

Exhibit L:
City Council Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, AMENDING THE FRESNO GENERAL PLAN AND THE WOODWARD PARK COMMUNITY PLAN (PLAN AMENDMENT APPLICATION NO. A-14-005)

WHEREAS, on December 18, 2014, by Resolution No. 2014-226, the City Council adopted the Fresno General Plan which correspondingly adopted the Woodward Park Community Plan and by Resolution No. 2014-225 certified Master Environmental Impact Report SCH No. 2012111015 ("MEIR") which evaluated the potentially significant adverse environmental impacts of urban development within the City of Fresno's designated urban boundary line and sphere of influence; and

WHEREAS, Gary Giannetta, on behalf of Russ Nakata, has filed an application to amend the Fresno General Plan and the Woodward Park Community Plan for approximately 5.0 net acres of property located on the northwest corner of East Nees and North Bond Avenues from the commercial recreation planned land use designation to the community commercial land use designation for 4.63 acres, and from the office commercial planned land use designation to the community commercial land use designation for 0.37 acre; and to amend the Woodward Park Community Plan Commercial Policy 1-4.3-e as follows: "...At the two identified community commercial nodes where up to ~~25~~ 30 acres may be developed, the total acreage may be distributed on three corners of the intersection," thus increasing the total allowable acreage on the two identified commercial community nodes from 25 to 30 acres; and

WHEREAS, the environmental assessment conducted for the proposed plan

Date Adopted:

Resolution for A-14-005

Date Approved:

Resolution No. _____

Effective Date:

City Attorney Approval: MED

amendment resulted in the filing of a mitigated negative declaration on February 27, 2015; and,

WHEREAS, on April 1, 2015, the Fresno City Planning Commission held a public hearing to consider Plan Amendment Application No. A-14-005 and the associated mitigated negative declaration prepared for Environmental Assessment No. No. A-14-005/R-14-009/C-14-080; and

WHEREAS, the Fresno City Planning Commission took action, as evidenced in Planning Commission Resolution No. 13321, to recommend approval of Plan Amendment Application No. A-14-005, which proposes to amend the Fresno General Plan and the Woodward Park Community Plan for approximately 5.0 net acres of property located on the northwest corner of East Nees and North Bond Avenues from the commercial recreation planned land use designation to the community commercial land use designation for 4.63 acres, and from the office commercial planned land use designation to the community commercial land use designation for 0.37 acre; and to amend the Woodward Park Community Plan Commercial Policy 1-4.3-e as follows: "...At the two identified community commercial nodes where up to 25 30 acres may be developed, the total acreage may be distributed on three corners of the intersection," thus increasing the total allowable acreage on the two identified commercial community nodes from 25 to 30 acres; and

WHEREAS, on April 30, 2015, the Fresno City Council held a public hearing to consider Plan Amendment Application No. A-14-005 and received both oral testimony and written information presented at the hearing regarding Plan Amendment Application No. A-14-005.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno, based upon the testimony and information presented at the hearing and upon review and consideration of the environmental documentation provided, as follows:

1. The Council finds in accordance with its own independent judgment that there is no substantial evidence in the record that, with the project specific mitigation imposed, Plan Amendment Application No. A-14-005 may have additional significant effects on the environment that were not identified in the Fresno General Plan Master Environmental Impact Report SCH No. 2012111015 ("MEIR"), and that all applicable mitigation measures of the MEIR have been applied to the project. In addition, pursuant to Public Resources Code, Section 21157.6(b)(1), Council finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and adopted; and, that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete, has become available. Accordingly, the Council adopts the mitigated negative declaration prepared for Environmental Assessment No. A-14-005/R-14-009/C-14-080 dated February 27, 2015.
2. The Council finds the adoption of the proposed Plan Amendment as recommended by the Planning Commission is in the best interest of the City of Fresno.
3. The Council of the City of Fresno hereby adopts Plan Amendment Application No. A-14-005 amending the Fresno General Plan and Woodward Park Community Plan planned land use designation for

approximately 5 net acres of property located on the northwest corner of East Nees and North Bond Avenues from the commercial recreation planned land use designation to the community commercial land use designation for 4.63 acres, and from the office commercial planned land use designation to the community commercial land use designation for 0.37 acre, as depicted by Exhibit "A" attached hereto and incorporated herein by reference, and to amend the Woodward Park Community Plan Commercial Policy 1-4.3-e as follows: "...At the two identified community commercial nodes where up to 25 30 acres may be developed, the total acreage may be distributed on three corners of the intersection," thus increasing the total allowable acreage on the two identified commercial community nodes from 25 to 30 acres.

