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**CITY OF SACRAMENTO
CALIFORNIA**

June 22, 1990

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Budget & Finance Committee/
Transportation & Community Development Committee
City Hall
Sacramento, CA 95814

Subject: North Natomas Regional Park

Honorable Members in Session:

ISSUES PRESENTED

At the joint committee meeting on June 5, 1990, the following questions were directed to the City Attorney, to be answered in conjunction with and as part of the overall report back on the regional park issues related to the Financing Plan for North Natomas:

1. Is there a legal requirement embodied in the North Natomas Community Plan (NNCP), as adopted, that the 200-acre regional park be "dedicated" to the City?
2. Can the present owners of the 112-acre portion, as to which there are no development rights, be compelled to dedicate their land to the City for the regional park?

ANSWERS

1. While it is not entirely clear, it appears that the NNCP and the approved development agreements contemplate a combination of dedication and acquisition, with associated financing arrangements, to assemble the 200 acres for the regional park.
2. Irrespective of the manner in which the sole ownership of the 112-acre parcel came to pass, the current owner cannot be compelled to transfer the 112 acres to the City without compensation, since there are no development rights as to that land on which to condition dedication.

BACKGROUND/ANALYSIS

I. EFFECT OF NNCP AND DEVELOPMENT AGREEMENTS

A. Relevant Community Plan Provisions.

There are several provisions of the NNCP which bear on the regional park issues. First, under the "Community Facilities and Services Element", on page 58, under "Objectives", there is the following statement: "The Regional Park (200 acres) shall be dedicated to the City". Then, on page 59, under item 8, it is stated that "The regional park including curbs, gutters, sidewalks, streets, water, sewer, and stormdrains, and greenbelt shall be acquired by the City in fee, at the expense of the private sector, and without credit to Quimby Fees". Finally, under the section entitled "Financing Approach", item B on page 127, the third "bullet" deals with the regional park as follows: "The lands for the regional park and greenbelt shall be acquired by the City in fee at the expense of the private sector."

B. Development Agreement Provisions.

Development agreements approved by the City Council after adoption of the NNCP contain some provisions dealing with the manner in which public facilities, including parks, are to be financed. Copies of these provisions are attached to this report (Attachment A). In recital E.3. on page 3, it is acknowledged that certain mitigation measures, such as the regional park, must be financed in a manner which maintains the economic soundness of the NNCP area; with regard to the regional park, it is specifically stated that the mitigation measures include "acquisition of...a regional park." Section 303 requires developers to dedicate lands in conjunction with entitlements such as zoning, special permits and subdivision maps. On page 2 of the "Special Conditions" annex to the development agreements, provision is made for financing of "public facilities" (which would include the park) through a combination of "contributions" [presumably dedications], fees, assessment districts, community facilities districts and other sources so that the land and developed properties within the area pay the cost of such public facilities. On page 11 of the Special Conditions, item 8, a required finding for special permit approval is that all dedications of property owned by the project applicant must have been made or assured.

C. Analysis.

Steve Jenkins has amassed and provided to the Council and to this office materials which unquestionably establish that the developers orally committed themselves to "dedicate" the land for the regional park at the hearings on the adoption of the NNCP. (Grouped together as Attachment B). Former Councilmember Pope's motion for adoption reiterates that commitment (see transcript attached to Jenkins' April 30, 1990 letter, Exhibit I).

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June 22, 1990
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The text of the NNCP itself, however, is ambivalent, as can be seen from the excerpts set out above. In one place the NNCP contemplates "dedication", and in two places refers to "acquisition". Used in their strictest sense, these two concepts are, of course, antithetical. David McMurtry (McMurtry's correspondence is grouped together as Attachment C) contends that the term "dedicate" was used not in the legal sense, but in a more colloquial manner, and supports this argument with points regarding the context (see McMurtry's letter dated June 7, 1990).

While the positions of Messrs. Jenkins and McMurtry appear to be polarized, viewing the NNCP as a whole together with the relevant provisions of the development agreements later approved by the City Council, the answer appears to lie between these two extremes. Thus, where a project applicant owns property which includes land designated as regional parkland, that portion must be dedicated [subject, of course, to a potential legal requirement¹ of equalization of the dedication burden through a fee district or similar mechanism allocating cost in accordance with benefit]. Where, however, there is no "project applicant" because there are no development rights, "dedication" in the literal sense cannot occur. Under those circumstances, the NNCP and the development agreements appear to contemplate that there must be an "acquisition", especially since that term is expressly used.

Given this ambiguous situation, and within the confines of the legal requirements set out above, the Council as a matter of policy can determine the means to be used to finance the park. Thus, for example, the Council could determine, at the appropriate juncture (i.e., when the Financing Plan is heard on its merits), that some method other than a Mello-Roos C.F.D. must be utilized to finance the purchase of park acreage.

II. EFFECT OF TMI OWNERSHIP OF THE 112 ACRES.

As is shown on Exhibit A to the Public Works Department's report, the entire 112 acres is owned by Kensington Square, Ltd., apparently a nominee for "TMI". As is also shown by the report, Kensington acquired this land in September of 1985, prior to adoption of the NNCP. This is verified by the excerpt from the Trust Deed furnished by Mr. Jenkins (see Jenkins' April 30, 1990 letter, Exhibit D), which was recorded September 26, 1985, and which contains a "release" clause allowing release from the lien of the trust deed those portions of the land sold which are required to be dedicated "as a condition to final tract map and/or parcel map approval", upon payment of \$40,000 per released acre to the

¹The "legal requirement" referred to here relates to reasonableness of dedication requirements. Thus, even where dedications can be exacted as a condition of an entitlement, a relative quantitative analysis is required. Stated differently, the amount of the dedication must be reasonable under the circumstances; to the extent it is "unreasonable", a taking occurs. Each case must be analyzed on its own facts. Aptos Seascap Corp. v. County of Santa Cruz (1982) 138 Cal.App.3d 484, 495; Penn Central v. New York City (1978) 438 U.S. 104. The process of "equalization" through use of a cost-spreading mechanism satisfies the reasonableness requirement by forcing each project applicant to shoulder a pro rata share of the burden.

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beneficiary [i.e., the seller]. This clause, with its dedication provisions, demonstrates two facts: (i) Sacramento Savings [seller] and Kensington Square apparently contemplated at the time of sale that at least some portion of the property was included in the regional park and would have to be dedicated when entitlements were sought; and (ii) the parties to that sale also contemplated that there would be some developable portion of the property left, since they covered dedication as a "release" event only in connection with a "final tract map and/or parcel map approval".

Mr. Jenkins, on the other hand, draws a different inference from these facts. He points to the fact that the location of the park has not changed on the NNCP maps since 1984, and contends that any change in the exact location of the park through rezoning or other entitlement grants would necessitate a plan amendment. While this approach seems appealing, its principal difficulty is that it assumes that the park location on the NNCP map is exact. As is pointed out in the Public Works Department report, this is not always the case. In this case the Truxel Road alignment changed approximately 900 feet to the east in conjunction with approved rezoning applications, resulting in a corresponding land-and parcel-specific designation of the park boundary. (See also McMurtry's June 15, 1990 letter). The effect of this supervening zoning change was to render the whole of the Kensington Square land [i.e., the 112 acres] parkland. Such rezoning actions, of course, received independent environmental review, were subjected to public hearings, were duly approved, and are long past the limitation period for challenge.

It is not clear, however, how much of Kensington's land was affected by the 900-foot move. Mr. McMurtry seems to indicate that when Kensington bought from Sacramento Savings, most of the 112 acres was developable. Public Works staff has determined that the only developable land upon purchase was a small parcel [10-15 acres] located in the southeast portion of the park area and fronting on Del Paso and Truxel; the rest was already designated parkland. Consequently, with the easterly move, that small parcel also became parkland thereby completing the 112 acres.

While the above facts are somewhat in dispute, it is not necessary to decide which "side" is correct, since the legal issue is unaffected by the collateral factual dispute of how the title came to be in its present condition. The legal question is whether, given the current state of the title [however it came to be], Kensington can be compelled to "dedicate" the 112 acres. In short, such a requirement would be the equivalent of an eminent domain action. While it is axiomatic that reasonable dedications may lawfully be exacted as a condition of granting development entitlements, it is equally fundamental that absent application for such entitlements [assuming their availability], a dedication requirement has no legal basis.² The United States Supreme Court has recently established significant "nexus" requirements for dedications [and likely all development exactions and conditions] which reinforce these conclusions.³

²See, Trent Meredith, Inc. v City of Oxnard (1981) 114 Cal.App.3d 317, 328; Russ Building Partnership v City and County of San Francisco (1987) 199 Cal.App.3d 1496.

³Nollan v California Coastal Commission (1987) 483 U.S. 825

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June 22, 1990
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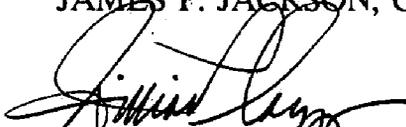
CONCLUSIONS

In the main report, the Public Works Department has dealt with the factual and policy issues, correctly concluding that the ambiguity in the NNCP can be resolved by the City Council as a policy issue (subject to the legal parameters set out in this memorandum). The legal issues are correctly resolved as follows:

1. While it is not entirely clear, it appears that the NNCP and the approved development agreements contemplate a combination of dedication and acquisition, with associated financing arrangements, to assemble the 200 acres for the regional park.
2. Irrespective of the manner in which the sole ownership of the 112-acre parcel came to pass, the current owner cannot be compelled to transfer the 112 acres to the City without compensation, since there are no development rights as to that land on which to condition dedication.

Yours very truly,

JAMES P. JACKSON, City Attorney



WILLIAM P. CARNAZZO
Senior Deputy City Attorney

WPC:je

ATTACHMENT A

portion of the Subject Properties may prevent the City from making findings and determinations to permit development of other parcels or portions of the Subject Properties until such default is cured).

D. [Sec. 303] Dedications. The Developers shall comply with the requirements of the Applicable Zoning (PUD), Applicable Special Permit(s) and approved subdivision maps for the dedication of land. The failure of any Developer to comply with such requirements shall constitute a default by the Developer under this Agreement with respect to the property in which that Developer holds an interest, but shall not, except as otherwise provided in Section 102 hereof, constitute a default by any other Developer not having an interest in the property of the defaulting Developer (it being recognized by the Developers, however, that a default as to a parcel or portion of the Subject Properties may prevent the City from making findings and determinations to permit development of other parcels or portions of the Subject Properties until such default is cured).

E. [Sec. 304] Planning Costs Reimbursement. Each Developer shall pay costs imposed pursuant to Section 401(e) of the Procedural Resolution for that Developer's property at the time of application for a special permit or tentative subdivision map for the property, whichever first occurs, with respect to the Subject Properties or such portion thereof as is covered by the application, and, as to planning costs incurred after such time, in the manner provided in said Section 401(e).

F. [Sec. 305] City's Good Faith in Processing. Subject to the reserved discretionary approvals set forth in Section 201 hereof, the provisions of Section 204(3) hereof and the Special Conditions, the City agrees that it

1. The North Natomas Area should be opened for quality urban development. The properly controlled development of the North Natomas Area will provide the stimulus needed to reverse the City's long-standing inability to attract major industrial employers and new sources of employment and housing at a central urban location within the Sacramento Metropolitan Area.

2. Urban development in the North Natomas Area must result in a new planned community of distinction. The intensity and mix of land uses within the North Natomas Area should reflect the highest and best use of developable lands in the area consistent with the economic, social and environmental goals of the City. The North Natomas Area should contain optimum amounts of land devoted to parks, recreational facilities and open space.

3. The North Natomas Area must be financially sound. The mix and intensity of land uses within the North Natomas Area must be financially capable of supporting not only the capital costs of the infrastructure required for its development, but also the ongoing costs of maintaining that infrastructure and providing quality public services. In addition, the development must be capable of bearing the substantial costs of environmental mitigation measures adopted as components of the Community Plan. Those measures include, but are not limited to, the acquisition and maintenance of greenbelts and a regional park, voluntary employment and economic programs, private and public housing and infrastructure trust fund programs for adjoining communities, particularly North Sacramento, transportation systems management programs, air quality maintenance and improvement programs and improvements to the regional transportation network servicing the North Natomas Area. Finally, the net tax revenues generated by

more than twenty percent (20%) of the jobs and twelve percent (12%) of the housing units existing within the City by the year 2005, contributing over 34,000 new dwelling units with a population in excess of 67,000. The City has a unique opportunity within this large an area in relatively large parcels and few ownerships to achieve a planned community with a mixture of uses that will achieve a high quality urban environment that mitigates impacts of urbanization and benefits the City as a whole as well as surrounding areas and the Sacramento region. The policies, goals, standards and objectives of the Community Plan are intended to achieve this result. These policies, goals, standards and objectives include, but are not limited to: maintaining a specified balance of jobs and housing; implementing traffic mitigation measures and programs to relieve traffic congestion and to improve air quality impacts; the provision of infrastructure and public facilities through a combination of developer contributions, fees, assessment districts, community facilities districts and other sources so that the land and developed properties within the area pay the costs of such infrastructure and public facilities; and establishing and maintaining high design standards for the area as a whole and for individual developments within the area.

To achieve these objectives, the Community Plan provides that all rezoning and development shall occur through the planned unit development process. The Community Plan also contemplates that property owners and developers will enter into development agreements which will provide certainty in the planning process and commit the property owners and developers to the required participation in the Community Plan mechanisms to achieve infrastructure and public facilities financing and the other community benefits anticipated under the Community

study as approved by the City Council in its adoption of an updated General Plan.

8. All dedications of property owned by the project applicant which are required to implement the Community Plan in connection with the project and not otherwise provided for in the Financing Plan (Item B.6 above) have been assured by the project applicant, which assurance may take the form of Irrevocable Offers of Dedication in form and manner approved by the City's Department of Public Works. (These dedications include, but are not limited to: dedications for parks, streets, utilities and, when possible, public transit.)

9. Provision to accommodate bus service, to the extent feasible and practicable as determined by the City, has been made in consultation with the Sacramento Regional Transit Agency.

10. [Not applicable to the commencement of the Sports Complex.] The cumulative effect of development previously approved pursuant to an approved special permit, subdivision map or other land use entitlement other than a rezoning, together with the proposed project if undertaken pursuant to an approved special permit, subdivision map or other land use entitlement other than a rezoning, will meet or exceed the jobs to housing ratio required by the Community Plan; provided, however, that with respect to the development of Phase One under the Community Plan, such finding may be based solely on the applicant's demonstrated participation in either the Housing Trust Fund or in assisting housing starts in North Sacramento, or a combination thereof, to a level determined by the City to be reasonable under the circumstances; and provided, further, that with respect to subsequent development, such

ATTACHMENT B

CARNAZZO

STEPHEN L. JENKINS

PLANNING AND DEVELOPMENT CONSULTANT

2001 11th Street Sacramento, CA 95818

(916)444-5366

June 15, 1990

RECEIVED
JUN 15 1990
City Attorney's Office
by hand 4:15

TO: Individual Members of City Council
City of Sacramento

FROM: *SJ* Stephen L. Jenkins

SUBJECT: ACQUISITION OF REGIONAL PARK SITE IN NORTH NATOMAS

BACKGROUND

In the near future, the Joint B&F and T&CD Committee of Council will once again consider the issue of acquiring the Regional Park site designated on the North Natomas Community Plan map. I will be out of town until July 5th, but would be happy to participate in the hearing if it can be postponed until after that date. Otherwise, I hope that the materials which I have submitted will assist you in your action on this matter.

CITY/DEVELOPER INTENTIONS & CHRONOLOGY REGARDING THE REGIONAL PARK

My memo dated April 30, 1990 to Councilmembers Joe Serna and Heather Fargo provides detailed documentation regarding the location of the Regional Park, the size of the Park, and that the Park will be dedicated at no cost to the City.

There has been no information presented to date which I am aware of which would refute any of the information contained in the memo.

JUNE 7, 1990 LETTER TO HEATHER FARGO FROM MR McMURTRY (REPRESENTING SAC SAVINGS)

I have reviewed the McMurtry letter (copy attached) and will address various points raised by that letter throughout the remainder of this memo.

LOCATION OF REGIONAL PARK

In my memo to Bill Carnazzo dated June 11, 1990 (copy attached), I document the fact that the originally-proposed and Council-adopted location of the Regional Park has remained unchanged. Mr. McMurtry indicates that after TMI acquired the site, and before Council adoption of the North Natomas Community Plan, the park site was moved three different times - thereby causing TMI to lose all non-park development potential of their parcel.

I would suggest to you that if the location of the park (and Stadium Blvd/ Truxel Rd) did change as stated by Mr. McMurtry, then the change was a self-inflicted wound which was never shown on the Community Plan Map released by the Staff, approved by the Planning Commission, or adopted by the City Council. I find that hard to believe. There may have been staff/developer discussions about changing the location of the Park, but those discussions were obviously never officially adopted by the City Council when it adopted the North Natomas Community Plan.

If the rezonings, lot line adjustments and constructed location of Stadium Blvd

at Del Paso Rd. are based on those discussions rather than on the adopted Plan, then in my opinion, they were illegally approved because they do not conform with the location of Truxel Rd (Stadium Blvd) or Regional Park as designated on the Plan. I am not aware of any such amendments having been made to the Plan by the City Council. To go about altering land use boundaries and street locations on a willy nilly basis without the required public review, environmental analysis and Council authorization is the antithesis of comprehensive planning as described in State law.

DEDICATION MEANS DEDICATION - NOT MELLO ROOS FINANCING

My April 30th memo clearly documents the fact that the Regional Park site is to be dedicated to the City. This requirement is included in the Council adopted North Natomas Community Plan, and is conceded by Mr. McMurtry on Pages 2 and 3 of his letter. His defense is that the City staff and land-owners didn't really mean "dedication" when they used the term. I would submit to you that if the staff didn't mean "dedication", they would have used the term "reserved" or "purchased" or "financed". And if the developers and their advocates didn't know the precise meaning of "dedication" in the planning and development field, then they are most likely all out of business by now.

To assume otherwise is to suggest that the City's planning process is a sham, and the Council-adopted North Natomas Community Plan is not worth the paper on which it is written.

WHAT'S WRONG WITH MELLO ROOS FINANCING OF THE PARK SITE?

Whether the land is dedicated or acquired by Mello Roos, it will be the North Natomas landowners and future buyers (not the General Fund or other Citywide taxpayers) who will be paying for the Park site. However, aside from the fact that Mello Roos acquisition rather than dedication will make a farce out of the Council adopted Community Plan and the public/private sector negotiations that went into the preparation and adoption of the Plan, the key impact is that it will absorb \$15 million in Mello Roos bonding capacity which could be otherwise used for much needed public improvements in North Natomas.

