

3. ORDINANCE NO. **4436**, FOURTH SERIES

ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPREHENSIVE ZONING ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED, BY REMOVING PROPERTY LOCATED AT the Northwest Corner Northview Dr. & Garden Highway FROM THE SC Shopping Commercial ZONE AND PLACING SAME IN THE R-3-R Light Density Multiple Family Review ZONE (FILE P-8503) (APN: 274-110-32)

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

SECTION 1.

The territory described in the attached exhibit(s) which is in the SC Shopping Commercial zone(s) established by Ordinance No. 2550, Fourth Series, as amended, is hereby removed from said zone and placed in the R-3-R Light Density Multiple Family Review zone(s).

This action rezoning the property described in the attached exhibit(s) is adopted subject to the following conditions and stipulations:

a. A material consideration in the decision of the Planning Commission to recommend and the City Council to approve rezoning of the applicant's property is the development plans and representations submitted by the applicant in support of his request. It is believed said plans and representations are an integral part of such proposal and should continue to be the development program for the property.

b. If an application for a building permit or other construction permit is filed for said parcel which is not in conformity with the proposed development plans and representations submitted by the applicant and as approved by the Planning Commission August 9, 1979, on file in the office of the Planning Department, or any provision or modification thereof as subsequently reviewed and approved by the Planning Commission, no such permit shall be issued, and the Planning Director shall report the matter to the Planning Commission as provided for in Ordinance No. 3201, Fourth Series.

SECTION 2.

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

SECTION 3.

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

PASSED FOR PUBLICATION: SEP 4 1979 (#4)

PASSED: OCT 28 1980

EFFECTIVE: NOV 28 1980

ATTEST:

Lorraine Magana
CITY CLERK

Chas. L. Koberg
MAYOR

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Policy No. 221949
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EXHIBIT "B"

DESCRIPTION

All that portion of Section 30, Township 9 North, Range 5 East, M.D.B.&M. and all of Lots 27, 28, 29 and 30, together with a portion of Northfield Drive, as said Lots and said Northfield Drive are shown on the "Plat of Northgate Commercial", recorded on May 13, 1966, in Book 79 of Maps, Map No. 11, records of said County, described as follows:
BEGINNING at the Northeast corner of said Lot 27; thence from said point of beginning along the Westerly right of way line of Northview Drive, a public street, the following two (2) courses and distances:
1) South $00^{\circ}08'40''$ West 613.01 feet and (2) curving to the right on an arc of 25.00 feet radius, said arc being subtended by a chord bearing South $49^{\circ}00'35''$ West 37.66 feet to a point located on the Northerly right of way line of the Garden Highway, a public street; thence along said Northerly right of way line the following two (2) courses and distances: (1) North $82^{\circ}07'30''$ West 459.27 feet and (2) North $73^{\circ}52'30''$ West 114.31 feet to a point located on the Easterly boundary of the right of way of the United States of America, as described in the Decree recorded in the office of the Recorder of Sacramento County in Book 1709 of Official Records, Page 334; thence along said Easterly boundary North $16^{\circ}35'18''$ West 839.91 feet; thence Southeasterly curving to the left on an arc of 45.00 feet radius, said arc being subtended by a chord bearing South $80^{\circ}01'24''$ East 80.50 feet; thence curving to the right on an arc of 30.00 feet radius, said arc being subtended by a chord bearing North $54^{\circ}58'36''$ East 18.97 feet; thence North $73^{\circ}24'42''$ East 364.19 feet; thence South $16^{\circ}35'18''$ East 151.25 feet to the most Westerly corner of Lot 25, as said lot is shown on the official plat of said Northgate Commercial; thence along the Westerly boundary of said Northgate Commercial, South $16^{\circ}35'18''$ East 226.59 feet to the Southwest corner of Lot 26, as said lot is shown on the official plat of said Northgate Commercial; thence along the Southerly boundary of said Lot 26, South $89^{\circ}51'20''$ East 282.78 feet to the point of beginning.

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