26B

CITY OF SACRAMENTO

APPROVED
BY THE CITY COUNCIL

MAY 21 1987

OFFICE OF THE
CITY CLERK
AG-86212

DEPARTMENT OF PLANNING AND DEVELOPMENT
1231 "I" Street Sacramento, Ca. 95814

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: Ketscher Project (P87-045)

1. Negative Declaration

2. Development Agreements between the City of Sacramento and the Ketscher Project property owners.

3. Planned Unit Development Designation for 275± acres.

4. Rezone 234± acres from Agricultural (A) to: Townhouse (Planned Unit Development) (R-1A(PUD), 79± acres) - Garden Apartment (Planned Unit Development) (R-2B(PUD), 88± acres)- Shopping Center (Planned Unit Development) (SC(PUD), 8± acres) - Office Building (Planned Unit Development) (OB(PUD), 12± acres) - Manufacturing Research Development-20% Office (Planned Unit Development)(MRD-20(PUD), 26± acres) - Single Family (Planned Unit Development) (R-1(PUD), 21± acres).

SUMMARY

This application is a request to authorize the City to enter into development agreements with the property owners of 257± acres in the North Natomas Community Plan area, establish a Planned Unit Development (PUD) designation for 257± acres and rezone 234± 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 257± acres in the North Natomas Community Plan area. The community plan requires that, before development of any

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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 234± acres of the subject site to zones consistent with the North Natomas Community Plan. The remaining 23 acres of the site is a portion of the 200 acres regional Community Park indicated on the Community Plan and will remain in the Agriculture zone. 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 abstain 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 attached Ordinances approving the Development Agreements between the City of Sacramento and the Ketscher 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

P87-045

26B

KETSCHER PROPERTIES

ORDINANCE NO. 87-054

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 (P87-045)

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 Ketscher 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 Ketscher 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

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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 wit 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.

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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

P87-045

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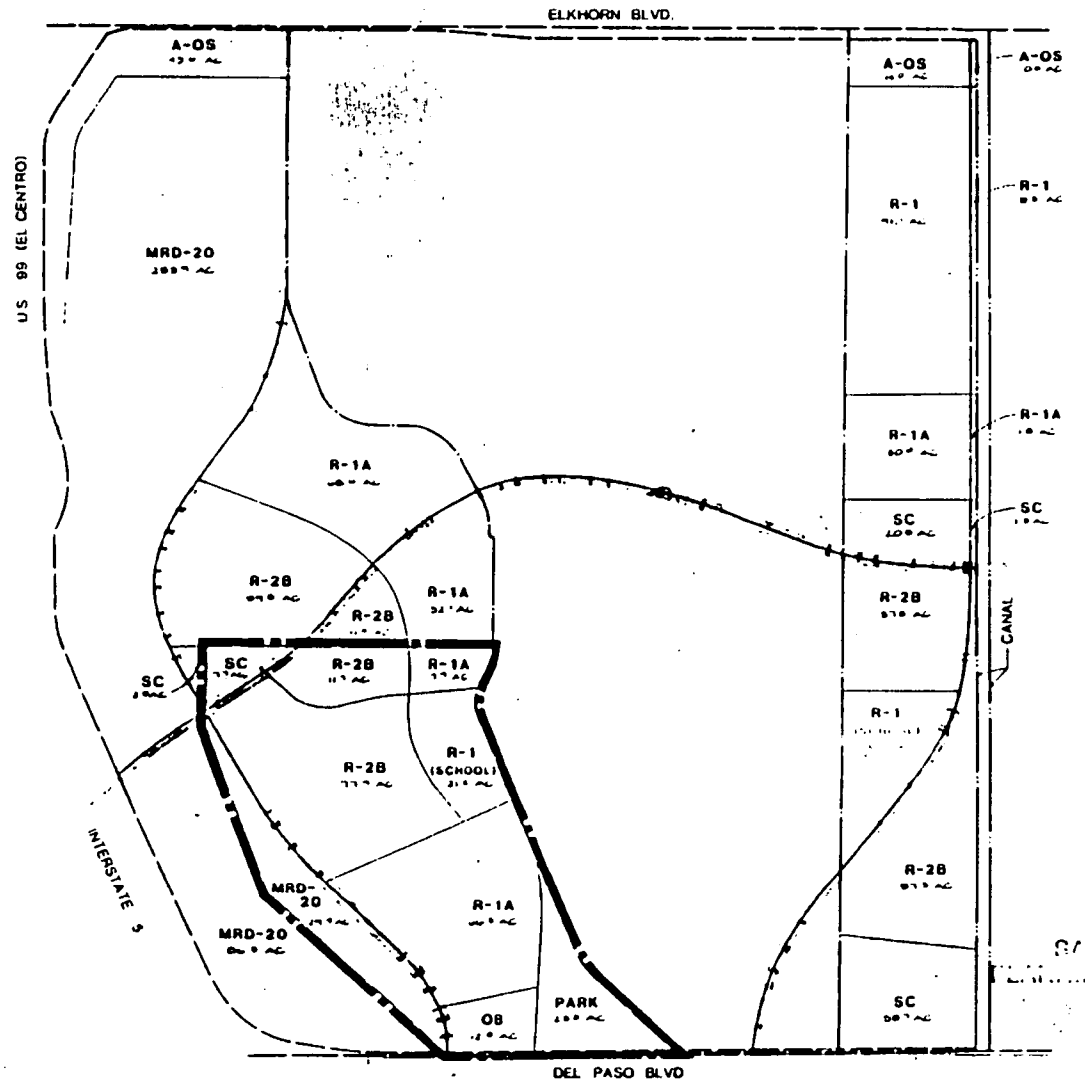
P87-045



LAND USE SUMMARY

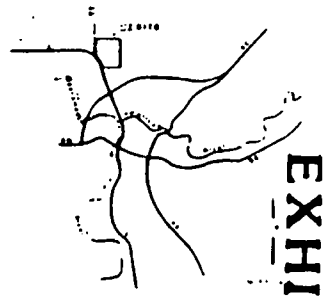
KEY	PROPOSED ZONING	ACREAGE
R-1	SINGLE FAMILY	[illegible]
R-1 (SCHOOL)	SINGLE FAMILY - DESIGNATED FOR SCHOOL USE	[illegible]
R-1A	TOWNHOUSE	[illegible]
R-2B	GARDEN APARTMENT	[illegible]
OB	OFFICE BUILDING	[illegible]
SC	SHOPPING CENTER	[illegible]
MRD-20	MANUFACTURING RESEARCH AND DEVELOPMENT	[illegible]
A-OS	AGRICULTURE - OPEN SPACE	0
PARK	REGIONAL PARK	[illegible]

TOTAL 257.4 AC.

