plan, its 7,290-acre Plan Area has been divided into seven subareas as shown in Figure 3 (DNCP Subareas). In this way, the particulars of each area can be described, understood, and addressed in terms of policy changes with sufficient detail that results in meaningful changes in the future. The seven subareas that comprise the DNCP's geography are:

- **Jane Addams Neighborhoods.** The 1,155-acre Jane Addams Neighborhoods are more rural in character than other subareas. The subarea forms the agricultural edge of west Fresno and is largely disconnected from the east and south by freeways and includes Roeding Park and Fresno Chaffee Zoo.
- **Southwest Neighborhoods.** The Southwest Neighborhoods subarea is primarily residential in character and contains some of Fresno's oldest neighborhoods. The 1,560-acre subarea is the center of Fresno's African-American community. Fresno Chandler Downtown Airport is within its boundaries.
- **Lowell Neighborhood.** Lowell Neighborhood encompasses 225 acres and lies adjacent to the Downtown area. The neighborhood contains some of Fresno's oldest homes and has strong historic character, but is disconnected from neighborhoods to the north and west by State Routes 99 and 180.
- **Jefferson Neighborhood.** The Jefferson Neighborhood is also adjacent to Downtown, but is divided in two by the BNSF railroad alignment and disconnected from neighborhoods to the north and east by State Routes 41 and 180. The 290-acre neighborhood contains some of Fresno's oldest homes, although the historic character is diminishing.
- **Southeast Neighborhoods.** The Southeast Neighborhoods are predominantly residential, comprised primarily of single-family houses with isolated concentrations of multi-family dwellings. The 2,400-acre area suffers from a lack of neighborhood identity and a limited number of public parks.
- **South Van Ness Industrial District.** South Van Ness is a 390-acre area principally comprised of old warehouses and industrial buildings. In many places, more recent industrial mega-blocks interrupt the late 19th century street network and the area is lacking in street trees.
- **Downtown.** Downtown is comprised of seven distinct districts that are discussed in the FCSP.

These distinct subareas have emerged over the last 100 years. They are distinguished by their location, their initial development patterns, and their economic, physical, and social evolution. Each subarea has its own unique character and is faced with its own set of issues and opportunities as summarized in the following pages.

Figure 3: DNCP Subareas



1. Jane Addams Neighborhood
2. Southwest Neighborhoods
3. Lowell Neighborhood
4. Jefferson Neighborhood
5. Southeast Neighborhood
6. South Van Ness Industrial District
7. Downtown

1.3 - FCSP Districts

There are seven distinct districts within the FCSP boundaries:

- **Central Business District.** The Central Business District (CBD) is Fresno's traditional business and commercial center. It includes the Fulton Mall, which is scheduled for conversion back into a complete street, and its physical configuration is unmistakably that of a metropolitan urban center. The CBD is bounded by Tuolumne Street to the north, the alley between Van Ness Avenue and L Street to the east, Inyo Street to the south, and the Union Pacific railroad tracks to the west.
- **Cultural Arts District.** The Cultural Arts District is a mostly industrial and commercial district of smaller urban loft buildings that is being reclaimed with fashionable new housing and mixed use projects. The district is bounded by Tuolumne Street to the south, the Union Pacific railroad tracks to the west, Divisadero Street to the north, and the alley between M and N Streets on the east.
- **Civic Center.** The Civic Center is bounded by Merced Street to the north, the BNSF railroad tracks to the east, Inyo Street to the south, and the alley between Van Ness Avenue and L Street to the west. Located within its boundaries are many municipal, County, state, and federal government buildings, including City Hall, the Fresno Police Headquarters, the Fresno County Free Library, and the County Courthouse.
- **South Stadium District.** The South Stadium district is bounded by SR 41 to the south, the Union Pacific railroad to the west, Inyo Street to the north, and the alley between Van Ness Avenue and L Street to the east. This district is also an industrial and commercial district peripheral to the CBD that is now beginning to be redeveloped on the same basis as the Cultural Arts district.
- **Chinatown.** One of the oldest and most historically significant areas of Fresno, Chinatown originally comprised the area bounded by what is now State Route 99 to the west, Ventura Avenue to the south, H Street to the east, and Fresno Street to the north. The FCSP modifies the boundaries by extending them northward to include the properties just north of Stanislaus Street, and southward to where Golden State Boulevard intersects State Route 41. The Union Pacific railroad tracks form the eastern boundary.
- **Armenian Town/Convention Center.** This district is roughly bounded by Inyo Street to the north, O Street to the east, SR 41 to the south, and the alley between L Street and Van Ness Avenue to the west. As its name suggests, it comprises the remaining half of what was Armenian Town and contains the Fresno Convention Center.
- **Divisadero Triangle.** The Divisadero Triangle is roughly bounded by Merced Street to the south, the BNSF railroad tracks to the east, Divisadero Street to the north, and the alley between L Street and Van Ness Avenue to the west. The district has suffered from poor patterns of redevelopment, yet contains well-formed streets, a variety of uses and distinctive buildings, including housing.

These are among the oldest, most diverse, and most densely developed areas in the City of Fresno. The boundaries of the districts, as shown in Figure 4 (FCSP Districts), were determined primarily by the unique character of each district, which in turn was based largely upon their physical form at the time they were built and the role each played in the context of the City.

Figure 4: FCSP Districts



1. Central Business District
2. Cultural Arts District
3. Civic Center District
4. South Stadium District
5. Chinatown District
6. Armenian Town/Convention Center District
7. Divisadero Triangle District

1.4 - Planning Horizon

To ensure rational, managed development of the FCSP and DNCP Plan Areas, the planning horizon for the Specific Plan is the year 2035, consistent with the recently adopted Fresno General Plan (2014).

1.4.1 - Existing Physical Conditions

Downtown Neighborhoods Community Plan

The majority of the neighborhoods within the Plan Area are comprised predominantly of single-family houses, although some neighborhoods, such as Lowell, Jefferson, and portions of Southwest and Southeast Fresno contain a mix of single-family and multi-family housing types. The majority of the post-World War II multi-family buildings are too large for their site, turn their backs to the street, overwhelm their neighbors, are poorly maintained, lack sufficient amenities such as usable private outdoor space, provide substandard living conditions for many residents, and have had a severe negative impact on the economic value of these neighborhoods.

The corridors that separate the various neighborhoods are difficult to differentiate from one another and are designed to move traffic quickly and efficiently without regard to pedestrians, cyclists, or transit users. Their right-of-ways are uniformly wide, devoid of street trees, and the majority of the buildings that line them have parking lots located between the building and the street. There are, however, several places, such as along Tulare Avenue and Belmont Avenue between Cedar and Barton Avenues, where pedestrian-oriented buildings are built close to the street and are accessed from the adjacent sidewalk. These places were traditional neighborhood centers and will be revitalized. This Plan and the accompanying Downtown Development Code will enable their revitalization and expansion.

The Plan Area contains older, established neighborhoods with the vast majority of housing units built before 1980 and nearly 20 percent built before 1939. The Lowell, Jefferson, and Southeast neighborhoods have the greatest share of units built before 1980.

The residential vacancy rate is well above the City average and most dwellings are rental units. Overall, 10 percent of units are vacant, well above what is considered by the real estate market to be a healthy rate of 5 percent. Vacancy rates are highest in the Downtown, Lowell, and Jefferson neighborhoods, and lowest in the Southwest and Southeast neighborhoods. The Plan Area has an owner occupancy rate of 36 percent, compared to 49 percent in the City and 58 percent in the state. The lowest owner occupancy rates can be found in the Downtown and Lowell neighborhoods. Jane Addams and the Southeast neighborhoods have the highest owner occupancy rates of 46 and 44 percent, respectively.

The quality, quantity, and type of parks and open space in the Plan Area are mixed and access to existing park space is generally limited. The Plan Area contains Roeding Park, located in the Jane Addams neighborhoods - one of Fresno's three regional City parks. It is home to the Fresno Chaffee Zoo, and the Storyland and Playland amusement parks. In the western half of the Plan Area, there are many public parks located within 0.5 mile of most residences and businesses. Public parks in the eastern half of the Plan Area and within the Jane Addams Neighborhoods (other than Roeding Park) are noticeably absent.

The Downtown Neighborhoods are served by many schools, but access to their playing fields and playgrounds is limited to children attending the schools and only during school hours.

Street tree coverage in the Plan Area is uneven. The neighborhoods and districts south of State Route 180 have a relatively good street tree character, with many of them having more than 50 percent of their street length lined by mature street trees. In the Jane Addams Neighborhoods, however, street trees are noticeably absent. Moreover, there are almost no street trees within the areas zoned for commercial, manufacturing, and industrial use, or along major thoroughfares such as Belmont, Tulare, and Cedar Avenues.

Fulton Corridor Specific Plan

Downtown is the oldest part of Fresno and contains the highest number of historic resources in the region. It is also home to some of the most important civic and entertainment resources in the San Joaquin Valley, including City, County, state, and federal office buildings, the Fresno Convention & Entertainment Center, several museums, and Chukchansi Park. It is one of the largest job centers in the region, holding approximately 30,000 jobs and it continues to be an attractive location for government offices, legal, and medical services and features a stable base of office employment due to its concentration of public sector employment. However, despite these venues, attractions, and jobs, Downtown currently suffers from a very high retail and office vacancy rate and is inactive outside of business hours.

The most common building types are mixed-use buildings, theaters, civic/institutional buildings, and industrial warehouses. With the exception of the Cultural Arts District, which features several recently built multi-family and mixed-use projects, there are relatively few residential buildings within the Downtown area.

Over the years, many significant or simply good urban buildings have been demolished and have been replaced with vacant land and parking lots. Vacant parcels are especially prevalent along the Union Pacific railroad tracks, within Chinatown and in the Cultural Arts District. These vacant parcels contribute to further disinvestment and abandonment, as they advertise the fact that Downtown is in a declining state.

The Downtown street network, like that of Southwest Fresno, is distinguished from that of the rest of the City by its 45-degree orientation in relation to the cardinal directions. The meeting of the two grids at Divisadero Street generates a number of visually prominent building sites, but also particularly confusing traffic patterns. This, along with several one-way and discontinuous streets Downtown, creates a particularly disorienting environment for motorists to navigate.

As with other parts of the Plan Area, Downtown is separated from the rest of the City by freeways and railroad tracks, hampering vehicular and especially pedestrian connectivity. The freeways also encourage motorists to bypass Downtown altogether. In general, Downtown streets are wide and often absent of street trees and pedestrian traffic- supporting amenities.

Downtown Fresno contains a number of thoroughfares that have been vacated to create pedestrian-only streets, most notably the Fulton Mall. Other closures include Mariposa Street between M and N Streets, and between O and P Streets. The malls were originally installed to concentrate pedestrian activity and

bolster the retail performance of Downtown, but over time have failed at generating a vibrant street life and commercial success. As stated above, to address some of these issues in February 2014, the City approved the Fulton Mall Reconstruction Project that will convert the Fulton Mall back into a more traditional street while incorporating “complete street” principles.

Much of Downtown’s existing water distribution system is over 50 years old, and improvements are needed to strengthen its sufficiency and reliability for existing customers, as well as to provide adequate water supply and fire flow for the projected population growth engendered in this Plan. Sewer capacity upgrades are also needed to accommodate the projected population growth and associated wastewater demand increases.

Existing Land Uses and Land Use Regulations

The DNCP and FCSP plan areas are divided up into approximately twelve planned land-use classifications and 40 zone districts. Residential, commercial, and industrial are the principal existing land use types, as shown in Table 1 (Existing Development by Land Use).

Table 1: Existing Development by Land Use Type¹

Land Use	DNCP (excl. FCSP)	Quantity FCSP	DNCP + FCSP
Residential (units)	15,953	1,065	17,018
Office (sf)	597,805	3,131,270	3,729,075
Retail (sf)	5,380,247	1,370,687	6,750,934
Hospitality (sf)	1,155,274	856,629	2,011,903
Industrial (sf)	6,932,355	570,222	7,502,577
Public Facilities (sf)	5,478,487	1,570,326	7,048,813
Open Conservation (acres)	251.69	14.78	266.47
Agriculture (acres)	10.70	0	10.70
Vacant Land (acres)	235.83	44.94	280.77

Outside of Downtown, the Community Plan Area is predominantly residential in character, most of it zoned for single-family housing. Lowell, Jefferson, and Southwest Fresno also contain concentrations of multi-family residential uses. Commercial zoning is concentrated in Downtown, Chinatown, and along the Plan Area’s automobile-oriented corridors, such as Belmont Avenue, Tulare Avenue, and Kings Canyon Road. The majority of parcels zoned for manufacturing are located along the Union Pacific railroad right-of-way, in the South Van Ness Industrial District, south Chinatown, and in the Southwest Neighborhoods near the Fresno Chandler Downtown Airport.

¹ Residential unit counts provided by Strategic Economics in “Economic and Demographic Overview of Fresno Downtown Neighborhoods,” November 2011. Office square footage in FCSP plan area provided by Strategic Economics in “Market Analysis Report: Fulton Corridor Specific Plan,” April 25, 2011. Retail, industrial, and public facilities square footage in FCSP and DNCP plan areas and office square footage in DNCP estimated by tracing buildings in AutoCAD from aerial and estimating uses based upon Google Maps birds-eye view. Open space, agriculture, and vacant lands calculated using GIS.

Parcels without any buildings or parking lots can be found throughout the Plan Area. Vacant parcels are especially prevalent along the Union Pacific railroad tracks in Downtown, along the Southern Pacific railroad tracks in the Jefferson Neighborhood, Chinatown, the Southwest Neighborhoods west of State Route 99, north of Fresno Chandler Airport, and in Jane Addams. These vacant parcels are prime candidates for infill development.

1.5 - Development, Population, and Jobs Potential

The FCSP and DNCP are the result of an intense public process, which involved residents, business owners, and property owners in a series of public meetings, workshops and two six-day open participatory design workshops. The vision of the DNCP and FCSP is based on extensive community input throughout all phases of planning, is implemented through the Downtown Development Code, a form-based code that guides development patterns consistent with the existing scale and character of the plan areas' various neighborhoods districts and corridors. Form-based codes address the relationship between building facades and the public realm (streets and parks), the form and massing of buildings in relation to one another, and the scale and types of streets and blocks. The regulations and standards in form-based codes, presented in both diagrams and words, are keyed to a regulating plan that designates the appropriate form and scale (and therefore, character) of development rather than only distinctions in land-use type.

Therefore, the form of the proposed structures is regulated by the Downtown Development Code, and the amount of development that is anticipated to occur within the two plan areas has been quantified for the purposes of conducting environmental impact analysis, as summarized in Table 2 (Development Potential by land Use).

Table 2: Development Potential by Land Use²

Land Use	DNCP (excl. FCSP)	Quantity FCSP	DNCP + FCSP
Residential (units)	3,697	6,293	9,990
Office (sf)	2,000,000	3,900,000	5,900,000
Retail (sf)	350,000	1,600,000	1,950,000
Industrial (sf)	2,900,000	150,000	3,050,000
Public Facilities (sf)	0	0	0

² To examine the level of development allowed within the FCSP area, individual underutilized parcels were identified within the FCSP area. These consisted of vacant lots, parking lots, lots that contain underutilized non-historic buildings, and buildings with parking lots in front of them. For the DNCP area, vacant parcels were identified. A floor area ratio (FAR) range, derived from the FAR of each proposed building type allowed within each parcel's respective zone in the Downtown Development Code, was then applied to each of the underutilized parcels, resulting in a total gross new building square footage.

This gross square footage was then apportioned among the uses projected within the Plan Area according to the land use proportions of the market demand development potential. Since the Market Analysis did not evaluate the industrial market, the industrial development potential was assumed to be approximately 10% of the total building square footage for the combined plan areas. The existing building square footage currently present within these parcels was then subtracted, by use from the proposed square footage.

Note that the allowed development potential within the FCSP area included 1.5 million square feet (sf) of space within existing vacant buildings. As with new development potential, this 1.5 million sf of existing vacant space was apportioned according to the market demand potential, adding up to approximately 860 residential units 390,975 sf of office space, 119,233 sf of retail space, and a reduction of 42,587 sf of industrial space. This existing vacant space is considered new development potential, not existing development. Thus, the FCSP determines the allowed development that can occur within the FCSP area, regardless of whether it is a new building on vacant land or new uses in an existing vacant building.

Table 2 (cont.): Development Potential by Land Use

Land Use	DNCP (excl. FCSP)	Quantity FCSP	DNCP + FCSP
Agriculture (acres)	0	0	0
Open Conservation (acres)	33	31	64
Vacant Land (acres)	0	0	0

In addition to being guided by the community's vision for the two plan areas based upon the plan area's existing physical character and scale, this development potential is also based upon the anticipated market demand and the population potential permitted by the General Plan.

1.5.1 - Population Potential

These two plans anticipate that by the year 2035, the residential population of the DNCP area, including the population of the FCSP area, could increase by as many as 27,225 people to a total of 97,446 residents. The residential population for each Plan Area as well as the combined population for both Plan Areas is shown in Table 3 (Residential Population Potential). The population potential for the entire DNCP area is within the limits established by the Fresno General Plan, which anticipates that the Downtown Planning Area, which corresponds to the combined DNCP and FCSP areas, has a development potential of 10,000 residential units, of which 9,000 were estimated to be built at the planning horizon year of 2035.

Table 3: Residential Population Potential

Land Use	DNCP (excl. FCSP)	FCSP	DNCP + FCSP
Existing Population (persons) ^a	66,344	3,877	70,221
New Population (persons) ^b	15,268	11,958	27,225
Total Residential Population (persons)	81,612	15,834	97,446
Existing Population Density (persons/acre)	9.98	5.92	9.62
Population Density in Year 2035 (persons/acre)	12.28	24.17	13.35

^a Source: Claritas, Inc.; American Community Survey 2006-2008; Strategic Economics 2010.3

^b Assumes 4.1 persons per household for the DNCP and 1.9 persons per household for the FCSP. The Citywide average for persons per household is 3.0. Source: Claritas, Inc.; American Community Survey 2006-2008; Strategic Economics 2010. The DNCP is composed primarily of large families, while the FCSP is home to a much larger proportion of single person households.

1.5.2 - Jobs Potential

Table 4 shows the jobs potential for both plan areas. By the year 2035, the combined plan areas have the potential to accommodate up to 21,455 new office jobs, 4,875 new retail jobs, and 3,850 new industrial jobs for total of 30,180 new jobs.

Table 4: Jobs Potential

	Land Use	DNCP (excl. FCSP)	FCSP	DNCP + FCSP
Office ^a	—	7,275	14,180	21,455
Retail ^b	—	875	4,000	4,875
Industrial ^c	—	3,660	190	3,850
Total	—	11,810	18,370	30,180
^a Assumes 275 sf/person ^b Assumes 400 sf/person ^c Assumes 800 sf/person				

1.6 - Anticipated Discretionary Actions for Adoption of the FCSP and DNCP

Adoption of the DNCP is proposed to be enacted by resolution of the City Council. Additionally, the FCSP and Downtown Development Code (DDC) are proposed to be adopted by ordinance.

- A. Adoption of the proposed Downtown Neighborhoods Community Plan (DNCP)
- B. Adoption of the Fulton Corridor Specific Plan (FCSP)
- C. Amend portions of the Fresno General Plan, the West Area Community Plan, Edison Community Plan and the Roosevelt Community Plan pursuant to FMC Section 12-606-C and D
- D. Repeal the Central Area Community Plan in its entirety and the Fulton Lowell Specific Plan
- E. Initiate an amendment to the text of the FMC to incorporate the Downtown Development Code

Furthermore, the following amendments will be required so as to make the DNCP and the FCSP the Plans of record upon adoption:

1.6.1 - Plan Repeals

1. Repeal the City of Fresno Civic Center Master Plan;
2. Amend City of Fresno Community Plans as follows:
 - Amend the West Area Community Plan to remove from its boundaries the portions within the DNCP boundary and remove any of its provisions that are no longer applicable to the extent they applied only to areas that will no longer be within the boundaries of the West Area Community Plan (DNCP only);
 - Amend the Edison Community Plan to remove from its boundaries the portions within the DNCP boundary and remove any of its provisions that are no longer applicable to the extent they applied only to areas that will no longer be within the boundaries of the Edison Community Plan (DNCP only); and
 - Amend the Roosevelt Community Plan to remove from its boundaries the portions within the DNCP boundary and remove any of its provisions that are no longer applicable to the

extent they applied only to areas that will no longer be within the boundaries of the Roosevelt Community Plan (DNCP only).

3. Amend the Fresno General Plan as follows:

- Amend the Land Use and Circulation Map to change the land use designations and circulation map so that they are consistent with the DNCP and FCSP plans land use designations and circulation plan (DNCP and FCSP).
- Amend Transportation Element Map to amend street and designations within the DNCP and FCSP (DNCP and FCSP).
- Remove or modify any other text within the General Plan that would otherwise be inconsistent with any of the provisions in the DNCP and FCSP.
- Amend the City of Fresno's Housing Element so that its provisions are consistent with the provisions of the FCSP, DNCP, and DDC and also is in compliance with applicable state laws and regulations.
- Adoption of the FCSP is proposed to be enacted by ordinance; whereas, the adoption of the DNCP is proposed to be enacted by resolution of the City Council.

1.6.2 - Text Amendment

- An amendment to the FMC to incorporate the Downtown Development Code (DDC)

NOTICE OF PREPARATION AND SCOPING MEETING

To: _____
(Agency)

(Address)

**Subject: Notice of Preparation for a Draft Environmental Impact Report and of
Scoping Meeting.**

Lead Agency:

Consulting Firm (if applicable):

Agency: City of Fresno, DARM Department

Firm Name: Impact Sciences, Inc.

Street Address: 2600 Fresno Street, Room 2156

Street Address: 234 East Colorado Boulevard, Suite 205

City/State/Zip: Fresno, California 93721

City/State/Zip: Pasadena, California 91101

Contact: Wilma Quan, Urban Planning Specialist

Contact: Ali H. Mir, Associate Principal

The City of Fresno hereby gives notice to the public, agencies, and Native American tribes that the City of Fresno intends to prepare an Environmental Impact Report (EIR) for the Downtown Neighborhoods Community Plan, Fulton Corridor Specific Plan, and Downtown Development Code Project located in the City of Fresno, Fresno County, California.

Project Title: EIR for Downtown Neighborhoods Community Plan, Fulton Corridor Specific Plan, and
Downtown Development Code

Project Location: City of Fresno Fresno
City (nearest) County

Project Description (brief): The City of Fresno intends to introduce and adopt a new Downtown Neighborhoods Community Plan (DNCP) for the residential neighborhoods surrounding Downtown and the Fulton Corridor Specific Plan (FCSP) for the core of Downtown, a Downtown Development Code that will apply within the boundaries of the DNCP; make amendments to the 2025 City of Fresno General Plan and various Community Plans, and repeal various Community and Specific plans necessary to implement the DNCP and FCSP once adopted. A more detailed description of the project is attached or available at www.fresnodowntownplans.com.

The City of Fresno will act as the lead agency in accordance with the California Environmental Quality Act (CEQA). The EIR will be prepared to satisfy requirements of CEQA (Public Resources Code 21000 et seq.) and the *State CEQA Guidelines* (14 California Code of Regulations 15000 et seq.) (hereinafter, collectively referred to as CEQA unless otherwise specified).

