

Exhibit O - Planning Commission Resolution

**FRESNO CITY PLANNING COMMISSION
RESOLUTION NO. 13811**

The Fresno City Planning Commission, at its regular meeting on September 6, 2023, adopted the following resolution relating to Conditional Use Permit Application No. P22-03146.

WHEREAS, Conditional Use Permit Application No. P22-03146 was filed with the City of Fresno by Cesar Rodriguez of CR Consulting Group Inc, on behalf of Jason Andrade of Infinite Living, for ±1.38 acres of property located on the south side of West Bullard Avenue, between North Van Ness Boulevard and North Forkner Avenue; and,

WHEREAS, Conditional Use Permit Application No. P22-03146 proposes the adaptive reuse of an existing residence to be used as a new residential respiratory care facility (congregate living health facility) to be constructed in two (2) phases. Phase I proposes to remodel and expand an existing ±3,310 square-foot residence to ±4,500 square feet. Phase II proposes to build two (2) new residential care facility buildings with a combined area of ±9,011 square feet. The three (3) buildings will provide acute care services, skilled nursing care, and complex respiratory care to on-site residents.; and,

WHEREAS, on July 19, 2023, the Fresno City Planning Commission (Commission) reviewed the subject conditional use permit application in accordance with the policies of the Fresno General Plan and Bullard Community Plan, and,

WHEREAS, during the hearing, the Commission received a staff report with related information, an environmental assessment and considered testimony regarding the proposed application and related environmental assessment, which were appealed on June 5, 2023 and June 14, 2023; and,

WHEREAS, various of the members in attendance spoke in opposition of the proposed Conditional Use Permit application; and,

WHEREAS, during the hearing, the Commission continued the subject Conditional Use Permit application to a September 6, 2023 public hearing, and directed the applicant, appellant, and neighbors to discuss concerns raised during public testimony; and,

WHEREAS, the Commission continued the item at a public hearing on September 6, 2023, to review additional information provided by the Planning and Development Department and consider the Department's recommendation to deny the appeal and uphold the approval for the proposed application subject to the Conditions of Approval dated June 2, 2023; and,

NOW THEREFORE BE IT RESOLVED, the Commission hereby finds and determines that there is no substantial evidence in the record to indicate that Conditional Use Permit Application No. P22-03146 will have a significant effect on the environment. Therefore, it has been determined based upon the evidence in the record that the project will not have

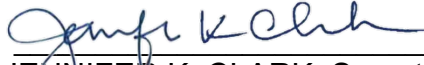
a significant impact on the environment and that a determination of a Class 32 (Infill Development Project) Categorical Exemption from the State of California Environmental Quality Act (CEQA) is appropriate in accordance with the provisions of CEQA Section 15332. Accordingly, the Commission recommends the Council deny the CEQA appeal and uphold the adoption of the Categorical Exemption for Environmental Assessment No. P22-03146 dated May 24, 2023, and,

BE IT FURTHER RESOLVED that the Fresno City Planning Commission hereby denies the appeal and upholds the Planning & Development Director's approval of Conditional Use Permit Application No. P22-03146, on condition that the scope of the proposed project be reduced to tow (2) buildings instead of three (3).

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

VOTING: Ayes - Bray, Criner, Diaz, Lyday, Vang (Chair)
Noes - None
Not Voting - Hardi (Vice Chair)
Absent - Wagner

DATED: September 6, 2023


JENNIFER K. CLARK, Secretary
Fresno City Planning Commission

Resolution No. 13811
Conditional Use Permit Application No. P22-03146 Filed by Cesar Rodriguez of CR Consulting Group Inc, on behalf of Jason Andrade of Infinite Living.
Action: Denial of appeal and uphold approval of Conditional Use Permit. Recommend Approval to the City Council of the Environmental Assessment.