

EXHIBIT M

Planning Commission Resolution Nos. 13546, 13547, and 13548

**FRESNO CITY PLANNING COMMISSION
RESOLUTION NO. 13546**

The Fresno City Planning Commission at its regular meeting on October 3, 2018, adopted the following resolution relating to Plan Amendment Application No. A-17-009.

WHEREAS, Plan Amendment Application No. A-17-009 has been filed with the City of Fresno by Gary Giannetta, on behalf of Russ Nakata, for an approximately 2.5-acre portion of an approximately 22.81-acre parcel located on the northeast corner of East Nees Avenue and North Bond Street; and,

WHEREAS, on March 19, 2018, the District 6 Project Review Committee reviewed the plan amendment and recommended approval; and,

WHEREAS, Plan Amendment Application No. A-17-009 proposes to amend the Fresno General Plan and the Woodward Park Community Plan planned land use for approximately 2.5 acres from Commercial Recreation to Community Commercial; and,

WHEREAS, on October 3, 2018, the Fresno City Planning Commission conducted a public hearing to review the proposed plan amendment, received public testimony and considered the Development and Resource Management Department's report recommending approval of the proposed plan amendment; and,

WHEREAS, at the hearing one person spoke in opposition to the proposed plan amendment application; and,

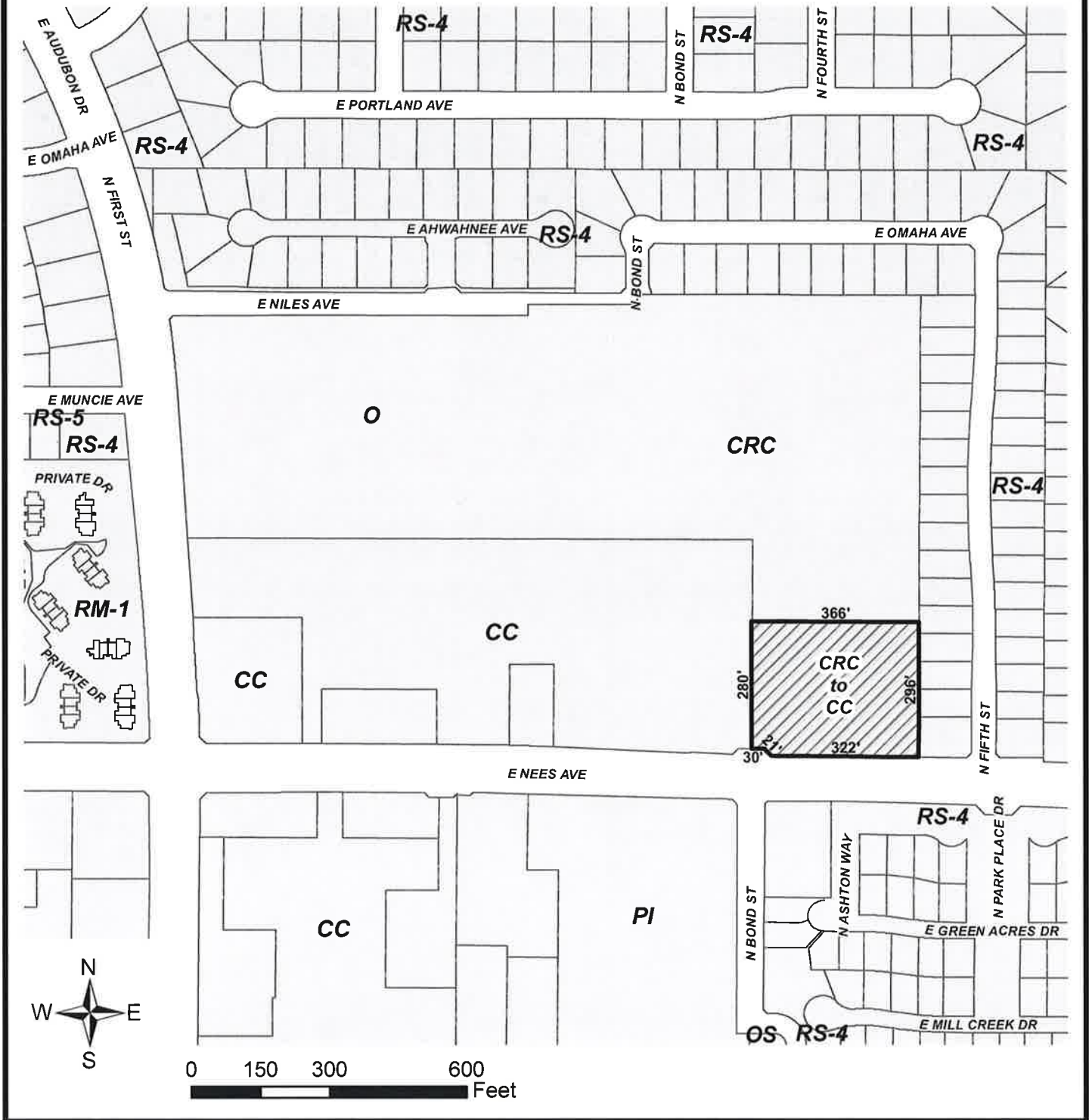
WHEREAS, the Planning Commission reviewed the subject plan amendment application in accordance with the land use policies of the Fresno General Plan and Woodward Park Community Plan; and,