All interested parties are invited to comment on the scope and content of the EIR. Additionally, in compliance with CEQA, this Notice is being sent to notify Responsible Agencies, Trustee Agencies, and involved federal agencies. We need to know the views of your agency regarding the scope and content of the environmental information that is germane to your agency's statutory responsibilities in connection with the proposed project.

Comments on the scope of the Draft EIR should focus on what significant environmental issues, reasonable alternatives to the Project and mitigation measures should be identified and analyzed in the Draft EIR. The City of Fresno Development and Resource Management Department shall consider comments received in response to this Notice of Preparation in determining the scope and content of the EIR for this project.

A more detailed project description, location description including diagrams, and statement of the potential environmental effects are contained in the attached materials. A copy of the Initial Study (IS) (☐ is ☒ is not) attached.

POTENTIAL ENVIRONMENTAL EFFECTS OF THE PROJECT

Based upon its preliminary evaluation of the Project, the City of Fresno has determined that the Project has the potential to cause significant environmental impacts to the following environmental factors, which will be specifically identified and analyzed in the EIR for this project:

Aesthetics	Hydrology and Water Quality
Agricultural Resources	Land Use and Planning
Air Quality and Greenhouse Gas Emissions	Noise
Cultural Resources	Population and Housing
Geology and Soils	Public Services
Hazards and Hazardous Materials	Transportation and Traffic
	Utilities and Service Systems

The City of Fresno has determined that there is not a likelihood of potentially significant effects related to the environmental topics listed below. The City proposes that the EIR indicate the reasons why these effects were determined not to be significant and are therefore not going to be addressed in detail in the EIR:

Biological Resources

Mineral Resources

The City of Fresno Development and Resource Management Department has made this NOP available to the public online at www.fresnodowntownplans.com. Additionally, hardcopies of this NOP are available for public review at the following civic institutions within the City of Fresno: City Clerk, City Hall (2600 Fresno Street, Room 2133 Fresno, California 93721), Central Library (2420 Mariposa Street, Fresno, California 93721), and West Fresno Branch Library (188 East California Avenue, Fresno California 93706).

The City of Fresno Development and Resource Management Department considers comments received in response to this Notice of Preparation in determining the scope and content of the EIR for this project. Any comments provided should identify specific topics of environmental concern and your reason for suggesting the study of these

topics in the EIR. **The 30-day public comment period for this NOP is from Tuesday, April 3, 2012 through Monday, May 1, 2012.**

The City of Fresno will host a public scoping meeting for this proposed project's EIR scope at City Hall in the Council Chambers, 2600 Fresno Street, 2nd Floor, Fresno, California, 93721 on Tuesday, April 17, 2012 at 5:30 PM. This public scoping meeting will provide a brief overview of CEQA and its processes as they pertain to the proposed project as well as provide a venue to solicit comments from the public and other governmental entities regarding the scope and content of the EIR from the general public and governmental agencies.

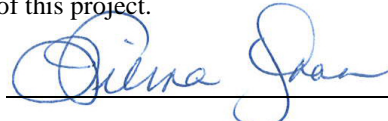
Please provide your NOP comments in writing to:

City of Fresno Development and Resource Management Department
Attention: Wilma Quan, Urban Planning Specialist
2600 Fresno Street, Room 2156
Fresno, California 93721

Thank you for your participation in the environmental review of this project.

Date: April 2, 2012

Signature:



Title:

Urban Planning Specialist

Telephone:

(559) 621-8350

Downtown Neighborhoods Community Plan (DNCP) and Fulton Corridor Specific Plan (FCSP)

PROJECT LOCATION AND BOUNDARIES

Fresno is located in the heart of California's San Joaquin Valley, approximately 190 miles southeast of San Francisco and 220 miles northwest of Los Angeles. The San Joaquin Valley is one of the largest and most productive farming regions in the world. Fresno, the regional city for the central San Joaquin Valley, is also the gateway to Yosemite National Park, Sierra National Forest, Kings Canyon National Park, and Sequoia National Park. Regional access to Fresno from the north and south is provided by State Routes 99 and 41, from the west by State Route 180, and from the east by State Routes 168 and 180.

The Downtown Neighborhoods Community Plan (DNCP) area is located within the southern portion of the City as shown in **Figure 1** (Location of DNCP and FCSP within City of Fresno) and covers 7,290 acres. It is generally bounded to the east by Chestnut Avenue, to the south by Church Avenue, to the west by Thorne, West, and Marks Avenues, and to the north by State Route 180 as shown in **Figure 2** (DNCP and FCSP Boundaries). Along the western side of the Plan Area, the boundaries extend as far north as Clinton Avenue. The project area is divided by State Routes 99, 41, and 180, as well as the Union Pacific and BNSF railroad right-of-ways.

Within the boundaries of the DNCP is the Fulton Corridor Specific Plan (FCSP) as shown in **Figure 2** (DNCP and FCSP Boundaries). The FCSP area covers approximately 655 acres and is generally bounded to the north by Divisadero Street, to the west by State Route 99, to the south by State Route 41, and to the east by N Street, O Street, and the alley between M and N Streets. The Plan Area is divided by the Union Pacific railroad right-of-way.

The Downtown Development Code is a form-based code that contains most of the standards and requirements for development and land use activity within the boundaries of the DNCP and FCSP. It enables the variety of intended outcomes described in the Project Vision of each plan and is applied to all property within the boundaries of the DNCP and the FCSP. In addition, the Downtown Development Code identifies the specific provisions of Fresno's Municipal Code that are being replaced or superseded by particular sections of the Downtown Development Code.

Figure 1: Location of DNCP and FCSP within the City of Fresno

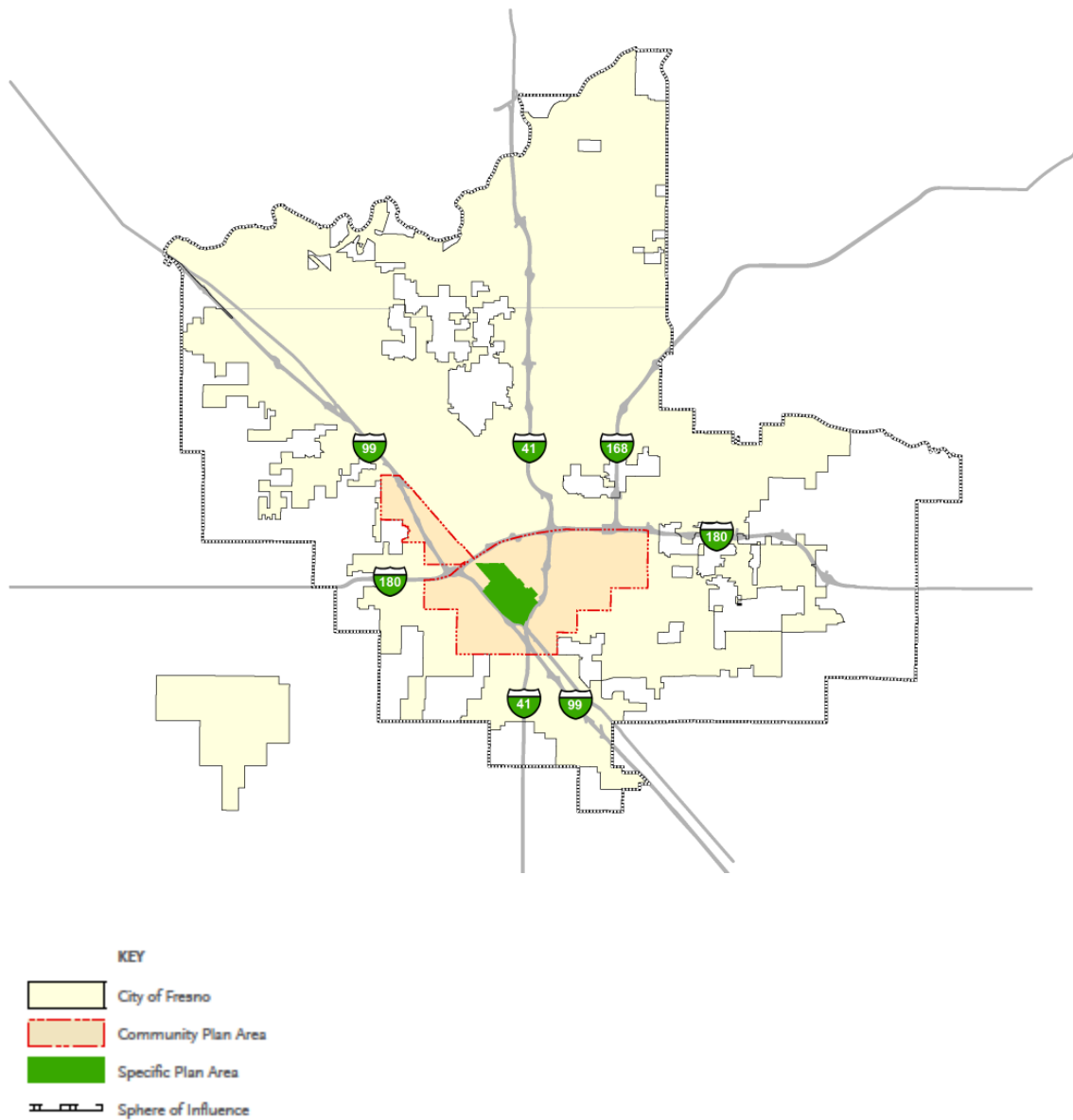
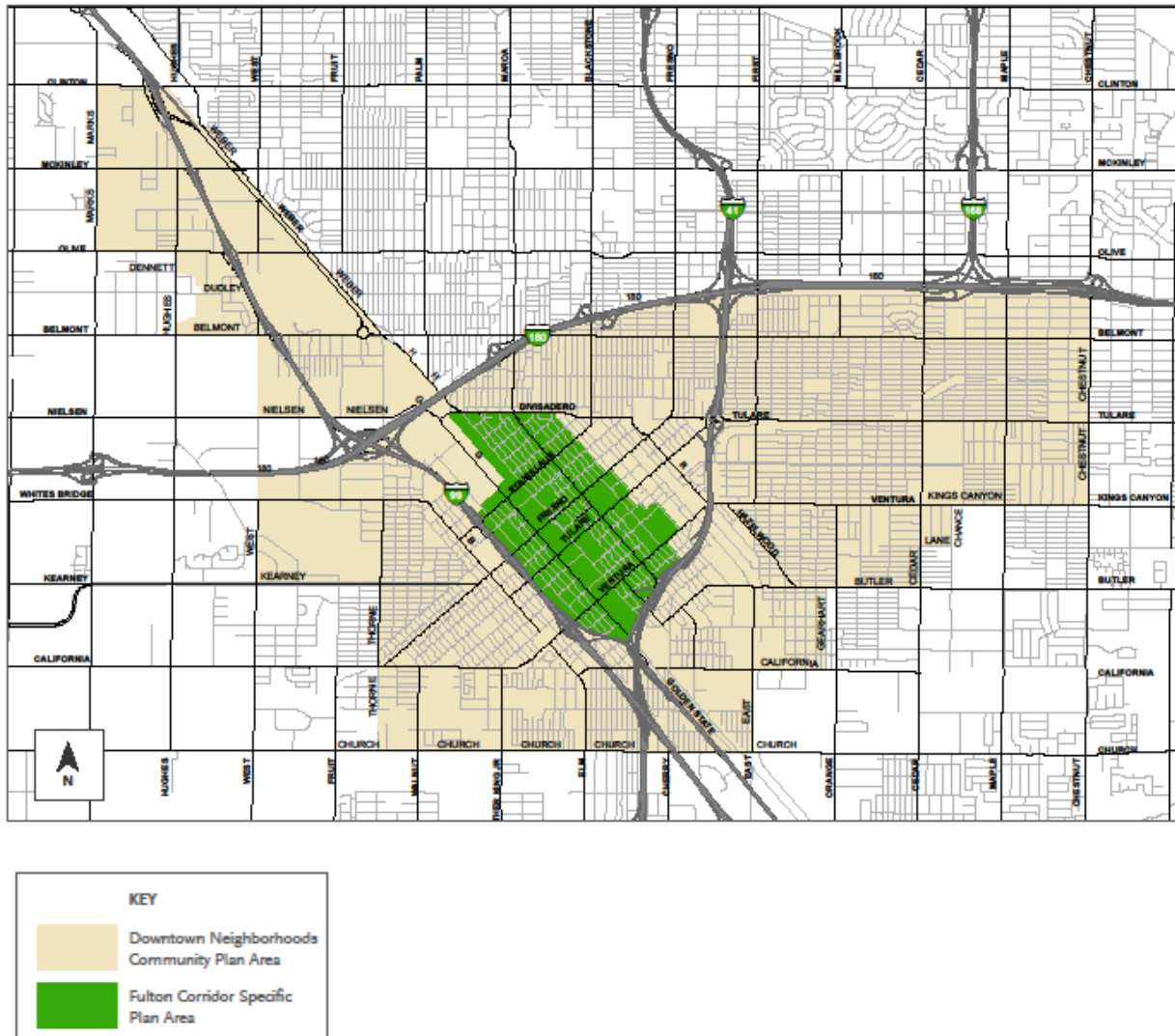


Figure 2: DNCP and FCSP Boundaries



The Downtown Development Code also provides adaptive reuse guidelines to help catalyze the revitalization of the entire FCSP area and the DNCP area by facilitating the conversion of older, economically distressed, or historically significant buildings to residential, mixed-use, commercial, civic, and/or entertainment uses.

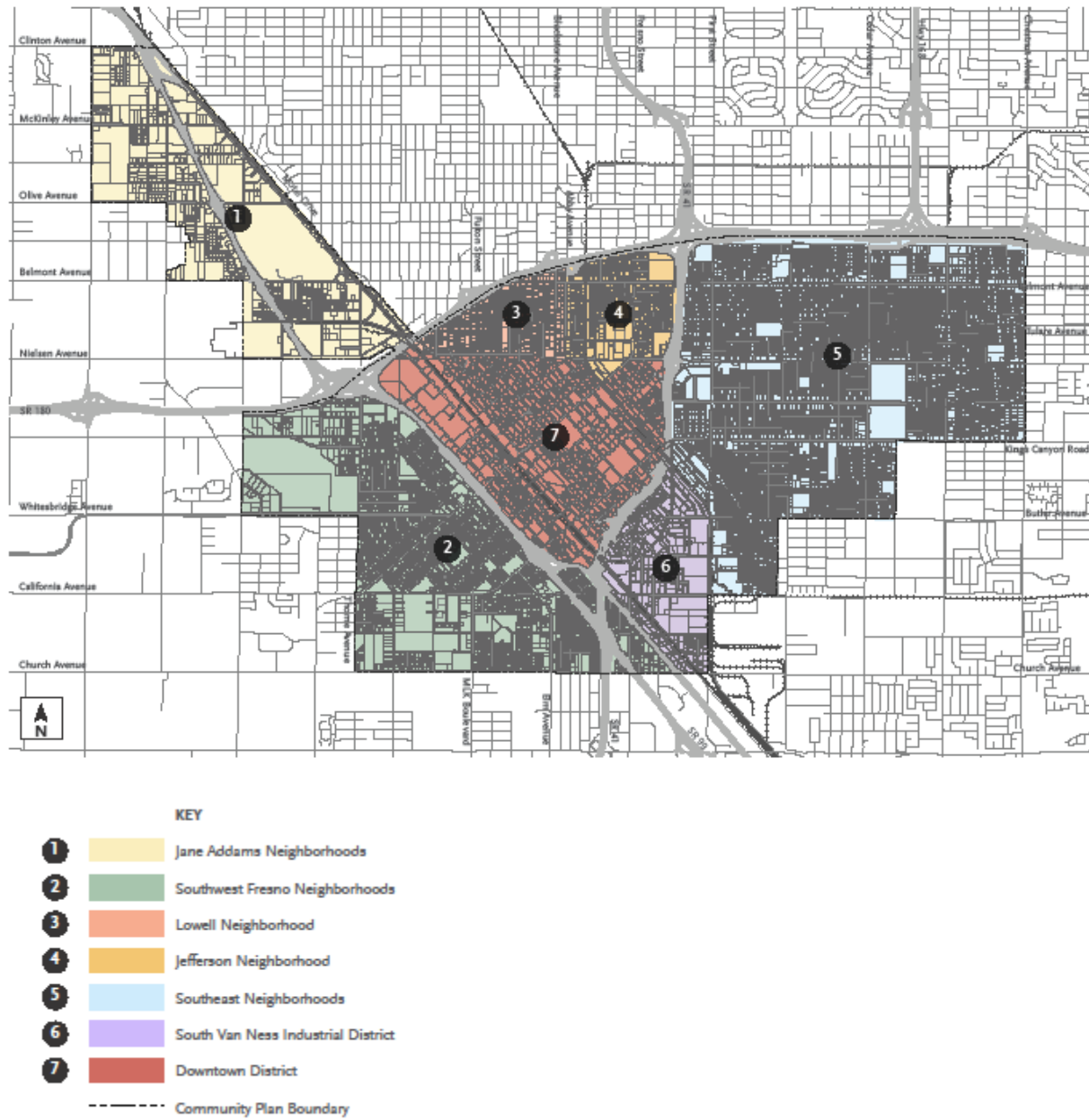
DNCP Subareas

In order to effectively deal with the large geographic area and comprehensive social challenges of the Community Plan, its 7,290-acre Plan Area has been divided into seven subareas as shown in **Figure 3** (DNCP Subareas). In this way, the particulars of each area can be described, understood, and addressed in terms of policy changes with sufficient detail that results in meaningful changes in the future. The seven subareas that comprise the DNCP's geography are:

- **Jane Addams Neighborhoods.** The 1,155-acre Jane Addams Neighborhoods are more rural in character than other subareas. It forms the agricultural edge of west Fresno and is largely disconnected from the east and south by freeways. The subarea includes Roeding Park and Fresno Chaffee Zoological Gardens.
- **Southwest Neighborhoods.** Southwest Neighborhoods are primarily residential in character and contains some of Fresno's oldest neighborhoods. The 1,560-acre subarea is the center of Fresno's African-American community. Fresno Chandler Downtown Airport is within its boundaries.
- **Lowell Neighborhood.** Lowell Neighborhood encompasses 225 acres and lies adjacent to the Downtown area. The neighborhood contains some of Fresno's oldest homes and has strong historic character, but is disconnected from neighborhoods to the north and west by State Routes 99 and 180.
- **Jefferson Neighborhood.** The Jefferson Neighborhood is also adjacent to Downtown, but is divided in two by the BNSF railroad alignment and disconnected from neighborhoods to the north and east by State Routes 41 and 180. The 290-acre neighborhood contains some of Fresno's oldest homes, although the historic character is diminishing.
- **Southeast Neighborhoods.** The Southeast Neighborhoods are predominantly residential, comprised primarily of single-family houses with isolated concentrations of multi-family dwellings. The 2,400-acre area suffers from a lack of neighborhood identity and a limited number of public parks.
- **South Van Ness Industrial District.** South Van Ness is a 390-acre area principally comprised of old warehouses and industrial buildings. In many places, more recent industrial mega-blocks interrupt the late 19th century street network and the area is lacking in street trees.
- **Downtown.** Downtown is comprised of seven distinct districts that are discussed in the FCSP.

These distinct subareas have emerged over the last 100 years. They are distinguished by their location, their initial development patterns, and their economic, physical, and social evolution. Each subarea has its own unique character and is faced with its own set of issues and opportunities as summarized in the following pages.

Figure 3: DNCP Subareas



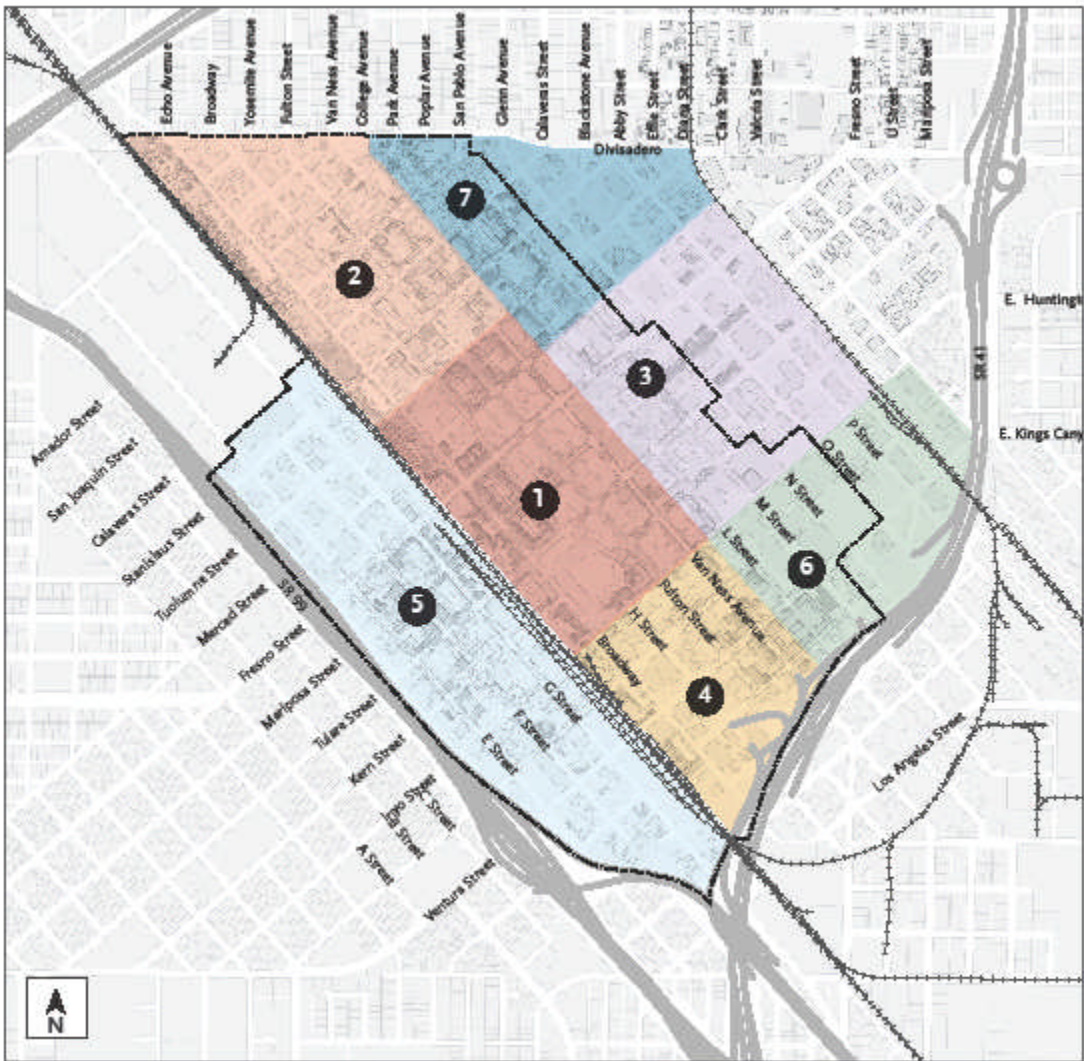
FCSP Districts

There are seven distinct districts within the FCSP boundaries:

- **Central Business District.** The Central Business District (CBD) is Fresno's traditional business and commercial center. It includes the Fulton Mall (see below) and its physical configuration is unmistakably that of a metropolitan urban center. The CBD is bounded by Tuolumne Street to the north, the alley between Van Ness Avenue and L Street to the east, Inyo Street to the south, and the Union Pacific railroad tracks to the west.
- **Cultural Arts District.** The Cultural Arts District is a mostly industrial and commercial district of smaller urban loft buildings that is being reclaimed with fashionable new housing and mixed use projects. The district is bounded by Tuolumne Street to the south, the Union Pacific railroad tracks to the west, Divisadero Street to the north, and the alley between M and N Streets on the east.
- **Civic Center.** The Civic Center is bounded by Merced Street to the north, the BNSF railroad tracks to the east, Inyo Street to the south, and the alley between Van Ness Avenue and L Street to the west. Located within its boundaries are many municipal, County, state, and federal government buildings, including City Hall, the Fresno Police Headquarters, the Fresno County Free Library, and the County Courthouse.
- **South Stadium District.** The South Stadium district is bounded by SR 41 to the south, the Union Pacific railroad to the west, Inyo Street to the north, and the alley between Van Ness Avenue and L Street to the east. This district is also an industrial and commercial district peripheral to the CBD that is now beginning to be redeveloped on the same basis as the Cultural Arts district.
- **Chinatown.** One of the oldest and most historically significant areas of Fresno, Chinatown originally comprised the area bounded by what is now State Route 99 to the west, Ventura Avenue to the south, H Street to the east, and Fresno Street to the north. The FCSP modifies the boundaries by extending them northward to include the properties just north of Stanislaus Street, and southward to where Golden State Boulevard intersects State Route 41. The Union Pacific railroad tracks form the eastern boundary.
- **Armenian Town/Convention Center.** This district is roughly bounded by Inyo Street to the north, O Street to the east, SR 41 to the south, and the alley between L Street and Van Ness Avenue to the west. As its name suggests, it comprises the remaining half of what was Armenian Town and contains the Fresno Convention Center.
- **Divisadero Triangle.** The Divisadero Triangle is roughly bounded by Merced Street to the south, the BNSF railroad tracks to the east, Divisadero Street to the north, and the alley between L Street and Van Ness Avenue to the west. The district has suffered from poor patterns of redevelopment, yet contains well-formed streets, a variety of uses and distinctive buildings, including housing.

