

ORDINANCE NO. 85-044

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

MAY 14 1985

ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPREHENSIVE ZONING ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED, BY REMOVING PROPERTY LOCATED AT THE NORTH-EAST CORNER OF GREENHAVEN DRIVE AND POCKET ROAD FROM THE AGRICULTURE, A

AND PLACING SAME IN THE SHOPPING CENTER - REVIEW, SC-R (FILE NO. P-84-424)(APN: 031-070-47)

ZONE(S)

ZONE(S)

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 Agriculture, A zone(s), established by Ordinance No. 2550, Fourth Series, as amended, is hereby removed from said zone and placed in the Shopping Center - Review, SC-R 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 this request. It is believed said plans and representations are an integral part of such proposal and should continue to be the development program for the property.
b. If an application for a building permit or other construction permit is filed for said parcel which is not in conformity with the proposed development plans and representations submitted by the applicant and as approved by the Planning Commission March 14, 1985, 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.
c. No liquor store shall be permitted on Lots 1, 2 or 4. No convenience store shall be permitted on Lots 1, 2, 3 and 4, including in conjunction with a gas station use.
d. A Special Permit shall be required for a gas station and for a drive-up service window on Lots 1, 2 and 4.
e. To assist in the cost of installing a future traffic signal at the intersection of Greenhaven Drive and Pocket Road, the applicant shall contribute to the City \$20,000 prior to the recordation of the final map (P84-424) or prior to issuance of building permits, whichever occurs first.

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: APR 9 1985

PASSED: MAY 14 1985

EFFECTIVE: JUN 13 1985

Arne Ruder
MAYOR

ATTEST:

Arne J. Mason
Assistant CITY CLERK

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LEGAL DESCRIPTION

The land referred to in this Report is situated in the State of California, County of Sacramento, City of Sacramento and is described as follows:

All that portion of that certain parcel of land designated "Mildred Freeburg 33.905 Acres", on the Record of Survey entitled "Portions of Sections 2 And 11, T. 7 N., R. 4 E., M.D.M., Being A Portion of Swamp Land Surveys No. 149", filed in the office of the Recorder of Sacramento County, California, on February 20, 1965, in Book 23 of Surveys, Map No. 18, described as follows:

Beginning at a point, being a three-quarter inch iron pipe marking the most Southerly corner of the above mentioned "Mildred Freeburg 33.905 Acres" parcel 60.00 feet wide public road; thence from said point of beginning along the Westerly boundary lines of said "Mildred Freeburg 33.905 Acres" parcel, the following five (5) bearings and distances: (1) North 15° 54' 30" West 407.23 feet, (2) South 88° 24' 00" West 58.86 feet, (3) North 01° 26' 20" West 57 45 feet, (4) North 12° 26' 20" West 74.30 feet, (5) North 44° 17' 20" West 32.90 feet; thence North 63° 00' 22" East 55.00 feet; thence curving to the right on an arc of a 1417.74 feet radius, said arc being subtended by a chord bearing North 22° 04' 47" West 242.90 feet; thence North 65° 26' 10" East 339.67 feet; thence South 72° 14' 46" East 263.32 feet; thence South 25° 24' 23" East 86.58 feet; thence South 33° 17' 50" East 148.66 feet; thence South 24° 33' 50" East 361.21 feet; thence South 65° 26' 10" West 56.30 Feet; thence South 11° 44' 40" West 27.76 feet; thence along the arc of a tangent curve to the right concave Northwesterly having a radius of 80.00 feet, said arc being subtended by a chord bearing South 38° 35' 25" West 72.26 feet to a point in the Southerly line of the aforementioned "Mildred Freeburg 33.905 Acres" parcel, and the centerline of Pocket Road thence along said Southerly line and centerline South 65° 26' 10" West 520.63 feet; to the point of beginning.

Excepting therefrom all that portion lying West of the East line of Greenhaven Drive and South of the North line of Pocket Road, as they now exist.

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