

Good afternoon. My name is Sue Williams. I'm the corresponding secretary of the Sunnyside Property Owners Association.

I was in the council chambers this morning waiting to discuss PA22-02413 and am not able to come back and wait and unfortunately, I'm not comfortable with ZOOM (can't teach an old dog new tricks!)

The Clerk was good enough to allow me to submit an email regarding my concerns with the mixed-use text amendment. I did leave a copy of our letter for your reference.

Our major problem with this text amendment is the disproportionate application of density in the transit corridors without public input.

This item was not individually noticed, and just like the rezone of parcels to mixed use during the General Plan Update, most residents are not aware of the proposed change.

The Transit Corridors are home to commercial and residential and often back up to single family residential. They are usually areas that are struggling with crime, air quality and noise issues.

Although the mixed use designation promised vibrant, pedestrian friendly communities, this text amendment would eliminate the commercial provision for ground floor uses mid block.

Developers would be able to build as many units as they want without the need for parking (due to AB 2097 just passed by the State). And developers are already hinting at raising the allowed height.

There is no additional mitigation for the unequal application of density, only references to General Plan Policies and developer fees. A Specific Plan should have been required to better address police and fire staffing, substations and firehouses, traffic mitigation and tie discretionary funding to all increases above those in multi-family districts.

Because the environmental document is tiered off the EIR completed for the General Plan, the increase in densities in these corridors is not addressed and is in fact phrased as a "REDISTRIBUTION" of population only. No additional mitigation. In fact projects in BRT corridors only need to submit a TIS if the development will generate 300 new peak hour trips. (All other areas need a TIS for 200 peak hour vehicle trips. And developments within the project area in infill priority areas and proposing 80% residential are not required to complete a TIS at all.

Often public noticing results in a better project, one that fits into the neighborhood. This text amendment is a GAG order preventing the public from even knowing what is proposed.

We urge you to rethink this proposal and instead develop a solution to the housing element in a fair and equitable manner with additional mitigation.

Thank you for allowing me the opportunity to provide input.



P.O. Box 8096, Fresno, CA 93747-8096

RECORDED  
2022 SEP 29 A 11:56  
CITY CLERK'S OFFICE

September 8, 2022

City of Fresno, Planning and Development Department  
2600 Fresno Street  
Fresno, CA 93721

ATT: Sophia Pagoulatos

RE: Text Amendment Application No. P22-02413

The Board of Directors of the Sunnyside Property Owners Association would like to provide comment regarding the above referenced Text Amendment and General Plan Amendment that would increase the residential density for the five zone districts within the City of Fresno that allow mixed-use development, modify the restriction that prohibits ground floor residential uses in mixed-use districts so that only corner properties along arterials with Bus Rapid Transit Stops will have mandated commercial uses, and provide ministerial approval of multi-family residential uses within the City's Priority Areas for Development.

The Kings Canyon Transit Corridor runs from Highway 41 to South Argyle Avenue. The corridor hosts a variety of businesses and residential uses from semi-rural to dense multifamily developments. Many of the older residential areas are struggling to keep their identity, while being pressed to accept more intense and often incongruent new land uses.

New mixed-use zoning adopted in the City's General Plan has been applied along Kings Canyon and portions of Clovis Avenue. The entire area in and around Sunnyside lies within the City's Priority Area of Development.

When the General Plan was updated, the thought was to house people and commercial activities together along the transit corridors. Overlooked parcels were labeled "infill" and given incentives to develop. The maximum density was increased throughout the residential zones and the new mixed-use areas mirrored the density in multi-family land uses (maximum du/ac ranges from 16 to 45). These new mixed-use developments were promoted as pedestrian friendly and the corridors as vibrant, diverse, and attractive that would support a mix of pedestrian-oriented retail, offices and residential uses in order to achieve an active social environment within a revitalized streetscape. The allowed height was increased to a range of 40-75 feet. The development code was updated to require additional mitigation such as stepped up heights and improved building facades when developments were located next to residential.