These are among the oldest, most diverse, and most densely developed areas in the City of Fresno. The boundaries of the districts, as shown in **Figure 4** (FCSP Districts), were determined primarily by the unique character of each district, which in turn was based largely upon their physical form at the time they were built and the role each played in the context of the City.

Figure 4: FCSP Districts



- KEY**
- 1 Central Business District and Fulton Mall
 - 2 Cultural Arts District
 - 3 Civic Center
 - 4 South Stadium District
 - 5 Chinatown
 - 6 Armenian Town / Convention Center
 - 7 Divisadero Triangle
 - Specific Plan Boundary

Fulton Mall

The Fulton Mall consists of six blocks bounded by Van Ness Avenue to the east, Inyo Street to the south, Broadway Street to the west, and Tuolumne Street to the north. Fulton Street, Merced Street, Mariposa Street, and Kern Street are pedestrian-only, while Fresno Street and Tulare Street continue to include traffic, dividing the mall into three equal portions. The Fulton Street portion of the mall is 2,670 feet long. Together with the three shorter cross malls, the total linear dimension of the Fulton Mall complex is 4,620 feet.

Representative of several twentieth century development trends spanning over 70 years, the six blocks of Fulton Street between Tuolumne and Inyo streets have comprised an important regional commercial corridor for much of the twentieth century. Its concentration of commercial uses, including most of Fresno's finest retailers, established Fulton Street as Fresno's "main street" prior to World War II. Most of the buildings that border the Fulton Mall were built prior to the construction of the pedestrian mall, many of which underwent ground floor facade renovations and modernizations after Fulton Street was pedestrianized. Seven properties have been designated by the City as historic resources.

The landscape of the Fulton Mall is the work of Garrett Eckbo, one of the most prominent American landscape architects of the twentieth century. It is listed on the California Register of Historical Resources, was found eligible for the National Register, and is potentially significant as a National Historic Landmark, both as the work of a master and a rare surviving example of his work with a high degree of design integrity.

In addition to Eckbo's contributions, the mall is significant for the visionary leadership of the Downtown Mall Art Selection Committee, chaired by O.J. Woodward II, and the public display of modern art that grew out of that committee's patronage. The art was fully funded by private citizens, with the intent to provide "an outdoor Museum of Art." The combination of sculpture, mosaics (drinking fountains and benches), and a clock tower is an early, if not the first, large-scale display of Contemporary Art by both internationally recognized and local artists that is not physically attached to a museum, and as a sculpture garden.

The high-design character of the mall is in stark contrast with its state of advanced physical deterioration. Partly because of its age, and partly because of poor maintenance over several decades, most of its design features are beginning to fail. The mall's pavement is cracked throughout and in many locations is heaving due to interference by tree roots. Many planter walls and curbs are cracked and light pole bases are broken. Many fountains leak, and consequently sit empty, their plaster cracked, their skimmers not operational, and their lights in disrepair. Electrical vaults are damaged due to leakage and distribution panels are breached by roots and foliage. Most electrical boxes have missing covers and exposed wires, and some are being overtaken by roots.

Because of demographic and population shifts, the mall's only real usage is during business hours. After 5:00 PM., it is largely dormant. This is a problem for the retailers in place, City revenues, and the overall image of the City of

Fresno. The Fulton Mall's commerce is presently grossly under-performing, especially given the region's large population, diverse demographics, and large number of Downtown employees.

In order to gain a thorough understanding of the challenges associated with the revitalization of the Fulton Mall, the City's consultant team studied its current physical state, its aesthetic attributes, and its economic potential. Based on this work and with input from stakeholders, the public, and the Fulton Corridor Specific Plan Community Advisory Committee (FCSPCAC), a committee appointed by the Mayor and City Council Member Cynthia Sterling (District 3), 10 options were generated, ranging from leaving the mall in its current state, to restoring it in its entirety, to completely removing it and replacing it with an enhanced street, to leaving some portions pedestrian-only while opening up others to vehicular traffic.

After considerable input from the public, the FCSPCAC voted from among the 10 initial Fulton Mall options to recommend three that they would like to see studied in greater detail by the Environmental Impact Report prepared for this Plan. These chosen options consisted of two options that introduce streets that accommodate vehicular traffic and a pedestrian-only option:

- 1. Reconnect the Grid on Traditional Streets.** Completely remove the existing mall and introduce a narrow, two-lane, two-way enhanced street with oversize sidewalks, stately trees, and on-street parking, throughout the Fulton Mall and its cross streets. Restore and, as necessary, relocate existing artwork within the Central Business District.
- 2. Reconnect the Grid with Vignettes.** Introduce a two-way street through the Fulton Mall, keeping selected original Garrett Eckbo features in their original mall contexts (vignettes), in a manner that provides improved retail visibility and some on-street parking. Transform Kern, Mariposa, and Merced into enhanced streets with narrow traffic ways, ample sidewalks, stately trees, and on-street parking. Restore all existing artwork and, as necessary, relocate it elsewhere within the Central Business District.
- 3. Restoration and Completion.** Renovate the Fulton Street, Merced Street, Mariposa Street, and Kern Street malls in their pedestrian-only configuration by restoring the original Garrett Eckbo landscape and hardscape features (fountains, planters, benches, light fixtures, pavement, and plantings) and restoring all existing artwork.

Each of the design and development options included in the FCSP will be assessed in the EIR.

PLANNING HORIZON

To ensure rational, managed development of the FCSP and DNCP Plan Areas, the planning horizon for the Specific Plan is the year 2035.

EXISTING PHYSICAL CONDITIONS

Downtown Neighborhoods Community Plan

The majority of the neighborhoods within the Plan Area are comprised predominantly of single-family houses, although some neighborhoods, such as Lowell, Jefferson, and portions of Southwest and Southeast Fresno contain a

mix of single-family and multi-family housing types. The majority of the post-World War II multi-family buildings are too large for their site, turn their backs to the street, overwhelm their neighbors, are poorly maintained, lack sufficient amenities such as usable private outdoor space, provide substandard living conditions for many residents, and have had a severe negative impact on the economic value of these neighborhoods.

The corridors that separate the various neighborhoods are difficult to differentiate from one another and are designed to move traffic quickly and efficiently without regard to pedestrians, cyclists, or transit users. Their right-of-ways are uniformly wide, devoid of street trees, and the majority of the buildings that line them have parking lots located between the building and the street. The urban fabric at the intersections between major streets is unassuming. Streets are typically lined by parking lots or buildings that are set back from the street. There are, however, several places, such as along Tulare Avenue and Belmont Avenue between Cedar and Barton Avenues, where pedestrian-oriented buildings are built close to the street and accessed from the adjacent sidewalk. These places were traditionally neighborhood centers and will be revitalized. This Plan and the accompanying Downtown Development Code will enable their revitalization and expansion.

The Plan Area contains older, established neighborhoods with the vast majority of housing units built before 1980 and nearly 20 percent built before 1939. The Lowell, Jefferson, and Southeast neighborhoods have the greatest share of units built before 1980.

The residential vacancy rate is well above the City average and most dwellings are rental units. Overall, 10 percent of units are vacant, well above what is considered by the real estate market to be a healthy rate of 5 percent. Vacancy rates are highest in the Downtown, Lowell, and Jefferson neighborhoods, and lowest in the Southwest and Southeast neighborhoods. The Plan Area has an owner occupancy rate of 36 percent, compared to 49 percent in the City and 58 percent in the state. The lowest owner occupancy rates can be found in the Downtown and Lowell neighborhoods. Jane Addams and the Southeast neighborhoods have the highest owner occupancy rates of 46 and 44 percent, respectively.

The quality, quantity, and type of parks and open space in the Plan Area are mixed and access to existing park space is generally limited. The Plan Area contains Roeding Park, located in the Jane Addams neighborhoods - one of Fresno's three regional City parks. It is home to the Chaffee Zoological Gardens, and the Storyland and Playland amusement parks. In the western half of the Plan Area, there are many public parks located within 0.5 mile of most residences and businesses. Public parks in the eastern half of the Plan Area and within the Jane Addams Neighborhoods (other than Roeding Park) are noticeably absent. The Downtown Neighborhoods are served by many schools, but access to their playing fields and playgrounds is limited to children attending the schools and only during school hours.

Street tree coverage in the Plan Area is uneven. The neighborhoods and districts south of State Route 180 have a relatively good street tree character, with many of them having more than 50 percent of their street length lined by mature street trees. In the Jane Addams Neighborhoods, however, street trees are noticeably absent. Moreover, there are almost no street trees within the areas zoned for commercial, manufacturing, and industrial use, or along major thoroughfares such as Belmont, Tulare, and Cedar Avenues.

Fulton Corridor Specific Plan

Downtown is the oldest part of Fresno and contains the highest number of historic resources in the region. It is also home to some of the most important civic and entertainment resources in the San Joaquin Valley, including City, County, state, and federal office buildings, the Fresno Convention & Entertainment Center, several museums, and Chukchansi Park. It is one of the largest job centers in the region, holding approximately 30,000 jobs and it continues to be an attractive location for government offices, legal, and medical services and features a stable base of office employment due to its concentration of public sector employment. However, despite these venues, attractions, and jobs, Downtown currently suffers from a very high retail and office vacancy rate and is inactive outside of business hours.

The most common building types are mixed-use buildings, theaters, civic/institutional buildings, and industrial warehouses. With the exception of the Cultural Arts District, which features several recently built multi-family and mixed-use projects, there are relatively few residential buildings within the Downtown area.

Over the years, many significant or simply good urban buildings have been demolished and have been replaced with vacant land and parking lots. Vacant parcels are especially prevalent along the Union Pacific railroad tracks, within Chinatown and in the Cultural Arts District. These vacant parcels contribute to further disinvestment and abandonment, as they advertise the fact that Downtown is in a declining state.

The Downtown street network, like that of Southwest Fresno, is distinguished from that of the rest of the City by its 45-degree orientation in relation to the cardinal directions. The meeting of the two grids at Divisadero Street generates a number of visually prominent building sites, but also particularly confusing traffic patterns. This, along with several one-way and discontinuous streets Downtown, creates a particularly disorienting environment for motorists to navigate.

As with other parts of the Plan Area, Downtown is separated from the rest of the City by freeways and railroad tracks, hampering vehicular and especially pedestrian connectivity. The freeways also encourage motorists to bypass Downtown altogether. In general, Downtown streets are wide and often absent of street trees and pedestrian traffic-supporting amenities.

Downtown Fresno contains a number of thoroughfares that have been vacated to create pedestrian-only streets, most notably the Fulton Mall. Other closures include Mariposa Street between M and N Streets, and between O and P Streets. The malls were originally installed to concentrate pedestrian activity and bolster the retail performance of Downtown, but over time have failed at generating a vibrant street life and commercial success.

Much of Downtown's existing water distribution system is over 50 years old, and improvements are needed to strengthen its sufficiency and reliability for existing customers, as well as to provide adequate water supply and fire flow for the projected population growth engendered in this Plan. Sewer capacity upgrades are also needed to accommodate the projected population growth and associated wastewater demand increases.

Existing Land Uses

The DNCP and FCSP plan areas are divided up into approximately five planned land-use classifications and 40 zone districts, of which residential, commercial, and industrial are the principal ones, as shown in **Table 1** (Existing Development by Land Use). The regulation of every private parcel of land is principally controlled by its use.

Table 1
Existing Development by Land Use¹

Land Use	Quantity		
	DNCP (excl. FCSP)	FCSP	DNCP + FCSP
Residential (units)	15,953	1,065	17,018
Office (sf)	597,805	3,131,270	3,729,075
Retail (sf)	5,380,247	1,370,687	6,750,934
Hospitality (sf)	1,155,274	856,629	2,011,903
Industrial (sf)	6,932,355	570,222	7,502,577
Public Facilities (sf)	5,478,487	1,570,326	7,048,813
Open Conservation (acres)	251.69	14.78	266.47
Agriculture (acres)	10.70	0	10.70
Vacant Land (acres)	235.83	44.94	280.77

Outside of Downtown, the Community Plan Area is predominantly residential in character, most of it zoned for single-family housing. Lowell, Jefferson, and Southwest Fresno also contain concentrations of multi-family residential uses. Commercial zoning is concentrated in Downtown, Chinatown, and along the Plan Area's automobile-oriented corridors, such as Belmont Avenue, Tulare Avenue, and Kings Canyon Road. The majority of

¹ Residential unit counts provided by Strategic Economics in "Economic and Demographic Overview of Fresno Downtown Neighborhoods," November 2011. Office square footage in FCSP plan area provided by Strategic Economics in "Market Analysis Report: Fulton Corridor Specific Plan," April 25, 2011. Retail, industrial, and public facilities square footage in FCSP and DNCP plan areas and office square footage in DNCP estimated by tracing buildings in AutoCAD from aerial and estimating uses based upon Google Maps birds-eye view. Open space, agriculture, and vacant lands calculated using GIS.

parcels zoned for manufacturing are located along the Union Pacific railroad right-of-way, in the South Van Ness Industrial District, south Chinatown, and in the Southwest Neighborhoods near the Fresno Chandler Downtown Airport.

Parcels without any buildings or parking lots can be found throughout the Plan Area. Vacant parcels are especially prevalent along the Union Pacific railroad tracks in Downtown, along the Southern Pacific railroad tracks in the Jefferson Neighborhood, Chinatown, the Southwest Neighborhoods west of State Route 99, north of Fresno Chandler Airport, and in Jane Addams. These vacant parcels are prime candidates for infill development.

DEVELOPMENT, POPULATION, AND JOBS POTENTIAL

The FCSP and DNCP are the result of an intense public process, which involved residents, business owners, and property owners in a series of public meetings, workshops and two six-day open participatory design workshops. The vision of the DNCP and FCSP is based on extensive community input throughout all phases of planning, is implemented through the Downtown Development Code, a form-based code that guides development patterns consistent with the existing scale and character of the plan areas' various neighborhoods districts and corridors. Form-based codes address the relationship between building facades and the public realm (streets and parks), the form and massing of buildings in relation to one another, and the scale and types of streets and blocks. The regulations and standards in form-based codes, presented in both diagrams and words, are keyed to a regulating plan that designates the appropriate form and scale (and therefore, character) of development rather than only distinctions in land-use type.

Therefore, the form of the proposed structures is regulated by the Downtown Development Code, and the amount of development that is anticipated to occur within the two plan areas has been quantified for the purposes of conducting environmental impact analysis, as summarized in **Table 2** (Development Potential by land Use).

Table 2
Development Potential by Land Use²

Land Use	Quantity		
	DNCP (excl. FCSP)	FCSP	DNCP + FCSP
Residential (units)	3,697	6,293	9,990
Office (sf)	2,000,000	3,900,000	5,900,000
Retail (sf)	350,000	1,600,000	1,950,000
Industrial (sf)	2,900,000	150,000	3,050,000
Public Facilities (sf)	0	0	0
Agriculture (acres)	0	0	0
Open Conservation (acres)	33	31	64
Vacant Land (acres)	0	0	0

In addition to being guided by the community's vision for the two plan areas based upon the plan area's existing physical character and scale, this development potential is also based upon the anticipated market demand and the population potential permitted by the General Plan.

Population Potential

These two plans anticipate that by the year 2035, the residential population of the DNCP area, including the population of the FCSP area, could increase by as many as 27,225 people to a total of 97,446 residents. The residential population for each Plan Area as well as the combined population for both Plan Areas is shown in **Table 3** (Residential Population Potential). The population potential for the entire DNCP area is within the limits established by the 2025 Fresno General Plan, which anticipates up to 99,393 residents, as shown in **Table 4** (2025 General Plan Allowed Population Increase by Existing Community Plan Area).

² To examine the level of development allowed within the FCSP area, individual underutilized parcels were identified within the FCSP area. These consisted of vacant lots, parking lots, lots that contain underutilized non-historic buildings, and buildings with parking lots in front of them. For the DNCP area, vacant parcels were identified. A floor area ratio (FAR) range, derived from the FAR of each proposed building type allowed within each parcel's respective zone in the Downtown Development Code, was then applied to each of the underutilized parcels, resulting in a total gross new building square footage.

This gross square footage was then apportioned among the uses projected within the Plan Area according to the land use proportions of the market demand development potential. Since the Market Analysis did not evaluate the industrial market, the industrial development potential was assumed to be approximately 10% of the total building square footage for the combined plan areas. The existing building square footage currently present within these parcels was then subtracted, by use from the proposed square footage.

Note that the allowed development potential within the FCSP area included 1.5 million square feet (sf) of space within existing vacant buildings. As with new development potential, this 1.5 million sf of existing vacant space was apportioned according to the market demand potential, adding up to approximately 860 residential units 390,975 sf of office space, 119,233 sf of retail space, and a reduction of 42,587 sf of industrial space. This existing vacant space is considered new development potential, not existing development. Thus, the FCSP determines the allowed development that can occur within the FCSP area, regardless of whether it is a new building on vacant land or new uses in an existing vacant building.

Table 3
Residential Population Potential

Land Use	DNCP (excl. FCSP)	FCSP	DNCP + FCSP
Existing Population (persons) ^a	66,344	3,877	70,221
New Population (persons) ^b	15,268	11,958	27,225
Total Residential Population (persons)	81,612	15,834	97,446
Existing Population Density (persons/acre)	9.98	5.92	9.62
Population Density in Year 2035 (persons/acre)	12.28	24.17	13.35

^a Source: Claritas, Inc.; American Community Survey 2006-2008; Strategic Economics 2010.3

^b Assumes 4.1 persons per household for the DNCP and 1.9 persons per household for the FCSP. The Citywide average for persons per household is 3.0. Source: Claritas, Inc.; American Community Survey 2006-2008; Strategic Economics 2010. The DNCP is composed primarily of large families, while the FCSP is home to a much larger proportion of single person households.

Table 4
2025 General Plan Allowed Population Increase by Existing Community Plan Area

Existing Community Plan	Allowed Population Increase (Persons)		Population Increase within Proposed DNCP/FCSP Boundary (persons)	
	Within Each Existing Community Plan Boundary ^a	Within Proposed DNCP/FCSP Boundary ^b	Year 2000 ^c	Year 2035 ^d
Central Area	12,845	12,845	14,927	27,772
Edison	43,286	7,657	12,356	20,013
Roosevelt	39,036	5,809	35,598	41,407
West Area	73,913	5,447	4,754	10,201
Total	169,080	31,758	67,635	99,393

^a Per 2025 Fresno General Plan Table 1 (Population Projections by Community Plan Area).

^b Derived by determining the total population projected within the existing Community Plan areas (Central, Edison, Roosevelt, and West) and calculating the percentage that corresponds to the area that falls within the FCSP and DNCP Plan boundaries. For example, it was calculated that 14.88% of the Roosevelt Community Plan area is within the Downtown Neighborhoods Community Plan boundary. The total allowed residential population within the Roosevelt Community Plan area is 39,036, thus 5,809 people (14.88% of the total Roosevelt Community Plan population) were included within the Downtown Neighborhoods Community Plan boundary. Percentage of existing community plan areas within proposed DNCP/FCSP boundary are: Central Area: 100.00%, Edison: 17.69%, Roosevelt: 14.88%, West Area: 7.37%.

^c Source: 2000 Census. The 2000 Census was used as the basis for the 2025 General Plan growth projections.

^d Derived by adding together the year 2000 population and the allowed 2025 General Plan population increase for each existing plan area within the FCSP and DNCP boundaries.

As **Table 4** shows, the General Plan allocates population by existing Community Plan areas - four of which overlap the DNCP and FCSP plan areas: the Central Area Community Plan (CACP), the Edison Community Plan, the Roosevelt Community Plan, and the West Area Community Plan. Note, however, that the CACP permits only 12,845 additional residents, but the DNCP and FCSP propose to allow as many as 14,733 additional residents within the previous CACP area. This increase is based upon the DNCP's – and the accompanying FCSP's – goals of

generating a vibrant, mixed-use Downtown by introducing the maximum number of residents within the heart of Downtown, i.e., within the FCSP Plan Area. To accommodate this increase, the DNCP applies the aggregate allowed residential population increase for each portion of the existing community plan areas to the entire combined DNCP boundary, as shown in **Table 3** (Residential Population Potential).

Jobs Potential

Table 5 shows the jobs potential for both plan areas. By the year 2035, the combined plan areas have the potential to accommodate up to 21,455 new office jobs, 4,875 new retail jobs, and 3,850 new industrial jobs for total of 30,180 new jobs.

Table 5
Jobs Potential

Land Use	DNCP (excl. FCSP)	FCSP	DNCP + FCSP
Office ^a	7,275	14,180	21,455
Retail ^b	875	4,000	4,875
Industrial ^c	3,660	190	3,850
Total	11,810	18,370	30,180

^a Assumes 275 sf/person

^b Assumes 400 sf/person

^c Assumes 800 sf/person

ANTICIPATED DISCRETIONARY ACTIONS FOR ADOPTION OF THE FCSP AND DNCP

Adoption of the DNCP is proposed to be enacted by resolution of the City Council. Additionally, the FCSP and Downtown Development Code (DDC) are proposed to be adopted by ordinance.

