

Agenda Items: ID#19-11588 (10:15 A.M.)

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Date: 12/5/2019

2019 DEC -3 P 12:00  
CITY OF FRESNO  
CITY CLERK'S OFFICE

**FRESNO CITY COUNCIL**



### **Additional Information**

**Agenda Related Item(s) – ID#19-11588 (10:15 A.M.)**

#### **Item(s)**

HEARING to consider Prezone Application No. P18-03343; Annexation Application No. P18-03263; Planned Development Permit Application No. P18-03739; Vesting Tentative Tract Map No. 6224 (P18-03724); and related Environmental Assessment No. P18-03724 for approximately 69.15 acres of property located on the east side of North Temperance Avenue, between East Shields and East Clinton Avenues. (Council District 4) – Planning and Development Department.

**Contents: Two Letters**

#### **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.

#### **Americans with Disabilities Act (ADA):**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, sign language interpreters, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, please see Security.

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David Taub (/profile/47330205/), Clovis Estates



## Park Rezone Vote, This Thursday, Dec. 5

(/news\_feed/?post=130987705)

The city council vote on the park rezone is this Thursday, Dec. 5. It will start no earlier than 10:15a, but probably around that time.

This is our last chance to voice our opinion that we do not want that 10 acres on the southeast corner of Temperance & Shields rezoned away from a neighborhood park.

If you cannot appear in person, please leave a comment here. I can make a copy and turn it into the council members. I've been told the more voices, the stronger they are likely to vote no.

So, please leave a comment, and say if you might be able to make it.

Here are the phone numbers to the council members or their chief of staff. It doesn't matter if you don't live in the district. Phone calls can make the difference. Call them all and ask them to vote no on the rezone:

District 1: Esmeralda Soria, 559-621-7810

District 2: Mike Karbassi, 559-621-8000

District 3: Miguel Arias, (559) 621-7836

District 4: Paul Caprigolio, 559-621-7842

District 5: Luis Chavez, 559-621-8000

District 6: Garry Bredefeld, (559) 621-7861

District 7: Nelson Esparza, 559-621-8000

Here is the link to the staff report:

[https://fresno.legistar.com/LegislationDetail.aspx?ID=4230929&GUID=066CC6E1-0BDC-4F75-A89C-FC0DF24E1476&Options=&Search=\(https://fresno.legistar.com/LegislationDetail.aspx?ID=4230929&GUID=066CC6E1-0BDC-4F75-A89C-FC0DF24E1476&Options=&Search=\)](https://fresno.legistar.com/LegislationDetail.aspx?ID=4230929&GUID=066CC6E1-0BDC-4F75-A89C-FC0DF24E1476&Options=&Search=(https://fresno.legistar.com/LegislationDetail.aspx?ID=4230929&GUID=066CC6E1-0BDC-4F75-A89C-FC0DF24E1476&Options=&Search=))

Any questions, please reach out to me: 1davidtaub@gmail.com (mailto:1davidtaub@gmail.com) or 805-215-8277.

Thanks,

David

### City of Fresno - File #: ID19-11588

Title: HEARING to consider Prezone Application No. P18-03343; Annexation Application No. P18-03263; Planned Development  
FRESNO.LEGISTAR.COM

2 days ago (/news\_feed/?post=130987705) · 54 neighborhoods in General (/general/)

Thank

Comment

17 57



**Curtis Garcia** (/profile/6330409/), Carriage of Lennar

Will this 10:15am meeting be held at the Fresno City Hall on "P" Street?

2 days ago Thank Reply

😊 1

**David Taub** (/profile/47330205/), Clovis Estates

Yes, City Hall on O Street (between Tulare & Fresno). Officially 2600 Fresno Street.

2 days ago Thank Reply

😊 1

**Manuel Alvarez** (/profile/952853/), Emily Estates East

I would like to Vote to keep the Park! Our area needs a park! I will not be able to attend the meeting.

Thank you.

2 days ago Thank Reply

😊 2



**Emily Mouanoutoua** (/profile/9763932/), SE of Clovis East

I would like to vote to keep the park! I'll be unable to make it to the meeting Thursday.