Even so, it was a big, bold decision, to place such incongruent densities and commercial businesses in older established neighborhoods. Many of these areas are struggling with crime, noise, traffic, poor air quality, student performance, and the myriad issues surrounding the un-housed population suffering from severe mental illness and addiction.

Since the General Plan was updated, most of the mixed-use projects have been built or are planned for downtown where public noticing and maximum density caps are not required. This area is mostly developed, and the existing landscape features tall government buildings, offices, Chuckshansi Park, restaurants, hotels, and the growing Brewery District. New, dense development is compatible and residents have an increasing selection of venues at their disposal.

It is estimated that if this text amendment is adopted, the maximum densities for these mixed-use zone districts could increase to:

- Commercial Regional from 16-80
- Commercial Main Street from 16-48
- Neighborhood Mixed Use from 16-64
- Corridor Mixed Use from 30-75
- Regional Mixed Use from 45-90

The City's Housing Element requires land capacity for 36,866 new housing units to include 15,324 low-income units. The City estimates a 30,000 affordable housing shortfall.

The current parking requirement for mixed-use housing developments is .75 space for 1 bedroom and studio apartments, 1 space for a two-bedroom unit, and 1.5 spaces for three or more bedrooms. One additional guest parking space must be provided for every 4 units for projects greater than 4 units. While this text amendment would remove the maximum cap on densities, all development code requirements would still apply. *However* affordable housing incentives would allow up to 20% modification of those requirements including, but not limited to; reduced minimum building setbacks, increased maximum lot coverage, reduced outdoor and/or private open space requirements and increased building height. Parking requirements may be reduced by 25% and for Transit-Serviced Developments; the number of parking spaces cut in half. So a 100 unit affordable housing development with an equal mix of one and two bedroom apartments would only be required to provide 50 parking spaces, while supporting 300 or more residents.

Because most of these mixed-use zone districts are positioned along mass transit routes, the expectation was that residents would choose to ride the bus. When the City of Fresno General Plan was updated in December of 2014, the Fresno Council of Government's Travel Mode (2012) showed less than 1% (0.86) used mass transit as their primary mode of travel.

Despite the fact that buses now run at 15-minute intervals along Blackstone, Ventura/Kings Canyon, Cedar and Shaw Avenues, mass transit remains an unpopular option for Fresno County commuters, even among those who can't afford a car. Just fewer than 2% of workers, or just over 4,000 people, take the bus to work, compared to 5% statewide, according to census data.

Because the majority of mixed-use projects in the pipeline are downtown, where the maximum density cap has been removed and a ministerial approval process is already in place, *the City now wants to change the rules for the transit corridors, with the hope that in time they may be applied to other areas within the City.*

So what does this text amendment do? It will eliminate the ground floor commercial use requirement in mixed-use applications changing mixed-use to multi-family only for all midblock developments. It will increase the density far beyond any of the other multi-family zoning in the rest of the City (an estimated 200 to 500% increase from existing maximum density caps). It will allow multi-family projects that fall within the City's Priority Area of Development to circumvent the regular planning process; eliminating all review by District Implementation and Design Review Committees (Three of which voted to deny the ministerial provision). And most importantly, for the vast majority of neighborhoods that host the transit corridors, projects will be reviewed at an administrative level only without any public participation at all.

While allowing open-ended densities without public input may be a gift to developers (this text amendment is largely the result of their input) and satisfy the City's requirement to house some of their residents, it becomes an even more egregious, disproportionate, and unfair burden for those who live along or next to transit corridors.

Despite the two to five-fold increase in density, there is no additional mitigation to negate the increase in traffic, noise, and pollution. New residents will be expected to ride the bus, which will be delayed because the acceptable Level of Service for these corridors is E (unstable flow, operating at capacity) and F (forced or breakdown flow).

*Even though engaging the public in the development mix may slow the process, it remains imperative that we are invited to participate.*

On behalf of all the neighborhoods that have been rezoned to mixed-use and are now facing a monumental increase in density, absent additional mitigation and public recourse, we ask that the Council deny this text amendment. We request instead that staff look to other methodologies that are equitable, negate the affects of increased density, protect vulnerable neighborhoods and include them in the decision making process.