- A. Adoption of the proposed Downtown Neighborhoods Community Plan (DNCP) pursuant to Fresno Municipal Code (FMC) Section 12-606-A-3;
- B. Adoption of the Fulton Corridor Specific Plan (FCSP) pursuant to FMC Section 12-606-A-3;
- C. Amend portions of the 2025 Fresno General Plan, the West Area Community Plan, Edison Community Plan and the Roosevelt Community Plan pursuant to FMC Section 12-606-C and D;
- D. Repeal the Central Area Community Plan in its entirety pursuant to FMC section 12-606 and 607 and the Fulton Lowell Specific Plan pursuant to FMC Section 12-606 and 607; and
- E. Initiate an amendment to the text of the FMC to add Chapter 12.5, the Downtown Development Code, pursuant to FMC Section 12-402-A, which authorizes the Director to initiate text amendments to the Zoning Ordinance, and to expand the definition of the Zoning Ordinance pursuant to FMC Section 12-102 to include Chapter 12.5

Furthermore, the following amendments will be required so as to make the DNCP and the FCSP the Plans of record upon adoption:

Plan Repeals

1. Repeal the City of Fresno Civic Center Master Plan;
2. Amend City of Fresno Community Plans as follows:
 - Amend the West Area Community Plan to remove from its boundaries the portions within the DNCP boundary and remove any of its provisions that are no longer applicable to the extent they applied only to areas that will no longer be within the boundaries of the West Area Community Plan (DNCP only);
 - Amend the Edison Community Plan to remove from its boundaries the portions within the DNCP boundary and remove any of its provisions that are no longer applicable to the extent they applied only to areas that will no longer be within the boundaries of the Edison Community Plan (DNCP only); and
 - Amend the Roosevelt Community Plan to remove from its boundaries the portions within the DNCP boundary and remove any of its provisions that are no longer applicable to the extent they applied only to areas that will no longer be within the boundaries of the Roosevelt Community Plan (DNCP only).
3. Amend the 2025 Fresno General Plan as follows:
 - Amend the Land Use and Circulation Map to change the land use designations and circulation map so that they are consistent with the DNCP and FCSP plans land use designations and circulation plan (DNCP and FCSP).
 - Amend Transportation Element Map to amend street and designations within the DNCP and FCSP (DNCP and FCSP).
 - Remove or modify any other text within the 2025 General Plan that would otherwise be inconsistent with any of the provisions in the DNCP and FCSP.
 - Amend the City of Fresno's Housing Element so that its provisions are consistent with the provisions of the FCSP, DNCP, and DDC and also is in compliance with applicable state laws and regulations.
 - Adoption of the FCSP is proposed to be enacted by ordinance; whereas, the adoption of the DNCP is proposed to be enacted by resolution of the City Council.

Text Amendment

- An amendment to the FMC, including the adoption of Chapter 12.5 of the Fresno Municipal Code as the Downtown Development Code (DDC), as shown in the attached Draft DDC dated June 1, 2011.

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D.2 - Comments Received on Notice of Preparation and Initial Study

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County of Fresno

Department of Public Health

Edward L. Moreno, M.D., M.P.H., Director-Health Officer

May 1, 2012

999999999
LU0016360
PE 2602

City of Fresno
Development and Resource Management Department
Attention: Wilma Quan, Urban Planning Specialist
2600 Fresno Street
Fresno, CA 93721

Dear Ms. Quan:

PROJECT: Notice of Preparation for a Draft EIR

Thank you for the opportunity to review and comment on the above noted project. The Fresno County Department of Public Health, Environmental Health Division has reviewed the *Notice of Preparation for a Draft Environmental Impact Report for Downtown Neighborhoods Community Plan, Fulton Corridor Specific Plan, and Downtown Development Code* and offers the following comments:

- Should any underground storage tank(s) be found during projects, the applicant/owner shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division. Contact the Certified Unified Program Agency at (559) 600-3271 for more information.
- All wells (not intended for use) and septic systems that exist or that have been abandoned within the project area shall be properly destroyed by an appropriately licensed contractor.

The following comments pertain to demolition/remodel of existing structures:

- Should any structures have an active rodent or insect infestation, the infestation should be abated prior to demolition/remodel of structures in order to prevent the spread of vectors to adjacent properties.
- In the process of demolishing/remodeling existing structures, the contractor may encounter asbestos containing construction materials and materials coated with lead based paints.
- If asbestos containing materials are encountered, contact the San Joaquin Valley Air Pollution Control District at (559) 230-6000 for more information.
- If structures were constructed prior to 1979 or if lead-based paint is suspected to have been used in structures, then prior to demolition/remodel work the contractor should contact the following agencies for current regulations and requirements:
 - California Department of Public Health, Childhood Lead Poisoning Prevention Branch, at (510) 620-5600.

City of Fresno
Draft EIR
May 1, 2012
Page 2 of 2

- United States Environmental Protection Agency, Region 9, at (415) 947-8000
- State of California, Industrial Relations Department, Division of Occupational Safety and Health, Consultation Service (CAL-OSHA) at (559) 454-5302.
- Any construction materials deemed hazardous as identified in the demolition/remodel process must be characterized and disposed of in accordance with current federal, state, and local requirements.

If I can be of further assistance, please feel free to contact me at (559) 600-3271.

Sincerely,

Janet Gardner

Digitally signed by Janet Gardner
DN: cn=Janet Gardner, o=Environmental Health
Division, ou=Fresno County Public Health
Department, email=jgardner@fresno.ca.us, c=US
Date: 2012.05.01 14:23:18 -0700

R.E.H.S., M.P.H.
Environmental Health Specialist
Environmental Health Division

Jg

cc. Glenn Allen, Supervising Environmental Health Specialist
Vince Mendes, Supervising Environmental Health Specialist
Steven Rhodes, Supervising Environmental Health Specialist

Fresno -Draft EIR Downtown

MAY 01 2012

DOWNTOWN FRESNO COALITION

4781 E. Gettysburg Avenue • Fresno, California 93726 • Phone 559-291-2261 • Fax 559 291-4991

May 1, 2012

City of Fresno Development and Resource Management Department
Attn: Wilma Quan, Urban Planning Specialist
2600 Fresno Street, room 2156
Fresno, CA 93721

RE: EIR for Downtown Neighborhoods Community Plan, Fulton Corridor
Specific Plan, and Downtown Development Code

Dear Ms. Quan:

We are writing to express our procedural concerns in response to the Notice of Preparation of the Draft EIR for Downtown Neighborhoods Community Plan, Fulton Corridor Specific Plan (FCSP), and Downtown Development Code. We question the procedural validity of the Fulton Corridor Specific Plan process including the NOP. The purpose of a specific plan by law is to implement the adopted General Plan. The 2035 General Plan is in the process of being prepared. Therefore, we question whether the FCSP process can be legally designed to implement a nonexistent 2035 General Plan. Accordingly, please identify the General Plan that the FCSP is intended to implement.

We direct your attention to the following sections from the California Government Code.
Section 65450.

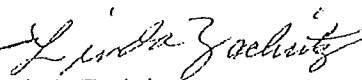
Preparation of specific plans. After the legislative body has adopted a general plan, the planning agency may, or if so directed by the legislative body, shall, prepare specific plans for the systematic implementation of the general plan for all or part of the area covered by the general plan. (Repealed and added by Stats. 1984, Ch. 1009.)

Section 65454. Consistency with the General Plan. No specific plan may be adopted or amended unless the proposed plan or amendment is consistent with the general plan. (Added by Stats. 1984, Ch. 1009)

Also, in the interest of avoiding confusion in the future, please identify, and provide contact information for, the chain of command and distribution of responsibilities for the EIR, CEQA, NEPA and section 4f processes.

Sincerely yours,


Harold Tokmakian, AICP


Linda Zachritz

cc: James Sanchez, Fresno City Attorney
Susan Brandt-Hawley, Esq.

Steering Committee: Joyce Aiken, William M. Donleavy, Bob Dwyer, Robert Dyer, Coke Hallowell, Walter Hernandez,
Sue McCline, Ray McKnight, James Oakes, Mabelle Seland, Harold Tokmakian, Linda Zachritz

DOWNTOWN FRESNO COALITION

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City of Fresno Development and Resource Management Department
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RE: EIR for Downtown Neighborhoods Community Plan, Fulton Corridor
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(Added by Stats. 1984, Ch. 1009)

Also, in the interest of avoiding confusion in the future, please identify, and provide contact information for, the chain of command and distribution of responsibilities for the EIR, CEQA, NEPA and section 4f processes.

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MAY 01 2012
DOWNTOWN FRESNO COALITION

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May 1, 2012

City of Fresno Development and Resource Management Department
Attn: Wilma Quan, Urban Planning Specialist
2600 Fresno Street, room 2156
Fresno, CA 93721

RE: EIR for Downtown Neighborhoods Community Plan, Fulton Corridor
Specific Plan, and Downtown Development Code

Dear Ms. Quan:

Following are comments on the scope of the Draft EIR for the Downtown Neighborhoods Community Plan, Fulton Corridor Specific Plan, and Downtown Development Code Project.

1. An EIR must address Fresno's history of public policy-making that allowed the decentralization that caused the decay of the downtown. It will not be sufficient to mention that the construction of large shopping centers drew businesses and shoppers away from the downtown. The decisions by elected officials that allowed this construction must be thoroughly examined.
2. The Notice of Preparation discusses Fulton Mall at length on pages 11-12 but fails to give equal attention to the other districts mentioned on page 9. The EIR should not replicate this disproportionate emphasis on Fulton Mall. It needs to analyze in equal scope and depth each district and the FCSP area as a whole. In addition, any proposed alternative must be given the same thorough analysis given to the project's preferred alternative.
3. The EIR should discuss in a comprehensive manner the interrelationships between all the districts mentioned in the draft of the Fulton Corridor Specific Plan, including all facets of required elements for the FCSP. The FCSP is the principal project area for the EIR. Each of the seven "districts" are subordinate components.
4. The EIR must examine the effect of the Downtown Neighborhoods Community Plan on the Eaton Plaza Master Plan, which was adopted by the City Council.
5. The draft Fulton Corridor Specific Plan, page 1.9 par. 6, refers to implementation by the Redevelopment Agency. Now that the Redevelopment Agency has been abolished, the EIR must clarify how implementation is to be achieved. As tools to affect the Specific Plan, closely explore the following in detail: capital improvement programs to fund infrastructure projects. Apply special assessment districts for the CBD, Chinatown, Cultural Arts, etc

The following comments pertain to "Potential Environmental Effects of the Project" on page two of the Notice of Preparation.

6. **Air Quality and Greenhouse Gas Emissions--** In light of Fresno's well-known problems with pollution and related health concerns, the EIR should analyze in detail the effect of each alternative for the FCSP area, including each option for Fulton Mall, on the production of pollutants and greenhouse gases.

Wilma Quan

RE: EIR for Downtown Neighborhoods Community Plan, Fulton Corridor
Specific Plan, and Downtown Development Code/Comments

May 1, 2012

Page 2

7. Cultural Resources-- Analysis of Cultural Resources must consider landscapes, buildings, art, architecture, etc. in all the districts included in the Project. It is important that the EIR study the totality of the Fulton Mall, including the art, the landscaping, the water features, the seating structures, the pavement, and the total configuration of these components.

8. Transportation and Traffic-- The EIR should specifically deal with a wide range of modes of transportation that do not necessitate opening the Fulton Mall to traffic. (See Proposed Alternative that follows.)

9. Utilities and Service Systems-- The EIR must thoroughly investigate the Project's effects on infrastructure. A well-maintained and up-to-date infrastructure system designed to support future private building and investment is essential.

PROPOSED ALTERNATIVE TO THE PREFERRED ALTERNATIVE

Analyze in detail the following alternative to the preferred alternative:

1) Retain and revitalize Fulton Mall in order to restore its historical integrity as a masterpiece of 20th-century modernist landscape architecture designed by Garrett Eckbo (see the nomination document for the National Register of Historic Places)

2) Develop alleys parallel to Fulton Mall as follows: (a) link them to Fulton Mall by removing some buildings and creating paseos/palleras/passageways between Mall and alleys; (b) encourage development of walkway frontages to include small shops, display windows, cafes, etc.; (c) create parking spaces in the alleys.

3) Realign and widen Broadway as a landscaped boulevard parallel to Fulton Mall with adjacent parking structures and mixed use buildings;

4) Redesign Tuolumne as a landscaped boulevard. Integrate the existing frontage road on the south side of Tuolumne with adjacent surface parking to create mixed use building sites parallel to Tuolumne (shops on ground floor, parking above, with offices/residences on upper floors).


5) Reconceive H Street and integrate it functionally and aesthetically into the Central Business District.

6) Design a high intensity node of cultural arts including music, theater, visual etc. at Tuolumne and Fulton Mall. Complementary studios, cafes, housing and other shops would be very appropriate.

7) Install a free trolley system to link activity nodes in the FCSP area and revive the tram service that was provided when the Fulton Mall was built.

Sincerely yours,


Harold Tokmakian, AICP


Linda Zachritz

cc: Susan Brandt-Hawley, Esq.



Wilma Quan
City of Fresno
Development and Resource Management Department
2600 Fresno Street, Room 2156
Fresno, CA 93721

District CEQA Reference No: 20110483

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the Notice of Preparation (NOP) for the project above. The plans for the regeneration of Downtown Fresno, the Fulton Mall, and its surrounding neighborhoods in the City of Fresno themselves will not have an impact on air quality. However, future development within the area will contribute to the overall decline in air quality due to increased traffic and ongoing operational emissions. New development may require further environmental review and mitigation. The District makes the following recommendations regarding future development:

- 1) The District is currently designated as extreme nonattainment for the 8-hour ozone standard, attainment for PM10 and CO, and nonattainment for PM2.5 for the federal air quality standards. At the state level, the District is designated as nonattainment for the 8-hour ozone, PM10, and PM2.5 air quality standards. The District recommends that the Air Quality section of the Environmental Impact Report (EIR) include a discussion of the following impacts:

- a) **Criteria Pollutants:** Project related criteria pollutant emissions should be identified and quantified. The discussion should include existing and post-project emissions.
- i) **Construction Emissions:** Construction emissions are short-term emissions and should be evaluated separate from operational emissions. The District recommends preparation of an Environmental Impact Report (EIR) if annual construction emissions cannot be reduced or mitigated to below the following

Northern Region:
4000 Enterprise Way
Modesto, CA 95350-8718
Tel: (209) 557-6400 FAX: (209) 557-6476

Central Region (Main Office):
1880 F. Gattysburg Avenue
Fresno, CA 93720-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34940 Flyover Court
Bakersfield, CA 93308-9726
Tel: 801-392-5500 FAX: 801-392-5505

levels of significance: 10 tons per year of oxides of nitrogen (NOx), 10 tons per year of reactive organic gases (ROG), or 15 tons per year particulate matter of 10 microns or less in size (PM10).

- ii) **Operational Emissions:** Permitted (stationary sources) and non-permitted (mobile sources) sources should be analyzed separately. The District recommends preparation of an Environmental Impact Report (EIR) if the sum of annual permitted and non-permitted emissions cannot be reduced or mitigated to below the following levels of significance: 10 tons per year of oxides of nitrogen (NOx), 10 tons per year of reactive organic gases (ROG), or 15 tons per year particulate matter of 10 microns or less in size (PM10).
- b) **Health Impacts:** Project related health impacts should be evaluated to determine if emissions of toxic air contaminants (TAC) will pose a significant health risk to nearby sensitive receptors. TACs are defined as air pollutants that which may cause or contribute to an increase in mortality or serious illness, or which may pose a hazard to human health. The most common source of TACs can be attributed to diesel exhaust fumes that are emitted from both stationary and mobile sources. Health impacts may require a detailed health risk assessment (HRA).

Prior to conducting an HRA, an applicant may perform a prioritization on all sources of emissions to determine if it is necessary to conduct an HRA. A prioritization is a screening tool used to identify projects that may have significant health impacts. If the project has a prioritization score of 1.0 or more, the project has the potential to exceed the District's significance threshold for health impacts of 10 in a million and an HRA should be performed.

If an HRA is to be performed, it is recommended that the project proponent contact the District to review the proposed modeling approach. The project would be considered to have a significant health risk if the HRA demonstrates that project related health impacts would exceed the District's significance threshold of 10 in a million.

More information on TACs, prioritizations and HRAs can be obtained by:

- E-mailing inquiries to: hramodeler@valleyair.org; or
- Visiting the District's website at:
http://www.valleyair.org/busind/pto/Tox_Resources/AirQualityMonitoring.htm.

- 2) In addition to the discussions on potential impacts identified above, the District recommends the EIR also include the following discussions:
 - a) A discussion of the methodology, model assumptions, inputs and results used in characterizing the project's impact on air quality. To comply with CEQA requirements for full disclosure, the District recommends that the modeling

outputs be provided as appendices to the EIR. The District further recommends that the District be provided with an electronic copy of all input and output files for all modeling.

- b) A discussion of the components and phases of the project and the associated emission projections, including ongoing emissions from each previous phase.
- c) A discussion of project design elements and mitigation measures, including characterization of the effectiveness of each mitigation measure incorporated into the project.
- d) A discussion of whether the project would result in a cumulatively considerable net increase of any criteria pollutant or precursor for which the San Joaquin Valley Air Basin is in non-attainment. More information on the District's attainment status can be found online by visiting the District's website at:
<http://valleyair.org/aqinfo/attainment.htm>.

District Rules and Regulations

- 3) Individual projects may be subject to District rules and regulations, including: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants).
- 4) Individual projects be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and will require District permits. Prior to construction, the project proponent should submit to the District an application for an Authority to Construct (ATC). For further information or assistance, the project proponent may contact the District's Small Business Assistance (SBA) Office at (559) 230-5888.
- 5) Individual development projects would be subject to District Rule 9510 (Indirect Source Review) if upon full build-out the project would include or exceed any one of the following:
 - 50 dwelling units
 - 2,000 square feet of commercial space;
 - 25,000 square feet of light industrial space;
 - 100,000 square feet of heavy industrial space;
 - 20,000 square feet of medical office space;
 - 39,000 square feet of general office space; or
 - 9,000 square feet of educational space; or
 - 10,000 square feet of government space; or

- 20,000 square feet of recreational space; or
- 9,000 square feet of space not identified above

The District recommends that demonstration of compliance with District Rule 9510, before issuance of the first building permit for each project phase including payment of all applicable fees, be made a condition of project approval. Information about how to comply with District Rule 9510 can be found online at: <http://www.valleyair.org/ISR/ISRHome.htm>.

- 6) The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (559) 230-5888. Current District rules can be found online at the District's website at:

www.valleyair.org/rules/1ruleslist.htm.

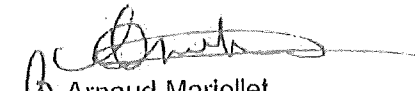
General

- 7) These plans are the blueprint for future growth and provide guidance for the community's development. The District is currently designated as extreme non-attainment of the federal national ambient air quality standard for ozone and non-attainment for PM2.5, and as attainment for PM10 for the federal standards. The District, however, has not achieved the state standards for PM10 and is designated as non-attainment. It is reasonable to conclude that mobile source emissions resulting from growth and development would have significant impacts on air quality. To reduce the project related impacts on air quality these plans should include design standards that reduce vehicle miles traveled (VMT). VMT can be reduced through encouragement of mixed-use development, walkable communities, etc. Recommended design elements can be found on the District's website at <http://www.valleyair.org/ISR/ISROnSiteMeasures.htm>.

If you have any questions or require further information, please call Patia Siong at (559) 230-5930.

Sincerely,

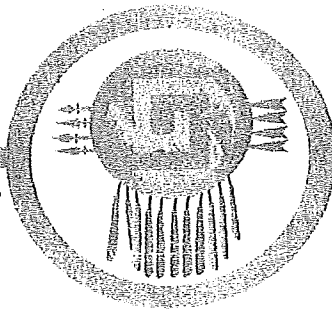
David Warner
Director of Permit Services


Arnaud Marjollet
Permit Services Manager

DW:ps

MAY 08 2012

CENTRO BINACIONAL PARA EL
BINATIONAL CENTER FOR THE DEVELOPMENT



DESARROLLO INDÍGENA OAXAQUEÑO
OF OAXACAN INDIGENOUS COMMUNITIES

May 8, 2012

CENTRAL OFFICE

www.centrobinaacional.org

711 N. Abby Street
Fresno, California 93701
Phone: (559) 499-1178
Fax: (559) 268-0484
cbdoinc@sbeglobal.net

EXECUTIVE COMMITTEE

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Fax: (805) 925-8580

Greenfield
Phone: (831) 671-3213

Wilma Quan
Urban Planning Specialist
City of Fresno
2600 Fresno Street, Room 2156
Fresno, CA 92721

Re: Scoping for the Downtown Neighborhoods Community Plan DEIR

Dear Ms. Quan:

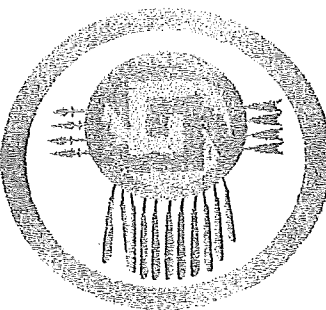
We appreciate this opportunity to comment on the scope of the DEIR for the Downtown Neighborhoods Community Plan, the Fulton Corridor Specific Plan and the Downtown Development Code. These planning documents will affect the future of the City of Fresno for many years to come. The Binational Center for the Development of Oaxacan Indigenous Communities (CBDIO, its acronym in Spanish) supports the efforts the City has made to focus development around the principles of increasing density and smart growth.

The area covered by the two plans and the accompanying code amendment has some of the most dismal health indicators of any area in the Valley, including poor air quality and concentration of poverty. For this reason, attention should be paid to environmental indicators, including air quality and other elements to avoid further deterioration of the environmental and social conditions. Along these lines, CBDIO would like to make the following suggestions regarding the DEIR:

Downtown Community Development Plan:

1. As mentioned in the DNCP, Fresno is part of the 26 proposed stations for the High Speed Train (HST). Taking in consideration the well-being of surrounding communities, the questions that we pose are: What are the impacts of the HST station on the development in downtown neighborhood? And how will people residing in the surrounding areas be affected in terms of displacement, air quality, water supply, health hazards, traffic, and the effects while the construction of the station takes place?
2. What are the implications of future developmental "transformation" work in Downtown Fresno on the prospective commercial/retail services in the nearby residential and community uses? Please refer to p. 2:16 on

**CENTRO BINACIONAL PARA EL
BINATIONAL CENTER FOR THE DEVELOPMENT**



**DESARROLLO INDÍGENA OAXAQUEÑO
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policy 2.12.8 and perform a study of negative externalities of all the proposed potential locations for commercial and retail center not limited to the effects on traffic, affordable housing options, displacement, water quality, air pollution and local job opportunities that will inform the community.

3. Please address in detail policy 2.13. What negative impacts is the policy addressing? "Reduce the negative impacts of industrial, commercial, and airport uses on nearby residential and community uses" (p. 2:17).
4. How does the plan foster cultural preservation? And how does it keep people living in their current homes in the residential places they have been living for decades
5. In the code, what is the proximity among residential areas and industry areas? What are the environmental and health risks of residents living in the surrounding areas?

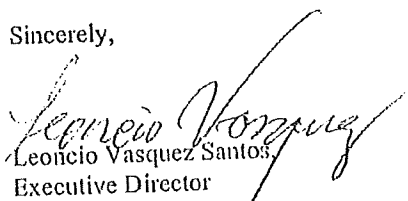
Mitigation measures

We request that adequate measures for areas of environmental impact be included in the DEIR and that are made public.