2 days ago Thank Reply

😊 2

**Linda Hayes** (/profile/10091792/), Emily Estates West

I vote to keep the area zoned for a park, I able to make the meeting.

2 days ago Thank Reply

😊 1

**Charlie Hindes** (/profile/293354/), Emily Estates East

Yes to the park!

2 days ago Thank Reply

😊 2

**Roxanne Esparza** (/profile/17936645/), Clovis Estates

I vote to keep the park. Unable to attend the meeting.

Edited 2 days ago Thank Reply

😊 2

**Pat Thompson** (/profile/4366977/), Gettysburg Park

I vote to create a park in the area

Zoned for a park. Parks help to unite a neighborhood. Neighborhood unity reduces crime and contributes to a community that works together.

2 days ago Thank Reply

😊 1



**Andy Kilburn** (/profile/4773165/), Emily Estates East

I vote for a park as well

1 day ago Thank Reply

😊 1

**Shannon Farmer** (/profile/15860793/), Hornet/Belmont

I vote to keep the park. The green space is needed for the overall vision of this area of town.

1 day ago Thank Reply



**Mandy Petz (/profile/352622/), Colby Park** ▼  
 I am opposed to the change on zoning. We have a high concentration of homes and residents without adequate green space needed to support those already living here.

1 day ago Thank Reply

😊 1



**Chris Rose (/profile/785687/), Temperance-Ashlan-Locan** ▼  
 I agree, we need a decent park on THIS side of town. No to rezoning.

1 day ago Thank Reply

😊 1



**Taylor Martinez (/profile/34232603/), SE of Clovis East** ▼  
 What else are they trying to put there instead of a park!???

1 day ago Thank Reply

😬😬 2



**Taylor Martinez (/profile/34232603/), SE of Clovis East** ▼  
 Oh wait, so they want to put a park? I'm confused lol.  
 But if this counts for anything I vote for a park instead of anything else !!! 😊

1 day ago Thank Reply

**Orlando Garza (/profile/25906395/), The Gallery at Loma Vista** ▼  
 How big of a park?

1 day ago Thank Reply



**Lani Zapata (/profile/734509/), Tarpey Village** ▼  
 Less Parks=More gangs.....

1 day ago Thank Reply

**Heather Martinez (/profile/28528151/), SE of Clovis East** ▼  
 Fresno definitely needs more parks and green space, so I hope this area remains zoned for a park! I can't attend the meeting, but please feel free to share my comment.

1 day ago Thank Reply

😊 2

**Rodney Molyneux (/profile/46444590/), Emily Estates West** ▼  
 Keep the park please. Wont be able to attend

1 day ago Thank Reply

😊😬 2

**Angelina Allamprese (/profile/5163091/), Carriage of Lennar** ▼  
 I vote to keep the park. I will not be able to attend.

1 day ago Thank Reply

😊 1



**Cliff Snider (/profile/8567459/), Carriage of Lennar** ▼  
 Park please

1 day ago Thank Reply

😊 1



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**David Fell (/profile/41310317/)**, Oxford Commons

This area of our city is in need of a decent sized neighborhood park to promote the well-being of the residents. Removing the possibility of a park would be a loss to the city and exemplify the short-sightedness of our representatives. Please count our family as a vote FOR a park when considering this decision.

Edited 1 day ago Thank Reply

😊😊 2

**Lety Garcia (/profile/38021756/)**, Clovis Estates

Keep our park.

1 day ago Thank Reply

😊 1

**Jill Scholz (/profile/6382128/)**, Carriage of Lennar

Please.... keep the park!

1 day ago Thank Reply

😊 1

**Crystal Si (/profile/20097825/)**, Emily Estates East

Vote to keep the park

1 day ago Thank Reply

😊 1

**Erika Nozawa (/profile/37215022/)**, Clovis Estates

I vote to keep the park. I'm unable to attend the meeting.

1 day ago Thank Reply

😊 1



**Brittany Cardwell (/profile/39446002/)**, Clovis Estates

Thank you for keeping us informed through this whole process! I wish I could make the meeting but I will be working.

My husband and I both do not want the area rezoned, we want the area to be a park. We live so close to the effected area. There is a need for a park and that space is perfect.

This growth area has plenary of homes. However the amount of green space is minimal.