Thank you for considering our comments,

Sue Williams  
For the Directors of the Sunnyside Property Owners Association

Cc: Fresno City Council



September 29, 2022

Fresno City Council  
2600 Fresno Street  
Fresno, CA 93721  
VIA EMAIL

Re: Public Comment - Mixed Use Text Amendment, Application No. P22-02413

Dear Fresno City Council Members:

RH Community Builders is in support of the proposed Mixed-Use Text Amendment (Text Amendment), Application No. P22-02413. As a developer, operator, and service provider of affordable housing in the Central Valley, we know first hand the challenges that accompany obtaining entitlements for new projects. Adopting a ministerial process for projects that meet specific zoning criteria is a step in the right direction.

The proposed Text Amendment will provide developers additional opportunities to design projects that can successfully compete for scarce State and Federal resources targeted to affordable housing. Further, we believe that the proposed density, parking, and active ground floor flexibility in mixed use are positive adjustments to the Housing Element.

We look forward to our continued work within the City to increase the number of affordable housing units for our most vulnerable neighbors.

Sincerely,

A handwritten signature in blue ink, appearing to read "Wayne Rutledge".

Wayne Rutledge  
CEO

Brad Hardie  
President





Nonprofit Public Benefit Corporation

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We have corresponded with the City of Fresno, the RDA, followed by the Successor Agency since 2010 (during Mayors Ashley Swearingin and Lee Brand) regarding the Old Armenian Town project. The purpose was to use the five historical residences as a Historic-Cultural Town Museum. The neighborhood is on the corner of M and Santa Clara, where the Valley Lahvosh Bakery and the Holy Trinity Armenian Apostolic Church are. It represents a segment of an early 20th century Fresno neighborhood, where immigrants of various nationalities have settled.

During 2012-2015 the exterior of the five homes was renovated to their original look. We suggested to the RDA to keep the interior of the houses completely gutted to provide us the flexibility to redesign as exhibition areas for our needs, which they did.

I was board chairman at the Holy Trinity Church during that time when we also went through extensive renovation. I suggested to RDA a wrought iron fence be installed along the perimeter of the five-home complex to protect over **the \$2 million** investment that the City had made thus far and to prevent intruders from vandalizing the homes. It needed to have the approval of the Governor's office, as due to corruption and favoritisms between the Cities, their affiliated RDAs, and the developers, Gov. Brown had shot down all the RDA offices statewide. It took over a year and a half to get the job done.

Our written proposal to the City spelled out the benefit to the greater Fresno community in the following areas:

1. Renovation of a neglected section of Downtown Fresno,
2. Preserving historical sites,
3. Converting the homes into Museum-Exhibition Spaces,
4. Attracting Tourism, revitalize downtown neighborhoods,
5. Showcasing the history and the contribution of the early settlers in Fresno.

Collectively, to promote and complement the ethnic fabric of the Fresno community; conceptually converted the homes into exhibition-galleries to showcase various aspects of immigrant life in Fresno as follows:

- Ethnic Life of Immigrants in Early Fresno – showcasing artifacts.
- Prototype of William Saroyan Childhood Home (he used to live across the Street)
- Contribution of immigrants to the Central Valley – agriculture, industries, etc.
- Rotating Exhibition Gallery for Valley Artists
- Information Center/Office, data collection room, gift Shop

In our 12-page proposals, we expressed our readiness and willingness to take on the responsibility of raising the necessary funds, at NO cost to the City, provided that the City Council, through the RDA, approves our request. We never received an answer. We are disturbed.

The *Armenian Cultural Conservancy*, which has been collecting historical artifacts and items that the immigrants and the survivors of the Armenian genocide had brought to the central valley, is aware of this letter.

