

AN ORDINANCE PROVIDING FOR THE REZONING OF CERTAIN PROPERTY WITHIN THE CITY OF WALNUT CREEK BY ADDING AN OVERLAY ZONE TO THE PROPERTY PRESENTLY ZONED E-R-200 LYING BETWEEN THE SOUTH LINE OF THE OLD MITCHELL DRIVE AND THE SOUTH LINE OF THE NEW MITCHELL DRIVE, ON THE SOUTHWESTERLY SIDE OF OAK GROVE ROAD, AND AMENDING THE WALNUT CREEK MUNICIPAL CODE ACCORDINGLY (OVERLAY ZONE 7) (REZONING APPLICATION NO. 8281 - INTERLAND CORPORATION)

The City Council of the City of Walnut Creek does ordain as follows:

Section 1. The real property described in Exhibit A attached hereto and made a part hereof, is hereby rezoned by adding an Overlay Zone to the property presently zoned E-R-200 lying between the south line of the old Mitchell Drive and the south line of the new Mitchell Drive on the southwesterly side of Oak Grove Road, subject to all provisions of the Walnut Creek Municipal Code and subject to the following conditions, and the Municipal Code is hereby amended accordingly.

Except as otherwise provided herein, all conditions to use of the E-R-200 zone shall remain in effect.

2. The site may be used for development purposes notwithstanding the substandard area and width.

3. The driveway between the subject property and Interland Office Park (former Mitchell Drive alignment) shall be closed. No new driveways on Oak Grove Road shall be permitted.

4. Building setbacks shall be not less than 75 feet from Oak Grove Road and 20 feet from Mitchell Drive with minimum landscaping widths of 20 feet adjacent to both streets.

5. Prior to the issuance of a building permit, the plans shall be reviewed by the Design Review Commission with particular emphasis on parking and internal and peripheral traffic circulation.

Section 2. The Community Development Director is hereby authorized to amend the zoning map of the Walnut Creek Municipal Code accordingly.

Section 3. This ordinance shall become effective thirty (30) days after the date of its final passage and adoption.

PASSED AND ADOPTED by the City Council of the City of Walnut Creek at a regular meeting thereof held on the 19th day of August, 1980 by the following called vote:

AYES: Councilmembers: Kovar, Martin, Hazard, Hildebrand, Mayor Armstrong

NOES: Councilmembers: None

ABSENT: Councilmembers: None

/s/ William H. Armstrong
Mayor of the
City of Walnut Creek

ATTEST:

/s/ Mary L. Lucas
City Clerk of the
City of Walnut Creek

I HEREBY CERTIFY that the foregoing ordinance was duly and regularly passed and adopted by the City Council of the City of Walnut Creek, County of Contra Costa, State of California at a regular meeting of said Council held on the 19th day of August, 1980.

/s/ MARY L. LUCAS
City Clerk of the
City of Walnut Creek

EXHIBIT A

All that certain real property situate in the City of Walnut Creek, County of Contra Costa, State of California, described as follows:

A portion of Lot 6, Valley Land, as said lot is shown on the map entitled, "Plat of the Division Survey of the Rancho San Miguel, Accompanying and Forming a Part of the Report of the Referees in Partition of Said Ranch," which map was filed in the office of the County Clerk of Contra Costa County on August 4, 1868 in Volume 4, Minutes of District Court, at page 244, described as follows:

Beginning on the southwest line of Oak Grove Road, as said road is shown on that certain record of survey filed May 3, 1977 in Book 62 of Licensed Surveyors' Maps, at pages 21 through 34, at the most easterly corner of Parcel (19-2) as shown on said map hereinafter referred to (62 Licensed Surveyors' Maps page 21-34); thence along the southwesterly line of said Oak Grove Road, south 35° 13' 24" east 50.51 feet to the true point of beginning; thence from said true point of beginning leaving said southwesterly line of Oak Grove Road south 62° 55' 12" west 191.35 feet to a point on the arc of a non tangent curve concave to the southwest having a radius of 194.00 feet, from which point the center of said curve bears south 56° 58' 15" west; thence westerly along the arc of said curve through a central angle of 24° 36' 29" an arc distance of 79.94 feet; thence tangent to said curve north 56° 38' 14" west 37.47 feet to a point on the southeasterly line of Mitchell Drive, as said Mitchell Drive is shown on said 62 Licensed Surveyors' Maps pages 21-34, said point being on the arc of a curve concave to the southeast, having a radius of 468.00 feet, from which point the center of said curve bears south 56° 02' 37" east; thence northeasterly along the arc of said curve and along said southeasterly line of Mitchell Drive through a central angle of 20° 49' 13" an arc distance of 170.06 feet; thence tangent to said curve, continuing along the southeasterly line of Mitchell Drive north 54° 46' 36" east 30.00 feet to a point on the arc of a tangent curve to the right having a radius of 20.00 feet; thence northeasterly, easterly, and southeasterly along the arc of said curve through a central angle of 90° 00' 00" an arc distance of 31.42 feet to a point on the southwesterly line of said Oak Grove Road; thence along the southwesterly line of Oak Grove Road south 35° 13' 24" east 150.80 feet to the true point of beginning.

Containing 0.685 acres more or less.