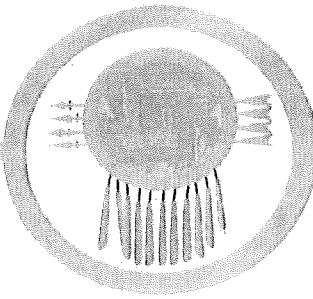
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CBDIO urges the City of Fresno to consider meaningfully the suggestions above and to act accordingly, in other words, to use this window of opportunity to find the best alternative for Fresno residents and specifically those within the plan area.

Sincerely,


Leoncio Vasquez Santos
Executive Director

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Centro Binalcional para el Desarrollo Indígena Oaxaqueño (CBDIO)
744 N. Abby Street
Fresno, CA 93701

Re: Scoping for the Downtown Neighborhoods Community Plan DEIR

Dear Wilma:

We appreciate this opportunity to comment on the scope of the DEIR for the Downtown Neighborhoods Community Plan, the Fulton Corridor Specific Plan and the Downtown Development Code. These planning documents will affect the future of the City of Fresno for many years to come. The Binalcional Center for the Development of Oaxacan Indigenous Communities (CBDIO, its acronym in Spanish) supports the efforts the City has made to focus development around the principles of increasing density and smart growth.

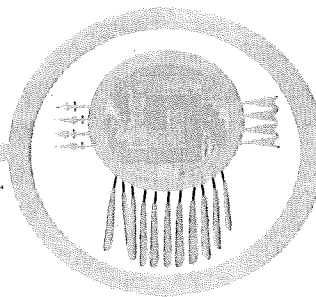
The area covered by the two plans and the accompanying code amendment has some of the most dismal health indicators of any area in the Valley, including poor air quality and concentration of poverty. For this reason, attention should be paid to environmental indicators, including air quality and other elements to avoid further deterioration of the environmental and social conditions. Along these lines CBDIO would like to make the following suggestions regarding the DEIR:

Downtown Community Development Plan:

- As mentioned in the DNCP, Fresno is part of the 26 proposed stations for the High Speed Train (HST). Taking in consideration the well-being of surrounding communities, the questions that we pose are: What are the impacts of the HST station on the development in downtown neighborhood? And how will people residing in the surrounding areas be affected in terms of displacement, air quality, water supply, health hazards, traffic, and the effects while the construction of the station takes place?

- What are the implications of future developmental "transformation" work in Downtown Fresno on the prospective commercial/retail services in the nearby residential and community uses? Please refer to p. 2:16 on policy 2.12.8 and perform a study of negative externalities of all the proposed potential locations for commercial and retail center not limited to the effects on traffic, affordable housing options, displacement, water quality, air pollution and local job opportunities that will inform the community.

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- Please address in detail policy 2.13. What negative impacts is the policy addressing? "Reduce the negative impacts of industrial, commercial, and airport uses on nearby residential and community uses" (p. 2:17).

- How does the plan foster cultural preservation? And how does it keep people living in their current homes in the residential places they have living for decades

- In the code, what is the proximity among residential areas and industry areas? What are the environmental and health risks of residents living in the surrounding areas?

Mitigation measures

We request that adequate measures for areas of environmental impact be included in the DEIR and that are made public.

Thank you for allowing us this opportunity to suggest areas for review within the DEIR for the Downtown Neighborhoods Community Plan, Fulton Corridor Specific Plan and the Downtown Development Code Amendment. As an organization we maintain significant concern over this review process because of the future effects these plans will have on current residents and their children. It is for them that we ask for your consideration regarding all of the points raised above.

CBDIO urges the City of Fresno to consider meaningfully the suggestions above and to act accordingly, in other words, to use this window of opportunity to find the best alternative for Fresno residents and specifically those within the plan area.

Again, thank you for the opportunity to participate in the environmental scoping process for the recently proposed downtown planning documents.

Sincerely,

Sarait Martinez
CBDIO, Community Worker



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Laura D. Bernmen
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May 2, 2012

VIA ELECTRONIC DELIVERY

Wilma Quan
Urban Planning Specialist
City of Fresno
2600 Fresno Street, Room 2156
Fresno, CA 93721
wilma.quan@fresno.gov

RE: Comments in response to Notice of Preparation on the scope and content of the EIR for Downtown Neighborhoods Community Plan, Fulton Corridor Specific Plan, and Downtown Development Code

Dear Ms. Quan:

Thank you for this opportunity to submit comments pursuant to California Environmental Quality Act ("CEQA") Section 15083 to inform the scope and content of the Environmental Impact Report (EIR) that will be prepared for the proposed Downtown Neighborhoods Community Plan ("Downtown Plan" or "Plan"), Downtown Development Code ("Downtown Code" or "Code"), and Fulton Corridor Specific Plan ("FCSP") and to propose specific mitigation measures and alternatives through which the project's significant effects may be avoided. These comments aim to assist the City of Fresno to comply with its obligations under the CEQA by considering the relationship between a high quality ecological system and the general welfare of the people that will be affected by the Plan, the Code, and the EIR (Pub. Resources Code § 21000(c)). To uphold the legislative intent expressed in CEQA, the City of Fresno must draft the EIR in a manner that gives major consideration to preventing environmental damage, while providing a decent home and satisfying living environment for the residents of the area covered by the Downtown Plan (Pub. Resources Code § 21000(g)).

Vibrant, mixed-income neighborhoods and minimized gentrification

The Downtown Plan establishes among its goals the achievement of vibrant, mixed-income neighborhoods and minimized gentrification (Ch. 1(b)(4)). The Plan states that this will occur by "providing a rich housing mix to accommodate and attract a wide-range of household types and income levels", among other actions. While we commend the fact that the Downtown Neighborhoods Citizens Advisory Committee (DNCAC), on December 13, 2011, approved that housing will remain affordable and that all new housing will include a certain percentage of low-income and extremely low-income housing, the City should ensure inclusion of that recommendation in the Plan and that it is also relayed in the Code.

LSC



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Displacement of low-income residents

The planned development and revitalization of the downtown area will likely lead to increased housing prices and an elimination of affordable housing units in the downtown area. A rise in housing prices, without designating a minimum requirement of affordable housing, could lead to the displacement of low-income and very-low-income populations. Thus, an express commitment in both the Plan and Code to ensure that housing will remain affordable and all new housing will include a certain percentage of low-income and extremely low-income housing is vital to mitigate adverse effects that are social, economic, and environmental in nature. Further, a commitment to replace every affordable unit taken off the market with an affordable unit is necessary.

Vehicle Miles Travelled, Greenhouse Gas Emissions, and Air Pollution

Without appropriate mitigation measures, the displacement of residents and their resulting relocation could potentially result in a significant increase in air pollution due to increase in Vehicle Miles Travelled (VMT) by displaced residents. For example, if a displaced resident must travel further to get to work because of the lack of affordable housing in their former downtown community, their VMT may significantly increase and therefore, the Green House Gas Emissions (GHGs) and particulate matter generated by their transportation as well. Such increases in air pollution will further deteriorate Fresno's already poor air quality and further jeopardize resident health. More importantly, these particular health impacts will disproportionately affect low-income and racial minorities that live in the downtown area.

Compliance with California Housing Laws

Displacement of low-income residents from the area covered by the Downtown Plan due to a rise in housing prices could also result in non-compliance by the City of Fresno with California Housing Laws. California Housing Law requires cities to plan for forecasted population growth and identify potential sites suitable to house a variety of income levels. Cities must provide for sufficient low-income housing in their adopted Housing Element to meet the low-income housing share allocated to it by the California Housing and Community Development Agency. CEQA requires EIRs to discuss any inconsistencies between the proposed project and applicable general plans, specific plans, and regional plans, including regional housing allocation plans (14 CCR § 15125(d)). Under California Housing Law, all planning documents adopted by a city must conform with the city's housing element.

To comply with CEQA, the EIR should examine the aforementioned impacts and possible ways to mitigate the adverse effects by doing the following:

- Analyze the potential displacement of low-income residents from the downtown plan area and the likely air quality impacts, taking into account the City's mandate to plan for housing forecasts and consistency between the city planning documents and the housing element (14 CCR § 15125(d) & 15126.2)
- Analyze the options for the creation of an alternative or addition to the Downtown Code that incorporates the commitment to the policy that housing will remain affordable and that all new housing will include a certain percentage of low-income and extremely low-income housing. Without a provision in the Code ensuring sufficient, high-quality, affordable housing, and a proper alignment with transportation planning, the City risks not complying with California Housing Law in the future, given the significant potential for displacement of low-income and extremely low-income downtown residents.



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- Include as a mitigation measure, the adoption by the City of an ongoing monitoring project to assess displacement as it occurs over the life of the Downtown Plan. Such a measure would allow the City to respond adequately to the changing housing needs of Fresno's low-income population and meet its housing requirements under the law.

Air quality degradation due to lack of public transportation

Parts of the area covered by the Downtown Plan – in particular, those in Southwest Fresno – are disproportionately lacking in affordable and reliable public transportation compared to other areas of Fresno. As written, the Downtown Plan will reinforce and potentially augment these disparities through its policy of focusing transit service and investments on “high-priority” transit corridors located in the northern part of the plan area (Ch. 3.1.3 & Fig. 3-2). Population increases in the Downtown Plan area, without the corresponding development of public transportation, may lead to an increase in VMT and consequently, to increased greenhouse gas emissions and particulate matter generated by the transportation sector. As expressed above, the existing poor air quality and further degeneration of air quality, along with inadequate transit options, may result in an indirect environmental impact and disproportionately effect low-income and ethnic and racial minority residents who reside in the Downtown Plan area and Southwest Fresno in particular.

To comply with CEQA, it is advisable:

- That the EIR analyze the environmental and health impacts of the availability of public transportation in the Downtown area as envisioned by the Downtown Plan, with consideration of the impacts in each of the Plan's neighborhoods, including Southwest Fresno (Pub. Resource Code §15126.2).
- An analysis of the environmental impacts of the availability of public transportation in the Downtown area with the reprioritization of public transit routes by the Plan such that the southern route in Downtown Plan Figure 3-2 assumes primary priority.
- Inclusion in the EIR mitigation report the designation of primary priority to the transit route resulting in the best environmental and health outcomes and the prioritization of investment in public transportation in areas that are not currently served by a high quality transportation system together with details of potential new public transit routes.

Environmental and health impacts of increased industrial activity

The Downtown Plan and the Downtown Code include numerous provisions aimed at facilitating industrial growth and easing and eliminating permit processes and requirements. While the Plan establishes policies that prioritize the minimization of negative impacts to the health and well-being of residents of the downtown area, many of these policies lack definitions in the Downtown Plan or the Downtown Code that would allow for the effective implementation and enforcement of those policies. In the absence of clear definitions, the Plan could stimulate an increase in polluting and toxic industrial activity in the downtown area, with associated heightened environmental impacts, and negatively impact the health and well-being of residents located near industrial sites.

Drafting an EIR that satisfies CEQA requirements depends on a clear understanding of existing conditions; therefore, we recommend inclusion of the following:

- A detailed identification and analysis of existing conditions including noxious uses in the Downtown Plan area, with a focus on the negative environmental impacts of those uses on air quality and on downtown resident health and quality of life (14 CCR §15126). To be complete,



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- this analysis should consider the environmental impacts generated not only by facilities engaged in noxious uses themselves, but also by commercial vehicular transit through the downtown area associated with the facility.
- A list of anticipated new industrial developments in the area covered by the Downtown Plan, including the location of the anticipated facilities, the nature of activities to be engaged in, and the possible environmental impacts of the activities, considered both individually and cumulatively with existing conditions and other anticipated sources of pollution (14 CCR §15130). This analysis should focus on the potential environmental and health impacts to vulnerable communities in the downtown area, including low-income communities and communities with high racial and ethnic minority concentrations, and to the social cohesion of those communities. In addition to allowing for an adequate environmental assessment of the Downtown Plan and Code, identification of the anticipated new developments will facilitate future decision-making in the approval process for proposed projects (14 CCR §15126.2).
 - Analysis of the potential environmental, health, and social impacts of provisions of the Downtown Plan and the Downtown Code which discontinue the requirement for Conditional Use Permits for industrial uses in many geographical areas that previously required such a permit. We suggest that this analysis give particular importance to the potential impact on low-income and ethnic and minority residents as well as on community cohesion in the downtown area.
 - We also request a confirmation that the Code has been updated to reflect that on December 13, 2011 the DNCAC approved keeping present Municipal Code language regarding appeals. The aforementioned language includes allowing appeals from any interested party, an initial decision by the Planning Director, a hearing before the Planning Commission on appeal, and a final possibility of appeal by the City Council member representing the proposed project location.

Mitigation measures that are clearly aligned with the findings above should protect the existing community and include an analysis provided for how each of those measures would in fact protect the community (Pub. Resources Code §21002, 14 CCR §15126.4). With regards to changes to Conditional Use Permit requirements for industrial uses, we suggest that the City maintain current permitting requirements as was approved by the DNCAC.

In addition, an adequate EIR will include a list each of the plausible definitions - in a clear and unambiguous manner - of the following terms and phrases included in the Downtown Plan and the Downtown Code which currently lack definition in either document. In addition, given the potential environmental, economic, and social effects of the Downtown Plan and Downtown Code, the EIR should analyze the potential impacts to the environment and to resident health and well-being that would result for each plausible definition.

- Downtown Plan Ch. 2.13.3, "buffers"
- Downtown Plan Ch. 7.6.4, "significant negative impact"
- Downtown Plan Ch. 7.6.5, "appropriate buffers"
- Downtown Plan Ch. 7.7.4, "appropriate distance"
- Downtown Code Table 3, "manufacturing (non-perishable items)", "manufacturing (perishable items)", "recycling center", "contractor storage yard".

As a mitigation measure, we propose that the EIR create a glossary to be adopted by the City including a definition for each term in a way that will provide clarity in the future while minimize negative impacts to the environment and to resident health of increased industrial development in the downtown area.



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Public Services

To comply with CEQA, the EIR must analyze the Plan's potential impact on the availability of public services to residents of the downtown area (14 CCR §15126.2). In particular, the EIR must analyze the prospective availability of (1) adequately maintained and safe parks, open space, and recreational areas, (2) fire services, (3) police services, (4) health facilities and services, and (5) grocery stores with produce that is both fresh and reasonably priced. Beyond the fact that auto-oriented development could lead to worse health conditions in the proposed project area (higher levels of obesity, chronic diseases, and other health concerns), the lack of housing proximity to basic daily necessities also generates unnecessary air pollution through increased VMT and green house gas emission levels. An analysis of the existing services as well as anticipated services can guide decision-making in a way that will benefit the low-income community as well as air quality.

Impacts on Specific Populations

The City of Fresno has a responsibility to ensure that EIR development aligns with the CEQA intent which is to give major consideration to environmental quality while providing a decent living environment for the respective residents.

a. Vulnerable Populations

The EIR should analyze in as much specificity possible the potential impacts of the Plan on vulnerable populations, including youth, the elderly, low-income persons, and racial and ethnic minorities.

b. Small Business Owners

The EIR should analyze in as much specificity possible the potential impacts of the Plan on small business owners in the Downtown Plan area, and in particular, on racial and ethnic minority business owners and business owners located in the area covered by the Project.

Thank you for your thorough consideration of our comments as you prepare the EIR. Should you have any questions regarding this letter, please feel free to contact me at (559) 441-8721, ext. 305.

Sincerely,

CALIFORNIA RURAL LEGAL ASSISTANCE, INC.

Ashley Werner

Staff Attorney

cc: Amparo Cid, California Rural Legal Assistance Foundation

July 28, 2011

From: City of Fresno Bicycle and Pedestrian Advisory Committee
2600 Fresno Street
Fresno, California

To: Downtown Neighborhoods Community Plan (DNCP)
Fresno, CA

RE: Chapter 12.5 of the Fresno Municipal Code - Downtown Development Code Draft

Dear Sir or Madam,

The purpose of this letter is to provide comments regarding the recently released Downtown Code Draft. These comments are specifically meant to address the bicycle components of the document. The Bicycle and Pedestrian Advisory Committee (BPAC) did a complete review of the sections of the document that address bicycle facilities (Figures 9, 9.1 and paragraph 10.41-Requirements for Bicycle Parking) and offer the following comments:

- A. No multipurpose trails (Class I) are shown on either figures 9 or 9.1 as shown in the City of Fresno Bicycle, Pedestrian & Trails Master Plan (BMP) adopted in October of 2010.
- B. Bike Lanes (Class II) shown on the BMP that are missing from Figures 9 and/or 9.1 include:
 - 1. Whitesbridge & Amador not shown to West Avenue.
 - 2. Teilman Avenue/Pacific Avenue.
 - 3. Thorne Avenue north of Whitesbridge
 - 4. Walnut Avenue south of California Avenue
 - 5. Kearney Boulevard
 - 6. California Avenue East of B Street
 - 7. Van Ness Southwest of Los Angeles
 - 8. Golden State Boulevard Southeast of California Avenue
 - 9. Railroad Avenue Southeast of California Avenue
- C. We would like to have designated the difference between existing and new facilities.
- D. Bike parking requirements outlined in paragraph 10.41 include many needed requirements but do not encompass all the requirements shown on page 129 and table 5.5 of the BMP. Further embellishments can be seen from the photographs provided on page 134 of the BMP. Because of the downtown enhanced emphasis on pedestrian friendly modes of transportation we feel that an even more appropriate table of reference would be Table 5.6. Per our understanding this code would currently base bicycle parking on a percentage of the number of required automobile parking stalls. This code does allow exemptions for certain buildings for automobile parking if they are located within a certain distance

from a municipal parking facility. This would imply that no bicycle parking is required at these locations.

The Bicycle and Pedestrian Advisory Committee appreciates the efforts put into this document to this point including additional bike lanes not included in the BMP.

It is our hope that you will consider the inclusion in the final document of our review comments.

Sincerely,

Nicholas D. Paladino (Committee Chairman)
Philip Decker (Committee Vicechairman)

MAY 02 2012

May 1, 2012

City of Fresno Development and Resource Management Department
Attn: Wilma Quan, Urban Planning Specialist
2600 Fresno Street, room 2156
Fresno, CA 93721

RE: EIR for Downtown Neighborhoods Community Plan, Fulton Corridor Specific Plan, and
Downtown Development Code

Dear Ms. Quan:

Following are the comments on the scope of the Draft EIR for the Downtown Neighborhoods
Community Plan, Fulton Corridor Specific Plan, and Downtown Development Code Project.

A. Aesthetic Considerations:

A.1. The EIR must consider the aesthetics and context of a mid-century modern campus design developed as integral part of Victor Gruen urban renewal plan for downtown Fresno to which the Fulton Mall is central, specifically including, but not limited to, the mid-century modern buildings and public art along the Mariposa Mall and throughout downtown Fresno. The EIR must focus particularly in the Central Business District (subdistrict 1) and Civic Center District (subdistrict 3) as described in p.9 of the FCSP and DNCP Notice of Preparation document.

A.2. The EIR must consider the aesthetic significance of the Fulton Mall as the work of a modernist landscape architecture master (Garrett Eckbo) and as a rare example of his work that has survived with high degree of design integrity. The EIR must recognize and explore its design relevance given that the Mall is already listed on the California Register of Historical Resources, was found eligible for the National Register, and is potentially significant as a National Historic Landmark.

A.2. The EIR must consider the aesthetic significance of Eckbo's design of the Fulton Mall as developed within the context of the Central Valley Fresno region. Eckbo himself explained his design for the Fulton Mall by highlighting the importance of agriculture in the San Joaquin Valley: "The plentitude of quiet and moving waters, and of shade and greenery from trees and arbors, symbolizes the bursting vitality of irrigated agriculture in the hot interior valley of the arid west" [1].

A.3. The EIR must consider the aesthetic significance of the Fulton Mall as a whole contiguously unified design and not simply as a collection of individually-commissioned pieces of art that can be freely relocated. The EIR should study the design unity, aesthetic contributions, placement and configurations of the all the 80-ft wide stained concrete right-of-ways, all the multiple ribbon design patterns of 8 ½ -inches wide concrete aggregate crossing all Mall right-of-ways and intersections, the 80 seating areas (18 of which with benches with brightly colored mosaic backs), the 2 tot lots; the 19 water features, among them pools, fountains and flowing streams;

and the 26 sculpted ceramic pipes that are part of the water features [2].

A.4. The EIR must consider the aesthetics of the relationships between the individual Art pieces on the Fulton Mall and the Mall itself. As part of Eckbo, Dean, Austin and William's design for the Fulton Mall, pieces of art were placed in specific landscape environments that include pools, seating areas, and fountains and should be considered as design highlights to the overall landscape plan. For example, a piece of art such as the Bruno Groth's "Rite of the Crane" must be viewed in the context of the environment it was designed for and its specific role in the overall design of the Mall. In this particular example, a simulated wetlands hardscape environment was created by Eckbo, Dean, Austin and Williams as freeform pools in the Merced Mall to display the crane sculpture among reeds and grasses, appropriate for the valley where the marshlands still protect them today [3]. The original landscape plan includes specifications for wetlands vegetation [4]. The EIR must study how will displacing the Rite of the Crane sculpture out of its fountain to another area in the Mall affect its design aesthetics and its original design context, the illustration of a crane in its natural environment? How will it affect the remaining landscape environments? The same approach should be considered for the flowing water hardscape features that highlight "The Visit" (Clement Renzi), the various pools and fountains that highlight the clay standpipes and that represent agricultural irrigation sources (Stan Bitters), and the flowing water hardscape features that highlights the "Obos" sculpture (George Tsutakawa) at the southern end of the Mall.

A.5. The EIR must consider the aesthetics of the local design language within the Art and Architectural modernist movement of the 1950s and 1960s in the United States and how those will be affected under the various Fulton Mall options.

A.6. The EIR must consider the aesthetics and the contribution of the local artistic movements currently represented on the Mall. Local Fresno artists with a genuine design language, namely Jean Ray Laury, Stan Bitters, and Joyce Aiken came together to create a local artistic expression in numerous locations throughout the Mall: mosaic panel seating areas (Laury, Aiken and Bitters), fired clay standpipes in numerous fountains, and large hardscape settings such as "Dancing Waters" (Bitters) which includes a setting where local Hans Sumpf clay tile was used.

A.7. The EIR must consider the aesthetic effects of displacing pieces of Art designed by local artists that are an integral part of the hardscape environments they were created for. Given that the majority of Art pieces that can be effectively displaced without damage were created by artists that are not local, the EIR must study (for all the Mall options) what is the effect on the proportional representation of local Art and Artists in the scenarios when Art pieces are displaced from their original locations.

B. Cultural Aspects:

B.1. The EIR must address the cultural significance of the Fulton Mall as recognized by national and international organizations, for example, but not exclusively, with honors for "Excellence in Community Architecture" (1965) from AIA [5] and "National Design Excellence" award from US

HUD (1968) [6].

B.2. The EIR must consider the cultural significance of the Fulton Mall as one of the last remaining and best preserved examples of a modernist landscape architecture design for a pedestrian mall in the United States, specifically including, but not limited to, the effect of purposefully destroying one of the last intact modernist pedestrian malls in the United States.

B.3. The EIR must address the cultural significance of the Fulton Mall as a representation of a unique, localized Architecture and artistic expression, by the incorporation of the work of local artists, methods of construction and materials.