Varoujan Der Simonian

## Briana Parra

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**From:** Varoujan Der Simonian <  
**Sent:** Thursday, September 29, 2022 4:00 PM  
**To:** Clerk  
**Cc:** Varoujan Der Simonian  
**Subject:** Homes at the Old Armenian Town

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**External Email: Use caution with links and attachments**

To Whom it may concern:

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**Varoujan Der Simonian**  
**Armenian Museum of Fresno**  
**Housed at the University of California Center**

## Briana Parra

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**From:** Brandi Nuse-Villegas <  
**Sent:** Wednesday, September 28, 2022 3:14 PM  
**To:** Clerk  
**Subject:** Public Comment 3-A

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**External Email: Use caution with links and attachments**

Dear council,

I first of all ask that action on these items be tabled until the council and community can get more information about these programs, as it is lacking in detail. What sounds good in summary may not be effective or successful, depending on details on how these are implemented.

The community needs transparency in all parts, including what entities are involved and community involvement should be part of the development of all of these items.

It is imperative that all housing efforts put tenants first and protect them. I am concerned that within these, landlords and developers may gain more benefits and enjoy more protection or lack of accountability than tenants. I will address the concerns in the greater detail, but a major need with any items pertaining to landlord or property management is the need of a Landlord Registry so that the city can have live information on landlord are complying to laws regarding tenant's right and code requirements. We need to have a way for tenants to know and report abuses, code violations, etc. and these need to be part of the determination of participation for any landlords receiving funding from.

Item #1 Regarding the Voucher program:

I would like to know how this compares to the current Landlord Engagement program. I would like to know how effective that has been as far as how many people it has helped in getting long term permanent housing. My major ask and question regarding this item is "How do we protect renter from potential slumlords or those who may abuse this program?" I have know of several landlords who have taken vouchers and have not complied.

#2. I oppose the item being proposed as rent stabilization. It is not rent stabilization, but a subsidy for landlords and does nothing to prevent rents rising.

How can renters be protected from slumlords?

-This is NOT Rent Stabilization. If anything, it's a rent subsidy

-This is not what the community has been asking for. It's not about tenant protections. Need to protect tenants. A true rent stabilization ordinance will protect renters in the long Run and ensure rents don't significantly increase beyond 2 years

Are their guidelines or policies that LLs will have to follow in order to receive the funding

Prior to being a part of this program will the homes have thorough inspection to ensure that the homes are habitable? Including Mold testing on the homes?

Again, I ask for a Landlord registry to keep landlords accountable and that those who are not in compliance cannot benefit from programs like these.

I ask that the city pursue the rent stabilization plan set forth by the Here to Stay plan that limits rent increases, but allows for landlords to still receive a profit.

#3 Land Trust

I ask that the city follows the model that local housing justice workers have been discussing with Skei and Planning and development to have an advisory committee of community members to reflect the diverse perspectives of those needing housing and have robust community representation and involvement. I also ask that there be accountability and transparency in this process..

#### #4 Central Fresno Mixed-Income Neighborhood Trust

Again, we need to ensure community representation in the decision making bodies.

Also, as there will be need of a property manager, I ask that there be a transparent community process and input in the property managers. This entity should fall under the requirements of being in a landlord registry and having an exemplary record and the community should be able to speak up on the property manager prior to designation.

#### #5 Housing Trust

I appreciate the work that city staff has been doing with community housing experts and advocates for the second phase of this land trust funding and the formation of a comprehensive advisory committee and ask that the mayor's office and council supports this efforts

#### #6 Tiny Home program has been done with Fresno City College

This is a great idea and huge need

We need tiny homes for our unhoused community and, as they have been displaced by the city and there has been an acknowledge lack of housing and enough shelter, the unhoused need to be a priority. I have heard that these will be placed in partnership with local CDCs and have concerns that their priorities will not reflect a 60% AMI and houseless residents. I ask that the city council require at least a certain percentage, if not all, of these homes to go to the unhoused and require public information about the percentages.

I ask that the city also seeks partnerships with those who can work with the unhoused to build tiny homes, as I have met many who are skilled or could be trained and a major demand is for employment.

As well, I have heard that there was a previous partnership with FCC to do tiny homes. What has become of this project if so?

