

City Council Regular Meeting

November 20, 2025

FRESNO CITY COUNCIL



Public Comment Packet

ITEM(S)

9:10 A.M. (ID 25-1086) HEARING to consider the adoption of the Tower District Specific Plan, the Tower District Design Standards and Guidelines, and related Environmental Impact Report (EIR), State Clearinghouse (SHC) No. 2025050309. The following applications have been filed by the Planning and Development Director and pertain to approximately 1,869 acres in the Tower District Specific Plan Area:

[TITLE TRUNCATED FOR SUPPLEMENTAL PACKET COVER PAGE]

Contents of Supplement: Public comment emails

Item(s)

Supplemental Information:

Any agenda related public documents received and distributed to a majority of the City Council after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed. The Supplemental Packet is available for public inspection in the City Clerk's Office, 2600 Fresno Street, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(2)). In addition, Supplemental Packets are available for public review at the City Council meeting in the City Council Chambers, 2600 Fresno Street. Supplemental Packets are also available on-line on the City Clerk's website.

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From: [Daniel Brannick](#)
To: [Clerk](#)
Cc: [Sophia Pagoulatos](#)
Subject: Comments for November 20, 2025 City Council Meeting - Tower District Specific Plan Update
Date: Thursday, November 13, 2025 11:33:29 PM
Attachments: [DB Comments for Council - TDSP, Design Stds and Guidelines, and DEIR \(11.13.25\).pdf](#)

External Email: Use caution with links and attachments

Hello, I wish to submit the attached letter ahead of the 11/20/2025 City Council Meeting for Item ID 25-1506 described as follows:

Adoption of the Tower District Specific Plan, the Tower District Design Standards and Guidelines, and related Environmental Impact Report (EIR), State Clearinghouse (SCH) No. 2025050309.

It would be appreciated if you could provide me with confirmation that these comments have been received. Please let me know if you need any information in addition to what has been provided.

Thanks,
Daniel Brannick

November 13, 2025

City of Fresno
Attn: City Council
2600 Fresno Street
Fresno, CA 93721

**Subject: Comments on Tower District Specific Plan, Design Standards and Guidelines, and Draft EIR
(State Clearinghouse # 2021100443)**

Dear Councilmembers,

Enclosed for your consideration are my comments on the updated draft of the Tower District Specific Plan ("TDSP"), the TDSP Design Standards and Guidelines, and the TDSP's Draft Environmental Impact Report (DEIR). Due to the interrelated nature of these three documents, unless otherwise noted, please consider the comments as being broadly applicable to the TDSP, the Design Standards and Guidelines, and the DEIR.

My comments address the following topics:

- 1) Areas of Concern regarding TDSP Environmental Review Process
- 2) Design Standards and Policies for Roadways, and Outreach/Notification for Public Works and Capital Projects
- 3) Protection of Views of the Tower Theatre
- 4) Land Use and Zoning Designation of the Former Central Valley Cheese Building
- 5) Content in the Utilities Chapter
- 6) Committee Review Process and Implementation Tracking

Note: Comments 2-6 present information related to comments I made during the public comment portion of the Planning Commission meeting held on November 5, 2025.

While my comments are focused on calling attention to items that I feel should be addressed before the TDSP is finalized, it is worth mentioning that the updated draft of the TDSP is a significant improvement over the earlier draft version of the plan. I appreciate the time and attention put in by City staff, consultants, steering committee members, and community members.

Sincerely,

Daniel Brannick

1) Areas of Concern regarding TDSP Environmental Review Process

The comments here refer to two aspects of the TDSP's environmental review process which are at odds with the principles of informed decision-making and meaningful public participation mandated by the California Environmental Quality Act (CEQA): 1) The organization of the Draft EIR, and 2) the delayed release of the TDSP's Final EIR and Response to Comments.

Whereas Comments 2-6 propose specific textual changes to the TDSP documents themselves, the comments here are meant to be an on-the-record critique of deficiencies in the environmental review process for the TDSP and serve as a warning for other upcoming plans and projects subject to CEQA. Both of the practices described below should generally be avoided.