B.4. The EIR must consider the significance of the Fulton Mall as a cultural representation of the Central Valley ecosystems. The EIR should consider that in the Mall's design special care was pursued to ensure a cultural connection to the Fresno region: the Mall's pavement is an illustration of the area's topography, the concrete is stained an adobe color to suggest the valley's soil, and is crossed at frequent intervals by undulating ribbons of aggregate to convey a sense of the texture and gradations of the valley floor, the water features contain ceramic sculptures that suggest the irrigation standpipes commonly found in valley fields and orchards [2].

B.5. The EIR must consider the effects of the proposed projects on social justice issues, specifically including, but not limited to, the displacement of current tenants (as opposed to property owners), of disabled patrons of Fulton Mall tenants, and the homeless population currently residing in or around downtown Fresno.

B.6. The EIR must consider the cultural significance of the Free Speech Area and Free Speech Platform, a Historically-registered site (California Historical Landmark No. 873). The EIR should take into account the social justice aspects associated with this location's availability as a center for free-speech and the potential effects on its current users.

B.7. The EIR must consider the cultural significance of the pedestrian-friendly gathering places provided by the Fulton Mall for numerous ethnicities and socio-economic classes in Fresno throughout the year (Market on Kern, Thursday Night Live, Cinco de Mayo, Over the Edge, Fiestas Patrias, Chile Festival, El Grito, Christmas Parade, among others).

C. Environmental and Health Considerations:

C.1. The EIR must consider the environmental and health effects of air pollution for all the Fulton Mall options. The EIR must take into account the concentrations of soot, dust, noise levels, and other pollutants in the Mall compared to a motorized street; it must also study the effect of auto traffic pollution of the Mall buildings. The EIR must also include the environmental air quality effects associated with demolition and/or construction for all the Fulton Mall options.

C.2. The EIR must address environmental and health effects of noise pollution associated with the different Fulton Mall options.

C.3. The EIR must take into account the environmental and health effects of all the Fulton Mall options on public health such as, but not exclusively on obesity levels, stress, and lung diseases.

C.4. The EIR must address environmental and health aspects pertaining to pedestrian safety and visual safety associated with all the Fulton Mall options.

C.5. The EIR must consider the effects of environmental cooling sources available under all alternatives as it relates to the Fulton Mall serving as a gathering place for the public throughout the year, and in particular during the hottest season of the year.

C.6. The EIR must consider the environmental cooling effects of all the 144 mature trees, Wisteria-covered pergolas, and the remaining shady environments provided by the Fulton Mall in connection with the area's intense sun and heat.

C.7. The EIR must consider the environmental cooling effect of all the water feature environments provided by the Fulton Mall (streams, pools, and fountains as originally created, including original water features currently serving as earth-filled planters). This should be done in connection with air cooling properties of these features and consider the area's intense Summer heat.

C.8. The EIR must consider the effects of potential environmental ground and ground water source contamination by placement of a street with automobile traffic and parking and the necessary introduction of gasoline, motor oil, radiator fluid, and petrochemicals, on the gathering place for numerous ethnicities and socio-economic classes in Fresno.

D. Historic Significance:

D.1. The EIR must consider the historic significance of the Fulton Mall as one of Garrett Eckbo's major achievements [7] and the historic significance of Fresno being chosen as the location for its construction. The EIR must take into account of the historic role of the Fulton Mall as setting a high standard for civic design in the nation's urban renewal efforts and its worldwide attention and acclaim (more than fifty cities sent official delegations to see it) [8].

D.2. The EIR must consider the historic contribution of local personalities to the creation of a Downtown Mall Art Selection Committee, chaired by O.J. Woodward II, and the public display of modern art that grew out of that committee's patronage.

D.3. The EIR must consider the historic significance of the Free Speech Area and Free Speech Platform, a Historically-registered site (California Historical Landmark No. 873). The EIR must consider the historic nature of the Free Speech Area as the site of the Fresno Free Speech Fight of the Industrial Workers of the World, and the Free Speech platform as symbolic commemorative site where the first free speech legal conflict in California took place.

E. Economic Considerations

E.1. The EIR must consider the economic effects on the value of buildings and land currently existing on and immediately adjacent to the Fulton Mall.

E.2. The EIR must consider the economic effects on the value of buildings and land held by landlords living and/or residing in outside of the City of Fresno.

E.3. The EIR must consider the economic effects on the value of buildings and land held by landlords and tenants who have underinvested in their respective properties on the Fulton Mall.

F. Land Use/Planning Considerations:

F.1. The EIR must consider the effects of the potential failure to build a high speed rail station, as currently proposed for Mariposa street, approximately one block west of the Fulton Mall.

F.2. The EIR must consider the effects on public finances for all Fulton Mall alternatives.

F.3. The EIR must consider the effect on the public's trust and faith in the City of Fresno in light of the City's support of a plan to spend millions of public funds to improve private property.

F.4. The EIR must consider the effect of the City of Fresno's honesty in defending multiple lawsuits wherein the City states that the Fulton Mall is public property (see, e.g., Rosendahl v. City of Fresno, Fresno County Superior Court Case number 11CECG01124), while also testifying before state and national agencies that the Fulton Mall is private property.

We, the undersigned request written responses to the comments submitted above.

Our best regards,

Eldon Daetweiler
251 W. Los Altos Avenue
Fresno, CA 93704

Ryan Eddings
5200 N Palm Avenue, Suite 302
Fresno, CA 93704-2225

Miguel Santos
5470 N 6th Street
Fresno, CA 93710

Kiel Famellos-Schmidt
1405 N. Adoline Avenue

Fresno, CA 93728

Eric Schmitt
7417 N Bain Avenue
Fresno CA 93722

References:

- [1] Eckbo, G. 1986. "Fresno Mall Revisited". Landscape Architecture, Nov/Dec Issues
- [2] McKnight R. Zachritz L., and Tokmakian, H. 2008. "Fulton Mall Application for Registration in the National Register of Historic Places", United States Department of the Interior, National Park Service. http://www.ohp.parks.ca.gov/pages/1067/files/nr%20application_070108.pdf
- [3] PBID Partners of Downtown Fresno. "Fulton Mall Public Art - Rite of the Crane by Bruno Groth". Fulton Mall Public Art. <http://www.downtownfresno.org/rite-of-the-crane-bruno-groth.html>
- [4] Gruen and Associates, Eckbo, Dean, Austin and Williams. 1964. "Planting, Soil and Excavation Plan for the Merced Mall". Plans for Pedestrial Mall No 1, Job 4021, Sheet L-5. City of Fresno.
- [5] Evon L. 1965. "AIA Presents Award for Fresno's Mall's". Fresno Bee, Oct, V84, N15482, pp. 1-A, 12-A.
- [6] Anonymous. 1968. "Pedestrian Mall System gets Another Top Award". Fresno Bee, Oct 15, pp. 1-C, 5-C.
- [7] Downtown Fresno Coalition. 2010. "Fulton Mall Deemed Eligible for Listing in the National Register of Historic Places at the State and Local Level". Press release, Sep 9 2010
- [8] Taper, B. 1966. "The City that Puts People First", McCall's, April Issue, pp.62

Baker Manock
& Jensen ^{PC}
ATTORNEYS AT LAW

MAY 10 2012

May 1, 2012

Christopher L. Campbell
Attorney at Law
ccampbell@bakermanock.com

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VIA ELECTRONIC & U.S. MAIL

City of Fresno Development and
Resource Management Department
Attention: Wilma Quan, Urban Planning
Specialist
2600 Fresno Street, Room 2156
Fresno, California 93721

Re: Comments of Fresno City and County Historical
Society on the EIR for Downtown Neighborhoods
Community Plan, Fulton Corridor Specific Plan, and
Downtown Development Code

To Whom It May Concern:

I serve as Secretary and General Counsel of the Fresno City and County Historical Society (FHS). I am submitting these comments behalf of FHS in response to the City of Fresno Environmental Impact Report for Downtown Neighborhoods Community Plan, Fulton Corridor Specific Plan, and Downtown Development Code made available for public comment on April 3, 2012.

Boundaries of Plan Areas.

The Notice of Preparation indicates that current freeway routes are heavily used as neighborhood, plan area and district boundaries for the proposed Downtown Neighborhoods Community Plan and the Fulton Corridor Specific Plan. Most freeway construction in the overall plan area occurred long after the development of the historic neighborhoods. Therefore, the freeways are not indicative of traditional neighborhood boundaries. Most freeways through Fresno, and most significantly through historic downtown Fresno, divide existing neighborhoods by closing cross-streets and other access points to neighborhoods. These transportation facilities may facilitate automobile traffic through the city to the suburban edges, but they interrupt the street grid and divide residents and businesses that were once integrated parts of the built environment.

FHS recommends that the City consider revising the boundaries to include all portions of historic neighborhoods into plan areas. For example, the boundary on the north side of the DNCP area could be Belmont Avenue to observe a more traditional division between the

May 1, 2012

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lower Tower District and the upper Lowell neighborhood and include the triangle between 180 and Belmont and Weber Avenues. Similarly, on the south side of the FCSP area, Ventura or another parallel street south of Ventura might be a better boundary choice and more accurately define the neighborhood than the 41 corridor.

Historic Preservation Element.

Because the planning area contains many historically significant structures, it is essential that the new plans contain a comprehensive preservation element that will ensure the protection of historic and contributing resources in the plan areas. The completed preservation element should provide predictability for those interested in developing in the downtown area in addition to protecting historic resources.

The first step in creating the preservation element should be to review, update and adopt the many historic resource surveys which have already been performed in the project areas. The adopted surveys will create a "threshold of significance" or baseline for future development in the plan areas. Established baselines for historic resources, including potential historic districts, will expedite future development by informing the public and potential developers at the very beginning of the process of historic features and their significance. Establishing this baseline is crucial, now that the City of Fresno has adopted the general plan update option that promotes downtown revitalization and in-fill development.

The historic preservation element should also include a prescribed project review process to efficiently evaluate a proposed project, its environmental impacts and determine appropriate mitigation measures if required. As the NOP states, "[o]ver the years, many significant or simply good urban buildings have been demolished and have replaced with vacant land and parking lots." (p. 14) The Fresno Morning Republican, the Brix Building, Firestone Store, and the Sullinger Building are some recent examples of unique historic buildings demolished without adequate environment review and without even firm, new projects to replace them, leaving vacant gaps in the urban fabric. Protection and reuse of historic, and even old "good urban buildings," are necessary to provide an environment for a healthy mix of uses and rents for the emerging downtown population.

In conclusion, we appreciate the City's detailed planning process and commitment to downtown revitalization. We believe that the appropriate handling of the historic resources in the planning area as we have discussed in these comments, must be addressed in specific detail in the next phase of planning for these areas. Because local knowledge is so important in addressing historical resources, we strongly encourage the City of Fresno to include FHS and the City of Fresno Historic Preservation Commission in early discussions about the

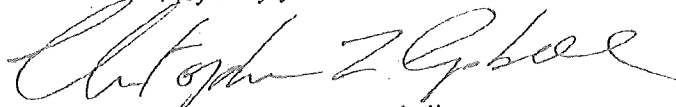
May 1, 2012

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appropriate way to address each of the historic resources that are potentially affected by the proposed plans and to assist in creating the historic preservation element of the plans.

Thank you for your consideration.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Christopher L. Campbell".

Christopher L. Campbell
BAKER MANOCK & JENSEN, PC

CLC:tlw

cc: City of Fresno, Historical Preservation Commission

DOWNTOWN FRESNO PARTNERSHIP

Wilma Quan
City of Fresno
2600 Fresno Street
Fresno, California 93721

April 30, 2012

Dear Ms. Quan:

This letter is to provide comments on the scope of the Environmental Impact Report for the Fulton Corridor Specific Plan, Downtown Neighborhoods Community Plan and the Downtown Development Code. As President of the Downtown Fresno Partnership, I represent the property owners who are located within the Fulton Corridor. We cannot express greatly enough, how important these plans, and the Fulton Mall project in particular, are to the future of Fresno and the region that surrounds it.

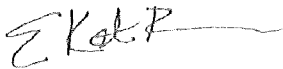
Fulton Mall property owners are experiencing first-hand the factors of urban decay such as crime, vandalism, excessive litter, an increased vagrant population, low lease rates and high vacancy rates which result in lower investments in property maintenance and improvements. The Mall currently has a major retail vacancy rate and a vacancy rate in major historic buildings that are higher than other downtown areas. In order to fully understand the environmental impacts of the Fulton Corridor Specific Plan and the Fulton Mall project in particular, the impacts on urban decay of the available alternatives must be studied along-side other impacts such as air quality and cultural resources. We believe certain Fulton Mall options being studied, and not others, would alleviate the urban decay that we feel is present today along Fulton Mall and request that the City's EIR analyze these impacts.

Further, as Downtown Property owners, we believe that a vibrant, thriving Downtown Fresno plays a greater role in a healthy environment for all San Joaquin Valley residents. Fulton Mall presents the best opportunity for a dense urban population and transit oriented development. The reintroduction of vehicular traffic along the six blocks of Fulton Mall should be considered in the context of the many other transportation options, the greater transit accessibility, and the improved walkability that would result from the increased development and decreased vacancies in the adjacent buildings. A vibrant core in the Downtown will attract further investment to the center of the city and away from the suburban fringe thereby reducing environmental impacts from vehicle emissions in greater Fresno.

We have heard repeatedly from developers, both local and regional, that their investment interest is directly tied to traffic circulation and the ability for their clients to find on-street parking. If we are able to create the infrastructure that developers are looking for, they will undoubtedly bring their investment dollars to the Fulton Corridor. Inevitably this growth and increased development will result in more care, maintenance and infrastructure going into existing buildings and construction of new buildings, all of which would reduce the presence of urban decay along Fulton Mall and increase the amount of development density and transit use in the region.

Thank you for the opportunity to comment.

Sincerely,



Kate Borders, President/CEO

MAY 02 2012



302 Fresno Street #205
Fresno, Ca. 93706

April 30, 2012

RE: Scoping for the Downtown Neighborhood Community Plan DEIT

Dear Wilma:

We appreciate this opportunity to comment on the scope of the DEIR for the Downtown Neighborhoods Community Plan and the Downtown Development Code. These planning documents will affect the future of the City of Fresno for many years to come. West Fresno Family Resource Center supports the efforts the City of Fresno has made in recent years to focus development around the principles of increasing density and smart growth. At the same time we believe that there is significant room for manipulation within this process using a pro-environment message to accomplish goals that are almost purely economic and of ultimate harm to environmental realities both physical realities both physical and social.

The area covered by the two plans and the accompanying code amendment has some of the most dismal health indicators, indicators, air quality and concentration of poverty, of any area in the Valley. Attention should be paid to environmental indicators. Along these lines West Fresno Family Resource Center would like to make the following suggestions regarding the DEIR:

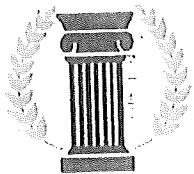
The West Fresno Family Resource Center is in support for the Employee housing in this area. The Keaney-Heights is considered mixed-affordable housing. In this area you have some of the original homeowners living the neighborhoods, along with new homeowners, and renting is the majority. What is truly needed is take the vacant neighborhoods parcels, west of State Route 99, making it into more suitable houses, affordable-mixed housing, and some apartments.

The private development and civic resources would create neighborhood-serving the residents use in retail, banking, and community satellite programs from local colleges, within the community.

Anne L. Gaston
Outreach Specialist

"OPTIMAL HEALTH AND WELL BEING FOR ALL PEOPLE LIVING IN WEST FRESNO"

302 FRESNO STREET, STE. 205 FRESNO, CA 93706 • PHONE: (559) 264-7185 • FAX: (559) 264-7433



Larry L. Powell
Superintendent

fresno county office of education

April 27, 2012

City of Fresno Development and Resource Management Department
Attn: Wilma Quan, Urban Planning Specialist
2600 Fresno Street, Room 2156
Fresno, CA 93721

Subject: EIR for Downtown Neighborhoods Community Plan, Fulton Corridor Specific Plan, and Downtown Development Code

Dear Ms. Quan,

Thank you for the opportunity to comment on the scope and content of the Environmental Impact Report (EIR) for the above project. The Fresno County Office of Education serves the 32 school districts in Fresno County and has a mandate to ensure that school districts remain fiscally solvent. Additionally, we provide a full range of support programs to districts and operate programs for students with special needs and at-risk students. We maintain our offices within the project boundaries of the Downtown Neighborhoods Community Plan and Fulton Corridor Specific Plan.

The Fresno County Office of Education is supportive of efforts to revitalize downtown and the concepts of the project as described in the Notice of Preparation (NOP). We have reviewed the Project Description in the NOP and ask that the following environmental impacts, alternatives and mitigation measures be analyzed in the EIR.

- Air quality, noise, and traffic impacts related to introducing traffic along the Fulton Mall, Kern, Mariposa, and Merced streets with consideration given to maintaining Mariposa as a pedestrian thoroughfare or installing a turnaround west of the alley to maintain the Van Ness underpass
- Aesthetic impacts and integration of traffic along corridors with buildings designed without anticipation of traffic on adjacent thoroughfares
- Mitigation of the impacts to the public art along the Fulton Mall, a significant cultural resource for the children of Fresno County

If you have any questions regarding this matter, please contact Jeff Becker, Director of Facilities & Operations, at (559) 497-3705.

Thank you for your consideration of these comments.

Sincerely,

Larry L. Powell
Superintendent of Schools



Faith In Community

2101 N. Fruit Avenue, Fresno, CA 93705

MAY 02 2012

(559) 244-9227 FAX (559) 237-3121

Re: Scoping for the Downtown Neighborhoods Community Plan DEIR

Dear Wilma:

We appreciate this opportunity to comment on the scope of the DEIR for the Downtown Neighborhoods Community Plan, the Fulton Corridor Specific Plan and the Downtown Development Code. These planning documents will affect the future of the City of Fresno for many years to come. Faith in Community supports the efforts the City has made in recent years to focus development around the principles of increasing density and smart growth. At the same time we believe that there is significant room for manipulation within this process—using a pro-environment message to accomplish goals that are almost purely economic and of ultimate harm to environmental realities both physical and social.

The area covered by the two plans and the accompanying code amendment has some of the most dismal health indicators, including air quality and poverty, of any area in the Valley. Attention should be paid within the DEIR to environmental indicators that have historically been unacceptable within the plan area.

Recommendations for Study in the DEIR

We have become aware that the DNCP has the potential to impact environmental conditions in the southern neighborhoods significantly, especially in terms of added density. While increased density is a notable urban planning goal that our organization supports, we have serious concerns about the level of analysis that has been done to ensure that the plan will enhance the social and environmental quality of the area instead of diminishing it. The nature of these concerns include the following:

- **Water Supply**—Faith in Community is concerned that present and potential water supply is adequate to meet demand for the plan area, current users and cumulative potential projects. The proposed plan will require major new water infrastructure to serve development, including wells, pipes and treatment facilities. According to the plan document itself, p. 5:4, the city faces the need for “additional supply to increase reliability under existing conditions” to meet fire flow demands and has planned a surface treatment facility to meet existing and projected demand within the city’s boundaries apart from any growth caused by the plan. “Current City-wide water consumption trends are straining the City’s available water resources.” (p. 5:4) Fresno is facing a water shortage based solely on current demand projections and should adequately address any plans for added consumption before plan adoption.

The statements listed above raise important questions about the feasibility of major new development within the city’s oldest network of infrastructure without an adequate plan

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for satisfying current demand projections in addition to expected growth from new development. Added to these concerns are the recent reports that the City of Fresno is at risk of bankruptcy amid unprecedented cuts in personnel and services. The present state of utility infrastructure causes concern that a bankrupt or nearly bankrupt city could provide the level of upgrades needed to support new growth in the area. "About 30 percent of the utility [infrastructure] networks in the downtown area are over 50 years old; roughly 5 percent are over 100 years old. These networks are either nearing or past their intended design life and are subject to capacity, reliability, and potential failure issues." (p. 5:7) The City of Fresno is facing a water infrastructure crisis based on existing conditions and should address any additional strains on this important network of infrastructure within the Downtown Plan area before making plans for growth in the area. Faith in Community requests that these significant issues be addressed within the DEIR.

- **Water Quality**—Water quality in the Central Valley has become a grave environmental concern, with the area gaining the distinction of being named Parkinson's Alley by neurologists because of the reality "that Central Valley residents under age 60 who [live] near fields where the pesticides paraquat and maneb... had a Parkinson's rate nearly five times higher than other residents in the region." (Sierra Magazine quoting a 2011 study by researchers at UCLA). Another study by the Pacific Institute, Visalia's Community Water Center, the Clean Water Fund, and California Rural Legal Assistance Foundation found that over 1 million residents of the region drink tap water with an unsafe level of nitrates through leakage from septic tanks, manure, and fertilizers. Cities are facing the need to find adequate supply for growth from diminishing supplies of quality water while current regulation leaves some important aspects of the process unmonitored. Faith in Community requests that the city ensure that the source and quality of water needed for growth in the Downtown area be studied adequately so that current residents, predominately people of color, can maintain a supply of safe drinking water.

What specific sources and loads of pollutants would be present through implementation of the plans and what would their effect be on aquatic resources, especially groundwater, Fresno's primary water source? A Health Impact Assessment (HIA) completed for the DNCP area by Raimi and Associates makes the following statement: "Many of the Downtown Neighborhoods are surrounded by heavy industrial agriculture and processing/manufacturing facilities that produce environmentally toxic pollutants in nearby air, *water*, and soil. Studies show that residents who live near such land uses are at increased risk of exposure to acute and chronic health-damaging elements. At this point the community Plan currently does not address this issue. Environmental health risks from agriculture-related sources are likely to continue." (2011: 76, emphasis added) In other words, there are significant sources of possible water contamination that should be addressed within the framework of the DNCP. Then, either adequate mitigation measures or a viable alternative would need to be implemented to ensure that any possible negative health impacts will be contained and would not increase with added density.

- **Natural Resources**—In a letter to the California High-Speed Rail Authority opposing the proposed project, the California Farm Bureau Foundation states: "One of the major principles of the State's environmental and agricultural policy is to sustain the long-term

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productivity of the State's agriculture by conserving and protecting the soil, water, and air that are agriculture's basic resource." And "...CEQA also recognizes agricultural land and water resources as a part of the physical environment." The origin of the plan areas' water sources could affect agricultural land in terms of future sustainability because of scarce water resources and the cumulative affects on the already poor air quality in the area. The future of farmland and the agro-business it supports depends on adequate management of its primary inputs: soil, air and water. These input areas could be diversely affected by development of the plans in question. Faith in Community asks that these affects be studied adequately in the DEIR as part of the CEQA requirement that agricultural resources be considered during environmental review, including both direct and indirect effects along with the irretrievable and irreversible commitment of resources.

- **Air Quality**—Though the DNCP makes a case for lowering the air pollution through the potential lowering of VMT through policies related to land use and transportation, density and mixed-use development, these are not guaranteed. Regarding increased density the Health Impact Assessment states: "...[increased density] can also increase individual exposure to air pollutants if development and population increase occurs faster than transit and economic development (or improvements in air quality)." (Raimi, 2011: 58) Then a bit later in the document and concerning the location of population/housing due to increased density, "The Downtown Neighborhoods' location—in between two major highways and surrounded by industrial agricultural uses—create precarious conditions for regulating harmful air pollutants. Although the Plan emphasizes reduction of automobile dependence, the Plan does not have capacity to influence external stationary or mobile sources of emissions." (Raimi, 2011: 76) The addition of denser population centers within the plan area that are subject to both internal and external sources of pollutants as well as the added contamination related to increased concentration of population is cause for concern of Faith in Community leaders.

