

Exhibit L

**FRESNO CITY PLANNING COMMISSION
RESOLUTION NO. 13812**

The Fresno City Planning Commission, at its regular meeting on October 4, 2023, adopted the following resolution relating to Development Permit Application No. P22-04122.

WHEREAS, Development Permit Application No. P22-04122 was filed by Living Spaces and pertains to an approximately 8.00-acre property located at 7354 North Abby Street, on the west side of North Abby Street between East Spruce and East Minarets/East Alluvial Avenues; and,

WHEREAS, Development Permit Application No. P22-04122 requests authorization to construct an approximately 104,867 square foot furniture showroom; and,

WHEREAS, on July 24, 2023, the Planning & Development Department Director approved Development Permit Application No. P22-04122, as the proposed project satisfied the required findings of approval for Development Permits pursuant to Section 15-5206 of the Fresno Municipal Code; and,

WHEREAS, on August 8, 2023, approval of Development Permit Application No. P22-04122 and related Environmental Assessment No. P22-04122 dated July 24, 2023 were appealed by a member of the public; and,

WHEREAS, the Planning and Development Department staff prepared a report and recommended to the Planning Commission recommend that City Council adopt Environmental Assessment No. P22-04122 and recommended the Planning Commission deny the appeal and uphold the Director's approval of Development Permit Application No. P22-04122, subject to compliance with the Conditions of Approval, dated July 24, 2023; and,

WHEREAS, on October 4, 2023, pursuant to Section 15-5017 of the Fresno Municipal Code, the Fresno City Planning Commission conducted a noticed public hearing; received testimony from the applicant and the public, and considered the Planning and Development Department's report recommending denial of the appellant's appeal and upholding the action of the Planning and Development Department Director to approve Development Permit Application No. P22-04122; and,

WHEREAS, the Fresno City Planning Commission considered the proposed development permit relative to the staff report and environmental assessment issued for the project; and,

WHEREAS, the Fresno City Planning Commission invited testimony with respect to the proposed development permit and environmental assessment; and,

WHEREAS, two individuals spoke in opposition of the project and two individuals spoke in support of the project; and,

NOW, THEREFORE, BE IT RESOLVED by the Fresno City Planning Commission, based upon the testimony and information presented at the hearing and upon review and consideration of the

environmental documentation provided, as follows:

1. The Commission finds in accordance with its own independent judgment that with all applicable project specific mitigation measures imposed, there is no substantial evidence in the record that Development Permit Application No. P22-04122 may have additional significant effects on the environment that were not identified in the Fresno General Plan Program Environmental Impact Report State Clearinghouse No. 2019050005 ("PEIR"); and, that all applicable mitigation measures of the PEIR have been applied to the project, together with project specific mitigation measures 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 PEIR as provided by 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 mitigated negative declaration is appropriate in accordance with the provisions of CEQA Section 21157.5(a)(2) and CEQA Guidelines Section 15178(b)(1); and,

BE IT FURTHER RESOLVED that the Fresno City Planning Commission finds that approval of Development Permit Application No. P22-04122 is consistent with the Fresno General Plan, Woodward Park Community Plan, and the Fresno Municipal Code.

BE IT FURTHER RESOLVED that the Fresno City Planning Commission hereby recommends the City Council to adopt the Mitigated Negative Declaration prepared for Environmental Assessment No. P22-04122, dated May 5, 2023 and deny the appeal and uphold the Director's decision to approve Development Permit Application No. P22-04122 authorizing the construction of an approximately 104,867 square foot furniture showroom, subject to the Conditions of Approval dated July 24, 2023.

The foregoing Resolution by the Fresno City Planning Commission was made upon a motion by Commissioner Bray, seconded by Commissioner Diaz.

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Conditional Use Permit Application No. P22-04122
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VOTING: Ayes - Bray, Diaz, Lyday, Wagner, Vang (chair)
 Noes - None
 Not Voting - None
 Absent - Criner, Hardie (vice chair)

DATED: October 4, 2023

Jennifer K. Clark, AICP, Secretary
Fresno City Planning Commission

Resolution No. 13812
Development Permit Application No. P22-04122
Filed by Living Spaces
Action: Denial of Appeal and recommend adoption of
Environmental Assessment. Project Approved.