
**FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)
EXECUTIVE OFFICER'S REPORT**

AGENDA ITEM No. 6

- DATE:** February 4, 2009
- TO:** Local Agency Formation Commission
- FROM:** Rick Ballantyne, Executive Officer
Darrel Schmidt, Deputy Executive Officer
- SUBJECT:** **Consider Approval** – Request for One-Year Individual Extensions to Complete Proceedings for the following:
- A. **City of Sanger “California-Academy Northwest Reorganization”** (LAFCo File No. RO-07-21).
 - B. **City of Fresno “Shields-Lozan No. 3 Reorganization”** (LAFCo File No. RO-07-26).
 - C. **City of Fresno “McKinley-Blythe No. 1 Reorganization”** (LAFCo File No. RO-08-2).

The above proposals were previously approved by the Commission, but have not been completed. State law requires that all reorganization and annexation proceedings shall be completed within one year of approval unless the Commission grants an extension of time prior to the expiration date. Failure to grant an extension will terminate the proceedings. LAFCo Policies, Standards, and Procedures Section 315-03 allows extensions of time to be granted when the imminent need for the proposal still exists, the project is still viable, and progress is being made toward completion.

- A. **City of Sanger “California-Academy Northwest Reorganization.”** (LAFCo File No. RO-07-21).

Parties of Interest:

Lennar Fresno Inc.	Milton & Jacqueline Munro
Redwood Farms Inc.	City of Sanger

Summary:

This reorganization was approved by the Commission on February 6, 2008. Les Peterson, VP, Lennar Fresno, Inc. has requested a one-year extension of time. This is the first request for an extension of time for this application.

Project Description: The reorganization consists of the annexation of 100.53 acres to the City of Sanger and detachment from the Fresno County Fire Protection District, the Kings River Conservation District, and the Consolidated Irrigation District. The affected territory is located at the northeast corner of S. Fairbanks and E. California Avenues (see attached map). A 191-lot single-family residential subdivision is planned for the site.

Reasons for Request and Actions Taken to Date: The proponents state that they are making progress towards addressing development requirements. They state that they have completed preparation of their final map and improvement plans. However, development was delayed in order for the City of Sanger to acquire offsite right-of-way necessary for extending City sewer and water facilities to serve this site. They also indicate that the City has extended their Tentative Tract Map (No. 5385) to April 7, 2009, and that they have decided to suspend the development of the project until the economy improves.

Staff Analysis: The Commission has collectively expressed its desire to limit extensions due to an applicant’s failure to meet the conditions of approval. While the reorganization appears to be stalled at this time, statements made by the applicant indicate progress is being made toward completion of the reorganization and that the tentative map was extended by the City of Sanger.

While it may be possible that certain outside factors such as the current economic, market, and credit conditions have slowed area development and restricted access to credit that was previously available, the Commission’s adopted policies call for progress toward completion be demonstrated in order to justify approval of a time extension request. Based upon statements made by the applicant, it appears that a small amount of progress has been made during the past year. Staff therefore supports this one-year extension request, but it would recommend that no further extension(s) be granted unless the applicant is able to demonstrate that substantial progress toward completion has been made within the coming year.

Recommendation: Approve a one-year extension.

B. City of Fresno “Shields-Locan No. 3 Reorganization” (LAFCo File No. RO-07-26).

Parties of Interest:

Jovel Burl Findley	Paul and Kjirsten Humphrey
Bradley Worth and Deborah Cain O’Neal	Damrong and Somluck Pattanumotana
Leroy and Marlene Booth	John Herman and Lydia T. Brase Trustees
Judy Ann True	Kenneth and Diane Dalby
Ruben Lopez	Ahmed and Melinda Khaled
John Bonadelle, Bonadelle Neighborhoods	

Summary: This reorganization was approved by the Commission on February 6, 2008. John Bonadelle, President, Bonadelle Neighborhoods, has requested a one-year extension of time. This is the first request for an extension of time for this application.

Project Description: This reorganization consists of annexation of 140.98 acres to the City of Fresno and detachment from the Fresno County Fire Protection District and the Kings River Conservation District. The affected territory is located south of E. Shields Avenue between N. Temperance and N. Locan Avenues (see attached map). A 258-lot single-family residential subdivision (55.10 acres) is proposed at the southwest corner of E. Shields and N. Locan Avenues and a 264-lot single-family residential subdivision (58 acres) is proposed south of E. Clinton Avenue within the southerly portion of the affected territory.

Reasons for Request and Actions Taken to Date: The developer has indicated that progress is being made toward completion of the final map and recordation. The engineers have prepared plans for grading, sewer, water, storm drainage, and street construction and they are awaiting the approval of the City. Tentative Tract Map No. 5341 has been extended to May 16, 2010, and has two one-year extensions available.

Staff Analysis: The Commission has collectively expressed its desire to limit extensions due to an applicant's failure to meet the conditions of approval. It appears that the applicant has made progress towards completion and that staff can support a one year extension. However, while staff supports such request, it would recommend that no further extensions be granted unless the applicant is able to demonstrate that substantial further progress toward completion has been made within the coming year.