RECOMMENDATIONS

- 1) Approve the proposed North Natomas Financing Plan as recommended by Staff.
- 2) Eliminate the Regional Park land acquisition component from the Financing Plan and direct staff to come back (prior to Council adoption of the Plan) with a prioritized list of substitute facilities to be financed instead of the park site.
- 3) Check your wallets and jewelry before leaving the City Council chambers.

SLJ:ts
Attachments

cc: Bill Carnazzo
Gary Alm



CITY OF SACRAMENTO

EXHIBIT

C

CITY PLANNING DEPARTMENT
927 TENTH STREET
SUITE 300
SACRAMENTO, CA 95814
TELEPHONE (916) 449-5604

MARTY VAN DUYN
PLANNING DIRECTOR

MEMORANDUM

DECEMBER 13, 1984

TO: Persons Interested in Proposed Development of the North Natomas Area
SUBJECT: Status Report No. 11

On November 7, 1984, The SWA Group presented its Preliminary Draft North Natomas Community Plan map to the City Planning Department (see copy attached to Status Report No. 10). This Plan represented the culmination of over 7 months of effort by The SWA Group during which time three alternative Community Plan maps and three revised Community Plan maps were prepared and analyzed. The Preliminary Draft Community Plan map was circulated for a seven day public review period. Written comments were received from the following individuals, organizations and public agencies:

City Traffic Engineer
City Parks Department
County Traffic Engineer
Hefner, Stark & Marois (representing George Tsakopoulos)
Natomas Community Planning Advisory Council
ECOS
Betty Novak
Sacramento Aero Services
Gregory Thatch (representing Natomas applicants)
Ose Properties
Spink Corporation (representing Gateway Point)
League of Women Voters
Robert Waller
Sacramento Old City Association

All comments were forwarded to The SWA Group for their consideration in revising the Preliminary Draft Plan. On December 10, 1984, The SWA Group's recommended Draft North Natomas Community Plan was submitted to the City (see Alternative C attached to this report). The Draft Plan will now be the subject of a detailed environmental analysis and will undergo no further changes pending the completion of the Final EIR in August of 1985. If interested, you may pick up a copy of the Plan Text at the City Planning Department.

At its meeting on December 4, 1984, the City Council approved a staff recommendation to extend the processing schedule for the North Natomas Planning Studies by 13 weeks so that two additional land use plans can be prepared and analyzed in the EIR. The purpose for preparing the two additional plans is to improve the legal adequacy of the EIR and respond to various concerns previously expressed by the public and City and County Planning Commissioners. The

A
C

MEMORANDUM { ACTUALLY ALT. "D" WAS PREPARED
BY SPINK AND THE⁻²⁻ NORTH
NATOMAS LANDOWNERS PER DOCUMENTATION IN CITY FILES.

DECEMBER 13, 1984

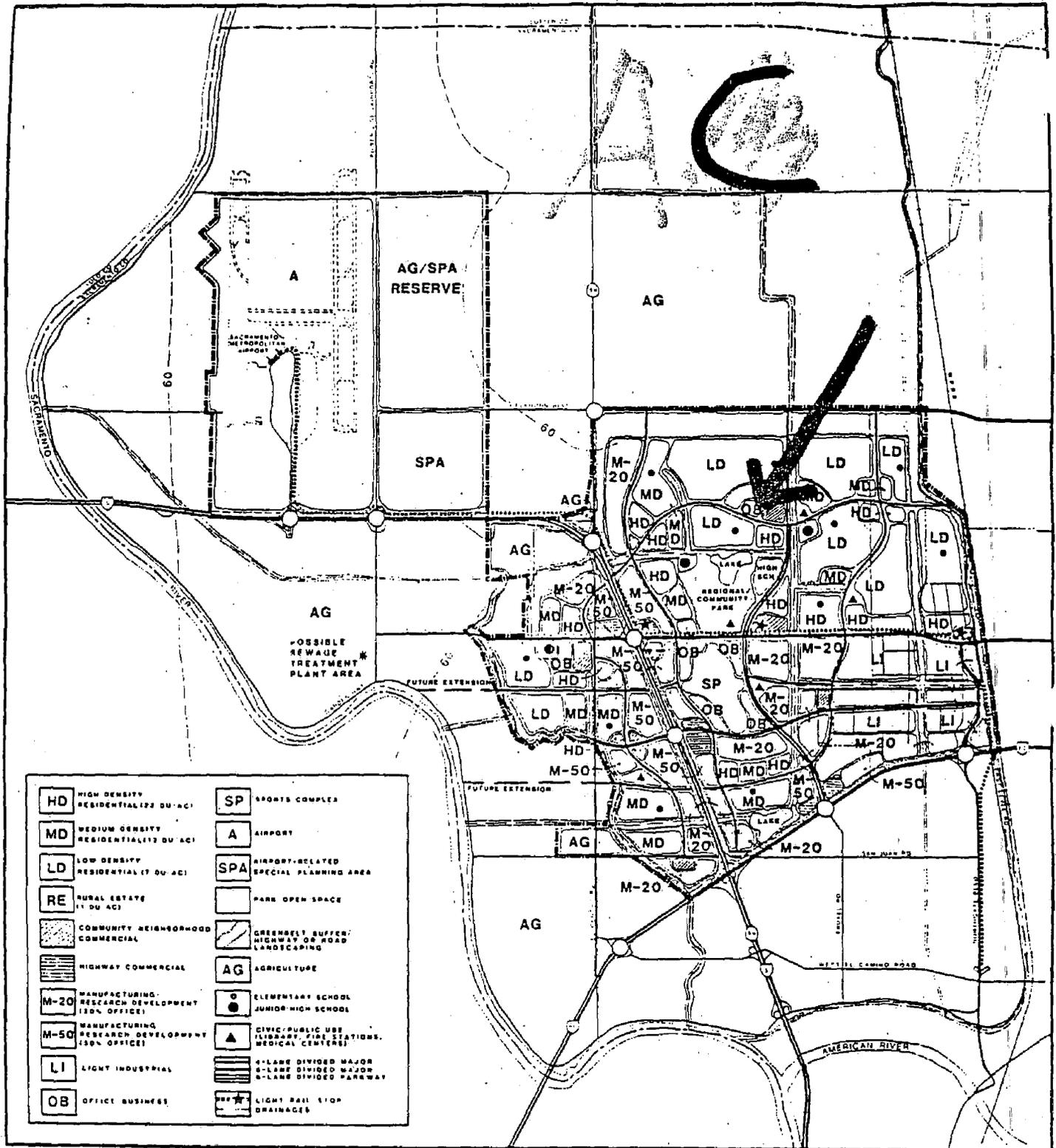
two additional plans have been prepared by the City Planning Department and are included as Alternatives B and D attached to this report. The two plans will be the subject of a staff presentation at a joint meeting of the City and County Planning Commissions on Thursday, December 20, 1984 (see attached meeting notice). Alternatives A (No Project) and E (Composite) will also be analyzed in the EIR but are not attached. Please note that the next scheduled hearing on the North Natomas Planning Project will be a joint meeting of the City and County in August 1985 on the Draft EIR (this meeting had previously been scheduled for April 1985). A revised processing schedule is presently being prepared to reflect the Council's action of December 4, 1984, and will be included with the next Status Report in January 1985).

If you have any questions regarding any phase of the project, please contact me either at my office (442-1376) or through the City Planning Department (449-5381).

SEASONS GREETINGS!

Stephen L. Jenkins
Stephen L. Jenkins, AICP
Project Coordinator
North Natomas Planning Studies

SLJ:lr
Attachments



HD HIGH DENSITY RESIDENTIAL (22 DU/AC)	SP SPORTS COMPLEX
MD MEDIUM DENSITY RESIDENTIAL (12 DU/AC)	A AIRPORT
LD LOW DENSITY RESIDENTIAL (7 DU/AC)	SPA AIRPORT-RELATED SPECIAL PLANNING AREA
RE RURAL ESTATE (1 DU/AC)	P PARK OPEN SPACE
COMMUNITY NEIGHBORHOOD COMMERCIAL	GB GREENBELT BUFFER/HIGHWAY OR ROAD LANDSCAPING
HIGHWAY COMMERCIAL	AG AGRICULTURE
M-20 MANUFACTURING-RESEARCH DEVELOPMENT (20% OFFICE)	S ELEMENTARY SCHOOL
M-50 MANUFACTURING-RESEARCH DEVELOPMENT (50% OFFICE)	JHS JUNIOR-HIGH SCHOOL
LI LIGHT INDUSTRIAL	CPU CIVIC/PUBLIC USE (LIBRARY, FIRE STATIONS, MEDICAL CENTERS)
OB OFFICE BUSINESS	DL 4-LANE DIVIDED MAJOR
	DL 4-LANE DIVIDED PARWAY
	LR LIGHT RAIL STOP
	D DRAINAGES

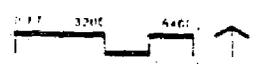
NORTH NATOMAS COMMUNITY PLAN

Sacramento, California

Prepared by SPINK AND N. NATOMAS LANDOWNERS

ALTERNATIVE D

Prepared by
The City of Sacramento



17

Draft
Environmental
Impact Report

EXHIBIT

North Natomas Community Plan
Volume 1

Prepared by
City of Sacramento
Department of Planning
and Development
Planning Division

Technical Assistance from
Nichols • Berman
McDonald & Associates
• Omni-Means, Ltd.

M84-007
SCH No. 84073010
July 1985

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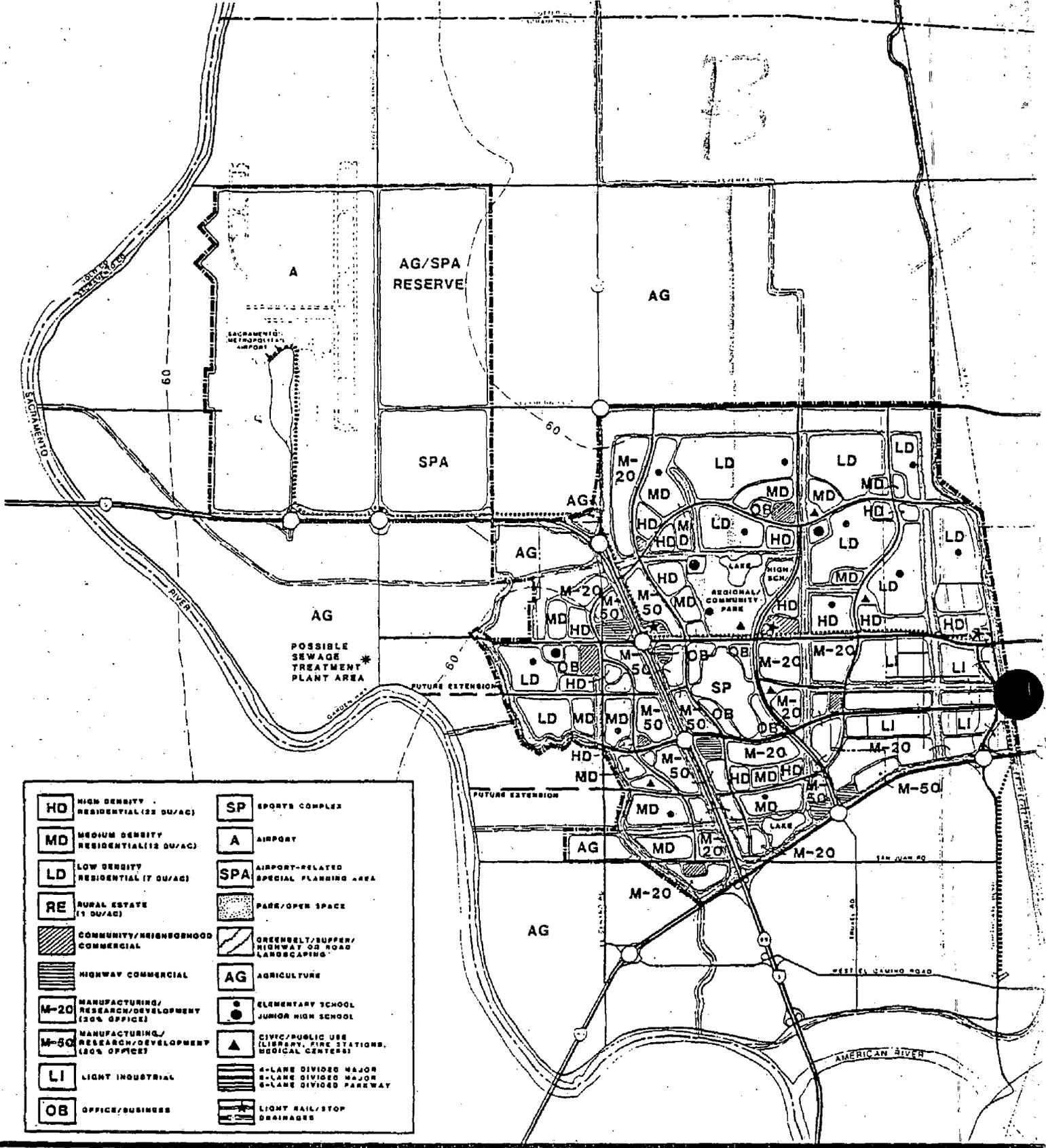
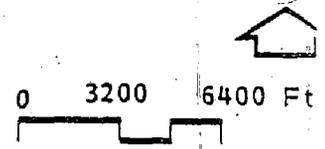


EXHIBIT A-25
ALTERNATIVE D

Source: The City of Sacramento



EXHIBIT

November 21, 1985

City Planning Commission
Sacramento, California

Members in Session:

SUBJECT: North Natomas Community Plan (M84-007)

SUMMARY

Presented for the Commission's review is a Land Use Map (Attachment A) and a description of the major components of the proposed North Natomas Community Plan (NNCP). These are to be discussed at the November 21, 1985 City Planning Commission hearing. This report gives a brief overview of the Proposed Plan's major goals, policies, implementation program, and plan features. Also provided are statistics (land use acreages, population, dwelling units, and jobs created at community plan buildout) which may be compared to Alternatives A-E as presented in the Draft EIR (Attachment B).

BACKGROUND INFORMATION

Community Plan Goals/Policies

A thorough description of the Proposed Plan's goals/policies will be available, along with the complete plan text, prior to the CPC hearing of December 12, 1985. The following outlines the Plan's major policy areas and highlights the most important points:

1. Jobs/Housing Link: The plan provides for a 60 percent balance of jobs and housing within the planning area at buildout of the community at proposed densities and land uses. (A 60 percent balance is consistent with the current County of Sacramento jobs/housing policy.) Additional housing demand of North Natomas workers will be met utilizing surplus residential capacities of North Sacramento and South Natomas. Adoption and implementation of the proposed housing program will track job creation in North Natomas with housing construction in North Sacramento and South Natomas.
2. Traffic/Circulation: Results of the traffic analysis based on the proposed land uses, will be available at the December 12, 1985 City Planning Commission hearing. Alternative D traffic levels, as identified in the Draft EIR, have been reduced by approximately 84,000 ADT, to a level equivalent to unmitigated Alternative C level of traffic. The major circulation policy is to achieve and maintain Level of Service C.

E

3. Housing: A primary land use policy shall be discouraging the placement of housing adjacent to freeways. Another key policy is directed at high density residential development. Due to the large acreages involved, it is important that the larger multi-family developments provide a mix of housing types, densities, and affordability. Therefore, it shall be a policy to require high density projects to have a mix of housing types and densities with at least a Low Density and a Medium Density housing type included.

4. Open Space: A dedicated open space system shall be established consisting of a major 250 acre regional park, a linear park accommodating drainage and other needs, smaller parks associated with schools or neighborhood commercial centers, and a low-maintenance greenbelt. The amount of park land shall be in accordance with the City's Park Land Dedication Ordinance Standards. The regional park and greenbelts shall be dedicated to the City.

5. Development Phasing: Phasing of proposed North Natomas development shall begin adjacent to existing urban uses and circulation facilities. Land located south of Del Paso Road and east of 1-5 shall be developed prior to land located west of 1-5 and land located north of Del Paso Road. Development north of Del Paso Road or west of 1-5 shall not occur before 1995 unless justified by the City's monitoring program.

6. Triggering Mechanisms

A. Sports Complex: The arena shall be under construction prior to the issuance of building permits for one half of the acreage located south of Del Paso Road. Additionally, the stadium shall be under construction prior to the issuance of building permits for an additional one half of the acreage of the land located south of Del Paso Road. Either the stadium or the arena may be constructed first, or they may be constructed simultaneously.

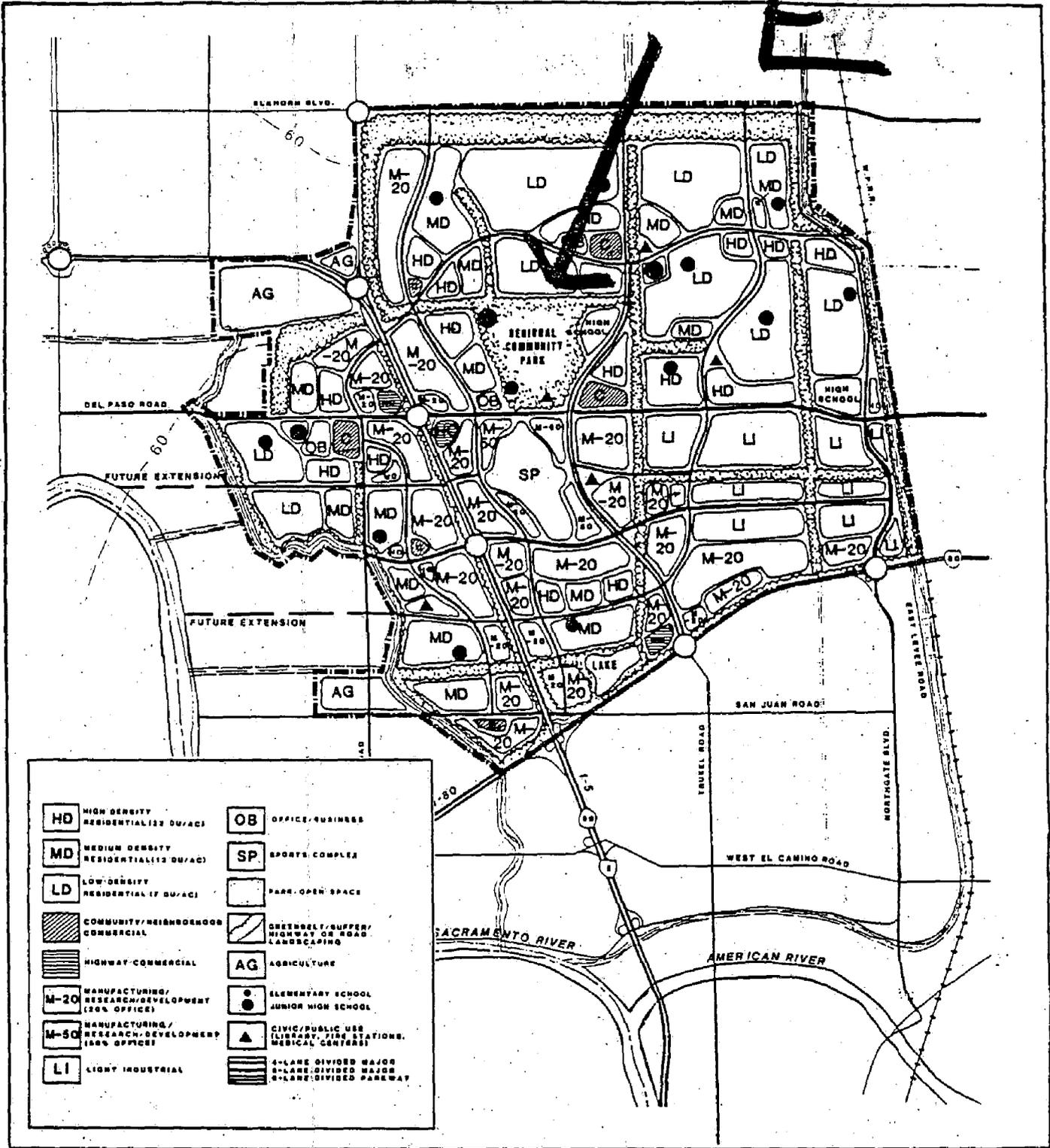
B. Jobs/Housing: Please see Housing Program below.