NOTE: ALL ACREAGES ARE APPROXIMATE GROSS AREAS NET ACREAGES WILL EXCLUDE MAJOR PLANNED DRAINAGE CANALS AND THE LINE IN ACCORDANCE WITH PROPOSED DEVELOPMENT PLANS

LEGEND

- STREET RIGHT OF WAY
- PROPERTY QUADRANT OWNER
- CANAL BOUNDARY
- PROPOSED ZONING LIMIT
- PROPOSED THOROUGHFARE
- R-1 PROPOSED ZONE
- ACREAGE
- LIMIT OF APPLICATION AREA



LOCATION MAP

SACRAMENTO CITY

225-040-11-12, 14-16

REZONING EXHIBIT

CITY OF SACRAMENTO, CALIFORNIA

KETSCHER

NOLTE AND ASSOCIATES
1730 I Street, Sacramento, Ca. 95814

FEBRUARY 1987

EXHIBIT 1

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LEGAL DESCRIPTION

All That certain real property situate, lying in the County of Sacramento, State of California, particularly described as follows:

LOTS 59, 60, 74, 75 and 76 of Natomas Central Subdivision according to the official plat, thereof filed in the office of the recorder of Sacramento County, California on September 18, 1920 in Book 16 of Maps, Map No. 3.

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RESOLUTION No. 87-387

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 (P87-045) (APN: 225-040-11, 12, 14, 15, 16)

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	REZONE DESIGNATION
High Density Residential	R-1A, R-2A, R-2B, R-3, PUD
Medium Density Residential	R-1, R-1A, R-2, R-2A, R-2B, PUD
Low Density Residential	R-1, R-1A, R-2, PUD
Community/Neighborhood Commercial	S-C, C-1, C-2, PUD
Highway Commercial	H-C, PUD
MRD-50/MRD-20	MRD/PUD
Light Industrial	M-1S, PUD, MIP, PUD
Office/Business	O-B, PUD
Sports Complex	Special Permit, PUD
Park/Open Space	F, A-OS
Greenbelt/Buffer	A-OS
Agriculture	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:

Zone	Acres
Agricultural (A-PUD)	23± acres
Townhouse (R-1A-PUD)	79± acres
Garden Apartment (R-2B-PUD)	88± acres
Shopping Center (SC-PUD)	8± acres
Office Building (OB-PUD)	12± acres
Manufacturing, Research, Development 20% Office (MRD-20-PUD)	26± acres
Single Family (School Site) (R-1-PUD)	21± acres
TOTAL	257± 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.

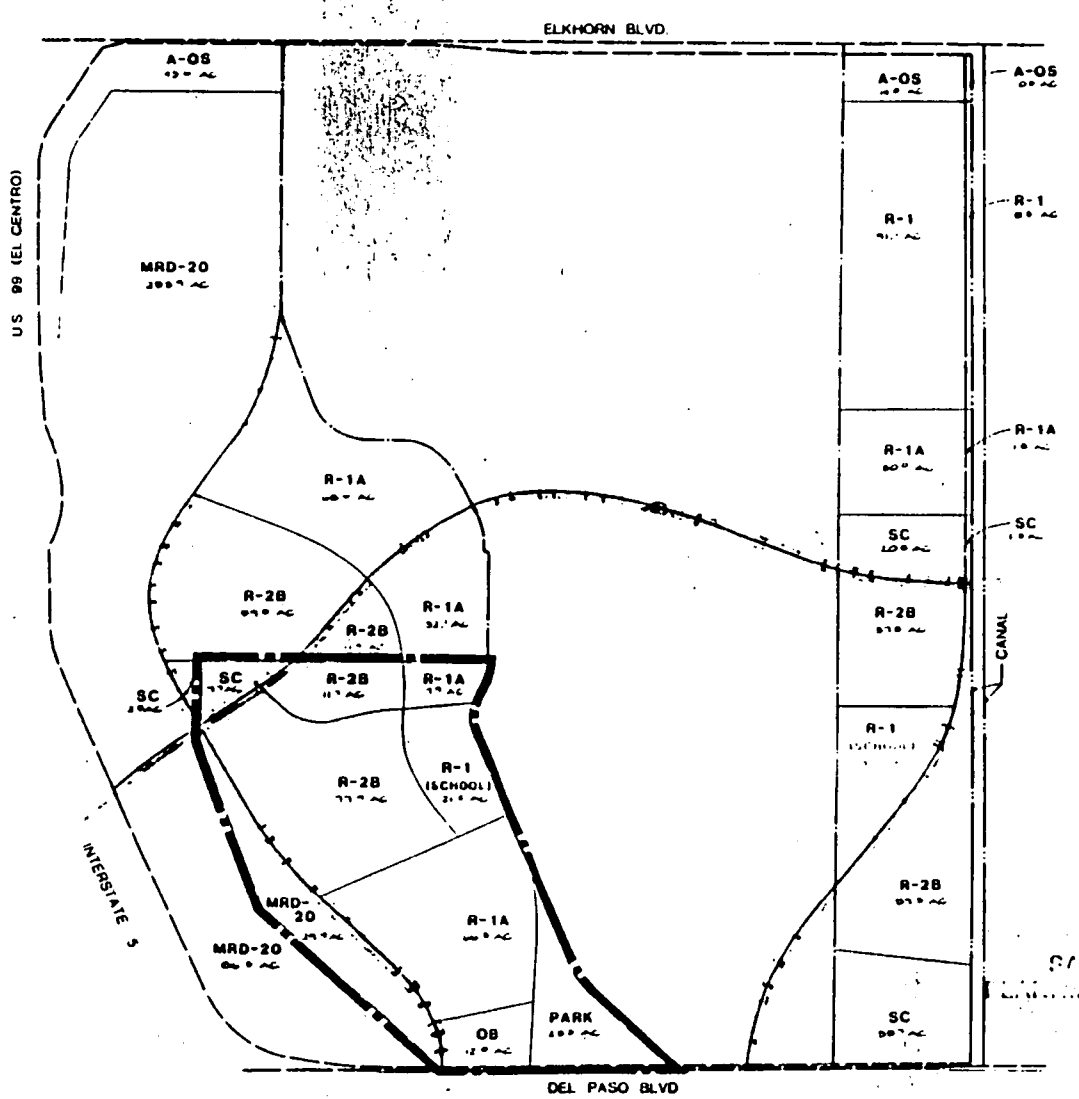
MAYOR

ATTEST:

City Clerk

P87-045

P87-045



LAND USE SUMMARY

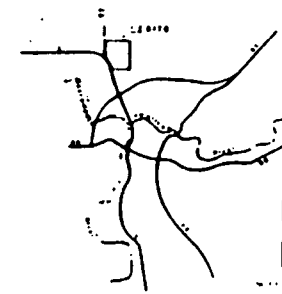
KEY	PROPOSED ZONING	ACREAGE
R-1	SINGLE FAMILY	[illegible]
R-1 (SCHOOL)	SINGLE FAMILY - DESIGNATED FOR SCHOOL USE	[illegible]
R-1A	TOWNHOUSE	[illegible]
R-2B	GARDEN APARTMENT	[illegible]
OB	OFFICE BUILDING	[illegible]
SC	SHOPPING CENTER	[illegible]
MRD-20	MANUFACTURING RESEARCH AND DEVELOPMENT	[illegible]
A-OS	AGRICULTURE - OPEN SPACE	[illegible]
PARK	REGIONAL PARK	[illegible]

TOTAL 257.4 AC.