Recommendation: Approve a one-year extension.

C. **City of Fresno "McKinley-Blythe No. 1 Reorganization" (LAFCo File No. RO-08-2).**

Parties of Interest:

Daniel and Stacey Fleming	Robert Ketelsen
Davison Enterprises Inc.	William and Audrey McCarty
Jacques Juan and Denise Ricardo	David and Margaret Franchi
Robert and Cheryl Brown	Marisa Pimentel
DN Associates	Rodney and Marcella Deluca Trust
Allen and Virginia Greulich	George and June Streese Trustees
Ennis Development	Daryl and Vicki Nicholson

Summary: This reorganization was approved by the Commission on March 5, 2008. Daryl Nicholson has requested a one-year extension of time. This is the first request for an extension of time for this application.

Project Description: This reorganization consists of annexation of 40.89 acres to the City of Fresno and detachment from the North Central Fire Protection District and the Kings River Conservation District. The affected territory is located at the northeast corner of W. McKinley and N. Blythe Avenues (see attached map). An 80-lot single-family residential subdivision is proposed on the easterly 20-acre portion of the affected territory.

Reasons for Request and Actions Taken to Date: The developer has stated that current economic and housing market conditions have delayed them from moving forward with construction. They indicate that they still plan on developing the property and have a valid tract map approved by the City of Fresno.

Staff Analysis: The Commission has collectively expressed its desire to limit extensions due to an applicant's failure to meet the conditions of approval. It appears that the applicant has made very little progress towards completion in the past year and that justification for the extension is being based solely upon economic conditions. Therefore, while staff may support a one-year extension, it would recommend that no further extensions be granted unless the applicant is able to demonstrate that substantial progress toward completion has been made within the coming year.

Recommendation: Approve a one-year extension.

The Following Have Received Copies of This Report:

- LAFCo Commissioners and Alternates
- Ken Price, LAFCo Counsel, Baker, Manock, and Jensen
- Bruce O'Neal, Contract Planner, City of Sanger
- Tim Chapa, Community Development Director, City of Sanger
- Les Peterson, VP, Lennar Fresno, Inc.
- Andy Souza, City Manager, City of Fresno
- Gilbert Haro, Planning and Development, City of Fresno
- John Bonadelle, President, Bonadelle Neighborhoods
- Daryl Nicholson
- Bernard Jimenez, Manager, Development Services Division, Fresno County Public Works & Planning Department
- Will Kettler, Fresno County Public Works and Planning Department
- Chief Keith Larkin, Fresno County Fire Protection District
- David Orth, Manager, Kings River Conservation District
- Phil Desatoff, Manager, Consolidated Irrigation District



- A. City of Sanger “California-Academy Northwest Reorganization.” (LAFCo File No. RO-07-21)

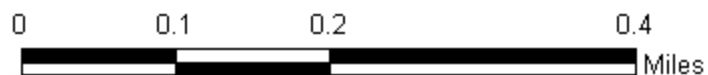
EXHIBIT "A"



City of Sanger "California-Academy
Northwest Reorganization"
LAFCo File No. RO-07-21

Legend

-  City Limits
-  Affected Territory



**B. City of Fresno “Shields-Locan No. 3
Reorganization.” (LAFCo File No. RO-07-26)**



January 6, 2009

Mr. Rick Ballantyne, Executive Officer
Fresno Local Agency Formation Commission
2115 Kern Street, Suite 310
Fresno, CA 93721

Subject: Shields-Locan No. 3 Reorganization

Dear Mr. Ballantyne:

We hereby request a one-year time extension to complete the proceedings under the LAFCO Resolution approving the Shields-Locan No. 3 Reorganization. Enclosed is a check in the amount of \$500 for the processing fee.

The reorganization is conditioned with the acceptance of a final tract map and we have been moving forward toward approval of a final map of our Vesting Tentative Tract No. 5341, however, the work has been slowed by the downturn in the housing market. This map currently expires May 16, 2010, with two one-year extensions available. Our engineers have prepared plans for grading, sewer, water, storm drain and street construction and these plans are in the review process with the City of Fresno. We anticipate securing approval of a final map for Tract No. 5341 prior to expiration of the requested one-year time extension.

Please contact Mr. Rick Heyman at 435-9700 if you have any questions or need additional information. Please keep us advised as to the status of our request.

Best regards,

A handwritten signature in black ink, appearing to read "John A. Bonadelle".



John A. Bonadelle,
President

Enclosure

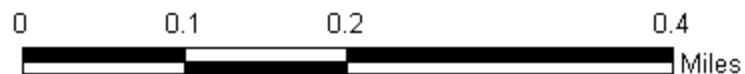
EXHIBIT "A"



Legend

-  City limits
-  Affected Territory

City of Fresno "Shields-Locan
No. 3 Reorganization"
LAFCo File No. RO-07-26



**C. City of Fresno “McKinley-Blythe No. 1
Reorganization.” (LAFCo File No. RO-08-2)**

DARYL & VICKI NICHOLSON
26914 Avenue 140
Porterville, California 93257
(559) 781-7933

Jan 26, 2009

Fresno LAFCO
Candie Fleming
Clerk to the Commission
2115 Kern Street Suite 310
Fresno, CA 93721

Dear Ms. Fleming,

Thank you for your letter and e-mails regarding Tentative Tract Map No.5598.