Draft EIR Organization

The Draft EIR's organization is somewhat unusual. While it considers the list of environmental topics identified in Appendix G of the CEQA Guidelines (the list of topics most commonly used when an EIR is prepared), instead of including the entire analysis of the Appendix G topics in main body of the EIR, the discussion is divided in such a way that the main body of the EIR only addresses six of the topics while the remaining topics are discussed separately in an appendix to the EIR ("Appendix C, Initial Study").

Note: Technically the full range of Appendix G topics is presented in Table 1A, the Executive Summary Matrix, but it only presents the list of Appendix G questions, the impact determinations, and applicable mitigation measures (if any); the Executive Summary Matrix does not include any analysis of impacts.

While I have seen this format used on occasion by the City and other agencies, it has only been in situations where the CEQA lead agency initially began preparing an Initial Study and then subsequently determined an EIR would be required. The bifurcated analysis included here does appear to be the result of such a situation – the date on the Initial Study is August 13, 2025, which is well after the NOP for the EIR was published (May 7, 2025). In other words, it is apparent that a deliberate editorial choice was made to present some of the topics in the main body of the EIR and discuss other topics in an appendix separate from the main body of the report.

While some of the topics relegated to the "Initial Study" appendix clearly do not require much time or attention due to the geographic and environmental characteristics of the Tower District (e.g., Agricultural and Forestry Resources, Mineral Resources), other topics warrant more public-facing attention than they have been given in this structure (such as Aesthetics and Utilities and Service Systems, which are discussed later on in these comments). Since adoption of the TDSP will allow for by-right development and facilitate streamlined environmental review with limited opportunity to weigh in on a project-specific basis in the future, these are very relevant and important topics for discussion. Even if the impacts are ultimately determined to be less than significant based on substantial evidence, it is important as a matter of process for there to be a good-faith attempt to make this known to decisionmakers and the public.

The Draft EIR mentions CEQA Guidelines section 15128, which states: "An EIR shall contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR. Such a statement may be contained in an attached copy of an Initial Study." However, just because CEQA permits such a format does not guarantee that the EIR meets the requirements of CEQA. "The data in an EIR must not only be sufficient

in quantity, it must be presented in a manner calculated to adequately inform the public and decision makers, who may not be previously familiar with the details of the project. "[I]nformation 'scattered here and there in EIR appendices' or a report 'buried in an appendix,' is not a substitute for 'a good faith reasoned analysis.'" (*Banning Ranch Conservancy v. City of Newport Beach* (2017) 2 Cal.5th 918, quoting *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th at p. 442.)

The approach of organizing and presenting information utilized in the TDSP DEIR – basically predetermining that readers will only be interested in the topics which the report authors have determined could result in significant environmental impacts, and then putting the other topics in a nonobvious location outside of the main body of the EIR – is a significant inconvenience for readers who are familiar with CEQA documents. For readers who are unfamiliar with CEQA documents, it just about guarantees a less-than-comprehensive recognition of the range of possible effects and consequences of the whole of the action. To reiterate, CEQA mandates informed decision-making and meaningful public participation, and the approach taken here is at odds with those things (and even more so when considered in context of delaying release of the Final EIR as discussed below).

Timing/Availability of Final EIR and Response to Comments

The TDSP Update went before the Planning Commission for review prior to release of the TDSP's Final EIR and Response to Comments. (Note: The materials presented to Planning Commission at least included copies of the comments received on the Draft EIR.) The day after the Planning Commission meeting, however, the City released the Final EIR and Response to Comments.

This approach is problematic. Even if Planning Commission is not the final decision-making body on the approvals required for the TDSP, the Planning Commission fundamentally exists to weigh in on issues like this, and there should be a good-faith effort to provide them with complete information to and allow them to make recommendations on a sufficiently and fairly informed basis.

2) Design Standards and Policies for Roadways, and Outreach/Notification for Public Works and Capital Projects

These comments address the following two items which have to do with circulation: Standard 48 of the TDSP Design Standard and Guidelines, and Policy C 4.2 of the TDSP.

