

**RESOLUTION NO. 2016-160**

**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 COST PLUS WORLD  
MARKET LOCATED AT 9680 BRUCEVILLE ROAD  
ASSESSOR PARCEL NUMBER 132-1750-009  
PROJECT NO. EG-16-025**

**WHEREAS**, the Planning Division of the City of Elk Grove received an application on June 27, 2016, requesting a Determination of Public Convenience or Necessity for Cost Plus World Market 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 132-1750-009; 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 August 24, 2016, 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 Cost Plus World Market PCN Project, EG-16-025, exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State CEQA Guidelines based upon the following finding:

**California Environmental Quality Act (CEQA)**

Finding: The project is exempt from CEQA review.

Evidence: Pursuant to Section 15061(b)(3) of the CEQA Guidelines, an activity is covered by the general rule that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA review. Granting this Determination of Public Convenience or Necessity will not bring about any physical change to the environment. The PCN is only for the sale of alcohol and will not result in any physical changes to the existing setting. Therefore, the PCN will not have any potential for causing a significant effect on the environment.

**AND, BE IT RESOLVED** that the City Council of the City of Elk Grove hereby approves the Determination of Public Convenience or Necessity for Cost Plus World Market located at 9680 Bruceville Road based on the following findings:

**Public Convenience or Necessity**

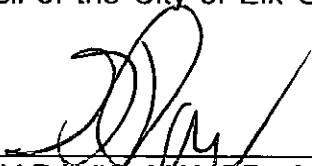
Finding: The proposed use is compatible with neighborhood character.


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 Cost Plus World Market. The existing store is located in a SC - Shopping Center zone district and is generally surrounded by other commercially-zoned properties and uses with an existing shopping center. 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 Arlene Hein Elementary School, which is located approximately 2,500 feet south of the shopping center. The nearest park is Luttig Park, which is located approximately 500 feet to the south. The nearest residence is located on Rawley Way, which is located approximately 220 feet to the west. The commercial center is oriented away from the residential area and is does not directly interface with the residences.

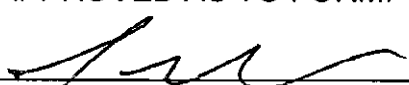
Finding: The proposed use will be of benefit to the neighborhood.

Evidence: As the sale of alcoholic beverages is ancillary to the sale of general home goods and other retail products, the PCN determination will increase convenience to local shoppers. By including the sale of alcoholic beverages with the existing inventory, Cost Plus World Market will be providing a "one-stop" shop for customers purchasing retail goods. Additionally, less than 10% of the store's floor area will be dedicated to alcoholic sales display area.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 24<sup>th</sup> day of August 2016.

  
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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. 2016-160**

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

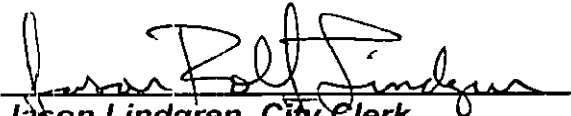
*I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on August 24, 2016 by the following vote:*

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

**NOES:**       **COUNCILMEMBERS:**     *None*

**ABSTAIN :**   **COUNCILMEMBERS:**     *None*

**ABSENT:**     **COUNCILMEMBERS:**     *None*

  
**Jason Lindgren, City Clerk**  
**City of Elk Grove, California**