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

CONSENT AGENDA ITEM No. 6D

DATE: July 17, 2013

TO: Local Agency Formation Commission

FROM: David E. Fey, Executive Officer

SUBJECT: **Consider Approval** – Request for a One-Year Extension to Complete Proceedings for the City of Fresno “Whitesbridge-Valentine Southwest Reorganization”. A reorganization submitted by Landowner Petition to annex approximately 115.32 acres to the City of Fresno and detach from the North Central Fire Protection District and the Kings River Conservation District for territory generally located east of S. Brawley Avenue between W. Whitesbridge Road and W. Madison Avenue (**LAFCo File No. RO-06-20, Seventh Request**).

Recommendation: **Approve One-Year Extension**

Based upon the justification provided by the proponents, it does appear that market conditions have produced an economic hardship which has limited the ability of the proponent to complete this proposal and contributed to the need for this time extension request. Staff therefore recommends that an additional one-year time extension be granted.

Summary:

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. 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.

The City of Fresno’s “Whitesbridge-Valentine Southwest Reorganization” was approved by the Commission on August 16, 2006. The Chief Petitioner for this reorganization is requesting a one-year extension of time to complete proceedings. This is the seventh one-year extension request for this proposal. As per the Commission’s adopted policies, this request has been placed on the Commission’s Agenda as a “public hearing” item rather than the “consent agenda”.

Parties of Interest:

Craig Nagler, Granite Bay Capital, LLC	Geryoung & Mai J. Yang
Eleazar & Yolanda Garcia	Craig Nagler Cencal Holdings LLC
Dirk Poeschel, Representative	Darryll & Gretchen Freedman
Fresno Unified School District	Martin Inchauspe
Kun Ho & Fenging Su Hsueh	

Project Description:

An annexation of 115.32 acres to the City of Fresno and detachment from the North Central Fire Protection District and the Kings River Conservation District for territory generally located east of S. Brawley Avenue between W. Whitesbridge Road and W. Madison Avenue. The City of Fresno has approved two single-family residential subdivisions (Tentative Tract Map Nos. 5463 and 5574) containing 396 lots within the affected territory.

Reasons for Request and Actions Taken to Date:

The proponent has stated that the economy and the failure of the Running Horse project to the east contribute to the economic depression of the immediate area. They have expended a great deal of effort and money to complete the entitlement process and that the City of Fresno has granted an extension of time until April 15, 2015 for TTM 5463. However, they have returned the 19.3 acres covered by TTM 5574 (APN 326-100-39) to the owners (Kun Ho & Fenging Su Hsueh). Of the remaining 96 acres, 58.37 acres is proposed to be developed as TTM 5463 (for 305 single family residences), 18.65 acres are zoned for agricultural uses and will not be developed, and 19 acres are already developed with Madison Elementary School.

Staff Analysis:

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.

Staff sent a letter to the City of Fresno asking if there were any circumstances that have changed in the vicinity of the project that could affect its suitability for annexation, but did not receive a response. However, the City of Fresno has approved an extension of Tentative Tract Map (TTM) 5463 until April 15, 2015.

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 & Jensen

Craig Nagler, Cencal Holdings

Dirk Poeschel, Dirk Poeschel Land Development Services

Mark Scott, City Manager, City of Fresno

Bernard Jimenez, Deputy Director of Planning, Fresno County Public Works and Planning Department




Will Kettler, Division Manager, Development Services Division, Fresno County Public Works and Planning Department

David Orth, Manager, Kings River Conservation District
North Central Fire Protection District

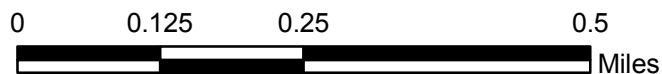
EXHIBIT "A"



Legend

-  Sphere of Influence
-  City Limits
-  Affected Territory

City of Fresno "Whitesbridge-Valentine
Southwest Reorganization"
LAFCo File No. RO-06-20



DIRK POESCHEL

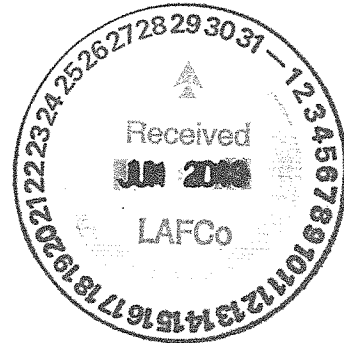
Land Development Services, Inc.

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June 27, 2013
Hand Delivered

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



SUBJECT: Whitesbridge-Valentine Southwest Reorganization (R-06-20)

Dear Mr. Fey:

As you know, the above annexation is scheduled to expire on August 16, 2013. On behalf of my client Granite Bay Capital, LLC, I am requesting an extension to the above annexation application. Per your direction Granite Bay Capital Group has provided the enclosed check No. 5637 dated June 25, 2013 in the amount of \$750.00 for the extension request.

As you are aware the real estate market has been severely impacted by the current global economic crisis. The failure of the Running Horse project to the east contributes to the economic depression of the immediate area. Granite Bay Capital, LLC has expended a great deal of effort and money to complete the entitlement process for the subject property. However, due to circumstances beyond the control of our client, the entitlement process has not been completed. My client is committed to the timely completion of the entitlement process to allow recordation of the final tract map. We are optimistic that the residential real estate market is improving. Nonetheless, market conditions particularly in the area of the subject map have produced economic hardships which have prohibited my client from recording the final map. The City of Fresno has provided an extension of Tentative Tract Map (TTM) 5463 April 15, 2015.

We appreciate your consideration of this request and look forward to discussing with you and the members of LAFCo. In the meantime if you have any questions, please feel free to contact me.

Sincerely,

Dirk Poeschel, AICP

Enclosure

c: Mr. Craig Nagler