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**Planning
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STAFF REPORT

Item # 6

To: Planning Commission
From: Gloria Hobbs, Assistant Planner & Holly Smyth, Planning Director
Review Date: January 9, 2011
Extension request for Site Plan Review #2006-20 for Oleander Terrace Apartments to construct 66-units of multi-family complex – from Lemoore Redevelopment Agency
Subject:

A. Project Location & Description:

On December 18, 2007 City Council approved Resolution #2007-43 and Ordinance #2007-08 for Simpson Housing Solutions, LLC for Zone Change and Site Plan Review to construct a 66 unit multi-family complex on a 4.9 acre site, called Oleander Terrace, with a two year term to expire on December 18, 2009. On December 4, 2009, Lemoore Housing Investors L.P. applied for a one year extension for the site review development. Planning Commission approved the request on February 8, 2010, extending the term to December 18, 2010, with modifications and/or additions of new conditions to the original conditions of approval per the 2030 General Plan adopted in 2008 with the redlines as attached to this report. The City Council in its meeting on October 19, 2010 approved Resolution #2010-33 extending the term of all site plan reviews by one year making the expiration date of this project December 18, 2011. The project is located on the east side of Smith Avenue north of Oleander Avenue and south of East "D" Street.

Lemoore Redevelopment, on December 8, 2011, submitted an application requesting a two (2) year extension of the Site Plan Review #2006-20 approval prior to the expiration date and, therefore, is automatically extended for up to 60 days or until the Planning Commission acts on the extension.

B. Staff Review:

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

a. How long of an extension is being requested?

Section 9-15C-9 of the Lemoore Municipal Code allows for an additional period or periods of one year upon written application to the Planning Department or Planning Commission before expiration of the approval. The applicant is requesting a two year extension to allow them to market the site. If approved for two years, the site plan approval would expire on December 18, 2013, unless a building permit is pulled for this project prior to the expiration.

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Bob Clement, Jim Marvin, Sharon Kendall, Bill Wynne, Dave Brown

b. What is the current status of the project?

The previous developer was unable to secure necessary funding to complete the project. According to the application, the Lemoore Redevelopment Agency would like to keep the Site Plan active in case a new developer is interested in this location.

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

The applicant has indicated that the project was successful in obtaining several different sources of funds; however, the developer was unable to submit a successful tax credit application after four consecutive rounds. The Lemoore Redevelopment Agency purchased the property during this time. RDA would like to extend the approval and seek another developer.

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

According to the applicant, the extension will allow the agency to market the property with its current entitlements and/or seek out a new developer to complete the project.

e. Are there any new circumstances, which may need amending any previously imposed approval conditions or imposing new conditions?

Site Plan Review procedure requires that when approving a project, the conditions shall include items necessary to protect the public health, safety and general welfare in various categories outlined in Section 9-15C-4 of the Zoning Ordinance and Planning Commission must make findings. Energy Efficient policies in the General Plan and new impact fees are not included in the approval and need to be added to amend Condition #15 and add Condition #16 to read as follows:

15. In accordance with the findings of City Council Resolution #2011-10 adopted on March 15, 2011 and the Colgan Consulting Corporation City of Lemoore, CA – 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 Resolution #2011-10 and the Colgan Report. As a result, the applicant shall be subject to and shall pay the impact fees as set forth in Resolution #2011-10 or as set by subsequent resolutions adopted annually by the Council until building permits are pulled. Traffic impacts shall be based on 428 Average Daily Trips.

16. Implement the attached “Energy Efficient Sustainable Policies” to implement General Plan Policies CD-I-58, CD-I-59, CD-I-60, CD-I-61, and CD-I-62.

D. Recommendation:

The Commission should approve the attached Resolution #2012-01 which would approve the requested two (2) year extension to December 18, 2013 for Site Plan Review #2006-20, reiterate all original conditions with modifications to Condition #15 and the addition of Condition #16 and includes the Revised Redlined Site Plan dated February 8, 2010 which conforms with City Council approval.