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Agenda Items: ID#20-0065 (10:35 A.M.)

Date: 1/16/2020

2020 JAN 17 P 3:05

CITY OF FRESNO
CITY CLERK'S OFFICE

FRESNO CITY COUNCIL



Item(s)

File ID20-0065 (10:35 A.M.) – HEARING to consider Rezone Application No. P19-00801; Annexation Application No. P19-00843; Planned Development Permit Application No. P19-00846; Vesting Tentative Tract Map Nos. 6201/UGM & 6235/UGM; and, related Environmental Assessment No. P19-00801/P19-00843/P19-00846/T-6201/T-6235 pertaining to ±125 acres of property located on the east side of North Armstrong Avenue between East Clinton and East Olive Avenues (Council District 4).

Contents: Amended Resolution

Supplemental Information:

Any agenda related public documents received and distributed to a majority of the City Council after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed. The Supplemental Packet is available for public inspection in the City Clerk's Office, 2600 Fresno Street, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(2)). In addition, Supplemental Packets are available for public review at the City Council meeting in the City Council Chambers, 2600 Fresno Street. Supplemental Packets are also available on-line on the City Clerk's website.

Americans with Disabilities Act (ADA):

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, sign language interpreters, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, please see Security.

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, AUTHORIZING THE DIRECTOR OF PLANNING AND DEVELOPMENT TO INITIATE THE PREZONING AND ANNEXATION OF THE "MCKINLEY-ARMSTRONG NO. 2 REORGANIZATION" WITH THE FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCO)

WHEREAS, Annexation Application No. P19-00843 has been filed with the City of Fresno by Tri-Wilson L.P., pertaining to approximately 123.96 acres of property located on the east side of the North Armstrong Avenue between East Clinton and East Olive Avenues within the unincorporated portion of City's Sphere of Influence boundary; and,

WHEREAS, Annexation Application No. P19-00843 proposes to initiate annexation proceedings to request a change of organization ("McKinley-Armstrong No. 2 Reorganization") resulting in an annexation to the City of Fresno and detachment from the Fresno County Fire Protection District and the Kings River Conservation District, of certain property consisting of approximately 123.96 acres and hereinafter called "subject territory," and,

WHEREAS, LAFCO requires that the subject territory be pre-zoned consistent with the City of Fresno General Plan ("General Plan") prior to the initiation of annexation proceeding; and

WHEREAS, it has been determined that pre-zoning the subject territory with the RS-3/UGM/ANX (*Residential Single Family, Low Density / Urban Growth Management / Annexed Rural Residential Transitional Overlay*) & RS-5/UGM/ANX (*Residential Single*

1 of 5

Date Adopted:
Date Approved:
Effective Date:
City Attorney Approval: _____

Resolution No.

Family, Medium Density / Urban Growth Management / Annexed Rural Residential Transitional Overlay) zone districts is consistent with the General Plan; and,

WHEREAS, the annexation will be made pursuant to Part 3 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 contained in Division 3 of Title 5 commencing with Section 56000 of the California Government Code; and,

WHEREAS, this proposal is within the established sphere of influence of the City of Fresno; and,

WHEREAS, the proposed reorganization is uninhabited under the definition of Section 56046 of the California Government Code; and,

WHEREAS, municipal services for the subject territory will be provided in a manner described in the Service Delivery Plan pursuant to the requirements set forth in Government Code Section 56653; and,

WHEREAS, the proposed annexation complies with the terms and standards of the 2003 Memorandum of Understanding ("2003 MOU") between the City of Fresno and the County of Fresno approved January 6, 2003; and,

WHEREAS, pursuant to the 2003 MOU, notification of the intention to file the proposed annexation will be made to the County of Fresno and the City will request that the County of Fresno determine that the proposed reorganization is consistent with the standards of annexation of the 2003 Memorandum; and,

WHEREAS, this proposed reorganization will result in logical growth, the provision of municipal services, and the application of appropriate development standards and controls within the City of Fresno, and implements the Council's policy to unify the metropolitan area.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. The Council finds the proposed McKinley-Armstrong No. 2 Reorganization to be consistent with the standards of annexation in the 2003 MOU.