Implementation Programs

A comprehensive implementation program will be included in the plan text that will be presented to the City Planning Commission for discussion at the December 12, 1985 hearing. The implementation program will include the following:

1. Housing Program: The housing program shall be designed to meet the goals of the jobs/housing balance and the housing goals of adjacent communities. Excess housing demand of North Natomas workers will be met, in part, through development of North Sacramento and South Natomas surplus residential lands. A monitoring program shall be

E

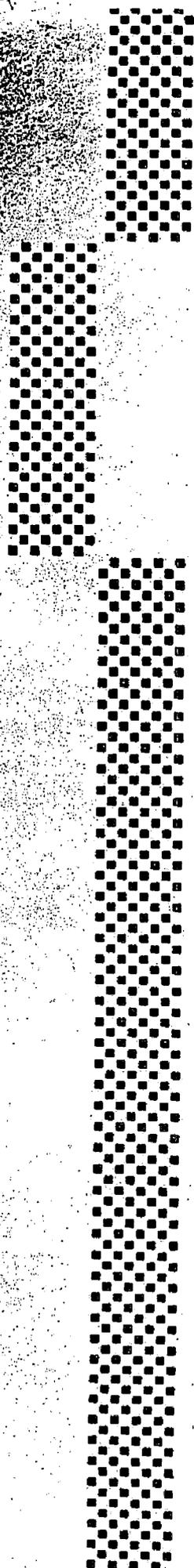


HD HIGH DENSITY RESIDENTIAL (20 DU/AC)	OB OFFICE/BUSINESS
MD MEDIUM DENSITY RESIDENTIAL (12 DU/AC)	SP SPORTS COMPLEX
LD LOW DENSITY RESIDENTIAL (7 DU/AC)	PARK/OPEN SPACE
COMMUNITY/NEIGHBORHOOD COMMERCIAL	GREENBELT/BUFFER/ HIGHWAY OR ROAD LANDSCAPING
HIGHWAY-COMMERCIAL	AG AGRICULTURE
M-20 MANUFACTURING/ RESEARCH/DEVELOPMENT (20% OFFICE)	ELEMENTARY SCHOOL JUNIOR HIGH SCHOOL
M-50 MANUFACTURING/ RESEARCH/DEVELOPMENT (50% OFFICE)	CIVIC/PUBLIC USE (LIBRARY, FIRE STATIONS, MEDICAL CENTERS)
LI LIGHT INDUSTRIAL	4-LANE DIVIDED MAJOR 4-LANE DIVIDED MAJOR 4-LANE DIVIDED PARKWAY

NORTH NATOMAS COMMUNITY PLAN

Sacramento, California

PROPOSED DRAFT
COMMUNITY PLAN

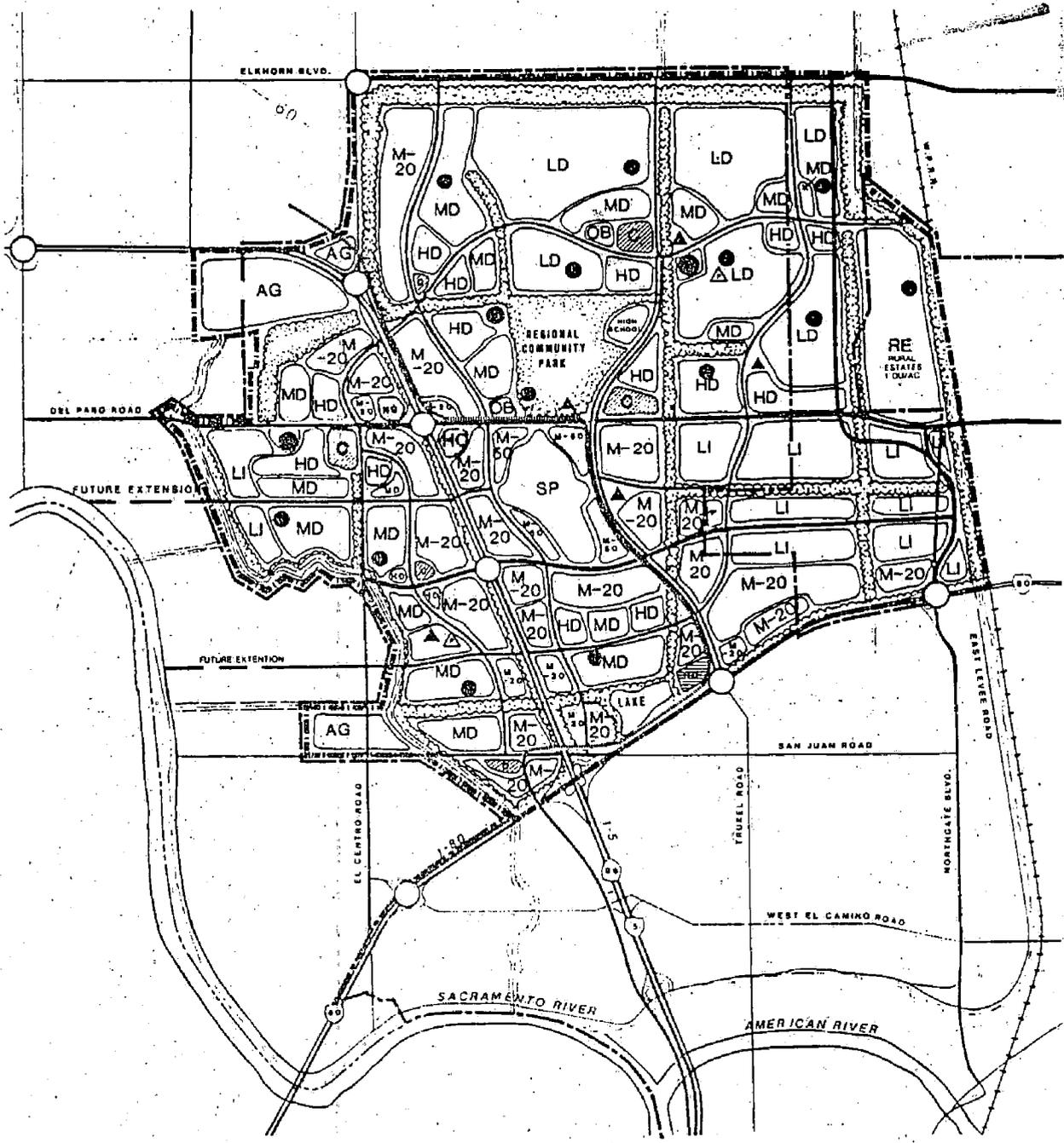


**CITY OF SACRAMENTO
PLANNING AND COMMUNITY DEVELOPMENT**

North Natomas Community Plan

**Adopted by City Council
May 13, 1986**

NORTH NATOMAS COMMUNITY



PROPOSED LAND USE

FIGURE 3

HD	HIGH DENSITY RESIDENTIAL (2200/AC)		HIGHWAY COMMERCIAL	OB	OFFICE/BUSINESS	AG	AGRICULTURE
MD	MEDIUM DENSITY RESIDENTIAL (1200/AC)	M-20	MANUFACTURING/RESEARCH/DEVELOPMENT (20% OFFICE)	SP	SPORTS COMPLEX		ELEMENTARY SCHOOL JUNIOR HIGH SCHOOL
LD	LOW DENSITY RESIDENTIAL (700/AC)	M-50	MANUFACTURING/RESEARCH/DEVELOPMENT (60% 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 8-LANE DIVIDED PARKWAY

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

ATTACHMENT C

LAW OFFICES OF
DE LA VERGNE & McMURTRY
A PROFESSIONAL CORPORATION
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SACRAMENTO, CALIFORNIA 95814-3017
(916) 441-1978
TELECOPIER (916) 446-8053

PLEASE REFER TO
OUR FILE NO. _____

June 19, 1990

William P. Carnazzo
Sr. Deputy City Attorney
CITY OF SACRAMENTO
921 10th Street, 7th Floor
Sacramento, CA 95814

Via Fax

RECEIVED

JUN 21 1990

City Attorney's Office

Re: North Natomas Regional Park Site

Dear Bill,

Although it is not my intention to beat a dead horse, Steve Jenkins' memorandum of June 15, 1990, is so full of inaccuracies that I believe a reply is required.

As a starting point, although Mr. Jenkins served as a consultant for the City in connection with the preparation of the North Natomas Community Plan and EIR, he was not directly involved in a whole series of Council-approved actions implementing the community plan which followed its adoption in May of 1986.

While it is true that studies concerning the ultimate configuration of the park commenced prior to the adoption of the community plan in 1986, that issue was not formally resolved until the Adams Farms rezoning (and development agreement) was approved by the City Council on January 15, 1988.

The 304 acre portion of Adams farms which was rezoned included the northerly portion of the Regional Park. As part of the processing of the rezoning and development agreement, it became necessary to officially determine the ultimate configuration of the park in order fix the right-of-way for the street which forms the northern boundary of the park.

I am enclosing a copy of the rezoning map which accompanied the City staff report to the Planning Commission and City Council. It clearly depicts the TMI parcel (described as Kensington Square Ltd.) as being entirely within the boundaries of the regional park. I also enclose a copy of the City staff report to the City Council concerning the rezoning and development agreement.

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William P. Carnazzo, Esq.
June 19, 1990
Page Two

I was present at both the Planning Commission hearing and the City Council hearing on the rezoning and development agreement. Members of both the Planning Commission and the City Council had questions to City staff concerning the relationship of the rezoning and development agreement to the ultimate configuration of the regional park.

In the staff responses to those questions it was clearly noted that actions being taken by the City Council would largely fix the future boundary of the park. As I will note in a subsequent portion of this letter, the fact that this configuration placed the TMI parcel entirely within the park boundaries simply was not an issue since the community plan contemplated that the parcel was to be acquired by the City at the expense of the North Natomas landowners. Whether the parcel was in or out of the park boundaries did not appear to be a relevant issue at that time.

It is totally inaccurate to suggest that this issue was resolved behind closed doors without knowledge or consent of the City Council since that obviously was not the case. It is also totally inaccurate to suggest that post-1986 alterations in land use boundaries were accomplished on a "willy-nilly basis."

In that respect, each of the several actions which ultimately resulted in the fixing of the park boundaries or the alteration of land use boundaries depicted in the land use element of the community plan were approved by either the Planning Commission or the City Council, or both, following public hearings. Each of those actions was preceded by detailed staff analysis of the proposed action and by appropriate environmental review under CEQA.

Mr. Jenkins' letter suggests that any deviation in the configuration of the regional park which does not exactly conform to the configuration depicted in the North Natomas Community Plan is illegal unless preceded by a plan amendment.

It is your prerogative to advise the Council if Mr. Jenkins' view of the law is correct, but I can only note that to date none of the actions taken by the Planning Commission and City Council in the four years following the adoption of the community plan would be legal since in no instance did those actions exactly conform with the adopted land use map contained in the plan. That includes all of the rezonings that followed plan adoption and all of the construction of public infrastructure that occurred since 1986.

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William P. Carnazzo, Esq.
June 19, 1990
Page Three

I believe it is fair to state that it has been City staff's view that the adopted North Natomas Community Plan land use map does not now represent and never was intended to represent a "precise plan" insofar as parcel configurations and street alignments are concerned. Instead, City staff has religiously required that plan implementation actions be consistent with the job-housing balance, the adopted land use acreage and other significant elements of the adopted plan. The definition of precise street alignments and precise parcel configurations has been regarded as one of the normal steps in plan implementation. I am not aware of any public objection to City staff's approach to those actions until this issue arose.

The thrust of Mr. Jenkins's arguments is that the proposed financing of the park acquisition through the use of a Mello-Roos District rather than through an unconstitutional dedication requirement is a recent departure from the requirements of the community plan. This completely ignores the "Community Plan Policies" on page 127 of the plan.

As I noted in my prior letter to Councilmember Fargo, this language was included in the community plan in response to suggestions made by numerous individuals that forced dedication of the TMI parcel would have been unworkable, unfair and unconstitutional. This language was added late in the drafting in the community plan and unfortunately it appears that corresponding changes were not made in other portions of the community plan which refers to the "dedication" of the park site.

Without being critical of those involved in the drafting of the plan (or those of us who were reviewing the drafts of the plan), I believe it is fair to state that this was not the only example of inconsistent language finding its way into different portions of the plan. Until this issue arose, these inconsistencies seemed to be minor flaws which could be resolved through the normal process of administrative interpretations.

I find it interesting that Mr. Jenkins' letters to the City Council completely ignore the fact that both the Preliminary Draft of the Comprehensive Financing Plan for North Natomas (dated May 19, 1987) and the Council-approved Comprehensive Financing Plan for North Natomas (dated September 11, 1987) contemplated that the regional park site would be acquired by the City at the expense of North Natomas landowners through an appropriate financing mechanism. Both of these documents are public records which were

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William P. Carnazzo, Esq.
June 19, 1990
Page Four

widely disseminated and extensively discussed. If, as suggested by Mr. Jenkins, the current staff proposal represents some devious plot to rewrite the requirements of the community plan, it certainly represents a clumsy effort at deviousness.

Finally, I find it difficult to believe that at this late date anyone who professes familiarity with this subject would seriously suggest to members of the City Council that the current proposal represents a recent departure from either the community plan or the numerous significant plan implementation actions taken by City staff and the City Council during the past four years. That simply is not the case and the suggestion that it is ignores overwhelming evidence to the contrary.

If you have any questions, please call.

Very truly yours,

Law Offices of
de la VERGNE & McMURTRY
A PROFESSIONAL CORPORATION

By: David
DAVID W. McMURTRY

:dwm
cc: Robert N. Riolo
Gregory D. Thatch, Esq.

Adams Farms

CITY OF SACRAMENTO, CALIFORNIA

AUGUST, 1987

REVISED: SEPTEMBER 28, 1987

LEGEND

-  HIGH SCHOOL (portion of)
-  ELEMENTARY SCHOOL
-  PARK
-  I.O.D. FOR PROPOSED ROADS
-  PROPOSED FUTURE COLLECTOR ALIGNMENT
-  PROPOSED FUTURE ARTERIAL ALIGNMENT

BOUNDARIES
 COUNTY LINE
 CITY OF SACRAMENTO
 CITY OF YUBA
 CITY OF YUBA
 CITY OF YUBA

ENGINEER
 THE SPINK CORPORATION
 899 VENTURES DRIVE
 SACRAMENTO, CA 95823

EXISTING USE AND ZONING
 R-1
 R-1A
 O-B
 A
 P
 KENSINGTON SQUARE LTD.

PROPOSED ZONING
 R-1
 R-1A
 O-B
 A
 P
 KENSINGTON SQUARE LTD.

