

Exhibit B



FIG · GARDEN
HOMEOWNERS
ASSOCIATION

Rob Holt Planner
City of Fresno
Planning and Development Department

July 8, 2022

RE: Special Permit, Conditions of Approval P21-00470

This correspondence is in regard to the above Shaw/Glenn project. This is a proposed high density project within the Fig Garden area. It is a project of great interest to the community. The local community and the Fig Garden Homeowner's Board has, and is, in support of this project at a reasonable density, one sustainable within our neighborhood structure. The new Fig Garden residents this project will bring, deserve a safe and environmentally correct home within our community. We welcome the development of this long vacant lot and the arrival of our newest residents.

As currently proposed, this is a very high density project, one of the highest in the Fresno metropolitan area. This project deserves and needs a robust public input. The Fig Garden Homeowners, in conjunction with the community, have attempted to be a part of this project's review and development process. Working in unison with the affected community is the correct and normal process for any project, especially a project of this density, in the lowest density area of the metropolitan area.

Unfortunately, the city has excluded the community from the processing of this project's review. Documentation of this application has been repeatedly requested and denied by the city. This has served to deprive the community and Fig Garden homeowners of our basic governmental due process right. Our right to be a part of this governmental review process. The concealing of the application has also deprived the ability for the public to provide vital and important local information. This has materially affected, in a negative manner, the correct interpretation of the applicable, needed, and appropriate development standards. It is inappropriate and against required public access statutes to conceal this application, and the review process by the city. The concealment of this information invalidates this administrative review process, as the public's right to provide input was intentionally denied. The city's work to date has not met the standards of review to arrive at an implementable project development review. The expected safeguards within the review process have not been met.

The future residents of this project and the affected larger community, deserves an open and interactive review. It is the Fig garden Homeowner's intent, as is the larger community, to work interactively with the city and the applicant to welcome this development, developed in a safe and appropriate manner. That has not happened.

We are peripherally aware of the project's development standards. As the city has only recently provided the written review portion of this application, which is materially defective. As the drawing and support documents have yet to be provided, in effect, preventing a meaningful and full review of this project. On behalf of our community, we again ask for the complete set of documents on this project. These are critically important and required.

Safety is the most important issue for any person. It appears, but documentation provided is insufficient to fully determine, this five story project does not have onsite fire department access. This poses a serious safety hazard to the residents on the upper floors. Even though the California Building code requires every living unit to have an openable window, large enough to evacuate people, without onsite access the fire department cannot affect this evacuation on the upper floors. This is an unacceptable risk for the residents, and one they would not have reason to expect or accept.

Traffic in this area is a serious problem, as previous traffic studies have shown. It is our understanding that Fresno county has asked the city to undertake a traffic study. A request we understand was denied. Not dealing with Shaw Avenue's Grade F traffic is a serious omission of responsible development review. If this density of project does proceed, Shaw Avenue street improvements are required. By any reasonable development standard.

This parcel was rezoned to allow up to 30 units per acre, which the community and Fig Garden Homeowner's Association expects and supports. In this application, this has been increased to 54 units per acre using zoning enhancements. It is highly questionable if the EIR from the rezone of this property in the rezone process was sufficient and specific enough to increase the project's density by 80%. It is our belief, the original rezone environmental documentation is not sufficient to allow for this significant density increase. While these extreme enhancements may be allowed, it is questioned if the required environmental reviews in the rezone included this density. We believe a separate EIR is required for this density increase, at this unique location. If the city believes the original environmental review supports 54 units per acre density, please provide us with this documentation. We did not expect this density during the rezone and question if this is within the rezoning environmental review parameters. We do know, this density exceeds the environmental capacity of this location.

This has been classified by the city as a special permit, not an SPR. In that, a higher level of review, including public input, should be required. Yet the community has not been allowed access to this process. With this, we formally ask for full disclosure of all

documents associated with this project and application. This includes all documents referenced in the project's Conditions of Approval, dated June 24, 2022. This includes but is not limited to, the referenced documents, including Exhibits A, F-1 through F-2, and L-1 through L-2 dated May 23, 2022, Exhibit O dated April 6, 2022, and Exhibit E dated September 30, 2021, and Traffic Planning's redlined site plan CP1 dated October 21, 2021.

We additionally ask for all associated documents referenced throughout this report. Until all documents are publicly provided, and they have been requested and not fully provided, no public review can start. Please update us at your earliest convenience.

Additionally, Fig Garden Homeowners Association is formally appealing the Conditions of Approval. For this to be heard, in its full content in an appropriate public hearing, as applicable for this special permit. This public review and hearing is our due process right. For this special permit to not be publicly provided and reviewed, invalidates this approval.

Please contact us on providing the full and complete documents for this special permit, and to the appropriate date and venue of this public hearing. We also expect a minimum of 15 days between disclosing of all documents and any public hearing. We need to inform our community so they can provide the appropriate and thoughtful input.

To close, we support this project at a density reasonable to our area and in accordance with the original expected maximum 30 units per acre. We also expected all normal and appropriate development standards to be adhered to. The future residents of this project, and the larger community deserve a project which is fully reviewed and vetted.

Please allow the community to become a partner in this review process for the benefit of all.

Respectively Submitted

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

Dean Alexander
President
Fig Garden Homeowners Association
Cell 559-250-1280