

**CITY OF SACRAMENTO
DEPARTMENT OF PLANNING & BUILDING
ZONING ADMINISTRATOR
915 I Street, Sacramento, CA 95814**

ACTION OF THE ZONING ADMINISTRATOR

On Thursday, October 6, 2005, the Zoning Administrator approved with conditions a special permit modification to rebuild a McDonalds fast food restaurant drive-through on a 35,620 square foot parcel in the General Commercial (C-2) zone for the project known as (File Z05-174). Findings of Fact and conditions of approval for the project are listed on pages 4-8.

Project Information

Request:

1. **Zoning Administrator Special Permit Modification** to rebuild a McDonalds fast food restaurant drive-through on a 35,620 square foot parcel in the General Commercial (C-2) zone.

Location: 5525 Folsom Boulevard (D3, Area 1)

Assessor's Parcel Number: 008-0353-017

Applicant: Efrain Corona
McDonald's USA, LLC
9754 Parktree Way
Elk Grove, CA 95624

Property Owner: McDonald's USA, LLC
2527 Camino Ramon, Suite 300
San Ramon, CA 94583

Project Planner: Sally Shore

General Plan Designation: Community/Neighborhood Commercial & Office
Existing Land Use of Site: Commercial Restaurant and Drive-Through
Existing Zoning of Site: General Commercial (C-2) and Standard Single Family (R-1)

Surrounding Land Use and Zoning:

North: R-1; Residential
South: C-2; Commercial
East: C-2; Commercial & R-1; Residential
West: C-2; Commercial & R-1; Residential

Property Dimensions: 137 feet x 260 feet
Property Area: 0.81± acres
Topography: Flat
Street Improvements: Existing
Utilities: Existing

Project Plans: See Exhibit A, B, C, D, E, and Attachment 1 and 1A.

Previous Files: P7570, P4898, P2203, P88-113, IR88-003 & P90-198

Additional Information: The applicant is requesting to demolish the existing drive-through lane and 3,872 square foot restaurant and rebuild a new double drive-through lane and 4,027 square foot restaurant facility in the General Commercial (C-2) zone. Assessor's Parcel Number 008-0353-017 consists of four lots with split zoning. The lots were merged in 1988 but the zoning remained the same. The two lots with street frontage on Folsom Boulevard are zoned C-2 and the two rear lots with street frontage on 56th Street are zoned R-1. The existing restaurant, drive-through lane, and parking lot were built in the late 1960s, prior to the 1980 ordinance that required a special permit for drive-through windows. The existing parking spaces located on the parcel within the R-1 zone were approved by a special permit in 1976 to allow a parking facility to be located on a property which has more restrictive zoning than the land use it is intended to serve. A special permit approved in 1990 allowed for the expansion of the second drive-through window. The new restaurant structure will be located entirely within the C-2 zone and the rear of the parcel, zoned R-1, will continue to be used to provide parking spaces and drive-through lane access.

Parking: The redesign of the site provides 40 standard parking stalls. The zoning ordinance requires one parking space for every three seats. 85 fixed seats are to be provided inside the restaurant. Staff has conditioned the project to provide a patio area within the front setback with a pathway connection to the Folsom Boulevard sidewalk. The proposed parking will allow for additional seating within the patio area. A maximum of 120 seats in both indoor and outdoor seating areas is allowed based on the number of parking spaces provided. The project is conditioned to meet current tree shading standards.

Height & Setback Requirements: The proposed location of the building complies with C-2 front and interior side yard setbacks. No front setback is required unless the frontage between two streets is split between any R zone and any C-1 or C-2 zone. No interior side yard setback is required unless the interior side yard is adjacent to an R or OB zoned lot. The proposed project is not split between an R zone and the interior side yard is not adjacent to an R or OB zoned lot. A fifteen (15) ft. rear yard setback is required for the first twenty-six (26) feet of building height. An additional ten (10) feet of building setback shall be required for any portion of the building over twenty-six (26) feet in height (i.e., twenty-five (25) ft. rear yard building setback for portion of building more than twenty-six (26) feet in height). The building is located 140 feet from the rear property line and meets the rear setback requirement. The maximum height allowed is 35 feet. The tallest point of the structure is 33 feet.