NEIGHBORING PLANNING
 DEL PASO ROAD
 PAYNE ROAD

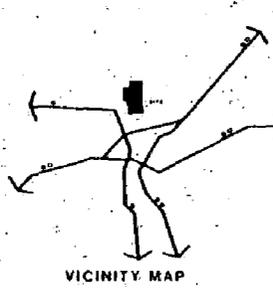
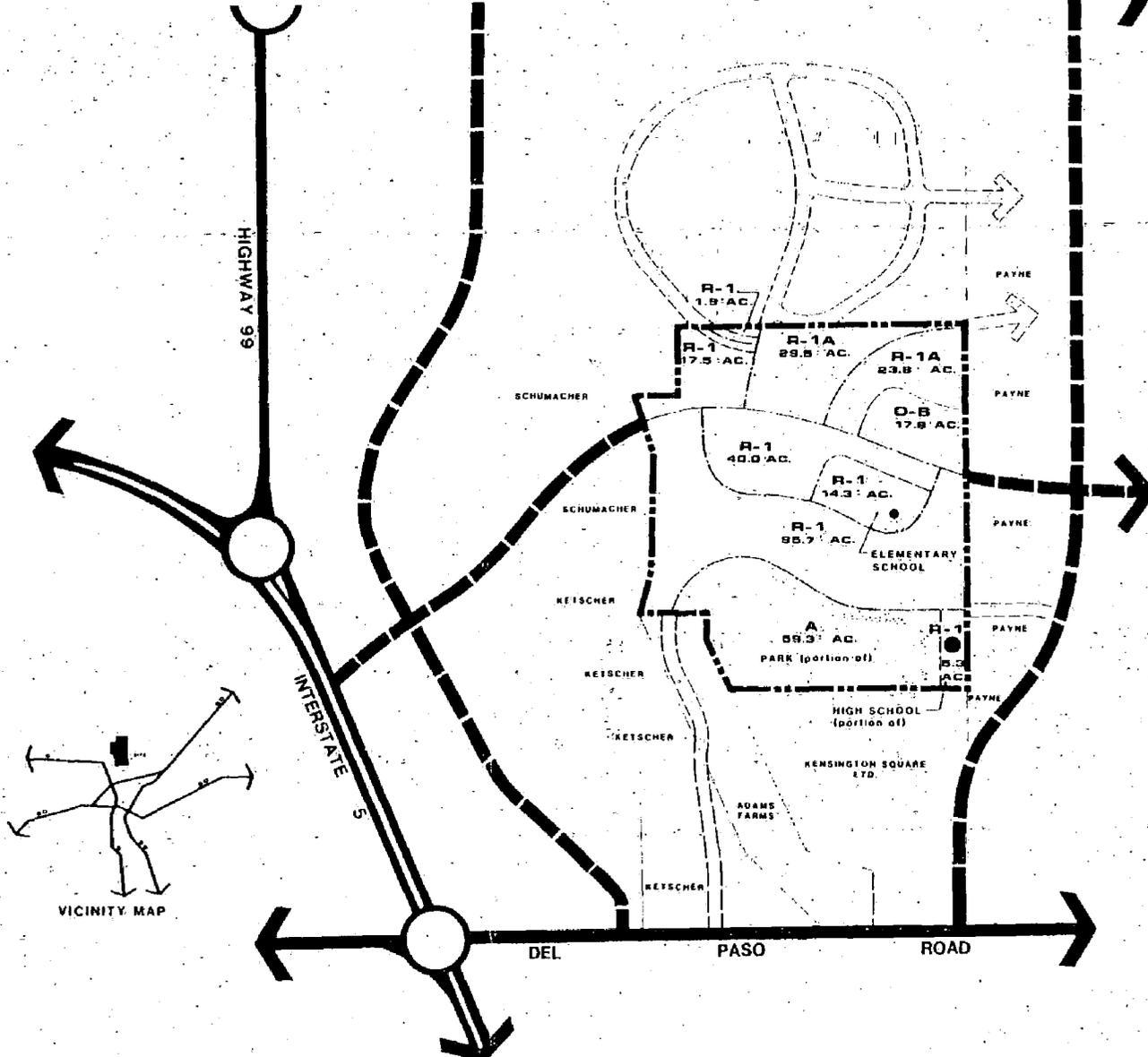
WATER SUPPLY
 DEL PASO ROAD
 PAYNE ROAD

SEWER DISPOSITION
 DEL PASO ROAD
 PAYNE ROAD

PROPOSED IMPROVEMENTS
 DEL PASO ROAD
 PAYNE ROAD

FIELD APPROVALS
 DEL PASO ROAD
 PAYNE ROAD

ATTACHMENT C



THE SPINK CORPORATION
 899 VENTURES DRIVE
 SACRAMENTO, CA. 95823
 (916) 928-8800
 ARCHITECTURE | PLANNING |
 LANDSCAPE ARCHITECTURE | SURVEYING |
 MAPPING | PHOTOGRAMMETRY

20

DEPARTMENT OF
PLANNING AND DEVELOPMENT

CITY OF SACRAMENTO
CALIFORNIA

1231 I STREET
ROOM 200
SACRAMENTO, CA
95814-2998

BUILDING INSPECTIONS
916-449-5716

PLANNING
916-449-5604

January 15, 1988

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: ADAMS FARMS PROJECT (P87-358)

1. Negative Declaration
2. Development Agreement between the City of Sacramento and the Adams Farms Project Property Owners
3. Planned Unit Development Designation for 304+ acres
4. Rezone 304+ vacant acres from Agricultural - Open Space (A-OS) to: Standard Single Family (Planned Unit Development) (R-1(PUD)) for 174+ acres; Single Family Alternative (Planned Unit Development) (R-1A(PUD)) for 53+ acres; Office Building (Planned Unit Development) (OB(PUD)) for 18 acres; Agricultural (Planned Unit Development) (A(PUD)) for 54+ acres.

LOCATION: 0.5 Miles North of Del Paso Road, 0.75 miles east of I-5, and 0.71 miles south of Elkhorn Boulevard.

SUMMARY

This application is a request to authorize the City to enter into development agreements with the property owners of 304+ acres in the North Natomas Community Plan area, establish a Planned Unit Development (PUD) designation for 304+ acres and rezone the 304+ 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 site consists of 304+ acres in the North Natomas Community Plan area. The 304 acre site is in the Agricultural - Open Space (A-OS) zone and currently under three separate Williamson Act contracts. On October 13, 1987, the City Council approved the tentative cancellation of the Williamson Act contracts covering the subject site.

The North Natomas 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 owner(s) and the City of Sacramento to ensure that required improvements are provided. A development agreement for the site which contains the provisions required by City Council Resolution 87-143 relating to North Natomas development agreements has been prepared. The development agreement and adopting ordinance also include provisions which: (1) allow access to the regional park site to City employees and their representatives for planning purposes; (2) provide for recordation of a record of survey for that portion of the regional park within the Adams Farms properties; (3) indicate that the property owners will cooperate with the City in the formation of a financing mechanism for parks in the North Natomas Community Plan area; and (4) indicate that no further entitlements for the site which would allow for the development of the property will be approved until the certificate of cancellation for the Williamson Act contracts is executed by the City Council or the contracts expire. Other than these provisions, the proposed development agreement for the Adams Farms project is essentially the same as the other six North Natomas Development Agreements approved by the City Council.

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 the 304+ acres to zones consistent with the North Natomas Community Plan. Planning staff has reviewed the applicant's rezoning 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

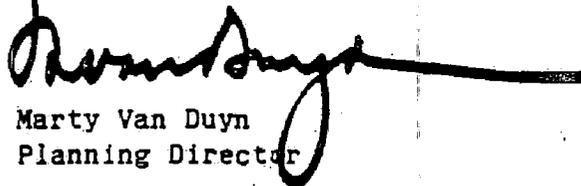
On December 3, 1987, the Planning Commission voted seven ayes and one absent to recommend approval of the request.

RECOMMENDATION

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

1. Ratify the Negative Declaration;
2. Adopt the attached Ordinance approving the Development Agreement between the City of Sacramento and the Adams Farms 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

MVD:JP:rt
attachments

January 26, 1988
District No. 1

P87-358

at Del Paso Rd. are based on those discussions rather than on the adopted Plan, then in my opinion, they were illegally approved because they do not conform with the location of Truxel Rd (Stadium Blvd) or Regional Park as designated on the Plan. I am not aware of any such amendments having been made to the Plan by the City Council. To go about altering land use boundaries and street locations on a willy nilly basis without the required public review, environmental analysis and Council authorization is the antithesis of comprehensive planning as described in State law!

DEDICATION MEANS DEDICATION - NOT MELLO ROOS FINANCING

My April 30th memo clearly documents the fact that the Regional Park site is to be dedicated to the City. This requirement is included in the Council adopted North Natomas Community Plan, and is conceded by Mr. McMurtry on Pages 2 and 3 of his letter. His defense is that the City staff and landowners didn't really mean 'dedication' when they used the term. I would submit to you that if the staff didn't mean "dedication", they would have used the term "reserved" or "purchased" or "financed". And if the developers and their advocates didn't know the precise meaning of "dedication" in the planning and development field, then they are most likely all out of business by now.

To assume otherwise is to suggest that the City's planning process is a sham, and the Council-adopted North Natomas Community Plan is not worth the paper on which it is written.

WHAT'S WRONG WITH MELLO ROOS FINANCING OF THE PARK SITE?

Whether the land is dedicated or acquired by Mello Roos, it will be the North Natomas landowners and future buyers (not the General Fund or other Citywide taxpayers) who will be paying for the Park site. However, aside from the fact that Mello Roos acquisition rather than dedication will make a farce out of the Council adopted Community Plan and the public/private sector negotiations that went into the preparation and adoption of the Plan, the key impact is that it will absorb \$15 million in Mello Roos bonding capacity which could be otherwise used for much needed public improvements in North Natomas.

RECOMMENDATIONS

- 1) Approve the proposed North Natomas Financing Plan as recommended by Staff.
- 2) Eliminate the Regional Park land acquisition component from the Financing Plan and direct staff to come back (prior to Council adoption of the Plan) with a prioritized list of substitute facilities to be financed instead of the park site.
- 3) Check your wallets and jewelry before leaving the City Council chambers.

SLJ:ts
Attachments

cc: Bill Carnazzo
Gary Alm

35

LAW OFFICES OF
DE LA VERGNE & McMURTRY
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SACRAMENTO, CALIFORNIA 95814-3017
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TELECOPIER (916) 446-8053

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JUN 15 1990 by 1:50
City Attorney's Office

PLEASE REFER TO
OUR FILE NO. 84-2240
DWM:LTRDWM.289

June 15, 1990

William P. Carnazzo
Sr. Deputy City Attorney
CITY OF SACRAMENTO
921 10th Street, 7th Floor
Sacramento, CA 95814

Via: Messenger

Re: North Natomas Regional Park Site

Dear Bill:

Supplementing the historical information I gave you today about the North Natomas Regional Park site, I wanted to note that Bob Thomas has the site plan of the park in his office which more accurately depicts the present proposed configuration of that site than the adopted North Natomas Community Plan. I do not have a copy of that site plan, but I have seen it on many occasions.

Steve Jenkins is technically correct in saying that the park site did not move in the community plan prior to its adoption. That conveniently ignores the fact that while the community plan was being processed for adoption, more detailed site plans were being prepared for that regional park facility which resulted in the easterly boundary of the park being moved across the two-thirds of the TMI parcel which is depicted as being outside of the park boundaries on the community plan.

I should caution that the map in Bob's office is probably out of date because of some shifting of Stadium Boulevard to the east which occurred after the site plan was prepared and after the community plan was adopted.

One of Steve's major problems concerning his position on this issue is the fact that he was not involved in nor present at all sorts of meetings between City staff and the consultants for my clients which occurred both before and after the community plan was adopted. Most of these meetings were in the nature of technical workshops which focused more on refining the details of the community plan rather than engaging in the macro-planning effort which Steve was coordinating.

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William P. Carnazzo
June 15, 1990
Page 2

If I can be of any further help, please contact me.

Very truly yours,

Law Offices of
de la VERGNE & McMURTRY
A PROFESSIONAL CORPORATION

LECTATED
By: EST NOT SIGNED
David W. McMurtry

LAW OFFICES OF
DE LA VERGNE & McMURTRY

A PROFESSIONAL CORPORATION
1730 H STREET, SUITE 260
SACRAMENTO, CALIFORNIA 95814-3017
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TELECOPIER (916) 448-8053

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OUR FILE NO. _____
DWM:LTRDWM.275

June 7, 1990

Heather Fargo
Member of the City Council
CITY OF SACRAMENTO
915 I Street
Sacramento, CA 95814

RECEIVED
JUN 11 1990
City Attorney's Office

Re: North Natomas Community Park

Dear Heather:

I did not have the time Tuesday to elaborate on the reasons why the TMI parcel is presently depicted in City plans as being entirely within the boundaries of the North Natomas Regional Park. Since you have requested additional information concerning this subject, I am writing to provide such information on behalf of my client, Sacramento Savings & Loan Association.

This property was formerly owned by Sacramento Savings & Loan Association and was sold by my client to TMI in September of 1985. At the time of the sale, the configuration of the Regional Park in the draft North Natomas Community Plan depicted the easterly boundary of the park as being approximately 900 feet west of the existing intersection of Stadium Drive (Truxel Road) and Del Paso Road.

The plan depicted the northwest corner of the TMI parcel as being within the park boundaries and TMI was so advised by my client at the time it purchased the property. TMI was aware that some portion of the 112 acres would have to be acquired for park purposes if the plan was adopted and the park configuration remained the same. The portion of the property not included within the park appeared to be a "prime" parcel with street frontage on both Stadium Boulevard and Del Paso Road directly across from the Sports Complex.

Thereafter, at least three different changes were made in the easterly boundary of the park, two of which were requested by City staff and the third by a landowner who was not affiliated with the Capital Gateway Group.

The first change in the park's easterly boundary came at the request of Bob Thomas. Bob wanted more park frontage on Del Paso Road than was depicted in the draft community plan. Schematic

Heather Fargo
June 7, 1990
Page 2

plans for the regional park were thereafter revised to move the easterly boundary of the park to the east.

The second change resulted from a request by the owner of the parcel which is immediately west of the East Drain Canal. The new alignment of Stadium Boulevard (which is the easterly boundary of the park) would create some traffic circulation problems for his parcel and he requested that Stadium Boulevard be moved further to the east.

The final change occurred after the community plan was completed and was the result of a request by City staff that the alignment of Stadium Boulevard be moved slightly to the east. The major shifting of the street to the east occurred as a result of the first two changes.

Obviously, as the street alignment move easterly the amount of TMI acreage outside of the park decreased accordingly. As a practical matter, the first change significantly reduced the acreage available for development on the TMI parcel. The last two changes simply eliminated what would have been a remnant parcel.

The City staff, my clients and their consultants, looked at a number of alternatives before these changes were made. One alternative was to move the park westerly instead of easterly. Preliminary studies of this option indicated that it would have created a greater number of traffic and land use problems than would have been created by moving the park easterly. Accordingly that option was not pursued.

In terms of the community plan requirements, I respectfully disagree with Steve Jenkins on this subject. Steve is probably correct in stating that in early meetings between City staff and North Natomas landowners statements were made indicating that the park site, without park improvements, would be dedicated to the City. Those statements were made on the assumption that TMI would have a prime developable parcel even if a portion of the 112 acres was required to be dedicated for park purposes.

As the park boundary continued to move east, both Greg Thatch and I became increasingly concerned that so much of the 112 acres was being placed within the park that any dedication requirement imposed upon TMI would have been an onerous and unquestionably unconstitutional.

The language on page 112 of the community plan relating to the financing of parks was inserted in the plan as a direct result of the concerns shared and openly expressed by Greg Thatch and I concerning the TMI parcel. In fact, we used that parcel as an

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Heather Fargo
June 7, 1990
Page 3

example of the inequity which would occur if the plan did not provide financing mechanisms which "tempered" the dedication requirements originally included in the draft plan.

It is my recollection that the provisions in pages 112 and 113 of the community plan which refer to financing of park improvements and other infrastructure were not inserted in the draft plan until March or April of 1986, a substantial period of time after the plan had been conceptually approved by the City Council in January.

As noted above, I do not dispute and will not dispute Steve Jenkins' statement that at various times my clients or their consultants may have indicated that the land for the regional park was to be "dedicated" by North Natomas landowners. In that context, the term "dedicated" was being generally used by lay participants at those meetings (and meetings on other subjects) as shorthand for the words "acquired by means other than City General Fund expenditures."

I believe that all participants at the meetings where the statements were made (with the possible exception of Steve Jenkins) understood that usage and both Greg Thatch and I frequently noted the common misuse of the term for the record.

I wish to also respectfully disagree with Steve Jenkins' statement that the City Council does not need to deal with this subject at this time. I supervised the legal aspects of all land acquisitions undertaken by the City of Sacramento for more than eight years and I can assure you that Steve's recommendations are a sure recipe for disaster.

Even if the land is never rezoned for uses other than agricultural uses, barring a levee break or some comparable economic disaster, the fair market value of the 112 acres will surely continue to escalate with the passage of time. If acquisition of the 112 acres is significantly delayed, it may not be economically possible for the City to acquire that acreage.

Steve appears to believe that if the City does not include the TMI acquisition in the Financing Plan, the North Natomas landowners will at some point in the future band together to acquire the parcel if forced to do so by the City. I can only suggest based on my experience that the likelihood of 100 percent, or 50 percent, or 20 percent of the current North Natomas landowners agreeing on such a plan is remote at best.

Steve's approach would leave the financial burden of acquiring the 112 acre parcel to fall upon the parties who first need land use entitlement to develop their properties, a proposal which might

AO

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Heather Fargo
June 7, 1990
Page 4

be effective, but is totally unfair and is inconsistent with the letter and the spirit of the community plan. The proposal to acquire the 112 acres using Mello-Roos bond funds is the only equitable and reasonable approach to this problem.

I urge that you support Bob Thomas' recommendation. If you have further questions, I would be pleased to meet with you to discuss them.

Very truly yours,

Law Offices of
de la VERGNE & McMURTRY
A PROFESSIONAL CORPORATION

By: /s/ David W. McMurry
DAVID W. McMURTRY

cc: Bob Riolo
Bruce F. Stewart
Kyle Masters
Gregory D. Thatch, Esq.
William P. Carnazzo, Esq.

Draft North Natomas Community Plan prepared by the City Consultant (SWA Group) on December 10, 1984. The Plan calls for a 250-acre Regional Park.

- EXHIBIT C: This December 13, 1984 Status Report indicates that a new Alternative Community Plan Map (Alternative "D") had been prepared for analysis in the EIR. At the request of the City, this Alternative "D" was prepared by the Spink Corp. to reflect the landowner desires for the North Natomas area. This Plan would ultimately become the basis for the adopted North Natomas Community Plan, and designated a 250-acre Regional Park north of Del Paso Rd. on land owned by Sac Savings. SAC SAVINGS WAS AWARE OF THIS FACT AT LEAST 9-MONTHS PRIOR TO SELLING THE REGIONAL PARK SITE TO TMI IN AUGUST 1985 (See Exhibit "D").
- EXHIBIT D: This Exhibit documents the fact that Kensington Square, Ltd. (the purchaser of the park site) is actually TMI. There is also a Rider to the Deed of Trust which contemplates up front that there was knowledge that the City might require dedication of some portion of the land.
- EXHIBIT E: This Staff Report dated November 21, 1985, is the first presentation of the Planning Dept.'s Community Plan for North Natomas. As a result of the Melarky episode, the Plan map is based on Alternative "D" (see discussion under Exhibit "C" above) and locates the Regional Park north of Del Paso Rd. The Staff Report also indicates that the Park will be 250-acres in size and dedicated to the City.
- EXHIBIT F: This Staff Report dated December 6, 1985, is the first presentation of the Planning Dept.'s text for the North Natomas Community Plan. The staff took the Draft SWA Group Community Plan (see discussion under Exhibit "B" above) and made additions and deletions. Note that on Page 54, language was added to indicate that the Regional Park would be 250-acres and dedicated to the City.
- EXHIBIT G: This Exhibit reflects the Proposed North Natomas Community Plan as recommended to the City Council by the Planning Commission. The Plan is dated January 7, 1986, and proposes a 250-acre Regional Park to be dedicated to the City.
- EXHIBIT H: This Exhibit (received by the Planning Dept on January 27, 1986) reflects a proposal by Gregg Lukenbill and the Gateway Point Applicants (including Sac Savings) to reduce the size of the Regional Park to 200 acres plus \$10 million for Park infrastructure. See also the detailed description of the Park presented by Maurice Read on behalf of Gregg Lukenbill.
- EXHIBIT I: This Exhibit is a transcript of the City Council meeting on February 6, 1986 at which the Council adopted a Motion of Intent to adopt the North Natomas Community Plan. The proposal described in Exhibit H above is incorporated as item 2 in the motion. There seems to be little question of the Council's intent that the Park be dedicated to the City at no cost whatsoever, including all necessary offsite improvements.

EXHIBIT J: This Exhibit is the text of the North Natomas Community Plan as approved by the City Council on February 6th (see discussion under Exhibit I above). The text reflects the reduction in size of the Regional Park from 250 to 200-acres, but still requires dedication to the City.

EXHIBIT K: This Exhibit reflects the North Natomas Community Plan as adopted by the City Council on May 13, 1986. The text and Map are the same as described in Exhibit J above.