WHEREAS, the Fresno City Planning Commission has reviewed the environmental assessment prepared for this plan amendment, Environmental Assessment No. A-17-009/R-17-013/C-17-101, dated June 19, 2018, and is satisfied that the appropriate measures of development will adequately reduce or alleviate any potential adverse impacts either generated from the proposal, or impacting the proposal from an off-site source, and hereby concurs with the issuance of a Negative Declaration; and,

WHEREAS, at that same hearing the Commission also reviewed related Rezone Application No. R-17-013 and Conditional Use Permit Application No. C-17-101 to allow construction of an approximately 9,175-square-foot funeral home to include a chapel with 190 seat capacity. No crematory or body preparations are proposed as part of this use. The project also proposes site improvements such as landscaping, and on-site parking for approximately 73 vehicles, in addition to 28 proposed stacked parking spaces. The building would be a maximum of 28 feet in height. The project is being proposed under the use classification Funeral Parlors and Internment Services.

NOW, THEREFORE, BE IT RESOLVED that Fresno City Planning Commission finds in accordance with its own independent judgment that there is no substantial evidence in the record, that Plan Amendment Application No. A-17-009 may have additional

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.)

**FRESNO CITY PLANNING COMMISSION
RESOLUTION NO. 13547**

The Fresno City Planning Commission, at its regular meeting on October 3, 2018, adopted the following resolution relating to Rezone Application No. R-17-013.

WHEREAS, Rezone Application No. R-17-013 has been filed with the City of Fresno to rezone an approximately 2.5-acre portion of an approximately 22.81-acre parcel the as described below:

REQUESTED ZONING: CC/UGM/cz (*Commercial-Community/ Urban Growth Management/ conditions of zoning*)

EXISTING ZONING: CRC/UGM/cz (*Commercial Recreation/ Urban Growth Management/ conditions of zoning*)

APPLICANT: Gary Giannetta, on behalf of Russ Nakata

LOCATION: Located on the northeast corner of East Nees Avenue and North Bond Street

APN: **portion of 402-220-66**

LEGAL DESCRIPTION: See attached Exhibit "A".

WHEREAS, the above-named applicant is requesting a zoning change on the above property in order to rezone the property consistent with the Woodward Park Community Plan and the City of Fresno General Plan; and,

WHEREAS, on March 19, 2018, the District 6 Project Review Committee reviewed the rezone application and recommended approval; and,

WHEREAS, the Fresno City Planning Commission on October 3, 2018, conducted a public hearing to review the proposed rezone, received public testimony and considered the Development and Resource Management Department's report recommending approval of the proposed rezone; and,

WHEREAS, at the hearing one member of the public spoke in opposition to the proposed rezone application; and,

WHEREAS, the Fresno City Planning Commission has reviewed the environmental assessment prepared for this rezone, Environmental Assessment No. A-17-009/R-17-013/C-17-101, dated June 19, 2018, and is satisfied that the appropriate measures of development will adequately reduce or alleviate any potential adverse impacts either generated from the proposal, or impacting the proposal from an off-site source, and hereby concurs with the

issuance of a Negative Declaration; and,

WHEREAS, at that same hearing the Commission also reviewed related Plan Amendment Application No. A-17-009 and Conditional Use Permit Application No. C-17-101 to allow construction of an approximately 9,175-square-foot funeral home to include a chapel with 190 seat capacity. No crematory or body preparations are proposed as part of this use. The project also proposes site improvements such as landscaping, and on-site parking for approximately 73 vehicles, in addition to 28 proposed stacked parking spaces. The building would be a maximum of 28 feet in height. The project is being proposed under the use classification Funeral Parlors and Internment Services.