1 day ago Thank Reply

😊 1

**Jill Scholz (/profile/6382128/)**, Carriage of Lennar

Not to mention all the water usage of ALL these new houses!!! I thought we were concerned about conserving water....

1 day ago Thank Reply

😊😊 2



**Alex Lawrence (/profile/8609463/)**, Clovis Estates

I will be working also but i vote to keep the park. To many homes out here with no good parks area. A park would be perfect out here.

1 day ago Thank Reply

😊 1

**Patty Van Oosbree (/profile/37287399/)**, Temperance Colony  
I vote for the park. Out of curiosity.....what do the want to rezone it to?

Patty, Temperance Ave

1 day ago Thank Reply

**David Taub (/profile/47330205/)**, Clovis Estates  
Rezone for residential. The vote is to permit Lennar to build 349 homes on the 60 acre plot of land.

1 day ago Thank Reply



**Janie Lee (/profile/40691121/)**, Carriage of Lennar  
Keep the park

1 day ago Thank Reply



**Glenn Rucker (/profile/31798531/)**, Gettysburg Park  
More houses, more tax revenue, the California way.

1 day ago Thank Reply



**kathryn padgett (/profile/12727554/)**, Tarpey Village  
We need more parks around here. Removing a park is so backwards. In New York City, they are converting removed building plots to community parks and gardens for hard learned reason. On the corners of Clovis and Santa Ana St to Sierra Vista St. were huge lots. Now asphalt per Costco side and a hotel, apartments, and houses with tiny yards behind the mall.

1 day ago Thank Reply



**Glenn Rucker (/profile/31798531/)**, Gettysburg Park  
The bureaucrats are laughing all the way to the bank.

1 day ago Thank Reply



**Lani Zapata (/profile/734509/)**, Tarpey Village  
We should have a say since we pay taxes, right?

1 day ago Thank Reply



**David Taub (/profile/47330205/)**, Clovis Estates  
That's true. If you are someone who wants that area to remain zoned a park, and maybe even have a park built, you have a say. Call the councilmembers. Ask for a no vote on the rezone.

1 day ago Thank Reply



**Kenna Hol (/profile/45937571/)**, Miramonte  
Park please!

1 day ago Thank Reply



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**Corrie Rush (/profile/32384813/)**, Miramonte

I dont know how this is the first I have herd about this, no wonder they go thru rezoning so much, people are not told. Thank you for this post, I can't go to meeting but please add me to the "No rezone, we need more green space" vote

1 day ago Thank Reply



**Lani Zapata (/profile/734509/)**, Tarpey Village

I'll call. Even though I don't live in Clovis, I pay Clovis taxes.

1 day ago Thank Reply



**Kevin Douglas (/profile/3537803/)**, Temperance-Ashlan-Locan

It's in Fresno

1 day ago Thank Reply



**Cathy Holen (/profile/32206985/)**, Clovis/Dakota/Brentwood

We are unable to attend but please put our Vote as a No to rezone to residential properties. We want the Park.

1 day ago Thank Reply



**Karen Miyake (/profile/45499674/)**, Freedom/West/South

We need a park! The closest parks are miles from here. No more homes need to be built. We need to beautify our city and give children places to play! If anything, we might need food places for the East kids and future clovis schools to be able to go to for lunch ☺ no i can't attend

1 day ago Thank Reply



**Lani Zapata (/profile/734509/)**, Tarpey Village

<https://www.fresno.gov/citycouncil/> (<https://www.fresno.gov/citycouncil/>)

1 day ago Thank Reply



**Carole Murrieta (/profile/3706421/)**, Oxford Commons

We are voting No to rezone, we want a park. Thank you.

1 day ago Thank Reply



**Rodney Molyneux (/profile/46444590/)**, Emily Estates West

No on rezone. Please build the park.

1 day ago Thank Reply



**Christen Guilmette (/profile/794040/)**, Temperance-Ashlan-Locan

I vote to keep the park. The only thing built out here are houses and everyone needs more green space out here

1 day ago Thank Reply

**Victoria Reid** (/profile/37637167/), Clovis Estates ▼  
 YES to the new park  
 NO to more homes  
 Please!

1 day ago Thank Reply 😊 +1 2



**Brooke Simpson** (/profile/11660748/), Clovis Estates ▼  
 We are unable to attend the meeting. But we are definitely in need of a park and green space. We have enough homes jammed into this area!