NOTE: ALL ACREAGES ARE APPROXIMATE GROSS AREAS NET ACREAGES WILL FLUCTUATE PRIOR PLANNED LANDMARK CANAL AND THE LINE IN ACCORDANCE WITH PROPOSED DEVELOPMENT PLANS

LEGEND

- STREET RIGHT OF WAY
- PROPERTY OWNERSHIP BOUNDARY
- CANAL BOUNDARY
- PROPOSED ZONING LIMIT
- PROPOSED THOROUGHFARE
- R-1 PROPOSED ZONE
- ACREAGE
- LIMIT OF APPLICATION AREA



LOCATION MAP

225-040-11-12, 14-16

REZONING EXHIBIT

CITY OF SACRAMENTO, CALIFORNIA

KETSCHER

NOLTE AND ASSOCIATES
1730 I Street, Sacramento, Ca. 95814

FEBRUARY 1987

EXHIBIT 1

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26B

ORDINANCE NO. 87-055

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 NORTH OF DEL PASO ROAD, APPROXIMATELY 3,600 FEET EAST OF THE I-5/DEL PASO ROAD INTERCHANGE FROM THE AGRICULTURAL (A) ZONE(S) AND PLACING THE SAME IN THE TOWNHOUSE (R-1A(PUD), GARDEN APARTMENT (R-2B(pud), SHOPPING CENTER (SC(PUD), OFFICE BUILDING (OB(PUD), MANUFACTURING RESEARCH DEVELOPMENT 20% OFFICE (MRD-20(PUD), SINGLE FAMILY (R-1(PUD) ZONES. APN: 225-040-11,12,14,15,16. **(P87-045)**

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 Townhouse (R-1A(PUD), - Garden Apartment (R-2B(PUD), - Shopping Center (SC(PUD), - Office Building (OB(PUD), Manufacturing Research Development 20% Office (MRD-20(PUD), Single Family (R-1(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	REZONE DESIGNATION
High Density Residential	R-1A,R-2A,R-2B,R-3, PUD
Medium Density Residential	R-1,R-1A,R-2,R-2A,R-2B,PUD
Low Density Residential	R-1,R-1A,R-2,PUD
Community/Neighborhood Commercial	S-C,C-1,C-2,PUD
Highway Commercial	H-C,PUD
MRD-50/MRD-20	MRD/PUD
Light Industrial	M-1S,PUD,MIP,PUD
Office/Business	O-3,PUD
Sports Complex	Special Permit, PUD
Park/Open Space	F,A-OS
Greenbelt/Buffer	A-OS
Agriculture	A

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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

P87-045

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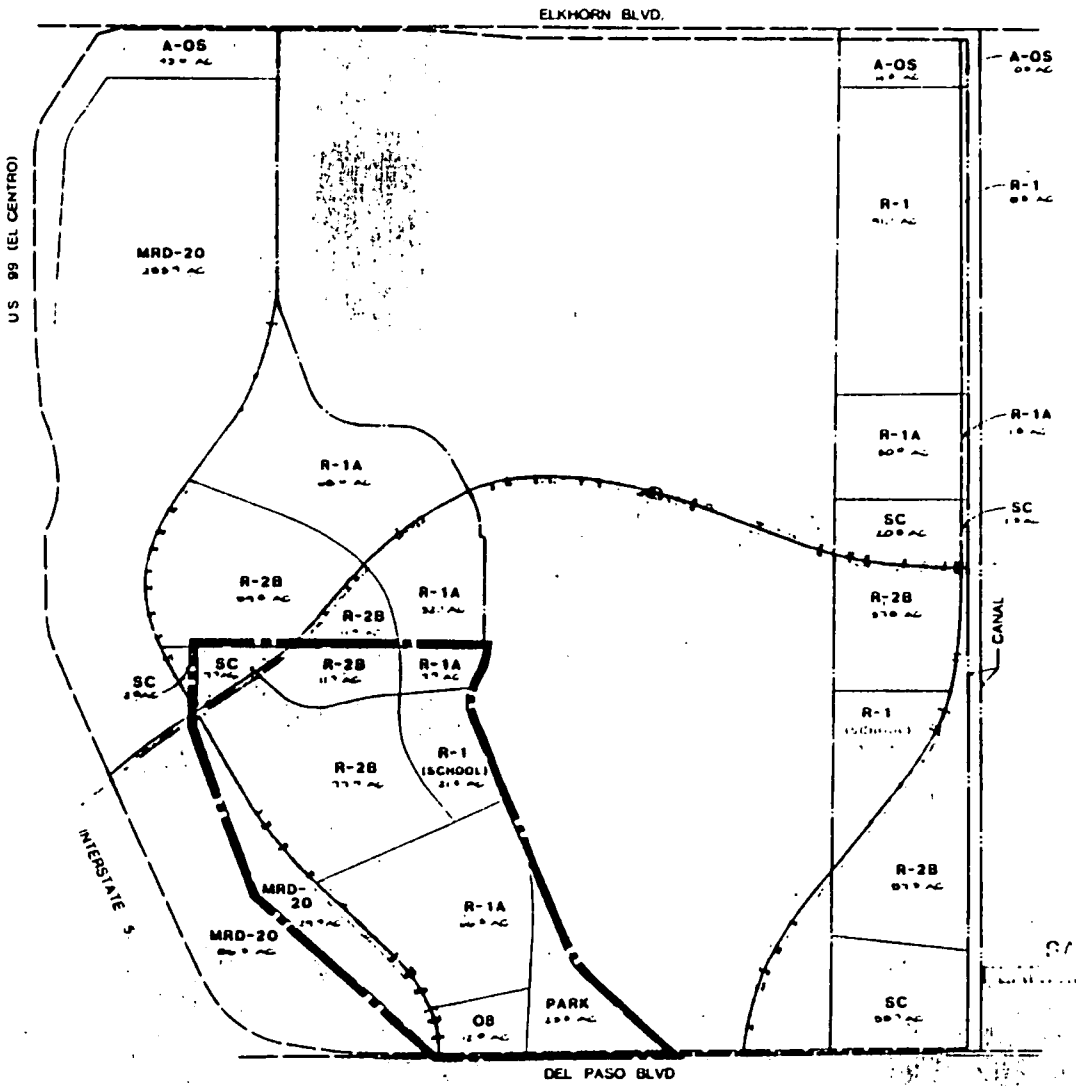
P87-045



