Exhibit S

CONSIDERATION OF AN APPEAL TO

Conditional Use Permit Application No. P24-01344

PRESENTATION BY: PHILLIP SIEGRIST, PLANNING MANAGER

City of FRESNO

CITY COUNCIL | August 14, 2025

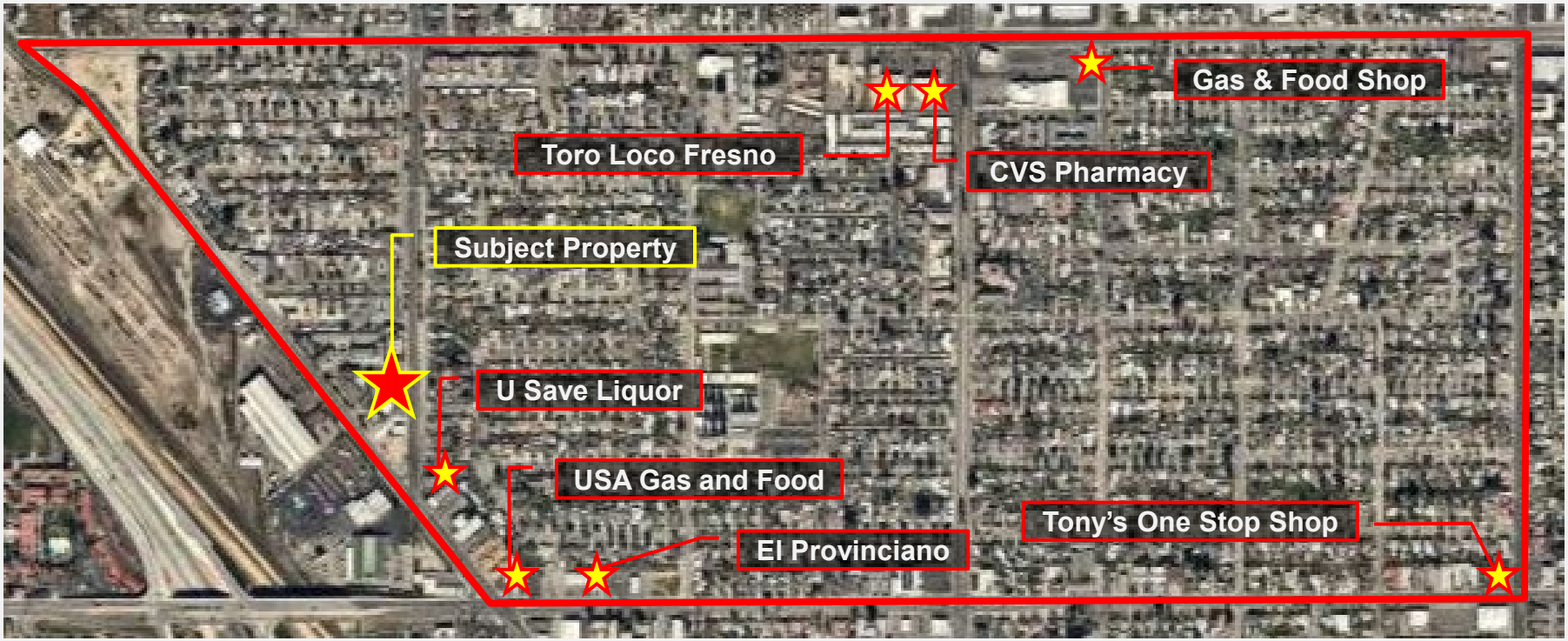
AERIAL MAP

- A's Family Market
- Request: establish Type 20 (Beer & Wine) Alcohol License CC *(Commercial – Community)* zone district

CONDITIONAL USE PERMIT APPLICATION NO. P24-01344

- Requests a Type 20 alcohol license (Off-sale – beer and wine)
  - Off-site alcohol sales permitted with approved CUP
  - Subject to Responsible Neighborhood Market Act (RNMA)
    - Does not meet all location restrictions
      - Near other establishments;
      - Within high-crime area;
      - Within high concentration area; and
      - Current citywide ratio exceeds 1 license per 2,500 residents

CENSUS TRACT 37.02



- Within Census Tract 37.02
  - 7 active licenses; 4 allowed
- Overconcentrated by 3 licenses
- Within 1,000 feet of 2 other establishments

CONDITIONAL USE PERMIT APPLICATION NO. P24-01344 CONT'D

- Chief of Police determined the proposed use is:
  - Located in area that would be detrimental to public health, safety, or welfare of persons in the area
  - Would increase the severity of existing law enforcement or public nuisance problems in the area
  - Exception (a) cannot be made
- Meets definition of General Market
  - Does not meet definition of Full-Service Grocery Store
- Project qualifies for 3 of 4 exceptions to location restrictions Exceptions (b, c, & d)
- Does not qualify for the Full-Service Grocery Store Exception

CONDITIONAL USE PERMIT APPLICATION NO. P24-01344 CONT'D

- Denied by the Planning Director
- Planning Commission upheld Director's decision
- Appealed by Councilmember Perea

STAFF RECOMMENDATION

- **DENY** the **APPEAL** and **UPHOLD** action of the Planning Commission to deny Conditional Use Permit Application No. P24-01344 requesting to establish a Type 20 alcohol license (Off-sale – beer and wine) for an existing neighborhood market (A's Family Market).

- Should the City Council approve the ABC license, the following shall be required:
  1. Make exceptions to location restriction (Exception (a)) or find the project meets definition of Full-Service Grocery Store
  2. Amend CUP findings (a, c & d)
  3. Adopt Environmental Finding – Class 1 Exemption