#### #7 EPP

I am grateful for the EPP, and ask only that we expand the program and invest more funding. I have been notified by a tenants rights advocate that people seeking this resource are being turned away for not meeting the specific criteria of having an unlawful detainer in hand, even if they have been given a 30 day notice for reasons that the residents don't think are valid. We need to ensure that any holes in the program as addressed and no one falls through the cracks.

Thank you for continuing this program.

I also ask that you hear from the community members on housing needs and that the city council brings forth the Here To Stay report to not only discuss but take action. The One Housing Plan does not address all of the top items that would prevent displacement and address housing needs and several items are only the same in name.

Thank you for your time.

## Briana Parra

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**From:** Brandi Nuse-Villegas  
**Sent:** Wednesday, September 28, 2022 11:38 PM  
**To:** Clerk  
**Subject:** Public comment: Hearing on CAPER

**External Email: Use caution with links and attachments**

Council,

I ask that the hearing time would be extended for this hearing and that there would be more extensive public communications regarding these hearings. I am not sure that an email was distributed on the CAPER public comment period, as has been done in past years, but the social media posts are easy to miss and many people aren't connected through the city pages.

I appreciate the progress that has been made, though I note that the city didn't not meet its goal of constructing affordable rental units and I hope more progress is made.

I noted two points of concern:

1. On the powerpoint document, it lists as a fair housing highlight the Here To Stay report. There were many people who worked hard on this report: Thrivance group, the Anti-Displacement Taskforce and staff, and the community who dedicated countless hours to bringing the city council recommendations on how the city can prevent displacement in Fresno. This is a highlight. What also needs to be addressed is that the thread of action should have continued early this year with the city council taking action regarding the recommendations.

The mayor claims that many of the items in the Here to Stay Report are in the One Fresno Housing Strategy, but this minimizes the actual recommendations and content, especially the top items not addressed, and the ones modified in a way that changes the strategy altogether. Most of these carefully developed recommendations have simply been ignored. This is a waste of some of your most valuable resources, the people in the community who know their needs and have the expertise best. I ask that the council truly addresses the Here To Stay report engage the community, and move forward with this document.

2. The document lists, in Homeless prevention, over 2,000 public services activities, as well as the over 900 in overnight shelter. It is important to delineate what those activities were and how they lent to prevention. As well, there has been very little shelter opening, bringing to question what resources there are that allow the team to actually help in prevention. As well, there needs to be a more transparent report on the numbers sheltered and how many returned to the streets. We have reports of people being exited in situations where it is questionable that it was necessary and need to ensure that all efforts are made to keep people sheltered and transition into long term care. As well, the report notes the work of HOPE within the HART team. The HART is continuing displacements of unhoused individuals which, according to the Here to Stay report and what we know, impedes progress towards housing. As well, the team needs to ensure that when it comes to providing services that help our unhoused escape homelessness, such as assisting obtain IDs, there is follow up. The displacement of the city makes it very difficult for those helping with services, in general, aid people in finding housing.

## Briana Parra

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**From:** Sophie Young <  
**Sent:** Wednesday, September 28, 2022 5:00 PM  
**To:** Clerk  
**Cc:** Sophia Pagoulatos; Courtney Espinoza; Lynn von Koch-Liebert; Bo Chung; Pipkin, Brendan@DOC  
**Subject:** SGC Comment Letter #1: Consideration of Development Code Text Amendment, Council Meeting 9/29/22, Item ID 22-1407  
**Attachments:** SGC Letter to City of Fresno on 09.29.22 Council Meeting Agenda Item ID 22-1407.pdf

**External Email: Use caution with links and attachments**

Dear City of Fresno Planning and Development Department,

California Strategic Growth Council staff appreciate the opportunity to comment on the Consideration of Development Code Text Amendment being heard at the Council Meeting 9/29/22, Agenda Item ID 22-1407. This letter invites future collaboration on future infill development within Fresno's mixed use neighborhoods. Please consider these comments for the Thursday, September 29 Council Meeting and subsequent meetings. Please contact me if you have any clarifying questions.

