

August 31, 2018

Honorable Members of the Planning Commission
City of Riverside
3900 Main Street, 3rd Floor
Riverside, CA 92522

Re: Request for Finding of Public Convenience or Necessity
Off Sale Beer and Wine Sales (Type 20 ABC License)
ARCO AMPM at the NE Corner of Van Buren Blvd. and 91 Freeway

Census Tract Information

The site is located in census tract 316.01, (Exhibit "A", Page 1 & 2). Based on population, two off-sale alcohol licenses are permitted and two licenses exist, (Exhibit "B", Page 1 & 2). Therefore, the Department of Alcoholic Beverage Control requires a finding of public convenience or necessity (a "PCN Finding") to permit a beer and wine license at this store.

For informational purposes, the Chevron gas station at the northwest corner of Van Buren Blvd. and 91 Freeway is currently licensed to sell off sale beer and wine.

Project Information

The proposed ARCO AMPM will be 3,800 square feet in size (Exhibit "C"). Sales area will be 2,070 square feet. The Floor Plan identifies seventeen refrigerator doors, of which seven will contain cold beer and wine. Room temperature beer in 12, 18 and 24 packs will be displayed on the end caps of the aisles closest to the cold alcoholic beverages (see the Floor Plan with the refrigerated and the room temperature beer and wine areas marked, attached as Exhibit "D").

The store is proposing to operate twenty-four hours per day, but as required by State law, we are proposing to limit the sale of beer and wine to between 6 AM and 2 AM only. To ensure that this restriction is strictly enforced, we are equipping the refrigerator doors that contain beer and wine with locks that operate and lock the doors at 2 AM automatically.

PCN Findings

To assist the Commission in considering this request, please see the information below:

- Products or services provided by the ARCO AMPM are different and unique to the area:

As required by Area, the building design, the floor plan layout, and the inventory of products will conform to the prototypical Area and AM PM's proprietary model and plan-o-gram. Although the finding above focuses on whether the project is unique or different, this project will be a benefit to the City at large, and to local residents, because the store design is familiar, the food and beverage items are consistent with other ARCO AMPMs, and business model is very convenient for automobile owners who appreciate the opportunity to purchase convenience store items while they're refueling their vehicles. This in turn prohibits the need to drive to another store in order to purchase beer and wine therefore reducing the street traffic and congestion.

- Improvements proposed for the site that will be beneficial to the surrounding community:

The development of the store next to Van Buren Blvd. and 91 Freeway will be a convenience to transit customers. Local residents and commuters will have direct access to the site from Van Buren Blvd. and will find the 16 covered gas pumps and the store a convenience. A landscaped buffer will provide a green buffer zone that separates the gas station canopy and buildings from the adjacent roadways.

- The issuance of a beer and wine license at the ARCO AMPM and the operation of that business will not contribute to or aggravate an existing crime problem in the area:

We have significant experience operating gas stations with convenient stores. Like our other operations, we intend to operate this store personally and with our experienced and well trained management team.

- The sale of beer and wine at the store will increase customer convenience, without jeopardizing public safety, as a result of the precautions discussed below:

State of the Art Cash Registers: ARCO AMPM requires its franchisees to utilize cash registers with state of the art technology that calculates and confirms the customer's age as part of every alcohol sales transaction. When a cashier scans an alcoholic beverage, the cash register stops the sale until the cashier requires the customer to swipe their driver's license. Without a valid license, the cash register will not complete the transaction. This technology calculates the customer's age for the cashier and removes the possibility of error, reducing the sale of alcohol to underage customers.

Responsible Alcohol-Sales Training Program: We, as well as the Store Managers, and all employees will be required to attend the Licensee Education on Alcohol and Drugs ("LEAD") program, offered by the ABC, on a regular basis, and keep current regarding California's laws governing the sale of alcoholic beverages.

Security Cameras: We will install 36 security cameras with sound capability, 12 inside and 24 outside the store, in locations that provide the best vantage point for monitoring purposes.

- o Exterior cameras will capture activities and voices under the gasoline canopy, along the building parameter, in the parking area facing the parking stalls and Van Buren Blvd., at the entrance and exit, and on the east and west sides of the store.
- o A camera will be installed at the driveways on Van Buren Blvd. and onto the adjacent property to the north to record the license plate number of every car that enters and exits the site.
- o Interior cameras will record every cash register transaction, how the cashier handles it, identify the customer's face and voice, in addition to monitoring inventory.

When we hire an employee, we will advise them of the cameras over the cash registers and will warn them that if they sell alcohol to a minor, they will be terminated. Technology exists today that will allow us and the Store Managers to view footage from every camera in the store in real time from remote locations.

Alcohol Display Location: Locating room temperature beer in the rear of the store discourages and interferes with the "grab and go" theft of beer.

Parking Lot Safety: Parking lot lighting will promote safety on the site and facilitate clear pictures from the exterior cameras. The exterior cameras will be visible to customers outside the store, and together with signage prohibiting loitering; will allow us, the Owners, and the Store Managers to prevent unwanted behavior, if it occurs.

Owner's Volunteered Conditions: We, the Owners, have made it a policy to prohibit the sale of single servings of alcoholic beverages at all of our locations and intend to extend this policy to this location, subject to approval of this request.

This store will be open 24 hours a day, 7 days a week, in 3 8-hour shifts. The 1st shift will be from 6 AM to 2 PM, 2nd shift will be from 2 AM to 10 PM and the 3rd shift will be from 10 PM to 6 AM. The 1st and the 2nd shifts will have a minimum of 4 employees and the 3rd shift will have a minimum of 2 well trained employees.

Educational Activities: On behalf of itself and its Franchisees, ARCO AMPM works to educate the public regarding the dangers of alcohol abuse. Royalty fees paid by the Franchises support ARCO AMPM in these endeavors.

- o By funding Mothers Against Drunk Driving, a group whose mission is to stop drunk driving, support victims of drunk driving, and prevent underage drinking, and,

- o By educating students at high schools, colleges and universities regarding the dangers of alcohol abuse.

Based on ours and our management group's intent to operate this store with the precautions described above, the sale of beer and wine is not expected to jeopardize public safety in the neighborhood, at this location, or in the City at large. For these reasons, we ask you to approve the PCN finding to permit the sale of beer and wine at this site.

Thank you for your consideration.

Very truly yours,

Oscar Etemadian
Magnolia Crossings, LLC.

Enclosures
EXHIBITS