

23B



# CITY OF SACRAMENTO

## DEPARTMENT OF PLANNING AND DEVELOPMENT

1231 "I" Street

Sacramento, Ca. 95814

APPROVED  
BY THE CITY COUNCIL

MAY 21 1987

OFFICE OF THE  
CITY CLERK

AG 86209

Administration  
Room 300 449-5571  
Building Inspections  
Room 200 449-5716  
Planning  
Room 200 449-5604

May 14, 1987

City Council  
Sacramento, California

Honorable Members in Session:

SUBJECT: Tsakopoulos Project (P87-070)

1. Negative Declaration
2. Development Agreements between the City of Sacramento and the Tsakopoulos Project property owners.
3. Planned Unit Development Designation for 451± acres.
4. Rezone 173± acres from Agricultural (A) to:

Shopping Center (Planned Unit Development (SC(PUD), 33± acres) - Manufacturing-Industrial Park (Planned Unit Development( (MIP(PUD), 114± acres) - Agriculture - Open Space (Planned Unit Development) (A-OS(PUD), 26± acres)

Location: Bounded by Del Paso on the north, El Centro Road on the east, and the Natomas Main Drainage Canal on the west and south.

### SUMMARY

This application is a request to authorize the City to enter into development agreements with the property owners of 451± acres in the North Natomas Community Plan area, establish a Planned Unit Development (PUD) designation for 451± acres and rezone 173± acres consistent with the provisions of the community plan. The Planning Commission and staff recommend approval of the request with conditions.

### BACKGROUND INFORMATION:

The project consists of 451± acres in the North Natomas Community Plan area. The community plan requires that, before development of any property in the plan area can occur, development agreements which include financing mechanisms for infrastructure must be entered into

between the property owners(s) and the City of Sacramento to ensure that required improvements are provided.

On March 3, 1987, the City Council approved a resolution establishing the procedures and content of North Natomas development agreements (CC87-143). Development agreements for the subject site have been prepared which contain the provisions required by the Council resolution.

The community plan also requires that all development in the plan area be approved as Planned Unit Developments (PUDs) so that development is consistent with the provisions of the North Natomas Community Plan. The PUD designation, requested by the applicant to comply with the provisions of the community plan, can be approved at this time. PUD schematic plans and specific development guidelines for each proposed PUD area, however, will be required before special permits for development can be approved.

The applicant is also proposing to rezone 173+ acres of the subject site to zones consistent with the North Natomas Community Plan. The remaining 278+ acres designated for residential use pending the results of studies responding to the 60 CNEL noise contour for Metropolitan Airport - are to remain in the Agricultural (A) zone at this time. Planning staff has reviewed the applicant's proposal and found that the applicant's proposed land uses are in substantial compliance with the adopted North Natomas Community Plan.

VOTE OF THE PLANNING COMMISSION

On May 7, 1987, the Planning Commission voted eight ayes and one abstained to recommend approval of the request.

RECOMMENDATION

The Planning Commission and staff recommend the following actions by the City Council:

1. Ratify the Negative Declaration.
2. Adopt the Ordinance approving the Development Agreement between the City of Sacramento and the Tsakopoulos Project property owners.
3. Adopt the attached Resolution establishing a Planned Unit Development (PUD).

- 4. Adopt the attached Ordinance rezoning the subject site.

Respectfully submitted,



Marty Van Duyn  
Planning Director

FOR CITY COUNCIL INFORMATION  
WALTER J. SLIPE  
CITY MANAGER

MV:AG:jp:tc  
attachments

May 14, 1987  
District No. 1

P87-070

TSAKOPOULOS

# ORDINANCE NO. 87-048

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

APPROVED  
BY THE CITY COUNCIL

MAY 21 1987

OFFICE OF THE  
CITY CLERK

AN ORDINANCE OF THE CITY OF SACRAMENTO  
APPROVING A DEVELOPMENT AGREEMENT RELATIVE TO  
CERTAIN PROPERTIES IN THE NORTH NATOMAS  
COMMUNITY PLAN AREA (P87-070)

Be it ordained by the City Council of the City of Sacramento as follows:

Section 1. This Ordinance incorporates, and by this reference makes a part hereof, that certain Development Agreement, substantially in the form on file with the City Clerk (hereafter the "Development Agreement"), by and between the City of Sacramento and Tsakopoulos Project Property Owners (the "Developers"), relative to the development of certain property in the North Natomas Community Plan Area, as generally shown on the map attached hereto, being the property rezoned pursuant to the Taskopoulos Application for rezoning.

Section 2. This Ordinance is adopted under the authority of Government Code Section 65864 et seq. and pursuant to the provisions of City Council Resolution No. 87-143 establishing procedures and requirements for consideration of development agreements pursuant to Government Code Section 65864 et seq., as amended and restated by City Council Resolution No. \_\_\_\_\_ (hereafter the "Procedural Resolution").

Section 3. The City Council, as required by Section 204 of the Procedural Resolution, hereby adopts the following findings in conjunction with the approval of the Development Agreement: (1) the Development Agreement is consistent with the General Plan of the City of Sacramento and the policies, goals, standards and objectives of the North Natomas Community Plan (hereafter "Community Plan"); (2) the project should be encouraged in order to meet important economic, social, environmental or planning goals of the Community Plan; (3) the project would be unlikely to proceed in the manner proposed in the absence of a Development Agreement; (4) the Developers will incur substantial costs in order to provide public improvements, facilities, or services from which the general public will benefit; (5) the Developers will participate in monitoring programs and other programs established pursuant to the Community Plan, including financial

participation as required, from which the general public will benefit; and (6) the Developers have made commitments to a high standard of quality and agreed to development limitations beyond those required by existing City Codes. The City Council further finds and determines that the Development Agreement and the entering into thereof by the City is consistent with the terms and conditions of that extension of time granted by the state Office of Planning and Research on January 20, 1987, as modified on April 15, 1987, for revisions to the City's General Plan.

Section 4. The City Council hereby approves the Development Agreement, substantially in the form on file with the City Clerk, subject to such minor and clarifying changes consistent with the terms thereof as may be approved by the City Attorney prior to execution thereof, including but not limited to completion of references, addition of exact titles and designations of parties constituting the Developers, completion of Exhibit A thereto pertaining to legal descriptions of parcels and ownership thereof, and conformity of all exhibits thereto.

Section 5. The Mayor is hereby authorized and directed to execute the Development Agreement on behalf of the City of Sacramento after the effective date of this Ordinance.

Section 6. The City Manager is hereby authorized and directed to perform all acts authorized to be performed by the City Manager in the administration of the Development Agreement pursuant to the Procedural Resolution and the terms of the Development Agreement, including approval of certain amendments as authorized therein.

Section 7. This Ordinance shall be in full force and effect thirty (30) days after its passage and adoption. The effective date of the Development Agreement shall be the effective date of this Ordinance.

Section 8. Within ten (10) days after the effective date of the Development Agreement, the City Clerk shall record the Development Agreement and this Ordinance with the County Recorder of the County of Sacramento.

23B

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 1987, by the following vote:

PASSED FOR PUBLICATION:

AYES:

NOES:

ABSENT:

EFFECTIVE:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

P87-070

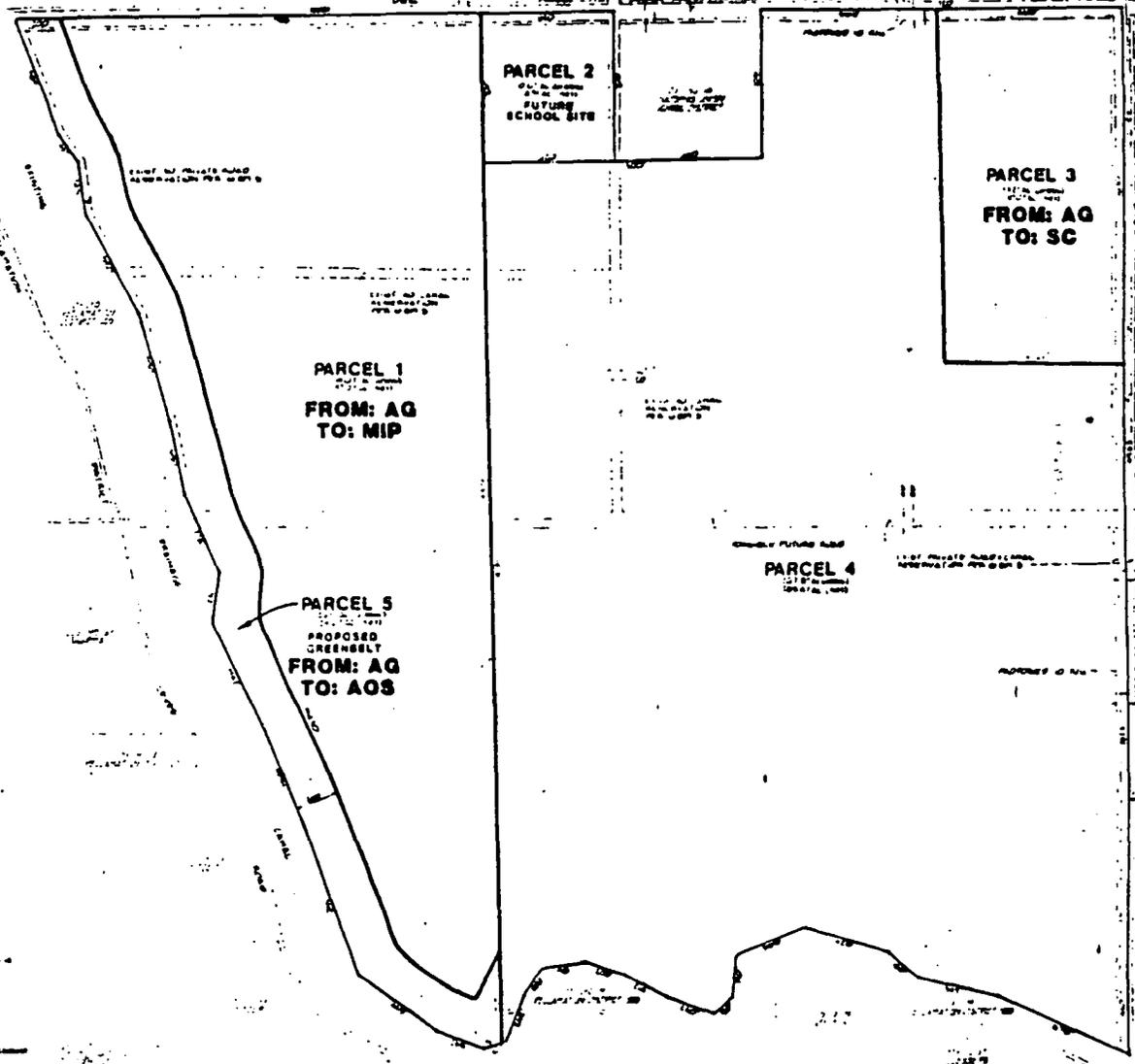
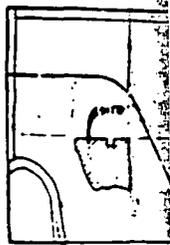
6



REZONE EXHIBIT FOR  
TSAKOPOULOS PROPERTIES  
COUNTY OF SACRAMENTO JANUARY 22, 1987

REVISED APRIL 16, 1987

EXHIBIT 1



- 10' WIDE
- 20' WIDE
- 30' WIDE
- 40' WIDE
- 50' WIDE
- 60' WIDE
- 70' WIDE
- 80' WIDE
- 90' WIDE
- 100' WIDE
- 120' WIDE
- 150' WIDE
- 200' WIDE
- 300' WIDE
- 400' WIDE
- 500' WIDE
- 600' WIDE
- 700' WIDE
- 800' WIDE
- 900' WIDE
- 1000' WIDE

All that certain real property situate in the County of Sacramento, State of California, being a portion of: Section 9, Township 9 North, Range 4 East, M. D. B. & M, described as follows:

All of Lots 34, 35, 36, 37, 38, 39, 40, 41, 42, and 43 of Natomas Central Subdivision as recorded in the Office of the Recorder of Sacramento County in Book 16 of Maps, Page No. 3. Excepting therefrom the north 705 feet of the west 680 feet of said Lot 41. Containing 451.14 acres more or less.

P 87070

230

# ORDINANCE NO. 87-381

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

APPROVED  
BY THE CITY COUNCIL

MAY 21 1987

OFFICE OF THE  
CITY CLERK

ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPREHENSIVE ZONING ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED, BY REMOVING PROPERTY LOCATED BY DEL PASO ROAD ON THE NORTH, EL CENTRO ROAD ON THE EAST, AND THE NATOMAS MAIN DRAINAGE CANAL ON THE WEST AND SOUTH FROM THE (AGRICULTURAL) A ZONE(S) AND PLACING THE SAME IN THE SHOPPING CENTER (SC(PUD)), MANUFACTURING INDUSTRIAL PARK (MIP(PUD)), AGRICULTURE OPEN SPACE (A-OS(PUD)), ZONES. APN: 225-080-02 THROUGH 05,07,08,15 THROUGH 18. (P87-070)

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

## SECTION 1.

The territory described in the attached exhibits which is in the Agricultural (A) zone, established by Ordinance No. 2550, Fourth Series, as amended, is hereby removed from said zone and placed in the Shopping Center (SC(PUD)), Manufacturing Industrial Park (MIP(PUD)), Agriculture - Open Space (A-OS(PUD)) zones.

This rezoning ordinance is consistent with the North Natomas Community Plan. The zoning designations adopted for the areas indicated conform to the Land Use Designations in the Land Use element of the North Natomas Community Plan as follows:

### COMMUNITY PLAN

#### LAND USE DESIGNATION

High Density Residential  
Medium Density Residential  
Low Density Residential  
Community/Neighborhood  
Commercial  
Highway Commercial  
MRD-50/MRD-20  
Light Industrial  
Office/Business  
Sports Complex  
Park/Open Space  
Greenbelt/Buffer  
Agriculture

#### REZONE DESIGNATION

R-1A, R-2A, R-2B, R-3, PUD  
R-1, R-1A, R-2, R-2A, R-2B, PUD  
R-1, R-1A, R-2, PUD  
S-C, C-1, C-2, PUD  
H-C, PUD  
MRD/PUD  
M-1S, PUD, MIP, PUD  
O-3, PUD  
Special Permit, PUD  
F, A-OS  
A-OS  
A

23B

This action rezoning the property described in the attached exhibits is adopted subject to the following conditions and stipulations:

- a. A material consideration in the decision of the Planning Commission to recommend and the City Council to approve rezoning of the applicant's property is the development plans and representations submitted by the applicant in support of this request. It is believed said plans and representations are an integral part of such proposal and should continue to be the development program for the property.
- b. If an application for a building permit or other construction permit is filed for said parcel which is not in conformity with the proposed development plans and representations submitted by the applicant and as approved by the Planning commission May 7, 1987, on file in the office of the Planning Division, or any provision or modification thereof as subsequently reviewed and approved by the Planning Commission, no such permit shall be issued, and the Planning Division shall report the matter to the Planning Commission as provided for in Ordinance No. 3201, Fourth Series.
- c. This ordinance is subject to the approval by the City Council of the development agreements previously applied for by the owners of the property, which development agreements are to be approved by the City Council subsequent to the adoption of this ordinance.

SECTION 2.

The City Clerk of the City of Sacramento is hereby directed to amend the maps which are a part of said Ordinance No. 2550, Fourth Series, to conform to the provisions of this ordinance.

SECTION 3.

Rezoning of the property described in the attached exhibits by the adoption of this ordinance shall be deemed to be in compliance with the procedures for the rezoning of property prescribed in Ordinance No. 2550, Fourth Series, as said procedures have been affected by recent court decisions.

PASSED FOR PUBLICATION:

PASSED:

EFFECTIVE:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

23B

# RESOLUTION No. 87-380

Adopted by The Sacramento City Council on date of **APPROVED**  
BY THE CITY COUNCIL

MAY 21 1987

OFFICE OF THE  
CITY CLERK

RESOLUTION DESIGNATING THAT CERTAIN AREA OF THE  
CITY OF SACRAMENTO AS HEREIN DESCRIBED AS A PLANNED  
UNIT DEVELOPMENT (P87-070) (APN: 225-080-02 THROUGH  
05, 07, 08, 15 THROUGH 18)

WHEREAS, the City Council conducted a public hearing on May 21, 1987, concerning the conformance of the Planned Unit Development (PUD) with the provisions of the adopted 1986 North Natomas Community Plan. Based on documentary and oral evidence submitted at said public hearing, the City Council hereby finds as follows:

- A. The PUD conforms to the 1986 North Natomas Community Plan in that the North Natomas Community Plan requires development to be in a Planned Unit Development and the proposed zoning is consistent with the Community Plan Land Use designations as follows:

COMMUNITY PLAN

LAND USE DESIGNATION

High Density Residential  
 Medium Density Residential  
 Low Density Residential  
 Community/Neighborhood Commercial  
 Highway Commercial  
 MRD-50/MRD-20  
 Light Industrial  
 Office/Business  
 Sports Complex  
 Park/Open Space  
 Greenbelt/Buffer  
 Agriculture

REZONE DESIGNATION

R-1A, R-2A, R-2B, R-3, PUD  
 R-1, R-1A, R-2, R-2A, R-2B, PUD  
 R-1, R-1A, R-2, PUD  
 S-C, C-1, C-2, PUD  
 H-C, PUD  
 MRD/PUD  
 M-1S, PUD, MIP, PUD  
 O-B, PUD  
 Special Permit, PUD  
 F, A-OS  
 A-OS  
 A

- B. The PUD meets the purposes and criteria for Planned Unit Developments stated in Section 8 of the City Zoning Ordinance in that the PUD conforms to the stated purpose of mixed residential business development and other features of substantial benefit to a viable and balanced community.
- C. The Planned Unit Development will promote the general welfare and be beneficial to other property in the vicinity of the development and the North Natomas Community generally.
- D. The Planned Unit Development is in harmony with the general purposes of the City's Zoning Ordinance by encouraging the most appropriate use of land.

