

RESOLUTION NO. 2009-142

Adopted by the Sacramento City Council

March 10, 2009

AMENDING THE PREVIOUSLY APPROVED INTERNATIONAL PLAZA PLANNED UNIT DEVELOPMENT SCHEMATIC PLAN AND DEVELOPMENT GUIDELINES FOR THE PROPERTY LOCATED ON THE SOUTHWEST CORNER AT THE INTERSECTION OF FRANKLIN BOULEVARD AND MACK ROAD, SACRAMENTO, CALIFORNIA. (P05-153) (APNS: 119-0070-072 AND 063)

BACKGROUND

- A. On May 8, 2008, the City Planning Commission conducted a public hearing on the project and continued the item.
- B. On September 25, 2008, the City Planning Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve the PUD Guidelines and Schematic Plan Amendments for the Franklin Point project.
- C. On March 10, 2009, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.200.010(C)(2)(a), (b), and (c) (publication, posting, and mail 500') and received and considered evidence concerning the Franklin Point project.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1: The City Council finds as follows:

- 1. The PUD amendments conform to the General Plan; and
- 2. The PUD amendments meet the purposes and criteria stated in the City Zoning Ordinance in that the PUD facilitates mixed uses designed to assure that new development is healthy and of long-lasting benefit to the community and the City; and
- 3. The PUD amendments will not be injurious to the public welfare, nor to other property in the vicinity of the development and will be in harmony with the general purposes and intent of the Zoning Ordinance in that the PUD ensures that development will be well-designed, and that the residential, commercial, and open spaces uses will not create a negative impact on adjacent uses.

Section 2. The Schematic Plan and Development Guidelines for the Franklin Point project are amended as shown in the attached Exhibits A, B, and C, with the following conditions:

1. Comply with requirements included in the Mitigation Monitoring Plan developed by, and kept on file in, the Planning Division Office (Resolution 2008-141).
2. Tentative Map conditions and approved Tentative Map Street sections shall supersede PUD guidelines.
3. Commercial Mixed-use development within the Shopping Center (SC) zone shall comply with the design criteria outlined in the amended Development Guidelines.

Table of Contents:

Exhibit A – Schematic Plan – as amended

Exhibit B – PUD Guidelines Amendments – strikethrough

Exhibit C – PUD Guidelines

Adopted by the City of Sacramento City Council on March 10, 2009 by the following vote:

Ayes: Councilmembers Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters, and Mayor Johnson.

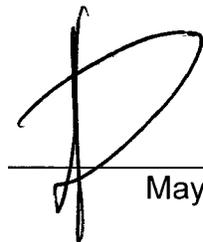
Noes: None.

Abstain: None.

Absent: None.

Attest:


Shirley Concolino, City Clerk



Mayor Kevin Johnson

Exhibit B – PUD Guidelines Amendments-strikethrough

III. PERMITTED USES IN THE SHOPPING CENTER ZONE

B. Prohibited uses include:

- (1) Fast food, drive-through restaurant
- (2) General supermarket(s)
- (3) Adult bookstore(s)
- (4) Adult cabaret(s)
- (5) Adult motion picture theater(s)
- (6) Adult arcade(s)
- (7) Alcoholic beverages sales for off-site consumption, unless conducted in a retail store 15,000 square feet or larger in size or as conditionally permitted under Special Permit (P05-153) as it applies to the convenience mart located on Building 5 of the International Plaza Planned Unit Development Schematic Plan. This prohibition shall not be interpreted to prevent the sale of liquor, beer and wine in restaurants for consumption on the restaurant premises, regardless of the size of the restaurant; and
- (8) Liquor store(s)

E. Hours of Operation:

- (1) No user in the Shopping Center shall operate its establishment after 11:00 p.m. with the following exceptions: the theater may remain open until 1:00 a.m. provided it does not start showing of movie after 10:00 p.m., and any sit down restaurant may remain open until 12:00 midnight. ~~restaurants which may remain open until midnight~~ The convenience market/gas station may open for business at 5 a.m.

V. BUILDING STANDARDS IN THE SHOPPING CENTER ZONE

C. Building Setbacks: the minimum building setbacks are amended and shall be as follows:

Front:	50 <u>20 feet</u>
Street Side:	50 <u>20 feet</u>
Interior Side:	50 <u>12 feet</u>
Rear:	40 <u>25 feet</u>

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