2. The Council initiates a pre-zone of the subject territory from the Fresno County AE-20 (*Exclusive 20-acre Agricultural District*) to the City of Fresno RS-3/UGM/ANX (*Residential Single Family, Low Density / Urban Growth Management / Annexed Rural Residential Transitional Overlay*) & RS-5/UGM/ANX (*Residential Single Family, Medium Density / Urban Growth Management / Annexed Rural Residential Transitional Overlay*) zone districts, as depicted in Exhibit "A", and including the necessary environmental review pursuant to the California Environmental Quality Act.

3. The Council authorizes the inclusion of additional public street rights-of-way for North Armstrong Avenue to a point approximately 100 feet south of the centerline of the intersection of North Armstrong and East Olive Avenues within the proposed annexation area for the McKinley-Armstrong No. 2 reorganization depicted on Exhibit "A."

4. Council authorizes the City Manager or his/her designee to sign and submit a complete application to LAFCo for the proposed Reorganization requesting the annexation take place in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. Council directs staff to take all necessary steps to submit a complete application for the proposed annexation, including preparation and submittal of all LAFCo required forms, documents, and studies and payment of all required fees, including a Fire Transition fee, determined in accordance

with the Transition Agreement between the City of Fresno and the Fresno County Fire Protection District Regarding the Transfer of Certain General Ad Valorem Real Property Tax Revenue Generated by Annexations.

* * * * *

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the 16th day of January, 2020.

AYES :
NOES :
ABSENT :
ABSTAIN :

YVONNE SPENCE, MMC
City Clerk

By: _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: _____
Rina Gonzales Date
Deputy City Attorney

Attachment: Exhibit A – Annexation Boundary

Exhibit A

McKinley-Armstrong No. 2

~~FLORADORA-ARMSTRONG-EAST~~ REORGANIZATION

TO BE ANNEXED THE CITY OF FRESNO AND DETACHMENT FROM FRESNO COUNTY FIRE PROTECTION DISTRICT AND KINGS RIVER CONSERVATION DISTRICT

That portion of Sections 27 and 34, both in Township 13 South, Range 21 East, Mount Diablo Base and Meridian, in the County of Fresno, State of California, described as follows:

BEGINNING at the Northeast corner of Lot 5 in Block 1 of the map of Temperance Colony, according to the map thereof recorded in Volume 2 of Plats at Page 7, Fresno County Records;

thence [1] South $00^{\circ}12'51''$ East, along the East line of said Lot 5 and the Southerly prolongation thereof, a distance of 1347.72 feet to a point on the North line of Lot 4 in Block 4 of said map of Temperance Colony, said point being 25.00 feet South of the South line of the Northeast quarter of said Section 34;

thence [2] South $89^{\circ}47'31''$ West, along the North line of said Lot 4, parallel with and 25.00 feet South of the South line of said Northeast quarter, a distance of 617.78 feet to the Northwest corner of said Lot 4 to the existing boundary of the City of Fresno;

thence [3] North $00^{\circ}25'31''$ East, along the existing boundary of the City of Fresno, a distance of 60.02 feet to a point on the Northerly line of the Southerly portion of that area granted to the City of Fresno per Grant of Easement recorded February 3, 2017 as Document No. 2017-0014661, Official Records of Fresno County;

thence [4] North $45^{\circ}12'28''$ West, along said Easement, and along the existing boundary of the City of Fresno, a distance of 24.14 feet to the most Northerly corner of the Southerly portion of said Easement, said point being on the Easterly line of that area granted to the County of Fresno per Grant Deed recorded August 23, 1979 in Book 7355 at Page 920 as Document No. 98647, Official Records of Fresno County, said point being 30.00 feet East of the West line of the Northeast quarter of said Section 34;

thence [5] North $00^{\circ}12'33''$ West, along the Easterly line of said area granted to the County of Fresno, parallel with and 30.00 feet East of the West line of the Northeast quarter of said Section 34 and along the existing boundary of the City of Fresno, a distance of 47.93 feet to the most Northerly Northeast corner of said area granted to the County of Fresno;

thence [6] South $89^{\circ}47'37''$ West, along the most Northerly line of said area granted to the County of Fresno, and along the existing boundary of the City of Fresno, a distance of 10.00 feet to a point being 20.00 feet East of the West line of the Northeast quarter of said Section 34;

