



## **Staff Report**

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### **MOTION TO REVIEW PLANNING COMMISSION ACTION – CONDITIONAL USE PERMIT – MCDONALD’S – 522 EL CAMINO REAL**

Honorable Mayor and Council Members:

#### **Summary/Background**

On April 18, 2006, the Planning Commission approved a Conditional Use Permit (CUP) to modify the hours of operation for the McDonalds restaurant located at 522 El Camino Real (See Adopted Commission Resolution 2006-0020 & Conditions of Approval – Attachment 2). The approved CUP would allow dine-in service from 5:30 AM to 11:00 PM and drive-thru service 24 hours per day for the restaurant. No modifications to the exterior of the existing restaurant or to the site plan are proposed in conjunction with the requested CUP.

The existing McDonalds restaurant operates dine-in service from 7:00 AM to 11:00 PM. During the winter months (September through May) the drive-thru service operates from 7:00 AM to 11:00 PM Sunday through Thursday, and from 7:00 AM to midnight on Friday and Saturday. During the summer months (June through August) the drive-thru service is permitted to operate 7:00 AM to midnight, seven days per week. The Planning Commission approved these hours of operation in 1981 (Adopted Resolution No. 1981-13).

Section 1-11 of the Belmont Municipal Code requires that upon receipt of a *Request to Review*, the City Council may initiate proceedings to review the Planning Commission decision on motion by any member of the Council. Such a request for review was submitted on 4/25/06 by Mayor Mathewson (See Attachment 1).

At tonight’s meeting, the Council will determine whether or not it wishes to review this matter as requested by Mayor Mathewson. This action requires three votes to sustain. If this request is carried forward, staff recommends that the hearing be scheduled for May 23, 2006. At that fully-noticed public hearing, a detailed staff report and background information will be provided.

#### **General Plan/Vision Statement**

Not applicable at this time.

**Fiscal Impact**

None at this time. Approximately 10-13 hours of staff time is anticipated to support a full review.

**Public Contact**

This matter was placed on the agenda and posted as required by the California Government Code.

**Recommendation**

Should the Council determine that it wishes to review the 4/18/06 Planning Commission action regarding the Conditional Use Permit for the McDonald’s Restaurant at 522 El Camino Real, staff recommends the Council schedule the public hearing for the 5/23/06 Council meeting.

**Alternatives**

1. Discontinue pursuit of Council review of 4/18/06 Planning Commission action regarding McDonald’s Conditional Use Permit.
2. Provide alternative direction to staff.

**Attachments**

1. Request to Review Planning Commission Action – 4/25/06
2. Planning Commission Resolution No. 2006-0020 & Conditions of Approval

Respectfully submitted,

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Carlos de Melo  
Community Development Director

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Maureen L. Cassingham  
Interim City Manager

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***PLEASE NOTE:***

Attachments I and II are not included as part of this document – please contact the City Clerk’s Office at (650) 595-7413 for further information on these attachments.