Standard 48

The TDSP Design Standards and Guidelines include language which would prohibit either closing or widening streets in most – but not all – areas of the Tower District. Standard 48 of the TDSP Design Standards and Guidelines reads "Existing roadways shall not be closed or widened", and the standard is identified as applying in Residential Single-Family Districts (p. 34); Residential Multi-Family Districts (p. 64); and Mixed-Use and Commercial Districts (p. 96). Conspicuously omitted are areas designated and zoned for Employment uses (including areas zoned for Industrial use, which have figured heavily into decisions about roadway configurations within the Tower District). Also omitted are areas designated and zoned for Parks/Open Space and Public Facilities. Additionally, there is no guidance presented as to how this Standard would be applied in areas with dual designations or how it would be applied on roadways with split zoning.

Based on the above, not only is the Standard not uniformly applicable within the Plan Area, but there are also several areas of ambiguity as to how it will be applied. This presents a significant horizontal consistency problem within the Specific Plan: the Standard only being applicable in some areas while inapplicable in others poses a risk of disjointed circulation planning and undermines the efficacy of the TDSP's other policies related to transportation and circulation. Further, an unintended side effect of this Standard as written is that it could limit the ability of the City to effectively respond to changes made by other government agencies – particularly freeway circulation changes within the domain of Caltrans, but also orders and regulations from agencies like CARB and/or SJVAPCD pertaining to truck routes. Pages 132-133 of the TDSP are illustrative of the scenarios and concerns raised here.

During the Planning Commission meeting, City Planning staff responded that the standard was not made applicable to Employment districts due to “needs to be freight movement in those zones.” However, given the configuration of land use designations within the Tower District, there is virtually no way that freight can move without traveling into areas zoned for Residential Single-Family, Residential Multi-Family Districts, or Mixed-Use and Commercial Districts.

In order to avoid these issues, either the language of the Standard needs revision to be more consistent and uniformly applicable throughout the Plan Area or it needs to be eliminated from the TDSP documents. For the former option, it may make more sense to incorporate the language as a policy of the Specific Plan rather than a design standard. If the City is not willing to apply this requirement to Employment areas (whether it be as a Standard, Guideline, or Policy), the language should be removed entirely.

Circulation Policy C 4.2

As a preliminary note, my concerns regarding this policy are minor compared to those for Standard 48. Reproduced below for reference is the language of Policy C 4.2:

Implement complete street improvements on Fulton Street, Van Ness Avenue, and Belmont Avenue near the SR 180 access ramps. Sidewalks should be provided on both sides of the street, at least 8 feet with a minimum 6-feet of clear walk area, with broader cross-sections preferred, and including street trees, places to sit, pedestrian-scaled street lighting in keeping with the character of historic streetlamps in the District, and gateway elements. Work with Caltrans to redesign the off-ramps of Fulton Street and Blackstone Avenue, to remove right-turn slip-lanes that allow high-speed vehicular traffic to continue at high speeds onto city streets.

(TDSP, p.138)

The language in this policy is much more definite and prescriptive than for other policies included in the TDSP – especially the last sentence, which recommends removal of the right-turn slip lanes on the 180 ramps. This proposal is not something I recall during the public participation processes for the TDSP, and I am concerned it is driven by a general ideology or concept about transportation planning (basically that slip lanes are fundamentally bad) rather than being based on local context. I regularly traverse this area as both a driver and as a bike rider (I frequently ride down Wishon/Fulton to travel between the Tower District and downtown Fresno), and my take from navigating this area is that traffic coming off 180 using the slip lanes behaves relatively well. If anything, maybe a green paint transition zone could be put in place near where the slip lane joins the right-hand southbound thru-lane to more clearly

delineate where bikes will be crossing. Conversely, I am concerned that making the 180 off-ramp into a standard “right turn” lane could disrupt transportation movement in a way that nudges drivers into making more impatient decisions that make it less safe for bikes and pedestrians as well as other vehicles – more red light running and right turns from a stop light (and since the ramp is a Caltrans facility it may not simply be a matter of putting up a “No Right on Red” sign at the off-ramp signal). Cutting to the chase, I would recommend that for now the language in this policy be changed to “explore” or “consider” closure of slip lanes.

