



**CITY OF SACRAMENTO**

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**CITY PLANNING DEPARTMENT**

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MARTY VAN DUYN  
PLANNING DIRECTOR

October 29, 1980

City Council  
Sacramento, California

Honorable Members in Session:

**SUBJECT:** AMENDING ORDINANCE NO. 4420 ADOPTED SEPTEMBER 16, 1980, ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPREHENSIVE ZONING ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED, BY REMOVING PROPERTY LOCATED AT THE NORTHWEST CORNER OF MACK ROAD AND LA MANCHA WAY FROM THE C-2 GENERAL COMMERCIAL ZONE AND PLACING SAME IN THE R-3-R MEDIUM DENSITY MULTIPLE FAMILY REVIEW ZONE (P-9095)

SUMMARY

This item is presented at this time for City Council approval of its publication for legal advertisement purposes. A location map is attached for the Council's information.

BACKGROUND

Prior to publication of an item in a local paper to meet legal advertising requirements, the City Council must first pass the item for publication. The City Clerk then transmits the title of the item to the paper for publication and for advertising the meeting date. This ordinance was previously approved (September 16, 1980) with an incorrect exhibit.

RECOMMENDATION

It is recommended that the item be passed for publication.

Respectfully submitted,

*Marty Van Duyn*  
Marty Van Duyn  
Planning Director

FOR CITY COUNCIL INFORMATION

WALTER J. SLIPE  
CITY MANAGER

APPROVED  
BY THE CITY COUNCIL

APP ✓  
CONT 40  
11-12-80

NOV 5 1980

OFFICE OF THE  
CITY CLERK

November 5, 1980  
District No. 8

jm  
Attachments  
P-9095

# HIGHWAY FARMS N°3

SOUTHGATE  
SUGARDOEN  
HOWES

SUBJECT SITE

C-2

WHISPERING  
PAVUS

LA MANCHA WY

BLG

MASSIE CT

C-2

R-1A-R

VALLEY

COMMERCIAL

BRUCEVILLE

VALLEY WY

HI RD

C-2

C-2

P 9095



3.

ORDINANCE NO.

FOURTH SERIES

AMENDING ORDINANCE NO. 4420 ADOPTED SEPTEMBER 16, 1980,

ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPREHENSIVE ZONING ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED, BY REMOVING PROPERTY LOCATED AT NW CORNER OF MACK ROAD AND FA MANCHA WAY FROM THE C-2 GENERAL COMMERCIAL ZONE AND PLACING SAME IN THE R-3-R MEDIUM DENSITY MULTIPLE FAMILY RESIDENTIAL ZONE (FILE P-9095) (A PORTION OF APN: 118-103-04).

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 C-2 General 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 Medium 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 14, 1980, 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:

PASSED:

EFFECTIVE:

ATTEST:

MAYOR

CITY CLERK

**EXHIBIT A" LEGAL DESCRIPTION  
DESCRIPTION**

All that certain real property situate, lying and being in the County and City of Sacramento, State of California, particularly described as follows:

Parcel K, as said Parcel is shown on the certain Record of Survey entitled "Portion of North 1/2 of Section 9, Township 7 North, Range 5 East N. D. E. 5 N.," recorded in the office of the County Recorder of Sacramento County on June 18, 1964 in Book 22 of Surveys, page No. 8,

EXCEPTING THEREFROM all that portion of "Parcel K", as shown on the "Record of Survey, Portion of North 1/2 of Section 9, T. 7 N. R. 5 E., M. D. B. & M.," recorded in the office of the Recorder of Sacramento County on June 18, 1964 in Book 22 of Surveys, page No. 8 described as follows:

Beginning at the Northwest corner of said parcel K; thence from said point of beginning, along the Northerly line of said Parcel North  $89^{\circ} 48' 10''$  East 209.46 feet; thence continuing along said line, North  $66^{\circ} 01' 40''$  East 821.31 feet; thence leaving said line South  $23^{\circ} 58' 20''$  East 273.00 feet; thence South  $00^{\circ} 06' 05''$  East 493.66 feet to the Northerly line of Mack Road, a public road 40.00 feet in width as described in the Deed recorded October 9, 1889, in book 109 of Deeds page 50 thence along the North line of said road, South  $89^{\circ} 53' 12''$  West 1068.87 feet to the West line of said Parcel K; thence along said West line, North  $00^{\circ} 23' 50''$  West 410.82 feet to point of beginning.

EXCEPTING THEREFROM THE PROPERTY LYING SOUTHERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE TWO INCH BRASS DISC STAMPED 1/4 CORNER SECTION 9 AND TO FOUND WITHIN THE INTERSECTION OF LA MANCHA WAY AND MACK ROAD; THENCE FROM THE POINT OF BEGINNING NORTH  $00^{\circ} 25' 24''$  WEST, 582.01 FEET TO THE TRUE POINT OF BEGINNING; THENCE FROM THE TRUE POINT OF BEGINNING SOUTH  $89^{\circ} 53' 49''$  WEST, 781.03 FEET; THENCE NORTH  $66^{\circ} 13' 56''$  WEST, 201.99 FEET; THENCE NORTH  $23^{\circ} 57' 35''$  WEST, 340.72 FEET TO THE NORTHERLY BOUNDARY OF THE SUBJECT PROPERTY.