LAND USE SUMMARY

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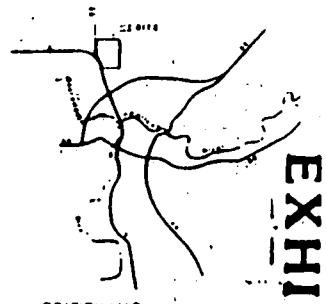
R-1	SINGLE FAMILY	[illegible]
R-1 (SCHOOL)	SINGLE FAMILY - DESIGNATED FOR SCHOOL USE	[illegible]
R-1A	TOWNHOUSE	[illegible]
R-2B	GARDEN APARTMENT	[illegible]
OB	OFFICE BUILDING	[illegible]
SC	SHOPPING CENTER	[illegible]
MRD-20	MANUFACTURING RESEARCH AND DEVELOPMENT	[illegible]
A-OS	AGRICULTURE - OPEN SPACE	[illegible]
PARK	REMAINING PARK	[illegible]

TOTAL 257.4 AC.

NOTE: ALL ACREAGES ARE APPROXIMATE GROSS AREAS NET ACREAGES WILL EXCLUDE MAJOR ROADWAYS DRAINAGE CHANNELS AND THE LINE IN ACCORDANCE WITH PROPOSED DEVELOPMENT PLANS

LEGEND

- STREET RIGHT-OF-WAY
- PROPERTY OWNERSHIP BOUNDARY
- CANAL BOUNDARY
- PROPOSED ZONING LIMIT
- PROPOSED INTERSECTIONS
- R-1 PROPOSED ZONE
- [illegible] ACREAGE
- LIMIT OF APPLICATION AREA



LOCATION MAP

SACRAMENTO CITY LIMITS

225-040-11-12, 14-16

REZONING EXHIBIT

CITY OF SACRAMENTO, CALIFORNIA

KETSCHER

NOLTE AND ASSOCIATES
1730 I Street, Sacramento, Ca. 95814 FEBRUARY 1987

EXHIBIT 1

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Sacramento City Planning Commission
VOTING RECORD

26B

MEETING DATE 5-7-87
ITEM NUMBER 1,2,3
PERMIT NUMBER P87-043, 87-044, 87-045

ENTITLEMENTS

- [ ] GENERAL PLAN AMENDMENT
- [ ] COMMUNITY PLAN AMENDMENT
- [x] REZONING
- [ ] SPECIAL PERMIT
- [ ] VARIANCE
- [ ] TENTATIVE MAP
- [ ] SUBDIVISION MODIFICATION
- [ ] LOT LINE ADJUSTMENT
- [ ] ENVIRONMENTAL DET.
- [x] OTHER Development Agreement PUD Designation

STAFF RECOMENDATION
- [x] Favorable
- [ ] Unfavorable
- [ ] Correspondence
- [ ] Petition

LOCATION North Natomas · East of I-5 North of Del Paso

PROPONENTS

NAME	ADDRESS
Joy Patterson	Staff
Greg Thatch	1730 I St

OPPONENTS

NAME	ADDRESS
Andy Sawyer - ECOS	500 N Street #1403 Sacramento

MOTION# _____

	YES	NO	MOTION	SECOND
Chinn	✓			
Ferris	✓			
Goodin	✓			
Hollick	✓		✓	
Holloway	✓			
Ishmael	Absent			
Otto	✓			
Walton	✓			
Ramirez	✓			

MOTION

- [x] 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
- [x] TO RECOMMEND APPROVAL SUBJECT TO COND. & FORWARD TO CITY COUNCIL
- [ ] TO RATIFY NEGATIVE DECLARATION
- [ ] TO CONTINUE TO _____ MEETING
- [ ] OTHER _____

PLANNING AND DEVELOPMENT

CITY PLANNING COMMISSION

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

26B

APPLICANT Nolte and Associates - 1730 I Street, Sacramento, CA 95814
OWNER D. W. and Priscilla Ketscher - 22555 E. Jensen, Reedley, CA 93654
PLANS BY Nolte and Associates - 1730 I Street, Sacramento, CA 95814
FILING DATE 1-27-87 ENVIR. DET. Neg. Dec. 4-27-87 REPORT BY JP:sg
ASSESSOR'S PCL. NO. 225-040-11,12,14,15,16

APPLICATION: A. Negative Declaration

B. Development Agreement between the City of Sacramento and the Ketscher project property owners

C. Planned Unit Development Designation for 257± acres

D. Rezone 234± acres from Agricultural (A) to: Townhouse (Planned Unit Development) (R-1A(PUD), 79± acres) - Garden Apartment (Planned Unit Development (R-2B(PUD), 88± acres) - Shopping Center (Planned Unit Development (SC(PUD), 8± acres) - Office Building (Planned Unit Development) (OB(PUD), 12± acres) - Manufacturing Research Development-20% Office (Planned Unit Development) (MRD-20(PUD), 26± acres) - Single Family (Planned Unit Development) (R-1(PUD), 21± acres)

LOCATION: North of Del Paso Road, approximately 3,600 feet east of the I-5/Del Paso Road interchange.

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, Community Neighborhood Commercial, Office Business, Manufacturing, Research Development (20% Office), School Site, Regional Community Park
Existing Zoning of Site:	Agricultural (A)
Existing Land Use of Site:	Vacant, horse boarding stable

Surrounding Land Use and Zoning:

North: Vacant; A
South: Vacant; Arco Arena site; A
East: Vacant; A
West: Vacant, I-5; A

Property Dimensions:	Irregular
Property Area:	257± acres

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

A. Land Use and Zoning

The subject site consists of five parcels totaling 257± acres located in the Agricultural (A) zone. The site is currently vacant, except for a horse

boarding operation located on the southern portion of the property adjacent to Del Paso Road and some of the acreage used for agricultural purposes. Lands adjacent to the subject site are vacant or used for agricultural purposes, with the exception of the new arena site which has received foundation permits and is under construction to the south of the subject site.

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, Community Neighborhood Commercial, Office Business, Manufacturing Research Development (20% Office), School Site and Regional Community Park uses. 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 257± 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.

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 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. <u>Planned Unit Development Designation</u>

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.

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 257± acre project area.

E. Proposed Rezoning and Community Plan Consistency

The subject site totals 257± acres. The applicant proposes to rezone the subject property from Agricultural (A) to the following zones:

- Townhouse (Planned Unit Development) (R-1A(PUD))	79± acres
- Garden Apartment (Planned Unit Development) (R-2B(PUD))	88± acres
- Shopping Center (Planned Unit Development) (SC(PUD))	8± acres
- Office Building (Planned Unit Development) (OB(PUD))	12± acres
- Manufacturing, Research, Development - 20% Office (Planned Unit Development) (MRD-20(PUD))	26± acres
- Single Family (Planned Unit Development) (School Site) (R-1(PUD))	21+ acres
Total	234± acres

The remaining 23± acres of the subject site are a portion of the 200± acre Regional Community Park indicated on the North Natomas Community Plan and will remain in the Agricultural (A) zone.