Outreach/Notification Strategy for Public Works Capital Projects

While drafting the comments above, it occurred to me that the TDSP needs to include policy language to mandate more robust public outreach and community notification practices for public works and capital projects. A very significant example demonstrating the need for such policy language has to do with the rollout of Class IV bike lanes in Tower, a process which I will simply refer to here as “problematic”. There was a prolonged “learning curve” period where the bike lanes were frequently blocked by vehicles figuring out the new bike lane and street parking configurations. Enough people complained (residents, non-residents, business owners) to the point where councilmembers had to get involved and hold at least one unplanned public workshop to address the complaints. Further, at least from my perspective, the problematic handling of the rollout generated disdain for other future bike lane projects.

The public notification process that accompanied the Class IV bike lanes rollout was especially flawed for two reasons: 1) it relied on mailing notices to surrounding property owners and residents, totally leaving out people who regularly travel to the Tower for reasons like attending school, patronizing businesses, etc.; and 2) it did not provide sufficient information provided about how to actually use and interact with the revised street infrastructure. (E.g., “Hey so now that we are installing these bike lanes, here is the correct way to park and also please avoid these incorrect ways of parking.”)

Due to unique nature of the Tower District (i.e., it gets lots of visitors from other places), it is not sufficient to employ business-as-usual approaches for public notifications concerning roadway and active transportation projects. The Plan should mandate that the Public Works and Capital Projects Divisions refine and improve their strategies for communicating changes to the Tower District’s circulation system. With so much content in the TDSP documents focused on topics like Complete Streets and active transportation, it is imperative that information be effectively communicated to users of the circulation system (again, residents and non-residents alike) for the TDSP to meet its goals.

3) Protection of Views of the Tower Theatre

I am glad to see that the updated draft TDSP (specifically Policy LU 3.3) offers more express protection of the unique aesthetic value of the Tower Theatre, which is integral to the sense of place that exists within the Tower District. As alluded to in Comment 1, a key reason why it is important to include such policy language is because the TDSP will facilitate by-right development and streamlined environmental review. While having a quicker and simpler project review process can be good in many respects, it can also facilitate fast-tracking of irreparably bad land use decisions for the Tower District.

With that being said, to better accomplish the intended effect of the proposed policy, I would recommend revising the policy language as follows:

LU 3.3 Increase potential residential yields, such as by increasing allowable densities and building heights as appropriate.

Pursue increasing the allowable building height limits in the Commercial Main Street (CMS) and Neighborhood Mixed-Use (NMX) Zone to 45 feet to allow three-story mixed-use buildings with sufficient ceiling height for ground-floor retail feasibility.

Consider the height of landmark structures (~~i.e.~~especially the Tower Theatre) and incorporate transitional height and design requirements ~~adjacent~~ in proximity to those structures.

The addition of the words “and design” is meant to capture the fact that physical attributes of new development other than building height can impact on views – this includes things like architectural projections, signage, and lighting. The change from “adjacent” to “in proximity” is intended to address situations which a future project is not technically in an “adjacent” location but nonetheless may have a significant aesthetic impact. I would recommend either establishing a viewshed or defining a specific distance from the Tower Theater spire (e.g., 300-foot radius) as an area for heightened consideration (either of which could be specified later as part of implementation of the TDSP).

Development within this area should be screened architectural design, setbacks, and lighting based on objective, measurable criteria. It would basically serve as an extra check to see if any aspects of proposed development will obstruct views of the Tower Theatre, and then offering strategies for avoidance of impacts (e.g., setbacks for upper stories, limitations on architectural projections from buildings, limitations on lighting features in a way that does not substantially impair public street-view perception of the Tower Theater).

During oral testimony at Planning Commission, City planning staff asserted that existing policy language (i.e., only considering height) “is sufficient”. For the reasons mentioned above I respectfully disagree, and I believe the proposed changes can be seamlessly incorporated without requiring other revisions to the TDSP or its CEQA documentation.

