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March 25, 1982

APPROVED
BY THE CITY COUNCIL
MAR 30 1982
OFFICE OF THE
CITY CLERK
mtu to grant request not adopted

City Clerk
City Hall
Sacramento, California 95814

Re: Agenda Item for March 30th
City Council Meeting

Dear Sir:

We request that the following items be included on the March 30, 1982 City Council Agenda:

1. That the rezoning of the Natomas Corporate Center (David Butler) property be considered at the same time as the rezoning of the Sammis, Ose and Tsakopolous properties.

a. To effectuate this request, the Council should instruct the City Planning Department to expedite the processing of the Butler application. Said application should be ready for consideration in the April 29th City Planning Commission hearing and the May 11th City Council Hearing.

2. That the Natomas Corporate Center be included in the South Natomas Task Force's report, listing acceptable alternatives for development of the South Natomas area.

The reasons for the necessity and urgency of this request are:

I. BUTLER PROPERTY PART AND PARCEL

The Butler property is clearly part and parcel of the overall subject matter. Note that the property is totally enveloped by the Sammis, Ose and Tsakopoulos tracts. Note further that the City realizing said interdependence required that the Creekside (Tsakopoulos) Environmental Impact Report include the Butler property and environmental impacts resultant therefrom.

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II. CEQA RECOGNIZES NEED TO CONSIDER ALL DIRECTLY EFFECTED PROPERTY

Cal. Admin. Code §15142(a), illuminating Public Resource Code §21083, states that:

"(a) Knowledge of the regional setting is critical to the assessment of environmental impacts. Special emphasis should be placed on environmental resources that are rare or unique to that region. Specific reference to related projects, both public and private, both existent and planned, in the region should also be included, for purposes of examining the possible cumulative impact of such projects." (emphasis added)

If the City does not now include the Butler property in the Task Force Report and the April and May meetings, it would be acting inconsistent with the rationale behind §15142.

III. CITY'S TRULY INFORMED DECISION REQUIRES INCLUSION OF BUTLER PROPERTY

If the City is to indeed make a fully informed choice between the actual, foreseeable alternatives it must include the Butler property. Not to do so would require this Project to move through the planning process at the "normal rate" (see attached chronology) which would force the City to consider Butler as an isolated project months later. This delay would be detrimental to both the City and Butler, for the thought process behind the Task Force Report, input from other developers and fruits of this long negotiation process would either not be available or partially or totally forgotten.

This delay would serve no useful purpose other than limit the number of alternatives presented now, which alternatives would not give the Council an accurate picture of even those projects currently in the application approval process.

IV. BUTLER INTEREST PREJUDICED BY DELAY

It is foreseeable that the City will take the posture at a future meeting, when considering only the Butler property, to deny any development thereon due to the fact that it was not included in the Task Force study or the initial approval process. This

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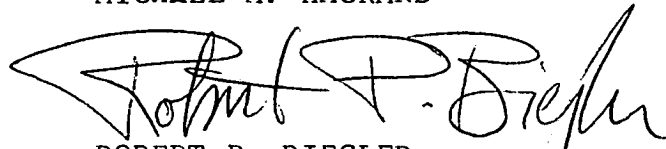
inequitable result would result in a further delay in development of the Butler property. The sole reason being, development was not considered at the most reasonable and logical time, the time when initial policy will be formulated.

We appreciate your consideration in this matter.

Very truly yours,

DENNIS, SCHOTTKY, SWANBERG,
MURRAY & HACKARD


MICHAEL A. HACKARD


ROBERT P. BIEGLER

/cbw