//

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO, in accordance with the City Zoning Ordinance No. 2550, Fourth Series, as amended, that the area described on the attached Exhibit is hereby designated as a Planned Unit Development subject to the following conditions and stipulations:

1. Binding Effect of Resolution. This resolution is binding without limitation as to time, upon the applicant and all owners, or persons having any interest in the property or any part thereof, and their heirs, successors and assigns in or to the property or any part thereof.
2. Overall Development Plan.
  - a. The PUD consists of the following acres and zones:

<u>Zone</u>	<u>Acres</u>
Agricultural (A-PUD)	278+ acres
Shopping Center (SC-PUD)	33+ acres
Manufacturing - Industrial Park (MIP-PUD)	114+ acres
Agricultural - Open Space (A-OS-PUD)	<u>26+ acres</u>
TOTAL	451+ acres
  - b. The requirements of the 1986 North Natomas Community Plan, in its latest adopted version, are incorporated herein by reference.
  - c. Prior to development of any portion of the PUD, a PUD Schematic Plan and Development Guidelines for that portion of the PUD will be reviewed and approved by the City Planning Commission and the City Council. Development shall be subject to the provisions of Section 8 of the Zoning Ordinance.
3. This resolution is subject to and conditioned upon the approval by the City Council of development agreements previously applied for by the owners of the property, which development agreements are to be approved by the City Council subsequent to the adoption of this resolution.

\_\_\_\_\_  
MAYOR

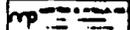
ATTEST:

\_\_\_\_\_  
City Clerk

P87-070

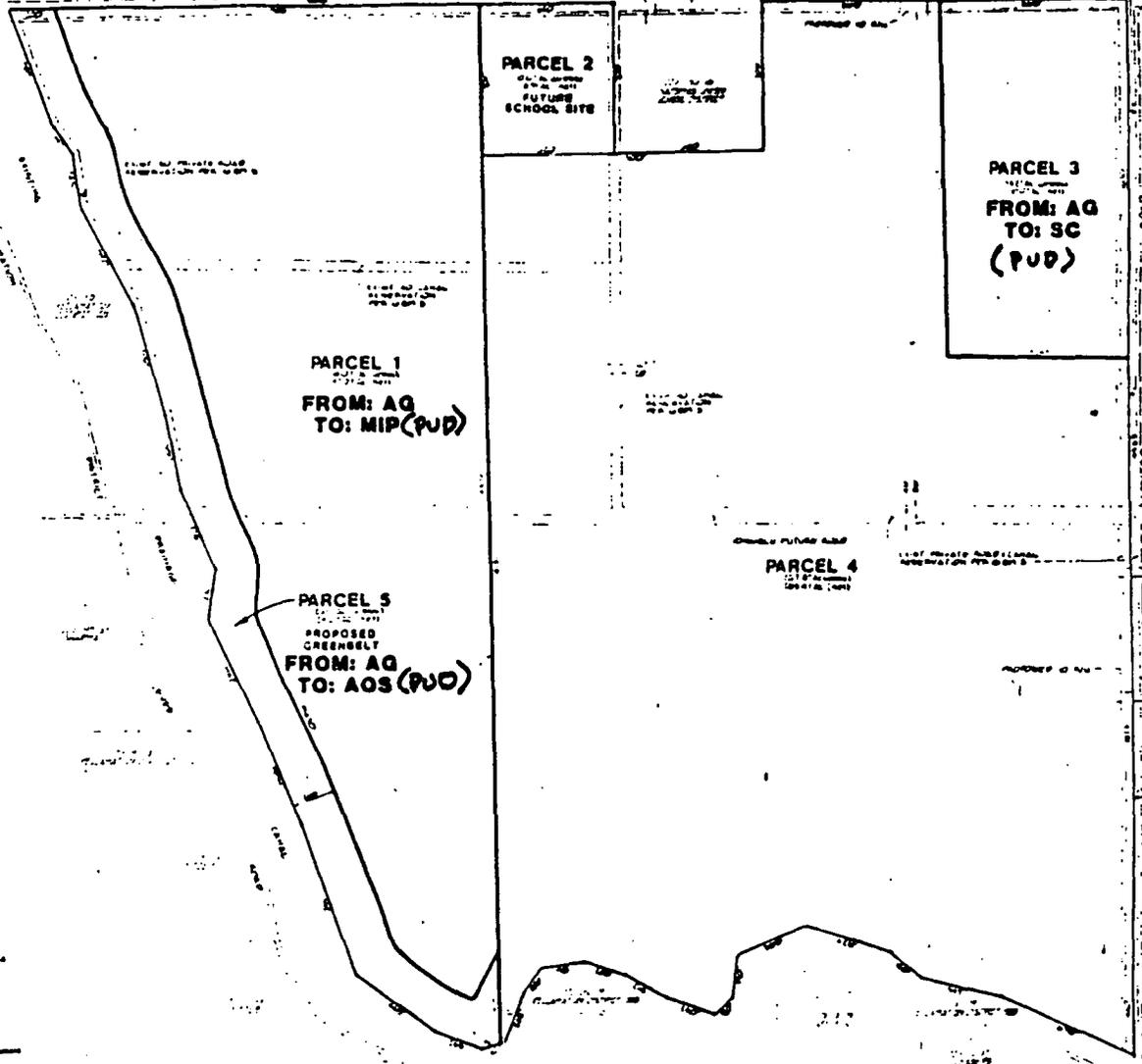
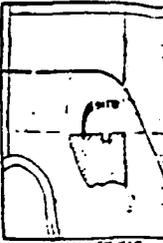


REZONE EXHIBIT FOR  
TSAKOPOULOS PROPERTIES  
COUNTY OF SACRAMENTO JANUARY 23, 1987



REVISED APRIL 16, 1987

EXHIBIT 1



- Legend for symbols and line styles used on the map.
- Scale bar.
- North arrow.
- Other technical specifications.



23B



**MORTON & PITALO, INC.**  
Civil Engineering, Planning, Surveying  
1430 Alhambra Blvd., Suite 200  
Sacramento, Ca. 95816  
916/454-9600

March 16, 1987  
86-0404

ZONING DESCRIPTION

SHOPPING CENTER

All that certain real property situate in the City of Sacramento, County of Sacramento, State of California, described as follows:

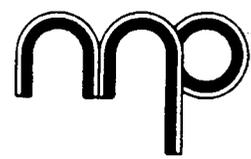
Portions of Lots 42 and 43, as said lots are shown and so designated on the Map of Natomas Central Subdivision, filed in Book 16 of Maps, Page 3, Sacramento County Records, described as follows:

BEGINNING at the Northeasterly corner of said Lot 43; thence, from said point of beginning, along the Easterly line of said Lot 43, South 00°25'00" East 1672.28 feet; thence, South 89°35'00" West 864.97 feet; thence, North 00°25'00" West 1664.98 feet to a point on the Northerly line of said Lot 42; thence, along the Northerly line of said Lots 42 and 43, North 89°06'00" East 865.00 feet to the point of beginning; containing 33.134 acres, more or less.



15

23B



**MORTON & PITALO, INC.**  
Civil Engineering, Planning, Surveying  
1430 Alhambra Blvd., Suite 200  
Sacramento, Ca. 95816  
916/454-9600

March 16, 1987  
86-0404

ZONING DESCRIPTION

INDUSTRIAL

All that certain real property situate in the City of Sacramento, County of Sacramento, State of California, described as follows:

Portions of Lots 36, 37, 38, 39 and 40, as said lots are shown and so designated on the Map of Natomas Central Subdivision, filed in Book 16 of Maps, Page 3, Sacramento County Records, described as follows:

BEGINNING at a point on the Northerly line of said Lot 40 distant along said Northerly line, South 89°06'00" West 620.85 feet from the Northeasterly corner of said Lot 40; thence, from said point of beginning, South 00°54'00" East 2370.44 feet; thence, North 89°51'00" East 233.00 feet; thence, South 00°09'00" East 1594.98 feet; thence, South 89°51'00" West 836.48 feet; thence, parallel with and distant 200.00 feet Northeasterly, measured at right angles from the Westerly lines of said Lots 37, 38 and 39, the following twelve (12) courses: (1) North 19°59'00" West 246.88 feet; (2) North 22°42'00" West 514.57 feet; (3) North 25°28'00" West 485.59 feet; (4) North 08°35'00" East 225.65 feet; (5) North 24°14'00" West 334.96 feet; (6) North 23°24'00" West 94.37 feet; (7) North 10°55'00" West 338.69 feet; (8) North 16°58'00" West 559.77 feet; (9) North 27°56'00" West 504.71 feet; (10) North 08°22'00" West 251.85 feet; (11) North 32°49'00" West 180.02 feet; and (12) North 21°13'00" West 494.58 feet to a point on the Northerly line of said Lot 39; thence, along the Northerly line of said Lots 39 and 40, North 89°06'00" East 1972.45 feet to the point of beginning; containing 125.066 acres, more or less.

