

ORDINANCE NO. 92-001

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF JAN 0 7 1992

ORDINANCE REAFFIRMING REZONING CONDITION REQUIRING
80% OF THE UNITS IN A 41-UNIT APARTMENT COMPLEX TO BE
RENTED TO INDIVIDUALS 55 YEARS OR OLDER FOR PROPERTY
LOCATED AT 1415 G STREET IN THE R-5 ZONE

(FILE NO. P91-087) (APN: 002-165-026, 027)

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

SECTION 1

The action for the territory described in the attached exhibit(s) which is in the Multi-Family (R-5) zone(s) established by Ordinance No. 2550, Fourth Series, as amended, is hereby reaffirmed to require 80% of the units in a 41-unit apartment complex be rented to individuals 55 years or older.

This action, which denied amending the rezoning condition (P89-309) to delete the condition requiring that 80 percent of the complex to be rented to, or used by senior individuals ages 55 years and older, is subject to the revised 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 on August 22, 1991, on file in the office of the Planning Division, or any provision or modification thereof

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as subsequently reviewed and approved by the Planning Commission, no such permit shall be issued, and the Planning Division shall report the matter to the Planning Commission as provided for in Ordinance No. 3201, Fourth Series;

c. **CONDITIONS - REZONING**

1. Language shall be included in the deed restrictions and covenants, conditions and restrictions and/or in a separate document which assures that the 41 unit apartment development shall only be sold or rented to/or used by senior individuals. A senior means persons over the age of 55 years, provided that for each unit sold or rented to, or used by, two or more persons, one of such persons may be under 55 years old. Such language shall be acceptable in form and content to the Planning Director and City Attorney and may conclude any measure for enforcement deemed appropriate by the Planning Director and City Attorney".
2. Owner/Applicant shall maintain an on-site resident/manager on the property on a 24-hour basis.
3. The issue of the rezoning conditions shall be subject to review by the Planning Commission 12 months after approval of this application. The applicant shall request a review of the rezone conditions 30 days prior to the review by staff and Planning Commission.
4. The applicant shall retain or be allowed to internally relocate the recreation/TV room currently on the subject site.
5. A security camera shall be installed in each hallway and one which provides a view of the rear parking lot and a screen shall be viewed on a regular basis by the 24-hour resident manager.
6. No less than (80 percent) 33 units of the 41 unit apartment complex shall be occupied and/or rented to individuals 55 years or age or older. The remaining 20 percent or eight units are under no restrictions.
7. The lot line merger for the two subject parcels shall be recorded in order to allow parking on the site.

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8. The 12 parking spaces located to the rear shall be re-striped, and when the lease expires, 29 parking spaces shall be provided on-site for the apartment complex only.
9. Lighting shall be provided in the rear parking lot and court yard areas.
10. A solid metal gate shall be installed around the trash enclosure.
11. A sign shall be posted on the site to read as follow: "No Trespassing; Violators will be Prosecuted 202k P.C." The sign shall be posted at all entrances.
12. The City Council shall retain jurisdiction over this project to amend this condition or to impose any new condition on the subject of age of occupants as the Council may deem appropriate in the event that this condition is held invalid in whole or part by any court or administrative agency of competent jurisdiction. This provision retaining jurisdiction is declarative of this City Council's power regarding the amendment of zoning ordinances and shall not operate to limit the Council's power to amend such condition relating to age of occupants.
- * 13. Additional interior lighting shall be provided.
- * 14. A laundry room with a washer and dryer shall be provided on the first floor, as well as the basement.
- * 15. A separate recreation room with television shall be provided on the first floor.
- * 16. Seating shall be provided in the complex entryway.
- * 17. Planning staff shall report back to the City Council in one year (by October 15, 1992) indicating status and compliance with conditions.

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.

* These conditions were added by City Council on 10-15-91

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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.

