

RESOLUTION NO. 2015-247

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
APPROVING A DETERMINATION OF PUBLIC CONVENIENCE OR NECESSITY
FOR A TYPE 21 OFF-SALE GENERAL LICENSE FOR SHELDON FOOD & LIQUOR
LOCATED AT 8112 SHELDON ROAD, STE. 850
ASSESSOR PARCEL NUMBER 116-1550-007 / PROJECT NO. EG-15-037**

WHEREAS, the Development Services Department of the City of Elk Grove received an application on September 22, 2015, requesting a Determination of Public Convenience or Necessity for Sheldon Food & Liquor to obtain a Type 21 (Off-Sale General) alcohol license from the Department of Alcoholic Beverage Control in order to sell beer, wine and liquor from an existing convenience store location; and

WHEREAS, the proposed project is located on real property in the incorporated portions of the City of Elk Grove more particularly described as Assessor Parcel Number 116-1550-007; and

WHEREAS, Chapter 4.54, Article 5 of the Elk Grove Municipal Code establishes the City Council as the appropriate authority to hear and decide on all Determination of Public Convenience or Necessity requests; and

WHEREAS, the City Council held a duly noticed public hearing on December 9, 2015 as required by law to consider all of the information presented by staff, information presented by the project proponent, and public testimony presented in writing and at the meeting.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove, hereby finds the proposed the Sheldon Food & Liquor PCN Project, EG-15-037, exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the State CEQA Guidelines based upon the following finding:

California Environmental Quality Act (CEQA)

Finding: The project is exempt from CEQA review.

Evidence: Section 15301 (Existing Facilities) exempts projects that involve negligible or no expansion of an existing use. This Project consists of the sale of alcoholic beverages within a tenant space of an existing commercial building. The Project does not propose to physically expand the existing facility. Based on staff's review of the Project, no special circumstances exist that would create a reasonable possibility that granting a PCN to sell alcohol from an existing store's location will have a significant effect on the environment. Therefore, the proposed Project qualifies for the exemption under CEQA Guidelines Section 15301 and no further environmental review is required.

AND, BE IT FURTHER RESOLVED that the City Council of the City of Elk Grove hereby approves the Determination of Public Convenience or Necessity for Sheldon Food & Liquor located at 8112 Sheldon Road based on the following findings:

Public Convenience or Necessity


Finding: The proposed use is compatible with neighborhood character.

Evidence: The application was routed to the Elk Grove Police Department, the Code Enforcement Department, and the Building Department. No violations against the property or Applicant were identified that would discourage the issuance of a Type 21 alcohol license for Sheldon Food & Liquor. The Sheldon Food & Liquor store is located in a SC - Shopping Center zone district and is surrounded by other commercially zoned properties and uses. Therefore, the sale of alcohol for off-site consumption at this location is compatible with the uses in the surrounding area. The nearest school is Irene B. West Elementary School, which is located approximately one-half mile to the north within the City of Sacramento. The nearest park is Pinkerton Park, which is located approximately 800 feet to the south. The nearest residential is the Terracino Park Meadows Apartments, located approximately 200 feet to the south. None of these facilities are directly accessible from the Project site.

Finding: The proposed use will be of benefit to the neighborhood.

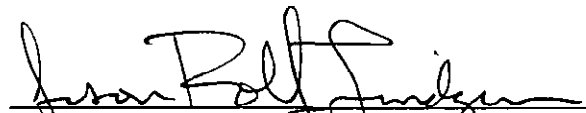
Evidence: As the sale of alcoholic beverages is ancillary to the sale of general convenience store products, the PCN determination will increase convenience to local shoppers. By including the sale of alcoholic beverages with the existing inventory, Sheldon Food & Liquor will be providing a "one-stop" shop store on a smaller scale from a full-sized grocery store. "One-stop" shopping results in increased efficiency for shoppers, and may result in fewer vehicle trips for local shoppers.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 9th day of December 2015



GARY DAVIS, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS
CITY ATTORNEY

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2015-247

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)

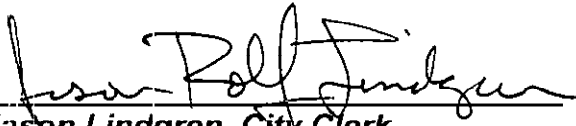
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on December 9, 2015 by the following vote:

AYES : **COUNCILMEMBERS:** *Ly, Detrick, Hume, Suen*

NOES: **COUNCILMEMBERS:** *Davis*

ABSTAIN : **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*



Jason Lindgren, City Clerk
City of Elk Grove, California