Another important concern regarding air quality and specifically around displacement is the additional VMT that may occur through added travel time. The construction of or, as the plan states, "[introduction of] new housing" (1:3) with the goal of "providing a rich housing mix to accommodate and attract a wide-range of housing types...and income levels..." (1:3) may cause an increase in VMT traveled through added travel time for downtown workforce. The kind of housing that would be built to support residents with a higher socio economic level would not likely house the downtown workforce employed in shops, restaurants and other businesses. Through displacement the downtown workforce may need to travel larger distances to get to work increasing instead of decreasing the total VMT. The impact of several possible scenarios should be studied to determine mitigation measure in case the City's possibly optimistic estimates do not pan out.

- **Climate Change**—There has been much recent discussion of global climate change and local development practices that add to its intensity. We ask that attention be paid to the impact any added VMT have not only on local air quality but also on greenhouse gas emissions at a global level. The NASA Website states: "Most climate scientists agree the main cause of the current global warming trend is human expansion of the 'greenhouse

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effect'—warming that results when the atmosphere traps heat radiating from Earth toward space." The gases associated with this warming include carbon dioxide, methane, nitrous oxide and chlorofluorocarbons. The addition of VMT either within the plan area or from those traveling to it from the outside will increase the amount of CO₂ emissions to the atmosphere. Faith in Community asks that these effects be studied both directly and cumulatively.

- **Heat Island Effect**—Another concern we have at Faith in Community is the effect more development will have on temperatures in the downtown neighborhoods. Fresno has historically under-invested in park space across the city and especially in the downtown area. According to the General Plan Alternatives Analysis recently released by the City of Fresno the national average for acres of park space per thousand people is 15.8 for cities of Fresno's size. Within California Sacramento has 13 acres while Visalia has 5. Fresno has a dismal 3.1 acres per 1000 residents. While the plan area reaches 2.8 acres through the addition of Roeding Park, its most populous neighborhood in the Southeast has only 0.6, with Jefferson and Lowell reaching 0.2 acres and 0.3 acres respectively. With added density and new development Faith in Community is concerned that this historic lack of attention to green space will exacerbate the heat island effect in the future within neighborhoods further from the area's regional park. This possibility should be studied thoroughly especially in terms of mitigation through addition of added green space in areas that are presently severely underserved.
- **Housing**—A very significant concern for Faith in Community is the danger that the existing population of the plan areas and future low-income residents be able to live within the downtown neighborhoods given the impact of future development on the area. We have already highlighted concerns regarding the location of added population through implementation of the DNCP and the changing housing opportunities that would ensue. An additional concern noted within the Health Impact Assessment is the need for additional affordable housing within the area: "One strategy for transforming Downtown is introducing new housing in the Downtown core in order to activate the area. Without a specified proportion of affordable housing units, however, the Plan may not address the needs of low and very low income residents." (Raimi, 2011: 72) Under 'The Strategy for the Downtown Neighborhoods' the Plan itself states: "Critical components of revitalizing the Downtown Neighborhoods...attracting a diverse range of residents, including middle income residents...Providing a rich housing mix to accommodate and attract a wide-range of household types...and income levels..." (p. 1:3) Lower income residents will be unable to afford new market rate housing and will face the possibility of displacement through the development of new housing projects. Added to these issues, Faith in Community would ask: Has there been enough attention to the growth inducing impact of the proposed plan related to the demand for employee housing? In an area with historically lower median rents compared to both the city and the county, these questions should be addressed within the DNCP in a way that ensures adequate housing opportunities for the most vulnerable sectors of the population.
- **Economic and Social Conditions**—For Faith in Community the possible impact in terms of displacement for present residents is striking. This is an area that is home to a large

Faith In Community

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percentage of low income residents, who, in many cases, have less resources to deal with the possible social and psychological impacts of moving. Again the HIA summary highlights the issue: "The Plan recommends introducing market-rate housing in the Downtown Neighborhoods in order to activate and diversify the area. Residents in the Downtown Neighborhoods experience housing burden, spending over 30% of their income on housing compared to 20% for the City overall. *Market-rate housing will not be an affordable solution to downtown residents* and may displace some residents, especially those close to the potential investment areas... Gentrification of the Downtown Neighborhoods will likely result in permanent or temporary displacement, due to demolition/construction and increased costs of the new housing. *Displacement often negatively impacts health* by increasing stress, depression, loss of social networks, homelessness, unemployment, and academic delay in children." (Raimi, 2011: 74 emphasis added) The gentrification of the downtown neighborhoods, an area that both reflects notable stability of residence (according to UCLA's Center for Health Policy Research 66% of residents have lived in the same residence for more than five years, compared to 43% and 50% for the City of Fresno and the County respectively) and a large proportion of renter-occupied housing units (from the HIA: 63% for the plan area compared to 49% for the City of Fresno), will have serious social and economic impacts on current residents of the plan area. These impacts will affect an already vulnerable but vibrant population making their home within the Southern neighborhoods; a population that has recently—notably in southeast Fresno—reduced its crime rate to the lowest level within the City of Fresno.

- **Historic and Cultural Resources**—The plan area has many historic homes, buildings and trees. The DNCP states: "Downtown has one of the largest and best collections of urban buildings in the western United States, including many designated as historic. Unfortunately over the years, many significant or simply good urban buildings have been demolished and have been replaced with vacant land and parking lots." (Introduction p. 10) Faith in Community requests that a comprehensive assessment of all historic buildings and trees (or plants)—both those listed and not listed in historic register—be assessed in terms of historic or cultural impact from future development.

A second area of impact that concerns the leaders of our organization is the effect new development might have on the cultural resources present within the downtown area and expressed through the existing built environment. Residents of the area have built a structure of social and economic systems that has maintained a delicate balance for impoverished residents. The cultural resources that may be affected by the planned changes in socioeconomic level of residents should be studied in depth. The region's dependence on a low wage workforce has created a large segment of the population that is vulnerable to change in the physical environment because of the dependence cultural resources have on it. The types of shops and businesses present today make up the system of cultural support that residents depend on for their everyday wellbeing. Any possible effects of future development on this system integrally related to the built environment should be analyzed thoroughly.

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- **Cumulative Environmental Vulnerability**—Another important point for leaders at Faith in Community are what Jonathan London with the UC Davis Center for Regional Change calls Cumulative Environmental Vulnerabilities. The UC Davis Center for Regional Change document “Land of Risk, Land of Opportunity” states: “Cumulative Environmental Vulnerability Action Zones (CEVAZ) are identified as the neighborhoods (census block groups) with the highest degrees of both Cumulative Environmental Hazards and Social Vulnerability. These areas have the fewest social resources to address the most extreme concentration of environmental hazards. They are...deserving of special attention for environmental and health protections, investments, capacity-building, and other resources.” (p. 12) The Fresno plan area has several of these census blocks, notably in Southwest Fresno and many areas of the Southeast. The cumulative effects of poor representation and community voice in decision-making have led to the concentration of toxic industries and hazards, especially in West Fresno. While the plans touch these effects the code document does not include language that requires mitigation of these effects for current residents.
- **Growth Assumptions**—The City of Fresno has recently analyzed its need for new housing units, with a total of 79,000 units projected as an adequate goal for growth till the year 2035. In the recently released General Plan Alternatives Report the city estimates that between 10,900 and 11,000 units will be built in the downtown area. By way of comparison, North Fresno will likely gain between 2,000 and 2,500 new units. Keeping in mind that this is the same area that boasts several 100 and 50 year-old-pipes, Faith in Community suggests that this added burden to existing resources and infrastructure within the context of very difficult fiscal realities might overburden public systems. We suggest that these growth assumptions be thoroughly studied and that alternatives focusing infill growth toward northern neighborhoods also be researched.
- **Cumulative Effects**—Faith in Community requests that the DEIR consider the incremental effects of conditions within the plan area past, present and future. Areas of concern include:
 - Total impact on vehicle miles traveled (VMT)
 - Total gallons per acre foot of water current and added water demand
 - Total need for recreation (at present Southeast Fresno has a dismal 0.6 acres per 1000 residents of park space compared to the national average of 15.8 and city average of 3.1, Lowell and Jefferson have even less)
 - Total need for emergency services
 - Total impact on parking
 - Total impact on growth inducement
 - Cumulative effect on workforce housing
 - Cumulative effect on historical resources
 - Cumulative effect on land use

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Other Overarching Recommendations

It is our understanding that the legal purpose of environmental review—in order to provide a reasonable analysis of a project's impact on community wellbeing—is to enable jurisdictions to choose planning and development strategies that have the least detrimental environmental impact possible. In accomplishing this purpose, a set of alternatives must be considered and then be evaluated based on reasonable criteria. Faith in Community considers this purpose to be of ultimate importance at this time in Fresno's planning trajectory, specifically around the proposed downtown planning documents.

Alternatives to the Project:

Under CEQA any possible significant effect on the environment would require measure for mitigation. According to the Public Resources Code, Section 21002.1, "The purpose of an environmental impact report is to identify the significant effects of a project on the environment, to identify alternatives to the project, and to indicate the manner in which those significant effects can be mitigated or avoided." Have all feasible alternatives to the project, including no project, been considered at an equal level of detail to the project proposal?

Mitigation Measures:

We request that adequate mitigation measures for areas of environmental impact be included in the DEIR. We ask that the document answer the question: Have all reasonable mitigation measures been considered for areas of impact?

Conclusion

Thank you for allowing us this opportunity to suggest areas for review within the DEIR for the Downtown Neighborhoods Community Plan, Fulton Corridor Specific Plan and the Downtown Development Code Amendment. As an organization we maintain significant concern over this review process because of the future effects these plans will have on current residents and their children. It is for them that we ask for your consideration regarding all of the points raised above.

Faith in Community urges the City of Fresno to consider meaningfully the suggestions above and to act accordingly, in other words, to use this window of opportunity to find the best alternative for Fresno residents and specifically those within the plan area.

Again, thank you for the opportunity to participate in the environmental scoping process for the recently proposed downtown planning documents.

Sincerely,



Rev. William Knezovich
President of the Board
Faith in Community-PICO

April 29, 2012

City of Fresno Development and Resource Management Department
Attention: Wilma Quan, Urban Planning Specialist
2600 Fresno Street, Room 2156
Fresno CA 9372

Thank you for this opportunity to input my views regarding the future of my city and most notably the future of the Fulton Mall. It is imperative that all options be thoroughly considered before the first stone is turned in any attempt to improve, revitalize, alter, modify or demolish the mall.

One such option that has never been considered would be to leave the mall intact, as it is, but with an assurance that the mall will never revert back to vehicle traffic. This will leave property owners and businesses free to plan their future without fear of governmental tinkering. For those who feel that the mall does not work for them, they will be free to move on, to sell, or relocate to one of the many fine streets that has vehicle traffic. This would be a variation of option 3, with the exception of spending the \$8 -16 million on restoration and completion.

The alleys flanking the mall could be enhanced and open to one-way traffic, with parking where available. Businesses could then adorn the rears of their building with signs and displays, thus satisfying the alleged need for "intrusive visibility".

In the event that option 2 is chosen, it might be wise to first enhance one of the many equally blighted other downtown streets, add the vignettes and study the effects.

The shocking state of advanced deterioration as well as the shocking \$8 – 16 million estimated cost of restoration and completion as outlined in option 3 raise some question of credibility and suspicion that these facts and figures might be enhanced in order to influence a decision. Certainly there is

considerable deferred maintenance, some requiring urgent attention and some that may be deferred further. The missing and broken Cristy box lids and the bare wires should certainly be dealt with before someone unsuspectingly breaks a leg or is electrocuted..

If any of the fountains do in fact leak, it was not mentioned at the time that all of the fountains were drained when the reason given was to conserve water. A visual inspection of the empty ponds failed to reveal any leaks. At any rate, more details are in order as to what repairs are to be proposed and which of these are necessary, and some more accurate cost estimates.

This NOP is somewhat confusing in that it describes conditions in the various neighborhoods in an apparently negative light, yet fails to reveal information regarding action to be taken to rectify those conditions except for the three proposed options to the Fulton Mall/Street/Corridor "problem". Will the "too large" buildings be reduced in size? Turned around to face the street? Moved to the front of the lots? How will we deal with reluctant owners? Eminent domain? Once the deed is done, and the Final Solution to the Fulton problem is executed, how will these lowly under-performers be dealt with who now occupy the stores? Will those eager investors and speculators drive up property values and raise rents to a point that these tenants can no longer afford? Or will the city once again use eminent domain to seize the property and hand it to developers of choice? And how will the customers be enticed to shop in these presumably upscale shops? Those of us who live in Woodward Park or Sunnyside are not apt to venture to the bowels of downtown to fight traffic and parking meters when we have ample accommodations near home. Finally, there are those of us who live and/or work in the area of the mall and are accustomed to shopping at Tres Hermanos and Falla's or simply come to the mall to hang out or enjoy the art. We may not spend the money the city would like, but our needs should nevertheless be considered. All of these factors must be addressed, lest we end up with another unsightly barren dirt lot as in the area of the ill-fated "Old Armenian Town" fiasco.

With or without a street through it, and barring any unexpected demographic shift, Fulton will continue to be what it is because of where it is. It is in an area of predominantly moderate and low income immigrants and minorities, and can hardly be expected to suddenly transform into a vibrant shopping and entertainment mecca for the rich and affluent, as apparently envisioned by our city leaders, nor can it relive the "glory days" of the 40s and 50s. However, with this colorful population blend and their diverse talents, it could possibly one day see a new era of glory days, on the order of a Olivera Street or a Beale Street.

The myth that the direction of Fulton will determine the direction of downtown, or that Fulton is the "Main Street", or the "heart" of downtown Fresno defies reality. The truth is that Fresno has no heart (geographically speaking, of course). We have a county building here, a convention center there, a city hall over by the tracks, a university five miles north, commerce and finance beyond that, and junk yards to the south. Given this pattern of total disorientation, there is no way that the fate of Fulton could possibly have any effect on the rest of downtown, or any other part of town.

Much has been said about other cities and their struggles with white flight and urban decay during the 60s. Many were said to have also closed portions of their downtown streets to traffic and created pedestrian malls which allegedly failed, were subsequently reopened to traffic and magically became an instant success. Never mentioned, however, are the numerous cities which thrive to this day with their pedestrian-only streets still intact. One such city is Riverside.

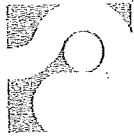
Like the Fulton Mall, Main Street in Riverside has neither a hospital nor a university (UCR is three miles east). During the early 60s, the city closed a portion of Main Street between Sixth and Tenth Streets (for different reasons, and without the thoughtfully planned architecture, landscaping, and art, as in the Fulton Mall). The Mission Inn was at the time in bankruptcy, closed and abandoned. There

was talk of converting it to low income housing and even tearing it down. A few years later a new city hall was built in the middle of Main Street (they do not call it a mall) between Ninth and Tenth. Subsequently, a convention center was built on Main Street between Fourth and Fifth Streets, forming protective barriers at both ends, thus stifling any further thoughts of reopening the street to traffic.

Today Main Street is shady, pleasant, and peaceful, much like our Fulton Mall, except lacking the beauty of the statues, fountains, and artwork, but cleaner and better maintained. The street is lined with boutiques, art studios, antique shops, restaurants, etc, mostly independent and locally owned, and apparently doing well. No decision should be finalized regarding the fate of the Mall until all of the deciders visit Main Street in Riverside.

The point is not that Riverside is a better city , nor that its leaders are smarter. It is a proud city that values its historic resources and its cultural heritage. Fresno has always been notoriously loose with its wrecking ball. We build a courthouse, we tear it down. We build an opera house, we tear it down. Now we are on the verge of desecrating one of our few remaining historic resources that is uniquely Fresno, because someone has decided that it is not generating sufficient revenue or profits.

The Fulton Mall belongs to neither property owners, nor developers, nor investors, nor speculators, nor politicians. It belongs to the people of Fresno, and should remain in their trust. There are other areas of Fresno more urgently in need of attention.



APR 23 2012

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

File 170.21

310. "FF", "II", "GG",
"OO", "RR", "UU"
550.30 "FF", "II", "GG",
"OO", "RR", "UU"

April 19, 2012

Ms. Wilma Quan
Urban Planning Specialist
City of Fresno
2600 Fresno Street, Room 2156
Fresno, CA 93721

Dear Ms. Quan,

**Fresno Metropolitan Flood Control District Comments for
Notice of Preparation of a Draft Subsequent Environmental Impact
Downtown Neighborhoods Community Plan (DNCP)
and Fulton Corridor Specific Plan (FCSP)
Drainage Areas "FF", "II", "GG", "OO", "RR", "UU"**

The Fresno Metropolitan Flood Control District (FMFCD) bears responsibility for storm water management within the Fresno-Clovis metropolitan area, including the area subject to the proposed Downtown Neighborhoods Community Plan (DNCP) and Fulton Corridor Specific Plan (FCSP). Within the metropolitan area, storm runoff produced by land development is to be controlled through a system of pipelines and storm drainage retention basins. The community has developed and adopted a Storm Drainage and Flood Control Master Plan. Each property contributes its pro-rata share to the cost of the public drainage system. All properties are required to participate in the community system for everyone. It is this form of participation in the cost and/or construction of the drainage system that will mitigate the impact of development.

All properties that develop or redevelop under the DNCP and FCSP (plan areas) shall pay drainage fees pursuant to the Drainage Fee Ordinance prior to approval of any final maps and/or issuance of building permits at the rates in effect at the time of such approval. Please contact FMFCD for a final fee obligation prior to issuance of any construction permits. Should land use densities of existing residential areas be increased, the property would be subject to a reassessment of drainage fees based on the proposed increased land uses and may include the requirement of additional drainage fees to be paid to offset the increased land use. Each proposed development will be reviewed and assessed upon submittal to FMFCD. Any drainage fees previously paid on a property would be given a credit against any new fee responsibility.

K:\Environmental Impact Report Letters\DEIR downtown neighborhoods-fulton corridor(various)(mw).docx

Ms. Wilma Quan
City of Fresno
April 19, 2012
Page 2 of 3

There are existing storm drain facilities located throughout the plan areas. Any proposed relocation, construction of proposed or reconstruction of existing storm drainage facilities will need to be reviewed and approved by FMFCD prior to implementation. Any storm drainage facilities that are not located within the public street right-of way shall be within a dedicated pipeline easement to FMFCD. No encroachments into the easement shall be permitted including, but not limited to, foundations, roof overhangs, swimming pools, and trees.

Much of the FMFCD Master Plan storm drainage system for the plan areas is complete. This system was designed for land use densities designated on prior General Plans and have been reflected in the Master Plan. Any proposed densification of existing residential areas within the plan areas may exceed the capacity of the existing storm drainage system and will require FMFCD review and approval prior to implementation. Mitigation of site storm water discharge may be required in some circumstances. Such mitigation shall be in the form of on-site retention or FMFCD system modifications. All mitigation shall be reviewed and approved by FMFCD.

The grading of any proposed development within the plan areas and any reconfiguration of public streets shall be designed such that there are not adverse impacts to major storm conveyance, and to the passage of storm water to the adjacent roadways and existing storm drainage pipelines and inlets. Additionally, development shall provide the appropriate surface flowage easements or covenants for any portion of the development area that cannot convey storm water to the public right-of-way without crossing private property.

FMFCD will need to review and approve the final improvement plans for all development (i.e. grading, street improvement and storm drain facilities) within the boundaries of the proposed project to insure consistency with the approved Storm Drainage Master Plan.

If there are to be storm water discharges from private facilities to the FMFCD's storm drainage system, they shall consist only of storm water runoff and shall be free of solids and debris. Landscape and/or area drains are not allowed to connect directly to FMFCD's facilities.

In an effort to improve storm runoff quality, outdoor storage areas shall be constructed and maintained such that material that may generate contaminants will be prevented from contact with rainfall and runoff and thereby prevent the conveyance of contaminants in runoff into the storm drain system.

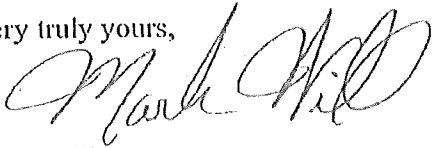
FMFCD encourages, but does not require that roof drains from non-residential development be constructed such that they are directed onto and through a landscaped grassy swale area to filter out pollutants from roof runoff.

Ms. Wilma Quan
City of Fresno
April 19, 2012
Page 3 of 3

Runoff from areas where industrial activities, product, or merchandise come into contact with and may contaminate storm water must be directed through landscaped areas or otherwise treated before discharging it off-site or into a storm drain. Roofs covering such areas are recommended. Cleaning of such areas by sweeping instead of washing is to be required unless such wash water can be directed to the sanitary sewer system. Storm drains receiving untreated runoff from such areas that directly connect to FMFCD's system will not be permitted. Loading docks, depressed areas, and areas servicing or fueling vehicles are specifically subject to these requirements. FMFCD's policy governing said industrial site NPDES program requirements are available. Contact FMFCD's Environmental Department for further information regarding these policies related to industrial site requirements.

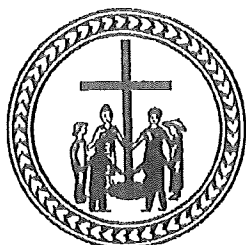
Thank you for the opportunity to comment. Please keep our office informed on the development of these plans. If you should have any questions or comments, please contact FMFCD at (559) 456-3292.

Very truly yours,



Mark Will
Engineer III, R.C.E.

MW/lrl



FIRM, Inc.

Fresno Interdenominational Refugee Ministries

1940 N. Fresno Street, Fresno, CA 93703 Website: www.firminc.org

Telephone (559) 487-1500 FAX (559) 487-1550 Email: southhikr@aol.com

"Sharing Christ's Love to Build Communities of Hope With New Americans"

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Community Gardens
Theological Education

April 17, 2012

Re: Scoping for the Downtown Neighborhoods Community Plan DEIR

Dear Wilma:

We appreciate this opportunity to comment on the scope of the DEIR for the Downtown Neighborhoods Community Plan, the Fulton Corridor Specific Plan and the Downtown Development Code. These planning documents will affect the future of the City of Fresno for many years to come. Fresno Interdenominational Refugee Ministries (FIRM, Inc.) supports the efforts the City has made in recent years to focus development around the principles of increasing density and smart growth. At the same time we believe that there is significant room for manipulation within this process—using a pro-environment message to accomplish goals that are almost purely economic and which can be of ultimate harm to environmental realities both physical and social.

The area covered by the two plans and the accompanying code amendment has some of the most dismal health indicators, including air quality and concentration of poverty, of any area in the Valley. Attention should be paid to environmental indicators. Along these lines FIRM would like to make the following suggestions regarding the DEIR:

- ✓ **Employee housing:** We wish to stress that housing that is affordable to all sectors of the community needs to remain a vital part of the Downtown area. We know that according to recent studies the housing market is changing nationwide- and that these changes are also starting to affect Fresno.