Site Circulation: The proposed project changes the site circulation by relocating the existing driveway on 56th Street (currently located 138 feet from the front property line) further north, 204 feet from the Folsom Boulevard front property line. The proposed drive-through lane is located closer to the western property line and has been expanded to accommodate two lanes of vehicle stacking before narrowing down again to one lane before the pick-up window. The existing ingress/egress driveway located at the end of the drive-through lane will be narrowed to one lane, exit only for vehicles departing from the pick-up window. The existing ingress/egress driveway from Folsom Boulevard closer to the corner of 56th and Folsom will remain in its present location. The applicant's site plan proposed an on-site "pass-through" lane located between Folsom Boulevard and the front of the restaurant building which would have allowed cars exiting the drive-through lane to circulate on-site back through the parking lot in order to exit onto Folsom Boulevard from the eastern most driveway or from the 56th Street driveway. While this "pass-through" lane could contribute to on-site vehicular circulation, staff does not support the additional vehicular driveway, which would further disconnect the building entrances from pedestrian access from the sidewalk and does not comply with the Commercial Corridor Design Principles.

Policy Considerations: The Commercial Corridor Design Principles emphasize the importance of pedestrian connectivity, site plan organization, building orientation and site circulation which can be hindered by auto-oriented uses that are inappropriately placed within the context of site design. Approved in 2003 by the City Council, the Commercial Corridor Design Principles attempt to provide a foundation for the redevelopment and rehabilitation of existing commercial corridors. The principles were designed to increase pedestrian activity along street frontages and sidewalks by encouraging walkable connections to building entrances and minimizing the impact of vehicles on pedestrian circulation. The following principles could be applied to the project in order to minimize the impact of the drive-through on the Folsom Boulevard commercial corridor:

- Pedestrian orientation must be considered in site planning, including building size and placement, circulation, and open space design. Provide adequate walkways without obstructions to pedestrian movement (i.e., curbs and steps), but separated from traffic.
- Pedestrian and vehicular entries should be separate. For the purpose of improving visibility and safety, pedestrian access may employ changes to grade, texture, material, color and/or finish to differentiate from driveways.
- Exterior site design and landscaping should provide functional social spaces and/or pedestrian amenities.

Staff has concluded that these key design principles would not have been met with the proposed on-site "pass-through" driveway and therefore conditioned the project to eliminate the driveway. With the driveway removed from the project, staff supports the modification to the special permit because pedestrian connectivity, site plan organization, building orientation and site circulation have been improved to the extent that the project becomes a redeveloped asset along the Folsom Boulevard commercial corridor.

Public Comments Received: The proposed project requires the approval of a Zoning Administrator for a modification to the existing special permit. The plans were sent to the McKinley Elvas Neighborhood Association and the East Sacramento Improvement Association for review and comment. In addition, the site was posted and property owners within 100 feet of the project site were notified of the proposal. Staff received comments from both neighborhood associations (see attached letter), and one neighbor, which expressed concerns regarding pedestrian access from Folsom Boulevard and 56th Street, trash enclosure accessibility, the proximity of the drive-through lane to residences along the northwest property line, landscaping quality, signage, and the architectural design proposed in the originally submitted elevation drawings. The applicant has worked with staff and both neighborhood groups regarding the architectural design of the proposed structure, changing the wainscoting of the façade from pressed stone to antique brick and eliminating Roman columns in order to provide brick pilasters. The project has been conditioned to allow staff review and approval of all signage prior to issuance of a building permit.

Agency Comments The proposed project has been reviewed by the Department of Utilities, Development Engineering and Finance Division, Fire, Parks, the Building Division, SMUD, and other utilities. The comments received pertaining to the subdivision have been included as conditions of approval.

Environmental Determination This project will not have a significant effect on the environment and is exempt from environmental review pursuant to California Environmental Quality Act Guidelines, Section 15302, Replacement or Reconstruction.

Conditions of Approval (Special Permit Modification):

1. The applicant shall obtain all necessary building permits prior to commencing construction.
2. Any additional changes, additions, or modifications shall require Planning review and approval.
3. All mechanical equipment shall be screened to prevent visibility from the street.
4. The on-site Folsom Boulevard driveway proposed within the front setback that connects the drive-through lane exit to the parking lot shall be removed and replaced with landscaping and a useable patio area for outdoor seating.
5. A pedestrian walkway between the Folsom Boulevard sidewalk and the patio area is to be provided. Use of landscaping and/or decorative trellis to provide effective shading of the patio area is requested. Final exterior layout and decorative elements of the patio area shall be reviewed and approved by staff. (see Sally Shore 808-8001)
6. Not more than 120 combined indoor and outdoor seats are allowed on-site based on the 40 parking spaces provided.
7. A color board is to be provided to staff for final approval of exterior elevations, brick and tile accents. (see Sally Shore, 808-8001)
8. Final design of signage shall be reviewed and approved by staff prior to issuance of a sign permit. (see Sally Shore, 808-8001) Canned signage will not be permitted. All signage shall have a sign permit and shall comply with the Sign Ordinance.
9. The hours of operation for the drive through shall remain as existing: Sunday through Thursday 6am – 11pm; Friday and Saturday 6am – 12am.