4) Land Use and Zoning Designation of the Former Central Valley Cheese Building

One of the major land use issues that has played out in the Tower District during the last decade involves the disposition of the Former Central Valley Cheese Building located at the southwest corner of Belmont Avenue and Roosevelt Avenue (addressed at 405-450 E. Belmont Avenue). About a decade ago, the building was slated for demolition in order to accommodate semi-truck parking for Producers Dairy. Following public outcry and challenges to the environmental review process (plus scrutiny as to how the building was allowed to fall into a neglected state despite there being a covenant was in place to ensure its ongoing maintenance), the building was spared from demolition. In the time since then, through a combination of grant funding and collaboration by a variety of stakeholders (including Producers Dairy), the building is now planned to become the new headquarters of Fresno-based public radio station Radio Bilingue.

In the time since the Radio Bilingue project was announced, it has been reported that in order to allow development of a radio station at the site it will be necessary for the site to remain zoned as Industrial. While the Radio Bilingue development stands to be a great project, the requirement to maintain Industrial zoning seems to be inconsistent with the fact that multiple other radio stations and TV stations

throughout the city are located at sites with other types of zoning designations. An example that readily comes to mind is the property at 1110 E. Olive Avenue (i.e., in the heart of the Tower District) which is home to several radio stations including La Buena and Q97. This site is zoned Commercial Main Street (CMS) and includes standalone communication tower equipment which appears to measure 25-35 feet in height. Another example is the Univision property located on the south side of Herndon between Palm and Maroa (601 W. Univision Plaza). This site is zoned Commercial General (CG) features a very prominent communication tower (albeit concealed with architectural treatment, but likely bigger and taller than anything that would be built for a radio station).

Unless Industrial zoning is absolutely required to allow for the development of a radio station at the site, leaving the site with Industrial zoning invites an unnecessary heightened risk of future expansions of industrial uses into non-industrial areas, allowing industrial users with outsized negative externalities to further encroach on neighboring residential areas. This has been a major topic of discussion during development of the TDSP.

Some alternatives that may potentially be capable of allowing development and operation of the radio station while mitigating the risk of problematic expansion of industrial uses include: 1) zoning the site as Public Facilities; 2) applying a Dual Designation to the site (Industrial with a Public Facilities overlay), and incorporating a mechanism for the site to convert solely to Public Facilities in the event it ceases to be used as a radio station; 3) establishing Conditions of Zoning which allow the Industrial zoning to remain but restrict the site for use as a radio station. It is noted that any of these options appear capable of being incorporated into the TDSP without requiring substantial revisions to TDSP's CEQA analysis.

I raised these points during public comment at the Planning Commission meeting, and in response City planning staff confirmed that the existing Industrial zoning is maintained in the TDSP Update's land use map (while also briefly referencing antennas and equipment needed for broadcasting as factors that could impact zoning) , but City planning staff did not address the issue of whether other zone districts would allow for development of the radio station. That question should be answered now – before action is taken on the TDSP – and if one or more of the above-mentioned alternatives is in fact a viable option for allowing development of the Radio Bilingue project then I would strongly urge consideration be given to making a shift in zoning.

5) Content in the Utilities Chapter

A majorly deficient part of the earlier draft TDSP was the Utilities chapter, which previously consisted of a cover page and a promise to follow up later with more information. It is appreciated that the updated draft TDSP includes much more substantial discussion of Utilities considerations as well as actual policies. That being said, the Utilities chapter almost completely omits a major topic of concern – the Tower District's aging energy infrastructure. One of the TDSP's guiding principles is to "Promote environmental sustainability and climate resilience." The subject is also referenced (albeit briefly) in the Conservation and Historic Preservation chapter of the TDSP:

"Economic Challenges for Small Businesses in Historic Buildings: Older commercial buildings may require costly retrofits for accessibility, energy efficiency, and seismic safety, creating financial burdens for small business owners and limiting economic activity." (p. 33)