Based on the foregoing, I feel that it is inappropriate for the City to include \$15 million in the North Natomas Financing Plan for acquisition of the Regional Park site. Acquisition should probably be better handled through the Land Dedication Fee.

SLJ:ts

cc: Marty Van Duyn
Gary Alm

AA



CITY OF SACRAMENTO

EXHIBIT A

CITY PLANNING DEPARTMENT
27 TENTH STREET
SUITE 300
SACRAMENTO, CA 95814
TELEPHONE (916) 449-5604

MARTY VAN DUYN
PLANNING DIRECTOR

MEMORANDUM

NOVEMBER 7, 1984

TO: Persons Interested in Proposed Development of the North Natomas Area

SUBJECT: Status Report No. 10

On October 15, 1984, a joint meeting of the City Planning Commission and County Policy Planning Commission was conducted to receive comments on 1) the Notice of Preparation for the North Natomas Community Plan EIR, 2) Scoping of Issues for the EIR, 3) three revised alternative land use Sketch Plans and Analysis Report which were prepared for the North Natomas Study Area by The SWA Group and 4) an Economic Analysis Report of an Arena and/or Stadium for the Sacramento area prepared by Economics Research Associates. This meeting was not included as part of the original Processing Schedule for the North Natomas Community Planning Study, but was scheduled as a continuation of the City Planning Commission hearing of October 4, 1984 (see Status Report No. 9) which had not been attended by members of the County Policy Planning Commission. As a result, the North Natomas Community Planning Study is now 7 days behind schedule.

During the meeting, Commissioners received public testimony and then gave direction to members of the Consultant Team to be used in preparing a single Preliminary Draft North Natomas Community Plan. A Synopsis listing comments and issues raised, and direction given at the October 15, 1984 meeting, has been prepared by City Planning Department staff and is attached for your information. At the conclusion of the meeting, Commissioners voted to close the public hearing and public review period on the Notice of Preparation and Scoping of Issues for the North Natomas Community Plan EIR.

In keeping with the revised Processing Schedule, The SWA Group submitted a Preliminary Draft North Natomas Community Plan on November 7, 1984 (a copy of which is enclosed). If you have any comments on the Preliminary Draft Plan, you must submit them to me in writing not later than 1:00 p.m., Wednesday, November 14, 1984. All comments received by that time will be forwarded to The SWA Group for their consideration in revising the Preliminary Draft Plan. A Draft North Natomas Community Plan will then be prepared and submitted to the City Planning Department on December 10, 1984. The Draft Plan will be the subject of a detailed analysis in the EIR.

45

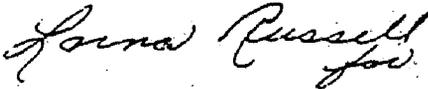
November 7, 1984
Interested Persons
Page Two

A

Please note that there are no meetings of the Planning Commission, City Council or Board of Supervisors scheduled at this time to receive public testimony on the Draft Plan. The next scheduled hearing on the North Natomas Project will be a joint meeting of the City and County Planning Commissions in mid-April 1985 to receive public comment on the Draft EIR.

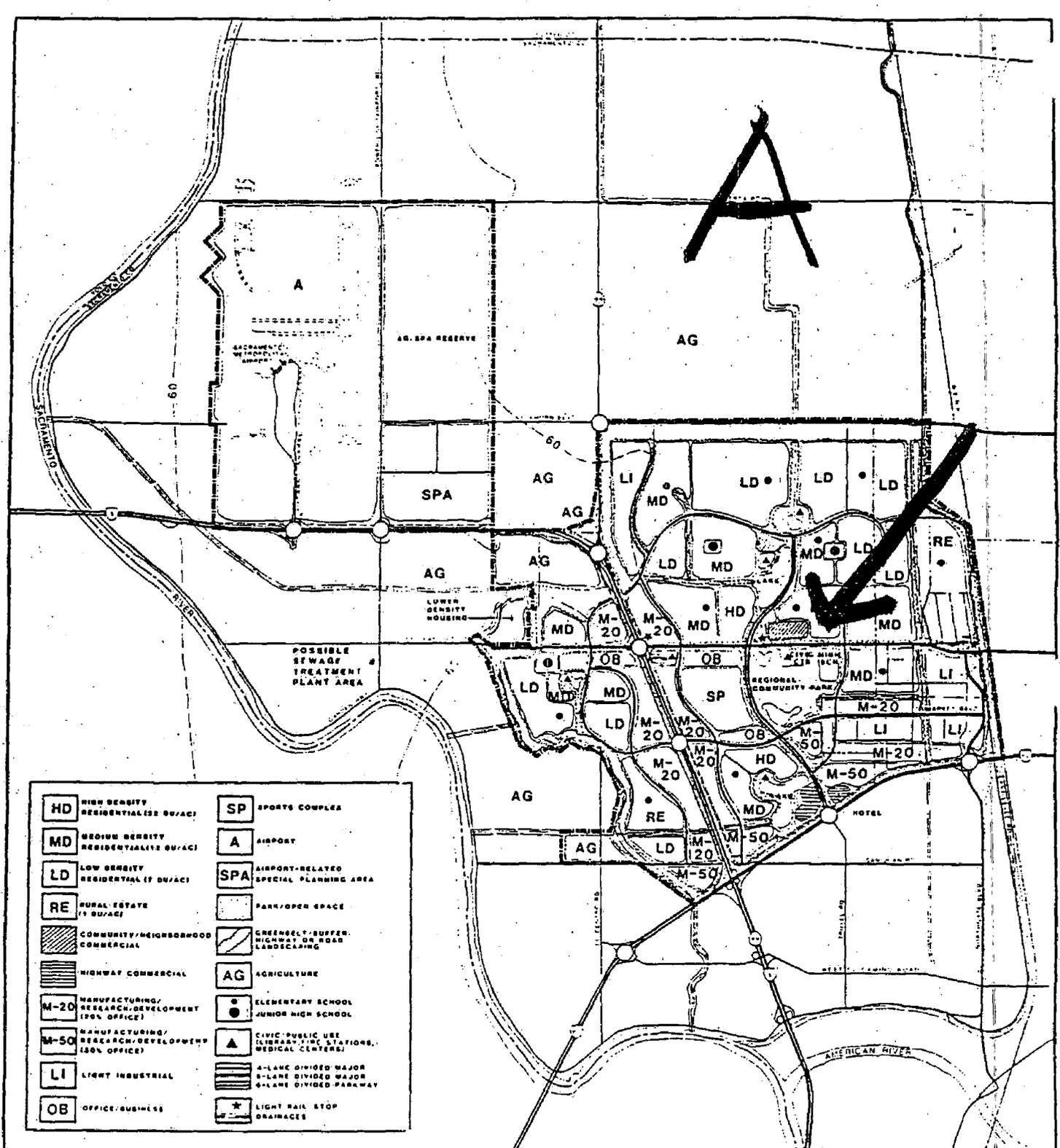
If you have questions regarding any phase of the program, please contact me either at my office (442-1376) or through the City Planning Department (449-5381).

Sincerely,



Stephen L. Jenkins, AICP
Project Coordinator
North Natomas Planning Studies

SLJ:lr
Attachments



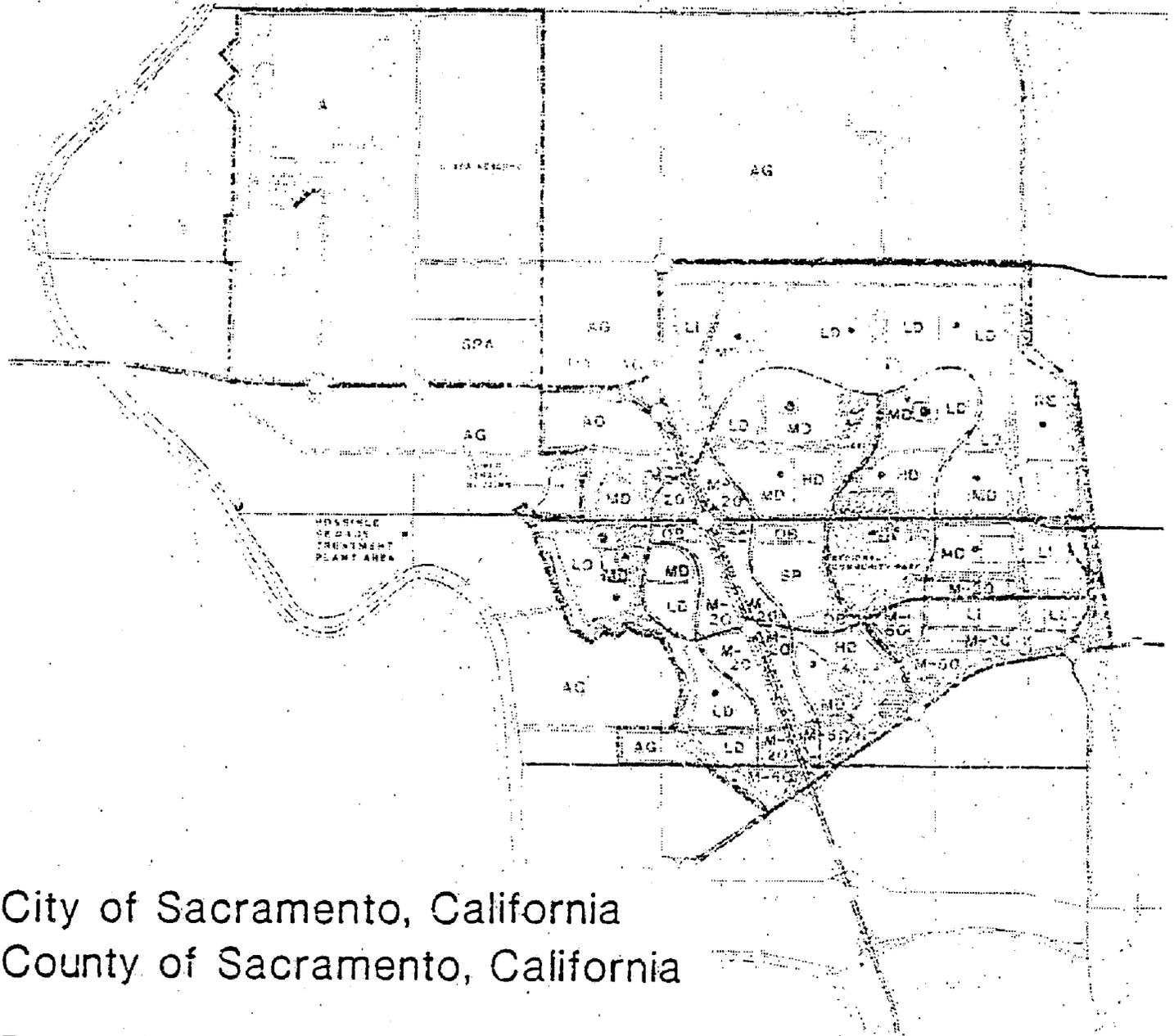
NORTH NATOMAS COMMUNITY PLAN

Sacramento, California

127

EXHIBIT B

NORTH NATOMAS DRAFT COMMUNITY PLAN



City of Sacramento, California
County of Sacramento, California

December 10, 1984

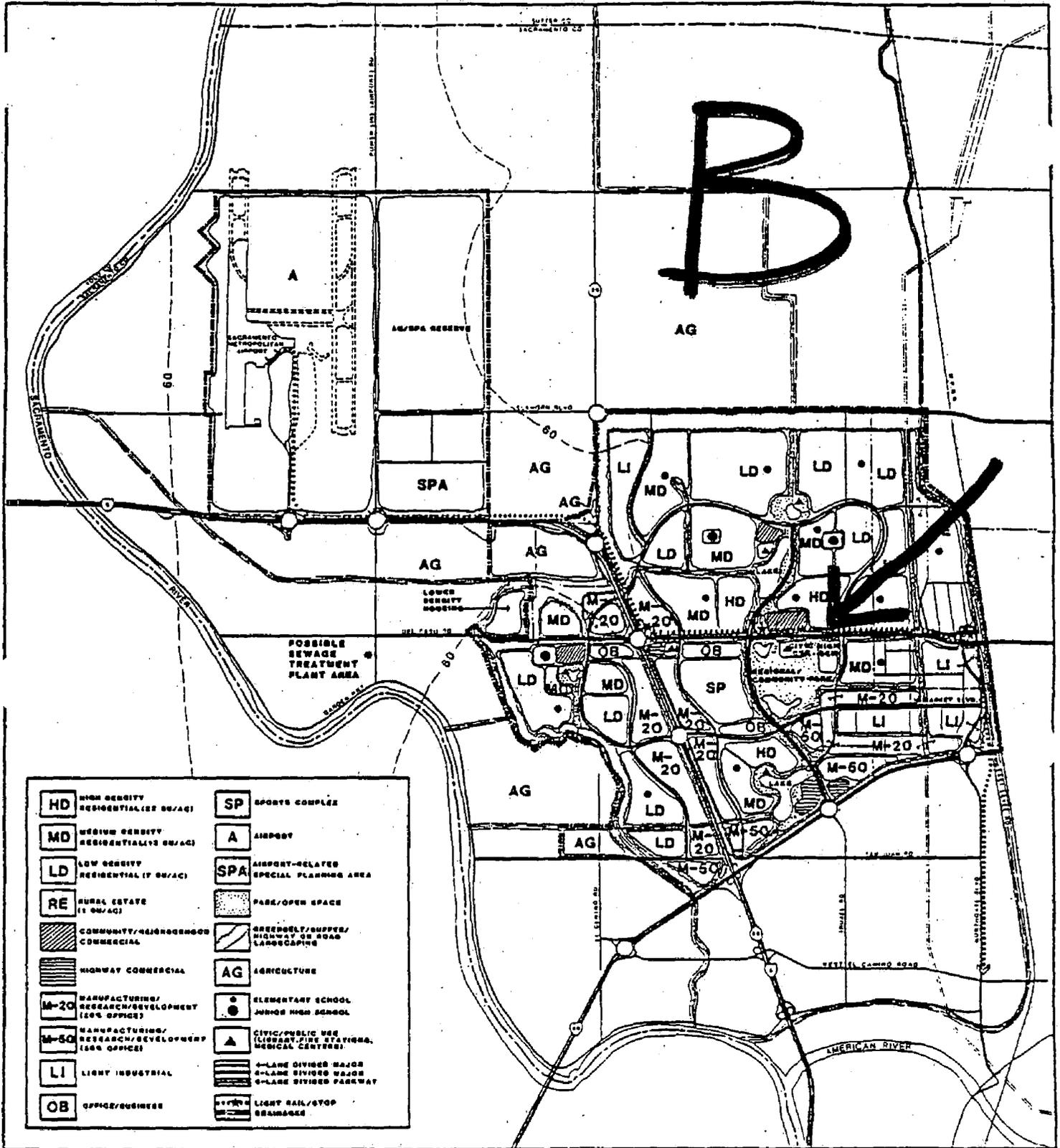
B

Objective:

- .. Establish a low-maintenance greenbelt that is not easily accessible and does not encourage active recreational use.

C. Recommended Policies and Actions

1. Establish an open space system consisting of a major 250-acre regional park at the community's center, a linear park accommodating drainage and other needs, smaller parks associated with schools or neighborhood commercial centers, and a low-maintenance greenbelt (see Figure 13).
2. Establish and adopt a program for the regional park to accommodate both active and passive recreation consistent with the design guidelines and other provisions of this plan.
3. Establish and adopt standards to maintain access and high visual quality along the linear park/drainage system consistent with the design guidelines and other provisions of this plan.
4. Encourage maintenance districts to explore ways to maintain the natural beauty and wildlife habitats of creeks and drainage canals as part of necessary improvements.
5. Where possible, locate active use areas adjacent to commercial or industrial uses to avoid conflict with residential neighborhoods.
6. Establish an assessment district to provide funds for establishment and maintenance of parks open space, greenbelt and buffer areas.



NORTH NATOMAS COMMUNITY PLAN

Sacramento, California

Figure 3:



CITY OF SACRAMENTO

EXHIBIT

C

CITY PLANNING DEPARTMENT
927 TENTH STREET
SUITE 300
SACRAMENTO, CA 95814
TELEPHONE (916) 449-5604

MARTY VAN DUYN
PLANNING DIRECTOR

MEMORANDUM

DECEMBER 13, 1984

TO: Persons Interested in Proposed Development of the North Natomas Area
SUBJECT: Status Report No. 11

On November 7, 1984, The SWA Group presented its Preliminary Draft North Natomas Community Plan map to the City Planning Department (see copy attached to Status Report No. 10). This Plan represented the culmination of over 7 months of effort by The SWA Group during which time three alternative Community Plan maps and three revised Community Plan maps were prepared and analyzed. The Preliminary Draft Community Plan map was circulated for a seven day public review period. Written comments were received from the following individuals, organizations and public agencies:

City Traffic Engineer
City Parks Department
County Traffic Engineer
Hefner, Stark & Marois (representing George Tsakopoulos)
Natomas Community Planning Advisory Council
ECOS
Betty Novak
Sacramento Aero Services
Gregory Thatch (representing Natomas applicants)
Ose Properties
Spink Corporation (representing Gateway Point)
League of Women Voters
Robert Waller
Sacramento Old City Association

All comments were forwarded to The SWA Group for their consideration in revising the Preliminary Draft Plan. On December 10, 1984, The SWA Group's recommended Draft North Natomas Community Plan was submitted to the City (see Alternative C attached to this report). The Draft Plan will now be the subject of a detailed environmental analysis and will undergo no further changes pending the completion of the Final EIR in August of 1985. If interested, you may pick up a copy of the Plan Text at the City Planning Department.

At its meeting on December 4, 1984, the City Council approved a staff recommendation to extend the processing schedule for the North Natomas Planning Studies by 13 weeks so that two additional land use plans can be prepared and analyzed in the EIR. The purpose for preparing the two additional plans is to

MEMORANDUM

ACTUALLY ALT. "D" WAS PREPARED
BY SPINK AND THE -2- NORTH

DECEMBER 13, 1984

NATOMAS LANDOWNERS PER DOCUMENTATION IN CITY FILES.

