

**To: City of Fresno
Phillip Siegrist, Planner
Development Services Division**

Date: February 24, 2020

Subject: CUP NO. P19-05984

- 1) The JQFS has been at this location since June 1, 1987. The daycare center opened in 1995. We have never had a protest from the daycare center about any of our operations in over 33 years. There is an existing building that separates our building from the daycare center. The daycare center uses a separate drive way south of our driveway on Cedar Ave.
- 2) The other store that sells off-sale Beer (Type 20 License) the Chevron station on the NEC, did not appeal our license upgrade to Type 21.
- 3) The Rite-Aid which has a Type 21 License to sell beer, wine and distilled liquor did not appeal our license upgrade either.

Finding A

Rite-Aid – Has a Type 21 Off-Sale ABC License and sells beer, wine, and distilled liquor, the building is over 20,000 sf and has a completely different product mix, they sell health and beauty aid, drug prescriptions, food, photo, medical services along with beer, wine, distilled liquor. Rite-Aid customers spends an average of 15 minutes or longer in a Rite-Aid shopping.

Johnny Quik Food Store is located in a 2240sf building and sells convenience type items that customers are currently purchasing bottled beverages, chips, ice, beer & wine, cigarettes, cigars, candy, ice cream, lotto, lottery, gasoline, and use the services of Air/Water MACHINE, atm, just to name a few items. The convenience store customer spends less than 5 minutes in the store. The establishment with alcohol sales is considered legal use. There is no reason why a convenience store shopper should not be allowed to purchase alcoholic beverages sold under the Type 21 License along with other items he/she purchases.

Finding B

Adding the ABC License change from Type 20 to Type 21 will not add any adverse impacts to the adjacent properties or the general public, approving the upgrade from a Type 20 to Type 21 will allow our customers to make the additional purchases allowed by the Type 21 License and not to have to make an additional trip to another location.

Finding C

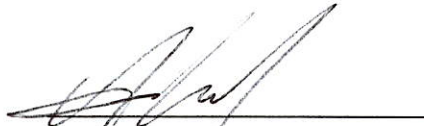
There is nothing that shows these findings to be true, the opposite is true by reducing vehicle trips of our current customers, which would reduce Air Pollution with less miles driven, who ask why we do not carry distilled liquor.

Finding D

The intensity of the proposed use of the site will not change, we have an existing customer base that comes to our location, because of the site convenience, service, product selection and the services offered by the shopping center.

Also, the *ITE Trip Generation Handbook, Third Edition* which suggests for pass-by rates of 62% (AM) and 56% (PM) for Gasoline/Service Station with Convenience Market.

Appellant



George J. Beal
Property Owner
President
Johnny Quik Food Stores

2/24/2020
Date

See Attached;

- Arial photo showing where the daycare center is compared to convenience store and entrance points.
- Trip Generation Impact from VICE Engineering