City Arborist:

10. The 32" DBH Valley Oak is of heritage size and is entitled to a 32' protection radius. This project calls for hardscape demolition and construction inside the protection radius. Anytime roots greater than 2" in diameter are encountered, the contractor is required to call for a root inspection by the city arborist (916) 808 4996.
11. The Liriodendron tulipifera planting on 56th Street is susceptible to aphid infestation and drip. The applicant shall replace the proposed Liriodendron tulipifera planting with *Q. lobata*, *Q. cerris*, or *Q. castanifolia* along 56th Street.
12. All remaining Liriodendron tulipifera shall be replaced with *Ginkgo biloba* or *Pistacia Chinensis*.
13. The *Celtis sinensis* planting at north edge of parcel is very susceptible to wooly aphid. This species has been removed from the city street tree and parking lot planting list. The applicant shall replace the proposed *Celtis sinensis* planting with *Ginkgo biloba*, *Nyssa sylvatica*, *Q. shumardii* or *Q. phellos*.

14. The applicant shall remove the existing small ornamental purple leaf plums on east side of the parcel and replant with *Q. lobata*, *Q. cerris*, or *Q. castanifolia*.

Development Engineering and Finance:

15. Repair or replace/reconstruct any existing deteriorated curb, gutter and sidewalk along Folsom Boulevard and 56th Street per City standards and to the satisfaction of the Development Engineering and Finance Division;
16. All new driveways shall be designed and constructed to City Standards to the satisfaction of the Development Engineering and Finance Division. Any existing site driveways shall be redesigned and reconstructed, if necessary, to City Standards to the satisfaction of the Development Engineering and Finance Division;
17. The site plan shall conform to A.D.A. requirements in all respects. This shall include the replacement of any curb ramp that does not meet current A.D.A. standards;
18. The site plan shall conform to the parking requirements set forth in chapter 17 of City Code (Zoning Ordinance);
19. The western most driveway to the site on Folsom Boulevard (drive-thru outlet) shall be restricted to exit only. The applicant shall provide all necessary signing and striping to comply with this condition to the satisfaction of the Development Engineering and Finance Division;
20. The applicant may have to relocate an existing speed bump along 56th street due to the proposed shift in the existing driveway location to the satisfaction of the development Engineering and Finance Division;
21. The eastern most driveway along Folsom Boulevard shall function as a two way driveway. However, the driveway shall have a restricted movement of right-in/right-out only. The applicant shall provide any needed signage and striping to accommodate this condition to the satisfaction of the Development Engineering and Finance Division;
22. The design of walls, fences, signage, and landscaping near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010 (25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height at maturity. The area of exclusion shall be determined by the Development Engineering and Finance Division;

Fire:

23. Provide a fire hydrant in accordance with CFC 903.4.2 and Appendix III-B, Section 5.

Solid Waste:

24. Recycling capacity of 4 cubic yards be met or exceeded.

25. A recycling program be established. The developer should send the name of the service provider, the frequency of service, and the processing facility to the Solid Waste Division to verify that service has been established.
26. This project be conditioned to divert demolition and construction waste. The project proponent should plan to target cardboard, wood waste, scrap metal, brick, concrete, asphalt, and dry wall for recovery. The developer should submit the following information to the Solid Waste Division:
- Method of recovery
 - Hauler information
 - Disposal facility
 - Diversion percentage
 - Weigh tickets documenting disposal and diversion

Utilities

27. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance requires the applicant to prepare erosion and sediment control plans for both during and after construction of the proposed project, prepare preliminary and final grading plans, and prepare plans to control urban runoff pollution from the project site during construction.
28. Post construction, stormwater quality control measures shall be incorporated into the development to minimize the increase of urban runoff pollution caused by development of the area. Since the project is less than 25 acres, only source control measures are required. Storm drain public notice message is required at all drain inlets. Improvement plans must include the source controls measures selected for the site. This will not affect site design. Refer to the "Guidance Manual for On-Site Stormwater Quality Control Measures" dated January 2000 for appropriate source control measures.

Advisory Notes:

General

1. **Advisory Notice:** The trash enclosure shall be meet Zoning Code standards per Title 17.72.
2. **Advisory Notice:** The existing masonry wall adjacent to the residentially zoned parcels must meet current Wall, Fence & Gate Zoning Code Standards per Title 17.76.030.
3. **Advisory Notice:** The proposed project must conform to current Tree Shading Zoning Code standards per Title 17.68.040.

City Arborist

4. **Advisory Notice:** The 20" DBH Douglas fir appears to be the only existing tree scheduled for removal, this is a private tree of non heritage size and can be saved or removed at the owners discretion.
5. **Advisory Notice:** Applicant advised to contact City Arborist Duane Goosen, for species availability (916) 808 4996.

