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

CONSENT AGENDA ITEM No. 5C - 5D

DATE: December 4, 2013

TO: Local Agency Formation Commission

FROM: David E. Fey, AICP, Executive Officer

SUBJECT: Consider Approval – Requests for One-Year Extensions to Complete Proceedings

C. City of Reedley “Frankwood-Floral Reorganization, Annexation No. 2004-6” (LAFCo File No. RO-05-32) (Eighth Request).

D. City of Clovis “Nees-Sunnyside Southeast Reorganization” (LAFCo File No. RO-06-38) (Seventh Request).

RECOMMENDATION-Approve One-Year Extensions

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.

A. City of Reedley “Frankwood-Floral Reorganization, Annexation No. 2004-6”

Parties of Interest

Milestone Investments	Kings Canyon Unified School District	Doris Ohannesian	Darlene Mata, City of Reedley
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Summary

The subject reorganization was approved on December 7, 2005, but has not been completed. Kevin Fabino, Director of community development, City of Reedley, has requested a one-year extension. This is the eighth request for extension.

Project Description

The reorganization consists of the annexation of 54.36 acres to the City of Reedley and detachment from the Fresno County Fire Protection District and the Kings River Conservation District. The affected territory is located at the northeast corner of Frankwood and Floral Avenues.

Reasons for Request and Actions Taken to Date

The City of Reedley has indicated that the original applicant, Workman Bros. Development Co., has sold the property to the Kings Canyon Unified School District to allow for the construction of a school facility to serve the adjacent neighborhoods. Tentative Tract Map No. 5417 does not expire until September 27, 2014. The only circumstances that have changed in the area is that the school district now owns several of the parcels and intends to build a school instead of 165 single-family residential lots and one multi-family parcel. The school district has been working with the City toward completion and the City has been working with the fire district to come to a mutually agreed upon transition agreement.

B. City of Clovis “Nees-Sunnyside Southeast Reorganization”

Parties of Interest

Gary McDonald, Gary McDonald Homes	Dwight Kroll, City of Clovis
Valley River Developers, LLC	George Gonzalez, City of Clovis

Summary

The subject reorganization was approved on December 13, 2006, but has not been completed. Robert Dillon representing Gary McDonald Homes submitted a letter requesting a one-year extension stating that with the improving housing economy they are moving forward with completing the annexation developing the tract. Dwight Kroll, Director of Planning and Development Services for the City of Clovis, submitted a letter stating the city is in support of the extension. This is the seventh request for extension.

Project Description

The reorganization consists of the annexation of 11.64 acres to the City of Clovis and detachment from the Fresno County Fire Protection District and the Kings River Conservation District. The affected territory is located south of E. Nees Avenue and east of N. Sunnyside Avenue (see attached map). Tentative Tract Map No. 5546 for a 33-lot single-family residential subdivision is still in effect and will not expire until September 11, 2015.

Reasons for Request and Actions Taken to Date

The City of Clovis has indicated that the project will help to unify the urban area, provide efficient services to the residents, and strengthen the Clovis community. They are working with the property owners in the Dry Creek Preserve area and on a long-range plan for the area that balances annexation with compatible development standards for this unique area.

STAFF ANALYSIS

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.

Additionally, the slowed economy has negatively affected the ability of proponents to complete projects timely. The Commission's policies do allow for economic hardships to be considered as a justification for time extension requests.

Based on this information, it does appear that circumstances beyond the control of the Cities and the developers, including economic hardships due to the current economic conditions, have delayed these reorganizations. Based on these circumstances, staff supports the additional one-year extensions.

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, Fresno County Public Works and Planning Department
- David Orth, Kings River Conservation District
- Chief Mark Johnson, Fresno County Fire Protection District
- Andy Cosentino, Fresno County Fire Protection District
- Ray Franklin, Fresno County Fire Protection District
- Kevin Fabino, Community Development Director, City of Reedley
- Darlene Mata, City Planning Consultant
- Nichole Zieba, Reedley City Manager
- Valley River Developers, LLC
- Juan Garza, Superintendent, Kings Canyon Unified School District
- Dwight Kroll, City of Clovis, Planning & Development Services Director
- George Gonzalez, City of Clovis, Planning & Development Services Associate Director
- Robert Dillon, Gary McDonald Homes



City of Reedley

Community Development Department
1733 Ninth Street
Reedley, CA 93654
(559) 637-4200
FAX 637-2139

October 17, 2013

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

RE: Frankwood-Floral Reorganization, Annexation No. #2004-6

Dear Mr. Fey:

On behalf of the City of Reedley we wish to request a one-year extension of time be granted to the previously approved LAFCO Frankwood-Floral Reorganization, Annexation No. #2004-6. Our request and support for this extension is listed below:

1. The property owner and authorized representatives (Kings Canyon Unified School District) continue to work with City staff and continues to express their interest in moving the project forward.
2. The circumstances have not changed in the vicinity of the project since the proposal was approved that could affect its suitability for annexation.
3. The underlying property for the Milestone Tentative Subdivision Tract Map No. 5417 has been sold to the Kings Canyon Unified School District for a school site.
4. The City of Reedley supports and concurs with the Kings Canyon Unified School District request for a one-year extension of the Frankwood-Floral Reorganization, Annexation No. #2004-6.
5. On October 9, 2013, the City of Reedley send correspondence to the Executive Officer indicating the City and District are addressing the fire transition agreement and is optimistic a favorable outcome will be reached.

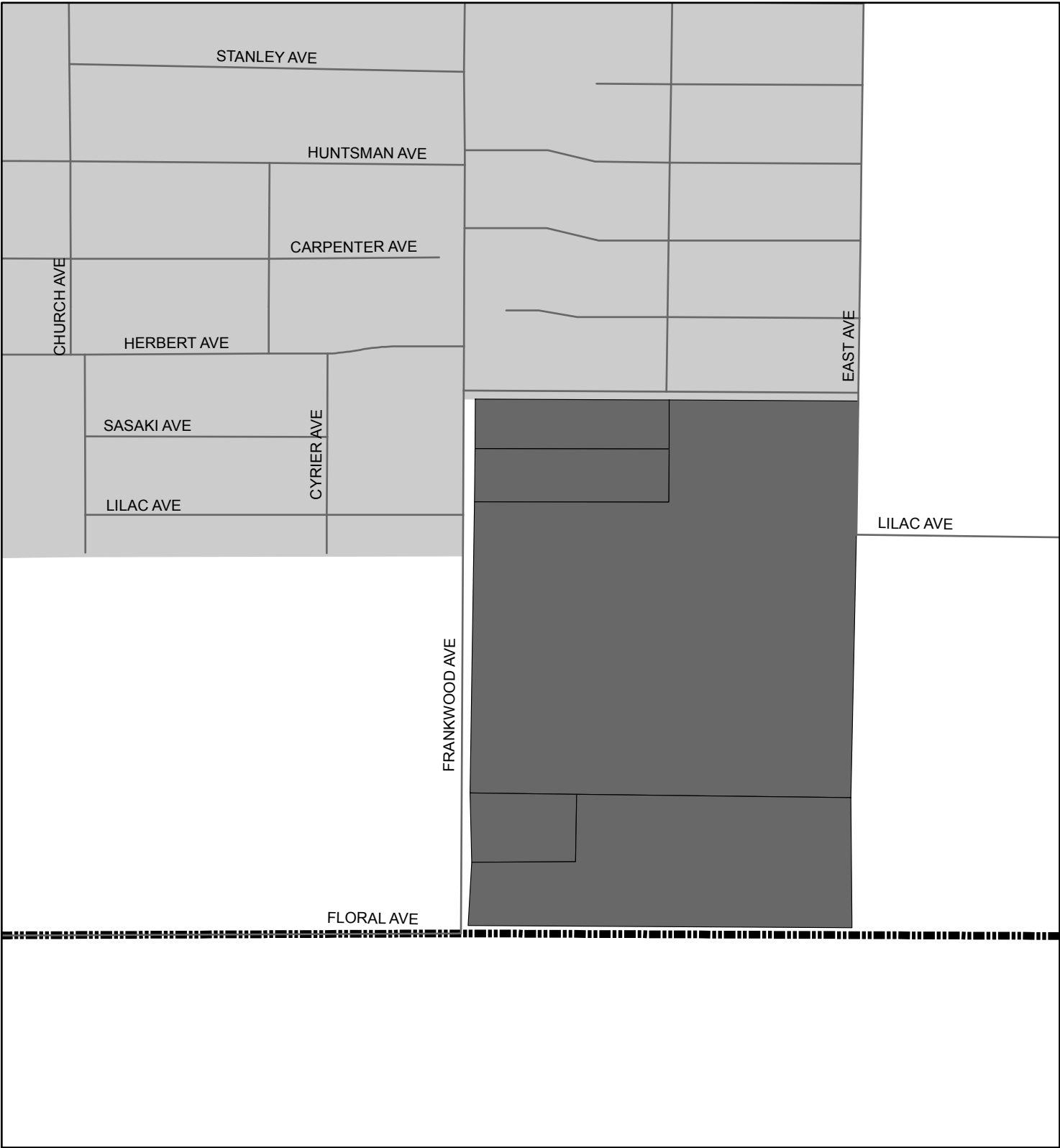
Thank you for your consideration and please do not hesitate to contact me at 559-637-4200, ext. 286, should you have any questions or need any additional information.