Best,

Sophie Young | Program Manager, Transformative Climate Communities  
California Strategic Growth Council

Stay in the loop – sign up for the SGC updates [here!](#)



**RE: Sept 29, 2022 Council Agenda Item # 22-1495:**

2022 SEP 29 AM 10:41

CITY CLERK

To the Mayor & Member's of the Fresno City Council:

RE: Sept 29, 2022 Council Agenda Item # 22-1495:

I'm the previous owner of two of five historic homes that were placed on parcel APN 468-223-20T. One of the homes that was destroyed by fire was one of mine. I've been willing and I still desire to exercise my "Right of First Refusal" to purchase this parcel, APN 468-223-20T

Both of my homes were taken by eminent domain and under state law if real estate is taken and is not used as it was envisioned by the agency it must be offered to the previous owner as the Right of First Refusal to purchase these homes back, [see Cal Code of Civil Procedure, (CCP) §1245.245.]

Also, this section provides that it be offered to the previous at the present market value, as determined by an independent licensed appraiser. [CCP §1245.245 (f)(1)]

I was provided the appraisal by the city's independent appraiser for this parcel. I have made it clear in my response to the city (see attached,) that I have an interest in buying my property back.

I was told by the city that I must pay out of my pocket not just the appraised market value for this parcel but also I pony up the total revenue from the investment of \$1.2+ Million coming from state grants and the insurance payoff from the fire loss.

The proposed new owner of this parcel, who also has the DDA for the Old Armenian Town (O.A.T.) project adjacent to the Fifth District Court of Appeals, will pay the appraised market value of \$66,000 and the balance will be provided by grant and insurance funds. The city demands that I match those dollars from the fund sources out of my pocket if I want to exercise my first right of refusal.

This is unconscionable and violates not only the text of the state law but also the spirit of the law for the fair and equitable treatment to the previous owners who had property taken by eminent domain.

The city has used the first right of refusal to purchase various properties from the previous City RDA.

But never has it allowed itself to be put in the position where it must pay the total sum of dollars from all sources in order to exercise its first right of refusal to purchase RDA property. I should be treated no differently and specifically, as a previous owner whose property was taken by eminent domain, CCP §1245.245 forbids it.

A recent Court of Appeals case held that owners whose property was taken by eminent domain must be offered their property back if after 10 years the property was not used as it was intended when it was taken. It's been over 10 years since my property was taken by far and the city never has made or felt it needed to make that offer before because it had an ongoing project running in the Armenian Town project. The subject parcel was always attached to the O.A.T. project. This parcel is included in the recorded boundaries of the 9.7 acre project in 2005. Just because the city lost a lawsuit where it had to meet the environmental findings that promised to keep the displaced homes within the project boundaries it can now say, willy-nilly, after 20 plus years this parcel, with or without the homes, was never part of the project.

Because they say it was never attached to the O.A.T. project it can be sold as an independent parcel. If that is true then why didn't they comply with CCP §1245.245 and offer my property back after 10 years. What staff is stating in this agenda item is untrue, they're trying to have it both ways, just can't be done. See Rutgard v. City of Los Angeles (2020)

Thank you for your consideration,

s. George Bursik



George Bursik

August 9, 2022

Marlene Murphey, Executive Director  
Successor Agency to the Redevelopment Agency of the City of Fresno  
848 M Street, 3<sup>rd</sup> floor  
Fresno, CA 93721

Re: Notice of Intent to Sell and Right of First Refusal on 450 M Street, Fresno California, APN 468-225-20T (This is a hard copy of the email sent on 8/8/22)

Dear Ms. Murphey:

Please accept my response to your letter dated July 7, 2022 today, today August 8, 2022, as the 30th day fell on the weekend and according to state law when a date of a deadline falls on a weekend the deadline date moves to the next business day.

In preserving my "Right of First Refusal" to purchase this parcel APN 468-223-20T I have a few questions.