~~two additional plans have been prepared by the City Planning Department and are included as Alternatives B and D attached to this report. The two plans will be the subject of a staff presentation at a joint meeting of the City and County Planning Commissions on Thursday, December 20, 1984 (see attached meeting notice). Alternatives A (No Project) and E (Composite) will also be analyzed in the EIR but are not attached. Please note that the next scheduled hearing on the North Natomas Planning Project will be a joint meeting of the City and County in August 1985 on the Draft EIR (this meeting had previously been scheduled for April 1985). A revised processing schedule is presently being prepared to reflect the Council's action of December 4, 1984, and will be included with the next Status Report in January 1985).~~

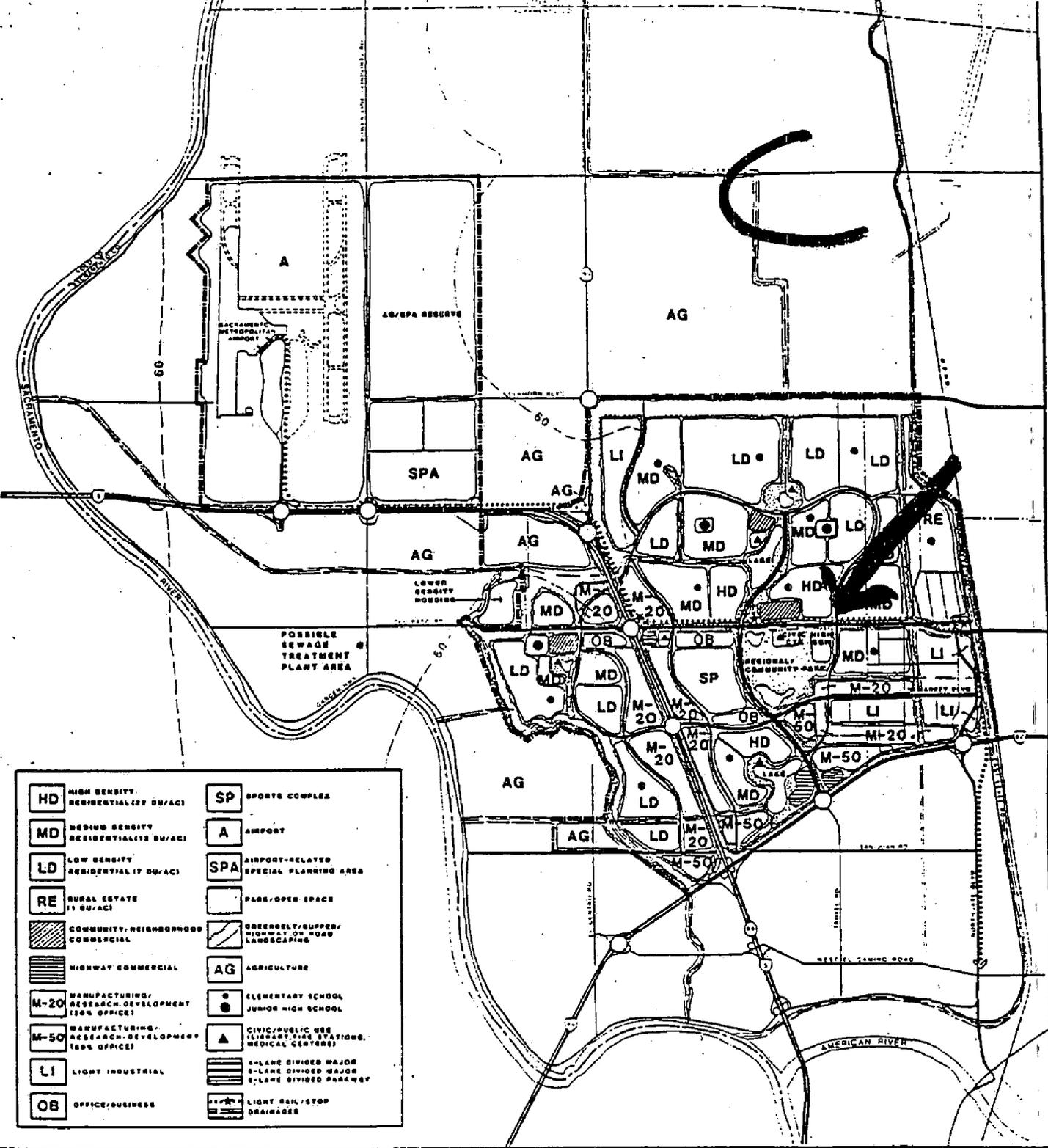
If you have any questions regarding any phase of the project, please contact me either at my office (442-1376) or through the City Planning Department (449-5381).

SEASONS GREETINGS!

John Russell for

Stephen L. Jenkins, AICP
Project Coordinator
North Natomas Planning Studies

SLJ:lr
Attachments



HD HIGH DENSITY RESIDENTIAL (20 BU/AC)	SP SPORTS COMPLEX
MD MEDIUM DENSITY RESIDENTIAL (12 BU/AC)	A AIRPORT
LD LOW DENSITY RESIDENTIAL (7 BU/AC)	SPA AIRPORT-RELATED SPECIAL PLANNING AREA
RE RURAL ESTATE (1 BU/AC)	POSSIBLE SEWAGE TREATMENT PLANT AREA
COMMUNITY-NEIGHBORHOOD COMMERCIAL	GREENBELT/BUFFER/ HIGHWAY OR ROAD LANDSCAPING
HIGHWAY COMMERCIAL	AG AGRICULTURE
M-20 MANUFACTURING/ RESEARCH/DEVELOPMENT (20% OFFICE)	● ELEMENTARY SCHOOL JUNIOR HIGH SCHOOL
M-50 MANUFACTURING/ RESEARCH/DEVELOPMENT (50% OFFICE)	▲ CIVIC/PUBLIC USE (LIBRARY AND STATIONS, MEDICAL CENTERS)
LI LIGHT INDUSTRIAL	— 4-LANE DIVIDED MAJOR 6-LANE DIVIDED MAJOR 8-LANE DIVIDED PARKWAY
OB OFFICE/BUSINESS	— LIGHT RAIL/STOP DRAINAGES

NORTH NATOMAS COMMUNITY PLAN

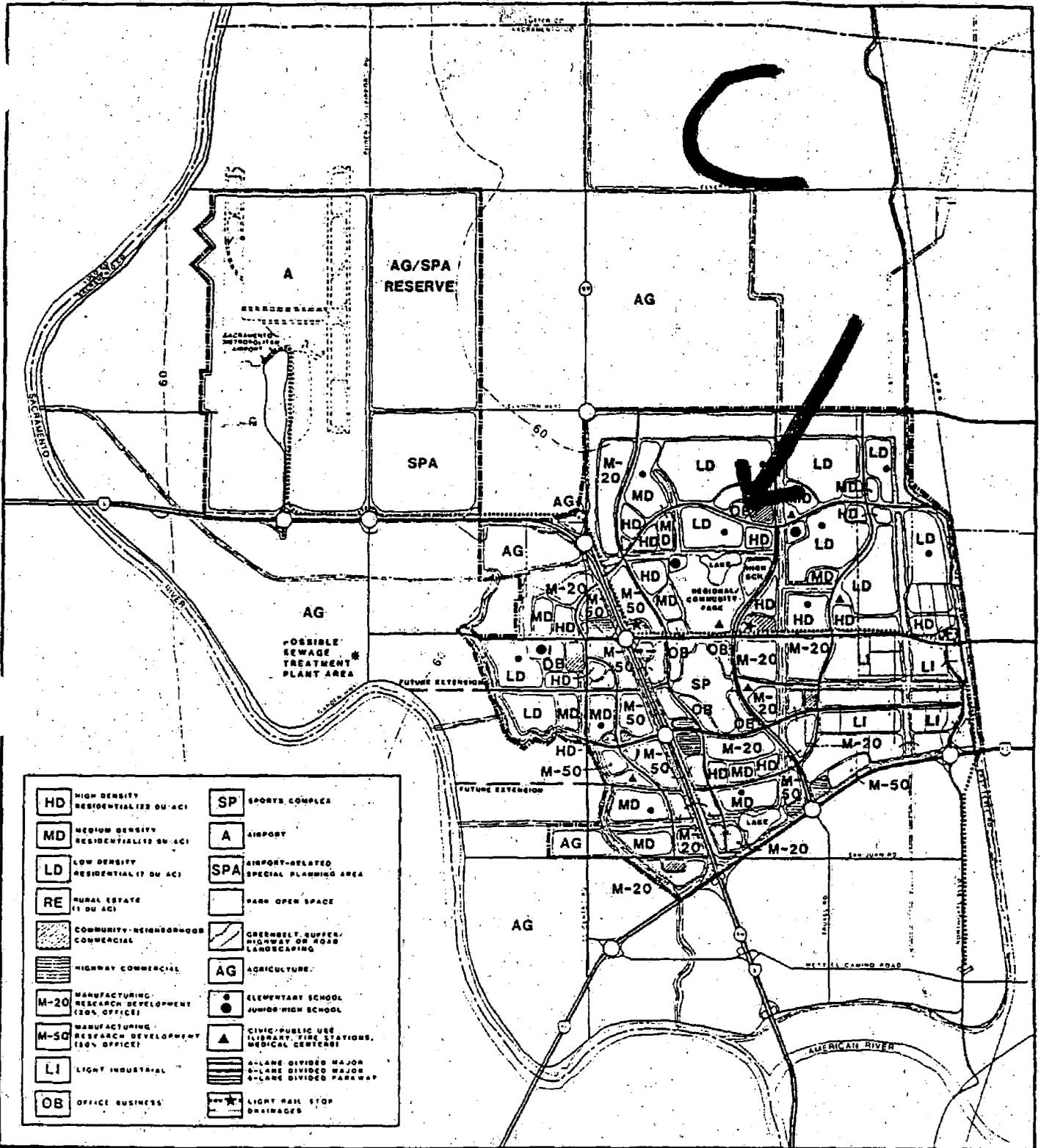
Sacramento, California

ALTERNATIVE C

DRAFT COMMUNITY PLAN

The SWA Group Community Planning
LSA, Inc. Environmental Analysis

December 10, 1984



NORTH NATOMAS COMMUNITY PLAN

Sacramento, California

*Prepared by SPINK
AND N. NATOMAS
LANDOWNERS*

ALTERNATIVE D

BOOK 85 EXHIBIT D PAGE

26 1118

STATE OF CALIFORNIA
 CERTIFICATE OF LIMITED PARTNERSHIP—FORM LP-1
 IMPORTANT—Read instructions on back before completing this form

This Certificate is prepared for filing pursuant to Chapter 3, Article 2, Section 15421, California Corporations Code.

1. NAME OF LIMITED PARTNERSHIP

Kensington Square, Ltd., a California limited partnership

2. STREET ADDRESS OF PRINCIPAL EXECUTIVE OFFICE

#6 Upper Newport Plaza

3. CITY AND STATE

Newport Beach, CA

4. ZIP CODE

92660

5. STREET ADDRESS OF CALIFORNIA OFFICE IF EXECUTIVE OFFICE IN ANOTHER STATE

6. CITY

7. ZIP CODE

8. COMPLETE IF LIMITED PARTNERSHIP WAS FORMED PRIOR TO JULY 1, 1986 AND IS IN EXISTENCE ON DATE THIS CERTIFICATE IS EXECUTED.

9. RECORD OF LIMITED PARTNERSHIP

RECORDED IN _____ COUNTY, FILE OR RECORDATION NUMBER _____

9. NAME AND ADDRESS OF ALL GENERAL PARTNERS (CONTINUE ON SEPARATE PAGE, IF NECESSARY)

Teachers Management & Investment Corporation

#6 Upper Newport Plaza

Newport Beach

STATE California

ZIP CODE 92660

9A. NAME

ADDRESS

CITY

STATE

ZIP CODE

9B. NAME

ADDRESS

CITY

STATE

ZIP CODE

10. NAME AND ADDRESS OF AGENT FOR SERVICE OF PROCESS

NAME: Robert W. Fitzpatrick, President & Chief Executive Officer

ADDRESS: #6 Upper Newport Plaza

CITY: Newport Beach

STATE California

ZIP CODE 92660

11. TERM FOR WHICH THIS PARTNERSHIP IS TO EXIST

30 years unless terminated

12. FOR THE PURPOSE OF FILING AMENDMENTS, DISSOLUTION AND CANCELLATION CERTIFICATES PERTAINING TO THIS CERTIFICATE, THE

ACKNOWLEDGMENT OF GENERAL PARTNERS IS REQUIRED.

13. ANY OTHER MATTERS THE GENERAL PARTNERS DESIRE TO INCLUDE IN THIS CERTIFICATE MAY BE NOTED ON SEPARATE PAGES AND BY

REFERENCE HEREIN IS A PART OF THIS CERTIFICATE. NUMBER OF PAGES ATTACHED

14. IT IS HEREBY DECLARED THAT I AM AN AND THE PERSONS WHO EXECUTED THIS CERTIFICATE OF LIMITED PARTNERSHIP, WHICH EXECUTION IS MY SOLE ACT AND DEED (SEE INSTRUCTIONS)

Teachers Management & Investment Corporation,
 a California corporation, General Partner

SIGNATURE OF GENERAL PARTNER DATE SIGNATURE OF GENERAL PARTNER DATE

By: *Robert W. Fitzpatrick*

SIGNATURE OF GENERAL PARTNER DATE SIGNATURE OF GENERAL PARTNER DATE

Robert W. Fitzpatrick,
 President

SIGNATURE OF OTHER THAN GENERAL PARTNER TITLE OR DESIGNATION DATE

15. RETURN ACKNOWLEDGMENT TO:

NAME Elizabeth A. Cheadle, Esq.
 ADDRESS Wyman, Bautzer, Rothman, Kuchel
 & Silbert
 CITY AND STATE 2049 Century Park East, Suite 4400
 ZIP CODE Los Angeles, CA 90067

16. THIS SPACE FOR FILING OFFICER. USE FILE NUMBER, DATE OF FILING.

852400003

FILED
 In the Office of the Secretary of State
 of the State of California

AUG 28 1985
 March Fox Esq
 MARCH FONG EU
 SECRETARY OF STATE

RECORDING REQUESTED BY

BOOK PAGE

CHICAGO TITLE INSURANCE COMPANY

85 09 26 1117

OFFICIAL RECORDS
SACRAMENTO COUNTY, CALIF.

164720
1985 SEP 26 AM 10:20

AND WHEN RECORDED MAIL TO
NAME Kensington Square, Ltd.
ADDRESS 6 Upper Newport Plaza
CITY Newport Beach, California 92660
STATE CA ZIP 92660

John S. ...
COUNTY CLERK

FEE
\$5
H

Title Order No. Escrow No. 8229480

SPACE ABOVE THIS LINE FOR RECORDER'S USE

MAIL TAX STATEMENTS TO

NAME As directed above.
STREET ADDRESS
CITY & STATE ZIP

DOCUMENTARY TRANSFER TAX \$4,840.00 02
 COMPUTED ON FULL VALUE OF PROPERTY CONVEYED.
 OR COMPUTED ON FULL VALUE LESS LIENS AND ENCUMBRANCES REMAINING AT TIME OF SALE.

Chicago Title Insurance Company
Representative of Director or Agent authorizing the Filing Herein

Ap 8225-040-06
8225-040-07

CORPORATION GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
SACRAMENTO SAVINGS AND LOAN ASSOCIATION

a California Corporation hereby GRANT(S) to

KENSINGTON SQUARE, LTD., a California limited partnership

the following described real property in the City of Sacramento
county of Sacramento, state of California:



Lots 57 and 80, as shown on the official Map of Natomas Central Subdivision filed in the office of the Sacramento County Recorder on September 18, 1920 in Book 16 of Maps, Map No. 3 to 10.

Deed September 17, 1985

STATE OF CALIFORNIA
COUNTY OF Sacramento

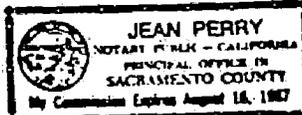
On September 17, 1985 before me, the undersigned, a Notary Public in and for said County and State, personally appeared JAMES R. FALLIS known to me to be the Executive Vice President

SACRAMENTO SAVINGS AND LOAN ASSOCIATION, a California corporation

By: *J. Fallis*
James R. Fallis, Executive Vice President

Secretary of the corporation that executed the within instrument, and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.

Jean Perry
JEAN PERRY
Notary Public in and for said County and State



RECORDING REQUESTED BY

Chicago Title
K229480

AND WHEN RECORDED MAIL TO

NAME Sacramento Savings and Loan
Association
ADDRESS 455 Capitol Mall, 2nd Floor
CITY & STATE Sacramento, CA 95814

Title Order No. _____ Excess No. _____

BOOK PAGE

85 09 26 1118

164721

OFFICIAL RECORDS
SACRAMENTO COUNTY, CALIF.

1985 SEP 26 AM 10:20

James Russell Smith
COUNTY CLERK-RECORDING

FEE
\$21
H

SPACE ABOVE THIS LINE FOR RECORDER'S USE

DEED OF TRUST AND ASSIGNMENT OF RENTS

By This Deed of Trust, made this _____ day of _____, 19____, between

Kensington Square, Ltd., a California Limited Partnership

, herein called Trustor,

whose address is 6 Upper Newport Plaza, Newport Beach, California 92660 (Zip Code)
(number and street) (City) (State)

and CHICAGO TITLE INSURANCE COMPANY, a Missouri corporation, herein called Trustee, and

Sacramento Savings & Loan Association, a California corporation

, herein called Beneficiary.

Trustor grants, transfers, and assigns to trustee, in trust, with power of sale, that property in County, California, described as:

Lots 57 and 80, as shown on the official Map of Natomas Central Subdivision filed in the office of the Sacramento County Recorder on September 18, 1920 in Book 16 of Maps, Map No. 3 to 10.

Trustor assigns to Beneficiary all rents, issues and profits from said real property reserving, however, the right to collect and use the same to keep in there a no existing default hereunder and does hereby authorize Beneficiary to collect and recover the same in the name of Trustor or his successor in interest by use of any lawful means.

FOR THE PURPOSE OF SECURING: (1) Payment of the indebtedness evidenced by one promissory note of even date herewith in the principal sum of \$3,300,000 payable to Beneficiary or order; (2) Payment of any additional sums and advances hereafter made by Beneficiary or his assigns to Trustor or his successor in ownership of the real property encumbered hereby; (3) Performance of each agreement of Trustor herein contained.

TO PROTECT THE SECURITY OF THIS DEED OF TRUST, TRUSTOR AGREES that all of the provisions of Section A, Paragraphs 1 through 3, and IT IS MUTUALLY AGREED that all of the provisions of Section B, Paragraphs 1 through 10, both of that certain Fiduciary Deed of Trust recorded on the date, so the instrument number and in the book and at the page of Official Records in the office of the county recorder of the county where said property is located, noted below opposite the name of such county, viz.:

COUNTY	RECORDING DATE	QST. NO.	BOOK	PAGE	COUNTY	RECORDING DATE	QST. NO.	BOOK	PAGE
Los Angeles	1-26-64	30838	4142	488	San Bernardino	5-28-64	10894	2322	968
Los Angeles	1-13-67	1190	T-2730	910	San Diego	1-13-67-Section 8		1967	5028
Chicago	1-13-67	4078	6161	422	San Luis Obispo	5-24-65	9647	1476	400
San Francisco	1-13-67	3090			Ventura	1-13-67	1006	3092	170
San Bernardino	1-13-67	443	4787	41					

(which provisions, identical in all counties, are printed on the reverse side hereof) are hereby incorporated herein and the parties hereto agree to be bound thereby as though fully set forth herein. All references to property, obligations and parties in the provisions of said Fiduciary Deed of Trust are the property, obligations and parties set forth in this deed of Trust. The undersigned Trustor requests that a copy of any notice of default and any notice of sale hereunder be mailed to him at the address set forth above.