NOW, THEREFORE, BE IT RESOLVED that Fresno City Planning Commission finds in accordance with its own independent judgment that there is no substantial evidence in the record, that Rezone Application No. R-17-013 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 no new or additional mitigation measures or alternatives may be required. In addition, pursuant to Public Resources Code, Section 21157.6(b)(1), the Commission finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified 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 Commission recommends Council adopt the negative declaration prepared for Environmental Assessment No. A-17-009/R-17-013/C-17-101.

BE IT FURTHER RESOLVED that the Fresno City Planning Commission hereby recommends to the City Council that the requested CC/UGM/cz (*Commercial Community/Urban Growth Management/conditions of zoning*) zone district be approved as depicted by the attached Exhibit "A" and described within the staff report to the Planning Commission dated October 3, 2018.

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

VOTING: Ayes - Vang, McKenzie, Bray, Hardie, Garcia, Sodhi-Layne, Torossian
 Noes - None
 Not Voting - None
 Absent - None

DATED: October 3, 2018



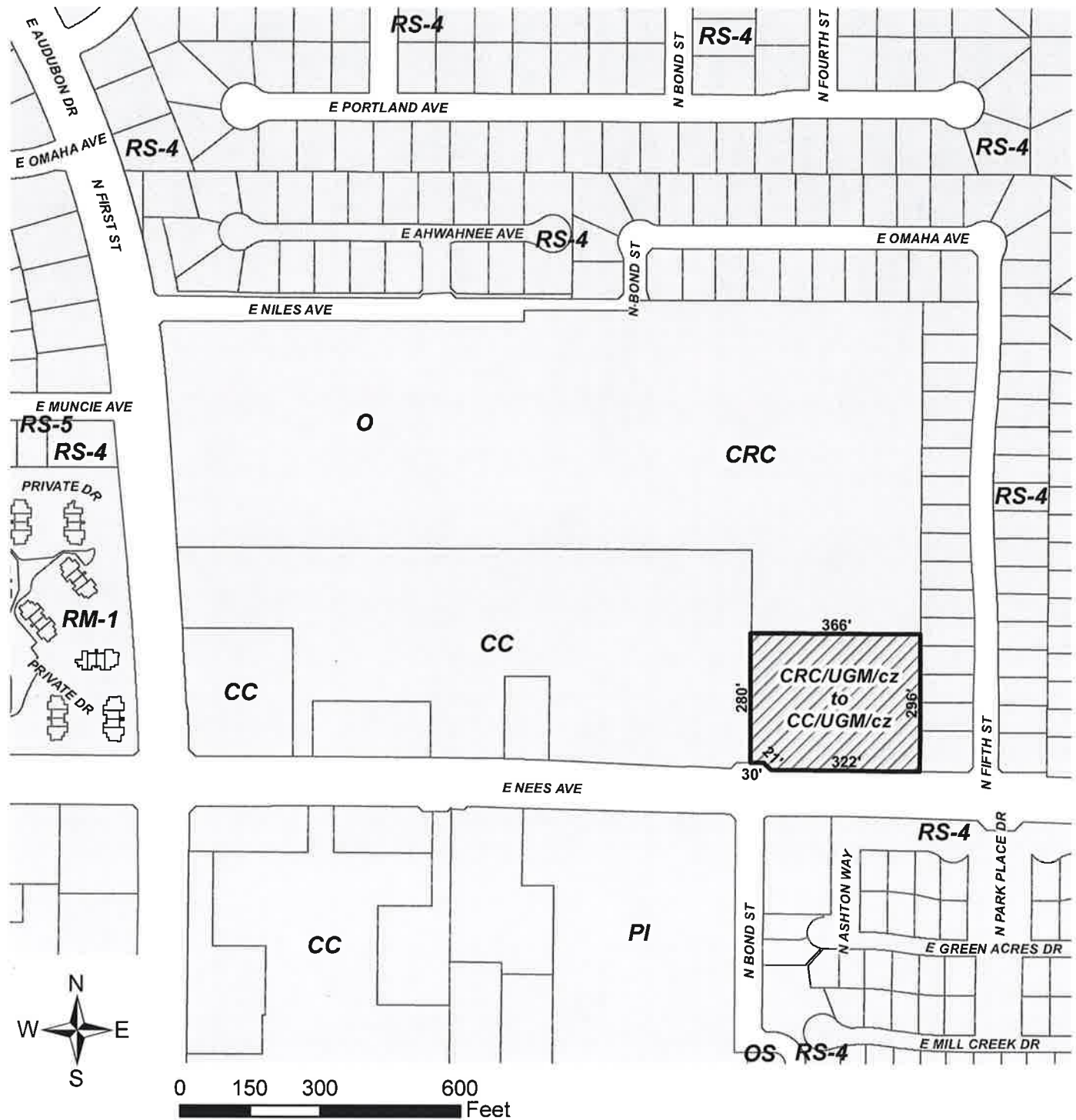
Jennifer K. Clark, Secretary
Fresno City Planning Commission

