

RESOLUTION NO. 2011-167

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
APPROVING A LETTER OF PUBLIC CONVENIENCE AND NECESSITY
FOR A TYPE 21 OFF-SALE GENERAL LICENSE FOR TARGET
LOCATED AT 7505 LAGUNA BOULEVARD
PROJECT NO. EG-11-025, ASSESSOR PARCEL NUMBER 116-1160-002**

WHEREAS, the Planning Division of the City of Elk Grove received an application on June 23, 2011, requesting a Letter of Public Convenience and Necessity for Target 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 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 116-1160-002; 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 Letter of Public Convenience and Necessity requests; and

WHEREAS, the project qualifies as a project under the California Environmental Quality Act (CEQA); and

WHEREAS, the City Council held a duly noticed public hearing 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 approves the Letter of Public Convenience and Necessity for Target located at 7505 Laguna Boulevard based on the following findings:

California Environmental Quality Act (CEQA)

Finding: The project is exempt from CEQA review.

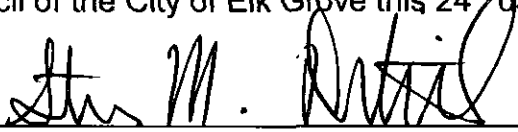
Evidence: Pursuant to §15061(b)(3) of the CEQA Guidelines, an activity is covered by the general rule that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA review. Granting this Letter of Public Convenience and 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.

Public Convenience and Necessity

Finding: Public Convenience and Necessity is met by the issuance of a Type 21 (Off-Sale General) alcohol license for Target.

Evidence: According to the Elk Grove Police Department, the Code Enforcement Department, the Building Department, no existing violations against the property or Applicant have occurred that would discourage the issuance of a Type 21 alcohol license for Target. Furthermore, the public convenience would be served by providing customers with a one-stop shopping experience thereby reducing vehicle trips. Public necessity is met by providing customers with a full range of products to select.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 24th day of August 2011.



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

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN HOBBS,
INTERIM CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2011-167**

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

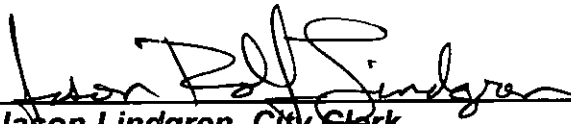
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on August 24, 2011 by the following vote:

AYES : COUNCILMEMBERS: *Detrick, Cooper, Hume, Scherman*

NOES: COUNCILMEMBERS: *Davis*

ABSTAIN : COUNCILMEMBERS: *None*

ABSENT: COUNCILMEMBERS: *None*


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