

Supplemental Material

For

City of Sacramento

City Council
Financing Authority
Housing Authority
Redevelopment Agency

Agenda Packet

Submitted: April 7th, 2009

For the Meeting of: April 7th, 2009

- Additional Material
 Revised Material

Title: Appeal: Sutterville KFC and Long John Silver's Restaurant with Drive-Through Service (P08-002)

RE: Correspondence from Joan Schmidt.

Contact Information: Jamie Cutlip, Associate Planner (916) 808-8684

Please include this supplemental material in your agenda packet. This material will also be published to the City's Internet. For additional information, contact the City Clerk Department at Historic City Hall, 915 I Street, First Floor, Sacramento, CA 95814-2604, (916) 808-7200.

April 4, 2009

RE: KFC & Long John Silver's Restaurant with Drive-Through Service (P08-002)

City of Sacramento
Planning Commission
915 I Street
Sacramento, CA 95814-2671

To Whom It May Concern;

I planned to attend this meeting but when the date was changed to April 6, I was unable to reschedule plans my husband and I had to be out of state so I've submitted my letter to Jaimie Cutlip, City of Sacramento Planning Department representative, to read at this meeting.

We have registered our concerns regarding the proposed KFC project previously and I addressed commission members with the specific details of our concerns at a previous meeting. If you refer to our prior input you may recall that our son Deron Schmidt owns property that backs up to the alley being planned for drive-through service and will be seriously impacted by this project. Deron's home address is 2129 15th Ave. His small 850 sq. ft. home sits five feet from the narrow alley that would separate the proposed KFC site from the back wall of his home.

Deron, my husband John and I (Deron's conservator's) have been as supportive as possible of this project due to the fact that we were led to believe that bollards or some type of divider in the alley were included in the plan. We support community growth and felt WITH the alley divider Deron's well being would be preserved. In an effort to further protect Deron's privacy we spent \$2,600.00 to have additional fencing built across the back and side of his property. We felt that this effort on our part would support the KFC plan which we were led to believe included blockage of the alley. However, when we learned the project was going ahead WITHOUT the bollards we were surprised and extremely distressed. Our understanding now is that the project would move forward without any type of alley blockage and a formal process to request the alley be blocked could be submitted by Deron but there is no assurance that this would be approved.

A Drive-Through Exit 20 feet from the rear of Deron's home and yard without blockage of the alley access is a non negotiable option for him.

We feel this project was misrepresented to us. When initially discussed bollards or an alley divider were presented as being in the plan. There were various discussions and plans that showed that this divider was being placed in the best location possible in consideration of the property owners. This verbiage was used by developers and KFC representatives in numerous discussions in front of the Planning Commission and others attending the meetings. Plans showing exactly where the bollards would be placed were designed and

presented to us and we took the discussions about where they might be moved to protect neighbors seriously. It did not occur to us that suddenly the project would move forward WITHOUT the bollards or a gate to block the alley. We're still not sure when or how this change happened but were not notified of a change.

Without an alley divider the noise, garbage and traffic (both vehicle and pedestrian) will definitely create an unacceptable nuisance for Deron and will seriously increase congestion in the alley behind his home. Deron's Autism and developmental disabilities cause him to suffer with sensory issues and are highly exacerbated when exposed to noise, bright lights and anything unexpected in his environment. The quiet private space his home and yard offer are the reasons he purchased this property over eight years ago. The complex movement disorders that challenge Deron daily due to his Autism are greatly diminished when he is walking and moving about. Therefore he spends hours walking around in his yard in the day and night time hours.

Due to the reasons outlined above and because we feel the project representatives misrepresented the configuration of the alley blockage we strongly oppose the development of this project in the current proposed location. For the record, specific reasons for our opposition to the development of the KFC/Long John Silver's Restaurant at 2128 Sutterville Road are as follows:

1. It will be detrimental to Deron Schmidt's health, safety and welfare and will create a nuisance as described in the above outline
2. It will contribute to increased congestion on the private alley adjacent to the subject property
3. The design and location of the facility will impede access and exit from the parking lot serving the business for Deron Schmidt and will negatively impact pedestrian movement in the alley
4. The design and location of the facility will create a nuisance for Deron Schmidt in his home and yard as described in the above outline

On behalf of Deron Schmidt and his Circle of Support, thank you in advance for considering our input. Please contact me if I can be of assistance.

Sincerely,

Joan Schmidt
Mother/Conservator of Deron Schmidt
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Sacramento, CA 95831
916-761-1106