RESOLUTION NO. 2005–914

Adopted by the Sacramento City Council

December 13, 2005

ADOPTING THE NOTICE OF DECISION AND FINDINGS OF FACT FOR SONIC RESTAURANT; CONSIDERING THE ADOPTED NEGATIVE DECLARATION AS AMENDED WITH AN ADDENDUM; AND APPROVING THE APPEAL AND THE SPECIAL PERMIT FOR A DRIVE-THROUGH SERVICE FACILITY, LOCATED IN THE TRUXEL 3 PLANNED UNIT DEVELOPMENT, SOUTHEAST OF TRUXEL ROAD AND GATEWAY PARK BOULEVARD. (APN: 225-0170-043) (P05-022)

BACKGROUND

A. On October 13, 2005, the City Planning Commission considered the Adopted Negative Declaration as Amended with an Addendum,

B. On October 13, 2005, the City Planning Commission denied the special permit to develop a drive-through facility for Sonic restaurant;

C. On October 21, 2005, an appeal of the decision of the City Planning Commission to deny the drive-through facility for Sonic restaurant was received by the City; and

D. On December 13, 2005, the City Council heard and considered evidence in the above-mentioned matter.

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

Section 1. At the regular meeting of December 13, 2005, the City Council heard and considered evidence in the above entitled matter. Based on verbal and documentary evidence at said hearing, the City Council took the following actions for the location listed above:

A. Considered the Adopted Negative Declaration as Amended with an Addendum;

B. Approved the Special Permit to develop a drive-through service facility on a 0.88± net acre parcel in the Highway Commercial Planned Unit Development (HC-PUD) zone.

These actions were made based upon the following findings of fact and subject to the following conditions:

FINDINGS OF FACT

A. Considered the Adopted Negative Declaration as Amended with an Addendum: The City Council finds that a Negative Declaration (P00-123) was previously approved by the City Council on September 23, 2003, and that pursuant to the CEQA Guidelines (Sections 15162 and 15164), for the reasons set forth below, no additional environmental review is required and an Addendum to this prior Negative Declaration has been prepared:

1. No substantial changes are proposed to the project which will require major revisions of the previous Negative Declaration;

2. No substantial changes have occurred with respect to the circumstances under which the project was undertaken which will require major revisions of the previous Negative Declaration; and

3. No new information of substantial importance has been found that shows any of the following:

   a. The project will have one or more significant effects not discussed in the previous Negative Declaration;

   b. Significant effects previously examined will be substantially more severe than shown in the previous Negative Declaration;

   c. Mitigation measures previously found to be infeasible would in fact be feasible and would substantially reduce one or more significant effects of the project; or

   d. Mitigation measures which are considerably different from those analyzed in the previous Negative Declaration would substantially reduce one or more significant effects on the environment.

B. Special Permit: The Special Permit to develop a drive-through service facility in the Highway Commercial Planned Unit Development (HC-PUD) zone is **approved** on the following findings of fact:

1. The proposal, as conditioned, will not be detrimental to public welfare nor result in the creation of a public nuisance in that the facility will be built according to applicable requirements of the Zoning Code and Building Code;

2. The proposal is based upon sound principles of land use due to its consistency with the North Natomas Community Plan which designates the site for Highway Commercial use and the zoning designation of Highway Commercial Planned Unit development (HC-PUD);

3. The design and location of the facility will not contribute to increased congestion on public and private streets adjacent to the subject property; and

4. The design and location of the facility will not impede access to or exit from the lot serving the business, impair normal circulation within the lot or impede pedestrian movement through the site.

CONDITIONS OF APPROVAL

B. The Special Permit to develop a drive-through service facility in the Highway Commercial Planned Unit Development (HC-PUD) zone.

B1. The site layout shall be consistent with the approved plans shown on Exhibit A and B, unless otherwise conditioned. Any modifications shall be subject to approval by the Planning Division prior to issuance of building permits.

B2. A minimum stacking distance of one hundred eighty (180) feet shall be provided to each pick-up window or automated machine.

B3. Provide stacking space for at least four vehicles in advance of each ordering point and stacking space for at least four vehicles between each ordering point and pick-up window.

B4. Entrances to drive-through lanes shall be at least twenty-five (25) feet from driveways entering a public or private street or alley.

B5. The minimum width of each drive-through lane shall be eleven (11) feet. The entrance to the lane and the direction of traffic flow shall be clearly designated by signs and pavement marking or raised curbs.

B6. The special permit is revocable if congestion attributable to inadequate vehicle stacking space for the drive-through service facility regularly occurs on public or private streets or alleys, or the design of the facility creates a nuisance to adjacent properties and the management of the facility cannot alleviate the situation.

