

October 23, 2020

Attn: Jennifer Clark, AICP, Director  
Phillip Siegrist  
City of Fresno – Planning and Development Department  
2600 Fresno Street, Room 3065  
Fresno, CA 93721-3604

SUBJECT:           CONDITIONAL USE PERMIT APPLICATION NO. P20-02556 FOR PROPERTY LOCATED AT  
1137 N. Chestnut AVENUE (APN: 454-092-28)

Dear Director Clark:

Please accept this letter to appeal the decision to deny Conditional Use Permit Application No. P20-02556, requesting authorization to move, reduce and relocate the existing Type 21 ABC license from Didier's Liquor store located at 4778 E. Olive Ave to establish a State of California Alcoholic Beverage Control (ABC) Type 20 alcohol license (*Package Store – sale of beer and wine for the off-premises consumption only*) at the property located at 1137 N Chestnut Ave, Fresno, CA. This license request is for our new proposed Starbucks (with a drive thru which is approved per CUP Use Permit Application No. P20-01633 already) and a new 7-11 Convenience store with fueling.

My request for this appeal is based on the following facts:

1. We are not requesting the addition of another Type 20 license in this trade area. We are purchasing the Type 21 license from Didier's Liquor store directly next door located at 4778 E. Olive Ave and reducing it to a Type 20 thru the ABC process. Thus, there is not an increase in the number of licenses in this zone, this is actually a reduction of classified Type Liquor licenses in the trade area.
2. We are purchasing another Type 20 license in the City of Fresno and cancelling, extinguishing and surrendering it concurrently with the purchase of the Didier's license noted above. Thus, removing one entire license and reducing the impact of another existing license in the City.
3. The Police Departments review of the trade area was arbitrarily determined by using a 1 mile radius. Using a 1 mile radius calculation is not reasonable for this location because it encompasses the area south of the 180 which is not in the trade area for this operation. In reviewing the numbers of calls for this location with the Police Department, Didier's has had just ONE call in the last 12 months to their location and it wasn't for an alcohol related situation. Over the last 3 years there have been only five calls and not one of those calls were for an alcohol related reason. It should be noted that the Police Department didn't take into consideration that we are purchasing Didier's Type 21 license and subsequently moving and reducing it to a Type 20 when they did their analysis for the new proposed development. Thus, we dispute their findings that this new development would increase the crime rate in this trade area because of the lack of consideration given to the facts above.

In conclusion, since we are actually reducing the number of Type 21 licenses in the City and in this trade area, the police study was flawed and we are bringing a brand new development of 2 high quality, sales tax generating tenants to this vacant corner, I am requesting a reversal of the denial.

Thank you for your consideration of my request. If you need any additional information or have any questions, please do not hesitate to give me a call.

Sincerely,



Michael J. Singelyn, Manager  
CHASE PARTNERS, LTD  
MLMMA, LLC  
6444 San Fernando Road, #3944  
Glendale, CA 91221  
310-480-8509  
[mjsingelyn@sbcglobal.net](mailto:mjsingelyn@sbcglobal.net)

Robert Vermeltoort

**Vermeltoort Architects Inc.**

[8525 N. Cedar, Suite 106](#)

[Fresno, Ca. 93720](#)

(559)432-6744

[rcv@vaifresno.com](mailto:rcv@vaifresno.com)

[www.vaifresno.com](http://www.vaifresno.com)