

# RESOLUTION NO. 2009-211

Adopted by the Sacramento City Council

April 7, 2009

## DETERMINING PROJECT EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, FOR THE PROPERTY LOCATED AT 2128 SUTTERVILLE RD. (P08-002) (APN: 018-0014-005)

### BACKGROUND

- A. On January 8, 2009, the City Planning Commission conducted a public hearing on, and approved with conditions the KFC/Long John Silver's Restaurant with Drive-through Service (P08-002). Within the time limits specified in the Zoning Code, the project entitlements approved by the Planning Commission were appealed by a third party.
- B. On April 7, 2009, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.200.010(C)(2)(a) and (c), and received and considered evidence concerning the KFC/Long John Silver's Restaurant with Drive-through Service (P08-002).

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

Section 1. Based on the determination and recommendation of the City's Environmental Planning Services Manager and the oral and documentary evidence received at the hearing on the KFC/Long John Silver's Restaurant with Drive-through Service project, the City Council finds that the Project is exempt from review under Section 15332, Infill Development of the California Environmental Quality Act Guidelines as follows:

- 1.) The project is consistent with the applicable General Plan designation and all applicable plan policies as well as with applicable zoning designations and regulations. The project occurs within city limits on a site not more than five acres and substantially surrounded by urban uses. The project site has no value as habitat for endangered, rare, or threatened species. Approval of the project will not result in any significant effects relating to traffic, noise, air quality, or water quality. The site can be adequately served by all required utilities and public services.

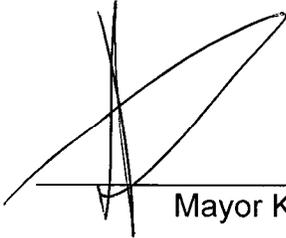
Adopted by the City of Sacramento City Council on April 7, 2009 by the following vote:

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

Noes: None.

Abstain: None.

Absent: None.



\_\_\_\_\_  
Mayor Kevin Johnson

Attest:

  
\_\_\_\_\_  
Shirley Concolino, City Clerk