

**FRESNO CITY PLANNING COMMISSION  
RESOLUTION NO. 13319**

The Fresno City Planning Commission, at its regular meeting on March 18, 2015, adopted the following resolution relating to the repeal of the Development Agreement by and between the City of Fresno and Ashlan/Hayes No.1 LP.

WHEREAS, on May 20, 2008, the Council of the City of Fresno adopted Mitigated Negative Declaration finding for Environmental Assessment No. A-07-08/R-07-29/C-07-308/T-5891 dated March 13, 2008 (Ordinance No. 2008-32/Bill No. B-34); and

WHEREAS, on December 16, 2008, the Council of the City of Fresno adopted Ordinance No. 2008-78/Bill No. B-80 approving a Development Agreement with Ashlan/Hayes No. 1 L.P., a limited partnership, pursuant to the provisions of Section 65864 et seq., of the California Government Code; and

WHEREAS, Ashlan & Hayes Investment, LLC has purchased the Subject Property and is the successor in interest to Ashlan/Hayes No. 1 L.P pursuant to Section 100 of the Development agreement and is therefore bound by the Development Agreement; and

WHEREAS, Ashlan & Hayes Investment, LLC has requested cancellation of the Development Agreement and does not intend to enter in to an Assumption Agreement pursuant to Section 105.1 of the Development Agreement; and

WHEREAS, pursuant to Section 65868 of the California Government Code, a development agreement may be amended, or cancelled in whole or in part, by mutual consent of the parties to the agreement or their successors in interest; and

WHEREAS, pursuant to Section 65867, the Planning Commission of the City of Fresno conducted a duly noticed public hearing on March 18, 2015 on the proposed cancellation of the Development Agreement, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the proposed cancellation of the Development Agreement is not considered a project under the provisions of CEQA; and

WHEREAS, the Planning Commission adopted Resolution No. 13319, recommending cancellation of the Development Agreement in its entirety, to the Council of the City of Fresno; and

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission 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:

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

VOTING:           Ayes - Torossian, Reed, Garcia, Medina, Vasquez, Holt  
                      Noes - None

Planning Commission Resolution No. 13319  
Development Agreement – Artisan Square  
March 18, 2015  
Page 2

Not Voting - Catalano  
Absent - Reed

DATED: March 18, 2015



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Jennifer K. Clark, Secretary  
Fresno City Planning Commission

Resolution No. 13300  
Development Agreement by and between the City of  
Fresno and Ashlan/Hayes No. 1  
Filed by Granville Homes  
Action: Approve cancellation of Development  
Agreement