I have heard numerous stories about such infrastructure and equipment (old transformers, old electrical panels, above-ground power lines, etc.) posing a significant barrier to new development (particularly infill housing) and causing problems for existing residents and businesses within the Tower. If the TDSP were updated to include policy language calling for things like funding mechanisms for utility retrofits and/or streamlining for utility improvements, the policies could function as a catalyst or tool for obtaining grant funding or other implementation activities that would align and complement the goals set forth in the TDSP. While it may ultimately be something to consider as part of future review and updates to the TDSP, I think a simple high-level policy to this effect could be added before adoption of the TDSP and remain consistent with other policies, consistent with feedback provided throughout the plan preparation process, and would not require additional CEQA.

6) Committee Review Process and Implementation Tracking

Committee Review Process

Currently, projects located within the Tower District are subject to review by at least two committees: the Tower District Design Review Committee and whichever City Council Project Review Committee City has oversight for the area in which a proposed project is located. As a former member of the District 1 Project Review Committee, I saw how this project review framework could at times be disjointed and cumbersome for development proposals within the Tower District. Not only are there more steps for project applicants to go through, at times it would be unclear to members of the public about where and when to attend meetings and when and how to comment on projects. These issues were exacerbated following the local redistricting process in 2020 which resulted in the Tower being split up into three city council districts along lines which could be fairly described as “unintuitive”.

The Tower District would stand to benefit overall if project review and design review functions were provided via a single unified committee versus the current split review system. Adoption of the updated TDSP presents an opportunity to establish such a committee – the TDSP Implementation and Design Review Committee – to better serve project developers, businesses, and community members alike.

To ensure that such a committee is both representative of the Tower community and adequately qualified, the TDSP Implementation and Design Review Committee should be required to have at least one member from each Council district within the mapped boundaries of the Tower District. In its capacity as the design review committee, the membership should include at least one licensed architect or licensed contractor along with at least one qualified historian. The TDSP Committee should also have well-qualified City liaisons to help with the unique technical considerations entailed with development in Tower (i.e., historic resources, tree canopy, older infrastructure).

In response to my comments at Planning Commission, City Planning staff indicated support for the single review committee approach and stated it is already called for in the Implementation Chapter. However, upon reviewing the TDSP I was not able to find any language to that effect; if anything, there is language in the TDSP (e.g., policy LU 2.6) that implies there will be two separate committees, along with separate review by the council district project review committees. It would be appreciated if City Planning staff could point to where unified or consolidated review is mentioned in the TDSP.

Implementation Tracking

I strongly support the concept of including an Implementation Matrix as part of the TDSP. That being said, the Implementation Matrix presented in the draft TDSP is arguably incomplete because it does not appear to include any kind of metrics or measurements for tracking progress of implementing the policies or tracking the outcomes sought from the TDSP.

The absence of measurable long-range performance criteria was a major issue I observed while serving on the City's General Plan Implementation Review Committee (GPIRC). During the process of evaluating whether the City's General Plan was meeting its goals and accomplishing the outcomes it envisioned, I witnessed first-hand how department heads (as well staff from outside agencies like Fresno EDC) were essentially able to paint whatever picture they felt like to support a narrative of their choosing – i.e., point to their preferred goals and policies, ignore others, and select and present deliverables and metrics (if at all) in unsuitably self-serving ways. It made measuring progress and accountability very challenging.

While the anecdote above illustrates that the issue goes beyond the TDSP, it should not be ignored as part of the TDSP process. While not every minute detail needs to be rigidly quantified and precisely tracked, there should be a good-faith effort to track the progress and results of implementing the TDSP using mutually-agreed-upon criteria rather than “making up progress (or lack of progress) as you go”, which is what frequently happened in 2020 during the City's GPIRC process.

To further support implementation tracking, there should also be a TDSP progress report requirement expressly included in the TDSP. The frequency of reporting is something that can be discussed, but as a starting point I would suggest a report be presented by City staff at least annually to the Planning Commission and City Council. Another tool to consider for future implementation is a public-facing performance dashboard, something which other agencies currently utilize to measure and communicate operational performance and progress.