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 1,367 jobs compared to the 1,345 jobs estimated for the same area of the community plan and proposes 2,217 dwelling units as compared to 2,236 dwelling units estimated for the same area of the 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.

<u>RECOMMENDATION</u>: 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 Ketscher project property owners;

C. Recommend approval of the Planned Unit Development Designation for 257± acres;

D. Recommend approval of the Rezoning of 234± acres from Agricultural (A) to:

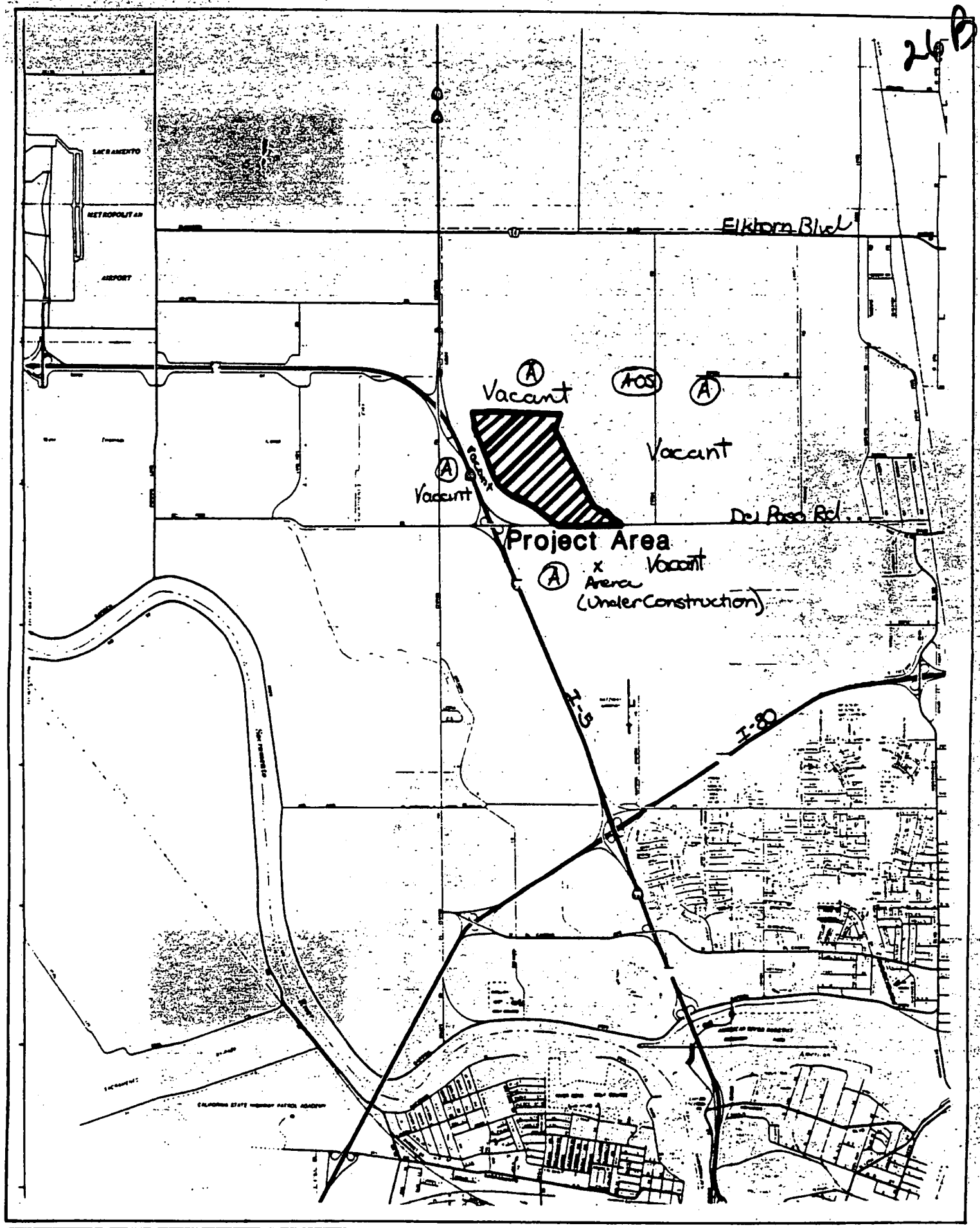
- Townhouse (Planned Unit Development) (R-1A(PUD), 79± acres)
- Garden Apartment (Planned Unit Development (R-2B(PUD), 88± acres)
- Shopping Center (Planned Unit Development (SC(PUD), 8± acres)
- Office Building (Planned Unit Development (OB(PUD), 12± acres)
- Manufacturing Research Development-20% Office (Planned Unit Development) (MRD-20(PUD), 26± acres)
- Single Family (Planned Unit Development) (School Site) (R-1(PUD), 21± acres)

26B

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).