Fire

6. **Advisory Note:** Timing and Installation. When fire protection, including fire apparatus access roads and water supplies for fire protection, is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction.
7. **Advisory Note:** Provide a water flow test. (Make arrangements at the North Permit Center's walk-in counter: 2101 Arena Blvd., Suite 200, Sacramento, CA 95834)
8. **Advisory Note:** Provide appropriate Knox access for site.

Solid Waste


9. **Advisory Note:** Roads used for Fire Department access that are less than 28 feet in width shall be marked "No Parking Fire Lane" on both sides; roads less than 36 feet in width shall be marked on one side.
10. **Advisory Note:** Solid Waste staff has reviewed the proposed project. This part of the Application and Project Questionnaire does not comply with the City of Sacramento Zoning Ordinance as specified in Title 17 Chapter 17.72 – Recycling and Solid Waste Disposal Regulations since the recycling plan is not complete. The following information must be submitted to complete the recycling plan:
 - a) State the recycling capacity. This type of land use is required to design into the project one cubic yard of recycling capacity for every 5,000 square feet of restaurant space. However, due to the amount of cardboard generated by fast food restaurants, 4 cubic yards of capacity should be planned for this project.
 - b) Education plan. The developer should describe how restaurant staff would be trained to ensure the success of the recycling program.
 - c) The developer should submit plans that include the size of the trash/recycling enclosure and the trash and recycling containers to ensure that architectural barriers to resource recovery do not exist.
11. **Advisory Note:** The applicant should also consider:
 - The Solid Waste Division provides free waste audits to interested businesses. City staff will then recommend a method of waste management to the businesses to increase waste diversion at the greatest cost avoidance.
 - Businesses that choose private sector service should ask about the recycling opportunities that company offers. Recycling should still be cheaper than disposal.
 - Businesses that subscribe to City solid waste collection and disposal services are also provided recycling services as a package. The Solid Waste Division provides a variety of commercial services. They include commercial solid waste collection and disposal, commercial recycling, in-office recycling, and debris box services.
12. **Advisory Note:** If the project developer has any questions, please feel free to contact Michael Root of Solid Waste at 808-4935.

Utilities

13. **Advisory Note:** Due to potential local street flooding in the area during heavy storms the Department of Utilities recommends the lowest finished floor elevation of the structure be a minimum of 1.5 feet above the highest adjoining back of sidewalk elevation.
14. **Advisory Note:** The proposed project is located in the Flood zone designated as an X zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) dated July 6, 1998. Within the X zone, there are no requirements to elevate or flood proof.
15. **Advisory Note:** Prior to design of the subject project, the Department of Utilities suggests that the applicant request a water supply test to determine what pressure and flows the surrounding public water distribution system can provide to the site. This information can then be used to assist the engineers in the design of the fire suppression systems.