Signature of Trustor

KENSINGTON SQUARE, LTD.

By: Teachers Management & Investment Corporation, its General Partner

By: *Robert W. Fitzpatrick*
Robert W. Fitzpatrick

By: *James V. Bogdon*
James V. Bogdon

STATE OF CALIFORNIA
COUNTY OF _____ } SS

On _____ before me, the undersigned, a Notary Public in and for said County and State, personally appeared _____

_____ known to me to be the person whose name _____ subscribed to the within instrument and acknowledged that _____ executed the same.

Name (Typed or Printed)
Notary Public in and for the County and State

FOR NOTARY SEAL OR STAMP

85-09-26 1119

D

RIDER

THIS RIDER is attached to and made a part of the Deed of Trust and Assignment of Rents ("Deed of Trust") dated _____, 1985, by and between KENSINGTON SQUARE, LTD., a California limited partnership ("TRUSTOR"), CHICAGO TITLE INSURANCE COMPANY OF SACRAMENTO, a California corporation ("TRUSTEE"), and SACRAMENTO SAVINGS & LOAN ASSOCIATION, a California corporation ("BENEFICIARY").

I. APPROVALS

Promptly, upon request, BENEFICIARY shall cooperate with TRUSTOR, and/or shall execute, and/or cause TRUSTEE to execute with respect to the real property which is encumbered by this Deed of Trust (the "Subject Property"):

1.1 Certificates consenting to the preparation and recording of final tract and/or parcel maps subdividing the Subject Property, or any portion thereof, together with certificates on any such map or separate instruments to make dedications or offers of dedications required by the applicable governmental authority for such subdivisions. In the event any governmental agency shall require, as a condition to final tract map and/or parcel map approval, that a portion of the Subject Property be dedicated, TRUSTOR shall pay BENEFICIARY the sum of Forty Thousand Dollars (\$40,000) per acre prior to the effective date of any such dedication in consideration for the release of said acreage from the lien of the Deed of Trust.

1.2 Consents and/or partial releases and reconveyances with respect to the grant of easements to public and/or private utility companies required to provide utility services to improvements constructed on or to be constructed on the Subject Property or within the right of way of any street shown on a recorded final tract or parcel map. In the event any public or private utility company requires that a part of the Subject Property be conveyed prior to the release and reconveyance of said acreage pursuant to Section II below, TRUSTOR shall pay BENEFICIARY the sum of Forty Thousand Dollars (\$40,000) per acre prior to the effective date of the conveyance in consideration for the release of said acreage from the lien of the Deed of Trust.

1.3 Documents that may be required in connection with obtaining any governmental approval, permit and/or

EXHIBIT

November 21, 1985

City Planning Commission
Sacramento, California

Members in Session:

SUBJECT: North Natomas Community Plan (M84-007)

SUMMARY

~~Presented for the Commission's review is a Land Use Map (Attachment A) and a description of the major components of the proposed North Natomas Community Plan (NNCP).~~ These are to be discussed at the November 21, 1985 City Planning Commission hearing. This report gives a brief overview of the Proposed Plan's major goals, policies, implementation program, and plan features. Also provided are statistics (land use acreages, population, dwelling units, and jobs created at community plan buildout) which may be compared to Alternatives A-E as presented in the Draft EIR (Attachment B).

BACKGROUND INFORMATION

Community Plan Goals/Policies

A thorough description of the Proposed Plan's goals/policies will be available, along with the complete plan text, prior to the CPC hearing of December 12, 1985. The following outlines the Plan's major policy areas and highlights the most important points:

1. Jobs/Housing Link: The plan provides for a 60 percent balance of jobs and housing within the planning area at buildout of the community at proposed densities and land uses. (A 60 percent balance is consistent with the current County of Sacramento jobs/housing policy.) Additional housing demand of North Natomas workers will be met utilizing surplus residential capacities of North Sacramento and South Natomas. Adoption and implementation of the proposed housing program will track job creation in North Natomas with housing construction in North Sacramento and South Natomas.
2. Traffic/Circulation: Results of the traffic analysis based on the proposed land uses, will be available at the December 12, 1985 City Planning Commission hearing. Alternative D traffic levels, as identified in the Draft EIR, have been reduced by approximately 84,000 ADT, to a level equivalent to unmitigated Alternative C level of traffic. The major circulation policy is to achieve and maintain Level of Service C.

E

3. Housing: A primary land use policy shall be discouraging the placement of housing adjacent to freeways. Another key policy is directed at high density residential development. Due to the large acreages involved, it is important that the larger multi-family developments provide a mix of housing types, densities, and affordability. Therefore, it shall be a policy to require high density projects to have a mix of housing types and densities with at least a Low Density and a Medium Density housing type included.

4. Open Space: A dedicated open space system shall be established consisting of a major 250 acre regional park, a linear park accommodating drainage and other needs, smaller parks associated with schools or neighborhood commercial centers, and a low-maintenance greenbelt. The amount of park land shall be in accordance with the City's Park Land Dedication Ordinance Standards. The regional park and greenbelts shall be dedicated to the City.

5. Development Phasing: Phasing of proposed North Natomas development shall begin adjacent to existing urban uses and circulation facilities. Land located south of Del Paso Road and east of 1-5 shall be developed prior to land located west of 1-5 and land located north of Del Paso Road. Development north of Del Paso Road or west of 1-5 shall not occur before 1995 unless justified by the City's monitoring program.

6. Triggering Mechanisms

A. Sports Complex: The arena shall be under construction prior to the issuance of building permits for one half of the acreage located south of Del Paso Road. Additionally, the stadium shall be under construction prior to the issuance of building permits for an additional one half of the acreage of the land located south of Del Paso Road. Either the stadium or the arena may be constructed first, or they may be constructed simultaneously.

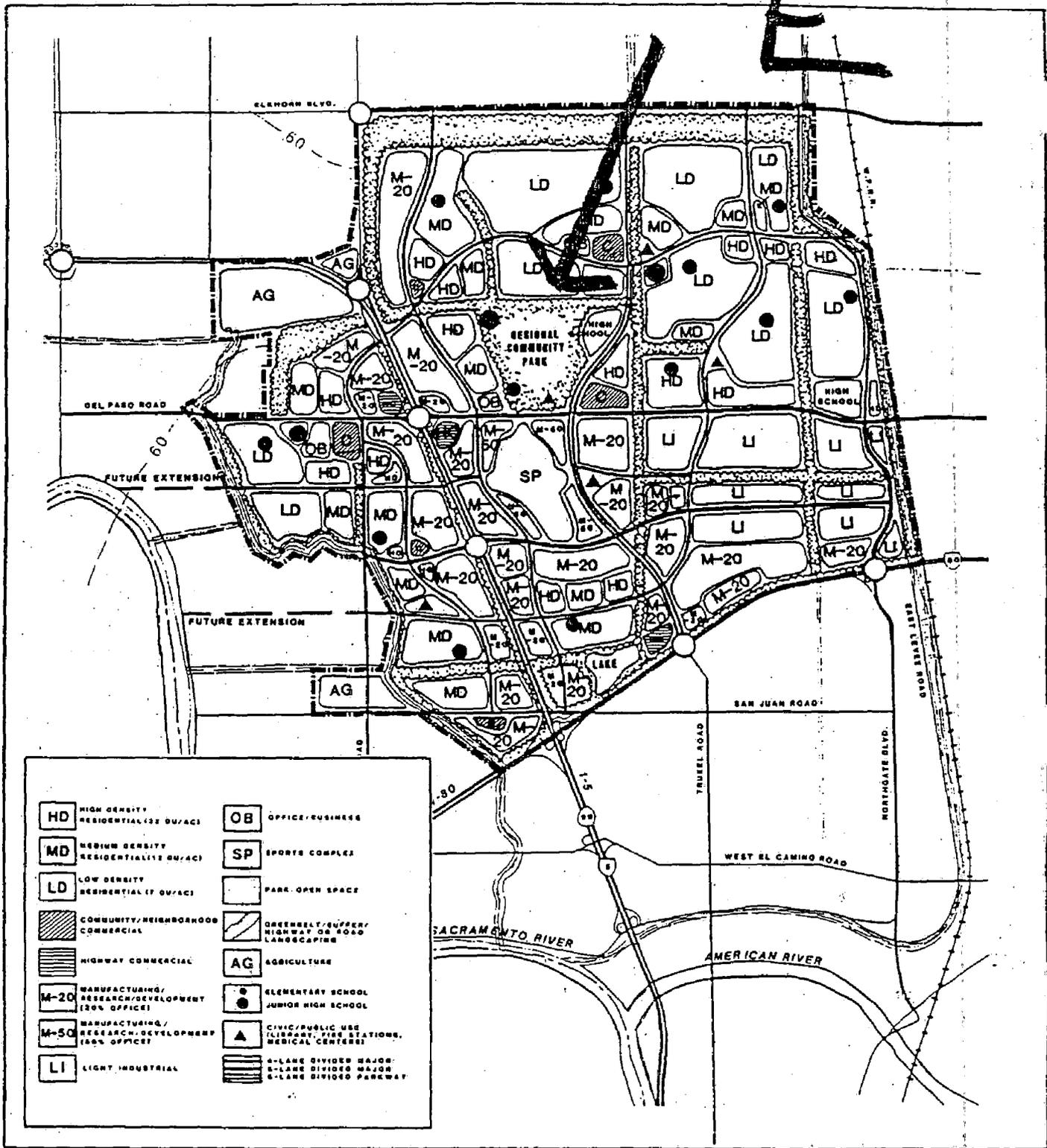
B. Jobs/Housing: Please see Housing Program below.

Implementation Programs

A comprehensive implementation program will be included in the plan text that will be presented to the City Planning Commission for discussion at the December 12, 1985 hearing. The implementation program will include the following:

1. Housing Program: The housing program shall be designed to meet the goals of the jobs/housing balance and the housing goals of adjacent communities. Excess housing demand of North Natomas workers will be met, in part, through development of North Sacramento and South Natomas surplus residential lands. A monitoring program shall be

60



NORTH NATOMAS COMMUNITY PLAN

Sacramento, California

PROPOSED DRAFT COMMUNITY PLAN

December 6, 1985

EXHIBIT F

City Planning Commission
Sacramento, California

Members in Session:

SUBJECT: North Natomas Community Plan Hearing Schedule (M84-007)

SUMMARY

At its November 21, 1985 meeting, the Commission set additional hearings on the North Natomas Community Plan for December 9, 12, and 16, 1985.

BACKGROUND INFORMATION

On November 21, 1985, the Commission held the first of two scheduled hearings on the North Natomas Community Plan. At the time of the hearing, only the Plan Map and a staff report were available. During the meeting the Commission continued the hearing to Monday, December 9, 1985. The Commission also set hearing dates for Thursday, December 12, 1985 and Monday December 16, 1985.

The text of the Community Plan was sent to Commissioners on November 27, 1985. suggest that the December 9, 1985 hearing focus on the Plan text and on the or issue of whether the Community should be opened for urbanization at this time.

At the November 21, 1985 hearing, consultants for the Gateway Point applicants submitted several volumes on their analysis of various aspects of the development of North Natomas and depicted in Alternative D of the Draft EIR. At the applicants request, their consultants will make brief presentations at the December 12, 1985 hearing. Representatives of the City's consultants will also be present. Staff will also present the results of traffic modeling for the Plan. RT will present their recommendations on light rail transit alignments.

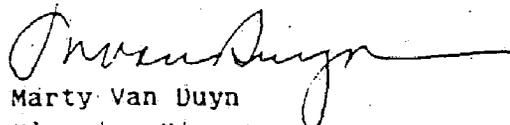
The hearing on December 16, 1985 should focus on the implementation chapter of the Plan and on developing recommendations to the City Council. The implementation chapter should be available by December 10, 1985.

Staff recognizes the intensity of this review process by the Commission.

RECOMMENDATION

The Commission should approve the hearing schedule and general topics for each session as recommended by staff.

Respectfully submitted,


Marty Van Duyn
Planning Director

MVD:GLS:lf
M84-007

6

F

NORTH NATOMAS
DRAFT COMMUNITY PLAN*

TEXT
DECEMBER 9, 1985

Prepared for:

City of Sacramento, California
County of Sacramento, California

Prepared by:

~~The SWA Group and LSA, Inc. - Community Planning~~
~~Angus McDonald & Associates - Economic Analysis~~
~~Omni Means, Ltd. - Transportation Analysis~~
~~Hodge, Buchanan, Falik & Dupree - Legal Analysis~~

* Amended by Staff

F

periphery is one step, an additional measure is the establishment of a "greenbelt" open space surrounding the planning area.

B. Goals and Objectives

Goal

- o Provide ample, accessible, and attractive parks and open space for North Natomas to contribute to the community's identity as a desirable place in which to live and work.

Objectives

- o Establish a major community park and related open space system, which shall become the location for major public facilities and the focus of community activity.
- o To accommodate active recreation, establish primary recreational facilities at a regional-scale park at the center of the community with additional minor facilities elsewhere. The Regional Park (250 acres) shall be dedicated to the City.
- o Establish a linear park to accommodate the area's primary north-south drainage as well as a road and open space system.
- o Accommodate drainageways in the open space plan, either by utilizing them in buffer areas between land uses or making them into positive amenity features such as bike-hike corridors as part of a linear park system.
- o Maintain landscaped setbacks adjacent to freeways and main roads to enhance the community's image from major corridors.
- o Identify revenue sources and programs which can help finance additional improvements for recreational facilities, parks and open space.

Goal

- o To create a strong edge between the community and adjacent areas of permanent agriculture, develop a greenbelt along the northern and western boundaries of the incorporated portion of the planning area.

Objective

- o Establish a low-maintenance greenbelt that is not easily accessible and does not encourage active recreational use. The greenbelt shall be dedicated to the City.

C. Recommended Policies and Actions

1. Establish an open space system consisting of a major 250-acre regional park at the community's center, community parks associated with Junior High Schools, a linear park accommodating drainage and other needs, smaller neighborhood parks associated with elementary schools, or neighborhood commercial centers, and a low-maintenance greenbelt (see Figure 13).

1A

EXHIBIT G

NORTH NATOMAS
PROPOSED COMMUNITY PLAN*

JANUARY 7, 1986

AS RECOMMENDED TO THE
SACRAMENTO CITY COUNCIL
BY THE SACRAMENTO
CITY PLANNING COMMISSION

Prepared for:

City of Sacramento, California
County of Sacramento, California

* Amended by Staff

G

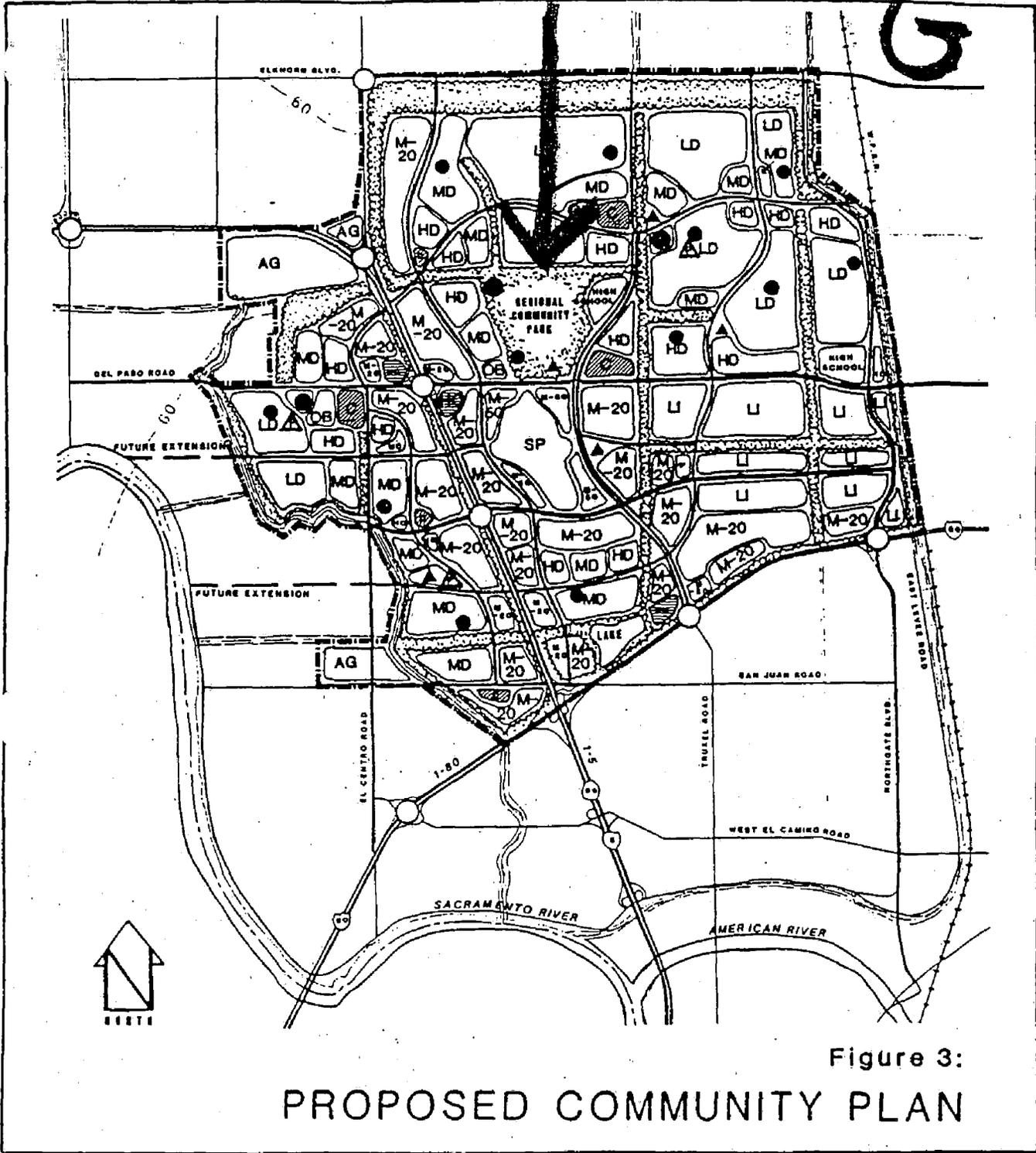


Figure 3:
PROPOSED COMMUNITY PLAN

NORTH NATOMAS COMMUNITY PLAN

Sacramento, California

- | | | | |
|--|---|--|--|
| HD HIGH DENSITY RESIDENTIAL (2200/AC) | HIGHWAY COMMERCIAL | OB OFFICE/BUSINESS | AG AGRICULTURE |
| MD MEDIUM DENSITY RESIDENTIAL (112 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 (60% 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 HIGHWAY OR ROAD
6-LANE DIVIDED MAJOR HIGHWAY OR ROAD
8-LANE DIVIDED PARKWAY |

periphery is one step, an additional measure is the establishment of a "greenbelt" open space surrounding the planning area.