P87-045 **VICINITY - LAND USE - ZONING** Item 3

5-7-87

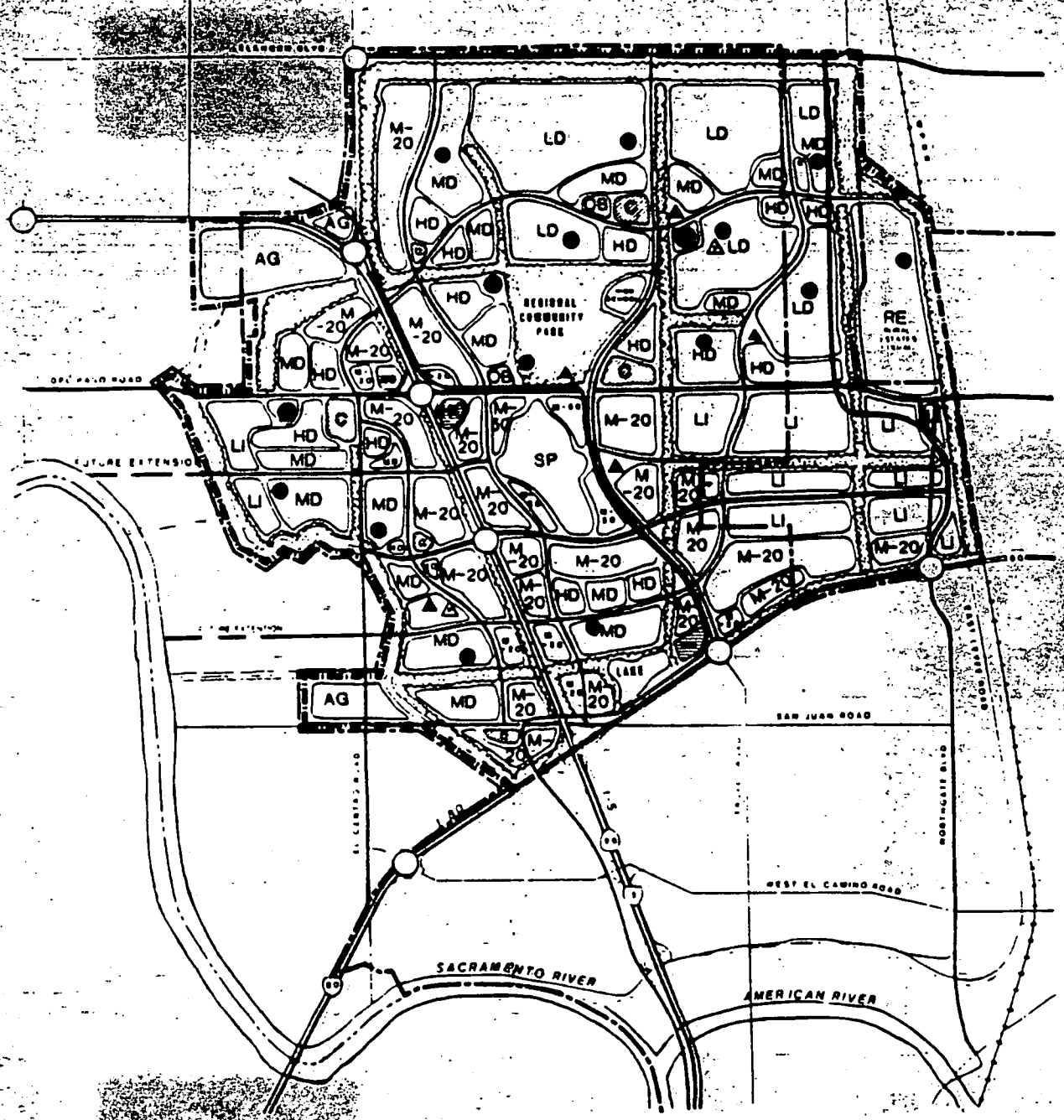
7

22

NORTH NATOMAS COMMUNITY

26B

COMMUNITY LAND USE PLAN



ADOPTED LAND USE

HD — HIGH DENSITY RESIDENTIAL (22.00+ AC)	HIGHWAY COMMERCIAL	OB — OFFICE BUSINESS	AG — AGRICULTURE
MD — MEDIUM DENSITY RESIDENTIAL (12.00 AC)	M-20 — MANUFACTURING RESEARCH, DEVELOPMENT (20% OFFICE)	SP — SPORTS COMPLEX	ELEMENTARY SCHOOL JUNIOR HIGH SCHOOL
LD — LOW DENSITY RESIDENTIAL (7.00 AC)	M-50 — MANUFACTURING RESEARCH DEVELOPMENT (50% OFFICE)	PARK OPEN SPACE	CIVIC, PUBLIC USE (LIBRARY, FIRE STATIONS, MEDICAL CENTERS)
COMMUNITY NEIGHBORHOOD COMMERCIAL	LI — LIGHT INDUSTRIAL	GREENBELT 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

ST OUTER FLOOD CONTROL BOUNDARY

P87-045

Item3

5-7-87

8

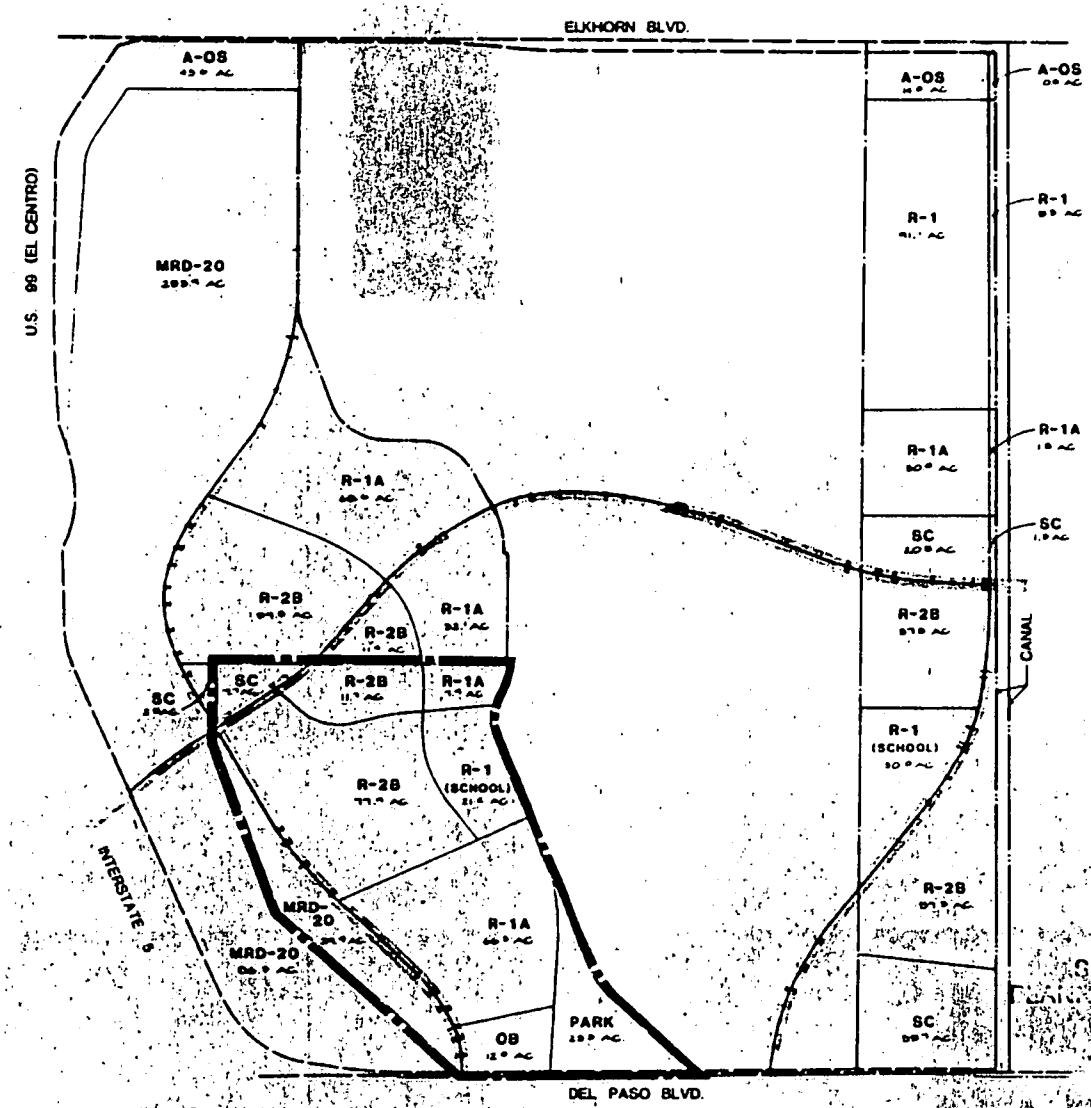
CITY OF SACRAMENTO Planning and Community Development NOV 1988 REV FEB 1989