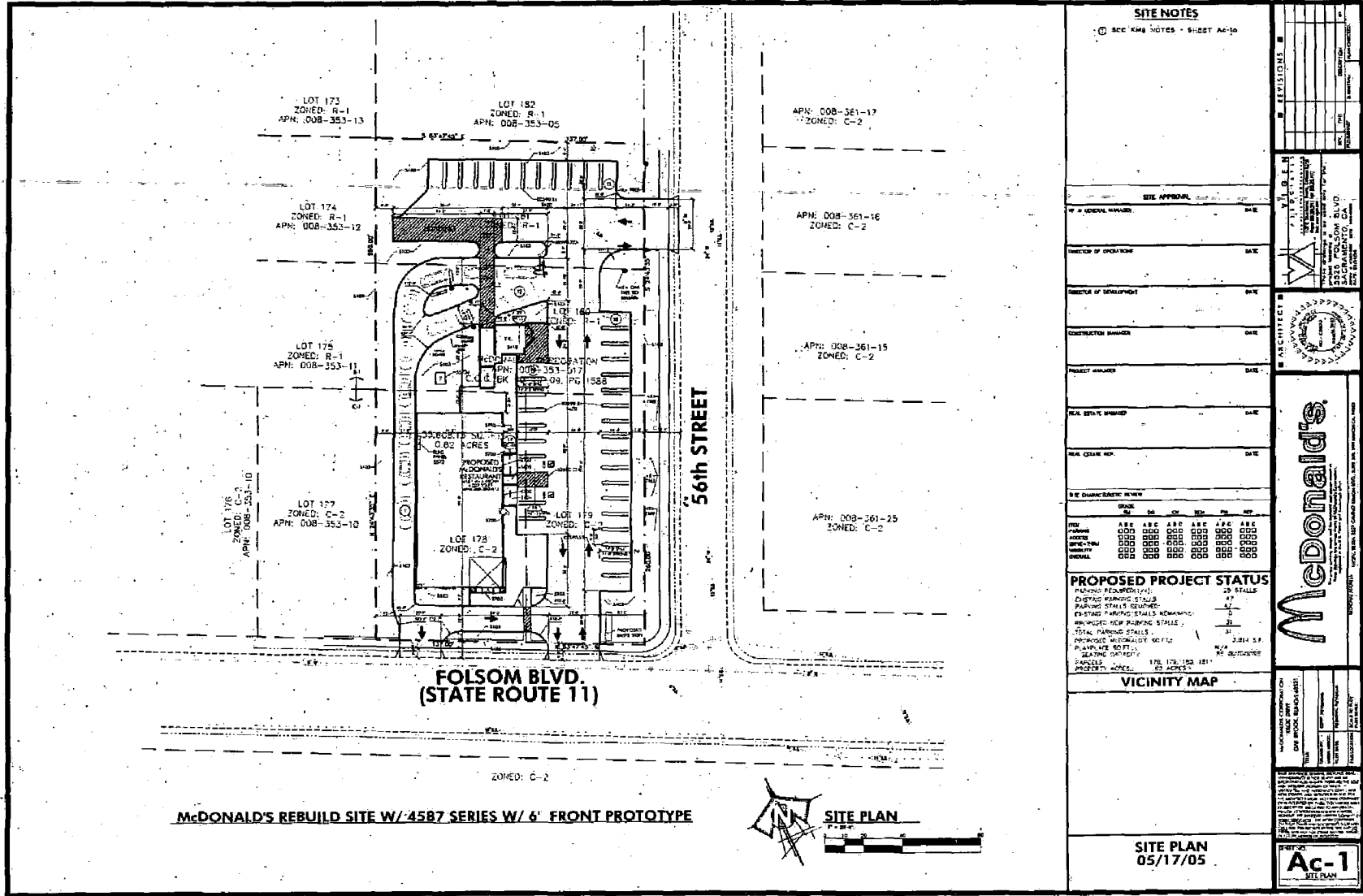
Findings of Fact-Special Permit:

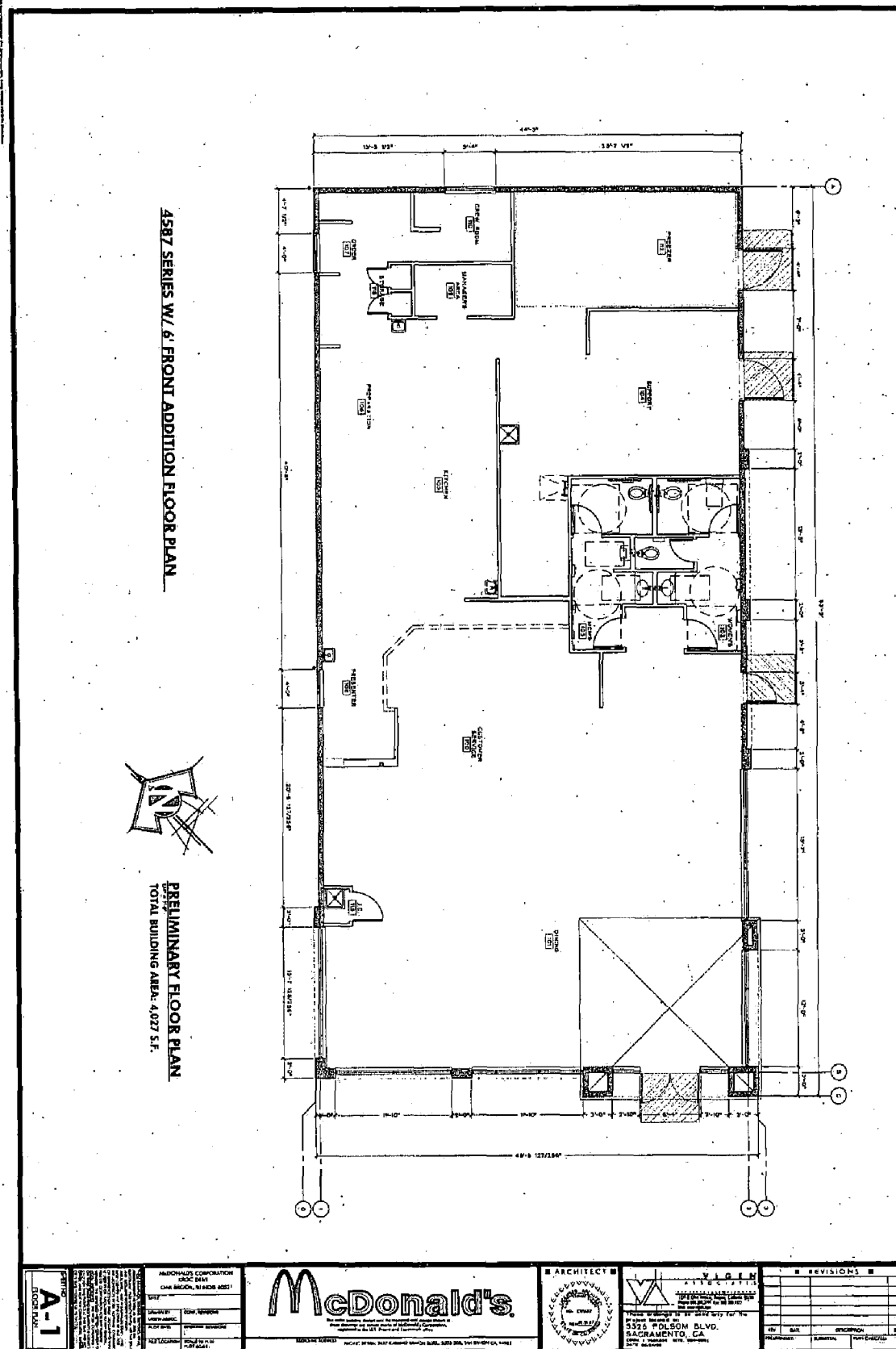
1. The project is based upon sound principles of land use in that the use is allowed in the General Commercial (C-2) zone;
2. Granting the Special Permit is based upon sound principles of land use in that the proposed modification to the commercial site adheres to the Commercial Corridor Design Guidelines;
3. Granting the Special Permit would not be detrimental to the public welfare nor result in the creation of a public nuisance in that:
 - a. The design and location of the facility encourages a pedestrian environment in the form of a pedestrian pathway connecting Folsom Boulevard to shaded outdoor seating area within the front setback in keeping with the Commercial Corridor Design Guidelines;
 - b. The design and location of the facility will not impede access to or exit from the parking lot serving the business, impair normal circulation within the parking lot or impede pedestrian movement; and
 - c. The design and location of the facility will not create a nuisance for adjacent properties.
4. The project is consistent with the General Plan which designates the site as Community/Neighborhood Commercial and Offices.

