

RESOLUTION NO. 2012-195

Adopted by the Sacramento City Council

June 19, 2012

ADOPTING FINDINGS OF FACT AND DENYING THE MCDONALD'S ON STOCKTON BOULEVARD AND 2ND AVENUE PROJECT. (P10-071) (APN: 014-0085-046)

BACKGROUND

- A. On April 12, 2012, the City Planning Commission conducted a public hearing on, and denied the Special Permit request for restaurant with drive-through service for the McDonald's on Stockton Boulevard and 2nd Avenue.
- B. On April 23, 2012, the project applicant submitted an appeal of the Planning Commission's decision to deny the project.
- C. On June 19, 2012 the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.200.010 (C)(2)(d) posting and mail), and received and considered evidence concerning the Mcdonald's on Stockton Boulevard and 2nd Avenue Project.

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

- Section 1. Based on the verbal and documentary evidence received at the hearing on the Mcdonald's on Stockton Boulevard and 2nd Avenue Project, the City Council denies the project entitlements based on the findings of fact as set forth below.
- Section 2. The City Council denies the project entitlements based on the following findings of fact:

A. The Special Permit to construct a new restaurant with drive-through service facility within the General Commercial (C-2) zone is denied based on following Findings of Fact:

1. The proposed project is not based upon sound principles of land use in that it is inconsistent with the goals and policies of the 2030 General Plan relating to providing pedestrian oriented development within corridors, locating buildings at the back of sidewalk so that they engage the street, and promoting walking, biking, and transit use. Additionally, the proposed project is not based upon sound principles of land use in that the design of facility conflicts with the Oak Park Design Guidelines which also encourage a strong connection between the building, sidewalk, and street.
2. As proposed the drive-through service facility is detrimental to the public health, safety or welfare because it directly impedes pedestrian movement from adjacent

public sidewalks to the proposed restaurant, thereby jeopardizing the safety of pedestrians.

3. The proposed drive-through service facility does not comply with the objectives of the 2030 General Plan in that the project site layout, including the location of the drive-through, conflicts with the urban form guidelines for the Urban Corridor Low General Plan designation by not siting the building up to the corridor, the main entrance does not directly address the street, and the layout of the site is not pedestrian oriented. Additionally, the proposed drive-through service facility does not provide a sensitive transition between the existing neighborhood and the new commercial use, and the layout of the site which does not promote walking to services, biking, and transit. Furthermore, the design of the building as proposed is inconsistent with the Oak Park Design Guidelines in that the site plan does not foster a strong relation between the building and the streetscape.
4. The location of the drive-through lane will directly impede pedestrian movement to/from the adjacent City sidewalks located along Stockton Boulevard and 2nd Avenue, as the drive-through lane lies between the sidewalk and the building entrances. Additionally, sidewalks connecting the proposed McDonald's restaurant to the City sidewalks are not proposed, thus impeding direct pedestrian movement on to the site.

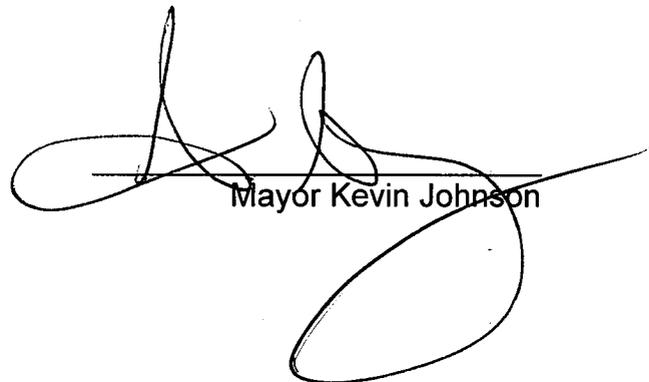
Adopted by the City of Sacramento City Council on June 19, 2012 by the following vote:

Ayes: Councilmembers Ashby, Cohn, D Fong, McCarty, Pannell, Schenirer, Sheedy, and Mayor Johnson.
Noes: None.
Abstain: Councilmember R Fong (Recused)
Absent: None.

Attest:



Shirley Concolino, City Clerk



Mayor Kevin Johnson