4.0 Project Impacts

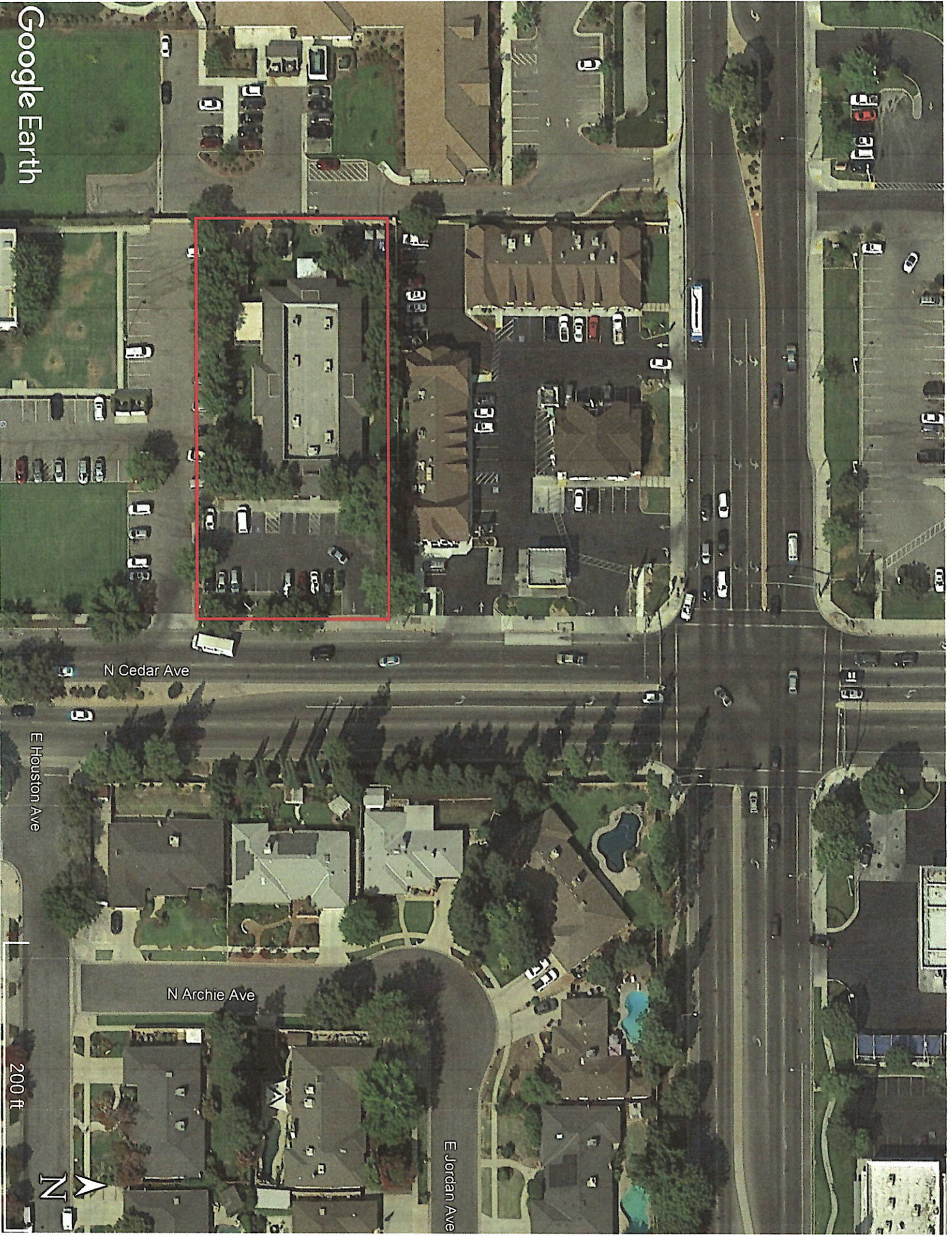
4.1 Trip Generation

The project generates primary, internal capture, pass-by, and net new trips. Primary trips are defined as vehicle trips that are generated for the primary purpose of using the development. These would mainly include employee, customer, service, and delivery trips made via the automobile. These would not include trips made by transit, bicycle, or on foot. These trips made by alternative transportation modes are initially expected to be relatively low due to the project's location along the urban fringe, the project's characteristics of catering toward the private automobile (gasoline service station with convenience store), and the lack of bicycle and pedestrian facilities along the project site frontage. As such facilities expand within the study area as called for in the Active Transportation Plan, the number of these transit, bicycle, and pedestrian trips would increase, thereby decreasing the number of trips made by the private automobile.

These primary vehicle trips are based on rates in the Institute of Transportation Engineers (ITE) *Trip Generation, Tenth Edition* (2017) for Gasoline Service Station with Convenience Market (945) (Gas Station and Building 1 – Johnny Quik Gasoline Service Station and Convenience Market), and Fast Food Restaurant with Drive-Thru Window (934), and Shopping Center (820) (Building 2 Retail).

Internal captured trips are that are shared among on-site land uses. In essence the trip is generated by the project, and then visits multiple land uses during the same trip, therefore should not be counted twice for the entire site, and a reduction should be provided for these internally captured trips. The National Cooperative Highway Research Program (NCHRP) *Report 684 Enhancing Internal Trip Capture Estimation for Mixed-Use Developments* methodology was selected over the ITE *Trip Generation Handbook Second Edition* (June 2004) methodology for calculating these deductions due to improved accuracy (12-13% average absolute error for NCHRP versus 56-59% average absolute error for ITE). For the purposes of the report, no internal trip reductions will be utilized.

Pass-by trips are trips not generated by the project and therefore are already on the roadway and makes an intermediate stop on their way to a primary destination. For pass-by trips, the *ITE Trip Generation Handbook, Third Edition* (September 2017) suggests pass-by rates of 34% (PM) for Shopping Center (820); 62% (AM) and 56% (PM) for Gasoline/Service Station with Convenience Market (945); and 49% (AM), and 50% (PM) for Fast Food Restaurant with Drive-Through Window (934). ITE analyzed 10 sites (Gasoline/Service Station with Convenience Market) and determined an average pass by trip percentage of 62% for AM, and 9 sites with an average 56% for PM, refer to Table E.37 and E.38, as shown in Appendix A. ITE analyzed 100 Shopping center sites (Land Use Code 820), and determined an average pass-by percentage of 34% during PM peak hours. ITE analyzed 6 Fast Food restaurant with drive thru sites (Land Use Code 934), and determined an average pass-by percentage of 49% during AM peak hours, and 18 Fast Food restaurant with drive thru sites and determined an average pass-by percentage of 50% during PM peak hours. For the purposes of this report, Pass-by trips were limited to 30%.



Google Earth

N Cedar Ave

E Houston Ave

N Archie Ave

E Jordan Ave

200 ft

