

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BB*
DATE: OCTOBER 5, 2009

AGENDA ITEM
E-6
OCTOBER 14, 2009

EXTEND TERM OF INTENT-TO-SERVE LETTER – TRACT 2441

ITEM

Consider request to extend term of Intent-to-Serve Letter for Tract 2441, a thirty-eight (38) lot subdivision on the corner of Grande Avenue and Blume Street [APPROVE, DENY OR CONTINUE].

BACKGROUND

Tract 2441 is a proposed 38 lot residential subdivision on the corner of Grande Avenue and Blume Street that is being developed by the Gray Trust, the applicant. The Intent-to-Serve (ITS) letter for the project was issued on October 27, 2006 and the initial 2 year term expired on October 27, 2008. The ITS letter was extended to October 27, 2009 by staff in accordance with the existing ITS ordinance. The applicant submitted the attached request dated August 31, 2009 for an additional 1 year extension.

At the September 28, 2009 Board meeting, the Board approved the first reading of an ordinance that will lengthen the initial term of an ITS letter to 3 years and provide for an additional 1 year extension upon certain conditions. The ordinance will also extend the term of ITS letters for all active projects for 1 year. The second reading for the ordinance is scheduled for October 14, 2009 and assuming the Board adopts the ordinance, the new ordinance will go into effect 30 days thereafter.

The current ITS letter expiration date for Tract 2441 will fall between the time the Board adopts the ordinance extending the ITS letter expiration date for current projects and the time the ordinance goes into effect. The project is being actively processed through the County and the District. If the Board approves the applicant's request, the applicant will have until October 30, 2010 to satisfy the ITS letter conditions and obtain a Will-Serve Letter for the project.

RECOMMENDATION

Staff requests your Honorable Board provide staff with direction to approve, deny or continue the applicant's request.

If the Board desires to approve the applicant's request, then staff should be directed to prepare and issue a letter extending the expiration date for the current Intent-to-Serve letter until October 27, 2010.

ATTACHMENTS

Letter Requesting Extension Dated August 31, 2009

August 31, 2009

Peter Sevcik
Nipomo Community Service District
148 S. Wilson Street
San Luis Obispo, CA 93401

**RE: Request for Time Extension on Intent-to-Serve - Tract 2441
626 Grande Avenue, Nipomo**

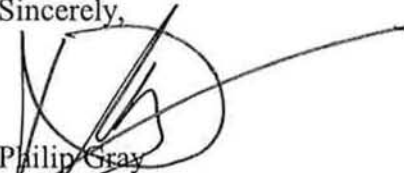
Dear Mr. Sevcik:

We are requesting a one year time extension to 10/27/10 on Tract 2441 Intent-to-Serve that will expire in October 2009.

As you are aware, we have been processing the plans and map through the County and the separate utility companies.

If you should need additional information or have any questions, please contact Terry Orton at Westland Engineering, Inc. at 541-2394. Thank you.

Sincerely,



Philip Gray
Gray Trust