

---

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

---

**CONSENT AGENDA ITEM No. 5C**

**DATE:** February 12, 2014

**TO:** Local Agency Formation Commission

**FROM:** David E. Fey, AICP, Executive Officer

**SUBJECT:** Consider Approval – Request for a One-Year Extension to Complete Proceedings for the City of Fresno “McKinley-Blythe No. 1 Reorganization.” (LAFCo File No. RO-08-2) (Sixth Request).

**RECOMMENDATION Approve One-Year Extension**

State law requires that all reorganization 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.

In accordance with *Fresno LAFCo Policies, Standards, and Procedures* Section 315-03, extensions of time may be granted when the imminent need for the proposal still exists, the project is still viable, and progress is being made toward completion. The Commission's Policies further state that the Commission may consider economic hardships beyond the control of the proponents as justification supporting the extension request.

Past experience has shown that it is not uncommon for reorganizations to take longer than the initial one-year approval to be completed, and that one or more extensions of time may be required to fulfill all conditions of approval.

**PARTIES OF INTEREST**

Daryl and Vicki Nicholson	Robert Ketelsen
Baldev Singh and Jasjit Kaur Khela	Giannetta Inc.
George and June Streese Trustees	William and Audrey McCarty
Juan Ricardo and Denise Jacques	David and Margaret Franchi
Robert and Cheryl Brown	Rodney and Marcella Deluca Trust
DN Associates	Elliot and Agnes Chielpegian
Joseph and Yvonne Deluca	Nguyen Le Sy
Allen and Virginia Greulich	Chris Pollos

**SUMMARY**

This reorganization was approved by the Commission on March 5, 2008. David Combs, the developer, has requested a one-year extension of time. This is the sixth 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 they purchased the property three years ago and current economic and housing market conditions have delayed them from moving forward with construction. They indicate that they still plan to develop the property and have tentative map approval by the City and have done substantial work towards completion of the final map.

The City of Fresno indicated that it supports the extension and stated that the General Plan Housing Element and regional population forecasts continue to indicate the need for the completion of these types of approved housing developments. Tentative Tract Map No. 5598 and the affiliated zoning approvals are scheduled to remain in effect until May 17, 2017.

## **STAFF ANALYSIS**

Based on this information, it does appear that circumstances beyond the control of the City and the developer, including economic hardships due to the current economic conditions, have delayed this reorganization. Based on these circumstances, staff supports an additional one-year extension.

## **THE FOLLOWING HAVE RECEIVED COPIES OF THIS REPORT**

- LAFCo Commissioners and Alternates
- Ken Price, LAFCo Counsel, Baker, Manock, and Jensen
- Bernard Jimenez, Deputy Director, Fresno County Planning Department
- Will Kettler, Division Manager, Development Services Division, Fresno County Public Works and Planning Department
- Joe Barcellos, North Central Fire Protection District
- David Orth, Kings River Conservation District
- Craig Agabashian, Administrative Manager, City of Fresno
- Bruce Rudd, City Manager, City of Fresno
- Jennifer Clark, DARM, City of Fresno
- Daryl Nicholson
- David Combs
-

2600 Fresno Street, Third Floor, Room 3065  
Fresno, California 93721-3604  
(559) 621-8003, FAX (559) 498-1012

Jennifer K. Clark AICP  
Director

Mr. David Fey, Executive Officer  
Fresno Local Agency Formation Commission  
2607 Fresno Street, Suite B  
Fresno, CA 93721

January 29, 2014

SUBJECT: EXTENSION OF MCKINLEY - BLYTHE NO.1 REORGANIZATION

Dear Mr. Fey:

This is in response to your letter, dated January 2, 2013, which provided the City notification of the approaching expiration of approved McKinley-Blythe No. 1 Reorganization. The City of Fresno supports an extension of the McKinley-Blythe No.1 Reorganization by the Fresno Local Agency Formation Commission (LAFCo).

City of Fresno development entitlements dependent upon the annexation include conditionally approved Tentative Tract Map No. 5598 and affiliated zoning approval (Rezone Application No. R-05-70). These approvals are scheduled to remain in effect until May 17, 2017 via several discretionary and statutory extensions. Another City of Fresno development entitlement dependent upon the annexation is the pre-zoning of twelve existing rural residential properties (Rezone Application No. R-07-47).

The requesting Developer, David Combs, has indicated that he and his partner, Daryl Nicholson, expect to develop the associated property. Given: 1) the expectation to develop the property, 2) the approved tentative tract map and associated zoning actions are considered to be active, and 3) General Plan documents and forecasts continue to indicate the need for completion of these types of housing developments; the City of Fresno supports an extension of the approved McKinley - Blythe No.1 Reorganization.

Please contact Craig Agabashian, Administrative Manager, at 621-8005 with any questions you may have.

Sincerely,





Jennifer K. Clark, AICP  
Director

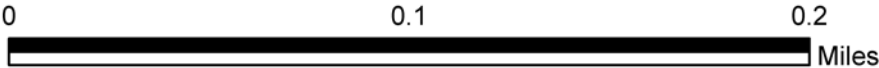
C. Bruce Rudd

# EXHIBIT "A"



## Legend

-  City Limits
-  Affected Territory



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