

**Grocery Store
3035 S. Chestnut Ave.**

Statement of Public Convenience or Necessity

~~January 9, 2023~~
Revised: October 3, 2024

Applicant:

Mr. Khushpal Singh
2266 S. Claremont Ave.
Fresno, CA 93727

Representative:

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Property Location:

3035 S. Chestnut Ave.
Fresno, CA 93725
APN: 330-050-03

General Plan Land Use Designation:

Industrial

Zoning:

M-1 (Light Manufacturing)

Related Fresno County Land Use Permits:
Amendment Application No. 22-01574 a Rezone to allow for a *grocery store* “by right”.

Background:

State planning law requires applicants for an alcoholic beverage license to provide a justification in support of a finding of *Public Convenience or Necessity*. The following is justification for the proposed *grocery store* as defined in the Fresno County Ordinance Code. The applicant also proposes to apply for a Type 20 alcoholic beverage license for the proposed *grocery store* located at 3035 S. Chestnut Ave., within Fresno County and a finding of *Public Convenience or Necessity*. The Type 20 alcoholic beverage license will allow for the sale of beer and wine in the proposed *grocery store*.

The subject site is designated in the Fresno County General Plan as Industrial. On September 24, 2024, the Fresno County Board of Supervisors approved the request to rezone the subject site to M-1 (Light Manufacturing), which allows for the operation of a *grocery store* with beer and wine sales “by right”. A Type-20 ABC license authorizing the sale of beer and wine for consumption off the premises is not subject to the review and approval of a Conditional Use Permit (CUP) per the M-1 Zone Ordinance. Therefore, the M-1 zone district and Industrial Land Use designation makes the proposed *grocery store* an intended use for the subject site.

Justification:

County policy provides that the following three (3) criteria be met before a determination of public convenience or necessity can be made:

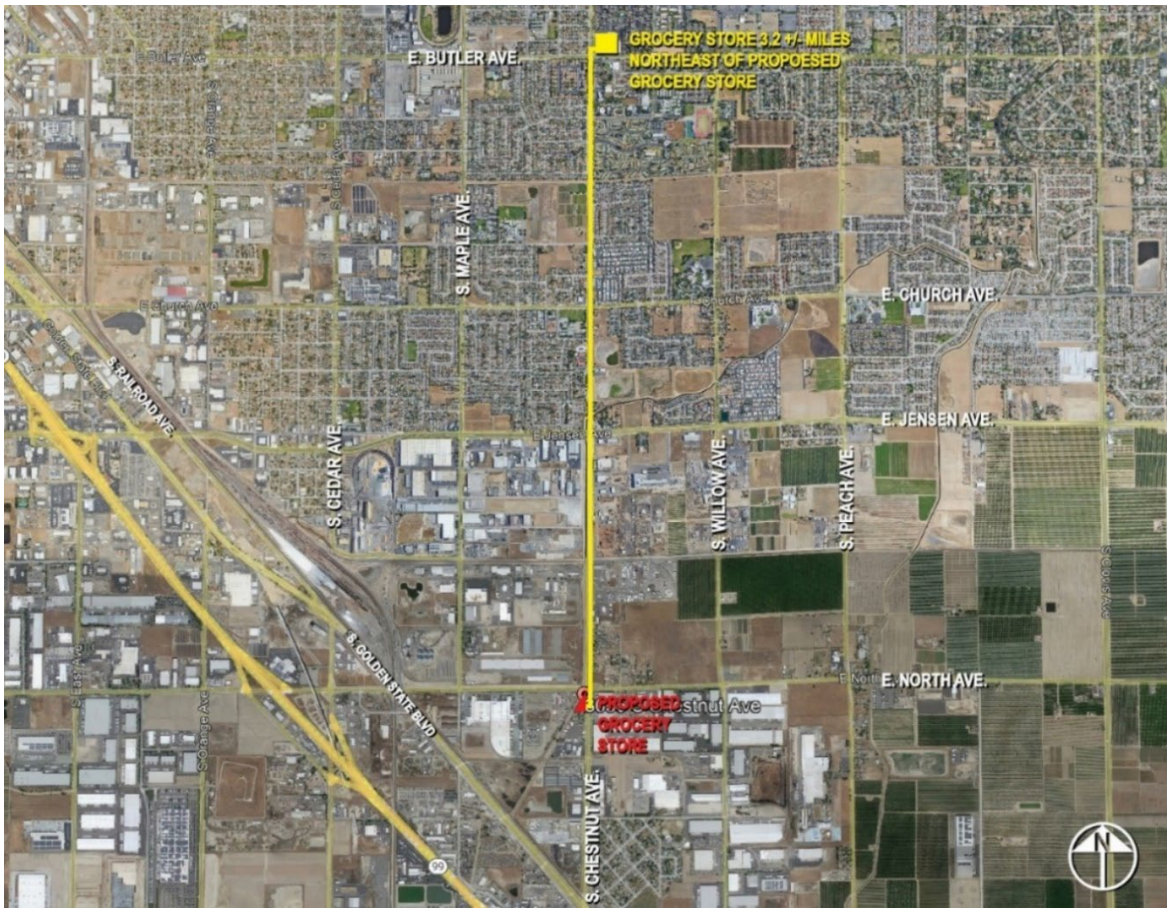
1. The issuance of a license would not tend to create a law enforcement problem and increase the level of crime activity;

