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

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**CONSENT AGENDA ITEM No. 5B**

**DATE:** January 15, 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 Sanger “California-Academy Northwest Reorganization”, RO-07-21 (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:**

Lennar Fresno Inc.	David Munro
Redwood Farms Inc.	City of Sanger

**Summary:**

This reorganization was approved by the Commission on February 6, 2008. Bill Walls, Land Development Manager, Lennar Fresno, Inc. has requested a one-year extension of time. This is the sixth 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:** Bill Walls, Land Development Manager for Lennar, has stated in a letter (attached) that they have completed preparation of the final map and improvement plans and acquisition of the right-of-way for the necessary off-site sewer and water improvements. The Tentative Tract Map (No. 5385) is set to expire on April 7, 2014, but they plan to keep the tentative map approval current so they can develop the tract it in the future once the economy improves. Dan Spears, City of Sanger Community and Economic Development Manager, confirmed that the City is actively negotiating with the Fresno County Fire Protection District regarding a fire transition agreement. Sanger City Planner Steve Brandt indicated that the City of Sanger is in support of the extension.

**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 developer indicates that is also the case with his proposal. 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 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
- Bill Walls, Land Development Manager, Lennar Fresno, Inc.
- Steve Brandt, AICP, City Planner, City of Sanger
- Dan Spears, Community and Economic Development Manager, City of Sanger
- Jeff Reid, McCormick Barstow
- Bernard Jimenez, Deputy Director, Fresno County Planning Department
- Will Kettler, Fresno County Public Works and Planning Department
- Chief Mark Johnson, Fresno County Fire Protection District
- Brian Newlin, Fresno County Fire Protection District
- Ray Franklin, Fresno County Fire Protection District
- David Orth, Manager, Kings River Conservation District
- Phil Desatoff, Manager, Consolidated Irrigation District

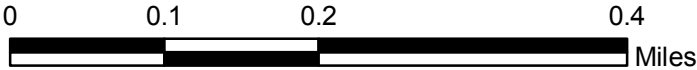
# EXHIBIT "A"

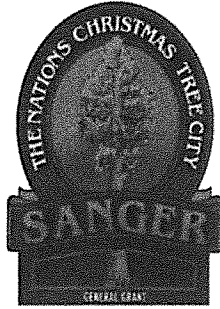


City of Sanger "California-Academy  
Northwest Reorganization"  
LAFCo File No. RO-07-21

## Legend

- City Limits
- Affected Territory





## CITY OF SANGER

1700 7<sup>th</sup> Street  
Sanger, California 93657  
(559) 876-6300



November 27, 2013

David Fey  
Executive Officer  
Fresno Local Agency Formation Commission  
2115 Kern Street #310  
Fresno, CA 93721

RE: California-Academy Northwest Reorganization (RO-07-21)

Dear Mr. Fey,

The City of Sanger hereby requests that the Fresno Local Agency Formation Commission grant a one-year extension of the approval of California-Academy Northwest Reorganization (RO-07-21) at its next meeting.

The economic climate has dramatically slowed down new residential developments within the last 5 years. The approval of this extension would greatly assist Lennar Homes, Inc. in their efforts to move forward with their project, now that the economic climate has improved.

Enclosed is the information you requested in your letter dated November 4, 2013. This includes: 1) A letter from Lennar Homes, the developer, 2) a letter from Dan Spears, Community and Economic Development Director, confirming that Sanger continues to be actively engaged in negotiations with Fresno County Fire Protection District, and 3) a check in the amount of \$750.00.

If there is any additional information you require, please let me know.

Sincerely,

Steve Brandt, AICP  
City Planner

Enclosed: Letter from Lennar Homes, Inc. to Fresno LAFCo dated November 25, 2013  
Letter from Dan Spears to Fresno LAFCo dated November 27, 2013  
Copy of letter from Fresno LAFCo to Brian Haddix dated November 4, 2013  
Check to Fresno LAFCo in the amount of \$750.00

November 25, 2013

Mr. David E. Fey, Executive Director  
Fresno County LAFCO  
2607 Fresno Street, Suite B  
Fresno, California 93721



Subject: California-Academy Northwest Reorganization

Dear Mr. Fey,

Lennar Fresno, Inc. hereby requests a one year extension of the approval of the subject reorganization. We have completed the preparation of the final map and improvement plans, which have been submitted to the City of Sanger for review. In addition, the acquisition of the right of way for the necessary offsite sewer and water improvements has been completed.

Unfortunately, due to the current state of the homebuilding economy and the substantial offsite development costs for this project, Lennar has had to make the decision to delay development of this project until the economy improves.

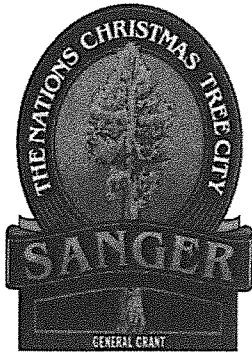
Vesting Tentative Map No. 5385 was approved by the City of Sanger on April 7, 2005 and the approval has been extended. It is our intention to keep this map approval current, with the plan to develop it in the future.

Thank you for your consideration of this matter. Please don't hesitate to contact me if you have any questions or require additional information.

A handwritten signature in cursive script that reads "Bill Walls".

Bill Walls  
Land Development Manager

CC: Mr. Dan Spears, City of Sanger



# CITY OF SANGER

## Housing Authority

1700 7<sup>th</sup> Street  
Sanger, California 93657  
(559) 876-6300

November 27, 2013

Mr. David E. Fey, AICP  
Fresno LAFCo  
2607 Fresno Street, Suite B  
Fresno, CA 93721



RE: California –Academy Northwest Reorganization (RO-07-21)

Dear David Fey:

This letter confirms that the City of Sanger is actively engaged in negotiations with the Fresno County Fire Protection District regarding the matter of Fire Transition Agreement to replace the agreement that recently expired.

The City is actively negotiating with the Fire District on a new Transition Agreement. Meeting this requirement would permit a one-year extension of California –Academy Northwest Reorganization (RO-07-21), assuming that all other conditions of the extension are met.

Please contact me with any questions or comments regarding this process. Thank you!

Sincerely,

Dan Spears, Manager  
Community & Economic Development