

RESOLUTION NO. 2010-219

Adopted by the Sacramento City Council

April 27, 2010

DETERMINING THE FREEPORT TACO BELL PROJECT EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, FOR THE PROPERTY LOCATED AT 5641 FREEPORT BOULEVARD (P09-037) (APN: 025-0121-019)

BACKGROUND

- A. On February 11, 2010, the City Planning Commission conducted a public hearing on, and approved with conditions the Freeport Taco Bell Restaurant with Drive-through Service (P09-037). 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 27, 2010, 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 Freeport Taco Bell Restaurant with Drive-through Service (P09-037).

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 Freeport Taco Bell Restaurant with Drive-through Service project, the City Council finds that the Project is exempt from review under Section 15303(c), New Construction or Conversion of Small Structures of the California Environmental Quality Act Guidelines as follows:

- 1) The project does not involve the use of significant amounts of hazardous substances, is located in an urbanized area and does not exceed 10,000 square feet in floor area, is located on a site zoned for the restaurant/commercial use, and is located in an area where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive.

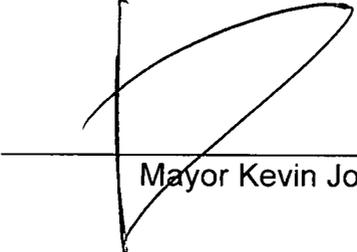
Adopted by the City of Sacramento City Council on April 27, 2010 by the following vote:

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

Noes: Councilmember Cohn.

Abstain: None.

Absent: None.



Mayor Kevin Johnson

Attest:



Shirley Concolino, City Clerk