23B



**MORTON & PITALO, INC.**  
Civil Engineering, Planning, Surveying  
1430 Alhambra Blvd., Suite 200  
Sacramento, Ca. 95816  
916/454-9600

March 16, 1987  
86-0404

ZONING DESCRIPTION

SCHOOL SITE

All that certain real property situate in the City of Sacramento, County of Sacramento, State of California, described as follows:

All that portion of Lot 40, as said lot is shown and so designated on the Map of Natomas Central Subdivision, filed in Book 16 of Maps, Page 3, Sacramento County Records, described as follows:

BEGINNING at the Northeasterly corner of said Lot 40; thence, from said point of beginning, along the Easterly line of said Lot 40, South 00°25'00" East 705.00 feet; thence, South 89°06'00" West 614.90 feet; thence, North 00°54'00" West 704.97 feet to a point on the Northerly line of said Lot 40; thence, along said Northerly line, North 89°06'00" East 620.85 feet to the point of beginning; containing 10.000 acres, more or less.



MORTON & PITALO, INC.  
Civil Engineering, Planning, Surveying  
1430 Alhambra Blvd., Suite 200  
Sacramento, Ca. 95816  
916/454-9600

March 16, 1987  
86-0404

ZONING DESCRIPTION

GREENBELT

All that certain real property situate in the City of Sacramento, County of Sacramento, State of California, described as follows:

Portions of Lots 37, 38 and 39, as said lots are shown and so designated on the Map of Natomas Central Subdivision, filed in Book 16 of Maps, Page 3, Sacramento County Records, described as follows:

BEGINNING at the Northwesterly corner of said Lot 39; thence, from said point of beginning, along the Northerly line of said Lot 39, North 89°06'00" East 213.27 feet; thence, parallel with and distant 200.00 feet Northeasterly, measured at right angles from the Westerly lines of said Lots 37, 38 and 39, the following twelve (12) courses: (1) South 21°13'00" East 494.58 feet; (2) South 32°49'00" East 180.02 feet; (3) South 08°22'00" East 251.85 feet; (4) South 27°56'00" East 504.71 feet; (5) South 16°58'00" East 559.77 feet; (6) South 10°55'00" East 338.69 feet; (7) South 23°24'00" East 94.37 feet; (8) South 24°14'00" East 334.96 feet; (9) South 08°35'00" West 225.65 feet; (10) South 25°28'00" East 485.59 feet; (11) South 22°42'00" East 514.57 feet; and (12) South 19°59'00" East 246.88 feet; thence, South 89°51'00" West 212.61 feet to a point on the Westerly line of said Lot 37; thence, along the Westerly lines of said Lots 37, 38 and 39, the following twelve (12) courses: (1) North 19°59'00" West 170.00 feet; (2) North 22°42'00" West 505.00 feet; (3) North 25°28'00" West 542.00 feet; (4) North 08°35'00" East 228.00 feet; (5) North 24°14'00" West 277.52 feet; (6) North 23°24'00" West 117.70 feet; (7) North 10°55'00" West 350.00 feet; (8) North 16°58'00" West 530.00 feet; (9) North 27°56'00" West 520.00 feet; (10) North 08°22'00" West 243.00 feet; (11) North 32°49'00" West 157.00 feet; and (12) North 21°13'00" West 588.95 feet to the point of beginning; containing 19.423 acres, more or less.

23B



MORTON & PITALO, INC.  
Civil Engineering, Planning, Surveying  
1430 Alhambra Blvd., Suite 200  
Sacramento, Ca. 95816  
916/454-9600

March 16, 1987  
86-0404

ZONING DESCRIPTION

REMAINDER PARCEL

All that certain real property situate in the City of Sacramento, County of Sacramento, State of California, described as follows:

Lots 34 and 35 and portions of Lots 36, 38, 40, 41, 42 and 43, as said lots are shown and so designated on the Map of Natomas Central Subdivision, filed in Book 16 of Maps, Page 3, Sacramento County Records, described as follows:

BEGINNING at a point on the Easterly line of said Lot 43 distant along said Easterly line, South 00°25'00" East 1672.28 feet from the Northeasterly corner of said Lot 43; thence, from said point of beginning, along the Easterly lines of said Lots 43 and 34, South 00°25'00" East 3260.42 feet to the Southeasterly corner of said Lot 34; thence, along the Southerly lines of said Lots 34, 35 and 36, the following seventeen (17) courses: (1) North 66°00'00" West 674.90 feet; (2) North 77°07'00" West 397.00 feet; (3) North 49°23'00" West 185.00 feet; (4) North 72°35'00" West 425.00 feet; (5) South 66°16'00" West 355.00 feet; (6) South 05°48'00" West 190.00 feet; (7) South 46°10'00" West 120.00 feet; (8) North 69°24'00" West 230.00 feet; (9) North 62°53'00" West 214.00 feet; (10) North 71°46'00" West 200.00 feet; (11) South 81°30'00" West 198.00 feet; (12) South 34°59'00" West 156.00 feet; (13) South 21°19'00" West 232.00 feet; (14) South 73°31'00" West 110.00 feet; (15) North 69°50'00" West 233.00 feet; (16) North 54°31'00" West 445.00 feet; and (17) North 19°59'00" West 582.00 feet; thence, North 89°51'00" East 1049.09 feet; thence, North 00°09'00" West 1594.98 feet; thence, South 89°51'00" West 233.00 feet; thence, North 00°54'00" West 1665.46 feet; thence, North 89°06'00" East 614.90 feet; thence, North 89°06'00" East 680.00 feet; thence, North 00°25'00" West 705.00 feet to a point on the Northerly line of said Lot 41; thence, along the Northerly line of said Lots 41, 42 and 43, North 89°06'00" East 855.00 feet; thence, South 00°25'00" East 1664.98 feet; thence, North 89°35'00" East 864.97 feet to the point of beginning; containing 265.016 acres, more or less.

19

**Sacramento City Planning Commission  
VOTING RECORD**

23B

**MEETING DATE**  
5-7-87

**ITEM NUMBER**  
4

**PERMIT NUMBER**  
P 87-070

**ENTITLEMENTS**

- |   |  |
|---|--|
| <input type="checkbox"/> GENERAL PLAN AMENDMENT   | <input type="checkbox"/> TENTATIVE MAP   |
| <input type="checkbox"/> COMMUNITY PLAN AMENDMENT | <input type="checkbox"/> SUBDIVISION MODIFICATION  |
| <input checked="" type="checkbox"/> REZONING      | <input type="checkbox"/> LOT LINE ADJUSTMENT   |
| <input type="checkbox"/> SPECIAL PERMIT           | <input type="checkbox"/> ENVIRONMENTAL DET.  |
| <input type="checkbox"/> VARIANCE                 | <input checked="" type="checkbox"/> OTHER <u>Development Agreement</u><br>X <u>PUD Designation</u> |

**STAFF RECOMENDATION**

Favorable  Unfavorable

Correspondence

Petition

**LOCATION**  
North Natomas west of E-5 south of Del Paso

**P  
R  
O  
P  
O  
N  
E  
N  
T  
S**

NAME	ADDRESS
<u>Joy Patterson</u>	
<u>Ode Bell</u>	

**O  
P  
P  
O  
N  
E  
N  
T  
S**

NAME	ADDRESS

**MOTION#**

	YES	NO	MOTION SECOND
Chinn	✓		
Ferris	✓		
Goodin	✓		
Hollick	✓		
Holloway	✓		✓
Ishmael	<u>Absent</u>		
Otto	✓		✓
Walton	✓		
Ramirez	✓		

**MOTION**

- TO APPROVE
- TO DENY
- TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT
- TO APPROVE/DENY BASED ON FINDINGS OF FACT IN STAFF REPORT
- INTENT TO APPROVE/DENY SUBJECT TO COND. & BASED ON FIND. OF FACT DUE
- TO RECOMMEND APPROVAL & FORWARD TO CITY COUNCIL
- TO RECOMMEND APPROVAL SUBJECT TO COND. & FORWARD TO CITY COUNCIL
- TO RATIFY NEGATIVE DECLARATION
- TO CONTINUE TO \_\_\_\_\_ MEETING
- OTHER \_\_\_\_\_

20

# CITY PLANNING COMMISSION

1231 "I" STREET, SUITE 200, SACRAMENTO, CA 95814

23B

APPLICANT Morton and Pitalo, Inc. - 1430 Alhambra Boulevard, Sacramento, CA 95816  
OWNER George and Drosoula Tsakopoulos - 300 Florin Road, Sacramento, CA 95831  
PLANS BY Morton and Pitalo, Inc. - 1430 Alhambra Boulevard, Sacramento, CA 95816  
FILING DATE 1-23-87 ENVIR. DET. Neg Dec 4-27-87 REPORT BY JP:sg  
ASSESSOR'S-PCL. NO. 225-080-02 through 05, 07, 08, 15 through 18

- APPLICATION:**
- A. Negative Declaration
  - B. Development Agreement between the City of Sacramento and the Tsakopoulos project property owners
  - C. Planned Unit Development Designation for 451+ acres
  - D. Rezone 173+ acres from Agricultural (A) to: Shopping Center (Planned Unit Development (SC(PUD), 33+ acres) - Manufacturing-Industrial Park (Planned Unit Development) (MIP(PUD), 114+ acres) - Agriculture-Open Space (Planned Unit Development) (A-OS(PUD), 26+ acres)

**LOCATION:** Bounded by Del Paso Road on the north, El Centro Road on the east, and the Natomas Main Drainage Canal on the west and south.