This parcel as described on the Long Range Property Management Plan had an appraised value of \$53,143. You refer to an appraisal of \$66,000; I have not seen this new appraisal and I hope there's an opportunity for me to review the appraisal report.

It has been my understanding that this property together with the property adjacent to the Fifth District Court of Appeal Courthouse are tied up under one Master Disposition and Development Agreement together with the "First" and "Second" Amendments to the Master DDA referred to as the Master Agreement for Old Armenian Town Project.

The Long Range Property Management Plan states for the subject parcel, under the column heading Permissible Use Detail:

"There is an enforceable obligation/court order under which property is sold to developer and which places conditions upon this property."

I believe the developer referred to here is the same as the developer in the DDA for the Old Armenian Town Project.

By removing this parcel from the larger OAT project and by selling it with a new prescriptive development plan doesn't it create a new project as defined by the California Redevelopment Dissolution Act? Further isn't this an amendment to the OAT Project and is not allowed by the same Act?

Under the Property Disposition Guidelines of the Oversight Board of the Successor Agency to the Redevelopment Agency of the City of Fresno, didn't they adopt by resolution that properties not in the midst of being sold by another method would be sold by the Auction process? Has the previous resolution by the City Oversight Board been amended by the County Wide Oversight Board?

Under the Property Disposition Guidelines when the City of Fresno exercised its Right of First Refusal for properties listed on the LRPMP it allowed for the value set only by an "Open Market Solicitation" method or the "Auction" process and not the "Request For Offer To Purchase, Including Proposed Development" method. Here the latter method is being forced as the only method to purchase the property, by subjectively matching a proposed new project as I exercise my First Right of Refusal. There's something wrong and unfair with how this process differs from how the City of Fresno limited the value setting on its Right of First Refusal.

Again I'm interested in pursuing and exercising my Right of First Refusal on this property APN 468-223-20T.

Sincerely,



s/George Bursik



## CALIFORNIA STRATEGIC GROWTH COUNCIL

City of Fresno  
Planning and Development Department  
2600 Fresno Street Fresno, California 93721  
September 29, 2022

RE: Text Amendment Application No. P22-02413 and related Environmental Finding for Environmental Assessment No. P22-02413, amending Tables 15-1102, 15-1103, 15-1202, 15-1203, 15-4907 and Section 15-1104 of the Fresno Municipal Code and adding Sections 15-1106 and 15-5102-E to the Fresno Municipal Code, and corresponding General Plan Text Amendment relating to mixed-use development

To Director Pagoulatos,

The California Strategic Growth Council (SGC) supports healthy, thriving, and resilient communities for all. SGC's Transformative Climate Communities (TCC) Program empowers the communities most impacted by pollution to choose their own goals, strategies, and projects to reduce greenhouse gas emissions and local air pollution. In 2018, SGC awarded the City of Fresno \$66.5 million in the first funding round of the TCC Program, the largest award to date.

The proposed Consideration of Development Code Text Amendment Application No. P22-02413 to remove residential density caps within Fresno's transit corridors and exiting designated mixed-use areas is in theory aligned with the critical mission of reducing carbon emissions while creating opportunities for people to live in affordable mixed-used infill developments for a thriving community. The map of impacted areas under this text amendment includes Commercial, Corridor/Center, and Neighborhood mixed-use identified areas within the TCC Project Area. The Commercial mixed-use areas include many parcels on the intersection of E Jensen Ave and S MLK Blvd. The Corridor/Center mixed-use areas include several parcels on W California Ave and S Fruit Ave. The Neighborhood mixed-use areas include the Fresno Street corridor from the 99 Highway to E California Ave.


Additionally, the Planning and Development Department's presentation contains a direct reference to The Monarch affordable housing project (\$11.75 million in TCC funding through Transform Fresno) as a positive example for moving forward with this text amendment. SGC would like to expand on the critical components that would make these mixed-use developments successful. The Monarch in Chinatown was not built based on favorable zoning rules but is rather connected by various other projects including complete streets components including urban greening, pavement repairs, access to public transportation, and deep community engagement. One specific concern with the proposed text amendment is with the inclusion of ministerial decision-making authority to approve land use decisions it is not clear whether residents will have the ability to play a meaningful role in community planning.

