

RESOLUTION NO. 2003-693

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF SEP 30 2003

A RESOLUTION ADOPTING THE NOTICE OF DECISION AND FINDINGS OF FACT FOR THE DENIAL OF ELDER CREEK MARKET LOCATED AT THE NORTHEAST CORNER OF ELDER CREEK DRIVE AND RING DRIVE, SACRAMENTO, CALIFORNIA IN THE LIMITED COMMERCIAL REVIEW (C-1-R) ZONE (P02-164).

(APN: 038-0350-040)

WHEREAS, the City Council conducted a public hearing on September 30, 2003, concerning the above project and based on documentary and oral evidence submitted at the public hearing, the Council hereby adopts the Notice of Decision and Findings of Fact, as set forth herein.

NOTICE OF DECISION

At the regular meeting of September 30, 2003, the City Council heard and considered evidence in the above entitled matter. Based on verbal and documentary evidence at said hearing, the Council took the following actions for the location listed above:

- A. Environmental Determination: Exempt CEQA 15270 (a)
- B. Denied the Special Permit to allow alcohol sales on 0.27 acres in the Limited Commercial Review (C-1-R) zone.

These actions were made based upon the following findings of fact and subject to the following conditions:

FINDINGS OF FACT

- A. **Categorical Exemption:** The City Council finds and determines that the proposed project is exempt from environmental review pursuant to Section #15270 (a) of the CEQA Guidelines.

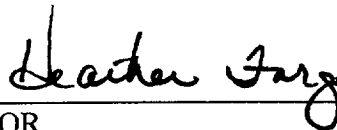
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B. The Special Permit to allow alcohol sales on 0.27 acres in the Limited Commercial Review (C-1-R) zone is denied based on the following findings of fact:

1. The project is not based upon sound principles of land use in that:
 - A. the subject site is not a part of any established commercial area and the sale of alcoholic beverages would not be consistent with the residential character of the surrounding neighborhood;
 - B. alcoholic beverages can currently be purchased at locations less than one-mile from the subject site;
 - C. Three churches, a school, and a park are all located within a quarter-mile of the subject site.
2. The project will be detrimental to the public welfare and can result in the creation of a public nuisance in that:
 - A. Based on the 2001 crime data it is evident that there is a high number of calls for service and apparent criminal activity. The Police Department has stated that the proposed use has a potential to increase the already high number of disturbance calls in the area;
 - B. the subject site is adjacent to residential uses, there is a potential for an increase in crime to the area which could affect neighboring residential properties.
3. The project is not consistent with the General Plan Quality of Life Policies to enhance and maintain the quality of life, in that the sale of beer and wine at this location has the potential to promote loitering and additional crime in an area that is already experiencing blight and nuisance problems. Furthermore expanding commercial activity on the subject site would be inconsistent with the South Sacramento Community Plan's goal to reduce the friction between commercial and residential uses.



MAYOR

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ATTEST:



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