**PROPOSAL:** The applicant is requesting the necessary entitlements to enter into a development agreement with the City and rezone property consistent with the provisions of the North Natomas Community Plan.

**PROJECT INFORMATION:**

1986 North Natomas Community  
Plan Designation: Medium Density Residential, High Density Residential, Light Industrial, Community Neighborhood Commercial, Greenbelt Buffer, School Site  
Existing Zoning of Site: Agricultural (A)  
Existing Land Use of Site: Vacant

**Surrounding Land Use and Zoning:**

North: Vacant, school; A, A-OS  
South: Vacant, residential; F, County  
East: Vacant, mobile home park; A, A-OS  
West: Vacant; F, County

Property Dimensions: Irregular  
Property Area: 451+ acres

**PROJECT EVALUATION:** Staff has the following comments regarding this proposal:

**A. Land Use and Zoning**

The subject site consists of 10 parcels totaling 451+ acres located in the Agricultural (A) zone. The site is currently vacant with some of the acreage used for agricultural purposes. Surrounding land uses are agricultural/vacant and an elementary school to the north, agricultural/vacant land with residences to the south, agricultural/vacant land and a mobile home park to the east and agricultural/vacant land to the west.

APPLC. NO. P87-079 MEETING DATE May 7, 1987 ITEM NO. 4

23B

**B Proposed Land Use and Zoning**

The subject site is also located in the North Natomas Community Plan area. The community plan designates the site for Medium Density Residential, High Density Residential, Light Industrial, Community Neighborhood Commercial, Greenbelt Buffer and School Site. The community plan requires that, before the development of any property in the plan area can occur, development agreements which include financing mechanisms for infrastructure must be entered into between the property owner(s) and the City of Sacramento to insure that required improvements are provided. The North Natomas Community Plan also requires that all development in the plan area be approved as Planned Unit Developments (PUDs) so that development is consistent with all provisions of the community plan. For the 451+ acre subject site, the applicant is requesting to: enter into a development agreement with the City; designate the site as a PUD; and rezone the site to zones consistent with the North Natomas Community Plan.

**C. North Natomas Development Agreements**

The development agreements are designed to cause the implementation of the North Natomas Community Plan. On March 3, 1987 the City Council approved a resolution establishing the procedures and content of the development agreements (CC87-143). The resolution requires that the proposed development agreements contain the following:

1. Findings required for City Council approval.
2. Procedures for amendment or cancellation of a development agreement.
3. Procedures for termination in the event of default. Termination of a development agreement will not affect a developer's obligations to comply with the community plan and the terms and conditions of any applicable zoning, special permit, subdivision map or other land use entitlements.
4. Procedures for annual compliance review.

Substantively, the resolution specifies certain provisions to be included in development agreements. Among these required provisions are the following:

1. An initial term of ten years, with provision that the City may not unreasonably deny five year extensions if the developer is not in default and has commenced development or is participating in the financing programs or plans adopted for the North Natomas Community Plan.
2. A requirement that the developer pay its pro rata share of planning costs, including interest, incurred by the City in preparing, adopting and implementing the North Natomas Community Plan, such costs to be paid in any event not later than upon approval of a special permit, with subsequently incurred City costs to be paid at the time of issuance of building permits.

22

23B

3. Special conditions to be included in the development agreement setting forth specific findings that must be made for development to proceed and governing the subsequent approval of rezonings, special permits, subdivision maps or other land use entitlements. These special conditions constitute the basic control mechanism for the City to assure that the goals and requirements of the Community Plan will be met as development is undertaken in the North Natomas Community Plan area. These 29 special findings deal with such community plan issues as phasing of development, parcel configuration, the adoption of a financing plan, participation by developers in infrastructure and other North Natomas programs, achieving the jobs-housing ratio, traffic levels, air quality, airport land use conflicts, and other matters. To the extent deemed necessary by the City, applicants will be required to enter into agreements with other agencies to the satisfaction of the City concerning drainage and flood control, sewer (including bearing the costs of any EPA penalties assessed against the Regional Sanitation District), freeway improvements and mosquito abatement. Provision is made for waiver of such findings where they are not applicable or approving projects subject to special mitigation measures so that such findings can be made.

General provisions setting forth and qualifying the rights of a developer under a development agreement are also included. Generally, the rights of a developer under a development agreement are made subject to future changes in state or federal laws and regulations and future enactments of the City to protect against a health, safety or physical risk. Each development agreement must also protect the City from liability arising out of actions of federal or state agencies (or actions of regional or local agencies, including the City, required by federal or state agencies) having the effect of preventing, delaying or modifying development.

The City Council resolution also requires that the North Natomas Development Agreements be the subject of a public hearing conducted by the City Planning Commission. A copy of the proposed development agreement for the subject site is attached as Exhibit 2. Planning staff finds that the proposed development agreement is in conformance with the requirements of City Council Resolution 87-143.

D. Planned Unit Development Designation

The North Natomas Community Plan states that in order to insure that development of North Natomas is consistent with the provisions of the community plan, development guidelines, and mitigation programs, all developments in the plan area will be approved as planned unit developments (PUDs) under the provisions of the City's Zoning Ordinance. The Zoning Ordinance requires that a schematic plan, including development guidelines, be approved by the City Council for any PUD. Each project within a PUD is then reviewed by the special permit process to insure that the project is in conformance with the approved schematic plan and development guidelines.

23B

Presently the applicant is requesting only the PUD designation for the subject site. The PUD designation, requested in order to comply with the requirements of the community plan, can be approved at this time. A PUD schematic plan and specific development guidelines for the proposed PUD area, however, will be required before special permits for development can be approved.

General development guidelines for North Natomas were approved by the City Council on December 30, 1986 (see Exhibit B of attached development agreement). These development guidelines are to act as an outline for applicants/property owners in preparing the specific development guidelines for the 451+ acre project area.

**B. Proposed Rezoning and Community Plan Consistency**

The subject site totals 451+ acres. The applicant proposes to rezone 173+ acres of the subject property from Agricultural (A) to the following zones:

- Shopping Center (Planned Unit Development)  
    (SC(PUD)) 33+ acres
  - Manufacturing - Industrial Park (Planned Unit Development)  
    (MIP(PUD)) 114+ acres
  - Agricultural-Open Space (Planned Unit Development)  
    (A-OS(PUD)) 26+ acres
- Total 173+ acres

The remaining 278+ acres of the subject site are to stay in the Agricultural (A) zone at this time. This property includes a future school site and acreage designated for residential use on the North Natomas Community Plan pending the results of studies of alternative ways of responding to the 60 CNEL noise contour for Metropolitan Airport.

The applicant's proposal (Exhibit 1) has been compared with the North Natomas Community Plan for plan consistency. In reviewing the proposal, planning staff determined that the applicant's proposal could generate 2,836 jobs compared to the 2,785 jobs estimated for the same area of the community plan. Planning staff finds that the applicant's proposed land uses are in substantial compliance with the adopted North Natomas Community Plan and recommends that the proposed rezonings be approved.

**ENVIRONMENTAL DETERMINATION:** The proposed project was originally addressed in the North Natomas Community Plan EIR (NNCP EIR) which is a program EIR. The CEQA Guidelines state that where a program EIR has been prepared, subsequent project must be examined through an initial study to evaluate any environmental effects that were not examined in the program EIR (CEQA, Section 15168(c)(1)).

The NNCP EIR was certified by City Council on December 10, 1985. Since the certified EIR satisfies state and local regulations; Section 15153(c) of the CEQA Guidelines allows the City to use the certified EIR as part of the initial study and negative declaration for the application.

