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After 13 years, Tony Franich wins battle to annex property

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Tony Franich ran into countless frustrations in his 13-year effort to annex his 72 acres on East Lake Avenue to Watsonville, but he never considered giving up.

"I'm an old Slavonian. It never occurred to me to give up," Franich said yesterday after the Local Agency Formation Commission gave final approval to the annexation, which will allow development of the land.

"Back in 1981 I was old. Now

I'm very, very old," cracked the spry 82-year-old attorney.

Over the years, Franich dealt with approval of the annexation, reversal in the courts, near-approval of a state Legislature bill to approve annexation, and what he calls a "personal vendetta" by Gary Patton.

Patton, a county supervisor and member of LAFCO, consistently opposed the annexation, saying it would be "betraying the public trust" to start developing prime farmland. The Franich site had

been an orchard; there was a long debate over just how good the land was for farming.

Franich said a number of people have mentioned to him over the years that Patton seemed to be making a vendetta of the issue.

Franich said the 13 years "haven't been easy." Because hearings kept popping up, "I've had to stick around" and not leave town for extended periods, he said.

"Everybody's a winner," Franich said, noting that the Pajaro Valley school district will be able to buy land for an elementary school, the city will get land for a park and space to build low-cost housing, and Franich will be able to build market-rate housing.

Those developments were called for in an agreement reached last year between the city and Franich. Like other steps along the way, the agreement prompted plenty of public debate. Much of the opposition came from environmentalists, neighbors of the project and farmers.

The annexation appeared to have been final in December when LAFCO voted 3-2 for it, but the city later objected to language in the approval papers that called for a 200-foot agricultural buffer around any development.

That issue was resolved fairly easily yesterday when LAFCO

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Next for Franich: Dealing with the city bureaucracy

Tony Franich now has the right to develop his East Lake Avenue land, but he will have to deal with the city again when he has specific plans for building.

"There's an awful lot that has to be done" before building can start, said City Manager Steve Salomon, estimating that it will be at least two years before anything goes up there.

Salomon said preliminary discussions could begin in the next few months about the city's plan for a park on Franich land.

The timetable for develop-

ment will mainly depend on the property owner, and Franich has no specific plans yet.

The agreement Franich cut with the city calls for 9 acres that the city can build between 180 to 270 low-income apartments. It's expected Franich will be able to build 394 and 577 units at market rate.

Franich doesn't know if he'll sell the land or develop it himself with his son. At age 82, he said, "I hope Ponce De Leon has found the Fountain of Youth."

—Lane Wallace

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ruled that some sort of buffer will be required, but won't necessarily have to be 200 feet.

Franich's attorney, Tim Morgan, said there were three "real disappointments" along the way for Franich.

The first was a 1987 appellate court ruling against the annexation. A lower court had ruled against a challenge to the annexation from the Resource Defense Fund, an environmental group.

The second was in 1988, Morgan said, when State Sen. Henry Mello, D-Watsonville, introduced legislation that would have superseded local actions and approved the annexation.

Mello pulled the bill the day before it was scheduled for final approval.

Franich said Mello said, "My word is my bond" on the legislation. "We just didn't know what kind of a bond," said Franich.

The third disappointment was Watsonville's switch to district elections in 1989, which turned the City Council from a conservative group to a 4-3 liberal majority.

There was fear that a liberal majority might scuttle the annexation, Morgan said. But Franich was able to get the support of one of those liberals, Oscar Rios, on the basis that the annexation would provide low-income housing. The council supported annexation on a split vote.

All of those struggles are behind Franich now. "This is a really happy day," Morgan said.