

RESOLUTION NO. 2005-348

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
REGARDING PUBLIC CONVENIENCE AND NECESSITY
FOR ASIAN MART PROJECT #EG-05-920**

WHEREAS, Asian Mart (hereinafter referred to as Applicant) filed an application with the City of Elk Grove (hereinafter referred to as City) for a Public Convenience and Necessity Letter to obtain a Type 20 Off-sale (beer and wine) alcohol license (Assessor's Parcel Number 116-0330-054); and

WHEREAS, Title 4, Chapter 4.60, of the City of Elk Grove Municipal Code establishes the City Council as the appropriate authority to hear and decide all Public Convenience and Necessity Letters; and

WHEREAS, the project is exempt under the California Environmental Quality Act (CEQA) Section 15061 (3); and

WHEREAS, a duly advertised public hearing notice; in accordance with Government Code Section 65090 et. al. and a public hearing was conducted by the City Council on November 9, 2005; and

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City Of Elk Grove hereby resolves as follows:

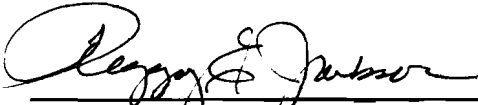
1. The City Council of the City of Elk Grove objects to the issuance of a Type 20 Off-sale beer and wine alcohol license for the Asian Mart located at 8246 Laguna Boulevard, Suite 370 in Elk Grove. The City Council made this determination based on the evidence provided by the ABC that Census Tract 96.11 is over concentrated and a high-crime area. The issuance of this license without the following conditions will diminish the quality of life for citizens residing in the area of this establishment.
2. The City Council of the City of Elk Grove withdraws its objection only if the California Department of Alcoholic Beverage Control imposes the following conditions on the issuance of the requested alcohol license:
 - A. The licensee shall not sell alcohol between the hours of 9P.M. and 6A.M.
 - B. The licensee shall not sell alcohol or display any signs pertaining to the sale or consumption of alcohol outside of the building.

PASSED AND ADOPTED by the City Council of the City of Elk Grove on the 9th day of November, 2005.



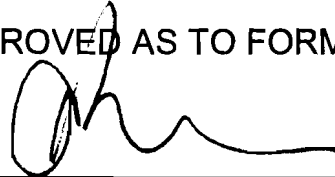
DANIEL BRIGGS, MAYOR of the
CITY OF ELK GROVE

ATTEST:



PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:



ANTHONY B. MANZANETTI,
CITY ATTORNEY