

RESOLUTION NO. 2017-149

**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 ALCOHOL LICENSE OF BEER, WINE, AND
DISTILLED SPIRITS FOR A COSTCO STORE PROPOSED TO BE LOCATED AT
7400 ELK GROVE BOULEVARD ASSESSOR PARCEL NUMBER 132-2120-017
(PROJECT NO. EG-17-013)**

WHEREAS, the Planning Division of the City of Elk Grove received an application on March 22, 2017, requesting a Determination of Public Convenience or Necessity for Costco to obtain a Type 21 (Off-Sale of Beer, Wine and Distilled Spirits) alcohol license from the Department of Alcoholic Beverage Control in order to sell beer, wine and distilled spirits for off-site consumption; and

WHEREAS, the proposed project is located at 7400 Elk Grove Boulevard (Assessor Parcel Number 132-2120-017); 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 June 28, 2017, 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 Costco Warehouse PCN Project, EG-17-013, 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: Section 15061(b)(3) of the CEQA Guidelines states that an activity is covered by the general rule that CEQA only applies to projects which 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 Public Convenience or Necessity will not bring about any physical change to the environment and will not have any potential for causing a significant effect on the environment.

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 the Costco PCN Project located at 7400 Elk Grove Boulevard based on the following findings:

Public Convenience or Necessity

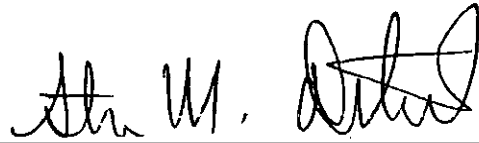
Finding: The proposed use is compatible with neighborhood character.

Evidence: The application was routed to the Elk Grove Police Department and Development Services Department (Planning, Building, and Code Enforcement) for review. No violations against the property or Applicant were identified that would discourage the issuance of a Type 21 alcohol license. The future Costco is located in a SC-- Shopping Center zone district and is generally surrounded by other commercially-zoned properties. 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 Elitha Donner Elementary School, which is located approximately 2,200 feet north of the subject site. The nearest park is Constellation Park, which is located approximately 600 feet to the south. The nearest residence is located on Cordially Way, which is located approximately 80 feet to the south. Costco will be surrounded by other commercial buildings and would not directly interface with the nearest residential area.

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 merchandise and groceries, the PCN determination will increase convenience to Costco members. By including the sale of alcoholic beverages with the existing inventory, Costco will be providing a convenience to shoppers that are available at other locations.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 28th day of June 2017.

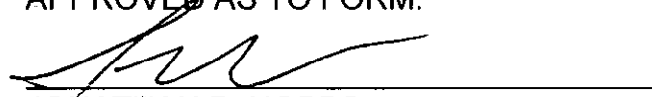


STEVEN M. DETRICK, VICE MAYOR of the
CITY OF ELK GROVE

ATTEST:


JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:


JONATHAN P. HOBBS,
CITY ATTORNEY

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2017-149

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

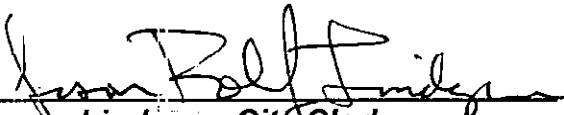
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on June 28, 2017 by the following vote:

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

NOES: COUNCILMEMBERS: *None*

ABSTAIN: COUNCILMEMBERS: *None*

ABSENT: COUNCILMEMBERS: *Ly*



Jason Lindgren, City Clerk
City of Elk Grove, California