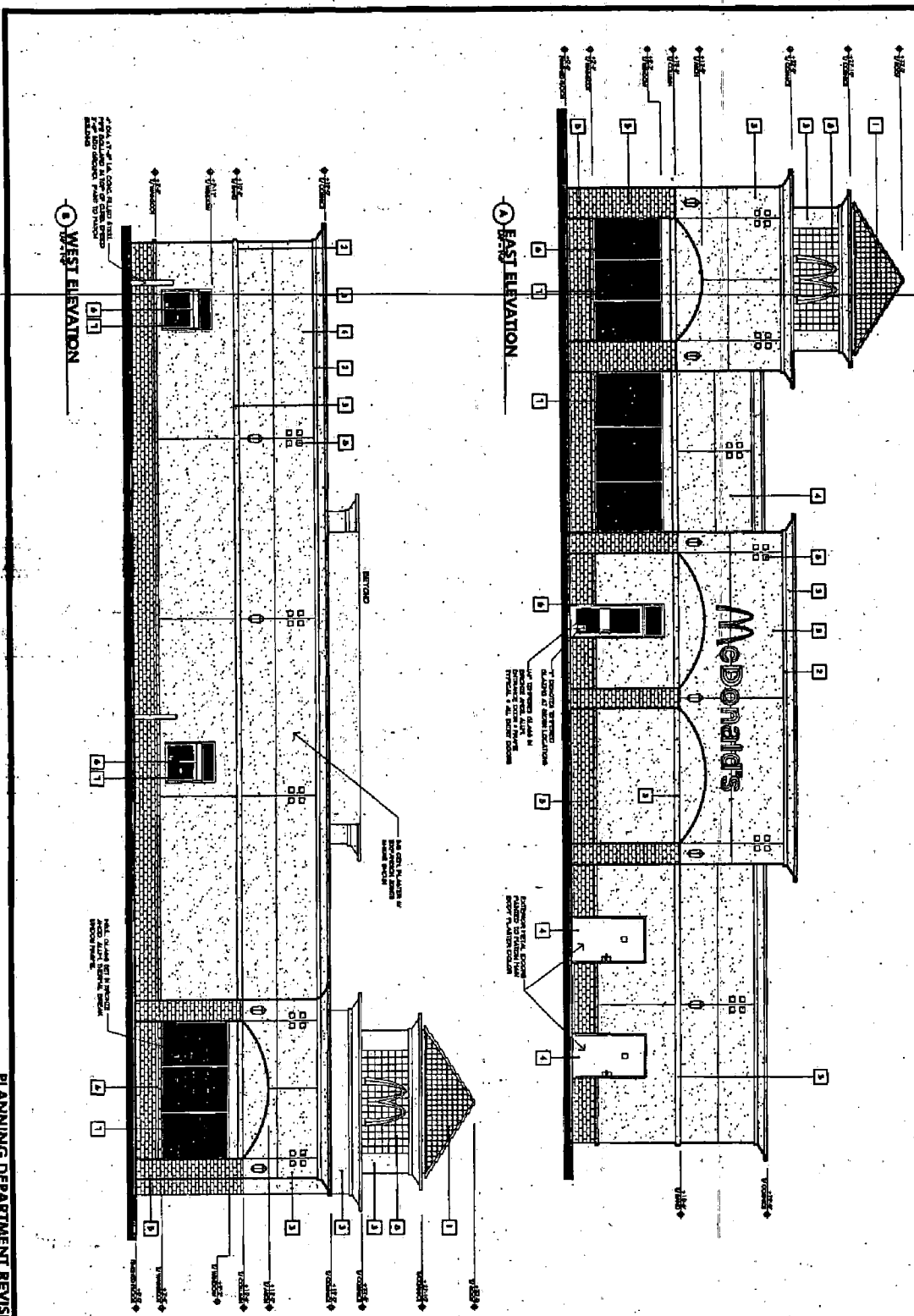

 Joy Patterson
 Zoning Administrator

The Tentative Map that is granted must be finalized within three years after such tentative map is approved. If such map is not so finalized the Tentative Map shall be deemed to have expired and shall be null and void. The decision of the Zoning Administrator may be appealed to the Planning Commission. An appeal must be filed within 10 days of the Zoning Administrator's hearing. If an appeal is not filed, the action of the Zoning Administrator is final.

cc: File (original) ZA Log Book Applicant







PLANNING DEPARTMENT REVISIONS 09/08/05

A-2A
 REVISIONS

NO.	DATE	DESCRIPTION

MCDONALD'S CORPORATION
 3800 DEER CREEK DRIVE
 OAK BROOK, ILLINOIS 60451

PROJECT: []
 TITLE: []
 DATE: []
 DRAWN BY: []
 CHECKED BY: []
 APPROVED BY: []