Sincerely,




Kevin E. Fabino, Director
Community Development Department

Cc: Mr. Quinto, KCUSD

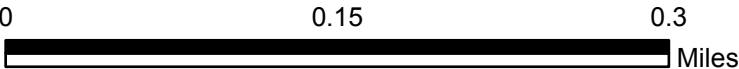
EXHIBIT "A"



Legend

-  Sphere of Influence
-  City Limits
-  Affected Territory

City of Reedley "Frankwood-Floral
Reorganization"
LAFCo Agency No. RO-05-32





City of Clovis
Department of Planning and Development Services
CITY HALL · 1033 FIFTH STREET · CLOVIS, CA 93612

October 22, 2013

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



Subject: Request for one-year extension of the Nees-Sunnyside
Southeast Reorganization

Dear Mr. Fey:

We are in receipt of your letter dated September 30, 2013 regarding the subject reorganization. Pursuant to the letter, we request that the Commission approve a one-year extension of the subject reorganization. Staff has been notified that a check in the amount of \$720.00 has been submitted by Gary L. McDonald to cover the administrative cost of the extension request.

The project area's annexation to the City of Clovis would be a benefit to property owners and area residents as it would contribute to build-out of area streets and extension of urban services.

City staff is continuing its discussion with property owners representing the unincorporated area bound by Nees, the Enterprise Canal and Big Dry Creek. This largely rural residential area, which lies in the heart of the Clovis General Plan area, is called the "Dry Creek Preserve." The Clovis City Council and management staff are committed to constructive outreach in this area, engagement with the property owners and residents, and the development of a long range plan for the Dry Creek Preserve that balances annexation with compatible development standards for this unique area.

Our interest in supporting an extension is therefore linked to our ongoing efforts to unify the urban area, provide efficient services to the residents, and strengthen the Clovis community.

The project area is subject to Tentative Map 5546, which was schedule to expire September 11, 2013. On July 11, 2013, Governor Jerry Brown signed Assembly Bill 116 into law which extends the expiration date of tentative subdivision maps by two years. The two year extension will apply to Tentative Map 5546, which will extend its expiration date to September 11, 2015.

I thank the Commission for its consideration of our request.

Sincerely,

Dwight Kroll, AICP
Director of Planning and Development Services

Enclosure: J:\Annexations\Nees-Sunnyside Southeast Reorganization\Lrt LAFCo re extension 102213.doc



October 7, 2013

David E. Fey, AICP
Executive Officer
Fresno Local Agency Formation Commission
2607 Fresno Street, Suite B
Fresno, California 93721

Subject: "Nees-Sunnyside Southeast Reorganization"

Dear Mr. Fey

I am writing to request a one-year extension of the approval of this annexation by LAFCO in accordance with your letter dated September 30, 2013.

Enclosed is our check in the amount of \$720.00 as the extension processing fee.

This annexation is for the development of a 33-lot subdivision at the SEC of Nees and Sunnyside Avenues in Clovis. The City of Clovis approved the project as TTM 5546 in September 11, 2006, and has extended the approval since that time in accordance with State of California action each year to automatically extend approved subdivision maps due to the housing market economic recession. Recently Dwight Kroll confirmed that no further approvals are needed from the City of Clovis and that no further public hearings are necessary.

With the improving housing economic outlook we are moving forward to develop TTM 5546. We need the one-year extension in order to complete the annexation and development.

Bryan Araki at the City of Clovis is handling TTM 5546 for us and I am sending him a copy of the letter. Should you need additional information from me, please let me know.

Thank you for your consideration of our request.

Sincerely,

Robert M. Dillon
Gary McDonald Homes
Land Development
(559) 360-5537
rmdil22@gmail.com

cc: Bryan Araki, City of Clovis

EXHIBIT "A"



City of Clovis
"Nees-Sunnyside Southeast Reorganization"
LAFCo File No. RO-06-38

Legend

City Limits

Affected Territory