B. Goals and Objectives

Goal

- o Provide ample, accessible, and attractive parks and open space for North Natomas to contribute to the community's identity as a desirable place in which to live and work.

Objectives

- o Establish a major community park and related open space system, which shall become the location for major public facilities and the focus of community activity.
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- o Identify revenue sources and programs which can help finance additional improvements for recreational facilities, parks and open space.

Goal

- o To create a strong edge between the community and adjacent areas of permanent agriculture, develop a greenbelt along the northern and western boundaries of the incorporated portion of the planning area.

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- o Establish a low-maintenance greenbelt that is not easily accessible and does not encourage active recreational use. The greenbelt shall be dedicated to the City.

C. Recommended Policies and Actions

1. Establish an open space system consisting of a major 250-acre regional park at the community's center, community parks associated with Junior High Schools, neighborhood parks associated with elementary schools, and a low-maintenance greenbelt (see Figure 13).
2. Adopt a parks and open space program in accordance with the standards of the City's Master Plan for Park Facilities and Recreation Services.

Memorandum of Understanding
by Gateway Point Applicants
regarding North Natomas Community Plan

SACRAMENTO CITY
PLANNING - ENVIRONMENTAL

JAN 27 1986

RECEIVED

Overview

Key Issues:

1. Stadium and Arena
2. Infrastructure
3. Circulation and Transportation Proposals and Funding

Mechanisms

4. Jobs Program
5. Jobs/Housing Link, North Sacramento Housing and Monitoring
6. Community Benefits and Amenities
 - a. Greenbelt
 - b. Regional Park
 - c. Freeway Landscaping
 - d. Fire Stations and Library
 - e. Natomas Airport
 - f. Light Rail
7. Phasing

EXHIBIT

H

Overview

As the North Natomas Community Plan now stands, the Gateway Point Project (which includes both the stadium and the arena) occupies a pivotal position in relationship to the development of the remainder of the region. Gateway Point comprises the majority of land within Phase I. The Plan contains trigger mechanisms for the phasing and completion of Gateway Point which by their very nature will affect and determine the rate and sequence of development within the rest of the Community Plan area. As the first project slated for development, Gateway Point is the keystone for providing adequately-sized infrastructure for the entire community plan area.

In order to begin the development of the Gateway Point project as quickly as possible, and to insure that the aims and goals of good planning, as embodied in the North Natomas Community Plan, are carried out in an exemplary manner, the owners of Gateway Point have indicated to the city staff, that we agree to a number of points which will make the plan more workable and tie up loose ends.

This document is to identify and describe these points of agreement and remove any doubt about our intentions in the areas covered so that everyone concerned will have a better understanding of the Gateway Point owners' genuine commitment to a community plan for North Natomas that can and will be put into effect as written.

We would like it to be acknowledged that the Community Plan with these agreements incorporated will be the most ambitious and generous ever done in this region. It will include: a better than average level of service for traffic; an unprecedented commitment for private financing of infrastructure, improvements, and amenities; and a number of Sacramento firsts— first Greenbelt, first Regional Park in 40 years, first non-profit housing construction program for a disadvantaged area, first major program to hire minorities in construction, largest use of SETA-PIC for hiring the unemployed, highest Jobs/Housing Link in the area, first Sports Complex for the region, and California's most ambitious Freeway Landscaping project.

b. Regional Park

In addition to the payment of normal Quimby Act fees, we will dedicate in fee to the City a 200 acre Regional Park. The cost of the Park land is estimated at \$10 million. We will also bear the costs of providing the off-site infrastructure around the Park, estimated to be an additional \$10 million. The cost for the Park lands and infrastructure will be spread among the property owners in the Community Plan area. As with the Greenbelt, there will either be a payment of a pro-rata cash fee upon issuance of a building permit or the dedication of land in lieu of the cash fee.

c. Freeway Landscaped Parkways

The Gateway Point owners have already begun construction of their portion of the Freeway Landscaped Parkway. We recommend that this type of Parkway (berm height, breadth, and scope of landscaping using native plants, where possible) should continue up to Elkhorn Road and on the west side of I-5 from I-80 to the northern boundary of the Community Plan. The owners of Gateway Point have funded our freeway landscaping on a cash basis. We suggest that landscaping along other portions of the freeway be similarly funded by the abutting properties.

d. Fire Stations and Library

We agree to fund, through existing fees or other funding mechanisms, Fire Stations and the Library as necessary on a pro-rata basis shared equally among all properties in the Community Plan area.

e. Natomas Airport

The Sacramento Sports Association, owners of the Natomas Airport, have previously made the following commitment to the Airport operators and users and the City: To keep the Airport operating at its present location as long as it is possible to do so without causing safety problems to the residents of North and South Natomas or the patrons of the sports facilities.

We estimate that the Airport will be able to remain in its present location for four to five years. Upon approval of the Community Plan we agree to work to find a new location within the North Natomas area for the construction of a new, privately-financed reliever airport to replace Natomas Airport prior to its closure. This is subject, of course, to getting the proper governmental approvals.

g. Light Rail

We will make an irrevocable offer of dedication for a Light Rail right of way route through North Natomas, contingent upon Regional Transit identifying a route within a reasonable time.

JAN 27 1986

RECEIVED

Olympic Park

PRESENTED BY MAURICE READ
FOR GATEWAY POINT ASSOC.

H

One element of the proposed North Natomas Community Plan will be a 200 acre Regional Park. There is the only one other park of this size in the region—William Land Park, which was built in the late thirties. Here is an opportunity to build a truly first-class park. The property owners in North Natomas will be giving \$10 million dollars in land for the park and another \$10 million in roads and utilities around the park. In addition, Quimby Act fees will be used for the development of the park itself.

The Gateway Point applicants believe that this park is an ideal location for facilities to support Sacramento's growing amateur athletic community. But, in this era of Proposition 13 and lowered expectations, there is little money available to develop and build many of the nicer things that we all would like for our community.

With this in mind, the Gateway Point applicants contacted various local amateur athletic groups to find out if they might be interested in forming a three-way partnership of themselves, the City, and North Natomas property owners to see what kind of park we could design and plan. Perhaps by working together, we could realize the ideal—a park with all of the special things that everyone would like, but that no one group can any longer quite afford.

The result we call Olympic Park, in honor of the many Sacramentans who have participated in the Olympics. Although it would permit a great many uses besides athletics, the name seems appropriate for a park that would be next door neighbor to Sacramento's first stadium and permanent arena.

The conceptual plan, drafted by Spink Engineering, includes rugby fields, soccer fields, and softball fields. Each of these complexes would have one field with bleachers to accomodate tournaments. There would be a velodrome so that cyclists could at last train and compete in Sacramento, and it would have an inner track for wheel chair competitors. At last too, Sacramento would have a public Olympic pool and diving pond, and a 5000 seat outdoor bowl for our many resident performing groups. For those non-athletes in our midst, a botanical garden with restaurants and shops would be available and a state-of-the-art computerized theme park. And there is still space for other activities that may have been overlooked.

Those groups we contacted overwhelmingly responded in a positive fashion. The cyclists, rugby players, softball groups, swimming club, table tennis players, and ice skaters have all indicated that they would welcome the opportunity to join together and make this concept a reality. They have also indicated their willingness to raise any necessary monies to help construct the special facilities that so many activities require, but that are so difficult to fund.

As conceptualized, Olympic Park would be dedicated by the property owners, built by the residents and local athletic groups and operated by the City of Sacramento. We are prepared to do

EXHIBIT I

MEETING

CITY COUNCIL

CITY OF SACRAMENTO

INTENT TO APPROVE

THE

PROPOSED NORTH NATOMAS COMMUNITY PLAN

COUNCIL TRANSCRIPT

COMMUNITY CENTER

EXHIBIT HALL B

SACRAMENTO, CALIFORNIA

COPY

THURSDAY, FEBRUARY 6, 1986

7:30 P.M.

I

COUNCILMEMBER POPE SPEAKING

1 Additionally, having the revenues realized off of
 2 not just the sports facilities, not just the industrial and
 3 light industrial and, hopefully, high-tech facilities, but
 4 the commercial facilities and what have you. The new
 5 revenues that will come to the City will greatly help our
 6 desperate need for revenues to support needed public
 7 improvements like police and fire in the downtown area where
 8 many things are needed.

9 So, I think after weighing all the benefits that
 10 this Plan is going to give, it's really a pleasure for me
 11 after all this time to move that we tonight continue our
 12 ~~hearing and the City Council express its intent to (1)~~
 13 ~~approve the General Plan amendments recommended by the~~
 14 ~~Planning staff in the report dated January 27, 1986 and~~
 15 ~~approve the North Natomas Community Plan as recommended by~~
 16 ~~the Planning staff and set forth in the staff report dated~~
 17 ~~January 2, 1986 and as modified by the staff reports dated~~
 18 ~~January 27, 1986 and February 3, 1986 and as modified by this~~
 19 ~~motion.~~

20 In addition to the items set forth in the report
 21 ~~cited, the final terms and conditions of the Community Plan~~
 22 ~~shall provide for:~~

23 1. One hundred percent reimbursement to the City
 24 for all planning expenses incurred in developing this
 25 Community Plan, which reimbursement shall occur in a manner

NOTE: THIS INTENT MOTION ADOPTED BY
7 YAYES AND 2 NOES.

REGIONAL PARK I¹³

1 ~~acceptable to the city staff.~~

2 2. Conveyance in fee without any reservation of any
3 reversionary interest, free of all liens and encumbrances and
4 without credit toward Quimby fees, of a 200-acre park site
5 together with all offsite improvements. That's including
6 curb, gutter, sidewalks, streets, water, sewer and storm
7 drainage. And a 500-foot greenbelt buffer as shown in the
8 Community Plan.

9 3. Participation by all the property owners in the
10 planning area and the necessary public facilities fee
11 assessment plan or any other financing mechanism for
12 financing both design, engineering and construction of all
13 library, fire, police, street, traffic, water, sewer,
14 drainage improvements and all monitoring programs provided
15 for in the Plan and those mechanisms not otherwise provided
16 for in the Community Plan. Guarantees for these mechanisms
17 shall be via development agreements or other means acceptable
18 with our staff. The construction of the stadium and arena,
19 however, may commence prior to these guarantees being given.

20 4. The Plan for the property commonly referred to
21 as the Tsakopolous property shall be modified to provide for
22 approximately 30 acres of commercial, 97 acres of light
23 industrial, 117.5 acres of medium density residential and
24 57.5 acres of high density residential. The particular
25 configuration and exact mix of this area to be worked out

EXHIBIT J

FINAL DRAFT
NORTH NATOMAS COMMUNITY PLAN

MARCH 4, 1986

AS APPROVED BY THE
SACRAMENTO CITY COUNCIL

J

periphery is one step, an additional measure is the establishment of a "greenbelt" open space surrounding the planning area.

B. Goals and Objectives

Goal

- o Provide ample, accessible, and attractive parks and open space for North Natomas to contribute to the community's identity as a desirable place in which to live and work.

Objectives

- o Establish a major community park and related open space system, which shall become the location for major public facilities and the focus of community activity.
- o To accommodate active recreation, establish primary recreational facilities at a regional-scale park at the center of the community with additional minor facilities elsewhere. The Regional Park (200 250 acres) shall be dedicated to the City.
- o Accommodate drainageways in the open space plan, either by utilizing them in buffer areas between land uses or making them into positive amenity features such as bike-hike corridors as part of a linear park system.
- o Maintain landscaped setbacks adjacent to freeways and main roads to enhance the community's image from major corridors.
- o Identify revenue sources and programs which can help finance additional improvements for recreational facilities, parks and open space.

Goal

- o To create a strong edge between the community and adjacent areas of permanent agriculture, develop a greenbelt along the northern and western boundaries of the incorporated portion of the planning area.

Objective

- o Establish a low-maintenance greenbelt that is not easily accessible and does not encourage active recreational use. The greenbelt shall be dedicated to the City.

C. Recommended Policies and Actions

1. Establish an open space system consisting of a major 200- 250-acre regional park at the community's center, community parks associated with Junior High Schools, neighborhood parks associated with elementary schools, and a low-maintenance greenbelt (see Figure 13).
2. Adopt a parks and open space program in accordance with the standards of the City's Master Plan for Park Facilities and Recreation Services.

CITY OF SACRAMENTO
PLANNING AND COMMUNITY DEVELOPMENT

North
Natomas
Community
Plan

EXHIBIT

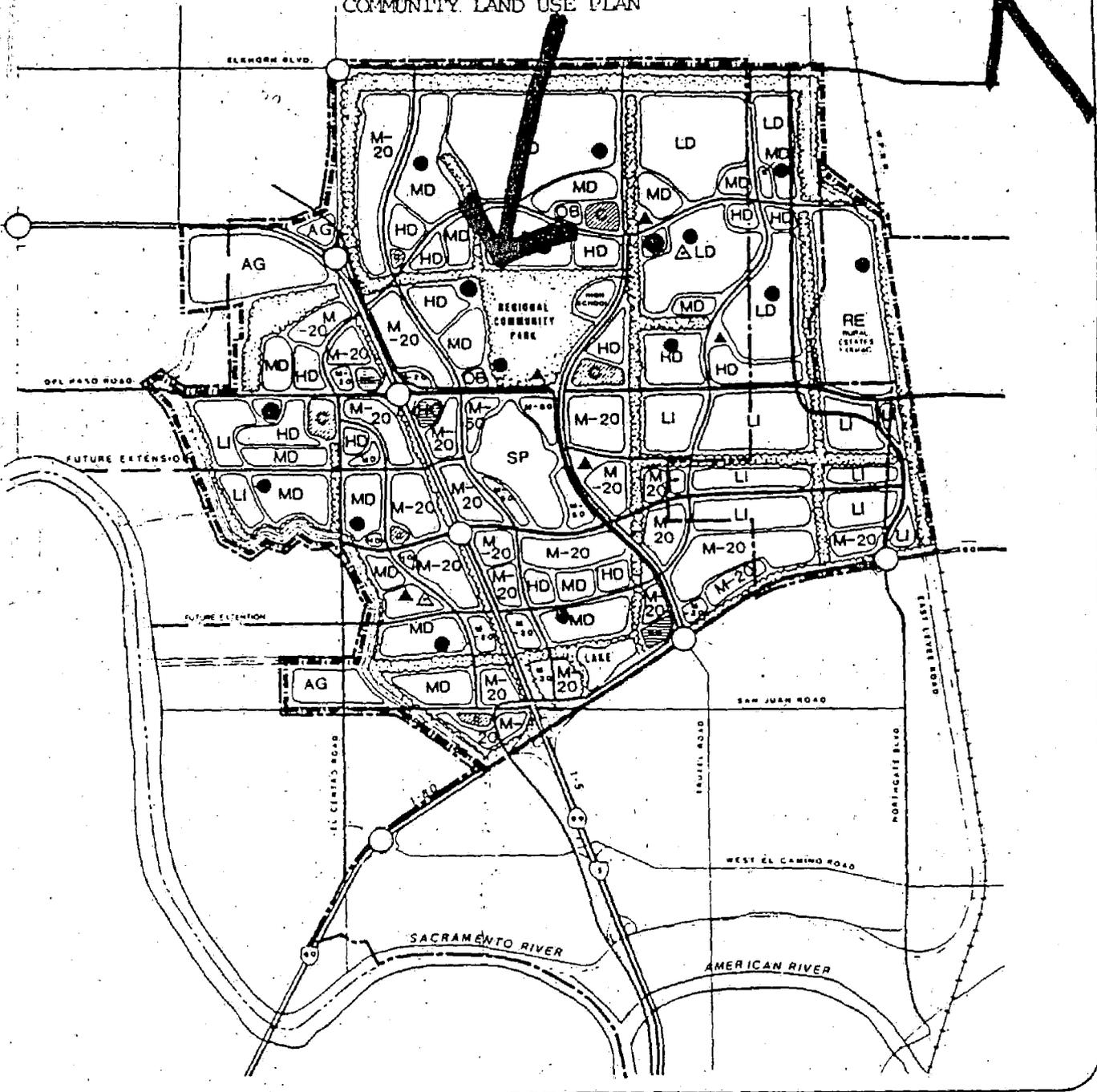
K

Adopted by City Council

May 12, 1998

NORTH NATOMAS COMMUNITY

COMMUNITY LAND USE PLAN



PROPOSED LAND USE

FIGURE 3

HD HIGH DENSITY RESIDENTIAL (220U-AC)	HIGHWAY COMMERCIAL	OB OFFICE/BUSINESS	AG AGRICULTURE
MEDIUM DENSITY RESIDENTIAL (112-60-AC)	M-20 MANUFACTURING, RESEARCH, DEVELOPMENT (20% OFFICE)	SP SPORTS COMPLEX	ELEMENTARY SCHOOL, JUNIOR HIGH SCHOOL
LD LOW DENSITY RESIDENTIAL (11-60-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 ROAD
			6-LANE DIVIDED MAJOR ROAD
			8-LANE DIVIDED MAJOR ROAD

COMMUNITY PLAN STUDY AREA BOUNDARY CITY OF SACRAMENTO CITY LIMITS SACRAMENTO COUNTY BOUNDARY METRO CLIMATE RAILROUTE

Neighborhood Parks

Minimum Size: 2-10 acres

Location: A park within 0.5 miles of all residential areas, often adjacent to elementary schools

Quantity: 2.5 acres/1,000 people

Community Parks

Minimum Size: 6-60 acres

Location: A park within 3 miles of all residential areas

Quantity: 2.5 acres/1,000 people

Regional Park

Minimum Size: Greater than 75 acres

Location: Within 30-minute drive of residential areas

Quantity: 5.0 acres/1,000 people

Furthermore, the case of North Natomas presents some special concerns for open space. First, the above space requirements do not include areas for the numerous drainage channels and associated maintenance areas required for the planning area. The need for these drainage systems presents the opportunity for integrating drainage facilities into an overall open space system.

Secondly, an important concern in urbanizing the North Natomas area is the establishment of limits or "containment edges" to development within the plan's 20-year timeframe. While a decrease in land use intensity toward the periphery is one step, an additional measure is the establishment of a "greenbelt" open space surrounding the planning area.

3. Goals and Objectives

Goal

- o Provide ample, accessible, and attractive parks and open space for North Natomas to contribute to the community's identity as a desirable place in which to live and work.

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- o Establish a major community park and related open space system, which shall become the location for major public facilities and the focus of community activity.
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