B7. One menu board sign per user shall be allowed. The menu board shall be internally illuminated, single-faced not to exceed a maximum of 6'-0" high by 4'-0" wide.

B8. The proposed signage will be subject to Planning Division review prior to the issuance of building permits.

B9. The walkway crossing the drive-through lane shall be marked and striped and a caution sign alerting motorists to pedestrians shall be installed.

Table of Contents:

Exhibit A Site Plan – 1 page
Exhibit B Elevation at Drive-Through – 1 page

Adopted by the City of Sacramento City Council on December 13, 2005 by the following vote:

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

Noes: None.

Abstain: None.

Absent: None.

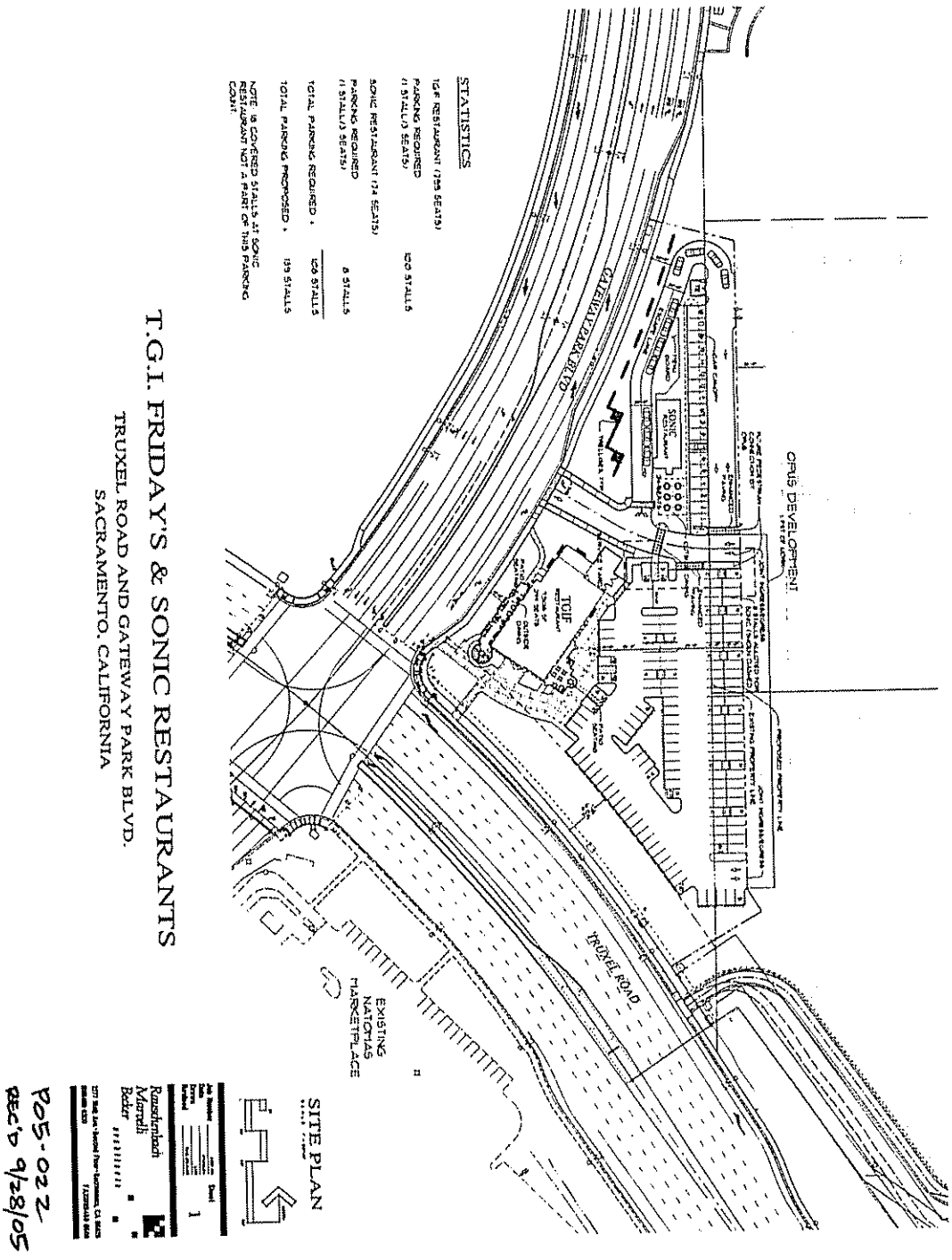
Heather Fargo

Mayor Heather Fargo

Attest:

Shirley Concolino

Shirley Concolino, City Clerk


T.G.I. FRIDAY'S & SONIC RESTAURANTS
TRUXEL ROAD AND GATEWAY PARK BLVD.
SACRAMENTO, CALIFORNIA
STATISTICS
TGIF RESTAURANT (195 SEATS)
PARKING REQUIRED
(1 STALL/3 SEATS) 120 STALLS
SONIC RESTAURANT (24 SEATS)
PARKING REQUIRED
(1 STALL/3 SEATS) 8 STALLS
TOTAL PARKING REQUIRED : 128 STALLS
TOTAL PARKING PROPOSED : 195 STALLS
NOTE: 18 CONVERSED STALLS AT SONIC RESTAURANT NOT A PART OF THIS PARKING COUNT
SITE PLAN
TRUXEL ROAD
GATEWAY PARK BLVD
EXISTING NATOMAS MARKETPLACE
CRUS DEVELOPMENT
SONIC
TGIF
Rosenbach Marrelli Baker
P05-022
REC'D 9/28/05

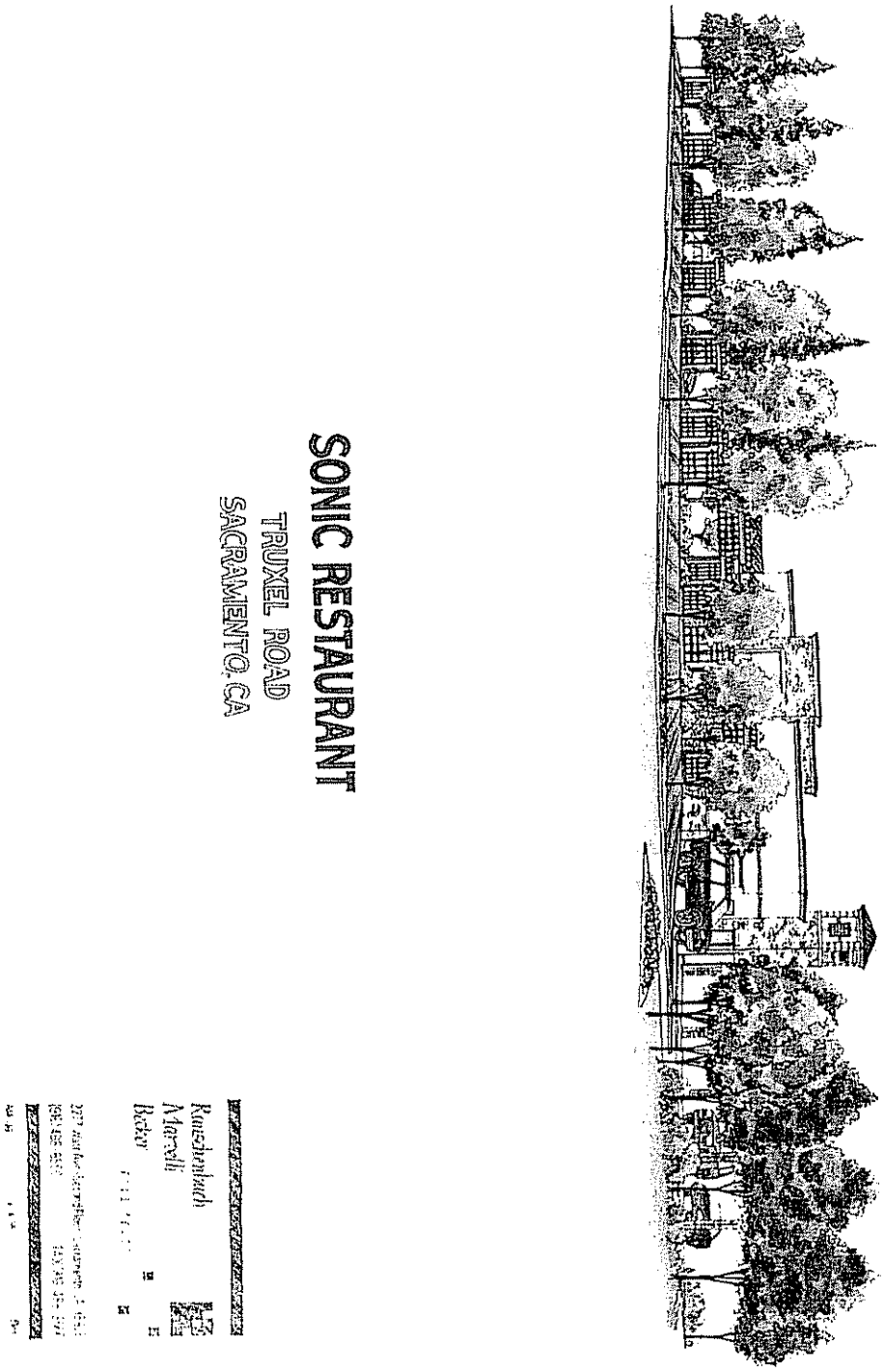



Exhibit B – Elevation at Drive-Through