There are no new potentially significant adverse environmental impacts that could result from the proposed project that have not already been adequately addressed on both a project-specific and cumulative level in the NNCP EIR. All applicable mitigation measures from the EIR and/or community plan are to be considered and imposed at the time of approval of tentative maps, or special permits and other specific development entitlements. This project application includes a development agreement that will provide the mechanism to implement mitigation measures as subsequent land use entitlements (i.e., tentative maps and special permits) are processed. Through the development agreement and the additional land use entitlement requirement, the City will be able to apply identified EIR and/or community plan mitigating measures. Development will require subsequent tentative maps and/or special permit approvals which provides an additional opportunity to review each land development. The development agreement and special permit process will provide the ability to apply additional site-specific and detailed mitigation measures to reduce potential future impacts (i.e., preserving existing vegetation, construction effects, and aesthetics) to a less than significant level. The development agreement will provide the mechanism for the adequate completion of EIR and/or community plan mitigation measures that will be required as conditions of approval for specific land use entitlements should approval of the subject proposal be granted. Consequently, the development agreement will mitigate, or mitigate to the extent possible, potential impacts and therefore a negative declaration has been prepared.

The Environmental Coordinator filed a negative declaration on April 13, 1987 with the City Clerk and distributed the negative declaration for a 21-day public review period.

**RECOMMENDATION:** Staff recommends the following actions:

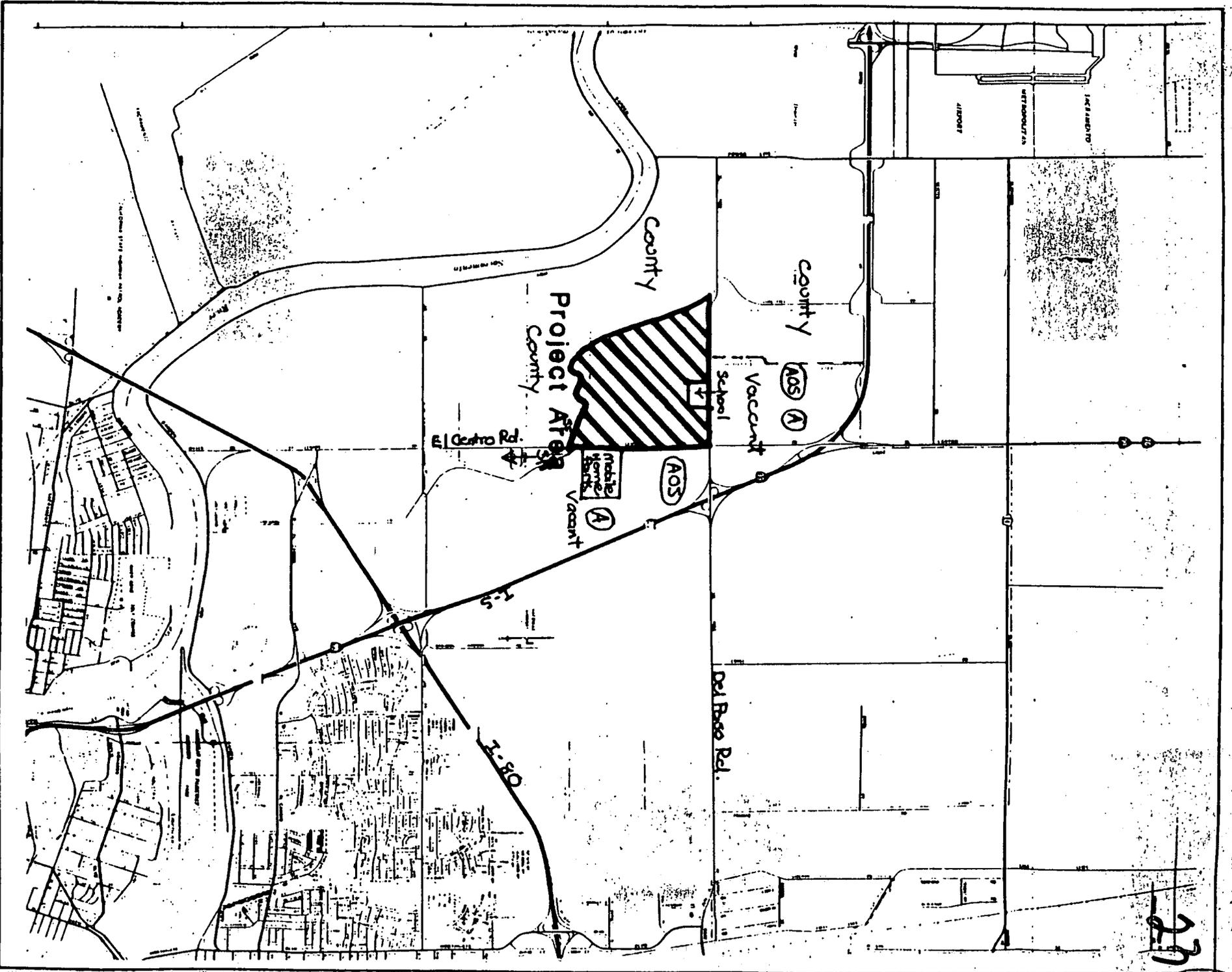
- A. Ratification of the Negative Declaration;
- B. Recommend approval of the Development Agreement between the City of Sacramento and the Tsakopoulos project property owners;
- C. Recommend approval of the Planned Unit Development Designation for 451+ acres;
- D. Recommend approval of the Rezoning of 173+ acres from Agricultural (A) to:
  - Shopping Center (Planned Unit Development) (SC(PUD), 33+ acres)
  - Manufacturing-Industrial Park (Planned Unit Development) (MIP)(PUD), 114+ acres)
  - Agricultural-Open Space (Planned Unit Development) (A-OS(PUD), 26+ acres)

Subject to the following condition:

**Condition - Rezoning**

The rezonings shall be subject to the provisions of the North Natomas Community Plan and the 29 special conditions of development contained in the attached development agreement (Exhibit C of development agreement).

239



Project Area

County

County

School  
Vacant

AOS  
A

Mobile Home  
Vacant  
A

AOS

El Centro Rd.

Del Paso Rd.