I would like to request a one-year extension of time to complete the proposed subdivision.

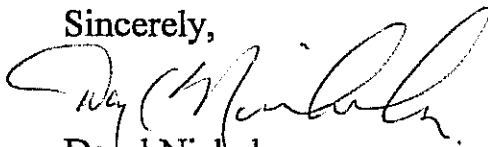
As you are aware the housing market is in desperate condition as a result of a collapse of the housing market and the freezing of credit to builders and developers nationwide.

At the current time there is no market for new homes as foreclosed properties are selling at below building costs. Hopefully this economic crisis will end soon. We will be monitoring the markets closely and will begin development as soon as possible.

Enclosed please find a check for \$500.00 as requested.

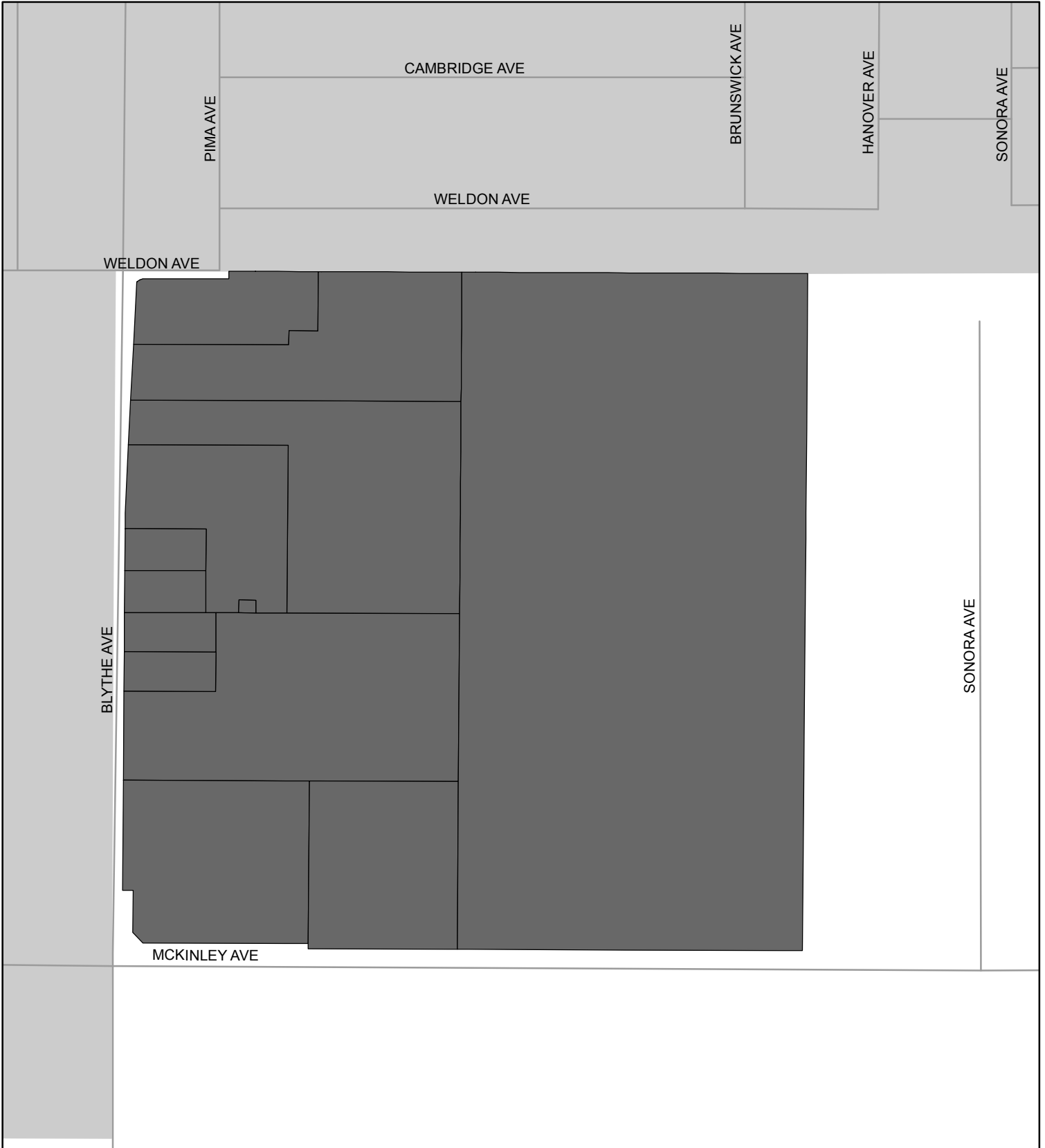
I would like to take this opportunity to thank you for you help during this most difficult time in the economy.

Sincerely,





Daryl Nicholson

EXHIBIT "A"



Legend

-  City Limits
-  Affected Territory

City of Fresno "McKinley-Blythe
No. 1 Reorganization"
LAFCo File No. RO-08-2