Resolution No. 13547

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Rezone Application No. R-17-013
October 3, 2018
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Rezone Application No. R-17-013
Filed by Gary Giannetta, on behalf of
Russ Nakata
Action: Recommend Approval

EXHIBIT A



R-17-013
APN: 402-220-66
836 E Nees Avenue

— City Limits

 To reclassify a portion of the property from CRC to CC/UGM/cz 2.49

**FRESNO CITY PLANNING COMMISSION
RESOLUTION NO. 13548**

The Fresno City Planning Commission, at its meeting on October 3, 2018, adopted the following resolution relating to Conditional Use Permit Application No. C-17-101.

WHEREAS, Conditional Use Permit Application No. C-17-101 has been filed with the City of Fresno by Gary Giannetta, on behalf of Russ Nakata, for an approximately 2.5-acre portion of an approximately 22.81-acre parcel located on the northeast corner of East Nees Avenue and North Bond Street; and,

WHEREAS, Conditional Use Permit Application No. C-17-101 seeks authorization to allow construction of an approximately 9,175-square-foot funeral home to include a chapel with 190 seat capacity. No crematory or body preparations are proposed as part of this use. The project also proposes site improvements such as landscaping, and on-site parking for approximately 73 vehicles, in addition to 28 proposed stacked parking spaces. The building would be a maximum of 28 feet in height. The project is being proposed under the use classification Funeral Parlors and Internment Services; and,

WHEREAS, on March 19, 2018, the District 6 Project Review Committee unanimously recommended approval of the proposed project; and,

WHEREAS, on October 3, 2018, the Fresno City Planning Commission reviewed the subject conditional use permit application in accordance with the policies of the Fresno General Plan and Woodward Park Community Plan; and,

WHEREAS, the Commission conducted a public hearing to review the proposed conditional use permit, received testimony from the applicant and the public, and considered the Development and Resource Management Department's report recommending approval of the proposed conditional use permit subject to special permit conditions; and,

WHEREAS, at that same hearing the Commission reviewed related Plan Amendment Application No. A-17-009 and Rezone Application No. R-17-013; and,

WHEREAS, the Fresno City Planning Commission considered the proposed conditional use 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 conditional use permit; and

WHEREAS, at the hearing one person spoke in opposition to the proposed conditional use permit application; and,

NOW, THEREFORE, BE IT RESOLVED that the Fresno City Planning Commission hereby finds and determines that there is no substantial evidence in the record to indicate that Conditional Use Permit Application No. C-17-101 may have a significant effect on the environment identified by the Negative Declaration which was prepared for Environmental Assessment No. A-17-009/R-17-013/C-17-101 dated June 19, 2018.

BE IT FURTHER RESOLVED that the Fresno City Planning Commission hereby approves Conditional Use Permit Application No. C-17-101 authorizing construction of an approximately 9,175-square-foot funeral home to include a chapel with 190 seat capacity. No crematory or body preparations are proposed as part of this use. The project also proposes site improvements such as landscaping, and on-site parking for approximately 73 vehicles, in addition to 28 proposed stacked parking spaces. The building would be a maximum of 28 feet in height. The project is being proposed under the use classification Funeral Parlors and Internment Services, subject to the Development and Resource Management Department Conditions of Approval dated October 3, 2018 and contingent upon City Council approval and effectuation of Plan Amendment Application No. A-17-009, Rezone Application No. R-17-013 and the related Environmental Assessment No. A-17-009/R-17-013/C-17-101 dated June 19, 2018.

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

VOTING: Ayes - Vang, McKenzie, Bray, Hardie, Garcia, Sodhi-Layne,
Torossian
Noes - None
Not Voting - None
Absent - None

DATED: October 3, 2018

Jennifer K. Clark, Secretary
Frederick City Planning Commission

Jennifer K. Clark, Secretary
Fresno City Planning Commission

Resolution No. 13548
Conditional Use Permit Application No.
C-17-101
Filed by Gary Giannetta on behalf of
Russ Nakata
Action: Recommend Approval