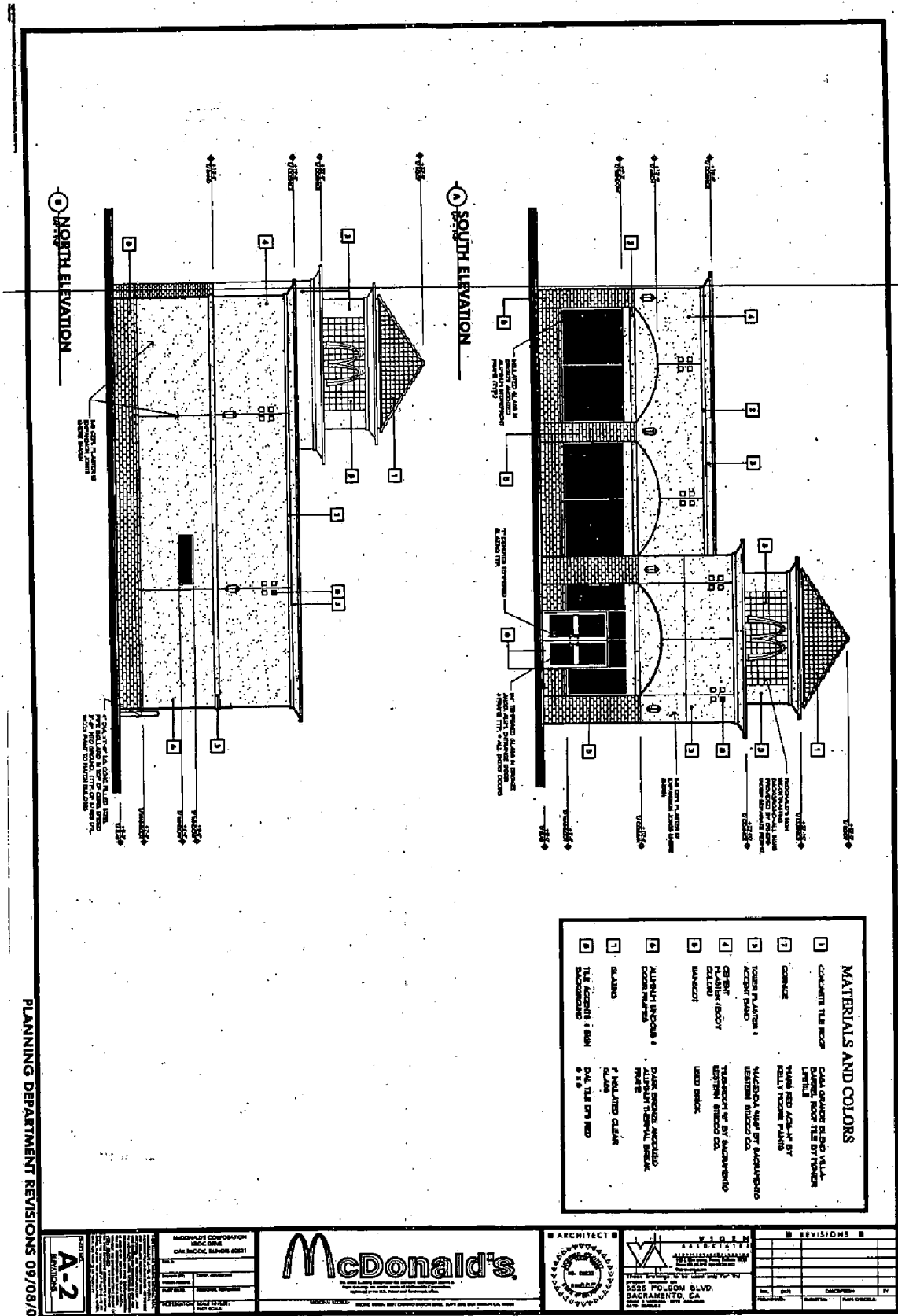
McDonald's

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ARCHITECT
W. J. V. I. R. H. I. N. G.
 ARCHITECTS
 2225 POLK BLVD.
 SACRAMENTO, CA 95811

W. J. V. I. R. H. I. N. G.
 ARCHITECTS
 2225 POLK BLVD.
 SACRAMENTO, CA 95811

NO.	DATE	DESCRIPTION



September 21, 2005

Members, Planning Commission
City of Sacramento
Development Services Department
Attn: Sally Shore, Assistant Planner
1231 I Street, Room 300
Sacramento, CA 95814

RE: ESIA comments on the McDonalds CUP modification – 5525 Folsom Blvd.

Dear Members:

Thank you for the opportunity to comment on the request by McDonald's to modify their CUP to allow for the reconstruction of restaurant on Folsom Blvd. ESIA met with McDonald's representatives on September 12. In addition, Board member Christopher Wilson attended the McDonald's hosted neighborhood meeting in June.

ESIA lauds McDonald's for their concerted effort to provide a quality design for the reconstructed restaurant in East Sacramento and for their efforts to obtain community input. We understand that there are competing objectives and site constraints that they are dealing with.

The revised building elevations incorporating brick on the building façade are supported by ESIA. We believe the revisions provide for quality materials and better design without being a replica of other recently constructed retail businesses (e.g. Trader Joe's and Long's Drugs). The addition of appropriate canopies and/or trellises for shading of windows, weather protection at doorways, and pedestrian scale is strongly recommended.

Our greatest concern is the site layout. We recommend that the site plan be modified to achieve the following objectives:

- Provide for a more pedestrian scale layout by moving the building closer to Folsom Blvd and 56th Street.
- Reduce noise and odors impacts to adjacent residential properties by moving the building closer to Folsom Blvd and 56th Street.
- Eliminate the drive-through lane in front of the building. This area should be landscaped and a shaded patio area for outside diners.

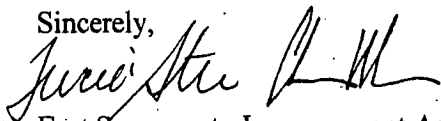
Attachment 1A: East Sacramento Improvement Association Letter Page 2

- Move the driveway on 56th Street further away (South) from the residential neighborhood.
- Study making the 56th Street access right-turn only to reduce through traffic on 56th Street.
- There should be options for focusing ingress and egress onto Folsom Blvd. We understand that Public Works is concerned about left-turn movements out of the site and the impact on traffic flow, and that there should be clear opportunities for traffic to make left-turn movements from the stoplight at the intersection. Alternative site layouts should be explored.

On signage, McDonald's representative indicated that they are willing to move the main wall signage from a 56th Street orientation to Folsom Blvd. Although we have not seen a design for the new sign on Folsom Blvd., we trust that the project will have conditions that the new sign will be architecturally compatible with the building and contain channel letters as opposed to a can sign.

Thank you again for the opportunity to comment. Board members reviewing the project are Christopher Wilson at 457-6055 or Tricia Stevens at 452-5216.

Sincerely,



East Sacramento Improvement Association