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## STAFF REPORT

Item # 9

**To:** Lemoore Planning Commission  
**From:** G. Hobbs, Assistant Planner  
**Review Date:** February 11, 2008  
**Subject:** Application by Coker Ellsworth to Extend Tentative Subdivision Map for Tract 839

### Project Location & Description:

The development is located east of Vine Street, north of Iona Avenue at Otero and Cabrillo Street extensions. It is Assessor's Parcel #023-170-013 and is 8.68 acres in size. The Tentative Subdivision Map #2005-01 / Tract 839 will subdivide 8.68 acres into thirty-seven (37) single family residential lots ranging from 7,000 square feet to 11,410 square feet. The Tentative Subdivision Map was approved on January 9, 2006 along with twenty (20) conditions of approval.

Coker Ellsworth, applicant/owner, has applied for a twelve (12) month extension. The application was received December 31, 2007, prior to the expiration date of January 9, 2008. Under City's Municipal Code section 8-7B-10, applicant may receive an automatic extension for sixty (60) days until the extension is either; approved, conditionally approved, or denied, whichever occurs first.

### Staff Review:

The applicant's request is reviewed based on City criteria for granting extension approvals and the following findings have been made:

**a. How long of an extension is being requested?**

The original approval was for a two (2) year period given on January 9, 2006 and is due to expire on January 9, 2008. The applicant/owner is requesting an extension for one (1) year. If granted, this would extend the total map life to three (3) years. Section 66452.6(3) of the State Map Act authorizes the local legislative body or advisory agency to grant up to five (5) year life to the map.

**b. What is the current status of the project?**

The Final Map and the Improvement Drawings are on their fourth (4<sup>th</sup>) submittal and are presently submitted back to the City Engineer and the Public Works Department for review.

**c. What efforts were made to complete or start the project within the approval period?**

Corrections and re-submittal of both the Final Map and the Improvement Drawings as requested are ongoing.

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**d. How will the project be completed if the extension is granted?**

The project will be considered completed when and if the corrected and/or revised submitted version of the Final Map and the Improvement Drawings have met with the approval of both the City Engineer and the Public Works Department, bonds are posted, applicable conditions of approval have been met, and the City Council accepts the Final Map for recordation.

**e. Prior to granting a second extension, the final map for at least one phase should have been recorded.**

(Not Applicable) Applicant is requesting their first extension.

**f. Are there any new circumstances, which may require amending any previously imposed approved conditions or imposing new conditions?**

Since the approval of the original Tentative Subdivision map, the City Council adopted Ordinance No. 2006-01 for a Public Facility Maintenance (PFMD) District, whereby all new development must be included in order to pay for maintenance costs of streets, sidewalks, street lights, curbs, gutters, block walls, exterior-street landscaping, neighborhood parks and the like. Therefore, condition #12 needs to be modified to read:

“12. The subdivision shall request inclusion into the existing adjacent lighting and landscaping maintenance district (LLMD) to maintain the landscaping along Vine Street and the ponding basin / park. The subdivision shall also request inclusion into the newly created Public Facilities Maintenance District (PFMD) per Ordinance No. 2006-01 to maintain local streets, curbs, gutters, street lights, and block walls.”

On June 7th, 2005 the City Council also adopted Resolution #2005-24 directing City staff to prepare an updated development impact fee and that all development applications deemed complete after the adoption would be subject to the new impact fee study when complete. At City Council meetings of December 5<sup>th</sup> and 19<sup>th</sup>, 2007, January 16, 2007, and February 20, 1997 the new impact fees were adopted. Therefore, condition # 20 needs to be modified, to read as follows:

“20. In accordance with the findings of City Council Resolutions: 2006-46 adopted on December 5, 2006; 2006-48 and 2006-49 adopted on December 19, 2006; 2007-01 adopted on January 16, 2007; 2007-04 adopted on February 20, 2007 and the Colgan Consulting Corporation Development Impact Fee Study Report, the project will have an impact on the need for new public facilities and improvements in the City. The costs associated with these impacts and the connection between the need for new public facilities and the proposed project are set forth in these five (5) Resolutions listed along with the Colgan Report. As a result, the applicant shall be subject to and shall pay the impact fees as set forth in these (5) Resolutions.”

**Recommendation:**

The Planning Commission should approve the attached Resolution 2008-06, approving a one (1) year extension for Tentative Subdivision Map 2005-01 for Tract #839 to expire January 9, 2009 and reiterating the original conditions of approval, and modifying conditions 12, and 20.