23

P87-045

S-7-87

Item 3



LAND USE SUMMARY

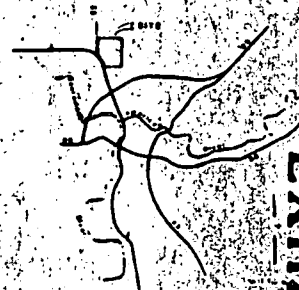
KEY	PROPOSED ZONING	ACREAGE
R-1	SINGLE FAMILY	[illegible]
R-1 (SCHOOL)	SINGLE FAMILY - DESIGNATED FOR SCHOOL USE	[illegible]
R-1A	TOWNHOUSE	[illegible]
R-2B	GARDEN APARTMENT	[illegible]
OB	OFFICE BUILDING	[illegible]
SC	SHOPPING CENTER	[illegible]
MRD-20	MANUFACTURING RESEARCH AND DEVELOPMENT	[illegible]
A-OS	AGRICULTURE - OPEN SPACE	0
PARK	REGIONAL PARK	[illegible]

TOTAL 257.4 AC.

NOTE: ALL ACREAGES ARE APPROXIMATE GROSS AREAS (NET ACREAGES WILL EXCLUDE MAJOR ROADWAYS, DRAINAGE CHANNELS AND TIE-LINE IN ACCORDANCE WITH PROPOSED DEVELOPMENT PLANS)

LEGEND

- STREET RIGHT-OF-WAY
- PROPERTY OWNERSHIP DIVISION
- CANAL BOUNDARY
- PROPOSED ZONING LIMIT
- PROPOSED THOROUGHFARE
- R-1 PROPOSED ZONE
- [illegible] AC ACREAGE
- LIMIT OF APPLICATION AREA



LOCATION MAP

0 300 600 1200

SACRAMENTO CITY PLANNING & ENVIRONMENT

225-040-11-12, 14-16

REZONING EXHIBIT

CITY OF SACRAMENTO, CALIFORNIA

KETSCHER

NOLTE AND ASSOCIATES
1730 I Street, Sacramento, Ca. 95814

FEBRUARY 1987

EXHIBIT 1

RECEIVED

26

SACRAMENTO CITY PLANNING DEPARTMENT

Application Information — Application taken by/date: _____

Project Location North of Del Paso Road, Approx. 3,600 ft E of the I-5 Del Paso Road interchange. **P** 87-045

Assessor Parcel No. 225-040-11,12,14,15,16

Owners D.W. and Priscilla Ketscher — **Phone No.** _____

Address 22555 E. Jensen, Reedley, CA 93654

Applicant Nolte and Associates — **Phone No.** _____

Address 1730 I Street, Sacramento, CA 95814

Signature _____ **C.P.C. Mtg. Date** _____

REQUESTED ENTITLEMENTS	ACTION ON ENTITLEMENTS Commission date	Council date	Filing Fees
☒ Environ. Determination Neg. Dec.	5-7-87		$
☐ General Plan Amend			$
		Res.	
☒ ~~Community Plan Amend~~ Development Agreement btwn. the ( ) City of Sacramento and the Ketscher project property owners			$
		Res.	
☒ Rezone 234+ ac. from Agricutural A to: Townhouse (R-1A(PUD), 79+ ac. Garden apartment (R-2B(PUD) 88+ Ac. - Shopping Center (SC(PUD), 8+ ac. - Office		Ord.	$
☐ Tentative Map Building (OB(PUD), 12+ ac.) - Manufacturing Research Development 20% Office (MRD-20(PUD), 26+ ac.) Single Family (R-1(PUD), 21+ ac.)		Res.	$
☐ Special Permit			$
☒ ~~Variance~~ Planned Unit Development Designation for 257+ Acres.			$
☐ Plan Review			$
☐ PUD			$
☐ Other			$

FEE TOTAL $ _____

RECEIPT NO. _____

By/date _____

Sent to Applicant: _____ Date — By: _____ Sec. to Planning Commission

Key to Entitlement Actions

R - Ratified
Cd - Continued
A - Approved
AC - Approved W/conditions
AA - Approved W/amended conditions
D - Denied
RD - Recommend Denial
RA - Recommend Approval
RAC - Recommend Approval W/conditions
RMC - Recommend Approval W/amended conditions
IAF - Intent to Approve based on Findings of Fact
AFF - Approved based on Findings of Fact
RPC - Return to Planning Commission
CSR - Condition Indicated on attached Staff Report

NOTE: There is a thirty (30) consecutive day appeal period from date of approval. Action authorized by this document shall not be conducted in such a manner as to consitute a public nuisance. Violation of any of the foregoing conditions will consitute grounds for revocation of this permit. Building permits are required in the event any building construction is planned. The County Assessor is notified of actions on rezonings, special permits and variances.

P P87045

J-applicant receipt White-applicant permit Yellow-department file Pink-permit book

Sacramento City Planning Commission
VOTING RECORD

123-Negdh

MEETING DATE 5-7-87

ITEM NUMBER 1, 2, 3

PERMIT NUMBER P87-043, 87-044, 87-045

ENTITLEMENTS

- [ ] GENERAL PLAN AMENDMENT
- [ ] COMMUNITY PLAN AMENDMENT
- [ ] REZONING
- [ ] SPECIAL PERMIT
- [ ] VARIANCE
- [ ] TENTATIVE MAP
- [ ] SUBDIVISION MODIFICATION
- [ ] LOT LINE ADJUSTMENT
- [x] ENVIRONMENTAL DET.
- [ ] OTHER _____

STAFF RECOMENDATION
- [x] Favorable
- [ ] Unfavorable
- [ ] Correspondence
- [ ] Petition

LOCATION N. Natomas CP area E of I-5, N of Del Paso

PROPONENTS

NAME	ADDRESS
Clif Carstens	Staff

OPPONENTS

NAME	ADDRESS
Andy Sawyer	ECOS

MOTION # _____

	YES	NO	MOTION	SECOND
Chinn	✓			
Ferris	✓			
Goodin	✓			
Hollick	✓			
Holloway	✓			
Ishmael	Absent			
Otto	✓			
Walton	✓		✓	
Ramirez	✓			