* * * * *

CLERK'S CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing Resolution was adopted by the Council of the City of Fresno, California, at a regular meeting held on the 27th day of February, 2015, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Mayor Approval: _____, 2015
Mayor Approval/No Return: _____, 2015
Mayor Veto: _____, 2015
Council Override Vote: _____, 2015

YVONNE SPENCE, CMC
City Clerk

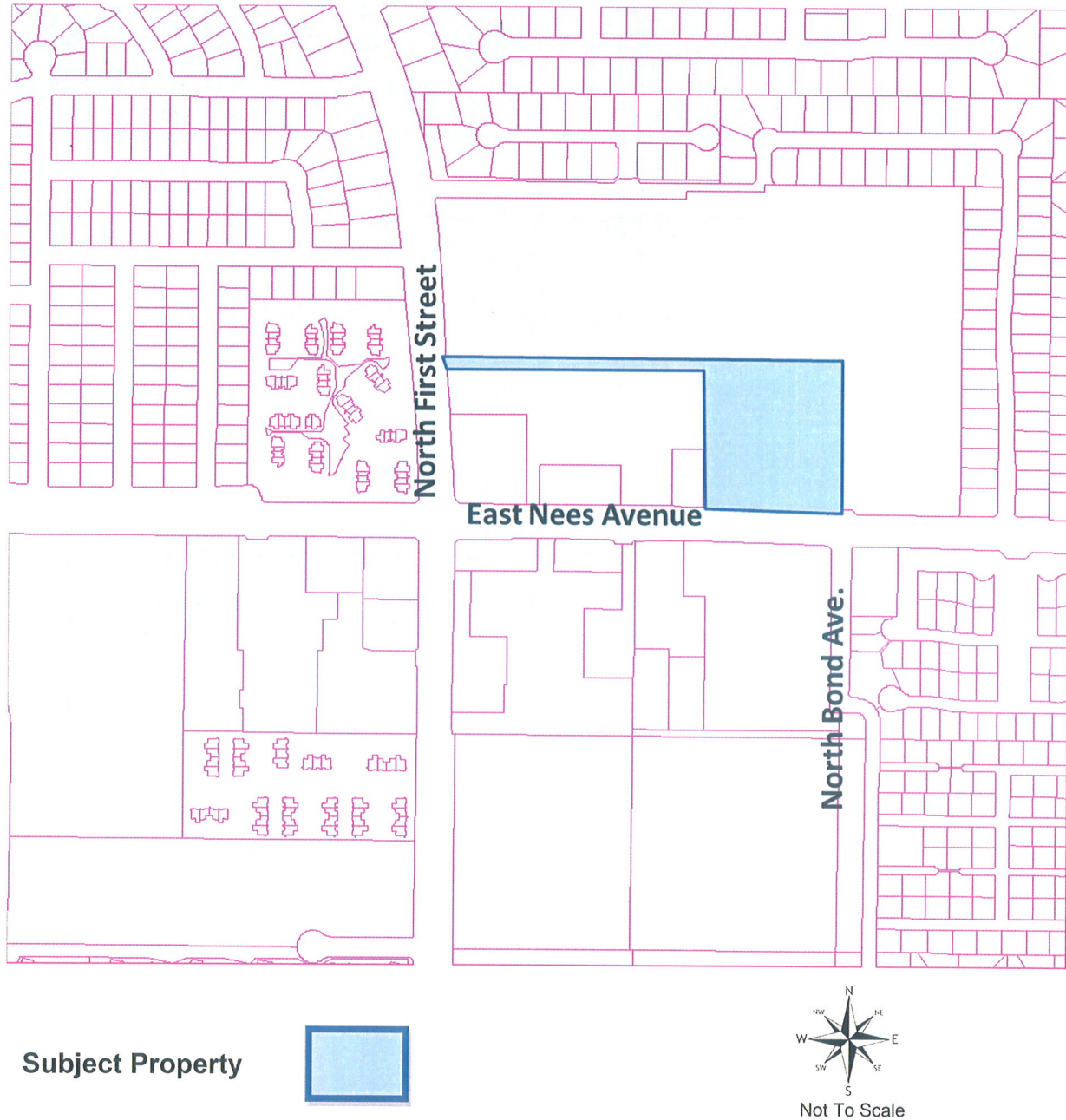
By _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By _____
Mary Raterman-Doidge Date
Deputy City Attorney II

Plan Amendment Application No. A-14-005
Filed by Gary Giannetta on behalf of Russ Nakata
APN(s): 402-220-67

Exhibit A



VICINITY MAP

Plan Amendment No. A-14-005,
Rezone No. R-14-009

Conditional Use Permit Application No. C-14-080

PROPERTY ADDRESS

780 East Nees Avenue

DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT

APN: 402-220-67

Zone District: C-R/UGM/cz and C-
P/UGM/cz

By: S. Pagoulatos, March 12, 2015