In the agenda attachments, SGC did not see details of incentives that would increase the viability of infill development projects. Merely increasing the cap on residential density alone will not

necessarily yield increased affordable housing production. Existing development patterns within Fresno suggests that sprawl development of single-family residential homes into the farmland surrounding Fresno is likely to continue. The Monarch affordable housing project came to be through strategic, competitive applications of leveraged state and local funding and deep community engagement. Fresno Metro Ministry's request for further development of complete streets capital projects would strengthen the City's ability to compete for and attract local affordable housing investments and funding. We would like to reference the previous letter submitted by the Fresno Metro Ministry on July 20, 2022, in which the Fresno Metro Ministry states that "the City must take greater responsibility for developing complete streets as capital projects with adopted design standards" (Attachment J within the agenda item).

The TCC model has garnered national attention in the way it has holistically brought together community-driven priorities for transformational change in some of the state's most historically marginalized communities. We would welcome the opportunity to work collaboratively with the planning department and local private mixed-use affordable housing developers to apply TCC principles for greater transformation within Fresno.

Sincerely,

  
Sophie Young  
TCC Program Manager  
California Strategic Growth Council

Kevin Hall  
September 29, 2022

Campaign Advertisements by Government Agencies, issued by the Fair Political Practices Commission on May 23, 2022 states, states:

“The regulation goes on to state that a communication can also rise to the level of express advocacy ‘...when considering the style, tenor, and timing of the communication, it can be reasonably characterized as campaign material and is not a fair presentation of facts serving only an informational purpose.’”

**A. Style**

*No comment*

**B. Tenor**

“...if the tv ad included language about the election and the positive points of a ballot measure in the election, then it would qualify as a campaign expenditure.”

*Comment: The City plans to do so and writes in its Uniquely Qualified Memo:*

JSA will develop multilingual public information campaign to educate our residents on successful projects that have been delivered by the current Measure C and the importance of infrastructure and transportation projects for our City.

With approval by the voters, this new plan will bring over \$2.88 billion to the City of Fresno and allow the City to improve streets and sidewalks across all council districts, enhance transit services, add active transportation facilities, improve air quality, reduce congestion, and improve safety. It will address the transportation needs in disadvantaged areas within the City and throughout Fresno County. It is good for the City of Fresno, and for each of the cities, communities, and unincorporated areas in Fresno County.

**C. Timing**

*Comment: Fresno County ballots will be mailed in two week. Campaign season has begun. Political posters, signs, mailers and multimedia ads are visible.*

*The FPPC Guidance also says:*

“Other factors to look at in determining whether any specific communication can be reasonably characterized as campaign material or activity include whether the communication is:

**D. “Funded from a special appropriation related to the measures as opposed to a general appropriation”**

Kevin Hall  
September 29, 2022

*Comment: The City has done so and writes:*

**FISCAL IMPACT**

\$500,000 was appropriated in the FY 2023 General City Purpose budget for ballot measures. \$200,000 was appropriated in FY 2023 General City Purpose budget for ethnic outreach. \$150,000 of that appropriation will be used for multi-lingual portions of both public education campaigns.

**E. "Consistent with the normal communication pattern for the agency"**

*Comment: This has never been done before.*

**F. Consistent with the style of other communications issued by the agency;**

*Comment: No. See E above.*

**G. Inflammatory or uses argumentative language.**

*Comment: Yes. Claims currently being made by FCTA in print regarding cleaner air, effective community outreach and other arguments are opinions unsupported by the facts.*

With approval by the voters, this new plan will bring over \$2.88 billion to the City of Fresno and allow the City to improve streets and sidewalks across all council districts, enhance transit services, add active transportation facilities, improve air quality, reduce congestion, and improve safety. It will address the transportation needs in disadvantaged areas within the City and throughout Fresno County. It is good for the City of Fresno, and for each of the cities, communities, and unincorporated areas in Fresno County.