1 day ago Thank Reply 😊 1



**Anais Fryer** (/profile/39086119/), Clovis Estates ▼  
 There's no shortage of vacant homes on this side of town, and soon it will be nothing but concrete if we don't maintain adequate green space. Greedy developers shouldn't be able to snatch up every piece of land to make a quick buck, especially if that land was intended to benefit the people who actually live in the area. No to rezoning.

1 day ago Thank Reply 😊 1

**Rebecca Aranja** (/profile/46924097/), Clovis Estates ▼  
 I'm voting in favor of keeping the area zoned for a park. I am unable to attend meeting.

1 day ago Thank Reply 😊 1

**Virginia Armenta** (/profile/2929028/), Carriage of Lennar ▼  
 I am unable to attend the meeting. I vote No to rezoning. Keep the area zoned for a park.

23 hr ago Thank Reply 😊 1

**Linda Brown** (/profile/28401571/), Ashlan & Fowler/Armstrong ▼  
 I am unable to attend, but I vote no to rezone the area. Keep it for a park

23 hr ago Thank Reply 😊 1

**Ross & Marie Potter** (/profile/10214667/), Applegate New ▼  
 Keep the zoning as it is. Other than Al Radka Park, there is nothing. We have new neighborhoods going up all around us but nowhere for families to go and kids to play. We need the park.

12 hr ago Thank Reply 😊 1



**Suzanne Spradling** (/profile/3698493/), Oxford Commons New ▼  
 Please, please, please Keep the Park zoning. I'm not able to attend the meeting.

10 hr ago Thank Reply 😊 1

**Jeanne Lovelace** (/profile/28953534/), Fairmont-Rialto New ▼  
 Please keep the park. Folks need a place to relax nearby.

4 hr ago Thank Reply 😊 1



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**Sherry Vetter (/profile/30167282/)**, Red Bank New



That growing neighborhood needs a park. I don't live there but I have a lot of friends with families that do. Please keep the park.

4 hr ago Thank Reply

1



**Ross & Marie Potter (/profile/10214667/)**, Applegate New



Earlier I mentioned Al Radka park . What I didn't say was that this is not really a family park. It looks like it covers just a few acers between Belmont & 180. Really no shade or family areas. While we won't be able to attend the meeting, I feel strongly that this area has been without adequate parks since I suppose forever. Vote NO on the rezone.

2 hr ago Thank Reply

1



Add a comment...



October 17, 2019

Dear Mr. Caprioglio

I am a resident of your district and I live on the North East corner of Shields and Temperance, inside the Woodside Homes Development. When my wife and I bought our home in 2013, one of the major things that made us decide to stay in Fresno and to choose this specific neighborhood was that the city has designated a neighborhood park to be built across the street (South East corner of Shields and Temperance. This is the reason why I am imploring you to do anything in your power to preserve the planned neighborhood park in the southeast corner of Shields and Temperance. I also urge you to do the same with your fellow councilmembers, as I believe this is a city-wide issue and speaks to what we want to become known as a city in the future.

### **East and Southeast Fresno Parks Deficit**

The Shields and Temperance neighborhood has one city park within a 1 mile radius, which is the 5 acre Melody Park. In contrast, the following city neighborhoods/major cross streets have multiple city parks or recreational facilities within a 1-mile radius. Within the neighborhoods below, the total parks and recreation space ranges from 39 - 60 plus acres, which far exceed the 5 acres within 1 mile of Shields and Temperance. Even if you count the new 15-acre Al Radka Park, which is 3 miles away from Shields and Temperance, it wouldn't come close to the total acreage park access the comparable neighborhoods below have. In fact, based on this analysis, East and Southeast Fresno is close to the bottom of access to City Parks within a 1 mile walking distance when compared to any other neighborhood in Fresno.

