

**EXHIBIT P**

City Council Resolution for Plan Amendment Application No. A-17-009

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-17-009)

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 to change the planned land use designations for an approximately 2.5-acre portion of a 22.81-acre parcel from Commercial Recreation to Community Commercial; and

WHEREAS, the environmental assessment conducted for the proposed plan amendment resulted in the filing of a Negative Declaration on June 19, 2018; and

WHEREAS, on October 3, 2018, the Fresno City Planning Commission held a public hearing to consider Plan Amendment Application No. A-17-009 and the associated Negative Declaration prepared for Environmental Assessment No. A-17-009/R-17-013/C-17-101; and

1 of 4

Date Adopted:  
Date Approved:  
Effective Date:  
City Attorney Approval:

MED

Resolution No.

WHEREAS, the Fresno City Planning Commission took action, as evidenced in Planning Commission Resolution No. 13546, to recommend approval of Plan Amendment Application No. A-17-009, which proposes to amend the Fresno General Plan and the Woodward Park Community Plan to change the planned land use designations for the subject property as described herein above; and,

WHEREAS, on November 8, 2018, the Fresno City Council held a public hearing to consider Plan Amendment Application No. A-17-009 and received both oral testimony and written information presented at the hearing regarding Plan Amendment Application No. A-17-009.

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 with all applicable mitigation measures imposed, there is no substantial evidence in the record that Plan Amendment Application No. A-17-009 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 necessary to assure that the project will not cause significant adverse cumulative impacts, growth inducing impacts, and irreversible significant effects beyond those identified by the MEIR as provided by California Environmental Quality Act (CEQA) Section 15178(a). Therefore, it has been determined based upon the evidence in the record that the project will not have a significant impact on the environment and that the filing of a negative declaration is appropriate in accordance with the provisions of CEQA Section 21157.5(a)(2) and

CEQA Guidelines Section 15178(b)(1) and (2). Accordingly, the Council adopts the Negative Declaration prepared for Environmental Assessment No. A-17-009/R-17-013/C-17-101 dated June 19, 2018.

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-17-009 amending the Fresno General Plan and the Woodward Park Community Plan to change the planned land use designations for the subject property from Commercial Recreation to Community Commercial, as depicted by Exhibit "A" attached hereto and incorporated herein by reference.

\* \* \* \* \*

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 8<sup>th</sup> day of November 2018, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

Mayor Approval: \_\_\_\_\_, 2018  
Mayor Approval/No Return: \_\_\_\_\_, 2018  
Mayor Veto: \_\_\_\_\_, 2018  
Council Override Vote: \_\_\_\_\_, 2018

YVONNE SPENCE, MMC  
City Clerk

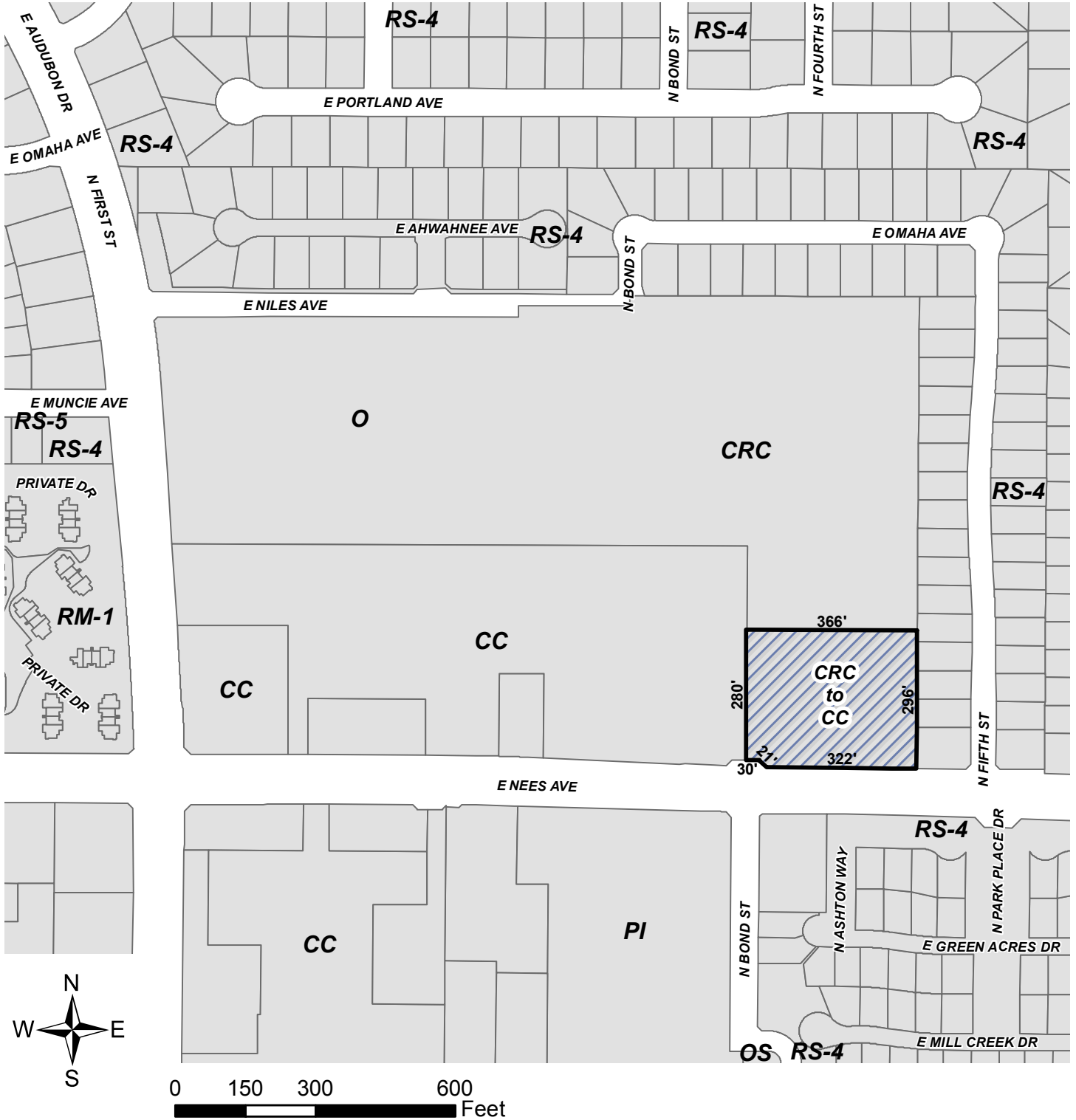
By \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:  
DOUGLAS T. SLOAN  
City Attorney



By \_\_\_\_\_  
Mary Raterman-Doidge Date  
Senior Deputy City Attorney

Attachment: Exhibit A

# EXHIBIT A



**A-17-009**  
**APN: 402-220-66**  
**836 E Nees Avenue**

-  City Limits
-  From CRC (Commercial - Recreation) to CC (Commercial - Community) (2.49 Ac.)