The *grocery store* will operate from 5:00am to 12:00am daily and will be operating year-round. Alcohol sales will be from 6:00am to 12:00am daily. There will be no special activities. The applicant has an excellent record of alcoholic beverage sales which take place from his current business establishment, Sunny Market located at 6933 E. Belmont Ave. At the aforementioned location, the applicant currently operates with a Type-21 ABC license, without any violations or citations.

Per the Department of Alcoholic Beverage Control (ABC), the subject site is located within Census Tract No. 12.02. and is located in a low crime reporting district. There are a total of four (4) licenses allowed in the census tract, with two (2) licenses existing. Therefore, the requested Type-20 ABC license for the subject site would not be detrimental to the area since it will not cause an overconcentration of ABC licenses in the aforementioned census tract.

2. The issuance of a license will provide a needed service and that without this use there would be an inconvenience to the community;

The proposed *grocery store* will not be detrimental to the character of development in the immediate neighborhood and serve to provide healthier food choices in an area where there is a lack of same in the immediate neighborhood. Specifically, the closest grocery store to this site is approximately 3.2 miles to the north located on the northeast corner of E. Butler and S. Chestnut Avenues. For illustrative purposes, please see the image below.



The proposed *grocery store* will be a vehicle trip saver for the community due to its proximity to existing job generating uses. Customers can walk to this location, saving them a vehicle trip of 3.2 miles. Additionally, it will give the public access to healthier foods, creating a *healthier community* and promoting a *healthy lifestyle*.

The provision of a *grocery store* will provide a needed and highly demanded service. In recent years, California has released a healthy initiative through the Healthy Refrigeration Grant Program, administered by the state’s Office of Farm to Fork. The program, which offers grants to individual stores is using corner stores and small markets to expand access to fresh foods for residents of all communities. The proposed *grocery store* will make it easier for the community to access fresh food in hopes that it will motivate dietary change to the residence and employees of the area, providing for a healthy community. The minimal area proposed for the sale of beer and wine is depicted on the attached “Exhibit A – Floor Plan”.

3. *The issuance of a license will have a positive impact on the local economy including the creation of new jobs;*

According to the United States Department of Agriculture, “*Encouraging and supporting corner stores to stock and sell healthier food and beverage items has become an important goal of many public health stakeholders. The Federal Government, local and State health departments and government agencies, public health philanthropies and non-profit organizations and community groups desire to see improved food options provided by corner*

stores.” Currently, many corner store environments do not support healthy eating habits. The proposed *grocery store* will sell fresh produce, whole grains, and low-fat dairy products as well as other commodities. Proximity to convenience stores within a neighborhood is associated with higher rates of obesity and diabetes.

By constructing the proposed *grocery store*, the applicant will have the opportunity to positively impact the health of the community members. The applicant will increase sales of healthy foods as well as customer knowledge about healthy products.

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