CR-5

CR-2

P81-076

# VICINITY - LAND USE - ZONING

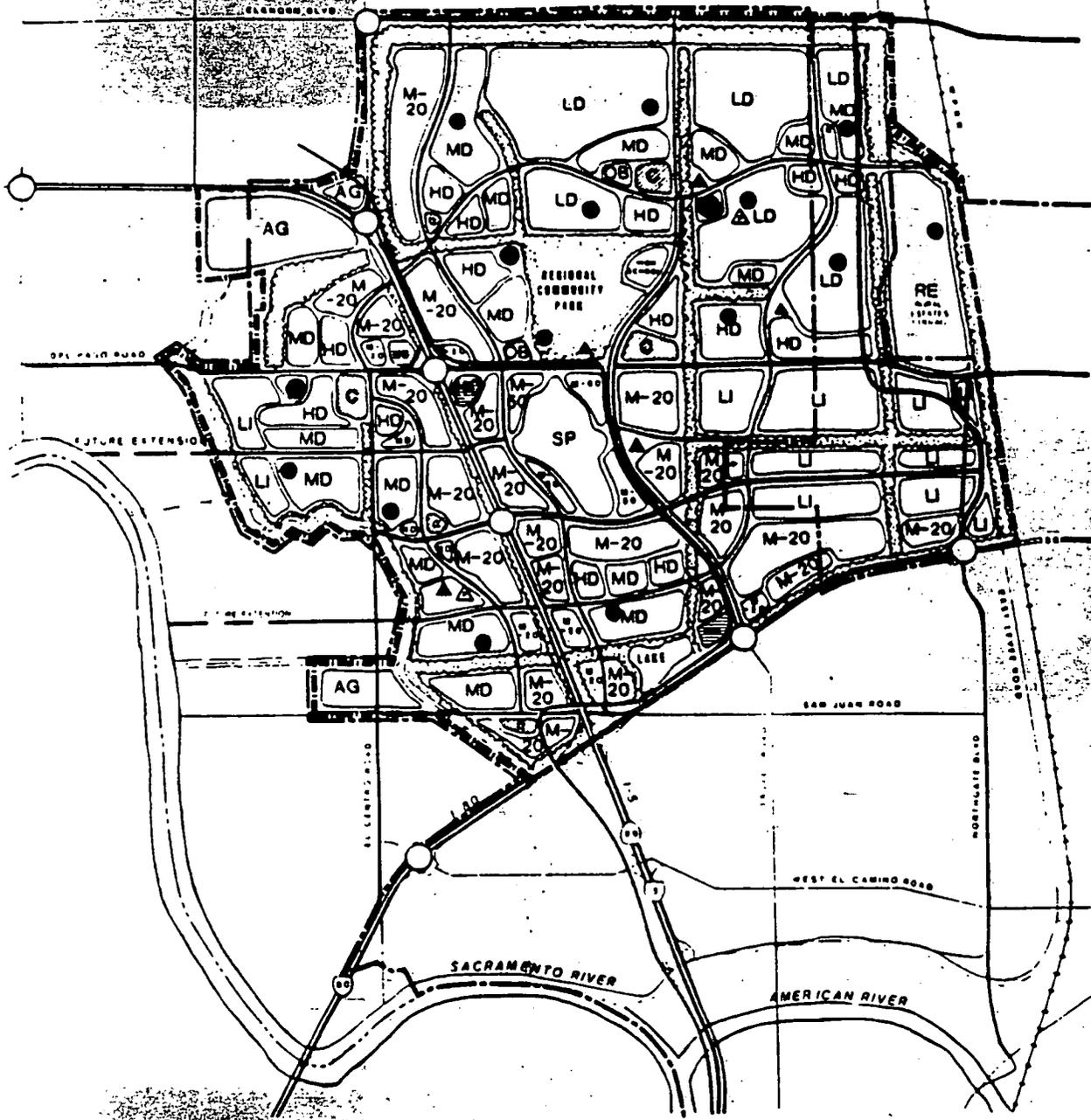
Item 4

26

# NORTH NATOMAS COMMUNITY

279

## COMMUNITY LAND USE PLAN



### ADOPTED LAND USE

<b>HD</b> HIGH DENSITY RESIDENTIAL (2200 AC)	HIGHWAY COMMERCIAL	<b>OB</b> OFFICE BUSINESS	<b>AG</b> AGRICULTURE
<b>MD</b> MEDIUM DENSITY RESIDENTIAL (112 00 AC)	<b>M-20</b> MANUFACTURING RESEARCH DEVELOPMENT (20% OFFICE)	<b>SP</b> SPORTS COMPLEX	ELEMENTARY SCHOOL, JUNIOR HIGH SCHOOL
<b>LD</b> LOW DENSITY RESIDENTIAL (17 00 AC)	<b>M-50</b> MANUFACTURING RESEARCH DEVELOPMENT (50% OFFICE)	PARK OPEN SPACE	CIVIC, PUBLIC USE (LIBRARY, FIRE STATIONS, MEDICAL CENTERS)
COMMUNITY NEIGHBORHOOD COMMERCIAL	<b>LI</b> LIGHT INDUSTRIAL	SCENERY BUFFER HIGHWAY OR ROAD LANDSCAPING	4-LANE DIVIDED MAJOR, 6-LANE DIVIDED MAJOR, 6-LANE DIVIDED PARKWAY

COMMUNITY PLAN STUDY AREA BOUNDARY CITY OF SACRAMENTO CITY LIMITS SACRAMENTO COUNTY BOUNDARY

P87-070

BY DATE (LAST ONLY)

3-7-87

Item 4

27



NOTICE OF APPEAL OF THE DECISION OF THE ENVIRONMENTAL COORDINATOR

TO THE SACRAMENTO CITY COUNCIL:

I do hereby make application to appeal the decision of the Environmental Coordinator of:

- Filing a Negative Declaration
- Requiring an Environmental Impact Report
- Other \_\_\_\_\_

PLEASE TYPE OR PRINT

Project Proposal: Development Agreement, Rezone  
Planned Unit Development

Bounded by Del Paso Rd. on the north, El Centro Rd. on the east  
Project Address: and the Natomas Main Drainage Canal on the west and south

Assessor's Parcel No.: 225-080-2-5, 7, 8, 15-18

Owner: Tsakopoulos Properties Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Applicant/Agent: Morton and Pitalo, Inc. Phone: \_\_\_\_\_

Mailing Address: 1430 Alhambra Blvd. Zip Code: 95825  
Suite 200, Sacramento, CA

Grounds for Appeal: (Explain in Detail and use a separate sheet if necessary.)

See attached letter dated May 4, 1987.

Appellant: P. Addison Covert Phone: (916)444-8920  
(Print Name)

KRONICK, MOSKOVITZ, ET AL.  
Mailing Address: 770 L St., Ste. 1200, Sacto, CA Zip Code: 95814

Appellant Signature: \_\_\_\_\_ Date: May 4, 1987

Filing Fee: \_\_\_\_\_ Date Received: \_\_\_\_\_ By: \_\_\_\_\_

- by Applicant \$625.00
- by Third Party \$40.00

Revised: 2-27-85  
Original: CC  
cc: MVD  
AG

Receipt No. \_\_\_\_\_

STANLEY W. KRONICK  
 ADOLPH MOSKOVITZ  
 EDWARD J. TIEDEMANN  
 FREDERICK G. GIRARD  
 LLOYD HINKELMAN  
 CHARLES A. BARRETT  
 CLIFFORD W. SCHULZ  
 FRANK A. IWAMA  
 JAMES E. THOMPSON  
 ROBERT E. MURPHY  
 THOMAS W. ERES  
 ROBERT G. WALTERS  
 ROBERT S. SHELburne  
 JAMES F. GEARY  
 JAMES M. BOYD, JR.  
 STEPHEN A. KRONICK  
 JANET K. GOLDSMITH  
 PAUL M. BARTKIEWICZ  
 ROBIN LESLIE STEWART  
 ROBERT B. MILLER  
 WILLIAM A. KERSHAW  
 ROBERT A. RUNDSTROM  
 JAMES E. MESNIER  
 RUTHANN G. ZIEGLER

LEGISLATIVE CONSULTANT  
 ARNOLD BRAY

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD

A PROFESSIONAL CORPORATION  
 ATTORNEYS AT LAW

770 L STREET, SUITE 1200.

SACRAMENTO, CALIFORNIA 95814-3363

TELEPHONE (916) 444-8920

TELECOPIER (916) 444-5615

May 4, 1987

PAUL W. TOZER  
 DONALD W. FITZGERALD  
 THOMAS C. HUGHES, III  
 ANDREA M. MILLER  
 JOHN L. BUKEY  
 RICHARD P. SHANAHAN  
 WILLIAM E. HVIDSTEN  
 RAYMOND W. DUNNE  
 RICHARD H. HART, JR.  
 MICHAEL A. GROB  
 P. ADDISON COVERT  
 PATRICK J. BITTNER  
 ROLAND L. CANDEE  
 TAMI L. GRIFFIN  
 THOMAS W. BIRMINGHAM  
 GREGORY S. WEBER  
 SUSAN B. CARLSEN  
 MARK E. CULLERS  
 TIMOTHY M. SMITH  
 LINDA S. SOMERS  
 PHILIP A. WRIGHT

OF COUNSEL  
 E. KENDELL DAVIS  
 LEONARD M. FRIEDMAN  
 WILLIAM E. BYRNE

City Council  
 City of Sacramento  
 915 "I" Street, Room 203  
 Sacramento, CA 95814

RE: Negative Declaration for North  
 Natomas Area Development

Honorable Mayor and Members of the City Council:

This office has been retained by five local public school districts serving portions of the proposed North Natomas Area development. The affected districts are Del Paso Heights Elementary, Natomas Union Elementary, Rio Linda Union Elementary, Robla Elementary, and Grant Joint Union High School District. All of the districts presently have various conditions of overcrowding within their boundaries, and in some cases will experience significant enrollment growth as a result of the development presently envisioned in the North Natomas Community Plan ("Plan").

The Plan proposes the construction of approximately 32,618 residential units in the North Natomas Area, which will have the effect of generating approximately 13,375 additional school age children to the districts. Presently, the districts have very limited space to house these additional students. The estimated 1987 cost of constructing new school facilities for these students will exceed \$159,896,000 (or \$4,902 per housing unit). Under Government Code Sections 53080, et seq., the districts' school boards are authorized to levy a one-time fee of up to \$1.50 per square foot of residential space and 25 cents per square foot of commercial or industrial space. Such a fee could potentially generate revenue in the amount of \$61,600,000. A shortfall of approximately \$98,296,000 (or \$3,014 per housing unit) would still result notwithstanding these fees.

City Council  
City of Sacramento  
May 4, 1987  
Page 2

1043.1-L-041687-361

State funding for school construction is available to finance a portion of the shortfall, but such funding is difficult to qualify for on a timely basis, and at present, the need for funds statewide far outweighs available state revenue. Both factors have the potential of contributing to a decrease in the quality of education offered by the districts.