- Shields and First (45+ acres, 10 city parks or recreational assets)
  - Radio Park, 8.6 acres
  - Manchester Park, 9.4 acres
  - Einstein Neighborhood Center
  - Romain Neighborhood Center
  - Lafayette Neighborhood Center, 4.5 acres
  - University Park
  - Cary Park, 6.0 acres
  - Rotary West, 14.5 acres
  - Large Park, 6.91 acres
  - Granny's Park, 1.15 acres
- First and Shaw (40+ acres, 10 city parks or recreational assets, plus proximity to Woodward)
  - El Dorado Park, 2.5 acres
  - First and Bullard
  - Barstow and Del Mar
  - Robinson Park, 4.97 acres
  - Einstein Neighborhood Center
  - University Park
  - Cary Park, 6.0 acres
  - Rotary West, 14.5 acres
  - Large Park, 6.91 acres
  - Granny's Park, 1.15 acres
- Clinton and Marks (37+ acres, 3 city parks or recreational facilities, plus proximity to Roeding)
  - Jaswant Singh Khalra, 19.72 acres
  - Quigley Park, 8.6 acres
  - Lions Park, 9.02 acres

## **East and Southeast Fresno Parks Deficit (continued)**

- Marks and Bullard (60+ acres, 10 city parks or recreational assets)
  - Lions Park, 9.02 acres
  - Biola Junction
  - Logan Park, 9.0 acres
  - Stallion Park, 5.65 acres
  - Fig Garden Loop Park, 5.0 acres
  - Koligian Park, 7.06 acres
  - Emerald Park, 1.43 acres
  - Orchid Park, 5.6 acres
  - Holman Park, 4.8 acres
  - Oso de Oro Park, 9.32 acres

### **A Question of Fairness**

The Shields and Temperance neighborhood, along with most of the homes built on Shields east of Fowler Avenue, were built after the city adopted its current Parks Impact Fee Program in 2005. Because of this, I assume that developers (or most of them) paid the \$3,800 Parks Impact Fee per door, which anyone in the industry knows gets passed on to the eventual purchasers of the home. Impact Fees are meant to cover the cost of capital improvements brought on by new development. By this, a purchaser can reasonably assume that the impact fees paid by the developer, and passed on to consumers, were to go towards the City's funding and ability to execute its general plan for neighborhood parks. In the Shields and Temperance neighborhood, I estimate that the city would have collected over \$5 million in impact fees, just on the existing homes there to date. In addition, if the City would levy the same impact fee to the 300 or so homes proposed by Lennar, it would collect approximately \$1 Million in Park Impact Fees that could go towards the purchase of 5 or so acres for the Neighborhood Park. Because of this, I am struggling to understand how the City can abandon the plan for a park for the reason that it has "no ability or funding to build a park in that area", which is what was stated in the staff report to the planning commission last month.

### **A Modest Request**

If the city does not have 100% of the funds to build a completed neighborhood park, that is sort of understandable. However, what I do not understand is why the city does not even have enough funds from the impact fees it collected in the homes we purchased to at least purchase the land and earmark it for a future park. Residential land within the city boundaries cost approximately \$150,000 per acre. To acquire 5 acres in this intersection for a neighborhood park will cost \$750,000. Certainly, after existing homeowners have paid (through development impact fees passed on to consumers) approximately \$6 Million in impact fees, it is only fair that the city use \$750,000 of those funds to earmark the land for the future Neighborhood Park it had intended in the general plan. If it can't, I would certainly question where those funds have been used on and to what bond debt financed projects were they directed to.

I also reject the notion that Lennar cannot simply change their plans if the City decides to purchase 5 acres of the property (if the city acquires the land to earmark for future park use). Lennar will spend to modify their plans. That is what they do, that is how they make their money, and they will continue to sell profitable homes within Clovis Unified. What is at stake here is whether a current or future resident can trust the City's general planning process. I understand that legally a dual designation zoning allows the city to do this rezone. However, it doesn't make it right. If it was planned for a park and the city collected park impact fees from the immediate community, then a reasonable person can assume that the City will have the means to carry out this plan.

Respectfully yours,

Joel Bugay, Resident, 7188 E Fountain Way, Fresno CA 93737

# City of Fresno Interactive Maps

- Welcome
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City of Fresno Parks Parks and Recreation Features Filter: 748, v. 2.11

  

Map navigation controls: zoom in (+), zoom out (-), home, refresh, and a scale bar showing 2 miles.