MOTION

- [x] 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
- [x] TO RATIFY NEGATIVE DECLARATION
- [ ] TO CONTINUE TO _____ MEETING
- [ ] OTHER _____

PLANNING AND DEVELOPMENT

Sacramento City Planning Commission
VOTING RECORD

MEETING DATE 5-7-87

ITEM NUMBER 1, 2, 3

PERMIT NUMBER P87-043, 87-044, 87-045

ENTITLEMENTS

- [ ] GENERAL PLAN AMENDMENT
- [ ] COMMUNITY PLAN AMENDMENT
- [x] REZONING
- [ ] SPECIAL PERMIT
- [ ] VARIANCE
- [ ] TENTATIVE MAP
- [ ] SUBDIVISION MODIFICATION
- [ ] LOT LINE ADJUSTMENT
- [ ] ENVIRONMENTAL DET.
- [x] OTHER Development Agreement PUD Designation

STAFF RECOMENDATION
- [x] Favorable
- [ ] Unfavorable
- [ ] Correspondence
- [ ] Petition

LOCATION North Natomas East of I-5 North of Del Paso

PROPONENTS

NAME	ADDRESS
Joy Patterson	Staff
Greg Thatch	1730 I St

OPPONENTS

NAME	ADDRESS
Andy Sawyer - ECOS	500 N Street #1403 Sacramento

MOTION# _____

	YES	NO	MOTION	SECOND
Chinn	✓			
Ferris	✓			
Goodin	✓			
Hollick	✓		✓	
Holloway	✓			
Ishmael	Absent			
Otto	✓			
Walton	✓			
Ramirez	✓			

MOTION

- [x] 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
- [x] TO RECOMMEND APPROVAL SUBJECT TO COND. & FORWARD TO CITY COUNCIL
- [ ] TO RATIFY NEGATIVE DECLARATION
- [ ] TO CONTINUE TO _____ MEETING
- [ ] OTHER _____

PLANNING AND DEVELOPMENT

EXHIBIT B

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:

_x_ Filing a Negative Declaration
____ Requiring an Environmental Impact Report
____ Other _____

PLEASE TYPE OR PRINT

Project Proposal: Development Agreement, Rezone
Planned Unit Development

Project Address: North of Del Paso Road approximately 3,600 feet east of the I-5/Del Paso Road interchange

Assessor's Parcel No.: 225-040-11, 12, 14-6

Owner: Ketsher Properties **Phone:** _____

Mailing Address: _____ **Zip Code:** _____

Applicant/Agent: Nolte and Associates **Phone:** _____

Mailing Address: 1730 I St., Sacramento, CA **Zip Code:** 95814

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
_x_ by Third Party $40.00

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

Receipt No. _____

P 87-045

#1043-34

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

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

May 4, 1987

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.

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)evisions 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.

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

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

OFFICE OF THE
CITY CLERK

CITY OF SACRAMENTO
CALIFORNIA

CITY HALL
ROOM 203
915 I STREET
SACRAMENTO, CA
95814-2671

916-449-5426

May 7, 1987

D.W. & Priscilla Ketscher
22555 E. Jensen
Reedley, CA 93654

On May 7, 1987, the following matter was filed with my office to set a hearing date before the City Council:

P-87045 - Various requests for property located north of Del Paso Road, approximately 3,600 feet east of the I-5/Del Paso Road interchange.

A. Appeal of the Environmental Coordinator's Decision to prepare a Negative Declaration on various entitlements to allow development of the Ketscher project.

B. Various requests for Entitlements for the Ketscher project.
   1. Negative Declaration.
   2. Development Agreement between the City of Sacramento and the Ketscher project property owners.
   3. Planned Unit Development Designation for 257± acres.
   4. Rezone 234± acres from Agricultural (A) to: Townhouse (Planned unit Development) (R-1A(PUD) 79± acres) - Garden Apartment (Planned Unit Development) (R-2B(PUD), 88± acres) - Shopping Center (Planned Unit Development) SC(PUD), 8± acres) - Office Building (Planned Unit Development) (OB(PUD), 12± acres) - Manufacturing Reserach Development 20% Office (Planned Unit Development) (MRD-20(PUD), 26± acres) - Single Family (Planned Unit Development) (R-1(PUD), 21± acres)

This hearing has been set for May 21, 1987, 7:30 p.m., Council Chamber, Second Floor, City Hall, 915 "I" Street, Sacramento, California. Interested parties are invited to appear and speak at the hearing.

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk at or prior to the public hearing.

Pursuant to Council Rules of Procedure 4.5, continuance of the above matter may be obtained only by the property owner of the above property, applicant, or appellant, or their designee, by submitting a written request delivered to this office no later than 12:00 Noon the day prior to the scheduled hearing date. If written request is not delivered to this office as specified herein, a continuance may only be obtained by appearing before the City Council at the time of the hearing and submitting a verbal request to the Council.

Any questions regarding this hearing should be directed to the City Planning Department, 1231 I Street, Sacramento, California, phone 449-5604.

Sincerely,

Janice Beaman
Deputy City Clerk

cc: Nolte & Associates
Mailing List for P-87045 - 10

May 27, 1987

D.W. and Priscilla Ketscher
22555 E. Jensen
Reedley CA 93654

Dear Mr. and Ms. Ketscher:

On May 21, 1987, the Sacramento City Council took the following action(s) for property located north of Del Paso Road, approximately 3,600 feet east of the I-5/Del Paso Road Interchange:

> Ratified Negative Declaration, adopted Ord. 87-054 approving Development AG86212 with Ketscher project property owners, adopted Res. 87-387 approving Planned Unit Development Designation for 257± acres and adopted Ord. 87-055 approving rezone of 234± acres from Agricultural (A) zones. (P-87045)

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

Sincerely,

Lorraine Magana
City Clerk

LM/lmh/#26

Enclosure

cc: Planning Department
Nolte and Associates, 1730 I Street, Sacramento, CA, 95814

May 27, 207

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Sincerely,

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June 5, 1987

D.W. and Priscilla Ketscher
22555 E. Jensen
Reedley CA 93654

Dear Mr. and Ms. Ketscher:

On May 21, 1987, the Sacramento City Council took the following action(s) for property located north of Del Paso Road, approximately 3,600± feet east of the I-5/Del Paso Road Interchange:

> Ratified Negative Declaration; adopted Ord. 87-054 approving Development Agreement 86212 with Ketscher project property owners; adopted Res. 87-387 approving Planned Unit Development Designation for 257± acres and adopted Ord. 87-055 approving rezone of 234± acres from Agricultural (A) zones. (P-87045)

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

Sincerely,

Lorraine Magana
City Clerk

LM/lmh/#26

Enclosure

cc: Planning Department
Nolte and Associates, 1730 I Street, Sacramento, CA, 94814

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 Tsakopoulous 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.

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

Larry & Carol Smith