thence [7] North $00^{\circ}12'33''$ West, parallel with and 20.00 feet East of the West line of the Northeast quarter of said Section 34 and along the existing boundary of the City of Fresno, a distance of 603.54 feet to the South corner of the Northerly portion of said Easement;

thence [8] North $01^{\circ}03'50''$ East, along the Easterly line of the Northerly portion of said Easement and along the existing boundary of the City of Fresno, a distance of 450.11 feet to a point being 30.00 feet East of the West line of the Northeast quarter of said Section 34;

thence [9] North $00^{\circ}12'33''$ West, along the Easterly line of the Northerly portion of said Easement, parallel with and 30.00 feet East of the West line of the Northeast quarter of said Section 34 and along the existing boundary of the City of Fresno, a distance of 148.22 feet;

thence [10] North $07^{\circ}37'35''$ East, along the existing boundary of the City of Fresno, a distance of 72.70 feet to a point on the South line of Lot 4 in Block 1 of said map of Temperance Colony, said point being the Southeast corner of that area granted to the City of Fresno per Grant of Easement recorded November 4, 2016 as Document No. 2016-0153385, Official Records of Fresno County;



McKinley-Armstrong No. 2

~~FLORADORA-ARMSTRONG EAST~~ REORGANIZATION

TO BE ANNEXED THE CITY OF FRESNO AND DETACHMENT FROM FRESNO COUNTY FIRE PROTECTION DISTRICT AND KINGS RIVER CONSERVATION DISTRICT

thence [11] South 89°53'22" West, along the South line and the Westerly prolongation of the South line of said Lot 4 in Block 1 and last said Easement and along the existing boundary of the City of Fresno, a distance of 64.91 feet to the Southeast corner of Lot 1 in Block 2 of said map of Temperance Colony, said point being 25.00 feet West of the West line of the Northeast quarter of said Section 34;

thence [12] leaving the existing boundary of the City of Fresno, North 00°12'33" West, along the East line of said Lot 1 and along the Northerly prolongation thereof, parallel with and 25.00 feet West of the West line of the Northeast quarter of said Section 34, a distance of 1323.82 feet to a point on the South line of the Southwest quarter of said Section 27;

thence [13] South 89°55'43" East, along the South line of the Southwest quarter of said Section 27, a distance of 5.00 feet to a point being 20.00 feet West of the East line of the Southwest quarter of said Section 27;

thence [14] North 00°00'18" West, parallel with and 20.00 feet West of the East line of the Southwest quarter of said Section 27, a distance of 1322.27 feet to a point on the Westerly prolongation of the North line of Lot 15 of the map of the Subdivision of Section 27, Township 13 South, Range 21 East, according to the map thereof recorded in Volume 5 of Plats at Page 14, Fresno County Records;

thence [15] North 89°59'43" East, along the Westerly prolongation of and along the North line of said Lot 15, a distance of 20.00 feet to the existing boundary of the City of Fresno;

thence [16] North 89°59'43" East, along the Westerly prolongation of and along the North line of said Lot 15, and along the existing boundary of the City of Fresno, a distance of 1325.88 feet to the Northeast corner of said Lot 15;

thence [17] leaving the existing boundary of the City of Fresno, South 00°00'07" West, along the East line of said Lot 15, a distance of 1322.40 feet to a point on the North line of the Northeast quarter of said Section 34;

thence [18] South 89°59'56" East, along the North line of the Northeast quarter of said Section 34, a distance of 662.87 feet to the intersection with the Northerly prolongation of the East line of Lot 2 in Block 1 of said map of Temperance Colony;

thence [19] South 00°13'46" East, along the Northerly prolongation of the East line of said Lot 2 and along the East line and the Southerly prolongation thereof, a distance of 1369.89 feet to the Northeast corner of Lot 7 in Block 1 of said map of Temperance Colony;

thence [20] South 89°53'22" West, along the North line of Lots 7 and 6 of said map of Temperance Colony, a distance of 1326.04 feet to the **POINT OF BEGINNING**.

Containing 123.964 acres, more or less.



5-10-19

McKinley-Armstrong No. 2

