

Rezone deal expected between Fresno community, developers

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Even before the Fresno Planning Commission meets on Wednesday to review the resubmitted petition for an industrial rezoning in southwest Fresno, it is generally believed that whatever decision the commission reaches will not be the final say in the matter.

The rezoning applicants — including Mid Valley Disposal, Madera developers Peter Stravinski and Tim Mitchell, and Sacramento developer Larry Allbaugh, operating under the business names Mid Valley Recycling; SDG Fresno 570, LLC; Span Development, LLC; and PW Fund B, LP, respectively — claim that the current Neighborhood Mixed Use zoning jeopardizes the businesses' ability to obtain financing and are asking the city to rezone the parcels in southwest Fresno to Light Industrial Use.

The case was last heard on April 7 when the commission voted unanimously to postpone consideration of the rezoning, and Kathy Bray, chairperson of the commission, urged petitioners "to try to work out something with the community that makes sense for everyone," an advice Ivanka Saunders, policy adviser at Leadership Counsel for Justice and Accountability, said the applicants ignored and are "returning the exact same planned amendment back to the Planning Commission on Sept. 1."

Since the developers reapplied for the rezoning, meetings between Fresno city leaders and members

of the southwest community suggest that the pace of negotiations for some compromise has quickened.

Mayor Jerry Dyer's scheduled meeting with the southwest community on Aug. 25 was canceled to give community members more time to deliberate.

Instead, the group met with Oliver Baines, chair of the Fresno Commission for Police Reform and former city council representative for District 3 (where the disputed tracts of land are located), who has been mediating the matter since the spring. Baines also met with the group this week. Neither Baines nor members of the southwest community leaders would comment on a possible deal, until the matter is settled.

"He [Baines] is not in a paid position, but this was his legacy — this Southwest Fresno specific plan — so he has been trying to be a mediator, and trying to find resolution. And it's not clear what the resolution would be," Saunders said. Maybe one "that listens to the community, but also allows the developers to still continue with their usage."

During an interview on Aug. 5, City Councilmember Miguel Arias, representative for District 3, said a compromise could be "everything from dual rezoning, limited rezoning to grandfathering — every option has been evaluated."

"I anticipate that hopefully, we'll have some consensus," Arias said. "Yes, on a path forward, and that the council would have to initiate that process."



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One area of Southwest Fresno that will be impacted by the city's plan to rezone 92 acres of industrial space, according to Debbie Darden, chair of the Golden Westside Planning Committee, is the new Annadale Commons, a nearby senior community, and a school down the street.

Arias insists, however, that any future changes must go through the city council. "If we do it through the legislative process, it can only be modified through the legislative process," Arias said.

WHAT WOULD A COMPROMISE LOOK LIKE?

The first sign that negotiations were taking place came during a June 15 meeting of the Concerned Citizens of Southwest Fresno, attended by Mary Curry, a resident of southwest Fresno for 60 years who served on the Southwest Fresno Specific Plan committee; Pastor B.T. Lewis of Rising Star Missionary Baptist Church in southwest Fresno; Robert Mitchell, a southwest Fresno resident and leader, who was part of the committee that created the Southwest Specific Plan, and Debbie Darden, chair of the Golden Westside Planning Committee.

The members disclosed then that Baines was mediating between the

community and the developers.

"Both sides have committed to working together in this process," Mitchell said. "There's no timeline as such, but it's a process that we're trying to work through, with all involved with keeping our communities safe."

Lewis added that the leaders met with the petitioners who "heard something that they had not been knowledgeable about the community from our group, and they were receptive to that exposure, and have a better understanding" of the community.

"It was a very eye-opening meeting, in which they took note of our concerns and our issues," Lewis said.

Saunders said that some members of the Southwest Fresno community "may want to see some type of compromise because they are afraid that if a compromise isn't made, what happens next?"

'STAND YOUR GROUND'

"What happens next would be," Saunders said,

"you have the right to not compromise because this community has compromised their health and their wellbeing for the last 50 damn years. Stand your damn ground."

Saunders added, "When it comes to Black folks, when it comes to people of color, why do we always have to be the ones that compromise?"

Chanell Fletcher, deputy executive officer for environmental justice for the California Air Resources Board, wrote in an April 2021 letter to the city of Fresno's Planning Department that the proposed rezoning "opens an overburdened area for potential further industrial development. . . against community consensus."

The proposal at hand is in the most polluted and economically disadvantaged census tract in California, according to CalEnviroScreen.

"I think over the years, west Fresno has been benignly neglected," Curry said. "One administration after the other neglected us, and a lot of people didn't know what they could do to make things better. And it took awhile for some of us to catch on and start asking questions here."

The California Environmental Protection Agency declared in 2013 that residents of west Fresno live with higher health risks than anyone in California. And, life expectancy is more than 12 years lower in this part of southwest Fresno, compared to north Fresno and Clovis neighborhoods, according to a 2020 analysis from the National Center for Health Statistics.

The majority of southwest Fresno residents are Latino, Black or Asian.

HOW TO GET INVOLVED

The Planning Commission meeting

begins at 6 p.m. on Wednesday. It is not open to in-person attendance but can be joined via Zoom or joined by phone at 669-900-9128 (Webinar ID: 972 2311 8765). Comments can be made in advance by email; see the agenda at fresno.gov for instructions.

WHAT'S AT STAKE: SOUTHWEST FRESNO SPECIFIC PLAN

The main focus of the Concerned Citizens of Southwest Fresno remains — "Defending the integrity of the Southwest Pacific plan, because we believe it is what residents want for our community," Lewis said.

"A lot of what we tried to do through this specific plan was to ensure that the future development of our community would be one that does not burden us again with heavy industry adjacent to residential," Mitchell said. "The integrity of the [SWFSP] plan is very, very important."

The rezoning application, if successful, could allow existing industrial businesses to expand and intensify operations in an area already impacted by a concentration of polluting industries and undermine the integrity of the Southwest Fresno Specific Plan, approved in October 2017 by the Fresno City Council after a two-year process involving a 21-member steering committee and hundreds of community members.

Fletcher also stated in his letter, "It does not make sense to scrap the current, effective plan, and instead endorse land uses that channel air pollution into a community that already faces serious public health risks."

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