This situation is identical to the one faced by the City of Placerville in El Dorado Union High School District v. City of Placerville (1983) 144 Cal.App.3d 123, 192 Cal.Rptr. 480. In El Dorado, the City of Placerville approved a tentative subdivision map for proposed residential development without requiring mitigation measures addressing the problem of increased enrollment to be generated by the development. In holding that increase in student enrollment is cognizable under CEQA, the Court of Appeal stated:

"The EIR should contain sufficient information to enable public agencies to make decisions that consider environmental consequences. (Guidelines §15150.) The EIR here falls woefully short of that standard. Although the Draft recognized an increase in student enrollment, neither report said anything about the effects of such an increase in the student population, and suggested no mitigation measures to deal with such an impact, required by the Guidelines. (§15143, subds. (a), (c) and (g).) Nor is there any discussion of the cumulative impact of projects such as Whispering Pines on District, which CEQA expressly requires. (§21083; Guidelines, §§15023.5, 15143, subd. (a).) Finally, District had advised the City in February 1980 the special impact fee it had imposed would not fully meet its needs. On this record, we cannot assume City made any evaluation of the impact of the project, much less the kind of detailed evaluation CEQA contemplated under these circumstances." (Emp. in orig.) Id. at 132-133, 485.

Public agencies are required to mitigate or avoid significant effects of projects they approve. Public Resources Code §§21002, 21002.1. The use of a negative declaration instead of an EIR where the project may have a significant effect on the environment is only proper when "(r)visions in the project plans or proposals made by or agreed to by the applicant before the proposed negative declaration is released for public review would avoid the effect or mitigate the effects to a point where clearly no significant effects would occur." 14 Cal. Admin. Code. §15070(b)(1).

It is the position of the affected districts that no such revisions have been made.

The City of Sacramento's Draft General Plan states at Section 6, page 17, that it is a goal of the City to "continue to assist school districts in providing quality educational facilities that will accommodate projected student enrollment growth." Additionally, policies contained under such goal include:

Assist school districts with school financing plans and methods to provide permanent schools in existing and newly developing areas in the city.

Involve school districts in the early stages of the land use planning process for the future growth of the city.

The districts have been reviewing the need for school facilities with certain North Natomas Area developers, but no agreements have been reached as of this date.

Section 300 of the draft developer agreement provides in part that North Natomas developers must participate in, and comply with all provisions of a "Financing Plan" adopted by the City, which contains methods to finance public improvements in the North Natomas Area. The Financing Plan presents a unique opportunity for the districts, the City and the developers to provide a method to fund quality educational facilities in the North Natomas Area, and would eliminate the project's adverse effects.

City Council  
City of Sacramento  
May 4, 1987  
Page 4

1043.1-L-041687-361

In addition, the Community Plan for the North Natomas Area under the heading "Schools" at page 62, paragraph 7 reads:

Prior to the approval of any rezoning or land use entitlements for any residential land use within the Plan Area, the applicant shall enter into an agreement with the appropriate school districts which will insure the provision of adequate school facilities to serve the residential dwelling units when needed. The appropriate school district and the building community will cooperate in drafting a financing plan which will address the provisions of adequate school facilities to serve the planned residential areas when needed. The plan will consider Mello-Roos financing and Impaction Fees among other possible sources of funds.

An agreement between the districts and the developers which insures the provision of adequate school facilities as provided for in the Financing Plan would eliminate the project's adverse effects. Absent adequate mitigation measures, the districts protest approval of a negative declaration for the Project.

Very truly yours,

  
P. ADDISON COVERT

PAC:shg

cc: North Natomas Area School Superintendents:  
Mr. Carl Mack, Jr.  
Mr. Raff McDonald  
Dr. Dale Faust  
Mr. Paul Rahe  
Dr. Hazel Mahone

May 27, 1987

George Tsakopoulos  
300 Florin Road  
Sacramento CA 95831

Dear Sirs:

On May 21, 1987, the Sacramento City Council took the following action(s) for property bounded by Del Paso Road on the north, El Centro Road on the east, and the Natomas Main Drainage Canal on the west and south:

Ratified the Negative Declaration, adopted Ord. 87-048 approving Development AG86209 with the Tsakopoulos project property owners, adopted Res. 87-380 approving the Planned Unit Development Designation for 451± acres and adopted Ord. 87-049 approving the rezone of 173± acres from Agricultural (A). (P-87070)

Enclosed, for your records, are fully certified copies of the above referenced documents, except for the agreement.

Sincerely,

Lorraine Magana  
City Clerk

LM/lmh/#23

Enclosure

cc: Planning Department  
Morton and Pitalo, Inc., 1430 Alhambra Boulevard, Sacramento, CA, 95816

June 5, 1987

George Tsakopoulos  
300 Florin Road  
Sacramento CA 95831

Dear Mr. Tsakopoulos:

On May 21, 1987, the Sacramento City Council took the following action(s) for property bounded by Del Paso Road on the north, El Centro Road on the east, and the Natomas Main Drainage Canal on the west and south:

Ratified the Negative Declaration; adopted Ord. 87-048 approving Development Agreement 86209 with the Tsakopoulos project property owners; adopted Res. 87-380 approving the Planned Unit Development Designation for 451± acres and adopted Ord. 87-049 approving the rezone of 173± acres from Agricultural (A) zones. (P-87070)

Enclosed, for your records, are fully certified copies of the above referenced documents, except the agreement.

Sincerely,

Lorraine Magana  
City Clerk

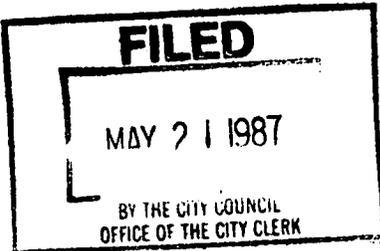
LM/lmh/#23

Enclosure

cc: Planning Department  
Morton and Pitalo, Inc., 1430 Alhambra Boulevard, Sacramento, CA, 95816

23, 24, 25, 26

LARRY & CAROL SMITH  
8915 Elwyn Avenue  
Elverta, CA 95626



May 21, 1987

City Council  
Sacramento, California

Honorable Members in Session:

SUBJECT: AGENDA ITEMS 23, 24, 25, AND 26

On May 13, 1986, the City Council approved the North Natomas Community Plan which outlined the necessity of orderly development of the North Natomas area. The Plan provides for development in phases, the first of which includes the area east of I-5 and south of Del Paso Road. It goes on to address development past Phase 1 by requiring development agreements, rezoning consistent with the Plan, and the development of parcels only when specific conditions are met.

Abundant wildlife currently exists within the North Natomas area. To somewhat protect this natural resource, the Plan calls for approximately 1,520 of the total 9,320 acres (16.3%) to be set aside as greenbelt, buffers along transportation and irrigation corridors, and for agricultural use. As one travels north on I-5 and Highway 99-70, there is no development readily visible to the motorist from the I-80 interchange to Elkhorn Boulevard. What the motorist sees adjacent to the freeway and highway is a landscaped greenbelt, active agriculture on the west from Del Paso Road north, active agriculture on the east from 99-70 north, a total of 4.2 miles. Within those areas, one observes various wildlife not seen in developed areas, including wild ducks and geese, pheasant and quail, hawks, shore birds, and an occasional coyote or hare. This area also included less attractive wildlife such as snakes, skunks, and rodents, all necessary for natural balance. Where will the wildlife go when this area is developed? The Council has wisely specified that approximately 16.3% of the total acreage be used for this purpose; hopefully that will be adequate. But it will only be adequate if development occurs in an orderly manner, that is working gradually outward from currently developed areas.

The items before you tonight are not part of Phase 1. Item 23, the Tsakopoulos project proposes rezoning for a shopping center and manufacturing-industrial park for 147 acres and agricultural-open space for 26 acres or 15.0% of the area. We support this action because the area is not adjacent to the freeway, it is south of Del Paso Road, closer to a developed area, and it comes close to the 16.3% objective for preservation areas for wildlife.

However, we do not support Items 24, 25, and 26 for the following reasons:

1. Item 24, the Schumacher project, requests rezoning 558.5 acres, only 44 acres (7.9%) of which is designated agricultural-open space. This property is adjacent to the freeway and highway and is entirely north of Del Paso Road, not part of Phase 1. Much of it is currently being actively used as agricultural land.

City Council  
May 21, 1987

2

2. Item 25, the Payne project, requests rezoning 311 acres, none of which is designated agricultural-open space. This property is also entirely north of Del Paso Road, not part of Phase 1, and is currently being actively used as agricultural land.
3. Item 26, the Ketscher project, requests rezoning 234 acres, none of which is designated agricultural-open space. This property is also entirely north of Del Paso Road, not part of Phase 1, and is currently being actively used for agricultural purposes.

As stated in the Community Plan, development needs to occur in an orderly manner, not out of sequence. While rezoning itself does not assure that construction is imminent, rezoning these three areas at this time is premature and serves to encourage early development. The movement of development northward from South Natomas needs to occur more gradually and must include the establishment of open areas at the same time as development in order to preserve wildlife and minimize the adverse effects on the loss of habitat. (Development and subsequent loss of habitat is currently the primary cause of loss of wildlife in the country, far more damaging than the effect of hunting and sports enthusiasts!)

Therefore, based on the above, it is respectfully requested that the City Council delay the approval to rezone the properties identified in Items 24, 25, and 26 until development within Phase 1 is further along, at least one year from now. Your consideration is appreciated.

Sincerely,

  
Larry & Carol Smith