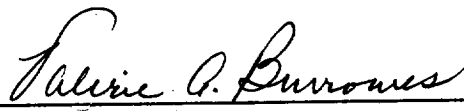
PUBLISHED IN FULL: January 13, 1992

PASSED: January 07, 1992

EFFECTIVE: February 07, 1992

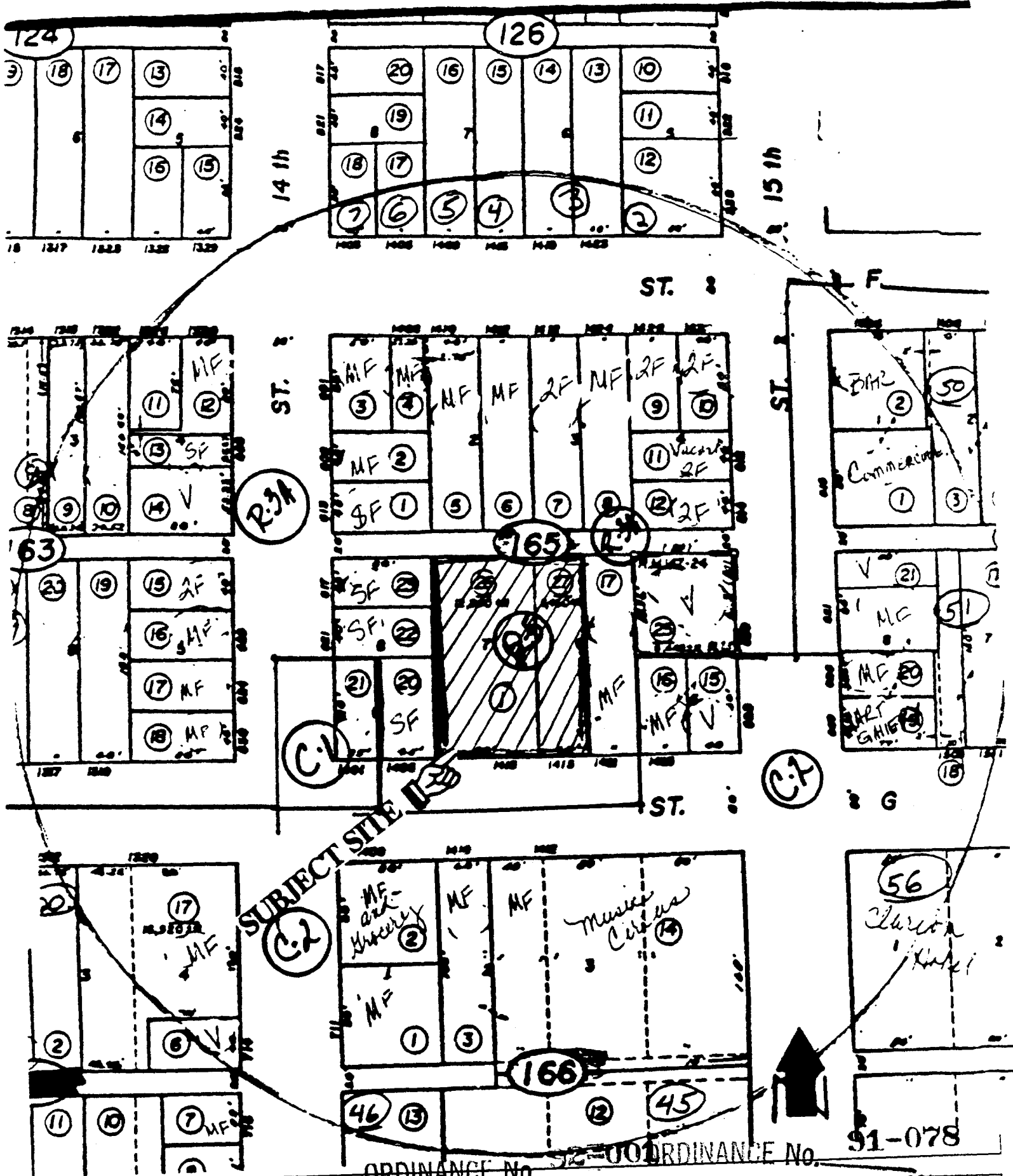

MAYOR

ATTEST:


CITY CLERK

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ORDINANCE No. 52-001 ORDINANCE No.

51-078

JAN 7 1999

VICINITY LAND USE AND ZONING MAP

OCT 15 1991