According to a 2010 study by the Urban Land Institute, 75 percent of retiring Baby Boomers, the nation's largest demographic group, said that they want to live in mixed age and mixed-use communities—that is, in urban settings. For Generation X, now in their late 30s to mid-40s, many are facing lower household income than the previous generation of the same age. The children of the Baby Boomers, the "millennials", have similar preferences as other generations. A 2010 study by the Brookings Institution found that 77% of them want to live in America's urban cores. These changes may be positive for some aspects of downtown revitalization, but they also increase pressure on existing neighborhoods and residents that can lead to displacement. The Health Impact Assessment, prepared by Raimi and Associates relative to the Downtown Plan, suggests this as a danger,

"individuals experiencing increased rent costs without increased incomes may no longer be able to afford higher rents and may be displaced. ...Displacement disrupts social networks ...Potential indirect health impacts of displacement include depression, academic delay in children, emotional and behavioral problems, unemployment, loss of health protective social networks, and reduced self-rated health. Those most likely to be displaced in the future are the households living in close proximity of the districts where development is likely to occur". (p. 72)

Given these realities, FIRM requests that, consistent with its obligations under CEQA, the City prepare a formal mitigation plan as part of the DEIR, to assure that those effects do not occur. Further, we request that all alternatives to the project be considered at an equal level of detail in the DEIR as the proposed Downtown Plan project itself.

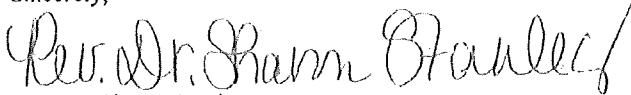
"I'm laying a FIRM foundation...no one who trusts in it will ever be disappointed." Isaiah 28:16

Thank you for allowing us this opportunity to suggest areas for review within the DEIR for the Downtown Neighborhoods Community Plan, Fulton Corridor Specific Plan and the Downtown Development Code Amendment. As an organization we maintain significant concern over this review process because of the future effects these plans will have on current residents and their children. It is for them that we ask for your consideration regarding all of the points raised above.

FIRM urges the City of Fresno to consider meaningfully the suggestions above and to act accordingly, in other words, to use this window of opportunity to find the best alternative for Fresno residents and specifically those within the plan area.

Again, thank you for the opportunity to participate in the environmental scoping process for the recently proposed downtown planning documents.

Sincerely,

A handwritten signature in cursive script that reads "Rev. Dr. Sharon Stanley". The signature is written in dark ink and is positioned above the printed name and title.

Rev. Dr. Sharon Stanley
FIRM Inc. Executive Director

1.5 - Comments from DNCP/FCSP/Fulton Mall Scoping Meeting, April 17, 2012



Notice of Preparation and Scoping Meeting MEETING MINUTES

Tuesday, April 17, 2012, 5:30 - 6:30 p.m.

1. CALL TO ORDER

The Notice of Preparation and Scoping Meeting was called to order at 5:30 p.m. by Wilma Quan, Urban Planning Specialist for the City of Fresno. Ms. Quan gave opening comments on the meeting's purpose and an overview of how it would proceed. She stated that those wishing to speak were asked to fill out orange speaker cards with their name, address and agency information; speakers were limited to three minutes, with more time allowed at the meeting's end if time remained; there was a comment sheet at the back of the room for written comment; and the close of the NOP comment period is May 2, 2012.

2. OVERVIEW OF PROJECT'S SCOPE BY STEFANOS POLYZOIDES

Stefanos Polyzoides stated this project includes the Downtown Neighborhoods Community Plan (DNCP) of about 7,000 acres, and the Fulton Corridor Specific Plan (FCSP) of about 700 acres. Both Plans are regulated by code. The FCSP has a section regulated by costs of implementation of infrastructure and/or projects. Each subarea is assigned a zoning intensity that will be executed through a code. The zoning documents indicate densities, horizontally and vertically, and the intended purpose, characteristic, streetscape, and land use range within each zone.

Table 2, *Development Potential by Land Use*, gives the area's potential growth in square feet, broken down by residential, office, retail and industrial land use. It is also separated into different categories for DNCP (excluding FCSP), FCSP only, and DNCP and FCSP together. Table 3, *Residential Population Potential*, anticipates a residential population in the downtown area (DNCP+FCSP) of 97,446 by the year 2035. Table 5, *Job Potential*, shows that a total office, industrial and retail jobs for the area is anticipated to be just over 30,000 for the entire area (DNCP+FCSP).

Mr. Polyzoides stated the next important issue is that three alternatives for the Fulton Mall have been vetted by the public process and will be analyzed by the EIR. They are:

- (1) Reconnected Grid and Traditional Streets;
- (2) Reconnect Grid with Vignettes, much art in place; and
- (3) Restoration and Completion of the Mall in its present form.

3. OVERVIEW OF CEQA PROCESS BY ALI MIR OF IMPACT SCIENCES

This NOP meeting is triggered by the California Environmental Quality Act (CEQA), which this proposed project is subject to. Impact Sciences will be preparing the CEQA compliance

for the proposed project. The proposed project to be assessed is made up of the DNCP, the FCSP and the Downtown Development Code (DDC). The City of Fresno, as lead agency, determines what CEQA document is necessary and which environmental topics should be included in the document to assess the potential impacts of the project. For this project, City of Fresno determined that a Program EIR was the appropriate CEQA document to assess this project's potential impacts.

A NOP has now been prepared and released for public review. The comment period for the NOP is not to be less than 30 days. We are now in the NOP public comment period, which defines the project program, the discretionary approvals associated with the adoption of the project and the range of environmental projects to be assessed. Relevant comments concern what environmental impacts should be assessed by the program document. Comments and suggestions about the scope of the draft project will be incorporated into the Draft EIR, if appropriate. Once the NOP comment period is finalized, the City will determine the final scope of the document. Then technical studies, such as historic resource evaluations and traffic impact studies, will be prepared for inclusion in the Draft EIR.

The Draft Program EIR is a publicly distributed document similar to the NOP. It has its own public comment period of 45 days. Each comment will be responded to individually, in writing, and will be included in the Final EIR. If necessary, supplemental analyses and modifications to the Draft Program EIR in response to comments received will be prepared. Once the Final Program EIR is completed, the City of Fresno Planning Commission will review its conclusions and make a recommendation to the City Council, and the City Council will decide whether to certify the project. The EIR must be certified by City Council in order for the proposed project to move forward.

As assessed by the City of Fresno, the environmental topics under CEQA to be included in the Program EIR include Aesthetics, Agricultural Resources, Air Quality and Greenhouse Gas Emissions, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water quality, Land Use and Planning, Noise, Population and Housing, Public Services, Transportation and Traffic, and Utilities and Service Systems. Also included, as mandated by CEQA, are alternatives to the proposed project to lessen the environmental impact of the project, these alternatives not yet defined.

4. PUBLIC COMMENT

A. Rebecca Van Stokkum
4685 N. Thorne
Fresno, CA
Agency: Faith in Community (FIC)

Ms. Van Stokkum noted FIC has already submitted lengthy written comments about the Downtown Plans. She adds that the areas covered by the Plans have some of the most dismal health indicators, such as air quality and concentration of poverty, of any area in the San Joaquin Valley, and urges the EIR to pay attention to environmental indicators in the area that have been historically poor. The DNCP has the potential to greatly impact the environment. FIC has concerns about the depth of analyses done so far and whether the Plan will enhance, rather than diminish, the downtown area. It understands

the legal purpose of the EIR is to study a project's impact on an area's wellbeing and ensure that jurisdictions choose projects having the least detrimental impact possible.

A purpose of EIR is also to identify how detrimental effects can be mitigated or avoided. FIC urges that the EIR answer the question whether all reasonable mitigation effects have been considered and will be included in the EIR.

B. Pastor Juan M. Saavedra
3362 Balch
Fresno, CA
Agency: Grace and Sierra Vista United Methodist Church -and- Faith in Community

Pr. Saavedra has three areas of concern, the current water supply, the quality of water, and the impact on natural resources.

First, FIC is concerned whether the current and potential water supply is adequate to meet this project's demands. The infrastructure of the downtown area is ancient, much of it less than 50, some over 100 years old. The earlier slide show indicated a population roughly equal to the city of Delano moving into the area, bringing with it daily stresses on that infrastructure. While it is wonderful to have jobs, planning for that infrastructure is essential. Pr. Saavedra pointed out the City of Fresno is facing bankruptcy, so it would be a huge burden on the City to meet the infrastructural needs.

Secondly, FIC is concerned about water quality, citing for one thing the rise in cases of MERSA. Fresno needs clean water for its residents, and being the pantry of the U.S., it needs to have clean water for its agriculture, to maintain its ability to feed the country.

C. Rev. Sophia DeWitt
4910 N. Sequoia Avenue
Fresno, CA 93705
Agency: Fresno Interdenominational Refugee Ministries (FIRM) - and - Faith in Community

Rev. DeWitt stresses the need for affordable housing for all portions of the community that remain downtown. She cited recent studies showing nationwide changes in housing needs, with a move towards mixed-use communities, and commented these changes are beginning to affect Fresno, with many attracted to the multi-use urban settings. She warned that increased rents in those areas caused by revitalization could cause displacement of persons whose incomes were not increasing. She expressed concern that such displacement can lead to many physical and psychological problems. FIRM requests that, consistent with CEQA obligations, the City prepare a formal mitigation plan as part of the Draft EIR. FIRM also requests that each and every alternative of the project be considered with the same level of detail as the Downtown project.

D. Ray McKnight
14607 N. Seashell
Fresno, CA
Agency: Downtown Fresno Coalition

Mr. McKnight stated the EIR should honestly address Fresno's history of public policy-making by public officials that allowed Fresno's decentralization that led to decay of the downtown area, stating that it was not adequate to state it was because shopping centers were created.

Secondly, he stated the Fulton Mall was discussed at length on pages 11 and 12 of the NOP, suggesting that either all of the districts mentioned in those pages should be given a full discussion or that the discussion of the Fulton Mall be deleted.

Thirdly, he asked about the effect of the DNCP on the Eaton Plaza Master Plan. He pointed out the draft of the FCSP shows buildings on Eaton Plaza, in violation on the Eaton Plaza Master Plan, but that subject is not dealt with in the NOP.

E. Paula Mickalian
1701 East Stuart Avenue
Fresno, CA

Ms. Mickalian is concerned regarding air quality and greenhouse gas emissions and how the three Fulton Mall alternatives address those. She asked that the EIR thoroughly investigate the three Fulton Mall alternatives and how each will affect air quality due to loss of trees and other mall plantings, the increase of pavement, creating a heat island, if Fulton is opened up to traffic, and the increase in vehicular traffic.

F. Joyce Aiken
3774 W. Buena Vista
Fresno, CA

Ms. Aiken is concerned about the cultural resources of the Fulton Mall listed in the Potential Environmental Effects on page 2 of the NOP, feeling it necessary that the EIR study the totality of the Fulton Mall -- the pavement, art, landscaping, water features -- its total configuration, in order to get a full understanding of its environmental impact.

G. Sue McCline
1516 W. Escalon Avenue
Fresno, CA
Agency: Downtown Fresno Coalition

Ms. McCline's concern is the transportation and traffic in the anticipated environmental effects, page 2 of the NOP. She urges the EIR to consider modes of transportation for Fulton that do not require opening the Fulton Mall up to vehicular traffic. She urges a return to the free vehicles that once traveled on the mall in the past, stating there is not enough room on the narrow street of Fulton for auto traffic and cars are noisy.

H. Kathy Omachi
759 "F" Street
Reedley, CA
Agency: Chinatown Revitalization, Inc., of Fresno (Co-Chair)

Ms. Omachi first wanted to clarify the boundary definition in the document, as "H" Street was only included within Chinatown in the expansion to the "V" of 49 [sic] and 99 most recently when the regional plan for Chinatown had been expanded.

Ms. Omachi next commented regarding the expansion of the area. One thing that might not be a true environmental concern, but is definitely a cultural one and one of a community definition, is the expansion does not include the issue of self-identification of those communities that this plan is being expanded to. A key issue is the identification individuals have for the communities they live in, that they are deeply concerned about.

Another issue is environmental concern of infrastructural failure in Chinatown. Part of the piping system in Chinatown is made of wood. It has not been replaced and there are no plans to do so.

Another issue that has not been addressed is the preservation of the cultural aspects of Chinatown, which has been identified as one of the most historic areas within this project. A great alternative plan would be something that included a cultural mapping of above- and below-ground parts of Chinatown, something totally unique in the region.

I. Hal Tokmakian
2721 E. Garland Avenue
Fresno, CA
Agency: Downtown Fresno Coalition

Mr. Tokmakian noted a specific plan must be comprehensive and address all of the target area. Instead, he noted the FCSP was fragmented and questioned if it is because the City wishes to split important segments apart so as to address them separately. He pointed out much time and discussion has been spent on Fulton Mall, but nothing has been done about Chinatown or other downtown areas.

Secondly, Mr. Tokmakian asked what the General Plan policy was for the Specific Plan. The Specific Plan was part of the larger community, so public policy should address the community as a whole. The General Plan provides a guiding framework for the entire area. He wants to see that introduced into the environmental document.

Lastly, Mr. Tokmakian stated there were three alternatives for the Mall, but asked the City address that there were no alternatives for the balance of the Specific Plan. He urged the City to address that.

With no further new speakers, the floor was opened by Elliott Balch of the City of Fresno to people who wanted to expand on their prior comments, or to any other person.

Ray McKnight commented the Draft FCSP refers to implementation by the Redevelopment Agency, but now that the Redevelopment Agency has been abolished,

Mr. McKnight suggested the EIR needed to clarify its implementation and what agency was responsible.

Rebecca Van Stokkum made the following additional comments:

On natural resources, in a letter to the California High Speed Rail Authority, the Farm Bureau Foundation stated a major principles of the State's environmental and agricultural policy is to sustain the long-term productivity of agriculture by conserving the soil, water and air that agriculture requires. CEQA also recognizes agricultural land and water resources as part of the physical environment. The origin of the planned areas of water sources could affect future sustainability because of scarce water resources and cumulative effects on the area's already poor air quality. Future farmland and the agribusiness it supports depends on adequate management of these resources. These input areas will be affected by the development of the plans in question. FIC asks that these effects be studied adequately in the EIR as part of the CEQA requirement that agricultural resources be considered during environmental review.

On air quality, though the DNCP makes a case for lowering air pollution through potentially lowering vehicle miles traveled through policies related to land use and transportation, density and mixed-use development, these are not guaranteed. Increased density can also increase individual exposure to air pollutants if development and population increase and occurs faster than transit and economic development or pollutants and air quality. Downtown is between two major highways, surrounded by industrial agricultural uses create precarious conditions for regulated harmful air pollutants. The plan emphasizes reduction of automobile dependence, but does not have the capacity to implement stationary or low levels of greenhouse emissions. Denser population centers in that area are a cause for concern.

On growth consumption, the City of Fresno has recently analyzed its need for increasing housing units to a total of 79,000 units by 2035. In the recently released General Plan alternative report, the City estimates between 10,900 and 11,000 units will be built in the downtown area. This is the same area with several 150-year-old pipe systems. FIC suggests the fiscal reality that this could overburden the existing infrastructure and that this possibility be further studied.

FIC urges the City of Fresno to consider meaningfully the above suggestions and act accordingly, using this window of opportunity to find the best alternative for its residents within the Plan area.

5. CLOSING COMMENTS

Ali Mir stated the City would review all verbal and written comments received through the end of the scoping period. He clarified that no environmental topic not identified by the City of Fresno to be assessed was raised at the scoping meeting. He thanked the audience for coming, and for keeping their comments focused and on topic, stating that all comments will be incorporated into the appendix of the Draft EIR. He urged the audience that even though they had orally stated their comments, to also submit them in writing.

6. ADJOURNMENT OF MEETING AT 6:30 p.m.



Department of Public Utilities

Wastewater Management Division
5607 West Jensen Avenue
Fresno, California 93706-9458
559-621-5100 – FAX 559-498-1700
www.fresno.gov



September 14, 2015

To: City of Fresno, Development and Resources Management Department
Attention: Sophia Pagoulatos, Planning Manager
2600 Fresno Street, Room 3076
Fresno, CA 93721

Subject: Notice of Preparation for a Draft Environmental Impact Report and Scoping Meeting

Please review the following comments:

1. The Wastewater Management Division of the City of Fresno Department of Public Utilities is in the process of installing recycled water transmission mains and distribution pipelines in the Downtown area to serve non-potable uses. When recycled water is available in the Downtown area, the City's Recycled Water Ordinance will be reviewed and applied as necessary to building permit applications, CUP applications, and modifications to other planning documents in the Downtown area.
2. The Wastewater Management Division of the City of Fresno Department of Public Utilities currently maintains a dynamic hydraulic model of the City's sewer collection system which simulates wastewater flow volumes in the Downtown area based on current land use designations and unit-rate flow volume estimates those designations. Any alterations to current land use designations or unit-rate flow volume estimates must be reviewed by the Wastewater Management Division and evaluated using the hydraulic model to ensure that the wastewater collection system has sufficient hydraulic capacity to accommodate the changed flow conditions and convey wastewater from the Downtown area properties. If the changed flow conditions exceed the hydraulic capacity of the existing sewer collection system, the Wastewater Management Division will identify the capital improvements and cost necessary to correct the hydraulic deficiency.

Thank you,

Kevin Norgaard
Supervising Professional Engineer
City of Fresno-DPU Wastewater Management Division
5607 West Jensen Avenue
Fresno, CA 93706
Tel. 559-621-5297
Fax. 559-498-1700



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October 9, 2015

06-FRE-GEN-GEN
Downtown Neighborhoods Community Plan,
Fulton Corridor Specific Plan, and
Downtown Development Code
Notice of Preparation

Ms. Sophia Pagoulatos
Planning Manager
City of Fresno, DARM Department
2600 Fresno Street, Room 3076
Fresno, California 93721

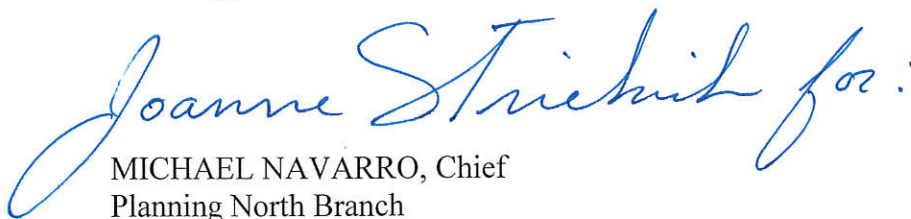
Dear Ms. Pagoulatos:

We have completed our review of the Notice of Preparation (NOP) of an Environmental Impact Report (EIR) for the City of Fresno's Downtown Neighborhoods Community Plan, Fulton Corridor Specific Plan, and Downtown Development Code. Caltrans has the following comments:

It is recognized that the EIR would include extensive evaluation of traffic and would recommend mitigation measures to both local and State facilities. Caltrans would request the opportunity to remain involved throughout this process. Caltrans will provide the traffic consultant with any traffic data available to us to assist them in the Transportation and Traffic section of the EIR. It is recommended that the traffic consultant provide a formal scope of work for our review and comment prior to conducting the traffic analysis. This information should include assumptions, modeling, forecasting, methodologies, etc.

If you have any further questions, please contact David Padilla, Associate Transportation Planner, Transportation Planning at (559) 444-2493.

Sincerely,

Handwritten signature of Joanne Strickland in blue ink, followed by the text "for:".

MICHAEL NAVARRO, Chief
Planning North Branch

DOWNTOWN FRESNO COALITION

4781 E. Gettysburg Avenue • Fresno, California 93726 • Phone 559-291-2261 • Fax 559 291-499

October 30, 2015

To Whom it May Concern:

RE: EIR for Downtown Neighborhoods Community Plan, Fulton Corridor Specific Plan, and Downtown Development Code

Following are comments on the scope of the Draft EIR for the Downtown Neighborhoods Community Plan, Fulton Corridor Specific Plan, and Downtown Development Code Project.

1. An EIR must address Fresno's history of public policy-making that allowed the decentralization that caused the decay of the downtown. It will not be sufficient to mention that the construction of large shopping centers drew businesses and shoppers away from the downtown. The decisions by elected officials that allowed this construction must be thoroughly examined.

2. The Notice of Preparation discusses Fulton Mall at length on pages 11-12 but fails to give equal attention to the other districts mentioned on page 9. The EIR should not replicate this disproportionate emphasis on Fulton Mall. It needs to analyze in equal scope and depth each district and the FCSP area as a whole. In addition, any proposed alternative must be given the same thorough analysis given to the project's preferred alternative.

3. The EIR should discuss in a comprehensive manner the interrelationships between all the districts mentioned in the draft of the Fulton Corridor Specific Plan, including all facets of required elements for the FCSP. The FCSP is the principal project area for the EIR. Each of the seven "districts" are subordinate components.

4. The EIR must examine the effect of the Downtown Neighborhoods Community Plan on the Eaton Plaza Master Plan, which was adopted by the City Council.

5. The draft Fulton Corridor Specific Plan, page 1.9 par. 6, refers to implementation by the Redevelopment Agency. Now that the Redevelopment Agency has been abolished, the EIR must clarify how implementation is to be achieved. As tools to affect the Specific Plan, closely explore the following in detail: capital improvement programs to fund infrastructure projects. Apply special assessment districts for the CBD, Chinatown, Cultural Arts, etc

The following comments pertain to "Potential Environmental Effects of the Project" on page two of the Notice of Preparation.

6. **Air Quality and Greenhouse Gas Emissions**-- In light of Fresno's well-known problems with pollution and related health concerns, the EIR should analyze in detail the effect of each

alternative for the FCSP area, including each option for Fulton Mall, on the production of pollutants and greenhouse gases.

7. Cultural Resources-- Analysis of Cultural Resources must consider landscapes, buildings, art, architecture, etc. in all the districts included in the Project. It is important that the EIR study the totality of the Fulton Mall, including the art, the landscaping, the water features, the seating structures, the pavement, and the total configuration of these components.

8. Transportation and Traffic--The EIR should specifically deal with a wide range of modes of transportation that do not necessitate opening the Fulton Mall to traffic. (See Proposed Alternative that follows.)

9. Utilities and Service Systems-- The EIR must thoroughly investigate the Project's effects on infrastructure. A well-maintained and up-to-date infrastructure system designed to support future private building and investment is essential.

PROPOSED ALTERNATIVE TO THE PREFERRED ALTERNATIVE

Analyze in detail the following alternative to the preferred alternative:

1) Retain and revitalize Fulton Mall in order to restore its historical integrity as a masterpiece of 20th-century modernist landscape architecture designed by Garrett Eckbo (see the nomination document for the National Register of Historic Places)

2) Develop alleys parallel to Fulton Mall as follows: (a) link them to Fulton Mall by removing some buildings and creating paseos/gallerias/passageways between Mall and alleys; (b) encourage development of walkway frontages to include small shops, display windows, cafes, etc.; (c) create parking spaces in the alleys.

3) Realign and widen Broadway as a landscaped boulevard parallel to Fulton Mall with adjacent parking structures and mixed use buildings;

4) Redesign Tuolumne as a landscaped boulevard. Integrate the existing frontage road on the south side of Tuolumne with adjacent surface parking to create mixed use building sites parallel to Tuolumne (shops on ground floor, parking above, with offices/residences on upper floors).

5) Reconceive H Street and integrate it functionally and aesthetically into the Central Business District.

6) Design a high intensity node of cultural arts including music, theater, visual etc. at Tuolumne and Fulton Mall. Complementary studios, cafes, housing and other shops would be very appropriate.

7) Install a free trolley system to link activity nodes in the FCSP area and revive the tram service that was provided when the Fulton Mall was built.

Sincerely yours,

Harold Tokmakian, AICP
cc: Sophia.Pagoulatos@fresno.gov

Linda Zachritz